Incident/Investigation Report

Agency: **Santa Rosa Police Department** Case #: **SR220007875.0**

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Incident Information

Date/Time Reported: **07/11/2022 1807**	Occurred: **07/11/2022 1807**
Location: [redacted] **, SANTA ROSA CA 95403**	
UCR Status:	Officer: **Page, James 1060487**
Summary: Suspected domestic violence incident.	
Related Cases: No Associated Cases	

Charges

Statute: **DOMESTIC INCIDENT - DOMESTIC RELATED INCIDENT**	Attempted/Completed: **ATTEMPTED**
Classification: NIBRS Non Reportable Local Code	Weapon:
Location:	

Others Involved

Inv Type	Name (Last, First Middle)	DOB	Age/Race/Gender	Height/Weight
Other	[redacted]	[redacted]	**20/Hispanic/Male**	**5'09"/140**
Address: [redacted]				[redacted]
Employer/School: -				
Other	**BAHI, MARLON DAVID**	[redacted]	**40/White/Male**	**5'08"/155**
Address: [redacted], Windsor CA 95492				[redacted]
Employer/School: COUNTY OF SONOMA - 2796 Ventura Ave @Sonoma County Sheriffs Dept Santa Rosa CA 95403				
Other	[redacted]	[redacted]	**37/White/Female**	**5'01"/100**
Address: [redacted], Windsor CA 95492				[redacted]
Employer/School: [redacted] - WINDSOR				
Other	[redacted]	[redacted]	**47/Hispanic/Male**	**5'06"/195**
Address: [redacted], Santa Rosa CA				(707) 326-6241
Employer/School: -				

Narrative

RP and IO2 Statement
Written by: **Page, James 1060487**
Date/Time: **07/12/2022 16:22:00**

INVESTIGATION:

IO1 – Marlon David Bhai

IO2 – [redacted]

IO3 – [redacted]

RP – [redacted]

On 7/11/2022 I was working as a domestic violence and sexual assault detective for the Santa Rosa Police Department when I was assigned to conduct follow-up on this investigation. I was informed that IO1 had been involved in an altercation and potentially pushed his wife, IO2, during the altercation. Based on this information I contacted the original reporting party, RP, to obtain information about the incident. RP, in essence, told me the following:

RP was driving with his juvenile daughter to drop her off at a friend's house. They turned onto [redacted] Lane and saw three males standing outside of a black vehicle parked on the street in between the residences [redacted] Lane and [redacted] Lane. The three males were yelling loudly and one bald male (later identified as IO1) wearing grey clothing appeared to be the aggressor. RP slowed to see what was happening and his daughter filmed them arguing for a few minutes. RP decided to leave the area because he heard one subject mention a gun and he had his daughter with him. After RP dropped his daughter off at her friend's house, he returned to the scene of the argument and stopped his vehicle to watch. IO1 appeared to live at [redacted] Lane and was continuing to yell at and challenge the younger male (later identified as IO3) that appeared to be going to [redacted] Lane. He would scream at IO3, walk away towards the front entrance of [redacted] Lane, and then would return to the street where IO3 was standing. This went on for a few minutes before more people at [redacted] Lane exited that residence. IO1 continued to challenge IO3 and eventually approached him while continuing to scream at him. At this point, a younger female exited the residence at [redacted] Lane and approached the two subjects. She stepped in between them and pushed them away from each other while attempting to separate them. IO1 was angered at this and responded by pushing the female back more than once. During one push she almost fell to the ground. This was when RP decided to call the police and called for Windsor PD to assist in de-escalating the situation.

While RP was waiting for the police to arrive, he approached IO3 and asked him what happened. IO3 told him that IO1 believed he had "cut him off" and an argument ensued. During the argument IO1 told IO3 he was a "cop" and mentioned to him that he had a "gun." RP asked IO3 if IO1 threatened him with the gun and IO3 responded by saying he believed it was a "threat" simply by IO1 mentioning it. After RP approached IO3 to talk to him, IO1 appeared to calm down and stay away from IO3 and RP. Windsor PD eventually arrived, and RP told them what he saw.

