



Emeryville Police Department

Incident #: 1709-2151

Reporting Officer: Andrew Yu

Report Time: 09/27/2017 09:09:29

Incident

Incident Nature
All other Penal Codes

Occurred To
09/27/2017 09:09:17

Contact
Marie A11616

Disposition Date
09/27/2017

Address
FRONTAGE RD & POWELL ST
EMERYVILLE, California 94608

Received By
Brittany Pinion

Disposition
Active

Clearance
Case Number Issued

Occurred From
09/27/2017 09:09:17

How Received
Telephone

Miscellaneous Entry

Judicial Status

Responding Officer(s)
Spencer Giddings

Alan Johnson

Joel Hannon

John Corcoran

Brian Head

Lance Goodfellow

Steven Hintergardt

Oliver Collins

Jason Krinsky

Pablo Rojas

Michael Lee

Andrew Yu

Case Numbers
1709-2151

Offenses

Assault, Other

Statute
664/187(A)

Description
ATTEMPT MURDER

Category
PC

Persons

RFP004009

4/22/2019

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

[REDACTED]

Sex

[REDACTED]

Ethnicity

Height

[REDACTED]

Weight

[REDACTED]

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

[REDACTED]

Sex

[REDACTED]

Ethnicity

Height

[REDACTED]

Weight

[REDACTED]

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

[REDACTED]

Sex

[REDACTED]

Ethnicity

Height

Weight

0

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

[REDACTED]

Sex

[REDACTED]

Ethnicity

Height

Weight

0

[REDACTED]

Witness

Address	Phone	
Race	Sex	Ethnicity
Height	Weight	
	0	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	
	0	

BLACK, ABDUL DWitness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED] **Witness**

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

[REDACTED] **Witness**

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED] **Witness**

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED] Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	
Race	Sex	Ethnicity
Hispanic	[REDACTED]	
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
[REDACTED]	[REDACTED]	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
	[REDACTED]	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
	[REDACTED]	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
	[REDACTED]	
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
	[REDACTED]	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	

[REDACTED] **Victim**

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED] **Victim**

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
	[REDACTED]	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Victim

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
	[REDACTED]	
Height	Weight	
	[REDACTED]	

[REDACTED] **Witness**

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]	[REDACTED]	[REDACTED]
Race	Sex	Ethnicity
Height	Weight	
	0	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
[REDACTED]	[REDACTED]	
Height	Weight	
	[REDACTED]	

[REDACTED]
Witness

Address	Phone	DOB
[REDACTED]		
Race	Sex	Ethnicity
	[REDACTED]	
Height	Weight	
	[REDACTED]	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Witness

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

Victim

Address	Phone	DOB
Race	Sex	Ethnicity
Height	Weight	

[REDACTED]

Victim

Address

[REDACTED]

Phone

DOB

Race

[REDACTED]

Sex

[REDACTED]

Ethnicity

Height

Weight

[REDACTED]

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

Sex

[REDACTED]

Ethnicity

Height

Weight

[REDACTED]

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

Sex

Ethnicity

Height

Weight

0

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

Sex

Ethnicity

Height

Weight

[REDACTED]

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

Sex

Ethnicity

Height

Weight

[REDACTED]

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

Sex

Ethnicity

Height

Weight
0

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

[REDACTED]

Sex

[REDACTED]

Ethnicity

Height

Weight
[REDACTED]

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

[REDACTED]

Sex

[REDACTED]

Ethnicity

Height

[REDACTED]

Weight

[REDACTED]

[REDACTED]

Witness

Address

[REDACTED]

Phone

[REDACTED]

DOB

[REDACTED]

Race

Sex

Ethnicity

Height

Weight
0

HODGE, DEMILO T Suspect

Address

[REDACTED]

Phone
() -

DOB

[REDACTED]

Race

Black

Sex

M

Ethnicity

Height
5'08"

Weight
283

[REDACTED]

Witness

Address

[REDACTED]

Phone

DOB

[REDACTED]

Race

Sex

[REDACTED]

Ethnicity

Height

Weight

[REDACTED]

[REDACTED]

Witness

Address

Phone

DOB

[REDACTED] 6

Race

Sex

[REDACTED]

Ethnicity

Height

Weight

[REDACTED]

Property

DVD

Brand

Verbatim

Model

Disc

Serial Number

Color

Quantity

5

Total Value

\$0.00

Measurement

Amount Recovered

\$0.00

Date Recovered

Status

Owner

Evidence

DVD

Brand

CHP

Model

DISCS

Serial Number

Color

Quantity

5

Total Value

\$0.00

Measurement

Amount Recovered

\$0.00

Date Recovered

Status

Owner

Evidence

DVD

Evidence

Brand	Model	Serial Number
CD	DATADISC	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Miscellaneous

Brand	Model	Serial Number
CHP	Spike Strips	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Miscellaneous

Brand	Model	Serial Number
CHP	Spike Strips	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Photograph

Brand	Model	Serial Number
C.H.P.	aerial photos	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Photograph

Brand	Model	Serial Number
C.H.P.	aerial photos	
Color	Quantity	Total Value
	6	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Photograph

Brand
C.H.P.

Color

Measurement

Status

Model
aerial photos

Quantity
6

Amount Recovered
\$0.00

Owner
[REDACTED]

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Photograph

Brand
C.H.P.

Color

Measurement

Status

Model
aerial photos

Quantity
6

Amount Recovered
\$0.00

Owner
[REDACTED]

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Photograph

Brand
C.H.P.

Color

Measurement

Status

Model
aerial photos

Quantity
6

Amount Recovered
\$0.00

Owner
[REDACTED]

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Photograph

Brand
C.H.P.

Color

Measurement

Status

Model
aerial photos

Quantity
6

Amount Recovered
\$0.00

Owner
[REDACTED]

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Photograph

Brand
CHP aerial

Color

Measurement

Status

Model
photo

Quantity
4

Amount Recovered
\$0.00

Owner
[REDACTED]

Serial Number

Total Value
\$0.00

Date Recovered
09/28/2017

Evidence

Photograph

Brand	Model	Serial Number
C.H.P.	aerial photo	
Color	Quantity	Total Value
	4	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	09/28/2017
Status	Owner	

Evidence

Photograph

Brand	Model	Serial Number
C.H.P.	aerial photo	
Color	Quantity	Total Value
	4	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Photograph

Brand	Model	Serial Number
C.H.P.	aerial photos	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Photograph

Brand	Model	Serial Number
C.H.P.	aerial photos	
Color	Quantity	Total Value
	41	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Document

Evidence

Brand	Model	Serial Number
ACSO Exam rpt	Ballistic repor	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Cartridge

Brand	Model	Serial Number
BULLET	CARTRIDGES	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

CD-ROM

Brand	Model	Serial Number
	Statement	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Computer Disk

Brand	Model	Serial Number
SECA Audio	Files Fairfield	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

DVD

Brand	Model	Serial Number
Verbatim	dvd+r	
Color	Quantity	Total Value
Silver	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

DVD

Brand
Verbatim

Color
Silver

Measurement

Status

Model
dvd+r

Quantity
1

Amount Recovered
\$0.00

Owner
[REDACTED]

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**DVD**

Brand
Verbatim

Color
Silver

Measurement

Status

Model
dvd+r

Quantity
1

Amount Recovered
\$0.00

Owner
[REDACTED]

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**DVD**

Brand
Verbatim

Color
Silver

Measurement

Status

Model
dvd+r

Quantity
1

Amount Recovered
\$0.00

Owner
[REDACTED]

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**DVD**

Brand
Verbatim

Color
Silver

Measurement

Status

Model
dvd+r

Quantity
1

Amount Recovered
\$0.00

Owner
[REDACTED]

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Computer Disk****Evidence**

Brand Verbatim	Model thumbdrive	Serial Number
Color Blue	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner ALAMEDA COUNTY SHERIFF'S OFFICE	

Computer Disk**Evidence**

Brand Centon	Model Datastick pro	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

DVD**Evidence**

Brand Valuedisc	Model dvd-r	Serial Number
Color Silver	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

DVD**Evidence**

Brand Verbatim	Model dvd+r	Serial Number
Color Silver	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

DVD**Evidence**

Brand Verbatim	Model dvd+r	Serial Number
Color Silver	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

DVDBrand
VerbatimColor
Silver

Measurement

Status

Model
dvd+rQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**DVD**Brand
VerbatimColor
Silver

Measurement

Status

Model
dvd+rQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**CD-ROM**Brand


Color

Measurement

Status

Model
StatementQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**CD-ROM**Brand


Color

Measurement

Status

Model
StatementQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00Date Recovered
10/17/2017**Evidence****CD-ROM**Brand


Color

Measurement

Status

Model
photosQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00Date Recovered
10/23/2017**Evidence**

CD-ROM

Brand



Color

Measurement

Status

Model
photosQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00Date Recovered
10/18/2017**Evidence****CD-ROM**

Brand



Color

Measurement

Status

Model
StatementQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00Date Recovered
10/23/2017**Evidence****CD-ROM**

Brand



Color

Measurement

Status

Model
statementQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00Date Recovered
10/23/2017**Evidence****CD-ROM**

Brand



Color

Measurement

Status

Model
StatementQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00Date Recovered
10/23/2017**Evidence****CD-ROM****Evidence**

Brand	Model	Serial Number
	photos	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	10/16/2017
Status	Owner	

CD-ROM**Evidence**

Brand	Model	Serial Number
	Statement	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	10/16/2017
Status	Owner	

CD-ROM**Evidence**

Brand	Model	Serial Number
	Statement	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	10/18/2017
Status	Owner	

CD-ROM**Evidence**

Brand	Model	Serial Number
	Statement	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	10/30/2017
Status	Owner	

CD-ROM**Evidence**

Brand	Model	Serial Number
	Bhurtyal's stat	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	10/17/2017
Status	Owner	

CD-ROM

Brand



Color

Measurement

Status

Model

Statement

Quantity

1

Amount Recovered

\$0.00

Owner

Serial Number

Total Value

\$0.00

Date Recovered

10/18/2017**Evidence****CD-ROM**

Brand



Color

Measurement

Status

Model

Statement Cont

Quantity

1

Amount Recovered

\$0.00

Owner

Serial Number

Total Value

\$0.00

Date Recovered

10/16/2017**Evidence****CD-ROM**

Brand



Color

Measurement

Status

Model

Statement #1

Quantity

1

Amount Recovered

\$0.00

Owner

Serial Number

Total Value

\$0.00

Date Recovered

10/17/2017**Evidence****CD-ROM**

Brand

Color

Measurement

Status

Model

Quantity

1

Amount Recovered

\$0.00

Owner

Serial Number

Total Value

\$0.00

Date Recovered

11/02/2017**Evidence****Document**

Brand

Fairfield P.D.

Color

White

Measurement

Status

Model

Search

Quantity

21

Amount Recovered

\$0.00

Owner

Serial Number

Total Value

\$0.00

Date Recovered

Evidence

RFP004037

4/22/2019

DVD

Brand	Model	Serial Number
Verbatim	DVD+R	
Color	Quantity	Total Value
Silver	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence**DVD**

Brand	Model	Serial Number
Verbatim	DVD+R	
Color	Quantity	Total Value
Silver	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence**DVD**

Brand	Model	Serial Number
Verbatim	DVD-R	
Color	Quantity	Total Value
Silver	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence**CD-ROM**

Brand	Model	Serial Number
VERBATIM		
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence**CD-ROM****Evidence**

Brand UNKNOWN	Model	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 10/11/2017
Status	Owner	

CD-ROM**Evidence**

Brand	Model	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 10/04/2017
Status	Owner	

CD-ROM**Evidence**

Brand verbatim	Model cd-r	Serial Number
Color Silver	Quantity 2	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

CD-ROM**Evidence**

Brand verbatim	Model cd-r	Serial Number
Color Silver	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 10/05/2017
Status	Owner	

DVD**Evidence**

Brand valuedisc	Model dvd-r	Serial Number
Color Silver	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 10/03/2017
Status	Owner	

DVDBrand
VerbatimColor
Silver

Measurement

Status

Model
Dvd+rQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00Date Recovered
09/29/2017**Evidence****Firearm**Brand
SPRINGFIELD

Color

Measurement

Status

Model
XD-40Quantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Miscellaneous**Brand
Springfield arm

Color

Measurement

Status

Model
magazineQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Miscellaneous**Brand
CCC SHERIFF

Color

Measurement

Status

Model
Crime labQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Envelope**Brand
CCC SHERIFF

Color

Measurement

Status

Model
DNA SWABSQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

EnvelopeBrand
CCC SHERIFF

Color

Measurement

Status

Model
Crime labQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Envelope**Brand
CCC SHERIFF

Color

Measurement

Status

Model
DNA SWABSQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Envelope**Brand
CCC SHERIFF

Color

Measurement

Status

Model
CRIME LABQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Paperwork**Brand
Paper

Color

Measurement

Status

Model
ACSO CoronersQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Bullet****Evidence**

Brand	Model	Serial Number
ACSO CORONERS		
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Miscellaneous

Evidence

Brand	Model	Serial Number
ACSO CORONERS		
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Miscellaneous

Evidence

Brand	Model	Serial Number
ACSO CORONERS	FRAGMENTS	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Miscellaneous

Evidence

Brand	Model	Serial Number
ACSO CORONERS	FRAGMENTS	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Bullet

Evidence

Brand	Model	Serial Number
ACSO CORONERS	BULLET JKT	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Bullet

Brand
ACSO CORONERS

Color

Measurement

Status

Model
Bullet in IVC

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Bullet**

Brand
ACSO CORONERS

Color

Measurement

Status

Model

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Identification**

Brand
ACSO CORONERS

Color

Measurement

Status

Model
CDL/SSN/CC

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Wallet**

Brand
ACSO CORONERS

Color

Measurement

Status

Model
Brown wallet

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Miscellaneous**

Brand
ACSO CORONERS

Color

Measurement

Status

Model

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Miscellaneous

Brand	Model	Serial Number
ACSO CORONERS		
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence**Key**

Brand	Model	Serial Number
ACSO CORONERS		
Color	Quantity	Total Value
	13	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence**Cash**

Brand	Model	Serial Number
ACSO CORONERS	Foreign money	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence**Blood Sample**

Brand	Model	Serial Number
ASCO CORONERS		
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence**Miscellaneous****Evidence**

Brand	Model	Serial Number
ACSO CORONERS	GSR Kit	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Miscellaneous

Brand	Model	Serial Number
ACSO CORONERS		
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Bullet

Brand	Model	Serial Number
ACSO CORONERS		
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Fingerprint

Brand	Model	Serial Number
ACSO CORONERS		
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Miscellaneous

Brand	Model	Serial Number
ASCO CORONERS		
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Bullet

Brand
ACSO CORONERS

Color

Measurement

Status

Model

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Bullet**

Brand
ACSO CORONERS

Color

Measurement

Status

Model

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Bullet**

Brand
ACSO CORONERS

Color

Measurement

Status

Model

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Clothing**

Brand
ACSO CORONERS

Color

Measurement

Status

Model

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Car**

Brand
Chevrolet

Color
Black

Measurement

Status

Model
Suburban

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered
09/27/2017

Evidence

MagazineBrand
Springfield Mag

Color

Measurement

Status

Model
w/11 bulletsQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Paperwork**Brand
limo contracts

Color

Measurement

Status

Model

Quantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Ammunition**Brand
fettet round

Color

Measurement

Status

Model

Quantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Paperwork**Brand
insurance

Color

Measurement

Status

Model
documentsQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Miscellaneous****Evidence**

Brand DNA Swab	Model	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Miscellaneous

Brand DNA Swab	Model	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Evidence

Photograph

Brand CD-R	Model photos	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Evidence

CD-ROM

Brand	Model	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 10/04/2017
Status	Owner	

Evidence

CD-ROM

Brand	Model	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 10/04/2017
Status	Owner	

Evidence

Paperwork

Brand	Model	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 09/27/2017
Status	Owner	

Evidence**CD-ROM**

Brand INNOVERA	Model CD-R	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Evidence**Paperwork**

Brand	Model	Serial Number
Color	Quantity 9	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 09/28/2017
Status	Owner	

Evidence**Paperwork**

Brand	Model	Serial Number
Color	Quantity 20	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 09/28/2017
Status	Owner	

Evidence**Paperwork**

Brand	Model	Serial Number
Color	Quantity 2	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered 09/28/2017
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
Winchester	.45 Cal	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Key

Brand	Model	Serial Number
Handcuff	Key	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
.223	Shell Casing	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
Luger	9MM	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Evidence

Brand .223	Model Shell Casing	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Casing

Evidence

Brand Winchester	Model .45 Cal	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Casing

Evidence

Brand .223	Model Shell Casing	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Casing

Evidence

Brand .223	Model Shell Casing	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Casing

Evidence

Brand Luger	Model 9MM	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Winchester

Color

Measurement

Status

Model
.45 Cal

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Federal

Color

Measurement

Status

Model
.45 Cal

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Evidence

Brand	Model	Serial Number
Luger	9MM	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Casing

Brand	Model	Serial Number
.223	Shell Casing	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
.223	Shell Casing	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
.223	Shell Casing	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
12 Gauge	Shell Casing	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

CasingBrand
12 Gauge

Color

Measurement

Status

Model
Shell CasingQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Casing**Brand
Winchester

Color

Measurement

Status

Model
.45 CalQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Magazine**Brand
.45 Cal

Color

Measurement

Status

Model
MagazineQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Casing**Brand
.223

Color

Measurement

Status

Model
Shell CasingQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Casing**Brand
.223

Color

Measurement

Status

Model
Shell CasingQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223 Casing

Color

Measurement

Status

Model
40MM casing

Quantity
2

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Ferret

Color

Measurement

Status

Model
40MM casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Evidence

Brand	Model	Serial Number
Luger	9MM	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Casing

Brand	Model	Serial Number
Luger	9MM	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
Exact Impact	40MM casing	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
.223	Shell Casing	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
.223	Shell Casing	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM Casing

Quantity
6

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Luger

Color

Measurement

Status

Model
9MM Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.308

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Evidence

Brand	Model	Serial Number
Luger	9MM Casing	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Casing

Brand	Model	Serial Number
Winchester	.45 Cal	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
Winchester	.45 Cal	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
Winchester	.45 Cal	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand	Model	Serial Number
Winchester	.45 Cal	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casings

Quantity
3

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
.223

Color

Measurement

Status

Model
Shell Casing

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Winchester

Color

Measurement

Status

Model
.45 Cal

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Winchester

Color

Measurement

Status

Model
.45 Cal

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand
Winchester

Color

Measurement

Status

Model
.45 Cal

Quantity
1

Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Evidence

Brand Winchester	Model .45 Cal	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Casing

Brand Winchester	Model .45 Cal	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Evidence

Casing

Brand Winchester	Model .45 Cal	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Evidence

Casing

Brand Winchester	Model .45 Cal	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Evidence

Miscellaneous

Brand Shotgun	Model Wad	Serial Number
Color	Quantity 1	Total Value \$0.00
Measurement	Amount Recovered \$0.00	Date Recovered
Status	Owner	

Evidence

Glass

Brand	Model	Serial Number
Glass	Shards	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Sunglasses

Brand	Model	Serial Number
Broken	Sunglasses	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Magazine

Brand	Model	Serial Number
Springfield Arm	.40 Cal	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Miscellaneous

Brand	Model	Serial Number
Copper Jacket	Fragment	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Headphone

Brand	Model	Serial Number
LG	Headphones	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Firearm

Brand	Model	Serial Number
Springfield Arm	XD-40	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Miscellaneous

Brand	Model	Serial Number
Shotgun	Wad	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Miscellaneous

Brand	Model	Serial Number
Copper Jacket	Fragment	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Miscellaneous

Brand	Model	Serial Number
Copper Jacket	Fragment	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Casing

Evidence

Brand	Model	Serial Number
Exact Impact	40MM projectile	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Casing

Brand	Model	Serial Number
Winchester	.40 Cal	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Bag

Brand	Model	Serial Number
Blue Med	bag	
Color	Quantity	Total Value
	2	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Miscellaneous

Brand	Model	Serial Number
Copper Jacket	Fragment	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Miscellaneous

Brand	Model	Serial Number
Copper Jacket	Fragment	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

CasingBrand
.223

Color

Measurement

Status

Model
Shell CasingQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Casing**Brand
.223

Color

Measurement

Status

Model
Shell CasingQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Miscellaneous**Brand
Copper Jacket

Color

Measurement

Status

Model
FragmentQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Miscellaneous**Brand
Copper Jacket

Color

Measurement

Status

Model
FragmentQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence**Miscellaneous**Brand
Copper Jacket

Color

Measurement

Status

Model
FragmentQuantity
1Amount Recovered
\$0.00

Owner

Serial Number

Total Value
\$0.00

Date Recovered

Evidence

Casing

Brand	Model	Serial Number
Winchester	.45 Cal	
Color	Quantity	Total Value
	1	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Compact Disc

Brand	Model	Serial Number
DVD-R	Disc	
Color	Quantity	Total Value
	2	\$0.00
Measurement	Amount Recovered	Date Recovered
	\$0.00	
Status	Owner	

Evidence

Vehicles



License	State	Color
	California	Black
VIN	Owner	License Type
		Commercial
Value	Amount Recovered	
\$0.00	\$0.00	

Evidence

Narratives

Original Narrative

09/27/2017 22:50:53

On 9/27/17 at approximately 1331 hours I responded to I-80W just north of the I-580E split. Fairfield and Richmond PDs had been involved in an OIS at the location which fell within Emeryville city limits. Ofcs M. Lee, Rojas and I arrived on scene.

CHP MAIT Investigators were already on scene conducting their investigation. They advised that they would be completing the factual diagram and measurements (refer to CHP report #GL04217). EPD units were tasked with recovering all evidence from the scene and booking it at the PAB.

The section of I-80W where the incident occurred consists of (5) lanes. There is also a carpool lane which is separated from the #1 lane by a gore point. There were (2) scenes: #1 consisted of (4) RPD patrol vehicles and #2 consisted of (1) RPD patrol vehicle and (1) suspect vehicle.

Scene #1:

The (4) RPD patrol vehicles were parked facing south and parallel with one another across the lanes. RPD vehicle #9 (CA #1431915) was parked in the gore point. RPD vehicle #1131 (CA #1431911) was parked in the #1 lane. RPD vehicle #50 (CA #1381714) was parked straddling the #2/#3 lanes. RPD vehicle #1136 (CA #1431907) was parked in the #4 lane.

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The following items were recovered from scene #1:

Item #1: Shell casing; .45cal Winchester
Item #2: Handcuff key
Item #3: Shell casing; .223cal
Item #4: Shell casing; 9mm Luger
Item #5: Shell casing; .223cal
Item #6: Shell casing; .45cal Winchester
Item #7: Shell casing; .223cal
Item #8: Shell casing; .223cal
Item #9: Shell casing; 9mm Luger
Item #10: Shell casing; 9mm Luger
Item #11: Shell casing; .223cal
Item #12: Shell casing; 9mm Luger
Item #13: Shell casing; .223cal
Item #14: Shell casing; .223cal
Item #15: Shell casing; .45cal Winchester
Item #16: Shell casing; .45cal Federal
Item #17: Shell casing; 9mm Luger
Item #18: Shell casing; .223cal
Item #19: Shell casing; 9mm Luger
Item #20: Shell casing; .223cal
Item #21: Shell casing; .223cal
Item #22: Shell casing; .223cal
Item #23: Shell casing; 12ga
Item #24: Shell casing; 12ga
Item #25: Shell casing; .45cal Winchester
Item #26: Magazine w/ (1) .45cal Winchester cartridge (live)
Item #27: Shell casing; .223cal
Item #28: Shell casing; .223cal
Item #29: Shell casings; .223cal and Exact Impact 40mm
Item #30: Shell casing; Ferret 40mm
Item #31: Shell casing; .223cal
Item #32: Shell casing; 9mm Luger
Item #33: Shell casing; 9mm Luger
Item #34: Shell casing; 9mm Luger
Item #35: Shell casing; Exact Impact 40mm
Item #36: Shell casing; .223cal
Item #37: Shell casing; .223cal
Item #38: Shell casing; 9mm Luger
Item #39: Shell casing; .223cal
Item #40: Shell casing; .223cal
Item #41: (6) Shell casings; 9mm Luger
Item #42: Shell casing; 9mm Luger
Item #43: Shell casing; 9mm Luger
Item #44: Shell casing; 9mm Luger
Item #45: Shell casing; 9mm Luger
Item #46: Shell casing; .308cal
Item #47: Shell casing; 9mm Luger
Item #48: Shell casing; .45cal Winchester
Item #49: Shell casing; .45cal Winchester
Item #50: Shell casing; .45cal Winchester
Item #51: Shell casing; .45cal Winchester
Item #52: (3) Shell casings; .223cal
Item #53: Shell casing; .223cal
Item #54: Shell casing; .223cal
Item #55: Shell casing; .223cal
Item #56: Shell casing; .223cal
Item #57: Shell casing; .223cal
Item #58: Shell casing; .45cal Winchester
Item #59: Shell casing; .45cal Winchester
Item #60: Shell casing; .45cal Winchester
Item #61: Shell casing; .45cal Winchester
Item #62: Shell casing; .45cal Winchester
Item #63: Shell casing; .45cal Winchester
Item #64: Shell casing; .45cal Winchester

Scene #2:

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This scene was a short distance south of scene #1. RPD vehicle #40 (CA #1431901) was parked facing southwest in the #2 lane just ahead of the suspect vehicle. The suspect vehicle (Chevrolet Suburban: [REDACTED]) was parked facing south and straddling the #3/#4 lanes.

The following items were recovered from scene #2:

- Item #65: Shotgun wad
- Item #66: Glass shards
- Item #67: Broken sunglasses
- Item #68: Magazine w/ (9) .40cal cartridges (live)
- Item #69: Copper jacketing fragment
- Item #70: LG headphones
- Item #71: Springfield XD-40 handgun [REDACTED] w/ (1) .40cal cartridge (live)
- Item #72: Shotgun wad
- Item #73: Copper jacketing fragment
- Item #74: Copper jacketing fragment
- Item #75: Exact Impact 40mm projectile
- Item #76: Shell casing; .40cal Winchester
- Item #77: Medical bag and used medical supplies
- Item #78: Copper jacketing fragment
- Item #79: Copper jacketing fragment
- Item #80: Shell casing; .223cal
- Item #81: Shell casing; .223cal
- Item #82: Copper jacketing fragment
- Item #83: Copper jacketing fragment
- Item #84: Copper jacketing fragment
- Item #85: Shell casing; .45cal Winchester

The suspect's handgun (Item #71) was chambered with (1) live .40cal cartridge. The magazine had been found ejected and was loaded with (9) live .40cal cartridges. The magazine's capacity was (12) rounds. There was what appeared to be a bullet impact on the asphalt near the left/front of RPD vehicle #50.

Ofc Rojas took video and photos at the scene. They were transferred to a CD-R. All items were booked for evidence at the PAB.

Supplemental Narrative 09/27/2017 21:34:50 Michael Lee

On 09-27-17, at approx. 1200 hours, I was assigned to assist Ofc. A. Yu with evidence collection involving an O.I.S on the I-80 westbound freeway in the city of Emeryville. I arrived on the scene and I met with Detective B. Head. Detective Head informed me that Ofc. Yu and I were tasked with collecting evidence on the scene. Ofc. Rojas arrived on the scene and I assisted him with taking digital photographs on the scene. I also assisted Ofc. Yu with collecting the evidence items on the scene. I entered the evidence items into Spillman system.

Supplemental Narrative 09/27/2017 21:14:24 Pablo Rojas

On 9/27/2017 approximately 1030 Hours, I was contacted at my residence by EPD dispatch and requested to responded to the City of Emeryville to assist with this investigation. I arrived in city limit at approximately 1130 hours. I responded to the scene on IS-80/580-E to assist Officers Yu and M. Lee process the crime scene. CHP was already on scene and had already identified and marked items of evidence. I walked through the crime scene and took a video recording memorializing the scene. I subsequently took (257) photographs of the crime scene. I transferred the photos and video recording to DVD-R. The DVD-R's were logged into evidence.

Supplemental Narrative 09/28/2017 08:24:01 Brian Head

On 09/27/17 after 0900 hours, I was seated at my desk in the Criminal Investigations Section. I am assigned as the Acting Sergeant of this unit. Detective Lance Goodfellow and Officer Krimsky were also seated in the section.

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I overheard a radio call broadcasting the California Highway Patrol (CHP) needed assistance in the closing of an on-ramp onto West Bound Hwy 80 in Emeryville.

As I listened, I overheard further details there may be a police action on the freeway and our assistance may be needed. As I heard bits and pieces of radio traffic, I overheard there was a subject who was possibly armed and dangerous and wanted for homicide. At this time, I asked Goodfellow to come with me as we were going to drive to the area to gather more information. Also at this time, I believed there was possibly a suspect, later identified as Hodge, who had eluded capture from the CHP and was fleeing in Emeryville. I retrieved my department issued rifle and magazines and got into Goodfellow's department issued car.

Once we had arrived on scene. we had gathered information Hodge was barricaded on the freeway and that we were only needed for traffic control within our city. I secured my rifle in Sgt. Hannon's vehicle's lock box and assumed a traffic post at Powell and Frontage Roads. During my assignment, I observed (2) Alameda County Fire Engines and (1) Paramedics Plus ambulance drive up to the freeway. They both later drove back off the freeway. I had noticed neither had seemed to have stayed on the freeway for a long time.

At approximately 1046 hours, I received a telephone call from Captain Collins alerting me an officer-involved-shooting had occurred and that it was within the Emeryville jurisdiction. I was instructed to pickup Det. Goodfellow and Officer Krinsky and respond to the scene as soon as possible.

At approximately 1057 hours, I telephoned Detective Mayorga, while enroute to pick up Goodfellow.

Goodfellow and I drove the Police Administration Building (PAB) and gathered our items to conduct an investigation as well as alerted Krinsky to what was occurring. We left shortly thereafter and responded to the location of the shooting.

Upon my arrival, I observed numerous police vehicles both marked and unmarked parked on West-bound 80, near the split to East-bound 580.

As I assessed the scene, I realized we needed more assistance with crime scene collection. At approximately 1117 hours, I requested dispatch contact Officer M. Lee at his residence and respond to assist as a crime scene technician.

At approximately 1119 hours, I requested dispatch to time stamp Goodfellow, Krinsky and I on scene.

Captain Collins had assumed the role of Incident Commander and Lt. Allen was assisting him.

I then saw (5) fully marked black and white police cruisers. They all appeared to be Chevy makes. Four of the five vehicles were loosely lined up, spread across the lanes of the freeway from East to West. There was another police cruiser near what appeared to be a black GM SUV that had flat tires. This cruiser was parked East of the SUV with all (4) doors open. As I approached the cars, I could plainly read the markings on them as belonging to the City of Richmond, CA.

Knowing this was an active crime scene. I immediately told Captain Collins and Lieutenant Mike Allen that I was going to have the area of the incident taped off with crime scene tape and not allow anyone to enter without permission and logging in.

I located Richmond Police Officer Katie Cubit. She told me she was not only a sworn officer but also an evidence technician. I asked her if she could assist me in taping off the area of the incident as well as create a crime scene log. She agreed and began a log at 1143 hours.

I spoke to Captain Collins and received a short briefing. He explained to me the shooting had possibly involved up to (14) officers and that they had been taken back to a Richmond hotel to be sequestered. I was then told Hodge had been transported by Fairfield officers in their van to San Francisco General Hospital, in an effort to treat his wounds. I asked Collins for more resources and that we needed to call in our technicians for this scene. Collins told me he had been in contact with the CHP Major Accident Investigation Team (MAIT) and they were responding to the scene.

Collins also told me he had been in contact with the Alameda County Sheriff's Department and that they would provide a drone to come to the scene.

At approximately 1420 hours, the MAIT team arrived on scene.

On 09/28/17 at approximately 0815 hours, Alameda County Coroner's Technician Martinez telephoned me and said the preliminary autopsy of Hodge was to begin at 0930 hours. I told her Officer M. Lee and I would be there at that time.

On 09/28/17 at approximately 0850 hours, I entered the Crime Scene log into EPD evidence locker #E09. (See evidence) I also attached it to this report. (See attached)

On 09/28/17 at approximately 1645 hours, I entered (9) pages of witnesses names and identifying information into EPD evidence locker #E09. (See Evidence) I also attached it to this report. (See attached)

On 09/28/17 at approximately 1700 hours, I entered (20) pages of the Richmond Police Call Log into EPD Evidence locker #E09. (See Evidence) I also attached it to this report.

[REDACTED]

On 10/02/17 at approximately 1510 hours, I met with Judge Carol Brosnahan and submitted a search warrant for Hodge's Chevrolet. She reviewed it and signed it in my presence. I attached a copy of the warrant to this report. (See Attached)

On 10/03/17 at approximately 1330 hours, I met with Alameda County Fire Captain Derek Huber [REDACTED] at Emeryville Station #34. I asked him for the on-duty personnel working on 09/27/17. Huber told me the following persons were assigned to the Emeryville stations.

Station 34 located on Powell Street:

Captain Randall West
Cornelius Hickey
Salvador Plascencia

Station 35 located on Hollis Street:

Captain Jason Matthews
Markus Powell
Justin Tenney

On 10/03/17, at approximately 1449 hours, I telephoned Lt. Jacobson (Fairfield Police) and confirmed we would have our respective crime scene technicians meet on 10/04/17 at Berry Brothers Towing located at 2750 Alicia Street in Oakland, CA. The meeting was scheduled for 1100 hours.

On 10/04/17 at approximately 1100 hours, Officers Hintergardt, Rojas, myself and Fairfield Officers responded to Berry Brothers tow yard. I met with Fairfield's lead investigator Chris Grim and partner Sean Timm. They were accompanied by two Fairfield Police Evidence Technicians, Amy Akaka #1530 and Shanel Carvajal #11.

Grim and I spoke and decided EPD would conduct a 360 degree outer and inner search of the vehicle to photograph all possible evidentiary value items. I had instructed Rojas and Hintergardt to recover any firearms, ammunition or magazines found inside the car. Due to Fairfield Police having certified trajectory experts, their agency being the lead investigation agency on a homicide case related to Hodge [REDACTED] Grim and I agreed Fairfield police would take custody of the Chevrolet. Grim said he would conduct the full trajectory search and recover any bullets. He said he would then share all information with EPD upon completion of their report. (See Hintergardt and Rojas's reports)

At the tow yard, Bob Berry- owner of Berry Brothers Towing told me he had been on a call to recover a crashed semi-tractor trailer on the day of the incident. He said the overturn semi was on East bound 80 in the City of

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Berkeley.

At this time, Berry said he saw California Highway Patrol Officers stop traffic on West bound 80 and that from their movements and his experience, he knew something was about to happen. Berry retrieved his phone and began filming the incident and this is when he noticed the officers had retrieved the "spike strip", a tire flattening device used by law enforcement.

Berry waited and then eventually filmed the CHP officers deploy the spike strip as Hodge drove his Chevrolet past his scene. I asked Berry if I could have a copy of the video and he said he would send me a copy.

I later obtained a copy of the video and transferred it to DVD. I logged the DVD into EPD Evidence locker #E09. (See Evidence)

On 10/04/17 at approximately 1218 hours, I met with Judge Carol Brosnahan and submitted a search warrant for Hodge's medical records located at San Francisco General Hospital. She reviewed the warrant and signed it in my presence. I attached a copy of the warrant to this report. (See Attached)

On 10/04/17 at approximately 1433 hours, I received a phone call from Paramedics Plus employee [REDACTED]. He told me he was working as a paramedic on 09/27/17 and that he had been dispatched to the location of the shooting but was then radioed and told he and his partner, [REDACTED] were not needed. [REDACTED] and [REDACTED] turned their ambulance around and left the area. They did not enter the scene. [REDACTED] said he did not know why they were canceled and that they did not tend to any victims on scene.

I recorded [REDACTED] phone call and entered it into EPD evidence locker #E09. (See Evidence)

On 10/04/17 at approximately 1551 hours, I telephoned [REDACTED] and left him a message to call me back.

At approximately 1643 hours, [REDACTED] telephoned me. I asked him if he was working on 09/27/17 with [REDACTED] and he said he was. He said they were told to stage and then later told to leave. He said he never had contact with any victims on scene.

I recorded [REDACTED] phone call and entered it into EPD evidence locker #E09. (See Evidence)

On 10/05/17 at approximately 1130 hours, I met with [REDACTED] of the records section at San Francisco General Hospital. I handed her the Search Warrant and she said she would have it mailed within a week.

On 10/11/17 at approximately 0700 hours, I received a Federal Express package containing Hodge's medical information. I gave the CD containing the information to Detective Goodfellow.

On 10/13/17 at approximately 0930 hours, I submitted the Search Warrant Inventory form for Hodge's vehicle the court clerk for filing.

Supplemental Narrative 09/28/2017 11:07:24 Steven Hintergardt

On 9/27/17, I was in full police uniform and in marked patrol vehicle 1727. I was assisting with traffic control while the crime scene on IS-80 was being investigated. At the conclusion of the investigation, I was asked to help move a Richmond PD vehicle off the freeway. I got into vehicle #50 and CHP officer, H. Baza #21766 got into vehicle #1136. We drove to the staging area just west of the freeway. We then drove the vehicles into the back secured parking lot of Emeryville PD. (Richmond PD case # 2017-00073461)

I was later tasked with going to the Courtyard Marriott in Richmond (3150 Garridy Way) to photograph an unmarked Fairfield PD surveillance Van. [REDACTED] Once at the hotel, I spoke to FFPD officer, M. Pena who directed me to FFPD Sgt. J Kresha #657. Sgt. Kresha unlocked the van and I was able to look inside and photograph the interior of the vehicle. I photographed the exterior and interior of the vehicle. The exterior of the van was in good condition and I did not see any bullet holes or bullet ricochets on the vehicle.

The interior of the van had two front seats, no middle seats and a bench rear seat. I did not locate or see any shell casings inside the vehicle. There was a large amount of blood in the middle area of the vehicle on the carpet and on the back of the front passenger seat.

Capitan Collins gave me a key to a black unmarked Fairfield PD vehicle and was tasked with going to Richmond PD to photograph that vehicle. [REDACTED] The exterior of the vehicle was in good condition, had what appeared to be a paint chip on the right front hood area and a flat left front tire. I did not see any bullet holes or bullet ricochets on the vehicle. I looked at the tire and did not see any obvious puncture marks or foreign objects sticking out of the tire. It appeared the tire may have come off the rim during the incident. I did not locate any shell casings

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inside the vehicle.

I returned to the Courtyard Marriott and assisted detective Mayorga and Richmond PD/CSI Katie Cubit [REDACTED] with loading evidence into my patrol vehicle. At 1957 hours, Detective Mayorga handed me the evidence which I loaded into my vehicle. I stayed with my vehicle as detective Mayorga carried items to me.

I then followed Cubit and detective Mayorga to Richmond PD where we unloaded and placed the item in the Richmond PD evidence room. Detective Mayorga and I documented the items as follows:

Possessor: Shane Raftery - Fairfield PD

#1 - Colt M4 rifle ([REDACTED]), [REDACTED] rifle magazine from the rifle with [REDACTED] .223 rounds, [REDACTED] TLR-1 Streamlight, (1) Aimpoint Comp 3 optic.
#1A - [REDACTED] rifle magazine with [REDACTED] .223 rounds.

Possessor: Brent Pucci - Fairfield PD

#2 - Glock 17 ([REDACTED]), [REDACTED] tactically reloaded magazine from the pistol with [REDACTED] 9mm rounds, [REDACTED] magazine with [REDACTED] 9mm rounds.
#2A - [REDACTED] 9mm rounds with magazine.

Possessor: Kelly Rombach - Fairfield PD

#3 - Colt M4 rifle ([REDACTED]), attached TLR-2 Streamlight, Trijicon ACOG with reflex sight and [REDACTED] magazine from the rifle with (25) .223 rounds.
#3A - (1) rifle magazine with [REDACTED] .223 rounds.
#3B - (1) rifle magazine with [REDACTED] .223 rounds.
#3C - (1) rifle magazine with [REDACTED] .223 rounds.
#3D - (1) rifle magazine with [REDACTED] .223 rounds.

Possessor: James Sehr - Fairfield PD

#4 - Colt M4 rifle ([REDACTED]), Trijicon ACOG with reflex sight and an attached TLR-2 Streamlight and [REDACTED] magazine from the rifle with [REDACTED] .223 rounds.
#4A - [REDACTED] rifle magazines with [REDACTED] .223 rounds.

Possessor: Erik Aagaard - Fairfield PD

#5 - Colt M4 ([REDACTED]), attached TLR-2 Streamlight, [REDACTED] Grip pod systems Bi pod with grip, [REDACTED] rifle magazine from the rifle with [REDACTED] .223 rounds.
#5A - [REDACTED] rifle magazine with [REDACTED] .223 rounds.
#5B - [REDACTED] rifle magazines with [REDACTED] .223 rounds.

Possessor: John Divine - Fairfield PD

#6 - Accuracy International .308 rifle ([REDACTED]) with attached scope [REDACTED] .308 rifle magazine with [REDACTED] .308 rounds. Rifle was in a black Pelican Storm case.

Possessor: Michael Ambrose - Fairfield PD

#7 - Penn Arms 40mm less lethal ([REDACTED]), attached TLR-2 Streamlight, Aimpoint Comp M2, [REDACTED] 40mm Ferret CS rounds, [REDACTED] Exact Impact 40mm soft tip rounds in a black canvas bag.

Detective Mayorga signed all the property to Cubit who booked these items into evidence at Richmond PD. (See Emeryville Police Dept. property receipt's)

On 9/28/17, I was dispatched to Berry Brothers towing in Oakland and met with Fairfield PD detective Pulsipher #1471. [REDACTED]

[REDACTED] Detective Pulsipher did not touch and or enter the vehicle. My BWC was active.

On 10/4/17, Ofc. Rojas and I went to Berry Brothers towing at 2750 Alicia St in Oakland to process the suspects vehicle for further evidence. Ofc. Rojas marked items A - K which I took measurements of and documented on printed out outlines of the vehicle.

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I took measurements of the less lethal impacts and bullets entries into the vehicle. The measurements were as follows:

A: Less lethal impact dent just above the left corner of the rear Chevrolet emblem: 50.5" from the ground and 32" right of the left rear quarter panel area.

B: Ferret round entry into the rear of the vehicle just left of the license plate: 40" from the ground and 28" right of the left rear quarter panel area.

C: Spike from CHP spike stripe in the top of the left rear tire: No measurement taken and spike left in tire.

D: Bullet impact at the top of the driver side door frame: 66" from the ground and 96" from the front bumper of the vehicle.

E: Bullet ricochet off the left front fender just above the wheel: 12.11" from the ground and 12.9" to the front of the vehicle.

F: Bullet entry into the top weather stripping of the driver side door frame: 65.25" from the ground and 6.5" right of the left edge of the driver side door.

G: Bullet jacketing embedded into the middle of the interior of the driver side door: 36.5" from the ground and 23.75" from the left edge of the driver side door.

H: Bullet entry into the lower left side of the driver side dashboard: 22.5" from the floor board and 2.5" right of the left edge of the dashboard.

I: Bullet entry into the lower left side of the driver side dashboard: 22.5" from the floor board and 3.75" right of the left edge of the dashboard.

J: Bullet entry into the lower left side of the driver side dashboard: 21.25" from the floor board and 5.5" right of the left edge of the dashboard.

K: Bullet entry into the lower left side of the driver side dashboard: 20.5" from the floor board and 4" right of the left edge of the dashboard.

(See printed outlines #1, #1A and #1B of the vehicle)

Ofc. Rojas also photographed items #1-#6 which were inside the vehicle. Items #7 and #8 were areas Ofc. Rojas swabbed for DNA.

- #1 - Cellular phone located on top of the dashboard (Fairfield PD took possession of item)
- #2 - Springfield Amory handgun magazine with (11) .40 caliber bullets in the center console
- #3 - Paperwork in driver side visor
- #4 - Ferret round in the back cargo area of the vehicle
- #5 - Paper work in a black wallet in the glove box
- #6 - Fastrak transponder in the center console (Fairfield PD took possession of item)
- #7 - DNA swab from the steering wheel
- #8 - DNA swab from the center console handle

(See over view print out #2 of the vehicle)

On 10/5/17, Det. Mayorga requested I log evidence he received from the Contra Costa County crime lab into evidence at EPD. Det. Mayorga signed (7) packages to me which I signed and placed into evidence.

On 10/5/17 at 1200 hours, Evidence property clerk C. Brush requested I log items she received from the Alameda County Coroner's office into evidence. I logged the items as follows:

- #2516 - Paper
- #2517 - Bullet free in left chest
- #2518 - Fragments in brain
- #2519 - Fragments at RT clavicle
- #2520 - Fragment free in left chest
- #2521 - Bullet jacket base in LT chest wall
- #2522 - Bullet in IVC
- #2523 - Bullet from clothing
- #2524 - CDL, credit cards, SSN card, Hunter Ad card [REDACTED]
- #2525 - Brown wallet in clothing
- #2526 - Misc cards and papers from wallet

#2527 - Watch hospital bag
 #2528 - 13 keys and 2 FOBS from clothing
 #2529 - Foreign money from wallet
 #2530 - DNA blood card
 #2531 - GSR kit
 #2532 - Fingernail clippings
 #2534 - Bullet in brainstem/sinuses
 #2535 - Fingerprint card
 #2536 - Jacket fragment left knee
 #2537 - Bullet left thigh
 #2538 - Bullet right thigh
 #2539 - Bullet in occipital scalp
 #2540 - Decedent's clothing - socks, underwear, black pants, black belt, shirt, tank top and shoes.

Ofc. Rojas informed me the CD-R I gave him with the photographs he took of the suspect vehicle did not copy all the photographs due to the memory limitations on the CD-R. I copied another CD-R with all the photographs and logged it into evidence at the PAB on 10/17/17.

On 1/23/18, I received a manila envelope from property clerk A. Robinson which contained test fired cartridges from the Alameda County Sheriff's crime lab. I left the casing in the envelope and logged the package into evidence at EPD.

Supplemental Narrative 10/02/2017 13:43:24 Jason Krimsky

On 09/27/17 at approximately 1100 hrs., Detectives Goodfellow, Head and I were instructed to respond to the I-80 west freeway south of the Powell street on ramp for an officer involved shooting scene. We arrived at 1115 hrs.

I saw multiple marked black and white Richmond Police vehicles parked with their front doors open and their code three emergency lights illuminated. There were numerous spent firearm casings of various calibers along with other debris on the ground next to the vehicles. There was a black Chevrolet Suburban parked ahead of the patrol vehicles with the driver door open. All vehicles were facing southbound in the westbound lanes and the patrol vehicles were parked in a fanned out order, side by side, consistent with patrol vehicles when conducting a felony vehicle stop.

I was instructed to respond with Detective Mayorga to the Courtyard by Marriott Hotel in Richmond to conduct an ammunition count and recovery of the firearms used by the Fairfield Police Officers who were involved in the shooting.

I attended briefings at the scene location and then responded to the Richmond Police Department to view the body worn camera footage from a few of the Richmond Police Officers and listen to the audio recordings of the Richmond Police Department's radio communications.

On 09/28/17 at 1030 hrs., Detectives Goodfellow, Mayorga and I met with Richmond P.D. and Alameda County District Attorney Inspectors at the Richmond P.D. administration building 1701 Regatta Boulevard to interview the officers involved in the shooting.

Subject officer Fairfield P.D. Officer Eric Aagaard 1276

On 09/28/17 at 1323 hrs., I assisted Alameda County District Attorney Inspector Gus Galindo with the interview of Fairfield Police Officer Eric Aagaard 1276 at the Richmond Police Department Police Administration building located at 1701 Regatta Boulevard in Richmond. Aagaard said he was assigned to the patrol division with the Fairfield Police Department.

Aagaard's attorney, Julia Fox with R.L.S. (Rains, Lucia, Stern), Alameda County Deputy District Attorneys David Cook and John Brouhard were present in the room during the interview. Galindo read Aagaard his abridged Miranda from a form. Aagaard agreed to the interview and signed the waiver. The interview was monitored by the Fairfield P.D. Professional Standards Unit via a speaker phone.

Aagaard said he started at 0400 hours on 09/27/17. Aagaard's normal shift is 1400-0200 hours. Aagaard got off duty at 0200 hours and started the operation involving this incident at 0400 hours. Aagaard is right hand dominant and did not consume an alcohol beverages within (24) twenty-four hours of the shooting. Aagaard wears contact lenses. Aagaard had been awake since 0800 hours on 09/26/18.

Aagaard wore black boots, S.W.A.T. uniform Cryptic pattern, ballistic vest same pattern, long sleeve shirt that was cryptic pattern, black gloves, clear eye protection, patch on upper left chest, police emblem patch on front and Aagaard's name on the back Fairfield Police Department S.W.A.T. team on both shoulders. Aagaard had a flashlight and pistol magazines on his vest. Aagaard said he had a drop down style pistol holster on his right thigh.

Aagaard wore a Glock 9mm pistol that was issued by Fairfield P.D. and the only modification was the grip to make it a bit larger. The ammunition is hollow point, unknown brand. The pistol contained ■ rounds in the magazines and one in the chamber. Aagaard said he had one fully loaded magazine in the gun and two fully loaded on his vest.

Aagaard also had a Colt M4 rifle with one ■ round magazine in the weapon and four fully loaded magazines on his vest. Aagaard did not have a round chambered in the rifle prior to the shooting.

Aagaard last S.W.A.T. qualified with his rifle and handgun in January of 2017. Aagaard discharged his rifle, but not his handgun.

Aagaard was notified of a planned operation on 09/26/17 via department text and email. The notification told personnel to attend a briefing on 09/27/17 at 0400 hours. Aagaard got off work at 0200 hours, took his K9 home and then returned before 0400 hours for the briefing.

Aagaard was assigned to respond to Napa to do a vehicle assault after the target dropped ■ off for school. The target (Suspect Hodge), was being investigated for murder. Aagaard and other personnel were told Hodge had criminal history involving assault with a deadly weapon and other weapons violations and domestic violence. Aagaard learned the suspect manufactured assault weapons and made comments that he was never going back to prison and not going back into cuffs even for a speeding ticket. Aagaard and other team members ran through practice runs for the vehicle assault.

Aagaard and team members responded to Napa and followed the suspect who figured out what was going on and fled from Aagaard's team a few times. Aagaard's team was in the van and it was not practical or safe to follow the suspect. They lost visual of the suspect and remained in Richmond to monitor the suspect. Aagaard heard a pursuit had ensued and Hodge's vehicle was spike stripped and all of Hodge's tires were flat. Aagaard's team responded to the termination point on the freeway to see if they could assist because they did not know if there were any tactical teams near the scene.

Aagaard believes there were twelve Fairfield P.D. S.W.A.T. members and the lead investigators. Aagaard said the Fairfield members who were in the van were Sgt Rombach, Officer Ambrose in the front passenger seat and Officer Pulsipher. Officer Divine as the driver. The middle bench seat was removed. Aagaard, Pulsipher and Rombach were seated in the back seat.

Officers Strickland and Sehr were in a black slick top police vehicle that was the second vehicle to be used for the vehicle assault. A marked unit driven by Officer Raftery followed them.

Aagaard described the vehicle assault would involve the black slick top cutting off their target vehicle at a low speed. Aagaard's van would box the target vehicle from the rear. Aagaard's team would exit the van, breach the driver window and apprehend the target. Rombach was the team leader and in charge of the vehicle assault. Communications were police radio and cell phones.

Aagaard said it was obvious to the suspect that he was being followed in Benicia in the area of South Hampton Road and the I-780 on ramp after the black slick

top tried to box the suspect in. The suspect fled onto the southbound I-780 freeway. [REDACTED]

Aagaard's team learned the suspect was driving southbound on I-680 near Martinez. There was a second vehicle assault that was occurring in another area with another team on a second suspect. The C.H.P. air unit broke from Aagaard's team to cover that second assault. Once the second vehicle assault was finished, the C.H.P. air unit returned to surveil the suspect.

Aagaard's team saw the vehicle again and they attempted to perform a second vehicle assault, but were unable to and the suspect fled again on surface streets. The suspect drove into on coming traffic around other vehicles at approximately 60 M.P.H. and through red lights in a residential area. Aagaard's team abandoned the vehicle assault again.

Aagaard's team maintained a loose tail on westbound highway 4 to westbound I-80 where he was driving on the shoulder and cutting other motorists off. The suspect exited somewhere in San Pablo. Aagaard's team lost sight of the vehicle and they decided to notify Richmond P.D.

Aagaard's team continued to track the suspect's vehicle and not attempt any more vehicle assaults. Aagaard's team stopped in a parking lot to track the suspect's vehicle. Aagaard's team learned the suspect was pursued by Richmond P.D. onto the freeway, his vehicle had been spike stripped and the tires had popped.

Aagaard's team responded to where the pursuit terminated on westbound I-80. Upon their arrival, Aagaard saw police cars fanned out on the freeway blocking all lanes. The C.H.P. blocked all lanes on the freeway with the traffic stopped. There were officers behind their vehicles with their guns drawn. Aagaard said the suspect's vehicle tires were flat and the vehicle was not moving.

Sergeant Rombach met with the Richmond officer in charge to formulate a plan of action. The Fairfield officers took positions behind police vehicles. A Richmond officer was giving announcements over the P.A. speaker for the suspect to put his hands out of the window and to surrender. The suspect put his hands out of the window and then would put the window up. The suspect yelled something Aagaard could not hear. The officers were approximately forty yards away from the suspect's vehicle.

Sergeant Rombach told Officer Ambrose to use a 40 mm soft tip round to break out the rear window. Officer Ambrose shot a 40 mm projectile into the trunk door. Officer Ambrose fired a second 40mm round into the rear window and it broke. Sergeant Rombach told Officer Ambrose to fire a C.S. gas round into the vehicle. Ambrose fired a gas round into the vehicle. A few moments later, the suspect opened the driver door, came out quickly, pointed a firearm in Aagaard's direction and fired at least one round. Aagaard fired his rifle from a standing position approximately four times and was not sure if his round struck the suspect. Aagaard was standing in the open driver door of a Richmond Police Department patrol car with the front of the rifle resting on the top of the patrol car door. Aagaard believes he was at the second or third patrol car from the left. Officer Ambrose was to the right of Aagaard and there were other officers near him.

Aagaard said he feared for his life and safety as well as the lives and safety of the other officers and the general public. I presented four aerial photos that were taken by the C.H.P. aircraft to Aagaard who identified his position when he fired his rifle. Aagaard signed back of photo one.

Aagaard said the police car he was standing next to was used as an approach vehicle. Aagaard transitioned from his rifle to his handgun during the approach and held the ballistic shield. The suspect appeared to have a slight muscle reflex as he laid on his back when Aagaard and the other officers approached. Aagaard saw a firearm on the ground next to the suspect. Other officers cleared the suspect's vehicle and Officer Raftery started medical aid on the suspect. The suspect was loaded into the unmarked Fairfield van Aagaard was in earlier and then transported by Strickland and others to the hospital.

Aagaard was approximately 40 yards from the suspect when he discharged his rifle. Aagaard's rifle has a red dot electronic optic sight with three times magnification that is always on and sighted in to Aagaard. Aagaard aimed for center mass when he fired his rifle at the suspect.

D.D.A. Brouhard asked Aagaard about the briefing prior to operation and Aagaard said he saw several photos of the suspect with rifles and was told the suspect made comments about not going into handcuffs or back to prison. Brouhard asked if there was any other information than the gun manufacturing and Aagaard said the suspect was wanted for homicide.

Brouhard asked Aagaard about what information he received and Aagaard said he and his team received information that the suspect was "Hammered up" (armed with a gun) and that he was going to die that day. Most of the information was provided while Aagaard and his team were entering Richmond. The updates were being provided to Sergeant Rombach via cell phone. The police radios were used as line of site communication for the undercover units.

Aagaard told Brouhard that he "Charged" (Chambered a cartridge) his rifle prior to leaving Napa. Aagaard kept his rifle with him after the shooting and did not unload it until it was inspected in Richmond.

Aagaard told Brouhard that he only saw the suspect when he rolled down the window and put his hands out the window. Aagaard said approximately five seconds elapsed from the time the last less lethal round was fired into the suspect vehicle until he exited and fired his weapon. Aagaard fired his rifle until he deemed the suspect was no longer a threat when he fell to the ground. Brouhard asked if Aagaard heard any commands being given to the suspect and Aagaard said he heard commands being given as he arrived and for a while after his arrival.

Aagaard's attorney, Julia Fox asked to clarify his statement regarding he was sure the suspect fired one time for sure and if he meant he was sure the suspect fired one time or he was sure the suspect fired at least one time or maybe more. Aagaard said he was sure the suspect fired his gun at least once and maybe more. Aagaard said his backdrop was clear because he was to the left of the suspect vehicle.

Inspector Galindo asked Aagaard to demonstrate the firing position the suspect was in when the suspect fired his weapon and Aagaard brought both of his hands together in a cupped position, arms extended, also known as the universal sign of shooting.

Inspector Galindo ended the interview at 1430 hours.

Subject officer Richmond P.D. Sergeant Donovan Decious #1416

On 09/28/17 at 1440 hrs., I interviewed Richmond Police Sergeant Donovan Decious 1416 call sign G103. I admonished Decious of his rights and he agreed to be interviewed and signed the admonition form. The following people were present: Decious' attorney, Julia Fox (Rains, Lucia, Stern), Alameda County District Attorney Inspector, Gus Galindo Alameda County Deputy District Attorney John Brouhard and Alameda County Deputy District Attorney David Cook.

Decious told me he was working as a Police Sergeant in the Gang and Parole Unit. Decious wears a drop style pistol holster that he believes is a Safariland holster. Decious said he carries a Nighthawk GRP 1911 style .45 caliber handgun that is equipped with a tactical light and is loaded with Federal brand .45 caliber 165 grain ammunition. Decious had a 7 (Seven) round magazine with one chambered in the firearm. Sergeant Decious was driving one of the fully marked, black and white Chevrolet four door, four seat sedans either number 40 or 41.

Decious said he was driving to work in his undercover Hyundai Santa Fe vehicle in the area of Hilltop Parkway in Richmond when Richmond dispatch radioed a suspect wanted for murder was being pursued by C.H.P. was last seen in the area of 28th and Lowell. Decious said the suspect was driving a black S.U.V. Dispatch later corrected the transmission and said the C.H.P. was not in pursuit and they were trying to catch up to the suspect via helicopter. Marked and uniformed Richmond units began looking for the suspect vehicle. Decious requested more

information about the suspect on channel two and was told by Richmond dispatch that the suspect said he was not going back to prison and he was going to die today.

A Richmond motorcycle officer located the suspect vehicle at Barrett and 7th and provided the license plate and description. Sergeant Llamas got behind the suspect vehicle and began to pursue it. Sergeant Llamas radioed the speeds reached 100 M.P.H. and that spike strips were used to disable the suspect vehicle. The suspect vehicle's left side tires were deflated.

Decious said the pursuit continued to the maze in Oakland. Detective Michael Richiuto sat in the back seat of a marked unit. Detective Tony Diaz sat in the front seat. Decious responded to the shooting scene code three because officers were requesting additional units and a S.W.A.T. presence was going to be needed. Decious and Diaz are S.W.A.T. members.

Decious, Diaz and Richiuto arrived at the scene on the freeway and parked their vehicle next to the other approximately six or seven other Richmond P.D. vehicles that were fanned out. Officers took position of cover in the doors of their cars. Decious immediately contacted Llamas to formulate a plan before Fairfield Officers arrived from Vallejo.

Officers were focused on the black S.U.V. that was disabled between the number three and four lanes of westbound I-80. The driver was a black male who was lowering and raising the driver window and the black male's head and hand coming out of the window.

Decious said Fairfield P.D. arrived and they formulated a plan to apprehend the suspect. Fairfield said they were going to use a forty millimeter gas round. Announcements were made to the suspect to come out of the vehicle and surrender.

One of the Fairfield officers discharged a 40 mm round and it struck the back of the S.U.V. and ricocheted to the side. The suspect asked, "What are you shooting at me?" The Fairfield officer discharged a second 40 mm round at the S.U.V. that went through the rear hatch and released gas. Decious saw some movement inside the vehicle, the driver exited the driver door, spun around into a shooting position (Squatting at the hips and arms extended) and fired two rounds toward Decious and the other officers. Decious fired approximately five rounds toward the suspect.

Richmond P.D. Officer Reyna's K9 Ranger ran to the suspect who was down on the ground and bit the suspect's right hand. Decious saw a handgun next to the suspect's left hand. The magazine to the gun appeared to have been ejected from the suspect's gun. The suspect was on his back with his head facing Westbound.

Four to five officers lined up on the driver and passenger side of the patrol car as Decious slowly drove up to the suspect to ascertain if there was any other suspects in the suspect vehicle. Officers commanded the suspect to show his hands and roll over. Decious handed off his expandable baton to an officer. Decious does not know who shattered one of the rear windows on the suspect vehicle and determined no other people were in the vehicle.

Decious ordered a code three medical to transport the suspect while one of the Richmond officers applied a tourniquet and started compressions. A.M.R. arrived on scene and transported the suspect in Fairfield P.D.'s minivan to S.F. General Hospital. Richmond P.D. Anthony Diaz was in the minivan when the suspect was transported to San Francisco.

Decious said officers at the scene were then sequestered and transported to the Marriott Hotel in Richmond where Decious changed his clothing and waited to be interviewed.

Decious said he believed his life was in danger when the suspect shot at him and Decious was targeting the upper torso.

I showed Decious aerial drone photos of the scene and he marked where he was on the scene and the vehicle he was driving. The drone photos and video were recorded by the Alameda County Sheriff's Office on the day of the shooting.

D.D.A. Brouhard asked Decious about how the suspect came to their attention. Decious said Fairfield Police Department Sergeant Frank Piro called him and told him that Fairfield P.D. arrested one murder suspect, but not the second murder suspect. Richmond P.D. dispatch radioe [REDACTED]

[REDACTED] Brouhard asked if there was any other information about the suspect and Decious said he didn't remember where he heard it, but he heard the [REDACTED]

Brouhard asked Decious about the shooting itself and Decious said he heard one distinct pop and saw smoke come from his gun. Decious said there was a bang-bang, Decious bobbed and weaved, came into a firing position and fired his weapon. Decious no longer saw the suspect in his sights, looked at the ground and saw the suspect was on the ground. Decious said K9 "Ranger" ran up past Decious' right side to the suspect and made K9 contact. Decious said there were a lot of the Fairfield SWAT members next to him, Sergeant Llamas and Anthony Diaz were next to him. Decious said he fired approximately four to five times at the suspect. Decious said he holstered his weapon and said he drew it another time when he drove the patrol vehicle up to the suspect. Decious said he had it at the low ready or may have had it extended, but did not reload it after the shooting up to the point it was inspected in the break room at the Richmond Police Administration Building.

Inspector Galindo asked Decious about his uniform and Decious said he was wearing a black utility uniform shirt with Richmond Police Department patches on each shoulder, name tag with Decious' name, cloth sergeant stripes and S.W.A.T. tag, blue jeans, tennis shoes, nylon duty belt with pepper spray, baton, handcuffs and gun holster, magazine holders, radio holder and a black baseball hat with a gold star with Richmond Police on it.

Inspector Galindo asked Decious about the difference between channel one and two. Decious said everyone has channel one and it is the primary channel. Channel two is the secondary channel and is for direct conversation and warrants checks with dispatch. The interview ended at 1533 hrs.

Witness officer with the Fairfield Police Department, Michael Ambrose was interviewed on 09/28/17 at 1543 hrs.

Julia Fox (Rains, Lucia & Stern), Alameda County Deputy District Attorney David Cook and Alameda County District Attorney Inspector Gus Galindo were present in the room when I admonished Ambrose of his rights. Ambrose agreed to be interviewed and signed the admonition form. Ambrose's call sign and serial number are 1469. Ambrose's supervisor is Lieutenant Chad Tigurt.

Ambrose was wearing a gray S.W.A.T. uniform (Digital Camouflage) consisting eye protection, Fairfield P.D. S.W.A.T. patches and duty belt with drop pouch, Door stop, flashlight one inch nylon strap, tourniquet, protective mask and medical pouch, extra eye protection. Ambrose wears a drop style holster for his department issued 9 mm handgun. Ambrose said he gave officers a single tube 40mm launcher for inspection and processing at the hotel in Richmond.

Ambrose said he was a passenger in the department's unmarked minivan. Ambrose said John Fein was driving and Ambrose was the front passenger. Ambrose said he carries a 9mm Glock 17 with 17 department issued rounds in the magazine and one in the chamber. Ambrose carried two additional magazine with 17 round capacity.

Ambrose said the suspect was a homicide warrant suspect who said [REDACTED]

Ambrose verified the copy of the operational order distributed by his department that was provided to me for the interviews. The order was going to be a vehicle assault. Officers surveilled the suspect's home in Napa.

[REDACTED] The suspect saw the undercover car following him and the suspect began driving into oncoming traffic and other reckless driving maneuvers. Ambrose's team discontinued following the suspect because of his dangerous driving. Ambrose said [REDACTED]. Ambrose said there was also a [REDACTED]

C.H.P. fixed wing aircraft that was following the suspect vehicle.

Ambrose and his team followed the tracker signal into a city just off of highway 4 and IS-80 from Benicia. The suspect made a u turn came back toward them and they attempted to effect another vehicle assault, but the suspect saw the team and the assault was not successful. with no success. Ambrose's team leader, Sergeant Rhombach decided to discontinue their attempts to assault the vehicle due to the suspect's erratic driving in another school zone. The undercover cars lost visual of the black S.U.V.

The suspect then drove into Richmond where he was pursued from Richmond to the freeway in Emeryville. Sergeant Rhombach said the suspect vehicle was spiked and had come to a stop on the freeway. Ambrose's team drove directly to the scene on the freeway and stopped approximately 30 yards behind the the suspect vehicle.

Ambrose's team arrived on the westbound IS-80 facing southbound. Sergeant Rhombach, who is a team leader and S.W.A.T. team leader, told Ambrose to deploy the 40 mm less lethal launcher. Ambrose's team and the Richmond Police Officers began discussing a plan and their responsibilities. Ambrose said someone was giving verbal commands over a P.A. system. Ambrose said Fairfield was going to take primary on the incident. Ambrose was directed to shoot out the heavily tinted rear window of the suspect vehicle with a soft tipped round 40 mm to see the suspect. The first round went too low, hit the metal part of the tailgate, and skimmed off. The driver window went down and the suspect's hands came out. The suspect shouted something Ambrose could not hear. The suspect's hands went back inside and the window went back up. Ambrose loaded another soft tip round into the 40 mm and fired it into the rear window which caused a hole and spidered glass.

Ambrose was told to deploy a ferret round into the vehicle. Ambrose fired the ferret round into the area to the left of the license plate. Ambrose explained the ferret round is a cartridge meant to penetrate hard objects and once the round enters the inside of target, a dry dust like C.S. gas substance is released. The round entered the interior of the vehicle. Ambrose announced less lethal deployment each time he fired the 40 mm launcher.

Approximately ten seconds later, the suspect exited the vehicle with a handgun in his hand, raised the handgun and fired at least two shots. Ambrose heard officers return fire in the direction of suspect. Ambrose took cover behind as patrol car. Ambrose checked on the officers who were to Ambrose's rear, Officers Aagard and Sehr to make sure they were not hit. Ambrose saw the K9 run up to the suspect and bite his right arm.

Someone from Richmond P.D. got into the patrol car Ambrose was next to and both Richmond and Fairfield S.W.A.T. teams coordinated to move toward the suspect who was on the ground with multiple gunshot wounds and a handgun next to him with an ejected magazine with rounds still inside of it. Both teams cleared the suspect vehicle and then provided medical attention to the suspect. Ambrose, who is the S.W.A.T. team medic, ran back to the undercover van to gather his medical gear when A.M.R. personnel ran past him toward the suspect.

Ambrose said he fired all three 40 mm rounds from the same position. Ambrose said he fired the first round approximately 5-10 minutes from his arrival on scene. Ambrose fired the second round 3-4 minutes later and the third was fired 2-3 minutes later. Ambrose said he believes the total time between the first discharge and the third round was 6-7 minutes.

Dave Cook asked Ambrose what a C.S. gas does and Ambrose told him it causes tearing, snot, excessive salivation, burning to the skin and coughing. Ambrose told Cook that he saw the suspect's handgun flash twice. It appeared he was firing at Ambrose who was in fear of his life.

Inspector Galindo asked Ambrose about the suspect's position when he fired the handgun by describing the suspect's arms extended out in front of his, chest hands together as he pointed the gun at him. Ambrose agreed that was the position the suspect took prior to firing the handgun at him and the others. The interview concluded at 1624 hrs.

Subject officer Richmond Police Department Sergeant Chris Llamas 09/28/17 at

RFP004082

4/22/2019

1641 hrs.

Julia Fox (Rains, Lucia, Stern), Alameda County Deputy District David Cook and Alameda County District Attorney Inspector Gus Galindo were present during the interview. I admonished Llamas of his rights and he agreed to talk to be interviewed. Llamas signed the admonishment form. Llamas said his serial number is 1364 and his radio call sign is S54. Llamas said he was wearing a class B Richmond Police Department wool uniform that consisted of a long sleeve wool top, his sergeant badge, Richmond Police Department patches on each shoulder, name tag with S.W.A.T. emblem above it, duty belt with firearm, ammunition, pepper spray, Taser, ASP and radio. Llamas was wearing a Richmond Police cap. Llamas' duty holster is a Safariland A.L.S. (Auto Locking System).

Llamas said he was photographed and the shotgun he discharged was recovered by C.S.I. Cellular at the Richmond Police Department after the shooting. Llamas described the shotgun as a Remington model 870 pump action with 4 round magazine tube, pistol grip, and black synthetic stocks front and rear. The sights are iron sights. Llamas said he did not off load the weapon between the time he discharged it and the time where it given to C.S.I. Llamas said the ammunition was Federal brand buckshot that was issued by the department.

Llamas said he drove marked black and white Chevrolet Caprice patrol car number 50 with full overhead emergency lights and siren and auxiliary lighting.

Llamas said at approximately 0815 hrs., Richmond dispatch radioed a 187 P.C. suspect was driving through Richmond in the area of Barrett and 22nd Street. and assistance was being requested by the C.H.P. who had 4 units in route. C.H.P. advised they were not following the suspect vehicle, and that their air unit was following it. Richmond Police Motorcycle unit Officer Riley radioed he picked the vehicle up at 6th or 7th and westbound Nevin Street in Richmond. The vehicle was westbound on Nevin from 6th. Llamas saw a patrol vehicle and Officer Riley behind the suspect vehicle.

Llamas got behind the vehicle and pursued the suspect vehicle westbound on Nevin at approximately 50-60 M.P.H. Llamas said he was behind Officer Campos. The suspect failed to stop for the stop sign on Nevin to southbound 4th street and crossed over Macdonald and failed to stop for the stop sign. The suspect drove eastbound on Bissell and southbound on 8th and eastbound on Chanselor and southbound on Harbor way across Cutting onto eastbound I-580.

Suspect drove 80-100 MPH into Albany where the CHP air unit announced it was still overhead and CHP unit s were going to deploy spike strips. The suspect drove onto the right hand shoulder from the number one lane at 60-70 mph. A large dump truck had to move into the dirt area to avoid being hit by the suspect vehicle. Llamas became the lead pursuit vehicle during this time. The suspect acted like he was going to take the University off ramp and the CHP deployed the spike strips. Llamas radioed the spike strips were successful. The front driver tire of the suspect vehicle exploded. The suspect continued driving a mile and a half on the rim and collided with the right median and then traveled into the left median. The suspect vehicle came to a stop.

Additional support officers arrived. Officer Campos, who is a trained crisis negotiator, began C.I.T./crisis negotiation over the P.A. over 30 times. The driver rolled down all the windows and show his hands and opened the rear hatch and closed it a few times, approximately three times. The suspect would yell something Llamas could not understand. Richmond dispatch radioed the suspect was supposed to be armed with a pistol and that he would not go back to jail. The negotiations continued for approximately 15-20 minutes.

The suspect moved his vehicle southbound approximately 3/4 of a mile. Llamas said the suspect moved his vehicle twice. Officers followed and repositioned their vehicles in a fan. Fairfield P.D. S.W.A.T. arrived on scene and agreed to take tactical control of the scene. Fairfield said they were going to deploy a bean bag or less lethal round into the suspect vehicle. Then deploy gas after breaking the windows.

Approximately 5 minutes later Fairfield fired a less lethal at the window and it did not shatter the window because it was too low. The second round punctured the window, but did not completely shatter it. The third round was some type of

tear gas. Approximately 30-45 seconds after the third round, the driver door window rolled down, the driver door opened, his right foot came down and he immediately turned around and faced the officers. Llamas saw a black semi auto handgun in the suspect's right hand. He raised it with a two handed grip and saw a flash and heard the shot. Llamas knew the shot was at Llamas and the other officers. Llamas perceived the shot as a deadly threat and Llamas fired two buckshot rounds from the shotgun at the suspect. Llamas said the suspect's arms were parallel to the ground. The suspect fell to the ground. Llamas estimated the distance he fired at the suspect to be 50 feet.

A Fairfield sergeant requested a Richmond car to approach the suspect. Fairfield officers lined up on the left side of a Richmond P.D. car and three or four Richmond officers plus Llamas approached the suspect on the right side of the same patrol car. Once the suspect vehicle was cleared of any threats, Richmond Officer Diaz along with Fairfield officers provided first aid to the suspect. Richmond Police Sergeant Pomeroy took over scene control due to Llamas and Richmond Police Sergeant Decious both firing their weapons.

Llamas marked the position and his vehicle's position aerial photos from the drone photos. Llamas said he activated his body worn camera sometime during the pursuit.

Subject officer Fairfield Police Department Officer John Divine #1234 09/29/17 at 1322 hrs. to 1404 hrs.

Justin Buffington (Rains, Lucia & Stern), Alameda County Deputy District Attorney Kevin Wong and Alameda County District Attorney Inspector Caesar Basa were present during the interview. I admonished Divine of his rights and he agreed to be interviewed. Divine signed the admonition form.

Divine told me he was photographed by a female CSI technician in a break room at the Richmond Police Department. The round count of Divine's weapon was done by Emeryville Police Detective Edward Mayorga and a female police officer at the Marriott Hotel in Richmond.

Divine described his uniform as a Crack Precision multi cam pant and top with a level 3 vest and ballistic carrier with a tan ballistic helmet. Police patches on front and back on the vest Fairfield S.W.A.T. patch on arm. Duty holster on thigh, two extra handgun magazines, M4 mag on vest. Accuracy International .308 caliber rifle. Laser range finder and binoculars in back pack.

Divine drove what he believed was an unmarked Chevrolet minivan with Ambrose as the right front passenger, and Officers Agard, Pulsipher and Sergeant Rombach in the vehicle.

Divine said his Accuracy International .308 caliber bolt action with 10 round magazine rifle is department issued and is not modified. It has a 3.5 power scope. The rifle is assigned to Divine.

Divine he and his team were briefed on the suspect manufacturing illegal high power rifles and his criminal history. Divine said [REDACTED]

[REDACTED] Fairfield Police officers followed the suspect into other cities where [REDACTED]

[REDACTED] The suspect knew he was being followed and began driving recklessly against traffic and not stopping for red lights. Divine's team dropped back due to the recklessness of the suspect's driving.

[REDACTED] Richmond Police located the suspect vehicle pursued it. The suspect vehicle had been spike stripped by C.H.P.. The suspect vehicle came to a stop on the freeway and it became a barricaded subject with negotiations being done by Fairfield C.N.T. via telephone.

Divine and his team arrived on scene where he grabbed his rifle and bag and communicated with Officer Strickland on posting up their positions; Divine on the left side and Strickland on the right. Divine was to the left of a Richmond

Police car. Divine could see the suspect through the driver window both up and down. The suspect drove his vehicle again. Divine and the others re positioned themselves in the same static line further down another 20 yards. Divine could hear P.A. announcements for the suspect to put both hands out the window. The suspect put his left hand out, and then put the second hand out. The suspect then put his hands back inside the vehicle. The suspect did this a second time.

Divine said he heard [REDACTED]

[REDACTED] Divine said he heard the launcher discharging less lethal at the suspect vehicle.

The first round was not as productive as they wanted it to be. Officers launched a second round of less lethal and it shattered the rear window. The suspect, Demilo, yelled, "What are you shooting at me? What the fuck are you shooting?" A third, 40 mm less lethal ferret gas round was fired into the suspect vehicle.

Divine saw the suspect vehicle driver door open, the suspect exit the vehicle, his left hand come down, as his torso turned, Divine could see a handgun in the suspect's right hand. He spun, and saw the suspect fire a shot. Divine fired one round at the suspect's upper chest. it appeared to Divine that the suspect fired two additional rounds. The suspect fell to the ground. Divine loaded another round into the chamber of his rifle. Divine came off his sights once officers approached the suspect.

Divine's expended casing landed was under a Richmond Police car. Divine alerted someone who had chalk. Divine circled a around the casing. Divine removed the chambered round in his rifle in Pulsipher's presence and re inserted it back into the magazine bringing the total to ten rounds.

Divine said he was looking at the suspect through his scope on his rifle. Divine said the round he fired from his rifle went into the suspect and he went down. Divine said he was approximately 25 yards from the suspect when he fired his rifle.

Divine marked his position during the shooting on an aerial photo taken by the C.H.P. aircraft.

Witness officer Richmond Police Sergeant Lynette Parker 10/03/17 at 0830 hours at Richmond P.D.

Detective Mayorga and I interviewed Sergeant Parker who told us her call sign was SR101. Parker was wearing her long sleeve class B wool uniform with Richmond Police patches on each shoulder, her name tag, her badge, sergeant stripes along with her basket weave duty belt and gear. Parker was asked to bring vehicle 1122 to the scene on the freeway. The vehicle was all black, no markings, the number 1122 and emergency equipment. Parker was alone in the vehicle when she drove it to the scene.

Parker looked at aerial photos of the scene and she did not see the vehicle she drove to the scene in the photo. Multiple Richmond Police vehicles were moved from the scene prior to the photos being taken.

Parker said she did not take any photos and did not have her B.W.C. with her.

Parker said the suspect attempted to drive his vehicle but it failed him. An officer was communicating with the suspect telling him to put his hands out the window, open the door with his left hand and get out of the vehicle to surrender.

Less than lethal was used to shoot out the back window to deploy gas. The suspect rolled down the window. The suspect looked in his driver side view mirror and stuck his head and hands out. The suspect got out with a firearm, raised it and fired it two times before she heard the volley of police gunfire.

Parker thought, "Oh shit!" and remained behind the ballistic door panel of the vehicle she was in. Parker said she did not fire her weapon because she was behind Richmond Police K9 Officer Reina and did not have a clear shot.

Parker said she chalked off the casings at the scene after the shooting. Parker said she did not write any supplemental reports tot his case.

Witness officer Richmond Police Officer Robert Wright #1742 10/03/17 at 0923 hours at Richmond P.D. with Detective Ed Mayorga 321.

Wright was in Field Training with Officer Reina and his call sign was 2K5. Wright was wearing a class B wool uniform with Richmond Police patches on each shoulder, badge, name tag and Axion body worn camera. Wright's B.W.C. was activated at the scene.

Wright said he was at the Richmond Police station when a radio call alerted officers of a 187P.C. suspect being pursued. Wright and his training officer Reina responded in vehicle 1131. Wright said the he joined the pursuit and saw the suspect driving on the right shoulder at around Bayview on eastbound I-580. Wright was the fourth or fifth car in the pursuit. The suspect drove over the spike strips the C.H.P. deployed at University Avenue in Berkeley.

The suspect's vehicle tires gave out and the suspect came to a stop. Sergeant Llamas told someone to get on the P.A. Wright got on the P.A. and announced Richmond Police department and to put his hands out the window. The suspect opened the rear hatch and put his hands up. The suspect then closed the rear hatch and moved the suspect vehicle forward. Officer Campos took over negotiating on the P.A. system.

The suspect vehicle then stopped again. Campos was still telling the suspect to come out with his hands up. The suspect exited the vehicle, reached in his waistband, pulled out a firearm and took a shooting stance. Wright said he was not able to discharge his weapon due to another officer being in front of Wright and being in back of the patrol vehicle.

I showed Wright aerial photos and he marked the photos where he was positioned when the shooting occurred. Wright said he saw the dog respond to the down suspect. Wright said a team of officers approached the suspect who was down. Wright was still behind the patrol vehicle and did not approach the suspect.

Wright's interview ended at 0937 hrs.

Witness officer Richmond Police Officer Jovan Walker #1634 10/03/17 at 1059 hrs. at Richmond Police Department with Detective Ed Mayorga.

Walker told me he was wearing a B.D.U. (Battle Dress Uniform) driving marked black and white Richmond Police patrol vehicle 1123 which is a Chevrolet Caprice. Walker heard via police radio that Sergeant Parker said it was clear for S.R.O. units to respond to the scene on the freeway. Walker said he followed Officer Finley to the scene. Upon his arrival, there were numerous patrol cars blocking the lanes. Walker retrieved his patrol rifle from the vehicle trunk. Walker positioned himself closest to the west wall west of the #5 lane.

I showed Walker aerial photos of the scene of the shooting. Walker marked the photo where he was positioned.

Walker was not sure what side of the patrol vehicle he was standing on when the shooting occurred. Walker had a visual of the passenger side of the suspect vehicle and could not see inside of it. Walker heard shots, saw the suspect falling and the gun fall out of the suspect's hand. Walker said he saw the suspect's arm from the middle of the forearm to his hand and it was extended. Walker could see the suspect's arm extending out from the rear of the suspect vehicle. Walker said he did not fire his weapon because he did not have a clear shot and there was cross fire issues with people on the other side of the freeway. Walker did not who fired first.

Sergeant Pomeroy asked if anyone was hit and then the officers moved toward the suspect who was on the ground. Officers cleared the suspect vehicle and began C.P.R. on the suspect. Sergeant Pomeroy told the shooters and non shooters to separate and not talk. Walker said his B.W.C. was on until after the shooting.

Walker said he went to get food with Officer Finley and then to the Richmond

Police station. Once at the Richmond Police station, Walker was notified to respond to the Marriott Hotel.

I ended the interview at 1115 hrs.

Witness officer Fairfield Police Sergeant Brett Morris #1224 10/04/17 at 1134 hrs. Fairfield Police Shooting Range 1717 Rex Clift Lane with Fairfield Police Department Sergeant Aaron Burch, Professional Standards Unit, and Detective Goodfellow.

Morris said he was assigned to the investigation of a homicide where Hodge was a suspect. Morris was not involved in the operational plan or the C.H.P. aerial unit. Morris said he communicated with Lieutenant Jacobsen via Morris' personal cellular telephone.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I ended the interview at approximately 1203 hrs. I re initiated my interview with Morris at 1211 hrs.

Morris said the case Hodge was being investigated for was a murder [REDACTED]

[REDACTED]

Morris said Fairfield Police planned a vehicle assault instead of a static assault due to Hodge having quick access to [REDACTED] and the large population near the residence. I ended the second recording at 1215 hrs.

Witness officer Richmond Police Officer Daniel Reina #1439 10/04/17 at 1525 hrs. was interviewed at the Richmond Police Department by me and Detective Lance Goodfellow. Reina was wearing a black B.D.U. uniform bearing Reina's name and Richmond Police patches. Reina was passenger in fully marked black and white 1131 with his trainee Wright who was driving.

Reina heard Richmond Police dispatch radio a 187 suspect was being pursued by the C.H.P. and assistance was requested. Reina saw the suspect vehicle in the area of Barrett and 6th Street. Officer Riley was pursuing the suspect vehicle

on his police motorcycle. Sergeant Llamas took over the pursuit because Riley was on a motorcycle. Reina and Wright were the third or fourth vehicle in the pursuit behind the suspect vehicle.

Officers in the pursuit traversed the city streets to the I-580 east freeway where the suspect failed to yield to officers' lights and sirens. At around the Bayview, the suspect drove on the right hand shoulder. Reina heard C.H.P. was going to deploy the spike strips. The spike strips were successful. The vehicle continued on I-80 past University. The suspect vehicle's tires deflated and the vehicle slowed and came to a stop in the middle of the freeway. Officers fanned their vehicles out in a felony stop position.

Reina was on the driver side of the suspect vehicle. Reina heard Officer Campos give commands over the P.A. Reina readied his K9 Ranger in case the suspect fled. The suspect was not moving, so Reina put his K9 back into the car. The suspect rolled down the windows and looked in his mirrors. The rear hatch came up and then closed.

The suspect drove forward approximately 40 yards. Reina saw the suspect looking all around in his mirrors. The Fairfield Police tactical team arrived and they planned to break the windows and deploy gas into the suspect vehicle.

The suspect vehicle started moving again another 20 or 30 yards. Reina walked his dog until the suspect vehicle stopped. Verbal commands were still being given to show his hands and exit the vehicle.

The suspect exited the driver door of the suspect vehicle, pulled out a gun and Reina saw a flash. Reina believed he was being shot at, went to deploy his rifle and by the time he did, the suspect was down. Reina did not discharge his weapon.

Reina deployed his K9 to the suspect to confirm the suspect was down and was not lying in wait. Reina determined the suspect was down and recalled his K9. Reina put his K9 in the back into his patrol car.

Reina, Detective Richiutto, Sergeant Llamas and the Fairfield Police tactical team approached the vehicle. Reina, Richiutto and Llamas approached the suspect vehicle on the passenger to verify it was clear. The Fairfield tactical team cleared the vehicle.

Reina maintained scene security and then drove to the Richmond Police Department where his round count took place.

Reina said his K9 keyed on his hand gesture when Reina raised his rifle and pointed it at the suspect. Reina did not give the verbal command to his K9 to apprehend. Reina let go of his K9 briefly when he brought his rifle up into the firing position. Reina said his K9 is S.K.I.D.D. trained.

I showed Reina an aerial photo of the scene and he marked he and Wright's position. Reina identified his vehicle as the one second vehicle west of the center divide/gore point.

I ended the interview at 1544 hrs.

Witness officer Richmond Police Department Dedrick Riley #1380

On Thursday, 10/05/17 at 0846 hrs., Detective Goodfellow and I interviewed Officer Dedrick Riley #1380. Riley was interviewed at the Richmond Police Department Police Administration Building as a witness and did not discharge his firearm. Riley was assigned as a motor officer at the time of the officer involved shooting. His radio call sign was T40 and his supervisor was Sergeant Aaron Pomeroy. Riley was wearing his body worn camera

Riley heard radio traffic from Richmond Police that the C.H.P. helicopter was tracking a 187 suspect out of Fairfield. Riley saw the suspect vehicle at westbound Barrett Avenue at 7th Street. Riley radioed the vehicle was traveling southbound on 7th from Barrett. The patrol cars took primary in the vehicle pursuit due to Richmond Police pursuit policy. Riley paralleled and followed the pursuit up to the termination point on the freeway. Riley said the suspect

vehicle spike stripped causing it to stop while on I-80.

Riley took a position of cover behind the second vehicle east of the K rail at the number 4 lane of westbound I-80. Riley said he heard Officer Campos began negotiating through the P.A. system. The suspect re-positioned his vehicle stopped a second time. The suspect then re-positioned his vehicle one more time and stopped in the middle of the freeway. Officers used less lethal weapons.

Riley could not see the suspect in the suspect vehicle. Riley said the suspect opened the tail gate to his vehicle and put his hands up after he stopped the first time. He closed the tailgate and moved his vehicle. Riley and other officers re-positioned and that's when Riley could not see the suspect because of his Riley's position and the tinted rear windows. The suspect re-positioned his vehicle the second time.

The first less lethal round ricocheted off the glass, the second penetrated the glass and third round, Riley only saw the glass move. The suspect came out of the vehicle seconds later and fired his gun immediately at the officers. Riley said the suspect fired at least one round, maybe two rounds. Riley saw the suspect's entire body when he exited the suspect vehicle and fired at officers. Riley did not fire his weapon because his backdrop was numerous motorists.

Riley said the K9 was deployed and then returned. Officers checked each other for wounds. The S.W.A.T. team cleared the suspect vehicle and rendered the scene safe and administered first aid to the suspect. Riley remained on scene awaiting instructions on whether he was going to follow the suspect to the hospital or or help with scene evidence.

Riley initially rode his motorcycle back to the Richmond Police Department and then to the Marriott Hotel where he was told to respond for an interview. Riley did not using any recording devices or talk to anyone outside of the department about the shooting. Riley said no one did a round count on his department firearm.

Riley did not have any other firearms other than his service pistol. Riley marked his position on an aerial photo of the scene.

I concluded the interview at 0904 hrs.

Witness officer Richmond Police Department Sergeant Aaron Pomeroy #1287

On 10/03/17 at 0848 hours, Detective Mayorga and I interviewed Richmond Police Department Sergeant Aaron Pomeroy #1287 at the Richmond Police Department P.A.B. 1701 Regatta Boulevard. Pomeroy's radio call sign was T106 was wearing full police uniform consisting of a short sleeve wool shirt with two (2) Richmond Police Department patches, his Sergeant badge, Sergeant patches (Chevrons) and blue "Riding" motor pants. Pomeroy was at the Richmond Police Department P.A.B. when he heard Sergeant Llamas radioed he needed additional officers when the suspect crashed and came to a stop on the freeway. Pomeroy drove white Ford Explorer #1173 with subdued Richmond Police decals on the doors.

Pomeroy responded to assist Sergeant Llamas because he was the only supervisor on scene. Pomeroy was shown aerial photos of the scene and he identified his position on one of the photos. Pomeroy initialed one of the photos. Pomeroy initially heard C.H.P. air unit was requesting assistance with a suspect vehicle in their city when he was the P.A.B. Officers located the vehicle and it failed to yield. When Pomeroy arrived on scene, Pomeroy and other officers discussed developing a tactical plan. Officer Campos, who is a C.N.T. (Crisis Negotiating Team) member, was on the P.A. negotiating with the suspect to surrender and come out with his hands up. The suspect moved his vehicle at least one time approximately forty to fifty (40 to 50) feet. Pomeroy said the negotiating went on for approximately twenty (20) to thirty (30) minutes.

Fairfield Police S.W.A.T. arrived on scene. A sergeant from the Fairfield S.W.A.T. came up and took the initial role of supervisor as the Fairfield team. The Fairfield Sergeant said Fairfield P.D. was going to take primary on the incident due to them having a case on the suspect. Fairfield said they were going to use a 40 mm round to knock the back window out and see what was going on inside the vehicle. The suspect put his window down and his hands out of the

window a couple of times and then put the window up.

The first round bounced off the vehicle like a foul ball. The second round went into the back window, but the tint kept the glass in tact. The third round was a gas round. Approximately sixty to ninety (60-90) seconds after the gas round, the suspect exited the car quickly, spun around and fired at least one round from his semi auto gun from his right hand at the officers. Pomeroy ducked. He heard multiple rounds from law enforcements guns. By the time Pomeroy reacted, the suspect was on the ground. Pomeroy did not fire his weapon. Richmond Officers Reina and Mendler were next to Pomeroy. Reina's K9 went out to the suspect. Pomeroy yelled cease fire because he did not want the K9 shot. Reina commanded his K9 back. The K9 came back.

Officers used a patrol car to approach the suspect and his vehicle tactically to clear the vehicle and render medical aid to the suspect. Pomeroy saw two paramedics run up and render medical aid. The paramedics said their ambulance was way back in the traffic jam and requested another vehicle for transport. Fairfield P.D. brought their unmarked Ford Aerostar van up and placed the suspect into the van. Fairfield P.D. and the paramedics transported the suspect to San Francisco General Hospital. A Richmond P.D. Officer Tyner escorted the van to S.F. General in his marked black and white patrol vehicle.

Sergeant D. Decious was also on scene and said he was a shooter. Pomeroy told the Richmond officers to divide into shooters and non shooters groups. Pomeroy continued to handle administrative duties by having officers getting out of the scene, maintaining the scene and handling tasks. Pomeroy spoke to [REDACTED] he was okay. Pomeroy did not take any photos. Pomeroy said he had his body worn camera on him, but did not activate it. Pomeroy did not write any reports. Pomeroy transported Officer Diaz to the Richmond Police Department from the scene after Diaz was transported to the scene from S.F. General. Pomeroy does not know how Diaz came back to the scene after transporting the suspect to S.F. General. A civilian technician photographed Diaz and recovered his firearm at the police station. Richmond Police Officer C. Palma was Diaz's sequester officer who transported Diaz to the Marriott Hotel in Richmond.

The interview ended at 0913 hours. Refer to Detective Mayorga's supplemental report for further details.

Witness officer Richmond Police Department Khala Finley #1685

On 10/03/17 at 1009 hours, Detective Mayorga and I interviewed Richmond Police Department Officer Khala Finley #1685. Finley's call sign was SR6. Finley was wearing her police uniform consisting of her uniform pants and shirt, two Richmond Police patches on the shoulders, silver Police Officer badge (Star), name plate, basket weave duty belt and her body worn camera. Finley drove marked black and white Ford Crown Victoria #104 that had overheard emergency lights and siren.

