

# Sonoma County Fatal Incidents

## Summary

### A fatal incident is defined as:

*“A specific incident occurring in Sonoma County involving one or more persons, in which a law enforcement employee is involved as an actor or injured person; when a fatal injury occurs.”*

This definition appears in the Sonoma County “Law Enforcement Employee-Involved Fatal Incident Protocol” (Fatal Incident Protocol), adopted by the Sonoma County Law Enforcement Chiefs’ Association in 1993 and most recently revised in 2010.

The Fatal Incident Protocol defines the procedures and guidelines to be used by law enforcement employees and the required response by law enforcement agencies when such an event has occurred, including securing the scene, providing necessary medical attention, determining a lead agency, sequestering involved personnel, and interviewing witnesses.

Pursuant to the Fatal Incident Protocol:

- The involved agency conducts an internal investigation to assure that agency policies and procedures were followed.
- An outside law enforcement agency conducts a complete criminal investigation of the incident and assembles a report which is forwarded to the District Attorney’s Office. Some investigations may require additional assistance from multiple law enforcement agencies.
- After the investigative report has been completed by the outside agency, the District Attorney’s Office analyzes the facts to determine whether criminal liability exists. If involved parties, including law enforcement personnel, have violated criminal law they may be prosecuted.

In 2000, the Fatal Incident Protocol was amended to incorporate procedural review of investigations by the Grand Jury. Since this involvement is not compelled by law, each newly seated jury makes the decision of whether it

will participate in the process. The sole purpose of the Grand Jury’s investigative review is to determine whether law enforcement agencies complied with the Fatal Incident Protocol.

The District Attorney’s Office prepares a summary report of the investigation. The total investigative process may take several months to over a year depending upon the circumstances involved. The summary report is submitted to the Foreman of the Sonoma County Civil Grand Jury (Grand Jury) for review.

## Approach

The 2014-2015 Grand Jury received seven fatal incident reports from the District Attorney’s Office. The Grand Jury reviewed each of the reports and requested clarification from the District Attorney’s Office as necessary.

Independent of reviewing the fatal incident reports, the Grand Jury toured the Main Adult Detention Facility, the North County Detention Facility, and the County Morgue. During these routine inspections, the Grand Jury interviewed key personnel at each location. Jurors also interviewed leadership staff from the Sheriff’s Office and the District Attorney’s Office. Several Jurors also attended the Sheriff’s Citizen’s Academy in the fall of 2014.

## Discussion

Summaries of the seven fatal incident cases appear below. These summaries are not intended to replace the extensive, in-depth investigations conducted by investigating agencies or the District Attorney’s office. Certain confidential information has been withheld.

### **Suicide—North County Detention Facility**

This fatal incident occurred at the North County Detention Facility on April 19, 2013, at approximately 9:15 p.m. An inmate alerted a correctional officer to a medical emergency in the 502 Housing Unit bathroom. The responding officer found a 55-year-old male

inmate unresponsive and bleeding profusely from his right wrist.

The Sheriff's Dispatch called medical personnel and additional correctional staff to the scene to assist with first aid and emergency medical services. Medical and correctional personnel used towels and pressure to slow the bleeding. A broken, disposable shaving razor was subsequently located on the floor nearby.

Firefighters from the Rincon Valley Fire District evaluated the inmate and began CPR. American Medical Response Paramedics continued resuscitation efforts. Medical staff determined the subject had suffered a substantial blood loss.

The inmate was transported to Kaiser Hospital. While enroute the inmate suffered a cardiac arrest and an unsuccessful attempt was made to defibrillate him. Kaiser hospital staff continued attempts to revive the inmate. At 10:15 p.m. the inmate was pronounced deceased.

During intake at the jail facility the subject had minimized the extent of his suicidal past when answering the pre-booking medical/mental health screening questions. The subject had a long history of depression and drug abuse and had made previous suicide threats and attempts. He was currently serving a 120-day sentence in jail for a parole violation and drug charges. He was due to be released from custody the next day, April 20, 2013.

Due to the misinformation provided by the subject, mental health staff did not identify him as a suicide risk. Staff and inmates did not observe any behavior that would be considered typical of a person contemplating suicide. Although the subject appeared to be in good spirits in the days leading up to his death, issues related to his release appeared to have triggered his suicide.

Pursuant to the Fatal Incident Protocol for a death in custody, the lead agency in this investigation was the Sonoma County Sheriff's Office Violent Crimes Unit. All aspects of the Fatal Incident Protocol were followed.

