

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

CHP 558D (Rev. 9-08) OPI 085 (MAIT use only)

| DATE OF INCIDENT (MONTH-DAY-YEAR) | TIME (2400) | NCIC | OFFICER I.D. | NUMBER | MAIT CASE NUMBER | PAGE |
|-----------------------------------|-------------|------|--------------|-----------|------------------|------|
| 09/27/2017 | 0909 | 0104 | 335 | 1709-2151 | GL-042-17 | 1 |

GL-042-17

Emeryville Police Department

MAIT SUPPLEMENTAL

This investigation was conducted by the California Highway Patrol (CHP) Golden Gate Division Multidisciplinary Accident Investigation Team (MAIT).



MAIT PERSONNEL

Sergeant E. Clarke, ID 17610, Golden Gate Division MAIT Team Leader
Officer A. Huddleston, ID 18182, Golden Gate Division MAIT Investigator
Officer K. Rose, ID 19494, Golden Gate Division MAIT Investigator
Officer J. Todd, ID 18482, Golden Gate Division MAIT Investigator
MCS I E. Lewis, ID A12790, Golden Gate Division MAIT

SUBPOENAS FOR MAIT PERSONNEL SHOULD BE DIRECTED TO:

California Highway Patrol
Golden Gate Division MAIT
1551 Benicia Road
Vallejo, California 94591-7568
Attention: Sergeant E. Clarke

RFP003945

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

CHP 558D (Rev. 8-08) OPI 065 (MAIT use only)

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FACTS

Notification

On Wednesday, September 27, 2017, at approximately 1107 hours, CHP Oakland Area Lieutenant J. Roy, ID 15004, notified Golden Gate Division Assistant Chief J. Libby, ID 12821, of an officer involved shooting and requested the use of Golden Gate Division MAIT resources. Golden Gate Division MAIT Investigator and Officer-In-Charge K. Rose, ID 19494, was notified and a MAIT response was coordinated.

On Wednesday, September 27, 2017, at approximately 0909 hours, Richmond Police Department officers were involved in an officer involved shooting incident. The shooting incident occurred within the City of Emeryville, in Alameda County, and was investigated by the Emeryville Police Department, Alameda County District Attorney's Office, as well as Golden Gate Division's Critical Incident Investigation Team.

Issues

The purpose of this investigation was to assist the investigating agencies with the following components of the officer involved shooting investigation:

- Survey of the shooting incident scene
- Preparation of a physical evidence diagram
- Documentation of photographs taken by MAIT personnel
- Scan of the incident scene

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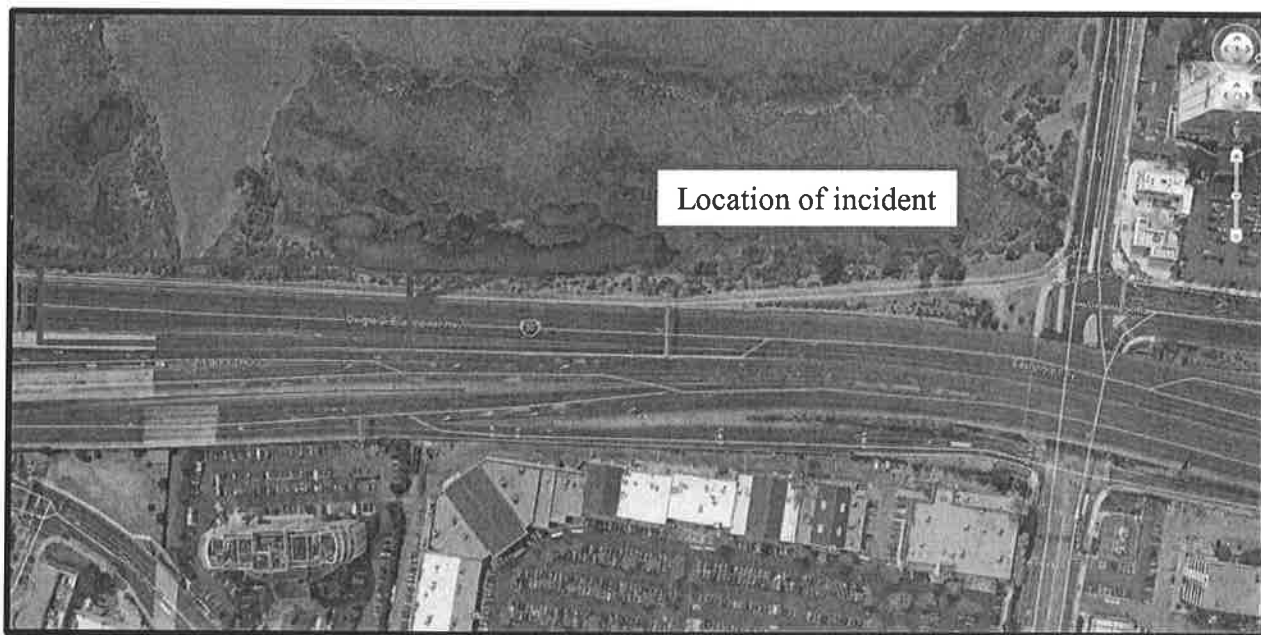
FACTS