Finley was cleared to respond to the scene by her supervisor, Sergeant Parker, if further help was needed. Finley heard through Richmond dispatch [REDACTED] Finley responded code three to the scene. Finley took a position of cover behind a patrol car. Finley said Officer Tagorda was in the driver seat of the vehicle Finley was using as cover. Finley said an officer east of her position was giving orders to the suspect to put his hand out the window. Officers shot the non lethal gun to the back window of the suspect vehicle and it ricocheted. The second round broke the rear window.

The suspect then came suddenly out of the driver side. Finley saw a firearm and the officers to the east of her fired at the suspect. Finley did not fire her firearm because she saw the suspect was already struck by the other officers' gun fire. Finley said she saw the suspect raise the gun up. Finley did not see the suspect's gunfire, but heard the shot. Finley said the K9 went out to the suspect and bit the suspect's arm and then came back. Officers secured the firearm, cleared the suspect vehicle and performed C.P.R. on the suspect. Officers transported the suspect to the hospital in a van.

Finley did not record or document the shooting other than her body worn camera.

Finley activated her body worn camera when she drove code three from Richmond and turned it off after the shooting. Finley phoned [REDACTED] Finley drove herself back to the Richmond Police P.A.B. Finley did not transport any officers to or from the scene.

Detective Mayorga ended the interview at 1024 hours. Refer to Mayorga's supplemental report for further details.

On 10/04/17 at 1056 hours, Detective L. Goodfellow and I interviewed Fairfield Police Lieutenant Jausiah Jacobsen at the Fairfield Police Department firing range located at 1717 Rex Clift Lane in Fairfield. Sergeant A. Burch with the Fairfield Police Department Professional Standards Unit was present.

[REDACTED]

[REDACTED]

[REDACTED]

Jacobsen said his radio call sign was S.W.A.T. 1 and he was on channel SECA and CALAW.

C.H.P. contacted Richmond P.D. and advised them [REDACTED]
[REDACTED] Richmond P.D. called Jacobsen who provided them with [REDACTED]
[REDACTED]

Jacobsen responded to the scene to coordinate with Richmond P.D. and his own officers as to what occurred and the after action needs. Jacobsen learned his personnel were taken to Richmond P.D. and then to the Marriott Hotel. Jacobsen went to the Marriott Hotel and checked on personnel. Jacobsen was driving a black Ford Crown Victoria slick top being driven by Fairfield P.D. Sergeant Piro #730.

Detective Goodfellow ended the interview at 1115 hours. Refer to Detective Goodfellow's supplemental report for details.

Witness officer Fairfield Police Department Officer Nate Strickland #1218

On 10/04/17 at 1228 hours, Detective Goodfellow and I interviewed Fairfield Police Officer Nate Strickland #1218 at the Fairfield Police Department shooting range at 1717 Rex Clift Lane in Fairfield. Fairfield P.D. Professional Standards Unit Sergeant A. Burch was present during the interview.

Strickland was assigned as a S.W.A.T. sniper and driver of the black slick top police car with Officer Sehr. Strickland was to loose trail Hodge's vehicle until instructed by Sergeant Rhombach to do the assault. Strickland attended the briefing and vehicle assault training at the briefing room at their police department that was approximately thirty minutes long.

Strickland and the others surveilled Hodge in Napa from the [REDACTED]
[REDACTED] The vehicle assault failed due to traffic issue interference. Hodge fled onto the highway I-780. Strickland believes they picked Hodge back up on a surface street in Crockett.

Strickland attempted to do another vehicle assault that was unsuccessful. Strickland said Hodge drove into Richmond where he was pursued from Richmond to somewhere on I-80 in Emeryville. Sergeant Rombach said Hodge's vehicle was stopped after being spike stripped by the C.H.P., there was a stand off and they wanted the Fairfield team to respond.

Upon Strickland's arrival, he saw about a dozen officers and a line of Richmond cars. Hodge's vehicle was damaged in the middle of the freeway about 30 to 40 yards in front of the police cars. Strickland heard a Richmond officer trying to communicate with Hodge. Strickland identified where he took a sniper position near the west wall on the freeway closest to the bay. Hodge moved his vehicle. An announcement to deploy less lethal was made. The first round fired from the less lethal did not penetrate. The second round penetrated the back window. After the second round, Hodge got out of the car seconds later and Strickland heard gunfire. Strickland was looking through his rifle scope and only saw Hodge's feet and not the threat. Strickland said he did not have a clear shot anyway due to the backdrop with the motorist on the other side of the freeway. Strickland was positioned to the rear of the passenger side of Hodge's vehicle.

Fairfield and Richmond officers made sure everyone was okay. Strickland put his sniper rifle in the trunk of his vehicle. Officers approached Hodge's vehicle to clear it and to secure Hodge. Once the car was cleared, two medics approached and worked on Hodge. Sergeant Rombach separated shooters from non shooters. A request was made to use Fairfield's van to transport Hodge because he was too big to fit in the patrol car.

Strickland drove the van to transport Hodge along with the two medics and a Richmond officer to the Zuckerberg General Hospital in San Francisco. Once they arrived at the hospital, hospital staff took over. Richmond officers followed Hodge into the E.R. Strickland was instructed by his Lieutenant Jacobsen to make sure a San Francisco Deputy remained with the body. Strickland was told by a Richmond officer that the S.F. deputies were going to stay with Hodge. Strickland stayed with the van and never left it at the hospital for approximately two hours. Lieutenant Jacobsen to respond to the Marriott Hotel in Richmond after he left the hospital. Strickland drove back to Richmond in the van by himself.

Strickland wore his S.W.A.T. sniper uniform consisting of his multi cam design, Fairfield Police S.W.A.T. patch on the front and police markings, tan helmet and raid vest.

Refer to Detective Goodfellow's supplemental report for further details.

Witness officer Fairfield Police Department Officer Keith Pulsipher #1471

On 10/04/17 at 1305 hours, Detective Goodfellow and I interviewed Fairfield Police Department Narcotics Unit Detective Keith Pulsipher #1471 at the Fairfield Police Department shooting range located at 1717 Rex Clift Lane in Fairfield. Also present was Fairfield Police Department Professional Standards Unit Sergeant Aaron Burch.

Pulsipher said he was [REDACTED] Pulsipher conducted [REDACTED] Pulsipher was to gather intelligence [REDACTED] Pulsipher said he attended the operation briefing at the Fairfield Police Department briefing room on 09/27/17 at 0400 hours. After the briefing, Pulsipher and other team members practiced vehicle assaults at the Fairfield Shooting range. Pulsipher was assigned to breach the driver doors/windows of the target vehicles.

Pulsipher started the operation at [REDACTED] east of Hodge's residence. Pulsipher was in the gray minivan and there was a black slick top and a marked patrol car with him. The surveillance team alerted Pulsipher Hodge left his residence. Hodge was followed out of Napa into Benicia where the surveillance team lost visual of Hodge. [REDACTED] There was a delay on the tracker. [REDACTED]

[REDACTED] Hodge traveled to Pinole where Hodge dropped a female off at the Starbuck's on Pinole Valley Road. They confirmed the female did not get back into Hodge's vehicle. Pulsipher

shooting, but did hear it. [REDACTED] forwarded the videos from his phone to my department issued cell phone via wireless file transfer. I later memorialized the recordings onto a cd-r and entered it into evidence at the P.A.B. Refer to Detective Goodfellow's supplemental report for details.

On 10/18/17 at 0909 hrs., Detective Goodfellow and I interviewed San Francisco Sheriff Department Deputy Marielle Elliott #2236 at San Francisco General Hospital 1001 Potrero Avenue San Francisco 94110. Deputy Elliott was assigned to the S.F.G.H. Emergency Department when Hodge was brought into the hospital in a van. Elliott guarded Hodge for approximately an hour to an hour and thirty minutes. During that time, there were no visitors. Refer to Detective Goodfellow's report for further details.

I entered the following modified Miranda statement forms, E.P.D. 3 statement forms and aerial photos of the scene signed and/or initialed by following police officers into evidence at the P.A.B.:

Officer E. Aagard Fairfield P.D.

Sergeant D. Decious Richmond P.D.

Sergeant C. Llamas Richmond P.D.

Officer J. Divine Fairfield P.D.

Officer M. Ambrose Fairfield P.D.

Officer N. Strickland Fairfield P.D.

Officer R. Wright Richmond P.D.

Sergeant L. Parker Richmond P.D.

Officer J. Walker Richmond P.D.

Officer K. Pulsipher Fairfield P.D.

Officer D. Reina Richmond P.D.

I entered the following cd-r's, dvd-r's and thumb drives depicting body worn camera video, drone videos/photos and audio recordings into evidence at the P.A.B.:

Body worn camera video-Cdr's, dvd-r's and thumbdrive

Richmond P.D. Officer Diaz

Richmond P.D. Officer J. Walker

Richmond P.D. Officer K. Finley

Richmond P.D. Officer R. Wright

Richmond P.D. Officer D. Campos

Richmond P.D. Officer D. Riley

Richmond P.D. Officer Guzman

Richmond P.D. Officer Tyner

Richmond P.D. Officer D. Reina

Richmond P.D. Officer Tagorda

Richmond P.D. Officer Mendler

Richmond P.D. Officer L. Joseph

Richmond P.D. Sergeant C. Llamas

Fairfield P.D. Sergeants Pucci and Rombach along with C.H.P. aircraft aerial video (thumb drive)

Alameda County Sheriff's Officer aerial drone video and photos of scene (thumb drive)

Seven video files recorded on witness [REDACTED] iPhone 7

Audio recordings of Emeryville and Richmond Police Departments dispatch communications.

C.C.T.V. video recording of Hodge being brought into San Francisco General Hospital.

Supplemental Narrative 10/04/2017 00:12:29 Andrew Yu

On 9/27/17 I completed a "no-touch" tow of the suspect vehicle [REDACTED] under authority 22655.5(b) CVC. Berry Bros took custody of the vehicle.

Supplemental Narrative 10/04/2017 00:11:41 Robert Alton

On Wednesday morning at 1030 hours I received a telephone call from dispatch asking me to report to duty due to an officer involved shooting that occurred on the freeway and my assistance was needed.

I arrived in the city at around 1130 hours. I communicated with Lt Allen who advised me Captain Collins was the Incident Commander.

I responded to the scene upon request. I provided logistical support to the evidence technicians and provided scene security at the inner perimeter position.

Supplemental Narrative 10/04/2017 14:35:50 Pablo Rojas

On 10/3/2017 I responded to Berry Brothers Towing (2750 Alicia Street, Oakland) to execute a search warrant obtained by Detective Head for vehicle [REDACTED], black Chevrolet Suburban. Fairfield PD also responded to simultaneously serve a warrant they obtained.

I photographed the exterior of the [REDACTED]. The exterior of the vehicle contained numerous stickers. I located the following stickers on the vehicle:

- Barcode [REDACTED] (interior windshield just above dashboard VIN plate) (photos 5, 7-9)
- "Sacramento International Ground Transportation #2935" (right rear trunk window, bottom left corner) (photos 17-18)
- "City & County of San Francisco - San Francisco International Airport Authorized Limousine Permit, JAN 2018, Expires January 31, 2018, LP-171420" (Right side of rear bumper) (photos 19-21)
- "TCP 36171" (left side of rear bumper) (photos 15,16)

Both front tires were partially shredded and barely fixed to their respective rims. The rear driver side tire was flat and I could see a metal spike embedded in the tread of the tire (photo 30). The rear passenger tire was inflated and fixed to its respective rim. (refer to photos 1-3, 5, 10-17, 30) The roof exterior did not have any noticeable damage or distinct markings. (photos 11, 13) The rear windshield was shattered. Directly underneath the rear windshield, just above the license plate was a dent (item #A). I noticed the dent contained a blue rubber-like residue. (photos 22-24). On the rear trunk hatch, to the left of the rear license plate, was a projectile hole (item #B). The exterior of the hole contained a grey residue. The interior of the hole contained a pink powdery residue. (photos 25-26) The spike located in the tread on the left rear tire was marked as item #C.

I located an apparent bullet impact mark on the top of the driver side door frame (item #D). I located a bullet strike on the left front fender above the left front wheel well (item #E).

I photographed the interior of the Chevrolet. I located a bullet entry in the weather stripping located at the top of the interior driver door frame (item #F). I located a small piece of bullet fragment embedded in the door panel of the driver door. (item #G).

I located (4) apparent bullet holes on the lower left portion of the dashboard, left of the steering column (items H, I, J and K).

The driver side floor board contained glass shards, plastic fragments consistent to the plastic from the dashboard

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and an empty plastic water bottle.

On top of the dashboard was a black smart phone inside a plastic protective case (item #1). The smart phone was face up with a charging cord inserted in it. The cup holder in the center console contained a silver/black Springfield 12 round .40 caliber magazine (item #2). The magazine contained (11) unfired Winchester .40 S&W hollow point bullets. The center console compartment contained miscellaneous documents, business cards, writing utensils and a Fastrak transmitter (item #6).

Tucked inside the driver sunvisor were multiple limousine invoices (item #3). (photo 66-68) The glove box contained a black wallet with insurance cards for the vehicle (item #5). I also located multiple documents and a registration card for the vehicle. The registration card listed the registered owner as "Demilo Hodge, [REDACTED] (photo 77)

The passenger floorboard contained (3) sealed bottles of champagne and a case containing a drone.

Inside the trunk compartment I located a ferret projectile entangled inside a cargo net (item #4).

Officer Hintergardt took measurements of the bullet impact marks/holes and created a diagram for the items located inside the vehicle. (Refer to Officer Hintergardt's report)

I recovered the magazine with 11 bullets, paperwork from the driver visor, wallet containing insurance information and ferret projectile as evidence. Fairfield PD recovered the cell phone and Fastrak transmitter as evidence.

I took a DNA swab from the steering wheel and from the exterior of the center console lid. Each swab was packaged independently and dried prior to packaging. I subsequently logged the swabs into the EPD freezer.

Officer Hintergardt completed a property receipt for the items recovered as evidence. I left a copy of the property receipt and a copy of the search warrant with the vehicle.

At approximately 1300 hours, Officer Hintergardt and I transported the listed items to the police station. I packaged the items of evidence and logged them into property. The photographs were transferred to CD-R and logged into evidence.

Fairfield PD remained with the vehicle and arranged to have it towed to their facility for further investigation.

Supplemental Narrative 10/25/2017 13:50:39 Fredrick Dauer

On 9/27/17 at approximately 1645 hours I responded to the IS80 westbound on-ramp at Powell St and Frontage Rd to assist with moving Richmond Police vehicles from the on-ramp to the Emeryville Police Administration Building. I drove Richmond Police vehicle #40 from the IS80 on-ramp back to the Emeryville Police Administration Building (PAB). I parked and secured the vehicle in the rear fenced lot of the PAB. I placed the vehicle's keys on the table in the report writing room.

Supplemental Narrative 05/15/2018 11:14:27 Edward Mayorga

On 09/27/2017 at approx. 1057 hours, I was tasked to assist with an officer involved shooting involving Richmond PD and Fairfield PD. The shooting took place on WB I80 at Powell Street in Emeryville. A/Sgt. Head stated I would be assisting in evidence collection of the weapons that were discharged during the incident. I responded to the PAB and loaded the evidence collection gear. A/Sgt. Head stated Richmond PD Detective / CSI Technician Katie Cubit and on Officer Krimsky would be assisting me in the evidence collection along with taking photos of the involved officers. A/Sgt. Head told me the involved officers were sequestered and they would be staying at the Richmond Courtyard Marriott at 3150 Garrity Way in Richmond Ca. (RPD case # 2017-00073461)

After leaving the PAB, I drove to the scene and picked up Officer Krimsky. Officer Krimsky and I responded to the Courtyard Marriott in Richmond.

When I arrived at the location at approx. 1420 hours, I was met by Fairfield PD Officer Pena. Pena directed me to Richmond PD Detective/ CSI Technician Cubit. Cubit stated that all the involved Richmond PD officers had been photographed by Richmond PD and their guns were already secured at the Richmond PD Crime Lab.

At approx. 1452 hours we began to photograph involved officers, witness officers and their weapons. We also began to conduct a round count of the officers' rounds.

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The Officers were photographed in the following order by Det./CSI Technician Cubit. The list will show the approximate time the officers were photographed, their involvement, weapons in their possession and rounds in their possession.

1452 HRS Nathan Strickland - Fairfield PD

Witness Officer

1 Glock [REDACTED] 9mm [REDACTED] [REDACTED] rounds in weapon [REDACTED] extra magazines w/ [REDACTED] rounds each

[REDACTED] Accuracy International .308 CAL SN [REDACTED] [REDACTED] round Mag with 10 .308 Cal. rounds

Weapons were photographed and returned to Officer Strickland.

1506 HRS Michael Ambrose - Fairfield PD

Involved Officer- 40mm Less than lethal deployment

1 Glock 17 9mm [REDACTED] [REDACTED] rounds in weapon [REDACTED] extra magazines w/ [REDACTED] rounds each

1 - Penn Arms 40mm less lethal ([REDACTED]), attached TLR-2 Streamlight, Aimpoint Comp M2, ([REDACTED] 40mm Ferret CS rounds, [REDACTED] Exact Impact 40mm soft tip rounds in a black canvas bag.

Officer advised he deployed 2) 40 MM Exact Impact soft tip rounds and 1) 40MM CS Ferret round

Weapons were photographed and the Glock 17 was returned to Officer Ambrose. The 40 MM launcher was recovered for evidence.

1615 HRS Erik Aagard - Fairfield PD

Involved Officer M4- Discharged

1) - Colt M4 [REDACTED] with attached TLR-2 Streamlight, (1) Grip pod systems Bi pod with grip.

1) - rifle magazine from the rifle with [REDACTED] .223 rounds.

1) - rifle magazine with [REDACTED] .223 rounds.

3) - rifle magazines with [REDACTED] rounds each .223 rounds.

1)- Glock 17/ 9mm [REDACTED] [REDACTED] rounds in weapon

2)- extra magazines w/ [REDACTED] rounds each

Weapons were photographed, and the Glock 17 was returned to Officer Aagard. The Colt M4 with the rifle magazines was recovered for evidence.

1647 HRS Keith Pulsipher- Fairfield PD

Witness Officer

1) Colt M4 Commando [REDACTED]

4) Magazines with [REDACTED] rounds each .223 rounds

1)- Glock 17/ 9mm [REDACTED] 16+1 rounds in weapon

2)- extra magazines w/ [REDACTED] rounds each

Weapons were photographed and returned to Officer Pulsipher.

1708 HRS Shane Raftery - Fairfield PD

Involved Officer M4- Discharged

1) - Colt M4 rifle [REDACTED]

1) rifle magazine from the rifle with [REDACTED] including [REDACTED] from chamber .223 rounds,

1) TLR-1 Streamlight

1) Aimpoint Comp 3 optic.

1) Glock 17 9mm [REDACTED] [REDACTED] rounds in weapon

2)- extra magazines w/ [REDACTED] rounds each

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Weapons photographed were photographed and the Glock 17 was returned to Officer Raftery. The Colt M4 with rifle magazines was recovered for evidence.

1739 HRS James Officer Sehr - Fairfield PD

Involved Officer M4- Discharged

- 1) - Colt M4 rifle [REDACTED]
- 1) Trijicon ACOG with reflex sight
- 1) TLR-2 Streamlight
- 1) magazine from the rifle with [REDACTED] .223 rounds.
- 3) rifle magazines with [REDACTED] .223 rounds.
- 1) Glock 17 9mm [REDACTED] [REDACTED] rounds in weapon.
- 2) Extra Magazines w/ [REDACTED] rounds each.

Weapons photographed were photographed and the Glock 17 was returned to Officer Officer Sehr. The Colt M4 with rifle magazines was recovered for evidence.

1755 HRS John Divine - Fairfield

Involved Officer .308 sniper rifle-Discharged

- 1) - Accuracy International .308 rifle [REDACTED] with attached scope.
- 1) .308 rifle magazine with [REDACTED] .308 rounds. Rifle was in a black Pelican Storm case.
- 1) Glock 17 9mm [REDACTED] [REDACTED] rounds in weapon.
- 2) Extra Magazines w/ [REDACTED] rounds each.

Weapons were photographed and the Glock 17 was returned to Officer Divine. The .308 rifle with rifle magazine was recovered for evidence.

After recovering the weapons, I met with Officer Hintergardt who had just arrived at the Courtyard Marriott. At approx. 1957 Officer Hintergardt assisted me in loading all the weapons into his patrol car. After the weapons were secured in his patrol car I followed Detective Katie Cubits to the Richmond PD Administrative Building. When we arrived at the location all the weapons were removed from the EPD patrol car and taken into the Richmond PD Evidence Room. I signed the weapons over to Detective Katie Cubits. Prior to the weapons being transported it was decided by EPD Command Staff and Alameda County District Attorney Shooting Team the weapons would be transported to the Richmond PD evidence room for storage and transported to the Contra Costa County Crime Lab for processing on the following day. We secured the location at approx. 2300 hours.

On 09/28/17 at approx. 1025 hours, Detective Goodfellow, Detective Krinsky, and I responded to the Richmond PD Administrative Building. When we arrived at the location we met with the Alameda County District Attorney Inspectors that would be assisting us in conducting the interviews with the involved officers.

At approx. 1230 hours, I met with DA Inspectors Caesar Basa, Capt. Kevin Wong, and Jason Rikers. I was assigned to assist in the interview of Fairfield PD Officer James Sehr who was being represented by his Attorney John Murphy. At approx. 1250 hours we entered the room and sat down at the conference table.

We started the interview at approx. 1256 hours. Officer Sehr was admonished of his rights and he agreed to be interviewed. Officer Sehr signed the admonition form along with his attorney John Murphy and myself. Officer Sehr was advised that the interview was being recorded. Officer Sehr was also advised that he was not in custody and he was free to conclude the interview at any time.

The interview was started by Inspector Basa who was seated right next to me. The following is a summary of the interview with Officer Sehr.

Officer James Officer Sehr stated he works with the Fairfield Police Department and his serial number is 1573. Officer Sehr stated he is currently assigned to patrol. Officer Sehr stated he was hired by the Fairfield Police Department on December 14, 2014 and attended the Sacramento Police Academy in 2014. Officer Sehr stated he is right-handed and has received firearms training, quarterly rifle training, and defensive tactics training while at the Fairfield Police Department. Officer Sehr stated Fairfield PD is the only law enforcement agency he has worked for.

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Officer Sehr stated that on September 27, 2017 he was assigned to work a SWAT mission and he was part of the Napa Contingent. Officer Sehr stated the day started with a briefing at 0400 hours at the Fairfield Police Department. Officer Sehr stated his Supervisors for this mission was SWAT Team Commander Jausiah Jacobson and his Direct Supervisor Sgt. Kelly Rombach. Officer Sehr stated when they arrived at the briefing they received a 5-paragraph order. The order consisted of the situation, mission of the teams for the day, who would do vehicle assaults and the movement element for the mission. Officer Sehr stated the information was given during a Power Point during the brief.

Officer Sehr stated his job during the mission was to be the co-pilot assistant of the take-down vehicle to Officer Strickland who was driving a take-down vehicle. Their particular role in the mission was to do a vehicle assault on two subjects related to a Fairfield homicide. One of those Subjects was Demilo Hodge.

Officer Sehr was asked what type of holster he uses and he stated it is a drop-down holster situated on the right-side of his body due to him being right-handed. Officer Sehr stated his vehicle during the mission was a blacked-out Crown Victoria with no markings and integrated emergency lights and siren. Officer Sehr stated this type of vehicle is normally used for this type of vehicle take- down.

Officer Sehr was asked what type of weapon he had during the incident. Officer Sehr stated it was a Colt M4 5.56 mm short-barreled rifle equipped with an ACOG sight with a red dot sighting system. Officer Sehr was not able to provide the serial number during the interview. Officer Sehr was also unsure about the ammunition used, he could not remember whether it was 5.56mm or .223 caliber. Officer Sehr stated the ammunition brand name was Federal and issued by Fairfield PD. Officer Sehr stated that he has qualified on his department issued rifle through departmental range qualifications and SWAT training and is currently up to date on training. Officer Sehr was asked if he discharged his rifle during the incident and he said, "yes." Officer Sehr was asked if he had any other firearm on him during the time of the incident. Officer Sehr stated he had his department issued Glock 17 9mm pistol in the thigh holster. Officer Sehr stated he did not discharge his Glock 17 and there were no modifications done to the firearm other than a gun light on the Glock 17.

Officer Sehr stated his weapons were photographed and his rifle was taken for evidence. Officer Sehr stated a round count was also done on his weapons.

Officer Sehr was advised that we were going to ask questions pertaining to the events leading to the incident. Officer Sehr understood the directions and began to relay his accounts of the date of the incident.

Officer Sehr stated that on Monday September 25, 2017 he received notice there would be a squad operation on Wednesday September 27, 2017. He stated the briefing would take place at 0400 hours at the Fairfield Police Department. Officer Sehr stated Lieutenant Jacobsen and Sergeant Rombach would give out the 5-paragraph order consisting of what the situation, mission objectives, execution of the plan, administrative tasks, and the command and control element.

Officer Sehr stated Fairfield PD Detectives had been working a homicide investigation involving two different people and they were planning on taking them into custody. The briefing consisted of a Power Point where it split their group into elements. Officer Sehr stated he was part of the Napa team. The Napa team's goal was to conduct a vehicle assault on the Suspect by the name of Demilo Hodge. Officer Sehr stated they were provided photographs of Hodge and his background information. The information stated the case was related to a homicide that occurred in Fairfield in 2015. The background information on Hodge further stated

Officer Sehr stated his role in the operation was to be in the lead take-down assault vehicle with Officer Nathan Strickland. Officer Sehr stated as the take-down assault vehicle their job was to apprehend the suspect while they're mobile in their vehicle. Officer Sehr stated this tactic uses two vehicles. The front vehicle obstructs the suspect vehicle's path while the second vehicle pulls up with the assault team.

Officer Sehr stated their vehicle was a blacked-out Ford Crown Victoria. Officer Sehr stated they received the license plate to the black Chevy Suburban Hodge was going to be driving. Officer Sehr stated their staging area would be at the [REDACTED]. Prior to staging, the Napa team and Vallejo team went to the Fairfield PD and conducted rehearsals prior to embarking to the locations.

After the rehearsals Sgt. Rombach gave word for the Napa Team to head for the staging area. Officer Sehr further stated [REDACTED]

[REDACTED] Officer Sehr further stated that the no go criteria was if there were any juveniles in the car.

The Napa team was waiting at the staging location for about an hour, when at approx. 0800 hours advised Hodge was on the move with a juvenile in the vehicle. Officer Sehr advised that [REDACTED]

Officer Sehr stated due to the no go criteria being in effect they decided to do a loose tail on the suspect vehicle until [REDACTED]. The suspect vehicle was followed all the way to Benicia.

At some point during the loose tail Officer Sehr stated they received a go ahead from Sgt. Rombach to assault the vehicle due to the juvenile not being in the vehicle. Officer Sehr stated they maneuvered their way into position in an attempt to cut off the vehicle and him so the assault vehicle could assault the vehicle. Officer Sehr stated he does not know whether the maneuver tip Hodge off because he did a quick evasive maneuver out of his lane and got onto Interstate 780 at a high rate of speed. Sergeant Rombach gave the order not to follow Hodge. Due to having CHP overhead. Officer Sehr stated [REDACTED]

After breaking away from the suspect vehicle, the assault element pulled off in an industrial area in Benicia. Officer Sehr were then directed to [REDACTED]. Officer Sehr advised [REDACTED]. Officer Sehr stated they arrived at the location and parked in a wooded area and set up for another vehicle assault. As they were waiting the suspect vehicle passed them by they pulled out and attempted to conduct the vehicle assault. Officer Strickland sped up but the suspect vehicle accelerated away. The suspect drove the vehicle against traffic in front of the school. Due to the dangerous conditions they backed off the assault. The suspect vehicle failed to stop at the stop sign in front of the school and continued on [REDACTED] where they lost the suspect vehicle. Officer Sehr stated they received information the suspect vehicle was back on the freeway. Once on the freeway they were advise [REDACTED]

Officer Sehr stated that due to the traffic, they were able to catch up to him in their assault vehicle. Officer Sehr stated they got stuck in traffic near [REDACTED]. The suspect saw them and got off at the exit. The suspect drove the vehicle against traffic through the Richmond streets. Officer Sehr stated terminated their assault attempt. Officer Sehr stated they re-grouped at a retail store outlet and waited for further information.

At this time, they were advised that Richmond PD and CHP were in pursuit of the vehicle. They waited for the rest of the team and waited for further instruction. While they were waiting Officer Sehr stated information came in that someone had used stop sticks on the vehicle and they were now conducting a high-risk felony stop somewhere on 180.

At this point, Officer Sehr stated they were given the order to load up by Sgt. Rombach due to the suspect being a barricaded suspect inside in his vehicle on the freeway. Officer Sehr stated they respond to the freeway near Emeryville. Officer Sehr stated they responded with lights and sirens to the location. Officer Sehr stated when they arrived at the location he saw the same black Chevy Suburban they had been tailing and trying to target all day. The vehicle had blown out tires, the vehicle front end had its nose down, and possible axle damage. Officer Sehr stated there was numerous marked CHP and marked Richmond PD units stopped behind the suspect vehicle.

Officer Sehr stated they exited their vehicles and got out with their equipment. Officer Sehr stated that all the lanes were blocked, and all law enforcement vehicles were stopped and conducting a high-risk felony stop with extra standoff distance. Officer Sehr stated Sergeant Rombach began to integrate all our units with the other agencies. Officer Sehr stated he walked to the east side of the freeway. Officer Sehr stated he could see just the suspect vehicle after he positioned himself behind a patrol car. Officer Sehr stated his backdrop consisted of the suspect vehicle and the shipyards behind it.

After integrating with Richmond PD an Officer began giving commands, "Demilo, it's the police, come out with your hands up." The suspect Demilo Hodge would put his hands out the window showing he had nothing and then would quickly roll up the window. Officer Sehr stated that the Suburban was blacked out in the rear with complete limo tint and could not see inside.

Officer Sehr stated he could see Hodge in the driver's seat and Hodge appeared to be adjusting and looking at us through his side view mirror. Officer Sehr stated he believed Hodge was looking through the mirror. Officer Sehr

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stated Hodge would roll the window and put his hands out. Officer Sehr stated Hodge refused commands and would not exit the Suburban. Officers were giving commands over the PA system, but Hodge would not come out. Officer Sehr stated at some point they decided to elevate the use of force to less than lethal.

Officer Sehr stated Officer Ambrose had a 40-mm launcher and was positioned directly in front of him. Officer Sehr saw Officer Ambrose fire a rubber 40-mm round at the suspect vehicle. The first round hit the gate of the Suburban and bounced off. Officer Ambrose reloaded another round, fired and the round struck the back window shattering it. Officer Sehr stated you could see Hodge looking around. Officer Sehr stated Hodge began to put his hands out and yelling something back but could not tell what. Officer Ambrose fired another 40- mm round but it was a gas ferret round. Officer Sehr stated the intent was to get Hodge out of the car by using CS gas to make it unbearable inside the vehicle. Officer Sehr stated the round worked due to the CS gas coming out of the vehicle. Hodge yelled out but Officer Sehr was not able to hear what he said. Officer Sehr stated the vehicle appeared to move and he thought it was going to be a low-speed chase.