RP stated that the only physical contact that occurred was when the female that came out of the residence at [redacted] Lane pushed the two males apart, and IO1's response which was to push her more than once. There was another female that came out of the residence at [redacted] Lane, and she had a baby in her arms (later identified as IO2). When IO1 pushed the younger female, IO2 yelled at him to stop pushing her. IO1 responded by telling IO2 that the younger female had pushed him first. RP did not see IO1 push IO2 during the altercation.

I later contacted IO2 on 7/12/2022 to ask her about the incident. IO2, in essence, told me the following information:

IO2 and IO1 were traveling to their residence at [redacted] Lane when a black vehicle swerved in front of them, almost causing a collision. IO1 continued driving and the black vehicle stopped at [redacted] Lane and parked on the street. IO1 parked his vehicle on the street in front of [redacted] Lane, and behind the black vehicle. As he exited his vehicle, he said something to the effect of, "You're driving like an asshole, you need to be careful" to IO3. IO3 responded with something to the effect of, "What nigga? What you gonna do about it?" IO1 responded by asking IO3 what he was talking about, and he just needed to drive better. IO3 asked IO1 what he was going to do about it and then told IO1 that he "had something for IO1." At this point IO1 believed this was a threat from what IO2 could tell. He immediately told IO2 to get the children in the house and to stay inside. IO1 then asked IO3 what he meant by this and that he was not going to be threatened. IO2 initially tried to de-escalate the situation, but recognizing the potential danger IO3 was posing, she got her children inside their residence. When she came out, she saw IO1 and IO3 arguing with each other as more people were coming outside the residence at [redacted] Lane. As they came out of the residence, someone mentioned IO1 was a "cop." IO1 confirmed he was, and IO3 said something to the effect, "Yea and now we know where you live." This angered IO2, and she yelled at IO3 something to the effect of, "Yea and what's that supposed to mean." At this point, a young female wearing a red shirt and jeans came out of the residence at [redacted] Lane and approached IO1. She got in between IO1 and IO3 and started screaming at IO1 something to the effect of, "I'll fight you right now." This female kept getting closer to IO1 and pushed up against him. He responded by pushing her backwards away from him. At this point someone called the police and IO1 separated from IO3 and the approximate 10 subjects that were yelling at him.

IO2 expressed that IO3 and the subjects at [redacted] Lane were the aggressors. IO3 made veiled threats to IO1 and his family and alluded to having a weapon or something "for" IO1. IO2 stated that she believed IO1 likely should have backed away from the situation, but she believed that IO1 was only trying to protect her and their children. IO3 was "rude" and being a "punk" and IO2 believed IO1 was only trying to protect their family from the people at [redacted] Lane by not backing down. IO2 also stated that she was never "pushed" or harmed by IO1 at any time by any person. She stated that her and IO1 have never had any domestic violence incidents and IO1 was caring with her and their children.

IO2 went on and told me that they have had several issues with the residents at [redacted] Lane. They often have loud parties with mariachi bands that go all night. She and IO1 have called the police on them on several occasions. IO2 said the entire neighborhood has been annoyed with the residents at that house and ask IO1 if he will call the police. IO2 concluded her statement by saying she believed that the residents at [redacted] Lane have targeted them because IO1 was a law enforcement officer.

Based on my investigation to this point, I have no indication that a domestic violence incident occurred between IO1 and IO2. I have reached out to RP to gain a copy or at least view the video that his daughter recorded. I have also reached out to the resident at [redacted] Lane who stated IO1 had pushed IO2 to obtain further information. I have not received a response from either party as of now. I have also attached a copy of the Windsor PD report #WI220711002.

DISPOSITION:

Further investigation, detectives.

