

Sacramento Police Department

Use Of Force Report

Incident Entered By: Police Sergeant Robert Quinn - 813
Assigned Investigator: [Incident pending assignment]

Incident Details

Date Received	Date of Occurrence	Time of Occurrence
12/6/2015	12/6/2015	18:20
Record ID #	Report Number	IA No
17608	15-346594	UOF2015-121
Date/Time Entered		
12/20/2015 16:18		

Incident Summary

While driving in the area of Del Paso Blvd/ Plaza Ave, Officer Bradley #0545 observed 3 male subjects standing on the sidewalk in front of Launderland. As he approach the group, they began to walk in all directions. A young male (15 years old) was contacted by Officer Bradley who stated that he knew one of the males, but not the other.

2 of the subjects began to cross the roadway outside the crosswalk. Officer Bradley attempted to make an enforcement stop for violation 10.20.020 SCC. One of the subjects took off running around the building. Officer Bradley followed the subject and re-acquired him in front of the Launderland building.

Officer Bradley exited his patrol car and drew his firearm giving the male subject verbal commands. The male subject (later identified as ██████████) became argumentative and aggressive. He called the Officer "bitch" multiple times and failed to comply with his commands to show his hands. S-█████████ began pounding his chest with his fist and then spit at the feet of Officer Bradley.

Officer Bradley holstered his firearm and drew his CED. He continued to give verbal commands, but with no compliance. He then discharged his CED at the subjects chest. He observed S-█████████ fall head first into the pavement. After the 5 second cycle was done, he observed that S-█████████ was still shaking, as if in a seizure. Officer Bradley observed that one of the CED probes had hit S-█████████ in the side of the head (temple area).

Security Officers from Paladin Security assisted Officer Bradley in handcuffing the subject. Officer Bradley requested Code 3 Medics to treat S-█████████ who had become unresponsive. Multiple statements were taken from Paladin Security Officers and witnesses on-scene that were consistent with Officer Bradley's observations.

Officers remained with S-█████████ at the hospital for over 24 hours as the Doctor's estimation was that he would be cleared for incarceration soon. After the ETA changed a couple of times, it was determined by Lt Ellis to issue him a citation and release him per 853.6 PC.

Paladin Security Officer ██████████ described the suspect's demeanor as having an aggressive state and that he swung his arms in an aggressive manner towards Officer Bradley. He also described the suspect to take a fighting stance prior to the discharge of the CED.

Paladin Security Officer ██████████ described the incident by saying that Officer Bradley discharged his CED just as the subject lowered his center of mass and turned his head to the left while advancing for the attack.

Officer Bradley advised that he pointed the laser on the CED at the suspect's chest and fired as the suspect started to charge at him. His intention was to deploy the CED to the chest area of the suspect, but when the suspect lowered his head to charge, one of the probes struck him in the head.

I responded to the scene, reviewed the report, the ICC video, and the report from Bradley's CED. Based on my response and review, I believe the use of force was justified and within the Policy of the Sacramento Police Department. The suspect had an agitated demeanor, speaking aggressively at the Officer and then took a fighting stance and was ready to charge at him.

During my review, I observed a couple areas of concern:

Officer Bradley stated that he believed his overhead lights were on during the chase and that he tried to push the button on his ICC mic during the incident to activate the ICC. After viewing the ICC video, there was no audio footage of the incident until after Officer Bradley had discharged his CED. Sergeant Armstrong discussed this discrepancy with Officer Bradley and he advised that he must have only switched his switch into the first position, causing only the rear amber/blue lights to flash. That would explain why the ICC video did not come on while he was chasing the subject.