Officer Sehr stated in a split-second Hodge came out of the Suburban. Hodge took a stance and stood outside the driver side door with a pistol in his hand and fired. Officer Sehr stated that he immediately ducked down. Officer Sehr stated he heard several more rounds go and he thought the rounds were impacting directly in front of him, Officer Ambrose, and Officer Aagaard were standing. Officer Sehr stated he couldn't state why he thought that but stated he was very scared because the way the rounds were hitting the vehicle we were in front of. Officer Sehr stated since they we're the ones firing the 40 mm, he thought the rounds were hitting the vehicle they were at.

Officer Sehr stated after he ducked down tried to get off the "X" and move closer to the vehicle. Officer Sehr stated getting off the "X" meant moving to cover and moving out of the way while being fired upon. Officer Sehr stated he ducked down and got closer to the vehicle he was standing behind. Officer Sehr stated he stood up and gave what he trains in his department as a standard response. Officer Sehr stated that's "two rounds at the bad guy - anywhere between two and five rounds is standard response."

Officer Sehr stated he focused on his red sight and fired two rounds at the Hodge as he was going down. Officer Sehr stated, he couldn't tell if the Hodge was still shooting at him or not. Officer Sehr stated "it was, like, supreme focus, two rounds assessed and, in that moment, -- started as close fire -- and - and then he was down and the firing seemed to cease around him. Officer Sehr states there was a lot of firing around him. Officer Sehr stated he looked in front of him and saw Ambrose down in front of him. Officer Sehr stated he did not know whether Ambrose was hit or not. Officer Sehr stated he saw the Richmond canine come out and everything slowed down. Officer Sehr stated he saw Sgt. Rombach checking his men.

Officer Sehr stated that after the firing ceased they formulated and moved to secure the Hodge. Officer Sehr stated they secured a Richmond PD patrol and moved with the car as it covered their movement. They got up to the vehicle and made sure there was no victims or anyone inside the vehicle. Other officers rendered aid to Hodge. Officer Sehr stated he cleared the backseat of the Suburban. Officer Sehr stated he turned around and noticed that an officer standing next to the Hodge. Officer Sehr looked down and saw a semi-automatic pistol. He saw other officers near and directed them away and told them it was evidence. Officer Sehr stated he believed the gun to be the gun Hodge fired. Officer Sehr stated he looked around and saw Officers doing CPR and applying tourniquets on Hodge. Officer Sehr stated said there was a lot of people yelling and working on Hodge. Officer Sehr stated someone started directing witnesses and shooters in different areas. Officer Sehr stated he moved to the center median with his gear and waited for further instructions.

Officer Sehr stated he got permission to call [REDACTED] and told [REDACTED] he was involved in a shooting and that he was okay. Officer Sehr stated they eventually drove to the Richmond Police Department. When they got to the police department they were photographed in their gear and their weapons.

Officer Sehr was asked if he needed a break and stated he was fine to continue the questioning. Officer Sehr was asked if they practiced for the operation and he stated, "yes." Officer Sehr stated directly after their briefing they went to the range. Officer Sehr stated they got "junkie" cars and practiced their vehicle assault. Officer Sehr stated that took place on Wednesday the same day of the operation. Officer Sehr stated the Vallejo team did not practice with them but had a similar mission.

Officer Sehr was asked a series of questions to summarize certain parts of the incident. Officer Sehr was asked who the first person he saw when he arrived at the scene. Officer Sehr stated he saw Richmond PD speaking to Sgt. Rombach attempting to coordinate with them due to it being a felony stop. Officer Sehr was asked what time he arrived on scene and stated he didn't know. He stated it seemed like hours when they were following him but can't remember what time it was when they arrived on scene. Officer Sehr was asked if he had extensive knowledge of the situation prior to contact. Officer Sehr stated Hodge was involved in ongoing investigation related to a homicide that occurred in Fairfield and knew the general information why they were conducting the operation. Officer Sehr stated the case has been an ongoing homicide case since 2015. Officer Sehr stated he knew there was information being developed to focus more on the Suspect. Officer Sehr stated [REDACTED]
Officer Sehr stated [REDACTED]

Officer Sehr was asked if he got updates on the operation, Officer Sehr stated his information was coming from Sgt. Rombach due to him being the team leader. Officer Sehr stated [REDACTED]

and CHP Air. Officer Sehr was asked if he had prior contacts with Hodge and he stated he didn't believe so. Officer Sehr stated he did have previous information on Hodge from his previous criminal record. Officer Sehr further stated they train with go and no-go situations. Officer Sehr stated they practice the vehicle assault take down consistently and its standard procedure to use that type of assault.

Officer Sehr was asked if he drew his weapon as soon as he arrived on scene. Officer Sehr stated he had his rifle on him and at the low ready position ready to cover the vehicle and his partners were deploying. Officer Sehr stated he was especially concerned about Ofc. Ambrose because he had no rifle when deploying the 40 mm less than lethal launcher. Officer Sehr stated he was one of the cover units for Ofc. Ambrose. Officer Sehr stated he was right behind Ofc. Ambrose when he was deploying the less than lethal. Officer Sehr stated the situation happened very fast and was very fluid as they arrived on scene because they were already in the middle of the high risk stop.

Officer Sehr was asked what his backdrop was like and he stated it was the front driver's seat of the vehicle and the shipyards behind that. Officer Sehr was shown a photograph where the vehicles were on the freeway. Officer Sehr was asked to point out where he as on scene and write down the vehicle he believes he was at the time of the incident. Officer Sehr stated the vehicle was not on the photo but estimated its location and started to draw the photo. Officer Sehr was advised we would take a five-minute break.

At approx. 1358 hours we went back on record and continued with the interview.

Officer Sehr drew a picture on the photo to show where the vehicle he was behind was parked during incident. Officer Sehr stated he did not locate the car on the photo but estimated its location. Officer Sehr drew an "S" to show his position. Officer Sehr stated there was a lot of vehicles on scene. Officer Sehr stated his vehicle was back further in the formation. Officer Sehr somewhere in the back was also the FPD unmarked van. Officer Sehr stated it's hard to show the exact location due to so many vehicles being on scene. See Officer Sehr photo for reference.

Officer Sehr was asked several follow-up questions. Officer Sehr was asked what he saw prior to the shooting. Officer Sehr stated as they arrived on scene he was to the left of the Suburban that the suspect was in. Officer Sehr said he had good view of the driver of the Suburban. Officer Sehr was asked at what point did he feel that he was in danger. Officer Sehr stated the whole time due to it being a high-risk vehicle stop on a murder suspect. Officer Sehr stated during the incident he was getting information that the Suspect was armed. Officer Sehr stated his level of concern was heightened during the whole incident. Officer Sehr stated the immediate fear for his life was when the Suspect came out of the vehicle extremely fast and he saw the firearm aimed at what he was directly at him, Mike, and Erik.

Officer Sehr stated he fired at least one round and ducked for cover. Officer Sehr heard a few more rounds hitting near his position. Officer Sehr stated he saw the Suspect shot at him when he returned fire. Officer Sehr stated he was approximately 30-40 yards from the suspect vehicle. Officer Sehr stated when fired he was aiming at center mass and fired the weapon with a two-hand grip. Officer Sehr stated he did not remember the actual time of the shooting.

At this time, Inspector Wong asked Officer Sehr in regard to the 2015 murder that occurred in Fairfield that Hodge was associated with. Officer Sehr was asked if he was part of the initial case back in 2015, Officer Sehr stated he was on patrol at the time of the homicide. Officer Sehr stated he was one of the perimeter units on scene during the homicide. Officer Sehr stated during that time Hodge's name was not mentioned.

Officer Sehr stated the first time he heard the name Demilo Hodge was the during the current operation. Officer Sehr stated that during lead up to operation he had heard something about a [REDACTED] Officer Sehr stated that he believed it meant that [REDACTED] Officer Sehr further stated he was not part of the [REDACTED]

Officer Sehr stated he first received an email about the operation on Monday prior to the incident and Wednesday was briefing. During the brief they received their five-paragraph order which stated what everyone's part was in the operation. In the brief there was also information on the Suspects they would be surveilling. Officer Sehr stated the operations plan was also in a PowerPoint format. Officer Sehr stated part of the Power Point showed Hodge had being photographed with guns. Officer Sehr believed that is why SWAT was part of the operation. Officer stated it was high risk operation due to it being a homicide investigation.

Officer Sehr was asked how many assault teams there and he stated two. Officer Sehr stated there was a Vallejo team and a Napa team, due to there being two suspects. Officer Sehr was asked how many people were on the Napa team and he stated seven people.

Officer Sehr stated the Napa team consisted of Sgt. Rombach, Ofc. John Divine, Ofc. Erik Aagaard, Officer Ambrose, Ofc. Strickland, Himself, Ofc. Raftery, and Ofc. Pulsipher. Officer Sehr stated Raferty was in a marked police cruiser. The officers in the van were Rombach, Divine, Aagaard, Ambrose and Pulsipher. Officer Sehr stated he was in the unmarked car with Strickland. Officer Sehr stated the role of the van was to carry the assault team. Officer Sehr stated they train regularly with vehicle assaults and various barricaded suspects situations.

Officer Sehr was asked if any consideration was made in regard to [REDACTED] and he stated "yes." Officer

Sehr stated he remembered [REDACTED] because that was a specific do not assault criteria if she was in the vehicle. Officer Sehr did not remember about any other individuals. Officer Sehr was asked how many agencies were involved in the original operation. Officer Sehr stated prior to the beginning of the operation it was only CHP support. Officer Sehr was asked if he had any information in regard to what [REDACTED]

[REDACTED] Officer Sehr confirmed they attempted to take Hodge in to custody twice. One time in Benicia and the second time was on [REDACTED] Hodge got away from them both times and they just backed off due to being in a slick top vehicle.

Officer Sehr stated they stood by in [REDACTED] until they were notified that Richmond PD was in pursuit of the suspect vehicle with CHP overhead. At some point, Officer Sehr stated they were giving the order by Sgt. Rombach to responded where the suspect vehicle was had been stopped. Officer Sehr stated Sgt. Rombach was coordinating with Richmond PD as they responded to scene where the Suspect Vehicle was disabled on westbound 80. Officer Sehr stated as they arrived on scene, they were integrated with the units already in place. Officer Sehr stated that the scene was under control as they were integrated with other units.

Officer Sehr stated they began to order the Suspect out of the Suspect vehicle. Suspect was ordered out of the vehicle several times, but he refused commands. After refusing commands, the order was given to deploy less than lethal. The first round shattered the window. Officer Sehr stated he could hear the Suspect yelling but could not make out what he was saying. Officer Sehr was asked if he could see the effects of the gas after it was deployed. Officer Sehr stated he saw gas coming out of the back of the car but did not know if it was having an effect on the suspect. Officer Sehr stated he took a position next to a vehicle until he was fired upon. Officer Sehr was asked how long the Suspect was in the car after the gas was deployed and he stated 30 seconds to about two minutes but wasn't really sure. Officer Sehr was asked if during the time, after the gas was discharged and before the Suspect stepped out, was anybody from Officer Sehr's side of the freeway giving commands. Officer Sehr stated the commands were consistent and they attempted to communicate with the Suspect at all times. Officer Sehr was asked how much time it took from the time the Suspect stepped out of the vehicle to face him and fire his shot. Officer Sehr stated a couple of seconds. Officer Sehr was also asked what the Suspect looked like as he was shooting. Officer Sehr stated the Suspect stepped out and took a stance.

Officer Sehr was asked to describe the stance. For the purpose of the tape, Officer Sehr stood up and put his arms out in front of him, about parallel to the ground with his two hands together as he was pointing a gun. Officer Sehr stated the Suspect was pointing the gun directly at him. Officer Sehr was asked how he felt about it and he said it "scared the shit out of me." Officer Sehr stated he felt like, "this dude wants to shoot us, he just fired a gun, I don't want to get shot, I don't want my teammates who are in front of me to get shot." Officer Sehr was asked what he was ultimately afraid of and he said, "My life." Officer Sehr was asked what target presented to him on his first shot. Officer Sehr stated, Hodge was standing before, like, when he first came out, like I said, he was - that round, thought it was coming right at me. When I came up, the red dot was about this big, about as big as my pie - or big as my hands, like a big pie. Him going down and I know there was other firing and I didn't know if he was still shooting, I - like I said, I thought it hit the car. I didn't know if he was still shooting, what was going on, and I fired a standard response at center of mass.

Officer Sehr was asked if he fired the two shots in succession or with a pause in between. Officer Sehr stated maybe with a pause but did not know. Officer Sehr stated he does not what effects caused on the Suspect. Officer Sehr stated after the Suspect went down he could not tell if the Suspect was moving or not. Officer Sehr did state the Suspect was not shooting anymore. Officer Sehr stated he did not see anyone shooting while he shot. Officer Sehr was asked what observation he made after he fired. Officer Sehr stated for him it was the K-9. At this time, he was able to see every one of his teammates were all right and that the scene was secure. Officer Sehr stated they moved up to clear the vehicle because everyone else was rendering first aid to the Suspect.

Officer Sehr was asked if he had spoken to [REDACTED] and he said "yes." Sher told [REDACTED] he had been involved in a shooting, but he was unhurt and that was it. Officer Sehr was asked if he had watched any video of the incident and he said he had watched a news clip of it when he was at the hotel. Officer Sehr stated he had not viewed any body worn camera footage. Officer Sehr was also asked if he had any cellphones on him during the incident and he said, "yes." Officer Sehr stated he had his personal phone and work phone and that he had not recorded any of the incident.

Officer Sehr was also asked if he had given a public safety statement and he said no. Officer Sehr was asked how he got to the Richmond Police Department after the shooting and he said by one of his partners involved in the incident Officer Pulsipher. Officer Sehr stated after being at Richmond PD they were loaded onto a van provided by Richmond PD and transported to the hotel.

Officer Sehr was also asked if he remembered his back drop during the shooting and he said it was the Bay. Officer Sehr was asked what he would have done if the Suspect would have complied. Officer Sehr replied he would have been walked back to the patrol car prone out, and place into custody without incident. whatever their technique is, to either go down to a knee or prone himself out. We've taken a team up and we would have taken him into custody without incident and he would be uninjured, and he would be alive.

Officer Sehr was asked if he spoke to Officer Pulsipher about the incident during the drive. Serh stated just briefly, I - like, man, that was some shit. We just got shot at nothing more. Officer Sehr stated nobody spoke during transport to the hotel. Officer Sehr was asked why he felt it was necessary to fire those rounds. Officer Sehr replied because he had just been shot at and he thought he was still actively shooting at the vehicle where he was at and he didn't know if what he was hearing was the Suspect still firing, or if people in front of me were hit, or still being shot at. When he came back up, he fired two rounds at the suspect because he was in fear that he was still engaging us.

Officer Sehr was asked as far as threats, who he was concerned about when the suspect fired at him. Officer Sehr stated he thought the Suspect was firing directly at him, Officer Ambrose, or Aagard or whoever else was in our group. Officer Sehr stated he believed the suspect was looking at them through the sideview mirror. Officer Sehr believes the suspect was pissed because they were firing the 40 mm at him and they were the targets he could see and - and try to shoot at.

Officer Sehr was asked if he was concerned with the civilians in the area when he engaged the suspect. Officer Sehr stated not initially because he knew if he didn't go to the left side there would be chance of hitting a civilian. Officer Sehr was asked from the time of the first vehicle assault how long did it take to the actual incident. Officer Sehr stated maybe an hour to an hour and a half to the time they cleared the vehicle. Officer Sehr was asked while at the scene how close was the gun to Hodge's body and he said a couple of feet.

Officer Sehr was asked if he considered using any other force besides deadly force. Officer Sehr stated no because Hodge shot at him and he feared for his life. At approx. 1454 hours we went off tape and concluded the interview with Ofc. Officer Sehr. See Officer Sehr recorded statement for further information.

At approx. 1510 hours, we gathered backup in the conference room after a quick break. I sat down at the table and was accompanied by DA Inspectors Caesar Basa, Capt. Kevin Wong, and Jason Rikers. I waited until the next interview with Richmond PD Ofc. Anthony Diaz. Detective Diaz was being represented by his Attorney John Murphy.

At approx. 1515 hours all the present parties introduced themselves. At approx. 1521 hours, we started with the interview. Detective Diaz was admonished of his rights and he agreed to be interviewed. Detective Diaz signed the admonition form along with his attorney John Murphy and myself. Detective Diaz was advised that the interview was being recorded. Detective Diaz was also advised that he was not in custody and he was free to conclude the interview at any time.

The following is a summary of the interview. I asked Detective Diaz what his current assignment was and he told me he was currently a Detective for the Richmond Police Department. I asked Detective Diaz what his serial number was, and he stated #1512. Detective Diaz stated he had been with Richmond PD since December 16, 2008. Detective Diaz stated he has been with Richmond PD for about nine years and has been with Richmond PD his whole law enforcement career. Detective Diaz stated his call sign George 42 and he's a detective with the parole unit under Special Investigation Services.

I asked Detective Diaz what his knowledge of the area was during the time of the incident. Detective Diaz stated he knew the area very well. Detective Diaz stated it's a main thoroughfare with morning and afternoon commutes and it connects multiple cities together. I asked Detective Diaz what his shift was during the incident and he told me he started work at 0900 hours to 1900 hours. I asked Detective Diaz who his Supervisor was on the day of the

incident and he told me Detective Sergeant Donovan Decious. Detective Diaz also stated Decious is his normal supervisor. I asked Detective Diaz if he has had any training relevant to the officer involved shooting. Detective Diaz stated he is basic SWAT certified through POST, he has participated in approx. 7 firearms and tactics schools. Detective Diaz further stated he is a POST certified range master with the department and with approx. 800 to 1000 hours of firearms training within and outside of the police department and the academy.

I asked Detective Diaz what his dominant hand was, and he told me he was right handed. I asked Detective Diaz what his last shift was prior to the incident and he told me the day before. Detective Diaz further stated he was at training during that time and did an eight to ten-hour shift. Detective Diaz stated the training started at 8:00 am and ended at 4:30 pm. Detective Diaz stated he was home at about 5:30 pm.

Detective Diaz stated he has only employed by the Richmond PD. Detective Diaz stated he has not taken any medication at this time or during or during the incident. Detective Diaz stated he did not consume any alcoholic beverages prior to the incident I asked Detective Diaz if he had medical conditions potentially impacting, judgment or physical disabilities and he told me "no." I asked Detective Diaz if he has any vision problems and he stated "no." I asked Detective Diaz when the last time he slept prior to the incident and he told me he went to bed at 10:30 PM and woke up at 7:00 AM. I asked Detective Diaz if there were any significant events that occurred prior to the incident and he said "no."

I asked Detective Diaz if could give me a description of the type of uniform he was wearing during the time of the Incident. Detective Diaz stated he was wearing a short sleeve black BDU with short sleeves. The uniform had a Richmond PD patch on the left and right shoulder with a Silver Star badge affixed to his left breast pocket and a

name plate over his right breast. Detective Diaz stated over his BDU's he had a ballistic vest with a Level III plate on the front and a level III plate on the back. The vest I had AR-15 magazine holders, radio communication device, a tourniquet, flashlight, ear protection and a black ballistic helmet. Detective Diaz stated photos were taken of him in that uniform at the Richmond Police Department. I asked Detective Diaz if he had any other patches on him other than his short sleeve BDU shirt and he said "no."

I asked Detective Diaz to describe his equipment on his duty belt the same way he had described his uniform from left to right. Detective Diaz stated he had a cobra belt with a drop-down thigh Safariland holster on his right hip, holster contained a Smith and Wesson M&P, handcuff case, a flashbang pouch, a quad pistol magazine pouch with three magazines inserted, a fourth empty pouch, two flashbang pouches, and a small handcuff case. I asked Detective Diaz if he had received any damage to his uniform or equipment during the incident and he said some blood on his jeans.

I asked him if any of his gear was lost or discarded during the incident. Detective Diaz stated he had a black CRKT knife with a seatbelt cutter and window punch. Detective Diaz stated he handed it to a paramedic but has not seen it since the incident. I asked Detective Diaz if he was carrying a Colt AR-15 rifle and a Smith and Wesson M&P handgun. Detective Diaz stated the handgun was located in his thigh holster along with magazines for the rifle and handgun. Detective Diaz stated he had a magazine in the rifle and one back-up in his ballistic vest. Detective Diaz had the rifle slung over his body with two point sling.

I asked Detective Diaz if he gave anyone his weapons after the incident and he stated he gave his weapon to Officer Campos who secured the weapon inside car #40. Detective Diaz stated the weapon was secure until it was given back to him at the Richmond Police Department. Detective Diaz stated it was in his possession until he turned it over to CSI. Detective Diaz stated they took photos of the gun, Detective Diaz confirmed he turned in only his rifle and kept his handgun.

I asked Detective Diaz what type of vehicle he was in during the incident and he stated it was a marked Richmond Police car Chevy Caprice with the # 40 on the side. I asked Detective Diaz if he was familiar with the vehicle and he said, "yes." I asked Detective Diaz what type of markings the vehicle had, and he told me the hood area & trunk areas are black, the doors on both sides are white, and it says Richmond Police on both sides. The vehicle has an emergency light bar, push bumper on the front of it, speaker that faces forward which emits an audible siren.

I asked Detective Diaz if he was a single unit or if he had a partner. Detective Diaz stated he had two partners and they are Sgt. Donovan Decious and Detective Michael Detective Ricchiuto. Detective Diaz stated Sgt. Decious was the driver, Detective Ricchiuto was in the back and he was in the front passenger seat. I asked Detective Diaz what type of handgun he carries, and he told me a Smith and Wesson M&P 45. Detective Diaz stated it was black in color and that it was not department issued but was purchased by him for the department. Detective Diaz stated he is authorized to carry the gun on duty and has qualified with it.

I asked Detective Diaz if there had been any modifications on his gun. Detective Diaz told he has fiberoptic sights on the Front, Black sights on the rear, apex trigger, sear replacement, spring replacement, polished feed ram, ternal. Detective Diaz stated the ammunition is .45 cal Federal Ammunition and its department issued. Detective Diaz stated he usually carries three magazines on his belt with each magazine loaded with ten rounds. I asked how many rounds he carries on the gun and he stated eleven all together with ten in the magazine and one in the chamber.

I asked Detective Diaz about his Colt AR-15 82 and asked him to describe it. Detective Diaz told me the rifle is a department issued Colt AR-15 black in color, .223 cal., collapsible stock, V-Tac sling attached to the rifle, stock trigger, stock bolt assembly, 12 1/2-inch barrel, Eo-Tech red dot front sight, SureFire light attachment, iron flip-up sights, with no special modifications. I asked Detective Diaz what type of ammunition and how many magazines he carries with on his person. Detective Diaz stated the ammunition is department issued Hornady .223 Cal. Detective Diaz stated he carries two magazines, one spare and one in the rifle. Each magazine is loaded with twenty-eight rounds each. When the magazine is inserted into the rifle there is twenty-seven in the magazine and one in the rifle chamber.

I asked Detective Diaz what type of training he's had with his weapons. Detective Diaz stated he has a basic SWAT Certification and range master certification. Detective Diaz stated he has his handgun as duty weapon for two and half years and has trained with that handgun. Detective Diaz stated he has had the rifle involved in the incident since he has been on SWAT for approximately six years. I asked Detective Diaz if there was any other additional training and he stated departmental qualifications. I asked Detective Diaz if he had discharged his handgun during the incident and he said, "no." I asked Detective Diaz if he had discharged his rifle and he said, "yes." I asked Detective Diaz if he had turned in the correct rifle to CIS and he said, "yes."

The following is a summary of Diaz's statement regarding the incident.

Detective Diaz stated he woke up around 7:00 AM and got into the city of Richmond around 8:50 AM. Detective Diaz stated he was driving southbound on 22nd Street approaching Nevin Avenue when he received a text message from his Sgt. saying he was going to be extended coming into work. The Sergeant stated he was monitoring a police pursuit. Detective Diaz called the Sergeant and he told him Richmond PD units were in pursuit of a 187 PC

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suspect vehicle. Detective Diaz pulled over and took out his patrol radio from the trunk of the vehicle and began to monitor the radio traffic. Detective Diaz heard Sergeant Llamas, detailing the pursuit. The pursuit was happening near the area of Cutting Boulevard. Detective Diaz stated he stopped talking to his Sergeant and headed to the police department.

Detective Diaz stated he went there to see if they needed to go out and help with the pursuit or stay at the police department. When Detective Diaz got to the department he met with Detective Ricciuto. At this time, radio traffic was advising spike strips had been utilized on the suspect vehicle and they were effective. Radio traffic was advising the suspect vehicle had crashed and had come to a standstill in the middle of westbound 80 prior to the 880 interchange. Detective Diaz further stated that he and Detective Ricciuto decided it would be in their best interest to put on a marked uniform and to get to the scene to help. Detective Diaz stated he notified Sgt. Decious of their plan. Sgt. Decious advised Detective Diaz, he would go with them to the scene. Detective Diaz stated they met in the police department parking lot and they got into Richmond PD patrol car #40. Detective Diaz stated they got out onto the freeway and went eastbound 580. Detective Diaz stated traffic was already starting to back up so they put on their emergency lights and sirens to get to the scene.

Detective Diaz stated that it took about five to ten minutes to arrive at the scene. Detective Diaz stated he saw a line of police vehicles facing westbound on the freeway. Detective Diaz stated that in front of the police cars about thirty to forty-five yards in front of them was a black Chevrolet Tahoe with dark tinted windows. Detective Diaz stated he could see that at least one of the tires on the Tahoe were flat. Detective Diaz stated that some of the units were calling for a shield. Detective Diaz stated they had one in the back in the trunk of the car he exited the patrol car and Detective Ricciuto removed it from the back of the vehicle. Detective Diaz stated he went to the line of police vehicles and took a position behind one of the Richmond Police cars. Detective Diaz moved along the cars until he was facing the suspect vehicle at the low ready position. While he was in position he overheard what he thought was a Fairfield PD Officer talking on the cellphone to whom he believed was the Suspect.

Detective Diaz stated he didn't get a good grasp of what he was saying to him. Detective Diaz stated he was on scene for few minutes. At this time, Detective Diaz was standing behind Detective Reyna on the driver side of the police vehicle. Detective Diaz stated the Fairfield SWAT team arrived at his location and started directing their officers on scene. Detective Diaz believed they were trying to coordinate with their officers. At this time, they pulled back and moved to the rear of the patrol car. Detective Diaz deployed his patrol rifle. Detective Diaz advised Officer Guzman to not stand up just in case for whatever reason he had to shoot.

Detective Diaz stated that within a minute or two he saw the brake lights of the suspect vehicle illuminate and heard the engine start. The suspect vehicle engine turned over then cut off. The brake lights went off and then back on. The engine started again, and the car started moving forward at slow crawl, less than five miles an hour. Detective Diaz instructed Officer (Guzman) to get into the driver's seat of the canine car and slow crawl forward but to stay in line with the other cars. Detective Diaz stated they moved forward probably 15 feet when the suspect vehicle stopped. Detective Diaz stated right after that the suspect vehicle window came down. Detective Diaz stated someone started communicating with the Suspect.

Detective Diaz stated he could hear, "Stick both hands out the window with nothing in them, come out of the car, open the driver door." Detective Diaz stated at one point the window was down and he could see the suspect put one hand out and then bring one hand back in. The Suspect would repeat two hands would come out and then two hands would go back in both hands out as he looked back. Detective Diaz stated he could see his eyes, nose, and mouth. Detective Diaz stated the Suspect's head and hands went back into the vehicle and the window went up. Detective Diaz stated the word was passed down that they were going to deploy less than lethal into the back of the vehicle. Officers started yelling down the line and advising everyone "Hey everyone less lethal round. If you hear gunshots, it's - it's not coming from the suspect we're putting a less lethal round down range." Detective Diaz stated he heard the shot and saw what looked like a sponge round hit the back window of the suspect vehicle and bounce off the vehicle without any effect. Several seconds later, another sponge round went down range and penetrated the back window. Detective Diaz stated it made it spider web the window. Detective Diaz stated there was two subsequent rounds after the sponge rounds that had a different tone. Detective Diaz stated that he found out they were gas rounds going out.

Detective Diaz stated that he thought the suspect had his window down and he could hear him yelling out the window. Detective Diaz stated he could see what he thought was gas exiting the openings of the vehicle. Detective Diaz stated that not long after the final gas round went out he saw the vehicle driver door fling open in a quick manner. Detective Diaz stated the Suspect pushed it open with his hand and quickly exited the vehicle. Detective Diaz stated when the Suspect came out of the vehicle he was facing the line of officers. Detective Diaz stated he saw that the Suspect had both feet on the ground and saw that he had a gun in his right hand. Detective Diaz stated the Suspect began to point the gun. Detective Diaz stated he believed the Suspect was pointing the gun at him. Detective Diaz saw him shoot one round. Detective Diaz stated he placed his red dot on the chest area of the Suspect and started shooting his rifle at the Suspect. Detective Diaz stated in a matter of seconds he saw him start moving eastbound and at the same time moving towards the ground. Detective Diaz stated he remembered the Suspect shooting at least two rounds from his gun and then fell to the ground.

Detective Diaz stated he stopped shooting when the Suspect stopped moving and he could see the gun laying on the ground away from his hand. Detective Diaz stated he saw the Suspect and made an announcement to see if

anyone had been shot. Detective Diaz got a visual thumbs-up from people around him that everyone was good. Detective Diaz stated they held their positions until the Fairfield SWAT Team had assembled.

Detective Diaz stated There was a police car to the left of him and they assembled on the driver's side of that and began to approach the Suspect. Detective Diaz stated the Officers that were near him moved on line with the Fairfield SWAT team. Detective Diaz stated Richmond PD officers would breach the rear window and clear the vehicle and the Fairfield SWAT team would be in charge of contacting the suspect. Detective Diaz stated they moved up and he saw the window had already been breached when he reached the vehicle. Detective Diaz looked inside and it was clear. Detective Diaz looked in the trunk area of the vehicle and it was also clear.

Detective Diaz stated he looked down at the suspect and could see the gun in his hand. Detective Diaz stated it looked like some type of a compact firearm that was black in color with a silver magazine laying near it. Detective Diaz could see there was ammunition loaded in the magazine. Detective Diaz stated the suspect was laying on his back with both arms out to his side and a lot of blood pooling on the ground. Detective Diaz stated he went over to the suspect and began rendering aid the best he could. Detective Diaz stripped off his tourniquet from his kit and placed it as high as he could on the Suspect's right arm. Detective Diaz stated sometime during that tourniquet application two paramedics arrived on scene. Detective Diaz stated he continued helping the paramedics applying pressure bandages on the Suspect. Detective Diaz stated while they were rendering aid it was decided that due to all the major gunshot wound injuries the Suspect needed to be transported to the hospital. Detective Diaz stated the Suspect had sucking chest wound under his right armpit. Detective Diaz stated he placed a piece of plastic on the chest wound and held it there. The paramedics lifted the Suspect off the ground, loaded him into the back of the van. Detective Diaz stated It was decided that due to traffic conditions it would be virtually impossible to get an ambulance to the location. Detective Diaz stated they drove to San Francisco General Hospital with the Suspect in the back of the van. Detective Diaz stated he began chest compressions while he was in the back of the van. Two Fairfield PD officers were in the vehicle to provide security.