Scene Survey

On Wednesday, September 27, 2017, a Trimble S6 Robotic Total Station (TS6) was used to establish a Cartesian coordinate system to document the scene on Interstate 80 westbound, west of Powell Street, in the City of Emeryville. Investigator Huddleston set up the TS6. Investigator Huddleston recorded the survey notes and remotely operated the TS6.

The TS6 was located at the coordinates of X = 3000 feet, Y = 5000 feet and Z = 0 feet, within this coordinate system, as depicted on the Roadway Environment Diagram. Interstate 80 was a designated east/west freeway, although it ran in a north/south direction. Powell Street was a designated north/south roadway although it ran east/west. For the purposes of this report, designated roadway directions were used. The TS6 was located approximately 1.3 feet north of the south roadway edge of the Interstate 80 westbound carpool lane and approximately 1,300 feet west of the west roadway edge of Powell Street and was depicted on the Roadway Environment Diagram as TS6.

All measurements listed in the Physical Evidence Location List are in feet and are approximate. All physical evidence descriptions were referenced from Emeryville Police Department's Report #1708-2151.



Google Earth image of the incident scene (earth.google.com)

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FACTS**Physical Evidence Description**Physical Evidence Location List

All evidence items listed below, except Item A, were described utilizing Emeryville Police Departments descriptions listed in their incident report of which this report is a supplemental.

| Item | X-Axis | Y-Axis | Description |
|------|----------------------|----------------------|---|
| 1 | 3044.651 | 5038.073 | Shell casing; .45 caliber Winchester |
| 2 | 3044.257 | 5075.143 | Handcuff key |
| 3 | 3039.458 | 5047.352 | Shell casing; .223 caliber |
| 4 | 3038.477 | 5047.372 | Shell casing; 9mm Luger |
| 5 | 3038.356 | 5041.118 | Shell casing; .223 caliber |
| 6 | 3036.616 | 5034.279 | Shell casing; .45 caliber Winchester |
| 7 | 3034.160 | 5035.009 | Shell casing; .223 caliber |
| 8 | 3035.232 | 5039.219 | Shell casing; .223 caliber |
| 9 | 3036.518 | 5043.667 | Shell casing; 9mm Luger |
| 10 | 3036.445 | 5048.653 | Shell casing; 9mm Luger |
| 11 | 3034.953 | 5048.192 | Shell casing; .223 caliber |
| 12 | 3034.832 | 5047.690 | Shell casing; 9mm Luger |
| 13 | 3034.842 | 5043.481 | Shell casing; .223 caliber |
| 14 | 3033.351 | 5039.978 | Shell casing; .223 caliber |
| 15 | 3032.372 | 5035.074 | Shell casing; .45 caliber Winchester |
| 16 | 3031.675 | 5037.506 | Shell casing; .45 caliber Federal |
| 17 | 3031.606 | 5041.836 | Shell casing; 9mm Luger |
| 18 | 3032.969 | 5042.338 | Shell casing; .223 caliber |
| 19 | 3031.966 | 5043.083 | Shell casing; 9mm Luger |
| 20 | 3031.290 | 5042.893 | Shell casing; .223 caliber |
| 21 | 3029.699 | 5041.718 | Shell casing; .223 caliber |
| 22 | 3029.852 | 5036.688 | Shell casing; .223 caliber |
| 23 | 3027.611 | 5033.529 | Shell casing; 12 gauge |
| 24 | 3027.250 | 5035.656 | Shell casing; 12 gauge |
| 25 | 3024.566 | 5034.859 | Shell casing; .45 caliber Winchester |
| 26 | 3019.868 3019.709 | 5035.370 5035.844 | Magazine with one .45 caliber Winchester cartridge (live) |
| 27 | 3013.072 | 5029.273 | Shell casing; .223 caliber |
| 28 | 3015.245 | 5024.840 | Shell casing; .223 caliber |
| 29 | 3015.504 | 5024.437 | Shell casing; .223 caliber |