### **Fatal Incident—Windsor**

This fatal incident occurred on June 8, 2013, at approximately 7:40 a.m. in the Town

of Windsor, which contracts with the Sonoma County Sheriff's Office for law enforcement services. A 48-year-old male armed with a knife went to a coffee shop in the Windsor Town Green expecting to find his estranged wife. The subject confronted his wife as she stepped outside the coffee shop and stabbed her several times. Witnesses observed the subject stabbing himself in the abdomen as he began leaving the area on foot.

Two Sonoma County Sheriff's Deputies were dispatched to the scene. They eventually located the subject who was walking back toward the coffee shop. The Deputies attempted to stop the subject with verbal commands. When that failed they used a taser which also failed to stop him. The subject continued to advance on the Deputies challenging them to kill him. As he was advancing, he began stabbing himself in the stomach.

In his apparent effort to return to the coffee shop, the subject ignored the Deputies' orders to stop and suddenly lunged towards one of the Deputies with his knife. When he came into close proximity, both Deputies fired their weapons, striking him several times. The suspect died at the scene.

The Fatal Incident Protocol was invoked. Santa Rosa Police Department was the lead agency in the investigation. All aspects of the Fatal Incident Protocol were followed.

### **Fatal Incident—Santa Rosa**

This fatal incident occurred in the City of Santa Rosa on October 16, 2013, at approximately 2:54 a.m. Santa Rosa Police Department Dispatch received a call reporting a disturbance at an apartment involving a 38-year-old male who appeared delusional and was making threats. Santa Rosa Police Officers responded and located a naked suspect barricaded behind some furniture in the bedroom of the apartment.

The officers attempted to calm the suspect, but he became increasingly agitated. The suspect appeared to be under the influence of drugs. He accused the uniformed Officers of not being law enforcement personnel.

The suspect continued his erratic behavior, refusing to comply with orders by the Officers.

When one of the Officers attempted to handcuff him he actively resisted. The suspect yelled that the officers were trying to kill him and that he was being raped.

Officers attempted to control the suspect as he kicked, twisted and flailed. The Officers were eventually able to handcuff him. The suspect's demeanor alternated between periods of active resistance and periods of passivity in which he appeared to rest. During one of the suspect's passive periods an Officer checked and found him to have a strong steady pulse. A short period of time passed without further resistance, which prompted one of the Officers to check the suspect's pulse again. He had no detectable pulse.

Officers immediately removed the restraints from the suspect and began to administer CPR. Officers requested that Dispatch send paramedics to the scene. Paramedics arrived and continued life saving measures. They were unable to resuscitate the suspect.

The scene was secured and the Santa Rosa Police Department invoked the Fatal Incident Protocol. The Sheriff's Office assumed responsibility for the investigation. All aspects of the Fatal Incident Protocol were followed. In an autopsy conducted on October 17, 2013, the suspect was found to be under the influence of a high level of methamphetamine. The cause of death was determined to be cardiopulmonary arrest.

### **Fatal Incident—Santa Rosa**

This fatal incident occurred in the City of Santa Rosa on October 22, 2013, at approximately 3:13 p.m. A 13-year-old male subject was walking north on Moorland Avenue carrying an air-soft gun that closely resembled an assault weapon. The weapon lacked the orange tip required by federal law that would identify the gun as a toy. The subject was carrying the gun in plain view on his left side by the grip, with the barrel pointed down.

Two Sonoma County Sheriff's Deputies were on routine patrol when they observed a subject carrying what appeared to be an AK-47. The uniformed Deputies in a marked Sheriff's Office patrol car called for additional units, activated their emergency lights and pulled

their patrol vehicle across the street into the opposing lane of traffic. The patrol vehicle stopped approximately sixty feet to the rear of the subject as he continued to walk north on Moorland Avenue.

The Deputies momentarily "chirped" their siren, exited the vehicle, and verbally challenged the subject, ordering him to drop the gun. The subject did not drop the gun but began turning in the direction of the Deputies and raised the muzzle of the weapon. One Deputy fired his duty handgun, striking the subject multiple times.

With the subject down, Deputies held a position at their patrol vehicle until back-up units arrived. The subject's medical condition was evaluated and life saving efforts were started by Deputies on scene. Upon their arrival paramedic personnel took over. At approximately 3:27 p.m. the subject was pronounced deceased.