Detective Diaz stated when they arrived at the hospital there was multiple nurses and doctors waiting to receive the Suspect. They parked the vehicle in the emergency room area and parked. They exited the van and the Suspect was placed on a gurney and wheeled into the emergency room. Detective Diaz stated when the Suspect went to the ER he waited outside the door and stood guard. Detective Diaz stated he stood guard until he was relieved by Officer Campos several minutes later. After Detective Diaz was relieved he got a ride with Officer Tiner and drove back out to the scene. When he arrived back at the scene he contacted a Richmond PD officer. Detective Diaz stated he could not remember who it was but Detective Diaz informed him that his rifle was in the trunk of Patrol Car 40 and he needed to get it for evidence processing. Detective Diaz stated he was instructed to go the back of patrol car 40, and get his rifle.

Detective Diaz stated he rendered the weapon safe and placed the live ejected round back into his magazine. After placing it in the magazine he inserted the magazine back into the rifle. Detective Diaz received a ride back to the Richmond Police Department by Sgt. Pomeroy. Detective Diaz arrived at the station and was photographed by an evidence technician. Detective Diaz stated that his rifle used in the incident was recovered for evidence. At this time, Detective Diaz was asked to summarize the incident that had occurred on 09/27/17. Detective Diaz's account was consistent with what he had told us earlier in the interview.

Detective Diaz did mention when he arrived on scene the Suspect car was approx. 35 to 45 yards in front of the stopped police vehicles. I asked Detective Diaz if he knew any information in regard to the Suspect prior to arriving on scene. Detective Diaz stated he only knew that he was a murder suspect. I asked Detective Diaz if he automatically drew his firearm as he arrived on scene. Detective Diaz stated he had his rifle slung over him when he left the department. Detective Diaz stated he got his rifle from his SWAT locker because he was going to a standoff where there was a murder suspect. Detective Diaz stated he believed it would be advantageous to keep it on his body when he got on scene.

Detective Diaz was asked where he placed himself when he arrived on scene. Detective Diaz stated he positioned himself behind a Richmond PD K-9 car. I showed Detective Diaz several photos that were taken after the incident and asked him to put a star where his positioning was during the time of the incident. I asked Detective Diaz if from that angle he could see the face of the Suspect and he said, "yes." I asked Detective Diaz if he was already at the low-ready pointing his at the Suspect. Detective Diaz stated he was at the low ready. I asked Detective Diaz what his backdrop was from where the Suspect was, and he stated there was green shrubbery, water and elevated freeway overpass about 800-1000 yards away. Detective Diaz stated there was a concrete wall immediately behind the Suspect vehicle backdrop. Detective Diaz stated he saw no vehicular traffic or any pedestrian traffic in the immediate backdrop of where the suspect was located. I asked Detective Diaz how far away the Suspect was from his location and he stated approximately 40 yards.

I asked Detective Diaz what his state of mind was, and he stated a lot of things were going through his mind. He stated everything he knew about the suspect and he was in a pretty dangerous situation. Detective Diaz stated the Suspect had a firearm and was wanted for murder. Detective Diaz stated he knew he had to be extremely focused based on the area. Detective Diaz stated he knew his life was in danger, along with his fellow officers, and thousands of citizens that were around the area.

I asked Detective Diaz what he thought about when the Suspect was moving his hands around and sticking his

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hands out the window of the vehicle. Detective Diaz stated it was odd because he would stick one hand out and then bring one hand back in and then two hands would come out and then two hands would go back in. He would then roll his window up and he would roll his window down. Detective Diaz stated in his experience those type of situations and traffic stops it's not hard for suspects to listen to our direction and understand what we want. Detective Diaz stated he believed the Suspect did not want to comply. I asked Detective Diaz how long that went on for and he stated about a minute. I asked Detective Diaz if he heard the deployment of the less than lethal and he said yes. I asked Detective Diaz if after the deployment the Suspect said anything, and he stated he yelled something but was not sure what he said. Detective Diaz stated the comment was directed to the police officers to the left of his position. I asked Detective Diaz how much longer after did the Suspect open up the driver side and he said about ten seconds. I asked Detective Diaz what he saw when he opened the door and he said the Suspect flung the door and jumped out of the car.

The Suspect then directly faced him and pointed a gun. Detective Diaz stated the gun looked like it was pointed at him. Detective Diaz felt the Suspect was trying to kill him, the Suspect fired two rounds. Detective Diaz stated he aimed at the center of the Suspect's chest and fired approx. 12 rounds at the Suspect. Detective Diaz was asked if he had any interaction with the Suspect prior to this incident. Detective Diaz stated he had not heard who the Suspect was until after the incident. Detective Diaz stated he did not recognize the name after he heard it. Detective Diaz was asked how soon after the Suspect fired the rounds did he return fire. Detective Diaz stated immediately after the Suspect fired. Detective Diaz was asked what his target presentation was when the Suspect began to fire. Detective Diaz stated he had the front torso and full-frontal view of the Suspect's body. Detective Diaz was asked how many rounds he discharged, and he stated approx. 12 rounds. Detective Diaz was asked if they were one right after the other and he stated, "yes." Detective Diaz was asked how long it took to discharge those rounds and he stated about three and a half to four seconds. Detective Diaz was asked if within those three and half to four seconds was there a change in the target presentation. Detective Diaz stated yes and was asked to explain the progression. Detective Diaz stated as he was discharging his firearm, the Suspect started falling to the ground. As his body started collapsing the gun was still in the Suspect's his right hand. As the Suspect started moving to the ground, he started slowly turning to the right and fell to the ground.

Detective Diaz was told that someone might ask why he shot 12 rounds and he stated that was what he felt he needed to shoot to protect his life. Detective Diaz was asked what he meant by that and he stated after he was done shooting is when he felt that the threat to his life had been eliminated. Detective Diaz stated that if he stopped shooting he would not be protecting himself or anybody that was around him. Detective Diaz was asked to clarify that when he shot the 12th round he felt his life was still in danger and he said, "correct." Detective Diaz was asked why he stopped at the 12th round and he stated the Suspect was on the ground and he could see that the Suspect's gun was out of his hand. Detective Diaz stated the Suspect was not trying to get the firearm. Detective Diaz stated that for those reasons he stopped shooting. Detective Diaz was asked what the target presentation was of the Suspect after firing the 12th round. Detective Diaz stated the Suspect was close to the ground and he could see his side profile. Detective Diaz stated after the 12th round he saw the gun hit the ground and the Suspect was no longer at threat.

Detective Diaz was asked how many magazines he had during the time of the incident. Detective Diaz stated he had [REDACTED] magazines. Detective Diaz stated he had one in the rifle and one on his person. Detective Diaz stated there were [REDACTED] rounds in each magazine. Detective Diaz stated the magazine in the rifle had [REDACTED] rounds due to one of those rounds already being the chamber in the rifle. Detective Diaz stated he didn't render the rifle completely safe until he returned back to the scene. Detective Diaz stated when rendering the weapon safe he removed the magazine from the rifle and took out the chambered round. Detective Diaz stated he placed that round back into the magazine he had just removed from the rifle. During the interview I asked Detective Diaz if his rifle was capable of automatic fire and semi-automatic fire. Detective Diaz stated that during the incident he fired his rounds in semi-automatic mode. Detective Diaz explained that the semi-auto mode requires for him to pull the trigger every single time to fire a round and the automatic mode would fire all round in the magazine with one consistent trigger press.

At this time the interview with Officer Detective Diaz was concluded at 1644 hours.

After the interview, we took about a 30-minute break and returned to the conference room where I was met by DA Inspectors Caesar Basa, Capt. Kevin Wong, and Jason Rikers. The officer waiting for the interview was Richmond PD Detective Michael Detective Ricchiuto. Detective Ricchiuto was being represented by his Attorney John Murphy.

At approx. 1719 hours all the present parties introduced themselves and we began with the interview. Detective Ricchiuto was admonished of his rights and he agreed to be interviewed. Detective Ricchiuto signed the admonition form along with his attorney John Murphy and myself. Detective Ricchiuto was advised that the interview was being recorded. Detective Ricchiuto was also advised that he was not in custody and he was free to conclude the interview at any time.

The following is a summary of the interview.

Detective Ricchiuto stated his name was Michael Ricchiuto with the Richmond Police Department Serial Number 1619 and was currently assigned as a Gang Detective to the Richmond Police Department. Detective Ricchiuto stated he was hired by Richmond PD in May or March of 2011. Detective Ricchiuto also stated he had previous law

enforcement experience with the Oakland Police Department from 2008 to 2010. Detective Ricchiuto stated that on the day of the incident his call sign was "George 31" and was working his regular work schedule was from Monday to Thursday from 9:00 AM to 7:00 PM. Detective Ricchiuto stated his supervisor for the day was Sergeant Donovan Decious.

Detective Ricchiuto was asked what type of law enforcement training he had that would be relevant to the OIS incident. Detective Ricchiuto stated he graduated from the Oakland Police Department 165th Basic Academy in November 2008. After the academy he went to a Field Training Officer Program with the Oakland Police Department where he completed it in or around March 2009. During that time, Detective Ricchiuto attended several Firearms Training and Up Based Training through the Oakland Police Department. Detective Ricchiuto then lateraled over to the Richmond PD where he took a one-week Firearm course at the Richmond Firearm's Training Course along with a 40-hour California Gang Investigator's Association class. Detective Ricchiuto has also attended his monthly training, firearms training from the Richmond Police Department. Detective Ricchiuto was asked what his dominant hand and he stated was right hand dominant. Detective Ricchiuto also stated he had taken no medications or alcohol prior to the incident and no physical conditions that would impact his physical abilities.

I asked Detective Ricchiuto when the last time he slept prior to the incident and he told me from 2300 to 0700 hours the night prior to the incident. I asked Detective Ricchiuto if any significant events occur prior to the incident and stated no. I asked Detective Ricchiuto to describe to me what uniform he was wearing during the time of the incident. Detective Ricchiuto stated he was wearing green and black tennis shoe with Dickies blue mechanic's pants, a black belt, a green shirt, a Richmond PD Raid jacket, patches on both shoulders, name on my right, badge on the left side, and "Richmond Police" on the back. Detective Ricchiuto stated he was wearing a ballistic raid vest over the jacket, with badge on the left chest, and "Police" on the back. I asked Detective Ricchiuto if he had any other items on the vest and he stated just a handcuff bag and a radio holster. Detective Ricchiuto stated the radio holster was empty during the time of the incident. I asked Detective Ricchiuto to describe his duty belt to me during the time of the incident. Detective Ricchiuto stated he did not have a duty belt on during the time of the incident. Detective Ricchiuto stated he had no magazine holders. Detective Ricchiuto stated he had no holster on and his firearm was tucked into his waist. Detective Ricchiuto stated he gave the firearm to the CSI technician after the incident and she took photos of what he was wearing along with he believes photos of the firearm. I asked Detective Ricchiuto if the CSI Technician unloaded the firearm in front of him and he said, "no."

Detective Ricchiuto stated he unloaded it and handed it to her. Detective Ricchiuto stated she didn't want it in that fashion, so he reloaded it in the exact same way. I asked Detective Ricchiuto what type of vehicle he was in during the incident and he advised that he was driving vehicle #40. Detective Ricchiuto stated vehicle #40 is a fully marked black and white Richmond Police vehicle with forward facing blue and red lights on the sides with no cage. I asked Detective Ricchiuto how many occupants were in the patrol car and he told me three occupants including himself. Detective Ricchiuto stated the other two occupants were Sergeant Donovan Decious and Detective Anthony Detective Diaz.

I asked Detective Ricchiuto what type of firearm he was carrying on the day of the incident and he told me it was a grey framed, Glock 17 GEN-3, RTF-2 model 9 mm. I asked if it was a department issued handgun and he stated, "no." I asked if there were any special modifications to that weapon and Detective Ricchiuto stated all he changed was the sights to night sights. Detective Ricchiuto stated he carried non- department issued Hornady Critical Duty ammunition. I asked how many rounds he had in the weapon and he told me [REDACTED] rounds, one round in the chamber and [REDACTED] rounds in the magazine. I asked Detective Ricchiuto if he had any other magazines and he said, "no."

I asked Detective Ricchiuto what type of training he has received with the firearm. Detective Ricchiuto stated he qualified with that firearm and was trained with a Glock 22 which is the exact same frame as a Glock 17 with Advanced Academy and also at the Richmond Police Department. I asked Detective Ricchiuto what type of training he had with the firearm used in the incident. Detective Ricchiuto stated nothing outside of the standard training Richmond PD offers with the monthly training. I asked Detective Ricchiuto stated his last qualification date was last year. I asked Detective Ricchiuto if he discharged his firearm and he said, "yes." I asked Detective Ricchiuto if he turned in his firearm in to anyone after the incident and he said, "yes." Detective Ricchiuto stated he gave it to CSI technician Cuellar.

I asked Detective Ricchiuto if he could tell me the location of the incident and he told me eastbound 580/80 interchange. I explained to Detective Ricchiuto that I wanted him to tell me about the incident starting from, the time he got to work and leading to the time of the incident. Detective Ricchiuto stated they had an operation briefing at 0900 hours and arrived at work at approx. 0830 hours. Detective Ricchiuto stated he was just working around the office when he overheard on RPD channel one that Highway Patrol had eyes on a black Suburban with a subject inside that had a warrant for Murder. Detective Ricchiuto believed it started at 23rd Street and Andrade Avenue and the vehicle was southbound. Richmond PD officers began to respond to initiate a traffic stop on that vehicle. Detective Ricchiuto believed a motor officer picked it up first somewhere in the beat four in the area of 22nd Street and Barrett Avenue. Detective Ricchiuto stated a pursuit ensued shortly after that with Sgt. Llamas calling the pursuit.

Detective Ricchiuto stated he contacted his Sergeant and asked what the game plan was because of the new situation. Detective Ricchiuto stated he wanted to know if they were going to continue with their planned operation

or were they going to assist patrol in the pursuit. Detective Ricchiuto stated he met with Detective Anthony Detective Diaz. Detective Ricchiuto then contacted Sgt. Donovan Decious and he said they were going to get into vehicle #40 and go out to the scene and see if they could assist. Detective Ricchiuto stated he grabbed his gear from the trunk of the vehicle. Detective Ricchiuto stated they got into the car and drove in the direction of the detail and eventually ended up at the scene. Detective Ricchiuto stated when they arrived on scene, he saw about five or six Richmond Police vehicles already at the scene in a kind of standoff position.

Detective Ricchiuto stated on the way to the scene he heard radio traffic over that stated the subject was armed with a handgun and that he had made statements that he was not going back to jail. Detective Ricchiuto took cover behind a vehicle when he exited his car. Once on scene, Detective Ricchiuto was informed that Fairfield's Swat was enroute and to standby. Detective Ricchiuto stated who took position behind a vehicle next to Officer Campos. Detective Ricchiuto stated Campos is on the negotiating team and he may or may not have been talking through the loudspeaker. Detective Ricchiuto stated at this point the Suspect might have rolled his car forward about five feet and stopped. Detective Ricchiuto noticed that about three out of the four tires were either gone or flat. The vehicle looked like it was not going to be able to move very well.

After the vehicle moved forward about five feet, Detective Ricchiuto assisted in moving the equipment as all the vehicles rolled forward about another five feet. Detective Ricchiuto covered Campos while he set up and took a position behind the "A" pillar of the vehicle. Officer Campos continued to give the Suspect commands as the Suspect rolled down his window. Officer Campos gave him instructions to put his hands out of the Vehicle and open the vehicle door from the outside. Detective Ricchiuto stated he overheard the Suspect say, "Don't - don't let the dog out - Don't let the dog out." Detective Ricchiuto then heard, Officer Campos say, "We're not going to let the dog out." Detective Ricchiuto stated, Fairfield PD SWAT deployed their 40-millimeter round and they shot it. Detective Ricchiuto stated when they shot it the round bounced off the rear glass. Detective Ricchiuto stated the round did not appear to break the glass. They shot a second round which did break the glass but didn't appear to break the glass all the way out. Detective Ricchiuto stated it just kind of shattered the window. The third-round shot was a gas round it did not break the window but hit the tailgate.

After that happened, the suspect put his hands out the window and back in and then both hands out again. The suspect abruptly opened the door and came out. Detective Ricchiuto stated the suspect came out with two hands on the pistol, the suspect raised the pistol up in his direction and fired a round. Detective Ricchiuto returned fire until the subject was no longer a threat to him. Detective Ricchiuto stated he fired because he feared for his life, the public's safety and the safety of the Officers around him. Detective Ricchiuto stated once he determined the subject was no longer a threat, they approached the subject and cleared the vehicle. Detective Ricchiuto stated he observed Officers attempting to revive the suspect with CPR and medical aid. Detective Ricchiuto was asked if he could point on a photo provided where his location was at during the incident. Detective Ricchiuto stated okay and pointed to the carpool lane near the overpass. Detective Ricchiuto marked the photo showing his location. See photo for further details.

Detective Ricchiuto was asked follow-up questions after his accounts of the incident. Detective Ricchiuto was asked if he had heard what the want was for the pursuit and the agency putting it out. Detective Ricchiuto stated the want was murder but was unsure who the initial agency who initiated the pursuit. Detective Ricchiuto was asked if he had any prior knowledge of the incident. Detective Ricchiuto stated the want was murder and the suspect was armed with a handgun and had made statements he was not going back to jail. Detective Ricchiuto was asked if he knew the suspect prior to the incident. Detective Ricchiuto stated he heard the name but was not familiar with it.

Detective Ricchiuto was asked when he arrived on scene, if he could see the suspect's face. Detective Ricchiuto stated he saw the suspect's face when the suspect rolled the window. Detective Ricchiuto did not see anyone else in the vehicle. Detective Ricchiuto who was giving the verbal commands to the suspect and stated it was Campos. Detective Ricchiuto said he heard no other commands other than Campos. Detective Ricchiuto did state he heard the commands given for the deployment of the less than lethal. Detective Ricchiuto was asked what his backdrop was during the incident. Detective Ricchiuto stated the backdrop from the angle he had was the freeway barrier and part of the bay. Detective Ricchiuto stated he did not see any pedestrians west of him or south of him.

Detective Ricchiuto was asked how long after deployment of the less than lethal round did the suspect exit the vehicle. Detective Ricchiuto stated the suspect opened the door abruptly and jetted out of the Suburban. The suspect had two hands on a firearm and stood in a shooting position. Detective Ricchiuto stated the suspect raised his hands and shot right at him and he thought the suspect was trying to kill him. Detective Ricchiuto was asked how far the suspect was from him and he said 20-30 yards away. Detective Ricchiuto was asked where he was targeting the suspect and he stated at his chest. Detective Ricchiuto was asked how many rounds he had fired and he stated he did not know the exact amount. Detective Ricchiuto was asked how long after the suspect fired did he return fire. Detective Ricchiuto stated almost instantly. I asked Detective Ricchiuto if he was scared during the incident and he said, "yes."

[REDACTED]

Detective Ricchiuto was asked if he shot more than once and he said, "yes". Detective Ricchiuto stated approx. 10 rounds but not sure. Detective Ricchiuto stated he fired one after the other with no pauses. Detective Ricchiuto was shown a photo that depicted the scene after the incident. Detective Ricchiuto was instructed to show his location on the photo See photo for further information.

At this time Detective Ricchiuto was asked to show what he did after the suspect shot. Detective Ricchiuto stated he brought his arms with his gun and extended his arms out in a shooting position with his arms parallel to the ground. Detective Ricchiuto took a bladed stance and leaned forward. Detective Ricchiuto stated the suspect pointed the gun directly at him. Detective Ricchiuto stated the suspect fired first and he shot. Detective Ricchiuto stated the target presented to him was a large chest.

Detective Ricchiuto was asked what he was thinking when he made the decision to shoot. Detective Ricchiuto stated the suspect was in a stance, his arms were extended, the firearm was pointed right at him when he fired the first round. Detective Ricchiuto was asked what his target presentation looked like after he fired the last round. Detective Ricchiuto stated he fired his last round as the suspect was falling to the ground. Detective Ricchiuto was asked if The suspect was still armed. Detective Ricchiuto stated that at that point he appeared to have not had the capacity to return any fire, but the gun was kind of still in his hand. Detective Ricchiuto was asked he fired approximately nine rounds. Detective Ricchiuto stated for his safety, the safety of the public, the safety of fellow officers and to diminish the threat. Detective Ricchiuto was asked why he stopped at approx. 9 rounds and he stated there was no longer a threat.

Detective Ricchiuto was asked if had an opportunity to speak to anybody regarding this incident besides his Attorney and he said, "no." Detective Ricchiuto was asked if at any point in time during the incident he videoed watch video, watch body cam video or took photographs of the scene and he said, "no." Detective Ricchiuto was asked if he had a body worn camera and he stated, "no."

Detective Ricchiuto was asked if he went to the Richmond Police Department after the incident. Detective Ricchiuto stated not immediately. Detective Ricchiuto stated they went to Safeway to pick up some waters and then went to the station.

Detective Ricchiuto stated he did not talk to anyone in regard to the incident while enroute to the station. Detective Ricchiuto stated after he arrived at the station he was photographed and surrendered his weapon to the CSI Technician, after that they were transported to the Marriott Hotel.

At this time, Detective Ricchiuto's attorney Jonathan Murphy wanted to clarify while still on the record. Murphy asked Detective Ricchiuto if he recalled the reason for firing because he was in general fear for his safety, the safety of the public, and the safety to his fellow officers. Detective Ricchiuto stated, "yes." Detective Ricchiuto was asked by Murphy if he remembered me asking him if he was scared and he said, "yes."

Murphy asked Detective Ricchiuto what the reason was he fired at the suspect. In which Detective Ricchiuto replied that he feared for his life, feared for the public safety, and for the officers around him. Murphy asked Detective Ricchiuto what he observed that caused him to stop firing at the suspect. Detective Ricchiuto stated he stopped firing when he felt the suspect was no longer a threat.

At this time, we concluded the interview at 1806 hours and cleared for the day.

On 09/29/2017 at approx. 1115 hours, I was met by DA Inspectors Caesar Basa, and Capt. Kevin Wong. The officer waiting for the interview was Fairfield PD Sgt. Brent Pucci. Sgt. Pucci was being represented by his Attorney Ian Sangster.

At approx. 1120 hours, all the present parties introduced themselves and we began with the interview. Sgt. Sgt. Pucci was admonished of his rights and he agreed to be interviewed. Sgt. Pucci signed the admonition form along with his attorney Ian Sangster and myself. Sgt. Pucci was advised that the interview was being recorded and that it was also being remotely monitored. Sgt. Pucci was also advised that he was not in custody and he was free to conclude the interview at any time.

The following is a summary of Sgt. Sgt. Pucci's interview.

I asked Sgt. Sgt. Pucci to identify himself and the department he works for and he stated his name is Brent Sgt. Pucci, ID Number 1383, and is currently a Police Sergeant with the Fairfield Police Department. Sgt. Pucci stated he was hired by the Fairfield Police Department in December of 2008. Sgt. Pucci further stated he started his law enforcement career with the Tarrant County Sheriff's Department in Fort Worth, Texas in 1994. In 1997 then began working for the California Highway Patrol and in 2002 he switched over to the Vallejo Police Department. In 2008 he began working for the Fairfield Police Department.

I asked Sgt. Pucci what his unit designation was on the day of the incident and he told me it was "SAM 10." Sgt. Pucci stated he was working the dayshift on that day and started his shift at 0500hours and worked until the operation was finished.

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I asked Sgt. Pucci if he was familiar with the area where the incident occurred, and he said, yes. Sgt. Pucci stated he worked out of the Oakland area office when he was a highway patrolman. Sgt. Pucci was asked who his regular supervisor and he stated it was Lieutenant Josiah Jacobson.

I asked Sgt. Pucci what relevant training he had to the incident. Sgt. Pucci stated he attended police academy in Texas in 1993 and received his basic peace officer license through the licensing commission in Texas. Sgt. Pucci further stated that in 1997, he attended the California Highway Patrol Academy where he received over a thousand hours of CA POST required learning domains. Sgt. Pucci stated he has attended several investigative courses, including homicide investigation, gang training, and basic investigator course.

I asked Sgt. Pucci which his more dominant hand and he stated he's right handed. I asked Sgt. Pucci what the last shift he worked prior to the incident and he stated it was September 26th at 4:00 PM in the afternoon. I asked Sgt. Pucci if he worked any second jobs or any training prior to the incident and he stated no. Sgt. Pucci also stated he took no medications or alcoholic beverages 24 hours prior to the incident. I asked Sgt. Pucci if he had any medical conditions or physical abilities that could impact his judgement and he stated no. Sgt. Pucci was asked if he wears glasses and he stated just reading glasses with no other vision problems.

I asked Sgt. Pucci what the last time he went to bed at 8:30PM to 9:00 PM on the night of September 26 and woke up at 4:00 AM on the morning of September 27th.

At this time, I asked Sgt. Pucci to describe the uniform he was wearing on the day of the incident including description of his gear.

Sgt. Pucci stated he was black tactical type cargo pants, black Under Armour shoes, short sleeve black shirt that had gray police logos on both sleeves with gray POLICE markings on back and a black tactical vest. Sgt. Pucci stated the vest had ballistic capabilities and he wore it over the top of his shirt. Sgt. Pucci stated that on his tactical vest he had a body camera centered on the vest, two name strips one that said Sgt. Pucci and the POLICE under his name. Sgt. Pucci further stated that on the back of the vest he had very broad, police strip in white that was attached to back of the vest along with a cloth gold badge on the left side of the vest. Sgt. Pucci stated he had four pocket compartments attached to the vest, the pockets contained note pads and pens, a taser, and mini prybar. Sgt. Pucci also stated he was wearing a baseball style cap that had Fairfield Police Department emblem on the front. Sgt. Pucci stated he was wearing a nylon duty belt with a pair of double handcuff case, his firearm a Glock 17-9 mm handgun with a tactical light, one full magazine inserted into the magazine well with 17 rounds in and one in the chamber the firearm was contained in a Safariland holster. Sgt. Pucci also had flashlight holder, with flashlight, radio holder, radio, a baton holder ring, a two-pouch magazine holder with a knife in one of the holders.

I asked Sgt. Pucci if he had any other mags in his magazine pouches and he stated yes. Sgt. Pucci stated he had two fully loaded magazines each topped off with [REDACTED] rounds. Sgt. Pucci also stated he had a handgun in an ankle holster. Sgt. Pucci stated the gun was a Ruger LCP380 in a nylon ankle holster with six rounds in the magazine and one in the chamber. Sgt. Pucci stated the gun was located on his left inside ankle.

I asked Sgt. Pucci what his assignment was during the incident. Sgt. Pucci stated he was assigned as the team leader for one of the surveillance teams during the operation. I asked Sgt. Pucci if he lost or discarded any equipment after the incident and he told me no.

I asked Sgt. Pucci what side of his body his holster was located on his person and he told me the right side. I asked Sgt. Pucci if he gave anyone his firearm after the incident and he stated he gave the firearm to Richmond PD. I asked Sgt. Pucci to describe the vehicle he was in and he told me it was approx. a 2014 Ford Explorer, fully marked, black and white police vehicle, with City of Fairfield markings on both driver's side and passenger side doors. The vehicle is equipped with overhead red and blue emergency lighting and also yellow directional lighting. It has spotlights on both left and right side with an audible siren and the unit number is 224. Sgt. Pucci stated it was his assigned vehicle. Sgt. Pucci stated he was the only occupant of the vehicle at the time of the incident.

I asked Sgt. Pucci to describe his firearm to me and he stated it was a department issued, Glock 17, 9mm Generation IV semiautomatic firearm. Sgt. Pucci stated the firearm had no modifications and has a tactical light attached to it. Sgt. Pucci stated the caliber is 9mm that is also department issued. I asked Sgt. Pucci how many rounds were in his firearm during the time of the incident and he told [REDACTED] rounds in the magazine and [REDACTED] in the chamber [REDACTED]
[REDACTED]
[REDACTED]

I asked Sgt. Pucci what type of training he was received on his department approved and department approved backup firearm. Sgt. Pucci stated the first quarter of every year they go through handgun, rifle, and shotgun qualifications. Sgt. Pucci also stated he is one of the department's firearms instructors and stayed up with training.

I asked Sgt. Pucci if when he turned in his firearm to the technician his weapon was checked, and he said yes. I asked Sgt. Pucci if he remembered the round count and he said, "yes."

I explained to Sgt. Pucci the first portion of the interview was completed and now I needed him to give me his account of the incident. Sgt. Pucci asked if he could give a little background of the incident. I told Sgt. Pucci to start from where he started in the investigation.

Sgt. Pucci stated in early September of 2017 he was aware of a homicide investigation involving a [REDACTED] investigation. Sgt. Pucci stated he was attached to the Fairfield Police Department's major crime's unit where he supervises a street team. Sgt. Pucci stated the major crimes unit was responsible for the [REDACTED] operation. Sgt. Pucci stated his team was brought into the investigation [REDACTED] operations. Sgt. Pucci stated early September of 2017 he attended a briefing, during the briefing he was provided an intel brief on Demilo Hodge. The briefing was a synopsis on the homicide investigation.

[REDACTED]

The intel report read that Demilo Hodge was currently the owner, operator of a limousine service based out of Napa, California and he was operating a 2016 black Chevrolet Suburban limousine vehicle. The license plate was provided to us, as was the entire DMV printout. The report described Demilo Hodge, as being 5'9, heavy build, shaved head, medium complexion and approximately 45 years old.

[REDACTED] Sgt. Pucci stated his direction was to provide surveillance and develop any intelligence as it relates to residences, vehicles, and any other pertinent information that could result in the issuance of a search warrant at a later date. Sgt. Pucci stated the surveillance began right around September 5th and his team was to conduct rolling surveillance for approximately a week and a half. Sgt. Pucci stated during that time they were able to identify vehicles that he was associated to and residences and location where potential evidence may be stored. Sgt. Pucci stated they were also successful in attaching a vehicle tracker warrant to his vehicle. Sgt. Pucci also stated that at this time the [REDACTED] operation was up and running and they were intercepting telephone communication. Sgt. Pucci stated as soon as the tracker information and telephone communications started coming in they backed off the surveillance operation. Sgt. Pucci stated they started monitoring Demilo Hodge's tracker activity along with other suspects.

Sgt. Pucci stated that [REDACTED] Demilo Hodge was engaged in illegal activity. Sgt. Pucci stated the illegal activity was the possible unlawful sale and possession of firearms. Sgt. Pucci also stated Demilo Hodge was [REDACTED] Sgt. Pucci stated after all the intel was gathered on Hodge it was decided that SWAT would conduct some sort of a dynamic takedown of Hodge.

Sgt. Pucci stated the briefing for the operation was on the morning of September 27th. Sgt. Pucci stated his job was team leader for the surveillance team. Sgt. Pucci stated there were two operations that took place on that day. Sgt. Pucci stated he split his surveillance team. Sgt. Pucci sent three officers to Vallejo and three to Napa. The surveillance teams' objectives were to get into his parking lot before Hodge left his residence.