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FACTS**Physical Evidence Description**Physical Evidence Location List

| Item | X-Axis | Y-Axis | Description |
|------|--|----------------------|--------------------------------------|
| 30 | 3015.801 3015.452 | 5024.521 5025.623 | Shell Casing; Ferret 40mm |
| 31 | 3017.933 | 5024.118 | Shell casing; .223 caliber |
| 32 | 3023.212 | 5022.477 | Shell casing; 9mm Luger |
| 33 | 3024.545 | 5021.159 | Shell casing; 9mm Luger |
| 34 | 3024.236 | 5020.607 | Shell casing; 9mm Luger |
| 35 | 3026.559 | 5021.903 | Shell Casing; Exact Impact 40mm |
| 36 | 3027.232 | 5027.520 | Shell casing; .223 caliber |
| 37 | 3028.007 | 5024.972 | Shell casing; .223 caliber |
| 38 | 3028.772 | 5024.139 | Shell casing; 9mm Luger |
| 39 | 3029.724 | 5024.384 | Shell casing; .223 caliber |
| 40 | 3030.932 | 5025.356 | Shell casing; .223 caliber |
| 41 | 3027.774 | 5017.042 | Shell casing; 9mm Luger |
| 42 | 3027.533 | 5013.413 | Shell casing; 9mm Luger |
| 43 | 3023.616 | 5017.695 | Shell casing; 9mm Luger |
| 44 | 3017.224 | 5019.078 | Shell casing; 9mm Luger |
| 45 | 3016.810 | 5017.575 | Shell casing; 9mm Luger |
| 46 | 3020.031 | 5014.473 | Shell Casing; .308 caliber |
| 47 | 3027.224 | 5047.377 | Shell casing; 9mm Luger |
| 48 | 3027.826 | 5053.128 | Shell casing; .45 caliber Winchester |
| 49 | 3018.649 | 5040.927 | Shell casing; .45 caliber Winchester |
| 50 | Vehicle #1431911; driver's seat | | Shell casing; .45 caliber Winchester |
| 51 | Vehicle #1431911; driver's floorboard | | Shell casing; .45 caliber Winchester |
| 52 | 3029.509 | 5039.768 | Shell casing; .223 caliber |
| 53 | Vehicle #1381714; driver's floorboard | | Shell casing; .223 caliber |
| 54 | Vehicle #1381714; left rear passenger's floorboard | | Shell casing; .223 caliber |
| 55 | Vehicle #1381714; left rear passenger's seat | | Shell casing; .223 caliber |
| 56 | 3022.350 | 5062.035 | Shell casing; .223 caliber |
| 57 | 3018.881 | 5064.684 | Shell casing; .223 caliber |
| 58 | 3016.567 | 5068.777 | Shell casing; .45 caliber Winchester |
| 59 | 3016.969 | 5071.213 | Shell casing; .45 caliber Winchester |
| 60 | Vehicle #1431907; driver's floorboard | | Shell casing; .45 caliber Winchester |
| 61 | 3022.817 | 5069.757 | Shell casing; .45 caliber Winchester |

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FACTS

Physical Evidence Description

Physical Evidence Location List

| Item | X-Axis | Y-Axis | Description |
|------|----------|----------|---|
| 62 | 3025.846 | 5070.306 | Shell casing; .45 caliber Winchester |
| 63 | 3028.786 | 5070.145 | Shell casing; .45 caliber Winchester |
| 64 | 3006.640 | 5078.170 | Shell casing; .45 caliber Winchester |
| 65 | 2932.130 | 5050.314 | Shotgun wad |
| 66 | 2928.573 | 5066.194 | Glass shards |
| | 2929.214 | 5064.760 | |
| | 2933.163 | 5063.124 | |
| | 2934.274 | 5065.145 | |
| | 2935.328 | 5069.899 | |
| | 2934.836 | 5074.260 | |
| | 2932.342 | 5075.866 | |
| 67 | 2928.531 | 5074.472 | Broken sunglasses |
| | 2926.802 | 5065.814 | |
| | 2926.555 | 5066.230 | |
| 68 | 2924.691 | 5064.820 | Magazine with nine .40 caliber cartridges (live) |
| | 2925.819 | 5061.363 | |
| 69 | 2925.468 | 5061.697 | Copper jacketing fragment |
| | 2924.917 | 5062.332 | |
| 70 | 2924.956 | 5060.198 | LG headphones |
| | 2925.076 | 5059.817 | |
| | 2925.493 | 5060.341 | |
| 71 | 2925.308 | 5059.167 | Springfield XD-40 handgun (serial number: US212444) with one .40 caliber cartridge (live) |
| | 2924.691 | 5059.176 | |
| | 2925.254 | 5059.567 | |
| 72 | 2921.950 | 5060.710 | Shotgun wad |
| 73 | 2922.722 | 5060.686 | Copper jacketing fragment |
| 74 | 2920.703 | 5064.217 | Copper jacketing fragment |
| 75 | 2949.000 | 5091.566 | Exact Impact 40mm projectile |
| 76 | 2913.600 | 5055.095 | Shell Casing; .40 caliber Winchester |
| 77 | 2915.777 | 5051.412 | Medical bag and used medical supplies |
| | 2916.787 | 5052.268 | |
| | 2916.204 | 5054.328 | |
| | 2916.650 | 5056.358 | |