The scene of the shooting incident was secured and the Fatal Incident Protocol was invoked. The Santa Rosa Police Department assumed responsibility for the investigation, assisted by members of the Petaluma Police Department. A Sonoma County Chief Deputy District Attorney and an experienced District Attorney Investigator were assigned to oversee and provide assistance to the investigation as necessary. All aspects of the Fatal Incident Protocol were followed. A forensic pathologist conducted an autopsy on October 24, 2013. The post mortem examination determined the cause of death to be gunshot wounds to the subject's chest and abdomen. The toxicology report indicated that the subject tested positive for marijuana.

### **Fatal Incident—Guerneville**

This fatal incident occurred in the Town of Guerneville on November 18, 2013, at approximately 11:00 p.m. A 58-year-old male, who suffered from long-term medical issues, had been drinking heavily. The subject began arguing with his wife of many years, threatened her, and armed himself with a rifle.

After his wife and daughter called the Sonoma County Sheriff's Office Dispatch Center they ran to the River Sub-Station in Guerneville, located

close to their residence. Deputies moved the wife and daughter to the rear of the Sub-Station and called for additional units. As back-up units began to arrive, Deputies could hear gunshots being fired in close proximity to the Sub-Station.

Deputies established a perimeter in the area of the suspect's residence and called for support from the Sheriff's Office Special Weapons and Tactics (SWAT) Team. Prior to the arrival of the SWAT team, the suspect appeared on his front porch and fired his weapon in the direction of the Sub-Station. Two Deputies opened fire on the suspect with a rifle and a shotgun. Deputies observed the suspect lying on the porch but were unable to determine his condition.

Upon arrival the SWAT team was able to determine that the suspect was lying face down but could not see his hands. A Sheriff's Office Canine Unit was on the scene. The dog was deployed and was able to roll the suspect over so that his hands were visible. A paramedic was allowed onto the scene to evaluate the suspect's condition. He pronounced the suspect deceased at 1:41 a.m.

The scene was secured and the Fatal Incident Protocol was invoked. The Petaluma Police Department assumed responsibility for the investigation of the shooting incident. Members of the Santa Rosa Police Department assisted with evidence collection and the Sonoma County District Attorney's Office also participated in the investigation. All aspects of the Fatal Incident Protocol were followed.

An autopsy was conducted on November 20, 2013. The attending forensic pathologist determined that the suspect's death was caused by a single gunshot wound to his torso. The suspect's blood alcohol content at the time of this incident was extremely high.

### **Fatal Incident—Healdsburg**

This fatal incident occurred in the City of Healdsburg on February 14, 2014. The 43-year-old male suspect was under investigation for alleged lewd acts with a minor. In an attempt to execute an arrest warrant, Healdsburg Police Officers arrived at the suspect's former residence where his wife was currently residing. The suspect was not there and the Officers left.

Subsequently the suspect phoned his wife on his cell phone from an unknown location. The wife thought she heard a gunshot during the call and called the police. Law enforcement, with the assistance of the telephone company, attempted unsuccessfully to locate the suspect through his cell phone.

That afternoon, in a seemingly unrelated incident, Healdsburg Police were dispatched to an interrupted residential burglary. A woman and her two children had just returned home when one of the children observed an unknown person inside their home. When her husband returned home moments later, he entered the residence and found the suspect lying on the floor in a fetal position under a blanket. The homeowner subdued the suspect and held him down until the police arrived.

Police officers arrived on the scene and attempted to take the suspect into custody. At that point the suspect managed to gain access to a small, semiautomatic handgun he had concealed upon his person and shot himself in the head. Emergency medical personnel were called to the residence and pronounced the suspect deceased. Later the deceased was identified as the 43-year-old subject of the original arrest warrant.

The Fatal Incident Protocol was invoked. Detectives from the Sheriff's Office conducted the investigation with the assistance of members of the Sonoma County District Attorney. The District Attorney's Office confirmed that the only weapon fired was in possession of the suspect and the fatal wound was self-inflicted. All aspects of the Fatal Incident Protocol were followed.

A forensic pathologist conducted an autopsy on February 18, 2014, and determined that the cause of death was a gunshot wound to the head. The bullet retrieved from the suspect's brain was found to match the ammunition found on his person and the caliber of his weapon.