Sgt. Pucci stated he briefed his surveillance teams on the dynamic contact that was going to take place with SWAT. Sgt. Pucci stated the surveillance teams would follow Hodge and advise SWAT when they could engage Hodge. After the briefing, the teams split up and went to their locations. Sgt. Pucci stated that his team went to Napa. When they got on scene at the Napa location, the first detective positioned his car next to Hodge's vehicle by 6:00 am. All the detectives were in plain clothes driving undercover cars. At approximately 6:15 in the morning, Detective Murray reported Hodge [REDACTED] were walking towards his vehicle. Sgt. Pucci stated Detective Murray provided a description of what Hodge was wearing, black pants, a black shirt with white stripes. Sgt. Pucci stated [REDACTED]. The child got into the right rear of Hodge's vehicle and Hodge got into the driver seat of the vehicle.

Sgt. Pucci stated due to the child being in the vehicle the mission was going to be aborted. Sgt. Pucci stated they held off the surveillance tail in belief the child was in the vehicle. Sgt. Pucci stated that at one point they received information Hodge [REDACTED]

Sgt. Pucci stated Lieutenant Jacobson provided updated information throughout the remainder of the surveillance operation. Jacobson stated Hodge was traveling on American Canyon on Highway 29 where he began to show signs of aggressive driving behavior by Hodge. Sgt. Pucci stated around 7:00 AM they were on Highway 29 in heavy traffic. Sgt. Pucci stated Hodge was attempting to make space between himself and the surveillance team.

Sgt. Pucci stated they lost sight of the suspect vehicle on several occasions. Sgt. Pucci stated that they traveled through American Canyon into Vallejo, they had a CHP helicopter assisting them with overhead surveillance. Sgt. Pucci stated due to the second operation starting to develop the CHP helicopter broke contact from surveilling Hodge and went to assist the other team due to SWAT doing a takedown on the other suspect.

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Sgt. Pucci stated they lost Hodge on Highway 37 going towards Highway 80. Sgt. Pucci stated he had the capability of monitoring the tracker on Hodge's vehicle through an iPad. Due to the traveling conditions Sgt. Pucci was not able to monitor the tracker regularly. Sgt. Pucci stated communications were hard to maintain and had to pull over repeatedly to maintain communications.

Sgt. Pucci stated it became extremely difficult to monitor and survey Hodge; they were eventually able to track Hodge into the Benicia area. Sgt. Pucci stated he believed the area he was near [REDACTED]. Due to having no unit at the [REDACTED] they were unsure if the child had been dropped off. Sgt. Pucci stated the second operation had concluded and the CHP helicopter was back on Hodge. Sgt. Pucci stated Hodge got back on Highway 780 towards Highway 4. Surveillance units were trying to get in position but traffic was starting to build up and they were having a hard time getting in position.

Hodge got off Highway 780 and onto westbound Highway 4, there was one detective that was trying to get in position but could not catch up to Hodge on the freeway. Hodge eventually got off Highway 4 and was westbound on Highway 80. Sgt. Pucci stated that Hodge got off on the [REDACTED] Hodge made a right turn off the ramp and made an immediate right into the shopping center. Sgt. Pucci stated the CHP helicopter stated the passenger was out of the car. After dropping off the passenger Hodge got back on [REDACTED] and continues onto [REDACTED] and drives into a residential area.

Sgt. Pucci stated that CHP was monitoring his moves at this time due to Sgt. Pucci losing sight of him. Hodge continues to drive through the residential areas. Sgt. Pucci stated he arrived at the location and stopped to see where Hodge would be going. Sgt. Pucci was in a driveway when he was advised Hodge was moving in his direction. Sgt. Pucci stated that Hodge passed him going well over 50 mph plus in a 35 MPH zone. Sgt. Pucci stated Hodge was moving in and out of traffic and driving more aggressive than he had driven before through the streets. Sgt. Pucci stated they followed Hodge as he made it out onto westbound Highway 80.

Sgt. Pucci stated CHP started advising that Hodge had exited on San Pablo Dam Road. CHP is advising that Hodge is back out on the freeway and is now exiting out onto San Pablo Avenue in Richmond. Sgt. Pucci stated CHP advised they would be calling Richmond PD. Sgt. Pucci stated he heard Lt. Jacobson say he was trying to get more Richmond PD units to assist and advising them on who they were pursuing. Sgt. Pucci stated as they maneuvered he began to be concerned about what [REDACTED] Sgt. Pucci stated this information had been broadcast to the other units via radio by Lt. Jacobson. Sgt. Pucci further stated those statements with his previous knowledge of Hodge raised the threat level even higher due the propensity of violence and that this incident was potentially leading.

Sgt. Pucci stated after he lost Hodge in Richmond he heard Richmond PD had picked up the chase and all the Fairfield PD units were out of the chase. Sgt. Pucci found out that the chase was moving westbound on Highway 580. Sgt. Pucci stated that Sgt. Rombach had informed everyone that they would stage at 1305 McDonald Avenue.

Sgt. Pucci stated as he was going to the location, he heard that CHP had a felony stop in progress. CHP stated the car was disabled and they were westbound on Highway 80 in a standoff west of Powell Street. Sgt. Pucci stated since Sergeant Rombach was at the staging point he knew there would have to be a representative from Fairfield PD. Sgt. Pucci stated he notified Lieutenant Jacobson and Sergeant Rombach he was enroute to the location to be liaison for Fairfield Police Department.

Sgt. Pucci stated he made his way through traffic on the right shoulder as it took him about 20 minutes to get to the scene. Prior to his arrival Sgt. Pucci stated he had been notified that six or seven SWAT members were making their way to the location. was a felony stop in progress. Sgt. Pucci stated he heard the driver had actually tried to drive off but had stopped again.

Sgt. Pucci stated he parked on the right shoulder and noticed there a line of Richmond police officers across all lanes of the roadway. Sgt. Pucci noticed all the doors were opened and firearms were trained on Demilo Hodge's vehicle. Sgt. Pucci stated the suspect vehicle was in the center lane facing westbound towards the MacArthur Maze. Sgt. Pucci stated he contacted two Richmond PD Sergeants. Sgt. Pucci stated they had their SWAT en-route and their Sergeants were asking what Fairfield PD needed from them. Sgt. Pucci stated the plan was to maintain the current situation until a tactical plan was put together by SWAT.

Sgt. Pucci stated after speaking to Sgt. Rombach and directing him to the other Sergeants he transitioned behind one of the Richmond police vehicles. Sgt. Pucci stated Demilo Hodge's vehicle was in front of him and off to the left.

At this time, Sgt. Pucci was presented with a photo post incident and was asked to mark an "X" with initials next to where he was located during the time of the incident. See marked photograph for further details.

Sgt. Pucci stated where he was located he could see the entire left side of Hodge's vehicle including the back tailgate. Sgt. Pucci stated he could not see the right passenger side of the vehicle, but could see the driver side window. Sgt. Pucci stated he could see the window when it went up and when it came down. Sgt. Pucci stated he was approximately 100 feet from the vehicle. Sgt. Pucci stated while he was observing the vehicle he saw the

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vehicle start just rolling forward about 20-30 feet. Sgt. Pucci stated after the vehicle stopped Sgt. Rombach gave the order that there was going to be a 40mm deployment, shortly after the order was given Sgt. Pucci saw a 40 mm sage round strike the tailgate portion below the rear tailgate window. Sgt. Pucci stated that was immediately followed by a second deployment that struck and broke the back window of the vehicle, but due to the tint the window held its shape. At some point Sgt. Pucci stated he heard Sgt. Rombach and heard someone say to let him surrender.

Sgt. Pucci stated he could see the driver side window was down and saw Hodge's hands come out of the vehicle and back into the vehicle. Sgt. Pucci stated he just saw hands nothing else coming out of the car. At this time, Sgt. Pucci stated his handgun was out but in the low ready position and also realized his camera was not activated. Sgt. Pucci activated his camera. Sgt. Pucci further stated the window came down again for the last time. Sgt. Pucci stated he saw Hodge's hands are out and he can see his face out. Sgt. Pucci stated Hodge was looking back and he recognize him as Demilo Hodge from the photos he had seen from last 30 days during the operation. Sgt. Pucci stated he could hear someone giving out orders from off to his left.

Sgt. Pucci could hear commands being given to Hodge but Hodge was not following commands. Sgt. Pucci stated Hodge would open the window stick out his hands and looking back at the officers. Sgt. Pucci could see that the window was still down and could see Hodge's hands go back into the vehicle. Sgt. Pucci stated about eight to ten seconds went by and that's when the driver side door flies open. Sgt. Pucci stated Hodge came out of the vehicle and that's when he heard a gunshot. Sgt. Pucci stated it was fast and he was still in the low ready when he saw smoke coming from the area of Hodge's hand. Sgt. Pucci stated he saw a black handgun in Hodge's hand. Sgt. Pucci stated he did could not tell if it was a semi-auto or a revolver. Sgt. Pucci stated from what he recalls Hodge was holding the gun in his right hand. Sgt. Pucci stated Hodge had the gun trained towards all of them. Sgt. Pucci stated he could not tell what angle the gun was but it was shot in their direction. Sgt. Pucci stated his initial reaction was a flinch because it was extremely fast and it appeared like Hodge was charging at them.

Sgt. Pucci stated since Hodge had inched his way up towards them he had access to the motorists right across the freeway. Sgt. Pucci stated there was officers and motorists out of their cars on the freeway. Believing that Hodge would be able to have access to them, Sgt. Pucci raised his firearm and started shooting at Hodge. Sgt. Pucci stated Hodge hit the ground and rolled. Sgt. Pucci stated that when Hodge rolled his body was still facing me and still moving. Sgt. Pucci continued to shoot until he saw the threat was over. Sgt. Pucci stated he believed he shot five times. Sgt. Pucci stated that he did not know until the round count was complete that he had fired seven rounds.

Sgt. Pucci stated sometime during the incident the K-9 was deployed but was immediately called back. Sgt. Pucci stated there was a lot of coordination going on between officers. Sgt. Pucci stated there was two teams put together one team deployed behind a vehicle and went to the vehicle. The other team went to Hodge and rendered medical assistance to him. Sgt. Pucci stated he conducted a tactical reload after firing his weapon and that is how he ended up with a full magazine. Sgt. Pucci stated he also made sure there was no officers hurt during the incident. Sgt. Pucci stated Hodge was transported to San Francisco General Hospital after the shooting.

Sgt. Pucci stated he identified which officers were involved in the shooting. Sgt. Pucci stated he began sequestering them, advised them not to talk about the incident, and told them not to touch their ammunition. Sgt. Pucci also advised them to clear out of the scene, due it being an active crime scene.

At this time, Sgt. Pucci was asked some follow up questions. Sgt. Pucci was asked the location of the shooting and he stated it occurred on westbound 80 just west of Powell Street and east of the MacArthur Maze. Sgt. Pucci was asked where he went after the shooting. Sgt. Pucci stated they waited near the center divide for approximately a half an hour and then they were directed to the Richmond Police Department. Sgt. Pucci stated he drove to the Richmond Police with Sergeant Rombach, Erik Aagaard and Ambrose. Sgt. Pucci stated after taking photographs at the Richmond Police Department they went to the Courtyard in Marriott Hilltop in Richmond.

Sgt. Pucci was asked if he talked to anyone in regard to the incident and he said "no." Sgt. Pucci stated they were told "Everybody call [REDACTED] Sgt. Pucci stated he called [REDACTED] and just told [REDACTED] they were involved in a shooting on the freeway and everybody was okay. Sgt. Pucci was asked if he took any photos of himself and he stated, "no."

Sgt. Pucci was asked if he saw Hodge drive his vehicle to [REDACTED] and dropped off a passenger and Sgt. Pucci said "yes." Sgt. Pucci stated it was confirmed that a passenger got out by CHP helicopter. Sgt. Pucci stated it was their belief that it was Hodge's [REDACTED]

Sgt. Pucci was asked what he was thinking when Hodge kept putting his hand in and out of the vehicle. Sgt. Pucci stated he was not satisfied that Hodge was going to comply. I asked Sgt. Pucci when Hodge exited the vehicle where was his firearm pointed. Sgt. Pucci stated it was in there direction when Hodge discharged the firearm. Sgt. Pucci could not confirm the angle on the firearm but was definitely discharged towards them. Sgt. Pucci stated his reaction was to a threat not only to him but for all the officers and all of the citizens around him and to stop it. Sgt. Pucci was asked what he though was going to do and he said, "I thought he was going to continue to charge until we stopped him, or he killed us. Sgt. Pucci was asked what he was aiming at on Hodge and he stated he was aiming center mass. Sgt. Pucci stated that he felt threatened and needed to discharge his firearm.

I asked Sgt. Pucci from the time he initially fired his firearm until he fired his last shot where was Hodge's firearm pointed. Sgt. Pucci stated he saw the firearm in Hodge's hands when he began to charge. Sgt. Pucci stated when Hodge went down to the ground and rolled the front of Hodge's body was facing him. Sgt. Pucci stated that Hodge was still moving and could not tell where the gun was pointed to at the time. Sgt. Pucci stated Hodge was still a threat to him at that time the gun could've been in his hands somewhere blocking. Sgt. Pucci stated he couldn't tell and that's why he continued to shoot when Hodge was down on the ground. Sgt. Pucci stated the threat was still there and it was still real to him.

At this time, I concluded my questions and Inspector Basa asked Sgt. Pucci to clarify some questions.

Sgt. Pucci was asked what type of unit he was in and confirmed he is part of a pro-active street team that concentrates on problem areas throughout his city. Sgt. Pucci stated they change up attire everyday. Sgt. Pucci stated for this particular operation they were assigned to assist with all aspects of the [REDACTED] operation from September 5, 2017 to September 27, 2017. Sgt. Pucci was asked if that is the reason they had the briefing and he said, yes.

[REDACTED]

Sgt. Pucci was asked if involved in anything during the 2015 homicide and he said he was not involved and had no information on Hodge until his briefing for the operation. Sgt. Pucci stated he did not have any dealings with Hodge up until this point.

Sgt. Pucci was asked in regards to the comments said [REDACTED]

Sgt. Pucci was asked if part of the operation was to arrest Hodge. Sgt. Pucci stated yes. Sgt. Pucci was asked at what point in the operation did he understand Hodge was going to be arrested. Sgt. Pucci stated the decision was made prior to the operation to effect an arrest.

Inspector Basa asked Sgt. Pucci at which point during the operation was Hodge going to be arrested. Sgt. Pucci stated he couldn't answer that specific question but stated that by the time he got out to the scene, Hodge had already been part of the 2800 CVC and was already arrestable by the time he got to the scene.

Sgt. Pucci was asked if he had chance to view his camera prior to the interview and he said he did. Sgt. Pucci was asked how far he was from the Hodge and he said approx. hundred feet and stayed in that position until the shooting stopped. Sgt. Pucci stated he had a clear unobstructed view of the incident.

Sgt. Pucci was asked if he heard commands being given to Hodge and he said " Yes." Sgt. Pucci was asked what commands were given and he stated, "Step out of the car with your hands up." Sgt. Pucci was asked if there was communications during the whole incident. Sgt. Pucci said, " No. There was a time when the windows were up where there was no communication with him. It was when the windows were down, when people were trying to communicate with him. I don't know who it was, I'm assuming only assuming, it could've been a hostage negotiator."

Sgt. Pucci was asked what he interpreted to be when Hodge kept putting his hands in and out of the vehicle. Sgt. Pucci stated he believed he was showing that he didn't have anything in his hands, but believed he was a threat. Sgt. Pucci was asked which way Hodge turned when he exited the vehicle. Sgt. Pucci stated Hodge exited the vehicle and spun to his left as he exited the vehicle. Hodge then immediately raised the gun with his right hand and fired instantaneously towards him and the officers.

Sgt. Pucci confirmed that when he says towards them, it was all the officers that were located in position on the left side of Hodge's vehicle. Sgt. Pucci confirmed that when he's speaking of only of what he saw.

Sgt. Pucci was asked what his target presentation was and he stated it was Hodge's torso area but the target area. Sgt. Pucci was asked to describe how Hodge was situated when he fired his first round. Sgt. Pucci showed that Hodge had both hands extended out, parallel to the ground, in front of his body at shoulder height, in a bladed stance with feet shoulder width apart as he was charging us. Sgt. Pucci stated that was his recollection of how Hodge was standing.

Sgt. Pucci was asked when he fired what he believes was five rounds were they one right aft the other or if there was a pause in between. Sgt. Pucci stated there was no pause and that he believes he fired them off in about three to four seconds.

Sgt. Pucci was asked in regard to his fifth shot when he earlier stated that Hodge was on the ground on the final round. Sgt. Pucci was asked if he felt threatened the whole time he was firing and he said, " Yes, sir." Sgt. Pucci was asked about the transition between the second and the fifth round. Sgt. Pucci stated he tracked Hodge all the way

to the ground. Sgt. Pucci stated he remembered Hodge do one roll but the second roll Hodge was still facing him with Sgt. Pucci could not remember if the gun was still pointed at him because Hodge was still rolling. Sgt. Pucci stated he still perceived Hodge was still rolling he perceived him as a threat due to the gun still being in his hand but not sure where it was pointed at as he fired his last round.

Sgt. Pucci was asked had Hodge not fired at them what would have happened. Sgt. Pucci stated Hodge would have been arrested, they would have towed the vehicle and gone home.

Sgt. Pucci confirmed that he had viewed his body cam video before the interview. Sgt. Pucci was asked if he had viewed any other video besides the body cam and he said, "yes."

Sgt. Pucci stated he had seen some video on the television. Sgt. Pucci stated he had seen video about ten times. Sgt. Pucci was asked if Hodge say anything when verbal commands were being given to him. Sgt. Pucci stated he did not recall Hodge saying anything back during the incident.

Sgt. Pucci was asked in regard to perceiving Hodge as a threat when Hodge was rolling on the ground with his body facing. Sgt. Pucci was asked to confirm who the threat was against and he said himself and other officers due to the capability and the presence of the gun his arms. Sgt. Pucci stated even though he couldn't see it Hodge could've raised it just as quick as he got out of that car and they would have been in danger. Sgt. Pucci was asked what color was the clothing Hodge was wearing and he said black pants, black shirt with some sort of white on it. Sgt. Pucci was asked the color of the firearm and he said it was a dark color.

Sgt. Pucci was asked if he perceived a threat to the motorists and civilians in the area and he said, Absolutely." Sgt. Pucci was asked to confirm if the suspect fired two shots and he said, "yes." Sgt. Pucci was asked to describe why he thought there was a second shot. Sgt. Pucci stated there was isolated shots that were coming from the area where Hodge was and the smoke coming from what he identified as a gun.

Sgt. Pucci was asked if he visually saw the shot to draw that conclusion that there was a second shot or if it was more audio. Sgt. Pucci stated it was more audio at that point in time. Sgt. Pucci stated it was a shocking moment when Hodge started shooting and believes he might have flinched he started shooting at Hodge to stop him.

Sgt. Pucci was asked if he gave anyone any orders at the scene, he stated he did not because Sgt. Rombach was in command and did not want it to be confusing. Sgt. Pucci was asked what the plan was due to Richmond PD already being on scene. Sgt. Pucci stated the operation would remain as it is with Richmond there until the scene command could be relinquished to SWAT.

At this time the interview was terminated at 1305 hours.

On October 3, 2017 at approx. 0848 hours, Detective Krinsky and I met with witness Richmond Police Department Sgt. Aaron Pomeroy. We met Sgt. Pomeroy at 1701 Regatta Boulevard the Richmond Police Public Administration Building.

Sgt. Pomeroy was asked to give his rank and serial number. Sgt. Pomeroy stated he is a Sgt. with the Richmond Police department and his serial number is #1287. Sgt. Pomeroy stated he was hired by Richmond PD in June of 1998. Sgt. Pomeroy stated he has previous law enforcement experience with the Santa Clara County Sheriff's Department. Sgt. Pomeroy stated he was with the from 1994 to 1998.

Sgt. Pomeroy was asked what his call sign was during the of the incident and he stated he was call sign T106. I asked Sgt. Pomeroy what his assignment was on the day of the incident. Sgt. Pomeroy stated he is the supervisor of the traffic unit and his shift is from 0600 to 1600 hours, Monday thru Thursday. Sgt. Pomeroy was asked what he was wearing during the of the incident. Sgt. Pomeroy stated he was in full police uniform, which consisted of a short sleeve wool shirt, blue motor pants, Richmond PD patches, Sgt. Chevrons, and his police badge. Sgt. Pomeroy stated on the day of the incident he was driving an all-white Ford Explorer vehicle #1173 with subdued decals on the side with the Richmond Police and a star. The vehicle is equipped with emergency lights and sirens. Sgt. Pomeroy stated he was solo in the vehicle.

I asked Sgt. Pomeroy how he became involved in this incident. Sgt. Pomeroy stated he was at the police department doing some administrative work, when he heard Sgt. Llamas ask for additional officers. Sgt. Pomeroy stated that was after the spike strip had been deployed and the suspect crashed into the center-divide. Sgt. Pomeroy was asked what he did when he arrived on scene. Sgt. Pomeroy stated when he arrived on scene he met with Sgt. Llamas who was the only supervisor on scene. Sgt. Pomeroy started to put teams into place such as REACT team, shield, and less than lethal.

Sgt. Pomeroy was shown several photos taken from the scene and to circle the area where he was located at during the incident. Sgt. Pomeroy circled the photo with a marker and initialed the photos. See photo for further details.

Sgt. Pomeroy was asked to give his account on the day of the incident. The following is a summary of his statement.

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Sgt. Pomeroy stated that his department got involved on a request from CHP airplane. Sgt. Pomeroy stated he missed the initial radio traffic due to conducting other duties. Sgt. Pomeroy stated he heard that the suspect vehicle that was in the City of Richmond but did not know what the initial want was for on the vehicle. Sgt. Pomeroy stated he heard officers were trying to conduct a traffic stop in the City of Richmond but the vehicle was not yielding. At this time, Sgt. Pomeroy stated he began to actively listen to the radio traffic due to the pursuit not being terminated. Sgt. Pomeroy stated as the chase continued he heard that the suspect in the vehicle was possibly armed.

Sgt. Pomeroy stated he checked his computer and looked at the details of the call. The details stated the suspect was wanted for murder out of Fairfield. Sgt. Pomeroy stated he believed by the time he got involved it would all be over so he kept monitoring the radio. Sgt. Pomeroy then heard the spike strips had been deployed, the vehicle was disabled, and the suspect was still in the vehicle.

Sgt. Pomeroy stated he heard Sgt. Llamas ask for additional officers and that is when he decided to go. Sgt. Pomeroy stated while enroute there was a comment on the radio made that suspect vehicle was mobile again. Sgt. Pomeroy radio traffic said the suspect vehicle was stopped. Sgt. Pomeroy stated when he arrived at the location, the vehicle had moved about 100 yards from the initial crash. Sgt. Pomeroy heard comments that the suspect had lifted up the rear hatch and saw his hands. Sgt. Pomeroy stated he could not see the suspect because the windows were too dark.

Sgt. Pomeroy also stated he had a discussion with Sgt. Llamas about using a beanbag to try to break the windows but that there was too much distance for the beanbag to be effective. Sgt. Pomeroy stated he had heard radio traffic that the Fairfield PD SWAT Team was en-route and they were close to the location. Sgt. Pomeroy stated that they discussed with several Richmond PD officers how they were going to handle the situation. Sgt. Pomeroy stated the suspect vehicle moved once again. The vehicle started up and drove about 40-50 feet. Sgt. Pomeroy stated Officer Campos was on the PA trying to negotiate with Hodge. Sgt. Pomeroy stated Officer Campos is a Crisis Negotiation Team member so he was trying to negotiate with him to surrender, come out with his hands up, all that stuff for pretty much the whole time that I was out there. Sgt. Pomeroy stated Officer Campos would say, "Open the door, put your hands out the door. Come out. Face away from us. You need to communicate with us."

Sgt. Pomeroy stated negotiations went on for about twenty minutes. Fairfield PD SWAT arrived about ten minutes after and he met with one of the Fairfield SWAT sergeants. Sgt. Pomeroy stated he never got his name. Sgt. Pomeroy stated there was some agreement that Fairfield PD would take primary on the scene. Sgt. Pomeroy stated the Sergeant he spoke appeared to be on the SWAT team. Sgt. Pomeroy stated that this particular Sgt. came up and took the initial supervisor role for the Fairfield guys. The Sgt. had the same idea about taking a look in the vehicle and putting 40 mm rounds to knockout some windows.

Sgt. Pomeroy stated the suspect rolled down his driver window, stuck his hands out, kind of looked, got back in the car, rolled the window back up. Sgt. Pomeroy stated their Crisis Negotiator became got loud on the PA system at that time, trying to get his attention when the window was down and his hands out just to see if he was paying attention to them and trying to get him out of the car. The Crisis Negotiator did it a second time, the window came down, hands came out and the Suspect looked over his shoulder at us and then he rolled the window up. Pomeroy stated at this time, they fired the first 40 millimeter round in there but it did not penetrate.

Sgt. Pomeroy stated he didn't know if the round hit the pillar or just the angle but it did not penetrate. Sgt. Pomeroy stated it looked like a foul ball and just spun off of the car and went towards the access road near the Bay. Sgt. Pomeroy stated the second round went right into the back window but due to the heavy tint on the vehicle it penetrated the glass but the tint held it together. Sgt. Pomeroy stated it didn't not change anything so they made reference into putting a gas round into the vehicle to change the perspective a little bit. The first round of gas went into the vehicle but he never saw gas.

Sgt. Pomeroy stated within 60 to 90 seconds at the most from the second gas round being fired, the suspect opened the door. The Suspect exited the vehicle, quickly spun around all in one motion and then with his right hand came out with a semi-automatic firearm and fired one round at least one round at us. Sgt. Pomeroy stated he remembered the slide of the firearm and the muzzle flash. Sgt. Pomeroy stated ducked and after he ducked he thought, "Okay time to come up." Sgt. Pomeroy stated after he came up law enforcement had fired multiple gun shots. Sgt. Pomeroy stated he felt enough rounds had been fired.

Sgt. Pomeroy stated he didn't shoot because there was no need for him to shoot at that time. He stated there was definitely a threat, but felt that by the time he was going to react the rounds were already going out. Sgt. Pomeroy stated he watched the suspect spin and go to the ground. Sgt. Pomeroy stated by the time he processed it the Suspect had already hit and was going down.

Sgt. Pomeroy was asked if the Suspect came out of the vehicle with his right hand and opened the door with his left hand. The Suspect came out of the vehicle and spun his waist area up and as he spun out of the car. Sgt. Pomeroy recalled that the Suspect fired one handed.

Sgt. Pomeroy stated he moved towards Officer Reyna the patrol canine officer. Sgt. Pomeroy stated he saw the dog start to move from us towards the suspect. Sgt. Pomeroy stated the suspect was down and was not moving. Sgt.

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Pomeroy yelled cease fire a couple times so the K-9 would not be shot and the fire towards the Suspect would stop. Officer Reyna gave his dog commands and the K-9 came back. Sgt. Pomeroy stated he used one of the patrol cars to tactically move up towards the suspect using the patrol car as cover. Sgt. Pomeroy stated they cleared the vehicle and provided first aid to the suspect.

Sgt. Pomeroy was asked if he saw the suspect placed into the vehicle. Sgt. Pomeroy stated he was there when the SWAT EMT asked for the ambulance to come up. Sgt. Pomeroy turned around and saw two paramedics running up to the suspect. Sgt. Pomeroy stated they worked on him and immediately asked for a vehicle. Sgt. Pomeroy stated due to the traffic they just asked for any car.

They attempted to place the suspect into a Richmond patrol car but it didn't work so they placed him in a Ford Aerostar and headed to San Francisco General with a marked patrol as escort.

Sgt. Pomeroy was asked if he took any photos or made any phone calls at the scene. Sgt. Pomeroy stated he just received two calls and that was from the PIO and the IA Sergeant. Sgt. Pomeroy stated he took no photos. Sgt. Pomeroy stated he made one call to [REDACTED] due to the incident being all over the news.

Sgt. Pomeroy was asked if he was wearing a body camera and he said he was but forgot to turn it on. Sgt. Pomeroy was asked if he wrote a supplemental report to the incident. And he said, "no."

Sgt. Pomeroy was asked if he transported anyone to the Courtyard Marriott in Richmond. Sgt. Pomeroy stated he transported Officer Detective Diaz to the Courtyard Marriott. Sgt. Pomeroy stated CSI took photos of Detective Diaz and took his firearm when they arrived at the Courtyard Marriott. SGT. Pomeroy stated it was the civilian CSI who took all the items and took photos.

Sgt. Pomeroy was asked if Detective Diaz spoke to him about the shooting and he said, "no."

Sgt. Pomeroy was asked if he sustained any injuries or damage to equipment and he said, "no."

At this time, I concluded the interview at 0913 hours.

On October 3, 2017 at approx. 1009 hours, Detective Krinsky and I met with our second interview of the day witness Richmond Police Department Officer Khala Finley. We met with Officer Finley at 1701 Regatta Boulevard the Richmond Police Public Administration Building.

I asked Officer Finley if she could provide me with her name, rank, and serial number. Officer Finley stated she is a Police Officer with the City of Richmond and serial number is 1685. Officer Finley stated her hire date was May 12, 2014. Officer Finley stated Richmond PD is the only department she's worked for as an officer. Officer Finley was asked what her call sign was during the day of the incident and she stated it was "SR6" Officer Finley stated her assignment for the day was as the School Resource Officer at Community High School. Officer Finley was asked what her schedule was for the day and she stated it was 0700hrs to 1700hrs. Officer Finley was asked who her supervisor for the day was and she stated it was Sgt. Parker.

Officer Finley was asked what she was wearing on the day of the incident and she stated she was in full police uniform. The uniform is a Richmond PD uniform with two Richmond PD patches on each arm, silver star with number 180, Axon body worn camera, name plate over right chest, belt with the service firearm.

Officer Finley was asked what type of vehicle she was in and she stated it was a marked Richmond PD patrol car. Officer Finley stated the vehicle is black and white, Ford Crown Victoria Vehicle #104, with emergency lights/siren, with Richmond PD decal on the sides. Officer Finley was asked if there was anyone in the vehicle with her and she said, "no."

Officer Finley was asked how she became involved in the incident. Officer Finley stated she was cleared to respond to the location by her Sergeant due to the officers on scene requesting more units.

Officer Finley was asked where she went when she arrived on scene. I presented overview photos of scene, and asked Officer Finley to point out where the location was when she responded. Officer Finley pointed it on the photos and marked them with an "X" and her initials. See photo for further details.

Officer Finley was asked if she could describe in her own words what occurred on the day of the incident.

Officer Finley stated she heard a call to respond "code 3" and to respond to the freeway. Officer Finley stated they needed more units as soon as possible. Officer Finley stated when she arrived on scene, she took cover. Officer Finley stated she was told that the suspect had said that he was not going back to jail and that he was going to die today. I asked Officer Finley if had heard that on the radio traffic and she said, "yes."

Officer Finley stated while she was in position she heard orders being given to the suspect. I asked Officer Finley what kind of orders and she told me orders like, "Put your hands out of the vehicle." Officer Finley could not be precise on the orders she heard.

