Sonoma County Sheriff's Office

Investigation - Case Details

Administrative Review: 16-AR-0003

Case Type:	Administrative Review	**Incident Number:**	16-AR-0003	**Report #:**	W161211-003
Call Type:	Assault	**Incident Date:**	12/11/2016	**Time:**	17:27
Origin:	Sheriff's Admininstration	**Reported Date:**	12/11/2016	**Time:**	19:14
Location:	Windsor Palms Shopping Center				
Address:	8499 Old Redwood Hwy; Windsor, CA				
Status:	Closed - General	**Date Closed:**	2/20/2018		

Details

Brief Summary:

Windsor Police deputies were dispatched to an assault with a deadly weapon call (vehicle) that occurred on Merner Drive in Windsor.

The reporting party stated there was a driver of a vehicle that nearly struck the reporting party numerous times, and it had been observed driving erratically in the neighborhood for the past 25-30 minutes.

While responding, Windsor Deputies received information from Sonoma County Sheriff`s dispatch of an officer safety bulletin issued by the Petaluma Police. The officer safety bulletin indicated a Christopher Eastwood was possibly armed with a firearm and intended to commit suicide by law enforcement. The make and color of the vehicle associated with Eastwood were similar to the vehicle related to the assault with a deadly weapon call.

While deputies were on scene investigating the assault report, the vehicle returned to the neighborhood and was identified by the reporting party. Windsor Police deputies attempted to initiate an enforcement stop on the vehicle, a gold Volkswagen Passat, and it was determined at this point the vehicle's license plate (CA. [redacted]) matched the vehicle information in the officer safety bulletin issued by Petaluma Police.

The vehicle failed to yield for Windsor Police at the corner of Merner Drive and Old Redwood Highway and continued northbound. The vehicle pursuit terminated when the driver of the vehicle, later determined to be Christopher Eastwood, stopped his vehicle in the Windsor Palms shopping center, located at 8499 Old Redwood Highway. Eastwood exited his vehicle holding an object he telling deputies it was a gun, and he threatened to kill them as he advanced towards them.

At this time, Eastwood was shot by a Windsor

	deputy, but he continued to towards them, refusing to comply with their orders. Deputies deployed their Taser's, incapacitating Eastwood. Eastwood was then handcuffed and taken into custody. Medical personnel transported Eastwood to Santa Rosa Memorial Hospital where it was determined he sustained a non-life threatening injury to his shoulder.
Was body camera used & reviewed?:	Yes
If so, was that video material to the outcome?:	Yes

Employee

Name: HAAS, CHRISTOPHER **ID:** 1101649

Supervisor At Incident:

Rank: DEPUTY SHERIFF II **Position:**

County Emp. ID:

Notes:

Persons Involved

Witness

Alias: **Date of Birth:** [redacted]

Address: **Age At Incident:** 41

Contact Type: **Contact Info:**

Race: White **Sex:** MALE

Build: **Weight:** **Height:**

Hair Color: **Eye Color:**

Notes: POST ID # [redacted]

Cloverdale PD Lateral

DL# [redacted] EXP [redacted]

[redacted]

BAILEY , NEIL

Witness

Alias: **Date of Birth:** [redacted]

Address: **Age At Incident:** 42

Contact Type: **Contact Info:**

Race: White **Sex:** MALE

Build: **Weight:** **Height:**

Hair Color: **Eye Color:**

Notes: [redacted]

CLARK, JEREMY

Witness

Alias: **Date of Birth:** [redacted]

Address: **Age At Incident:** 35

Contact Type: **Contact Info:**

Race: White **Sex:** MALE

Build: **Weight:** **Height:**

Hair Color: **Eye Color:**

Notes: POST ID # [redacted]

CDL [redacted] exp. [redacted]
CCW per 12050(a)(1)(E)(i) 10-08-07

[redacted]

MAIKRANZ, NICHOLAS

Witness

Alias: **Date of Birth:** [redacted]

Address: **Age At Incident:** 31

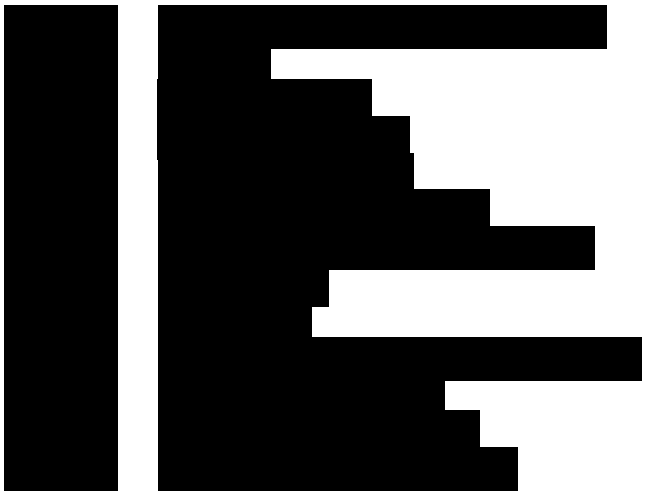
Contact Type: **Contact Info:**

Race: White **Sex:** MALE

Build: **Weight:** **Height:**

Hair Color: **Eye Color:**

Notes: CA DL [redacted] Exp: [redacted]



MATELLI, LAWRENCE

Employee Person Link

Employee:

Tracking

Group Assigned To: Internal Affairs **Employee Assigned To:** DOHERTY, LARRY

Role: Investigator **Employee Assigned By:** DOHERTY, LARRY

Date Assigned: 9/20/2017 **Due Date:** 11/19/2017

Completion Date: 12/13/2017 **Recommendation:** Within Policy

Notes:

Outcome Notification Status

Group Assigned To: Captains **Employee Assigned To:** ESSICK, MARK

Role: **Employee Assigned By:** NAUGLE JR, JAMES M

Date Assigned: 1/23/2018 **Due Date:**

Completion Date: 2/6/2018 **Recommendation:** Within Policy

Notes: Ready for review. JN - 1351

Outcome Notification Status

Group Assigned To:	Internal Affairs	**Employee Assigned To:**	NAUGLE JR, JAMES M
Role:	Dept. Head/Designee	**Employee Assigned By:**	DOHERTY, LARRY
Date Assigned:	12/13/2017	**Due Date:**	
Completion Date:	12/19/2017	**Recommendation:**	Within Policy

Notes: To IOLERO 12/19/2017. JN - 1351

Outcome Notification Status

Group Assigned To:	Executive Support Staff	**Employee Assigned To:**	SAYKES, JANINE
Role:		**Employee Assigned By:**	SHUBEL, CLINT
Date Assigned:	2/15/2018	**Due Date:**	
Completion Date:	2/20/2018	**Recommendation:**	

Notes: 2/20/18 Sent & Received Outcome Notification. js

Outcome Notification Status Received

Group Assigned To:	Executive Staff	**Employee Assigned To:**	SHUBEL, CLINT
Role:		**Employee Assigned By:**	ESSICK, MARK
Date Assigned:	2/6/2018	**Due Date:**	
Completion Date:	2/15/2018	**Recommendation:**	Within Policy

Notes: This has been the 2nd or 3rd OIS where we deputies don't recall being asked if the wanted a Chaplin or peer support present prior to an interview. I will send out notification to Watch Commanders to remind them of Policy to hopefully ensure it being asked.

Outcome Notification Status

Group Assigned To:	Captains	**Employee Assigned To:**	VERNON, AL
Role:	Evaluator	**Employee Assigned By:**	NAUGLE JR, JAMES M
Date Assigned:	1/23/2018	**Due Date:**	
Completion Date:	1/29/2018	**Recommendation:**	Within Policy

Notes: Ready for review. JN - 1351

I reviewed this AR on January 29. 2018. Within Policy. AV-293

Outcome Notification Status

Related Incident

Notification

Exhibit

Item Type:	Document	**Description:**	Notice of Investigation
Date:	12/12/2016	**Number:**	
Location:			
Link:	Item stored in the Database.		

Notes:	Notice of Investigation for Bailey, Clark, Haas, Maikranz and Matelli		
Item Type:	Document	**Description:**	Admin Leave
Date:	12/12/2016	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Dep Bailey's Notice
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Dep Clark's Notice
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Dep Haas' Notice
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Dep Maikranz' Notice
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Dep Matelli Notice
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Audio	**Description:**	[redacted] Phone Call
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Transcription	**Description:**	[redacted] Phone Call Transcription
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		

Notes:			
Item Type:	Video	**Description:**	Dep Bailey BWC
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Video	**Description:**	Dep Haas BWC
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Video	**Description:**	Dep Maikranz BWC
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Video	**Description:**	Dep Matelli BWC
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Report	**Description:**	Pursuit Report
Date:	12/12/2017	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Report	**Description:**	Investigative Narrative
Date:	1/30/2018	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Notification Reply
Date:	2/20/2018	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Matelli Interview Transcript
Date:	2/22/2018	**Number:**	1-3
Location:			
Link:	Item stored in the Database.		

Notes:

Item Type:	Document	**Description:**	Clark Interview Transcript
Date:	2/22/2018	**Number:**	1-2
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Bailey Interview Transcript
Date:	2/22/2018	**Number:**	1-2
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Maikranz Interview Transcript
Date:	2/22/2018	**Number:**	1-2
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	Cash-[redacted] Transcript
Date:	2/22/2018	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			
Item Type:	Document	**Description:**	CHP Cincera Transcript
Date:	2/22/2018	**Number:**	
Location:			
Link:	Item stored in the Database.		
Notes:			

Electronic Signature

DOHERTY, LARRY	110652	12/13/2017

Notes:

ESSICK, MARK	110348	2/6/2018

Notes:

SHUBEL, CLINT	110828	2/15/2018

Notes:

Narrative

Allegation and Actions Taken

Name:		**ID:**	
Policy Type:		**Policy List:**	
Violation:			

Finding: Finding Date:

Allegation Notes:

Sub: Report Signature

INTERNAL AFFAIRS INVESTIGATION
#16-AR-0003

Sonoma County Sheriff's Office
Internal Investigation Report

INCIDENT TYPE:	DATE OF INCIDENT:	DATE REPORTED:	FILE NUMBER:
Administrative Review—Officer Involved Shooting	12-11-2016	12-11-2016	16-AR-0003

EMPLOYEE:	DIVISION OR ASSIGNMENT:	WORK LOCATION:
Deputy Sheriff Christopher Haas	Patrol	Windsor Police Department

SUMMARY OF COMPLAINT:

This is an Administrative Review of an Officer Involved Shooting that occurred on December 11, 2016, at approximately 1740 hours, at 8499 Old Redwood Highway, in Windsor.

Windsor Police deputies were dispatched to an assault with a deadly weapon call (vehicle) that occurred on Merner Drive. The reporting party stated a driver nearly struck him numerous times. The vehicle was observed driving erratically in the neighborhood for 25 to 30 minutes.

While responding, Windsor Police deputies received additional information from Dispatch of an officer safety bulletin (BOL) issued by the Petaluma Police Department. The bulletin indicated Christopher Eastwood was possibly armed with a firearm and intended to commit "suicide by cop." The make and color of the vehicle associated with Eastwood was similar to the vehicle related to the assault with a deadly weapon call.

While deputies were on scene investigating the assault report, the vehicle returned to the neighborhood and was identified by the reporting party. Windsor Police deputies attempted to initiate an enforcement stop on the vehicle—a gold Volkswagen Passat. It was determined during this attempt that the vehicle's license plate (CA. [redacted]) matched the vehicle information in Petaluma's BOL.

The vehicle failed to yield for Windsor Police at the corner of Merner Drive and Old Redwood Highway and continued northbound on Old Redwood Highway. The vehicle pursuit terminated when the driver, later determined to be Eastwood, stopped his vehicle in the Windsor Palms Shopping Center, located at 8499 Old Redwood Highway. Eastwood exited his vehicle while holding an object and told the deputies it was a gun. He then threatened to kill the deputies as he advanced towards them.

Eastwood was shot by a Windsor Police Department deputy yet he continued to walk towards them, refusing to comply with their orders. Deputies deployed their Taser's, incapacitating Eastwood. Eastwood was then handcuffed and taken into custody. Medical personnel transported Eastwood to the Santa Rosa Memorial Hospital where it was determined he sustained a non-life threatening injury to his shoulder. He was booked at MADF

DIVISION ASSIGNED:	DATE ASSIGNED:	DATE COMPLETED:
Internal Affairs Unit	09-20-2017	12-13-2017
INVESTIGATOR:	SUPERVISOR (S) REVIEW:	
Sergeant Larry Doherty Sergeant Eddie Engram (12-11-16 till 09-20-17)	Lieutenant James Naugle	

INTERNAL AFFAIRS INVESTIGATION
#16-AR-0003

VIOLATION (S):	REVIEWER'SINDING:	REVIEWER'S FINDING:	REVIEWER'S FINDING:
ADMINISTRATIVE REVIEW: NO VIOLATIONS NOTED			
	SIGNED and DATED: Captain Mark Essick	SIGNED and DATED: Captain Al Vernon	SIGNED and DATED: ASH Clint Shubel

DISPOSITION:	
SIGNATURE: Sheriff Rob Giordano	DATE:

INTERNAL AFFAIRS INVESTIGATION
#16-AR-0003

Table of Contents

Tab	Page
Background Summary	**4**
Complaint/Authorities	**6**
Involved Parties	**7**
Investigation	**13**
Conclusions and Findings	**30**

Attachments:

1. Deputy Larry Matelli's Transcribed Statement
2. Deputy Jeremy Clark's Transcribed Statement
3. Deputy Neal Bailey's Transcribed Statement
4. Deputy Nicholas Maikranz' Transcribed Statement
5. Deputy Christopher Haas' Transcribed Statement
6. Sergeant Andy Cash's Transcribed Conversation with [redacted]
7. CHP Officer Ron Cincera's Transcribed Statement
8. Relevant Polices
9. SCSO Vehicle Pursuit Report 16-P-0039

INTERNAL AFFAIRS INVESTIGATION
#16-AR-0003

Background Summary

This is an Administrative Review of an Officer Involved Shooting that occurred on December 11, 2016, at approximately 1740 hours, at 8499 Old Redwood Highway, in Windsor.



Overhead of 8499 Old Redwood Highway.

Windsor Police deputies were dispatched to an assault with a deadly weapon call (vehicle) that occurred on Merner Drive. The reporting party stated a driver nearly struck him numerous times. The vehicle was observed driving erratically in the neighborhood for 25 to 30 minutes.

While responding, Windsor Police deputies received additional information from Dispatch of an officer safety bulletin (BOL) issued by the Petaluma Police Department. The bulletin indicated Christopher Eastwood was possibly armed with a firearm and intended to commit "suicide by cop." The make and color of the vehicle associated with Eastwood was similar to the vehicle related to the assault with a deadly weapon call.

While deputies were on scene investigating the assault report, the vehicle returned to the neighborhood and was identified by the reporting party. Windsor Police deputies attempted to initiate an enforcement stop on the vehicle—a gold Volkswagen Passat. It was determined during this attempt that the vehicle's license plate (CA. [redacted]) matched the vehicle information in Petaluma's BOL.

The vehicle failed to yield for Windsor Police at the corner of Merner Drive and Old Redwood Highway and continued northbound on Old Redwood Highway. The vehicle pursuit terminated when the driver, later determined to be Eastwood, stopped his vehicle in the Windsor Palms Shopping Center, located at 8499 Old Redwood Highway. Eastwood exited his vehicle while holding an object and told the deputies it was a gun. He then threatened to kill the deputies as he advanced towards them.

Eastwood was shot by a deputy, however Eastwood continued to walk towards the deputies, refusing to comply with their orders. Deputies deployed their Taser's, incapacitating Eastwood, who was then handcuffed and taken into custody. Medical personnel transported Eastwood to the Santa Rosa Memorial Hospital where it was determined he sustained a non-life threatening injury to his shoulder.

The Sonoma County 'Fatal Incident Protocol' was initially invoked so the Petaluma Police Department and the Sonoma County District Attorney's Office responded to investigate the circumstances surrounding this officer involved shooting. After it became apparent Eastwood's injuries were not life threatening, Sheriff Steve Freitas rescinded the Sonoma County 'Fatal Incident Protocol' and directed the Sonoma County Sheriff's Violent Crimes unit, in conjunction with the Sonoma County District Attorney's Office, to investigate this case.

Due to this matter being an 'Officer Involved Shooting,' the Internal Affairs Unit was assigned.



Complaint / Authorities

This investigation began after deputies from the Sheriff's Office and the Windsor Police Department (a contract city of the Sonoma County Sheriff's Office) were involved in an 'Officer Involved Shooting' at 8499 Old Redwood Highway, in Windsor. In the beginning of this investigation there were no specific allegations of policy violations or misconduct on behalf of any Sonoma County Sheriff's Office employees therefore there were no specific authorities to address; however, there are policies that govern some of the actions that were taken by employees. Based on those policies, the actions of the employees will be examined to determine if the policies were followed or if any policy can be improved upon.

The following policy, procedures, or protocols will be reviewed:

Sonoma County Sheriff's Office 'Department-Wide Policy and Procedure':

Press Release Policy
Radio Policy
Critical Incident Debriefing/Defusing
Major Incident Notifications
Use of Force
Taser Use
Authorized Firearms

Sonoma County Sheriff's Office 'Law Enforcement Division Policy:

314 Vehicle Pursuits
400 Patrol Functions

Copies of the above list policies, procedures, and protocols are attached to this report.

Involved Parties—Deputies

Deputy Neil Bailey (as of December 11, 2016)



Sex:	Male
Race:	White
DOB:	[redacted] (41 at the time of incident)
Date of Hire:	02/19/2001 (15 years)
	Cloverdale Police Department (2 years)
Collateral Assignments:	Field Training Officer, SWAT (Alternate)
Assignment:	Patrol
Post Certificates:	Basic 09/29/2000, Intermediate 06/28/2004, Advanced 04/02/2008

[redacted]

INTERNAL AFFAIRS INVESTIGATION
#16-AR-0003

Deputy Jeremy Clark (as of December 11, 2016)



Sex:	Male
Race:	White
DOB:	[redacted] (42 at the time of incident)
Date of Hire:	08/23/2016 (3 months)
Collateral Assignments:	None
Assignment:	Patrol
Post Certificates:	None

[redacted]



Deputy Christopher Haas (as of December 11, 2016)

Sex:	Male
Race:	White
DOB:	[redacted] (32 at the time of incident)
Date of Hire:	04/04/2006 (10 years)
Collateral Assignments:	Field Training Officer, Helicopter Observer
Assignment:	Patrol, Windsor PD
Post Certificates:	Basic 01/14/2008, Intermediate 08/29/2010, Advanced 08/31/2015

[redacted]

INTERNAL AFFAIRS INVESTIGATION
#16-AR-0003

Deputy Nicholas Maikranz (as of December 11, 2016)



Sex:	Male
Race:	White
DOB:	[redacted] (36 at the time of incident)
Date of Hire:	01/04/2011 (5 years)
Collateral Assignments:	None
Assignment:	Patrol, Windsor PD
Post Certificates:	Basic 03/01/2013, Intermediate 06/04/2013, Advanced 05/31/2017

[redacted]

INTERNAL AFFAIRS INVESTIGATION
#16-AR-0003

Deputy Lawrence Matelli (as of December 11, 2016)



Sex:	Male
Race:	White
DOB:	[redacted] (31 at the time of incident)
Date of Hire:	03/20/2012 (4 years)
	Marin County Sheriff (5 years)
Collateral Assignments:	SWAT
Assignment:	Patrol, Windsor PD
Post Certificates:	Basic 01/20/2009, Intermediate 06/26/2015

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

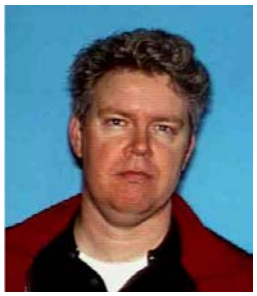
[redacted]

[redacted]

[redacted]”

Involved Parties—Suspect

Christopher Cormac Eastwood (as of December 11, 2016)



Sex:		Male
Race:		White
DOB:		[redacted] (49 at time of incident)
Address:		[redacted] Street, [redacted], San Francisco, CA
POB:		Belfast, Ireland
Physical:		
Height:	5’ 11	
Weight:	215 lbs.	
Eyes:	Blond	
Hair:	Blue	

FBI# None
CII# [redacted]
CDL# [redacted]

Criminal History:

None

INTERNAL AFFAIRS INVESTIGATION
#16-AR-0003

Investigation

On December 12, 2016, Lieutenant James Naugle asked Sergeant Eddie Engram to conduct an internal administrative review of this incident. He was provided with the Windsor Police Department investigation CR# W161211-003 (concerning an Assault with a Deadly Weapon, vehicle) and Petaluma Police Department's (PPD) report CR#16-0006271 (concerning a suicidal subject, Eastwood).

On September 20, 2017, I was asked by Lieutenant Naugle to complete this investigation, as Sergeant Engram was promoted and no longer assigned to Internal Affairs. I was unsure when Sergeant Engram received the Violent Crime (VCI) detective unit's investigation of this matter. (Between October 9 and 26, 2017, I was assigned to CalFire to assist with the fires that ravaged this county therefore I was unable to work on this investigation during that time.) In reviewing the reports, I deduced the following:

On December 11, 2016, at approximately 1646 hours, officers from the Petaluma Police Department were dispatched to the area of Colinda Drive and Mountain View Avenue, in Petaluma, for a suicidal subject. The subject, Christopher Eastwood (49 years old at the time of this matter), claimed he wanted to commit "suicide by cop." [1] It was believed Eastwood was armed with a handgun, possibly with a yellow handle. Eastwood was last seen in a gold Volkswagen Passat with a California license plate of [redacted].

Petaluma Police Officers met with the reporting party, [redacted]. [redacted] advised Eastwood was her former son-in-law who was married to her daughter, [redacted]. They use to live in San Francisco.

[redacted] said around 1600 hours, Eastwood showed up at her residence. [redacted] went outside to greet Eastwood and invite him into her residence however Eastwood refused, which was unusual as he always went inside. Eastwood was crying and claiming to be a "coward." Eastwood said his sister was in an accident in Arizona and he needed to protect his family. Eastwood would not elaborate. Eastwood then claimed his former father-in-law, [redacted] (whom [redacted] had divorced decades ago) hired a "hit man" to kill Eastwood. Eastwood appeared to be at his "wit's end." [2]

Eastwood claimed he waived his gun at every law enforcement officer he saw between San Francisco and Petaluma and none of them stopped him. It was Eastwood's desire to be killed by an officer. Eastwood claimed the officers would shoot him and he would shoot back.

According to [redacted], Eastwood did not appear intoxicated. She did notice an object on the floorboard of Eastwood's vehicle, which she believed to be a handgun.

At 1702 hours, Petaluma Police Department broadcasted a BOL about what occurred (PPD case 16-0006271).

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[1] Petaluma Police Department report 16-0006271, as found in VCI's Investigative binder under tab 25, pg. 3 of 12.

[2] Ibid., pgs. 3 and 4.

At approximately 1727 hours, deputies from the Windsor Police Department were dispatched to [redacted] Merner Drive, in Windsor, for an assault with a deadly weapon. The reporting party, [redacted], called after nearly being struck by a vehicle he described as being gold or champagne colored and having four doors. The vehicle was driven by a white male in his fifties. [redacted] said the vehicle was driving erratically in his neighborhood. The driver was pulling his vehicle into different driveways, then he would back out and speed up and down the street. [redacted] said this went on for twenty-five to thirty minutes.

When the driver collided with his wife's vehicle, [redacted] approached the vehicle to question the driver. As he approached the vehicle, the driver accelerated towards [redacted] but turned abruptly before colliding with him. The driver then drove his vehicle onto the raised center divide of Merner Drive. [redacted] believed the driver's action were intentional and when he tried to confront him, the driver intentionally attempted to hit him with his vehicle. The driver then drove away westbound on Merner Drive. [redacted] then called Dispatch.

After the deputies arrived, the vehicle returned and drove eastbound onto Merner Drive, this time pulling into the driveway of [redacted] Merner Drive. [redacted] said the driver then backed his vehicle up and drove the wrong direction on Merner Drive. The deputies drove after the erratic driver.

The deputies attempted to initiate a vehicle stop on the gold Volkswagen Passat having a California license plate of [redacted]. That vehicle matched the Petaluma BOL, which confirmed the deputies were now dealing with Eastwood, who was supposed to be armed and threatening to force deputies to shoot him.

The vehicle pursuit lasted about two and a half miles, from Merner Drive, north on Old Redwood Highway to Lakewood Drive through the Town of Windsor during peak traffic hours and reached speeds exceeding sixty miles per hour in posted 35 and 40 mph speed zones. Eastwood drove his vehicle crossing over double yellow lines into the opposing lane of traffic, causing vehicles to take drastic maneuvers to avoid colliding with his vehicle on several occasions. Eastwood placed the lives of the public in danger and showed willful and wanton disregard for the safety of others as he drove his vehicle through multiple red traffic signal controlled intersections and over a raised concrete median into oncoming traffic at Lakewood Drive.

Eastwood eventually pulled into the Windsor Palms Shopping Center, located at 8499 Old Redwood Highway. There, Eastwood immediately exited his vehicle, threatened to kill the deputies and took a shooting stance holding an object he told the deputies was a gun. Eastwood then advanced towards the deputies.

Body worn cameras show Eastwood exiting his vehicle and advancing towards the deputies in what is known as "shooting stance," in that he held both of hands extended forward holding an object while crouched slightly down. Eastwood stated, "I`m gonna fucking kill you, it's an automatic."

Deputy Haas believed that Deputy Matelli's life was threatened since Eastwood was pointing the perceived handgun at him. Fearing for his life, Deputy Haas shot Eastwood in an attempt to stop his actions. Despite being shot, Eastwood still refused to follow deputies' directions. Deputy Haas fired his duty firearm several times, striking the suspect once (no apparent effect at time and later determined to be a minor injury).

Deputies yelled at Eastwood to stop and drop his weapon, but he refused. Present at this time were Deputies Neal Bailey, Jeremy Clark, Christopher Haas, Larry Matelli, and Nicholas Maikranz.

The deputies then realized Eastwood did not have a weapon though he still refused to comply with lawful orders and continued to simulate he had a handgun. When Eastwood started to head back towards his vehicle the deputies were concerned he would either retrieve a handgun or get back into his vehicle and drive erratically again. Deputy Bailey was able to Tase Eastwood which then allowed them to place him into handcuffs.

While enroute to Santa Rosa Memorial hospital, Eastwood told Bell's Ambulance Paramedic [redacted], he "… wanted to be shot tonight. I wanted the cops to shoot me. I told them to shoot me." Eastwood denied being depressed, having any behavioral or psychiatric issues.

Eastwood was provided medical attention and was thereafter transported to the Sheriff's Office where detectives attempted to interview him. Eastwood refused to discuss what occurred so he was transported to the Main Adult Detention Facility and booked into custody for the following charges:

245(a) (1) PC	Assault with a deadly weapon (not a firearm)
2800.1 CVC	Evading Police Officer.
69 PC	Obstruct/ Resist Executive Officer

These charges were later amended to:

5 Counts of 69 PC	
2800.2 CVC	
23103 CVC	Reckless Driving

The Sonoma County 'Fatal Incident Protocol' was initially invoked initially, but Sheriff Freitas later directed VCI, in conjuncture with the Sonoma District Attorney's Office, to investigate the circumstances surrounding this officer involved shooting since Eastwood's injuries were not life threatening.

After the shooting, those deputies involved in this incident were questioned by VCI detectives along with investigators from the District Attorney's Office.



On December 12, 2016**,** at 0153 hours, Detectives Jesse Hanshew and Jeff Toney interviewed Deputy Larry Matelli, who was represented by attorney Nicole Pifari (Rains, Lucia, and Stern). Deputy Matelli basically stated the following:

Deputy Matelli has worked for the Sheriff's Office for the past five years. Prior to that he worked five years as a deputy for the Marin County Sheriff`s Office. While at Marin, Deputy Matelli was a Field Training Officer and a member of the Special Weapons and Tactics team (SWAT). Deputy Matelli is currently a member of the Sonoma County Sheriff`s SWAT team and he is a Firearms Instructor.

Deputy Matelli is currently assigned to Windsor Police Department, working swing shift, Sunday through Wednesday. His call sign was Frank-87 (F-87). He was driving a marked patrol vehicle, W34.

While working patrol, Deputy Matelli heard the Petaluma Police BOL, when he was then dispatched an assault with a deadly weapon (vehicle) on Merner Drive. Deputies Haas and Matelli responded from the Windsor Walmart. Deputy Matelli recalled the initial details reported were that a subject in a gold colored sedan was driving up and down Merner Drive trying to hit a citizen who was in front of his house on the sidewalk.

Dispatch immediately advised about the similarity between the Petaluma Police BOL and the Merner drive call. Once that was established, other units were dispatched to the call. Sheriff`s dispatch reiterated the driver was possibly suicidal, had a handgun, and was driving a gold Volkswagen Passat. Dispatch specifically said the handgun had either wood or a yellow handle.

While Deputy Matelli was driving to the call, he was evaluating the information he was receiving, like did the suspect try hitting somebody with a car, why would he stay in the area and not simply leave. Was the suspect staying there to ambush the responding deputies?

Deputy Matelli responded to Merner Drive and met the reporting party, [redacted]. Deputy Matelli described Merner Drive as a two way street separated by an island in the roadway. [redacted] said the driver was driving a gold Passat and was driving back and forth on Merner Drive at a high rate of speed. At one point the driver almost hit [redacted] while he stood on the sidewalk. When the driver retuned to where [redacted] was standing he became scared the driver was really trying to hit him.

Deputy Matelli told [redacted] to go inside his house based on the driver's actions. Just then [redacted] pointed down the street and stated, "There's the car right there." [3] Deputy Matelli looked over and shined his flashlight at the driver as he drove by eastbound on Merner Drive. The vehicle passed by at a high rate of speed. The driver then turned his vehicle into the same driveway [redacted] had described earlier to Deputy Matelli.

[3] Deputy Mateli's Statement, as found under tab 1, pg. 3 of 33.

The driver then backed out and then began driving backwards on the wrong side of the street. He was driving towards Old Redwood Highway. Deputy Matelli entered his vehicle and drove after the wrong way vehicle. The driver passed the island and began driving forward, on the correct side of the roadway, and headed towards Old Redwood Highway.

Deputy Matelli confirmed with Dispatch that the license plate matched Petaluma Police BOL. Deputy Matelli activated his emergency red light and siren. The driver was driving in excess of 60 mph on Merner Drive.

The driver turned northbound onto Old Redwood Highway and continued to accelerate to between 60 and 70 mph. The driver then attempted to pass other vehicles crossing over the double yellow lines. Deputy Matelli slowed down as the driver nearly hit another car coming heading in the opposite direction. Additionally and in considering the report of a handgun, Deputy Matelli tried to keep some distance between himself and the vehicle.

Deputy Matelli said he was concerned the driver might stop his vehicle, exit, and begin to shoot at him. In preparation for an impending assault, Deputy Matelli removed his patrol rifle, a department issued SWAT HK 416 rifle, from the electro-lock rack and loaded it by chambering a round.

Deputy Matelli said when they nearly reached Lakewood Drive, the driver made a U-turn across the cement island. Deputy Matelli continued north until he could make a U-turn without going over the island and possibly becoming stuck. The suspect, now heading southbound, accelerated to between 70 and 80 mph. When they approached the Windsor Palms Shopping Center, the driver turned right into the shopping center. He stopped in front of Castaneda's Market. Deputy Matelli knew this shopping center was very active with the public during this time of night due to the restaurants, markets, and health club all open for business. Deputy Matelli recalled thinking, "…why is he pulling into a shopping center where there's multiple people." [4]

Once the vehicle came to a stop, the driver door flew open and the driver exited. Deputy Matelli believed the driver was going to exit his vehicle and begin shooting. Deputy Matelli stopped 20 to 25 yards behind the suspect's vehicle, as he feared the suspect was trying to bait the deputies into shooting them. Deputy Matelli tactically chose to stay back from the suspect's vehicle so he could react to the suspect's actions. Deputy Matelli noticed the driver was holding a black object in his left hand. Deputy Matelli said he could not tell if it was a handgun.

Deputy Matelli ordered the driver commands to drop the weapon and to "get" on the ground. The driver, instead of complying, began to charge towards Deputy Matelli. Deputy Matelli said he had a weird feeling and something didn't look right as he was trying to determine if the driver had a handgun. The driver then lowered his hand before he punched/thrusted his arm straight out towards Deputy Matelli indicating to Deputy Matelli that the driver was going to shoot him.

It was then Deputy Matelli realized the object the driver was holding was black and had a loop appearance to it, which caused Deputy Matelli to believe it might be a pair of sunglasses since it did not appear to be a handgun. Deputy Matelli told the suspect to drop the gun, but all the

[4] Ibid., pg. 4.

suspect did was yell back as him. Deputy Matelli thought the suspect was yelling shoot me, or, you know, like fuck you, kill me." [5]

Deputy Matelli then heard "two pops" followed by a third muffled pop, which he believed were gunshots. Deputy Matelli said there were "three pops" total though one distinctly sounded different than the other two. He then thought it could have been someone firing a Taser. Deputy Matelli noticed wires within the limited light of the parking lot and realized it was a Taser. Realizing it wasn't a weapon, Deputy Matelli believed he put out, over the radio, "…hey, it's not a gun, it's not a gun, he did not have a gun." [6]

Deputy Matelli ended up deploying his Taser, about the same time as Deputy Bailey. The suspect was obviously struck by the Taser, as he locked-up before falling backwards and striking his head on the pavement. Deputy Matelli went over to where the suspect was laying and put his foot onto the suspect's arm so that he could not grab anything on his person. Deputy Matelli used his foot because he still had his rifle slung and being held with one hand while he held his Taser with his other hand. Deputy Matelli asked the suspect a couple of times, "Why did you do this?" The suspect said, "…what do you mean, where am I, what happened?" [7]

Once more deputies came to where the suspect laid, they handcuffed him. Deputy Matelli returned to his patrol vehicle and secured his rifle. He then returned and rendered aid to the suspect. The suspect had an injury on the back of his head, probably due to his fall. Deputy Matelli also noticed a gunshot wound around the right shoulder. Deputy Matelli began packing the suspect's wound with gauze and applied pressure. Deputy Tamayo, who is a paramedic, arrived and began providing medical assistance.

For further information regarding Deputy Matelli's statement, refer to his transcribed statement.



On December 12, 2016**,** at 0320 hours, Detectives Hanshew and Toney interviewed Deputy Jeremy Clark, who was represented by attorney Nicole Pifari (Rains, Lucia, and Stern). Deputy Clark basically stated the following:

Deputy Clark has worked for the Sheriff's Office for three months, as he was in the FTO program. Deputy Clark did not have any prior law enforcement experience. His FTO during this incident was Deputy Bailey. Deputy Clark was assigned to the Main Office, working day shift, Sunday through Wednesday. His call sign was Edward-31 (E-31). He was driving a marked patrol vehicle, A-825.

While working patrol Deputy Clark heard the Petaluma Police BOL, as he and Deputy Bailey were driving to a call in Windsor. Deputy Clark recalled hearing the suspect's name, that he was possibly in possession of a firearm that had a yellow/black colored stock, and the suspect was driving a gold Volkswagen Passat. As they continued northbound, they heard the assault with a

[5] Ibid., pg. 24.
[6] Ibid., pg. 6.
[7] Ibid., pg. 29.

deadly weapon call in Windsor. Deputy Clark recalled the call consisted of someone who was driving erratically, possibly a hit-and-run, or an assault with a vehicle as the driver was trying to "run somebody over with the car." As a result, Deputy Bailey advised Deputy Clark to head towards Windsor to assist the other deputies.

When they arrived in the area of Merner Drive, Deputies Haas and Matelli contacted the reporting party. Deputy Clark then learned the vehicle in the assault was the same as the one from the Petaluma Police BOL. Deputies Haas and Matelli then advised they located the vehicle. Once the pursuit began, Deputy Clark was positioned third in the vehicle pursuit. Since Deputy Clark was unfamiliar with the streets of Windsor, he had a difficult time explaining the direction the pursuit proceeded however, in the end, Deputy Clark was sure the pursuit concluded at the shopping center where the incident occurred. Deputy Clark knew they reached speed of at least 60 mph and the suspect drove through some red lights.

Deputy Clark parked behind the other two marked patrol vehicles. Deputy Clark exited his vehicle, and based on the information he had, drew his Department issued handgun. Deputy Bailey armed himself with a shotgun. They both moved to the passenger side of Deputy Matelli's vehicle, which was stopped behind the suspect's vehicle. Deputy Haas was behind the open right front passenger door, Deputy Bailey to the right of him and Deputy Clark even more so to the right. Deputy Maikranz was even "further to the right."

Deputy Clark did not see the suspect exit his vehicle, as he was already standing outside of it when Deputy Clark took up his position. The suspect was acting "very erratic." The suspect was "holding something in his hands like he kinda had like a rifle or something." As this was occurring, Deputy Clark heard the suspect say, "I have an automatic weapon I'm gonna shoot you mother fuckers." Deputy Clark said the suspect then moved towards the deputies in an "aggressive manner" and was holding something in his hand. [8]

Deputy Clark said he was scared since he was unable to "make out what [the suspect] had in his hand um based on what we heard on the uh BOL." Deputy Clark said, "I thought he had a gun in his hand and I was wondering why I wasn't hearing gunshots, but I was, was in fear you know for my life and the deputies around me." Deputy Clark said, "So yeah it did it scared the shit out of me. Pardon my French." [9]

Deputy Clark then heard two gunshots and saw dust come off of the suspect's shoulder, as if he had been shot. Shortly thereafter someone said, "It's not a gun, it's not a gun, don't shoot." [10] Deputy Clark ended up believing it was a bike lock or something similar.

Deputy Clark then re-positioned himself to the driver's side and met with Deputy Matelli. He told Deputy Matelli he was off to his left. Deputy Matelli told Deputy Clark they needed to "…Taser this guy." Shortly thereafter, Deputy Matelli deployed his Taser and "that's when the

[8] Deputy Clark's Initial Statement, as found under tab 2, pgs. 16 and 17 of 23.
[9] Ibid., pg. 19.
[10] Deputy Clark's Second Statement, pg. 1 of 3.

suspect went straight back." All the deputies then "swarmed-in" and managed to handcuff the suspect. [11]

For further information regarding Deputy Clark's statement, refer to his transcribed statement.



On December 12, 2016, at 0424 hours, Detectives Hanshew and Toney interviewed Deputy Bailey, who was represented by attorney Nicole Pifari (Rains, Lucia, and Stern). Deputy Bailey basically stated the following:

Deputy Bailey has worked for the Sheriff's Office for sixteen years. Prior to that, Deputy Bailey worked two years for the Cloverdale Police Department. Deputy Bailey is a member of the Sheriff's Office SWAT team. During this incident, he was assigned to the Main Office, working day shift, Sunday through Wednesday. His call sign was Edward-31 (E-31). He was working as an FTO and was with Deputy Clark in a marked patrol vehicle, A-825.

While working patrol Deputy Bailey heard the Petaluma Police BOL, as he and Deputy Clark were driving on Highway 101 to a call in Petaluma. Deputy Bailey recalled Dispatch advising about a call in Windsor that he and Deputy Clark responded to. While travelling to Windsor, a BOL was broadcasted from the Petaluma Police Department. Deputy Bailey pulled it up on the MDC and read it aloud to Deputy Clark. Deputy Bailey recalled it concerned a yellow or tan colored four door sedan, with a white male in his 50s that was allegedly brandishing a firearm at passing vehicles, and trying to get law enforcement's attention. The BOL contained the license plate number and the make of the car. While heading northbound, another call came out in Windsor, this one involved an assault with a deadly weapon that occurred on Merner Drive. The details of the report indicated the alleged suspect had been in the area driving erratically and had almost run over the reporting party, or intentionally tried to run the reporting party over.

After responding, the deputies realized the suspect's vehicle in the assault was the same as the one provided in Petaluma's BOL. Based on that, he informed Deputy Clark to be extra careful as the driver was likely armed.

Deputy Matelli advised over the radio he had located the vehicle on Merner Drive and they were turning northbound onto Old Redwood Highway. Deputies Bailey and Clark became the third vehicle of the pursuit, behind Deputies Matelli then Haas. The speeds of the pursuit never exceeded 60 mph. It continued northbound on Old Redwood Highway until the suspect made a U-turn at Lakewood Drive.

The suspect drove his vehicle into the Palms Center Shopping Center, which at the time was busy with shoppers. Deputy Bailey armed himself with a shotgun, chambering a round prior to exiting the vehicle. Deputy Bailey said aloud, "God I hope he doesn't stop here." because it was crowded and he knew that the suspect was possibly armed. The suspect stopped in front of Castaneda's Market.[12]

[11] Deputy Clark's Initial Statement, as found under tab 2, pg. 21 of 23.
[12] Deputy Bailey's Statement (1), as found under tab 3, pg. 12 of 24.

Deputy Matelli had exited his vehicle and was on the driver's side. Deputy Bailey exited his vehicle and ran to the front right passenger side of Deputy Matelli's patrol vehicle and took up a position there. The suspect was already out of his vehicle and slightly illuminated by the headlights and flashing lights of the marked patrol units. There was some light coming from the overhead parking lot lights.

The suspect was standing, facing the deputies, with both hands forward like he was holding a handgun. The suspect was yelling something about having a gun, a "fucking automatic." [13] It appeared to Deputy Bailey that he held a metal object that was flat black in color, in that, it wasn't shiny. Looking more closely at the object, Deputy Bailey realized it was not a gun, but a U-shaped, solid metal bike lock.

Just then Deputy Bailey heard approximately three gunshots to his immediate right. Deputy Bailey turned to his right and noticed Deputy Haas with his Glock pistol in his hand. Deputy Bailey then said "stop firing, he doesn't have a pistol."

Deputy Bailey then looked back at the suspect and noticed the shots had no or little effect on the suspect. Deputy Bailey then noticed Deputy Maikranz deploy his Taser.

Fearing the suspect was going to return to his vehicle and possibly drive away or retrieve a handgun, Deputy Bailey handed his shotgun to Deputy Haas, removed his Taser, and moved closer to the suspect. Deputy Bailey left coverage, ran towards the suspect while giving him verbal commands to get on the ground. As he was approaching the suspect he heard him scream, "I've got a fucking automatic." Deputy Bailey said, "You don't have shit, get on the ground." Deputy Bailey continued giving him commands as he drew within ten to fifteen feet of him. Deputy Bailey was screaming at the suspect to get on the ground and the suspect responded by stating, "Fuck you." At this point, Deputy Bailey deployed his Taser at the suspect, which caused him to lock up and fall backwards onto the pavement.[14]

Deputies Clark, Maikranz, and Matelli approached and handcuffed the suspect. They began assessing the suspect's injuries and administering medical aid. Deputy Bailey said he removed the expended cartridge from his Taser and dropped it on the ground. He said he immediately went back to Deputy Haas to retrieve his shotgun and check on him. He said he then walked Deputy Haas to his patrol vehicle and sequestered him at that time.

For further information regarding Deputy Bailey's statement, refer to his transcribed statement..



On December 12, 2016, at 0424 hours, Detectives Hanshew and Toney interviewed Deputy Maikranz, who was represented by attorney Nicole Pifari (Rains, Lucia, and Stern). Deputy Maikranz basically stated the following:

Deputy Maikranz has worked for the Sheriff's Office for five years. Prior to that, Deputy Maikranz worked as a correctional deputy for four years and

[13] Ibid., pg. 14.
[14] Ibid.

ten months for the Sacramento County Probation Department. During this incident, he was assigned to the Windsor Police Department, working swing shift, Sunday through Wednesday. His call sign was Frank-89 (F-89). He was working in a marked patrol vehicle, W-35.

While working patrol Maikranz heard the Petaluma Police BOL, which indicated an individual wanted to "commit suicide-by-cop" and "was mobile." According to Deputy Maikranz, he did not recall all of the BOL details from the Petaluma Police Department because he and other Windsor Police Department deputies were discussing the call-for-service involving a "man with a gun." Shortly thereafter, Deputy Maikranz heard the call for an assault with a deadly weapon (vehicle) on Merner Drive. Deputy Maikranz self-attached himself to the call.

Deputy Matelli, who had contacted the victim, determined that the license plate for the suspect's vehicle was the same as broadcasted in Petaluma Police BOL. Deputy Matelli located the suspect's vehicle and a pursuit began. Eventually Deputy Maikranz was able to trail the pursuit, since the suspect was driving relatively slow. He reasoned that despite the pursuit policy, they had a suspect who was armed.

The pursuit continued northbound on Old Redwood Highway until Lakewood Drive, where the suspect made a U-turn, heading southbound. The pursuing deputies followed the suspect into the Palms Center Shopping Center. Deputy Maikranz entered the parking lot from another direction (between Round Table and El Farolito), in the event the suspect attempted to flee.

When he drove up to where the suspect and deputies had stopped, Deputy Maikranz noticed the suspect was out of his vehicle already and holding what appeared to a be a "black metal object" which was being pointed "at the guys who were doing the felony stop." Exiting his vehicle, Deputy Maikranz heard the suspect yelling, "Come on, come on!" [15] The deputies were yelling, "Drop it" or "Drop it, get down." [16] Deputy Maikranz said, "It was clear he was trying to get them to shoot him." According to Deputy Maikranz, he was unsure if he recalled knowing it was a bike lock when he initially observed it, but he was sure it was not a firearm. As a result, Deputy Maikranz said, "So, I came out with my Taser."

Deputy Maikranz then heard two or three gunshots. The suspect continued to point the object at the deputies. After the shots were fired, Deputy Maikranz heard another deputy yell, "It's not a gun" or "hold your fire." [17]

Deputy Maikranz then approached the suspect and deployed his Taser. Since only one probe hit the suspect, Deputy Maikranz transitioned to his handgun, since he was still unsure what the suspect was holding. Another deputy deployed his Taser which was effective and the suspect fell backwards onto the pavement. Once down, Deputy Maikranz ran over and helped handcuff the suspect. It was then Deputy Maikranz noticed the suspect had sustained a "through and through" gunshot wound on his right arm.

[15] Deputy Maikranz' Initial Statement, as found under tab 4, pg. 7 of 19.
[16] Ibid., pg. 13.
[17] Ibid., pg. 14.

Since he only found one wound and knew at least three shots had been fired, Deputy Maikranz walked to Castaneda's Market and a nearby restaurant to ensure no one else was injured.

For further information regarding Deputy Maikranz' statement, refer to his transcribed statement.



On December 12, 2016, 0622 hours, Detectives Hanshew and Toney interviewed Deputy Haas, who was represented by attorney Nicole Pifari (Rains, Lucia, and Stern). Deputy Haas basically stated the following:

Deputy Haas has worked for the Sheriff's Office for nearly eleven years. Deputy Haas is a certified EMT, an FTO, and a tactical flight officer on the helicopter. During this incident, he was assigned to the Windsor Police Department, working cover shift, Sunday through Wednesday. His call sign was John-83 (J-83) and he was in a marked patrol vehicle, W-32.

While working patrol Deputy Haas heard the Petaluma Police BOL indicating there was a suicidal subject who wanted to be killed by a law enforcement officer, 'suicide by cop.' He did not recall much more from the BOL. Deputy Matelli was dispatched to the report of an assault with a deadly weapon (vehicle) that just occurred on Merner Drive, where the caller was reporting a subject was driving erratically and had attempted to hit him with the vehicle he was driving. Deputy Haas advised Dispatch he would assist Deputy Matelli.

While enroute to the scene, Dispatch advised the suspect of the assault may also be the subject of Petaluma Police BOL. Since he was not certain of the BOL, he asked Dispatch to repeat the details. Deputy Haas was advised a suicidal subject was armed with a firearm (described as being yellow, or wooden with a star on top) was driving a gold Passat and wanted to be shot by law enforcement.

Deputy Haas arrived onto Merner Drive, which he described as a two way divided roadway. They had to drive eastbound and loop back around westbound to get to the reporting party's residence, located at [redacted] Merner Drive. He vaguely remembered upon his arriving he heard a main office deputy broadcast on the radio he was in the area checking for the subject. He also recalled seeing a main office patrol vehicle pulling into the neighborhood on one of the side streets. He assumed this was the unit he had heard over the radio.

Deputy Matelli contacted the reporting party. Deputy Haas joined Deputy Matelli and listened to the reporting party. He recalled the reporting party saying a gold Passat was driving erratically through the neighborhood pulling in and out of random driveways, over and over again. The reporting party said, "He almost hit me as he pointed to a tire skid mark in the roadway." [18] Deputy Hass remembered thinking the suspect might have driven off the road, because there were no sidewalks.

After contacting the reporting party, the deputies walked back to their patrol vehicles. They then noticed a vehicle entering Merner Drive at a high rate of speed. The vehicle pulled into the

[18] Deputy Haas' Initial Statement, as found under tab 5, pg. 16 of 40.

driveway of a residence approximately fifty yards from them and across the street. As it did so, the reporting party yelled out to them, "That's the car!" [19]

The driver of the vehicle put his car into reverse and started backing up on Merner Drive, travelling west (in reverse) in the eastbound lanes. Deputy Hass knew this was the car from the BOL and it was clear the driver was trying to create a scene and trying to bait and force the deputies into contacting him. Deputies Haas and Matelli then began to pursue the vehicle, with Deputy Matelli in the lead.

The suspect continued driving the wrong way before cutting across a break in the island just in front of Deputy Matelli's vehicle. The suspect then travelled westbound on Merner Drive on the proper side of the roadway. Deputies Haas and Matelli activated their overhead emergency lights. The suspect failed to yield and accelerated through the stop sign at the intersection and onto northbound Old Redwood Highway. Deputy Hass recalled Deputy Matelli broadcasting the suspect vehicle's license plate and dispatch confirmed the license plate matched the vehicle information from the Petaluma Police BOL. Once on Old Redwood Highway, Deputy Haas activated his siren.

Deputy Hass took over broadcasting the pursuit, per the Sheriff`s Office pursuit policy. Deputy Haas provided radio updates regarding their speeds and the cross streets they approached. He remembered the suspect driving through a red light at one of the controlled intersections.

Deputy Haas said the suspect continued northbound on Old Redwood Highway until they reached Lakewood Drive, where the suspect made a U-turn by driving up and over the raised concrete median before proceeding southbound on Old Redwood Highway.

As they pursued the suspect, Deputy Hass became more concerned about the suspect's actions, or lack of them, as the suspect truly appeared as if he was not trying to lose the deputies. Deputy Haas said the suspect was going through the motions of a vehicle pursuit but he was driving as if he wanted the deputies to follow him. Deputy Haas said the pursuit felt as if the suspect was baiting the deputies until he decided what he wanted to do. He further said:

> "I know it probably comes off as well, he's trying to get away. You had your lights on, he was driving away from you and I could understand that. Yeah, he did some maneuvers that clearly showed his intent to get away from us and obviously he was delaying us in apprehending him. He was driving 60 miles an hour in arguably like a 40 mile an hour zone, maybe a 35 at some points. He wasn't driving a hundred mph." [20]

While travelling southbound on Old Redwood Highway, Deputy Haas continued broadcasting radio updates regarding their location. He believed the fastest speed he called out was 60 mph. At Alden Lane the suspect suddenly turned right into the main entrance of the Windsor Palms Shopping Center. Deputy Hass said this concerned him because there were several vehicles in the parking lot and he could see people walking about.

[19] Ibid., pg. 17.
[20] Ibid., pg. 31.

The suspect suddenly came to an abrupt stop right in front of Castaneda's Market, which was open for business. There were people around, the lights were on, and there were lots of cars in front of the market. Due to the abrupt stop, Deputy Matelli had to stop immediately so he could maintain some distance. Due to the bottleneck of the parking lot, Deputy Haas said there wasn't enough space to perform a high risk enforcement stop.

Deputy Haas radioed dispatch and advised them they were initiating a high risk enforcement stop. He was concerned about not being able to conduct a high risk stop since it is easier to order a suspect between the two patrol vehicles. Deputy Haas was forced to park behind Deputy Matelli's vehicle.

Deputy Haas saw the suspect's vehicle door open, though the suspect was not ordered to get out. Deputy Haas exited his patrol vehicle and went around the back end of his vehicle until he reached the passenger's side of Deputy Matelli's vehicle. He drew his handgun during that time. He recalled the suspect getting out of his vehicle and holding a handgun to his head. When he got to Deputy Matelli's vehicle, Deputy Bailey was already there standing next to the open passenger door.

The suspect began advancing towards the deputies, specifically towards Deputy Matelli. The suspect then pointed the handgun at the deputies. Deputy Haas said as the suspect continued to advance forward, it looked like the suspect was making jerking movements and when he brought the gun down. The suspect took a very aggressive shooting stance and moved forward again. Deputy Haas said he believed Deputy Matelli's life was in danger. Deputy Haas recognized Deputy Matelli was at a disadvantage because of where he was positioned, as several citizens were standing in front of the market directly in Deputy Matelli's potential line of fire.

From Deputy Haas' position all he could see was a closed, dark business so he knew he had a safe backstop. He said there were some cars down range from him but it did not appear as if anyone was standing around them. Deputy Haas had a split second to react and knew Deputy Matelli's life was in danger, so he sighted his weapon on the suspect and fired what he believed to be three or four rounds. He was trying to stop the suspect from shooting Deputy Matelli. Deputy Haas said the suspect's body turned but he did not fall or drop the weapon, so Deputy Haas fired another round. Deputy Haas believed he missed. The suspect then began to walk back towards his vehicle and the crowd that had gathered.

Suddenly a deputy yelled, "It's not a gun. It's not a gun." Deputy Haas wasn't sure if somebody said it's "sunglasses" or "it's a bike lock." [21] Deputy Haas was a little bewildered since he was being told by his partners that what he saw and believed to be a gun, was not a gun

Deputy Matelli left his position of cover and began to order the suspect to the ground. A deputy eventually deployed a Taser but it was ineffective. Another deputy used his Taser and this one was effective, as the suspect fell to the ground.

[21] Ibid., pg. 23.

Deputy Bailey walked over to Deputy Haas and told him to relax. Deputy Bailey then handed Deputy Haas his shotgun and told him to hold it. In hindsight, Deputy Haas realized Deputy Bailey did this to give Deputy Haas something to do because he was definitely a little upset. Deputy Haas watched the deputies engaging the suspect and ultimately took him into custody, but he couldn't recall the specific details of their contact with the suspect.

Deputy Bailey returned and retrieved his shotgun. He had Deputy Haas sit in his vehicle until Sergeant Haugen arrived. Once there, Deputy Haas provided Sergeant Haugen with a public safety statement. Afterwards he was sequestered.

Deputy Haas, towards the end of his interview, reflected that the suspect was trying to get shot and Deputy Haas was very fearful. He didn't know what the suspect's mindset was. Deputy Haas was involved in another officer involved shooting where he was shot at by a subject who was suicidal. He said he understands that just because you're suicidal, it doesn't mean you're not homicidal. He continued saying, "Yes he took a shooting stance and obviously based on the nature of the call, he wanted to commit suicide by cop." [22] Deputy Haas said his concern was the way the suspect aggressively pointed the firearm at Deputy Matelli causing Deputy Haas to believe the suspect was going to try and murder Deputy Matelli. Deputy Haas was going to do his best to ensure that was not going to occur.

For further information regarding Deputy Haas' statement, refer to his transcribed statement.

On December 12, 2016, at 1233 hours, Detective Jason Fowler interviewed California Highway Patrol Officer Ron Cincera. Officer Cincera was off-duty and in the El Farolito drive-thru line when this matter unfolded. Officer Cincera basically stated the following:

While ordering and then waiting to receive his food, Officer Cincera saw the pursuit proceed northbound on Old Redwood Highway and a short time later return southbound before pulling into the Palm's Plaza Shopping Center. The driver of the pursued vehicle stopped in front of Castaneda's Market.

The driver got out of his vehicle and immediately walked towards the deputies. The driver had his hands raised in a "shooting position," which Officer Cincera described as the same position he teaches, as a firearms instructor, CHP officers to use. The driver walked about ten yards towards the deputies. Officer Cincera did not hear anything the driver said but it appeared he was yelling at the deputies.

Officer Cincera noticed the driver had a "gun" in his hands and he told the employees of El Farolito's about the handgun. Suddenly he heard three of four gunshots. It appeared as if the driver jumped, as if he was hit with something. It was then that Officer Cincera realized that what the driver was holding was not a handgun but what appeared to be a U-shaped bicycle lock.

Two deputies approached the driver and Tased him. The driver fell to the ground and was then handcuffed by the deputies.

[22] Ibid., pg. 34.

For further information refer to CHP Officer Cincera's transcribed statement.

On December 12, 2016, [redacted], who was representing Eastwood at the time, contacted Sergeant Andy Cash at the Windsor Police Department. [redacted] said:

> "Well I, I just got, I'm getting hired to represent Mr. Eastwood and I just saw him. He wanted me to call you guys and say, pass on to the officers that he's very sorry and he's very grateful that everybody's so professional and that, uh, um, that's how he's feeling and just, it's nothing, I saw him today and he's, he's okay. He seemed like he's gonna be alright for the stupidity, but he did want to reach out.
>
> "He's very grateful he's alive. He's very grateful that everybody was so professional through the whole process, and he's just, he's very, very sorry for what had occurred." [23]

On December 19, 2016, Detective Toney spoke to Eastwood's former wife, [redacted] Eastwood ([redacted]). [redacted] and Eastwood were married in 1997, eventually had three daughters, and were divorced in 2016. [redacted] said Eastwood's mental illness was a tragedy and a nightmare. Eastwood wasn't seeing a psychiatrist or psychologist and he was not prescribed any mental health medications. He did have a history of alcohol abuse. The last time [redacted] spoke to Eastwood was in November of 2015.

On December 21, 2016, Deputy Emily Dickey, a certified Taser instructor, performed a forensic examination and downloaded the three Taser's "firing logs" used in this matter. The first one she examined belonged to Deputy Matelli. The Taser (in evidence) still had the expended cartridge inserted. Deputy Matelli's Taser indicated it had two trigger pulls on December 11, 2016, one at 00:15:31 and the other at 17:55:29, with a five second duration. (Note, Deputy Dickey noticed the clock of this Taser was 15 minutes faster than actual time, so 17:40.)

The second Taser Deputy Dickey examined belonged to Deputy Bailey. The battery and cartridge were not connected to the Taser. Deputy Bailey's Taser indicated it had two trigger pulls on December 11, 2016, one at 07:46:02 and the other at 17:49:33, with a five second duration. (Note, Deputy Dickey noticed the clock of this Taser was 9 minutes faster than actual time, so 17:40.)

The last Taser belonged to Deputy Maikranz. The battery and cartridge were not connected to the Taser. Deputy Maikranz' Taser indicated that it had been reset to December 26, 2015. Deputy Dickey said the Taser reset since the battery had been removed and once she reinserted it, it went back to the factory default date and time.

On June 13, 2017, Detective Toney spoke to [redacted], Eastwood's former father-in-law. [redacted] said [redacted] and Eastwood's marriage began to collapse about two years before they were actually divorced. Eastwood had some mental issues ([redacted]) but refused to take his prescribed medication. [redacted] said it was a gradual thing, in that, Eastwood started to get more "whacky" as time went on till the end when he and [redacted]' daughter were divorced.

[23] Refer to Sergeant Cash's recorded conversation with Attorney Paul Lazada, under tab 6, pg. 1 of 2.

On December 6, 2017, I sent each of the deputies involved some questions regarding policy, in that were they aware a chaplain was available to them if they desired one after the incident and were they aware of a debriefing, and if so, did they attend?

I also sent an email to Deputy Mark Vanoni to obtain Deputy Haas' firearms records for the third and fourth quarter of 2016.

On December 12, 2017, I watched the body worn camera videos from this incident. In watching Deputy Haas' video, I noticed it was 4:24 minutes in length. After Deputy Haas exited his patrol vehicle he went in between his vehicle and Deputy Matelli's to take up a position on the passenger side. Almost immediately, he fires his weapon three times. It is hard to see what happened beyond Deputy Haas' outstretched arms since it blocks the view of the recording. Additionally, it seems to be oriented to the right based on how he is wearing the BWC. Everything was consistent with Deputy Haas' account other than he believed that once he exited his vehicle, he went around it instead of in front of it as shown on the video.

In watching Deputy Bailey's video, I noticed it was 3:05 minutes in length. The video began while Deputy Bailey still in his patrol vehicle. When he exited the vehicle, he moved up to Deputy Matelli's vehicle to take up a position on the passenger side. At 0:38 seconds, you can hear several deputies yelling "It's not a gun." At 1:04, Deputy Bailey stated, "Take my shotgun." You can hear some yelling it's an automatic before some swearing takes place between Deputy Bailey and possibly Eastwood. At 2:10, while escorting Deputy Haas back to his patrol vehicle, you can hear him say, "I thought it was a gun." Deputy Bailey responded, "Fuck, it looked like one." Everything was consistent with Deputy Bailey's account of what occurred.

In watching Deputy Maikranz' video, I noticed it was 22:24 minutes in length. The video began while Deputy Maikranz is driving his patrol vehicle. Eventually you can see him drive through the Windsor Palms Shopping Center taking a different entrance than the other deputies so he ends up to the west of Eastwood's position.

At 3;07, you can hear three shots being fired. At 3:12, you see Eastwood leaning backwards, as he reacts to the shots that were fired. After initially turning away, he immediately returned back to a shooting stance and faced the deputies while pointing an object at them (photo to the right). At 3:21, you can hear the deputies yell, "It's not a gun, it's not a gun."



Shortly after, you can hear Eastwood yell, "I'm gonna fucking shoot you." Deputy Maikranz tried to use his Taser, but it appears the probes did not contact Eastwood. At 3:54, Eastwood stated, "It's an automatic." Eastwood is eventually Tased whereupon he falls backwards and injures his head (4:31).



At 5:15 you can hear the deputies asking Eastwood while he is lying on the ground, "Why did you do that man?" The deputies then began to provide Eastwood with medical assistance. At 7:09 you can observe the bike lock Eastwood used to simulate a weapon lying on the ground.

Deputy Maikranz then began to look for any potential injured civilians due to the shots being fired. Unable to locate any, he then began to interview potential witnesses. Everything was consistent with Deputy Maikranz' account of what occurred

In watching Deputy Matelli's video, I noticed it was 20:03 minutes in length. The video began with Deputy Matelli arriving on scene to contact the reporting party on Merner Drive. A short time later the pursuit began. At 6:18, Deputy Matelli exited his patrol vehicle and began to yell at Eastwood to "Get on the ground." You can clearly see Eastwood walking towards Deputy Matelli while taking a shooting stance. Deputy Matelli said "He's got sunglasses, though one cannot tell to whom he is talking too.

At 6:36 shots were fired. At 6:47, Eastwood is once again walking towards Deputy Matelli stating "I'm gonna fucking kill you" and "It's an automatic." Deputy Matelli continues to yell at Eastwood to get on the ground. At 6:55, you can observe Deputy Maikranz attempt to Tase Eastwood.

At 7:03, Deputy Matelli again stated Eastwood "…got sunglasses," though it is not over the radio as both his hand are busy holding onto his weapons. At 7:27, Deputy Bailey Tased Eastwood.

At 8:38, while the deputies are providing medical assistance, Deputy Matelli asked Eastwood, "Why did you do that?" At 11:00, Eastwood eventually responded that he did not "…remember what [he] did." Everything was consistent with Deputy Matelli's account of what occurred

In talking with Detective Bailey, he believed Deputy Clark did not activate his body worn camera since he was thoroughly "scared." Shortly after everything settled at the scene, Deputy Clark had a [redacted]. A few days later, [redacted]

Nothing further at this time.

Conclusions and Findings

Based on what I have reviewed of Deputies Neil Bailey, Jeremy Clark, Christopher Haas, Nicholas Maikranz, and Larry Matelli's actions on December 11, 2016 and comparing them with the Sonoma County Sheriff Office's Policy and Procedures; I believe the deputies acted appropriately considering the circumstances they faced.

Federal Case Law, Graham v. Connor, concludes in its findings that "The right to make an arrest carries with it the right to use objectively reasonable force. In determining whether force used by an officer is objectively reasonable, all of the facts and circumstances with which the officer was confronted are considered including:

1. The information available to the officer at the time of the incident;
2. The acts of the suspect;
3. Whether the suspect reasonably appeared to be a threat to the officer or to other persons;
4. The severity of the crime of which the individual was suspected.

California Penal Code Section 835a states:

> "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."

Following the guidelines in the federal case and California law; Deputy Haas' use of deadly force was reasonable based on Christopher Eastwood's actions of simulating a firearm as he approached the deputies in a life-threatening manner.

The following policy, procedures, or protocols were reviewed:

<u>Sonoma County Sheriff's Office 'Department-Wide Policy and Procedure':</u>

Press Release Policy
Radio Policy
Critical Incident Debriefing/Defusing
Major Incident Notifications
Use of Force
Taser Use
Authorized Firearms

<u>Sonoma County Sheriff's Office 'Law Enforcement Division Policy:</u>

314 Vehicle Pursuits
400 Patrol Functions

Sonoma County Sheriff's Office 'Department-Wide Policy and Procedure':

Press Release Policy

The purpose of this policy is to ensure that we, as a Department, provide a fair and consistent release of information regarding the Department's activity to the community. A press release was completed and released on December 11, 2016.

Findings: No violation noted.

Radio Policy

The purpose of this policy is to set guidelines for the radio system and the conduct of those using it. The radio system is designed to utilize the radio to communicate "calls for service, to enhance and support officer safety, to coordinate information and activity between field units, and to provide incident documentation."

A review of this policy did not reveal any policy violations.

Findings: No violation noted.

Critical Incident Defusing/Debriefing

The purpose of this policy is to help members, who have been exposed to incidents that involve traumatic injury or death, a means to minimize potential health problems by discussing and receiving support due to their involvement. In this case, the critical incident was an officer involved shooting.

Deputy Bailey was aware of the peer support program however he could not recall if he was made aware of the availability of a chaplain or peer support prior to his criminal investigation interview. He was aware there was a debriefing and attended it.

Deputy Clark was aware of the peer support program and that a chaplain was available if he needed one. He was aware there was a debriefing and attended it.

Deputy Haas was aware of the peer support program however he could not recall if he was made aware of the availability of a chaplain or peer support prior to his criminal investigation interview. He was aware there was a debriefing and attended it.

Deputy Maikranz was aware of the peer support program however he could not recall if he was made aware of the availability of a chaplain or peer support prior to his criminal investigation interview. He was aware there was a debriefing and attended it.

Deputy Matelli was aware of the peer support program however he could not recall if he was made aware of the availability of a chaplain or peer support prior to his criminal investigation interview. He was aware there was a debriefing and attended it.

A review of this policy did not reveal any policy violations.

Findings: No violation noted.

Major Incident Notifications

The purpose of this policy is to ensure that everyone who is required to be notified within the Department about a major incident be advised of such. In this case everyone was notified as required by this policy.

A review of this policy did not reveal any policy violations.

Findings: No violation noted.

Use of Force

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation; every deputy of the Sonoma County Sheriff's Office is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner. Even at its lowest level, the use of force is a serious responsibility and the Sonoma County Sheriff's Office recognizes the need for constant evaluation.

The policy states that:

> "Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose.
>
> "The reasonableness of force will be judged from the perspective of a reasonable deputy on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that deputies are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.
>
> "Given that no policy can realistically predict every possible situation a deputy might encounter, deputies are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.
>
> "It is also recognized that circumstances may arise in which deputies reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by the Office. Deputies may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or

> method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.
>
> "While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires a deputy to retreat or be exposed to possible physical injury before applying reasonable force."

When determining whether to apply force and evaluating whether a deputy has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factor include, but are not limited to:

(a) Immediacy and severity of the threat to deputies or others.
(b) The conduct of the individual being confronted, as reasonably perceived by the deputy at the time.
(c) Deputy/subject factors (age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of deputies available vs. subject(s)).
(d) The effects of drugs or alcohol.
(e) Subject's mental state or capacity.
(f) Proximity of weapons or dangerous improvised devices.
(g) The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
(h) The availability of other options and their possible effectiveness.
(i) Seriousness of the suspected offense or reason for contact with the individual.
(j) Training and experience of the deputy.
(k) Potential for injury to deputies, suspects, and others.
(l) Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the deputy.
(m) The risk and reasonably foreseeable consequences of escape.
(n) The apparent need for immediate control of the subject or a prompt resolution of the situation.
(o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the deputy or others.
(p) Prior contacts with the subject or awareness of any propensity for violence.
(q) Any other exigent circumstances.

In regards to when a deputy may use that force, and when it is justified, the policy states:

> "A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance of the subject being arrested; nor shall such officer be deemed an aggressor or lose their right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance. "

A deputy may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.

Deputy Haas was aware of several factors that led him to believe Eastwood was going to shoot Deputy Matelli on December 16, 2016. Eastwood claimed to have driven from San Francisco to Petaluma brandishing a firearm at all the law enforcement personnel he saw hoping they would stop him and help him commit 'suicide by cop.' In Petaluma, Eastwood went to a former relative's residence and advised them about his prior conduct while also claiming to have a handgun. The former relative claimed to have seen the handgun on the floorboard of Eastwood's vehicle. Eastwood then drove to Windsor where he drove around erratically including driving at a citizen with his vehicle.

Once the deputies arrived in that area, Eastwood led them on a short pursuit that ended in a crowded parking lot that had several open businesses. Once Eastwood exited his vehicle, he advised the deputies he was going to shoot them and by his actions, indicated he had a weapon in his hands while advancing in a shooting stance towards them.

Despite the deputies' commands to drop the weapon and get on the ground, Eastwood continued towards the deputies' location. Eastwood pointed the handgun at Deputy Matelli according to Deputy Haas. Fearing Deputy Matelli was about to be shot, Deputy Haas fired his handgun at Eastwood to stop him. Not only did Deputy Haas see a handgun, so did other witnesses (including an off-duty CHP firearms instructor).

Once Eastwood was shot, other deputies recognized Eastwood did not have a handgun. They verbalized their observations and switched to a non-lethal device—a Taser. To control the still resistive Eastwood (who began to walk back towards his vehicle), they used their Tasers to stop him. The deputies were concerned Eastwood would return to his vehicle where he would either obtain a handgun or enter his vehicle and begin to drive again.

Sergeant Justin Haugen obtained Deputy Haas' public safety statement immediately after the incident.

A review of this policy did not reveal any policy violations.

Findings: No violation noted.

Taser Use

The application of the Taser is likely to cause intense, but momentary pain. As such, deputies should carefully consider and balance the totality of circumstances available to using the Taser including, but not limited to, the following factors:

A. The conduct of the individual being confronted (as reasonably perceived by the Deputy at the time).
B. Deputy/subject factors (i.e., age, size, relative strength, skill level, injury/exhaustion, number of Deputies vs. subject(s)).
C. Influence of drugs/alcohol (mental capacity)
D. Proximity of weapons.

E. The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
F. Time and circumstances permitting, the availability of other options (what resources are reasonably available to the Deputy under the circumstances).
G. Seriousness of the suspected offense or the reason for contact with the individual.
H. Training and experiences of the Deputy.
I. Potential for injury to citizens, Deputies and suspect(s).
J. Risk of escape.
K. Other exigent circumstances.

Deputies Bailey, Maikranz, Matelli used their Taser to assist in taking Eastwood into custody. Prior to using the Taser, it was alleged Eastwood was in possession of a firearm which he simulated the use of as he approached the deputies. The deputies' use of their Taser was reasonable based on Eastwood's conduct as well as the necessity of taking Eastwood into custody as soon as possible due to the location of the vehicle stop and his indication he was returning to his vehicle after being shot.

Findings: No violation noted.

Authorized Firearms

The purpose of this policy is to ensure that there is an established procedure for the use and reporting of incidents involving the discharge of firearms. It also ensures that a member of this Department who uses a weapon, in this case a handgun, have successfully passed a Department approved qualification course.

In reviewing Deputy Haas' shooting records, they indicate that he did qualify for the third and fourth quarter of 2016, as required by this policy.[24]

The policy also describes when a deputy may use a firearm; "To protect him or herself or others from what they reasonably believe would be an imminent threat of death or serious bodily injury.

Deputies Haas, provided a verbal account as to what happened to VCI detectives. Additionally, Deputy Haas used the weapon that he qualified with. Deputy Haas believed his life and the lives of others were threatened based on Eastwood's actions, in that, he told everyone he had a handgun, he simulated pointing a handgun, and he verbally threatened the lives of the deputies.

In further review of this policy, under sections 304.2 Reporting and 304.3 Investigations, it states that the involved deputy (who uses his firearms) as well as his supervisor shall write memorandums regarding the use and circumstances respectfully. The only exception is if the Sonoma County Law Enforcement Chiefs Association countywide Protocol 93-1 (commonly known as the 'Employee Involved Fatal Incident Protocol') is invoked.

In this instance, the Employee Involved Fatal Incident Protocol was invoked, but rescinded by Sheriff Freitas. Members of the Sonoma County Sheriff's Office Violent Crimes Unit completed

[24] Found under tab

the criminal investigation utilizing the format of the Sonoma County Sheriff's Office Critical Incident Guidelines Manual. Internal Affairs investigators completed this administrative review.

A review of this policy did not reveal any policy violations.

Findings: No violation noted.

Sonoma County Sheriff's Office 'Law Enforcement Division Policy':

314—Vehicle Pursuits

The purpose of this policy is to minimize the potential for pursuit related collisions. Vehicular pursuits require Deputies to exhibit a high degree of common sense and sound judgment. Deputies must not forget that the immediate apprehension of a suspect is generally not more important than the safety of the public and pursuing Deputies.

The deputies were involved in a short pursuit, from the intersection of Old Redwood Highway and Merner Drive to the intersection Old Redwood Highway and Lakewood Drive, never exceeded 60 mph (a 40 mph zone). The suspect did drive over the double yellow line on a few occasion but based on his threats to engage law enforcement in a gunfight and earlier disregard for the public's life (as occurred on Merner Drive), it was necessary to apprehend the suspect and continue with the pursuit. From the intersection of Old Redwood Highway and Lakewood Drive the suspect turned around and headed southbound till he reached the parking lot of Windsor Palms Shopping Center. The pursuit's length was 2.4 miles.

Sergeant Andy Cash completed the Vehicle Pursuit report. In that report, he noted why the pursuit was within policy as:

> "The seriousness of the known, or reasonably suspected crime warranted the pursuit in relationship to the safety of the community. The importance of protecting the public and balancing the suspected offense cause the need for the immediate capture of the suspect(s). The suspect(s) represented a serious threat to public safety. The factors of the time of day, weather, and traffic conditions, area, and speeds were favorable for the safety of the public. The pursuing deputy(s) were able to maintain driving and radio capabilities. Pursuit speed and driving conditions were not hazardous to the safety of the public, pursuing deputies or others." [25]

Lieutenant Basurto reviewed and approved the report.

A review of this policy did not reveal any policy violations.

Findings: No violation noted.

400—Patrol Function

[25] Vehicle Pursuit report 16-P-0039, as found under tab 9, pg. 2 of 5.

INTERNAL AFFAIRS INVESTIGATION
#16-AR-0003

The purpose of this policy is to define the functions of the Patrol Bureau. In regards to this case, the deputies responded to an assault with a vehicle on Merner Drive. Based on the information gathered, the deputies realized they were also dealing with a suicidal subject who wanted the deputies to help him commit suicide by shooting him. The deputies fulfilled the requirement to "respond to citizen calls for assistance." (400.11)

A review of this policy did not reveal any policy violations.