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FACTS

Physical Evidence Description

Physical Evidence Location List

| Item | X-Axis | Y-Axis | Description |
|---------------|----------|----------|--|
| 77 (cont.) | 2917.531 | 5057.698 | Medical bag and used medical supplies |
| | 2919.275 | 5058.925 | |
| | 2920.518 | 5061.155 | |
| | 2921.981 | 5063.382 | |
| | 2922.860 | 5065.630 | |
| | 2921.145 | 5066.615 | |
| | 2915.808 | 5065.477 | |
| | 2915.085 | 5065.223 | |
| | 2915.192 | 5061.808 | |
| | 2913.992 | 5059.754 | |
| | 2911.660 | 5055.451 | |
| | 2910.353 | 5052.747 | |
| | 2912.090 | 5052.642 | |
| 78 | 2909.216 | 5043.518 | Copper jacketing fragment |
| 79 | 2891.563 | 5040.277 | Copper jacketing fragment |
| 80 | 2902.590 | 5051.509 | Shell casing; .223 caliber |
| 81 | 2904.030 | 5054.867 | Shell casing; .223 caliber |
| 82 | 2858.593 | 5093.781 | Copper jacketing fragment |
| 83 | 2814.867 | 5091.632 | Copper jacketing fragment |
| 84 | 2711.644 | 5121.362 | Copper jacketing fragment |
| 85 | 3033.520 | 5048.059 | Shell casing; .45 caliber Winchester |
| A | 3005.570 | 5048.891 | Gouge in asphalt roadway (3.75 inches in length) |

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FACTS

Physical Evidence Description

Reference Points

The following reference points were located at the scene:

| X-AXIS | Y-AXIS | DESCRIPTION |
|----------|----------|--|
| 3000.000 | 5000.000 | Trimble S6 (TS6) |
| 2459.339 | 5039.614 | Reference #1 – Top left corner of L on “Left on 580” sign |
| 3067.639 | 4876.418 | Reference #2 – Top left bolt on “Ashby Avenue Exit” sign |
| 3168.503 | 4829.662 | Reference #3 – Attach bolt of the eastbound camera |
| 2858.089 | 5193.107 | Reference #4 – Top left bolt of the “East Shore State Park” sign |

Positions of Rest

| 2016 CHEVROLET SUBURBAN, BLACK (CA LICENSE: 95182U1) | | |
|--|----------|------------------|
| X-AXIS | Y-AXIS | DESCRIPTION |
| 2914.440 | 5068.064 | Left front tire |
| 2914.986 | 5074.812 | Right front tire |
| 2925.166 | 5066.884 | Left rear tire |

| 2013 CHEVROLET CAPRICE, BLACK / WHITE (CA LICENSE: 1431901) | | |
|---|----------|------------------|
| X-AXIS | Y-AXIS | DESCRIPTION |
| 2900.561 | 5050.303 | Left front tire |
| 2902.812 | 5056.177 | Right front tire |
| 2912.150 | 5052.927 | Right rear tire |
| 2910.003 | 5046.954 | Left rear tire |

| 2013 CHEVROLET CAPRICE, BLACK / WHITE (CA LICENSE: 1431907) | | |
|---|----------|------------------|
| X-AXIS | Y-AXIS | DESCRIPTION |
| 3014.320 | 5071.777 | Left front tire |
| 3014.779 | 5078.021 | Right front tire |
| 3024.591 | 5077.280 | Right rear tire |
| 3024.194 | 5070.935 | Left rear tire |

| 2012 CHEVROLET CAPRICE, BLACK / WHITE (CA LICENSE: 1381714) | | |
|---|----------|------------------|
| X-AXIS | Y-AXIS | DESCRIPTION |
| 3006.889 | 5052.836 | Left front tire |
| 3008.115 | 5058.999 | Right front tire |
| 3017.597 | 5057.953 | Right rear tire |
| 3016.930 | 5051.670 | Left rear tire |

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FACTS

Physical Evidence Description

Positions of Rest

| 2013 CHEVROLET CAPRICE, BLACK / WHITE (CA LICENSE: 1431911) | | |
|---|----------|------------------|
| X-AXIS | Y-AXIS | DESCRIPTION |
| 3016.357 | 5036.895 | Left front tire |
| 3017.378 | 5043.068 | Right front tire |
| 3027.141 | 5041.317 | Right rear tire |
| 3025.994 | 5035.062 | Left rear tire |

| 2013 CHEVROLET CAPRICE, BLACK / WHITE (CA LICENSE: 1431915) | | |
|---|----------|------------------|
| X-AXIS | Y-AXIS | DESCRIPTION |
| 3014.844 | 5013.760 | Left front tire |
| 3015.613 | 5020.000 | Right front tire |
| 3025.409 | 5018.675 | Right rear tire |
| 3024.634 | 5012.372 | Left rear tire |

MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM NARRATIVE/DIAGRAM

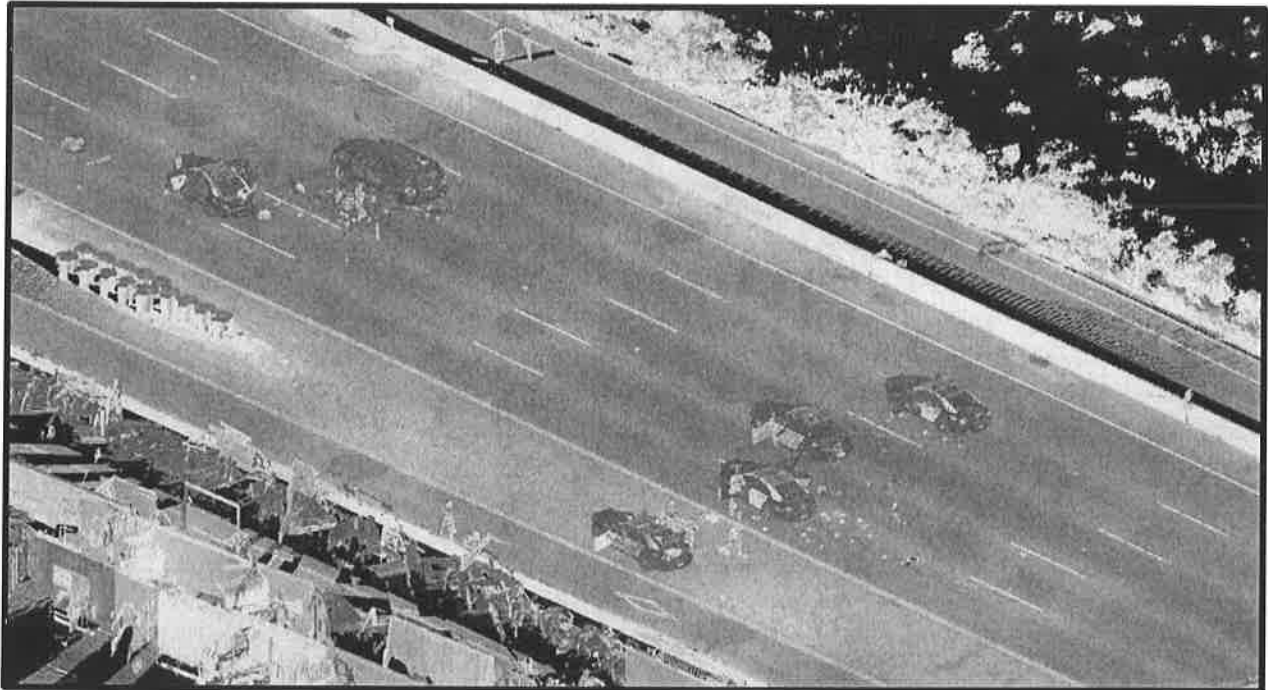
CHP 558D (Rev. 9-08) OPI 065 (MAIT use only)

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FACTS

Three-Dimensional (3D) Scan

The incident scene was scanned with a Leica High Definition Surveying (HDS) ScanStation Model P30. The ScanStation was capable of performing millions of measurements in order to produce point clouds consisting of measurement data points. Each data point was located within the scan by generating a three dimensional Cartesian coordinate system containing X, Y and Z axes. The ScanStation was also capable of taking high resolution photographs which were used to colorize the data points. The ScanStation's point clouds could then be registered together using the Leica Geosystems Cyclone software to create complete virtual models. The final product was three dimensional virtual models of the scene which could be measured and analyzed to assist in obtaining a complete scene as found. The ScanStation was setup and operated by Investigator Barnett. The ScanStation was moved ten times to further document evidence and the scene. Investigator Rose used the Leica Geosystems Cyclone software to register the point clouds and create the virtual model. The following image shows an oblique view, intensity map of the virtual model.



