

CRITICAL INCIDENT REPORT

SUMMARY

The Grand Jury reviews all fatal incidents involving law enforcement in Sonoma County. Our involvement occurs after an investigation by an independent law enforcement agency, followed by a review and subsequent incident report issued by the Sonoma County District Attorney (DA). The Grand Jury reviews the process followed by all involved agencies. This case was an officer-involved shooting resulting in the death of a suspect.

The DA's duty is to determine if legal and appropriate procedures and protocols were followed. The DA found there was no criminal liability in this shooting incident. The Grand Jury provides an independent citizen review of the DA's conclusion regarding the absence of criminal behavior.

BACKGROUND

The Grand Jury is required to review every incident involving the death of a suspect while in custody or a death at the hands of law enforcement. On November 24, 2011, a Sebastopol Police Officer was called to the scene of a domestic disturbance, at which time the officer noticed the suspect was armed with a gun. The officer gave repeated clear warnings to drop the weapon. The suspect refused and prepared to fire at the officer. The officer fired his weapon, hitting the suspect and killing him.

APPROACH

The Grand Jury reviewed the critical incident report received from the DA's office, including all incident background, witness statements, evidence, and forensic data.

DISCUSSION

This incident was investigated by the Santa Rosa Police Department (the independent agency) and reviewed by the DA's office, which produced the incident report. A finding was reached that no evidence of criminal liability was revealed. The Grand Jury's responsibility is to ensure that the appropriate protocols were followed and that the review process was carried out thoroughly and without prejudice.

FINDINGS

F1. The Grand Jury's review of the critical incident report confirmed that required protocols were followed.

RECOMMENDATIONS

None.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury