Supplement Report

Agency: **Sonoma County Sheriff's Office** Case #: **SD220903001.002**

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Incident Information

Date/Time Reported: **09/02/2022 2241**	Occurred: **09/02/2022 2241**
Location: [redacted] **MOODY LN , GEYSERVILLE CA 95441**	
UCR Status:	Officer: **Collier, Alan 1102251**
Related Cases: No Associated Cases	

Narrative

SUPPLEMENT
Written by: **Collier, Alan 1102251**
Date/Time: **09/03/2022 07:49:00**

On 9/2/22 at approximately 2255 hours, I was dressed in full uniform driving a marked patrol vehicle. I responded to [redacted] Moody Lane, Geyserville, for a report of a possible domestic violence with a firearm involved. Dispatch advised the victim ran to the neighbor's residence at [redacted] Moody Lane after the suspect threatened to shoot her in the head. This address was directly north of [redacted] Moody Lane. Dispatch advised the suspect, later identified as Kevin Thornburg, was actively shooting a firearm off as they were speaking with the victim.

Thornburg will be referred to as "suspect" for the remainder of this report.

When I arrived on scene I parked to the south of the residence near a school, [redacted] Moody Lane. As I exited my vehicle, I heard 3 -4 gunshots that came from the direction of the suspects residence. From where we were, the suspect residence was in between us and the residence where the victim was at. The only way to get to where the victim was located was to walk or drive past the suspects residence to get to [redacted] Moody Lane. Based on the fact the suspect was actively shooting a firearm I felt it was urgent to get to where the victim was. I feared the suspect was going to walk to [redacted] Moody Lane where the victim was at and confront her again. Form where we were at, we were not able to see if the suspect left the residence or not.

Other deputies and I walked north on Moody Lane towards [redacted] Moody Lane. As we were walking, I heard 3-5 round being discharged from the area of [redacted] Moody Lane. When we got to the driveway of [redacted] Moody Lane I could see the north side of the residence and a vehicle that was parked in the driveway. There was a large redwood tree at the end of the driveway that we took cover behind. From where we were standing the front door to [redacted] Moody Lane was less then 200 feet east of us on the north side of the residence. I had two other deputies go to [redacted] Moody Lane to contact the victim and the occupants of that residence. I remained at this location and did not attempt contact with the suspect. We were there to react to the suspect in case he decided to advance towards [redacted] Moody Lane or attempt to leave the residence.

From the time I arrived on scene until SWAT arrived on scene was over one hour. During that time while I was standing at the end of the driveway behind the tree, I heard the suspect discharge approximately 20 rounds from a firearm. I could not see the suspect or see what the suspect was shooting at. Deputy Camarena was standing next to me and advised he saw muzzle flash coming from the north side of [redacted] Moody Lane. Deputy Haas who was on the helicopter overhead relayed that the suspect came out of the front door numerous times and discharged a firearm in an unknown direction. Deputy Hass also advised the suspect appeared to look up at the helicopter and appeared to have pointed his middle finger at the helicopter.

When SWAT arrived on scene, I retrieved my K9 partner Duke from my patrol vehicle. Duke is a 3-year-old Belgian Malinois / German Shepherd mix who is POST certified in suspect apprehension. SWAT deputies and I approached the front of the residence behind an armored vehicle. Once we were in front of the residence other deputies made multiple announcements over a PA system telling the suspect to come out the front door with his hands up. The suspect did not comply and refused to follow commands. A deputy observed the suspect sitting in a chair through a window on the north side of the residence. This deputy advised the suspect looked out the window and pointed his middle finger at them.

We were advised that the victim told a deputy that the suspect had access to hundreds of rounds for his firearms inside the

residence.

The suspect remained in the above noted chair for over 45 minutes and would not comply by surrendering peacefully. At this time a deputy advised the suspect had stood up from the chair and walked towards the kitchen area of the residence out of sight. A few moments later I observed the suspect open the front door and partially step outside onto the small porch. The suspect was wearing what appeared to be boxers and a t shirt. The suspect refused commands to walk down the stairs with his hands up. He pointed his middle finger at us numerous times and told us to "fuck off." At one point the suspect put his right hand partially behind his back. He then quickly moved his hand to the front of his body and again pointed his middle finger at us. Based on his actions, I believed the suspect was attempting to bait us into approaching him or shoot him. The suspect then walked back inside the residence.

As the suspect was inside, deputies continued to give him commands to come outside and walk towards us with his hands in the air. The suspect continued to not cooperate and refused to cooperate.

A few minutes later the suspect came out the front door a second time, now wearing pants and a shirt. It was unknown if the suspect was armed with a firearm, but he could have easily been concealing a firearm in his baggy clothing. He continued not to follow commands to walk towards us with his hands in the air. The suspect pointed his middle finger at us and told us to "fuck off" multiple times. Other deputies gave the suspect multiple commands to walk down the stairs and surrender but he refused. He told us to come over there and talk to him. I felt again that the suspect was attempting to bait us in to come to him. It was apparent he was not going to cooperate and surrender.