Intensity map of the scene (brightened)

Metal Beam Guard Railing
with Wood Post and Blocks

Light pole #03472

Solid White Line

Asphalt Concrete Roadway

One-way Clear Retroreflective
Marker (Type G)

Broken White Line

Solid Yellow Line

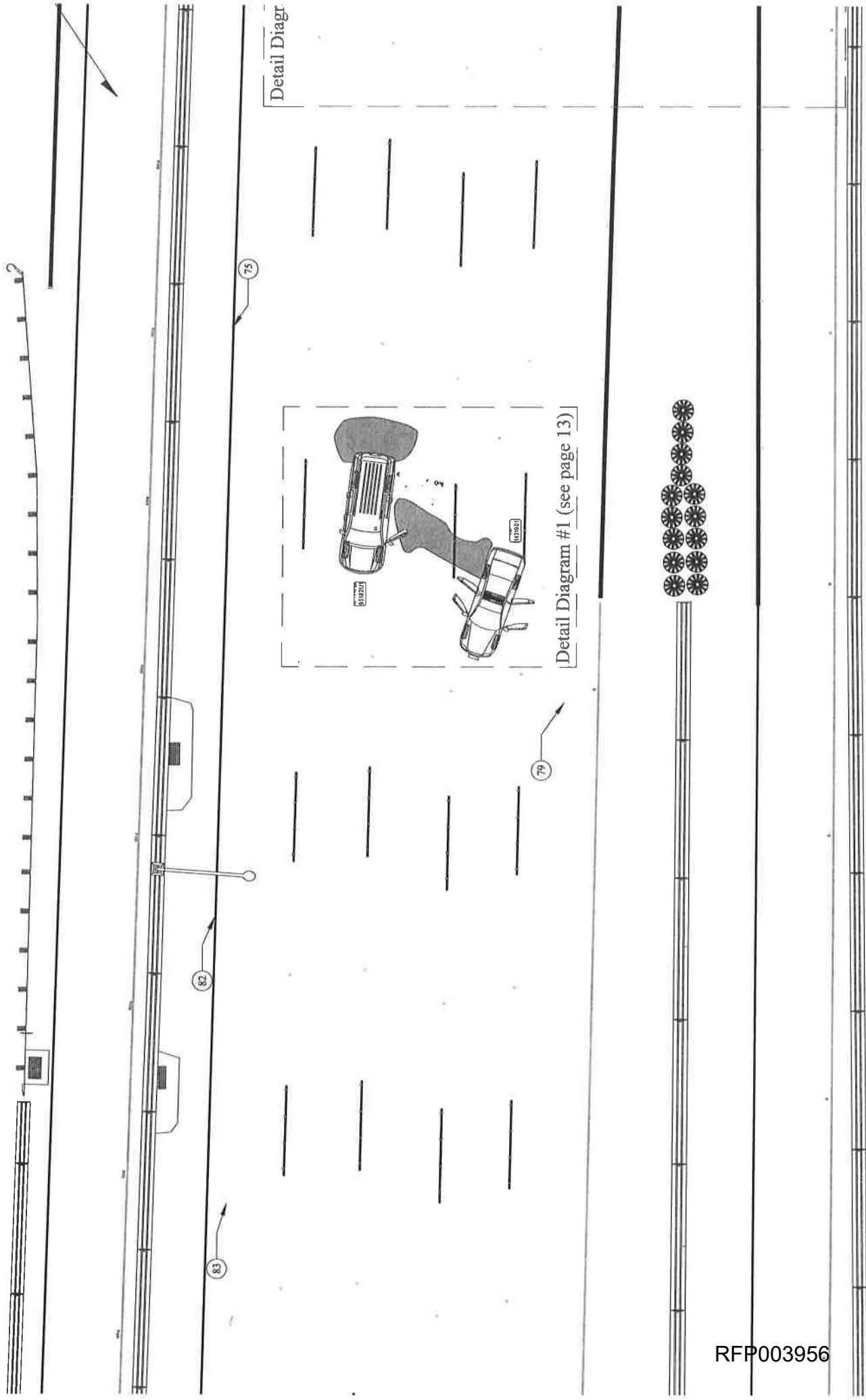
