

Sacramento Police Department

Use Of Force Report

Incident Entered By: Police Sergeant Jeffrey Morris - 688
Assigned Investigator: [Incident pending assignment]

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
5/28/2014	5/28/2014	01:11
Record ID #	Report Number	IA No
15893	14-144761	UOF2014-052
Date/Time Entered	5/28/2014 23:07	

Incident Summary

On 5-28-14 at approx. 0103hrs., several officers were dispatched to the area of [REDACTED] La Riviera Dr. regarding a male (later identified a [REDACTED]) who had broken into an apartment and was threatening to kill himself with a piece of broken glass. As units were en-route, dispatch advised that [REDACTED] had cut his throat and had asked a witness to kill him. Paladin Security officers attempted to calm [REDACTED] down who was standing on the patio of apartment [REDACTED] (he had not entered the apartment) [REDACTED] began cutting his stomach with a piece of broken glass.

Officers Graham and Duink (2A65), Officer Tippets (1A69) and Officer Welsh (1A76) arrived in the area. They were all wearing SPD uniforms, driving marked police vehicles. As units began arriving, I, Sgt. Morris, advised units that I would be deploying the bean bag shotgun.

[REDACTED] La Riviera Drive is a building located in the large Rivercrest Apartment complex. Officers arrived on scene and began looking for [REDACTED]. They soon located him as well as several witnesses who were standing nearby.

As soon as [REDACTED] saw the officers, he lifted his shirt and began cutting himself vigorously on his stomach with the piece of broken glass.

[REDACTED] was standing on a small patio that was contained by a railing that was approx. 3 feet high. He was standing in front of a broken window. [REDACTED] had broken this window and was using a piece of glass from the window to cut himself.

Officers Duink and Graham approached with their CEDs drawn.

As the officers approached, [REDACTED] put the piece of glass to his neck. He made a slicing motion, then pulled the glass away from his neck and positioned the glass in a manner that made the officers think he was going to stab himself in the neck.

Officers Duink and Graham quickly closed the distance between themselves and [REDACTED] and then both deployed their CEDs. All four prongs struck [REDACTED]. He fell backwards into the window that was already broken, then onto the ground.

Officers were able to handcuff him. After handcuffing [REDACTED] he still tried to cut himself with a piece of glass that was on the ground. He was moved from the broken glass.

Medics were requested and subsequently responded and transported [REDACTED] to UCDMC. [REDACTED] sustained numerous self inflicted cuts (superficial) on his stomach and chest. He also sustained a self inflicted superficial cut on his throat. His most serious injury was to his right bicep which was caused by broken glass. It is unknown if the laceration occurred before officers arrived on scene or if it was a result of falling back into the window upon being tazed. [REDACTED] did not provide a statement but made numerous comments about death. After being sedated, his heartrate was still very rapid. Medical staff surmised that [REDACTED] was under the influence of a stimulant. He was placed on a 5150 W/I hold.

Numerous witnesses were contacted at the scene and provided statements consistent with the officers' version of events.

One witness recorded the incident on his iphone. There are three short videos. The first shows security trying to calm [REDACTED] down. The second shows [REDACTED] apparently slicing his stomach then placing the glass on his neck. The third video shows officers deploying their CEDs. The witness that recorded the incident was very cooperative and provided all videos to me (Sgt. Morris). The videos are attached to this Blue Team

document. Quicktime player is needed to view the videos.

Both Officers Graham and Duink advised that they deployed their CEDs because they were concerned [REDACTED] was going to try to stab himself in the throat. Officer Graham advised he was trying to save [REDACTED]'s life.

CSI was not available due to a homicide in district 4. I photographed the scene as well as [REDACTED] at UCDMC. A call was made up for CSI to photograph [REDACTED] when available (so there would be better quality photos of his injuries).

Based on the circumstances that transpired, I believe this use of force to be appropriate and within SPD policy and procedure.

Incident Location

[REDACTED] La Riviera Drive, Sacramento, CA 95826 - Location of Occurrence: 6 - East - Precinct: 6E

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
5150	Calls For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear		4 feet to 6 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	No
More than 1 Citizen Involved		
No		
Citizen's Build	Citizen's Height	
Med	5'7" to 5'9"	
Officer Assessment of Citizen Condition During Incident		
Unknown		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

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

Role

-

Types of Resistance Citizen Used Against Officer(s)

- Confirmed Sharp Object
- Other Noncompliance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Abrasion/Laceration		

Involved Officers

Police Sergeant Jason Duink - Badge Number: 0388

Assignment at time of incident: Title: Police Officer OOF/DIST 6--E/PATROL

Video Footage: [No Response]

Role

-

Less Lethal Force used by this officer against the citizen

- CED/Taser-Probe - Was Less Lethal Force Used Effective? Yes
Serial # - x00-216058
Cartridge # -