I heard another deputy say that the suspect closed the front door to the residence as he was standing at the edge of the porch at the stairway. I did not want to allow the suspect to re-enter the residence to re-gain access to his firearms. The suspect did not appear to be nervous or scared, and his behavior did not appear to be of one who was wishing to surrender. I felt that approaching him would be unsafe to deputies because he had not been searched, he had recently discharged a firearm multiple time and he was believed to be armed with a firearm. I felt if deputies would approach him he would retreat back into his residence where we knew he had access to firearms, leaving deputies in an unsafe position. Therefore we utilized the use of the canine and less lethal munitions to quickly take the suspect into custody and deescalate the situation. Based on the fact the residence door was closed, and the suspect was standing a few feet away from the door I felt this was the best time to apprehend the suspect with Duke to prevent him from re-gaining access to the residence and weapons.

I did not give the suspect a verbal K9 announcement for the following reasons. I believed the suspect was armed with a firearm and I did not want to give him an opportunity to gain access to a firearm. The suspect was standing feet from the front door, and I felt a K9 announcement would cause him to run back into the residence where we knew firearms and ammunition were located. Lastly the suspect had shown a pattern of resistance and based on his actions it was apparent he was not going to follow our commands.

I elected to utilize Duke to apprehend the suspect for the following reasons:

The suspect had committed a serious offense of negligent discharge of a firearm, the original call for service where the victim stated she was threatened by the suspect, the fact the suspect was known to be armed with a firearm and the fact the suspect was actively resisting deputies. Based on these facts I believed the use of the K9 was reasonable to overcome the suspects resistance, to prevent the suspect form re-gaining access into the home where we knew firearms and ammunition were located, and to safely take the suspect into custody to prevent the suspect and deputies from being more seriously injured.

I deployed Duke on a long line and gave him the command to apprehend the suspect. A few feet before Duke made contact it appeared the suspect saw Duke and started to turn towards the residence door. Duke made contact with what appeared to be the suspect's mid left leg by biting him. I gave the suspect multiple commands to walk down the stairs towards us but he refused. The suspect started to pull Duke towards the front door of the residence. To prevent the suspect from gaining access to the residence I pulled on the long line and attempted to force the suspect to us. Based on the suspects weight and continued resistance, I was not able to pull the suspect down the stairs.

Based on the fact the suspect was continuing to resist, not comply with commands to surrender and was actively trying to get back inside the residence, I allowed Duke to continue to bite the suspect.

As I was pulling, I observed Duke start to come off the suspect. I observed the suspects pants start to rip off. It was apparent Duke had lost his grip and was only holding onto the suspects pants. I believe this occurred as I was pulling the leash in an

attempt to get the suspect down the stairs and away from the residence door.

The suspect was continuing to resist, not follow commands and was actively attempting to re-gain access into his residence where firearms were located. Based on the suspects behavior I gave some slack in the leash and told Duke to apprehend the suspect again. It appeared Duke re-engaged by biting the suspects left thigh area. This caused the suspect to fall backwards and sit down with his back partially to the door.

There was an approximate 3 foot wooden barrier blocking my view of the suspects lower body, therefore I could only see the suspect from the chest up and only see the back half of Duke. I gave the suspect multiple commands to come down the stairs so I could remove Duke from him but he continued to resist and not comply, therefore I continued to allow Duke to bite the suspect.

I suspect hands were out of view and appeared to be down in front of him where Duke's head was. I heard the suspect saw something to the effect of "your dog is dying, and you better come get him." I believed the suspect was actively attempting to hurt if not kill Duke. I could still see Duke's back legs and tail moving so I knew he was not dying. I continued to give the suspect commands to walk towards us but he refused and stated he couldn't.

Up until this point the suspect never made any attempt to give up and comply even after Duke was biting him. Therefore, I believed he was trying to bait us into approaching him to possibly harm us. A few seconds later the suspect showed both of his hands and started to yell. He yelled for me to get the dog off. SWAT Deputies and I approached the suspect with a ballistic shield to make sure the suspect was not armed with a weapon. Once they determined the suspect was not armed, I grasped onto Duke's collar and released him from the suspect's left thigh. Other deputies rendered medical aid to the suspect by applying a tourniquet to his leg.

I checked Duke for injuries and did not locate any.

I later responded to Santa Rosa Memorial Hospital. I contacted the suspect and observed him to have tare marks and punctures to his left inner mid-thigh. These injuries were undoubtedly caused by the K9 contact. I was unable to see if he had other injuries caused by the K9 contact due to medical personnel cleaning the suspect and providing him medical care. I also was unable to obtain photographs of the suspects injuries at this time due to medical staff actively providing care to the suspect.

Another deputy obtained photographs of the suspects injuries at a later time.

I spoke with the suspect regarding the K9 use and he stated the following in summary:

The suspect claimed he walked outside and the dog bite him and he got shot up. The suspect claimed he didn't do anything violent but then stated he was crazy and was shooting "shit up." He stated he doesn't blame me for using the dog and it was kind of crazy. I advised him that he was not cooperating, and I did not want to let him back inside the residence. He told me he understood and stated he did have a gun. I asked him why he did not just surrender before the dog bite him, and he stated he does not know. He stated he was drunk and had no idea. As he said this he was laughing as if he thought it was funny. I asked him where the dog bit him and he stated his left leg. He also thinks the dog bit him in the right arm when he tried to grab the dog. The suspect stated he grabbed the dog's neck and tried to choke him to get him off. I asked him if he was trying to kill my dog and he stated he was. I asked him if he had any questions about the K9 use and he stated he did not. He stated the dog just did his job.

This was captured on my BWC. My BWC was accidently turned off a couple times due to equipment hitting it or talking tactics with the SWAT team. The camera was activated during the contact with the suspect and when the suspect was actively shooting while we were on scene.

Nothing further.