Findings: No violation noted.

Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

ROBERT GIORDANO
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

December 11, 2016

[redacted]

Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

ROBERT GIORDANO
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

December 11, 2016

To: Deputy Sheriff Chris Haas

This is to formally notify you that your appointing authority, Sheriff Freitas, has ordered you be placed on Administrative Leave, per Civil Service Regulation 12.2A (or 12.2 B). This leave status commenced today and will continue until further notice.

You will be assigned to the Sheriff's Personnel Bureau, with duty hours of Monday through Friday 0800 - 1700 hours, and Sergeant Orlando Rodriguez will be your immediate supervisor. During these working days and hours, you are ordered to remain available for contact and you are to call Sgt. Rodriguez at 1000 hours each day so she is aware of your whereabouts. You shall also provide Sgt. Rodriguez with a working telephone number.

If you are served with a subpoena or other work related request requiring you participation, please contact Sgt. Rodriguez at [redacted] or me at [redacted]

Steve Freitas
Sheriff-Coroner

By: _____
Lieutenant Darin Dougherty

_____
Employee's Signature

12-11-16
Date

Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

ROBERT GIORDANO
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

December 11, 2016

[redacted]

Administration Division
2796 Ventura Avenue
Santa Rosa, CA 95403
707.565.2781

Law Enforcement Division
2796 Ventura Avenue
Santa Rosa, CA 95403
707.565.2511

Detention Division
2777 Ventura Avenue
Santa Rosa, CA 95403
707.565.1422

Coroner
3336 Chanate Road
Santa Rosa, CA 95404
707.565.5070

Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

ROBERT GIORDANO
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

December 11, 2016

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Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

December 11, 2016

[redacted]

Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

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Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

[redacted]

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Sheriff-Coroner

ROBERT GIORDANO
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

[redacted]

Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

ROBERT GIORDANO
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

DATE: **December 11, 2016**

TO: Deputy Sheriff Christopher Haas

FROM: Sergeant Eddie Engram

SUBJECT: Administrative Review Investigation # 16-AR-0003

This memorandum will formally notify you that this office has been directed to conduct the above investigation, and further that you are the subject of that investigation.

This investigation is an Administrative Review of the circumstances surrounding an Officer Involved Shooting (OIS) which took place on December 11, 2016, near 8499 Old Redwood Highway, Windsor.

There have been no allegations of misconduct or policy violations on your part. As the subject of an Internal Affairs Investigation, you have certain rights and obligations as provided for by the policy and law. For your convenience, I have included a copy of those rights and obligations.

You are not to discuss this investigation, or the allegations, with anyone other than your legal representative, Assistant Sheriff Rob Giordano, Captain Clint Shubel, Lieutenant Jim Naugle, Sergeant Brandon Austin, Sergeant Larry Doherty, or myself. This is a potentially serious matter and you would be wise to carefully follow these directives. Any violation of these directives will be considered an act of insubordination, and will certainly lead to disciplinary action against you, up to and including a termination of your employment with this Department.

In order to complete the investigation it may be necessary to formally interview you. If so, a representative of Internal Affairs may be in contact with you in the future to schedule the date and time of your interview.

Deputy Christopher Haas

Sergeant Eddie Engram
Internal Affairs Investigation

12-16-16
Date

Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

ROBERT GIORDANO
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

[redacted]

Sonoma County Sheriff's Office

STEVE FREITAS
Sheriff-Coroner

ROBERT GIORDANO
Assistant Sheriff
Law Enforcement Division

RANDALL WALKER
Assistant Sheriff
Detention Division

[redacted]

****

JT= Sonoma County Sheriff's Office Detective Jeff Toney

JH= Sonoma County Sheriff's Office Detective Jesse Hanshew

NB= Sonoma County Office Deputy assigned to Windsor Police Department, Neil Bailey

NP= Attorney Nicole Pifari with Rains, Lucia, Stern. Representing Deputy Bailey

INTERVIEW DATE: 12/12/16 @ 0424 Hours

JT All right. We're on the record. Time now is 0424 hours on Monday, December 12, 2016 and we're here at the [redacted] in Windsor. Uh, specifically in [redacted] and this is in reference to Windsor Case No. 161211-003. Um, before we get started I want to have everybody introduce their selves on the record. My name's Detective Jeff Toney. I'm with the Sonoma County Sheriff's Office Violent Crimes Unit.

Other Speaker: Detective Jesse Hanshew, Sonoma County Sheriff's Office in the Violent Crimes Unit.

Other Speaker: I am Nicole Pifari with Rains Lucia Stern, attorney here representing the deputy.

NB Deputy Neil Bailey, Sonoma County Sheriff's Department.

JT Thank you. So, Deputy Bailey, the incident we're going to be discussing is a, a criminal investigation. Um, and, I kind of want to clarify that, uh, you're being interviewed, uh, as a witness in this incident. Um, and I also want to confirm or just clarify with you that the, the, the statement that you're prepared to, to provide is, uh, is being given voluntarily. Is that correct?

NB That's correct.

JT Okay. Have you had ample time to, to meet and confer with, uh, your attorney?

****

****

NB I have.

JT Okay. Is there anything, uh, at this time that would hinder you from providing a statement?

NB No.

JT Okay. Um, I just want, uh, to also clarify that you're free to leave at any time. Um, if you choose, uh, to do so, if you want to stop, um, and take a break, take a pause, or, uh, not answer any questions you're free to, free to do that. You understand?

NB Yes.

JT And Deputy Bailey we've, over the course of the last several years, we've had, uh, the opportunity to work together, uh, at different times throughout those years. Um, is it fair to say that you and I have a relationship, um, a working relationship only and that we do not, um, have a relationship outside of work?

NB That's true.

JT Okay. So Deputy Bailey are you sick or injured right now?

NB No.

JT Did you receive any injuries as a result of this incident?

NB No.

JT Uh, at the time, uh, of this incident, were you suffering from any medical condition or taking any medication that may have impaired your abilities as a law enforcement officer?

****

NB No.

JT Uh, pre-incident, um, can you tell me about your sl, when you slept and, and how many hours of sleep you, uh, you received.

NB Yeah, pre-incident I went to bed, um, Saturday night about 2200 hours and got out of bed probably 0545.

JT Okay. About 7 hours sleep then.

NB About that, yeah.

JT And, also pre-incident, uh, when did you last eat and if you could describe to me what, uh, what you had for that meal please.

NB I ate probably about 1900 hours on Saturday and I was at a Christmas party so I had various appetizers.

JT Okay. Uh, have you consumed any alcoholic beverages in the past 24 hours?

NB No.

JT And I know that you're currently employed with the Sonoma County Sheriff's Office, how long have you been, uh, employed by this agency?

NB Um, it'll be 16 years in February.

JT Okay. Any, uh, experience, any prior agencies that you've worked with.

NB I worked for the Cloverdale Police Department for 2 years.

****

****

JT Okay. And prior to working for any, any agencies did you go through a, um, uh, police academy, graduate from a, a police academy?

NB I did, from, uh, the Butte College Police Academy.

JT Okay. And if you would just describe for me if you would, the, uh, an, any dedicated training in special, special areas or, or specialty training such as SWAT, firearms, uh, defensive tactics, any collateral assignments that you hold.

NB Um, my collaterals, being on patrol here, I have worked on the helicopter unit, um, currently on the SWAT team and currently an FTO here.

JT Okay. And SWAT, I understand what that is is special weapons and tactics team, correct?

NB Correct.

JT And then FTO, is that a, a facility, or field training officer.

NB Field Training Officer, correct.

JT So, you're, you're responsible for, uh, teaching, uh, new recruits and trainees, uh, entry level, uh, patrol deputies, correct?

NB Correct.

JT Okay. And on, on that same note, um, during this incident that we're gonna talk about; did you have, um, a trainee assigned to you at that time?

NB I did, Jeremy Clark.

JT Okay. And how long has Deputy Clark, uh, been with you?

****

****

NB This was our second day together.

JT Day 2. Okay.

Other Speaker: It shut off.

Other Speaker: Um, I don't ****.

JT So, day 2 with you. Where was he, uh, in, in terms of the, uh, training program itself if you know?

NB He was at the start of his, uh, third phase.

JT Okay. And if you would explain to me how that works, the phases and, and what that would equate to, in terms of time.

NB Well, the first phase would be, um, your very beginning, after orientation, with the Department, um, getting out on the street with your, your training officer. Uh, second phase is you're taking more responsibilities on your own.

JT And with that, with that said, can you tell me how long each phase of training, uh, is? How many weeks, days?

NB They're typically around a month to 5 weeks, um, Deputy Clark has been, um, on the program a little bit longer. He had some struggles, um, so, held back would probably be the best word, he had been held back.

JT Okay.

NB Um, to give him more time so I believe he's been, um, he's been on the field training program for about 4 months I believe.

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JT Okay. But this was his second day with you.

NB Second day with me.

JT Okay. And if you would, Deputy Bailey, just describe to me, uh, the nature of your duties, uh, in your current assignment.

NB Uh, as a patrol deputy, respond to call, in call, in progress calls for service, um, investigate crimes, and, uh, assist the public.

JT Okay. And then if you could, uh, tell me the current shirt, uh, excuse me, shift that you work and the hours, uh, within that shift.

NB I work day shift out of our main office. I work from 0700 to 1900, um, typically Sunday through Wednesday.

JT Sunday through Wednesday? And during the time of this incident, what was your, your call sign?

NB Um, my call sign was Edward 31.

JT And, this is a uniformed assignment, correct?

NB Yes.

JT Okay. Uh, how long have you been in this current position, meaning, this, this shift itself?

NB For approximately 2 years on this shift.

JT And, uh, was there a, uh, specific, do you drive a, or use a specific patrol vehicle during your daily, uh, function, or duties?

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NB I do. It's A825.

JT A825.

NB Yes.

JT This is an assigned vehicle?

NB Correct.

JT Um, and if you would for me, um, or getting back whe, just briefly, with the vehicle, um, you guys check out a vehicle and you inspect the vehicle, and, and notate any mechanical issues, um, were there any mechanical issues noted, uh, with regard to, your vehicle and, and its functionality?

NB Uh, no, none.

JT Okay. You mention this is a uniform assignment. If you would, please, just describe the uniform from top to bottom, um, to include your duty belt, uh, the equipment on your duty belt, and when we get to that I'll just have you start from, from center and go right, work your around the duty belt.

NB Okay. Um, on today's date, I was wearing a standard, um, Sheriff's Department uniform. It was, consisted of a khaki or tan short sleeve, um; button up shirt with Sonoma County patches on either side, um, on left chest hard metal badge that was issued to me. Um, right side would have been, uh, name tag. Above that would have been an FTO pin. Um, um, the tan, or the green pants you're seeing right now, with the cargo pockets, um, over my tan shirt I was wearing, a 511, um, issued jacket, green jacket, it was kind of a waterproof shoulders with fleece under the bottom half. On the left chest was a sewn on Sonoma County Sheriff's badge and on the two shoulders were Sonoma County Sheriff patches. Um, gun belt, uh, duty belt, um, starting on the, going to the right and around, there's a double case holder, um, followed by, um, pepper spray, and then my Glock 9 millimeter issued weapon, um, a key holder. Next would be a small stinger, stream like flashlight, and then, um, my radio, my Motorola radio, and after that would be a

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straight stick baton and ring. Um, next would be my, um, taser and then lastly would be two, um, extra magazines and holders.

JT Okay. And, so it's obvious to me that you change, you're not wearing, uh, the uniform you just spoke about. And that, was, uh, was that removed here when, during the time you were processed by our crime scene investigators?

NB Yes.

JT Okay.

NB Yeah.

JT And then with regard to your duty firearm, uh, the Glock 17, 9 millimeter, um, that was obviously loaded. Do you know what, uh, what, how many rounds that you keep in that, uh, duty firearm?

NB I do. I carry, um, 17 rounds in the magazine and one in the chamber so the total of 18 in the actual weapon, and then the backup magazines are loaded to capacity at 17 apiece.

JT Okay. Um, you, you carry a backup, uh, firearm?

NB I do.

JT Okay. And did you have that firearm with you?

NB I did.

JT Can you describe that firearm, please, and, and where you keep that?

NB I keep that on my, um, the offside of my, my body on my left side, my left, um, in these pants I carry it in my cargo pocket, and it's a five shot Smith and Wesson 38 special.

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JT Okay. Is there any, anything else on your uniform, um, such as a, uh, a way to record, um, incidents that occur?

NB Yeah, I had my, um, standard issue body worn camera attached to my chest during this incident.

JT Okay. Um, do you carry an audio recorder that was, that was going at this time?

NB No, I don't.

JT Okay. With regard to the vehicle and, and the firearms, uh, that you keep in the vehicle, if any, can you describe those to me?

NB Um, in the vehicle today, uh, Deputy Clark had his issued Remington 870 shotgun and the, um, the auto lock in the front of the car. In the rear of the car I had my SWAT gear, so there was an additional, um, 9 millimeter, Glock 9 millimeter and an H and K, uh, 417 rifle.

JT Okay. And, were any of those, uh, to your knowledge, were any of your, any of your other personal firearms, uh, ever removed, uh, during this incident that we're talking about at all?

NB No, no other issued or personal weapons were taken out of the vehicle besides, um, Mr. Clark's shotgun, was taken out.

JT Okay. And, with regard to the rifle and the, the other 9 millimeter, can you tell me about, uh, how they're stored, um, like your duty firearm, the rounds, if, if you know.

NB The pistol, um, set-ups the same. The, um, setup's the same. The, um, 17 plus 1 and then the two 17 round magazines. Um, the rifle I carry four 30 round magazines with it that are topped off.

JT Okay. Thank you. And with regard, uh, to you being a infield training officer, during this incident, eh, is it fair to say that, um, are you a passenger in, in the vehicle during your shift?

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NB Typically I am and today I was.

JT Okay. Meaning Deputy Clark was, was the driver?

NB He was the driver.

JT Okay. So, the nature of this investigation concerns a significant incident, um, that we're now investigating that you're involved in, uh, that occurred in the area of Old Redwood Highway and, uh, the Windsor Palm Shopping Center. Um, and this occurred yesterday, now, yesterday evening and what I'd like you to do, uh, for me is just describe the event in as much detail as you can, uh, to include times if you know them, um, names of people that you were with, if you refer, uh, to somebody doin' something, if you know the name, um, please state the name, um, if you're using the, kind of your hands to talk, whatever you might hear me say, so you're using your right hand to describe your action or what not, so, um, yeah just start up telling me what you were doing preceding this and then -

NB Okay.

JT - the call itself, and walk me through it please.

NB Okay. Um, probably around 4:30, 4:45 I was at the main office, um, with Deputy Clark, writing an in-custody domestic violence report. Um, there was a, things started to head up in the County. Several calls started to come out. Um, our cover units were starting to spread thin. There was a call, um, of some kind of physical fight in Petaluma so I told Deputy Clark to grab his gear and head down, let's cover Deputy Scott McCracken, on a, call. As we were arriving in the area of Petaluma, um, man with a gun call came out, um, in the Windsor area so I advised, um, Deputy Clark to monitor that call, and, um, after completing the call for service with Deputy McCracken, we started headin' that way to help the Windsor units, um. We cleared the, um, the battery call, but Deputy McCracken was clearing it as we got there. Conversed with him, quickly got back in the car, and were hor, headed northbound to Windsor to help with the man with a gun call. During that time we received, um, several notifications on our, um, in car computer, MDC. I advised him to drive while I, while I checked them. Um, there was two BOLOs of note and I read them out loud to him. They both pertained, um, Petaluma PD and one of them was about a yellow or tan colored, um, 4-door sedan with, um, a white male in his 50s that was allegedly, um, brandishing a firearm at passing vehicles and trying to get law enforcement attention. Um, and in the BOLO it was noted the, the license plate number and the make of the car. I believe it was a VW, it was a gold, or yellow VW, uh, 4-door. Uh, we arrived

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in the area of Windsor. Uh, took the south bo, or took the Shiloh exit on the south end of town. And as we were, um, headin' toward I believe it's Hembree Lane, a call for a 245 or assault with a deadly weapon came out on Merner. Where, um, the alleged suspect had been in the area, driving erratically and had almost, I believe, ran over the RP, or intentionally tried to run the RP over. Um, that was the 245 aspect. I explained to Deputy Clark that we were, um, very close proximity to Merner and to head to that direction, um, try to locate the vehicle. We arrived on Merner probably within 30 seconds of the call for service coming out, um, from dispatch. We headed east bound on Mer, Merner, um, it's a road that's split by a center median, and east-west lanes. Um, we headed eastbound to the end of Merner, um, didn't see the vehicle. We turned northbound, um went up Lockwood, and at some point, I felt that, um, we'd overshot the vehicle, it wasn't, it probably wasn't going to be further north, because the neighborhoods were kind of petering out. Um, told him to turn back around and go back and check Merner and the driveways. As we got back to Merner, um, Deputies Matelli and Haas were arriving on the scene. I could see two patrol cars coming, um, east bound Merner making a turn and coming back around west bound, and they, um, subsequently pulled, pulled over, stopped and contacted the RP. We came to a stop, uh, I rolled down my window, we had a brief conversation that I'd keep checking the area while they spoke with the RP. Um, we then headed west down Merner, um, and about that time Deputy Matelli put out that the vehicle was, um, I believe, possibly a Passat, um, that was m, similar or matching to the BOLO and, um, Petaluma's call. Um, so, at that time we were putting together that it was possibly the, the vehicle with the firearm from Petaluma and, um, I was explaining to Deputy Clark be on your toes and basically be ready, 'cause if this is the car from Petaluma, the man's going to be armed or allegedly armed. We turned, I believe, it's Moss, I'm not sure. It kind of runs, um, northeast, back towards Lockwood. Um, around that time, after putting out the information that the vehicle, um, was similar to the Petaluma, um, vehicle, Deputy Matelli said that it was last seen on Lockwood, so I was trying to make my way back to Lockwood.

JT Uh huh.

NB We ended up making our way back up to, I believe, Lockwood, um, and, sometime shortly thereafter that, I heard Deputy Matelli come back up on the air and said they have the vehicle, um, and it was reversing backwards, um, toward, toward, he said towards the street initially which to me meant they were headed back to Old Redwood Highway in reverse. Um, we quickly made our way back to Merner, turned, um, westbound, and I saw two Sonoma County Sheriff or similar, either Windsor Police or Sonoma County Sheriff type patrol vehicles in, um, in pursuit of a slow moving vehicle down Merner. Um, we quickly caught up to 'em, about the corner of Merner on Red. I believe that as Deputy Matelli was going northbound or right be, around that time as he turned northbound following the vehicle he put up the license plate number and it was a, uh, it was a match to the Petaluma vehicle, and I immediately recognized it since I had just read the BOLO and actually, um, dispatch had put it out over the air prior to us getting to Windsor. Um, and as soon as Deputy Matelli read the plate, Deputy Clark and I looked at each other and

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said that's, that's the Petaluma vehicle. He knew it, I knew it, um, and the vehicle took off, um, northbound. I had concerns because it wasn't a standard pursuit. The subject didn't seem to be trying to get away. Um, he'd stayed in the area from what the RP said for 20, 25 minutes -

JT Uh huh.

NB - acting erratically. And based on the information from the BOLO, the firearm, the brandishing that, um, passing motor vehicles and trying to get law enforcement attention I felt like, um, that he was trying to bait us in to a, to interaction and I warned Deputy Clark as much, um, to be, to be ready for a possible, um, interaction with a man with a firearm. It felt like he was trying to pull us into a situation. Um, we chased, we were the third vehicle in line going northbound in the pursuit. The pursuit was probably 50 to 60 miles an hour. Like I said, it wasn't very fast for someone, it wasn't your typical trying to get away from you pursuit would have been speeds of 80, 100 miles an hour.

JT Uh huh.

NB Um, so, I had a conversation with Deputy Clark as we were driving that he should take the shot gun when we got out of the vehicle. When we got up to about 3rd Street and Old Redwood Highway, somewhere in that area, um, the suspect slowed and we believed he was going to come to a stop in the middle of the road. Deputy Clark hit the, um, the auto lock button for the shotgun. The shotgun fell forward; I caught it, um, 'cause as he was hittin' the brakes, the weight of the, the weapon came out. Um, about that time, the suspect made a U-Turn on Old Redwood Highway, around the median, or, I believe actually over the median, and, um, went southbound. We made a U-Turn, um, following Deputies Matelli and Haas. At that time I moved the shotgun into the, um, the right front passenger area between my legs. I racked a round and double checked the safety on it. Um, we came up to the Windsor Palms Shopping Center. It was a little after 5, I want to say, 5 to 5:30. It was busy in the shopping center. Um, the suspect turned, I believe it's Alden Lane, on the dead end to Alden Lane, and crossed into the Palms Center and was driving slowly and I, I might have even a little oddly said out loud was, God I hope he doesn't stop here because there was, it was crowded and I knew, um, that he was possibly armed. Of course we know he did come to a stop, um, towards the front of, I can't, it's a, it's a Mexican American supermarket, I can't remember the name of it off hand, and, um, from my perspective, I could see, um, Deputy Matelli's car stopping quickly and his door flying open. I exited my vehicle and ran to the front right passenger side of his to take up a position. Um, as we got there it was dark. Um, it was very dark. The suspect was out of his vehicle and illuminated by headlights and flashing lights um from the rear and some very little light from the, uh, the store fronts. Um, most of the light was coming from the overhead lights from the cars and the headlights. Um, as I

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406 407 came up on target with the shotgun, um, I could see the suspect and a, um, well, I'd say a two handed, um, pistol stance.

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409 JT Uh huh.

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411 NB Both hands out in front of him, as if he was in the shooting stance -

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413 414 JT Let me, just for, for audio purposes, you're, you're holding both right and, and left hands together and you're, you're in a trusting it forward, holding them in front of you.

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416 NB Yes, sir.

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418 JT In that position as to mirror what is, what your opinion is. What, what are you seeing -

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420 NB Right.

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422 JT What are -

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424 425 NB Based on my, um, general, like experience and training, I know that as a, a shooting, a pistol shooting stance. Um, and he was yelling something to the effect of having a gun.

426

427 JT Okay.

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429 NB Um, it was a black, um, metal object, flat black. It wasn't shiny.

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431 JT Uh huh.

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433 434 435 NB And, as I was comin' on to the trigger and starting to tr, take slack off of the trigger of the shotgun, um, I was staring intently at his hands and as he, he was movin' around, I could see that, um, it wasn't in fact a gun at all, but a, um, a U-shaped, solid metal bike lock, is what it looked

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like to me. And, um, about that time, I heard approximately three gun shots to my immediate right.

JT Uh huh.

NB Um, in very close proximity, um, and I turned to my right and looked and saw Deputy Haas, um with his Glock, well what appeared to be his Glock pistol in his hand and I relayed to him what I saw and said, something to the effect of, um, stop firing, he doesn't have a pistol. Um, at that time I looked, um, at the subject and beyond. He seemed to have a little to no effect to the gun fire. Um, and I didn't see any one in his backdrop. Um about that time, I, um, I believe, I saw a taser deployment. I believe it was from Deputy Maikranz who was, um, to the front and right of my position so that would have been, um, the northwest of me.

JT Uh huh.

NB He was probably 50 to 6, 50-60 feet to my northwest and I would put him 30 to 40 feet, uh, north of the suspect, directly. I saw what I thought were two taser, taser probes shoot out and then, and then fail to make contact. Um, at this time, the suspect was, we were yelling verbal commands for him to get down on the ground. Um, he was moving, he was, he was screaming I've got a fuckin' automatic, and he was movin' back and forth. Um, and at one point in my experience, I thought he, I recognized him, he was lookin' back towards his car like, his bluff wasn't workin' and now they know I don't have a gun, and in my mind, in my experience, I felt he was going to make a move back to the vehicle and, um, and then the crowded situation we were in, the shopping center and the threat of the vehicle again, um, and possible firearm there, there was no way I was gonna let him get back to the vehicle if possible. I gave my shotgun to Deputy Haas, I removed my taser, um, I told him I was movin' forward into an effective range with the taser basically.

JT Uh huh.

NB Um, I broke cover and bee lined directly towards the sus, suspect, giving him commands to get on the ground. Um, he turned towards me as I was approaching and kept screaming I have a fuckin' automatic and I replied you don't have shit, get on the ground. Um, at one point as I got close to him, um, I kept screamin' within by 10 feet, I was within 10 to 15 feet of him, I was screamin' for him to get on the ground, and he yelled at me fuck you and at that time I deployed my taser which seemed to have effect. His body locked and he fell straight over backwards. Um, I kept it, the taser out and deployed as I believe it was Deputy Maikranz, Matelli and Clark, um, handcuffed

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him and began, um, first aid. I took off the taser cartridge, um, at this time once they had him under control. I dropped it on the ground, I immediately went back to Deputy Haas to retrieve my shotgun, check on his status, and then walked him to the patrol car and sequestered him at that time.

JT Okay. And ultimately where, where'd you go?

NB After that I stayed with, um, I stayed with, with Deputy Haas and directed incoming units to start setting a perimeter and, um, a major incident log, a crime scene log, um, contacted, um, by telephone, DSA president Vail, and vice president Erick Gelhaus, to come to the scene, that we'd been, had an, um, officer involved shooting and, um, had them contact, um the attorneys.

JT Okay. And ultimately are you sequestered by someone?

NB I was, um, ultimately I was taken back to Windsor Police Department and sequestered there by, um, Sergeant Cash, and um, Brian, Deputy Brian Parks.

JT Okay. And who brought you here?

NB Deputy Brian Parks.

JT Okay, all right. Just a couple, follow up questions. We talked, you say BOLO, I know what BOLO is, but can you explain what, what you receive, what the BOLO was?

NB Yeah, it's a broadcast, um, it was actually twofold in this case, it was a, like a email type message that came over the computer, which is a be on the lookout, um, and like I said that broadcast was of the man with the vehicle that was brandishing a firearm, um, at passing motorists, and I believe it said trying to get law enforcement's attention. Um, but I don't how they got that information, but that's what I was, that's what I read, and that's what was read to me over the, um, Channel 1 of the sheriff's dispatch.

JT Okay. And I want ya, just kinda think if you, if you can recall, and to get officer's attention, do you, do you remember kinda the, the basis of the BOL, the specifics if you will, if, if you can recall.

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NB It was an officer safety be on the lookout, um, which meant that to me that the subject was a threat to law enforcement, and um, and that he was armed. It was with a, I believe it was a yellow or wood handled, um, pistol was the information we had, um, and that the suspect's name was Christopher somethin',

JT Okay.

NB – That's what I remember, and he was a 50 somethin' white male adult.

JT Okay. Do you remember anything specific, I understand he's, he's got the weapon, but was there any, anything else that you recall, ah, in the BOLO, ah, anything that I understand the officer safety, ah, havin' a weapon, but was there, is there anything else you could recall with regard to that, if you don't that's okay, um, –

NB Um, just it, it stuck out to me was the, um, the fact that he was attempting to get law enforcement, um, attention, by brandishing this firearm –

JT Okay.

NB – um, to me that was, um, it was, it, and bein' around Christmas time and experience, um, in this business that there's a lot of suicides around this time of year, um, a lot of actually homicidal acts also, um, and I felt that, um, this could be either a homicidal or suicidal suspect, um, that was tryin' to draw in law enforcement, um, in today's day and age with the ambushes that have been hap, happening, um, that was a concern.

JT Okay. And you mentioned when the, when the plate was ran, who confirmed the match? Was it, was that broadcast through our dispatch center, ah, sheriff's office dispatch center, ah, that, that the plate matched the same subject in the, the BOL?

NB I believe they did confirm a match, um, as we were headin' northbound, but, um, the match was made also by myself and, and Deputy Clark, 'cause I had just read the, ah, the plate –

JT Okay.

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NB – and, um, when Deputy Matelli put the plate on the air, on the sheriff's dispatch one, um, I immediately recognized it as a match to the BOL, and me and Deputy Clark spoke about it at the time.

JT Okay. And you indicated that when you guys went back onto Merner, you and Deputy Clark, um, you observed two patrol vehicles, Sonoma County Sheriff's Office, or Windsor patrol vehicles, um, exit onto Old Redwood Highway and basically pursue this, this vehicle, correct?

NB Correct.

JT And your observations, did they have their lights and sirens going at the time.

NB Um, yes, they had their overhead lights on, um, and as far as the sirens, I couldn't hear them from where I was at, but that would be standard protocol.

JT And then along that same line, did you, or did Deputy Clark activate his lights and sirens as well?

NB Yes.

JT Okay. And you guys would have been, correct me if I'm wrong, third in line –

NB Correct.

JT – in pursuit. During this time that, um, you guys were pursuing the vehicle, suspect vehicle, are there any observations that you can see from the passenger side in terms of the suspect's driving, ah, with regard to, um, any overt, ah, obvious, um, vehicle code violations during the time that he's being pursued?

NB Yes, he, um, he passed on the double yellow line passing vehicles, probably three times. When we came northbound Old Redwood Highway, I believe it was, um, it was um, either Pleasant or Alden, he ran the red light there, um, he failed to yield for the red light, ah, we slowed, um, to

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make there wasn't gonna be a collision in the intersection and then, and then proceeded through, and then as I mentioned earlier, his U-turn he drove over the, the concrete median and made a U-turn and came back, um, and then the obvious, um, you know, his speed was too fast for conditions, um

JT On that note, you been doin' this a long time, I respect that, um, but did you ever make a point from your vantage point, could you ever, did you ever look at the speedometer to see how fast you guys were traveling pursuing the car?

NB No, I didn't.

JT So your estimate is based on your training and experience?

NB Yeah, absolutely.

JT Okay.

NB Oh, it's twofold, actually, um, Deputy Matelli was puttin' out speeds also.

JT Okay, he was.

NB Yeah.

JT Perfect. What else do you remember during that time, ah, in terms of radio traffic as, as the pursuit is happening, if anything.

NB I remember that, um, it was very calm, Deputy Matelli, um, I think at one point, um, tells Deputy Haas, hey, take over the radio traffic, which is standard procedure for us, um, and that they would put it out. It seemed to me, being a field training officer in a, you know, a deputy almost eighteen years that, um, they were just very calm and professional in puttin' out all the pertinent information.

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JT Okay. You mentioned too, at some point, it was either you or, I believe you said Deputy Clark, um, pressed or, or activated the, the electro lock release and the shotgun, um, fell forward and hit the brakes. You grabbed the shotgun and you, and you mentioned racked around, can you just explain to me what racked around means?

NB Yes, I, um, it's a pump shotgun, so as the pump slides I slid the pump to the rear, um, a 12-gauge shell came out of the magazine, and was fed into the receiver into the barrel, um, as I slid the, ah, pump back forward so there was a round in the, in the chamber, and ready to be fired.

JT Okay. And then talk about the, you mentioned it was dark out, um, there was, there was lighting from the store fronts, this is an active shopping center.

NB Yeah, very active.

JT Right. Um, and that it was bein' illuminated you described by the headlights of the patrol vehicles and the overhead lights.

NB Correct.

JT You get out, you take a position and go up to it would be Deputy Matelli's vehicle.

NB That's right.

JT Um, and you describe, you know, on the right side of the passenger door, is that correct?

NB That's correct, it's, um, things were happening quickly. Typically I open the passenger door, um, but my fear that he was already out of the vehicle with a firearm, I bypassed the front door and was at the front fender adjacent to the, ah, the right front tire.

JT Okay.

NB About my location.

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JT And by this time the suspect was out.

NB He was already out.

JT Was, was he advancing at, at this point, 'er was he stationary standing there?

NB He was, um, he was advancing. He did, he was probably 25 feet from his vehicle closer to us, so he had, he had made pretty good ground between the time I got out of my vehicle, um, and the pursuit stopped to wanna go to the front, um, like I said he was, he was slowly advancing at that time, um, with his hand outstretched, and that's shooter stance. Like I said yelling somethin' about having a gun.

JT Okay. And you, you recall hearing two shots?

NB No, I heard, um, I thought I heard three.

JT Okay. And was that at the time that, was it contemporaneous to you getting at, being at the vehicle seeing him advance, recognizing in your own words, ah, what you thought was a gun, or taking that stance? Just tryin' to figure out the, the time and when the shots were fired.

NB Ah, time was split seconds, it was, it was quick, um, it was, it was probably from the time I got to the front of the vehicle, saw him coming forward in that shooter stance with the metal object in his hand, and the shots being fired was probably, um, you know, hindsight looking back it seems like it was slow, it was a lotta time, but it takes probably less than two, three seconds.

JT Okay. And then your observation that it wasn't, ah, a firearm, how long after the shots were fired did you make that connection to where you were able to, to definitively say that it wasn't or, or were you ever able to in that period of time?

NB It was, um, like I said, I was, I was depressing my trigger and my finger down on the trigger, started to pull lack out of the trigger, um, and the gunshots went off directly to my right, um, probably within 2 feet, and um, as the rounds were being fired, I recognized that it was a bike

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lock, um, and immediately turned to my partner, who was Deputy Chris Haas and told him somethin' to the effect of stop firing, it's, not a gun.

JT Okay.

NB So it was one, two three.

JT And the suspect at that, short, shortly after that you deployed your Taser, um, does, does anybody else deploy a Taser during this time?

NB Um, –

JT That's you're aware of?

NB Not that I was aware of, not at that time.

JT Okay.

NB No, I thought I was the only one that deployed my Taser besides, um, Deputy Maikranz who had, um, fired it just right prior um, to the gunshots.

JT Okay, and you described lock up, ah, and the Taser being effective, right?

NB Correct.

JT Um, when he locks up, what happens to him at that time?

NB Um, you know, to a stand, you know, a person that was just standing over watching him, the best way to describe it to me is it looks like he's havin' a seizure, if you've ever seen a person, ah, walk up and have a seizure, their, their muscles go rigid, um, his arms bent towards his body at the

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elbow, and, um, it's almost like he's, he's flexing all his muscles, um, and his body went ramrod straight, his back, and he, like a, was flat as a board fell over backwards onto his back.

JT Okay. And the bike lock, was it out of his hands now or does it, does it come out at the same time, or –

NB You, you know, I don't, I don't remember.

JT Okay.

NB I just don't remember.

JT All right. Um –

NB I just remember it wasn't it, I don't remember. I don't remember it bein' in his hands with his arms locked up.

JT Did he fall straight backwards and then –

NB He fell straight backwards.

JT Who, um, he's handcuffed at some point?

NB Correct.

JT Um, were you part of the handcuffing?

NB No. I stayed on the Taser so as if he was to create a problem again to be able to give him another, um, Taser deployment.

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JT Okay, and you mentioned you, you discard the Taser.

NB Cartridge.

JT Cartridge only, okay.

NB And then I reholstered the, ah, the body of the Taser.

JT Okay. And do you remember, um, did you guys call for, ah, medical assistance or –

NB Yes.

JT – or an ambulance, paramedics?

NB I heard, um, immediately after the handcuffing, um, I could hear Deputy Matelli, um, I believe it was, what I believe was Deputy Matelli, make a statement to um, start medical and, um, and somethin' to the effect of, um, but get a first aid kit from someone else. So they, they're not only requesting the ambulance come to the scene but also starting, um, medical on the subject.

JT Okay, and do you remember who that was that was doin' medical, ah first aid?

NB The medical aid, I believe was Deputy Maikranz, um, Matelli, and possibly Clark.

JT Okay. Did you ever see, ah, the suspect's body, ah, during that time for, when first aid was being rendered? Did you have any observations at all?

NB No, I didn't.

JT Of any of his injuries whatsoever?

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NB The only injury I saw in the headlight of the vehicle, um, was a little like, he'd, he'd broke his, um, he had a head wound and what, from what I believe was the fall onto the, onto the asphalt.

JT All right. And then, ah, from there you secure your weapon, the shotgun back to the vehicle?

NB Um, like I said I have, um, Deputy Haas at his vehicle, which was the No. 2, and the, the pursuit so it was directly in front of my vehicle, um, at one point I tell, once I real, I've made sure that Deputy Haas is fine, um, I explained to him, hey, I've got a trainee, I've gotta go get him, I've gotta be, um, with him. I move forward, um, Deputy Matelli and Maikranz, and I believe by now there's several other units on scene, um, assisting with the suspect, and I call Deputy Clark to come back to me, um, I give him the shotgun, I tell him, take the round out of the chamber, rendered the, the weapon safe and put it back in the auto lock, and um, and just, and advise him, hey, take a seat in the car, grab a seat in our car and just sit down.

JT Okay.

NB Um, so I get control of Deputy Clark was 'cause he's ultimately my responsibility.

JT Okay. We're gonna take a short break. The time now is 0517 hours.

***End of Recording**

SpeakWrite
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Job Number: 16354-007
Custom Filename: Windsor Police OIS WI161211-003
Date: 12/19/2016
Billed Words: 7610

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JT= Sonoma County Sheriff's Office Detective Jeff Toney

JH= Sonoma County Sheriff's Office Detective Jesse Hanshew

NB= Sonoma County Office Deputy assigned to Windsor Police Department, Neil Bailey

NP= Attorney Nicole Pifari with Rains, Lucia, Stern. Representing Deputy Bailey

INTERVIEW DATE: 12/12/16 @ 0520 Hours

JT We're going to go back on record. Time now is 0520 hours. Just a few follow up questions,

NB We talked about your, um, position with regard to Deputy Haas, and him being to your immediate right.

NB Mm hmm.

JT Um, do you recall or, or can you estimate the distance between, uh, you and Deputy Haas, uh, and with that question as well? Um, you directly across from each other? Did he have, was he up front a little bit, further or what was his position with regard to, to your stance?

NB He was, um, he was a little more, he was about arm's length, um, directly to my right or to the north of me. And probably a half of step back behind me if that, maybe equal to half a step. I never saw him come up. The first time I realized he was there is when I heard the gunshot go off.

JT Okay. And would you, I mean, uh, like a 45 degree angle behind you or and if you don't know that's fine.

****

NB No, it's was quite 45, I mean if he was 45 behind me he be shooting me in the back. Um, like I said he was, he was a point in back to my right just behind my shoulder, um, so he would be like I said, like a half a step back from being on a straight line with me.

JT Okay.

NB If we're facing forward.

JT Perfect. Um, do you recall, him, any exchange of conversation during that time, either pre-shots fired or post, um, between you and Deputy Haas at all. Anything that was said.

NB No. Well, like I said, I didn't even know he was there until the rounds went off and then afterwards, um, like I said, I turned to him and I said, hey, it's not a gun, stop firing. Um, he, he looked at me, acknowledged what I was saying and, um, he stopped firing his weapon.

JT And when you say he acknowledged it, was that just through a, a visual?

NB Yes, a visual, um, I could see in his face that he, he understood what I said. Um, we were staring each other in the face.

JT Okay.

NB Um, and there was you know, a vision there ****.

JT All right, thank you. And then with regard to the body worn camera that you said that, um, you had fixed to your, your chest area?

NB Yes.

JT Um, was, was that activated? Was that, uh, turned on during this incident recording?

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NB Yes, it was.

JT Okay. Have you reviewed the recording, uh, prior to this interview?

NB No, I haven't.

JT Okay. Do you wish to view any video recordings related to this event, now?

NB Um, can I have minute with my attorney?

JT Sure. We can leave and take a break or you guys are gonna step out of our presence?

NB Yes, we can.

JT And just for the record, Deputy Bailey and his attorney stepped out of the room. They are now back in the room.

NB Um, no, I don't wish to review it at this time.

JT Okay. I don't, uh, I don't have any questions at all. Ms. Pifari, anything?

NP: No, sir, I don't have anything to ask or add.

JT Okay. I'm gonna conclude the interview at 0524 hours.

End of Recording

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Job Number: 16354-002

Custom Filename: Windsor Police OIS WI161211-003

Date: 12/19/2016

Billed Words: 621

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DETECTIVE: Jeff Toney TYPED BY: SpeakWrite

Reviewed 12/6/2017

Detective Jesse Hanshew: Today is December 12, 2016 at 0320 hours, and this is an interview with Jeremy Clark regarding Sheriff's Office Case number, or check that, Windsor Case No. 161211-003. Um, I just wanna begin by having everybody in the room introduce themselves that are present for the interview, and I'll start. Detective Jesse Hanshew with the Sonoma County Sheriff's Office Violent Crimes Unit.

Detective Jeff Toney: Detective Jeff Toney with the Sonoma County Sheriff's Office Violent Crimes Unit.

Nicole Pifari: Nicole Pifari with Rains Lucia Stern, attorney for the deputy.

Deputy Jeremy Clark: Should I introduce myself, too?

Detective Jesse Hanshew: Yes, sir.

Deputy Jeremey Clark: Okay. Jeremy Clark, Deputy with Sonoma County Sheriff's Office.

Det. Travis Koeppel: Crime Scene Investigations Detective Travis Koeppel.

Detective Jesse Hanshew: And we're having technical difficulties with some equipment and Detective Koeppel here is for that effect. Um, so Deputy Clark, I just want to make it clear that, um, we are conducting a criminal investigation to this incident. You are viewed as a witness to the case, um, and that we wanted to ensure that the statement you are giving today is a voluntary statement. Is that correct?

Deputy Jeremy Clark: That's correct.

Detective Jesse Hanshew: Ok, and, um, we just wanna, again, make it clear to you that you're free to leave at any time, take any breaks you'd like, consult with your attorney any time you'd like, just let us know and we'll take a break.

Deputy Jeremy Clark: Okay.

Detective Jesse Hanshew: Um, did you have enough, ample time to gather your thoughts and, um, fully prepare for this particular interview?

Deputy Jeremy Clark: Yes.

Detective Jesse Hanshew: Okay. Do you need additional time?

Deputy Jeremy Clark: No.

Detective Jesse Hanshew: Okay. Um, I know we do work together. Um, I have trained you in the new hire orientation DT. Um, but as far as I know, there's no special relationship between

the two of us; we've never hung out off duty or, um, on a friendly basis other than being co-workers at the sheriff's office, is that correct?

Deputy Jeremy Clark: That's correct.

Detective Jesse Hanshew: Okay. Um, we're just gonna get right into it. Are you sick or injured today?

Deputy Jeremy Clark: No.

Detective Jesse Hanshew: Okay. Did you receive any injuries as a result of the incident?

Deputy Jeremy Clark: No.

Detective Jesse Hanshew: Okay. At the time of the incident, were you suffering from any medical conditions or taking any medications that may have impaired your ability as a law enforcement officer?

Deputy Jeremy Clark: No.

Detective Jesse Hanshew: And did you sleep last night?

Deputy Jeremy Clark: Yes.

Detective Jesse Hanshew: Okay. How long?

Deputy Jeremy Clark: Maybe about 5 hours.

Detective Jesse Hanshew: And the hours that you slept, do you recall?

Deputy Jeremy Clark: Yes.

Detective Jesse Hanshew: Um, can you kind of go through that with me, date and time, the hours.

Deputy Jeremy Clark: Um, I probably went to, the night before, Saturday evening, I crawled into bed about 9:00, quarter after nine, and I was just, I had to get up at five in the morning, but I didn't get a good night's rest 'cause today or yesterday would've been my Monday. Um, so I kind of tossed and turned, thought about the job, am on the field training program, so it's a little stressful, a little anxiety, so that was causing me to lose a little bit of sleep 'cause my mind was on that.

Detective Jesse Hanshew: Okay. So Saturday into Sunday morning?

Deputy Jeremy Clark: Yeah.

Detective Jesse Hanshew: Okay. And when did you last eat, sir?

Deputy Jeremy Clark: Uh, excluding the meal tonight, probably about two yesterday afternoon, two, 2:30 yesterday afternoon.

Detective Jesse Hanshew: And that was prior to the incident?

Deputy Jeremy Clark: Prior to the incident, yes.

Detective Jesse Hanshew: And have you consumed any alcoholic beverages in the last 24 hours?

Deputy Jeremy Clark: No.

Detective Jesse Hanshew: Now, a little bit of background experience. How long have you been with our agency?

Deputy Jeremy Clark: Approximately 3 months, maybe a little bit more.

Detective Jesse Hanshew: Okay. Is that your total time in law enforcement?

Deputy Jeremy Clark: Yes.

Detective Jesse Hanshew: Okay. No prior agencies?

Deputy Jeremy Clark: No prior agencies.

Detective Jesse Hanshew: Okay. Prior training, um, for example, firearms, SWAT, defensive tactics, any prior training in those areas or similar areas?

Deputy Jeremy Clark: Well, the academy, um, but that didn't include SWAT, obviously, and the orientation that we've had here, and in the field training program itself...

Detective Jesse Hanshew: Okay. Any training as it relates to, uh, your patrol duties, um, for instance, um, crisis intervention, drug recognition, um, any of those things?

Deputy Jeremy Clark: Um, I mean not necessarily no. I mean, I've, I'm not quite sure if I understand that question. Have I dealt with people who had drugs on them? Is that what you're referring to?

Detective Jesse Hanshew: No, just any, uh, formal training, whether it be in the academy or the field training program regarding any other special courses, um, relating to your duties?

Deputy Jeremy Clark: No. It's just the basic academy stuff and then what I've learned so far just in the field training program.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: So on the streets really, if you will. Nothing looks, no special classes or anything like that, if that's what you're referring to.

Detective Jesse Hanshew: Okay. And no prior special assignments or collateral duties of any sort?

Deputy Jeremey Clark: No.

Detective Jesse Hanshew: And your current assignment, what are your duties, your, the nature of your duties?

Deputy Jeremey Clark: Um, patrol deputy on the field training program, so I go out there and respond to calls and initiate, you know, deputy-initiated activity, things like that.

Detective Jesse Hanshew: And in the field training program, what's your current work hours and shift?

Deputy Jeremey Clark: Right now I work days at the main, so it's 7:00 a.m. to 7:00 p.m.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: Sunday, Monday, Tuesday and every other Wednesday.

Detective Jesse Hanshew: And your current field training officer is?

Deputy Jeremey Clark: Neil Bailey.

Detective Jesse Hanshew: And the time you started work, uh, during this shift where the incident occurred within?

Deputy Jeremey Clark: I started work 0700 that morning.

Detective Jesse Hanshew: Okay. And your call sign at the time?

Deputy Jeremey Clark: E31.

Detective Jesse Hanshew: Edward, E Edward 31?

Deputy Jeremey Clark: That's correct.

Detective Jesse Hanshew: As a uniform or non-uniformed assignment?

Deputy Jeremey Clark: As a uniform assignment.

Detective Jesse Hanshew: Okay. And, again, how long have you been in this particular assignment or within the field training, you said?

Deputy Jeremey Clark: I guess my first day was like September 12, so September 12 up to now, so what's that, 3 months.

Detective Jesse Hanshew: And the vehicle you were assigned or used this particular shift? The number?

Deputy Jeremey Clark: Uh, it's the...what is it uh...825.

Detective Jesse Hanshew: Do you know of any mechanical defects with the vehicle?

Deputy Jeremey Clark: No.

Detective Jesse Hanshew: And your uniform, you said it was uniformed assignment?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Can you describe your uniform for me, please.

Deputy Jeremey Clark: Um, yeah. The pants and the shirt, so I have the, uh, I guess it's a khaki colored T-shirt, green pants, duty boots. I had my, uh, duty belt on. Um, I had my green, uh, sheriff's office jacket on at the time.

Detective Jesse Hanshew: Okay. And can you further describe your shirt and what it may or may not display on there.

Deputy Jeremey Clark: Um, it displays a, it has the Sonoma County Sheriff's Office patch on either shoulder and the, uh, the badger of the left pocket.

Detective Jesse Hanshew: Okay. Anything else?

Deputy Jeremey Clark: And my name.

Detective Jesse Hanshew: Okay. And that is where exactly, your name?

Deputy Jeremey Clark: The name is over the right pocket.

Detective Jesse Hanshew: Okay. And you said, you mentioned a jacket. Did I hear you correctly?

Deputy Jeremey Clark: Yeah, I had the, uh, the department-issued green jacket, the nice green jacket, which also displays, uh, if my memory serves me, I know it has my name and the, the sheriff's badge on there. It may have patches on the shoulders. I can't remember if it does. I'm pretty sure it does, though.

Detective Jesse Hanshew: Okay. And the equipment that you carried on your duty belt, could you describe that for me?

Deputy Jeremey Clark: Sure. Um –

Detective Jesse Hanshew: After, actually thinking of it from the center to the right –

Deputy Jeremey Clark: Go right all the way around?

Detective Jesse Hanshew: Correct.

Deputy Jeremey Clark: Let's see…so from center to the right I would have, um, the, what is it, I guess it's the key keeper thing. I'm not sure what that is. What you kind of hold the keys in, the little pouch.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: Uh, handcuffs. It's a double cuff pouch.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: My duty weapon.

Detective Jesse Hanshew: And what kind of duty weapon is that?

Deputy Jeremey Clark: It's the Glock 17. 9 millimeter.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: Um, that's it on that side. Coming back around, I have the, uh, the a, flashlight green holder on this side, but I didn't have the SL20, the big flashlight. I didn't have it on me, but I have the ring holder on the belt, and then I had the smaller, uh, flashlight holder that holds a smaller LED light, and I carry the secondary light, um, my radio and my taser, and I think that is it, oh, and my two magazines and that would complete my duty belt.

Detective Jesse Hanshew: Okay. And any backup firearm –

Deputy Jeremey Clark: No backup firearms.

Detective Jesse Hanshew: Nowhere on your body?

Deputy Jeremey Clark: Nowhere on my body. No knife either, nothing like that.

Detective Jesse Hanshew: And any firearms located in the vehicle anywhere?

Deputy Jeremey Clark: Yes, a shotgun.

Detective Jesse Hanshew: Okay. And where was –

Deputy Jeremey Clark: That's my shotgun.

Detective Jesse Hanshew: Where was that exactly?

Deputy Jeremey Clark: That was in the, uh, in the rack there in the center console.

Detective Jesse Hanshew: Okay. And that's a secured rack of some sort?

Deputy Jeremey Clark: Yes, sir, a security rack, yes, locked in place.

Detective Jesse Hanshew: Okay. And did you, um, have a, some type of camera or recording system?

Deputy Jeremey Clark: Yes, I had a body camera right here in the, in the middle of my chest.

Detective Jesse Hanshew: And so you're using your right hand to point towards the middle of your chest?

Deputy Jeremey Clark: Yes, it's roughly about right here.

Detective Jesse Hanshew: And so you're –

Deputy Jeremey Clark: In-between the pockets.

Detective Jesse Hanshew: Okay. So you're using your hands in the middle of the chest in-between your left and right breast uniform pocket?

Deputy Jeremey Clark: Yeah, yeah.

Detective Jesse Hanshew: Okay. Any other recording device besides the taser body worn camera?

Deputy Jeremey Clark: No.

Detective Jesse Hanshew: Any less lethal delivery systems or munitions at all?

Deputy Jeremey Clark: Other than the taser, no.

Detective Jesse Hanshew: Okay. Any other equipment that you can think of that we may have missed?

Deputy Jeremey Clark: No.

Detective Jesse Hanshew: Okay. So, Deputy Clark, if you can for me, um, you know, kind of, in regards to the incident that occurred here in the Town of Windsor, can you just provide me how it is you became involved in the incident?

Deputy Jeremey Clark: Sure.

Detective Jesse Hanshew: Kind of like a free-flowing narrative. Take your time, and how it is that you and your field training officer became involved and what occurred.

Deputy Jeremey Clark: Um, we were actually down in Penngrove first dealing with a, a domestic violence related incident. We left there, got back on 101 North heading just north. We didn't have any pending calls. Um, but we were just kinda cruisin', seeing if we could, you know, find a call, initiate a traffic stop. Um, we heard the a, the a, BOLO come out for the, from Petaluma regarding this particular car that was involved in tonight's incident and description of the car and the suspect in the car and what he was doing. Um, prior to that, though, FTO Bailey read the information off the MDC and then as he was reading off the MDC is when we got the dispatch thing over the air, the BOL. Um, don't recall exactly when it happened, but as we were still going northbound on 101, kinda makin' our way north there through Petaluma, Rohnert Park, Cotati area, the call, a call came through out of Windsor saying somebody was driving erratically, possibly suspected hit and run or, you know, assault with a vehicle, somebody was tryin' to run somebody over with the car. Um, so he said hey, let's keep going north and go up to that and see what's goin' on. Um, as we were going, we were kinda getting' more, you know, we heard the BOLO. We heard the description of, or he read the description of the vehicle. We got to Windsor. We were the fir...we were actually the first on the scene in the particular area that this car was seen doing its erratic driving, possibly trying to run somebody over or off the road. Um, I don't know what main street we came off of. We took a right onto Merner. Um, when at Merner, took a left onto Lockwood. It was, it was quiet. We didn't see any cars. Nobody was out. Went down Lockwood maybe about a quarter mile, stopped, decided to turn back around, and as we were comin' back down Lockwood back to Merner is when Deputy Haas and Deputy Matelli were coming around on Lockwood. I stopped, let them pass in front of me. They pulled over a few houses into Merner off of Lockwood to make contact with the reporting party regarding this car driving, doin' whatever it was doin'. I drove past them, pulled off to the side because after they made, uh, contact with the reporting party, come to find out they got a better description of the car and it happened to be the exact car that was described in the BOLO from Petaluma. Um, not too long after they got that information out over the air, they had the car. We swung back around on Lockwood and got in behind them, so we were the third car in the pursuit. Um, I couldn't tell you what streets it went on. I was strictly just following them until we ended up in the, that shopping center where the incident took place. Um, overall, the pursuit I'd guess it may took maybe between 3 and 5 minutes. The, um, suspect was violating some, you know, the traffic laws, crossing a double yellow line. I know for sure he went through at least one red light where he made a U-turn and came back the direction we had just come down, and that's where we ultimately went and ended up in the, in the shopping center there. Um, we get into the shopping center. Again, I'm the third car, make the hard stop, FTO Bailey and I get out of the car. FTO Bailey had, uh, taken the shotgun out of the, uh, the rack there, and I had my service

weapon out, and we went to the first car that was, uh, on the scene. So it was one of the Explorers, so I'm assuming that was Deputy Matelli's car 'cause I know Deputy Haas has one of the, um, the Ford Taurus, and that was, that was the one that was in front of us. Um, we get out. We had our weapons drawn. Deputy Matelli is on the driver's side of the vehicle, uh, with the door open in the, I guess you'd call it the V part, if you will. Um, FTO Bailey and I went to the right side of the vehicle. Deputy Haas was in the V of the passenger side of that car. Deputy Bailey was next to him. I was next to Deputy Bailey and I noticed Deputy, and I'm probably butchering his name, Maik…Maikranz was there further to the right. Um, I did not see the suspect get out of the vehicle. He was already out. Um, he was acting very erratic. He was holding something in his hands, like he kinda had like a rifle or something and said, you know, "I have an automatic weapon. I'm gonna shoot you, motherfuckers." Um, I heard I want to say two shots. Um, I didn't like my position where I was with Deputy Haas, Bailey and Deputy Maikranz off to the right. I figured there was too many of us on that side. So after the shots went off, I went back around and came over to Deputy Matelli's side and I let him know I was there. I said, "Hey, I'm, I'm on your left." And that was about the time, um, he mentioned that, he said that he was going to, we need to use a taser on this guy, so he pulled out his taser and deployed the taser and that's when the guy, the suspect went down, um, and then we all swarmed in and got him under control. Um, backtracking a little, uh, when I was on the right-hand side with FTO Bailey and Haas and Maikranz, I don't know exactly when it was said. I couldn't tell if it was before or after the shots were fired. Um, I know I said it at least once, and somebody else said it maybe once or twice, that it's not a gun; it's not a gun, don't shoot, but I, I couldn't tell you when it happened, uh, if it happened before the shots were fired or after the shots were fired. I, I just can't piece that part together. So that's, that's the best I can recall. Once we got in, once he went down, the taser worked, and once he went down we just…we all swarmed in and got him down and under control. I helped get his arms for handcuffing, and kinda rolling him over. Uh, a couple other deputies, uh, at least one other, I want to say Deputy Short, came up and started administering first aid 'cause they noticed he had been shot, uh, through his shoulder. Um, when Deputy Haas shot I did notice, I did see what looked like the suspect got hit by one of the rounds because he was, originally he kinda squaring off facing us with wherever he was holding his hands sayin' "I have a gone. I'm gonna shoot you, motherfuckers" and then when the shots went off I saw, what…you know, kind of, if you will, dust to go off his shoulder or it looked like he got hit, and then he immediately turned sideways, and that's when I went around, and that's when Deputy Matelli deployed the Taser and then he went, the, the Taser was effective and he went down and we were able to get him into custody.

Detective Jesse Hanshew: That was it –

Deputy Jeremey Clark: That was it.

Detective Jesse Hanshew: – regarding the incident –

Deputy Jeremey Clark: Yeah.

Detective Jesse Hanshew: – in a nutshell?

Deputy Jeremey Clark: Yeah.

Detective Jesse Hanshew: Okay. So let me just backtrack a little bit, 'cause I had a few questions, and maybe I just wasn't, you know, misunder-...misunderstood what you were saying. So you guys are northbound 101 –

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: – coming from the prior DV incident?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: You're coming through, you hear the call through Cotati?

Deputy Jeremey Clark: Mm hmm.

Detective Jesse Hanshew: Ah,, Rohnert Park...

Deputy Jeremey Clark: Roughly –

Detective Jesse Hanshew: – in that area. FTO Bailey gets the details off the MDC from the BOL and do you hear it or did he get the information from the MDC first?

Deputy Jeremey Clark: He, he got the, some of the information off the MDC first, and as we were, as he was reading, we were kind of discussing it, then that's when we started to hear the BOL come out for this

Detective Jesse Hanshew: Over the radio?

Deputy Jeremey Clark: Over the radio.

Detective Jesse Hanshew: Okay. And what does he tell you or what do you hear at the time exactly?

Deputy Jeremey Clark: Um, he's not saying anything. We're just list-..., we're listening to the, uh, the BOL come out of the radio, um –

Detective Jesse Hanshew: What is it that you hear, if you could describe it for me in detail?

Deputy Jeremey Clark: Um, I, I heard the suspect's name, but I can't recall his name right now. I heard a, uh, the uh, that he possibly had a gun, um, the gun had a, like a maybe a yellow and black color stock on it. Um, that he was driving a, like a gold Volkswagen Passat, and I noticed the, uh, description of the license plate was very unique because it had three Us in it. It was uniform, uniform, uniform, and that registered in my mind, I said, "All right." So I have kind of a unique colored car description and, uh, uh, a fairly unique simple partial license plate that I could look for now if we, if we see this guy driving. So that, those are, that's what I recall hearing from the BOLO.

Detective Jesse Hanshew: And do you remember the make and model of the vehicle, other than unique license plate?

Deputy Jeremey Clark: They said it was a Volkswagen Passat.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: So I'm, I'm familiar with that type of car because, uh, I know it kind of looked, resembles a Volkswagen Jetta, you know, so I'm kinda familiar with how those things look.

Detective Jesse Hanshew: Okay, um, and do you recall hearing the reason for this BOL exactly?

Deputy Jeremey Clark: Yes. Um, it, I wanna say it was for, uh, 20002, you know, a suspected hit and run, and a possible 245 because he was trying to hit people with the car, so and that's the best I can recall on that. I just, I don't know exactly when I heard that, but I know I heard those two things.

Detective Jesse Hanshew: Okay. So you continue northbound –

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: – uh, as you explained a little bit earlier, and you end up on Merner Drive –

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: – in Windsor?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Um, and then you make your way on Lockwood at the time?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: And you don't see anything?

Deputy Jeremey Clark: Don't see anything. It's quiet as kept.

Detective Jesse Hanshew: Okay, do you receive any information from the time that your receive the BOL via the air and the time you get to Merner and Lockwood? Do you hear or receive any new information?

Deputy Jeremey Clark: No, not that I can recall. The only, only thing I remember I doing when we got there is I told dispatch that we were in the area.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: And the MDC screen was down, but it sounds like they may have attached us to the call, but I can't confirm that. I just know the sound that you hear over the MDC when you're getting a message or you're being attached to a call. It was familiar to me that we were being possibly attached to that call 'cause we were the first.

Detective Jesse Hanshew: Okay. So, if I understand it correctly, you come off of Lockwood and then back onto Merner?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: And you see the deputies, as you describe, and correct me if I'm wrong, but making contact with the reporting party?

Deputy Jeremey Clark: Not quite. Um, they passed me first. I let them pass me first. I stopped on Lockwood at Merner, and I would take a right to get onto Merner, and then, you know, if I were to take Merner I would go out, to go out of the area that we were in. Um, so, I stopped. They passed me first. They pulled off to the right a couple of houses in on Merner and made contact with the reporting party, yeah.

Detective Jesse Hanshew: Okay. Um, and then so you make a right onto Merner –

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: – and then pass them and then pull to the right?

Deputy Jeremey Clark: No. They had already pulled to the right and then I passed them. They pulled over to stop at the residence and made contact. I, I, I saw Deputy Haas physically out of his car going to talk to somebody.

Detective Jesse Hanshew: Okay. And then explain to me what it is that you do or park the car in some fashion while they're talking with the RP.

Deputy Jeremey Clark: You know, we, so I drove by and we stopped and then we hear them, somebody got on the radio and got more information saying that the, after they made contact with the reporting party, they confirmed that the car that was on the BOL is the car that's in this neighborhood doing what it was doing, trying to run somebody off the road and drive erratically…

Det. Jesse Hanshew: Okay

Deputy Jeremy Clark: And then it just seemed like from there it flashed from me hearing that to us being in the pursuit.

Detective Jesse Hanshew: Okay. So let's just backtrack a second. Um, you received that information that the person or the individual from the BOL and the vehicle may be involved in the same incident –

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: – on Merner?

Deputy Jeremey Clark: Yes, yes.

Detective Jesse Hanshew: Do you, the officers go by you now? Do you see a vehicle? How is it that you become involved in the pursuit, as you describe?

Deputy Jeremey Clark: I, I can't recall, but they did go by us, 'cause I got, I got behind them. So when they say they were in the pursuit, we, we were down Merner and we came, we went back around on Merner. I guess there was like a, uh, a way to pass through on either side of the street, 'cause Merner had two directions, but it was divided by a, you couldn't quite say median. It was like a, you know, a space, if you will. And so I took a left and we came back around and we were in the pursuit.

Detective Jesse Hanshew: Okay. And so at this point, if I understand correctly, you're now behind two sheriff's patrol units?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: And the suspect is in front of those two vehicles?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay. So you come off of Merner, which way do you go, right or left?

Deputy Jeremey Clark: Uh, we go, I want to say we go left, but I, I, I can't confirm that. It was, again, I'd be lying to ya if I said I wasn't going into tunnel vision, um, at the onset of this pursuit, because, um, based on the information we were given, what this guy was trying to do, um, I, I, I don't know, but my best guess would be I took a left. We took a left.

Detective Jesse Hanshew: Okay. Regardless, you're still behind the two sheriff's vehicles?

Deputy Jeremey Clark: Yes, yes. I never changed position. I was always the third car.

Detective Jesse Hanshew: Okay. And at this point do you know which street you're on, overtly know, uh, or did Deputy Bailey, uh, tell you which street you were on?

Deputy Jeremey Clark: Um, I don't recall Deputy Bailey saying anything. I could hear the radio traffic, the direction of travel that the pursuit was going in. Um, but I don't recall any of the street names. I was strictly just following them.

Detective Jesse Hanshew: Okay. Do you know what your speed was about that time when you came off Merner and you're on this other street?

Deputy Jeremey Clark: It started out kinda slow at first. It wasn't really high speed. I think at one point, uh, we ended up maybe going, hitting maybe about 60 plus miles per hour at the highest point. Yeah.

Detective Jesse Hanshew: Okay. Um, and do you see the suspect vehicle, which is in front of the two marked vehicles which are in front of you, uh, break any traffic laws?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: I could vaguely see him on occasion, you know, 'cause I'm third guy behind there, but, uh, he was, uh, crossed over a double yellow line. I know he blew through at least one intersection that had a red light. That's, that's –

Detective Jesse Hanshew: So he was facing a solid red light?

Deputy Jeremey Clark: A solid red light, yeah.

Detective Jesse Hanshew: And when you say crossed over the double yellow, was it to pass somebody?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay. Was that successful or did he have to go back or what?

Deputy Jeremey Clark: Um, I mean, was he successful in passing somebody?

Detective Jesse Hanshew: Correct.

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay. So how many times – I'm sorry.

Deputy Jeremey Clark: I can only think of one time. Um, I only saw one time, and I only heard one time over the radio, whoever was calling the pursuit said they did that, said he did that.

Detective Jesse Hanshew: So as the pursuit continues, does it change direction at some point, make a turn or some maneuver?

Deputy Jeremey Clark: Uh, yes. We, I don't know what street we were on. It was one of the longer stretches of road that we were on, so the speed was able to, you know, we were able to gain some speed because we were on a long stretch of road.

Detective Jesse Hanshew: And, and what was the speed, if you could recall?

Deputy Jeremey Clark: It probably got to about, that's probably where he ended up hitting about 60 miles an hour, somewhere in there. Um, the suspect went down the road. That's where he blew the red light. Made a hard U-turn and came back down the opposite direction on the street we were just on, you know, and all three followed suit.

Detective Jesse Hanshew: Okay. And this hard U-turn, was it actually at the intersection?

Deputy Jeremey Clark: Yes, it was in, it was in the intersection, yeah.

Detective Jesse Hanshew: A controlled by lights intersection?

Deputy Jeremey Clark: Yes, by lights.

Detective Jesse Hanshew: Okay. And the three of you, the three patrol cars followed suit?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay. So now we're going in the opposite direction you originally were going?

Deputy Jeremey Clark: Exactly.

Detective Jesse Hanshew: Okay. And then what happens then?

Deputy Jeremey Clark: Um, I, I don't remember exactly what happens, but somewhere after that we follow him and we end up in the shopping center parking lot. That's where the, the pursuit terminated.

Detective Jesse Hanshew: Okay. And you're still the third car?

Deputy Jeremey Clark: Still the third car.

Detective Jesse Hanshew: Behind this, uh, vehicle?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: And you maneuver yourself to the front vehicle passenger side.

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: And, so I understand, um, to your left is Deputy Haas and Deputy Bailey and then yourself?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay. On the right front passenger side of this patrol vehicle?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay. At what point do you unholster your weapon to address this person or –

Deputy Jeremey Clark: I un-holstered it the moment I got out of the car, yeah.

Detective Jesse Hanshew: Okay. And then you made your way to the passenger side of the car?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: And you believed at the time it was Deputy Matelli's car?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay. Um, the suspect, if I understand correctly, is already out of the vehicle?

Deputy Jeremey Clark: He's already out of the vehicle.

Detective Jesse Hanshew: Okay. What is he saying while he is outside that vehicle?

Deputy Jeremey Clark: The only thing I remember him saying is "I have an automatic weapon and I'm gonna shoot you fuckers" and he kept doing like this, like he's posturing, you know, that he's got, somebody that's not a handgun, like more like a rifle in his hands.

Detective Jesse Hanshew: And just so I'm clear, you had both your arms up –

Deputy Jeremey Clark: Yeah, he kinda, he had it like this, like he was holding, you know, and he's like I'm, that this is an automatic weapon; I'm gonna shoot you fuckers. I'm gonna shoot you fuckers. And that's all I recall him saying.

Detective Jesse Hanshew: And just so I'm clear, you're holding your two fists upward –

Deputy Jeremey Clark: Yeah.

Detective Jesse Hanshew: – as they were holding vertical four grips in your –

Deputy Jeremey Clark: Yeah.

Detective Jesse Hanshew: – as if you have it –

Deputy Jeremey Clark: Yeah. This is almost how I recall him holding whatever he was holding like this.

Detective Jesse Hanshew: As if it was tucked into his right shoulder?

Deputy Jeremey Clark: Yeah, like he was, like he had, like he did have a stock there tucked into his right shoulder, like it was maybe he was holding or rifle or something along those lines, yeah.

Detective Jesse Hanshew: Okay. And what was he doing? Was he walking, running, standing still?

Deputy Jeremey Clark: Oh, no. No, he was not standing still. He was, he was moving towards us, um, like I, that's the best way I can describe it, like in an aggressive manner, you know,

Detective Jesse Hanshew: And how fast was he moving towards you, if you can describe it for me.

Deputy Jeremey Clark: He wasn't charging at us, but he was definitely advancing forward, you know. I wouldn't say a brisk walk, but he was moving forward, yeah, towards us.

Detective Jesse Hanshew: And when you say aggressive manner, can you tell me or describe why or how you characterize it that way?

Deputy Jeremey Clark: Um, it's just, just the way he was holding what he had in his hands and he had moving, kinda moving forward and leaning forward like he was, you know, coming at us, if that makes any sense.

Detective Jesse Hanshew: Yeah, it does.

Deputy Jeremey Clark: Yeah.

Detective Jesse Hanshew: Um, and then what happens next as he's moving, well, let me ask you this. How far is the vehicle from where you are at Deputy Matelli's vehicle? How far is the –

Deputy Jeremey Clark: The suspect's vehicle?

Detective Jesse Hanshew: Correct.

Deputy Jeremey Clark: Oh, gosh, I mean, if I had, if I had to take an educated guess, I would say maybe 20, 25 feet, give or take.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: I mean, I could be wrong on that. I did see it in the, in the background, but I was not paying attention to its…the relative distance between the vehicle and our vehicle and him and where he was in comparison to the vehicle, but he was away from the vehicle moving towards us.

Detective Jesse Hanshew: Okay. Um, and when you maneuvered into the position we talked about, which is by Deputy Matelli's vehicle, was Deputy Maikranz already there?

Deputy Jeremey Clark: Yes, he was already there. Um, he, we were, I was here lined up kinda, you know, stacked three off the passenger side. He was over here facing the subject at a different, kind of a different angle, you know, so we're here and Deputy Maikranz is here, you know, if, if I'm painting the picture right.

Detective Jesse Hanshew: It does. So more perpendicular?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay. And so was, was he there when you first arrived at your position?

Deputy Jeremey Clark: I, I, I don't know for sure, and I wanna say yes, he was, he was already there on scene, yeah, and it looked as, the details are somewhat coming back to me, it looked like he may have possibly tried to deploy his Taser on him and it was not effective because only one of the barbs stuck, if that. That's, I, that's what I kinda recall seeing.

Detective Jesse Hanshew: Okay. So as you, Deputy Haas and your field training officer, Deputy Neil is somebody giving the gentleman commands?

Deputy Jeremey Clark: Yes, somebody –

Detective Jesse Hanshew: Who?

Deputy Jeremey Clark: Um, I know FTO Bailey was. Um –

Detective Jesse Hanshew: Do you remember what they were?

Deputy Jeremey Clark: No, I can't. It was just, it was, I couldn't, I wasn't able to focus on what they were sayin'. I strictly just had my, my eye on the suspect and I was watching the other deputies around me.

Detective Jesse Hanshew: Okay. And you vividly, this aggressive stance you mentioned, you know, um, kind of having this item tucked into his shoulder –

Deputy Jeremey Clark: Yeah.

Detective Jesse Hanshew: – can you describe that for me?

Deputy Jeremey Clark: It was black. Um, I couldn't quite make it out at first. When he would change his angle, you could kinda make out, I can kind of see a silhouette of what it was, and, to me, it looked like, um, one of those U-shaped bike locks. Um, you know, kinda long, maybe, maybe about yay big. It looked like, it looked like what a black U-shaped bike lock…

Detective Jesse Hanshew: Okay.

Deputy Jeremy Clark: If you know what that is?

Detective Jesse Hanshew: I, I am familiar with those –

Deputy Jeremey Clark: Yeah, it was just, you know, it was in the shape of a U and it had a piece here that you would lock into place to secure a bike to a pole or something along those lines.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: That's what it looked like to me.

Detective Jesse Hanshew: Okay. And this was after you had arrived at your position and were addressing the subject?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay. So initially, when he initially got out and he was in the position that you described a moment ago, were you fearful of the subject at that point?

Deputy Jeremey Clark: Absolutely.

Detective Jesse Hanshew: Tell me why.

Deputy Jeremey Clark: Um, I couldn't make out what he had in his hand. Um, based on what we heard on the BOL, um, that he intended on, he wanted suicide by cop, I, I, I thought he had a gun in his hand, and I was wondering why I wasn't hearing gunshots, but I was, I was in fear, you know, for my life and the deputies around me. So, yeah, it did, it scared the shit out of me. Pardon my French.

Detective Jesse Hanshew: How many steps from the time you saw the suspect, were fearful of the item he had in his hand, how many steps do you think he took towards you in all?

Deputy Jeremey Clark: I'm not, I'm not entirely sure.

Detective Jesse Hanshew: Before you see this U-shaped item?

Deputy Jeremey Clark: I would have to say maybe a good three to five steps. I mean, he was, he was moving towards us. He was getting close, closer than, you know, you know, too close for comfort under the circumstances.

Detective Jesse Hanshew: Okay. And how long maybe in seconds or minutes do you remain on the right side passenger side before you move over?

Deputy Jeremey Clark: Not too long. Maybe 30 seconds or less.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: Um, I know I changed positions at least once after I heard the shots fired. I almost think I did it twice, but prior to the shots fired because I just didn't like my position there with all the deputies on one side, 'cause I was, I was fearful that if I had to discharge my weapon, there were too many other deputies around me that I might hit them, so I was, and I was kinda tryin' to get a clearer view of him with less deputies surrounding me, if that makes any sense. I didn't, I just didn't feel comfortable in the position I was standing in. I felt I was vulnerable and they were vulnerable because they were around me and I didn't wanna, you know, bring my weapon up with them so close, so I wanted to get in a different position so I wouldn't have to worry about so many other people around me, if that makes any sense.

Detective Jesse Hanshew: Okay. And you hear the gunshots on that right side or had…do you move over –

Deputy Jeremey Clark: I was on the right side when the gunshots went off.

Detective Jesse Hanshew: Okay. And you heard how many, one more time?

Deputy Jeremey Clark: I wanna say I heard two shots.

Detective Jesse Hanshew: Two shots?

Deputy Jeremey Clark: Yeah.

Detective Jesse Hanshew: And then, ultimately, you move over to the driver's side?

Deputy Jeremey Clark: I move over to the driver's side. I heard the shots and then I immediately drop down and went back around to be on Deputy Matelli's side.

Detective Jesse Hanshew: Okay. And you're unsure if that occurs once or twice?

Deputy Jeremey Clark: Yes. I know once for sure because I was right at Deputy Matelli's left-hand side when he tasered the suspect, so it was definitely one time, possibly twice. I just can't remember what I did, if that's what I did.

Detective Jesse Hanshew: And the Taser deployment, was it one deployment or multiple deployments or do you recall?

Deputy Jeremey Clark: His deployment was only to my, to the best of my knowledge, it was only one deployment. His, he, he set it off. He said, "We need to Taser this guy" and he pulls it out and he hits him and the guy stiffens up and goes straight back, and then we all just whoosh. We were on top of him.

Detective Jesse Hanshew: Okay. And when you say stiffens up, falls back, the subject literally falls backwards?

Deputy Jeremey Clark: Yeah, he falls backwards, yeah.

Detective Jesse Hanshew: Okay. And then you guys approach him, is that accurate?

Deputy Jeremey Clark: Yes, we approached him very quickly.

Detective Jesse Hanshew: And what was your role? Did you handcuff? Did you hold an arm, a leg…or?