Supplement Report

Agency: **Santa Rosa Police Department** Case #: **SR220007875.001**

CONTROLLED DOCUMENT - DO NOT DUPLICATE

Others Involved

Inv Type:	Name (Last, First Middle):	DOB:	Age/Race/Gender:	Height/Weight:
Witness	[redacted]	[redacted]	**23/Hispanic/Female**	**/**
Address: [redacted], Windsor CA 95492				[redacted]
Employer/School: -				

Narrative

Witness Statement
Written by: **Page, James 1060487**
Date/Time: **07/14/2022 12:46:00**

SUPPLEMENT:

IO1 – [redacted]

IO2 – [redacted]

IO3 – [redacted]

RP – [redacted]

WI – [redacted]

On 7/12/2022 I attempted to contact WI via telephone number [redacted]. I left her a message and she later returned my call. I asked WI what she had seen, and WI told me the following information:

On 7/10/2022 WI was inside her residence when she heard screaming outside. She looked outside and saw IO1 and IO3 were yelling at each other in the street in front of her residence. WI recognized IO1 because he was her neighbor, and she recognized IO3 because he was a friend of hers that was coming to her house to visit. Initially WI could not tell what they were saying, but IO1 appeared to be angry at IO3 and his driving. WI then saw IO2 exit her and IO1's vehicle and begin approaching IO1 and IO3 as they were arguing. IO2 initially tried to separate IO1 from IO3, but IO1 would not let her. IO2 tried pulling IO1 away from IO3 and IO1 shrugged IO2 off him. IO1 was not paying attention to IO2 when this happened and at one-point IO2 stumbled backwards a few steps after IO1 pushed her off him so he could continue to approach IO3. Eventually IO2 decided to leave IO1 alone and proceeded to get her children out of their vehicle. IO1 and IO3 continued to argue and IO1 mentioned something about being a "cop" and having a "gun." IO3 was telling IO1 to leave him alone and go inside. At one point during the altercation, IO1 pushed IO3. WI and a few of her family went outside to see what was going on and someone called the police.

WI stated that the "push" of IO2 was more of IO1 trying to get her to stop grabbing on him to pull him away from IO3. IO1's focus and attention were on IO3, and his goal was to approach IO3. WI also said that IO2 was wearing a red dress. WI said she heard IO1 say he would "kill" IO3, and IO3 did not appear to be the aggressor. WI later talked to IO3, and he informed him that the entire incident occurred due to "road rage" because IO3 "cut off" IO1. WI also said her, and her family have had issues with IO1 and IO2 in the past. Often WI and her family have parties and IO1 and IO2 want them to turn the music down and will scream at them from over the fence or approach them when they are at home. WI also told me she had video of the incident. I asked WI to send me the video of the incident and she texted it to me on my department issued cellular telephone.

After speaking to WI, I reviewed the video. I noted there were two different videos to view. Based on my training and experience I know that videos often can be altered to be shortened or lengthened due to the processing power of the device taking or receiving the video. I also know that videos can be edited to fit various narratives. I do not know if these videos sent to me are full and complete in their original form. The first video was approximately 1 minute and 20 seconds and the second video was approximately 15 seconds. The first video was blurry, but three different blurs can be seen. At one point a red blur approaches a light grey blur for a moment then walks away. I could hear someone shout something to the effect of, "You almost

hit me, and I have my kids." I could not make out too much more of the dialog, but that same voice appeared to be louder and doing more yelling than the other voice. I then watched the second video and that was much clearer. There were three subjects in the video, a bald male in a grey shirt and shorts (IO1), a younger male wearing a darker colored shirt and jeans (IO3), and another male that appeared to be trying separate the two parties in a white shirt. In that video I could hear IO3 shout to someone off video, "Hey, get your kid, I mean get your husband we don't want problems." I could not hear what IO1 says in response. IO3 backs up to a black vehicle, and IO1 first appears to point down and then pushes IO3. IO3 stumbles backwards and then responds by putting his fists up in and stands in a bladed stance as if he was ready to fight. IO1 backs away from IO3 a few steps and the two continue to argue before the video ends.

Based on the information I have gathered from this investigation; I do not believe there is probable cause to believe an instance of domestic violence occurred between IO1 and IO2. I was initially pointed to Deputy Rosendo Castro as a contact during this investigation and I advised him of my findings including the video recording. He asked for a copy of the video so I made a single copy of the video and placed it on a USB drive and made plans to turn it over to him. I then contacted Sgt. Percy with the Sonoma County Sheriff's Office and advised him of my findings. He asked that I provide the copy of the video to Lt. Sean Jones of the Sonoma County Sheriff's Office instead of Deputy Castro. I later provided the video to Lt. Jones. I also booked the video in SRPD evidence via evidence.com.

DISPOSITION:

Case closed.