Yellow/black Sand Barriers

Solid White Line

Solid Yellow Line

RFP003955

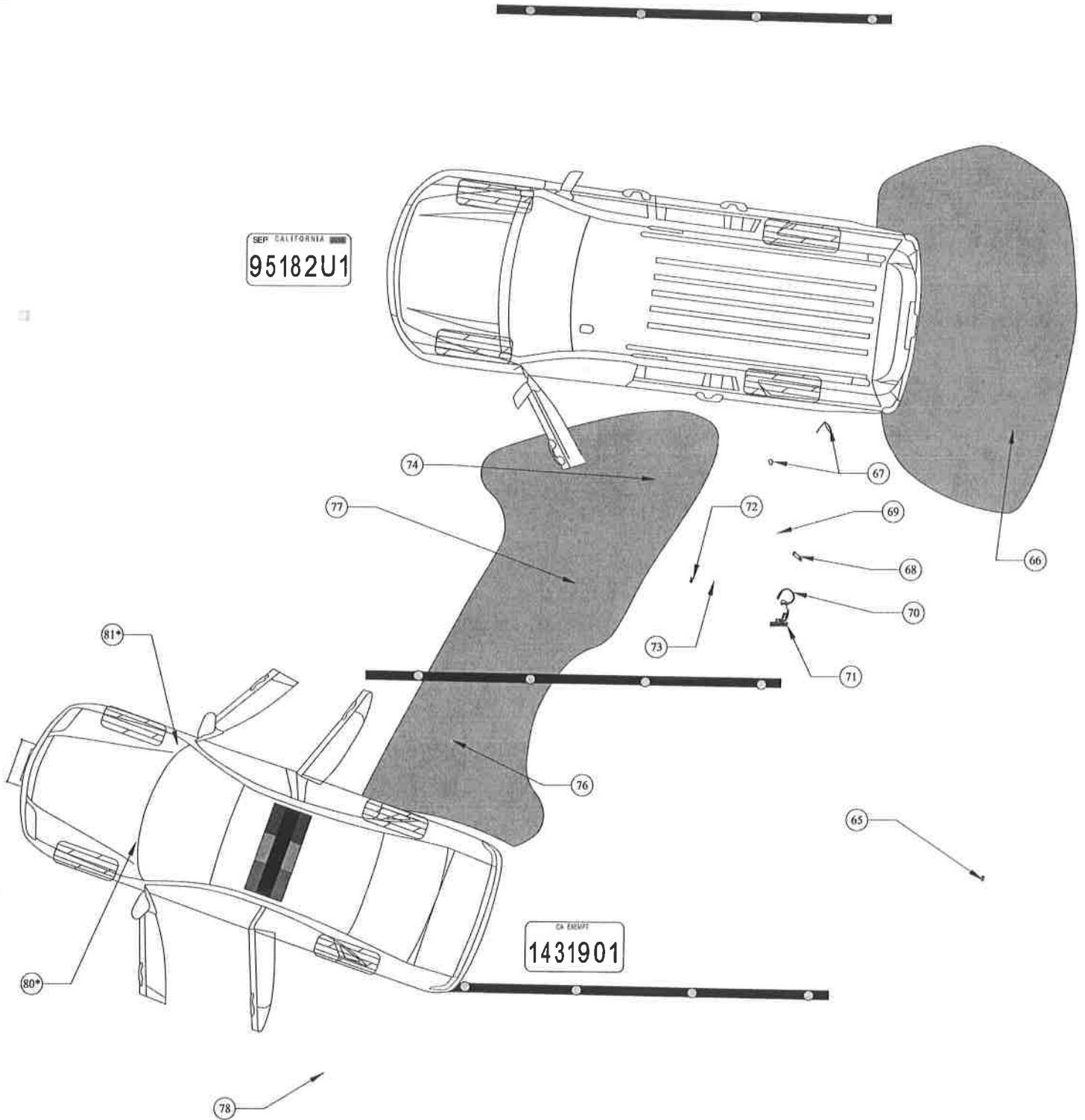
owell Street



RFP003956

owell Street

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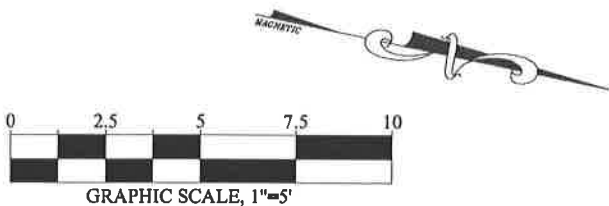