Deputy Jeremey Clark: Um, um, I went directly to his legs. Um, I was tryin' to, kinda tryin' to flip him over, um, to get him, you know, he was kinda of like on his side stomach, to flip him over so we could get, you know, him on his stomach so we can get his hands behind his back. Um –

Detective Jesse Hanshew: Do you see any wounds anywhere on the person?

Deputy Jeremey Clark: The only thing I could see on him at the time was in the back of his head he had a wound. I don't know how he got that. I don't know if that was when he fell back after he was Tasered or if a round hit him there. So, but I did see blood and a wound on the back of his head, and I assisted on getting the, um, his arms back so a deputy could cuff him. I grabbed his left arm first, brought it up, and then I grabbed his right arm and then brought it up so whoever, I don't know what deputy cuffed him, but so the deputy could easily put the cuffs on him.

Detective Jesse Hanshew: Okay. And then once he was handcuffed, what happened then?

Deputy Jeremey Clark: Um, I, uh, I stepped away, um, but prior to me steppin' away, Deputy Short was there and Deputy Maikranz had come up and they were talkin' about he had a, uh, they said looked like he had a, uh, through and through wound on his shoulder, possibly from

being shot. They started cuttin' the shirt off him 'cause they wanted to start, um, addressing the wound or wounds he had on his body.

Detective Jesse Hanshew: Okay. Did that happen?

Deputy Jeremey Clark: Yes.

Detective Jesse Hanshew: Okay.

Deputy Jeremey Clark: But I, I didn't see the full extent of it 'cause I, uh, after they had him under control, I, I stepped away.

Detective Jesse Hanshew: Okay. Do you recall what the lighting conditions were at the time when you first arrived and even during the course of the incident?

Deputy Jeremey Clark: Um, well, we were, it's tough to say. The lighting conditions weren't horrible because we were in a parking lot, so there were some parking lot lights, if you will, plus all the lights from our vehicles. So the, um, the conditions were fair under the circumstances, I would say. I didn't have trouble, you know, viewing him and what was going on.

Detective Jesse Hanshew: Okay. And you did have your body-worn camera, you said, on your uniform?

Deputy Jeremey Clark: I had it on my uniform.

Detective Jesse Hanshew: Was it activated?

Deputy Jeremey Clark: It was not activated. I did not have a chance to turn it on.

Detective Jesse Hanshew: Okay. So when you exited the vehicle, you just, um, unholstered your weapon and went right to the position –

Deputy Jeremey Clark: Right to the position, yeah.

Detective Jesse Hanshew: Okay. And never ever during the incident activated it?

Deputy Jeremey Clark: Never.

Detective Jesse Hanshew: Okay. Can we take a short break?

Detective Jeff Toney: Yeah

Nicole Pifari: Yeah.

Detective Jesse Hanshew: Okay. So the time is, or I'm sorry. December 12, 2016 at 0400 hours. We're going to take a short break, uh, just for a moment.

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Job Number: 16355-001
Custom Filename: Windsor OIS 161211-003 Clark IV 1
Date: 12/20/2016
Billed Words: 7630

Det. Jesse Hanshew #1627: Today is 12/12/2016 at 0407, um, continuing with the inter, interview with Jeremy Clark regarding the incident in Windsor, Winter Palm Shopping Center. So, Jeremy, we left off, um, with a little bit of clarifying information regarding yours statement, and I just have, uh, a couple more questions. If you can, describe when, wh, when you described the subject when you initially saw him in the aggressive manner that you described, uh, with the two hands up somewhat as if he was shouldering something –

Deputy Jeremy Clark: Mm hmm.

Det. Jesse Hanshew #1627: – um, and you felt threatened by that?

Deputy Jeremy Clark: Yes.

Det. Jesse Hanshew #1627: And you described that. What it is about that object, uh, that made you feel threatened?

Deputy Jeremy Clark: It, it looked like a gun. Ya know? He had some sort of gun in his hand, whether it be, um, like a, ya know, like a rifle or something along those lines. And, and, and his statements, ya know, "I have, this is an automatic weapon." Ya know? So, it, ya know, I was formulating the thought that's what he really had in, in his hand, and it looked like it initially.

Det. Jesse Hanshew #1627: Okay. Um, and ya mentioned that somebody said that it wasn't a gun, and please, um, if I mischaracterized what you said, please correct me.

Deputy Jeremy Clark: Yeah, I, I, and I think I even said that myself. Um, I, it, it's not a gun, it's not a gun, that's what I remember hearing, it's not a gun. Don't shoot, it's not a gun.

Det. Jesse Hanshew #1627: And was that after the shots or before?

Deputy Jeremy Clark: I, I, I cannot remember when that happened. I just don't know when, ya know, 'cause it, it happened so fast, I don't know when, if it was before or after the shots?

Det. Jesse Hanshew #1627: And you had made, you had made those statements, or you heard somebody else make those statements?

Deputy Jeremy Clark: I heard somebody else making statements, and I made the statement at least once myself saying it was not a gun.

Det. Jesse Hanshew #1627: Did you hear that to your left, to your right?

Deputy Jeremy Clark: I, I can't, I don't know for sure.

Det. Jesse Hanshew #1627: Okay.

Deputy Jeremy Clark: Yeah. I don't know for sure where, who, who said it or what direction it came from. I know he was in my vicinity. It wasn't like, like from, uh, all the way from the other side of the vehicle.

Det. Jesse Hanshew #1627: Meaning to your left?

Deputy Jeremy Clark: To my left, like on, uh, Deputy Matelli's side. I, I know it was somewhere in my vicinity, so I just don't know if Deputy Haas said it, Deputy Bailey said it or Deputy Maikranz said it.

Det. Jesse Hanshew #1627: Okay.

Deputy Jeremy Clark: Somebody said it, and I know I said it myself.

Det. Jesse Hanshew #1627: Okay.

Deputy Jeremy Clark: Yeah.

Det. Jesse Hanshew #1627: Between this was after the initial, um, observations of him with this object that you believe was a, was a firearm.

Deputy Jeremy Clark: Yes.

Det. Jesse Hanshew #1627: Okay.

Deputy Jeremy Clark: And then somewhere in there, he had changed his angle on me, and I could see the outline of what looked like the U-shaped, um, bike lock, is what I like to refer it to. And that's when I said, I was also saying it's not a gun.

Det. Jesse Hanshew #1627: From the time that you were settled in your position, to the time you observed him, um, how many steps do you think he advanced toward your group of officers before you recognized – initially you recognized that it might be a weapon?

Deputy Jeremy Clark: Yes.

Det. Jesse Hanshew #1627: How many steps do you think, or how close did he get to you in steps before you saw this outline?

Deputy Jeremy Clark: It probably, probably a good three to five steps, um, ya know, I guess, of normal stride, if you will. So, he maybe covered a few feet.

Det. Jesse Hanshew #1627: Okay.

Deputy Jeremy Clark: Ya know, closing in on us.

Det. Jesse Hanshew #1627: Okay, yeah. Any other questions? Any other questions, ma'am?

Nicole Pifari: No.

Det. Jesse Hanshew #1627: No? ****. Okay. Uh, we're gonna conclude the interview. The time is 0410 hours.

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Job Number: 16355-002
Custom Filename: Windsor OIS 161211-003 Clark IV 2
Date: 12/20/2016
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Reviewed 12/6/2017 [illegible]

1/19

Det. Jesse Hanshew #1627: Today is 12/12/2016 at 0531 hours, 0531 hours. Uh, Detective Jesse Hanshew, um, uh, regarding the incident in the town of Windsor, Windsor Case No. 161211-003. Um, for the sake of the record, if we can get everybody, uh, that's present in the room to identify themselves. Again, Jesse Hanshew, Sonoma County Sheriff's Office in the Violent Crimes Investigation Unit.

Det. Jeff Toney: Detective Jeff Toney with the Sonoma County Sheriff's Office Violent Crimes Unit.

Nicole Pifari: Nicole Pifari, Rains Lucia Stern, here representing the deputy.

Deputy Nicholas Maikranz: Deputy Nick Maikranz, Sonoma County Sheriff's Office.

Det. Jesse Hanshew #1627: And again for the sake of the, um, record we're at the [redacted] Brooks Road South in Windsor, specifically in Room [redacted] with Deputy Maikranz. Um, Deputy Maikranz, you know that we're investigating, um, the incident that occurred in the town of Windsor, um, earlier yesterday evening, um, that you're a witness in that case, um, and that we wanna ask you questions regarding that. Um, we hope that, uh, you're willing to provide your statement. It's a voluntary statement. Are you willing to do so now?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Um, I just wanna make it clear that at any time you're free to leave, free to take a restroom break if you'd like, uh, get more water if you like, consult with your attorney at any time, or just take a short break, you can do so for whatever, uh, and then, and we can come back, however long it takes. Do you understand that?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: All right. Are you prepared and have ample time to gather your thoughts and otherwise prepare for the interview with both counsel?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Okay. Is there anything that would hinder you giving a statement at this time?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: Okay. Um, and just so we're clear, um, we do have a, as you know over the years since you've been at the sheriff's office we have a working relationship, um, however, um, to my knowledge we've never had an off-duty relationship of any sort or, um, besides the working relationship on an, on, during our shift. Is that true?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Okay. Um, on yesterday evening during the course of the incident, what was your call sign?

Deputy Nicholas Maikranz: Frank 89.

Det. Jesse Hanshew #1627: And Frank 89 what does that represent in, at the –

Deputy Nicholas Maikranz: Um, swing, it's a swing shift Windsor deputy. The 80 represents the Windsor unit.

Det. Jesse Hanshew #1627: And the Frank unit represents the –

Deputy Nicholas Maikranz: Swing shift.

Det. Jesse Hanshew #1627: – swing shift. Is that a uniform or non-uniform assignment?

Deputy Nicholas Maikranz: Uniform.

Det. Jesse Hanshew #1627: Okay and how long have you been in that particular assignment?

Deputy Nicholas Maikranz: I think I'm going on 3 years.

Det. Jesse Hanshew #1627: Okay and how long have you been with the sheriff's office overall?

Deputy Nicholas Maikranz: I started in the jail in 2007. I started on patrol in 2011.

Det. Jesse Hanshew #1627: Okay and in Windsor, you say it again, how many years total?

Deputy Nicholas Maikranz: Um, I believe I'm in my third year.

Det. Jesse Hanshew #1627: Third year, okay. Uh, any prior agencies prior to the sheriff's office?

Deputy Nicholas Maikranz: Uh, I worked for Sacramento County Probation briefly.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: For about ten months.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Ten months.

Det. Jesse Hanshew #1627: Any special training, uh, firearms, SWAT, defensive tactics, anything like that?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: Okay. At the time of the incident, what was the nature of your duties as the swing shift deputy sheriff on duty in Windsor?

Deputy Nicholas Maikranz: Answer calls for service and being proactive looking for enforcement stops to take action on.

Det. Jesse Hanshew #1627: Okay and this particular shift, what are your work hours?

Deputy Nicholas Maikranz: 1600 to 0…0200.

Det. Jesse Hanshew #1627: Okay and your days?

Deputy Nicholas Maikranz: Uh, I work Sunday, Monday, Tuesday and Wednesday for my work days.

Det. Jesse Hanshew #1627: Okay and the vehicle that you were u, using at the time of the incident and assigned to you was what vehicle?

Deputy Nicholas Maikranz: W35. That's my normal car assigned to me.

Det. Jesse Hanshew #1627: Now is that an SUV or a –

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: It is, Ford SUV?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Okay, uh, and you were in uniform at the time?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Okay and can you describe the uniform you were wearing at the time of the incident?

Deputy Nicholas Maikranz: General uniform. I had my, uh, jacket on.

Det. Jesse Hanshew #1627: Okay.

Detective Nicholas Maikranz: That was the only addition.

Deputy Nicholas Maikranz: My body-worn camera in the front, my duty belt, green pants, tan shirt, short-sleeve shirt.

Det. Jesse Hanshew #1627: Okay. Your jacket, does it have patches on it?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Which, where are they located?

Deputy Nicholas Maikranz: On the shoulders.

Det. Jesse Hanshew #1627: Okay. Does it have a star on it?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Where is that located?

Deputy Nicholas Maikranz: Un-intelligible

Det. Jesse Hanshew #1627: Does it have your name on it?

Deputy Nicholas Maikranz: Ah, I don't remember. I don't think so.

Det. Jesse Hanshew #1627: Okay and were you wearing a uniform shirt?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Um, was it short or long-sleeve?

Deputy Nicholas Maikranz: Short-sleeve.

Det. Jesse Hanshew #1627: Does that have patches on it?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Um, both sides or just one?

Deputy Nicholas Maikranz: Both.

Det. Jesse Hanshew #1627: And does it have a star or a cloth?

Deputy Nicholas Maikranz: Star on the chest, name plate metal badge.

Det. Jesse Hanshew #1627: Okay and khaki pants you said? I mean, uh, green pants rather?

Deputy Nicholas Maikranz: Green pants.

Det. Jesse Hanshew #1627: And on your gun belt if you could start from the center and move to the right, can you describe the items on it?

Deputy Nicholas Maikranz: I have a three-mag pouch that's open and my key ring, my holster and duty weapon.

Det. Jesse Hanshew #1627: Which was at the time?

Deputy Nicholas Maikranz: It's a standard-issue Glock 9 mil. Uh, my glove pouch right behind that and my flashlight ring. My…it comes all the way around to my handcuff, oh, I'm sorry (un-intelligible) and my handcuffs.

Det. Jesse Hanshew #1627: Okay. Any backup firearms on your person at the time?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: What did you have and where?

Deputy Nicholas Maikranz: Uh, Ruger LCP .380 in my left pocket…cargo pocket.

Det. Jesse Hanshew #1627: Okay. How many rounds does the Ruger hold?

Deputy Nicholas Maikranz: Six plus one.

Det. Jesse Hanshew #1627: Okay and your Glock, how many rounds does that hold?

Deputy Nicholas Maikranz: Seventeen plus 1.

Det. Jesse Hanshew #1627: It was fully loaded with that?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Okay. When did you last sleep?

Deputy Nicholas Maikranz: Um, about 10 minutes ago.

Det. Jesse Hanshew #1627: Uh, prior to the incident. Sorry, my fault.

Deputy Nicholas Maikranz: The night before. Normal sleep, I got about 7 hours.

Det. Jesse Hanshew #1627: Okay and do you know the hours or do you recall?

Deputy Nicholas Maikranz: I'd say about 11, no about midnight 'til about 8 in the morning.

Det. Jesse Hanshew #1627: Okay and when did you last eat prior to the incident?

Deputy Nicholas Maikranz: I don't remember. Well, I had lunch earlier.

Det. Jesse Hanshew #1627: Okay and are you sick or injured prior to the incident?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: Okay. Did you receive any injuries as a result of the incident?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: Okay. And at the time of the incident were you suffering from any medical condition or taking any medication that may have impaired your ability as a law enforcement officer?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: Okay. No physical defects?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: You're not diabetic and suffer from any other medical condition I haven't described?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: Not under the care of a doctor of any sort?

Deputy Nicholas Maikranz: I have a doctor.

Det. Jesse Hanshew #1627: Not, um, currently under the care of a doctor?

Deputy Nicholas Maikranz: For whatta you mean?

Nicole Pifari: Could you be more specific? For something that would impair his ability to do his job or –

Det. Jesse Hanshew #1627: Correct.

Nicole Pifari: Um, affect your ability to recall, recollect, the events that kind of thing?

Deputy Nicholas Maikranz: No…No.

Det. Jesse Hanshew #1627: Have you consumed any alcohol in the last 24 hours?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: So, Deputy Maikranz, in your own words if you can kinda describe the incident, how you became involved in it, what led to the events and how you became

involved in the incident, uh, and then just kind of in a free-flowing narrative if you can describe what occurred, that'd be great.

Deputy Nicholas Maikranz: Okay. I was responding to a call at Wal Mart of possible man with a gun. Um, I responded there with Haas, Mattelli, Sergeant Cash that went to that. At the end of that call we were set to clear. Um, there was a BOLO that came out before we had cleared that call...from Petaluma PD. There was a something about the, a man wanting to commit suicide by cop and he was, I, I remember he was mobile. Um, we, I didn't quite catch all the details of it because we were discussing the last call. We had some subject that we were just releasing from the prior call. Um, when we got into our, or I'm sorry. Then a call got dispatched that a possible 245 with a vehicle on Merner which was close by, not too far from where we were, um, came out. Deputy Haas broke from our call at Walmart to go to that. Um, as it developed it sounded like it could possibly be the same subject as the BOL subject, dispatch mentioned that. Um, Deputy Matelli asked them to reiterate the, the BOL which they did when we were there. Once we realized, uh, it sounded more and more serious as, as it progressed, I self-attached and I headed to that call. Um, as I was going there one of the day shift units was like right there almost as it came out, so I ended up going to Savannah Way which is just down from Merner, it's a exit from that neighborhood I knew, so I set up there, um, um, when I heard that Deputy Matelli had gone there and put out on the radio that the guy was still in the area, possibly. I set up on Savannah. Um, a short time later, um, Matelli found the vehicle, put the plate out. It matched the BOLO description. It was a Passat that was put out which was picked up later, um, and it went pursuit northbound Old Red, I watched as it went by and then the three patrol cars went by, um, and I decided to trail. So I pulled out behind them and just trailed it. It was kinda slow speed, so it wasn't hard to stay with, with them. I'm wasn't trying to be in the pursuit per se, but I was gonna be close enough to help when it terminated. Um, given the circumstances it was possibly a guy that was armed with a gun in the BOLO. They said it was a black or yellow handled pistol sounded like. Um, he wanted to commit suicide by cop was his method, um, and we confirmed that that was indeed him. So, I trailed...went northbound 101. Vehicle went all the way past through Alden all the way down to Lakewood Drive. It's a confusing intersection where Old Red turns, no it doesn't, it's Old Red and, and, and Lakewood. Um, the guy jumped the barrier. We see him go left, jumps the barrier and starts coming back. I turn down I believe it's First Street and went around the block, came out on Third 'cause there was a cement barrier in between me and the divider so I couldn't just turn left and the other three cars were so far ahead of me that they...I assumed...(unintelligible). I went this way. As soon as I came back out to Old Red...and like ...the third patrol car had gone by again. So I went down, it's only like 2 blocks down to where it turned into the shopping center where it terminated. I went in a different entrance to try to block its exit if possible, so I went in by Roundtable. Um, I believe you see my car positioned where it is. Um, as I pulled up I saw the subject holding a black metal object, um, pointing out at the guys who were doing the felony stop and, and screaming at him, "Come on! Come on!" and, uh, they were screaming at him to drop it or they were screaming at him to drop or get down. It was like several commands coming 'cause everybody was screaming at him. Um, and then couple of shots went off, two to three, um, and then they stopped 'cause the guy was still doin' this with the, the metal thing. I ran up to him and tried to deploy my Taser but I didn't wanna get too close to, 'cause I was downrange from those guys. I deployed my Taser. One of the barbs stuck...I only know, I didn't see where they hit. Um, I knew that 'cause when I, I was so far away when I pulled it slightly it, it tugged.

Didn't work so I disconnected that re-holstered it and switched to my gun. Um, by then, I realized that they had stopped shooting and were approaching with Taser so I knew it was safe to go up. They Tased him, he fell, I jumped on him, helped cuff him. I pinned his arms to the ground, somebody else did the legs and somebody came up with cuffs…we helped cuff him. Um, and then we, I saw that he had been shot…in the…in the arm…I believe it was through and through in his right arm. Then, uh…we got him flipped over…we got him to roll over on his side and then they started cutting his shirt off and I said I had medical supplies in my car, so I went back and got first aid supplies and I came back and I cut those open and gave them to the guys. Um…and then I was concerned because I only saw one hole and I heard more than one shot, so I went down to the business over at Castaneda's and there's a restaurant right next to it to see if, make sure nobody got hurt…and…started interviewing people.

Det. Jesse Hanshew #1627: That was it?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Did you actually talk to some folks there?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: I talked to one guy up at the gym. He was on a treadmill in the window which looks down… he said he saw the whole thing.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Got his F.I…um…

Det. Jesse Hanshew #1627: Do you still have that information?

Deputy Nicholas Maikranz: Yeah, yeah…I photocopied my notes. I don't know if I have them on me or if it's in the room.

Other Speaker: Unintelligible.

Det. Jesse Hanshew #1627: No. If you don't have it on you, we can get it from you later. That's fine. So I'm just gonna go back over it a little bit.

Detective Nicholas Maikranz: Okay.

Det. Jesse Hanshew #1627: Um, you're in the area of the original call. You respond from the area of the, uh, Home Depot area–

Deputy Nicholas Maikranz: Specifically…

Det. Jesse Hanshew #1627: –and the Walmart.

Deputy Nicholas Maikranz: – specifically the loading dock at Home Depot.

Det. Jesse Hanshew #1627: The loading dock at Home Depot and you head over to the area of Merner and when you hear that call go out and the other guys have gone to.

Deputy Nicholas Maikranz: Correct.

Det. Jesse Hanshew #1627: You end up on Savannah Way. At any time before you get onto Savannah or in that area, do you ever see the car, that, the BOL?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: Never see it?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: Okay…um, so then, so I understand it correctly, you park and at some point, the pursuit goes by you northbound Old Red and you see three cars behind this vehicle.

Deputy Nicholas Maikranz: Yeah, so I'm goin' down Savannah. Larry picks up the vehicle comin' on towards Old Red, so I turn around and I waited. I didn't…due to the fact that this guy's possibly armed –

Det. Jesse Hanshew #1627: Mm hmm.

Deputy Nicholas Maikranz: – I didn't wanna give up my position just to be shot at, so I, I waited back a little bit 'til he came by and made sure he wasn't gonna turn back down the neighborhood 'cause he can get back in there from there. He went by and there was, they were right on him.

Det. Jesse Hanshew #1627: Okay. You continue northbound, like you said, you were trailing. There's three cars in front of you plus the suspect vehicle.

Deputy Nicholas Maikranz: Correct.

Det. Jesse Hanshew #1627: Do you see him commit vehicle code violations as this is occurring?

Deputy Nicholas Maikranz: I couldn't see him, except for the initial pass, until the point of…or, I'm sorry…until he turned around and went northbound at that point I broke contact with…visual with him again until termination.

Det. Jesse Hanshew #1627: Okay. Um, so you never see him run through traffic signals, red traffic signals, nothing.

Deputy Nicholas Maikranz: I, I assumed he was just by, I, 'cause I never lost sight of the pursuit.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: But I couldn't specifically see him 'cause there's three patrol cars in front of me.

Det. Jesse Hanshew #1627: You ever hear it on the air via your radio or anything?

Deputy Nicholas Maikranz: I heard the speeds and everything (unintelligible)...but, I couldn't tell ya...at which intersection or what part of the road.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: What was said or what speed he was going.

Det. Jesse Hanshew #1627: And the speeds, if you recall, what type of speeds are we talkin' about?

Deputy Nicholas Maikranz: I feel like I remember looking down at one point and seein' my speedometer at about 35. Like...it was almost like he slowed down for intersections but not, he wouldn't stop by any means.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Um, or our guys slowed down enough that I...I was right there because maybe they were drivin' safely. (Unintelligible)...I didn't see him so.

Det. Jesse Hanshew #1627: Do you ever recall –

Deputy Nicholas Maikranz: Our last unit was goin' 35 at one point...I guess I could say.

Det. Jesse Hanshew #1627: Did you ever hear other units call out their speeds?

Deputy Nicholas Maikranz: Just the –

Det. Jesse Hanshew #1627: Or the speed of the suspect?

Deputy Nicholas Maikranz: Yeah, for, well, first Larry was callin' it and then Chris took cover. Um, I don't recall what, what speeds they said but I think, I, but I don't remember. I think they said 60 but –

Det. Jesse Hanshew #1627: It's okay if you don't remember.

Deputy Nicholas Maikranz: Okay.

Det. Jesse Hanshew #1627: So you continue northbound, uh, Old Red. You, um, saw clear. You see them at a distance toward Lakewood and then you make a right on which street again, I'm sorry?

Deputy Nicholas Maikranz: It was…so there was First, Second and Third and I believe I came, I thought I went down First and came back out on Second. But I could be wrong, I could've, I coulda went down Second and came out Third. There's two blocks –

Det. Jesse Hanshew #1627: Yeah.

Deputy Nicholas Maikranz: Untelligible.

Det. Jesse Hanshew #1627: So now you're facing Old Red westbound toward Highway 101.

Deputy Nicholas Maikranz: No. I'm facing…so I was headed westbound over at, towards 101. That's where the pursuit was goin'. I made a right turn north onto First or Second Street, around, uh, eastbound and then southbound.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: So when I came out, back out to Old Red, I was facing south.

Det. Jesse Hanshew #1627: Okay. And you see the pursuit now go by you southbound.

Deputy Nicholas Maikranz: The opposite direction, uh, east Old Red.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Or…yes, southbound Old Red. Sorry.

Det. Jesse Hanshew #1627: No, no problem.

Deputy Nicholas Maikranz: It does that…(unintelligible).

Det. Jesse Hanshew #1627: Um, so you go into the parking lot again via, uh, Roundtable Pizza?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Um, into the Palms Shopping Center near Castaneda's?

Deputy Nicholas Maikranz: Correct.

Det. Jesse Hanshew #1627: Um, and you park, uh, where exactly, if you can characterize it?

Deputy Nicholas Maikranz: From the businesses or from the vehicles, suspect vehicle?

Det. Jesse Hanshew #1627: Uh, just your best characterization, uh, where the business are.

Deputy Nicholas Maikranz: Okay, so, the main entrance at the light for Alden and that shopping center.

Det. Jesse Hanshew #1627: Yes.

Deputy Nicholas Maikranz: If you drive straight down that, that's Castaneda's.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Um, I was parked, when you go down that entrance, that first right where you go to El Farolito, I was parked at that inter, that intersection right there.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Ah, facing eastbound.

Det. Jesse Hanshew #1627: Okay. And when, when you stop your vehicle, where is the suspect vehicle?

Deputy Nicholas Maikranz: He's walk, he was, like, charging in the roadway in front of me.

Det. Jesse Hanshew #1627: So he's out of the car?

Deputy Nicholas Maikranz: He's totally engaged with those guys.

Det. Jesse Hanshew #1627: Okay. Is he walking, running?

Deputy Nicholas Maikranz: Yeah, he's, he's kind of like shuffling his feet at first but he's throwing his hands forward saying "come on, come on". It was clear that he was trying to get them to shoot him.

Det. Jesse Hanshew #1627: Okay, so just so we're clear, your two hands are together and a fist and one's top of the other…your left fist is on top of the right and you pushed them out in front of you?

Deputy Nicholas Maikranz: But I, I mean, I, he could have been holding the thing like this or like this. I, I'm sure both of his hands were on it.

Det. Jesse Hanshew #1627: And, and they were out in, straight out in front of him?

Deputy Nicholas Maikranz: Ah, yeah, but he's pumping it. He's was moving it, almost like he didn't wasn't them to see exactly what it was.

Det. Jesse Hanshew #1627: Okay. And have you, had you exited the vehicle at this point?

Deputy Nicholas Maikranz: Yeah. As soon as I showed up I see that...and, so...I exit my vehicle. Um...

Det. Jesse Hanshew #1627: What do you think he has in his hand, or do you know?

Deputy Nicholas Maikranz: It looks like a, a metal bar...a curved piece of black, like metal.

Det. Jesse Hanshew #1627: Okay. And you exit your vehicle and then what?

Deputy Nicholas Maikranz: And then...were yelling at him. I think I yelled at him too...get down. Um...it happened really fast, but then...they're screaming at him "get down, get down". He's saying "come on" then some shots rang out. And...he doesn't go down, he keeps doing this, then they approach (unintelligible)...then...I tried to tase him simultaneously.

Det. Jesse Hanshew #1627: As they're approaching on your left?

Deputy Nicholas Maikranz: Which, which I was trying to do. I, like when I got out of the car, I saw that, what he's holding so I immediately went to Taser first and try to get close enough but I knew I was down range so I didn't, I was hesitant to, to fire (unintelligible). Um, 'cause I knew those guys probably didn't even see me where I was. They were probably still focused on him. So, I tried to tase him. Um...

Det. Jesse Hanshew #1627: And when you tazed him are the barbs just short of the distance?

Deputy Nicholas Maikranz: It's a possibility. I don't, I don't know, I couldn't see where they went. One stuck, ah, I only know that because when I pulled my tazer back the cable was tight.

Det. Jesse Hanshew #1627: So you felt the tug?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: And so then I disconnected it, tossed it, re-holstered...'cause it...it didn't...no effect on him whatsoever. Um, then the guys...I was going, I was going to tackle him and he got Tased I think sounded like once or twice. Um, and he went down, hit his head. Um, and then we cuffed him up and then, then administered first-aid.

Det. Jesse Hanshew #1627: Okay. So just back it up a little bit. As you get out of the car, who's to your left? If you can recall.

Deputy Nicholas Maikranz: I...who I knew at the time?

Det. Jesse Hanshew #1627: If, if you know at the time.

Deputy Nicholas Maikranz: I knew that Haas and Matelli were there.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Ah, there was a, a dayshift unit as well. I didn't know who it was at the time.

Det. Jesse Hanshew #1627: Okay.

Det. Jesse Hanshew #1627: Um, a, you hear the shots initially. You said two or three?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Okay. And is...do you or do they talk to you? Is there any verbalizations of anything? Other than what was said to the suspect?

Deputy Nicholas Maikranz: Yeah. Well, after they shot I tried to yell it's not a gun but, I don't, I don't remember if I thought that or said it out loud.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Or, I think I yelled "it's not a gun" or "hold your fire" or something to that effect.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Which my camera of course probably picked-up.

Det. Jesse Hanshew #1627: Okay. And speaking of the camera. Um, I don't think I hit it earlier but on your uniform as well, now that you've mentioned it, do you employ some type of recording device?

Deputy Nicholas Maikranz: Yeah a Taser cam issued by the department.

Det. Jesse Hanshew #1627: And where is that exactly on your body?

Deputy Nicholas Maikranz: I wear it on my second button down.

Det. Jesse Hanshew #1627: And you're pointing to the chest just below the neck line.

Deputy Nicholas Maikranz: By my nipple.

Det. Jesse Hanshew #1627: Okay. And was that activated at the time?

Deputy Nicholas Maikranz: Um, it was activated during the incident. I can't tell you exactly when I turned it on. I do remember checking to make sure it was on once we got things Code-4…and it was on.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Um, so it came on. I don't know if was in the car or right when I got out of the car. Um.

Det. Jesse Hanshew #1627: Okay. Fair enough. So, you tried the Taser, you feel a tug, um, so may, you thought maybe it stuck to something but regardless you release it?

Deputy Nicholas Maikranz: Right.

Det. Jesse Hanshew #1627: You holster it and you continue to approach and you see another Taser come from your left?

Deputy Nicholas Maikranz: I hear it.

Det. Jesse Hanshew #1627: You hear it?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: And do you remember you said one or two or…?

Deputy Nicholas Maikranz: I…it was one or two.

Det. Jesse Hanshew #1627: Okay. And.

Deputy Nicholas Maikranz: One or two.

Det. Jesse Hanshew #1627: At the time of the Tasing that's coming from your left, does the suspect still have the item in his hand?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Can you describe it for me?

Deputy Nicholas Maikranz: Yeah, it was like a…like a U-shaped, um, I saw it afterwards so I know that it's a bike lock now, um, but it's like a solid, probably quarter of an inch thick U-shaped bar. Um, it's connected by a flat piece.

Det. Jesse Hanshew #1627: And, was there a color to it or?

Deputy Nicholas Maikranz: It was black. There was yellow and black on the locking portion of it where the (unintelligible) was.

Det. Jesse Hanshew #1627: So when you're approaching and the Tasing comes from your left, he still has this item in his hand?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Okay. And does - there - was their tazer successful?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Okay. What does the subject do when he's Tased at that moment in time?

Deputy Nicholas Maikranz: He falls straight back.

Det. Jesse Hanshew #1627: Okay. Um, straight back on his back?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Okay. Um, what portion of his body did you first grab on to?

Deputy Nicholas Maikranz: I, I went for his hands. I, I put this knee on his left arm.

Det. Jesse Hanshew #1627: And your, and your slapping your right knee on his left arm?

Deputy Nicholas Maikranz: And I pinned his, ah, left, his right, his right arm with my left hand.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Until somebody else came and took the left hand and we were able to flip him over and get him cuffed.

Det. Jesse Hanshew #1627: And did you actually place the handcuffs on?

Deputy Nicholas Maikranz: I placed his arm into one of the cuffs. I don't remember who had the cuffs or (unintelligible).

Det. Jesse Hanshew #1627: Okay. And then, um, you got your first-aid kit and then who began to render aid via that kit?

Deputy Nicholas Maikranz: It was the same people that were there with the cuffs…it was one of the three people, one of the four other people that were there.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Um, there was a guy or two on the legs, um, trying to pin his legs down. Um, I, I remember when I - by the time I went back to the, my car getting the first aid I was - I had blood all over me. Um, and the guys that I came back to were gloved up which, so I passed it on to them and they applied pressure to the wound.

Det. Jesse Hanshew #1627: Gotcha.

Deputy Nicholas Maikranz: Um, that's why I didn't do it myself, I mean, I really don't remember who - there was two, I remember two colors of gloves.

Det. Jesse Hanshew #1627: Okay. Um, and then ultimately when you pass those items off you kind of focus in the back drop behind where the incident occurred?

Deputy Nicholas Maikranz: Castaneda's?

Det. Jesse Hanshew #1627: Mm hmm.

Deputy Nicholas Maikranz: Yeah. Where the sh..., the rounds, the directions the rounds were fired.

Det. Jesse Hanshew #1627: Okay. And then ultimately how many citizens total do you think you encounter?

Deputy Nicholas Maikranz: Three or four. The...I have three or four FI's.

Det. Jesse Hanshew #1627: Okay. And they were safe? Everybody's good?

Deputy Nicholas Maikranz: Yeah. The people I talked to said that (unintelligible).

Det. Jesse Hanshew #1627: And do you notice any damage to the wall, store fronts, anything?

Deputy Nicholas Maikranz: No I didn't, I never found any bullet holes impact nothing.

Det. Jesse Hanshew #1627: How soon after contact with those citizens, um, did you change course and ultimately you do something else or do you just continue interviewing them or what happens next?

Deputy Nicholas Maikranz: Um, the guys that, people started showing up and started setting up the perimeter. Um, once I (unintelligible)...The peripheral people that are standing here in Castaneda's just kind of...(unintelligible).

Det. Jesse Hanshew #1627: Mm hmm.

Deputy Nicholas Maikranz: Get witnesses. And, ah, as soon as I covered all of that I went back to checking with what was going on. And then I got sequestered.

Det. Jesse Hanshew #1627: Okay. And who sequestered you first?

Deputy Nicholas Maikranz: Um, Shawn Murphy was the one that was sequestering me. However, I got a ride back to Windsor PD with, um, Sheldon Short.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Um, until Shawn got there shortly after…(unintelligible) Windsor PD.

Det. Jesse Hanshew #1627: Okay. And then he was your sequestering officer?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Okay. Do you remember what the lighting was like in that area when you arrived? Do you recall?

Deputy Nicholas Maikranz: Yeah there's like ambient light from the business and some, like, ah, street lights. Ambient street light in the parking lot…also from Old Red.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Um, my spot light. I do remember turning my spot light on before I…or as I roll up on the guy…um (unintelligible).

Det. Jesse Hanshew #1627: But.

Deputy Nicholas Maikranz: My head lights and spot light (unintelligible).

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: As I rolled up.

Det. Jesse Hanshew #1627: But it was dark?

Deputy Nicholas Maikranz: Yes.

Det. Jesse Hanshew #1627: Okay. Um, you mentioned you activated your recorder, you're not sure which time. Fair enough. Um, have you reviewed the recording prior to this interview?

Deputy Nicholas Maikranz: No.

Detective Jesse Hanshew #1627: Okay. Do you wish to view any video recording related to the event now?

Deputy Nicholas Maikranz: Like during the interview? I would like to see it eventually.

Detective Jesse Hanshew #1627: Okay. Do you wish to view it now?

Deputy Nicholas Maikranz: No.

Det. Jesse Hanshew #1627: Okay. Um, I'm going to take a quick break.

Deputy Jeff Toney: Mm hmm.

Det. Jesse Hanshew #1627: Real quick break.

Nicole Pifari: Sure.

Det. Jesse Hanshew #1627: Is that all right? Quick break.

Deputy Nicholas Maikranz: Mm hmm.

Det. Jesse Hanshew #1627: Okay. And the time is 0603 hours.

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Date: 12/20/2016
Billed Words: 5779

Det. Jesse Hanshew #1627: We are back on the record, 12/12/2016 at 0607 hours back with Deputy Maikranz and his attorney. Um, I just have a couple more questions. I'm familiar with self-attaching and things like that, but can you explain to me what that is and why it occurs or why you did it this evening going from the Home Depot call to the call over by Lerner?

Deputy Nicholas Maikranz: Um, Well a lot of times calls will get dispatched and they end up not to be what they are, what they are dispatched as, or what they come out as. As this, this call very quickly progressed, it appeared dispatch mentioned that it was possibly a match on the Petaluma vehicle, um, which upped the seriousness of it a lot. Um, initially, it was said that it was like a possible two-forty-five with a car, um, sometimes, some of the first time I had that call or somebody feels that they were almost run over and they may or may not have been almost run over. But, um, but once we heard, once we heard that that was potentially, this, this was a suicidal subject, and the bizarre, way that it was driving around, it upped the seriousness for me that it possibly could be. Um, so I just started going that way.

Det. Jesse Hanshew #1627: Okay.

Deputy Nicholas Maikranz: Um, I self-attached to the call so dispatch would know that I was going to the call.

Det. Jesse Hanshew #1627: And you do that via what?

Deputy Nicholas Maikranz: My MDC, my computer in the car.

Det. Jesse Hanshew #1627: Ok.

Deputy Nicholas Maikranz: Um, I do that rather than getting on the air because air time is important for obvious reasons. There's guys that are closer than me. Um, that may need to get something out.

Det. Jesse Hanshew #1627: Ok. Um, going back to when you arrived on the scene, whether it was in your car or the moments that you're exiting. Uh, when can you, when were you able to I.D. the object in the subject's hand? Meaning this, what you described as this object in his hand. When did you identify it? Do you recall?

Deputy Nicholas Maikranz: As a bike —

Det. Jesse Hanshew #1627: As the bike lock. So, were you in the car? Were you now outside the car?

Deputy Nicholas Maikranz: So, as I pull up, because of my angle, the guy's facing that way, I have a side view. I can see the profile of it and it's a hollow metal. I think it's metal. It's a hollow black half cylinder. I guess.

Det. Jesse Hanshew #1627: And this is as you were pulling up?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Ok.

Deputy Nicholas Maikranz: It's the first thing I focused on because he's got his hands out in front of him and I'm looking for gun 'cause supposedly this guy has one per the RP that made the initial report that obviously saw this thing because it matched the description of the BOL as being black and yellow, which it was. So somebody else had actually seen this thing and thought it was a gun too. Um, I, I don't know if I knew it was a bike lock out the gate or if I just thought it's not a gun. But I knew it wasn't a firearm, so I can't (unintelligible)

Det. Jesse Hanshew #1627: Ok. And I guess that's what I was going to ask you next was when did you, I guess, know it, that it appeared something other than a firearm, I guess?

Deputy Nicholas Maikranz: Immediately.

Det. Jesse Hanshew #1627: Ok. Um, in, I assume you were out of the vehicle at this time. The subject had his hands out forward. Can you tell me again what he said or what phrase you recall him saying?

Deputy Nicholas Maikranz: Come on.

Det. Jesse Hanshew #1627: Come on?

Deputy Nicholas Maikranz: Yeah.

Det. Jesse Hanshew #1627: Ok. Anything else that you recall while he's progressing or advancing on the officers to your left?

Deputy Nicholas Maikranz: That's all I remember.

Det. Jesse Hanshew #1627: Ok. Um, and I think I asked you this, I just don't recall. Did you recall hearing any other officers say anything either to you or to themselves? Do you recall?

Deputy Nicholas Maikranz: I, I believe somebody was yelling "Drop the gun!"

Det. Jesse Hanshew #1627: Ok.

Deputy Nicholas Maikranz: Or at least somebody was saying "Get down!" Um —

Det. Jesse Hanshew #1627: That's it? Ok. Ma'am do you have anything else?

Nicole Pifari: No sir.

Det. Jesse Hanshew #1627: Ok. And that's the end of the interview with Deputy Maikranz. Today is 12/12/2016 at 0612 hours.

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Job Number: 16355-004
Custom Filename: Windsor OIS 161211-003 Maikranz IV 2
Date: 12/20/2016
Billed Words: 724

JT: Sonoma County Sheriff's Office Detective Jeff Toney

JH: Sonoma County Sheriff's Office Detective Jesse Hanshew

LM: Sonoma County Sheriff's Office Deputy assigned to Windsor Police Department, Larry Matelli

NP: Nicole Pifari, Attorney with Rains, Lucia, Stern. Representing Deputy Matelli

Interview Date: 12/12/16 @0153hrs

JT: I think we'll go ahead and get started and go on the record. Time now is 0153 hours on Monday, December 12, 2016. We're here at the [redacted] located at [redacted] in Windsor, specifically in Room [redacted]. And we'll be talkin' about, uh, an incident that occurred yesterday, um, and I think we'll start off. Just go ahead around the room have everybody introduce themselves.

JH: Detective Jesse Hanshew Sonoma County Sheriff's Office in the Violent Crimes Investigations Unit.

NP: Nicole Pifari with Rains, Lucia Stern, attorney here representing the deputy.

LM: Deputy Larry Matelli, Sonoma County Sheriff's Office.

JT: And I am Detective Jeff Toney with the Sonoma County Sheriff's Office Violent Crimes Unit. So like I said we're here we're gonna be discussing, uh, an incident that occurred yesterday and it's a criminal investigation, um, and Deputy Matelli here being interviewed as a witness in this incident. Um, and I just wanna clarify that the statement that you are about to, uh, to provide us, um, is gonna be given as a voluntary statement. Is that true?

LM: Yes.

JT: Thank you. And then I also advise that, uh, with that being said you're free to leave if at any time, uh, you choose to stop answering questions. Uh, you may do so. You're free to leave at any time.

LM: Yes, I understand that.

JT: Um, I just want to clarify that, uh, you've had ample time to speak with your legal representative about what we're gonna be talking about.

LM: Yes, I have.

JT: Okay. And you're prepared at this time to provide your statement?

LM: Yes.

JT: Okay. Is there anything that would hinder you from giving a statement at this time?

LM: No.

JT: And, Deputy Matelli, I know that uh we both work at the same agency, um, but is it fair to say that, um, we have had opportunities to work together but outside of work, uh, is it fair to say that you and I are not close friends and we don't do things outside of work?

LM: Yes.

JT: Okay. All right. Um, we'll get started. Are you currently sick or injured?

LM: Uh, I have a little bit of a cold but, no.

JT: Okay. Did you receive any injuries as a result of the incident that you were involved in?

LM: No, I did not.

JT: At the time of the incident, uh, we're talkin' about yesterday, were you suffering from any medical condition or taking any medication that may have impaired your abilities as a law enforcement officer?

LM: No.

JT: When did you, uh, when did you sleep last do you remember?

LM: Um, I slept the previous night so, uh, at 12 was it 12/10 into 12/11. So Saturday night, well I went to bed at about 3:30 on actually would have been Sunday morning 'cause I work swing shift on Saturday night into Sunday morning.

JT: Okay.

LM: I got about 8 ½, 9 hours of sleep.

JT: Okay. And when did you last eat?

LM: Um, prior to the event, um, about 2 or 3 hours prior to.

JT: Prior to, do you remember what that was?

LM: Uh, yeah, it was, uh, two, um egg and muffins sandwiches I made at my house.

JT: Okay. Perfect. Thank you. And then have you consumed any alcoholic beverages in the last 24 hours?

LM: No.

JT: Get into a little bit of your, your, background, um, and your experience. How long have you, uh, been employed by, uh, the Sonoma County Sheriff's Office?

LM: Uh, I've been at Sonoma County for about 5 years and then prior to that I was a deputy in Marin County for about 5 years.

JT: Okay. And then if you could also tell me, um, your experience of, um, being a deputy. Do you hold any collateral assignments or have any expert training in specific fields?

LM: Yes. Um, I'll start at Marin. Uh, while I was at Marin I was a, a, field training officer, um, for approximately 3 years. And then, um, I was also on their SWAT team for approximately 3 years. Uh, here I'm currently a member of the, um, Sonoma County Sheriff's Office SWAT team. Um, I'm also a fire arms instructor. Um, and I've had numerous trainings, um, as it relates to fire arms, tactics, um, stuff like that.

JT: Okay. And so I'm just gonna go back. When you, when say you have FTO, that's, I know what it means but, field training officer -

LM: Field Training Officer.

JT: - which means that you've been, uh, you've been trained and have the experience and been delegated as a person who trains new officers and deputies, and deputies in this case, correct?

LM: Yes. Yes.

JT: Okay. And then what's your current assignment?

LM: I'm currently assigned, um, to patrol swing shift patrols Sunday through Wednesday at the Town of Windsor.

JT: Okay. And then if you just discuss the nature of your duties, day-to-day duties.

LM: Um, my day-to-day duties, um, include answering calls for service, um, proactively, um, attempting to locate, um, crime, prevent crime from occurring. Um, as well as community orient policing.

JT: Okay. And then you've, you mentioned you work swing shift. Can you just, uh, provide me with your current schedule and the hours that you work?

LM: Yes. Um, so I currently work Sunday through Wednesday. Um, 4 p.m. to 2 a.m.

JT: Okay. And then, previous to this incident occurring, what time did you start your shift?

LM: At 4:00.

JT: 4:00.

LM: 1600 hours.

JT: Okay. And what was your call sign?

LM: Frank 87.

JT: And this is a uniformed assignment, correct?

LM: Yes.

JT: Okay. How long have you, um, been in this current assignment?

LM: I believe for approximately 2 ½ to 3 years I've been at Windsor. Um, prior to that I was assigned to patrol out in the Sonoma Valley, um, and then I was, also worked out at the, uh, River substation and the main office.

JT: Okay. And did you have a specific vehicle that was assigned to you this evening?

LM: Yes, Windsor W34.

JT: Okay, car W34. And then, you mentioned uniform assignment, can you just describe obviously you're, you're not in a uniform completely right now. I see you what I believe to be your duty pants and...

LM: Yes.

JT: But could you just describe your uniform to me from top to bottom if you would please?

LM: Yeah. Uh, so I wear a, um, today I was wearing a long sleeve, um, tan shirt with Windsor Police Department patches. Um, which has my, uh, embroider name and, um, uh, cloth badge star.

JT: Okay.

LM: Uh my black nylon duty belt. Um, with all my equipment. My radio, um, my green BDU style pants which I'm wearing right now, and, uh, my, uh, black duty boots.

JT: Okay. And if you would for me, uh, just describe if you want to start from the center and then move right, just describe the tools that you carry on your duty belt.

LM: Yeah. Uh, so from the center right I carry a, um, two handcuffs and a double handcuff pouch. Um, OC spray. My, um, department-issued Glock 17 handgun and a Safariland um, holster. Um, behind that I have my, uh, glove pouch for nylon-or for latex gloves. Um, a multi-tool and then on the opposite side I have, um, my, ah, flashlight holder, my radio holder, uh, my Taser holster, um, and Taser and then my, um, magazine pouch. I carry three spare Glock 17 mags.

JT: Okay. And the Glock 17 I understand but what caliber?

LM: Yeah the Glock 17's a 9-millimeter handgun. Um, I carry three 17-round, um, magazines. And then the magazine that's in the gun is a 17-round with a, a, 2-round extension. So it's 19 plus one of the chamber for a total of 20 rounds.

JT: Thank you. You carry uh any backup guns on yourself?

LM: Um, sometimes when I remember, I carry a, ah, 38 revolver.

JT: Okay.

LM: But sometimes I forget to carry it and it's pretty common. My holster broke so I don't like just leaving it in my pocket, so.

JT: I gotcha. And during this incident, did you have your backup weapon on?

LM: No.

JT: Um, we talked about the uniform itself, um; did you have any recording device, uh, with you during this incident?

LM: Yes. Um, I had my department-issued Taser, um, Axon body worn camera. Um, I wear it right below my radio mic, so pretty much in the center of my chest between my two, uh, breast pockets.

JT: Okay. Any audio recorder besides that?

LM: No, no.

JT: Okay.

LM: You know getting' back to my uniform I also carry, um, medical supplies in my right pocket, a tourniquet and two, um, packs of gauze.

JT: Okay.

LM: Which one was eventually used on the suspect.

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JT: Okay, excellent. Anything else that, uh, we didn't talk about with regard to your uniform and, and, or what you had on yourself?

LM: No.

JT: Okay. So again the nature of this incident, uh, concerns a significant, uh, something significant that occurred, uh that you were involved in, uh, in the general area of Old Redwood Highway, uh, at Windsor Palms or the Windsor Palm Shopping Center, uh, yesterday evening. So what I'd like you to do is just, um, kind of take me through from start to finish, um, what you were doing, um, prior to, um, the incident.

LM: Okay.

JT: Um, and if you would, uh, if you remember names of the persons that were with you go ahead and provide those names.

LM: Okay.

JT: If you're describing something, uh, you're using, your right or left hand to describe it you might hear me say what you're describing is using your right hand to do that so I'll probably follow up with that.

LM: Okay, yes.

JT: Um, so go ahead please.

LM: So, um, I was dispatched to, um, initially I was dispatched to a man with a gun call at, um, around the Walmart shopping center, 6650 Hembree Lane in Windsor. Um, we had a call from, it was a transfer from Rohnert Park Police Department. They got a call on a subject cocking a gun on, on a bus, um. The bus subsequently let the guy off at Walmart. They initially thought it was theirs in Rohnert Park. They later determined that it was at Windsor. Um, so we're in the area checkin' for that guy. Um, we had, it was myself, Deputy Haas, Chris Haas, um, Deputy Nick Maikranz, um and, uh, Sergeant Andy Cash, um checkin' Walmart, checking the areas around Walmart. Um, our helicopter unit Henry 1, um, was also in the air above. They observed, um, somebody,

uh, to be west-or the east side of, uh, Home Depot. Uh, there's like a, like a concrete wall and then there's a fence into an open field.

JT: Mm hmm.

LM: And they had a heat signature on the other side of the fence. Uh, looked like maybe an encampment. So, um, I went to go check on that. As I came around, um, the corner, or as I was going towards the fence, Henry 1 advised me there was a subject walking towards us. Um, ended up contacting him, detaining him and then, ah, determined he wasn't involved. While I was, um, running him for warrants on Channel 2, um, or, I ran him for warrants on Channel 2 and, uh, as I switched back to Channel 1 I caught the last words out of a be on the lookout, uh, BOL from Petaluma.

JT: Mm hmm.

LM: So I didn't catch all the details. Um, almost immediately myself and dispatch asked if, uh, a couple of units can break for a, uh, 245 with a vehicle on Merner. Um, Deputy Haas and I both broke to go to that. Uh, initially the details were, um, subject in a gold colored sedan is driving up and down Merner and tried hitting, um, a citizen as he was in front of his house on the sidewalk. Uh, immediately dispatch said, "hey this might, this sounds similar to the description of both the subject in the vehicle." Um, it was a older white male and then also the vehicle matches that. Sounds like it's similar to the Petaluma BOL that had just come out. So, um, I had heard it so I asked dispatch if they could give me the details of the BOL. So, um, they advised me that there was a subject who was possibly, um, suicidal driving around waiving a, uh, handgun.

Other Speaker: Excuse me you guys. We lost the feed again. Um, I hate to interrupt you.

JT: We're gonna take a break here.

LM: Yeah.

Other Speaker: The time today is 0208 hours.

JT: 0208 hours.

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**** End of Recording** 1 of 3 ****

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Job Number: 16354-004
Custom Filename: Windsor Police OIS WI161211-003
Date: 12/19/2016
Billed Words: 2279

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JT: Sonoma County Sheriff's Office Detective Jeff Toney

JH: Sonoma County Sheriff's Office Detective Jesse Hanshew

LM: Sonoma County Sheriff's Office Deputy assigned to Windsor Police Department, Larry Matelli

NP: Nicole Pifari, Attorney with Rains, Lucia, Stern. Representing Deputy Matelli

Interview Date 12/12/16 @0218 Hours

JT: Alright, we're gonna go back on the record. Time now is 0218 hours and we paused, ah, to take care of some technical difficulties that we experienced. Um, and Deputy Matelli, I think we left off with what I remember you were, let's go back to you were running, um, a subject on a unrelated call.

LM: Yes.

JT: And if you'd just take over from there.

LM: Yes, um, I had switched back to Channel 1, um, from my records channel, Channel 2, and I caught the, the back end of a, a be on the lookout out of Petaluma. Um, I didn't hear the vehicle description or what the be on the lookout, um, bulletin was for, um, within minutes the dispatch

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requests, um, a couple Windsor units to break to head to a, um, 245 with a vehicle that had just occurred on Merner, ah, which is right around the corner, um, from Walmart. So, um, myself and Deputy Haas broke to go to that and, ah, as we were leavin', ah, the back of the Home Depot parking lot we, ah, dispatch advises us that the vehicle and the subject described in the 245 sounds a lot like the subject, um, of Petaluma's be on the lookout, ah, again, since I hadn't heard the BOL I asked dispatch to provide me the details –

JT: Mm hmm.

LM: – um, they told me that it was a subject, um, that was, ah, possibly suicidal with a handgun, um, that was drivin' around in a, um, gold, ah, Volkswagen Passat. Um, they specifically said the handgun had, um, either a wood or like yellow handle, ah, they were pretty specific about what the handgun looked like, so, um, I immediately went to Merner with right to the, um, reporting party's address, um, and met him, um, out front. He waved me down as soon as I came around, it's down at the, um, it's basically that, um, kinda northeast corner of Merner. Um, Merner is a, um, Merner Drive, it's a one-way street in each direction but it's each side is separated by, um, almost an island –

JT: Mm hmm.

LM: – and there are, um, I believe like two or three cut throughs to get to side streets from each side. Um, there's no street lights, it's a, um, completely dark, kind of wooded area. Um, so I met with the RP, as I was talkin' to him, he described the vehicle as a gold colored sedan, um, at first I believe he said possibly a Toyota, um, then I asked him if it could have been a Volkswagen, he said, um, yeah, a Passat, it might have been a Passat.

JT: Okay.

LM: Um, so I advised dispatch of the update, that it sounds like it was a gold Passat, um, he said he last saw it going down, um, I believe the street's Lockwood.

JT: Mm hmm.

LM: Um, which is right, right by the, um, reporting party's address. Ah, Deputy Neil Bailey and his, ah, trainee had, they were just coming from Lockwood, um, as I was speaking with the RP. So,

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um, RP said the guy was driving up and down Merner at a high rate of speed, um, and then almost hit him as he was on the sidewalk, then the guy went and came back, ah, but he thought that it was real strange how the guy was acting and, and had no idea, you know, this guys was scared like, why's this guy driving like that.

JT: Mm hmm.

LM: Um, so, um, you know, based on the, um, the be on the lookout, um, that we had received from Petaluma and, um, this guy describing this guy's actions, um, it didn't really make a lot of sense that this guy's just driving up and down and staying in the area. He said the guy was doin', he did it multiple times going up and down. Um, I told the reporting party, or me and Haas, both told the reporting party, hey, um, you know, you might wanna go inside your house, um, there might be a little, we can give you any details, but there might be a little more to this, um, almost simultaneously that I was tellin' him that, he goes, ah, there's the car right there. Um, so I, I looked over, I believe I shined my flashlight at the guy and he was driving, um, it would be eastbound Merner, so he's on the opposite side of the island from us. Um, and he was goin' at a, at a high rate of speed. Um, he turned into a driveway which the RP had described the guy turning into earlier.

JT: Mm hmm.

LM: Um, which is kinda down at the, ah, southeast corner, um, there's a driveway to the house. So guys pulls into that, backs out and then begins driving backwards on the one-way street, starts heading back out toward Old Redwood Highway. At this point I jumped into my patrol vehicle, um, and was kinda paralleling him on the island.

JT: Mm hmm.

LM: Um, as we got to the first cut across where he could cut back across, um, he cut across and then turned left, so now he's headin' in the correct direction in my lane now, um, heading towards Old Redwood Highway. Um, at that point I, I conferred with dispatch the plate, the advised me that it was the Petaluma BOL plate, um, um, I then activated my, um, forward facing red light, my emergency lights, um, it took me a little bit to get my siren going.

JT: Mm hmm.

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LM: Um, I hit the siren, I think right when we hit the cor, right when we hit, right before Old Red, Old Redwood Highway, ah, we turned northbound on Old Redwood Highway, um, at this point he was goin' probably 60 down Merner.

JT: Mm hmm.

LM: Um, turns northbound Old Red, um, and then he continued to accelerate to about 60, 70 miles an hour, started trying to pass a couple cars over the double yellow, um, at one point he actually had to back off 'cause he almost hit another car coming head-on, um, I'm trying to, I'm trying to keep a distance between us, um, you know, knowing that he's armed with a handgun, um, I wanted to give myself a little bit of gap in case he just stops and jumps out, um, that was my fear that he was literally, he was gonna stop his car and jump out with a gun. Um, so much so that as I was driving I was able to take my, um, patrol rifle out of the rack –

JT: Mm hmm.

LM: – and actually charge it while I was driving, so I had it right with me in case he jumped out, um, I did try, I figured that would be a better, um, ah, weapon if he does stop, 'cause my plan was to keep that distance between us. So I figured I have a little bit of an advantage if he jumps out with a handgun and I've got a rifle, so, um, again, we're going about 60, 70 and it continues down Old Red, you know, we're passin' Deanna, um, all the streets, ah, we get to about Alden, which is right across from, ah, the Windsor Palms shopping center, –

JT: Mm hmm.

LM: – um, he blows the red light at Alden. He, ah, goes down to, um, as we come to, ah, Lakewood, he just prior to Lakewood there was a couple cars, so he actually goes, there was a car in the, um, number 1 straight, there's only, there's a, I believe there's two lanes there, two or three lanes, but, um, you can't turn left, 'cause you turn on, you turn onto the, ah, off-ramp of the freeway, um, so he actually started to go like he was goin' left and then cut across the center median. Um, I knew I wasn't gonna follow him over the center median with the SUV, so I went around to Lakewood and, um, just did a U-turn through the intersection, um, he only had gone over the island maybe 20, 30 feet from the intersection, so, um, I was able to still stay with him, um, he continued to accelerate, he actually accelerated probably to about 70-80, um, there was a pretty good gap between us as we're comin' to Windsor Palms, um, the Windsor Palms shopping center, Alden intersection again, there's a few cars, so he makes a right into, um, the Windsor Palms shopping center, so, at this point, ah, I'm thinkin' that, you know, why's he pullin' into a shopping center

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where there's multiple people, um, I mean it's just around dinner time, um, so immediately my intuition is that he's gonna, he's gonna jump out and this is, we're gonna end up get into a, he's gonna jump out shooting. Um, so as we pulled into the, the, Windsor Palms, um, again, I was tryin' to keep that, that distance between us, –

JT: Mm hmm.

LM: – But he just comes to a stop, driver's door comes flyin' open, um, and he comes bailin' out. As he jumps out, I'm jumpin' out, um, with, it seemed like we both like kinda jumped out at the same time, um, and as I jump out I see him come out and I believe it's in his left hand, he has somethin' in his left hand, a black object.

JT: Okay.

LM: Um, I believe it was his left 'cause it was closest to the car, so if he's facing me it shoulda been his left. Um, he comes out and he, he's holding it like up, kinda up by his head, and I can't confirm that it was a gun, but I also couldn't, um, you know, rule out that it was a gun.

JT: Mm hmm.

LM: Um, so at this point I'm givin' him commands to drop it. I think I, I believe I was tellin' him to drop it, um, or get onto the ground, and at this point he just starts closing distance charging me. So, um, I just had a weird feeling and I, something didn't look right.

JT: Mm hmm.

LM: Um, so again I, I couldn't confirm that it was a gun, but there was somethin' that was tellin' me, hey, that doesn't, that doesn't look right. Um, and so as he's comin' toward me he starts to come down with it to punch it out and point it straight at me.

JT: And you're usin' your, your hand to describe.

LM: Yeah, exactly, so he's –

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JT: Thrusting it forward.

LM: Exactly, he's thrusting it forward as if he's attempting to point it at me, um, and, and makes, he's making a furtive movement like as if he would be shooting at me. Um, and as he does that, I see that there's almost like a loop to it, so I actually thought he was holdin' a pair of sunglasses, is kinda what I saw. Um, as he does this I hear, um, I hear two pops followed by a third like, um, muffled pop.

JT: Mm hmm.

LM: Um, so I, I believe that they were gunshots –

JT: Mm hmm.

LM: – um, and the third one, and I, I don't know if it was, if the gunshots were first or the other one, but there was a, a, you know, a three, there were three pops, one sounded distinctly different than the other, um, and I remember what I thought was Taser probes. I could see like the wires and the light.

JT: Okay.

LM: Um, goin' across the parking lot. Um, I later realized that it was, um, Deputy Maikranz had actually come into the parking lot from a different angle, so he was, um, as we were, I was directly behind the suspect vehicle, um, he had come in at, um, a 90—degree angle off of, off of it. So, um, the suspect, I can't remember if he had, if he dropped it, what, what he was holdin', or if he was still holdin' it, um, but at this point he was close enough to where I, I determined that it wasn't a gun, um, and I believe I actually put out on the radio, hey, it's not a gun, it's not a gun, he did not have a gun. Um, so again, we're givin' him commands, givin' him commands, and the whole time he's yelling back at me.

JT: Mm hmm.

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LM: Um, and I believe it's somethin' like either shoot me or kill me, um, and he's just angry, um, and still like making motions like, as he's yelling, um, again those same thrusting motions. Um, at this point, I, I realize, you know, he, he doesn't have a gun, um, and so out of the corner of my eye see, ah, Neil Bailey, Deputy Neil Bailey at the front of my patrol vehicle, um, and I see him pull out his Taser, and so at that point, um, we were probably 30, 30 feet from him.

JT: Mm hmm.

LM: Um, from the suspect, so we, ah, Neil started to move forward and I started to move forward. There was almost like a, it seemed like a long time, but, um, it probably wasn't, we were, we had this exchange, and I'm givin' him commands and we're, we're kind of at a stalemate, you know, I'm repeating the commands, it's obviously not working.

JT: Mm hmm.

LM: Um, and so at that point we, we had moved forward and then we both almost simultaneously, um, deployed our Tasers at the guy. Um, as soon as we deployed our, our Tasers he went into complete lockup, NMI, neuromuscular incapacitation and fell backwards.

JT: Mm hmm.

LM: Right onto, um, the concrete, ah, where he hit his head. Um, at that point I still had my rifle in my right hand. I had actually brought my rifle down and pulled out my Taser and tazed him, so I'm still holding my rifle, so I can't go hands on with the guy.

JT: Mm hmm.

LM: Um, so I, I had actually put my foot over his, one of his arms, to, to hold his arms, to trap his arms so he couldn't try and grab anything, um, and then Maikranz, Neil Bailey, and maybe somebody else, had all come over and, so we worked out a plan to get him rolled over while controlling his arms and to get him in handcuffs, um, and so we did. Ah, as soon as we got him in handcuffs I went back to my patrol car, um, threw my rifle in the patrol car, um, and then, ah, went back and uh we began cuttin' off his shirt.

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JT: Mm hmm.

LM: Um, and I saw one, ah, he had, he had somethin' in the back of his head which I believe he sustained when he fell, um, but he had a what appeared to be a gunshot wound to his, I believe it was his right shoulder area.

JT: Okay.

LM: Um, so I carry tourniquet and, um, combat gauze, so we pull out the gauze, started packin' it, um, and put pressure on it, and then at that point, one of the guys, I think it's Tamayo, Tamayo, he, ah, he was a paramedic, so he began taking over doing the, ah, medical stuff on the guy. Um, after we went hands on with the guy, I left my Taser at the scene, so my Taser, um, I just, I threw it on the ground and, um, yeah, went through, then put my rifle in the back of the car, um, and then at that point, um, more people started showin' up and, um, so I, I stood by while fire arrived, –

JT: Mm hmm.

LM: – and started, um, providing medical aid to him, and then, ah, that's when I was kinda relieved, and, um, pulled off to the side, ah, one thing I forgot to mention, though, when he was charging me, um, once I realized that it wasn't a firearm, and I put that out, um, he continued to keep advancing on me, and so I had my rifle so I can't really go hands on, so at one point I actually, I'd locked my patrol car so he couldn't jump in it –

JT: Mm hmm.

LM: – 'cause I was kinda retreating back towards the, um rear trunk area of my patrol car. Um, I specifically remember locking my door so he couldn't get in there and take off in my car. Um, I think that's about it.

JT: And then ultimately where'd you go from there?

LM: Um, so then, ah, we were, ah, a bunch of us were sequestered, um, I was, ah, initially with, ah, Deputy Cayla Miale –

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JT: Mm hmm.

LM: – um, she drove me to the Windsor Police Department. Um, and then I, ah, waited there with Sergeant Cash, and then Cash, um, drove me over to [redacted] um, where, ah, Mike Peters came and sequestered me.

JT: Okay. Just a few follow-up questions for you.

LM: Yes.

JT: Um, we talked about it being dark on Merner. Do you remember approximately what time it was when you were, you overheard, um, the BOL?

LM: I don't, but it was, um, it was after sunset, so it was completely dark.

JT: It was dark.

LM: Um, in that section of the road there's, there's no street lights, so, um, it, it's incredibly dark.

JT: Okay.

LM: I think there's a couple, like scattered, um, lights from, just from houses, but, ah, there's no actual street lights.

JT: Okay. And then you mentioned, we talked about your equipment and, and, ah, the police vehicle, the marked police vehicle that you were in.

LM: Yes.

JT: Um, we didn't get into, ah, the firearms that you carry.

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LM: Yes.

JT: Ah, in the vehicle, and you mentioned a rifle, what –

LM: Yes.

JT: – what type of rifle was that?

LM: Um, so I carry my, um, department issued SWAT, um, HK 416 rifle, which is, ah, chambered in 556.

JT: Mm hmm.

LM: Um, I carry in the gun, a, um, P mag, ah, 40-round, P mag, but I only load to 38 rounds, um, and, ah, then the rifles, um, I'll carry with a empty chamber, so as we were driving, um, I was able to get it out of the rack and then actually charge it to put a round into the chamber.

JT: And when you say rack, is that a, is a locking mechanism that keeps it secure?

LM: Yes, it's a, um, electro lock, locking mechanism that you have to unlock, ah, using a, a **** light control panel.

JT: Okay. Any other firearms within the vehicle that are secured?

LM: Um, no. Sometimes, I do have my, um, HK MP5, which is also one of my SWAT issued, um, guns.

JT: Mm hmm.

LM: Um, I did not have that with me today, um, sometimes I also carry a 40 millimeter, um, less lethal launcher –

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JT: Mm hmm.

LM: – which I did not have with me today.

JT: Okay. So in the vehicle, just to clarify, the only firearm that you had in addition to what's on your duty, duty belt, was your rifle.

LM: I also have a 12-gauge department issued, um, shotgun, which was also in the car.

JT: Okay, and was that ever released at any point?

LM: No. That's also, um, in the same electro lock system, um, in the car.

JT: Okay. And you said 12-gauge, correct?

LM: Yes.

JT: Okay.

LM: And I have that loaded with, um, ah, it's loaded with four slugs, the Brenneke slugs, and then I carry, um, four slugs and two buckshot in the side saddle.

JT: Okay, excellent. And then you, you mentioned, um, the BOL, ah, you caught the tail end of it, and then inquired more about that and learned that it was a 245. I know what a 245 is, –

LM: Yes.

JT: – but can you explain to me what your mindset is, and what a 245 is?

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LM: Yes. Um, so the, um, the BOL was for, um, a suicidal subject with a gun.

JT: Mm hmm.

LM: Um, and I believe there was somethin' similar to he's driving around waving it, um, and that was in Petaluma, and then the call we got was for, it came out as a 245 just occurred, so assault with a deadly weapon that had just occurred. Um, you know, in my mind assault with a deadly weapon is, is a violent crime.

JT: Mm hmm.

LM: Um, it's, you know, a, a felony in the California Penal Code. Um, and so, you know, going to a call like that, um, there's, there's a little more elevated, it's not just a normal call, there's a little more elevated, um, urgency to get there.

JT: Mm hmm.

LM: Um, and then also, you know, um, when they said it was a vehicle, um, again, matching the description, that's why I prompted dispatch, hey, what was that BOL, 'cause they said it sounds like the vehicle from Petaluma, and that's when they gave me details that it was a guy, um, driving around with a, with a handgun, um, and so then that elevates it even more. Um, and then coupled with the fact of just how, you know, when you're going to a call you're always evaluating the information you're getting, and it's, had this guy just tried hitting somebody with a car, why would you stay in the area, why not leave, and you know, the reporting party had said he, he was dri, kept drivin' around the same thing, so that again starts to, um, you know, with my mind I'm thinkin' okay, what, is this guy trying to stay here to ambush us, um, is he trying to stay here to try and get in a confrontation with us?

JT: Mm hmm.

LM: Ah, you know, that was things goin' through my mind as I was responding in there.

JT: Okay. If you would, ah, I think you described Merner, so this is pretty close proximity from Walmart where you were?

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LM: Yeah, I would say within, um, approximately about a half mile or so from Walmart.

JT: All right.

LM: So, we, we were there within less than a minute, we were, um, at least on Merner Drive, um, from when we got the call.

JT: You just answered my next question, perfect, thank you. When you observed, you contacted the RP, do you remember the RP's name?

LM: I don't, I didn't get that, no. Um, you know, my, my, um, I initially wanted to get there, get the, get some quick details from him, um, and then start lookin' for this guy, 'cause my fear was that his, his behavior was gonna hurt members of the public.

JT: Sure.

LM: Um, so I, I figured I needed to get, get out there and try to find this guy as quick as possible so he couldn't hurt anyone.

JT: I see. And then when we say RP that means reporting party, correct?

LM: Yes.

JT: Okay.

LM: But, as I was talking to the reporting party, he was obviously, um, he was very, um, amped up –

JT: Mm hmm.

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LM: – um, upset that this had just occurred, um, so I could tell that it, it wasn't a hoax or, you know, him blowing somethin' outta proportion. You could tell that he was genuinely concerned for what had just happened.

JT: Right. And, was there anybody else with him during that time you were talkin'?

LM: Um, I believe his wife was standing on the porch, but, um, we didn't get a chance to talk to her.

JT: Okay.

LM: Um, he was standing kind of, almost hidden like in his driveway, ah, in the dark as I pulled up.

JT: Okay, alright. And then when you observed the vehicle that you described, um, and you, you described erratic driving, –

LM: Yes.

JT: – um, at some point you get into your vehicle and you start pursuing him based on –

LM: So, he, the RP, um, you know, we had told him, hey, um, you know, go, go inside the house, ah, we'll come back and talk to you and like almost simultaneously he goes there it is, there he is. Um, I looked to my left and, um, here's a gold colored car at a high rate of speed, um, you know, I would estimate he's probably goin' 45, 50, um, Merner, again, it's a, it's one-way in each direction, um, on each side of the island.

JT: Residential.

LM: Residential neighborhood, um, I, I don't know if there's a sidewalk or not, I believe that there's kind of like a little bit of a, um, maybe like a bike lane.

JT: Mm hmm.

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LM: Um, but then it's the houses right off the side of the road, um, so the guy, the suspect in the gold, um, car, goes, um, still at a high rate of speed, is heading eastbound Merner, ah, so at that point I illuminated him with a flashlight, I believe, ah –

JT: At that point, if I could, –

LM: Yes.

JT: – is there anybody else in the vehicle –

LM: No.

JT: – that you see?

LM: No, not that I can see. Um, again, he's comin' at a pretty high rate of speed, so there coulda been, and I might not have seen him, but I didn't, um, I didn't see anyone as I ****. Um, he immediately as soon as I, I hit him with the flashlight, he pulls in this driveway, backs out and then takes off at a high rate of speed, um, now going in opposite traffic, um, on a one-way street.

JT: So he's traveling the wrong, the wrong way?

LM: Yes, the wrong way on the, on the one-way street. Um, at that point there, um, I believe there's actually a car coming, I thought it was a patrol car, so I put out over the radio, hey, he's goin' the wrong direction, um, 'cause my fear was that another patrol car or citizen was come up and head-on to him at this point. So I jumped in my patrol car, um, took off, and I was kind of a little behind him –

JT: Mm hmm.

LM: – so he was in the opposite on the other side of the island, and I was set back a little, at a little bit of an angle, maybe like a 45-degree angle –

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JT: Mm hmm.

LM: – um, and so as we came to the first cut through to where you could cut from either side of the one-way, he cut across and pulled right in front of me. Um, and at that point he again continued to accelerate, um, I had to, I had to get on it to try and catch up to get the plate, ah, and I, I gave dispatch the plate to confirm that it was the subject, um, in the Petaluma BOL.

JT: Perfect, that was my next question. So you, obviously were close enough at some point to, to relay the plate and –

LM: Yes.

JT: – and receive the return –

LM: Yes.

JT: – that it was a match to the subject who, ah, had the BOL placed on him –

LM: Yes.

JT: – Earlier by Petaluma?

LM: Yes, exactly.

JT: Okay. You, you mentioned that as soon as you, you hit, ah, Old Red, 'or were driving northbound, would a been actually westbound on Merner to –

LM: Yes.

JT: – Old Red, that's the time that you activated your overhead solid red?

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LM: Yes, so, um, 'cause I initially, I still had my, um, I had my spotlight on for some reason, and I think that as I was paralleling him I was, I had illuminated him with my spotlight, um –

JT: Mm hmm.

LM: – and as he came over I was trying to see the plate, so I had my spotlight on him, um, so at one point I, as we came to Old Red, that's when I turned on my lights and then I believe as we turned onto Old Red, that's when I was able to finally activate my siren.

JT: Okay.

LM: Um, and, and again, the whole time he immediately took off and was trying to flee from me.

JT: Okay. And, and your overhead, solid red light stayed on during the course of your pursuit of this vehicle?

LM: Yes, yes. So I had it, I had it in the three position, so it's a solid forward facing red light with blue flashing and, um, wig-wag lights up front.

JT: And siren activated?

LM: And siren activated.

JT: And your observations as you're pursuing, um, the suspect, ah, you mentioned his erratic driving and him actually, does he maintain a, a straight course staying in his lane, or does he –

LM: No.

JT: –deviate from the lane and go into, 'cause –

LM: As, as –

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JT: Describe Old Red for me.

LM: Yeah, um, so, Old, Old Redwood Highway, um, this portion of Old Redwood Highway is, ah, um, it's a single lane in each direction, um, it kinda runs east-west, north-south, depending on what part of Old Red you're at. Um, he, ah, there's spots where there's, um, there are houses in a lotta spots right off of the roadway, um, along with, um, some sidewalks in certain areas, um, parked cars in certain areas, um, but it's a very populated area.

JT: Mm hmm.

LM: Um, you know, there's commonly people on bicycles, people walking, um, you know, there's pretty, this time of the night there was, there was moderate traffic, um, and the suspect, he was, for the most part staying in his lanes when there wasn't anyone in front of him –

JT: Mm hmm.

