

Sacramento Police Department

Use Of Force Report

Incident Entered By: Police Sergeant Rachel Ellis - 1092
Assigned Investigator: [Incident pending assignment]

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
8/25/2014	8/25/2014	21:44
Record ID #	Report Number	IA No
16225	14-238946	UOF2014-098
Date/Time Entered		
8/30/2014 15:28		

Incident Summary

We received a call for service regarding a named suspect, Rainey Martinez, who was a ██████ McCarthy Street and the girlfriend ██████, had told her mother she was afraid she would hurt him. There was prior documented domestic violence history between the two. Martinez was also found to be on active parole for 212.5 PC. Ofc Mabunga and Ofc. Morrison arrived on scene and as they approached the residence, they heard someone say, "He ran out the back." The officers gave chase through Dos Rios complex out to Richards Blvd where they lost sight of him. As we were attempting to set up a perimeter in the area, the manager of The Restaurant Depot, 1275 Vine St, told another officer that they had seen a person run into the back fenced area of the property at the time the police units were responding to the area. We set up a perimeter around the business and surrounding properties (most of the area was the Two Rivers Bike Trail).

Ofc. Thomson and K9 Dutch responded to the rear of the business. The property was surrounded by a appx 8-10 ft chain link fence with barbed wire on top. The east side of the business had thick berry bushes along the fence line.

Ofc. Morrison and Ofc. Mabunga responded back to the original location and contacted the victim. She confirmed that there was a good 273.5 PC want on him as well as the 148 PC want for running from the police initially. Additionally, there were children present during the altercation who tried to defend their mother from his attack. With this information, coupled with his history of violence, the area that was to be searched being a danger to officers as it was thick shrubbery, and it being unknown if the suspect had a weapon on him that could be used against officers, I approved Ofc. Thomson's request to use K9 Dutch to search for Suspect Martinez.

Ofc. Thomson gave numerous K9 Announcements using the in car PA system around the back side of the restaurant. At no time did Sus Martinez come out indicating any surrender. Ofc. Thomson began his search and K9 Dutch located a discarded black t-shirt along the n/e corner of the property. K9 Dutch continued searching s/b along the east side of the property. Ofc. Southward and Nollette were acting as cover officers.

K9 Dutch got to the s/e corner of the rear of the property where the visibility was at a minimum. There were also several metal carts and pallets in the area. K9 Dutch dove into the berry bushes alerting to the suspect and eventually Ofc. Thomson heard a voice yelling, "Ok, OK, you got me."

After releasing K9 Dutch from Suspect Martinez, he was handcuffed by Ofc. Nollette and Ofc. Southward. He had the following injuries: puncture to the back of the left thigh between the knee and hip; punctures to the front of the left thigh between the knee and hip. He was transported to the hospital and was admitted to Kaiser South for a few days. He was eventually booked for 273.5 PC, 273(a)(b) PC, 3056 PC, and 148 PC.

This use of force was within policy.

Incident Location

- 1275 Vine Street, Sacramento, CA 95814 - Location of Occurrence: 3 - Central - Precinct: 3A

Use of Force Specific Information

Reason for Use of Force

Service Being Rendered

Assault	Calls For Service	
Weather Condition	Lighting Condition	Distance to Citizen
Clear		1 feet to 3 feet
Citizen Injured	Citizen Taken to Hospital	Citizen Arrested
Yes	Yes	Yes
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		
Parole-Alcohol		
Officer(s) Injured	Officer(s) Taken to Hospital	
No	No	

Reporting/Involved Citizen Information

DOB: 8/14/1987 Race: Hispanic Ethnicity: Gender: Male

Address

[REDACTED]

Phone

[REDACTED]

Role

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Types of Resistance Citizen Used Against Officer(s)

- Other Noncompliance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Visible Injury		
Medical Clearance Required		

Charges against this Citizen

- 148(a) PC - Misdemeanor
- 3056 PC - Felony
- Domestic Violence - Felony
- Penal Code - Misdemeanor

Involved Officers

Police Officer Steven Thomson - Badge Number: 0364

Assignment at time of incident: Title: Police Officer OOS/METRO/SPEC OPS/K9

Video Footage: [No Response]

Role

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Force used by this officer against the citizen

- K-9 - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
K-9	Yes		

Officer Witnesses

Police Officer Jason Nollette - Badge Number: 0837

Video Footage: [No Response]

Role

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Police Officer Dustin Southward - Badge Number: 0690

Video Footage: [No Response]

Role

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Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

No attachments

Assignment History

Sent Dt	From	To
10/27/2014	AA Thuy Nguyen #6502	(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 Rachel Ellis
Sent To:	Reserve Police Offi 09006 Shawn Rogers
CC:	(none)
Sent Date/Time:	8/31/2014 6:24 PM
Instructions from Police Sergeant Rachel Ellis to Reserve Police Offi 09006 Shawn Rogers:	
For your review	
Comments/Response from Reserve Police Offi 09006 Shawn Rogers:	

Approved: Approved
Reason:
Comments:
The use of force was justified and within department policy. Great job by all those involved on this call as I listened to it from the start.

Routing #2

Sent From: Reserve Police Offi 09006 Shawn Rogers
Sent To: Police Captain Wendy Brown
CC: (none)
Sent Date/Time: 8/31/2014 7:29 PM

Instructions from Reserve Police Offi 09006 Shawn Rogers to Police Captain Wendy Brown:

2nd review please.

Comments/Response from Police Captain Wendy Brown:

Approved: Not approved
Reason: Need Additional Information
Comments:
Please send to Lt. Watson for the second due to the K-9 deployment.

Routing #3

Sent From: Police Captain Wendy Brown
Sent To: Reserve Police Offi 09006 Shawn Rogers
CC: (none)
Sent Date/Time: 9/11/2014 10:46 PM

Instructions from Police Captain Wendy Brown to Reserve Police Offi 09006 Shawn Rogers:

Please forward to Lt. Watson

Comments/Response from Reserve Police Offi 09006 Shawn Rogers:

Approved: Approved
Reason:
Comments:
For your review.

Routing #4

Sent From: Reserve Police Offi 09006 Shawn Rogers
Sent To: Police Lieutenant-Exempt Jeffery Watson
CC: (none)
Sent Date/Time: 9/14/2014 10:22 PM

Instructions from Reserve Police Offi 09006 Shawn Rogers to Police Lieutenant-Exempt Jeffery Watson:

For your review.

Comments/Response from Police Lieutenant-Exempt Jeffery Watson:

Approved: Approved
Reason:
Comments:
The use of the K9 was appropriate and within policy

Routing #5

Sent From: Police Lieutenant-Exempt Jeffery Watson
Sent To: Police Captain Jacqueline Dowden
CC: (none)
Sent Date/Time: 10/6/2014 2:13 PM

Instructions from Police Lieutenant-Exempt Jeffery Watson to Police Captain Jacqueline Dowden:

For review.

Comments/Response from Police Captain Jacqueline Dowden:

Approved: Approved
Reason:

Comments:
Use of K9 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 Lieutenant-Exempt Jeffery Watson

Police Captain Jacqueline Dowden

City of
SACRAMENTO
Police Department

DANIEL HAHN
Chief of Police

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Report Number: 2014-238946

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Records or information, the disclosure of which would compromise the anonymity of complainants or witnesses (Cal. Pen. Code § 832.7(b)(5)(B)).

Sacramento Police Department
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