

Sacramento Police Department

Use Of Force Report

Incident Entered By: Reserve Police Offi 09002 Laura Peck - 78
Assigned Investigator: [Incident pending assignment]

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
3/23/2015	3/23/2015	23:00
Record ID #	Report Number	IA No
16860	15-80922	UOF2015-039
Date/Time Entered		
3/31/2015 00:05		

Incident Summary

LITIGATION HOLD 02/21/15 (see attached memo). B
RT Sgt Cully had received complaints from a citizen of aggressive transients on the property of 1700 Alhambra Blvd. He asked RT officer Rath and Deputy Huffman to frequent the area. On 03/23/2015, they located two subjects on the property of 1700 Alhambra Blvd. One subject was cooperative and began packing up his belongings as instructed. The other subject was ignoring officers commands to exit the box and display his hands. Numerous requests were made to show his hands but no response. Deputy Huffman reached for the suspect's right arm, while officer Rath reached for his left arm. Both officers continued to tell the suspect to show his hands but he refused. Prior to Deputy Huffman obtaining a grip of the suspect's arm, the suspect attempted to elbow Deputy Huffman in the head. Deputy Huffman attempted to apply a shoulder hammer lock on the suspect's right arm. Officer Rath grabbed his left arm. During the struggle, Deputy Huffman heard a loud pop and thought that the suspect's arm had broken.

The Fire Department responded and transported the suspect to Sutter General Hospital where it was confirmed, his right arm was broken. An area canvas was conducted. CSI responded to photograph the scene and photographed the suspect at the hospital.

Prior to the first subject leaving the scene, officers obtained his statement as a witness to the incident.

The suspect was cited for 243 (b) PC and 148 PC and released at the hospital.

I, Sgt. Peck #3125, responded to the scene, 1700 Alhambra. I contacted both the officer and the deputy that were involved. I observed fire rendering first aid to the suspect. I ensured that a canvas was completed, that CSI responded to the scene and to the hospital, that the one and only witness was contacted and a statement taken, and that the proper paperwork was completed.

Incident Location

• 1700 Alhambra Blvd., Sacramento, CA - Location of Occurrence: 6 - East - Precinct: 6D

Use of Force Specific Information

Reason for Use of Force	Service Being Rendered	
Other	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	
Small	5'7" to 5'9"	

Officer Assessment of Citizen Condition During Incident

Unknown

Officer(s) Injured

No

Officer(s) Taken to Hospital

No

Reporting/Involved Citizen Information

DOB: 8/23/1991 Race: Black Ethnicity: Gender: Male

Address

- [REDACTED]

Phone

- [REDACTED]

Role

-

Types of Resistance Citizen Used Against Officer(s)

- Physical Resistance
- Other Noncompliance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Medical Clearance Required		

Charges against this Citizen

- 148(a) PC - Misdemeanor
- Other Misdemeanor

Involved Officers

Police Sergeant Jeffrey Rath - Badge Number: 3006

Assignment at time of incident: Title: Police Officer OOS/CONSERV/HIDTA/RT

Video Footage: [No Response]

Role

-

Force used by this officer against the citizen

- Control Holds - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Control Holds	Yes		

Citizen Witnesses

Role

-

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

No attachments

Assignment History

Sent Dt	From	To
5/26/2015	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:	Reserve Police Offi 09002 Laura Peck
Sent To:	Police Captain Steven Oliveira
CC:	(none)
Sent Date/Time:	3/31/2015 3:47 AM
Instructions from Reserve Police Offi 09002 Laura Peck to Police Captain Steven Oliveira:	
This is the use of force involving Deputy Huffman at 1700 Alhambra Blvd on March 23, 2015.	
Comments/Response from Police Captain Steven Oliveira:	
Approved: Not approved	
Reason: Need Additional Information	
Comments: Looking through the report, no where is it documented what the suspect's injury was. A supl needs to be added regarding his injury.	

Routing #2	
Sent From:	Police Captain Steven Oliveira
Sent To:	Reserve Police Offi 09002 Laura Peck
CC:	(none)
Sent Date/Time:	4/13/2015 3:47 AM
Instructions from Police Captain Steven Oliveira to Reserve Police Offi 09002 Laura Peck:	
see notes	
Comments/Response from Reserve Police Offi 09002 Laura Peck:	
Approved: Approved	
Reason:	
Comments:	

I contacted the Sac PD officer involved and requested that he complete a supplement to the report indicating what the Dr. said.

Routing #3

Sent From:	Reserve Police Offi 09002 Laura Peck
Sent To:	Police Captain Steven Oliveira
CC:	(none)
Sent Date/Time:	4/20/2015 4:34 AM

Instructions from Reserve Police Offi 09002 Laura Peck to Police Captain Steven Oliveira:

I contacted the Sac PD officer involved in the incident and requested that he complete a supplement indicating what the Dr said.

Comments/Response from Police Captain Steven Oliveira:

Approved: Approved

Reason:

Comments:

Based on the information provided, it appears proper control holds were applied and the use of force was reasonable and within policy. There was no ICC video of the incident.

Routing #4

Sent From:	Police Captain Steven Oliveira
Sent To:	Police Captain Norman Leong
CC:	(none)
Sent Date/Time:	4/27/2015 3:32 AM

Instructions from Police Captain Steven Oliveira to Police Captain Norman Leong:

For your 2nd review. Please forward to your Captain.

Comments/Response from Police Captain Norman Leong:

Approved: Approved

Reason:

Comments:

This use of force is reviewed on Officer Rath. His use of force is within policy.

Routing #5

Sent From:	Police Captain Norman Leong
Sent To:	Police Captain William Champion, Jr
CC:	(none)
Sent Date/Time:	4/27/2015 8:59 PM

Instructions from Police Captain Norman Leong to Police Captain William Champion, Jr:

Use of force involving Rath and Huffman. I have notified SSD Lt. for the Deputy portion of this incident.

Comments/Response from Police Captain William Champion, Jr:

Approved: Approved

Reason:

Comments:

UOF used by Officer Rath is within policy.

Assigned Investigator Signature Line

[Incident pending assignment]

Chain of Command Signature Lines

Police Captain Steven Oliveira

Reserve Police Offi 09002 Laura Peck

Police Captain Norman Leong

Police Captain William Champion, Jr

City of
SACRAMENTO
Police Department

DANIEL HAHN
Chief of Police

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

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

Report Number: 2015-80922

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

Records or information that constitutes the personal data or information of an officer or their family members (Cal. Pen. Code §§ 832.7(b)(5) and (b)(6)(A));

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

Records or information, the disclosure of which is exempted or prohibited pursuant to federal or state law (Cal. Gov. Code § 6254(k); see also Cal. Const. art. 1 Sec. 1).

Sacramento Police Department
Professional Standards Unit
916-808-3790
spdpus@pd.cityofsacramento.org