LM: – but as soon as he would start to come a car, –

JT: Mm hmm.

LM: – he would start to move into oncoming traffic, um, and there were two distinct sections where he started to move over like he was gonna pass over the double yellow, –

JT: Mm hmm.

LM: – um, and there were oncoming cars, he had to slow down, um, and then it almost helped him, 'cause I think the people saw our lights and saw our lights comin' so they actually started move over, and then he was able to get through 'em, but there were, there were two distinct times when he passed, um, over the double yellow almost hitting oncoming cars.

JT: Okay. And to the best of your recollection, did he ever impact any vehicle?

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LM: No, I don't believe so.

JT: Okay.

LM: And again, he was, he ran a red light at Alden, um, I don't, I believe Pleasant was green, um, he may have also blown the red light at Hembree, um, but I can't recall whether it was red or, or green.

JT: Okay.

LM: Um, and he was, um, as we came to, actually I believe he did blow the red at Hembree, because he, ah, as we, as he came to the intersections he didn't just blindly blow through 'em, he would slow down enough, um, you know, he would, he obviously knew that there was a danger of oncoming car, of cars, so he would slow down enough, but almost clear the intersection then blow through it.

JT: I see.

LM: So, um, he had somewhat, some tactics, you know, I've been in pursuits where guys just blindly blow intersections. This guy was, um, you know, had enough goin' with him that he, he was able to, you know, recognize that there was a danger coming to the intersections, and he would slow down enough to be able to, again, he's, he's going through at probably 25, 30 miles an hour, you know, we're still movin', but he was slowin' down from 60 or 70 before he went through.

JT: Okay. And, just out of curiosity, do you know the speed limit on, on Old Red?

LM: Um, yeah, I believe most of Old Red is, ah, 45 south of, um, I think south of Hembree, I believe it's 40 or 45. Um, and I believe it turns into 35 as you get closer to Lakewood.

JT: Okay, and then do you remember, or recall, if you can, ah, the speeds that you were traveling during the pursuit?

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LM: Most of the pursuit was around 60 to 70 miles an hour.

JT: Okay. And you mentioned when you get down you're going northbound, and you pass Alden, and you're getting to Lakewood, ah, and you mentioned a median, is that median, is that a raised median?

LM: Yes, it's a raised, um, concrete median.

JT: Okay, and he actually overtakes, 'er, goes up over that median prior to Lakewood intersection?

LM: Yes, exactly, so he had, um, he'd actually, he started to drift right, and I almost thought he was gonna turn onto northbound Lakewood, um, and then he just cut straight acrossed and went right over the center median. Um, again, it was like 20, 30 feet prior to the intersection, so, um, I went up to the intersection to make it around. I know that our new SUVs don't have very good clearance, so I was gonna, I would get high centered if I just followed him.

JT: Okay. Are, are there cars coming, would be going southbound on Old Red at this time?

LM: Um, at this point I think he had just, I think there was a car that had just gone by when he cut across, um, and then I think, again, people saw us coming, so people were stoppin' to kinda figure out what we were doin', um, 'cause as I made the corner, I don't believe I passed any cars. I believe they had saw us comin' and had stopped prior to entering the intersection.

JT: Okay, and then you just mentioned us, is there, is there a partner of yours that's now joined in?

LM: Yeah, so at this point, um , I know for sure that Deputy Haas is right behind me, um, in the pursuit, 'cause as we were pursuin' him I initially was doin' the radio traffic –

JT: Mm hmm.

LM: – and then once I realized that, um, I had another unit right behind me, um, I, I asked that unit to take over calling the pursuit over the radio, and I believe it was Haas.

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JT: Okay.

LM: 'Cause he drives a Windsor 32 which is a, um, the Ford Taurus, the smaller car.

JT: Mm hmm.

LM: The sedan.

JT: Okay. And the suspect vehicle turns into Windsor Palms shopping center?

LM: Yes, so he takes a right, um, into the Windsor Palms shopping center.

JT: And if, if you can recall, you mentioned you, you, you stopped well back of the suspect vehicle when it, when you observed it stopped.

LM: Yes.

JT: Can you estimate roughly –

LM: I'd say probably 20 to 25 yards behind it.

JT: Okay.

LM: Um, you know, again, my, my thinking is, um, one, you know, my fear is that he's pulling in here, um, to try and bait us into, into shooting us.

JT: Mm hmm.

LM: Um, and so as he pulls in, you know, during the whole time in the pursuit, I was trying to stay about 25 to 30 yards behind him.

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JT: Mm hmm.

LM: Um, just so that I wasn't right up on him, so he couldn't shoot at me during the pursuit, um, and then again I'd have some reactionary time to go and react to his actions, so as I came in, he was slammin' on the brakes, um, and at this point he was up at, um, pretty close to the front of Castaneda's Market –

JT: Mm hmm.

LM: – um, and so as soon as I came in and jumped and out, um, you know, I was, my hope was that I was gonna have enough reactionary gap to be able to give him commands or react to whatever he, he did.

JT: Having worked in Windsor, you're familiar with the shopping center, correct?

LM: Yes.

JT: Describe, is that an active shopping center?

LM: Very much, um, that time of the night there's, um, there's Castaneda's Market, Round Table, um, there is a gym upstairs from Castaneda's, um, there is, um, a Mexican restaurant right as you come into the right-hand side, um, I always forget the name of it, but that, it's got a drive, El Farlito, um, they have a drive-through –

JT: Mm hmm.

LM: – that's always busy, um, all times of the day, um, you have another market on the corner on, it would basically be the south, kind of the southeast corner of the parking lot, um, –

JT: So a lot, lot of activity.

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LM: A lot of, a lot of pedestrian and vehicle traffic, yeah.

JT: Okay. And then you mentioned you, you gave him commands, you, you both, you described you both kind of, he bails out and you describe how you both kinda exit your vehicles at the same time.

LM: Yes.

JT: What commands are you giving him?

LM: Um, I believe I was tellin' him to get on the ground, um, and I believe I was also yellin' and I was tellin' him to drop it, drop it, um, again, I don't remember my specific commands, um, but during the entire thing, my, ah, so my body worn camera, I had actually activated it when I was, prior to when I was talking with the reporting party –

JT: Mm hmm.

LM: – um, and it never got deactivated when I got into the pursuit, so it was running the entire time.

JT: Okay. And do you remember who else, you mentioned that Deputy Haas is behind you –

LM: Yes.

JT: – do you remember getting out, did you see Deputy Haas behind you?

LM: No, but, um, I knew that he was right behind me in the pursuit, or I had somebody right behind me in the pursuit, um, so as I got out my focus was on, on the suspect.

JT: Sure.

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LM: Um, and as soon as he jumped out again in my, I saw it, you know, he had somethin' black in his hand so I, I was keyed in on that, ah, but I was also keyed on to the fact that the backdrop was Castaneda's Market –

JT: Mm hmm.

LM: – um, and the gym, so, um, another one of my fears was that if he did have a gun and he jumps out shooting, um, whether I would even able to return fire because of all the people behind him, so, um, you know, when I later realized after everything was happening that I had guys on the, basically the passenger side of my vehicle up at the hood, –

JT: Mm hmm.

LM: – um, you know, I realized they probably had a better angle, um, on the suspect than I did, 'cause I was lookin', we were straight deadlocked on each other as he was walkin', chargin' towards me. I can't even say really walking, it was, he came out at like a fast comin' towards me, and then, you know, violent thrusting of the arms out like he was trying to shoot me, and again that's when I kinda keyed in that it wasn't a gun, um,

JT: Having all that information in mind and, and, um, knowing about the BOL, and in your own words thinkin' it was a gun, and he thrust his arms forward, um, was he saying anything during this time?

LM: Yes, he was, so he was, as I was yelling at him he was yelling back at me, um, and I, I don't remember exactly what he was saying, but it was a violent, he was yellin', you could tell he was just angry, um, and so he was yelling right back at me, um, as I'm, you know, tellin' him get on the ground, get on the ground, 'or drop it, um, he was yelling somethin' right back at me, and I, I couldn't really hear, 'cause I'm tryin' to give him the commands and, um, at one point I believe I heard him say somethin' like shoot me, or, you know, like fuck you, kill me, somethin' like that –

JT: Okay.

LM: – um, and that's also where it played into, um, when he jumped out with the, the item, you know, my, I'm immediate, I'm startin' to think this is a suicide by cop kind of a, um scenario, just based on, um, you know, his erratic behavior, you know, the behavior of him driving back and forth

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through the neighborhood, it was all kinda startin' to click, okay, this guy's tryin' to get us there, that's why he, he's stayin' in the area, –

JT: Mm hmm.

LM: – um, you know, again, there was that, but I was also thinkin', okay, is he tryin' to get us here 'cause he wants to try and shoot us, is this ambush? Um, but when I started to realize, okay, this, somethin's not right, I could just feel that somethin' wasn't right the way he was holding it.

JT: Mm hmm.

LM: Um, then I, I, and then, you know, I think there was a, there's a little bit of hesitation 'cause I, I don't have a good backdrop, so it's like, okay, even if he starts shootin' at me, I, I might not be able to return fire. I'm gonna have to, to retreat to the back side of my car and try and get into a better position to return fire if it is an actual firearm.

JT: Okay. And you described the, the object that he's holdin' as, as bein in your own words I believe, black?

LM: Yes, so it was black, um, and what I think keyed me that it not looking right was, it was, um, real rounded in the front, so it wasn't, you know, a distinct, it, it didn't look like any known firearm that I've seen, and that was after he got close enough to where I could see it, but again, when he got out something just, I could tell somethin' wasn't right about it.

JT: And when you positioned your, and you, you stop, any spotlight or anything on him, or –

LM: Um, I don't believe so.

JT: Okay.

LM: Now at this point the parking lot at Castaneda's, um, there's some um, they've got some pretty bright orange street lights.

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JT: Mm hmm.

LM: So, um, I believe I illuminated him with my rifle light –

JT: Mm hmm.

LM: – but I also had the light, the ambient light from the parking lot.

JT: Okay. And you said you deployed your Taser?

LM: Yes.

JT: Okay, and you, you've been trained to use that Taser?

LM: Yes I have.

JT: What, what type of Taser do you carry?

LM: Um, I carry the older, um, the Taser International X26.

JT: Okay. And that was a single deployment?

LM: Yes, I have, it's the standard department issued green door 25-foot, um, cartridge, just the, ah, single use cartridge.

JT: Okay. And this was after he initially, did he ever initially go down to the ground and then regain his footing?

LM: I don't, I don't believe so, um, he had, when I heard the pops, there was almost, I think there was a little bit of like a startle response, um, like I remember him moving and, again, I can't remember

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if he dropped what he was holding, um, or what, but I remember thinkin' okay, he, he, there's no, there's no lethal threat now because I, I don't, it's not, I can, I can, right now I can determine, I can say that it's not a gun, and I don't know if I determined that after it fell to the ground –

JT: Mm hmm.

LM: – um, or if he dropped it when we tazed him, I, I honestly can't remember that part, but, um, you know, I was able to determine, like, okay, um, you know, I, I can't just stand here tryin' to give this guy commands. At one point though, as we were givin' him commands and he's not listening and we had, there was a little bit of distance between us, um, I yelled for somebody to get a 40 up to get a less lethal, um, 40 millimeter up to try and hit him with that, but, um, at that point there was nothin' on scene and, you know, at this, I couldn't just stand there, um, continuing to give this guy commands and, and him not comply, um, to this point there's people comin' out, there's people started to surround us, um, so had he had another firearm, which is, ah, you know, based on the description given to dispatch that he had a, wood, or yellow handled handgun, you know, had he pulled that out we would have further put the public at risk by not ending it right now.

JT: Meaning less lethal with a Taser?

LM: Yes, exactly.

JT: Did anybody else that you know deploy a Taser?

LM: Um, so, I believe as he was walking towards us, Deputy Maikranz tried hitting him as he walked by with a Taser.

JT: Okay.

LM: 'Cause I do distinctly remember seeing, um, I believe I saw like the, um, the wires of it in the light.

JT: Okay.

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LM: And on the ground.

JT: And then you mentioned you used, ah, one of your feet to –

LM: Yeah.

JT: – basically pin his, his arm down.

LM: Exactly, so, as soon as we hit him, both me and Neil, we, we hit him almost simultaneously with the Tasers, he fell backwards right onto his back, um, and he was laying on his back, and so I walked up and put my foot on, I believe it would have been his right hand, to hold his down so he couldn't grab anything. And then somebody else grabbed his other hand and so we're maintaining control of his arms and his hands, um –

JT: Was he fighting at this point in time?

LM: No, so I believe the Taser was still, the Tasers were still cycling at this point, um, they'd normally have a 5-second, if you pull the trigger once, you have a 5-second, um, cycle –

JT: Mm hmm.

LM: – and so I believe the Tasers may have been still cycling, I can't say for sure, but, um, I just knew that I needed to get control of hands so he couldn't try and grab somethin'.

JT: And then who ultimately is responsible for handcuffing him?

LM: I believe it was either Maikranz or Bailey, um, you know, we were able to control him and then we talked with each other real quick, hey, let's get him onto his stomach and get him cuffed, and so we were able to, um, work him over to his stomach and get him handcuffed. I mean he's on the ground, he almost like kinda, it seemed like he almost lost consciousness when he first hit, –

JT: Mm hmm.

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LM: –'cause he, he wasn't tryin' to fight, he wasn't movin' at all, um, and then that's when he came to, and then I, I asked him a couple times, okay, why, why did you do this, why did you do this? And he, at that point was lookin' at us, and he's like what do you mean, where am I, what happened?

JT: Okay.

LM: So, um, almost like he, he kinda came to.

JT: Okay. So Deputy Bailey also deployed a Taser?

LM: Yes.

JT: Okay. And then was he, you mentioned that at that point when you had him handcuffed, ah, you began to assess his injuries?

LM: Yes. As soon as we got him handcuffed, um, we, I believe I stayed there for a brief second as we were kind of assessing his injuries, and then I realized I need to go get rid of my rifle, so I can actually help. So I went through it in the trunk of my patrol car, came back, um, put gloves on, and then, um, we, we cut his shirt off and as soon as we got his shirt off we realized that there was, ah, you know, what appeared to be a gunshot wound to his, um, to his upper torso, shoulder area, um, so at that point we, ah, ah, again I carry gauze in my pocket, so, um, at this point I had, I think I had a little bit of blood on my hands, –

JT: Mm hmm.

LM: – so I asked one of the other guys, hey, grab my gau, grab it out of my pocket.

JT: Mm hmm.

LM: Um, and so they were able to get it out, and then we started applying the pressure, direct pressure to it.

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JT: Okay. Did you remember was a, was a call made to dispatch to, to start medical –

LM: Yes, so, actually as, um, he was on the ground and I had my foot controlling his arm, I requested Code 3 medical twice, I believe, so I thought I got walked on.

JT: And Code 3 means –

LM: Emergency medical.

JT: So you were requesting emergency, ah, medical personnel –

LM: Yes, lights and sirens respond, yeah.

JT: Okay. And then just a little bit about what you carry, the medical equipment, ah, that you carry, you've talked about it, 'er, have you received training in, ah, in rendering –

LM: Yes.

JT: – generic medical aid, or combat aid, or –

LM: Yeah, it's, it's, um, I, ah, I attended I believe it's a 4-hour course, um, that was put on in-house by our, um, SWAT medic, Scott Westhrope.

JT: Mm hmm.

LM: Um, in regards to, um, combat casualty care, um, so, um, tactical combat casualty care, so it's, it's basic first aid, but it deals a lot in gunshots, um, and stuff like that, um, you know, trauma that you would receive in like, in, in combat, um, so, ah, at this point, you know, I'd asked the guy what his name was, as well, um, and his date of birth –

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JT: Mm hmm.

LM: – and he was able to provide that to me so he was breathing, talking fine, um, –

JT: Do you remember what that was?

LM: His –

JT: His name?

LM: Ah, it was, his last name was Eastwood, I believe it might have been Christopher Eastwood.

JT: Okay.

LM: And I think his birthdate was [redacted] maybe?

JT: Okay.

LM: Um, I write it down in my notepad. Um, and then, ah, so, you know, I realized with him talking and, um, and, you know, being coherent enough, um, you know, he, I could tell he wasn't suffering from any type of like tension pneumothorax, something like, like maybe he got hit, you know, in the lung or something like that. He was able to talk and he wasn't having difficulty breathing –

JT: Mm hmm.

LM: – um, so at that point there wasn't a lot of blood coming out of it, a lot of the blood was actually from his head when he hit his head on the ground, um, so, um, at that point we just, um, provided, ah, you know, direct pressure and basic packing the wound with a the gauze.

JT: Okay. And then ultimately, does, um, emergency medical personnel re, they arrived?

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LM: Yes.

JT: And then do you remember who that is?

LM: Um, so Bells Ambulance showed up and also they showed up, Windsor Fire arrived first.

JT: Mm hmm.

LM: Um, I know one of the Windsor fire guys from working with him fairly often, um, ah, Mike Stornetta –

JT: Mm hmm.

LM: – and so at one point he actually asked me for my flashlight, um, and so I gave him my, my backup flashlight –

JT: Mm hmm.

LM: – and, ah, so then he, ah, he was using that, and then I was standing there and I actually, ah, I specifically asked him, hey, I know obviously medical treatment comes first, but we to not disturb the scene, so like we can't move any of this other stuff. Um, and he was like, okay, no big deal, and then a couple, it almost, I, I think there was maybe two ambulances that showed up, 'cause um, I remember seein' three or four Bells Ambulance personnel, and normally they just run in a 2-man ambulance, so, um, there may have been two, but they showed up and started rendering aid to him, um, and they asked me, ah, what, you know, what kind of caliber he was shot with, and I'm, I told him, um, it's likely a 9 millimeter, um, 'cause that's our standard duty round.

JT: Mm hmm.

LM: Um, and then, ah, I, um, at that point I had, I was kinda, I was standing there but I wasn't really doin' anything, and that's when, you know, sergeants started to arrive and, um, and then they started, you know, the crime scene log and all that kinda stuff, and so once they kinda start

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working on 'em, I left and somebody else went and stayed with him while he got loaded on the ambulance.

JT: Okay. All right. All right. I'm gonna take a pause. Do wanna take a break? Give you a chance to kinda stretch and we'll come back on the record after a break.

Other Speaker: Sounds good.

JT: Time now is 0309 hours, and we're gonna take a short break.

*** End of Interview ** 2 of 3 ***

SpeakWrite
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Job Number: 16354-005
Custom Filename: Windsor Police OIS WI161211-003
Date: 12/19/2016
Billed Words: 9735

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JT: Sonoma County Sheriff's Office Detective Jeff Toney

JH: Sonoma County Sheriff's Office Detective Jesse Hanshew

LM: Sonoma County Sheriff's Office Deputy assigned to Windsor Police Department, Larry Matelli

NP: Nicole Pifari, Attorney with Rains, Lucia, Stern. Representing Deputy Matelli

Interview Date 12/12/16 @0314 Hours

JT: All right. I'm gonna go back on record from break. Time now is 0314 hours, and just a couple things Deputy Matelli.

LM: Yes.

JT: You mentioned when the suspect first exits his vehicle, um, you mentioned seeing an object in his hand that you described as being black.

LM: Yes, yes.

JT: At some point it was a little bit more clearer to you that it was not what you initially thought, um, meaning the weap, weapon, right?

LM: Yes, yes.

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JT: If you can recall, were the shots before you recognized this, or were they post?

LM: I believe the shots were, as soon as I confirmed that it wasn't a weapon, that's when I put the radio traffic out that it's not a gun, and he doesn't have a gun.

JT: Mm hmm.

LM: Um, but I believe that was well after the shots.

JT: Okay. So the shots would've been contemporaneous to you believing in your mind that this was a threat.

LM: Yes, yes.

JT: Okay.

LM: Again, it was, I couldn't, I wasn't gonna, um, from my, um, angle –

JT: Mm hmm.

LM: – like I said, somethin' looked weird about it, um, but again, I couldn't rule out that it wasn't a gun, but I couldn't positively identify it as bein' a gun.

JT: Okay. And then just to, just to confirm, you never discharged your duty firearm throughout this incident.

LM: No.

JT: Okay. And we talked about the incident was, was captured right, on your body worn camera.

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LM: Yes.

JT: Um, have you reviewed or have you reviewed the recording prior to this interview?

LM: No, I have not.

JT: Okay. Do you wish to view any of the recording related to this event now?

LM: No.

JT: Okay. I think that's all I have. Uh, I'm gonna defer to you.

Other Speaker: I don't have anything to add. You've been very thorough.

JT: Okay.

Other Speaker: Yeah.

JT: We're gonna conclude the interview at, uh, 0317 hours.

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Job Number: 16354-001
Custom Filename: Windsor Police OIS WI161211-003
Date: 12/19/2016
Billed Words: 382

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92

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94 *** End of Interview ** 3 of 3 ***

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DETECTIVE: Jeff Toney TYPED BY Speakwrite ____

Sergeant Andy Cash: Hey [redacted]. How's it going?

Attorney [redacted]: Good Andy. How are you? I know you're up to your ass in alligators ****.

Sergeant Andy Cash: Just doing some, uh, catch up.

Attorney [redacted]: Well I, I just got, I'm getting hired to represent Mr. Eastwood and I just saw him. He wanted me to call you guys and say, pass on to the officers that he's very sorry and he's very grateful that everybody's so professional and that, uh, um, that's how he's feeling and just, it's nothing, I saw him today and he's, he's okay. He seemed like he's gonna be alright for the stupidity, but he did want to reach out. And, having been there before I know what that can mean for somebody when ****.

Sergeant Andy Cash: Yeah. What else –

Attorney [redacted]: He directed me to tell, to call you guys and tell you that. I can't tell you a whole lot about the other stuff.

Sergeant Andy Cash: No, [redacted], uh, so I can, I wanted to send an email to the, the officers that were involved. There's, there were like four or five sequestered last night. Um, I'll just send them an email saying thank you, that they were professional and –

Attorney [redacted]: He's very grateful he's alive. He's very grateful that everybody was so professional through the whole process, and he's just, he's very, very sorry for what had occurred.

Sergeant Andy Cash: Very, very sorry. Okay. I appreciate it man, and I'm just gonna send them a thing 'cause the guys, you know how that affects people when –

Attorney [redacted]: It can make a huge difference and, you know, we're not doing this for mitigation. It's not that sort of deal. He told me that he thought he did it at the hospital and other places but the reality was is I said I know a man I can call and make sure that gets to them. So, I basically dialed you up.

Sergeant Andy Cash: I'm gonna take care of it right now.

Attorney [redacted]: Appreciate it man. I hope everything's going well. I know you've got shit to do.

Sergeant Andy Cash: Yeah, hey, happy holidays [redacted] and you take care of yourself.

Attorney [redacted]: Thank you brother.

Sergeant Andy Cash: Thank you.

Attorney [redacted]: Yeah, you too.

Sergeant Andy Cash: Bye-bye.

Attorney [redacted]: Bye.

SpeakWrite
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Job Number: 16348-001
Custom Filename: 16-AR-0003
Date: 12/13/2016
Billed Words: 406

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JF = Detective Jayson Fowler

RC = Ron Cincera with CHP

INTERVIEW DATE: 12/12/2016

JF: This is Detective Jayson Fowler. It is now 1233 hours on December 12, 2016. This is in reference to Windsor, Case No. WI161211-003. I'm here at the CHP office in Rohnert Park speaking with Officer Ron Cincera, Badge No. 16223. Alright Officer Cincera, as we spoke, um, I understand that you were off duty yesterday, um, and you witnessed a, a pursuit and eventually, or, uh, an OIS that our deputies were involved in, is that—

RC: Yes.

JF: —correct? Okay. And can you, uh, tell me where you were when you first noticed, um, the pursuit of the vehicle and describe, describe the vehicle that, the suspect vehicle that you saw and the actions that you took to—

JF: And what you saw our deputies do.

RC: Okay. Um, I was, uh, sitting in my truck—

JF: Okay.

RC: —um, at the drive-through for the Mexican restaurant.

JF: El Farlito there?

RC: El Farlito.

JF: Okay.

RC: Uh, so I was facing Old Redwood Highway.

JF: Okay.

RC: I heard the sirens going in the area. I looked to my right and saw the sirens, and a vehicle that it appeared they were pursuing—

JF: Okay.

RC: —because it came through the intersection. I can't recall what color the light was.

JF: Okay.

RC: I did notice that the deputies slowed down when they entered the intersection and then proceeded through.

JF: Okay.

RC: Um, it looked like one occupant in the vehicle—

JF: Okay.

RC: —a white older gentleman. Um.

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JF: Now were you, when you saw the vehicle was the vehicle traveling south – or northbound on Old Red—

RC: Yes.

JF: —Old Red towards, like, uh, Lakewood and where, the, the freeway?

RC: Yes.

JF: Okay.

RC: Towards the freeway from like the Fire Sattion.

JF: Where you first initially saw—

JF: Okay.

RC: Yes.

JF: Um, and so you couldn't, couldn't make out the color of the vehicle or anything but you saw the deputies slow down in the intersection, and then they must have, you lost sight of them as they continued northbound towards—

RC: Yeah.

JF: —101?

RC: It was a sedan.

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JF: Okay.

RC: Darker color. I think they were, it's, I recall, like four deputies, maybe five.

JF: Okay.

RC: Um, they continued northbound on Old Redwood Highway. They cleared my field of view.

JF: Okay.

RC: I continue, uh, waiting for my order and then all of a sudden I heard the sirens coming back.

JF: Okay.

RC: Um, the car that they, it seemed that they were chasing I see drive right in front of me.

JF: Okay.

RC: I notice the lights of the deputies flashing off the buildings. The car made a right into – at the stoplight, made a right into the parking lot.

JF: Of that shopping center?

RC: The, that shopping center. It continued into the parking lot heading, I guess, like, a west direction.

JF: Okay.

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RC: Um, and then I saw the deputies' car, uh, chasing. I turned over my right shoulder as looking through the, um, it's a quad cab.

JF: Okay.

RC: So, I was looking through the back right window and I was thinking if it was going to be a foot bill, which direction, get a direction for the deputies.

JF: Okay.

RC: So, as it continued, instead of making a right and coming towards where I was to get in line for the fast food, it continued straight and then immediately stopped, um, in a dark area. I just remember it being dark where it stopped.

JF: Kind of almost in front of, you know where Castaneda's Market is there?

RC: Yes.

JF: So, in that general area?

RC: In that area.

JF: Okay.

RC: I saw the driver get out—

JF: Okay.

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RC: —and immediately start walking towards the deputies, raising his, both hands in a, um, almost a shooting position.

JF: Like the is— like the isosceles position that we were trained in?

RC: Yes. Then started walking directly towards the deputy. At first I was like, he's got a gun, he's got a gun, because the, um, the workers in the restaurant opened the, the window and were like—

JF: Okay.

RC: —what's going on? I'm like, he's got a gun, he's got a gun, and then I heard, pop, pop, pop,

JF: Okay.

RC: Three or four shots.

JF: Okay.

RC: Um, my window was down. I didn't hear anything from that direction, but I did see him, the driver, um, make an action. I, I know he yelled something but I couldn't hear.

JF: Okay.

RC: But his action was, like, he jumped up in the air like he got hit, like something hot—

JF: Okay.

RC: —being shot.

JF: Right.

RC: Um, at that time I noticed what he had in his gun, uh, in his hand wasn't a gun—

JF: Okay.

RC: —because he moved forward towards the deputies and into the light.

JF: Okay.

RC: I noticed it was, to me it looked like a bicycle lock.

JF: Okay.

RC: Just 'cause I, I saw in his hand and then the circular metal object, and then curled back under.

JF: Okay.

RC: And at that time –

JF: And when you say the bike lights, like, one of those U-shaped—

RC: Yes.

JF: —Is that what you remember seeing?

RC: Yes.

JF: Okay.

RC: At that time then I sort of, I couldn't really see the, the deputies. I know where they were at that time, but they came back and got in, um, behind protection in the door jamb.

JF: Right.

RC: And, um, the driver was yelling, uh, just back, back and forth, high pace, and I noticed the deputies form a wedge, and the lead deputy had an, um, Ar15—

JF: Okay.

RC: —and then two other deputies, and then I saw them Taser him.

JF: Okay.

RC: He went down and they were able to take him into custody.

JF: Okay.

RC: I stayed there for a while and then my food wa—

JF: Sure.

RC: —food came. Everybody was running over there with their cameras out, or their phones out, and then I called my dispatch to let them know what happened. As I came around I could see that they were providing medical aid to the gentleman—

JF: Okay.

RC: —and, um, that was it.

JF: Okay. Now, when, when, when the s—, the suspect got out of his vehicle and then started walking towards the deputy, did you s—, did you see him walking towards the deputies, did you say? When, in that, in that shooting stance?

RC: To my, yes, towards the deputies. So, when I was looking back to my right, it looked like he got out and was maybe a foot or two away from his car—

JF: Okay.

RC: —walking from the open door back straight towards the deputy behind him.

JF: Okay.

RC: Most of the deputies I saw pulled in right behind him, um, at the traffic light.

JF: Okay.

RC: But I also noticed the deputy at the same time behind me that came in through the Round Table—

JF: Mm hmm.

RC: —parking lot, and he pulled up, um, would be the, to the north, um, facing south with his lights on the suspect.

JF: Okay. And how far, if you can approximate, how far did the suspect get from his car when he approached the deputies and he made that, that, uh—

RC: I'd say—

JF: —motion like you thought he was—

RC: —its—

JF: —got hit by something 'cause he was hot?

RC: Well, as soon as he got out of the car and he was walking he may, I mean, maybe he hit the end of the car when his hands went up like he had a gun.

JF: Okay.

RC: Um, and maybe made it 10 yards when I, I heard shots fired.

JF: Okay. And you didn't hear what the suspect was saying, but you could tell he was yelling?

RC: Yes.

JF: Okay. Could you hear what the deputies were saying?

RC: No, I could not.

JF: You couldn't hear commands?

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RC: No.

JF: Okay. Could, do you remember what kind of clothing the suspect was wearing?

RC: I don't. I just remember my attention was drawn to what was in his hand.

JF: Sure. And your recollection is it was, uh, a U-shaped bike lock? Did it have any coloring on it that you noticed, or…?

RC: I did not.

JF: Okay.

RC: I just, at first I thought it was a gun the way he was holding it and the two hands covering it, and then just seeing something protruding forward—

JF: Sure.

RC: —towards the deputies. It looked like a handgun.

JF: Okay. So, would you say that the position he took with his hands and the way he moved is something you've seen before as, like, range—

RC: Yeah, I'm a r—

JF: —quart..

RC: I'm a range officer—

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JF: Okay.

RC: —and that's—

JF: So, that's what made you—

RC: —the way we teach.

JF: Right.

RC: —to shoot.

JF: So, that's what made you think he had a gun in his hand?

RC: Yes.

JF: Because he had something— because you saw something in his hand, but actual the way he, he pointed it out in that isosceles stance, basically. Is that—

RC: Yes.

JF: —is that fair to say?

RC: Yes.

JF: Okay. Anything else about the, the incident that you think I should know that we haven't talked about?

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RC: No. Um, yeah it was just 'cause he pulled so forward when he got out. It was dark, and just taking that stance, and I was yelling gun, gun, gun.

JF: Okay. So you were yelling gun—

RC: Yeah.

JF: —audibly. Okay. Alright. And once you got your food, you drove by and you noticed that the deputies were rendering aid to the gentleman?

RC: Yes.

JF: And you decided it was probably best just to call in with your information and somebody would get a hold of you—

RC: Yeah, I, I—

JF: —later?

RC: There was three or four deputies providing aid. I think I saw some gauze laying on the ground. They were trying to, and then, backing people away, was trying to get the tape out and securing the area.

JF: Okay. Perfect. Alright we'll go off the record here.

SpeakWrite

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Job Number: 16355-001

Custom Filename: WI161211-003 CHP Officer Cincera Interview

Date: 12/20/2016

Billed Words: 2066

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

ALLIED AGENCY PURSUIT REPORT

CHP 187A (Rev. 3-11) OPI 051

SUPERVISOR'S INITIALS	VEHICLE PURSUIT NUMBER *(For your agency's use only, if applicable)*
	16-P-0039/W16-1211-003

ALL MOTOR VEHICLE PURSUIT DATA SHALL BE SUBMITTED NO LATER THAN 30 DAYS AFTER PURSUIT. SEE PAGE TWO FOR DETAILED INSTRUCTIONS.

SECTION I - Mandatory for all California Law Enforcement Agencies involved in vehicle pursuit.

1. AGENCY NCIC	2. AGENCY NAME *(Specify district, i.e., LAPD Newton)*	3. DATE VEHICLE PURSUIT WAS INITIATED	4. TIME VEHICLE PURSUIT WAS INITIATED *(24 hr., e.g., 1430)*
4900	WINDSOR POLICE DEPARTMENT	12/11/2016	1735

5. PURSUED VEHICLE LICENSE PLATE NUMBER	6. STATE	7. VIN NUMBER *(Complete only if 'cold plated' or no license plate available)*	8. TIME YOUR AGENCY BECAME INVOLVED IN VEHICLE PURSUIT *(24 hr., e.g., 1430)*
[redacted]	CA	[redacted]	1735

9. CHECK THE CATEGORY THAT BEST DESCRIBES THE VEHICLE TYPE

☒ Passenger Vehicle (Car, SUV, Mini-Van) ☐ Passenger Vehicle (Car, SUV, Mini-Van) with Trailer ☐ Motorcycle, Motor Driven Cycle, Motor Scooter ☐ Pickup Truck
☐ Pickup Truck with Trailer ☐ Truck Tractor ☐ Truck Tractor with Trailer ☐ School Bus ☐ Other Bus ☐ Emergency Vehicle ☐ Other

10. TOTAL TIME YOUR AGENCY WAS INVOLVED VEHICLE PURSUIT *(Minutes)*	11. TOTAL DISTANCE YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT *(Miles)*	12. COUNTY WHERE YOUR AREA INVOLVEMENT BEGAN
4 minutes	2	SONOMA

13. AGENCY INITIATING VEHICLE PURSUIT	14. DID YOUR AGENCY TURN THE PURSUIT OVER? *(If yes, indicate agency below)*	15. DID YOUR AGENCY CONCLUDE VEHICLE PURSUIT?
WINDSOR POLICE DEPARTMENT	☒ No ☐ Yes	☐ No ☒ Yes *(complete SECTION II)*

16. LIST I.D. NUMBERS OF YOUR AGENCY'S OFFICERS INVOLVED IN VEHICLE PURSUIT *(Do not list names)*

2164 | 1649

17. HIGHEST NUMBER OF INVOLVED UNITS AT ONE TIME IN YOUR AREA	18. CHECK ONE CONDITION THAT BEST DESCRIBES WEATHER DURING THE PURSUIT	19. MAXIMUM SPEEDS ATTAINED
Ground: 2 Air: 1	☒ Clear ☐ Cloudy ☐ Raining ☐ Snowing ☐ Fog ☐ Windy ☐ Other *(Specify)*	Freeway: Surface Streets: 60

20. INDICATE ATTEMPTED FORCIBLE STOP(S) AND NUMBER OF TIMES ATTEMPTED	21. INDICATE THE NUMBER OF COLLISIONS THAT OCCURRED IN YOUR AREA
Spike Strip: PIT: Other Ramming: Boxed In: Remote Engine Disabler: Other *(Specify)*:	Fatal: Injury: Property Damage Only:

22. ORIGINAL VIOLATION OBSERVED BY AGENCY INITIATING THE VEHICLE PURSUIT *(Leave blank if your agency did not initiate pursuit)*

Section & Code: 245 PC ☐ Felony ☐ Misdemeanor ☐ Infraction ☒ BOL / Warrant / Wanted ☐ Other *(Specify)*:

If injuries were incurred as a result of collision during your agency's involvement in the vehicle pursuit and your agency did not conclude the pursuit, complete only item 23 in Section II below.

SECTION II - Complete only if your agency brought vehicle pursuit to conclusion (includes aborting of pursuit).

23. WERE INJURIES INCURRED AS A RESULT OF A COLLISION? ☒ No ☐ Yes *(If yes, indicate number of each type below)*

	Police Officer(s)	Suspect Driver	Suspect Passenger(s)	Uninvolved 3rd Party
Fatal Injury				
Severe Injury				
Other Visible Injury				
Complaint of Injury				

24. WERE INJURIES INCURRED AFTER THE VEHICLE PURSUIT? ☐ No ☒ Yes *(If yes, indicate the number of each type below)*

	Police Officer(s)	Suspect Driver	Self-Inflicted	Suspect Passenger(s)	Self-Inflicted	Uninvolved 3rd Party
Fatal Injury						
Severe Injury		1				
Other Visible Injury		1				
Complaint of Injury						

25. SUSPECT ☒ WAS ☐ WAS NOT APPREHENDED. WHICH ONE OF THE FOLLOWING MOST NEARLY DESCRIBES THE EVENT CONCLUDING THE VEHICLE PURSUIT?

☒ Suspect vehicle voluntarily stopped ☐ Pursuit aborted by law enforcement agency ☐ Suspect vehicle escaped patrol vehicle
☐ Forcible stop ☐ Suspect vehicle and patrol vehicle collided ☐ Suspect abandoned vehicle and fled on foot
☐ Suspect vehicle became disabled ☐ Suspect vehicle became involved in a collision ☐ Other *(Specify)*:
☐ Patrol vehicle became disabled ☐ Patrol vehicle became involved in a collision

26. VIOLATION(S) SUSPECT(S) CHARGED WITH UPON CONCLUSION OF VEHICLE PURSUIT *(List most serious offense first followed by additional charges)*

Section / Code	Felony	Misdemeanor	Infraction	BOL / Warrant / Wanted	Other *(Specify)*
245 (A) (1)PC	☒	☐	☐	☐	☐
69 PC	☒	☐	☐	☐	☐
148 (A)(1) PC	☐	☒	☐	☐	☐
	☐	☐	☐	☐	☐
	☐	☐	☐	☐	☐

27. D.O.B. OF PERSON PURSUED	28. GENDER	29. DRIVING UNDER THE INFLUENCE?
03/21/1967	☒ Male ☐ Female	☐ No ☐ Yes *(Specify)*: ☐ Alcohol ☐ Drugs ☐ Combination of both

30. ETHNICITY

☒ White ☐ Vietnamese ☐ Cambodian ☐ Other Asian ☐ Guamanian ☐ Asian Indian ☐ Other Not Listed
☐ Black ☐ Japanese ☐ Korean ☐ Filipino ☐ Hawaiian ☐ American Indian
☐ Hispanic ☐ Chinese ☐ Laotian ☐ Samoan ☐ Other Pacific Islander ☐ Alaskan

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

ALLIED AGENCY PURSUIT REPORT

CHP 187A (Rev. 3-11) OPI 051

SEND OR FAX COMPLETED FORMS TO:
CALIFORNIA HIGHWAY PATROL
Support Services Section, Data Analysis Unit
P.O. Box 942898, Sacramento, CA 94298-001
Fax: (916) 843-4228 or E-mail to: PursuitReport@chp.ca.gov

ALL CALIFORNIA LAW ENFORCEMENT AGENCIES

Carefully read the following information regarding completion of this form.

Vehicle Pursuit Data

Vehicle Code Section 14602.1 requires that "every state and local law enforcement agency, including but not limited to, city police departments and county sheriff's offices, shall report to the Department of the California Highway Patrol, on an approved form, all vehicle pursuit data." The form CHP 187A, Allied Agency Vehicle Pursuit Report, has been developed to record this information.

Vehicle Pursuit - Definition

A vehicle pursuit is an event involving one or more law enforcement officers attempting to apprehend a suspect operating a motor vehicle while the suspect is attempting to avoid arrest by using high speed or other evasive tactics such as driving off a highway, turning suddenly, or driving in a legal manner but willfully failing to yield to the officer's signal to stop.

INSTRUCTIONS - READ CAREFULLY

SECTION I - Mandatory for all California Law Enforcement Agencies

1. **AGENCY NCIC** - Your agency's four-digit NCIC number.
2. **AGENCY NAME** - Your agency's name.
3. **DATE VEHICLE PURSUIT WAS INITIATED** - The date of the vehicle pursuit your agency was involved in. Use mm/dd/yyyy format.
4. **TIME VEHICLE PURSUIT WAS INITIATED** - The exact time the vehicle pursuit actually began. If your agency did not initiate the pursuit, contact the initiating agency to verify this information. Use 24 hour notation.
5. **PURSUED VEHICLE LICENSE PLATE NUMBER** - The vehicle license plate number on the suspect vehicle.
6. **STATE** - The state of the suspect vehicle license plate number (i.e., CA, NV).
7. **VIN NUMBER** - The vehicle identification number of the pursued vehicle. Complete this item if the vehicle was 'cold-plated' or no license plate number was available.
8. **TIME YOUR AGENCY BECAME INVOLVED IN VEHICLE PURSUIT** - If your agency initiated the pursuit, enter the time from item four. If your agency took over the pursuit from another agency, enter that time instead. Use 24 hour notation.
9. **CHECK THE CATEGORY THAT BEST DESCRIBES THE VEHICLE TYPE** - Of the listed categories, check the type that best describes the vehicle.
10. **TOTAL TIME YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT** - The time, in minutes, that your agency was in the primary position for the pursuit.
11. **TOTAL DISTANCE YOUR AGENCY WAS INVOLVED IN VEHICLE PURSUIT** - Length, in miles, that your agency was in the primary position for the pursuit.
12. **COUNTY WHERE YOUR AREA INVOLVEMENT BEGAN** - The county your Agency was in when involved in the pursuit.
13. **AGENCY INITIATING VEHICLE PURSUIT** - Name of the Agency which initiated the pursuit.
14. **DID YOUR AGENCY TURN THE PURSUIT OVER?** - If your agency turned the vehicle pursuit over to another allied agency, indicate that agency's name and station or office.
15. **DID YOUR AGENCY CONCLUDE VEHICLE PURSUIT?** - Your agency concluded the pursuit if you did not turn it over to another agency.
16. **LIST I.D. NUMBERS OF YOUR AGENCY'S OFFICERS INVOLVED IN VEHICLE PURSUIT** - Include only officers actually involved in the vehicle pursuit.
17. **HIGHEST NUMBER OF INVOLVED UNITS AT ONE TIME IN YOUR AREA** - Enter the highest number of ground enforcement vehicles (including motorcycles and sedans) as well as air units (including helicopters and airplanes) actively involved in the vehicle pursuit at one time.
18. **CHECK ONE CONDITION THAT BEST DESCRIBES WEATHER DURING THE PURSUIT** - Check the dominant condition for the majority of the pursuit.
19. **MAXIMUM SPEEDS ATTAINED** - The highest rate of speed attained during the vehicle pursuit on a freeway and/or surface streets. If the suspect did not enter the freeway OR exit to surface streets, enter 0 in the corresponding space.
20. **INDICATE ATTEMPTED FORCIBLE STOP(S) AND NUMBER OF TIMES ATTEMPTED** - Enter the number of attempts a forcible stop was initiated to terminate the vehicle pursuit. By definition, a forcible stop is the use or presence of a physical force to end a vehicle pursuit (e.g., roadblock, ramming, boxing-in, channelization, pursuit immobilization technique [PIT]).
21. **INDICATE THE NUMBER OF COLLISIONS THAT OCCURRED IN YOUR AREA** - Enter the number of collisions for each type (Fatal, Injury, Property Damage Only). If none, enter 0.
22. **ORIGINAL VIOLATION OBSERVED BY AGENCY INITIATING THE VEHICLE PURSUIT** - Enter the single, most serious violation which led to an enforcement stop on the vehicle and the degree of the violation, i.e., 10851(a) VC and check the felony box.

SECTION II - Complete only if your agency brought vehicle pursuit to conclusion (includes aborting of pursuit).

23. **WERE INJURIES INCURRED AS A RESULT OF A COLLISION?** - If a collision occurred during your pursuit which resulted in injuries to any person, check the 'yes' box and indicate the highest degree of injury for each person injured. Suspect driver is considered the driver of the suspect vehicle. Suspect Passengers includes any passengers which were in the suspect vehicle, regardless if any charges are filed against them. Uninvolved Third Party would include any persons not in the suspect vehicle or any peace officers.
24. **WERE INJURIES INCURRED AFTER THE VEHICLE PURSUIT?** - If any injuries were incurred by peace officers, the suspected driver, passengers in the suspect vehicle, or innocent third parties as a result of any event occurring after the vehicle pursuit (e.g., foot pursuit, arrest, shooting) while your agency was concluding the pursuit, check the "yes" box and indicate the highest degree of injury for each person injured. If the injury was self-inflicted (e.g., the suspect cut their hands while climbing a chain-link fence, self-inflicted gunshot wound), indicate in the self-inflicted field for the respective injury.
25. **SUSPECT WAS / WAS NOT APPREHENDED** - Check if the suspect was or was not apprehended during the pursuit.
26. **VIOLATION(S) SUSPECT(S) CHARGED WITH UPON CONCLUSION OF VEHICLE PURSUIT** - List the five most serious charges and their degree of violation in descending order filed against the driver. Do not include 2800.1, 2800.2 or 2800.3 VC in any of these fields unless it is the only violation charged.
27. **D.O.B. OF PERSON PURSUED** - The date of birth of the driver of the suspect vehicle. Use mm/dd/yyyy format.
28. **GENDER** - Indicate whether the driver of the suspect vehicle was male or female.
29. **DRIVING UNDER THE INFLUENCE?** - Check if the driver was under the influence. If yes, indicate alcohol, drugs, or a combination of both.
30. **ETHNICITY** - Indicate the ethnicity that most clearly resembles the driver of the suspect vehicle.

Questions concerning the completion of this form should be directed to the California Highway Patrol, Research and Planning Section, at (916) 843-3340.

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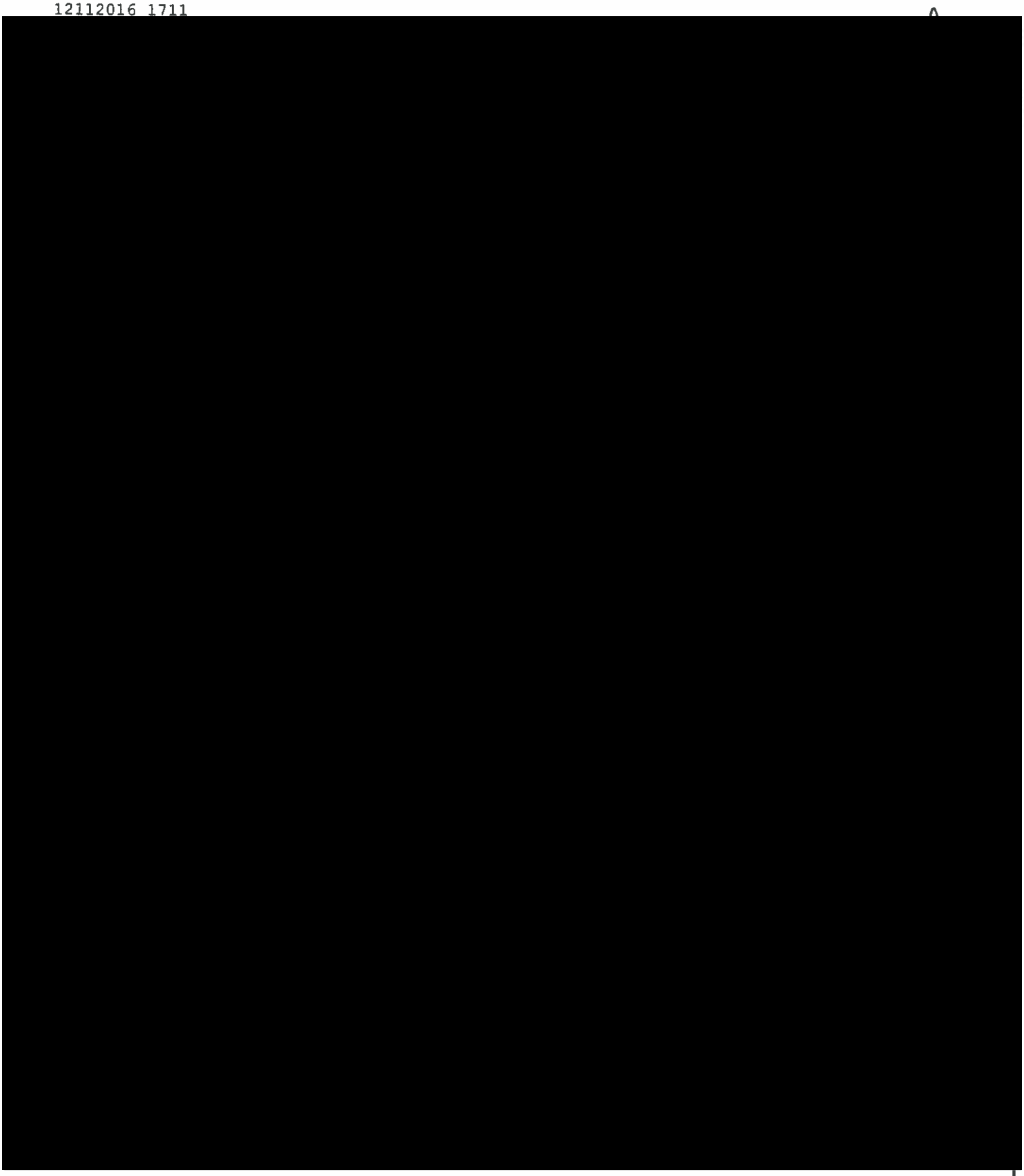

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Incident Information

Date/Time Reported	Date/Time Occurred	Date/Time Found	Officer
12/11/2016 17:28	12/11/2016 17:28	12/11/2016 17:28	(SD2219) PEIRSOL, THOMAS

Incident Location	Supervising Officer
[redacted]MERNER DR, WINDSOR, CA	(SD530) MCALVAIN, SHANNON

Location Comments
ENDED @ WINDSOR PALMS OLD REDWOOD HWY @ ALDEN

Case Status	Disposition
CLOSED/CLEARED	CLEARED BY ARREST

4020

Incident Synopsis

The suspect attempted twice to run into the victims vehicle, and then attempted to run over the victim in the roadway.

Charges

1

Charge Type	Description	Statute	UCR	
State	ADW NOT FIREARM (FEL)	245 (A)(1) PC	13A	þ Att ¨ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
¨ Alcohol ¨ Drugs ¨ Computers	HIGHWAY/ROAD/ALLEY		¨ Yes ¨ No	**1.** Motor Vehicle (as Weapon) **2.** **3.**

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

2

Charge Type	Description	Statute	UCR	
State	OBSTRUCT/RESIST EXECUTIVE OFFICER	69 PC	13A	¨ Att þ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
¨ Alcohol ¨ Drugs ¨ Computers	PARKING LOT/GARAGE		¨ Yes ¨ No	**1.** Other Firearm **2.** **3.**

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

3

Charge Type	Description	Statute	UCR	
State	OBSTRUCT/RESIST/ETC PUBLIC/PEACE OFFICER/EMERGENCY MED TECH	148 (A)(1) PC	13C	¨ Att þ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
¨ Alcohol ¨ Drugs ¨ Computers	HIGHWAY/ROAD/ALLEY		¨ Yes ¨ No	**1.** Verbal / Personal Weapon **2.** Other Firearm **3.**

Entry	Exit	Criminal Activity

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Charges

#	Charge Type	Description	Statute	UCR	
4	State	DISREGARD SAFETY:EVADE POLICE	2800.2 (A) VC	99Z	¨ Att þ Com

Alcohol, Drugs or Computers Used	Location Type	Premises Entered	Forced Entry	Weapons
¨ Alcohol ¨ Drugs ¨ Computers	HIGHWAY/ROAD/ALLEY		¨ Yes ¨ No	1. Motor Vehicle (as Weapon)

Entry	Exit	Criminal Activity	
			2.
			3.

Bias Motivation	Bias Target	Bias Circumstances	Hate Group

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
1	INDIVIDUAL	None	Resident	

Name(Last, First, M)	Race	Sex	DOB	Age
[redacted]	W	M	[redacted]	28

Address	Cell Phone	Home Phone
[redacted] WINDSOR, CA 95492	[redacted]	

Employer Name/Address	Business Phone
/	

Victim of Crimes
245 (A)(1) PC

Seq. #	Type	Injuries	Residency Status	Ethnicity
2	INDIVIDUAL	None	Resident	

Name(Last, First, M)	Race	Sex	DOB	Age
[redacted]	W	F	[redacted]	30

Address	Cell Phone	Home Phone
[redacted]	[redacted]	

Employer Name/Address	Business Phone
[redacted]	

Victim of Crimes
245 (A)(1) PC

Seq. #	Type	Injuries	Residency Status	Ethnicity
3	INDIVIDUAL	None	Resident	

Name(Last, First, M)	Race	Sex	DOB	Age
[redacted] [JUVENILE]	W	F	[redacted]	01

Address	Cell Phone	Home Phone
[redacted]		

Employer Name/Address	Business Phone
/	

Victim of Crimes
245 (A)(1) PC

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Offenders

Seq. #	Type	Name(Last, First, M)
1	INDIVIDUAL	EASTWOOD, CHRISTOPHER CORMAC

AKA	Race	Sex	DOB	Age	Height	Weight
	W	M	[redacted]	49	5'11"	215 lbs

Address	Cell Phone	Home Phone
[redacted]	[redacted]	[redacted]

Employer Name/Address	Business Phone
/	

Scars, Marks, Tatoos or other distinguishing features

Physical Characteristics

Suspect Details

Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
1	[redacted]	W	M	[redacted]	43

Address	Cell Phone	Home Phone
[redacted]	[redacted]	[redacted]

Employer Name/Address	Business Phone
/	

Witness Type

Witness Notes

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
2	[redacted]	O	F		

Address	Cell Phone	Home Phone
[redacted]		[redacted]

Employer Name/Address	Business Phone
/	

Witness Type

Witness Notes

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
3	[redacted]	H	F	[redacted]	20

Address	Cell Phone	Home Phone
[redacted]	[redacted]	[redacted]

Employer Name/Address	Business Phone
[redacted] /	

Witness Type

Witness Notes

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
4	[redacted]	W	M	[redacted]	34

Address	Cell Phone	Home Phone
[redacted]	[redacted]	[redacted]

Employer Name/Address	Business Phone
[redacted] / [redacted] [redacted]	[redacted]

Witness Type

Witness Notes

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
11	[redacted]	H	M	[redacted]	38

Address	Cell Phone	Home Phone
[redacted]		[redacted]

Employer Name/Address	Business Phone
/	

Witness Type

Witness Notes

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
12	[redacted]	W	M	[redacted]	52

Address	Cell Phone	Home Phone
[redacted]	[redacted]	

Employer Name/Address	Business Phone
/	

Witness Type

Witness Notes

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Vehicles

Seq. #	Year	Color	Style	Make	Model
1	2016	WHITE / WHITE	SEDAN	HYUNDAI	SONATA

VIN	License Plate Type	License / State	License Year	Owner
[redacted]	PASSENGER CAR	[redacted] CA	2017	[redacted]

Status	Status Date	Value

Vehicle Notes

Seq. #	Year	Color	Style	Make	Model
2	2015	GOLD	SEDAN, 4 DOOR	VOLKSWAGEN	PASSAT

VIN	License Plate Type	License / State	License Year	Owner
[redacted]		[redacted] / CA	0	[redacted]

Status	Status Date	Value
SEIZED	12/11/2016	

Vehicle Notes

Assisting Officers

(SD139) PEDERSEN, JOEL

(SD146) BASURTO, CARLOS

(SD390) QUARTAROLO, PETE

(SD442) SALAS, ANDREA

(SD468) STIBI, BRAD

(SD664) HOWARD, TOM

(SD855) HAUGEN, JUSTIN

(SD1039) CASH, ANDY

(SD1299) BAILEY, NEIL

(SD1894) MAIKRANZ, NICHOLAS J

(SD2034) TAMAYO, JOHN PAUL

(SD2164) MATELLI, LAWRENCE J

(SD2224) BERG, NICHOLAS

(SD2445) MIALE, CAYLA

(SD2464) SAPP, KENT T

(SD2489) SOLORZANO, LUKE

(SD2500) CLARK, JEREMY

Assisting Officers

(SD2502) SHORT, SHELDON

Narratives

INVESTIGATION

On 12-11-16 at about 2135 hours I was called at home and asked to respond to the SCSO main office to assist in the investigation into an Officer Involved Shooting (OIS). I arrived at the SCSO at about 2210 hours and was asked by SCSO VCI Sergeant McAlvain to contact the victim of an assault with a deadly weapon and take the initial report. I contacted SCSO Dispatch and learned that at about 1728 hours, [redacted], had called to report nearly being intentionally struck by a vehicle. [redacted] was calling from [redacted] Merner Dr. in Windsor, where this incident had occurred. SCSO Dispatch advised that no Deputy had asked for a case number or taken a report prior to the OIS. I pulled up the incident (# WI163460016) in Netviewer and reviewed the remarks which were as follows:

RP SAYS A SUBJECT IN A VEH KEEPS DRIVING UP AND DOWN THE STREET AND NEARLY HIT THE RP
RP SAYS HE INTENTIALLY TRIED TO HIT THE RP
VEH: GOLD OR CHAMPAGNE 4DR CAR
JUST PASSSED THE RPS HOUSE AGAIN WB ON MERNER
DRIVER: WMA,50`S
RP HAD BEEN STANDING ON THE SIDE OF THE ROAD AND THE SUBJECT TRIED TO HIT THE RP
SUSPECT HAS BEEN PULLING INTO DIFFERENT DRIVEWAYS AND THEN PULLS OUT AND SPEDS AROUND
SUSPECT HAS BEEN IN THE AREA FOR 25-30 MINUTES
HAS BEEN IN AND OF DRIVEWAYS AND SPEEDING AROUND
E31 -- AT MERNER AT LOCKWOOD
S8 MONITORING
F87 -- OUT WITH THE RP
E31 -- LOCKWOOD/MERNER
RP SAYS AT ONE POINT THE RP WAS STANDING BY THE CURB AND THE SUSPECT WENT UP ON THE CURB TO TRY AND HIT THE RP

I called the RP, [redacted], and asked if I could speak with him and we agreed to meet at [redacted] Merner Dr. in Windsor. Myself and SCSO Deputy Sedgwick arrived at [redacted] Merner Dr. at about 2235 hours where I spoke with [redacted] who told me the following in essence.

Narratives

(** It should be noted that Merner Dr. is a horseshoe shaped street that runs east/west off of Old Redwood Hwy just north of Esposti Park in Windsor. Merner Dr. is a one way street in a residential area that begins and ends at Old Redwood Hwy, with other intersecting side streets running off of it. The victims residence is located at the northeast corner at the end of the horseshoe along the W/B traffic lane of Merner Dr. **)

[redacted] said tonight at about 1700 hours he was sitting on the front steps into his residence located here at [redacted] Merner Dr. talking on the telephone to his wife, [redacted]. [redacted] said as he was speaking with [redacted] he noticed a vehicle driving up and down Merner Dr. pulling into driveways and then backing out. [redacted] said at first he believed it was just kids playing around, but then noted that the car was doing this for about fifteen or twenty minutes. [redacted] said he got up and walked out to the curb in front of his residence and watched the same car drive along Merner Dr. and pull into what appeared to be the same driveways on Merner Dr. and then back up. [redacted] said one of the driveways used was his neighbors across the street at [redacted] Merner Dr. [redacted] stated that he watched the car drive by his residence several times and noticed that it appeared to be a male driving by himself.

[redacted] said when his wife arrived home in her car with his 18 month old daughter in the back seat, his wife, [redacted], parked along the curb directly in front of the residence between the two driveways of the residence. [redacted] said he was standing at the drivers window talking with [redacted] about this vehicle driving up and down Merner Dr. pulling into and out of different driveways. [redacted] said as he was speaking with [redacted], the suspicious vehicle drove down E/B on Merner Dr. [redacted] said he and [redacted] watched the vehicle pull into the driveway of [redacted] Merner Dr. and then back out of it onto Merner Dr. again. [redacted] said the vehicle drove across the horseshoe shaped street and as the vehicle turned on Merner Dr. towards their residence, it appeared to drive straight towards the rear of [redacted] car. [redacted] said the vehicle turned its high beam headlights on and he stepped closer to the drivers door making sure he was on the curb side of the white fog line in the roadway. [redacted] said the vehicle had plenty of room to drive past them. [redacted] said the vehicle was driving at about twenty five MPH and drove up directly behind [redacted] vehicle and slammed on the brakes, coming to a stop about four feet from the rear of [redacted] vehicle. [redacted] said his 18 month old daughter was in the back seat of [redacted] vehicle and he was concerned about the drivers behavior now. [redacted] said he began to walk back towards the rear of [redacted] vehicle to find out what the drivers problem was, whether he was lost or needed help or something. [redacted] said as he was walking back to this vehicle, it suddenly began backing up, and backed up all the way to the intersection of Merner Dr. and Lockwood Dr. This is a distance of about 125 feet from where [redacted] vehicle was parked.

[redacted] said at this point he did not know what was going on with the driver of this vehicle, so he told [redacted] to back up into the eastern driveway of their residence to get off the street and out of harms way. [redacted] said as [redacted] was turning and backing into the driveway, the suspicious vehicle started driving forward again. [redacted] said the suspicious vehicle drove straight at the drivers door of [redacted] vehicle, accelerating to about twenty five MPH and again slamming on its brakes and stopping within about three feet of the drivers

Narratives

door. [redacted] said he heard a vehicle horn sound as this near collision took place. [redacted] said the high beams of the headlights were still on the suspicious vehicle so he could not see into the vehicle to determine if there were more people inside than just the driver or what was going on. [redacted] said at this point he is getting angry and scared because this is twice now that this suspicious vehicle had almost collided with his wifes vehicle that is carrying his 18 month old daughter, for what appears to be no reason.

[redacted] said he starts walking over to the suspicious vehicle to confront the driver and the vehicle again suddenly backs up to the intersection where it had previously gone. [redacted] said at this point [redacted] finished backing up into their driveway and he was now standing in front of his driveway partially in the street. [redacted] said he throws his arms into the air to indicate to the driver; "come on man, whats the deal". [redacted] said the suspicious vehicle then accelerates forward again driving directly towards him. [redacted] said he thought the vehicle was going to hit him and at the last minute it turned towards the left and drove up over the raised center divide. [redacted] said the vehicle came within about four feet of hitting him and he truly believed the driver was going to hit him after the two near collisions with his wifes car. [redacted] said these near collisions were intentional acts on the part of the driver and that the driver also attempted to run him down in the roadway. [redacted] said the driver had room he drive around him but accelerated and drove directly for him, before turning into the center divide. [redacted] said the vehicle continued driving W/B on Merner Dr. away from his residence, driving back onto the roadway from the center divide.

[redacted] said he called the police after the vehicle left and that the police showed up pretty quickly. [redacted] said he was speaking with an officer when the same suspicious vehicle down down E/B on Merner Dr again and pulled into the driveway of [redacted] Merner Dr. [redacted] said this time the vehicle back up and drove out on Merner Dr. the wrong way, driving W/B in the one way E/B traffic lane. [redacted] said the police drove off after the vehicle and all he heard were sirens and he never saw the suspicious vehicle again or the police.

I asked [redacted] if he could describe the suspicious vehicle, and all he could tell me was it appeared to be a gold colored sedan of some type. [redacted] could only describe the driver as a older male with no further description, and did not know if there was anyone else inside the vehicle.

As I was speaking with [redacted], [redacted] came out of the residence and I spoke briefly with her. [redacted] said in essence that when she drove home tonight with her 18 month old daughter in the backseat. [redacted] said she saw the suspicious vehicle driving W/B on Merner Dr as she drove towards her residence E/B on Merner Dr. [redacted] said she drove up to the front of her residence and parked parallel to the curb directly in front of her residence between the two driveways of the residence. [redacted] said while she was speaking with [redacted] at the drivers window, they both watched the suspicious vehicle drive E/B on Merner Dr and turn into the driveway of [redacted] Merner Dr. [redacted] said they watched the vehicle then back out of the driveway and drive around the end of Merner Dr towards there residence. [redacted] said she saw the suspicious vehicle as it drove up directly behind her

Narratives

and then back away. [redacted] said she started backing her vehicle up to get it off the street and into the east driveway because she had her 18 month old daughter, [redacted], in the back seat and feared the suspicious vehicle was driving irrationally. [redacted] said as she was backing up and was now perpendicular to the roadway, the suspicious vehicle suddenly drove forward angling towards the curb and her drivers door. [redacted] said the vehicle came to a sudden stop about two feet from her drivers door. [redacted] said when this happened she stopped her vehicle and activated her vehicle horn. [redacted] said the suspicious vehicle then suddenly backed up all the way towards the intersection and she backed her own vehicle up into the driveway and removed her daughter from out of the vehicle and inside the residence for her safety. [redacted] said she watched as the suspicious vehicle accelerated passed [redacted], coming close to hitting him, and then driving over and into the raised center divide and then back onto Merner Dr towards Old Redwood Hwy. [redacted] said after the police showed up, the suspicious vehicle drove down E/B on Merner Dr again and pulled into the driveway of their neighbors residence. [redacted]said the suspicious vehicle then backed up and drove off the wrong way on Merner Dr., driving W/B in the E/B only lane towards Old Redwood Hwy.

I asked [redacted] to describe the suspicious vehicle and she said it was a four door coupe of some sort, silver or gray in color. I also asked [redacted] to describe the driver of the vehicle and she said he was a white male in his 50`s with a skinny face and very little hair. [redacted] said she was not sure she could identify the driver if she saw him again, but said the vehicle the police chased after was the same vehicle that had twice almost struck her vehicle and had almost run down [redacted].

I digitally recorded my interview with [redacted] and [redacted], and later placed it on a CD and booked it as evidence item TP1.

SCSO Dep. Sedgwick took digital photographs of [redacted] vehicle and the area around the residence and the raised center divide where the suspects vehicle drove up onto. Refer to Dep. Sedgwick`s supplemental report for further details.

DISPOSITION

On-going investigation.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 11:21:28	EVIDENCE	(SD2171) AGER, DANIEL
Contact Name		**Supervising Officer**
		(SD1696) LUCAS, JASON J

4020

Supplement Narrative

SONOMA COUNTY NARCOTICS UNIT

Case Detective: Violent Crimes Investigations
Reporting Detective: Daniel Ager #2171
Supervisor: Detective Sergeant Jason Lucas

Windsor PD # 161211-003

SUPPLEMENTAL DETAILS OF INVESTIGATION:

On 12/11/16 at approximately 1930 hours, I responded to [redacted] Old redwood Highway, Windsor to assist with a Deputy involved shooting. I arrived at approximately 2012 hours. Upon arrival I was tasked with relieving Deputy J. Tamayo, and took control of the crime scene access log. I maintained the log until the scene was cleared by all Sheriff`s Office personal at approximately 0252 hours.

I later booked the crime scene incident log into evidence under DA-1. A copy was provided to VCI Detectives.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 08:25:20	EVIDENCE	(SD1430) BARAZ, MICHAEL
Contact Name		**Supervising Officer**
		(SD1112) EATON, VANCE

4020

Supplement Narrative

On Sunday 12/11/2016 at approximately 1900 hours, I received a text message from CSI Sergeant V. Eaton, advising the CSI team of an Officer Involved Shooting incident in the Town of Windsor. He asked that the CSI team be available as we may be needed for the investigation. At 2100 hours I received a second text from Sergeant Eaton advising the team to respond to the Sheriff`s Main office for further instruction. Responding from my home, I arrived in the office at approximately 2215 hours. Sergeant Eaton asked that I scan the scene location using the FARO 360 Scanner and create a WebShare presentation of the scene. He further instructed me to assist Detective Fong in the identification and collection of potential items of evidentiary value. I responded to the Windsor Palms Center, located at 8499 Old Redwood Highway in Windsor.

Upon my arrival, I parked outside the established crime scene, which was delineated by crime scene tape. I signed the major incident access log which was held by Narcotics Detective D. Ager. I met with Detective Fong and Marine Unit Deputy M. Parlato, who was assisting CSI in our evidence collection. Detective Fong had already conducted a video walk-through and took preliminary scene photographs. Detective Fong and Deputy Parlato marked evidence items with scene markers, while I set up the scanner.

I conducted several FARO scans and later processed them through the SCENE software in the CSI lab. I created a WebShare, which is a 360 degree, interactive photographic presentation of the scene as we encountered it. I placed the presentation onto a 16GB thumb drive and later submitted it to SCSO property as evidence item #1-1430.

I continued to assist Detective Fong in the identification and collection of evidence as needed.

nothing further

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/11/2016 18:28:20	ATTACHMENT ADDED	(SD2224) BERG, NICHOLAS
Contact Name		**Supervising Officer**
		(SD968) PERCY, JAMES

4020

Supplement Narrative

Supplemental Report
WPD Case #: 161211-003
Deputy N. Berg #2224

On the listed time and date, I was on duty and assigned as a TFO (Tactical Flight Officer) aboard the Sheriff`s Dept. helicopter Henry-1. I was aware of a BOL (Be on the lookout) that had been very recently broadcasted on Sheriff`s channel 1 regarding a suicidal subject who wanted Law Enforcement to shoot him. The broadcast included the subject`s name, vehicle description (Gold 2015 VW Passat CA License [redacted]), and that he was possibly armed with a firearm.

A short time later, I heard a call come over Sheriff`s channel 1 regarding a suspicious vehicle matching the description of the Passat in a neighborhood in Windsor. Soon after, I heard a Windsor PD deputy locate the matching vehicle (which was a match to the original BOL) and a pursuit was initiated. As we flew over to the area where the pursuit had just terminated (Windsor Palms shopping center), I observed the Passat stopped in the middle of a row in the shopping center. I could see patrol vehicles approximately 75 feet behind the vehicle. I observed a subject quickly advancing on the patrol vehicles from the Passat and he was holding his arms out in front of him similar to a shooting stance.

I heard "shots fired" from a deputy on scene via the radio, and at this time the subject appeared to stop advancing on the patrol vehicles. I could not tell if the subject had anything in his hands, but my observations of his actions appeared to emulate that of how one would point a firearm. We remained on scene to assist (orbit) and eventually cleared the scene.

End of Report.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 11:23:48	FOLLOW UP	(SD1004) BUCHIGNANI, MECHELLE
Contact Name		**Supervising Officer** (SD1004) BUCHIGNANI, MECHELLE

4020

Supplement Narrative

On 12-11-16, at approximately 19047 hours, I arrived at Memorial Hospital Emergency Department and spoke with Deputy Stibi, who was assigned to guard Christopher Eastwood. Deputy Stibi advised that Eastwood suffered a through and through gunshot wound to his shoulder and a laceration to the back of his head. At that time the prognosis was good and it was expected that Eastwood would be released in the near future.

I contacted Lt. Miller via telephone and advised him of Eastwood`s condition.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 12:40:52	FOLLOW UP	(SD1039) CASH, ANDY
Contact Name		**Supervising Officer** (SD1039) CASH, ANDY

4020

Supplement Narrative

WINDSOR POLICE DEPARTMENT

REPORTING DEPUTY: SGT. CASH #1039

SUPERVISOR: SGT. CASH #1039

CASE NUMBER: W 16- 1211-003

DETAILS OF INVESTIGATION:

On 12-11-2016 at 1730 hours, I was on duty as the Windsor Police Department sergeant. I logged off my MDC and completed my shift. While at the PD, I overheard dispatch broadcasting a BOLO for Petaluma PD Officer Safety BOLO.

I then heard Deputy Hass and Matelli being dispatched to a 245 PC vehicle related incident. I then heard a pursuit initiate. I notified the Windsor Police Department Chief Basurto and responded back on duty.

I responded to the scene of the OIS. At 1743 hours. I contacted Deputy Haas and Sgt. Haugen. Since Sgt. Haugen had control of the scene, I took Deputy Haas back to the Windsor Police Department and sequestered him.

I arranged all sequestered deputies and assigned them other deputies to be sequestered with. I stayed with Haas until Deputy McKinnon arrived. I then stayed with Deputy Matelli and took him to the sequestering location, until relieved by Deputy Peters.

RECOMMENDATION: NONE

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/13/2016 06:39:02	FOLLOW UP	(SD1540) CLAASSEN, JOSHUA R
Contact Name		**Supervising Officer** (SD631) RYAN, JIM

4020

Supplement Narrative

On 12/12/2016, I was wearing full uniform and driving a marked patrol vehicle. At approximately 0135 hrs. I was dispatched to the Investigations area of the Sheriff`s Office, to transport a subject to jail.

I arrived and was met be Detective Fowler who provided me with booking paperwork for Christopher Eastwood. Eastwood was inside of an interview room when I arrived. Detective Fowler opened the interview room door and we started to escort Eastwood down the hall. Eastwood stopped walking and said, he could not cooperate. Eastwood was escorted back to the interview room where Detective Fowler spoke with him. After a few moments Eastwood agreed to comply.

Eastwood was escorted to my patrol vehicle and placed in the backseat. I transported Eastwood to MADF, and booked him with no further issues.

Nothing further

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/29/2016 16:06:57	FOLLOW UP	(SD1019) DICKEY, EMILY R
Contact Name		**Supervising Officer** (SD623) GELHAUS, ERICK

4020

Supplement Narrative

Expertise:
I have been certified by Taser International as a Taser instructor. I attended the 20 hour Taser instructor course on May 12-13, 2016 (4 hours online and 16 hours classroom). At the completion of this course, I was certified to instruct end users on the X26, X26P and X2 TASER conducted electrical weapons. Additionally, we received instruction on downloading and troubleshooting the X26, X26P and X2 Taser conducted electrical weapons.

Follow-Up Investigation:
On 12/21/16, at approximately 1420 hours, I was contacted by VCI Detective Jeff Toney, who requested that I preform a forensic download on three Tasers involved in this incident.

At approximately 1450 hours, I retrieved item # DMF16 from the property/evidence unit. The item was sealed in a white cardboard box with evidence tape. I cut the evidence tape and opened the box. Inside I found an X26 Taser zip-tied to the box. I removed the zip-ties and took the Taser from the box. I noted the following: an X26 Taser with serial #X00-502245, which still had the battery and an expended cartridge inserted.

I connected the X26 to a USB download cable and downloaded the firing logs using SYNC in the on-line mode. It was determined during the download process that this Taser was assigned to Deputy L. Matelli. I printed a copy of the PDF of the firing logs and later placed the firing log into evidence at ED#1. I also provided a copy of the PDF to VCI detective Jeff Toney.

After downloading the X26, I inspected it and found no signs of external damage. I turned the X26 on and observed the central information display illuminate as it should. I pulled the trigger and performed a short spark test, in which the X26 appeared to operate normally.

I returned the X26 to the cardboard box I received it in, re-secured it with zip-ties, resealed it with evidence tape and returned it to the property/evidence room. I had possession of the Taser for approximately 20 minutes.

At approximately 1310 hours, I returned item # DMF16 and retrieved item # TK2. The item was sealed in a brown paper bag with evidence tape. I cut the evidence tape and opened the bag. Inside the bag I found an X26 Taser. I removed the Taser from the bag and noted the following: an X26 Taser with serial #X00-298292, which had no cartridge inserted. The battery had been removed, but was also in the bag.