The video appeared to be turned on by the button directly behind the camera as there were no other activations on the ICC screen and the vehicle car door closed momentarily after the audio turned on. The direction of the squad car and the ICC camera left no video of the exchange between Officer Bradley and S- [REDACTED]. It appeared that Officer Bradley did not have his ICC mic synched up to the squad car. When Sergeant Armstrong discussed this issue with Officer Bradley, he advised that he had put his ICC mic on the charger to synch it and forgot to retrieve the mic and holster it on his belt which would have completed the synch process. He advised that he had to enter the squad car and activate the ICC after the CED discharge after he realized that the ICC was not activated and he didn't have his ICC mic on his person.

I discussed with Officer Bradley the need to sync the Mic at the beginning of shift and to turn on the ICC and Mic as soon as practical when making an enforcement stop/contact. We reviewed the policy related to ICC's and the microphones. Officer Bradley stated he understood the policy and was advised regarding compliance in the future.

Incident Location

- 2503 Del Paso Blvd., Sacramento, CA 95815 - Location of Occurrence: 2 - Northeast

Categories

Use of Force Specific Information

Reason for Use of Force

927 Circ.

Service Being Rendered

Subject Stop

Weather Condition

Clear

Lighting Condition**Distance to Citizen**

1 feet to 3 feet

Citizen Injured

Yes

Citizen Taken to Hospital

Yes

Citizen Arrested

Yes

More than 1 Citizen Involved

No

Citizen's Build

Med

Citizen's Height

5'10" to 6'0"

Officer Assessment of Citizen Condition During Incident

Unknown

Officer(s) Injured

No

Officer(s) Taken to Hospital

No

Reporting/Involved Citizen Information

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

Phone

- [REDACTED] 

• [Redacted]

Role

•

Types of Resistance Citizen Used Against Officer(s)

- Other Noncompliance

Injuries sustained by this citizen

Injury	Regions	Injury Locations
Visible Injury		

Charges against this Citizen

- 148(a) PC - Misdemeanor

Involved Officers

Police Officer Michael Bradley - ABRA Number: 4094

Assignment at time of incident: Title: Police Officer OOF/DIST 4--SW/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? No
Serial # - X13000PWH
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 Yes
Subject was wearing heavy clothing No
Area of the body where projectiles/probes made contact - Chest

Statistical Information
Reason not effective -
Arc display No
Was citizen painted with laser / red dot? No

Force Used	Effective?	Regions	Points of contact
CED/Taser-Probe	No		

Citizen Witnesses

Phone

- [Redacted] 

Role

-

Address

- [Redacted]

Phone

- [Redacted] 

Role

-

Address

- [Redacted]

Phone

- [Redacted] 

Role

-

Address

- [Redacted]
- [Redacted]

Phone

- [Redacted] 
- [Redacted] 

Role

-

Role

-

Address

- [Redacted]

Phone

- [Redacted] 
- [Redacted] 

Role

-

Address

- [REDACTED]
- **Phone**
- [REDACTED]
- **Role**
-

Tasks

No tasks to show

Running Sheet Entries

No running sheet entries to show

Attachments

No attachments

Assignment History

Sent Dt	From	To
1/27/2016	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 Robert Quinn
Sent To:	Police Captain Pamela Seyffert
CC:	(none)
Sent Date/Time:	12/27/2015 10:42 PM
Instructions from Police Sergeant Robert Quinn to Police Captain Pamela Seyffert:	
Use of force report... Officer Bradley using his CED on Del Paso Blvd in front of Lauderdale.	
Comments/Response from Police Captain Pamela Seyffert:	
Approved: Not approved	
Reason: Need Additional Information	
Comments:	
Sgt. Quinn, was there any investigation as to how Bradley ended up hitting this suspect in the head with the probe. That would not be within our policy, so we need to look into that further. Also, please get together with Sergeant Armstrong and Bradley, and really drill down as to what happened with his mic, and why he manually turned it on after the tasing? Did he remember that he didn't have it synched after you told him you didn't have any audio?	
Routing #2	
Sent From:	Police Captain Pamela Seyffert
Sent To:	Police Sergeant Robert Quinn
CC:	Police Sergeant Matthew Armstrong

Sent Date/Time: 1/10/2016 1:52 PM

Instructions from Police Captain Pamela Seyffert to Police Sergeant Robert Quinn:

Bob please get a bit more detailed on the issues I raised and then get together with Matt to drill down on what really happened to his ICC?