Projectile/probe contact Yes
of air cartridges used - 1
Number of cycles through probes - 1
Number of probe hits - 2
Total number of probes deployed - 2
Did the probe(s) penetrate subjects skin? Yes
Was an additional cartridge deployed? No
Follow up drive stun conducted No
Duration of cycles -
Accidental (unauthorized) discharge No

Application caused injury No
Subject was wearing heavy clothing No
Area of the body where projectiles/probes made contact - Chest

Statistical Information
Arc display No
Was citizen painted with laser / red dot? Yes

Force Used	Effective?	Regions	Points of contact
CED/Taser-Probe	Yes		

Police Officer Filmore Graham - Badge Number: 0389

Assignment at time of incident: Title: Police Officer OOF/DIST 6--E/PATROL

Video Footage: [No Response]

Role

-

Less Lethal Force used by this officer against the citizen

- CED/Taser-Probe - Was Less Lethal Force Used Effective? Yes
Serial # - x00565961
Cartridge # -

Statistical Information
Arc display No
Was citizen painted with laser / red dot? Yes

Force Used	Effective?	Regions	Points of contact
CED/Taser-Probe	Yes		

Citizen Witnesses

Address

- [Redacted]

Phone

- [Redacted]

Role

-

Address

- [Redacted]

Phone

- [Redacted]

- [Redacted]

Role

-

Address

- [Redacted]

Phone

- [Redacted]

Role

-

Address

- [Redacted]

Phone

- [Redacted]

Role

-

Address

- [Redacted]

Phone

- [Redacted]

Role

-

Address

- [Redacted]

Phone

- [Redacted]

Role

-

Officer Witnesses

Police Officer Joseph Tippets - Badge Number: 0259

Video Footage: [No Response]

Role

Police Officer Jason Welsh - Badge Number: 0238

Video Footage: [No Response]

Role

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

No attachments

Assignment History

Sent Dt	From	To
6/24/2014	Captain Dave Risley	(None Specified)
Assignment notes Released back to IAPro		
Email sent to receiver No email sent		

Chain of Command History

Routing #1

Sent From:	Police Sergeant Jeffrey Morris
Sent To:	Reserve Police Offi 09006 Shawn Rogers
CC:	(none)
Sent Date/Time:	6/9/2014 11:02 PM
Instructions from Police Sergeant Jeffrey Morris to Reserve Police Offi 09006 Shawn Rogers:	
Lt., This is the CED deployment of the 5150 on La Riviera. There are 3 videos that are attached. These are the videos that a witness recorded. To view the videos, you must have quicktime viewer on your computer. I had IT install it for me and I was able to view the videos. Jeff	
Comments/Response from Reserve Police Offi 09006 Shawn Rogers:	
Approved: Approved	
Reason:	
Comments: The use of force was justified and within department policy.	

Routing #2

Sent From:	Reserve Police Offi 09006 Shawn Rogers
Sent To:	Police Captain Wendy Brown

CC:	(none)
Sent Date/Time:	6/10/2014 1:29 AM
Instructions from Reserve Police Offi 09006 Shawn Rogers to Police Captain Wendy Brown:	
Please review and forward to Captain Gardner.	
Comments/Response from Police Captain Wendy Brown:	
Approved: Approved	
Reason:	
Comments:	
This use of force is appropriate and within SPD policy and procedure.	

Routing #3	
Sent From:	Police Captain Wendy Brown
Sent To:	Police Captain Kevin Gardner
CC:	(none)
Sent Date/Time:	6/13/2014 3:20 PM
Instructions from Police Captain Wendy Brown to Police Captain Kevin Gardner:	
For your review.	
Comments/Response from Police Captain Kevin Gardner:	
Approved: Approved	
Reason:	
Comments:	
Force was appropriate and within policy.	

Assigned Investigator Signature Line

 [Incident pending assignment]

Chain of Command Signature Lines

 Reserve Police Offi 09006 Shawn Rogers

 Police Captain Wendy Brown

 Police Captain Kevin Gardner

Report Number: 14-144761

Please note that the records provided in this release do not include records or portions of records that are exempt from disclosure pursuant to applicable law. Without limiting other arguments against disclosure that may exist, the following records or portions of records are specifically prohibited or exempted from disclosure:

Records or information, the disclosure of which would compromise the anonymity of whistleblowers, complainants, victims or witnesses (Cal. Pen. Code § 832.7(b)(6)(B));

Records or information, the disclosure of which would reveal personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure of the information (Cal. Pen. Code § 832.7(b)(7));

Records or information wherein the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure (Cal. Gov. Code § 6255(a)); and

Records or information, the disclosure of which is exempted or prohibited pursuant to federal or state law (Cal. Gov. Code § 6254(k); see also Cal. Const. art. 1 Sec. 1; HIPAA 45 CFR Part 160 and Subparts A and E of Part 164))

Sacramento Police Department
Professional Standards Unit
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