I connected the X26 to a USB download cable and downloaded the firing logs using SYNC in the on-line mode. It was determined during the download that this Taser was assigned to Deputy Bailey. I printed a copy of the PDF of the firing logs and later placed the firing logs into evidence as ED#2. I also provided a copy of the PDF to VCI detective Jeff Toney.

After downloading the X26, I inspected it and found no signs of external damage. I turned the X26 on and observed the central information display illuminate as it should. I pulled the trigger and performed a short spark test, in which the X26 appeared to operate normally.

I returned the X26 to the paper bag I received it in and resealed it with evidence tape before returning it to the property/evidence room. It should be noted that I returned the Taser with the battery inserted, instead of un-inserted as I found it, as prolonged storage without the battery can render the Taser unusable and prevent the retrieving of firing log data. I had possession of the Taser for approximately 20 minutes.

At approximately 1530 hours, I returned item # TK2 and retrieved item # TK3. The item was sealed in a brown paper bag with evidence tape. I cut the evidence tape and opened the bag. Inside the bag I found an X26 Taser. I removed the Taser from the bag and noted the following: an X26 Taser with serial number X00-502262, which had no cartridge inserted. The battery had been removed, but was also in the bag.

I connected the X26 to a USB download cable and downloaded the firing logs using SYNC in the on-line mode. It was determined during the download process that this Taser was assigned to Deputy Maikranz. I printed a copy of the PDF of the firing logs and later placed the firing logs into evidence as ED#2. I also provided a copy of the PDF to VCI detective Jeff Toney.

After downloading the X26, I inspected it and found no signs of external damage. I turned the X26 on and observed the central information display illuminate as it should. I pulled the trigger and performed a short spark test, in which the X26 appeared to operate normally.

I returned the X26 to the paper bag I received it in and resealed it with evidence tape before returning it to the property/evidence room. It should be noted that I returned the Taser with the battery inserted, instead of un-inserted as I found it, as prolonged storage without the battery can render the Taser unusable and prevent the retrieving of firing log data. I had possession of the Taser for approximately 20 minutes.

Taser Download Analysis:
I reviewed the Taser firing logs for item # DMF16 to analyze what was recorded. I noted that prior to my downloading the device on 12/21/16, it had last been downloaded on 5/19/15. I also noted that the Taser is using firmware version 24.

The firing logs showed that the Taser had two trigger pulls on 12/11/16. One at 00:15:31 with a one second duration and a second at 17:55:29 with a five second duration. The first one was likely a functionality test that all deputies are to perform at the start of each shift. The second appears to be a full 5 second discharge.

Note: When a Taser is connected to a USB download cable, it automatically synchronizes to the time clock with the clock on the computer which downloads it. I noticed the X26`s internal clock was reset back fifteen minutes and 5 seconds to match the network set times. In essence, fifteen minutes and 5 seconds should be subtracted from all events in the firing logs to match any other synchronized items (dispatch transmissions, etc).

I reviewed the Taser firing logs for item # TK2 to analyze what was recorded. I noted that prior to my downloading the device on 12/21/16, it had last been downloaded on 8/25/15. I also noted that the Taser is using firmware version 24.

The firing logs showed that the Taser had two trigger pulls on 12/11/16. One at 07:46:02 with a three second duration and a second one at 17:49:33 with a five second duration. The first one was likely a functionality test that all deputies are to perform at the start of each shift. The second appears to be a full five second discharge.

Note: When a Taser is connected to a USB download cable, it automatically synchronizes to the time clock with the clock on the computer which downloads it. I noticed the X26`s internal clock was reset back nine minutes to match the network set times. In essence, 9 minutes should be subtracted from all events in the firing logs to match any other synchronized items (dispatch transmissions, etc).

I reviewed the firing logs for item # TK3 to analyze what was recorded. I noted that prior to my downloading the device on 12/21/16, it had last been downloaded on 11/20/13. I also noted that the Taser is using firmware version 22.

The firing logs showed that the Taser had at some point been reset after December 26, 2015. This can happen if the battery in the Taser stops functioning properly and the Taser loses power for an extended period of time. The Taser will then reset to the factory default date and time, which is often 1/1/00. Because of this, the data recorded prior to my download has a date of 12/4/00, with a trigger pull with a three second duration recorded at 11:04:17.

No further information.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/14/2016 01:57:54	EVIDENCE	(SD1125) FONG, DYLAN M
Contact Name		**Supervising Officer**
		(SD1112) EATON, VANCE

4020

Supplement Narrative

SUPPLEMENTAL REPORT
WINDSOR PD# 161211-003
DETECTIVE DYLAN FONG
CRIME SCENE INVESTIGATIONS

NOTIFICATION

On 12/11/16, I was the on-call CSI Detective and was contacted by CSI Sergeant Vance Eaton regarding an officer involved shooting that occurred in the Town of Windsor. I was told that the critical incident protocol was being invoked and Petaluma PD would be investigating this shooting. I was asked to respond to the main office to serve as a liaison for Petaluma PD.

At approximately 2100 hours, I arrived at the main office where I was briefed on the situation. I learned that approximately 1728 hours, Windsor PD Deputies responded to the area of Lockwood Drive and Merner Drive for a report of a vehicle that attempted to run over a pedestrian. It was also later learned the suspect`s mother in law had called the Petaluma Police Department earlier that day stating the suspect was armed and wanted to be killed by law enforcement.

Upon arrival, Deputies located the suspect vehicle, a gold VW Passat (CA# [redacted]), and a vehicle pursuit ensued N/B on Old Redwood Highway. At the termination of the pursuit, the suspect, later identified as (OF) Christopher Eastwood, stopped his vehicle in the Windsor Palms shopping center and exited his vehicle. Eastwood advanced at the deputies while holding an unknown object in his hands with his arms extended. Eastwood told deputies he had a firearm.

Windsor Deputy Chris Haas discharged his firearm and struck the suspect once. Despite being shot, Eastwood fought with arresting deputies and was subsequently tased. The suspect was then taken into custody and transported to Santa Rosa Memorial Hospital where he was later treated and released for a gunshot wound to his shoulder. I learned that one stray bullet struck a vehicle fronting Castaneda`s market and one stray bullet struck the signage fronting the store.

I was updated that the critical incident protocol was in fact not being invoked and that the Sheriff`s Office would handle the investigation.

At approximately 2200 hours, I responded to the scene. Upon arrival, I found the crime scene protected on all

sides by yellow barrier tape. Each side of the crime scene was also guarded by a deputy. The scene was located within the Windsor Palms Plaza shopping center, located at 8499 Old Redwood Highway. The entry point to the crime scene was established at the north vehicular entrance of the parking lot at the intersection of Alden Lane and Old Redwood Highway. There was yellow barrier tape extending down both sides of the driveway leading to Castaneda`s Market.

SCENE

At approximately 2215 hours, I signed the crime scene log and made my way into the exterior crime scene perimeter. I contacted VCI Detective Jeff Toney and asked for a briefing of the scene. I learned the following information. There were three patrol vehicles facing to the southwest just inside the exterior yellow barrier tape.

Starting with the closest vehicle to Old Redwood Highway, the first vehicle was a Ford Explorer SCSO patrol vehicle (A825) which was driven by SCSO Deputy Bailey and his Trainee Jeremy Clark. The second vehicle in line was a Ford Taurus Windsor patrol vehicle (W32), which was driven by SCSO Deputy Christopher Haas. The third vehicle in the line, closest to the suspect vehicle, was a Ford Explorer patrol vehicle (W34), driven by Windsor PD Deputy Larry Matelli.

Detective Toney told me it was believed that Deputy Haas fired his duty firearm from the front passenger side of Deputy Matelli`s patrol vehicle.

I observed another patrol vehicle facing to the south east just to the west of the three initial patrol vehicles. I learned this vehicle, a Ford Explorer SUV patrol vehicle (W35), was driven by Windsor PD Deputy Nick Maikranz.

To the south of all the patrol vehicles was a gold Volkswagen Passat (CA# [redacted]) parked in the middle of the driveway. The driver side door was ajar and the car still appeared to be running.

VIDEO WALKTHROUGH OF SCENE/ INITIAL PHOTOGRAPHS

I first conducted a video walkthrough of the scene. During my walkthrough, I noted the following observations:

SCSO patrol vehicle A825 - all doors were closed, the vehicle was off and the overhead spot lamp and emergency lights were off.

Windsor PD vehicle W32 - the driver side door was ajar, the vehicle was running, the overhead spot lamp was off and the emergency lights were on. The vehicle was also parked slightly canted to the left of patrol vehicle W34.

Windsor PD vehicle W34 - all doors were closed, the vehicle was running, the overhead spot lamp and the emergency lights were on.

Windsor PD vehicle W35 - all doors were closed, the vehicle was running, the overhead spot lamp and emergency lights were on.

I observed two shell casings on the ground in the landscaped parking lot island on the passenger side of Windsor patrol vehicle W34. The casings were marked with a folded pink 3x5 inch card.

Approximately 20 feet in front of SCSO patrol vehicle W34, was an area containing medical waste and items of evidentiary value. These evidentiary items included a Taser X26, Taser cartridges, Taser wires/probes, a wallet, broken Taser blast doors, and a bicycle lock.

Suspect vehicle - the driver side door was ajar and the vehicle was running. There was a cell phone in a cell phone cradle on the front center console. I learned that VCI Sergeant Shannon McAlvain wanted to preserve the phone, by placing it into airplane mode, to prevent the possibility of the destruction of evidence via a remote wipe. I placed the phone into airplane mode and placed it back in the cradle.

To the west of the suspect vehicle, was a black Ford Transit van (CA#[redacted]), parked in a handicap parking stall fronting Castaneda`s Market. I observed an apparent bullet strike to the right lower corner of the rear hatch. While looking at the defect, it was apparent the bullet did not penetrate the rear hatch. There was a slight indentation with missing paint, and the defect was consistent with a bullet strike. I photographed the defect, with and without scale, to show size and dimension. An extensive search of the immediate area was later conducted for an expended bullet with no success.

Next, I observed an apparent bullet strike in the bottom center of a metal sign on the building that read "Castaneda`s". The sign was above the Ford van, by approximately 3-4 feet, and to the right approximately 5-6 feet. The hole in the sign was consistent with a bullet strike and there was a defect under the sign into the plaster, which caused the paint in the plaster to fall away. I shined my light into the exposed plaster/sign and observed what I believed to be copper jacketing from a bullet.

I then took overall photographs of the scene. After the video and photo documentation was complete, I escorted VCI Detectives Jeff Toney, Jesse Hanshew and Deputy District Attorney Barbara Nanney into the scene and briefed them on my observations.

EVIDENCE MARKING

Using protective gloves, I photographed and marked the following items:

DMF1 Winchester 9mm Luger casing, collected from the landscaped parking lot island to the right of Windsor PD patrol vehicle W34.

DMF2 Winchester 9mm Luger casing, collected from the landscaped parking lot island to the right of Windsor PD patrol vehicle W34.

DMF3 Winchester 9mm Luger casing, collected from the landscaped parking lot island to the right of Windsor PD patrol vehicle W34.

DMF4 Piece of green Taser blast door collected in middle of driveway near medical waste, Taser cartridges, and Taser wires

DMF5 Piece of green Taser blast door collected from ground on the south edge of the driveway

DMF6 Piece of green Taser blast door collected from ground on the south edge of the driveway

DMF7 Piece of green Taser blast door collected from ground in center of driveway

DMF8 Piece of green Taser blast door collected from ground in center of driveway

DMF9 Taser AFIDS`s collected from ground with lint roll tape near item DMF7

DMF10 Taser cartridge/wires collected from ground on north edge of driveway where curb line transcends north

DMF11 Taser cartridge collected from ground in center of driveway

DMF12 Piece of green Taser blast door collected from ground in center of driveway

DMF13 Brown leather wallet containing ID and bank cards and other misc. items belonging to (OF) Christopher Eastwood

DMF14 "Onguard" u-shaped bicycle lock, collected from ground in center of driveway

DMF15 Volkswagen Passat (CA# [redacted]), gold in color, 4 door sedan, registered to (OF) Christopher Eastwood

DMF17 Taser AFID`s collected from ground near item DMF12

DMF20 Expended bullet collected from "Castaneda`s sign". The bullet strike was then photographed with and without scale.

The following items were not initially marked prior to the FARO scan:

DMF11 (a) Taser wires/probes

DMF13 (a) Two US quarters collected from ground near item DMF12

DMF16 Taser X26, S/N XOO-502245, collected from ground near south curb line, expended cartridge still attached.

PROCESSING WINDSOR PD PATROL VEHICLE W32 - Driven by Deputy Christopher Haas

I took overall exterior and interior pictures of Windsor PD patrol vehicle W32, which had been driven by Deputy Christopher Haas. I located a Remington 870 shotgun (S/N [redacted]) in the shotgun rack inside the vehicle. The rack was locked closed. I unlocked the rack and removed the shotgun from the vehicle. I found the shotgun was "patrol-ready" meaning the hammer was down and the safety was off with the chamber clear.

There were six (6) 12-gauge 00-buck Winchester rounds in the side saddle. I emptied the rounds from the tubular magazine and found four (4) Winchester Ranger slug rounds. I took photographs of the shotgun, inside

the barrel and the rounds. I then made the shotgun patrol ready and reloaded the four (4) Winchester Ranger slug rounds back into the shotgun. I then secured the shotgun back into the shotgun rack.

I did not locate any other firearms within the vehicle.

I later transferred all scene photos onto a DVD-R disk, which I marked as evidence item DMF19.

FARO

CSI Detective Michael Baraz documented the scene using our FARO 3D laser scanner. Refer to Detective Baraz`s supplemental report for further.

EVIDENCE COLLECTION

With the assistance of Deputy Matt Parlato, who acted as a scribe, I collected the evidence items as described under "Evidence Marking" (DMF1-17, DMF11a, DMF13a). I used fresh protective gloves prior to handling the evidence items. After collecting all evidence items and packaging them, they were secured in my CSI patrol vehicle.

CLEARING THE SCENE

Narcotics Sergeant Jason Lucas and Deputy Matt Parlato facilitated the removal of the suspect vehicle from the scene. The vehicle was subsequently towed to the Sheriff`s Office main office, pursuant to an evidence tow (22655.5 CVC). Deputy Parlato followed the tow truck to our office to maintain the chain of custody. Once at the main office, the vehicle was secured in the CSI vehicle bay until a search warrant could be sought.

I met with VCI Detective Jayson Fowler and briefed him on the processing of the scene. At this point, all the evidence had been collected and the suspect vehicle and patrol vehicles had been cleared from the scene. I also had Windsor Fire respond to the scene to clean up blood at the scene. Detective Fowler told me the scene could be released. I then transported all evidence items back to the main office where they were secure in our CSI lab.

EVIDENCE BOOKING

On 12/12/16, I began the process of booking all evidence items into SCSO property/evidence.

I donned fresh protective gloves and used fresh butcher paper as my working surface. I selected evidence items DMF1, DMF2, DMF3, DMF10, DMF11, DMF11 (a), DMF12 and DMF20. I took pictures of each item separately.

I then donned fresh protective gloves and selected evidence item DMF13 - a wallet belonging to (OF) Christopher Eastwood. I took overall photos of the wallet and two receipts that were loose. I then opened the wallet and removed its contents. I then photographed the contents (front and back), which included: CDL

belonging to Eastwood, three bank cards, one Costco card, a Ruth Chris gift card, a Blue Cross of California health card, "Aperio" business cards belonging to Eastwood, two coffee coupons, two frozen yogurt rewards cards, a receipt, and $16 in US currency (1-$10, 1-$5, 1-$1).

Next, I donned fresh protective gloves and fresh butcher paper. I selected evidence item DMF14 - a bicycle lock. I found the bicycle lock to be an "Onguard" u-shaped steel bicycle lock. I took overall photographs of the lock and repackaged it.

Next, I selected evidence item DMF16 - a Taser X26 (S/N X00-502245) and took overall pictures of it. I then repackaged the item.

I transferred all photos onto a CD-R disk, which was marked as evidence item DMF21.

I booked all items of evidence into SCSO property/evidence.

PROCESSING OF SUSPECT VEHICLE

On 12/12/16, at approximately 1325 hours, I received an email from VCI Detective Joe Horsman stating a search warrant for (OF) Christopher Eastwood`s vehicle had been signed. Detective Horsman attached the search warrant to the email, which I reviewed.

At approximately 1725 hours, CSI Detective Troy Newton informed VCI Sergeant Shannon McAlvain and VCI Detective Jeff Toney that we would begin processing the vehicle.

At approximately 1730 hours, I began photographing the exterior and interior of the vehicle.

At approximately 1735 hours, VCI Sergeant McAlvain, VCI Detective Toney, CSI Detective Newton and I began searching the vehicle for evidence related to the search warrant.

I removed an Apple iPhone 6, in a white protective case, from a cradle situated on the center dash. I marked the phone as evidence item DMF15 (a). This item was seized as evidence. At no time did a search of the phone occur as the phone was not included as an item to be searched.

VCI Detective Toney located indicia belonging to Eastwood, which I marked and collected as evidence item DMF15 (b).

No other items of evidentiary value were located inside the vehicle.

On 12/13/16, I contacted VCI Detective Jeff Toney and inquired whether the vehicle was going to be release to a family member today. I was told that had not been facilitated yet. I told Detective Toney the vehicle was going to be parked and secured in our secure lot and the keys would be booked as evidence. I parked the vehicle in our secure lot and booked the keys into SCSO property/evidence as item DMF15(c).

Nothing further at this time.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/21/2016 16:35:25	EVIDENCE	(SD1125) FONG, DYLAN M
Contact Name		**Supervising Officer**
		(SD1112) EATON, VANCE

4020

Supplement Narrative

On 12/21/16, at approximately 1400 hours, I was asked by VCI Detective Jeff Toney to take aerial photographs of the pursuit starting point, pursuit path and termination point.

I drove to the Sonoma County Airport hangar where I met with Henry-One Tactical Flight Officer Henri Boustany and Pilot Paul Bradley. They told me they had already spoken to Detective Jeff Toney and agreed to fly.

While in Henry-One, I took aerial photographs as requested. I later transferred all photos onto a CD-R disk and marked it as evidence item DMF21. I booked this item into SCSO property/evidence and provided Detective Toney with a copy.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/27/2016 12:50:18	FOLLOW UP	(SD1813) FOWLER, JAYSON J
Contact Name		**Supervising Officer** (SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

Supplemental Report
Sonoma County Sheriff`s Office
Detective Jayson Fowler
Violent Crime Investigations Unit (VCI)
Windsor Police Department Officer Involved Shooting
Case # WI161211-003

NOTIFICATION

On 12/11/2016, at approximately 2053 hours, I was contacted by SCSO VCI Sgt. S. McAlvain who informed about an Officer Involved Shooting which had occurred in the Town of Windsor. Sgt. S. McAlvain requested I respond to the SCSO Main Office as soon as possible. I responded to the SCSO Main Office a short time later.

BRIEFING

I arrived at the SCSO Main Office a short time later and was briefed about the investigation by VCI Detective J. Toney. I learned the following information:

On 12/11/2016, at approximately 1727 hours, Deputies from the Windsor Police Department were dispatched to an assault with a deadly weapon (vehicle) on Merner Drive in Windsor, CA. The reporting party described how a driver of vehicle, later identified as a gold Volkswagen Passat (CA plate [redacted]), attempted to strike the reporting party and members of his family with the vehicle. While responding to the scene, Windsor deputies were provided information from SCSO dispatch about an officer safety bulletin issued by the Petaluma Police Department. The officer safety bulletin detailed information that Christopher Eastwood intended to commit suicide by law enforcement and was last seen driving the aforementioned gold Volkswagen Passat ([redacted]).

While Deputies were on scene investigating the assault report, the vehicle returned to the area and was pointed out by the reporting party. Windsor Police deputies attempted to stop the gold Volkswagen Passat, but the vehicle failed to yield and a vehicle pursuit ensued. The vehicle pursuit ultimately terminated at 8499 Old

Redwood Highway (Windsor Palms Shopping Center) and Eastwood exited his vehicle holding an object, which he told the deputies was a gun, and threatened to kill the deputies while advancing towards them.

Eastwood was shot by a Windsor deputy, but continued refusing to comply with orders given him by deputies. Eastwood was ultimately taken into custody after being tased by several deputies. Eastwood was transported to Santa Rosa Memorial Hospital where he received medical treatment for his gunshot wound and was ultimately cleared. Eastwood was transported to the SCSO Main Office and placed into interview room #1 in the Investigations Bureau.

SCENE

After the briefing, Detective Toney tasked me with conducting an interview with Eastwood. Prior to interviewing Eastwood, I travelled to the scene at 8499 Old Redwood Highway to conduct an investigative walkthrough with several SCSO detectives and members of the Sonoma County District Attorney`s Office.

I entered the scene at approximately 2212 hours and decided I did not need to walk through the entire scene, so I observed from afar as Detective`s J. Toney and J. Hanshew inspected the scene with DDA Barbara Nanney and DAI Ken Pistorio. I exited the scene at approximately 2252 hours and returned to the SCSO Main Office to interview Eastwood.

INTERVIEW WITH CHRISTOPHER EASTWOOD by DETECTIVE J. FOWLER

NOTE: Upon his arrival at the SCSO Main Office, Eastwood was placed in Interview Room #1. He was later moved to Interview Room #2, which is the room I conducted the interview.

On 12/12/2016, at approximately 0049 hours, I conducted an interview with Christopher Eastwood. The interview was audio and video recorded. The recorded interview was later transferred to three DVD-Rs, the DVD-R`s were marked for future identification as item JF01 and were later placed into evidence. The recorded interview was also transcribed. The transcribed interview was later attached to this report as a supplemental report. For exact statements refer to the DVD-R`s marked JF01 or the transcription of the interview. The following is a summary of the interview with Eastwood.

I began by asking Eastwood personal identification questions i.e. correct spelling of his name, date of birth, address, names of family members, etc.

I read Eastwood his rights per Miranda from my department issued Miranda rights advisement card. Eastwood stated he understood his rights. I then asked Eastwood to "tell me about today" to which he replied, "Um, I think I`d rather have a lawyer present to talk about that". I then terminated the interview with Eastwood and left the interview room.

I later returned to the interview room, completed the pre-booking paperwork and advised Eastwood he would be booked at MADF for; assault with a deadly weapon, evading a police officer with a willful wanton disregard for public safety, and resisting arrest. Eastwood stated he understood by replying, "Okay".

I left the interview room and a short time later Eastwood attempted to leave the interview room, setting off the alarm to the room. Detective T. Piersol assisted Eastwood back into the interview room and asked him if he had any problems to which Eastwood replied, "No".

A short time later, SCSO CSI Detective T. Newton entered the room and took photographs of Eastwood. (See Detective Newton`s supplemental report for further information in regards to the taking of the photographs)

After Detective Newton completed taking the photographs of Eastwood, I opened the interview room door and asked Eastwood if he was ready to go. Eastwood replied, "Yeah" and stood at the threshold of the doorway for several moments. After several moments had passed with Eastwood standing at the threshold of the doorway, not saying or doing anything, Detective Piersol asked him, "Mr. Eastwood is there a problem?" Eastwood took a few steps out of the interview room door and replied, "I have three daughters, a mother, nieces. Sorry, so I can`t cooperate with you guys." Upon hearing this and knowing Eastwood had attempted to get SCSO deputies to shoot him in an attempt to end his life, I believed Eastwood would more than likely resist our efforts to transport him to MADF. I escorted Eastwood back into the interview room and had him in a chair again.

I requested an additional SCSO uniformed deputy respond to the Investigations Bureau to assist with the transportation of Eastwood to MADF. I re-entered the interview room and told Eastwood he had no choice in whether or not he would be going to MADF or not. I further explained to Eastwood how I didn`t want him or any of the SCSO staff to get hurt. I ultimately gained Eastwood`s compliance and he was ultimately transported to MADF by Deputies M. Williams and J. Claassen.

On 12/12/2016, Detective Toney requested I conduct two additional interviews in regards to this investigation. Detective Toney received information that off-duty CHP Officer R. Cincera had witnessed the Officer Involved Shooting. Detective Toney also received information that [redacted] was possibly involved in a road rage incident with Eastwood a short time before the Officer Involved Shooting incident.

INTERVIEW WITH CHP OFFICER R. CINCERA by DETECTIVE J. FOWLER

On 12/12/2016, at approximately 1233 hours, I conducted an audio recorded interview with CHP Officer R. Cincera at the CHP Office located at 6100 Labath Ave, Rohnert Park. The recorded interview was later transferred to a CD-R, the CD-R was marked for future identification as item JF02 and was later placed into evidence. The following is a summary of the interview with Officer Cincera. The recorded interview was also transcribed. The transcribed interview was later attached to this report as a supplemental report. For exact statements refer to the CD-R marked JF02 or the transcription of the interview.

On 12/11/2016, when the incident in question occurred, CHP Officer R. Cincera was off duty and waiting in the drive-thru line at El Farolito Mexican restaurant, 8465 Old Redwood Highway, Windsor, (Windsor Palms Shopping Center).

From his vantage point in the drive-thru line, Officer Cincera watched as Deputies pursed Eastwood northbound on Old Redwood Hwy. A few moments later Officer Cincera saw the Deputies pursue Eastwood southbound on Old Redwood Hwy and ultimately turn into the Windsor Palms Shopping Center, where the

pursuit terminated.

Officer Cincera was unable to determine the color and make of Eastwood`s vehicle, but stated it was a sedan and that there was only one occupant.

Officer Cincera stated when Eastwood`s vehicle came to a stop it was in the area near Castaneda`s Market and described it as a dark portion of the parking lot.

Officer Cincera saw the driver (Eastwood) exit the vehicle and immediately start walking towards the deputies with his hands raised in what Officer Cincera described as a "shooting position". Officer Cincera estimated Eastwood advanced approximately 10 yards towards the deputies. Officer Cincera believed Eastwood had a gun in his hands as he walked towards the deputies. Officer Cincera even told the employees of El Farolito that Eastwood had a gun. As Officer Cincera was telling the employees about the gun he heard three or four gunshots. Officer Cincera noticed Eastwood jump in the air as if he got hit with something hot or being shot. Officer Cincera could tell Eastwood was yelling something, but couldn`t hear what Eastwood nor the Deputies were yelling because the windows to his truck were up.

Note: Officer Cincera is a Range Master / Firearms instructor with the CHP. Officer Cincera described the "shooting position" Eastwood took as one the CHP teaches Officers to shoot from. Seeing Eastwood take the "shooting position" furthered his belief that Eastwood held a gun in his hand as he approached the deputies.

After hearing the three to four shots, Officer Cincera noticed what Eastwood had in his hands was not a gun, like he previously believed, but looked more like a bicycle lock. Officer Cincera further described the item Eastwood held as a u-shaped bicycle lock.

Officer Cincera then noticed two Deputies approach Eastwood and tase him with a Taser, ultimately taking Eastwood into custody.

Officer Cincera retrieved his food from the restaurant and telephoned CHP dispatch to advise them what he had observed. As Officer Cincera drove away from the restaurant he noticed several deputies provided medical aid to Eastwood. Officer Cincera decided to leave the area because he saw deputies cordoning off the area and knew CHP dispatch would contact SCSO dispatch to inform them he was a witness to the shooting and he would be reached by an investigator later to obtain his statement.

INTERVIEW WITH [redacted] by DETECTIVE J. FOWLER

On 12/12/2016, at approximately 1432 hours, I conducted an audio recorded interview with [redacted] at the [redacted] Santa Rosa. The recorded interview was later transferred to a CD-R, the CD-R was marked for future identification as item JF03 and was later placed into evidence. The following is a summary of the interview with [redacted]. The recorded interview was also transcribed. The transcribed interview was later attached to this report as a supplemental report. For exact statements refer to the CD-R marked JF03 or the transcription of the interview.

Note: [redacted] is a retired Law Enforcement Officer who currently works for [redacted].

I explained to [redacted] how I had learned he possibly had a "road rage" incident with Eastwood on

12/11/2016 somewhere in the area of Santa Rosa Avenue a short time prior to the incident Eastwood was shot during in Windsor. [redacted] told me how he had watched the 10 o`clock news the night prior (12/11/2016). When [redacted] saw the news footage about the Officer Involved Shooting, particularly the footage containing Eastwood`s vehicle, He knew Eastwood`s vehicle was the same vehicle he had the "road rage" incident with earlier that evening in the area of Santa Rosa Avenue and Burt St, Santa Rosa.

On 12/11/2016, at approximately 1705 hours, [redacted] was attempting to pull out of the parking lot of the Bed Bath and Beyond Shopping Center, [redacted] Santa Rosa Ave, Santa Rosa, when he had to yield to a cream or gold colored Volkswagen (either Jetta or Passat) who had just ran a the red light in from of him as he attempted to turn onto northbound Santa Rosa Avenue. [redacted] honked his horn at the vehicle several times and eventually pulled next to him on Santa Rosa Avenue. [redacted] stated the driver of the Volkswagen did not react when he honked his horn at him several times.

[redacted] described the driver of the Volkswagen as a white male adult with a full head of hair. [redacted] couldn`t tell if the driver of the Volkswagen was wearing glasses or not.

At the next lighted intersection (Santa Rosa Avenue at Southside), Eastwood cut from the number two lane into the number one lane, cutting [redacted] off. Both [redacted] and Eastwood continued northbound on Santa Rosa Avenue and got into the entrance lanes to US 101 northbound. [redacted] pulled into the number one lane again with Eastwood in the number two lane. [redacted] described how he had two vehicles in front of him, in the number one lane, waiting to turn left onto the freeway on-ramp and that there was only one vehicle ahead of Eastwood, in the number two lane. Eastwood left approximately a two vehicle gap in between his vehicle and the vehicle in front of him, leaving Eastwood off to the right side of [redacted]. [redacted] looked over at Eastwood and noticed he just sat there with both hands on the steering wheel, looking straight ahead.

The light changed to green so [redacted] began to proceed left onto the US 101 on-ramp. Eastwood sped up and stayed in the furthest right hand lane while [redacted] stayed in the furthest left/carpool lane. All three on-ramp lanes merge into one lane to enter northbound US 101. Eastwood stayed to the left and proceeded northbound into the dedicated exit lane from northbound US 101 to Baker Avenue. [redacted] described the traffic on US 101 as moderate.

[redacted] merged onto northbound US 101 and noticed Eastwood was still next to him and began to edge over and over, but did not get over. Eventually Eastwood cut across three lanes of freeway traffic from the dedicated Baker Avenue exit lane all the way into the carpool lane. [redacted] described that after Eastwood cut across the three lanes of freeway traffic and entered the carpool lane he then took off "like a bat out of hell". [redacted] lost sight of Eastwood at approximately the US 101 and Highway 12 interchange.

[redacted] described Eastwood, from all the different times he looked at him, as looking straight ahead, dazed, and not "giving a shit" that he had cut people off. I asked [redacted] if it was safe to say, Eastwood was giving, what is commonly called a 1000 yard stare or that he wasn`t paying attention to his surroundings. [redacted] replied, "Correct, he was fixed on looking straight ahead". I asked [redacted] if Eastwood reacted when he honked at him. [redacted] replied, "Not even" and that he probably honked at him four or five times.

[redacted] was unable to get the license plate of the vehicle Eastwood was driving.

I provided [redacted] a photographic line-up admonition. I then showed [redacted] a photographic line-up

containing Eastwood in the number four position. [redacted] identified the subject in the number four position (Eastwood) as the subject who was driving the 4-door Volkswagen that had cut him off the night before. [redacted] stated he was approximately 70 percent positive when identifying the subject in position number four (Eastwood). [redacted] also told me he had never seen Eastwood prior to the "road rage" incident.

I ended the interview with [redacted] at approximately 1504 hours, thanking him for his time.

See further supplemental reports containing the transcriptions of the interviews with Eastwood, CHP Officer R. Cincera, and [redacted].

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/27/2016 12:59:35	FOLLOW UP	(SD1813) FOWLER, JAYSON J
Contact Name		**Supervising Officer** (SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

Transcript parts 1 of 3, 2 of 3, and 3 of 3 of the interview with Christopher Eastwood.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/27/2016 13:03:45	FOLLOW UP	(SD1813) FOWLER, JAYSON J
Contact Name		**Supervising Officer**
		(SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

Transcripts of interview of CHP Officer R. Cincera.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/27/2016 13:04:56	FOLLOW UP	(SD1813) FOWLER, JAYSON J
Contact Name		**Supervising Officer** (SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

Transcript of interveiw with [redacted].

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/14/2016 14:11:42	FOLLOW UP	(SD1815) HALS, GREGORY P
Contact Name		**Supervising Officer** (SD1696) LUCAS, JASON J

4020

Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	2	[redacted]	H	M

Address	DOB	Age	Cell Phone	Home Phone
[redacted]	[redacted]	41	[redacted]	

Employer Name/Address	Business Phone
[redacted] /	

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	3	[redacted]	H	M

Address	DOB	Age	Cell Phone	Home Phone
[redacted]	[redacted]	38	[redacted]	

Employer Name/Address	Business Phone
[redacted] /	

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	4	[redacted]	H	M

Address	DOB	Age	Cell Phone	Home Phone
[redacted]	[redacted]	33	[redacted]	

Employer Name/Address	Business Phone
[redacted] /	

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Narrative

Sonoma County Narcotics Unit

Case Detective: VCI
Reporting Detective: Greg Hals #1815
Supervisor: Detective Sergeant Jason Lucas

CR# WI 16-1211-003

Supplemental Details of Investigation:

On 12/11/2016 at approximately 1930 hours, I responded to 8499 Old Redwood Highway in Windsor to assist with a Deputy involved shooting. I arrived at approximately 2005 hours. Upon arrival I signed into the crime scene log and spoke with Sergeant Haugen. I was tasked with maintaining a perimeter post near the businesses to the west of the suspect vehicle. Sergeant Haugen requested I contact any subjects exiting the businesses and inquire if they were witness to anything that occurred.

Several subjects exited Castaneda`s restaurant and advised they had already been interviewed by investigators. Once the businesses had closed for the night, I maintained scene security around the perimeter. I later contacted three Hispanic males that exited from [redacted] and inquired if they had been witness to the incident.

The first subject I spoke with, [redacted] works in the kitchen at [redacted] and did not see or hear anything.

The second subject I spoke with, [redacted] also works in the kitchen at [redacted] and did not see or hear anything. [redacted] told me he had heard some of the customers talking about it but didn`t witness anything himself.

The third subject I spoke with, [redacted] also works in the kitchen at [redacted] and did not see or hear anything.

I documented FI information for each subject and will input it into ILeads.

I remained on scene and maintained scene security until it was cleared at 0252 hours.

Supplemental report to be submitted with original.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
01/27/2017 14:15:04	SCANNED NON ILEADS FORMS	(SD1627) HANSHEW, JESSE J
Contact Name		**Supervising Officer** (SD1408) MURPHY, SHAWN K

4020

Supplement Narrative

SUPPLEMENTAL REPORT

Windsor P.D. CR#161211-003
Sonoma County Sheriff`s Office
Violent Crimes Investigations Unit
Det. J. Hanshew #1627

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SUPPLEMENT:

On 1-27-17 at approx. 1415 hrs., I added two (2) corrected transcripts depicting the recorded interview Det. J. Toney and I had with Deputy Jeremy Clark.

****

DISPOSITION:

Case closed.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
01/27/2017 14:22:53	SCANNED NON ILEADS FORMS	(SD1627) HANSHEW, JESSE J
Contact Name		**Supervising Officer** (SD1408) MURPHY, SHAWN K

4020

Supplement Narrative

SUPPLEMENTAL REPORT

Windsor P.D. CR#161211-003
Sonoma County Sheriff`s Office
Violent Crimes Investigations Unit
Det. J. Hanshew #1627

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SUPPLEMENT:

On 1-29-17 at approx. 1850 hrs., I added two (2) corrected transcripts depicting the recorded interview Det. Toney and I had with Deputy Nicholas Maikranz.

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DISPOSITION:

Case closed.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
02/01/2017 11:41:31	FOLLOW UP	(SD1627) HANSHEW, JESSE J
Contact Name		**Supervising Officer**
		(SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

SUPPLEMENTAL REPORT

Windsor P.D. CR#161211-003
Sonoma County Sheriff`s Office
Violent Crimes Investigations Unit
Det. J. Hanshew #1627

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SUPPLEMENT:

On 12-11-16 at approx. 1800 hrs., I received a call from the Violent Crimes Investigations Unit supervisor, Det. Sgt. S. McAlvain. According to Det. Sgt. McAlvain, deputies from the Windsor Police Department had recently been in an officer-involved-shooting and requested that we assist with the investigation.

On 12-11-16 at approx. 1935 hrs., I arrived at the SCSO main office located at 2796 Ventura Avenue in Santa Rosa and met with Det. Sgt. McAlvain and Violent Crimes Investigations detective, Det. J. Toney.

On 12-11-16 at approx. 2050 hrs., I attended a briefing by Town of Windsor Chief of Police, Chief C. Basurto. The following is a summary of that briefing:

According to Chief Basurto, earlier that evening (on 12-11-16) at approx. 1651 hours the Petaluma Police Department issued a Be-on-the-Lookout (BOL) for S-Christopher Cormac Eastwood, indicating that he wanted to commit suicide via suicide-by-cop, but that his last known direction of travel was S/B from Sonoma County toward San Francisco.

According to Chief Basurto, at approx. 1721 hours (on 12-11-16) deputies with the Windsor Police Department were dispatched to an incident where the reporting party (RP) indicated a male was driving erratically and that the vehicle tried to strike him. During the contact with the RP, he pointed out the vehicle in question. As a result, a vehicle pursuit ensued for approx. two (2) miles, concluding in the parking lot of the Windsor Palms Shopping Center, specifically, near Castaneda`s Market located at 8465 Old Redwood Highway #601.

After stopping near Castaneda`s Market, the WMA solo occupant driver (later identified as Eastwood) exited

the vehicle being pursued by deputies (later identified as a gold 2015 Volkswagen Passat bearing California license [redacted]). After exiting his vehicle, Eastwood pointed an item he was holding (later determined to be a bike lock) at the uniformed deputies. As he did so, Eastwood approached the uniformed deputies while yelling, "Kill me!" As a result of Eastwood`s actions, Deputy Haas fired his service weapon, striking Eastwood in the upper torso. During the arrest process, a Taser was used to assist the uniformed deputies in taking Eastwood into custody.

According to Chief Basurto, it was determined that Castaneda`s Market sustained two (2) bullet holes in its sign and possible one (1) bullet hole in a van parked just below or near the entrance leading into Castaneda`s Market.

According to the briefing, Eastwood had previously told his mother-in-law (who I later learned resided in Petaluma, CA) that he wanted the police to kill him and that he would try and obtain their attention to do so.

Additionally, I learned that Eastwood`s ex-wife resided in the City of San Francisco. According to Eastwood`s ex-wife, Eastwood was despondent over the fact that their marriage was ending and believed that he was going to be assassinated.

Furthermore, Eastwood`s Facebook page depicted a post(s) generally asking for someone to take care of his children.

Finally, I learned that the sequestered uniformed deputies involved in the incident were, Field Training Officer (FTO) N. Bailey, his trainee, Deputy J. Clark, Windsor Police Department deputies, Deputy L. Matelli, Deputy N. Maikranz, Deputy C. Haas

After the briefing, it was determined that the Sonoma County Sheriff`s Office Violent Crimes Investigations Unit would be leading the investigation, not Petaluma Police Department as initially thought.

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CRIME SCENE WALK THOUGH:

On 12-11-16 at approx. 2207 hrs., Violent Crimes Investigations detective, Det. J. Toney and I traveled to and arrived at the crime scene located in the parking lot of 8465 Old Redwood Highway #601. There, we met with several members of the Sonoma County Sheriff`s Office, including, personnel from the Narcotics Unit, Sonoma County Sheriff`s Office CSI Unit, Sonoma County Sheriff`s Office Internal Affairs Office, and personnel from the Sonoma County District Attorney`s Office (DDA B. Nanney and DAI K. Pistorio).

In viewing the crime scene, I observed Eastwood`s VW parked in the parking lot in front of and slightly north of Castaneda`s Market, facing S/B toward the market with its driver`s door open. I also observed four (4) marked patrol vehicles near Eastwood`s VW. The following is a list of patrol vehicles positioned behind and north of Eastwood`s VW:

-Deputy L. Matelli`s patrol vehicle (#W34) - closet to the rear of Eastwood`s VW
-Deputy C. Haas` patrol vehicle (#W32) - behind Deputy Matelli`s patrol vehicle
-Deputy Bailey`s patrol vehicle (#A825) - parked behind Deputy Haas` patrol vehicle

Not far from the right rear passenger side of Eastwood`s VW was another marked Windsor Police Department

patrol vehicle (#W35) parked and facing S/Eastwood toward Hembree Ln. I later learned that this patrol vehicle had been driven by Deputy N. Maikranz.

Of the patrol vehicles mentioned above, I noticed that the overheard lights remained activated on patrol vehicle numbers, #W32, W34, and #W35.

According to the supervisor at the crime scene (Det. Sgt. J. Lucas), he informed us that there was at least one (1) bullet hole in the sign of Castaneda`s Market and one (1) bullet hole in the bumper of a parked vehicle located near Castaneda`s Market.

Not long after, Sonoma County Sheriff`s Office CSI detective, Det. D. Fong began to memorialize the scene via film and photos. Refer to Det. Fong`s supplemental report.

After Det. Fong completed his tasks, Det. Toney and I conducted a scene walk through and observed one (1) bullet casing to the right (passenger side) of patrol vehicle number, #W34. I observed an additional bullet casing located near a tree in the same general area.

I also observed medical waste and Taser blast doors (from a Taser cartridge) at a distance in front of Deputy Matelli`s patrol vehicle, but behind Eastwood`s VW. Within the same area of the aforementioned material (e.g., medical waste, etc.), I observed a yellow and black bike lock resting on the ground.

On 12-11-16 at approx. 2246 hrs., Det. Toney and I exited the crime scene.

****

INTERVIEW WITH DEPUTY LARRY MATELLI:

On 12-11-16 at approx. 2250 hrs., Det. Toney and I arrived at the [redacted] in the Town of Windsor. There, we learned of and later met the attorney representing all of the uniformed deputies involved, Nicole Pifari from the Law Offices of Rains, Lucia, and Stern.

On 12-12-16 at approx. 0153 hrs., Det. Toney and I began our recorded interview with Windsor Police Department deputy, Deputy L. Matelli in [redacted]. Present for the interview with Deputy Matelli was his attorney, Pifari.

On 12-12-16 at approx. 0208 hrs., Det. Toney and I took a break in the interview due to technical difficulties.

On 12-12-16 at approx. 0218 hrs., Det. Toney and I resumed the interview with Deputy Matelli.

On 12-12-16 at approx. 0309 hrs., Det. Toney and I took a break in the interview with Deputy Matelli.

On 12-12-16 at approx. 0314 hrs., Det. Toney and I resumed the recorded interview with Deputy Matelli.

On 12-12-16 at approx. 0317 hrs., Det. Toney and I concluded our recorded interview with Deputy Matelli.

Refer to Det. Toney`s supplemental report depicting the details of that interview.

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INTERVIEW WITH DEPUTY JEREMY CLARK:

On 12-12-16 at approx. 0320 hrs., I activated my hand-held Olympus digital voice recorder before Det. Toney and I began our interview with Deputy J. Clark in [redacted] in the Town of Windsor. Present for the interview was Deputy Clark`s attorney, Nicole Pifari from the Law Offices of Rains, Lucia and Stern, and Sonoma County Sheriff`s Office CSI detective, Det. T. Koeppel. The following is a summary of our interview with Deputy Clark:

I began by ensuring that the statement Deputy Clark was providing was, in fact, a voluntary statement. Deputy Clark indicated it was.

I ensured Deputy Clark knew that he was free to leave the interview room anytime, take any breaks during the interview, and consult with his attorney at any time during the course of the interview. Deputy Clark understood and, when asked, did not need additional time to consult with his attorney.

I ensured with Deputy Clark that there was no relationship between he and I, excluding, our working relationship as co-workers at the Sonoma County Sheriff`s Office. Deputy Clark responded, "That`s correct."

When asked, Deputy Clark explained that he was not sick or injured, he did not received any injuries as a result of the incident, was not suffering from any medical condition(s), nor was he taking any medications that would have impaired his ability to perform his duties as a law enforcement officer.

When asked, Deputy Clark explained that he did, in fact, sleep the evening before for approx. five (5) hours. According to Deputy Clark, he slept off and on from 2100 hours (on Saturday 12-10-16) to about 0500 hours the following morning (Sunday, 12-11-16). According to Deputy Clark, he last ate food at approx. 1400-1430 on Sunday, 12-11-16, prior to the incident. Additionally, Deputy Clark denied consuming any alcoholic beverages in the last twenty-four (24) hours.

I asked Deputy Clark for some background information regarding his experience and tenure. According to Deputy Clark, he has been a law enforcement officer for approx. three (3) months and is currently assigned to the Field Training Program. As Deputy Clark explained it, he has no other law enforcement experience with any other law enforcement agency.

When asked about any specialized training, Deputy Clark explained that the only training he has received came from the Basic Law Enforcement Academy, the Sonoma County Sheriff`s Office new-hire orientation training, along with misc. training in the field training program.

When asked, Deputy Clark explained that currently he is assigned to the field training program which is a uniformed assignment. Those tasks include, but are not limited to, answering calls-for-service and conducting pro-active police work. As a matter of fact, Deputy Clark explained that he is currently assigned to Field Training Officer (FTO) N. Bailey. Deputy Clark and FTO Bailey currently work dayshift out of the main SCSO in Santa Rosa from 0700-1900 every Sunday, Monday, Tuesday, and every-other-Wednesday.

According to Deputy Clark, on the day of the incident (12-11-16) he and FTO Bailey began their dayshift at 0700 hours and their radio call-sign was "edward-31" (E31). During this shift, Deputy Clark and FTO Bailey were traveling in marked patrol vehicle #A825. According to Deputy Clark, this particular patrol vehicle did not have any mechanical defects to his knowledge.

I asked Deputy Clark to describe the uniform he was wearing at the time of the incident. According to Deputy Clark, he was wearing a khaki uniform shirt, green pants, "duty boots," "duty belt," and green "Sheriff`s Office" jacket. When asked to further describe what is displayed on his uniform shirt, Deputy Clark explained that a Sonoma County Sheriff`s Office patch is located on both shoulders, a badge is positioned over his left breast pocket and his name is positioned over his right breast pocket. Also located on his uniform shirt was his body worn camera (BWC) which was positioned on his chest in between his front uniform breast pockets. According to Deputy Clark, he did not use any other recording devices.

Deputy Clark described his green jacket as having his name displayed on it, a badge, but he could not definitively recall if it displayed patches on either shoulder, but believed it did.

Regarding Deputy Clark`s duty belt, he described it from the center while moving to the right (toward his right hip). According to Deputy Clark, he explained that his duty belt contained a key-keeper, two sets of handcuffs in a double-handcuff pouch, his sidearm which he described as a Glock 17 9mm handgun, a large flashlight ring (but no flashlight), a smaller flashlight holder and flashlight, a radio, Taser, and two (2) handgun magazines. I asked Deputy Clark if he possessed any other less-lethal systems, besides the Taser. Deputy Clark replied, "No."

When asked, Deputy Clark was not carrying any secondary firearms or knifes at the time of the incident. However, Deputy Clark explained that within their patrol vehicle his shotgun was positioned in the electro-lock near the center console.

I then asked Deputy Clark to provide me with a statement regarding how it was that he and FTO Bailey became involved in the incident we were investigating.

According to Deputy Clark, after finishing a call-for-service in Penngrove they began traveling N/B Hwy. 101 back toward the City of Santa Rosa. About this time, Deputy Clark explained that they had received a mobile data computer (MDC) message regarding a be-on-the-lookout (BOL) broadcast about a VW Passat issued by the Petaluma Police Dept. Deputy Clark explained that FTO Bailey read the BOL about Eastwood and his vehicle. Not long after or about the same time, Deputy Clark explained that they overheard (via their police radio) a broadcasted BOLO providing them with a description of Eastwood`s vehicle and described what it was that the associated individual (Eastwood) was doing.

As they continued to travel N/B on Hwy. 101, they overheard (via their radio) a call-for-service in the Town of Windsor. According to Deputy Clark, he recalled the call-for-service consisting of someone who was driving erratically, possibly a hit-and-run or an assault with a vehicle with someone possibly trying to "run somebody over with the car." As a result, FTO Bailey directed Deputy Clark to travel N/B to the Town of Windsor to assist.

According to Deputy Clark, they were the first to arrive in the area of the call where the suspect vehicle was last seen traveling. According to Deputy Clark, he was unsure which street they were initially traveling on, but did recall turning right (E/B) onto Merner Drive, before turning left (N/B) onto Lockwood Dr. Upon their arrival, Deputy Clark explained that they did not see any vehicles and "it was quiet."

According to Deputy Clark, he continued N/B on Lockwood Drive before turning around and traveling S/B on Lockwood Drive back toward Merner Dr. As that occurred, Deputy Clark learned that Deputy Matelli and Deputy Haas arrived on Merner Dr. Deputy Clark explained that Deputy Matelli and Deputy Haas ultimately

contacted the reporting party (RP) at his residence on Merner Dr. Deputy Clark explained that he and FTO Bailey remained available.

According to Deputy Clark, Deputy Matelli and Deputy Haas would broadcast additional information they apparently obtained from the RP. According to Deputy Clark, via that broadcast he learned that Deputy Haas and Deputy Matelli had learned that the vehicle involved in the incident was, in fact, the same vehicle depicted in the BOL issued by the Petaluma Police Dept.

Not long after, the above broadcast (regarding the vehicle), Deputy Haas and Deputy Matelli) "had the car." Ultimately, Deputy Clark described his patrol vehicle as positioned third in the vehicle pursuit which ultimately ensued.

According to Deputy Clark, he could not tell me which streets he drove on and admitted that he was simply following pursuing deputies (Deputy Haas and Deputy Matelli). However, in the end, Deputy Clark was sure the vehicle pursuit concluded at the shopping center where the incident occurred (I knew to be the Windsor Palms Plaza). According to Deputy Clark, the entire vehicle pursuit last approx. three to five (3-5) minutes as Eastwood (who Deputy Clark referred to as the suspect) violated at least one (1) V.C. violation after entering an intersection and executing a U-turn against a red traffic signal.

Once the VW stopped in the shopping center (what I knew to be the Windsor Palms Plaza), Deputy Clark explained that he came to a stop and was third patrol vehicle in the line of stopped patrol vehicles. As they exited their patrol vehicle, Deputy Clark armed himself with his sidearm, while FTO Bailey armed himself with a shotgun. After which, Deputy Clark and FTO Bailey took-up positions to the right of the passenger door of the first patrol vehicle stopped behind Eastwood. According to Deputy Clark, he believed this patrol vehicle belonged to Deputy Matelli.

According to Deputy Clark, Deputy Haas had taken-up a position behind the open right front passenger door of Deputy Matelli`s patrol vehicle. To his right was FTO Bailey and he (Deputy Clark) was positioned to the right of FTO Bailey. Deputy Matelli on the other hand, was positioned behind the open driver`s door (which he referred to as being "at the V"). As Deputy Clark explained it, Deputy Maikranz was "further to the right."

According to Deputy Clark, he never observed the suspect (Eastwood) exit his VW. As Deputy Clark explained it, when he positioned himself to the right of FTO Bailey Eastwood was already out of his vehicle and acting "very erratic." At the time, Deputy Clark further described Eastwood as "holding something in his handslike he kinda had like a rifle or something." As this was occurring, Deputy Clark heard Eastwood say, "I have an automatic weaponI`m gonna shoot you mother fuckers." Deputy Clark believed he then heard two (2) gunshots.

According to Deputy Clark, after hearing two shots he observed what he referred to as "dust" come off of Eastwood`s shoulder as if he had been "hit." As a result, it appeared to Deputy Clark as if Eastwood turned his body slightly sideways. Deputy Clark then re-positioned himself to the driver`s side of Deputy Matelli`s patrol vehicle. There, Deputy Clark met Deputy Matelli before telling him that he was positioned to his left. At that time, Deputy Matelli told Deputy Clark that they needed to "use a Taser on this guy."

According to Deputy Clark, not long thereafter Deputy Matelli deployed his Taser and "that`s when the suspect went down." As Deputy Clark explained it, they "swarmed-in" and was able to get Eastwood under control.

Deputy Clark referred to the previous portion of his statement when he was positioned on the far right of Deputy Matelli`s patrol vehicle, to the right of FTO Bailey. According to Deputy Clark, he explained that he was unsure when it was (before or after the two shots) that he heard someone say once or twice, "It`s not a gunit`s not a gundon`t shoot." Deputy Clark admitted that he made that same statement at least one time as well.

Deputy Clark then reverted back to his statement when Eastwood had been Tased. Deputy Clark explained that he assisted in grabbing onto Eastwood`s arms to take control of him so that he could be handcuffed. Deputy Clark explained that he believed that it was Deputy S. Short who then began to administer First-Aid upon noticing Eastwood had been shot through his shoulder. Not long after, Deputy Clark completed his free-flowing statement about his involvement in the incident.

I then clarified with Deputy Clark some of the details he initially provided. First, I asked Deputy Clark if and FTO Bailey first heard the BOO issued by Petaluma Police Department over their police radio before they read it on their MDC. According to Deputy Clark, FTO Bailey received some of the information via their MDC first. And, as FTO Bailey was reading the MDC BOL they were discussing it. As this discussion continued, they overheard (via their police radio) the broadcasted BOL.

I asked Deputy Clark what FTO Bailey told him at the time. According to Deputy Clark, FTO Bailey was not saying anything and that they were simply listening to the BOL broadcast. In retrospect, Deputy Clark explained that he recalled hearing the suspect`s name (which he couldn`t recall at the time of our interview), that the suspect was possibly in possession of a firearm that had a yellow/black colored stock, and that the suspect was driving a gold Volkswagen Passat. As a matter of fact, Deputy Clark recalled that the VW`s license plate was "unique" because it depicted the letter [redacted] consecutively three (3) times.

I asked Deputy Clark if he recalled hearing the reason for the BOL. Deputy Clark responded, "Yes." According to Deputy Clark, he believed it was for hit-and-run (what he referred to as "20002") and for trying to strike someone with his vehicle (what he referred to as "245"). Deputy Clark admitted that although he was sure he heard that broadcast, he could not recall exactly when he heard it.

I confirmed with Deputy Clark that when he and FTO Bailey first arrived on scene they did not observe anything resembling the suspect`s vehicle. According to Deputy Clark, it was "quiet as kept." I asked Deputy Clark if he ever received additional information from the time of the original BOL to the time they arrived on Merner Drive and Lockwood Dr. Deputy Clark responded, "No."

I had Deputy Clark reflect on the time when he and FTO Bailey were on scene and Deputy Haas and Deputy Matelli were contacting the RP. According to Deputy Clark, while speaking with the RP one of them (Deputy Haas or Deputy Matelli) broadcasted that the VW Passat depicted in the previous BOL was, in fact, the vehicle associated with the incident on Merner Driver where it was driving "erratically" and "trying to run somebody off the road."

After learning the above information regarding the VW`s involvement, they traveled on W/B Merner Drive before turning around (via pass through or "space") to travel back down the other side on E/B Merner Drive before finding themselves the last in the vehicle pursuit which had by now begun. According to Deputy Clark, he was behind two (2) "sheriff`s vehicles" and the suspect was in front of the two "sheriff`s vehicles."

I asked Deputy Clark which way he turned from Merner Drive after becoming involved in the vehicle pursuit. According to Clark, he was initially unsure, but thought he turned left. Regardless, Deputy Clark assured me

that that he remained behind the two (2) "sheriff`s vehicles." According to Deputy Clark, his position never changed and that he had always been the third marked patrol vehicle in the vehicle pursuit.

When asked, Deputy Clark admitted that he did not recall the street names at the time of our interview. According to Deputy Clark, he was simply "following them."

I asked Deputy Clark what his speed was after exiting off of Merner Drive and onto another street. According to Deputy Clark, the vehicle pursuit began slow, but sped up as it went on. As Deputy Clark explained it, at one point during the pursuit their speed reached "sixty-plus" (60) miles per hour at the fastest point in the vehicle pursuit.

I asked Deputy Clark if he observed the VW commit any traffic violence during the course of the vehicle pursuit. Deputy Clark responded, "Yes." Due to his position, Deputy Clark explained that he could "vaguely see him on occasion." On at least one occasion, Deputy Clark observed the VW cross over the double-yellow lines to pass other motorists and "blew through at least one intersection that had a red light."

I asked Deputy Clark if at some point during the vehicle pursuit they changes direction, if there was a turn or maneuver. Deputy Clark explained that he was unsure which street he was traveling on, but described it as a longer stretch of roadway where their speeds reached approx. sixty (60) mph. At some point, the suspect (Eastwood) "blew the red light" before executing a "hard U-turn" in a controlled intersection before traveling in the opposite direction (believed to be referring to Old Redwood Hwy. south of Lakewood Dr.).

According to Deputy Clark, as the vehicle pursuit continued they ended up in the shopping center parking lot where the vehicle pursuit concluded. At the time, Deputy Clark reiterated that he remained the third (3rd) vehicle behind the suspect`s (Eastwood`s) VW. Upon exiting his patrol vehicle, Deputy Clark reiterated that he positioned himself to the right of FTO Bailey who was right of Deputy Haas on the passenger side of Deputy Matelli`s patrol vehicle. And, when asked, Deputy Clark explained that he un-holstered his service weapon the moment he exited his patrol vehicle.

When asked, Deputy Clark reiterated that when he arrived at his initial position the suspect (Eastwood) was already out of his VW. I then asked Deputy Clark what, exactly, Eastwood was saying while out of VW. According to Deputy Clark, he recalled the suspect saying, "I have an automatic weapon and I`m gonna shoot you fuckersI`m gonna shoot you fuckers." As Eastwood was making this statement, Deputy Clark described him as "posturing" while positioning his body as if he was in possession of and shouldering a rifle into his right shoulder.

I asked Deputy Clark if Eastwood was walking, running, or standing still while making the above statements. According to Deputy Clark, Eastwood was "moving toward us" in what he described as an "aggressive manner." I asked Deputy Clark to tell me why he characterized Eastwood as moving toward them in an "aggressive manner." According to Deputy Clark, it was the way he was holding the item in his hand and moving/leaning forward while "coming at us." I asked Deputy Clark how fast Eastwood was moving toward them. According to Deputy Clark, Eastwood was not charging at them, but described him as "moving forward."

I asked Deputy Clark to estimate the distance between Eastwood`s VW and Deputy Matelli`s patrol vehicle. According to Deputy Clark, he was unsure, but guessed that the distance between the two vehicles to be approx. twenty to twenty-five (20-25) feet.

I asked Deputy Clark whether or not Deputy Maikranz was at his position when he arrived at the driver`s side of Deputy Matelli`s patrol vehicle. Deputy Clark responded, "Yes." And, Deputy Clark believed Deputy Maikranz was already in his position when he first positioned himself to the right of FTO Bailey. As a matter of fact, Deputy Clark believed that Deputy Maikranz may have tried to deploy his Taser at some point, but it was not successful.

I then asked Deputy Clark if someone was issuing commands to Eastwood while he was positioned to the right of FTO Baily alongside the right passenger area of Deputy Matelli`s patrol vehicle. Deputy Clark said, "Yes." According to Deputy Clark, he knew that FTO Bailey had, in fact, issued commands to Eastwood, but could not recall the exact or similar verbiage.

I asked Deputy Clark to describe the item that he had previously described as being tucked in Eastwood`s right shoulder. Deputy Clark described the item as being black in color and that when Eastwood would "change his angle" he was able to view the silhouette of the item. As a result, the item appeared to Deputy Clark to be a U-shaped bike lock.

According to Deputy Clark, he made these observations after he arrived at his initial position, to the right of FTO Bailey. I then asked Deputy Clark if he was "fearful of the subject at that point?" Deputy Clark responded, "Absolutely." I asked him why he was fearful.

According to Deputy Clark, he was unable to "make out what he had in his handumbased on what we heard on theuhBOL." Deputy Clark also knew and explained that Eastwood intended "suicide-by-cop." Deputy Clark then said, "III thought he had a gun in his handand I was wondering why I wasn`t hearing gunshots, but I waI was in fearyou knowfor my lifeand the deputies around me." Deputy Clark continued by saying, "Soyeah it didit scared the shit out of mepardon my French."

I asked Deputy Clark how many total steps Eastwood took from the time he observed him and became fearful of the item he possessed to the time when he recognized "this U-shaped item." Deputy Clark was unsure, but guessed it was approx. three to five (3-5) steps. As Deputy Clark explained it, Eastwood was "moving toward ushe was getting closecloser thanyou knowtoo close for comfort under the circumstances."

I asked Deputy Clark how long, in seconds or minutes, did he remain on the right side of FTO Bailey before moving to his left and repositioning himself near Deputy Matelli. According to Deputy Clark, it was approx. thirty (30) seconds or less. Deputy Clark was sure he changed positions at least once after overhearing the shots being fired, but believed he may have done so twice prior to the gunshots being fired. According to Deputy Clark, he did not like his initial position and feared that if he was forced to fire his duty weapon he may strike another deputy considering they were so close together.

I asked Deputy Clark to clarify if he recalled one Taser deployment or multiple deployments. Deputy Clark recalled only one (1) Taser deployment (by Deputy Matelli) which was successful. According to Deputy Clark, Eastwood "stiffens-up" and fell backward before they all began to try and handcuff him. According to Deputy Clark, he positioned himself at Eastwood`s legs and tried to flip him over onto his stomach.

I asked Deputy Clark if he observed any wounds on Eastwood`s body while controlling his legs. According to Deputy Clark, he did observe a wound and blood on the back of Eastwood`s head, but was unsure whether or not the head wound was caused by a gunshot or from falling backward after being Tased. After which, Deputy Clark grabbed Eastwood`s left and right arm before another unknown named deputy placed Eastwood into handcuffs.

After Eastwood was handcuffed, Deputy Clark learned that Eastwood may have sustained a through-and-through gunshot wound to his shoulder. As a result, Deputy Short and Deputy Maikranz began cutting away Eastwood`s shirt to address the wound on his body. Deputy Clark admitted that he never observed the gunshot wound due to the fact that he "stepped away."

I asked Deputy Clark what the lighting conditions were at the scene when they arrived and during the course of the incident. According to Deputy Clark, the lighting conditions "weren`t horrible" due to the fact that the parking lot was lit by misc. parking lot lights and misc. lights from the patrol vehicles. In his opinion, the lighting conditions were "fair" under the circumstances.

I asked Deputy Clark about his body worn camera (BWC) which he again confirmed was located on the front of his uniformed at the time of the incident. However, Deputy Clark admitted that he "did not have a chance to turn it on" and never did so anytime during the incident.

On 12-12-16 at 0400 hrs., Det. Toney and I took a break from our interview with Deputy Clark.

On 12-12-16 at approx. 0407 hrs., Deputy Toney and I continued our recorded interview with Deputy Clark with misc. follow-up questions . The following is a summary of that continued interview:

I began by reflecting back on Deputy Clark`s statement when he described Eastwood walking toward them in an "aggressive manner," with both hands-up as if "shouldering something" which caused him to feel threatened. I then asked him what it was about that object which caused him to feel threatened. Deputy Clark responded, "Itit looked like a gunyou knowI thought he had some sort of gun in his hand whether it beumlike a riflesomething along those linesand his statements."

According to Deputy Clark, he reiterated that he overheard Eastwood make the statement, "This is an automatic weapon." As a result, Deputy Clark formed the thought that the item was, in fact, what Eastwood stated he possessed in his hand, an automatic weapon.

I reflected back on a portion of Deputy Clark`s statement where he made mention of the fact that someone else stated Eastwood did not have a gun. Deputy Clark admitted that he made that admission at least once after recognizing Eastwood was in possession of what he described as a U-shaped bike lock.

Additionally, Deputy Clark admitted to overhearing someone else say, "It`s not a gunit`s not a gun" and "don`t shootit`s not a gun." However, Deputy Clark could not recall if he overheard that statement before or after he heard the gunshots, who exactly made that statement, or whether he heard it come from his left or right. Still, Deputy Clark admitted that it was "somewhere in my vicinity."

I asked Deputy Clark how many steps Eastwood traveled before he recognized that the item he was in possession of was a U-shaped bike lock. According to Deputy Clark, Eastwood traveled approx. three to five (3-5) steps of "normal stride" approaching the deputies` position.

On 12-12-16 at approx. 0410 hrs., Det. Toney and I concluded our recorded interview with Deputy Clark.

NOTE: Later, I would downloaded the above recording onto a CD-R disc which was labeled as evidence item #1JJH and booked into Sonoma County Sheriff`s Office property/evidence.

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INTERVIEW WITH DEPUTY NEIL BAILEY:

On 12-12-16 at approx. 0424 hrs., Det. Toney and I began our recorded interview with Deputy N. Bailey in [redacted] in the Town of Windsor. Present for the interview with Deputy Bailey was his attorney, Nicole Pifari from the Law Offices of Rains, Lucia, and Stern.

On 12-12-16 at approx. 00517 hrs., Det. Toney and I took a break in our interview with Deputy Bailey.

On 12-12-16 at approx. 0520 hrs., Det. Toney and I resumed our interview with Deputy Bailey.

On 12-12-16 at approx. 0524 hrs., Det. Toney and I concluded out interview with Deputy Bailey.

Refer to Det. Toney`s supplemental report depicting the details of our recorded interview with Deputy Bailey.

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INTERVIEW WITH DEPUTY NICHOLAS MAIKRANZ:

On 12-12-16 at approx. 0531 hrs., Det. Toney and I began our recorded interview with Deputy N. Maikranz in [redacted] in the Town of Windsor. Present for the interview was Deputy Maikranz`s attorney, Nicole Pifari from the Law Offices of Rains, Lucia, and Stern.

I began by asking Deputy Maikranz if he was willing to provide me with a voluntary statement regarding this incident. Deputy Maikranz responded, "Yeah."

I ensured Deputy Maikranz knew that he was free to leave the interview room anytime, take a break for any reason (e.g., restroom and water) and take a break to consult with his attorney at any time. Deputy Maikranz understood. And, when asked, Deputy Maikranz indicated he was fully prepared for the interview and did not need additional time to consult with his attorney prior to the interview.

I asked Deputy Maikranz if there was anything that would "hinder" him making a statement. Deputy Maikranz responded, "No."

When asked, Deputy Maikranz explained that there was no off-duty or other special relationship that existed between he and I, excluding, our working relationship as co-workers at the Sonoma County Sheriff`s Office.

According to Deputy Maikranz, on the day of the incident (12-11-16) his radio call-sign was "Frank-89" (F89). According to Deputy Maikranz, the number "8" in the radio call sign "F89" represented that he was a deputy assigned to the Windsor Police Department and the letter "F" in the radio call sign "F89" represents he was a swing-shift unit. When asked, Deputy Maikranz explained that his current position was a uniformed assigned and that he has been so for approx. three (3) years.

According to Deputy Maikranz, he has been with the Sonoma County Sheriff`s Office, as a correctional deputy, since 2007, but was later hired and assigned to the patrol division in 2011. Prior to that, Deputy

Maikranz was employed by the Sacramento County Probation Department for approx. ten (10) months.

When asked, Deputy Maikranz explained that he does not have specialized training (e.g., SWAT, defensive tactics instructor, firearms instructor, etc.).

I asked Deputy Maikranz what the nature of his duties were at the time he became involved in the incident. According to Deputy Maikranz, his duties include, but are not limited to, answering calls-for-service and conducting pro-active enforcement. And, when asked, Deputy Maikranz explained that his shift began at 1600 hours and concludes at 0200 hours every Sunday, Monday, Tuesday, and Wednesday.

Deputy Maikranz explained that at the time of the incident he was traveling in marked Windsor Police Department patrol vehicle (SUV), #W35.

I asked Deputy Maikranz if he was in full uniform at the time of the incident. Deputy Maikranz responded, "Yes." I then asked Deputy Maikranz to describe the uniform he was wearing at the time of the incident.

According to Deputy Maikranz, he was wearing a khaki uniform short sleeved shirt, green pants, "duty belt," a jacket, and a body worn camera (BWC) located "on the front." As Deputy Maikranz explained it, the jacket had sheriff`s office patches on each shoulder, a "star" on it, but he could not recall if he name was displayed on the jacket itself.

I asked Deputy Maikranz to further describe his uniform. As mentioned above, Deputy Maikranz was wearing a short sleeved uniform shirt that had a Sonoma County Sheriff`s Office patch on both shoulders, a badge was present on his uniform, and a "name plate" on the front. Deputy Maikranz explained that he was also wearing green uniform pants.

Regarding Deputy Maikranz`s "gun belt," I asked him to describe the items located on the belt while moving from the center to the right (toward his right hip). According to Deputy Maikranz, he explained that his duty belt contained an open three-magazine pouch, key ring, holster containing his duty-weapon consisted of a Glock 9mm handgun, glove pouch, flashlight ring, Taser, and handcuffs.

I asked Deputy Maikranz if he was carrying any "back-up" firearms at the time of the incident. Deputy Maikranz responded, "Yeah." According to Deputy Maikranz, he possessed a Ruger LCP .380 handgun in his left cargo pocket which contained seven (7) total rounds. And, when asked, Deputy Maikranz indicated that his Glock 9mm handgun was fully loaded containing eighteen (18) total rounds.

I asked Deputy Maikranz when he last slept. According to Deputy Maikranz, he slept the evening before for approx. seven (7) hours. According to Deputy Maikranz, he slept off and on from midnight (on Saturday 12-10-16) to about 0800 hours the following morning (Sunday, 12-11-16).

I asked Deputy Maikranz when he last ate prior to the incident. According to Deputy Maikranz, he ate lunch, but could not recall when exactly that occurred.

When asked, Deputy Maikranz explained that he was not sick or injured, he did not received any injuries as a result of the incident, was not suffering from any medical condition(s), nor was he taking any medications that would have impaired his ability to perform his duties as a law enforcement officer. And, Deputy Maikranz denied consuming any alcoholic beverages in the last twenty-four (24) hours.

I then asked Deputy Maikranz to provide me with a statement regarding how it was that he became involved in the incident we were investigating.

Before the incident, Deputy Maikranz was responding to a call-for-service that was described as being a "man with a gun." Not long before concluding the above call-for-service, Deputy Maikranz received a BOL (be on the Lookout) from the Petaluma Police Dept. According to Deputy Maikranz, it was his recollection that the individual depicted in the BOL wanted to "commit suicide-by-cop" and that "he was mobile." According to Deputy Maikranz, he did not recall all of the BOL details from the Petaluma Police Department because he and other Windsor Police Department deputies were discussing the call-for-service involving a "man with a gun."

Not long thereafter, Deputy Maikranz overheard another call-for-service that involved an assault with a vehicle (which he referred to as a "245") that occurred "on Merner" which was not far from their location. As a result, Deputy Maikranz explained that Deputy Haas left their scene and responded to area of Merner Dr.

According to Deputy Maikranz, as the call-for-service developed on Merner Drive it appeared to him that it might involve the subject described in the BOL issued by the Petaluma Police Dept. As a result, Deputy Matelli requested that Sonoma County Sheriff`s Office dispatch reiterate the BOL from the Petaluma Police Department. Sonoma County Sheriff`s Office dispatch then re-issued the Petaluma Police Department BOL. And, according to Deputy Maikranz, as the investigation continued to develop it appeared to him that it was becoming "more and more serious." Therefore, Deputy Maikranz self-attached himself to the call-for-service on Merner Drive to assist.

While en route, Deputy Maikranz learned that a "dayshift unit" was on scene, or just about to arrive. Deputy Maikranz then chose to respond to the area of Savannah Way where he "set-up." About that time, he overheard Deputy Matelli broadcast that the suspect in question was possibly "still in the area." A short time later, Deputy Matelli located the suspect vehicle and issued a radio broadcast of the suspect vehicle`s license plate. It was then that Deputy Maikranz learned that the license plate number from Deputy Matelli`s broadcast (associated with the suspect vehicle) was, in fact, the same license plate in the Petaluma Police Department BOL (he described as a Passat).

Not long thereafter, Deputy Maikranz observed the suspect vehicle and three (3) trialing patrol vehicles pursuing the Passat as they passed him on Savannah Way. Initially, Deputy Maikranz explained that it was not difficult to "trail" the vehicle pursuit because it began at relatively slow-speed. Deputy Maikranz indicated that he was not technically in the vehicle pursuit, but wanted to be present to assist other deputies when the pursuit concluded considering the BOL indicated the suspect may commit "suicide-by-cop" and was armed with what he recalled being a "black and yellow handle pistol." Still, Deputy Maikranz explained that the vehicle pursuit continued N/B Hwy. 101.

NOTE: It should be noted that during the interview and referencing the direction the pursuit traveled (N/B Hwy. 101), it appeared that Deputy Maikranz was mistaken about the street. I knew that the pursuit did not travel N/B Hwy. 101, but rather N/B Old Redwood Hwy.

According to Deputy Maikranz, the vehicle pursuit continued toward and passed Alden Lane, before reaching Lakewood Drive in the Town of Windsor. At Lakewood Dr., Deputy Maikranz observed the suspect (Eastwood) "jump the barrier" and executed a U-turn before traveling S/B on Old Redwood Hwy. from Lakewood Dr. As a result, Deputy Maikranz turned (direction not initially specified) on what he recalled as 1st Street before turning again on 3rd Street and ending-up stopped at Old Redwood Hwy. There, Deputy

Maikranz explained that he watched as the third (3rd) and final patrol vehicle traveled passed him, S/B on Old Redwood Hwy. As a result, Deputy Maikranz followed, but entered the Windsor Palms Shopping Center via an alternate entrance located to the east of Round Table Pizza and just north of El Farolito restaurant located at 8465 Old Redwood Hwy. #101. According to Deputy Maikranz, his goal was to "block its exit."

According to Deputy Maikranz, as he "pulled-up" he observed the suspect (Eastwood) holding what he described as a "black metal object" which was being pointed "at the guys who were doing the felony stop." At the time, Deputy Maikranz overheard Eastwood saying, "Come oncome on!" According to Deputy Maikranz, he also overheard the uniformed deputies issuing commands to Eastwood that consisted of "Drop it" or "Drop itget down" Deputy Maikranz admitted that several commands were being given to Eastwood at the time.

About that time, Deputy Maikranz overheard what he described as two or three (2 or 3) gunshots. However, Eastwood continuing doing something with "the metal thing." Deputy Maikranz then approached Eastwood before attempting to gain control of him via the use of his Taser which he deployed. Deputy Maikranz admitted, however, that he did not want to get too close to Eastwood because he knew he was "down range" of the other deputies. Still, only one (1) of the Taser barbs was able to make contact with Eastwood. After determining the ineffectiveness of his Taser deployment, Deputy Maikranz transitioned to his firearm.

About that time, he watched as Eastwood was being approached by other uniformed deputies and another Taser had been deployed. Deputy Maikranz then began to approach Eastwood. According to Deputy Maikranz, the Taser deployment caused Eastwood to fall backwards which gave him the opportunity to assist with handcuffing. During the handcuffing, Deputy Maikranz became aware that Eastwood did, in fact, sustain what he believed was a "through-and through" gunshot wound on his right arm.