### **Fatal Incident—Kenwood**

This fatal incident occurred on April 2, 2014, at approximately 6:38 p.m. in Kenwood. A 32-year-old male suspected of being a contract killer for a cartel and wanted for

numerous felony charges took a woman hostage, barricading himself inside a travel trailer which began a thirty-hour standoff with law enforcement. The suspect was wanted on several charges including weapons violations, possession of stolen property, possession of drugs, and child endangerment. The suspect was also wanted for questioning in relation to a kidnapping which was later confirmed to be a homicide.

The convoluted chain of events leading up to this stand-off included:

- January 16, 2014—While test-driving a truck in Rohnert Park, the suspect with his companion car-jacked the vehicle, holding the owner at gunpoint. After extorting weapons from the victim's wife, the suspect left the victim tied up in a vineyard. Two vineyard employees found the victim and gave him a ride to Sonoma where he called the Rohnert Park Public Safety Department to report the incident.
- February 8, 2014—During a routine traffic stop in Napa, the suspect in question was stopped by a Napa Police Officer and arrested for possession of narcotics, paraphernalia, and a magazine for a firearm. A search warrant was served at the suspect's residence where the car-jacking victim's two stolen handguns were recovered. The suspect posted bail and was released from custody, but failed to appear for his scheduled court date.
- April 1, 2014—Napa Police Department attempted to locate the second suspect involved in the above-mentioned kidnapping case utilizing cell phone tracking technology. They were able to apprehend that suspect without incident on a traffic stop. This individual stated the original suspect had provided the gun used in a drive-by shooting in Napa, was currently staying in a trailer in Kenwood, and was in possession of additional firearms.

The Napa Special Investigations Unit requested the assistance of the Sonoma County Sheriff's Office in the execution of an outstanding arrest warrant for the suspect at the Kenwood location. Sonoma and Napa County SWAT teams arrived and ordered the occupants to exit the trailer. The legal tenant

of the trailer exited and confirmed that the suspect was currently inside the trailer with a handgun, a ballistic vest, and a woman friend of the tenant. Additional attempts were made over the public address system requesting the suspect to release the hostage and come out peacefully.

During the standoff, the suspect refused to comply with the Hostage Negotiation Team's repeated requests to surrender himself. The suspect's behavior was erratic, threatening, and hostile. During their conversation the suspect made several incriminating statements regarding past violent felonies, including murder. As negotiations continued the suspect made statements indicating law enforcement Officers would have to kill him or he would end up killing himself.

Early the next morning the suspect released his hostage unharmed. The hostage confirmed that the suspect was armed with a rifle and was wearing a bullet proof vest. That afternoon negotiators allowed the suspect to engage in a supervised telephone conversation with the suspect's ex-girlfriend in an effort to convince the suspect to surrender peacefully, but to no avail.

The suspect fired at SWAT personnel who then deployed gas into the trailer. The suspect fired additional shots striking the armored SWAT vehicle, nearby buildings, and other vehicles.

Several hours later the Sonoma and Napa County SWAT teams introduced flash bang grenades (noise and light emitting devices used as a distraction) and additional CS (tear) gas into the trailer without results. Approximately one hour later a Sheriff's Deputy fired a CS Spede-Heat round (which is considered flammable) into the trailer. Moments later the suspect again began firing his rifle, walked out the front door of the trailer, and collapsed onto the ground.

The suspect's hands were not visible which precluded SWAT personnel from determining his condition. A Sonoma County Sheriff's Office K-9 Unit was deployed. The dog bit the suspect's arm; the suspect did not react. A non-lethal sponge was then fired and struck the suspect, also resulting in no reaction. An

EOD (Explosive Ordinance Disposal) robot was deployed to assess the suspect. At that point a fire broke out inside the trailer which forced SWAT personnel to approach the suspect. The suspect was moved to a safer location where he was medically evaluated and pronounced deceased at 6:53 p.m.

The Fatal Incident Protocol was invoked. The Petaluma Police Department was the lead agency in the investigation. All aspects of the Fatal Incident Protocol were followed.

On April 7, 2014, an autopsy was performed by a forensic pathologist who concluded that the suspect suffered a single gunshot wound to the chest. The injury was consistent with a self-inflicted, close contact wound. The toxicology report indicated the presence of amphetamine and methamphetamine in the suspect's system.

## Findings

- F1. The required Sonoma County Law Enforcement Employee-Involved Fatal Incident Protocol was followed by all of the involved law enforcement agencies and their respective personnel in each of the seven fatal incidents reviewed.

## Recommendations

None.

*Reports issued by the 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 Grand Jury.*