Comments/Response from Police Sergeant Robert Quinn:

Approved: Approved

Reason:

Comments:

Sergeant Armstrong sat down with Officer Bradley and they discussed the issues related to the ICC and the Mic. I also expanded on the location strikes of the probes.

Routing #3

Sent From: Police Sergeant Robert Quinn

Sent To: Police Captain Pamela Seyffert

CC: (none)

Sent Date/Time: 1/11/2016 3:58 PM

Instructions from Police Sergeant Robert Quinn to Police Captain Pamela Seyffert:

Corrections/additions made regarding the Lauderdale Use of Force/ CED deployment.

Comments/Response from Police Captain Pamela Seyffert:

Approved: Approved

Reason:

Comments:

UOF was justified and within policy. Based on both Officer Bradley and the Paladin Security officer's statement, the suspect crouched into a fighting stance as if to charge at Bradley, just as Bradley deployed his taser. Bradley was aiming center of mass, but the suspect lowering his head changed the result of the probe contact.

Bradley was also verbally counseled and re-trained in the use and policy of the ICC.

Routing #4

Sent From: Police Captain Pamela Seyffert

Sent To: Police Sergeant Robert Quinn

CC: (none)

Sent Date/Time: 1/13/2016 3:15 PM

Instructions from Police Captain Pamela Seyffert to Police Sergeant Robert Quinn:

Please attach CAD call and resend.

Comments/Response from Police Sergeant Robert Quinn:

Approved: Approved

Reason:

Comments:

CAD Call attached.

Routing #5

Sent From: Police Sergeant Robert Quinn

Sent To: Police Captain Pamela Seyffert

CC: (none)

Sent Date/Time: 1/16/2016 3:25 PM

Instructions from Police Sergeant Robert Quinn to Police Captain Pamela Seyffert:

CAD Call attached.

Comments/Response from Police Captain Pamela Seyffert:

Approved: Approved

Reason:

Comments:

Try Again. Cad attached.

Routing #6	
Sent From:	Police Captain Pamela Seyffert
Sent To:	Police Lieutenant-Exempt Jason Morgado
CC:	(none)
Sent Date/Time:	1/17/2016 8:46 PM
Instructions from Police Captain Pamela Seyffert to Police Lieutenant-Exempt Jason Morgado:	
CAD Attached	
Comments/Response from Police Lieutenant-Exempt Jason Morgado:	
Approved: Approved	
Reason:	
Comments: I agree that the use of force was justified and within policy.	

Routing #7	
Sent From:	Police Lieutenant-Exempt Jason Morgado
Sent To:	Dep Chief of Police David Peletta
CC:	Dep Chief of Police David Risley
Sent Date/Time:	1/25/2016 11:20 AM
Instructions from Police Lieutenant-Exempt Jason Morgado to Dep Chief of Police David Peletta:	
Ready for final review	
Comments/Response from Dep Chief of Police David Peletta:	
Approved: Approved	
Reason:	
Comments: UOF was appropriate----delivery of it (CED) was not. The training was completed by the sergeant--and I am going to confirm that it was document in the employee's watch file.	

Assigned Investigator Signature Line

[Incident pending assignment]

Chain of Command Signature Lines

Police Captain Pamela Seyffert

Police Sergeant Robert Quinn

Police Lieutenant-Exempt Jason Morgado

Dep Chief of Police David Peletta

City of
SACRAMENTO
Police Department

DANIEL HAHN
Chief of Police

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Report Number: 15-346594

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Records or information that constitutes the personal data or information of an officer or their family members (Cal. Pen. Code §§ 832.7(b)(4) and (b)(5)(A)); and

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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