According to Deputy Maikranz, he flipped Eastwood over onto his side before his shirt was being cut off. As that was occurring, Deputy Maikranz stated he had medical supplies in his patrol vehicle. Therefore, he went back to his patrol vehicle where he obtained medical supplies, before returning to Eastwood`s position. There, Deputy Maikranz "gave them to the guys." It was about that time that Deputy Maikranz believed he observed only one (1) gunshot wound (which he referred to as a "hole").

Knowing Eastwood only sustained one (1) gunshot, but admitted he heard more than one gunshot, Deputy Maikranz admitted that he became concerned (apparently for the public). Therefore, Deputy Maikranz walked to Castaneda`s Market and a nearby restaurant to ensure no one was injured.

According to Deputy Maikranz, he spoke with at least one citizen who he described as being on the treadmill within a nearby gym (possibly referring to Gym Energy Health Club Windsor). According to the citizen, Deputy Maikranz learned that the treadmill the citizen was on was located at a window which faced the scene and that he "saw the whole thing." As a result, Deputy Maikranz obtained his contact information for later use.

NOTE: During the interview, Deputy Maikranz indicated that he photocopied his notes, but was not in possession of them at the time of the interview. It should be noted that Deputy Maikranz provided me with those field notes later that morning. I subsequently provided the notes to Det. T. Peirsol who was able to conduct follow-up interviews with each of the individuals depicted on the notes. Refer to Det. Peirsol`s supplemental report.

After his statement, I asked Deputy Maikranz some follow-up questions. First, I asked Deputy Maikranz if at any time while traveling to or arriving on Savannah Way he observed the vehicle describe in the BOL

(Eastwood`s VW). Deputy Maikranz responded, "No."

Referencing the beginning stages of the vehicle pursuit, Deputy Maikranz explained that he was on Savannah Way, facing W/B toward Old Redwood Hwy. when the pursuit passed him. As Eastwood`s VW and the three pursuing deputies passed him he fell-in behind the pursuit. And, when asked, Deputy Maikranz told me that he was unable to view any Vehicle Code violations being committed by Eastwood. According to Deputy Maikranz, he only observed Eastwood`s VW when he initially passed him on Savannah Way, when he executed a U-Turn at Lakewood Drive, and when the pursuit concluded.

In recalling with Deputy Maikranz which street he turned onto (from Old redwood Hwy.) as Eastwood`s VW executed a U-turn at Lakewood Dr., Deputy Maikranz thought he initially turned right (N/B) onto First Street. However, Deputy Maikranz admitted that he could have initially turned onto Second Street then onto S/B Third Street which led him to Old Redwood Hwy. (toward Hwy. 101).

I then asked Deputy Maikranz where exactly he parked his patrol vehicle after entering the Windsor Palms Shopping Center via the entrance near Round Table Pizza. According to Deputy Maikranz, he described his patrol vehicle`s final parked position as being in the intersection of the El Farolito parking lot and the entrance leading into the shopping center across from Alden Lane, toward Castaneda`s Market. At the time, Deputy Maikranz described his patrol as facing E/B.

After parking his patrol vehicle, Deputy Maikranz described Eastwood as having already exited his VW and walking toward the uniformed deputies while "shuffling his feet," and "totally engaged with those guys." All the while, Deputy Maikranz described Eastwood as "throwing his hands forward" while saying, "Come oncome on." Deputy Maikranz continued by saying, "It was clear he was trying to get them to shoot him."

For the audio recording, I described the manner in which Deputy Maikranz was describing Eastwood`s hand position while approaching the other uniformed deputies. Deputy Maikranz placed his two fists together, but out in front of him with his left fist on top of his right and "pumping it" (referring to the object). When asked, Deputy Maikranz explained that he had already parked and exited his patrol vehicle when he made the above observations.

However, when asked, Deputy Maikranz explained that while approaching his final parked position or just as he parked he described what it was that Eastwood had in his hand. Deputy Maikranz responded, "It`s like uhuhmetal bara curbed piece ofblacklike metal." According to Deputy Maikranz, several commands were being given by both he and other uniformed deputies. According to Deputy Maikranz other uniformed deputies yelled, "Get downget down." As that was occurring, Eastwood was saying, "Come on." Deputy Maikranz explained that it was then he tried to deploy his Taser, but it was unsuccessful.

I asked Deputy Maikranz if he could tell whether or not the "barbs were just short." Deputy Maikranz explained that that was possible, but he was unsure. Deputy Maikranz felt sure that at least one of the Taser barbs "stuck" because when he tugged on the Taser wires that traveled from his Taser to the barbs one appeared as though it was stuck in Eastwood. As a result, Deputy Maikranz explained that he "tossed it" (referring to the Taser cartridge) and re-holstered the Taser.

It was about this time that Deputy Maikranz heard gunfire, but Eastwood "does not go down." About that time, other uniformed deputies approach Eastwood before he recognizes (via sound) Eastwood had been Tased once or twice more. As a result, Eastwood "went down," struck his head, before they "cuffed him up."

I asked Deputy Maikranz if he knew (at the time of the incident) who was positioned to his left. According to Deputy Maikranz, he knew Deputy Haas and Deputy Matelli were positioned to his left and another unknown named dayshift unit.

I asked Deputy Maikranz if there was any verbalization between he and any of the other deputies at the scene. According to Deputy Maikranz, after "they shot" he could not recall if he thought something to the effect of "It`s not a gun," or "hold your fire," or if he actually made that statement out loud. Then, in retrospect, he believed he might have made that statement out loud.

I asked Deputy Maikranz about this Taser body worn camera (BWC) which he indicated is issued by the Sonoma County Sheriff`s Office. According to Deputy Maikranz, he does, in fact, position his BWC on the front of his uniform shirt at about his "nipple line." And, when asked, Deputy Maikranz admitted to activating his BWC sometime during the incident, but could not recall exactly when.

I asked Deputy Maikranz to describe the item Eastwood possessed in his hands when he first arrived on scene. According to Deputy Maikranz, he described the item as being a .25 inch solid U-shaped bar with a flat base on the end. Deputy Maikranz would tell me that he later recognized it as a U-shaped bike lock. When asked, Deputy Maikranz described the color of the metal object as being black and yellow.

As a matter of fact, when the Taser deployment occurred to his left he (Eastwood) was still in possession of the metal U-shaped object. According to Deputy Maikranz, Eastwood then fell "straight back" onto his back. Deputy Maikranz then grabbed onto Eastwood hands before using his right knee to pin Eastwood`s left arm, while using his left arm to pin Eastwood`s right hand. After which, Deputy Maikranz assisted in getting Eastwood into handcuffs. After obtaining his first-aid kit, other deputies began to render first-aid to Eastwood.

After which, Deputy Maikranz admitted to focusing his efforts to the "back drop" of the shooting. Ultimately, Deputy Maikranz admitted that he obtained three (3) or four (4) "F.I.`s" (field interviews). Deputy Maikranz did not locate anyone else who had been injured and did not locate any bullet holes.

Deputy Maikranz explained that other deputies did arrive on scene. In the end, Deputy Maikranz was sequestered by Deputy S. Short who transported him back to the Windsor Police Dept. There, Deputy Maikranz met his final sequestering officer, Det. Sgt. S. Murphy.

I asked Deputy Maikranz if he recalled the lighting conditions at the scene. According to Deputy Maikranz, during the incident it was dark outside, but recalled there being ambient lighting from misc. businesses, ambient street lights within the parking lot, and additional light from his headlights and spotlight that he personally activated.

Before concluding our interview, I asked Deputy Maikranz if he wished to view his Taser BWC recording of the incident. Deputy Maikranz replied, "No."

On 12-12-16 at 0603 hrs., Det. Toney and I took a break in our interview of Deputy Maikranz.

On 12-12-16 at approx. 0607 hrs., Deputy Toney and I continued our interview with Deputy Maikranz with is attorney, N. Pifari present. The following is a summary of that continued interview:

I asked Deputy Maikranz to explain what he meant when he referred to "self-attaching" himself to the call

involving Eastwood after completing the previous call-for-service. Deputy Maikranz explained that from time to time calls-for-service do not end up being what they were initially dispatched as. However, Deputy Maikranz explained that as this particular call-for-service progressed (Merner Dr.) he learned that the involved vehicle may be the same as the vehicle depicted in the Petaluma Police Department BOL.

Deputy Maikranz explained that the fact that the involved vehicle may be the one associated with the BOLO "upped the seriousness of it." This was due to the fact that it possibly involved a suicidal subject and the bizarre manner in which the vehicle was traveling in "upped the seriousness for me." Therefore, Deputy Maikranz attached himself to the call-for-service via his mobile data computer (MDC) in his vehicle. According to Deputy Maikranz, he self-attached to the call-for-service because radio air time is important and "guys that are closer than memay need to get something out."

Reflecting back on his statement when he arrived at the scene near Castaneda`s Market, I asked him when it was exactly that he was able to identify "the object in the subject`s hand." According to Deputy Maikranz, as he "pulled up" and due to his position as it relates to Eastwood`s position (a side view of Eastwood) he was able to view the profile of the object he possessed in his hands. At that time, Deputy Maikranz explained that he observed the item being a "hollow" metal that was black in color and a "cylinder."

Deputy Maikranz explained that at the time that he was "looking for a gun" because it was reported that Eastwood was in possession of a firearm which was black and yellow in color. According to Deputy Maikranz, he was unsure if he recalled knowing it was a bike lock when he initially observed it, but he was sure it was not a firearm. As a result, Deputy Maikranz said, "So, I came out with my Taser."

I asked Deputy Maikranz to again reiterate what he heard Eastwood saying after he exited his patrol vehicle. Deputy Maikranz replied, "Come on." And, when asked, Deputy Maikranz believed he overheard the command, "Drop the gun" and another command that he believed was "get down."

On 12-12-16 at approx. 0612 hrs., Det. Toney and I concluded our recorded interview with Deputy Maikranz.

NOTE: Later, I would download the above recording onto a CD-R disc which was labeled as evidence item #2JJH and booked into Sonoma County Sheriff`s Office property/evidence.

On 12-12-16 at approx. 0615 hrs., Deputy Maikranz provided me with his field notes depicting the names of individuals who possibly witnessed the incident and were located at the scene.

NOTE: Later, on 12-12-16 at 1435 hrs., I provided Deputy Maikranz`s field notes to Sonoma County Sheriff`s Office Property Crimes Investigations detective, Det. T. Peirsol. I tasked Det. Peirsol with contacting and interviewing each of the individuals depicted on the field notes. Refer to Det. Peirsol`s supplemental report.

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INTERVIEW WITH DEPUTY CHRISTOPHER HAAS:

On 12-12-16 at approx. 0622 hrs., Det. Toney and I began our recorded interview with Deputy C. Haas in [redacted] in the Town of Windsor. Present for the interview with Deputy Haas was his attorney, Nicole Pifari from the Law Offices of Rains, Lucia, and Stern.

On 12-12-16 at approx. 0727 hrs., Det. Toney and I took a break in our interview with Deputy Haas.

On 12-12-16 at approx. 0730 hrs., Det. Toney and I resumed our interview with Deputy Haas regarding misc. follow-up questions.

On 12-12-16 at approx. 0731 hrs., Det. Toney and I concluded our recorded interview with Deputy Haas.

Refer to Det. Toney`s supplemental report depicting the details of our recorded interview with Deputy Haas.

****

CONTACT WITH [redacted]:

During the investigation, I learned two (2) CCTV surveillance cameras were positioned above space [redacted] at [redacted] Old Redwood Hwy. One of the surveillance cameras appeared to be positioned on the north facing wall (facing the scene), while the second camera was located just above the front door leading into space [redacted]. However, I was unable to contact anyone related to this space ([redacted]).

On 12-13-16 at approx. 0730 hrs., I contacted CO-[redacted], the owner of [redacted] Old Redwood Hwy. [redacted].

I asked [redacted] who or which company occupies the space adjacent to his business ([redacted]). According to [redacted], it was associated with Comcast, but indicated that very few people come and go from the space. [redacted] provided me with the name of the manager of the property [redacted]) and the owner of the entire property [redacted]).

****

On 12-13-16 at approx. 0805 hrs., I emailed [redacted] inquiring about contact information regarding space [redacted] and associated with Comcast. However, the information I sought could not be provided by [redacted].

On 12-13-16 at approx. 1210 hrs., I emailed [redacted] for the name of the contact person associated with space [redacted]. Sometime thereafter, I spoke with [redacted] who informed me that the contact person associated with space [redacted] was Comcast employee, [redacted]." [redacted] then provide me with the contact information associated with [redacted].

Later, I was able to speak with [redacted] on the telephone. In essence, [redacted] explained that the two CCTV surveillance video cameras were, in fact, operational. However, the camera positioned just above the front door only captured the door itself. The CCTV surveillance camera positioned on the north facing wall (toward the scene), however, captured a square enclosed area in the parking lot, just north of space [redacted] which houses their generator.

On 12-13-16 at approx. 1235 hrs., I emailed [redacted] to inquire if I could obtain or see the CCTV surveillance video of the north facing camera capturing their generator. However, [redacted] never resounded to my email.

On 1-20-17 at approx. 1105 hrs., I telephoned [redacted] who indicated he never received my email. I then resent

my email requesting any surveillance video from his north facing CCTV surveillance camera above space [redacted]. If that occurs, I will author an additional supplemental report indicating such.

On 1-23-17 at approx. 1313 hrs., I received an email from another Comcast employee, [redacted] According to [redacted] email, he informed that they DID NOT have CCTV surveillance coverage at the above location due to transferring over to a new CCTV surveillance platform.

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DISPOSITION:

Case closed.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 15:43:51	FOLLOW UP	(SD855) HAUGEN, JUSTIN
Contact Name		**Supervising Officer**
		(SD855) HAUGEN, JUSTIN

4020

Supplement Narrative

On 12/11/2016 at approximately 1730 hours, I was the main office patrol (dayshift) supervisor when I heard Sonoma County dispatch broadcast an assault with a deadly weapon (245 PC) vehicle versus pedestrian in the area of Merner Drive and Old Redwood Highway in Windsor, Ca. The RP described a champagne, 4 door car with a white male in his 50`s behind the wheel. The vehicle was described as continually driving up and down the street at high speeds, pulling in and out of driveways for the past 25-30 minutes. The RP told dispatch that he was sure the suspect tried to hit him at one point.

Sheriff`s dispatch earlier broadcast a be on the lookout (BOL) which originated from Petaluma Police Department warning Sonoma, Marin and San Francisco County and CHP law enforcement agencies that a Christopher Eastwood ([redacted]) driving a gold colored, 2015 Volkswagen Passat (Ca #[redacted]) was suicidal and armed with a yellow (or wood) handled firearm. Further, Eastwood stated that he would force law enforcement to contact him and that he would make them to shoot him.

Sheriff`s Dispatch realized that the two aforementioned vehicles were similar in description and broadcast that they may be one in the same. I confirmed with dispatch that the Windsor Police Sergeant was off duty and advised that I was responding.

While enroute, WPD Deputy Matelli advised that he was out with the suspect vehicle and that the car was continuing to be driven recklessly. Deputy Matelli broadcast the suspect vehicle license plate which was a match for the PPD BOL vehicle. Deputy Matelli activated his overhead emergency lighting for a traffic stop and the suspect fled. Deputy Matelli broadcast that he was in pursuit and shortly thereafter WPD Deputy Haas joined in calling the pursuit conditions from that point forward. The pursuit lasted minutes before Eastwood pulled into the Windsor Palms Shopping Center on Old Redwood Highway.

Eastwood stopped his vehicle abruptly in the middle of the parking lot. Eastwood exited his vehicle and aggressively walked back toward several stationary Windsor and Sheriff`s Office patrol vehicles with an object in his hands and resembled a (firearm) shooting stance. Eastwood was yelling at Deputies to shoot him. A Deputy shot the suspect and he was tased before being taken into custody. The suspect was provided medical assistance by responding paramedics and transported to Santa Rosa Memorial Hospital. At the time the suspect`s status was unknown and a Deputy was assigned to follow the ambulance to the hospital.

I notified Lt. Miller (Acting Watch Commander) of the situation and officer involved shooting.

I obtained a public safety statement from the involved Deputy who discharged his firearm. The Deputy

believed to have shot no more than three times in a south west direction (between the Mexican food restaurant and "Hunt MD" sign). Eastwood was the only suspect and in custody. I advised the Deputy not to talk further about the incident.

I had responding Deputies go to the area in which the shots were fired to check for any injuries to which they found none. I requested that they make contact and field identify any witnesses to the incident (see supplemental reports to this original case number). I requested that all non-witnesses clear from the immediate area and had Deputies place crime scene tape, secure the area from further scene contamination and started a major incident log capturing all those involved at the scene. It should be noted that CHP assisted with blocking the northern and southern most entrances/ exit to the shopping complex.

Henry 1 was unable to take aerial photographs due to darkened conditions. I took digital photographs of the vehicle configurations and later submitted those images into booking (JH1).

Sergeant`s Salas and Cash assisted with sequestering the involved and witness Deputies. They were later transported to Windsor PD and then a local hotel for later interview with investigations.

Petaluma Police initially responded to the scene for the investigation, but were soon relieved after it was surmised that Eastwood`s injuries were non-life threatening.

I was later relieved at the scene by Sonoma County Narcotics Sergeant J. Lucas. Sgt. Lucas and his narcotics detectives assumed crime scene security until the arrival of VCI and CSI units.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
07/17/2017 09:53:24	FOLLOW UP	(SD1917) HORSMAN, JOSEPH D
Contact Name		**Supervising Officer** (SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

VIOLENT CRIME INVESTIGATIONS UNIT
VCI DETECTIVE JOSEPH HORSMAN
CASE # WI 161211-003
SUPPLEMENTAL REPORT

NOTIFICATION-

On 12/11/2016, at approximately 2054hours, I received a text message form VCI Sgt. McAlvain requesting I contact him and there had been an officer Involved shooting (OIS). I contacted him via telephone and he requested I respond to the Sheriff` Main Office to assist. Upon arrival, VCI Detective Jeff Toney provided me with a brief summary of the events involved in the case and what tasks were being completed and by whom. He explained that Petaluma Police had responded to a call earlier in the evening regarding the involved suspect, Christopher Eastwood, which was documented under Petaluma Police Dept. Case 16-0006271.
INVESTIGATION-
I was ultimately tasked with making contact with Windsor Firefighter [redacted]. whom I was told may have heard statements made by Christopher Eastwood. On 12/11/2016, at approximately 2243 hours, I met with Acting Captain for Windsor Fire Dept., [redacted] at the Windsor Fire station located at [redacted] Old Redwood Hwy.

[redacted] told me he responded to the incident in question with Firefighter [redacted] and Fire Engineer [redacted]. He said they deemed the incident a "critical incident" and thus accompanied Christopher Eastwood and the Bell`s Ambulance staff to the hospital. He said he and [redacted] rode in the ambulance. [redacted] said the Bells Ambulance staff included Medic [redacted] and EMT [redacted]. [redacted] told me he would be documenting the incident under a formal report which would include statements he heard Eastwood make. He said he would have [redacted] also author a report documenting the incident.

Upon leaving the Fire Station I made contact with Bell`s Medic [redacted] via telephone. She told me she would be authoring a report which would not only include medical care provided, but also statements she had heard Eastwood make. She mentioned Eastwood had made statements to the effect that he wanted the cops to shoot him. Medic [redacted] said she would have EMT [redacted] also author/provide a statement as well documenting what she witnessed, heard, etc.

Search Warrant-

I was tasked with authoring a search warrant related to the suspect`s vehicle which was brought to the Sheriff`s Office CSI vehicle bay. That vehicle was a 2015 VW Passat bearing CA Lice plate [redacted]. Said search warrant was ultimately signed by Judge Peter Ottenweller. Afterwards I sent a copy of the signed warrant via email to CSI Detective Dylan Fong. See his supplemental report for further details. I ultimately completed a search warrant return related to the service of this warrant.

Evidence-

I ultimately received an email Windsor Fire Captain [redacted] which contained a copy of their report. I printed this email and attachment and later booked it into Evidence as Item JH-1.
I received a fax from Medic [redacted] containing a copy of their report. I ultimately booked a copy of this into Evidence as item JH-2.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 11:18:36	FOLLOW UP	(SD664) HOWARD, TOM
Contact Name		**Supervising Officer** (SD855) HAUGEN, JUSTIN

4020

Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
7	[redacted]	H	F	[redacted]	28

Address	Cell Phone	Home Phone
[redacted]	[redacted]	[redacted]

Employer Name/Address	Business Phone
/	

Witness Type

Witness Notes

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
8	[redacted]	H	F	[redacted]	53

Address	Cell Phone	Home Phone
[redacted]	[redacted]	

Employer Name/Address	Business Phone
[redacted] / [redacted]	[redacted]

Witness Type

Witness Notes

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
9	[redacted]	H	M	[redacted]	20

Address	Cell Phone	Home Phone
[redacted]		

Employer Name/Address	Business Phone
[redacted] / [redacted]	[redacted]

Witness Type

Witness Notes

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
10	[redacted]	W	F	[redacted]	18

Address	Cell Phone	Home Phone
[redacted]	[redacted]	[redacted]

Employer Name/Address	Business Phone
[redacted]	[redacted]

Witness Type

Witness Notes

Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Involved, Other	1	[redacted]	H	M

Address	DOB	Age	Cell Phone	Home Phone
[redacted]	[redacted]	20		

Employer Name/Address	Business Phone
/	

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Narrative

On 12/11/2016, at approximately 1730 hours, I heard over the radio that Windsor Police was involved in a vehicle pursuit. I was in Larkfield and I began responding northbound on Old Redwood Hwy. When I heard the pursuit ended at the Windsor Palms Shopping center, I responded directly to the scene. Just moments prior to my arrival, I heard Deputy Matelli broadcast over the radio that shots had been fired.

Upon my arrival, I noticed several deputies in the process of securing the suspect and preparing to render first aid. Since it appeared that there was sufficient personnel, I decided to check the "back drop" area of the shopping center since there were several open stores and several citizens and make sure no bystanders had been injured. I first checked with an older male citizen who was leaning against his truck near the entrance to the Energy Health club. The male, who was subsequently interviewed by Deputy Maikranz, said he was uninjured and had just got behind his truck for cover. I then went into Castaneda`s Market and checked with the employees/customers to confirm that no one was injured. Each person I had contacted confirmed that they were uninjured. I told each person to stay inside and that I would return to obtain a statement from them.

I exited the store and continued checking the area for anyone who had either been injured as a result of the incident or an actual witness but found none.

I then proceeded to help other deputies in securing the scene by using crime scene tape. After securing the scene, I returned to the market to conduct interviews.

I first contacted [redacted], who was a customer at Castaneda`s Market during the incident. [redacted], in essence, related the following:
She said she was at the front of the store paying for some items. She looked outside after seeing the lights on several police cars in the parking lot. She saw a gold car stopped in the middle of the parking lot and a male subject walk away from the vehicle. The male walked to the right of the car at an angle towards the deputies with his arms up. She then heard 2 or 3 gun shots which caused her to duck down behind one of the counters. She stayed in the store till I came in to check on them.

I then met with [redacted], an [redacted] at Castaneda`s Market. [redacted] only spoke Spanish so I had help from [redacted], a citizen who arrived after the incident, who translated for me. [redacted] said she was inside the store on her "break" in the rear of the store when she heard 2 or 3 gun shots. She did not look outside and could not provide any additional information.

I then met with [redacted], another [redacted] at the market, who was at the front counter helping a customer at the time of the incident. He said he heard 2 or 3 gun shots and immediately went to the floor. He did not see anything outside of the store and stayed on the floor till I arrived.

I went outside to assist with scene security and was eventually contacted by [redacted]. [redacted] is an employee at [redacted] which is located next to Castaneda`s Market. She said she was in the back of the shop when she heard 2 or 3 gun shots. She initially thought the shots came from behind the shop but when she walked to the front of the shop she saw a white male in the parking lot holding what looked like a hand gun. He was standing near the tree line in the landscaped island. The male was pointing the gun at the officers in front of him. She saw the male get "tazed" causing him to fall to the ground. At that moment, more deputies arrived on scene.

I maintained scene security on the southeast side of the scene until I was relieved at 2022 hours.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/15/2016 13:14:58	EVIDENCE	(SD1589) KOEPPEL, TRAVIS J
Contact Name		**Supervising Officer** (SD1112) EATON, VANCE

4020

Supplement Narrative

On 12-11-16, at approximately 2000 hours, I received a call from CSI Sergeant Eaton regarding an officer involved shooting in the contract City of Windsor. He advised that the Sheriff`s Office would be conducting the investigation, and the Crime Scene Investigations Unit would be handling scene and evidence processing.

I responded to the main office and was briefed on what was known at the time. I was directed to the [redacted] in Windsor where five Sonoma County deputies were being sequestered per policy.

Upon arrival, I began set up of a live video feed. I placed a camera in room [redacted] set to monitor only. I ran a secured CAT5 connection to room [redacted] where Sonoma County Deputy District Attorney Barbara Nanney could monitor the interviews of the involved deputies by SCSO VCI detectives.

At approximately 2326 hours, I responded to room [redacted] to process witness SCSO Deputy Neil Bailey. Deputy Bailey told me he was the Field Training Officer to Deputy J. Clark - who was sequestered in a different room. Deputy Bailey told me his body worn camera had already been collected by SCSO Sergeant Ryan.

Deputy Bailey was in full SCSO uniform worn at the time of incident. His uniform included a tan short sleeved shirt with visible SCSO patches on the shoulders, a name plate, and SCSO Badge. He was wearing his web style duty belt, green pants and size 10 Danner Boots. He told me his Taser (X00-298292) had been deployed. The cartridge was missing. I photographed and collected his Taser (TK2). I then inspected his duty weapon, Glock Model 17 9MM ([redacted]), noting the condition of the barrel and chamber which appeared clean with no gun powder residue. I then counted the live 9MM cartridges in the magazine (17) and chamber (1).

Deputy Bailey was not injured in this incident.

Next, at approximately 2356 hours, I contacted SCSO Deputy Maikranz in [redacted]. He was wearing the uniform and equipment he wore at the time of the incident. He told me his unit identifier on this date was F89. His uniform consisted of a tan shirt with SCSO patches on the shoulders, name plate and badge. He was also wearing a fleece style green jacket with SCSO patches on the shoulders and a badge. Deputy Maikranz wore green cargo pants with black size 15 Belleville Boots.

His body worn camera had already been collected by SCSO Sergeant Ryan.

I then inspected his leather duty belt. His Taser was missing its cartridge which I later learned was collected at the scene. Deputy Maikranz told me he discharged his Taser in the incident which I collected (TK3). I then inspected his Glock Model 17 9MM ([redacted] which had one live round chambered. I inspected the firearm noting the condition of the barrel and chamber which appeared clean with no gun powder residue. The magazine seated in the gun contained seventeen live cartridges. His duty belt also carried three additional magazines each with seventeen live cartridges.

Deputy Maikranz was not injured in this incident.

Finally, at approximately 0019 hours, SCSO CSI Detective Newton and I responded to [redacted] where SCSO Deputy Haas was sequestered. He had already changed out of his duty uniform and was wearing civilian clothing. His uniform, duty belt, boots, jacket and portable radio were placed on a chair in the room.

Haas told me his unit identifier on this date was J83. I photographed Haas, while his uniform and duty belt were collected by Detective Newton (See his supplemental report).

Deputy Haas was not injured in this incident.

I remained on site until approximately 0800 hours, to provide technical assistance with the A/V equipment during the course of the interview process.

Nothing further at this time.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 19:55:41	FOLLOW UP	(SD1696) LUCAS, JASON J
Contact Name		**Supervising Officer**
		(SD1696) LUCAS, JASON J

4020

Supplement Narrative

On 12/11/16, I was advised of an Deputy Involved Shooting that occured in the Town of Windsor. Detective Hals informed me Sgt. Ryan was seeking additional resources for scene security and other duties related to the investigation. Narcotics detectives offered to assist and at the request of Sgt. Ryan, Detectives responded to Memorial Hospital and the scene located at the Windsor Palma Center. I arrived at the crime scene at about 2100 hours and signed the Crime Scene Log.

At about 2135 hours, and upon receiving a briefing of the scene, I relieved Sgt. Haugen.

At about 2210 hours, VCI, CSI, IA and members of the District Attorney`s Office began arriving. I briefed VCI Detective Toney of my knowledge of the scene.

I facilitating the return of the involved patrol vehicles once CSI completed their investigation as well as crime scene clean up once processing was complete.

I cleared the scene at approximately 0300 hours.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/15/2016 17:23:17	FOLLOW UP	(SD2369) LYLE, JEREMY LOREN
Contact Name		**Supervising Officer** (SD968) PERCY, JAMES

4020

Supplement Narrative

At approximately 1900 hours on 12-11-2016 I arrived at the Main Office to assist patrol; I initially reported to Sergeant Ryan who directed me to go to the scene at 8499 Old Redwood Highway, Windsor, and assist units there as needed.

At approximately 1920 hours I arrived on scene and signed-in on the critical incident log. Then at approximately 2000 hours I replaced Deputy Miale at the perimeter position she held at the parking lot entrance on Windsor Palms Drive. I remained there until approximately 2345 hours when I was relieved by Sergeant Lucas.

During this incident I was wearing a full Sonoma County Sheriff`s Office patrol uniform and was driving a conspicuously marked patrol SUV.

-Nothing Further-

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 11:34:50	FOLLOW UP	(SD2129) MCKINNON, SCOTT L
Contact Name		**Supervising Officer**
		(SD1408) MURPHY, SHAWN K

4020

Supplement Narrative

On 6/11/2016 at 1845 hours, I was contacted by Deputy Haas, who had been involved in a critical incident. Deputy Haas asked if I would be his sequestering Deputy.

At approximately 1900 hours, I arrived at the Town of Windsor Police Department and met with Deputy Haas. I was notified by Sergeant A. cash that rooms for the involved deputies were being arraigned. A short time later, I drove Deputy Haas to the [redacted] in Windsor, where I remained with him until the interviews were over and he was released.

While with Deputy Haas we did not discuss the incident due to the ongoing investigation.

End of supplemental report.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 12:38:02	FOLLOW UP	(SD1553) MCLAUGHLIN, CASEY J
Contact Name		**Supervising Officer** (SD1696) LUCAS, JASON J

4020

Supplement Narrative

SONOMA COUNTY NARCOTICS UNIT
Case Detective: VCI Det. Jeff Toney
Reporting Detective: Casey McLaughlin #1553
Supervisor: Detective Sergeant Jason Lucas
Windsor PD # 161211-003

SUPPLEMENTAL DETAILS OF INVESTIGATION:

On 12/11/16 at approximately 1930 hours, I responded to Memorial Hospital, to assist with a Deputy involved shooting. Once at the hospital, I was advised to respond to the scene, located at to 8499 Old Redwood Highway, Windsor. I arrived at approximately 2030 hours, where I signed in on the crime scene log. I provided scene security on the Northwest corner of the parking lot until Crime Scene Detectives finished processing the scene.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 12:10:09	FOLLOW UP	(SD1408) MURPHY, SHAWN K
Contact Name		**Supervising Officer**
		(SD1408) MURPHY, SHAWN K

4020

Supplement Narrative

On 6/11/2016 at approximately 1800 hours, I learned that several officers from the Windsor Police Department were involved in a critical incident. Based on my position as a Detective Sergeant, I responded to the Windsor Police Department to offer assistance to involved deputies.

Upon my arrival, I met with Sergeant Cash, who had all the involved deputies sequestered in the sergeant`s office at the police station. We learned that the Sheriff`s Office had obtained [redacted] in Windsor. It was decided that I would accompany Deputy Maikranz to the [redacted] and stay with him as his sequestering deputy. I remained with Deputy Maikranz at [redacted] until his interview was complete, at which time I transported him back to the Windsor Police Department. During my time with Deputy Maikranz, we did not discuss details of the incident.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/19/2016 12:28:56	EVIDENCE	(SD827) NEWTON, TROY
Contact Name		**Supervising Officer**
		(SD1112) EATON, VANCE

4020

Supplement Narrative

On 12-11-2016, at about 2000 hours, I responded to the Sheriff`s Main Office for an "Officer Involved Shooting" (OIS). I was tasked with responding to the [redacted], Windsor ([redacted]) to set up an interview room and to process sequestered Deputies.

I responded to [redacted] to process Deputy Larry Matelli who was sequestered by Deputy Mike Peters. I took overall photographs of Deputy Matelli in uniform to document his appearance. I photographed his duty issued Glock 17 serial #[redacted] I noted the magazine was full with 17 rounds and one round was chambered; additionally Deputy Matelli had a two round extended magazine plate which held two more rounds for a total of 20 rounds. Deputy Matelli carried three more magazines on his duty belt, each filled to capacity (17 rounds). I observed Matelli had no taser and no body worn camera on his person at that time.

I responded to [redacted] to process Deputy Jeremy Clark who was sequestered by Deputy John Gillete. I took overall photographs of Deputy Clark in uniform to document his appearance. I photographed his duty issued Glock 17 serial [redacted]. I noted the magazine was filled to capacity (17 rounds) plus one round chambered for a total of 18 rounds. Deputy Clark carried two more magazines on his duty belt, each filled to capacity (17 rounds). I observed Deputy Clark had his taser, which had not been discharged, but no body worn camera on his person at that time.

I responded to [redacted] to process Deputy Chris Haas who was sequestered by Deputy Scott McKinnon. Deputy Haas had changed into civilian clothing, and his duty uniform and equipment was stacked on a chair in his room. His duty gear and uniform were collected separately, and transported to the CSI lab for further processing.

I learned suspect Christopher Eastwood was released from the hospital and was upstairs in the Sheriff`s Office Investigations Bureau for processing. I responded to Investigations and took overall photographs of Eastwood to document his appearance. Eastwood was wearing hospital clothing and was bandaged.

On 12-12-2016, I photographed Deputy Haas` duty equipment and uniform. I photographed his duty issued Glock 17 serial #[redacted]. I noted the magazine had 14 rounds plus one round chambered for a total of 15 rounds. Deputy Haas carried two more magazines on his duty belt, each filled to capacity (17 rounds). I observed Deputy Haas` taser had not been discharged and his body worn camera was not attached to his uniform.

I downloaded my photographs onto a CD as evidence item #TDN. I submitted item #TDN to

property/evidence. Nothing further at this time.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/13/2016 13:59:12	FOLLOW UP	(SD1840) PARLATO, MATTHEW A
Contact Name		**Supervising Officer**
		(SD855) HAUGEN, JUSTIN

4020

Supplement Narrative

On 12/11/16, I was contacted by Detective Newton asking if I could assist with a crime scene investigation in Windsor. Detective Newton advised me to meet with Detective Fong at the Windsor Palms Shopping Center. I arrived on scene at 2225 hours and signed the crime scene log at 2227 hours.

I assisted Sergeant Eaton and Detectives Fong and Baraz with documenting and processing the scene. I later completed a CHP 180 for the removal of a gold Volkswagen Passat bearing California License [redacted], per authority 22655.5(b) CVC. A Cream`s Towing tow truck arrived on scene at approximately 0225 hours on 12/12/16, and hooked up to the vehicle.

I signed out on the crime scene log at 0233 hours, on 12/12/16. At 0234 hours, I followed the tow truck to the Sonoma County Sheriff`s Office at 2796 Ventura Avenue, Santa Rosa. We arrived at this location at 0248 hours and Detective Newton took custody of the gold Volkswagen.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 10:11:35	FOLLOW UP	(SD139) PEDERSEN, JOEL
Contact Name		**Supervising Officer** (SD855) HAUGEN, JUSTIN

4020

Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
5	[redacted]	W	M	[redacted]	67
Address [redacted]		**Cell Phone** [redacted]		**Home Phone** [redacted]	
Employer Name/Address /				**Business Phone** [redacted]	
Witness Type					

Witness Notes

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
6	[redacted]	W	F	[redacted]	61
Address [redacted]		**Cell Phone** [redacted]		**Home Phone**	
Employer Name/Address /				**Business Phone**	
Witness Type					

Witness Notes

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Narrative

On 12/11/2016 at about 1730 hours, I was on duty in full Sheriff`s Office uniform and driving a marked Sheriff`s patrol car. I was parked at the 76 gas station at the corner of Old Redwood Hwy. and Mark West Springs Rd. assisting Deputies with a domestic violence call. I heard Windsor Deputies get dispatched to a report of a man in a vehicle attempting to run a pedestrian down on Merner Dr., in Windsor. Within minutes, I heard Deputy L. Matelli broadcast that he had located the vehicle in question and that he was in pursuit with the vehicle on north bound Old Redwood Hwy.

I drove onto N/B Hwy. 101 and activated my emergency lights and siren. My intention was to assist Deputies with the pursuit as it presumably entered the area of Old Redwood Hwy. and Hwy 101. While driving north, I heard via radio that the pursuit had turned back south bound on Old Redwood Hwy. The suspect vehicle the entered the Windsor Palms Shopping Center. I heard Deputy Matelli broadcast that Deputies were initiating a high risk stop.

As I entered south bound Old Redwood Hwy. from the Hwy. 101 off-ramp, I heard over the radio that shots had been fired.

As I entered the main entrance of the shopping center, I saw numerous Sheriff`s Patrol cars facing west in the parking lot. I parked facing Castaneda`s Market, next to another patrol car. I saw a white male adult, later identified as (OF) Christopher Cormac Eastwood standing in the middle of the parking lot about fifty feet directly in front of my patrol car. He was facing Deputies and was holding a black object in both hands. He was pointing the object at Deputies as if it was a firearm. He was standing in what law enforcement training defines as an Isosceles shooting stance. His feet were shoulder width apart and squared with his body. He was facing deputies and pointing the black object at us with both hands. Both of his arms were locked straight and perpendicular to his torso. I heard several Deputies yelling at Eastwood to "drop it" and get down on the ground.

I got behind the open door of my patrol car and pointed my firearm at him. Eastwood then dropped the black object and stood there looking at us. Deputies Matelli and Maikranz began to advance on the subject on foot. As I approached him on foot, I heard the distinct sound of a Tazer being deployed. I saw Eastwood`s body immediately react to the Tazer. His body stiffened and he fell backwards onto the pavement. I, along with Deputies Matelli, Maikranz, Haas and Bailey ran to Eastwood and handcuffed him. Deputy Matelli and Maikranz immediately began assessing Eastwood`s person for wounds and providing first aid.

Once Eastwood was secured and being treated, I began putting up crime scene tape around the parking lot.

I spoke with (W) [redacted] who was standing next to his truck in front of Castaneda`s Market. [redacted] truck was parked in the first parking stall closest to the front door of the market. He said that he was getting into his truck after leaving the market. He saw the suspect vehicle pull into the parking lot with numerous patrol cars behind it. He saw the suspect get out of the car and walk toward the deputies. He lost sight of the suspect because of the glare of the headlights that were pointed right at him. He said that he heard the suspect fire two or three shots at the Deputies and heard the Deputies return fire. He did not see the suspect shoot but was surmising this because he heard two different caliber firearms being fired. [redacted] then ducked down behind his truck. He said that he heard the Deputies yelling at the suspect but could not tell what was being said.

I also spoke with (W) [redacted]. [redacted] was working out at the gym that is directly above Castaneda`s market. She said that she had looked out the window of the gym to check on her vehicle, as she does periodically out of habit. She saw the suspect standing outside of his vehicle and facing away from her and towards the Deputies. She said that he was slowly side stepping in both directions and alternately raising his hands and lowering them. She said that she did not see any object in his hands. She did not hear anything that was going on outside. This was as much information as she could provide.

I inspected the area of the shopping center where it was I was told was the possible final trajectory of the bullets fired from Deputies.

I inspected a black van that was parked facing west in front of and on the south end of Castaneda`s Market. In the right rear door of the van, on the lower right portion near the bumper, I located a small hole in the body. It appeared to be a bullet strike. Directly above the van was a metal sign on the side of the Building. The sign read `CASTANEDA`S`. Below the `N` was what appeared to be a bullet strike that entered the metal of the sign and took out a small portion of the building stucco below the sign. I informed Sergeant`s Salas and Haugen of my find.

I recorded my initial response to the incident (including the taking Eastwood into custody) on my body-worn camera. I also recorded both [redacted] and [redacted] verbal statements. I later labeled these videos as a Critical Incident. Because of this, the videos were locked, making it impossible for me to review them prior to writing this report.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/27/2016 09:30:39	FOLLOW UP	(SD2219) PEIRSOL, THOMAS
Contact Name		**Supervising Officer** (SD1408) MURPHY, SHAWN K

4020

Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
13	[redacted]	W	M	[redacted]	51

Address	Cell Phone	Home Phone
[redacted] [redacted]	[redacted]	

Employer Name/Address	Business Phone
/	[redacted]

Witness Type

Witness Notes

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Narrative

SUPPLEMENTAL INVESTIGATION

As part of this investigation I was asked to assist in contacting some possible witnesses to the shooting in Windsor. There were three names given to me by SCSO Detective Hanshew. One of the names was [redacted]. On 12-16-16 at about 0925 hours I called and spoke with [redacted] and explained that I was calling to ask what he might have seen in Windsor on 12-11-16. [redacted] told me the following in essence.

[redacted] said he was at the second story gym called the Gym Energy Health Club located at 8465 Old Redwood Hwy in Windsor at the Palms shopping center. [redacted] said he was working out on a stairmaster machine and was looking out over the parking lot towards the entrance to Old Redwood Hwy. [redacted] said he had his headphones on and was listening to music, when his attention was drawn to the parking lot in front of him as he noticed police cars coming into the parking lot from Old Redwood Hwy with their emergency lights on. [redacted] said he saw a car he believed the police were following stopped in the parking lot and he saw a man get out of the car. [redacted] said the man put his hands up in the air in a surrendering motion, but was walking strangely towards the police cars. [redacted] said the man appeared to be bouncing or gittery in some manner. [redacted] said he thought at first the man might be high on some drug or something. [redacted] said he could see the officers had gotten out of their cars and appeared to be talking to the man. [redacted] said with his headphones on he could not heard anything that might have been said between the police and the man.

[redacted] said the man continued walking towards the officers and then moved his arms down and placed them in front of him. [redacted] said he thought at first that maybe the man was placing his arms out to be handcuffed if the police were telling him he was under arrest or to get onto the ground. [redacted] said he was just guessing as to what was being said because he could not hear. [redacted] said when he looked closer at the man approaching the police it appeared he was pointing towards the police with his hands and [redacted]t said he could not see anything in the man`s hands. [redacted] said the man appeared to be advancing towards the officers in a much more aggressive manner looking at the body language of the man. [redacted] said this whole walking towards the officers seemed to have taken maybe 45 seconds or so, and then he heard what sounded like gunshots. [redacted] said the man did not go down and he wasn`t sure if what he heard was gunshots or pellets being fired. [redacted] said there appeared to be something else that was fired and that struck the man, who then fell to the ground. [redacted] said he could not tell what was fired or what had happened to cause the man to fall because he really did not hear anything unlike when he first heard the shots.

[redacted] said the officers moved in towards the man and appeared to be trying to handcuff him and that the man still appeared to be struggling and resisting the officers. [redacted] said after that an ambulance arrived, probably about five to seven minutes after the shots had been fired. [redacted] said he went down and gave his name to one of the officers at the scene, and telling them he had seen some of what had gone on.

I asked [redacted] to describe how he saw the officers when he saw them. [redacted] said he initially saw the officers outside their cars on either side of the police cars just talking with the man. [redacted] said he did not see the officers with their guns out at first. [redacted] said as he watched the man walk away from his vehicle with his hands up, he noticed the man stop probably halfway between his car and the first police car stopped in the entry way to the parking lot from the traffic light on Old Redwood Hwy. [redacted] said about ten feet from where the man stopped he suddenly put his hands down in front of him as he walked towards the officers. I asked [redacted] if he saw the man reach into a pocket or a waistband and pull something out, and he said he did not notice anything like that. [redacted] said he continued working out as all this was unfolding so he did not

focus entirely on the event and did not see everything. [redacted] said he did notice the man holding something in his hands as they were pointed at the officers, but did not know what it was. [redacted] said his thought was it was a small handgun, but that was based on everything he was seeing and what he perceived the man might have. [redacted] said from his perspective he would have felt the man was a threat to him based on the actions and body language from the man.

I asked [redacted] if he thought the man was walking towards the officers when he heard the shots. [redacted] said he was not sure if the man was walking or had stopped, but was in an aggressive stance towards the officers when he heard what sounded like three shots being fired. [redacted] did not know what officers shot.

I asked [redacted] what the distance was between the police cars and the suspects car, and he thought it was about 150 feet. I also asked [redacted] what the distance was between the police cars and the suspect when the shots were fired, and he estimated it to be about 60 feet. I asked [redacted] about the suspects car, and he described it as being parked in front of the Mexican market with the drivers door left open. [redacted] could not describe it any further, and did not see anyone else around it.

I completed the interview which was digitally recorded and I later placed the recording on a CD and booked the CD as evidence item TP 4.

DISPOSITION

Attach to the original report.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/27/2016 15:16:51	FOLLOW UP	(SD2219) PEIRSOL, THOMAS
Contact Name		**Supervising Officer**
		(SD1408) MURPHY, SHAWN K

4020

Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
14	[redacted]	W	M	[redacted]	23

Address	Cell Phone	Home Phone
[redacted]	[redacted]	
Employer Name/Address		**Business Phone**
/		
Witness Type		

Witness Notes

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Narrative

SUPPLEMENTAL INVESTIGATION

As part of this investigation I was asked to assist in contacting some possible witnesses to the shooting in Windsor. There were three names given to me by SCSO Detective Hanshew. One of the names was [redacted]. On 12-12-16 at about 1610 hours I called and spoke with [redacted] and explained that his name was given to me as a witness and I was calling to ask what he might have seen in Windsor on 12-11-16. [redacted] told me the following in essence.

[redacted] said he was walking to his gym, which is on the upper story of the Palms shopping center. [redacted] said he was walking past the store front on the bottom floor when he saw a couple of cop cars pull into the parking lot from the intersection with Old Redwood Hwy. [redacted] said he saw a parked car and a guy walking towards the cop cars. [redacted] said the guy appeared to be holding something in his hands, but he could not tell what it was. [redacted] said the cops were yelling at the guy to stop and get down on the ground, but the guy did not. [redacted] said he was standing next to a pillar of the building when he suddenly heard a couple of shots, but was not sure how many. [redacted] said he then ducked behind the pillar, and then stuck his head out to see what was going on. [redacted] said the guy was still standing up and that more cops run up behind the guy. [redacted] said the cops who ran up behind the guy Tased him, and the guy fell to the ground. [redacted] said he watched the cops jump on the guy and handcuff him.

I asked [redacted] if he saw the police cars in a pursuit of a car and if the police cars were driving on Old Redwood Hwy. [redacted] said he had his headphones on listening to music, so he did not hear any sirens or anything else. [redacted] said he noticed a car stopped in the parking lot with the drivers door open a guy walking away from it towards the police. [redacted] described the car as an unknown color 4-door sedan that was parked in front of the Mexican restaurant next to the entrance to the gym. [redacted] said the car was parking behind other cars blocking them in. [redacted] said he could hear the police yelling really loud for this guy to get down on the ground and that the guy seem to be yelling back at the officers in an incoherent way. [redacted] said the guy did not seem to be making any sense in what he was yelling.

I asked [redacted] about what he saw the guy holding and [redacted] said the guy held it in two hands in front of him at chest level. [redacted] said he did not know what the object was as he was too far away and it was too dark. [redacted] explained that the guy walked towards the police who were standing next to their cars in the parking lot towards the intersection at Old Redwood Hwy. [redacted] said after he heard the shots and looked out from behind the pillar, he noticed the guy had stopped walking and was standing with this arms down more towards his sides. [redacted] some other police ran up from behind the guy and one officer used a Taser on him. [redacted] said when the Taser was used on the guy he went stiff and fell to the ground. [redacted] said other officers ran up and they handcuffed the guy as he was laying on the ground. [redacted] said the officers appeared to be applying pressure to the guy on the ground as if he had been shot or wounded to some manner.

I asked [redacted] to describe the guy that the officers handcuffed as a white male in his late 40`s, about 5`-10" tall, with an average build and weighing about 170 pounds. [redacted] said he did not notice what the guy was wearing for clothing. [redacted] said he though he might be able to identify the guy who was handcuffed if he saw a photo of him again.

I asked [redacted] if he saw what officer shot at the guy walking towards them, and he said no that the bright lights from the police cars made it difficult for him to see any of the officers. I also asked [redacted] about the

time it took for this incident to happen, and [redacted] said from the time the police drove into the parking lot and the guy walked toward the police and the shots occurred was really quick. [redacted] estimated the time to be about 30 seconds or so, but said that was just a guess on his part. [redacted] said the guy appeared to walk more quickly towards the police just before the shots occurred..

I asked [redacted] if he had anything else to add or any information that I had not asked about and he said no. I completed the interview which was digitally recorded and I later placed the recording on a CD and booked the CD as evidence item TP 2.

DISPOSITION

Attach to the original report.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/28/2016 08:10:30	FOLLOW UP	(SD2219) PEIRSOL, THOMAS
Contact Name		**Supervising Officer** (SD1408) MURPHY, SHAWN K

4020

Supplement Narrative

SUPPLEMENTAL INVESTIGATION

As part of this investigation I was asked to assist in contacting some possible witnesses to the shooting in Windsor. There were three names given to me by SCSO Detective Hanshew. One of the names was [redacted]. On 12-12-16 at about 1640 hours I called and spoke with [redacted] and explained that his name was given to me as a witness and I was calling to ask what he might have seen in Windsor on 12-11-16. [redacted] told me the following in essence.

[redacted] said he had spoken with several Deputies the night of the shooting and had told them what he saw. [redacted] said he was coming out of the market called Castaneda`s after shopping, and walked to his truck and got inside. [redacted] said it was dark outside and he saw a car pull up almost behind him and stop. [redacted] said the next thing he heard was what sounded like a gunshot. [redacted] said he jumped out of his truck and ducked down, because he had heard the sirens and seen the police cars with their lights on drive into the parking lot from Old Redwood Hwy. [redacted] said he heard what sounded like a couple more gunshots and he noticed an officer come up from the area of the Thumbs Up Burger restaurant. [redacted] said he could not see very well due to the lights from the police cars aim in his direction. [redacted] said he saw images of a guy at the open door of the car that was stopped behind him, and remembers an officer yelling at the guy to stop and get on the ground and don`t move. [redacted] said he thought he heard a total of six shots during this incident and that there were two different calibers of weapons. [redacted] said he saw the suspect hit the ground and the officers came over and subdued him. [redacted] said the ambulance got there and took the suspect away, and that was pretty much what he heard and saw.

I asked [redacted] if the police cars were in the parking lot as he was walking to his car. [redacted] said no, that he actually saw and heard the police cars driving north on Old Redwood Hwy past the shopping center with their emergency lights and sirens going. [redacted] said it appeared the police might be in pursuit of something. [redacted] said as he was getting into his car he heard the sirens again and saw the lights from the police cars as they entered the shopping center. [redacted] said that was when a car stopped in the parking lot behind him. [redacted] said he did not see anyone get out of the car but when he looked at it the drivers door was open and a guy was walking away from it. [redacted] said he heard an officer yelling at the guy to stop and get on the ground but did not see the guy holding anything. [redacted] said the guy did not get on the ground and that was when he heard another shot or two and believes that when the guy was shot and fell to the ground. [redacted] said he was peeking out over the bed of his truck when he heard and saw what he did.

I asked [redacted] if he saw the suspect holding anything or doing anything during this incident. [redacted]

said he watched the suspect walk towards the police cars even while the police yelled at him to stop and get down on the ground. [redacted] said the suspect was not obeying the officers directions. [redacted] said he believed the suspect was holding something in his right hand but could not tell what it was. [redacted] said the suspects arms might have moved from up to down as he was walking but he had a hard time seeing anything because of the lights. [redacted] said he heard only the two volley of shots and the one officer yelling at the suspect to get down on the ground. [redacted] said he never heard the suspect yell or say anything during this incident, and he did not hear any other officers say anything during this incident. [redacted] described himself as being about 25 yards from the suspect when the shots were fired.

I asked [redacted] if he knew what a Taser was and he said yes. I also asked if he saw a Taser being shot or deployed in any manner and he said no.

I asked [redacted] what the officers did after the suspect was on the ground. [redacted] said the officers appeared to be tending to the wounds of the suspect putting something under the head of the suspect and applying a bandage to his body. [redacted] said the officers did handcuff the suspect before they started tending to him.

I later asked [redacted] to describe the suspect and he said the suspect was a balding middle aged white male adult wearing blue jeans and a shirt. I also asked [redacted] to describe the car that the suspect was standing near, and he said it was a tan or beige colored sedan and that it might have been a Toyota.

I asked [redacted] if he had anything else to add or any information that I had not asked about and he said that prior to going to the market he had been at the Home Depot store. [redacted] said he noticed alot of police SUV`s driving around the area with their headlights off and he heard a helicopter overhead. [redacted] said when he came out of the Home Depot they had all left. [redacted] said he was not sure if the two incidents were connected or not.

I completed the interview which was digitally recorded and I later placed the recording on a CD and booked the CD as evidence item TP 3.

DISPOSITION

Attach to the original report.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/15/2016 14:56:59	FOLLOW UP	(SD390) QUARTAROLO, PETE
Contact Name		**Supervising Officer**
		(SD390) QUARTAROLO, PETE

4020

Supplement Narrative

On 12/11/2016 I was assigned as flight crew of Sheriff`s Helicopter "Henry 1" along with pilot Sapp. Deputy Burg was riding in the back seat as part of his tactical flight officer training. At about 1730 hrs. we were returning from a call for service in the town of Windsor. I heard Sheriff`s Dispatch issue a BOL regarding a subject threatening "suicide by cop." I heard that the subject was reported to be armed with a handgun and was driving a Gold Volkswagen Passat (CA [redacted]).

After landing at the sheriff`s hangar I heard over the radio as Windsor Police units were dispatched to an assault with a deadly weapon call involving a gold four door sedan. I continued monitoring the call as we fueled the helicopter and prepared our night vision goggles for a night flight. At about 1735 hrs. dispatch requested that we respond to assist Windsor Police units in looking for the vehicle. Within minutes I heard that the vehicle had been located and noticed that the license plate number given by the deputy on scene matched the license plate from the BOL. I then heard Windsor Police units engaged in a vehicle pursuit with the same vehicle.

I continued to monitor the radio traffic as we responded to the area. As we approached the pursuing patrol cars I heard a deputy report on the radio that the suspect vehicle was pulling into the shopping center at Old Redwood Highway and Alden Ln. We were arriving overhead at this time and began our first orbit of the scene. I observed the suspect vehicle stopped with the driver door open. I heard a report on the radio of "shots fired" but had not yet located the suspect. I then noticed the suspect standing about mid-way between the suspect vehicle and the patrol cars stopped behind it. The cars were separated by about 25-30 yards. I watched as several deputies approached the suspect and took him into custody.

From my vantage point, I could not see muzzle flash or tazer deployment.

We remained on scene until it was confirmed that all outstanding suspects were accounted for. My observations were direct unaided visual and we did not use the camera or record video of the incident. I could not take still aerial photographs as it was too dark.

Nothing Further

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/11/2016 23:07:28	FOLLOW UP	(SD631) RYAN, JIM
Contact Name		**Supervising Officer**
		(SD631) RYAN, JIM

4020

Supplement Narrative

On 12/11/2016 at approx. 2240 hours, I responded to [redacted], Windsor Ca. to retrieve the Body Worn Camera`s from Deputies; Mairkranz, J.Clark, Haas, Bailey, and L. Matelli. I secured their BWC`s, and transported them to the Sheriff`s Office, main in Santa Rosa. At approx. 2300 I placed all 5 BWC`s into the docking station in effort to download their daily activities as referenced to this case.

I later had the BWC`s sent back to the deputies previously mentioned after the download occured.

-nothing further-

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/15/2016 12:15:40	FOLLOW UP	(SD442) SALAS, ANDREA
Contact Name		**Supervising Officer** (SD442) SALAS, ANDREA

4020

Supplement Narrative

On December 11th, 2016 I responded to the Windsor Palms Shopping Center. I arrived as the units were setting up the crime scene tape.

I checked in with Deputy Bailey who had Trainee Clark with him. I then made contact with Sergeant Haugen and Chief Basurto. I assisted with staffing, perimeter set up and securing one of the businesses. I did not interview anyone or take any statements.

I left the scene and responded to WPD to check in with the units being interviewed. Trainee Clark was the last to be teamed up and moved over to the host location.

I secured a short time later.

Nothing further.

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/11/2016 18:33:28	ROUTE TO	(SD272) SCHARBIUS, JOAN
Contact Name		**Supervising Officer**

4020

Supplement Narrative

LINK TO VCI SGT, NEEDS 69 VICTIM(S) AND LEOKA, 12-12-16, 272-JS
DA/VA w/NL, ATT 12/11 2224, WITS 12/11 2502, FLUP 12/11 631, FLUP 12/12 139,FLUP 12/12 1004, FLUP 12/12 2129, FLUP 12/12 1408, FLUP 12/12 1553, FLUP 12/12 1039, FLUP 12/12 468, FLUP 12/12 855, FLUP 12/12 2489, FLUP 12/12 1643, FLUP 12/12 1696, FLIP 12/12 1041, BWC Req, 12/12/16 2317 KKH
#1540 12-13-16 FLUP AND #1745 12-13-16 FLUP TO DA/VA, 12-14-16, 272-JS
Flups #1840 12/13 & 2034 12/14 to DA/VA, 12/15/16, 1881-MCM
#1815 12-14-16 FLUP AND EV SHTS TO DA/VA, 12-15-16, 272-JS
Flups #390 12/15, #1589 12/15, #442 12/15, #2369 12/15, Evids #1125 12/14, #1430 12/12 & Ev Shts to DA/VA, 12/16/16, 1881-MCM
#2353 12/16, #827 12/19, EV SHT to DA/VA, 12/20/16, 2487-AO
EV SHTS to DA/VA, 12/21/16, 2487-AO
Mailed SCSO Claim Form for damage to vehicle to [redacted]. Prior form given to him was WPD which was incorrect. 12/27/16 #2387 vr
Flups #2219 12/28, #2219 12/27 x2, #1813 12/27 x4 and Ev Shts to DA/VA, 12/29/16, 1881-MCM
MISC NL to DA/VA, 12/29/16, 2487-AO
Evid #1125 12/21 & Flup #1019 12/29 to DA/VA, 12/30/16, 1881-MCM
EV SHTS to DA/VA, 1/4/17, 2487-AO
EMAIL TO #855 RE: APPROVAL OF #664 12-12 FLUP, 1-19-17, 272-JS
EV SHTS TO DA/VA, 1-10-17, 272-JS
Flup #664 12/12 and EV SHT TO DA/VA, 1-12-17, 272-JS
EV SHT TO DA/VA, 1-18-17, 272-JS
#1627 1-27-17 NL (X2) TO DA/VA, 2-1-17, 272-JS
Flup #1627 2/1 & Ev Sht to DA/VA, 2/6/17, 1881-MCM
DA #1041 (4/13) supp 4/18/17 1466 jl
Ev Sht to DA 7/10/17 #2387 vr
#1041 7-13-17 CHRO, #1917 7-17-17 FLUP AND EV SHT TO DA, 7-19-17, 272-JS
EV SHT TO DA, 7-21-17, 272-JS
EV 180 TO PCI, 7-25-17, 272-JS
DA 2 #1041 (7/25) supps w/ attachments, 7/26/17 1466 jl
EV SHT TO DA, 8-15-17, 272-JS
#1041 8-22-17 FLUP TO DA, 8-29-17, 272-JS

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/11/2016 18:33:33	SCANNED NON ILEADS FORMS	(SD272) SCHARBIUS, JOAN
Contact Name		**Supervising Officer**

4020

Supplement Narrative

Evidence Sht, Change in Bail, Bk Shts, NOC, 12/13/16 2317 KKH
EV SHT, 12/20/16, 2487-AO
Claim Form from citizen for dmg to veh. 12/20/16 #2387 vr
EV SHTS, 12/21/16, 2487-AO
EV SHTS, CLETS, 1/4/17, 2487-AO
evd shts, bm2509 01/09/17
Ev Shts, Comp Rev, Dep Notes 1/20/17 #2193 AP
EV SHTS, 2/13/17, 2487-AO
EV SHT, 7-18-17, 272-JS
180 DOCS, 7-24-17, 272-JS
Ev Shts 7/29/17 2146KK
EV SHT, 8-14-17, 272-JS
Chris Eastwood letter to WPD 8-29-17 jm870
Veh Rel 9-6-17 jm870

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/16/2016 04:22:52	FOLLOW UP	(SD2353) SEALOCK, MICHAEL W
Contact Name		**Supervising Officer** (SD1456) RUSSELL, RYAN

4020

Supplement Narrative

On 12/11/16 at approximately 2000 hours I arrived at the parking lot of the Windsor Palms to provide assistance with scene security. I signed into the crime scene log. At approximately 2020 hours, Sgt. Haugen requested I respond to Memorial Hospital to guard (OF) Christopher Eastwood.

When I arrived I was met by Detective F. Skerrett who was also in the emergency room with Eastwood. Once Eastwood was medically cleared, Detective Skerrett and I secured him in waist and leg restraints. I subsequently transported Eastwood to the Sheriff`s Main Office where I escorted him to an interview room.

No further information.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/11/2016 20:30:13	WITNESS STATEMENT	(SD2502) SHORT, SHELDON
Contact Name		**Supervising Officer** (SD855) HAUGEN, JUSTIN

4020

Supplement Narrative

On 12-11-2016 at approximately 1738 hours, Windsor Police Department initiated a pursuit of a vehicle suspected of assaulting another person with a deadly weapon. Furthermore, the suspect and suspect vehicle may have been the subject of a be on the lookout issued by the Petaluma Police Department regarding a suspicious circumstance and that the driver may be suicidal. Based on the above, I responded to assist with the pursuit. While enroute, I heard over the radio a high risk traffic stop was being conducted in the parking lot of a shopping center located at Alden Ln / Old Redwood Hwy. A short time later, a deputy went over the radio advising shots had been fired.

During the investigation, I was wearing my Body Worn Camera (BWC). My BWC was deactivated at times during the investigation but only when the video was determined to have been fruitless, when it was not prudent to activate the camera, or while I discussed case strategy/tactical planning with my partner(s). This report is merely a summary of the incident and is not intended to be an exact transcript of the entire investigation.

I arrived on scene and saw the suspect down on the ground in handcuffs. I observed a substantial amount of blood on the back of the suspect`s head and was informed the he may had been hit multiple times. I began medical aid and started to cut the suspects shirt off to search for gunshot wounds. I located a second wound on the suspect`s right shoulder. With assistance from Deputy Tamayo, I applied pressure to his shoulder with gauze. Deputy Tamayo then wrapped the injury to the suspect`s head with gauze. I maintained pressure on the suspect`s shoulder injury until medical arrived on scene and relieved me.

I then contacted (Witness) [redacted] who told me the following in summary:

[redacted] works at [redacted] located inside the shopping center when he heard and saw multiple law enforcement vehicles rush into the parking lot from several different entrances. He then watched the patrol vehicles come to a sudden stop approximately 400 feet in front of him. Due to the distance and obstructions, [redacted] was unable to get a clear view and could not hear what, if anything, was being said. [redacted] then heard three or four gunshots. [redacted] immediately reentered [redacted] for safety.

End of statement.

I then contacted (Witness) [redacted] and (Witness) [redacted] Both [redacted] and [redacted] said they were at their homes when they heard three gunshots. Neither [redacted] nor [redacted] saw what occurred or what happened afterwards. They merely left the residents to investigate what they heard.

End of statements.

I then contacted (Witness) [redacted] [redacted] informed me she was on the sidewalk on Lakewood Dr preparing to cross the street when she noticed a vehicle approaching her with several police vehicles behind him. [redacted] stated the vehicle slowed and then jumped a curb to go around her. [redacted] then lost sight of the suspect vehicle and police vehicles as they turned onto a seperate street.

Per Sergeant Salas, I transported Deputy Bailey, Deputy Maikranz and Deputy Clarke to the Windsor Police Department for sequestering. Once we arrived on scene, Sergeant Cash tasked me with sequestering Deputy Bailey. During that time Deputy Bailey did not speak about the shooting. At approximately 1930 hours, Sergeant Cash relieved me from my duty.

Nothing further.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/13/2016 09:31:47	FOLLOW UP	(SD1745) SKERRETT, FLETCHER S
Contact Name		**Supervising Officer** (SD1696) LUCAS, JASON J

4020

Supplement Narrative

Sonoma County Sheriff`s Office Narcotics Unit
Supplemental Report: Det. F. Skerrett
Windsor PD Case Number: 161211-003

On 12/11/16 at approximately 1930 hours, I was advised of this investigation by Narcotics Detective G. Hals. Det. Hals received a request for assistance with this investigation and requested I respond to the Memorial Hospital Emergency Room (MER). At approximately 1950 hours, I met Sgt. J. Ryan at the Sonoma County Sheriff`s Main Office and was provided waist restraints, leg restraints and a hospital guard paperwork packet. At approximately 2005 hours, I arrived at MER and met Dep. B. Stibi. The suspect was being attended to by multiple MER staff.

I was shown (3) brown paper bags that were sealed with tape. The bags were labeled with an identification number and the location where the items inside the bags were collected. I was told that the nurse who collected the items (clothing) was a forensic nurse and collected the items in accordance with proper evidence collection protocol. I took a picture of the bags at MER and later emailed the picture to CSI Det. D. Fong to book as evidence. The nurse was not currently available for a statement. I maintained the bags under my custody and provided them to CSI Det. D. Fong at the Sheriff`s Office.

Once the suspect was medically cleared for booking, Deputy Sealock and I secured him in waist and leg restraints. The restraints were checked for fit. I followed Deputy Sealock from MER to the Sheriff`s Main Office. The suspect was walked to an interview room where I maintained guard of him. I was relieved of my duty to maintain custody of the suspect by PCI Det. T. Perisol.

End of Supplemental Report.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 16:55:52	FOLLOW UP	(SD2489) SOLORZANO, LUKE
Contact Name		**Supervising Officer** (SD855) HAUGEN, JUSTIN

4020

Supplement Narrative

Portions of the following investigation were captured on my body worn camera. The following is a summary of investigation and not to be confused with a transcript.

On 12-11-16 at approximately 1740 hours, I was in full uniform, on routine patrol in Rohnert Park, when I heard a call of shots fired, at the Windsor Palms Shopping Center, in Windsor, over the radio.

I self-attached to the call, at approximately 1743 hours, arriving at the Windsor Palms, at 1750 hours.

I contacted Sgt. Haugen, and at his direction began setting up a tape line to secure the scene of the incident. I closed off the south entrance and north/west entrance of the shopping center with evidence tape.

I then ran evidence tape in a smaller circumference around the immediate crime scene, to include shell casings, Taser cartridges, excess medical supplies on scene, and vehicles involved.

After securing the scene I stood by the inner perimeter, helping to keep press and civilians from entering and violating the integrity of the scene.

At approximately 2030, Sgt. Haugen cleared me from the scene, as other night shift units arrived to maintain the scene.

End of report.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 14:05:50	FOLLOW UP	(SD468) STIBI, BRAD
Contact Name		**Supervising Officer** (SD855) HAUGEN, JUSTIN

4020

Supplement Narrative

On 12/11/2016, at approximately 1730 hours, I was working on patrol, dressed in full uniform when I heard over the radio that Windsor Police Deputies were involved in a vehicle pursuit. I was in Larkfield area when I heard the call and I began responding northbound on Old Redwood Hwy. I heard the pursuit end at the Windsor Palms Shopping center, near Old Redwood Highway and Alden Lane. Seconds later, I heard Deputy L. Matelli, a Deputy for the Windsor Police Department, broadcast over the radio that shots had been fired. I responded directly to the scene and I parked my patrol vehicle on the north entrance into the Windsor Palms.

Several Deputies were effecting an arrest of a male subject who was lying on the ground in the parking lot near TASK mortgage. I immediately contacted witnesses who were standing in the immediate area watching the incident. I first contacted a subject named [redacted] In essence he told me the following:

[redacted] had just picked up a burrito for himself and his son at El Farvilito`s Mexican restaurant and he was walking towards his truck. [redacted] point to his truck which was a brown Ford F250. I noticed it was parked in the south east corner of the restaurant facing the east. [redacted] said he heard sirens and saw a patrol vehicle make a traffic stop directly in front of him. [redacted] wanted to just get out of the area quickly so he jumped into his truck with his son. [redacted] stated that he saw a tan vehicle stop for Deputies. After the vehicle stopped he realized the traffic stop was occurring right in front of him. [redacted] stated that he saw a subject exit from the tan vehicle and walk directly towards the Deputies. As the subject walked towards the Deputies, [redacted] stated that he was holding an unknown object with both hands and he was pointing the object towards the direction of the Deputies. [redacted] stated he heard several "pops" so he ducked down below his dashboard of his truck and stayed there for several moments.

I then talked to [redacted] and in essence he told me the following:

[redacted] was also returning to his vehicle after picking up dinner at Roundtable Pizza when he heard patrol sirens as he was walking in front of Thumb`s Up Burger, located in the Windsor Palms. [redacted] stated that he saw Windsor Police vehicles conducting a traffic stop on a tan vehicle east of his location. [redacted] said he saw the subject had already exited his vehicle and was advancing the Deputies. [redacted] stated that he saw the subject holding an unknown object with both hands and he was pointing the object in the direction of the Deputies. [redacted] stated that he saw the subject was shot with a Taser by Deputies and he fell to the ground. J[redacted] had no idea the subject was ever shot with a firearm. [redacted] could not provide me a description of the subject because he said everything happen so fast.

Moments later, I was directed by Sgt. Haugen to escort the Ambulance to Memorial Hospital so the subject

could be treated for his injuries. At the Hospital, Windsor Firefighter [redacted] approached me and stated that the subject, who was identified as Christopher Eastwood, made spontaneous statements in the ambulance that he wished the police would have killed him. I requested [redacted] document the conversation he had with Eastwood in the Ambulance and he indicated to me he would. I remained at Memorial Hospital on guard until approximately 2045 hours, where I was later relieved by Detective F. Skerret.

Nothing Further

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/14/2016 09:37:46	FOLLOW UP	(SD2034) TAMAYO, JOHN PAUL
Contact Name		**Supervising Officer** (SD1039) CASH, ANDY

4020

Supplement Narrative

On 12-11-2016, at approximately 1730 hours, while working patrol, in a fully marked patrol vehicle, dressed in full uniform, I heard over the radio that Windsor Police Deputies were involved in a vehicle pursuit. I was in the Santa Rosa area when I heard the call and I began responding northbound on Old Redwood Hwy.

While en-route, I heard the pursuit had ended at the Windsor Palms Shopping center, near Old Redwood Highway and Alden Lane. Moments later, I heard a Deputy, broadcast over the radio that shots had been fired. Upon arrival to the scene, I positioned my patrol vehicle at the intersection of Old Redwood Hwy and Alden lane, near the north entrance of the Windsor Palms Shopping center. I exited my patrol vehicle and noticed several SCSO Deputies to the south of my location attempting to provide first aid to an adult male subject (Suspect), who was handcuffed and lying on his side. I continued and assisted SCSO Deputies in providing first aid to the suspect.

I then contacted Sgt. Haugen, and at his direction began a crime scene log for the incident. The area was secured and closed off by crime scene tape and I initiated a crime scene log, monitoring all entry and exit to the scene. On 12-11-2016, at approximately 2015 hours, I was relieved from the scene and turned over the crime scene log to Narcotics Detective Daniel Ager.

End of report.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 16:11:49	ATTACHMENT ADDED	(SD1041) TONEY, JEFF
Contact Name		**Supervising Officer** (SD530) MCALVAIN, SHANNON

4020

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
4	POLICE (LAW	None		

Name(Last, First, M)	Race	Sex	DOB	Age
HAAS, CHRISTOPHER	W	M		

Address	Cell Phone	Home Phone

Employer Name/Address	Business Phone
SONOMA COUNTY SHERIFF / 2796 VENTURA AVE SANTA ROSA CA	[redacted]

Victim of Crimes	
[2], [3]	

Seq. #	Type	Injuries	Residency Status	Ethnicity
5	POLICE (LAW	None		

Name(Last, First, M)	Race	Sex	DOB	Age
MATELLI, LAWRENCE	W	M		00

Address	Cell Phone	Home Phone

Employer Name/Address	Business Phone
SONOMA COUNTY SHERRIF / 2796 VENTURA AVE SANTA ROSA CA	([redacted]

Victim of Crimes	
[2], [3]	

Seq. #	Type	Injuries	Residency Status	Ethnicity
6	POLICE (LAW	None		

Name(Last, First, M)	Race	Sex	DOB	Age
MAIKRANZ, NICHOLAS	W	M		

Address	Cell Phone	Home Phone

Employer Name/Address	Business Phone
SONOMA COUNTY SHERIFFS / 2796 VENTURA AVE. S.R., CA 95403	

Victim of Crimes	
[2], [3]	

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity
7	POLICE (LAW	None		

Name(Last, First, M)	Race	Sex	DOB	Age
BAILEY, NEIL	W	M		

Address	Cell Phone	Home Phone
2796 VENTURA AV, SANTA ROSA, CA 95403		[redacted]

Employer Name/Address	Business Phone
SONOMA CO. SO /	

Victim of Crimes	
[2], [3]	

Seq. #	Type	Injuries	Residency Status	Ethnicity
8	POLICE (LAW	None		

Name(Last, First, M)	Race	Sex	DOB	Age
CLARK, JEREMY	O	M		

Address	Cell Phone	Home Phone

Employer Name/Address	Business Phone
SONOMA COUNTY SHERIFF`S OFFICE / 2796 VENTURA AVE. SANTA ROSA CA	[redacted]

Victim of Crimes	
[2], [3]	

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Narrative

Investigative Case Summary
Sonoma County Sheriff`s Office
Detective Jeffery Toney
Violent Crime Investigations Unit (VCI)
Windsor Police Department Officer Involved Shooting
Case # WI161211-003

INVOLVED DEPUTIES
Deputy Lawrence Matelli
Deputy Jeremy Clark
Deputy Neil Bailey
Deputy Nicholas Maikranz
Deputy Christopher Haas

SUSPECT
Christopher Cormac Eastwood

INVESTIGATIVE CASE SUMMARY
The following is a summary narrative only, which will be followed by a complete chronological investigative report on a following date.

During the course of this investigation, I have learned the following through official law enforcement sources, and my own investigation.

On 12/11/2016, at approximately 1646 hours, Petaluma Police Department was dispatched to the area of Colinda Drive at Mountain View Avenue, Petaluma, in regards to a suicidal subject. The notes to the call reported the suicidal subject was "Christopher Eastwood (49 years old)" and he made statements about wanting to commit suicide by cop. The notes also reported Christopher was possibly armed with a handgun, possibly with a yellow handle. Christopher was last seen leaving the area in a gold Volkswagen Passat with a license plate [redacted]

Petaluma Police Officers met with the reporting party, [redacted] Christopher Eastwood is her son-in-law and he recently separated from his wife, [redacted] in January 2015. Christopher and [redacted] live in San Francisco. [redacted] told officers today around 1600 hours, Christopher showed up unexpectedly at [redacted] residence. [redacted] observed Christopher`s gold Volkswagen [redacted] parked in front of her residence. [redacted] went outside to greet him. [redacted] asked him to get out of the car and come inside, Christopher refused.