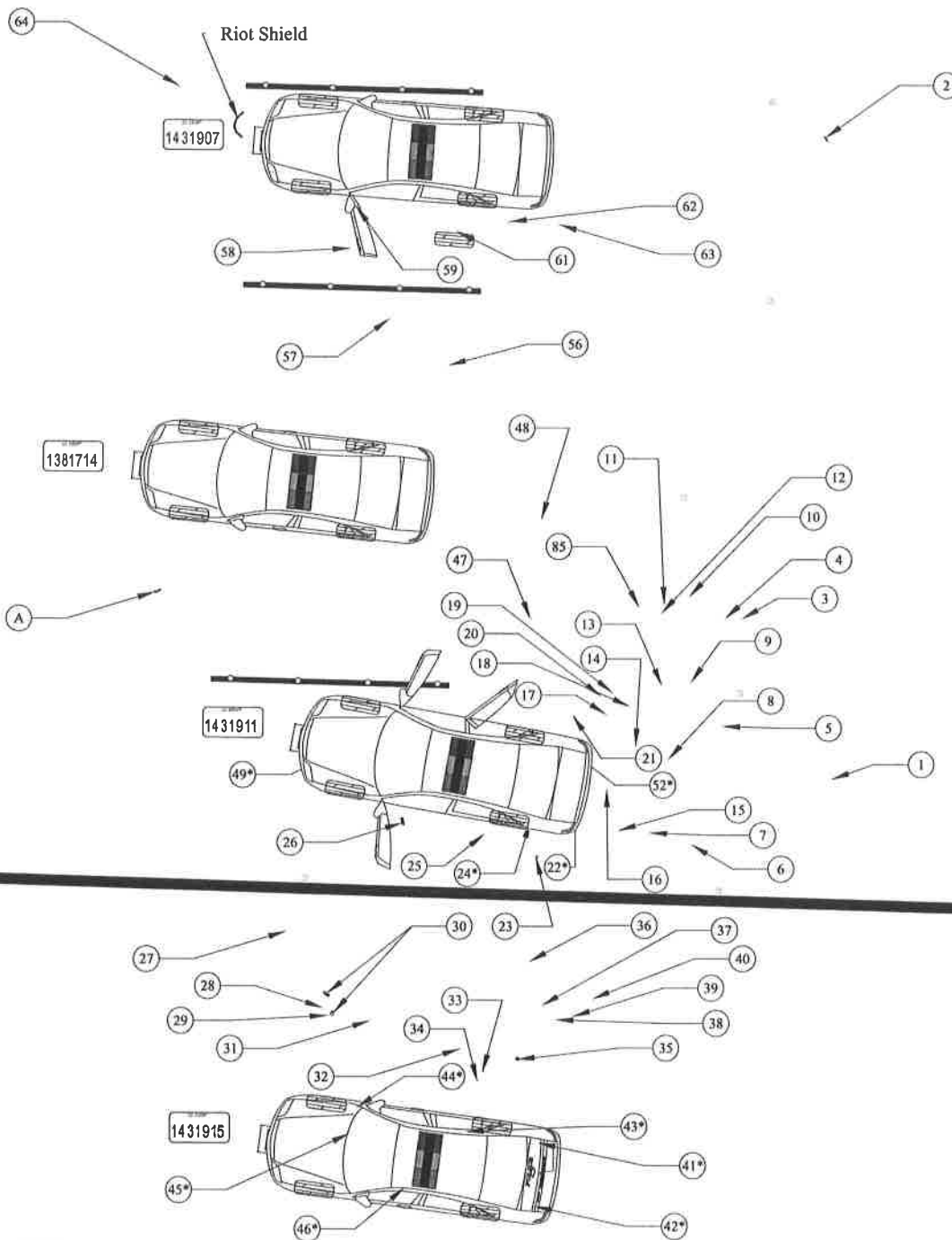
Items marked with an * are either under or on a vehicle.

California Highway Patrol
Golden Gate Division

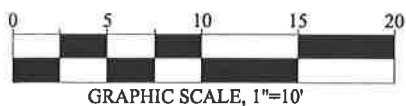
Interstate 80 westbound,
west of Powell Street

PHYSICAL EVIDENCE DETAIL DIAGRAM #1 RFP003957
PREPARED BY: A. Huddleston





Items marked with an * are either under or on a vehicle.



California Highway Patrol
Golden Gate Division

Interstate 80 westbound,
west of Powell Street

PHYSICAL EVIDENCE DETAIL DIAGRAM #2 RFP003958
PREPARED BY: A. Huddleston



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FACTS

Physical Evidence Log

As part of this investigation, Golden Gate Division MAIT collected or created the following evidence listed in the table below. The evidence item number listed in this report was used for MAIT identification purposes and does not reflect the evidence item numbers reported in the official evidence log of Emeryville Police Department.

| COLLECTED BY | DATE COLLECTED | DESCRIPTION | FINAL DISPOSITION |
|--------------|----------------|----------------------|------------------------------|
| Huddleston | 09/27/2017 | Original Survey Data | Emeryville Police Department |
| Barnett | 09/27/2017 | Original Scan Data | Emeryville Police Department |

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FACTS

Photo/Video Log

Photograph Log

As part of this investigation, 537 digital photographs were taken by MAIT personnel. The photographs were transferred to a DVD and were delivered to the Emeryville Police Department at the conclusion of this investigation.

| FOLDER | DATE | DESCRIPTION | PHOTOGRAPHER | PHOTOGRAPHS |
|--------|------------|---------------------------|--------------|-------------|
| 1 | 09/27/2017 | Scene / Physical Evidence | Todd/Lewis | 537 |

Video Log

As part of this investigation one video was taken. The video was transferred to a DVD and booked into evidence at the Emeryville Police Department.

| FOLDER | DATE | DESCRIPTION | VIDEOGRAPHER | VIDEOS |
|--------|------------|----------------|--------------|--------|
| 1 | 09/27/2017 | Video of Scene | Rose | 1 |

Request for copies of the photographs or videos should be made directly to:

Emeryville Police Department
2449 Powell Street
Emeryville, California 94608
(510)596-3700