[redacted] advised this is not like him and described him to be at "wits end." Christopher was not observed to be intoxicated, or under the influence of drugs. However, Christopher was crying and approximately three times he told [redacted] "I am a coward." Christopher continued to tell [redacted] that as he was driving to Petaluma from San Francisco he was "waving this gun hoping a police officer would stop me." Christopher told [redacted] that he wanted to commit suicide by cop. [redacted] heard Christopher say the police would shoot me and I would shoot back, "vice versa."

Based on the information learned during their investigation, Petaluma Police issued an Officer Safety bulletin (BOL) at approximately 1702 hours, referencing Eastwood`s intent to commit suicide by law enforcement. Refer to Petaluma Police Department case # 16-6271, for details of their investigation to include their follow up investigative reports.

At approximately 1727 hours, Windsor Police deputies were dispatched to [redacted] Merner Drive for the report of an assault with a deadly weapon. Reporting Party, [redacted] called 9-1-1 from his above residence after nearly being struck by a vehicle he described as being a gold or champagne colored four door car, being driven by a White male adult in his fifties. [redacted] told the call taker he first observed the vehicle driving erratically in his neighborhood at approximately 1700 hours. He observed the vehicle pulling into different driveways in his neighborhood, then he would back out of the driveways and speed up and down the street. [redacted] said he had been observing the vehicle in his neighborhood for the past twenty-five to thirty minutes.

At one point, the male driver of the vehicle nearly struck his wife`s vehicle as she pulled up in front of their residence after arriving home from work with their eighteen month old child in the back seat. After this occurred, [redacted] approached the vehicle on foot to question the driver`s actions. While doing so, the driver of the vehicle accelerated forward towards [redacted] again, but turned abruptly before colliding with [redacted] and drove the vehicle up onto the raised center divide. [redacted] said he believed the driver`s action were intentional. [redacted] described another time when the driver of the vehicle attempted to run him down while he was in the roadway. [redacted] told the call taker he last saw the vehicle driving westbound on Merner Drive.

[redacted] said he called the police after the vehicle left and the police arrived quickly. While he was speaking with Windsor Police deputies, the same suspicious vehicle drove eastbound onto Merner Drive again and pulled into the driveway of [redacted] Merner Dr. [redacted] said this time the vehicle backed up and drove out on Merner Dr. the wrong way, driving westbound in the one way eastbound traffic lane. [redacted] said the police drove off after the vehicle and all he heard were sirens and he never saw the suspicious vehicle again or the police. Refer to Sonoma County Sheriff`s Office Property Crimes Detectives, Tom Peirsol and Richard Sedgwick`s narrative reports for further details of his investigation and the statements obtained from [redacted] and his wife.

On 12/11/2016, I was the on call VCI Detective. At approximately 1905 hours, I received a telephone call at home from VCI Sergeant Shannon McAlvain, advising me Windsor Police Deputies were involved in an officer involved shooting. Sergeant McAlvain requested I respond to the Sheriff`s main office, where we would brief the incident further.

Upon arrival VCI Detectives and Administrative staff from the Sonoma County Sheriff`s Office, along with Sonoma County District Attorney, Barbara Nanney and Deputy District Attorney Investigator Ken Pistorio, met in the briefing room. Windsor Police Chief, Carlos Basurto provided an incident briefing.

In summary, it was learned that Windsor Police deputies were dispatched to an assault with a deadly weapon call (vehicle) that occurred on Merner Drive in Windsor, at approximately 1727 hours on today`s date.

The circumstances of the report, indicated there was a driver of a vehicle which nearly struck the reporting party numerous times and it had been observed driving erratically in the neighborhood for the past 25-30

minutes. While responding, Windsor Deputies received information from Sonoma County Sheriff`s dispatch about the officer safety bulletin issued by the Petaluma Police, due to the similarities in the vehicles make and color. While deputies were on scene investigating the assault report, the vehicle returned to the neighborhood and was identified by the reporting party.

Windsor Police deputies attempted to initiate an enforcement stop on the vehicle, a gold Volkswagen Passat, and it was determined at this point the vehicle`s license plate (CA. [redacted]) matched the vehicle information in the officer safety bulletin issued by Petaluma Police. Windsor Police deputies were advised the subject, identified as Christopher Eastwood, was threatening to commit suicide by law enforcement.

The vehicle failed to yield for Windsor Police at the corner of Merner Drive and Old Redwood Highway and continued northbound. The vehicle pursuit terminated when the driver of the vehicle, later determined to be Christopher Eastwood, stopped his vehicle in the Windsor Palms shopping center, located at 8499 Old Redwood Highway. Eastwood reportedly exited his vehicle holding an object he told deputies was a gun, and he threatened to kill them, while advancing towards deputies.

During this time, Eastwood was shot by a Windsor deputy, but he continued refusing to comply with directives and resisted efforts to be taken into custody. Deputies deployed their Taser`s and he was ultimately handcuffed and taken into custody. Eastwood was transported to Santa Rosa Memorial Hospital where it was determined he sustained a non-life threatening injury to his shoulder.

The involved deputies were identified as Larry Matelli, Nicholas Maikranz, Christopher Haas, Neal Bailey and Jeremy Clark. The involved deputies were currently being sequestered at [redacted], in Windsor.

VCI Detective Jesse Hanshew and I conducted audio recorded interviews with all of the involved deputies. Utilizing the format of the Sonoma County Sheriff`s Office Critical Incident Guidelines Manuel, the interviews were directed in accordance with the "Involved Officer Interviews". The interviews were observed via CCTV by Sonoma County Deputy District Attorney Barbara Nanney and District Attorney Investigator Ken Pistorio.

Based on the statements obtained during the involved deputy interviews, it was learned that Christopher Eastwood acted alone as the solo driver of his vehicle and failed to stop his vehicle for deputies who pursued him with their lights and sirens activated. The vehicle pursuit encompassed approximately two miles from Merner Drive, north to Lakewood Drive through the Town of Windsor during peak traffic hours and reached speeds exceeding sixty miles per hour in posted 35 and 40 mile an hour speed zones.

Eastwood drove his vehicle crossing over double yellow lines into the opposing lane of traffic, causing vehicles to take drastic maneuvers to avoid colliding with his vehicle on multiple occasions. As Eastwood fled deputies in his vehicle he placed the lives of the public in danger and showed willful and wanton disregard for the safety of persons and property, as he drove his vehicle through multiple red traffic signal controlled intersection`s and over a raised concrete median into oncoming traffic at Lakewood Drive near the US 101 northbound Central Windsor off-ramp.

Through statements obtained by the involved deputies and through a review of their Body Worn Camera`s, the termination point of the pursuit shows Eastwood having exited his vehicle. Eastwood can be seen advancing in a commonly used shooting stance/technique in which he has both his hands extended forward and is

crouched slightly down, holding an object. He is also heard yelling the following: "I`m gonna fucking kill you" "It`s an automatic". Eastwood yells this when responding to Deputies who recognized at one point during the encounter that Eastwood was not holding a gun and were announcing this to one another.

During this encounter, Deputy Haas fired his duty firearm several times, striking the suspect once (no apparent effect at time, later determined to be minor injuries). Ultimately Deputy Bailey was able to subdue Eastwood by using his Taser. Eastwood was then taken into custody and transported to the hospital where he was released a short time later after being medically cleared.

During a subsequent interview with Bell`s Ambulance Paramedic, [redacted] she provided the following in summary: During the transport of Christopher Eastwood from the scene to Santa Rosa Memorial hospital he was asked if he remembered anything that happened tonight. Eastwood told [redacted] he was beginning to remember. He said "I wanted to be shot tonight. "I wanted the cops to shoot me." I told them to shoot me." When [redacted] questioned Eastwood, he adamantly denied having any depression, behavioral issues, or psychiatric disorders and went on to say he did not want to die tonight. [redacted] documented this in her report.

Eastwood was transported to Sheriff`s Investigations where he was escorted to an interview room. VCI Detective Jayson Fowler contacted Eastwood in the interview room to obtain a statement. Eastwood was advised his rights per Miranda and he invoked his rights by declining to speak further without his lawyer. Eastwood was transported to the Main Adult Detention Facility and booked into custody for the following charges:

245(a)(1) PC- Assault with a deadly weapon in relation to him trying to run over Windsor Resident [redacted] with his vehicle.

69 PC & 148(a)(1) PC- Obstructing/delaying Peace Officer`s by means of threats, violence, etc. This is in relation to Eastwood`s encounter with Deputies upon the termination of the pursuit.

Based on the statements obtained by the involved deputy interviews and a review of their body worn cameras, I am respectfully requesting a complaint through the Sonoma County District Attorney that Christopher Eastwood additionally be found in violation of 2800.2 CVC- Evading a Peace Officer: Reckless Driving.

Nothing further

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
04/13/2017 11:24:36	ATTACHMENT ADDED	(SD1041) TONEY, JEFF
Contact Name		**Supervising Officer** (SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

Supplemental Investigative Report
Sonoma County Sheriff`s Office
Detective Jeffery Toney
Violent Crime Investigations Unit (VCI)
Windsor Police Department Officer Involved Shooting
Case # WI161211-003

INTERVIEW WITH SONOMA COUNTY SHERIFF`S DEPUTY CHRISTOPHER HAAS # 1649 BY: DETECTIVE JEFF TONEY

On 12/12/2016, at approximately 0622 hours, I conducted a digital audio recorded interview with Sonoma County Sheriff`s Deputy Christopher Haas, badge # 1649. The interview was conducted in [redacted] Windsor, CA. Detective Jesse Hanshew was present, along with Deputy Haas`s attorney, Nicole Pifari, from Rains Lucia Stern, PC. The interview was observed via closed-circuit television in [redacted] by Sonoma County Deputy District Attorney, Barbara Nanney, and District Attorney Investigator, Ken Pistorio.

The recorded interview was later transferred to a CD-R data disc which I labeled as evidence item # JT-3 for future reference. I later booked this item into evidence at the Sheriff`s main office Property/Evidence Room.

Utilizing the format of the Sonoma County Sheriff`s Office Critical Incident Guidelines Manual, I directed the interview in accordance with the "Involved Officer Interviews".

I began the interview by having all persons present introduce themselves for the record and I clarified with Deputy Haas that he was being interviewed as witness in this investigation. Deputy Haas acknowledged affirmatively that his presence was voluntary and he agreed to provide me with his statement. When questioned, Deputy Haas acknowledged that he was given ample time to meet and speak with his attorney prior to providing his voluntary statement at this time.

I mentioned to Deputy Haas that although he and I both currently work for the same law enforcement agency, was it fair to say that he and I are not close friends, nor do we associate with each other outside of work. Deputy Haas agreed and answered in the affirmative.

I began asking Deputy Haas a series of questions using the standard county wide critical incident protocol guidelines. Refer to the evidentiary CD-R data disc and the attached transcripts for the exact statements made during this interview.

ATTACHMENT: TRANSCRIPTS OF INTERVIEW

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
07/13/2017 15:32:30	CHRONOLOGICAL	(SD1041) TONEY, JEFF
Contact Name		**Supervising Officer** (SD530) MCALVAIN, SHANNON

4020

Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	5	[redacted]	W	F

Address	DOB	Age	Cell Phone	Home Phone
[redacted]	[redacted]	74		[redacted]

Employer Name/Address	Business Phone
/	

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	6	[redacted]	X	M

Address	DOB	Age	Cell Phone	Home Phone
[redacted]	[redacted]	75	[redacted]	

Employer Name/Address	Business Phone
RETIRED /	

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	7	[redacted]		F

Address	DOB	Age	Cell Phone	Home Phone
[redacted]	[redacted]	46	[redacted]	[redacted]

Employer Name/Address	Business Phone
/	

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	8	[redacted]	X	F

Address	DOB	Age	Cell Phone	Home Phone
[redacted]	[redacted]	24		

Employer Name/Address	Business Phone
[redacted]	([redacted]

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	9	[redacted]	H	M

Address	DOB	Age	Cell Phone	Home Phone
[redacted]	[redacted]	52	[redacted]	

Employer Name/Address	Business Phone
[redacted]	[redacted]

Supplement Narrative

Chronological Investigative Report
Sonoma County Sheriff`s Office
Detective Jeffery Toney
Violent Crime Investigations Unit (VCI)
Windsor Police Department Officer Involved Shooting
Case # WI161211-003

INVOLVED DEPUTIES
Deputy Lawrence Matelli # 2164
Deputy Jeremy Clark # 2500
Deputy Neil Bailey # 1299
Deputy Nicholas Maikranz # 1894
Deputy Christopher Haas # 1649

SUSPECT
Christopher Cormac Eastwood

NOTIFICATION

On 12/11/2016, I was the on call VCI Detective. At approximately 1905 hours, I received a telephone call at home from VCI Sergeant Shannon McAlvain, advising me Windsor Police Deputies were involved in an officer involved shooting. Sergeant McAlvain requested I respond to the Sheriff`s main office, where we would brief the incident further.

BRIEFING

At approximately 2030 hours, Sonoma County Sheriff`s Windsor Police Chief, Carlos Basurto, provided the incident briefing.

The following personnel were gathered in the Sheriff`s Office briefing room. Sonoma County Sheriff, Steve Freitas, Sonoma County Sheriff`s Captain`s, Clint Shubel, Mark Essick, Sonoma County Sheriff`s Lieutenants Jim Naugle, Darin Dougherty, Sonoma County Sheriff`s Internal Affairs Sergeants, Eddie Engram, Brandon Austin, VCI Sergeant Shannon McAlvain, Sonoma County Sheriff`s Crime Scene Investigations Sergeant Vance Eaton, VCI Detective Jesse Hanshew and I, CSI Detective Troy Newton, Sonoma County District Attorney, Barbara Nanney and Deputy District Attorney Investigator Ken Pistorio.

In summary, it was learned that Windsor Police deputies were dispatched to an assault with a deadly weapon call (vehicle) that occurred on Merner Drive in Windsor, at approximately 1727 hours today. The circumstances of the report, indicated a driver of a vehicle was seen driving erratically up and down the street and intentionally tried hitting the reporting party, who was identified as (RP-1) [redacted] The driver of the vehicle was said to have been driving erratically in the neighborhood for the past 25-30 minutes.

While responding to the call, Windsor Deputies received information from Sonoma County Sheriff`s dispatch about an officer safety bulletin which had been issued at approximately 1702 hours by the Petaluma Police Department. The officer safety bulletin (Be on the Look Out) was directly related to a report the Petaluma Police were investigating, which involved a subject who stated he was armed and wanted to commit suicide by law enforcement. The subject was identified in the bulletin as being 49 year old (OF-1) Christopher Eastwood. A physical description of Eastwood was broadcast in the bulletin along with the vehicle he was reportedly driving, a gold 2015 Volkswagen Passat, bearing California license plate number [redacted]

While deputies were on scene investigating the assault report, the vehicle returned to the neighborhood and it was identified by the reporting party as being the same vehicle that nearly struck him multiple times. Windsor Police deputies attempted to initiate an enforcement stop on the vehicle, a gold Volkswagen Passat, and it was determined at this point the vehicle`s license plate (CA. [redacted] matched the vehicle information in the officer safety bulletin issued by Petaluma Police. Windsor Police deputies were advised the subject, identified as Christopher Eastwood, was threatening to commit suicide by law enforcement.

The vehicle failed to yield for Windsor Police at the corner of Merner Drive / Old Redwood Highway and continued northbound. The vehicle pursuit terminated when the driver of the vehicle, later determined to be Christopher Eastwood, stopped his vehicle in the Windsor Palms shopping center, located at 8499 Old Redwood Highway. Eastwood reportedly exited his vehicle holding an object he told deputies was a gun, and he threatened to kill them, while advancing towards deputies.

During this time, Eastwood was shot by a Windsor deputy, but he continued refusing to comply with directives and resisted efforts to be taken into custody. Deputies deployed their Taser`s and he was ultimately handcuffed and taken into custody. Eastwood was transported to Santa Rosa Memorial Hospital (SRMH) where it was determined he sustained a non-life threatening injury to his shoulder.

The involved deputies were identified as Larry Matelli, Nicholas Maikranz, Christopher Haas, Neal Bailey and Deputy Trainee, Jeremy Clark. The involved deputies were currently being sequestered at [redacted] in Windsor.

After the briefing, I reviewed the I/NetViewer Event Chronology (WI163460016) related to this incident now being investigated. I noted at approximately 1749 hours, an event remark indicated that off duty California Highway Patrol, Officer Cincera, badge number 16223, witnessed the pursuit and officer involved shooting. Officer Cincera`s contact information was listed in the remark.

INVESTIGATIVE ASSIGNMENTS

After the briefing was completed, Sergeant McAlvain issued the investigative assignments as follows: Sonoma County Sheriff Property Crimes Detective, Tom Peirsol, was assigned to interview/investigate the original crime of assault with a deadly weapon (vehicle) at [redacted] Merner Drive Windsor. Sonoma County Sheriff`s Narcotics Sergeant, Jason Lucas, Detectives Ager, Hals, Mclaughlin and VanCamp were responsible for scene security and management at the Windsor Palms Shopping Center. Sonoma County Sheriff`s Crime Scene Investigations, Sergeant Vance Eaton, CSI Detectives Baraz and Fong were responsible for scene scanning and processing. Deputy Matt Parlato assisted processing the scene with CSI Detectives. CSI Detective Troy Newton was tasked with processing the suspect, Christopher Eastwood.

CSI Detective Travis Koeppel responded to [redacted] where he was responsible for processing the involved deputies and preparing equipment setup for the involved deputy interviews. VCI Detective Jayson Fowler was tasked with interviewing (OF-1) Christopher Eastwood. VCI Detective Joseph Horsman was assigned to author search warrants related to the investigation and conduct interviews with on scene Fire and Ambulance personnel. VCI Detective Hanshew was assigned to assist me with conducting the involved deputy interviews.

I contacted Sheriff`s dispatch and requested a copy of the original 9-1-1 dispatch audio tape of the incident and the Background Event Chronology referenced in this event WI163460016. I later received a copy of the dispatch audio tape (#SA01) which had been transferred to a data disc, and the event chronology from Sheriff`s Dispatch Supervisor, Shelly Arredondo. The original 9-1-1 dispatch audio data disc was labeled as evidence item #SA01 and it was booked into evidence by Dispatch Supervisor Arredondo.

CONTACT WITH CHRISTOPHER EASTWOOD POST RELEASE/DISCHARGE FROM SANTA ROSA MEMORIAL HOSPITAL

After the briefing, I learned (OF-1) Christopher Eastwood had been medically cleared/discharged from Santa Rosa Memorial Hospital and he was being transported to Sheriff`s Investigations by Deputy Michael Sealock. Eastwood arrived at approximately 2113 hours and he was escorted to interview room one, where the audio/video recording was activated. During this time, Sonoma County Sheriff`s Narcotics Detective, Fletcher Skerrett, contacted Eastwood and explained the process of events that would be taking place from that point forward. Detective Skerrett offered Eastwood the opportunity to use the restroom and ensured the handcuffs securing his wrists (belly chains) were properly fit.

At approximately 2150 hours, Eastwood was transferred from interview room number one, to interview room number two, due to some technical issues we were experiencing with the video recording equipment.

At approximately 0049 hours, VCI Detective Jayson Fowler conducted an audio/video recorded interview with Christopher Eastwood. Prior to questioning Eastwood, Detective Fowler read him his rights per Miranda. Upon completing the Miranda warning, Eastwood invoked his rights and requested a lawyer be present. The interview was terminated at that point.

Due to Christopher Eastwood`s actions and the nature of this incident, it was briefed that Detective Fowler would author an Application for Change in Bail Amount Form. The application was telephonically presented to Sonoma County Superior Court Judge, Elliot Daum, at approximately 0130 hours. Judge Daum authorized Christopher Eastwood`s bail be fixed in the amount of $100,000.00. Refer to Detective Fowler`s supplemental report for the details of his contact with (OF-1) Christopher Eastwood and the pre-booking process.

At approximately 0124 hours, CSI Detective Troy Newton contacted Eastwood inside the interview room and photographed him. Once the photographs were completed, Eastwood was transported to the Main Adult Detention Facility at approximately 0154 hours, where he was booked into custody on the charges of 245(A)(1) PC, 69 PC and 148(a)(1) PC.

SCENE

Detective Hanshew and I arrived in the area of the Windsor Palms Shopping Center at approximately 2155 hours and briefed with Sonoma County Sheriff`s Narcotics Sergeant, Jason Lucas. Deputy District Attorney, Barbara Nanney, and Deputy District Attorney Investigator, Ken Pistorio, were also present.

The exterior scene and entrance into the Windsor Palms Shopping Center on Old Redwood Highway at Alden Lane was cordoned by yellow police barrier tape. A primary inner perimeter around the scene was cordoned by yellow police barrier tape. A Major Incident Access Log was established and was being managed by Detective Ager.

After the briefing, I signed into the Major Incident Access Log at approximately 2207 hours and remained within the exterior crime scene. CSI Detective Dylan Fong arrived at approximately 2210 hours and I briefed him on the facts known to me thus far about the incident. At approximately 2215 hours, Detective Fong conducted an initial videotaped/photograph walkthrough of the scene for evidentiary purposes.

After the scene was recorded, Detective Hanshew, Deputy District Attorney, Barbara Nanney, and I, entered the primary scene at approximately 2236 hours. We completed an investigative walkthrough of the scene to gain a better understanding and familiarize ourselves with the scene for interview purposes. During the walkthrough, a high degree of care was used as to not disturb anything within the scene. The walkthrough was completed and we exited the scene at approximately 2244 hours. I signed out of the Major Incident Access Log at approximately 2246 hours. Refer to the supplemental reports authored by the Sonoma County Sheriff`s Crime Scene Investigations Detectives for an illustration of their observations, findings and the evidence collection process.

INVESTIGATIVE INTERVIEWS

On 12/11/2016, at approximately 2250 hours, VCI Detective Hanshew and I arrived at [redacted] Windsor, CA. I met briefly with CSI Detective Travis Koeppel and learned that he and CSI Detective, Troy Newton, had completed processing the involved deputies. During this time I was introduced to attorney, Nicole Pifari, with Rain Lucia Stern. PC, who was representing the involved deputies. Ms. Pifari indicated she was in the process of meeting with the deputies involved in the critical incident.

In preperation for the involved deputy interviews, VCI Sergeant, Shannon McAlvain, provided me with DVD-R which contained a copy of the involved deputies body worrn camera video related to this incident. The DVD-R copy of the involved deputies` body worn camera video had been prepared/downloaded by Sonoma County Sheriffs Internal Affairs Sergeant, Eddie Engram, who then provided it to Sergeant McAlvain.

Sonoma County Deputy Sheriff`s Association President, Michael Vail, was present and provided me the rooms in which the involved deputies were being sequestered. Deputy Larry Matelli was located [redacted] Deputy Chris Haas was located [redacted], Deputy Neil Bailey was located [redacted], Deputy Nicholas Maikranz was located [redacted] and Deputy Trainee, Jeremy Clark, was located [redacted]

All of the involved deputy interviews were conducted on the second floor of the hotel in room # 227, and they

were audio recorded. The interviews were observed via closed-circuit television in [redacted], by Sonoma County Deputy District Attorney Barbara Nanney and District Attorney Investigator, Ken Pistorio.

Prior to beginning the involved deputy interviews, I spoke with PCI Detective, Tom Peirsol, regarding the disposition of his interview with the original reporting party, (V-1) [redacted]. While talking with Detective Peirsol, I learned that based on the statements he obtained from [redacted] and his wife, [redacted], charges of assault with a deadly weapon (vehicle) would be sought against Christopher Eastwood. Refer to Detective Peirsol`s supplemental report for details of his investigation.

INTERVIEW WITH SONOMA COUNTY SHERIFF`S DEPUTY LARRY MATELLI # 2164 BY: DETECTIVE JEFF TONEY

On 12/12/2016, at approximately 0153 hours, I conducted a digital recorded interview with Sonoma County Sheriff`s Deputy Larry Matelli. The interview was conducted [redacted] Windsor, CA. Detective Jesse Hanshew was present along with Deputy Matelli`s attorney, Nicole Pifari, from Rains Lucia Stern, PC.

The recorded interview was later transferred to a CD-R data disc, which I labeled as evidence item # JT-1 for future reference. I later booked this item into evidence at the Sheriff`s main office Property/Evidence Room.

Utilizing the format of the Sonoma County Sheriff`s Office Critical Incident Guidelines Manual, I directed the interview in accordance with the "Involved Officer Interviews". The following is a summary of the statements provided to me by Deputy Larry Matelli. Refer to the evidentiary CD-R data disc for the exact statements made during this interview.

I began the interview by having all persons present introduce themselves for the record and I clarified with Deputy Matelli that he was being interviewed as witness in this investigation. Deputy Matelli acknowledged affirmatively that his presence was voluntary and that he agreed to provide me with his statement. When questioned, Deputy Matelli acknowledged that he was given ample time to meet and speak with his attorney prior to providing his voluntary statement at this time.

I mentioned to Deputy Matelli that although he and I both currently work for the same law enforcement agency, it was fair to say that he and I are not close friends, nor do we associate with each other outside of work. Deputy Matelli agreed and answered in the affirmative.

I began asking Deputy Matelli a series of questions using the standard county wide critical incident protocol guidelines.

Deputy Matelli is currently employed as a Peace Officer by the Sonoma County Sheriff`s Office. He has been a sworn Peace Officer with the Sonoma County Sheriff`s Office for the past five years. Before being hired by the Sonoma County Sheriff`s Office, Deputy Matelli worked as a Deputy Sheriff with the Marin County Sheriff`s Office for approximately five years. During his employment at the Marin County Sheriff`s Office, Deputy Matelli was a Field Training Officer and a member of the Special Weapons and Tactics team (SWAT). Deputy Matelli is currently a member of the Sonoma County Sheriff`s SWAT team and he is also a Firearms Instructor.

Deputy Matelli is currently assigned to the Patrol Division at the Windsor Police Department, a contract city for the Sonoma County Sheriff`s Office. He works swing shift, Sunday through Wednesday from 1600 - 0200 hours. He has been in his current assignment at the Windsor Police Department for approximately two and a half to three years and he has also worked patrol out of the Sonoma Valley substation, Russian River substation and the Sheriff`s main office. Deputy Matelli described his daily duties consisting of answering calls for service, proactive crime prevention and community oriented policing. Prior to this incident now being investigated, he began his shift at 1600 hours. Prior to beginning his shift he received ample sleep and consumed a normal meal.

Although Deputy Matelli stated he had a minor cold, he was not currently injured and he did not receive any injuries as a result of the incident he was involved in. When questioned, Deputy Matelli stated he had not consumed any alcohol in the past twenty-four hours. Deputy Matelli stated at the time of this incident, he was not suffering from any medical condition, or taking any medications that may have impaired his ability as a law enforcement officer.

During his shift preceding this incident, Deputy Matelli was dressed in full duty uniform which consists of a tan colored button uniformed shirt with visible Windsor Police Department patches sewn on the shoulders, an embroidered Sonoma County Sheriff`s star on the left chest and his name embroidered on the right chest. His department issued Axon body worn camera was fixed to the center chest portion of his uniform.

Deputy Matelli`s duty belt consists of double handcuffs, oleoresin capsicum spray, latex gloves, multi tool, flashlight holder, portable radio, X26 Taser, Glock 17 .9 mm duty firearm and three spare Glock 17 magazines which are each loaded with seventeen cartridges. His duty firearm contains a 19 round capacity magazine with 1 cartridge in the chamber, for a total of 20 cartridges. At the time of the incident, Deputy Matelli did not have a secondary (backup) firearm. Additionally, he was carrying medical supplies in his right BDU uniform pants pocket which consisted of a tourniquet and two packs of gauze. Deputy Matelli was wearing his office issued Axon body worn camera, which he had fixed to his uniform shirt between the two breast pockets. He did not have any other recording devices activated during this incident.

During the time of this incident now being investigated, Deputy Matelli`s call sign was F-87 (Frank-87) and he was driving a marked Windsor Police vehicle, identified by the letter and numeric W34.

I informed Deputy Matelli that the nature of this investigation concerned a significant incident he was involved in yesterday evening, which occurred in the area of Old Redwood Highway and the Windsor Palms Shopping Center, Windsor, CA. I asked Deputy Matelli to describe the event in as much detail as possible, to include the names of witnesses and the deputies involved as best he could recall.

Deputy Matelli said he was initially dispatched to a man with a gun call at or around the Walmart shopping center, 6650 Hembree Lane in Windsor. They had a call from, it was a transfer from Rohnert Park Police Department. They got a call on a subject cocking a gun on a bus. The bus subsequently let the guy off at Walmart. They initially thought it was theirs in Rohnert Park. They later determined that it was at Windsor. Deputy Matelli said he was in the area checking for that guy. Deputy Matelli said himself, Deputy Chris Haas, Deputy Nick Maikranz and Sergeant Andy Cash, were in the area checking Walmart and checking the areas around Walmart. The Sheriff`s helicopter unit, Henry 1, was also in the air above. They observed somebody to be west or the east side of Home Depot. He said there`s a concrete wall and then there`s a fence into an open field.

Deputy Matelli said Henry-1 advised they had a heat signature on the other side of the fence. It was said it

looked like maybe an encampment. Deputy Matelli said he went to go check on that and as he came around the corner towards the fence, Henry 1 advised him there was a subject walking towards them. Deputy Matelli said he ended up contacting the subject, detaining him and then determined he wasn`t involved. While Deputy Matelli was running him for warrants on Channel 2, he switched back to Channel 1 and caught the last words being dispatched regarding a be on the lookout, BOL from Petaluma Police Department.

Deputy Matelli said I didn`t catch all the details. Almost immediately dispatch asked if a couple of units could break for a 245 (Assault with a deadly weapon) with a vehicle on Merner Drive. Deputy Haas and Deputy Matelli both cleared the current call to go to the 245. He said initially the details were reported that a subject in a gold colored sedan was driving up and down Merner Drive and tried hitting a citizen as he was in front of his house on the sidewalk.

Deputy Matelli said immediately dispatch said, this might be, or this sounds similar to the description of both the subject in the vehicle." It was an older white male and then also the vehicle matched that, or was similar to the Petaluma BOL that had just come out. Deputy Matelli had heard this so he asked dispatch if they could give him the details of the BOL. Dispatch informed him that there was a subject who was possibly suicidal driving around waiving a handgun.

At this point in the interview we were advised by Sonoma County Sheriff`s Deputy Sheriff`s Association President, Deputy Mike Vail, that there were some technical issues with the recording equipment. Due to the unforeseen technical issue, we stopped the interview for a break at approximately 0208 hours.

At approximately 0218 hours, we went back on the record with Deputy Matelli and his attorney Nicole Pifari.

I addressed Deputy Matelli and mentioned we left off with him explaining that he was running out a subject on an unrelated call. I asked Deputy Matelli to proceed from there. Deputy Matelli said he had switched back to Channel 1 from the records channel, Channel 2, and he caught the back end of a be on the lookout out of Petaluma. He said he didn`t hear the vehicle description or what the be on the lookout bulletin was for.

Within minutes dispatch requested a couple Windsor units to clear and respond to a 245 (Assault with a deadly weapon) with a vehicle that had just occurred on Merner Drive, which is right around the corner from Walmart. He said he and Deputy Haas cleared their current call to go to that. As they were leaving the back of the Home Depot parking lot, dispatch informed them via radio that the vehicle and the subject described in the 245 sounded similar to the subject in Petaluma Police Department`s be on the lookout. Deputy Matelli again said since he hadn`t heard the BOL, he asked dispatch to provide him the details.

Sheriff`s dispatch told him that it was a subject that was possibly suicidal with a handgun that was driving around in a gold Volkswagen Passat. Sheriff`s dispatch specifically said the handgun had either a wood or yellow handle. He said they (dispatch) were pretty specific about what the handgun looked like. He immediately responded to the reporting party`s address on Merner Drive and met him out front. He said the reporting party waved him down as soon as he came around down towards the northeast corner of Merner. Deputy Matelli explained how Merner Drive is a one way street in each direction with each side separated by an island.

Deputy Matelli said he believed there are two or three thoroughfares to get to side streets from each side. There are no street lights and it`s completely dark and kind of a wooded area. Deputy Matelli met with the reporting party, [redacted]. As he was talking to him, he described the vehicle as being a gold colored sedan. Initially, Deputy Matelli believed he said possibly a Toyota. He then asked him if it could have been a

Volkswagen. He said, yeah, a Passat, it might have been a Passat.

Deputy Matelli said he advised dispatch of the update, that it sounded like it was a gold Passat. He said he last saw it going down what he believed to be Lockwood Drive, which is right by the reporting party`s address. Deputy Neil Bailey and his trainee were just coming from Lockwood Drive as he was speaking with the RP.

[redacted] told Deputy Matelli the guy was driving up and down Merner at a high rate of speed and then almost hit him as he was on the sidewalk. He said the guy went and came back, but he thought that it was real strange how the guy was acting. [redacted] was scared and had no idea why the guy was driving like that.

Deputy Matelli said based on the information received regarding the `be on the lookout` that was received from Petaluma and the reporting party`s description of the guy`s actions, it didn`t really make a lot of sense that this guy was just driving up and down and staying in the area. [redacted] told Deputy Matelli the guy was doing this multiple times going up and down.

Deputy Matelli told the reporting party he might want to go inside his house. He explained that he couldn`t give him any details, but there might be a little more to this. Almost simultaneously, the reporting party said, there`s the car right there. Deputy Matelli said he looked over and shined his flashlight at the guy as he was driving eastbound on Merner, on the opposite side of the island from them. Deputy Matelli said the driver was going at a high rate of speed. The erratic driver turned into the same driveway which [redacted] had described the guy turning into earlier. This particular driveway was a residence described as being located at the southeast corner of Merner Drive.

The driver of the vehicle then backed out and then began driving backwards on the one way street, and was now heading back out toward Old Redwood Highway. At this point Deputy Matelli said he jumped into his patrol vehicle and he was now paralleling him on the island. As they got to the first cut across where he could cut back across, he cut across and then turned left. He was now driving in the correct direction in Deputy Matelli`s lane, now heading towards Old Redwood Highway.

At this time, Deputy Matelli confirmed with Sheriff`s dispatch the license plate of the vehicle. Dispatch advised him that it was the same Petaluma BOL license plate. Immediately after receiving this information, Deputy Matelli said he activated his forward facing emergency red light and siren. He mentioned it took him a little bit of time to activate his siren. He said he hit his siren right when they were approaching northbound onto Old Redwood Highway from Merner Drive. Deputy Matelli said at this point the suspect was going probably 60 MPH down Merner.

The suspect turned northbound on Old Redwood Highway and then he continued to accelerate to about 60, 70 miles an hour. He started trying to pass a couple cars over the double yellow lines. At one point Deputy Matelli had to back off because the suspect almost hit another car coming head-on. Deputy Matelli said he was trying to keep distance between him and the suspect, knowing that he was reportedly armed with a handgun. He said he wanted to give himself a little bit of a gap in case he decided to just stop and jump out.

Deputy Matelli said his fear was literally that the suspect was going to stop his car and jump out with a gun. Because of his fear, as he was pursuing the suspect, Deputy Matelli said he removed his patrol rifle from the electro lock rack and actually charged the rifle while he was driving in case the suspect did stop and jump out. His thought was that his rifle would be the best weapon to have if he did stop because his plan was to keep that distance between them. He figured he would have a little bit of advantage if the suspect jumped out of his car with a handgun and him with his rifle.

Deputy Matelli said the suspect was driving at speeds of 60 to 70 MPH, continuing northbound on Old Redwood Highway, now passing Deanna Place. He said when they got to about Alden Lane, which is right across from the Windsor Palms Shopping Center, the suspect drove through the red light at Alden Lane and continued driving northbound. As they approached Lakewood Drive, just prior to Lakewood Drive there were a couple cars in front of him. Deputy Matelli said he believes there`s two lanes there, two or three lanes, but you can`t turn left, or make a U-turn at the intersection because of the freeway off ramp. He said the suspect actually started to drive like he was going left and then cut across and over the raised concrete center median. Deputy Matelli said he knew he wasn`t going to follow him over the center median with his SUV, so he went around to Lakewood and did a U turn through the intersection. He said the suspect had gone over the island maybe 20, or 30 feet from the intersection, so he was able to stay with him. The suspect continued to accelerate. He said he actually accelerated probably to about 70 80 MPH. He said there was a pretty good gap between them as they were coming southbound to the Windsor Palms Shopping Center, Alden intersection again. Deputy Matelli said there were a few cars in front of the suspect and he turned right into the Windsor Palms shopping center. At this point, Deputy Matelli said he was thinking, "Why is he pulling into a shopping center where there`s multiple people." Deputy Matelli said it was just around dinner time. Immediately his intuition was that the suspect was going to jump out of his car shooting.

As they pulled into the Windsor Palms, again, Deputy Matelli was trying to keep that distance between them. Deputy Matelli said the suspect vehicle just came to a stop, the driver`s door came flying open, and the suspect came bailing out. As he jumped out of his vehicle, Deputy Matelli was exiting his patrol vehicle. He said it seemed like they both exited their vehicles at the same time. As Deputy Matelli exited his vehicle, he saw the suspect holding a black object in his left hand. He said he believes it was his left because it was closest to the car. Deputy Matelli said the suspect came out and he was holding the object up by his head. Deputy Matelli said he couldn`t confirm whether the object was a gun, but he also couldn`t rule out it wasn`t a gun.

At this point Deputy Matelli was giving the suspect commands to drop it. He believes he was telling him to drop it, or get onto the ground. At this point, the suspect started closing distance charging Deputy Matelli. Deputy Matelli said he had a weird feeling and something didn`t look right. He said again he couldn`t confirm that it was a gun, but there was something that was telling him that doesn`t look right. As the suspect was charging Deputy Matelli, he began lowering the object he was holding and punched/thrusted his arm straight out towards Deputy Matelli. Deputy Matelli described this as a furtive movement, simulating he was going to shoot him.

Deputy Matelli said as the suspect thrusted his hand out at him, he observed the object in the suspects hand to have a loop shape to it. He said he actually thought the suspect was holding a pair of sunglasses. This is what he kind of envisioned. Simultaneously, he heard two pops followed by a third muffled pop, which he believed were gunshots. Deputy Matelli said there were three pops and one sounded distinctly different than the other. He said he remembers what he thought was Taser probes. He could see the wires and the light going across the parking lot.

Deputy Matelli said he later realized that it was Deputy Maikranz who actually came into the parking lot from a ninety degree angle off of the suspects` vehicle. Deputy Matelli said he couldn`t remember if he (suspect) had, dropped what he was holding, or if he was still holding it, but at this point he was close enough to where Deputy Matelli determined that it wasn`t a gun. He said he actually believes he put out on the radio," hey, it`s not a gun, it`s not a gun, he did not have a gun." Deputy Matelli again said he was giving the suspect repeated commands, and the whole time he was yelling back at him.

Deputy Matelli said the suspect was saying something like either shoot me or kill me. He said he was just angry and he continued making thrusting motions with his arms towards Deputy Matelli while yelling. At this point, Deputy Matelli said he realized the suspect didn`t have a gun. He said out of the corner of his eye he saw Deputy Neil Bailey at the front of his patrol vehicle and he saw him pull out his Taser. He said at this point the distance between them and the suspect was probably 30 feet from him. Deputy Matelli said he and Deputy Bailey started to move forward. He said it seemed like a long time, but it probably wasn`t, where they had this continued verbal exchange. Deputy Matelli said he was continually giving him commands and they were kind of at a stalemate. He said he was repeating the commands, but it was obviously not working.

At this point, he and Deputy Bailey had moved forward and they both deployed their Taser`s simultaneously at the suspect. Deputy Matelli said as soon as they deployed their Taser`s at the suspect he went into complete lockup, neuromuscular incapacitation, and he fell backwards onto the concrete where he hit his head. During this time, Deputy Matelli said he still had his rifle in his right hand, preventing him from physically engaging the suspect.

Deputy Matelli said he actually placed his foot over one the suspect`s arms to trap his arm so he couldn`t try and grab anything. According to Deputy Matelli, deputies Maikranz, Bailey, and possibly others had all come over. He said they worked out a plan to get the suspect rolled over while controlling his arms and get him handcuffed which they did. Afterwards, Deputy Matelli went back to his patrol car and secured his rifle. He then went back to the suspect and began cutting off his shirt to begin rendering medical aid.

Deputy Matelli said he observed the suspect had an injury on the back of his head which he believed he sustained when he fell. He also observed the suspect to have what appeared to be a gunshot wound to his right shoulder area. Deputy Matelli said he routinely carries a tourniquet, combat gauze and medical supplies. He began packing the suspect`s wound with gauze and applied pressure. At this point Deputy Tamayo, who is a paramedic, arrived and he began assuming medical assistance. Deputy Matelli said his Taser was left on the pavement and he secured his rifle to his patrol vehicle and waited while the fire department arrived.

Deputy Matelli said he was ultimately sequestered by Deputy Cayla Miale and she drove him to the Windsor Police Department. There, he waited with Sergeant Cash who later drove him to [redacted] where he was sequestered by Deputy Michael Peters.

I informed Deputy Matelli I had some follow up questions for him. Recapping his statements, I directed his attention to when he was describing how it was dark on Merner Drive. I asked him if he knew the approximate time when he initially overheard the BOL. He said he didn`t know the exact time, but he indicated it being after sunset. He said in that section of Merner Drive there are no street lights and it`s incredibly dark.

I mentioned how we hadn`t yet spoke about the firearms he carries in his patrol vehicle. I specifically mentioned how he referenced having his rifle and I asked him to describe his rifle. Deputy Matelli said he carries his department issued SWAT HK 416 rifle which is chambered in .556. The rifle is loaded with a forty round capacity P mag, but he only loads it with thirty-eight rounds. He said he routinely stores his rifle with an empty chamber. When he was driving during the pursuit, he was able to get it out of the locking storage rack and then actually charge it to put a round into the chamber. Deputy Matelli also had his department issued Remington model 870 12 gauge shotgun in his vehicle, which he never deployed during this incident we were now discussing.

I mentioned how he described earlier that he caught the tail end of the initial BOL, then inquired more

information from Sheriff`s dispatch and learned the report was a 245 PC. I asked him to further explain his mindset and describe what a 245 PC report is. Deputy Matelli said the BOL was for a suicidal subject with a gun. He said he believes the reports of the call were something similar to a subject driving around and waiving a gun in Petaluma. He said then the call they received came out as a 245 which just occurred. He explained that a 245 is an assault with a deadly weapon. He said in his mind an assault with a deadly weapon is a violent crime, therefore his awareness is heightened and there`s more urgency to get to the call. He said dispatch advised them that the vehicle information related to their call matched the info from the Petaluma Police BOL. Dispatch also told them it appeared the vehicles matched.

Deputy Matelli went on to describe that when you`re going to a call you`re always evaluating the information you`re getting, and it`s, had this guy just tried hitting somebody with a car, why would you stay in the area, why not leave. The reporting party had said he kept driving around the same area of the neighborhood. Deputy Matelli said in his mind he was thinking, okay, why is this guy trying to stay here? To ambush us? Is he trying to stay here to try and get in a confrontation with us? He said these were the things going through his mind while he was responding to Merner Drive.

When questioned, Deputy Matelli explained how Merner Drive was less than a minute`s drive from their previous call for service. I asked him if he remembered the reporting party`s name who was calling from Merner Drive. He said he didn`t get his name. He said he initially just wanted to get there, get some quick details of the report and start looking for the suspects` car. He said his fear was that his (suspect`s) behavior was going to hurt members of the public. Deputy Matelli said he wanted to get out there and try to find this guy as quick as possible so he couldn`t hurt anyone.

Deputy Matelli said when he was talking with the reporting party he appeared amped up and upset that this had just happened. It was clear that what he was reporting wasn`t a hoax or him blowing something out of proportion. You could tell that he was genuinely concerned for what had just happened. He further added that the reporting party was accompanied by his wife on the front porch of their residence.

As Deputy Matelli was speaking with the reporting party and advising him to return inside his house, the reporting party said, there he is. Deputy Matelli said he looked to his left and there`s a gold colored car at a high rate of speed he estimated going 45, 50 MPH on Merner Drive. At that point Deputy Matelli said he illuminated the vehicle with his flashlight. I asked Deputy Matelli if he saw any other occupants in the gold vehicle and he said not that he could see. As soon as Deputy Matelli illuminated the vehicle, the driver of the vehicle pulled into a driveway, backed out and then took off at a high rate of speed, now driving the wrong direction on a one way street.

At this point Deputy Matelli said he saw a car coming towards the suspect who was driving the wrong way. He said he thought it was a patrol car, so he put out over the radio, "hey, he`s going the wrong direction." He said his fear was that another patrol car, or citizen was coming up and would run head on into him. Deputy Matelli said he jumped in his patrol car and took off paralleling the suspects` vehicle from the opposite side of the road. When they came to the first cut through to where you could cut from either side of the one way roadways, the suspect cut across and pulled right in front of Deputy Matelli. At that point the suspect again continued to accelerate. Deputy Matelli said he had to get on it to try and catch up to get the license plate, which he broadcast to Sheriff`s dispatch and confirmed it was the subject in the Petaluma BOL.

Deputy Matelli said as they approached Old Redwood Highway on Merner Drive, he activated his overhead forward facing solid red light and flashing blue light. As they turned right onto Old Redwood Highway he

activated his siren. At this point Deputy Matelli said the suspect immediately took off and he was attempting to flee from him. When questioned, Deputy Matelli said he had his lights and siren activated during the entire pursuit.

I asked Deputy Matelli to describe the suspect`s actions during the pursuit. Deputy Matelli described Old Redwood Highway as being a two lane roadway running north and south. He said there are spots where there are houses immediately off of the roadway, along with some sidewalks in certain areas and its very populated. He further described the area as commonly having people on bicycles and pedestrian traffic.

During the pursuit, Deputy Matelli said there was moderate traffic on the roadway and the suspect was, for the most part staying in his lanes when there wasn`t anyone in front of him. However, when the suspect approached a vehicle that was in front of him, he would move into oncoming traffic. He said there were two distinct sections where he started to move over like he was going pass over the double yellow lines and there were oncoming cars. The suspect had to slow down and it almost helped him because the civilian drivers saw his police vehicle`s emergency lights so they actually started moving over, allowing the suspect to get through. Deputy Matelli recalled two distinct times when the suspect passed over the double yellow lines, almost hitting oncoming cars. When questioned, Deputy Matelli said to the best of his knowledge, the suspect vehicle never impacted another vehicle. Deputy Matelli again mentioned how the suspect failed to stop at the red light at the intersection of westbound Old Redwood Highway and Alden Lane and Hembree Lane.

Deputy Matelli said when the suspect approached the controlled intersections, he didn`t just blindly blow through them. He would slow down enough as if to obviously know that there was a danger of oncoming cars, so he would slow down enough, but almost clear the intersection then blow through it. He described how the suspect slowed his vehicle from approximately 60 to 70 mph to 25 or 30 mph as he entered the controlled intersections.

When questioned, Deputy Matelli said during the majority of the pursuit, the suspect vehicle was traveling at speeds of 60 to 70 mph. He said as they were approaching the controlled intersection of Old Redwood Highway at Lakewood Drive the suspect vehicle drifted right slightly and then abruptly turned left, up over the raised concrete median. At this point of the pursuit, Deputy Matelli said he remembers that Deputy Haas was behind him and he asked him to take over broadcasting the pursuit over the radio.

When questioned, Deputy Matelli said the suspect vehicle turned right into the Windsor Palms Shopping Center. He said he stopped 20 to 25 yards behind the suspect`s vehicle. He said he feared the suspect was pulling into the shopping center to bait them into shooting them. Deputy Matelli tactically chose to stay back from the suspect vehicle in order to afford himself reactionary time to react to the suspects actions. He said at this point the suspect was pretty close to the front of the business known as Castaneda`s Market. Deputy Matelli described this particular shopping center as being very active with the public during this time of night, with restaurants, markets and a health club open for business.

I asked Deputy Matelli to explain the commands he was giving to the suspect when he saw him bail out of his vehicle. He said he repeatedly yelled at the suspect to get on the ground and drop what he hand in his hand. He referenced his body worn camera, explaining his actions and verbal commands could be reviewed for specific details of his interactions during the pursuit and his contact with the suspect.

Deputy Matelli couldn`t recall Deputy Haas` position when the pursuit had ended. He said he knew he was driving behind him towards the end, but his focus remained on the suspect when he bailed out of his vehicle with a black colored object in his hand. He said he was keyed in on this and he was also aware of his backdrop

(area behind the suspect) being Castaneda`s Market.

Another one of Deputy Matelli`s fears was if the suspect did have a gun and he jumped out shooting, would he (Deputy Matelli) even be able to return fire because of all the people behind him. He said he later realized after everything was happening that his partners were on the passenger side of his vehicle, up at the hood. He said he realized they probably had a better angle on the suspect than he did because he and the suspect were looking straight deadlocked on each other as the suspect was walking/charging towards him. He said he couldn`t use the word walking because the suspect came out fast towards him, violently thrusting his arms out like he was trying to shoot him. Again he said this is when he keyed in that it wasn`t a gun.

I asked Deputy Matelli if the suspect was saying anything to him during this time. Deputy Matelli said he was yelling at the suspect and the suspect was yelling violently back at him. He said at one point he heard the suspect say something similar to, "shoot me", or, "fuck you, kill me." Deputy Matelli recalled that when the suspect jumped out of his vehicle with the object in his hand, he immediately began thinking this was a "suicide by cop" scenario, based on the suspects erratic behavior of driving back and forth through the neighborhood, it was all starting to click. He said he thought, okay this guy`s trying to get us there and that`s why he was staying in the area.

He said he also the thought the suspect was leading them there too because he wanted to shoot them, like an ambush situation. He said he began to feel that something just wasn`t right the way the suspect was holding the object in his hand. He said he believed there was a little hesitation on his part because he didn`t have a good backdrop. He quickly thought that if the suspect started shooting at him, he might not be able to return fire. He said he knew he would have to retreat to the back side of his patrol vehicle and try and get into a better position to return fire if it was an actual firearm.

I asked Deputy Matelli to describe the object he saw in the suspect`s hand. He said the object was black. He further said what made him believe that something wasn`t right was that the object was very rounded and it didn`t look like a firearm he`s seen before. He said this was after the suspect got close enough where he could see the object. He said again, when he got out of the car, something wasn`t right about it (object).

I asked Deputy Matelli if he recalled the lighting in the parking lot of the shopping center. He said he recalls that parking lot being illuminated by bright orange overhead street lights. He said he believes he illuminated the suspect with his rifle light, but he also had the ambient light of the parking lot.

I asked Deputy Matelli to explain when he deployed his Taser on the suspect. I asked him if he remembered if the suspect initially went to the ground and then regain his footing. Deputy Matelli said he didn`t believe so. He said when he heard the pops there was almost a startled response by the suspect. He said he remembers the suspect moving, but he couldn`t remember if the suspect dropped the object he was holding. He said he does remember thinking to himself there was no lethal threat at this point because he knew the object was not a gun. He said he didn`t know if he determined this after the object fell to the ground, or if he dropped it when they Tased him.

Deputy Matelli said at one point when they were giving the suspect commands and he wasn`t listening/reacting, there was some distance between them and he yelled for one of his partners to retrieve and hit the suspect with the 40mm less lethal impact munition launcher, but at that point there was nothing on scene. He said they couldn`t just stand there, continuing to give the suspect commands and him not comply.

Deputy Matelli said at this point there were members of the public beginning to form around them. He said

had the suspect had another firearm, which based on the description given to dispatch that he had a wood, or yellow handled handgun, if he pulled this out it would have further put the public at risk by not ending it then.

I asked Deputy Matelli if he knew if any of his partners on scene during this incident deployed their Taser. He said he believes as the suspect was walking towards them, Deputy Maikranz tried immobilizing him with his Taser. He said he believes he saw the wires from a Taser reflecting in the light on the ground.

I asked Deputy Matelli to clarify how he used his feet to control the suspect. He said as soon as he and Deputy Bailey simultaneously deployed their Taser`s at the suspect, he fell backwards right onto his back. He said he approached the suspect and placed his foot on the suspect`s right hand, to hold him down so he couldn`t grab anything. Somebody else grabbed his other hand and they we`re maintaining control of his arms and his hands.

When questioned, Deputy Matelli said the suspect was not resisting at this point because the Taser was delivering voltage through the dedicated five second cycle. He said he believed it was either Deputy Bailey, or Maikranz that secured the suspect into handcuffs after they rolled him onto his stomach. He said it almost seemed like the suspect lost consciousness when he first hit because he wasn`t trying to fight. He wasn`t moving, and then that`s when he came to.

Deputy Matelli said he asked the suspect a couple of times, "why did you do this?" The suspect replied saying, "What do you mean, where am I. What happened?" Deputy Matelli said as soon as the suspect was secured in handcuffs, he stayed there for a brief second as they were assessing the suspect`s injuries. He then realized he needed to secure his rifle so he could assist. He secured his rifle in his patrol vehicle and returned to the location of the suspect. He said he donned some gloves and they cut off the suspect`s shirt to better reveal his injuries. As soon as his shirt was off they realized there was what appeared to be a gunshot wound to his to his upper torso, shoulder area. At that point he noticed he had some blood on his hands so he asked one of his partners to retrieve the gauze from his pocket. The gauze and direct pressure was applied to the suspects wound. Deputy Matelli indicated he has previously received specialty training in rendering medical aid, or combat aid to persons who have sustained gunshot wounds and trauma injuries in the field.

When questioned, Deputy Matelli recalled that during the time he used his foot to control the suspects hand, he requested emergency medical personnel respond to their location, code three (emergency response).

As Deputy Matelli was rendering medical aid to the suspect, he asked him his name and birthdate. He said the suspect was able to tell him his name was Christopher Eastwood. He said at this point he knew the suspect was breathing and talking fine. He knew Eastwood was not suffering from any tension pneumothorax injury to his lung. He said he was able to talk and he wasn`t having any difficulty breathing.

During the medical assessment, Deputy Matelli said there wasn`t a lot of blood coming from the gunshot injury. He said a lot of the blood was actually from his head when he hit the ground. He said at that point they continued to pack the wound with gauze and apply direct pressure. Bells ambulance Paramedics and Windsor Fire Department arrived on scene and assumed medical aid on Eastwood.

Deputy Matelli said he reminded emergency medical personnel that he knew that medical treatment for the suspect was the priority, but he requested they be mindful about not disturbing the scene. He said one of the paramedics asked him if he knew what type of caliber the suspect had been shot with and he told them it was more than likely a 9 millimeter round.

Deputy Matelli said at this point the patrol supervisors began arriving and a crime scene log was being

generated. He said he left and another deputy accompanied Eastwood as he was loaded into the ambulance and transported to the hospital.

***At approximately 0309 hours, we went off the record and paused the interview for a short break. During this time, Detective Hanshew and I left the room and I consulted with DDA Barbara Nanney and DAI, Ken Pistorio with any questions, or concerns with the interview.

***At approximately 0314 hours, we returned from the break and went back on the record.

I informed Deputy Matelli that I had a few follow up questions. I directed his memory to his earlier statement regarding his observations of Eastwood when he jumped out of his vehicle after the pursuit. Specifically about him mentioning seeing a black colored object in Eastwood`s hand. I further mentioned how he indicated that at some point the object became clearer to him and it was not what he initially thought was a weapon. I asked Deputy Matelli if he recalled hearing the shots before he recognized this, or were they post.

Deputy Matelli said as soon as he confirmed that the object was not a gun, that`s when he broadcast on his radio, "It`s not a gun, he doesn`t have a gun." He said he believes this was well after the shots. I then mentioned then that the shots would have been contemporaneous to him believing in his mind that the object Eastwood was holding was a threat and he said yes. Again, he said something looked weird about it. He couldn`t rule out that it wasn`t a gun, but he also could not positively identify it as being a gun.

When questioned, Deputy Matelli said he never discharged his firearm during this incident we were now discussing. I mentioned how we had talked earlier about the incident being captured and recorded on his body worn camera, and he answered yes. I specifically asked Deputy Matelli if he had reviewed his body worn camera related to this incident prior to our interview. Deputy Matelli responded, no I have not. I asked Deputy Matelli if he wished to view any of the recording related to this event now, and he said no.

With no further questions, I deferred to Deputy Matelli`s attorney, Nicole Pifari, for any questions she might have. Ms. Pifari declined, saying she had nothing to add, that I had been very thorough.

The interview was concluded at approximately 0317 hours and we went off the record.

INTERVIEW WITH SONOMA COUNTY SHERIFF`S DEPUTY TRAINEE JEREMY CLARK # 2500, BY: DETECTIVE JESSE HANSHEW;

On 12/12/2016, at approximately 0320 hours, I monitored Detective Hanshew`s interview with Sonoma County Sheriff`s Deputy Trainee, Jeremy Clark. The interview was conducted [redacted] Windsor, CA.

Present during the interview was Deputy Trainee Clark`s attorney, Nicole Pifari, from the Law Offices of Rains Lucia Stern PC. Due to some technical issues we experienced with the CCTV video relay, Sonoma County Sheriff`s Office Crime Scene Investigations, Detective Travis Koeppel, was also in the room.

This interview was concluded at approximately 0410 hours. Refer to Detective Jesse Hanshew`s supplemental report for the statements obtained from the interview with Deputy Trainee Jeremy Clark.

INTERVIEW WITH SONOMA COUNTY SHERIFF`S DEPUTY NEIL BAILEY # 1299 BY: DETECTIVE JEFF TONEY

On 12/12/2016, at approximately 0424 hours, I conducted a digitally audio recorded interview with Sonoma County Sheriff`s Deputy Neil Bailey, badge # 1299. The interview was conducted [redacted] Windsor, CA. Detective Jesse Hanshew was present during the interview along with Deputy Bailey`s attorney, Nicole Pifari, from the Law Offices of Rains Lucia Stern, PC.

The recorded interview was later transferred to a CD-R data disc, which I labeled as evidence item # JT-2 for future reference. I later booked this item into evidence at the Sheriff`s main office Property/Evidence Room.

Utilizing the format of the Sonoma County Sheriff`s Office Critical Incident Guidelines Manual, I directed the interview in accordance with the "Involved Officer Interviews". The following is a summary of the statements provided to me by Deputy Neil Bailey. Refer to the evidentiary CD-R data disc for the exact statements made during this interview.

I began the interview by having all persons present introduce themselves for the record and I clarified with Deputy Bailey that he was being interviewed as witness in this investigation. Deputy Bailey acknowledged affirmatively that his presence was voluntary and that he agreed to provide me with his statement. When questioned, Deputy Bailey acknowledged that he was given ample time to meet and speak with his attorney prior to providing his voluntary statement at this time.

I mentioned to Deputy Bailey that although over the course of the last several years he and I have had the opportunity to work together at different times throughout these years, it was fair to say we maintain a working relationship only and we do not gather socially outside of the work capacity. Deputy Bailey agreed and answered in the affirmative.

I informed Deputy Bailey it was his choice to stop the interview at any time to take a break, consult with his attorney, or stop answering questions and leave, he was free to do so. Deputy Bailey told me he understood.

I began asking Deputy Bailey a series of questions using the standard county wide critical incident protocol guidelines.

During the time of this interview Deputy Bailey indicated that he was not sick or injured. He did not receive any injuries as a result of the incident we were now discussing. During the time of this incident, Deputy Bailey said he was not suffering from any medical condition, or taking any medications that may have impaired his abilities as a law enforcement officer. Prior to starting his shift when this incident occurred, he described receiving ample rest and indicated he slept for approximately seven hours. Prior to starting his shift he consumed a normal meal. When questioned, Deputy Bailey told me he had not consumed any alcoholic beverages in the past twenty-four hours.

Deputy Bailey has been employed by the Sonoma County Sheriff`s Office for the past sixteen years. Prior to his current employment, he worked as a sworn peace officer for two years with the Cloverdale Police Department. Prior to working as a peace officer, Deputy Bailey graduated from the Butte County Police Academy.

In addition to working as a Patrol Deputy, Deputy Bailey has worked in the Sheriff`s Office Helicopter Unit. He is also currently a Field Training Officer, responsible for teaching and training new hire and lateral deputies. He is currently a member of the Sonoma County Sheriff`s Swat Team and he receives above average dedicated training in the areas of firearms use and tactical response and special operations.

During the incident we were now discussing, Deputy Bailey was on his second day of training with his Deputy Trainee, Jeremy Clark. According to Deputy Bailey, Deputy Trainee Clark was currently in his third phase of field training with each phase being approximately four, or five weeks. Deputy Bailey indicated that Deputy Trainee Clark had experienced some setbacks during his field training which has extended his training period. Ultimately Deputy Trainee Clark has been in the field training program for approximately four months.

When asked, Deputy Bailey described the nature of his daily duties in his current assignment as being responsible for responding to calls for service, investigating crimes and assisting the public. He is currently assigned to uniformed patrol at the Sheriff`s main office, day watch, from 0700 to 1900, Sunday through Wednesday. He has been working this assignment for the past two years

During the time of this incident his call sign was E31 (Edward 31). Deputy Bailey is assigned a marked patrol vehicle which he identified as A825. When asked, Deputy Bailey described the uniform he was wearing during this incident: He was wearing a standard Sheriff`s Department uniform, which is a khaki or tan short sleeve button up shirt with Sonoma County patches on either side. On left chest is a hard metal badge that was issued to him. On the right chest bears his name tag. Above that is an FTO (Field Training Officer) pin. Green pants with the cargo pockets. Over his tan shirt, he was wearing, a 5.11 brand department issued green jacket which has waterproof shoulders with fleece under the bottom half. On the left chest is a sewn on Sonoma County Sheriff`s badge and on the two shoulders there are Sonoma County Sheriff patches.

On his duty belt, starting from center going to the right and around, is a double handcuff case holder, pepper spray, his department issued Glock 9 millimeter duty firearm and a key holder. Following that is a small Stinger brand flashlight, and his department issued Motorola radio, straight stick baton and ring, his department issued X26 Taser and two spare 9 millimeter cartridge magazines and holders.

I mentioned it was obvious to me he was not wearing his uniform and had changed into civilian attire. He indicated his duty uniform was removed during the time he was processed (photographed/equipment inventory) by Sheriff`s Office Crime Scene Investigators.

When questioned, Deputy Bailey told me his Glock 17 duty firearm is routinely loaded with seventeen cartridges in the magazine and one cartridge in the chamber, totaling eighteen cartridges. His two spare magazines are loaded to the full capacity of seventeen cartridges each. Deputy Bailey carries a backup firearm while on duty which he described as being a five shot Smith and Wesson 38 Special. In addition to the items noted above, Deputy Bailey also had his body worn camera attached to the front of his uniform. Deputy Bailey had no other recording devices on his person during this incident.

When asked, during the time of this incident Deputy Bailey described having the following duty firearms within his assigned vehicle. Deputy Trainee Clark had his department issued Remington 870 shotgun secured in the auto lock, in the front cab of the vehicle. Secured in the rear of the patrol vehicle, Deputy Bailey had his SWAT gear which consisted of an additional Glock 17 pistol and his H&K 417 rifle. Deputy Bailey indicated his pistol setup is the same as the one he carries on his person. His rifle is stored with an empty chamber and he carries four, thirty cartridge magazines, which are kept to full capacity.

During this incident, Deputy Bailey told me he was a passenger in his vehicle and that Deputy Trainee Clark was driving.

I informed Deputy Bailey that the nature of this investigation concerned a significant incident that we we`re now investigating which he was involved. I explained the incident occurred in the area of Old Redwood Highway and the Windsor Palm Shopping Center. I mentioned the event we were going to talk about occurred yesterday evening now. I asked for him to describe the event in as much detail as possible and to include times if he knew them, and the names of people he was with. I reminded him that if he referred to somebody doing something and he knew the person`s name, he should state the name. I further added that if I saw him using his hands to describe an action, he might hear me in turn describe what he`s doing with his hands/arms etc.

Deputy Bailey provided the following statements: At approximately 4:30, 4:45 Deputy Bailey was at the main office with Deputy Clark, writing an in custody domestic violence report. He said things started to heat up in the County. Several calls started to come out and he knew the Cover shift units were starting to spread thin. There was a call for service regarding some kind of physical fight in Petaluma so he told Deputy Clark to grab his gear and head down to Petaluma to assist Deputy Scott McCracken, on a, call.

As they were arriving in the area of Petaluma, a man with a gun call came out in the Windsor area. Deputy Bailey advised Deputy Clark to monitor that call. After completing the call for service with Deputy McCracken, they started heading north to help the Windsor units. They had cleared the battery call, because Deputy McCracken was clearing as they arrived in Petaluma.

While driving to Windsor, they received several notifications on their car computer, MDC. Deputy Bailey advised Deputy Trainee Clark to drive while he checked them. Deputy Bailey said there were two BOLOs (Be on the Lookout) broadcasts of note and he read them out loud to him. They both pertained to the Petaluma Police Department and one of them was about a yellow or tan colored four door sedan, with a white male in his 50s that was allegedly brandishing a firearm at passing vehicles, and trying to get law enforcement`s attention. In that BOLO, the license plate number and the make of the car was noted.

Deputy Bailey said he believes the vehicle was a VW. It was a gold, or yellow four door VW. He said they arrived in Windsor and took the Shiloh Road exit on the south end of town. As they were heading toward Hembree Lane, a call for a 245 or assault with a deadly weapon call was broadcast having occurred on Merner Drive. The details of the report indicated the alleged suspect had been in the area driving erratically and had almost ran over the reporting party, or intentionally tried to run the reporting party over.

Deputy Bailey explained to Deputy Clark that they were in very close proximity to Merner Drive and directed him to respond there to try and locate the vehicle. He said they arrived onto Merner Drive probably within 30 seconds of the call for service coming out from dispatch. They drove eastbound on Merner Drive. Deputy Bailey described Merner Drive as being a roadway that`s split by a center median, with east-west lanes.

They headed eastbound to the end of Merner Drive and they didn`t see the vehicle. They then turned northbound and went up Lockwood Circle. At some point Deputy Bailey said he felt they had overshot the vehicle and that it wasn`t probably going to be further north because the neighborhoods were kind of exhausting. He told Deputy Trainee Clark to turn back around and go back to check Merner Drive and the driveways.

As they returned onto to Merner Drive, Deputies Matelli and Haas were arriving on the scene. He could see

two patrol cars coming eastbound Merner Drive making a turn and coming back around westbound. They subsequently pulled over, stopped and contacted the reporting party. Deputy Bailey and Deputy Trainee Clark came to a stop and Deputy Bailey rolled down his window. He said they had a brief conversation and he told them he would keep checking the area while they spoke with the reporting party.

Deputy Bailey said they headed west down Merner Drive and about that time Deputy Matelli put out that the vehicle, possibly a Passat, similar or matching the BOLO from Petaluma Police`s call. During this time they were putting together that it was possibly the vehicle with the firearm from Petaluma and he was explaining to Deputy Clark to be on his toes and basically be ready. He told him if this is the car from Petaluma, the man`s going to be armed or allegedly armed.

Deputy Bailey said they turned onto a street that ran northeast, back towards Lockwood Circle. Around this time, after putting out the information that the vehicle was similar to the Petaluma vehicle, Deputy Matelli broadcast that it was last seen on Lockwood, so they were trying to make their way back to Lockwood. Shortly thereafter, Deputy Bailey heard Deputy Matelli come back up on the air and said they have the vehicle and it was reversing backwards, towards the street. He said initially to him this meant they were headed back to Old Redwood Highway in reverse.

Deputy Bailey said they quickly made their way back to Merner Drive, turned westbound and he saw two Sonoma County Sheriff or similar, either Windsor Police or Sonoma County Sheriff type patrol vehicles in pursuit of a slow moving vehicle down Merner Drive. Deputy Bailey said they quickly caught up to them at about the corner of Merner Drive on Old Redwood Highway.

As Deputy Matelli was going right onto Old Redwood Highway, northbound, following the vehicle he broadcast the license plate number and it was a match to the Petaluma vehicle. He said he immediately recognized it since he had just read the BOLO, and that actually dispatch had put it out over the air prior to their arrival to Windsor. As soon as Deputy Matelli read the plate, he and Deputy Trainee Clark looked at each other and said, "That`s it, that`s the Petaluma vehicle." He said they knew it and the vehicle took off northbound. Deputy Bailey said he had concerns because it wasn`t a standard pursuit. The subject didn`t seem to be trying to get away. He had stayed in the area from what the reporting party described as being 20, 25 minutes, acting erratically.

Based on the information from the Petaluma Police BOLO, the reports that alleged the suspect was brandishing a firearm at passing motorist`s trying to get the attention of law enforcement, Deputy Bailey felt the suspect was trying to bait them in to an interaction with him. He said he warned Deputy Clark to be ready for a possible interaction with a man with a firearm. Again he said he felt the suspect was trying to pull them into a situation. Deputy Bailey said he and Deputy Clark were the third vehicle in line of the pursuit, which he described reached speeds of 50 to 60 mph. He again mentioned that it wasn`t very fast. He said It wasn`t your typical trying to get away from you pursuit which often times hit speeds of 80 to 100 mph.

Deputy Bailey said he had a conversation with Deputy Clark as they were driving, telling him he should take his shotgun when they exit their vehicle. He said when they got up to about Third Street and Old Redwood Highway, somewhere in that area, the suspect slowed and they believed he was going to come to a stop in the middle of the road. Deputy Clark hit the auto lock button for the shotgun and the shotgun fell forward. Deputy Bailey said he caught it because Deputy Clark had hit the brakes and the weight of the firearm caused it to come out.

At about that time, the suspect made a U-Turn on Old Redwood Highway, actually over the median and went

southbound. He said they made a U Turn and they continued following deputies Matelli and Haas. During this time, Deputy Bailey said he moved the shotgun into the right front passenger area between his legs. He said he racked a shot shell into the chamber of the shotgun and double checked the safety. He said when they arrived at the Windsor Palms Shopping Center, it was a little after 5, or 5:30 and the shopping center was busy. The suspect turned into the Palms Center and was driving slowly. Deputy Bailey said he might have even a little oddly said out loud, "God I hope he doesn`t stop here because it was crowded and he knew that he was possibly armed.

Deputy Bailey said the suspect vehicle came to a stop towards the front of a Mexican/American supermarket. From his perspective, he could see Deputy Matelli`s car stopping quickly and his door flying open. Deputy Bailey exited his vehicle and ran to the front right passenger side of Deputy Matelli`s patrol vehicle to take up a position. He said as they arrived, it was very dark outside. The suspect was out of his vehicle and illuminated by headlights and flashing lights from the rear and very little light from the store fronts. Most of the light he said was coming from the overhead lights and from the cars and the headlights.

Deputy Bailey said as he came up on target with his shotgun, he could see the suspect standing in what he described as being a two handed pistol stance. He said the suspect had both of his hands out in front of him as if he was in a shooting stance. Deputy Bailey demonstrated, holding his right and left hand together while thrusting his arms out in front of him. He said based on his experience and training, he knows this stance to be a common shooting stance. He said the suspect was yelling something to the effect of having a gun.

Deputy Bailey described the object the suspect was holding as being a metal object that was flat black in color. He said it wasn`t shiny. He said as he was starting to take the slack from the trigger of his shotgun, he was staring intently at the suspect`s hands. He said as the suspect was moving his hands around, he was able to identify the object was not a gun, but a U-shaped, solid metal bike lock, is what it looked like to him.

Deputy Bailey said at about this time, he heard approximately three gunshots to his immediate right. He said he turned to his right and saw Deputy Haas with his Glock pistol in his hand. He said he relayed to him, saying something to the effect of "stop firing, he doesn`t have a pistol." Deputy Bailey said he looked at the suspect and beyond. He said the suspect seemed to have little to no effect to the gun fire and he saw no one in his backdrop. During this time he saw a Taser deployment by Deputy Maikranz who was to the front and right of his position (northwest).

Deputy Bailey further described Deputy Maikranz being approximately 50-60 feet to his northwest and 30-40 feet north of the suspect. He said he saw what he believed were two Taser probes deploy which failed to contact the suspect. During this time they were yelling commands for the suspect to get down on the ground. He said the suspect was moving and screaming, "I`ve got a fucking automatic" as he was moving his body back and forth. Deputy Bailey said he saw the suspect looking back at his vehicle. Based on Deputy Bailey`s experience, he felt the suspect knew his bluff wasn`t working and now they (deputies) knew he didn`t have a gun. Deputy Bailey said he believed the suspect was going to make a move to get back to his vehicle.

Due to the circumstances presenting, the crowd that was forming, the busy shopping center, the threat of the suspect getting back into his vehicle and the possibility he might have a firearm, Deputy Bailey said there was no way he was going to let him get back to his vehicle. He said he handed his shotgun to Deputy Haas and he removed his Taser from his holster. He told Deputy Haas that he was going to move forward towards the suspect into an effective range with the Taser.

Deputy Bailey said he broke cover and beelined directly towards the suspect while giving him verbal

commands to get on the ground. The suspect turned towards him as he approached and he kept screaming, "I`ve got a fucking automatic." Deputy Bailey said he replied saying, "You don`t have shit, get on the ground." Deputy Bailey continued giving him commands as he drew within ten to fifteen feet of him. Deputy Bailey was screaming at the suspect to get on the ground and the suspect responded saying, "Fuck you." At this point, Deputy Bailey discharged his Taser at the suspect, which caused his body to lock up and he fell backwards onto the pavement.

Deputies Maikranz, Matelli and Clark approached and handcuffed the suspect. They began assessing the suspect`s injuries and administered medical aid. Deputy Bailey said he removed the expended cartridge from his Taser and dropped it on the ground. He said he immediately went back to Deputy Haas to retrieve his shotgun and check on him. He said he then walked Deputy Haas to his patrol vehicle and sequestered him at that time.

When questioned, Deputy Bailey said he remained with Deputy Hass and directed incoming units to start setting a perimeter and establish a crime scene log. He said he then telephoned Deputy Sheriff Association President, Vail and Vice President, Erick Gelhaus, to come to the scene because of the officer involved shooting. Ultimately Deputy Brian Parks drove him to the Windsor Police Department where he was sequestered there by Sergeant Cash and Deputy Brian Parks.

I recapped Deputy Bailey`s statements and I told him I had a few follow up questions. When asked to clarify his memory of the initial BOLO broadcast, Deputy Bailey said it was twofold in this particular case. He said there was an email type message that came over his mobile data computer. This broadcast was specifically related to the report of a man in a vehicle that was brandishing a firearm at passing motorists. He said he believed the broadcast said, `trying to get law enforcements attention`. He said he did not know the source of this information. He said this is what he read and it was also what was read to him over Sheriff`s Channel 1 by the dispatcher. He said the broadcast was an officer safety be on the lookout, which meant to him that the subject was a threat to law enforcement and he was armed. Deputy Bailey said he believed the description of the firearm was yellow or wood handled pistol and the suspect`s name was Christopher something. The suspect was described as being fifty something years old and he was a White male.

Deputy Bailey said based his experience, knowing it`s around Christmas, he`s aware it`s a common time of the year where suicides and homicides occur. He said he felt this could be either a homicidal or suicidal suspect that was trying to draw law enforcement in. He said with this day and age with the ambushes that have been happening, this was a concern.

When asked, Deputy Bailey confirmed that when Deputy Matelli broadcast the suspect`s license plate over the radio, the Sheriff`s dispatcher confirmed that it matched the vehicle in the officer safety broadcast earlier. He again said having just read the BOLO, he too recognized the license plate as Deputy Matelli put it over the radio.

I asked Deputy Bailey if he remembered seeing the overhead lights activated on the two marked patrol vehicles pursuing the suspect vehicle when he and Deputy Clark returned onto Merner Drive. He said they both had their emergency overhead lights on. He said as far as the sirens, he couldn`t hear them from where he was, but this would be standard protocol. When questioned, he said Deputy Clark activated the overhead emergency lights and siren in their vehicle when they joined the pursuit.

I asked Deputy Bailey if he observed the suspect vehicle driving erratically, put the safety of the public at jeopardy, or commit any vehicle code violations. Deputy Bailey said he observed the suspect vehicle pass over

the double yellow lines and enter opposing traffic to overtake vehicles probably three times. He said as they proceeded northbound on Old Redwood Highway, he observed the suspect vehicle drive through a red light at the intersection of either Pleasant Avenue or Alden Lane. Additionally, he observed the suspect drive his vehicle over the concrete median just east of the intersection at Lakewood Drive.

I asked Deputy Bailey if he recalled looking at the speedometer in his patrol vehicle during the pursuit, in order to clarify the speed. He said he didn`t check the speedometer. The speeds he referenced earlier were based on his training and experience and hearing the speeds being broadcast over the radio by Deputy Matelli.

I mentioned to Deputy Bailey that he described it being very dark out when the pursuit ended in the parking lot at the Windsor Palms Shopping Center. I asked if he remembered if there was lighting from the storefronts and also if he remembered if the shopping center was active with members of the public. He replied, "Yes, very active." I mentioned how he had said the area was illuminated by headlights and overhead parking street lights, and he said correct. I mentioned how he said he exited his patrol vehicle and took a position near Deputy Matelli`s front passenger door and he replied, "That`s right." He said typically he opens the passenger door, but his fear was that he was already out of the vehicle with a firearm. He said he bypassed the front door and was at the front fender adjacent to the right front tire. By this time the suspect was already out of his vehicle, advancing towards them with his hands stretched out, yelling about having a gun.

When asked, Deputy Bailey confirmed he heard three gunshots. He said by the time he got to the front of Deputy Matelli`s vehicle, saw the suspect advancing forward at them in a shooter`s stance and a metal object in his hand, and the shots being fired, was probably less than two or three seconds. He said he visually realized the suspect did not have a gun immediately after hearing the gunshots.

When asked, Deputy Bailey believed that he and Deputy Maikranz were the only deputies who discharged their Tasers at the suspect. Again, Deputy Bailey described his Taser deployment at the suspect as being effective. He went on to describe again how the suspect`s body went rigid during the deployment and he fell backwards onto the asphalt. He compared the effects of the Taser being similar to seeing someone experiencing a seizure. Muscles going rigid, arms bent at the elbow.

When questioned, Deputy Bailey said he couldn`t remember if the suspect had the object (bicycle lock) in his hands when he fell to the pavement. He said he didn`t remember it being in his hands when his arms locked up during his Taser deployment. When asked, Deputy Bailey wasn`t sure who specifically secured the suspect in handcuffs. He said immediately after he was handcuffed, he heard Deputy Matelli broadcast a request for emergency medical personnel at their location.

When asked, Deputy Bailey said he saw deputies Matelli and Maikranz providing medical aid to the suspect. He said the only injury he noticed on the suspect was that he had a head wound from what Deputy Bailey believed was caused by him falling backward onto the asphalt.

When asked Deputy Bailey said that after ensuring Deputy Hass was okay, he left him momentarily to get Deputy Clark. He had Deputy Clark come back to their vehicle where he handed him his shotgun. He instructed Deputy Clark to empty the shotgun to render it safe and return it to the auto lock in their vehicle.

***With no further immediate questions, we paused for a break and went off the record at approximately 0517 hours. During the break, I consulted with DDA Barbara Nanney and DAI, Ken Pistorio, for questions, or concerns.

***At approximately 0520 hours, Detective Hanshew returned from the break at went back on the record. During this time, I informed Deputy Bailey that I had a few follow up questions.

I asked Deputy Bailey if he recalled, or could estimate the distance between himself and Deputy Hass during the time they positioned themselves at Deputy Matelli`s patrol vehicle. Deputy Bailey said Deputy Hass was a little more than arm`s length directly to his right, or north of him and a half step back behind his position. Deputy Bailey said he never saw Deputy Hass approach. He said the first time he realized he was there was when he heard the gunshot go off.

I asked Deputy Bailey if there was ever any conversation, or words exchanged between he and Deputy Haas, prior to him discharging his firearm. Deputy Bailey said no. He again said he didn`t realize Deputy Hass was there until after the rounds went off and he turned to him to advise his observation that the object the suspect was holding was not a firearm.

With regard to Deputy Bailey`s body worn camera he mentioned having on his uniform during the incident we were now discussing, I asked him if his camera was activated. Deputy Bailey indicated it was. I asked him if he viewed any portion of the video prior to this interview being conducted and he said he did not. I asked Deputy Bailey if he wished to view the recording related to this incident now, and he asked for a moment with his attorney. Deputy Bailey and Ms. Pifari stepped out of the room momentarily and returned. Deputy Bailey said he did not wish to review his body worn video related to this incident.

With no further questions, the interview was concluded at approximately 0524 hours.

INTERVIEW WITH SONOMA COUNTY SHERIFF`S DEPUTY NICHOLAS MAIKRANZ # 1894, BY: DETECTIVE JESSE HANSHEW

On 12/12/2016, at approximately 0531 hours, I monitored Detective Hanshew`s interview with Sonoma County Sheriff`s Deputy Nicholas Maikranz, badge # 1894. The interview was conducted at the [redacted], located at [redacted] Windsor, CA.

Present during the interview was Deputy Maikranz` attorney, Nicole Pifari, from the Law Offices of Rains Lucia Stern PC.

This interview was concluded at approximately 0612 hours. Refer to Detective Jesse Hanshew`s supplemental report for the statements obtained during the interview with Deputy Nicholas Maikranz.

INTERVIEW WITH SONOMA COUNTY SHERIFF`S DEPUTY CHRISTOPHER HAAS # 1649, BY: DETECTIVE JEFF TONEY

On 12/12/2016, at approximately 0622 hours, I conducted a digital audio recorded interview with Sonoma County Sheriff`s Deputy Christopher Haas, badge # 1649. The interview was conducted in a private [redacted] at the [redacted], located at [redacted] Windsor, CA. Detective Jesse Hanshew was present, along with Deputy Haas`s attorney, Nicole Pifari, from Rains Lucia Stern, PC. The interview was observed via closed-circuit television in room [redacted], by Sonoma County Deputy District

Attorney, Barbara Nanney, and District Attorney Investigator, Ken Pistorio.

The recorded interview was later transferred to a CD-R data disc which I labeled as evidence item # JT-3 for future reference. I later booked this item into evidence at the Sheriff`s main office Property/Evidence Room.

Utilizing the format of the Sonoma County Sheriff`s Office Critical Incident Guidelines Manual, I directed the interview in accordance with the "Involved Officer Interviews".

I began the interview by having all persons present introduce themselves for the record and I clarified with Deputy Haas that he was being interviewed as a witness in this investigation. Deputy Haas acknowledged affirmatively that his presence was voluntary and he agreed to provide me with his statement. When questioned, Deputy Haas acknowledged that he was given ample time to meet and speak with his attorney prior to providing his voluntary statement at this time.

I mentioned to Deputy Haas that although he and I both currently work for the same law enforcement agency, was it fair to say that he and I are not close friends, nor do we associate with each other outside of work. Deputy Haas agreed and answered in the affirmative.

I began asking Deputy Haas a series of questions using the standard county wide critical incident protocol guidelines. Deputy Haas provided the following statements in summary. Refer to the CD-R data disc for exact statements.

Deputy Hass is not currently sick or injured and he did not receive any injuries as a result of this incident we were now discussing. Prior to this incident and starting his shift, he received approximately eight hours of sleep and consumed a normal meal. I asked Deputy Hass if he had consumed any alcoholic beverages in the past twenty-four hours and he indicated he had in fact consumed two alcoholic drinks the evening prior. Deputy Hass indicated he consumed these drinks from approximately 1900 hours through 2030 hours on Saturday evening, 12/10/2016.

Deputy Haas graduated from the police academy in 2006, becoming a sworn peace officer. He has been employed as a Deputy with the Sonoma County Sheriff`s Office for approximately ten and half years. During his time at the Sheriff`s office, Deputy Hass has received dedicated training as a Field Training Officer. Additionally, he is a tactical flight deputy on the Sheriff`s Office Helicopter Unit, Henry-1, and he is a certified Emergency Medical Technician.

Deputy Hass is currently assigned to work uniformed patrol for the Windsor Police Department, a contract city for the Sonoma County Sheriff`s Office. Deputy Hass` duties include providing law enforcement services within the incorporated area of the Town of Windsor, which include investigating crime reports, traffic enforcement and other police duties. Deputy Hass is currently assigned to Cover Shift, working the hours of 1400 - 0000 hours, Sunday through Wednesday. Deputy Hass has been in his current assignment since June 2013. Prior to this incident, Deputy Haas began his shift at approximately 1400 hours and his call sign was J83 (John 83). He was driving his assigned marked patrol vehicle, W32.

During the time of this incident, Deputy Haas was dressed in full uniform. He was wearing a Sonoma County Sheriff`s jacket which had Sonoma County Sheriff patches on each shoulder, his name embroidered on the right chest, and a cloth star sewn of the left chest. Beneath his jacket, he was wearing a uniform shirt which has Sonoma County Sheriff patches, his name tape, Field Training Officer pin, and a cloth Sonoma County Sheriff`s star embroidered on the shirt. On Deputy Haas` duty belt, from center to right is a double handcuff

case with two handcuffs, duty firearm, glove pouch, small flashlight, flashlight ring, department issued portable radio, Taser and Baton ring. He was wearing green colored BDU uniform pants and black Danner boots.

With regard to his duty firearm, Deputy Haas carries a Glock Model 17, 9mm. The firearm is loaded with a 17 round magazine with one cartridge in the chamber, for a total of 18 rounds. His two spare magazines are loaded to the full capacity of 17 cartridges. Deputy Haas was not carrying a backup firearm at the time of this incident.

Secured within his assigned patrol vehicle is his department issued Remington 870 shotgun, which is loaded with four slug shot shells in the tube with the hammer down and the safety off. The side saddle is loaded to capacity with buckshot shot shells. He also carries an AR-15 rifle which is secured in his trunk. His rifle is carried with an empty chamber. He has numerous 30 round capacity magazines that he keeps loaded to full capacity.

I informed Deputy Haas the nature of this investigation concerned a significant incident he was involved in earlier that occurred in the general area of Old Redwood Highway in Windsor, specifically in the Windsor Palms Shopping Center. I asked him to provide me the details of this incident to the best of his abilities. I asked him to include times and the names of the people with him if he knew. Additionally, I asked him to begin by telling me where he was before the incident occurred, how he became involved and his actions during the incident.

Deputy Haas said at approximately 1730 hours he was investigating a call for service regarding a man with a gun, called in by Sonoma County Transit. The alleged man with the gun reportedly exited the bus near the Starbucks business within the Walmart Shopping Center in Windsor. Deputy Haas had responded to this call and was there with his partners, Deputy Matelli, Deputy Maikranz and his Sergeant, Andy Cash. They completed an extensive search of the area for the alleged gunman and they were unable to locate him. The Sheriff`s helicopter located a person of interest who they contacted near Home Depot and they were checking him for warrants on Sheriff`s radio channel 2. During this time, Deputy Haas said he overheard a BOLO being broadcast on Sheriff`s radio Channel 1 which was related to the Petaluma area. He said he remembered the broadcast was related to a suicidal subject but he didn`t pay much more attention to the broadcast because of what he was dealing with at the time.

Shortly afterwards, they were releasing the subject they had detained. Deputy Matelli was dispatched to the report of an assault with a deadly weapon that just occurred on Merner Drive, where the caller was reporting a subject driving erratically in his neighborhood and had attempted to hit him with the vehicle.

Deputy Haas said he realized his partner didn`t have a backup unit going with him on the call so he radioed dispatch and told them he would be en route to back Deputy Matelli. He said they began responding to the address of the report, which he was familiar with the street being off of Old Redwood Highway and he knew they were in close proximity to that location.

While he was responding, Sheriff`s dispatch advised them via radio that the erratic driver, described as being an older male subject in his fifties with gray or white hair, matched the description of the Petaluma Police Departments BOL. Not knowing exactly what the Petaluma Police BOL was, Sheriff`s dispatch was prompted to repeat the details. Deputy Haas said he was advised that a suicidal subject armed with a firearm described as being yellow, or wooden with a star on top, was driving a gold Passat, possibly wanting to be shot by law enforcement and committing suicide by cop. He said he didn`t know if dispatch had provided them with the

suicidal subject`s license plate number at that point.

Deputy Haas said they arrived onto Merner Drive which is a two way divided roadway. They had to drive in eastbound and loop back around west to get to the reporting party`s residence, located at [redacted] Merner Drive. He said he vaguely remembers that upon his arrival he heard a main office deputy broadcast on the radio he was in the area checking for the subject. He also recalled seeing a main office patrol vehicle pulling into the neighborhood on one of the side streets. He said he assumed this was the unit he had heard over the radio.

Deputy Haas said Deputy Matelli was in front of him. He stopped in front of the residence and Deputy Haas parked his patrol vehicle in front of him to stop on the west side of the driveway. When he exited his patrol vehicle, Deputy Matelli was already contacting the reporting party who was standing in front of the residence.

Deputy Haas said he joined Deputy Matelli and listened to his interview with the reporting party. He said he recalled the reporting party saying that a gold Passat was driving erratically through the neighborhood almost doing like laps through the neighborhood, pulling in and out of random driveways, over and over again.

Deputy Haas said at one point he couldn`t recall hearing if the reporting party said he confronted the subject in the Passat, or if he was just standing out on the sidewalk. He said he didn`t think there were any sidewalks on that street, or that maybe the reporting party was saying he was standing on the shoulder of the roadway. At that point he remembered the reporting party say, "He almost hit me as he pointed to a tire skid mark in the roadway." Deputy Hass remembers thinking the suspect might have driven off the road, because there are no sidewalks, but a large field in the divided section of the road.

Deputy Hass said the reporting party described the vehicle as being gold in color. He said he remembered having the epiphany of how the description of the vehicle matched what they were alerted to in the BOL, especially with regard to the weird driving. He said the only odd thing to him was that the BOL had come out of Petaluma and they were in Windsor which is quite a distance away. He said none the less, it struck him odd. Deputy Matelli told the reporting party that it appeared the vehicle he was describing matched one of interest to them.

Deputy Hass said they confirmed the reporting party`s contact information and explained they needed to go look for the vehicle. They encouraged the reporting party to go back into his house and they explained that they did not want him hanging around outside in the event the suspect returned. The reporting party agreed and began walking back towards his house. As they were walking back to their patrol vehicles, a vehicle entered Merner drive at a high rate of speed and it pulled into the driveway of a residence approximately fifty plus yards across the street from them. As it did so, the reporting party yelled out to them, "That`s the car!"

Deputy Haas said at that point he believes Deputy Matelli got into his patrol vehicle. He said it was weird because the vehicle remained parked in the driveway. He said he could see the brake lights on but no one was exiting the car. He said he thought if this was the subject they were looking for he wanted to wait a second before he got into his patrol car because he knew he would be committed to driving back westbound and he didn`t want this guy to try to run the reporting party down again. Deputy Haas said he wasn`t really sure how it would unfold at that point. He said the subject driving the Passat put the car into reverse. At this point he said it was clear that it was gold colored. He put the car into reverse but when he reversed back onto Merner, he went west in the eastbound lanes, the wrong direction of traffic.

At this point, Deputy Hass said he knew this was the car from the BOL and it was clear that the driver was trying to create a scene and trying to bait and force them into contacting him. Deputy Haas said Deputy

Matelli began going after the vehicle. He said he got into his patrol vehicle and was behind Deputy Matelli.

The suspect vehicle continued the wrong way in the eastbound lanes and cut through a break in the roadway in front of Deputy Matelli vehicle. The suspect continued westbound on Merner Drive. He said both he and Deputy Matelli activated their overhead emergency lights. The suspect failed to yield and accelerated through the stop sign at Merner Drive at Old Redwood Highway. Deputy Hass recalled Deputy Matelli broadcasting the suspect vehicle`s license plate and dispatch confirmed the license plate information matched the vehicle information from the Petaluma Police BOLO.

Deputy Haas said the suspect vehicle turned right (northbound) onto Old Redwood Highway. He said Deputy Matelli was initially broadcasting the pursuit, however, after a block or so, Deputy Hass took over broadcasting the pursuit as is recommended per the Sheriff`s office pursuit policy. Deputy Haas provided radio updates regarding their speeds and the cross streets they were approaching. He said he remembers the suspect vehicle drove through a stale red light at one of the controlled intersections, but he couldn`t recall which intersection this was.

Deputy Haas said the suspect vehicle continued northbound on Old Redwood Highway until they reached Lakewood Drive, which is a major intersection serving the off ramp/on ramps of northbound US 101 at Central Windsor. Prior to reaching that intersection, the suspect vehicle made a U-turn by driving up and over the raised concrete median and proceeded southbound on Old Redwood Highway. Deputy Haas said he and Deputy Matelli proceeded the extra twenty yards or so and made a U-turn southbound at the intersection.

Deputy Hass said what raised his fears and was concerning to him regarding the suspects driving especially when he made the U-turn was, yeah he was driving fast, faster than the posted speed limit, and yeah he ran a red light, he ran a stop sign, but he wasn`t trying to get away. He said the hammer wasn`t down. He wasn`t trying to outrun us. Deputy Haas said the suspect was going through the motions of what a vehicle pursuit looks like. He said yeah he was doing some evasive things by running stops signs, jumping over a median, but it wasn`t like he was trying to get away. He said he felt that they were not having trouble keeping up with him, and it just wasn`t striking him, based on the information he had from the bulletin, and the way now obviously he`s running, but he wasn`t really running. Deputy Haas said it was definitely making him nervous about what his intentions were and what the outcome of the pursuit was going to be.

They proceeded southbound on Old Redwood Highway and he continued broadcasting radio updates to dispatch regarding their location. He said he believes the fastest speed he remembers calling out was 60 mph. Deputy Haas recalled as they approached southbound at Alden Lane, it appeared as though the suspect vehicle was going to continue straight through the intersection. At the last second, the suspect turned right into the main entrance of the Windsor Palms Shopping Center. Deputy Hass said this caused him great concern because there were numerous cars around and he could see people walking around. Because of the holidays and the numerous businesses located within the shopping center, it was very concerning to Deputy Haas.

As the suspect entered the main driveway he came to an abrupt stop right in front of a grocery store that he knows as Castaneda`s Market. When the suspect vehicle stopped, Deputy Haas could see that Castaneda`s Market was open. There were people around, the lights were on, there were lots of cars in front of that market and the way he stopped, he was directly in front of the market. He recalled Deputy Matelli stopped his patrol vehicle and he felt there wasn`t enough space to perform a high risk enforcement stop.

Deputy Haas radioed dispatch and advised them they were initiating a high risk enforcement stop. He said he felt some concern about it because a lot of times in high risk stops they`ll be two or three vehicles side by side

and suspects are ordered back. He said this is a common tactic that he`s been trained to do, to angle your patrol car. However, due to the width of the driveway they were presented with, he felt it would be too constricting, therefore he parked his vehicle just short of Deputy Matelli`s rear bumper. As he parked, he left his emergency lights on. He said he did not activate his spotlight because he didn`t want to backlight Deputy Matelli. He said there was also adequate lighting from the brightly lit shopping center.

Deputy Haas recalled when he stopped his vehicle and he was getting out, he dropped his flashlight. He said at the time this didn`t concern him. He said he remembers the suspects` vehicle door started to open, then it flew open. He said this was obviously concerning to him because they had not ordered him out of the car at that point. He said as the suspect`s door flew open, he knew he had to get out of his patrol car to start engaging this person who he was assuming was going to be getting out of his car. He said he didn`t recall seeing the suspect get out of his car at this point. He said his memory of this part is a little choppy. He said he knows he exited his patrol vehicle and he looped around the rear of his patrol vehicle. He knew Deputy Matelli was at his driver`s door and engaging the suspect and he felt he needed to be on the passenger`s side of Deputy Matelli`s vehicle to triangulate the suspect.

Deputy Haas said at some point during this time he drew his firearm. He doesn`t remember drawing it but by the time he got to the passenger`s side door of Deputy Matelli`s vehicle, he had his firearm. He said he believes when he arrived at Deputy Matelli`s passenger door, Deputy Bailey was already standing there next to the open passenger door.

Deputy Hass asked me if he could back track. He said he remembers when he got out of his patrol car and was coming around to the back of his car, the suspect had emerged from his car and he remembers seeing an object in his hand. He said he couldn`t tell me if the object was in the suspect`s left or right hand but he thought it looked like he had a gun to his head. He said it looked like he had an object that resembled a gun, and it looked like it was to his head. Deputy Haas demonstrated, raising his right hand up to the right side of his head. He said when he got out, it looked like the suspect had a gun to his head, but he only saw the suspect for a split second because he knew he had to get to the passenger`s side of Deputy Matelli`s patrol vehicle, to engage the suspect who was clearly armed.

Deputy Haas recalled when he made it to the passenger door, he believes he saw Deputy Bailey. The suspect began advancing towards them, specifically towards Deputy Matelli. He said at that point the suspect wasn`t running towards him, but he was moving forward at that point. What Deputy Haas perceived to be a gun, had now gone from the suspects head to being shoulder level. Deputy Haas said as the suspect continued to advance forward, it looked to him like the suspect was making jerking movements and he brought the gun down. He took a very aggressive shooting stance and moved forward at that point. Deputy Haas said he believed that Deputy Matelli`s life was in danger. He said he believed that based on Deputy Matelli`s location, he knew what his back drop was because he observed the same back drop when he exited his patrol car. It was the front of a very populated open business.

From Deputy Haas` location at Deputy Matelli`s passenger door, all he could see was a closed dark business. He said there were some cars down range from him but it did not appear there were people milling about. He said it seemed like he had a good backdrop. He had a split second of thinking he needed to shoot this guy because he felt like Deputy Matelli was almost being held hostage, for a lack of a better term. He said Deputy Matelli didn`t have as good of a backdrop as he did and he felt it was his job to make sure the suspect didn`t kill Deputy Matelli, or anybody else in the parking lot.

Deputy Haas said he put his front site on the subject who was continuing to move forward in an aggressive

shooting stance. He said he fired what he perceived to be three, possibly four rounds at the suspect. Deputy Haas said he recalled that at one point the suspect`s body went from a position of facing them to being turned away from them. As the suspect`s body turned, Deputy Haas fired an additional round at the suspect. He said the reason he did this was because the suspect had not gone to the ground, and it was more concerning to him that he was still standing. Deputy Haas said he thought he missed the suspect and it now appeared to him that the suspect was retreating back towards the open businesses and he had to make sure he did not get to the open business where all the people were.

After firing his last round, he couldn`t remember who it was, but one of the deputies yelled, "It`s not a gun. It`s not a gun." He said he wasn`t sure if somebody said it`s "sunglasses" or "it`s a bike lock", but he stopped shooting at that point. He said immediately at this point he was a little spun because he was being told by his partners that what he saw and believed to be a gun, was not a gun.

Deputy Haas recalled at some point seeing Deputy Matelli leave his position of cover and he began engaging the suspect. He said it looked like Deputy Matelli was armed with a long gun and he could hear them continuing to give the suspect commands to drop what he was holding and get on the ground. He said he recalled seeing a Taser deployed at the suspect which was ineffective. He saw a second Taser deployed at the suspect that seemed to work and then shortly after, the suspect was taken to the ground. He said at that point Deputy Bailey told him he wanted him to stay where he was and hang there. Deputy Bailey handed him his shotgun and told him to watch it for him. He said in hindsight he realized Deputy Bailey did this to give him something to do because he was definitely a little spun at that point. He said he watched the deputies engaging the suspect and they ultimately took him into custody, but he couldn`t recall the specific details of their contact with the suspect.

When questioned, Deputy Haas said at that point it looked to him like the deputies were beginning to administer first aid on the suspect. They moved the suspect to a recovery position on his side and he remembers seeing gauze being applied. He said Deputy Bailey returned to his location and basically told him to hang out with him at his (Deputy Haas`) patrol vehicle. He said he remained sitting in the driver`s seat of his patrol vehicle until Sergeant Haugen arrived. He provided Sergeant Haugen with a public safety statement and he was then sequestered by Windsor Police Sergeant, Andy Cash, who transported him to the Chief`s Office at the Windsor Police Department. He was then later transported to the [redacted] where he has remained sequestered pending this interview.

I mentioned the fact that Deputy Haas was now dressed wearing civilian clothing and I confirmed he was wearing his uniform while he was on duty during the incident we were discussing. Deputy Haas said he changed out of his uniform at the hotel, prior to be processed by the Sonoma County Sheriff`s Crime Scene Investigations detectives.

Having completed his statement, I informed Deputy Haas I had a few follow up questions. I asked Deputy Haas if he remembered his statement regarding the reporting party on Merner Drive, specifically if the reporting party indicated where he was when he was almost struck by the suspect vehicle. Deputy Haas said he couldn`t recall. When asked if he ever saw the driver of the Volkswagen Passat as it drove erratically on Merner Drive, Deputy Haas said it was much too dark and it was too far away. He said he never got a view of what the driver looked like, or how many occupants were in the vehicle. However, Deputy Haas said from the time they began pursuing the vehicle and until it was ultimately terminated, the suspect vehicle never stopped and he never saw anyone get out during the pursuit. He said the suspect vehicle was in full motion until their contact with the fleeing suspect in the parking lot of the shopping center.

I mentioned how he described taking over the radio broadcast of the pursuit at a specific point. I asked him if he remembered any details of the radio traffic he broadcast regarding his observations of the suspect vehicle. He said he remembered broadcasting their speeds and locations when he felt necessary. He said he remembers prior to him taking over the broadcast he heard Deputy Matelli broadcasting that the suspect vehicle was crossing over the double yellow lines. He further added once he took over the radio broadcast, the suspect drove through a red light, but again he couldn`t remember at what intersection this occurred.

I asked Deputy Haas if the suspect vehicle made any maneuvers to overtake any vehicles as he was traveling northbound on Old Redwood Highway. Deputy Haas responded saying, "Yes he did." I asked if he recalled if this were once, twice, or three times. He said per his observations it would never have occurred because his view of the suspect was being blocked by Deputy Matelli`s vehicle. He recalls Deputy Matelli saying the suspect was crossing over the double yellow lines, but he didn`t recall seeing it.

When questioned, Deputy Haas confirmed he activated his overhead emergency lights and siren as he pursued the suspect vehicle. He also stated he saw that Deputy Matelli also had his overhead emergency lights activated. Deputy Haas recalled looking in his rearview mirror somewhere between Alden Lane and Lakewood Drive and seeing additional patrol vehicles behind him with their emergency lights activated. When questioned, Deputy Haas couldn`t recall specific speeds during the pursuit. He said he believed the fastest speed they drove to pursue the suspect was 60 mph.

I mentioned how he said he didn`t feel as though the suspect was trying to get away and I asked him to explain his thoughts on this. Deputy Haas said he wanted to be candid. He said he was involved in a pursuit a few years ago where there was a subject and he had a woman he was holding hostage in a car. The woman was making text messages to a friend in San Rafael. He then located the car and became involved in a pursuit. He said it reminded him a lot of that pursuit because the driving was very similar.

Deputy Hass said, "We were in a pursuit and yeah at times we were above the speed limit. Was he breaking the law in his driving? Absolutely. Did he do some things like passing over the double yellows, to get away? Yeah, absolutely." He said he`s been in plenty of police pursuits and it was clear the suspect was not trying to outrun them. Deputy Haas said he felt like the suspect was baiting them along until he decided what he wanted to do. He further said, "I know it probably comes off as well, he`s trying to get away. You had your lights on, he was driving away from you and I could understand that. Yeah, he did some maneuvers that clearly showed his intent to get away from us and obviously he was delaying us in apprehending him. He was driving 60 miles an hour in arguably like a 40 mile an hour zone, maybe a 35 at some points. He wasn`t driving a hundred mph."

I asked Deputy Haas to clarify his position at Deputy Matelli`s patrol vehicle. He said he recalled Deputy Bailey being sucked up close to the open passenger door, however he didn`t believe Deputy Bailey was using the door as cover. He described himself as being approximately two or three feet to the right of Deputy Bailey. He said he didn`t have any portion of the passenger door in front of him. Deputy Haas recalled having his firearm drawn at this point with his front site on the suspect. He again said he saw the suspect taking a shooting stance and he had what appeared to be a metal object in his hand. I mentioned how he expressed some concerns about Deputy Matelli and I asked him to explain himself further.

Deputy Haas said in his opinion, the suspect was trying to get shot and Deputy Haas was very fearful. He said he didn`t know what the suspect`s mindset was. He said he`s been in another officer involved shooting where he was shot at by a subject who said he was suicidal. He said he understands that just because you`re suicidal, it doesn`t mean you`re not homicidal. He continued saying, "Yes he took a shooting stance and obviously

based on the nature of the call, he wanted to commit suicide by cop." Deputy Haas said he believed especially with the way he was aggressively pointing the firearm at Deputy Matelli, he thought he was going to try and murder Deputy Matelli. He said he was going to do his best not to allow this to happen.

I asked Deputy Haas if he remembered saying anything to the suspect. He said he did not give any verbal commands to the suspect because there were plenty of commands being given. He recalled hearing "drop it" and other sufficient commands being given. When asked, Deputy Haas again recalled firing three rounds or possibly four at the suspect. He described how he saw the suspect turn his body away from their direction after he fired what he believed to be three rounds at the suspect. Based on the fact the suspect was still standing, and had now turned his body away from them, Deputy Haas fired one more round at the suspect. After firing the last shot he believed the suspect turned back towards them and then he immediately heard what he thought to be Deputy Bailey yelling, "It`s not a gun."

During this time, he said the suspect continued moving towards Deputy Matelli`s location. I asked Deputy Haas to describe what he was seeing as the suspect was moving forward. He said this was difficult for him to remember. I asked him if he ever saw the object the suspect was holding and to describe the color if he could. Deputy Haas described the object having a yellow handle or a yellowish part to it.

When asked, Deputy Haas couldn`t recall which deputy deployed their Taser. Ultimately, he saw the suspect secured in handcuffs but he wasn`t sure which deputy applied the handcuffs on the suspect. He said he was not involved with that process. Deputy Haas said he observed medical aid being rendered on the suspect, but he didn`t know what his injuries were. When questioned, he said he never approached the suspect after he discharged his firearm.

At approximately 0727 hours, we paused the interview for a short break. During the break Detective Hanshew and I exited the room and I consulted with Deputy District Attorney Barbara Nanney.

At approximately 0730 hours, Detective Hanshew and I returned to the interview and went back on the record for a few follow up questions.

When questioned, Deputy Haas informed me his body worn camera was activated during this incident we were discussing. Deputy Haas said he did not review any video footage of this incident prior to this interview. When asked, Deputy Haas declined the offer to view the video recordings of this incident at this time.

With no further questions from all parties present, the interview was concluded at approximately 0731 hours.

INITIAL INVESTIGATION CONCLUSION

Having concluded the entire involved deputy interviews, Detective Hanshew and I discussed each of our respective interviews. It was discussed that all of the deputy`s accounts were appropriate for their knowledge of the events which occurred. Detective Hanshew and I left the [redacted] and returned to the Sheriff`s Main Office at approximately 0744 hours.

WITNESS INFORMATION

On 12/12/2016, at approximately 0800 hours, Deputy Chris Vivian contacted me in the VCI office. Deputy Vivian informed me he received a telephone call from a friend of his named [redacted]. According to [redacted] he had been the victim of a road rage incident in Santa Rosa last night. Based on the statements [redacted] provided Deputy Vivian, it was strongly believed the suspect in the road rage incident was (OF-1) Christopher Eastwood. Deputy Vivian provided me with [redacted] contact information.

I briefed Detective Fowler on the information provided to me by Deputy Vivian. At my request, Detective Fowler conducted interviews with (WI-15) [redacted] and California Highway Patrolman, Officer Cincera. Refer to Detective Fowler`s supplemental report for the statements obtained during his respective interviews.

On 12/12/2016, at approximately 0817 hours, I received a telephone call from Sheriff`s dispatch advising me of a call they just received from [redacted], the owner of Castaneda`s Market in Windsor. According to [redacted], he arrived to his business this morning and observed a bullet defect in his overhead sign above the entrance to his business. While inspecting the area further, [redacted] told the call taker he located what he believed to be a bullet fragment on the asphalt in front of his business located within the Windsor Palms Shopping Center. [redacted] requested telephone contact from a detective.

I telephoned [redacted] and informed him I would be responding to his business to meet and speak with him further. At my request, [redacted] agreed to secure the area around the object he believed to be a bullet fragment, so that it would not be disturbed.

Detective Hanshew and I arrived at Castaneda`s Market at approximately 0906 hours. Upon arrival, I observed a red hand basket lying on the asphalt directly north of the handicap ramp entrance in front of the business. Taped to the basket was a computer generated note which read "Do not touch." I took a photograph of the basket as it was observed. I lifted the basket and observed what I believed, based on my training and experience, to be a bullet fragment. The bullet fragment was observed to be lying in the seam of the concrete. I took a photograph of the bullet fragment as it was observed. I gathered the bullet fragment and secured it into a small evidence box which I labeled as item # JT-4 for future identification. I later booked this item into evidence at the Sheriff`s Main Office Property/Evidence Room. The photographs were later booked into evidence as item # JT-8.

I contacted [redacted] and he told me he arrived to his business this morning shortly before 0800 hours and he noticed the bullet defect in his business sign. While visually inspecting the area beneath the sign, he located the object he perceived to be a bullet fragment. He said he immediately telephoned the Sheriff`s office to report his finding. It was during this time he learned about the incident that took place last night.

End of statement

VEHICLE PURSUIT PATH/DISTANCE MEASUREMENT

After speaking with [redacted] Detective Hanshew and I drove the vehicle pursuit path as it was described by the statements obtained from the involved deputies. Using the Trip calculator in my assigned unmarked patrol vehicle (B620), I began driving northbound on Old Redwood Highway from Merner Drive. We continued driving northbound to Lakewood Drive, then turned left and proceeded southbound on Old Redwood

Highway. Finally, we turned right into the Windsor Palms Shopping Center and stopped in the driveway just north of Castaneda`s Market. The total distance measured approximately 2.2 miles. I later created a computer generated illustration of the pursuit path using Google Maps. I have attached the illustration to this report.

WINDSOR FIRE DEPARTMENT AND BELL`S AMBULANCE REPORTS BRIEFED

Upon returning to the Sheriff`s Main Office VCI Detective, Joseph Horsman, and I briefed the results of his contact with Windsor Fire and Bell`s Ambulance personnel. I reviewed the respective reports authored by Bell`s Ambulance Service and Windsor Fire. While reviewing Bell`s Ambulance report, Incident number WND16340003, Agency Case number BELL16003297, authored by Paramedic [redacted], I noted the statements made by Eastwood to Paramedic [redacted] during his transport to Santa Rosa Memorial Hospital.

Per Paramedic [redacted], when questioned if he knew what town he was in, or what happened? Eastwood answered that he was in Petaluma and he didn`t remember anything that had happened tonight. Eastwood was told he was in Windsor and questioned as to why he may be in this town. Eastwood said he couldn`t remember and he mentioned that maybe he was visiting friends. Per [redacted], Eastwood was asked several more times if he remembered what happened tonight. Eastwood said he was beginning to remember. He said "I wanted to be shot tonight." `I wanted the cops to shoot me. I told them to shoot me." [redacted] asked Eastwood if he wanted to die tonight and he answered, `No, I don`t think so."

While reviewing the supplemental reports authored by Windsor Fire Fighters, [redacted], badge number [redacted], and Firefighter [redacted], badge number [redacted], I noted it`s written that at the request of Bell`s Ambulance Paramedics, they rode in the back of the ambulance during Eastwood`s transport to Santa Rosa Memorial Hospital. Both [redacted] and [redacted] independently indicate hearing Eastwood saying, "I remember what I was doing. I don`t know if I should say it, I don`t want the police to take me away. I wanted the police to end everything."

Refer to Detective Horsman`s supplemental report for details of his interviews with on scene EMS Personnel and the respective reports authored by Windsor Fire Department and Bell`s Ambulance which he booked into evidence.

PROCESSING OF CHRISTOPHER EASTWOOD`S VEHICLE, GOLD 2015 VW PASSAT CA. LICENSE PLATE NUMBER [redacted]

On 12/12/2016, at approximately 1735 hours, VCI Sergeant McAlvain, CSI Detective Newton, CSI Detective Fong and I conducted a search of Christopher Eastwood`s vehicle, pursuant to a search warrant that had been authored earlier in the day by VCI Detective Joseph Horsman.

During a search of the vehicle, indicia related to Christopher Eastwood was located within the center console along with an IPhone 6, with a white protective case that was situated on the dashboard. These items were seized and booked into evidence. Refer to CSI Detective Dylan Fong`s supplemental report for details of his actions, observations, findings, and the evidence collection process.

PETALUMA POLICE DEPARTMENT REPORTS, CASE NUMBER 16-0006271

On 12/13/2016, at approximately 1600 hours, VCI Sergeant McAlvain handed me a copy of the Petaluma Police Department reports that had been sent to our Records Department by Petaluma Police Department Investigations Sergeant, Edward Crosby. The main report chronicles the incident that led to the Petaluma Police issuing the officer safety bulletin in case number PEP 16-000627. The report was authored by Petaluma Police Officer Tyler Saldanha on 12/11/2016. Additionally, there are four supplemental reports authored by Petaluma Police Officer`s Alec Thompson, Breeden Sawyer, Westin Schindler and Sergeant Edward Crosby.

In summary, Officer Saldanha reported the following: On 12/11/2016, at approximately 1445 hours, [redacted], called the Petaluma Police Department to report her son-in-law, 49 year old Christopher Eastwood, was making suicidal statements. According to [redacted], Eastwood told her he wanted to commit suicide by cop and she believed he was possibly armed with a yellow handled firearm. Per [redacted], Eastwood was reportedly last seen driving his gold Volkswagen Passat, California license plate number [redacted], in the area of Mountain View Avenue and Colinda Drive in Petaluma.

Petaluma Police Officer`s Tyler Saldanha, Alec Thompson, Breeden Sawyer and Westin Schindler were dispatched to the "Suicide Threats" report at the above listed location. During their response to the area, Officer Sawyer requested Petaluma Police Department Dispatch issue a Countywide BOL broadcast to advise all allied law enforcement agencies of the officer safety information. Upon their arrival, Eastwood and his vehicle were not located.

Officer Saldanha contacted [redacted] and learned Eastwood is her son-in-law and he recently separated from his wife, [redacted], [redacted] daughter. Christopher and [redacted] live in San Francisco at different residences on the same street. [redacted] described her relationship with Eastwood as being "very close". Eastwood often brings their three kids to visit [redacted] on Saturdays. On 12/10/16, Eastwood left [redacted] a voicemail saying he wanted to bring his three kids to [redacted] residence so they could put up a Christmas tree.

[redacted] said today around 1600 hours, Christopher showed up unexpectedly at her residence. [redacted] observed Christopher`s gold Volkswagen [redacted] parked in front of her residence. She went outside to greet him and asked him to get out of the car and come inside. [redacted] said Eastwood refused. [redacted] advised this as not being normal of Eastwood. She further described him to be at his "wit`s end."

During [redacted] conversation with Christopher, he told her he had to do this because "accidents happened to his sisters in Arizona" and he is doing this to protect his family. [redacted] said she asked Christopher to explain what happened to his sisters and he refused to explain further. Christopher told [redacted] he thinks his father in law, [redacted], has hired a "hit man" to kill him. Christopher further told [redacted] he believes [redacted] wants him to hand over all his assets to [redacted] in regards to their divorce.

Per [redacted] observations, Eastwood was not observed to be intoxicated or under the influence of drugs. [redacted] told Officer Saldanha that Eastwood was crying and he stated "I am a coward" on three occasions to [redacted]. Eastwood told [redacted] that as he was driving to Petaluma from San Francisco, he was "waving his gun hoping a police officer would stop (him)." Eastwood told [redacted] he wanted to commit suicide by cop. [redacted] heard Eastwood say the police would shoot him and he would shoot back, "vice versa."

[redacted] said she stood in front of Eastwood`s vehicle to attempt to keep him from leaving. During this time observed Christopher move an unknown object from the driver seat of his car to the floorboard. believed the object was a gun. As [redacted] tried to persuade Christopher to stay, he began to jockey his vehicle around her. [redacted] apparently asked Eastwood where he was headed to next and she couldn`t remember if he said northbound or southbound. [redacted] said Eastwood told her "get a cop to shoot me." Eastwood then drove away east bound down Mountain View Avenue.

Officer Saldanha contacted the San Francisco Police Department (SFPD) and briefed them on the circumstances of the report. He requested SFPD contact [redacted] and check her welfare. Officer Saldanha later received a telephone call from SFPD Officer Eve, who informed him [redacted] and her children were reportedly fine.

Officer Saldanha later interviewed [redacted] by telephone. In summary, [redacted] and Christopher separated in early 2015 and have been officially divorced since 9/29/16. The main cause of their divorce was because Christopher is "mentally ill." [redacted] has full custody of their three kids and there is a written agreement that Christopher can have supervised visits on Saturdays. [redacted] and Christopher only communicate via e-mail. [redacted] told Officer Saldanha a friend of hers saw a Facebook post from Christopher`s profile. The post was uploaded today (12/11/16) believed to be uploaded between 1630-1730 hours. The post read "take care of my girls". Officer Saldanha attached the photograph to his report.

Officer Saldanha indicated he listened to the initial 9-1-1 tape of [redacted] conversation with the call taker. During the review of the tape, [redacted] indicates she is sure Eastwood was headed northbound on Highway 101. According to Officer Saldanha, the rest of the 9-1-1 tape was consistent with [redacted] statements.

Refer to Petaluma Police Officer Saldanha`s report for details of his investigation and the supplemental reports authored by Officer`s Alec Thompson, Breeden Sawyer, Westin Schindler and Sergeant Edward Crosby.

On 12/13/2016, at approximately 1340 hours, I received a telephone call from [redacted] at [redacted], located at [redacted] Mendocino Avenue, Santa Rosa. [redacted] requested my assistance in serving Christopher Eastwood with an Order of the Court, to which I agreed. I provided [redacted] my fax number and I received a faxed copy of the court order.

The court document was an Ex Parte Order (Case number [redacted]) from the Superior Court of California, County of San Francisco, 400 McCallister Street, San Francisco, CA. 94102. The Court order listed the Attorney name [redacted] Law Offices of [redacted] [redacted] California Street Suite [redacted] San Francisco, CA. 94104. The order listed the Petitioner/Plaintiff as [redacted] and the Respondent/Defendant as Christopher Eastwood.

I later responded to the Main Adult Detention Facility (MADF) where I contacted Christopher Eastwood in his cell, MH-1. Correctional Staff opened the cell food port and I verbally reviewed the Court Order with Eastwood at 1729 hours. After verbally serving Eastwood, I responded to MADF Records and placed Eastwood`s copy of the Court Order on his property.

On 12/14/2017, I completed a Proof of Service Form which I have photocopied and attached to this report. I

later faxed this form to [redacted], at [redacted], located at [redacted] San Anselmo Avenue, San Anselmo, CA.

TELEPHONE INTERVIEW WITH [redacted] EASTWOOD BY: DETECTIVE JEFF TONEY

On 12/19/2016, at approximately 1145 hours, I telephoned [redacted] to speak with her about her ex-husband Christopher. [redacted] advised she was currently at work and unable to speak at length. [redacted] told me she would be free to speak further later this afternoon at 1515 hours. I agreed to contact her at this time. Prior to disconnecting, I asked [redacted] if she could confirm Christopher`s cell phone number. She told me Christopher`s number is [redacted].

At approximately 1515 hours, I conducted a telephone interview with [redacted]. My conversation with [redacted] was audio recorded. I later transferred the audio recording to a CD-R disc which I marked for future identification as item JT-5. I later booked item JT-5 into evidence at the Sheriff`s main office Property/Evidence Room.

When questioned, [redacted] provided the following statements in summary. Refer to the CD-R data disc for exact statements. [redacted] and Christopher met in 1993 and were married in 1997. They have three children together, 13 year old daughter [redacted], 9 year old daughter [redacted] and 6 year old daughter [redacted]. According to [redacted], she and Christopher had a great marriage but his mental illness was a tragedy and a nightmare. As a result, she and Christopher separated and he was court ordered out of the residence in August 2015. She and Christopher were lawfully divorced on September 29, 2016.

[redacted] has full custody of their children, however in November 2015, Christopher was granted supervised visitation for twenty-four hours, from Saturday morning to Sunday morning. She said the disturbing thing to her was that Christopher had returned the children to her earlier in the day before this incident happened. She said she was at the front door when Christopher dropped them off but she never physically saw him. [redacted] said her kids had nothing out of the ordinary to say when they returned home and everything appeared normal.

[redacted] said last week her father and Christopher`s mother had talked about her and Christopher`s horrible divorce. She said this had been the first time they had ever talked with each other. [redacted] said she was a little concerned because there was a lack of boundaries with regard to Christopher and his mom. [redacted] said she was concerned that they would be talking about their divorce in front of the kids during their visit. She said they have in the past and it was extremely upsetting to [redacted]. With that, [redacted] said she was very sensitive when the children returned home. She said she wondered how her children would be emotionally, and if the kids were going to be upset. [redacted] said she never usually asks, but she asked her children how the visit was with their father and grandmother, and if there was anything they wanted to tell her. She said her children said no, and that everything was fine during their stay.

I mentioned to [redacted] that I was trying to figure out what caused Christopher to do the things he did Sunday evening. Expressing her disbelief, [redacted] said, "What I would say based on the conversation I had with my dad and then what I learned from the media that is; I don`t know who that person was." When asked, [redacted] said she had no suspicion that Christopher was suicidal. She said if anything she thought the opposite, explaining how Christopher is the last person she would have ever thought to be suicidal. When asked, [redacted] said to her knowledge Christopher was not seeing a [redacted], or [redacted] and he was not taking any

prescribed [redacted] medications. When asked, [redacted] stated Christopher had a history of alcohol abuse.

[redacted] wasn`t quite sure where Christopher was working. She said he kept it secret and told no one, not even their kids. According to [redacted], Christopher was supposed to notify her and her lawyer when he became employed for child support payment reasons. [redacted] thought Christopher was working for a Hedge Fund firm in Sausalito. She said his work history was in quality assurance with software, but she didn`t know the name of the company.

I mentioned how I had assisted with serving Christopher with the Ex-Parte order. [redacted] thanked me and explained that she and her attorney obtained this emergency order after she learned about Christopher`s actions on Monday morning.

I asked [redacted] if she had any communication with Christopher since the incident that occurred in Windsor. [redacted] said not with Christopher directly, but she did receive a text message from Christopher`s sister, [redacted], on Wednesday December 14. The text message explained that Christopher was being checked into a facility, but there were no specifics. [redacted] said the following Saturday she received a telephone call from a woman named [redacted] who advised that she was calling on behalf of Christopher. Apparently he wanted to let [redacted] know he was currently at [redacted].

[redacted] said this made her feel violated. She said she wants nothing to do with Christopher. She mentioned she understands they have three children together but she feels like "here he is again terrorizing me." [redacted] said the last time she spoke with Christopher was through a judge during their court hearing in November of 2015.

With no further immediate questions, I asked [redacted] for Christopher`s address in San Francisco. She described how he literally lived two blocks away from her on [redacted] however, she was not certain on the address. When asked, [redacted] agreed to drive by Christopher`s house and message me his address. I later received a message from [redacted] who provided Christopher`s address as being [redacted] [redacted] Apartment [redacted], San Francisco, CA 94131.

My conversation with [redacted] concluded at approximately 1536 hours.

On 12/19/2016, I authored a search warrant to search Christopher Eastwood`s gold IPhone 6 which had been seized during a search of Eastwood`s vehicle pursuant to a search warrant. My search warrant was reviewed telephonically by Sonoma County Deputy District Attorney Barbara Nanney. The search warrant was presented to and signed by Sonoma County Superior Court Judge, Raima Ballinger at 1638 hours.

On 12/20/2016, I provided CSI Detective, Fong, a copy of the search warrant and requested a forensic download of Christopher Eastwood`s cellular telephone. I was later informed by Detective Fong he was unable to access the IPhone 6 due to it being passcode locked.

On 12/21/2016, I contacted Sonoma County Sheriff`s Deputy, Emily Dickey. Deputy Dickey has been certified through Taser International to be a Taser Instructor. Deputy Dickey has been a Taser Instructor for the Sonoma County Sheriff`s Office since May 2016. Based on her knowledge and expertise, I requested she assist me by conducting a forensic examination, to include a complete download of the involved deputy`s

Taser`s.

Deputy Dickey later briefed me on her findings and provided me copies of the Taser download reports from the Tasers belonging to Deputy Bailey, Deputy L. Matelli and Deputy Maikranz. The evidence found from the Taser downloads was determined to be consistent with the statements provided by the involved deputies. Refer to Deputy Dickey`s supplemental report for details of her actions, observations, findings and the evidence collection process.

INTERVIEW WITH [redacted] BY: DETECTIVE JEFF TONEY

On 06/12/2017, at approximately 1325 hours, Detective Jayson Fowler and I responded to [redacted], Petaluma, CA to conduct a follow up interview with [redacted]. My conversation with [redacted] was audio recorded. I later transferred the audio recording to a CD-R data disc. The data disc was marked as evidence item number JT-6 for future identification and it was later booked into evidence at the Sheriff`s main office Property/Evidence Room. [redacted] provided the following statements in summary. Refer to the data disc for exact statements.

I began the conversation gathering some basic background information from [redacted]. I explained that I knew she had already been interviewed by the Petaluma Police Department. I informed her that I had some follow up questions regarding some of the statements she provided the Petaluma Police. When questioned, [redacted] acknowledged that Christopher Eastwood was her son in law and that [redacted] was her daughter. I further explained it had been said that she and her daughter`s relationship was estranged, to which she acknowledged was because of her daughter, [redacted]. She described [redacted] as being her father`s daughter.

When questioned, [redacted] acknowledged that her ex-husband is [redacted]. She told me she and [redacted] divorced in 1971 when [redacted] was approximately 15 months old. I directed [redacted] to the statements Christopher made to her after he arrived at her residence on Sunday 12/11/2016. Specifically, his statement to her that he believed his father in law, [redacted], has hired a "hit man" to kill him. I asked [redacted] to clarify. [redacted] said this was what Christopher inferred, but he wasn`t specific about further details. She said, "I know [redacted], and he would have killed me if I would have stayed there." [redacted] mentioned how after their divorce she went back to teaching and some strange things began happening. [redacted] digressed and stated her ex-husband, [redacted], has his own life that is apart from what anybody else can do to influence him and he runs amuck.

I asked [redacted] if she believed there was any validity into what Christopher was saying about [redacted] carrying out a hit on him and she said, "Yes." When questioned, [redacted] said she had no proof. She said she`s thought a lot about Christopher telling her this because Christopher has been less than honest with her before. When questioned, [redacted] said she never heard Christopher mention or complain about [redacted] threatening him prior to this incident. She said she confronted Christopher at the jail when she went to visit him the day after his suicide attempt. She said she told him, "You lied to me about having a gun." Christopher said, "Yes." [redacted] went on to say she knows Christopher is spineless and that he never stood up to [redacted] about what he thought was fair and equal. [redacted] ultimately indicated she believed the statement Christopher made about [redacted] hiring a hit man to kill him was obviously a part of Christopher`s manipulation to get her to call the police that day.

I asked [redacted] if Christopher had any answers for her to explain his actions when she went to visit him in jail. [redacted] said Christopher acted like the situation was a lark. She said Christopher complained of having a

headache which she said was from him taking a fall when he was Tased, or shot. She said Christopher had a smirk on his face as he told her he was going to be getting out of jail and returning to work on Wednesday. She said she thought to herself, "You must be in la la land." She said she blatantly told him he was severely depressed and that he needed medication.

[redacted] said she learned after talking with Christopher`s mother, [redacted], that Christopher had spent time with her, his brother, and his sister in law earlier that day of his suicide attempt. According to [redacted], she came to visit Christopher from Sacramento on Sunday 12/11/2016. She and Christopher drove to his Brother [redacted] house in Burlingame, CA where they all visited. While there he told his family that he had been threatened. [redacted] told her that Christopher wouldn`t provide any further details about the threats. Apparently, Christopher abruptly said he was leaving and [redacted] insisted he first take her back to San Francisco to retrieve her vehicle. Per [redacted], Christopher dropped her off at his apartment in San Francisco and said he was going to visit [redacted].

[redacted] said she believes Christopher "flipped out". She began talking about her contact with Christopher when he drove up to her house Sunday afternoon, the day he attempted suicide. [redacted] statements were consistent with those she provided to Petaluma Police Officer Tyler Saldanha on 12/11/2016.

Ultimately, I asked [redacted] if Christopher had an explanation for his actions when she visited him in jail and she said he did not talk about that or elude to it at all. She again said when she talked with his mother [redacted], she asked her if Christopher had told her what the threat was and she said no. [redacted] said she mentioned to [redacted] that Christopher needed to tell somebody and [redacted] told her Christopher would talk to his attorney.

[redacted] provided me with some history and background of her ex-husband, [redacted], and their failed marriage which she asserted ended because she was physically abused by him. [redacted] ultimately confirmed his address for me.

Without solicitation, [redacted] told me Christopher tried hurting himself in jail while he was in custody. When asked, [redacted] said she learned about this during a conversation with Christopher`s attorney. She said she contacted Christopher`s attorney after she observed Christopher acting despondent during a second visit with him in jail. [redacted] said during the visit she tried speaking with Christopher but he wouldn`t respond to her.

I asked [redacted] if she believed [redacted] would speak with me if I were to contact him. [redacted] said that he probably would and she referred to [redacted] as being a pathological liar. I provided [redacted] my business card and encouraged her to contact me with any further information. With no further questions the interview was completed at approximately 1411 hours.

Upon returning to the Sheriff`s Office, I completed a law enforcement computer records check and located a telephone number for [redacted].

TELEPHONE INTERVIEW WITH [redacted] BY: DETECTIVE JEFF TONEY

On 06/13/2017, at approximately 0836 hours I conducted an audio recorded telephone interview with [redacted] father, [redacted]. I later transferred the recording to a CD-R data disc which I labeled as evidence item number JT-7 and booked it into evidence.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

The purpose for me contacting [redacted] was to learn more about his relationship with Christopher Eastwood and to question him about the alleged threat of him hiring a hit man to kill Christopher, as was reported by Christopher to his mother-in-law, [redacted], on Sunday 12/11/16. The following is a summary of the statements [redacted] provided me during our conversation. Refer to the CD-R data disc for exact statements.

I began the conversation by confirming that I was speaking with [redacted]. I introduced myself and I explained the purpose of my call in reference to an incident involving Christopher Eastwood that occurred in Sonoma County in December 2016. [redacted] acknowledged saying sure, and he agreed to speak with me further. He told me he was currently at his daughter [redacted] house for the week watching his granddaughters while his daughter was at work.

[redacted] told me he was familiar with the incident involving Christopher but he didn`t know all the details. He mentioned how his wife had downloaded some articles that were on the news. When questioned, [redacted] told me he currently resides in Harbor City, CA with his wife [redacted]. They have been married for seventeen years. [redacted] is his oldest daughter and he has an adult son from his second marriage.

[redacted] explained that Christopher and his daughter were divorced. He said they became separated in 2015 and Christopher moved into the rear granny unit of their home during this time. [redacted] said prior to the divorce Christopher and his daughter had a great marriage with three beautiful daughters.

Christopher had a well-paying job working for different companies as an IT computer programmer. [redacted] said he honestly didn`t know what triggered the divorce. He described Christopher not being a "hands on" type of guy. He said Christopher was a good father who could work and make money but he wasn`t a handy man or disciplined when it came to picking up after himself. Christopher`s role in the marriage was making the money and [redacted] managed it. He said she paid the bills and made most of the decisions.

[redacted] noticed a change in Christopher`s behavior about two years ago. He said Christopher told [redacted] he was going to take over the bill paying and manage their finances. Christopher removed [redacted] name from their accounts and put them in his name. According to [redacted] things became more aggravated when Christopher stopped paying the bills. He said this disturbed his daughter and strained their marriage. [redacted] explained how [redacted] and Christopher attempted to improve their relationship by attending counseling, however Christopher stopped attending at some point and refused to cooperate.

[redacted] said it was his understanding that during one of the counseling sessions, Christopher was prescribed medication to deal with his [redacted] problem, but he refused to take the medication. [redacted] filed for divorce and Christopher has been unsupportive since. [redacted] said Christopher has lost approximately three different jobs since [redacted] filed for divorce.

When questioned, [redacted] described his relationship with Christopher as being cordial. He said he was there with Christopher during the first few supervised visits Christopher had with his daughters. He said he believed Christopher was trying to be a good father, but the illness he has makes him do strange things. [redacted] said preceding the incident in Sonoma County, during the divorce [redacted] wanted to buy their house outright but Christopher wanted to be paid more than the appraised value. [redacted] said he called Christopher`s mother and asked her to speak with Christopher to get him to reconsider his demands regarding the price of the house, so that [redacted] could remain living there with her daughters. He said both he and Christopher`s mother agreed that their interest was for their grandchildren, and she agreed to speak with him.

[redacted] said he hadn`t really had any contact with Christopher other than the visitations. The day of the incident involving Christopher in Sonoma County, Christopher called him. [redacted] said the conversation was as normal as the one he and I were having. [redacted] said Christopher told him he realized he had been wrong and made mistakes. Christopher told him he wanted to make amends and wanted [redacted] to stay in the house. He further told [redacted] he wanted to talk to [redacted] attorney and sign the paperwork resending his demands. [redacted] said he couldn`t believe it, he was in shock.

When asked about the time Christopher called, [redacted] said he believed it was around 5 or 6 o`clock in the evening. He said Christopher didn`t mention where he was. I asked [redacted] if he would describe his conversation with Christopher as being hostile. [redacted] said not at all. He said it was 180 degree turn in his opinion with regard to Christopher`s feelings.

I asked [redacted] if he ever made any threats to Christopher. [redacted] said, "Never." I asked [redacted] if it would surprise him if I told him it had been said that he was going to hire a hit man to kill Christopher. [redacted] said it would surprise him. He said towards the end time of him living at the house with [redacted] and their kids, Christopher came up with some goofy things. [redacted] mentioned how if I read a particular police report I would be able to see the bizarre statements Christopher made to the San Francisco Police Officers.

[redacted] said the police report was regarding a complaint of some teenage kids who allegedly broke down Christopher`s garage door to steal some bicycles out of their garage. Apparently Christopher told the responding officers that somebody was trying to kill him and he accused [redacted]. Christopher told the officers that he`d been in contact with the FBI, Secret Service, and that he had booby trapped the hallway in his house. [redacted] said Christopher can appear normal, but he can come up with these goofy ideas too. [redacted] asserted he has never threatened Christopher, or used any harsh words towards him. He chuckled and said he wouldn`t know the first thing about initiating a hit.

I asked [redacted] if he had any questions for me. [redacted] said after the incident in Sonoma County, Christopher wrote a letter to the court, accusing [redacted] of calling Christopher`s mother and making demands. [redacted] said this is someone he is not. According to [redacted], [redacted] attorney sent [redacted] a copy of the letter written by Christopher and asked him to respond. In the letter Christopher states he`s been in [redacted], making great progress and was almost cured. He goes to request that his visitation rights resume. [redacted] said the letter was full of untruths. When asked, [redacted] agreed to fax me a copy of the letter.

[redacted] went on to describe Christopher as being "whacky". He said Christopher`s behavior started as a gradual thing, but now he`s looney and it`s a shame. [redacted] said they were trying to patch together the things up north. He mentioned how one of the things Christopher mentioned in the letter was that he (Christopher) travelled north that day to go and speak with [redacted] ex-wife, [redacted] mother. [redacted] said Christopher was apparently on a tear about him, so he went to [redacted] house to get her to talk to him ([redacted]). [redacted] said he has not been in contact with his ex-wife for almost twenty years now. He said he has no way of reaching his ex-wife, he doesn`t know her address or her phone number. Therefore, he can`t understand why Christopher would say this.

With no further immediate questions, [redacted] and I exchanged contact information and I encouraged him to contact me with any further information or questions. The interview was completed at approximately 0907 hours.

SAN FRANCISCO POLICE DEPARTMENT INCIDENT REPORT # 150621112

On 06/13/2017, I contacted Lieutenant Joseph Barretta with the San Francisco Police Department (SFPD) Ingleside Station Investigations. Lieutenant Barretta initially called me on 12/14/16 with questions regarding Christopher Eastwood`s custody status.

During my contact with Lieutenant Barretta I asked for his assistance with locating a SFPD police report related to a burglary complaint and 9-1-1 call from Christopher Eastwood near or around August 2015. I provided Lieutenant Barretta my email address for correspondence.

I later received an email from Lieutenant Barretta which had the requested police report attached. The police report (#150621112) was authored by SFPD Officer Marcus Wells, Star # 1564, on 07/18/2015. The type of incident was listed as being Burglary, Residence, Att. Forcible Entry.

The SFPD police report states that on 07/17/2015 at approximately 0524 hours, Christopher Eastwood called 9-1-1 to report a possible burglary at his residence. In summary, Eastwood alleged that while he and his wife and children were sleeping, he woke to a crash sound coming from his garage. Eastwood reported seeing a large hole in his door and he was concerned for his family`s safety. During their investigation, SFPD police officers determined no entry was made into Eastwood`s residence.

While speaking with Christopher Eastwood, he made statements to the officer about his wife cheating on him and he believed her boyfriends were coming to break in and kill him. He was adamant the suspects were thwarted by what he called his "booby trap" consisting of a youth soccer ball and nerf foam football he placed in the middle of his hallway.

Christopher Eastwood would go on to tell the police officers he had been receiving death threats from his wife`s boyfriends via social media. Eastwood showed the officer his cell phone, referring to a Facebook posting. The officer located the post and quickly determined it was related to a satire blog posted in 2008. Eastwood was not happy with the officer`s opinion that there was no suspect entry made to his residence and that they were referring to the incident as an attempted burglary. Eastwood became upset and insisted it was not a burglary, but an attempted homicide.

Eastwood went on to tell the officers that he had already posted the entire incident on social media prior to their arrival and that Twitter would decide if his wife`s boyfriends were guilty of a crime. Eastwood told officers he notified the FBI because he didn`t believe SFPD would do a good job.

During the investigation SFPD interviewed [redacted]. She told officers she woke to the sound of banging coming from downstairs. She walked to a front room window and saw 4-5 juveniles running down the street. [redacted] told the officer she was in the process of divorcing Christopher. She stated Christopher had been diagnosed with being [redacted] and he is often delusional.

Refer to the attached SFPD police report for Christopher Eastwood`s allegation of death threats and other nonsensical statements.

LETTER AUTHORED BY CHRISTOPHER EASTWOOD AND REBUTTAL AUTHORED BY [redacted]

On 06/19/2017, I received a ten page facsimile from [redacted] which included the letter he spoke to me about that was authored by Christopher Eastwood. In addition to Christopher`s letter, there was a two page response letter written by [redacted].

I reviewed the letter said to have been written by Christopher Eastwood. The letter is titled Declaration of Respondent Christopher Eastwood in Support of Request for Order to Resume Visitation. In paragraph 20 of the letter, Eastwood highlights the incident that occurred in Windsor on 12/11/2016. Eastwood claims that the information provided in the Petitioners ex parte was based on salacious TV news article, which was full of speculation and false information.

Christopher states there were a number of things that contributed to the incident which were primarily focused around the stress and emotional trauma he`s been subjected to during his divorce. Eastwood alleges [redacted] was threatening and intimidating his mother and making threatening and hostile remarks towards him.

In the letter, Eastwood states the stressors and conversation with [redacted] that day caused his brain chemistry to be temporarily altered. Eastwood further states that after leaving his ex-wife`s mothers house in Petaluma she called the police and claimed he had a gun. He states he did not have a gun or any other weapons. Eastwood minimizes his actions and states while in the town of Windsor, he attracted the attention of the police. When he got out of his car, at the police`s bidding, he was shot. Eastwood describes the shots as being grazes and he was then tasered by another officer. Eastwood claims he passed out and didn`t wake until he was in the ambulance.

The ten page facsimile letter was marked as item # JT-9 and it was later booked in to evidence at the Sheriffs main office Property/Evidence Room.

INVESTIGATION CONCLUSION

Having reviewed all of the involved deputies body worn camera video, specifically at the point of termination of the pursuit, it clearly depicts Christopher Eastwood holding an unknown object in both hands. Eastwood is seen thrusting his hands forward while yelling at the deputies, "I`m going to fucking kill you. It`s an "automatic", referencing a firearm. Deputies can be heard numerous times ordering Eastwood to drop the object and surrender. Eastwood unquestionably deterred and prevented Sonoma County Sheriff`s Deputies from performing their duties by means of threats and violence towards the deputies.

During this investigation, I determined that all of the involved deputy interviews were consistent and the statements were appropriate for their knowledge of the events which occurred. Furthermore, I found that the involved deputies` statements describing their actions were consistent with their respective body worn video camera footage which depicts the incident from the beginning of the vehicle pursuit, through the time Christopher Eastwood was taken into custody.

Witness statements obtained during this investigation indicate Christopher Eastwood made statements to his ex-mother-in-law, [redacted], Windsor Fire personnel and Bells Ambulance Paramedics that he wanted to commit suicide by cop. Furthermore, the deputies` body worn camera and the independent statements obtained from the deputies and eye witnesses support that Christopher Eastwood violated section 2800.2 of the California Vehicle Code in that he fled pursing deputies for approximately 2.2 miles while driving his vehicle in a willful and wanton disregard for the safety of persons and property.

I request this investigative report be forwarded to the Sonoma County District Attorney`s Office for review/complaint for criminal prosecution against Christopher Eastwood on the charges of 69 PC, 2800.2 CVC and 23103(a) CVC.

***End of investigative supplemental report related to this call-out.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
07/24/2017 16:23:51	ATTACHMENT ADDED	(SD1041) TONEY, JEFF
Contact Name		**Supervising Officer**
		(SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

Attached authenticated transcripts from my audio recorded interview with Deputy Neil Bailey.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
07/25/2017 09:16:23	ATTACHMENT ADDED	(SD1041) TONEY, JEFF
Contact Name		**Supervising Officer** (SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

Attached authenticated transcripts from my audio recorded interview with Deputy Larry Matelli.

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
08/22/2017 10:28:11	FOLLOW UP	(SD1041) TONEY, JEFF
Contact Name		**Supervising Officer** (SD530) MCALVAIN, SHANNON

4020

Supplement Narrative

Supplemental Report
Case # WI161211-003
Windsor Police Department
Sonoma County Sheriff`s Office
Detective Jeff Toney
Violent Crime Investigations Unit

On 07/31/2017, I authored a search warrant to obtain Christopher Eastwood`s medical records related to the medical treatment he received at Santa Rosa Memorial Hospital on 12/11/2016. The search warrant was reviewed by Sonoma County Deputy District Attorney, Juliette Hyde, and signed by the Honorable Dana Simonds, a Sonoma County Superior Court Judge, at approximately 1558 hours.

On 08/01/2017, at approximately 1100 hours, I served the search warrant to the Santa Rosa Memorial Hospital Medical Records Department. On 08/04/2017, I received Christopher Eastwood`s medical records. I reviewed the 31 page record which consists of an Emergency Department Report, X-Ray Report, Lab/Chemistry Report, Toxicology Report, Consultation Report and Discharge Summary Report.

In summary, Christopher Eastwood was admitted to Santa Rosa Memorial Hospital`s Emergency Department by ambulance on 12/11/2016. At approximately 1823 hours, Eastwood was examined by [redacted] MD. Doctor [redacted] determined Eastwood sustained an [redacted] and a [redacted] area with no swelling.

A urine chemistry and blood test was performed which showed [redacted] results for drugs/narcotics and less than [redacted] alcohol, quantitative. Eastwood was medically treated [redacted] and he was discharged to Sheriff`s deputies at approximately 2100 hours.

Refer to the 31 page medical record for a complete detail of findings and the reports from the various doctors who treated Christopher Eastwood at Santa Rosa Memorial Hospital on 12/11/2016.

The 31 page medical record was marked as item # JT-10 for future identification. I booked this item into evidence at the Sheriff`s main office Property/Evidence Room.

On 08/14/2017, I authored a Return to Search Warrant which I brought before and was signed by Sonoma

County Superior Court Judge, J. Michael Byrne. The Search Warrant and Return to Search Warrant were then filed at the Sonoma County Court Clerk`s Office.

Nothing further

Incident/Investigation Report

Agency: Windsor Police Department **Case Number:** 161211-003

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/12/2016 18:30:40	FOLLOW UP	(SD1643) VANCAMP, BRANDON O
Contact Name		**Supervising Officer** (SD1696) LUCAS, JASON J

4020

Supplement Narrative

On Sunday December 11, 2016 at about 2100 hours, I arrived to the parking lot where this incident occurred. I signed into the crime scene log held by Detective Ager. I stood scene security on the outer perimter and cleared at 0252 hours.

Status: Supplement Report.

ARREST REPORT

Fingerprinted	R84 Completed
[1] Yes	[1] Yes
[X] No	[2] No

UNAPPROVED

IDENTIFICATION

1 ORI #	2 AGENCY NAME	3a. ARREST #	3b CASE #	4 SFX
CA0490015	Windsor Police Department	[redacted]	161211-003	

5 LAST, FIRST, MIDDLE NAME: Eastwood, Christopher Cormac

6 ALIAS AKA:

7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14
[X] M [2] F	[X] W [2] B [3] A [4] I	5'11	215	BLU	BLN		

14: [1] SCARS [2] MARKS [3] TATTOOS [4] AMPUTATIONS

15 PLACE OF BIRTH (CITY, COUNTY, STATE)	16 SSN	17 DATE OF BIRTH	18 AGE	19 MISCELLANEOUS ID #
Belfast. Ireland	[redacted]	[redacted]	49	[redacted]

20 SID #	21 FINGERPRINT CLASS	KEY	MAJOR	PRIMARY	SCDV	SUB-SECONDARY	FINAL	22 DL #	23 ST
[redacted]	HENRY CLASS							[redacted]	CA
24 FBI #	NCIC CLASS							25 IDENTIFICATION COMMENTS	

26	27 HOME ADDRESS (STREET, CITY, STATE, ZIP)	28 RESIDENCE PHONE	29 OCCUPATION (BE SPECIFIC)
[1] RESIDENT [2] NON-RESIDENT	[redacted] Apt [redacted], San Francisco, CA 94114	[redacted]	Software Tester

30 EMPLOYER (NAME OF COMPANY/SCHOOL)	31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)	32 BUSINESS PHONE

ARREST

33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)	34 SECTOR #	35 ARRESTED FOR YOUR JURISDICTION?
8499 Old Redwood Hw Windsor, Ca 95492		[1] IN STATE [2] OUT STATE AGENCY ☐ YES ☐ NO

36 CONDITION OF ARRESTEE:	37 RESIST ARREST?	38 INJURIES?	39 ARMED?	40 DESCRIPTION OF WEAPON
[1] DRUNK [2] DRINKING [3] SOBER [4] DRUGS	[1] YES [2] NO	[1] NONE [2] OFFICER [3] ARRESTEE	[1] Y [2] N	

41 DATE OF ARREST	42 TIME OF ARREST	43 DAY OF ARREST	44 TYPE ARREST INITIAL ARREST/BOOK	45 ARRESTED BEFORE?
12/11/2016	17:40 [1] 1. AM [2] 2. PM [X] MIL.	[X] S [1] M [2] T [3] W [4] T [5] F [6] S [7]		[1] YES [2] NO [X] UNKNOWN

46 CHARGE-1	[X] FEL [2] MISD	CHRG CNT	47 UCR CODE	50 STATE CODE/LOCAL ORD.	51 WARRANT #	DISPOSITION	52 DATE ISSUED
Adw Not Firearm (fel)		1	13A	245 (A)(1) PC			
48 CHARGE-2	[X] FEL [2] MISD	CHRG CNT	49 UCR CODE	53 STATE CODE/LOCAL ORD.	54 WARRANT #	DISPOSITION	55 DATE ISSUED
Obstruct/resist Executive		1	13A	69 PC			
56 CHARGE-3	[1] FEL [X] MISD	CHRG CNT	57 UCR CODE	60 STATE CODE/LOCAL ORD.	61 WARRANT #	DISPOSITION	62 DATE ISSUED
Obstruct/resist/etc		1	13C	148 (A)(1) PC			
58 CHARGE-4	[1] FEL [X] MISD	CHRG CNT	59 UCR CODE	63 STATE CODE/LOCAL ORD.	64 WARRANT #	DISPOSITION	65 DATE ISSUED
Disregard Safety:evade		1	99Z	2800.2 (A) VC			

Total Charges this Arrest: (4)

66 ARREST DISPOSITION: Felony

68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME):

69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME):

VEHICLE

70 VYR	71 VMA	72 VMO	73 VST	74 VCO	75 TAG #	76 LIS	77 LIY
				TOP / BOTTOM			

78 VIN	79 IMPOUNDED?	80 STORAGE LOCATION/IMPOUND #
	[1] YES [2] NO	

VEHICLE RELATED TO: VEHICLE RELATION:

81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED

☐ CONTINUED IN NARRATIVE

JUVENILE

82 JUVENILE DISPOSITION: [1] HANDLED AND RELEASED [2] REF. TO JUVENILE COURT [3] REF. TO WELFARE AGENCY [4] REF. TO OTHER POLICE AGENCY [5] REF. TO ADULT COURT

83 RELEASED TO:

84 PARENT OR GUARDIAN (LAST, FIRST, MIDDLE NAME)	85 ADDRESS (STREET, CITY, STATE, ZIP)	86 PHONE

87 PARENTS EMPLOYER	88 OCCUPATION	89 ADDRESS (STREET, CITY, STATE, ZIP)	90 PHONE

RELEASE

91 DATE AND TIME OF RELEASE	92 RELEASING OFFICER NAME	93 AGENCY/DIVISION	94 ID #
[1] AM [3] MIL. [2] PM			

95 RELEASED TO	96 AGENCY/DIVISION	97 AGENCY ADDRESS

98 PERSONAL PROPERTY RELEASED TO ARRESTEE	99 PROPERTY NOT RELEASED/HELD AT:	100 PROPERTY #
[1] YES [2] NO [3] PARTIAL		

101 REMARKS (NOTE ANY INJURIES AT TIME OF RELEASE)

LOCAL USE

102 SIGNATURE OF RECEIVING OFFICER	103 SIGNATURE OF RELEASING OFFICER	STATE USE

MULTIPLE CASES CLOSED	104 CASE #	105 SFX	106 CASE #	107 SFX	108 CASE #	109 SFX	110 ADDITIONAL CASES CLOSED NARRATIVE ☐ Y ☐ N

111 ARRESTING OFFICER (LAST, FIRST, M.)	112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)	114 ID #	115 SUPERVISOR ID #	116 WATCH CMDR. ID #
Fowler, Jayson J	SD1813				