Officer Finley stated after the orders were given she stated they shot the non-lethal gun to the back windshield. Officer Finley stated the window shattered. Officer Finley stated she thinks the first time the round ricocheted and the second round broke the first set of glass. Officer Finley stated she remembers him coming out and then running out of the vehicle suddenly.

I asked Officer Finley who came out suddenly and she told me the suspect. Officer Finley stated the suspect came out from the driver's side door. Officer Finley saw the suspect come up with the firearm and that is when the officers east of her position fired on the suspect because they were closer to the driver's side. Officer Finley stated about a half a second or faster the people on the west side of the vehicle fired. Officer Finley stated she had enough time to decide not to shoot, because she could clearly see the suspect was being struck by the other officers' gunfire.

Officer Finley was asked if she was able to see the suspect' gun come up from her position and she said, "yes." Officer Finley was asked if she heard or saw the gunshots fired from the suspect. Officer Finley stated hearing the gunshots but could not remember seeing them. Finley was asked what hand the suspect had the gun in and she stated it was his right hand. Officer Finley was asked how many officers were in her immediate area and she said maybe two. Officer Finley stated Officer Tagorda was in the driver side of the vehicle she was standing next too and Officer Joseph was also close to her.

Officer Finley stated after the other officers fired, the suspect went down immediately and she felt that he was no longer a threat to her.

Officer Finley was asked if she took any photos or audio recordings of the incident and she said no just with her body worn camera. Finley was asked if she called anybody after the incident and she said, "no." Officer Finley said she just texted [REDACTED] to let them know she was okay. Officer Finley said she did not give any details about the incident.

Officer Finley was asked what she saw after the incident. Officer Finley stated she saw the suspect down and the gun on the ground. Officer Finley she saw the dog come out and bite one of the arms of the suspect and then the dog came back. Officer Finley stated she did not hear any verbal commands.

Officer Finley stated immediately after the suspect went down, other officers secured the vehicle and firearm. Officers then started performing CPR on the suspect. Officer Finley stated at one point they put the suspect in a van and transported him to the hospital.

Officer Finley was asked at what time she left the scene and she stated when they told everyone to go back to the station so they could be sequestered at the hotel. Officer Finley stated she drove by herself to the Courtyard Marriott where she was sequestered. Officer Finley stated her firearm was not checked and she was wearing a body worn camera during the incident. Officer Finley stated her body worn camera was on during the time of the incident. Officer Finley stated she turned it on en-route to the incident.

I asked Finley if she wrote a supplemental to this incident and she said, "no."

Prior to the conclusion of our interview I asked Officer Finley what kind of radio traffic she was hearing. Officer Finley stated she heard officers asking for more units and that there was a firearm in the car.

I concluded the interview at 1024 hours.

On 10/05/17 I made arrangements to pick up the test fired casings from the involved officers weapons and photos from Detective Cubit taken on the night of the incident. The casings were recovered from the Contra Costa County Crime Lab by Detective Cubit. On 10/05/17 casings located from the freeway scene were transported to Alameda County Crime Lab by Tech Tso for analysis.

On 10/05/17 I responded to San Francisco General Hospital. While I at the hospital I made contact with the SF Deputy Sheriff's at the hospital and recovered video from SF General when the suspect was brought in by the officers providing him with medical assistance. I also assisted in the interview with SF Deputy Sheriff Moore.

On 10/08/17 I received information from ACSO Criminalist II Cary Wong that he needed two more casings for comparison.

On 10/10/17 the casings submitted from the test fired weapons to the Alameda County Crime Lab to compare with the casings located at the scene. On 10/19/17 I responded to On 10/19/17 I recovered the casings from Richmond PD Detective Decious.

On 10/19/17 at approximately 1330 hours, I arrived at Fairfield PD Investigations and recovered the SECA audio file from LT. Jacobsen with Fairfield PD. The following day I gave Det. Goodfellow the audio.

On 10/20/17 I transported the casings recovered to ACSO Crime Lab for analysis. The bullets recovered from the

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Hodge's body by the coroner were also compared for ballistics.

On 10/24/17 I was contacted by ACSO Criminalist II Cary Wong and he told me he needed the test fired casing to the Suspect gun. On 10/25/17 I recovered the suspect's gun plus casings from EPD Evidence Locker and transported it to the Alameda County Crime Lab for processing.

On 11/30/ 2017 I received a copy of ballistic report from ACSO Criminalist II Cary Wong. I reviewed the report and the following is a summary of the report for the bullet and fragment comparisons recovered from Suspect's body.

ACSO Item #	Weapon Serial #	Caliber	Officer Carrying Weapon	Recovered from Suspect
71 and 79	████████	.223	Ofc. Erik Aagard	YES
73	████████	.223	Ofc. Ben Mendler	YES
72 and 77	████████	.223	Det. Anthony Diaz	YES
75	████████	9mm	Ofc. Michael Ricchiuto	YES
78	████████	.45	Ofc. Orlando Guzman	YES
80 and 81	████████	.45	Ofc. Cedric Tagorda	YES
74	UNDETERMINED	.223	UNDETERMINED	

For any further information regarding the casings located at the scene and the test fired casings see the ballistic report.

Supplemental Narrative 05/21/2018 12:47:35 Lance Goodfellow

On 09/27/17 at approximately 0909 hours, Emeryville Police Department dispatch was contacted by the California Highway Patrol (CHP log #758) to assist in shutting down the on ramp to westbound 80. CHP told EPD dispatch the want was a black Chevy Suburban and the want was for murder and the suspect was considered armed and dangerous.

I was working as a Detective when I was asked to assist with traffic control. A/Sgt. Head and I was responded to the intersection of Powell St. and Frontage Rd. Sgt. Hannon assigned me to control the flow of traffic on eastbound Powell St. at Frontage Rd. I assisted with moving traffic along since the freeway was temporary closed due to this incident. A/Sgt. Head told me that we needed to respond to the freeway for an officer involved shooting. A/Sgt. Head, Officer Krinsky and I arrived on the freeway at approximately 1119 hours.

Upon my arrival there were numerous personnel from Emeryville Police Department, Richmond Police Department and Fairfield Police Department on the freeway and in the crime scene. There were four marked Richmond Police vehicles parked on the freeway and fanned out. The fifth marked Richmond Police vehicle was in the number two lane east/west of Hodge's vehicle. The crime scene was not immediately secured with crime scene tape due to multiple agencies being involved, the number of officers involved that had left the scene and medical attention being given to Hodge.

Due to the scene not being immediately secure some of the items of evidence may have been moved inadvertently. Some of the evidence items were immediately marked after the incident by officers on scene. The crime scene tape was put up at approximately 1130 hours by Richmond PD and a crime scene log was started by Detective Cubit with Richmond PD. (Refer to attached crime scene log).

I entered the crime scene, did a walk through and took working photos of the crime scene. The CHP MAIT team arrived to assist with taking measurements of evidence at approximately 1217 hours. (Refer to MAIT report for further details). Personnel from the Alameda County District Attorney's Office arrived on scene. (Refer to Alameda County District Attorney's Reports for further details). Alameda County Sheriff's Office responded to the scene and used a drone to assist with obtaining aerial photos of the crime scene. (Refer to drone footage).

After I cleared the scene A/Sgt. Head and I went to the Courtyard By Marriott in Richmond where all the officers involved for both Richmond Police Department and Fairfield PD were sequestered. I attended a briefing at the hotel with Fairfield PD, Richmond PD, Emeryville PD and Alameda County District Attorney's Office. It was determined the interviews for the officers involved and witness officers would begin on September 28, 2017 at the Richmond Police

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Department. I left the Courtyard by Marriott Hotel and went to the Richmond Police Department where we listened to the audio recording from Richmond Police Department radio transmissions.

Summary of Fairfield Police Department investigation.

On September 27, 2017 Fairfield Police Department had a planned operation to serve a search warrant on Demilo Hodge, his residence and his vehicle. Fairfield PD also had probable cause to arrest Hodge for murder. Fairfield PD was investigating Hodge for the murder of William Freeman at his home in Fairfield which occurred between December 9, 2015 - December 10, 2015. The suspect(s) forced entry into Freeman's home and shot him multiple times with a .40 caliber firearm. Freeman's nephew, Demilo Hodge was identified as the primary suspect in the investigation. After the passing of Hodge's mother, Freeman was granted executor of her estate. A lengthy investigation revealed Hodge was likely disgruntled after receiving only \$100.00 from his mother's trust. Probable cause indicates Hodge orchestrated the home invasion murder of his uncle, Freeman. Anthony Wong was believed to have participated in the act. Hodge had prior criminal history for the following crimes which included 211 PC, 459 PC, 245(a)(1) PC, 273.5 PC, 12021(c) PC, 422 PC, 646.9 PC, 3056 PC, 12316(b) PC and 11351 H&S. There were no firearms registered to Hodge but he manufactures illegal pistols and assault rifles and sells them.

During the investigation Fairfield PD learned Hodge was involved in the manufacturing/sales of illegal weapons such as pistols and rifles. Fairfield PD obtained multiple photos of Hodge being in possession of multiple assault rifles and a handgun. Fairfield Police Department placed trackers on all involved vehicles.

Fairfield PD also obtained a search warrant for Demilo Hodge's residence [REDACTED], a second suspect, [REDACTED], a black 2016 Chevrolet Suburban CA license plate # [REDACTED] Gray Hyundai Sonata CA # [REDACTED] and a Tan Chevrolet Suburban 1500 truck CA # [REDACTED] Fairfield PD had knowledge [REDACTED] was living with him. Fairfield PD was concerned about serving the search warrant at Hodge's apartment because they did not want to put [REDACTED] in harm's way. They also knew Hodge had access to firearms.

Fairfield PD prepared to serve the warrant by doing the following: GPS tracker was placed on Hodge's vehicle and was being updated with his current locations and was being tracked by Fairfield PD. using a laptop. Information of any importance was being shared with the operations leaders who were passing the information along to others involved in the operation. Fairfield PD reached out to CHP prior to the search warrant for air assistance. Fairfield PD also received authorization to implement the following special procedures: Night Service had been endorsed and vehicle trackers. The above information was shared in an operational plan that was shared with members of Fairfield PD who were involved in the service of the search warrant and arrest teams.

On September 27, 2017 at approximately 0400 hours, Fairfield PD held a briefing at their police department. A detailed power point operation plan was shown/discussed with officers who were assigned to assist with the arrest and search warrants for Hodge and [REDACTED] Fairfield PD had two teams. One of the teams was for [REDACTED] and his residence in Vallejo. The other team was for Demilo Hodge and for his residence in Napa.

Team Responsibility for [REDACTED]/Vallejo:

Mission Team Leader SWT. (1) Lt. Jacobsen whose team was not part of the officer involved shooting. (Refer to Fairfield PD Operation plans for additional team members).

Team Responsibility for Demilo Hodge/Napa whose team was involved in this incident.

Mission Team Leader SWT.2 Sgt. Rombach (each member on Sgt. Rombach's team had an assignment)

-Sgt. Rombach's assault team consisted of the following team members. Included in this are the roles and vehicles they were assigned.

- Officer Aagaard -assault team/cover driving in the van
- Officer Pulsipher -assault team/breacher driving in the van
- Sgt. Rombach- assault team/cover TL driving in the van
- Officer Ambrose-assault team/arrest driving in the van
- Officer Divine- assault team/driver/cover of the van
- Officer Strickland-driver/assault-support driving the Crown Victoria
- Officer Sehr-passenger/driver-support in the Crown Victoria
- Officer Nevins-perimeter team/prisoner transport marked vehicle
- Officer Amivisca-perimeter team/prisoner transport marked vehicle
- Officer Raftery-perimeter team/prisoner transport marked vehicle
- Sgt. Pucci-surveillance
- Officer Loewe- surveillance
- Officer S. Smith-surveillance

(Refer to Fairfield Operation plan for further details).

Due to the above listed facts Fairfield PD determined it would be safer for them to complete a vehicle assault to take Hodge into custody than to serve the warrant with him and [REDACTED] inside his residence. After the briefing Fairfield PD went to their department range and practiced doing the vehicle assault until everyone was familiar with their roles. They also planned for different contingencies on the vehicle assault. The operation plan

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described how they would complete the vehicle assault. The SWAT team will move into position and create controlled collisions to the front and rear of the target vehicle. The rear assault team will advance on the target vehicle and take all occupants into custody by exterior distraction device, breach vehicle windows.

Fairfield PD started surveillance on Hodge in the morning of September 27, 2017. After the training occurred at the Fairfield Police Department range Sgt. Rombach's team staged at the predesignated location [REDACTED]

Fairfield PD Detective Murray was part of the surveillance team and in unmarked vehicle. Murray was in the parking lot of Hodge's apartment complex to watch Hodge's vehicle. At approximately 0650 hours, Detective Murray observed Hodge leave his apartment at 1628 Puebla Ave. Napa and walk to his black SUV and enter the driver side of the vehicle. There was also a young female who was described as matching the description of [REDACTED] enter the right rear passenger door of Hodge's vehicle. At this time, the plan was immediately aborted to do any vehicle assault because of [REDACTED] being in the vehicle.

The mission changed to a follow and tail Hodge by using the tracker updates and the fixed-wing airship. CHP airship started tracking Hodge at approximately 0721 hours in American Canyon. Hodge went to the Burger King and drove through the drive through. Hodge left Burger King and drove south on highway 29 through American Canyon. Hodge continued to drive through Vallejo on highway 37 to westbound interstate 80 to eastbound 780. The surveillance team lost Hodge but they were still following him using the GPS tracker.

Fairfield PD had prior knowledge that Hodge may be dropping [REDACTED] off at school in the area of [REDACTED] in Benicia. Hodge drove to the area of the school but did not have confirmation that his [REDACTED] exited the vehicle. Fairfield PD observed Hodge as he was driving and disobeying signs and speeding up. CHP air unit broke off to assist with the second operation. Fairfield PD was following Hodge [REDACTED]. Fairfield PD was having a difficult time monitor and doing surveillance on [REDACTED]

The CPH air unit returned to assist with locating Hodge. CHP air unit located Hodge as he exited in the area of Pinole Valley Rd. off ramp in Pinole and drove into the Starbucks parking lot. The CHP air footage shows Hodge stop his vehicle in the Starbucks parking lot. Both rear passenger doors open and what appears to be two young ladies exit both sides of the vehicle. The passenger from the rear passenger side of the vehicle exits the vehicle and walks to the driver side of the vehicle and gives Hodge a hug. The passengers stay at Starbucks and Hodge drives away.

Fairfield PD tried multiple unsuccessful vehicle assaults on Hodge's vehicle. Fairfield PD realized Hodge had made the surveillance team and backed off. They continued to follow him from a distance using the updated information on the tracker. CHP airship tried to have their patrol units catch up to Hodge, but he made it into the City of Richmond prior to them catching up. The updated GPS information revealed Hodge was in the city of Richmond.

At approximately 0841 hours, Fairfield PD contacted Richmond PD and made them aware Hodge was in their city and he was wanted for murder. A short time later Richmond PD Officer Riley located Hodge's vehicle in the area of Barrett Ave and 7th St. in Richmond. Richmond PD attempted an enforcement stop on Hodge. Hodge failed to yield, and a vehicle pursuit occurred. Hodge failed to yield for stop signs, stop lights and almost collided with a Richmond marked patrol unit and he fled. Hodge drove through Richmond with Richmond PD in pursuit. Hodge entered the freeway 580 eastbound to westbound 80 towards Oakland. Hodge was driving on the right shoulder due to traffic being backed up.

During the pursuit CHP deployed a spike strip on the shoulder of westbound 80 at University Ave. Hodge drove over the spike strip causing his front tires to deflate. Hodge's passenger side of his vehicle collided with the guard rail over the Powell St. overpass in Emeryville. Hodge continued to drive his disabled vehicle a short distance until it came to rest on the freeway. There were multiple Richmond PD marked patrol vehicles behind Hodge's vehicle.

At approximately, 0856 hours, Hodge's stopped his vehicle and Richmond marked patrol vehicles are behind him. Richmond PD attempts a high-risk felony stop on Hodge and he refused to exit his vehicle and comply with officers. Richmond PD recognized they had a barricaded suspect.

At approximately 0857 hours, Richmond PD officer used his PA to give Hodge orders and started negotiating with him. Richmond PD Officer Campos is a member of CNT team and he used the PA to make announcements to Hodge.

As Officer Campos was communicating with Hodge via PA. Fairfield PD Sgt. Morris called Hodge on his cell phone and was negotiating with him to exit the vehicle and surrender. On the same phone call was [REDACTED] who also tried to get Hodge to comply to the officer's orders.

CHP stopped all traffic on WB 80. At approximately, 0913 hours, Hodge drove to the middle of the freeway. At approximately, 0917 hours, Hodge drove again and ended approximately a quarter mile from the split to San Francisco/Oakland on 80. At approximately, 0926 hours Fairfield PD SWAT team led by Sgt. Rombach arrived on scene and continued negotiations until approximately 0933 hours.

At approximately 0933 hours, Fairfield PD Officer Ambrose deployed two rounds of less lethal and one round of CS

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gas into the rear of Hodge's vehicle. At approximately 0935 hours, Hodge exited the vehicle, turned towards officers with a firearm in his hands and shot at officers. Officers from Fairfield PD and Richmond PD returned fire and struck Hodge multiple times. Officers and paramedics provided life saving measures to Hodge. Hodge was transported in the Fairfield undercover surveillance van to San Francisco General Hospital where he died from his injuries.

This case was investigated by the Emeryville Police Department, Alameda County District Attorney's Office and the California Highway Patrol Golden Gate Division's Critical Incident Investigation Team.

The incident occurred on I-80 westbound and west of Powell St. in Emeryville at freeway milepost marker ALA 3.552. The freeway consisted of five westbound lanes a marked median than a westbound carpool lane. During the incident CHP had stopped vehicle traffic for westbound and eastbound traffic in the immediate area. It was dry, clear and sunny.

From the CHP air unit video depicts the original scene during the incident with marked and unmarked police vehicles from Richmond Police Department and Fairfield Police Department. The photos taken by both CHP MAIT team and Alameda County Sheriff's Office drone video after the incident depicts a number of those vehicles were removed from the scene for the following reason. To provide medical aid to Hodge and transport him to San Francisco General Hospital and to transport involved officers from both Richmond PD and Fairfield PD out of the scene.

CHP MAIT Team completed the following:

Survey of the shooting incident scene

Preparation of a physical evidence diagram

Documentation of photographs taken by MAIT personnel

Scan of the incident scene. (Refer to CHP MAIT Team report for further details).

CHP units on scene assisted with obtaining witness information from civilian witnesses on the westbound lanes and eastbound lanes. CHP did not take any written civilian witness statements. The witness information was provided to Emeryville Police Department for follow up. Due to the large number of civilian witness statements the Alameda County Inspectors Unit assisted in contacting some of the civilian witnesses. I contacted other civilian witnesses. (Refer to civilian statements).

CHP provided us with video from the CHP airship. The video is very clear and shows Hodge's actions on how he was driving and failing to obey traffic laws, the pursuit, the position of his vehicle every time he moved forward as officers tried to negotiate with him and ultimately showing him exit his vehicle, turn towards officers and fire from his handgun at officers before he is struck from return fire from law enforcement. (Refer to CHP airship video for further details).

From the CHP airship video depicts the original scene during the incident with marked and unmarked police vehicles from Richmond Police Department and Fairfield Police Department. The photos taken by both CHP MAIT team and Alameda County Sheriff's Office drone video after the incident depicts a number of those vehicles were removed from the scene for the following reason: to provide medical aid to Hodge and transport him to San Francisco General Hospital and to transport involved officers from both Richmond PD and Fairfield PD out of the scene.

SUBJECT OFFICERS: Fairfield Police Department

Sergeant Brent Pucci #1383

Officer Erick Aagaard #1276

Officer Shane Raftery #1526

Sergeant Kelly Rombach #1225

Officer John Divine #1234

Officer James Sehr #1573

Fairfield PD Less Lethal

Officer Mike Ambrose #1469 (deployed less lethal)

Fairfield PD Witness Officers

Detective Keith Pulsipher #1471

Officer Nate Strickland #1218

Fairfield PD Investigative Supervisor

Lt. Jausiah Jacobsen #1200 (SWAT Commander oversaw Operation)

SUBJECT OFFICERS: Richmond Police Department

Sergeant Donovan Decious #1416

Detective Anthony Diaz #1512

Officer Orlando Guzman #1652

Officer Cedric Tagorda #1483

Sergeant Chris Llamas #1364

Detective Michael Ricchiuto #1619

Officer Benjamin Mendler #1586

Law Enforcement Witnesses: Richmond Police Department

Sergeant Lynette Parker #1296

Sergeant Aaron Pomeroy #1287

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Officer Daniel Campos #1486
 Officer Leah Joseph #1424
 Officer Dedrick Riley #1380
 Officer Jovan Walker #1634

Officer Khala Finley #1685
 Officer Daniel Reina #1439
 Officer Jeffrey Tyner #1341
 Officer Robert Wright #1742

Fairfield PD witness interviews

On October 4, 2017 at approximately 1103 hours, Fairfield PD Lt. Jacobsen #1200 (SWAT Commander) was interviewed by Officer Krinsky and I on October 4, 2017 at approximately 1103 hours. The interview took place in a conference room at the Fairfield Police Department range. Also present during the interview was Sgt. Birch with Fairfield PD- Professional Standards unit.

Lt. Jacobsen was the investigative Lt. that oversaw the criminal investigation. He was also the SWAT Commander who oversaw the operation for the search warrant execution for Hodge and other individuals. Sgt. Rombach wrote the operation plan with the direction of Jacobsen and how he wanted it choreographed ahead of time. Rombach completed the operation plan and Jacobsen reviewed it and approved it.

The CHP airship was part of the operation plan. Jacobsen had contacted the CHP airship Officer Koyl and provided him with operation plan via e-mail.

On the day of the incident Jacobsen did not have any contact with Hodge. Jacobsen had prior contact with Hodge. During the investigation Hodge's made a complaint against the lead detective. Jacobsen contact Hodge's by phone and discussed why things were occurring a certain way so he could understand. Most of that was a ruse. During the phone conversation Hodge's did not mention anything that caused concern to Jacobsen.

Fairfield PD [REDACTED] that helps them communicate. [REDACTED] is used to communicate with staff away from radio communication and acts as a two-way radio. Jacobsen was also in charge of the flow of the incident as it moved outside the city of Fairfield. Jacobsen was in Napa executing the search warrant of Hodge's residence when the shooting took place.

Jacobsen was at the briefing and was receiving information from CHP Airship, Officer Koyl who was providing him with information of what he was seeing. He was receiving updates from Sgt. Rombach and Sgt. Pucci about their roles in the effort to execute the search warrants related to Hodge. When the vehicle takedown did not occur because Hodge started driving radically. Jacobsen contacted Koyl and said, "Hey, based on his driving actions we can't do a vehicle takedown now. Is there a way for you to have two CHP units intercept and conduct a stop and the want would be for murder."

Koyl told Jacobsen he would do that. Koyl attempted to get his units in positions but they could never get in positions in time. Koyl told Jacobsen the vehicle went into the City of Richmond and he was contacting Richmond PD to do the same. As things were transpiring Richmond PD dispatch contacted Jacobsen. He provided them information for the nature of what the investigation was, the want and the safety issues. Jacobsen told Richmond PD Hodge was a suspect in a homicide.

The only communication Jacobsen had was with Koyl. All other communication was being done with phone calls. Jacobsen did not know until after he arrived at the scene that Hodge's vehicle had been spiked stripped by CHP. Jacobsen's role upon arriving on scene in Emeryville was to oversee his personnel. He was attempting to obtain safety statements in a minimal aspect of what occurred. He met with other personnel to coordinate the after-action needs. Upon his arrival he met with Richmond PD personnel that were administrative ranking lieutenants and captains. Jacobsen learned his personnel went to Richmond PD then were taken to the Marriott Hotel.

Jacobsen believed there could have been up to six Fairfield vehicles at the scene of the shooting. The Fairfield PD officers were instructed to drive their vehicles to Richmond PD.

Fairfield PD's unmarked surveillance van used in the surveillance and part of the takedown was used as an ambulance to transport Hodge's to San Francisco General Hospital. Jacobsen was told all the other vehicles that were present never crossed the initial barricade or felony stop position, so they were originally considered not part of the crime scene.

Richmond PD had contacted Jacobsen and told him they were in a barricade standoff with Hodge in his vehicle on the freeway. Jacobsen told him he would give them any information they needed, thanked them for their cooperation and asked if they needed assistance. Richmond PD told Jacobsen they would like a SWAT team to come down and take over the incident because they did not have the resources and it was not their incident.

Jacobsen talked to Sgt. Rombach who was the team leader for the team and told him he was taking on the role of the takedown for Hodge. Jacobsen was dealing with the takedown for Wong. It was previously planned that whichever takedown occurred first the other party would go deal with Hodge's house. Since Wong's vehicle takedown occurred Jacobsen went to Hodge's house and secured it. That ultimately happened at the same time as the shooting probably occurred within minutes on the freeway.

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When Richmond PD advised they would like a SWAT team to come down and take over the barricade because they didn't have the resources for full input or participation. Jacobsen talked to Sgt. Rombach and told him to take over the incident and contacted whoever the jurisdiction they are in since they were not in their jurisdiction. Fairfield did not know they were in Emeryville but Rombach was instructed to work with whatever jurisdiction they were in to try and take Hodge's into custody.

Jacobsen was not sure how long they tried to communicate with Hodge's but new it was an extended period. Sgt. Morris was contacting Hodge by phone trying to get him to give up and surrender, to comply. Jacobsen also knew Richmond PD was trying to assist in having Hodge's comply.

Jacobsen arrived on scene approximately 45 minutes after the shooting. Jacobsen left the crime scene and went to the [REDACTED] in Richmond and met with Fairfield PD personnel. Jacobsen checked on each one of his guys but did not talk to them about what specifically occurred. He wanted to check on their welfare. (Refer to Jacobsen's recorded statement).

On October 4, 2017 at approximately 1228 hours, Fairfield PD Officer Strickland #1218 (witness officer) was interviewed by EPD Officer Jason Krinsky and I. Fairfield PD Sgt. Aaron Bertsch was present in the interview. This interview took place at the Fairfield Police Department range.

Officer Strickland stated he was assigned as a sniper on the SWAT team. Officer Strickland was assigned with Sergeant Rombach and was assigned to go to Napa. Officer Strickland was the driver of a black slick top police car and was with Officer Sehr who was the passenger. The plan was to do a vehicle assault on Hodge's vehicle. Officer Strickland attended a briefing the morning of the shooting. Officer Strickland was given a summary of the case, criminal history, statements made by Hodge, vehicle descriptions, Hodge's accomplice that was also assigned to the [REDACTED]

[REDACTED] Officer Strickland and the rest of his team went to Napa. They parked near [REDACTED] and waited for Hodge to leave his house. Hodge left the house with [REDACTED] in the car. An unmarked surveillance team followed him. Officer Strickland attempted to do a vehicle assault in the city of Benicia at a stop light, but he couldn't get there is time due to traffic. Officer Strickland stated when the light turned green, he moved up to get along Hodge's driver's side door but the light for Hodge also turned green and he tried to get in front of him, but Hodge's entered the on-ramp and was on the freeway. Officer Strickland continued to do surveillance on Hodge, but they lost sight of him in Vallejo.

Officer Strickland received updated information that Hodge's was traveling westbound on highway 4. Officer Strickland drove to the area and was told that Hodge's was coming towards him. Officer Strickland turned onto a court, so they could wait for Hodge to drive past them. Hodge drove past Officer Strickland. Officer Strickland was behind Hodge's vehicle and as soon as he pulled behind him Hodge's drove in the opposite lane in traffic, failed to stop at stop lights and stop signs.

Officer Strickland pulled into a Burger King in Richmond. Sgt. Rombach informed Officer Strickland the information was being forwarded to Richmond PD. They waited there until he received updated information that CHP had spike stripped Hodge's vehicle on I80. Hodge's vehicle stopped on the freeway and there was a standoff. Officer Strickland responded to the scene and saw a line of Richmond PD cars and officers. Officer Strickland was about 30-40 yards from Hodge's vehicle. After Officer Strickland arrived on scene Hodge moved his vehicle approximately twenty-five feet. Officer Strickland exited his vehicle and he could hear what he thought was a Richmond PD officer trying to communicate with Hodge. Hodge's vehicle was in the middle of the freeway. The front end was damaged, and Officer Strickland could see there was a driver in the driver's seat. Officer Strickland took a sniper position against the west cement wall.

Officer Strickland could only see Hodge's silhouette in the car because of the angle and the windows being tinted. Officer Strickland [REDACTED]

[REDACTED] Officer Strickland was approximately thirty yards from the rest of his team. Officer Strickland heard very clear that Fairfield PD was going to deploy less lethal at the back window of Hodge's vehicle. After the second deployment Officer Strickland could see Hodge exit his vehicle and all he could see were his feet through the scope of his rifle. Officer Strickland heard the gun shots after Hodge's exited his vehicle. Officer Strickland did not shoot because he did not see a threat. Officer Strickland only saw Hodge's feet and he did not have a clear shot and his only backdrop was the freeway where people were on the other side of the freeway.

Officer Strickland assisted in clearing Hodge's vehicle. Officer Strickland saw two paramedics who rendered first aid to Hodge. Hodge was placed in the rear of Fairfield PD's van and Officer Strickland transported Hodge to San Francisco General Hospital. (Refer to Officer Strickland's recorded statement for further details).

On October 4, 2017 at approximately 1305 hours, Fairfield PD Detective Pulsipher #1471 (witness officer) was interviewed by EPD Officer Jason Krinsky and I. Fairfield PD Sgt. Aaron Bertsch was present in the interview. The interview took place in a conference room at the Fairfield PD range.

Detective Pulsipher is a member of the SWAT team. Detective Pulsipher was involved in the investigation from the beginning. Detective Pulsipher worked every night from September 6th until the incident on the freeway.

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Detective Pulsipher attended the briefing the morning of this incident. Detective Pulsipher went to the Fairfield range and practiced vehicle assaults. Detective Pulsipher was assigned to breach the driver side window, break the glass, clear the glass and open the door so other officers would be able to take the person into custody.

Detective Pulsipher was in a gray minivan and there was a marked patrol car with them. Detective Pulsipher was notified by the surveillance team that Hodge's had left his residence and entered his SUV. Hodge's drove his vehicle into the Burger King parking lot Detective Pulsipher was in. Sgt. Rombach told all the marked patrol vehicles to leave the area.

Detective Pulsipher stated the surveillance teams followed Hodge's vehicle down highway 29 into Vallejo. In Vallejo Hodge exited Highway 37. From Highway 37 he entered interstate 80. From interstate 80 he took 780 and exited at the West Military exit in Benicia. The surveillance team lost Hodge in Benicia.

[REDACTED] because it was not uploading as frequently as it was supposed to. Detective Pulsipher stated they located Hodge's vehicle and the goal was to attempt a vehicle assault before he got on the freeway. Detective Pulsipher stated they did not see anyone in the passenger seat of Hodge's vehicle. They were going to attempt the takedown right there but there was a vehicle on the left-hand side of the turn lane that prevented the stop car from being able to get in front of him. The light turned green and they crossed underneath the freeway. The signal was given to the stop car to go make the stop.

The stop car was driven by Officer Strickland who attempted to get in front of Hodge's vehicle to cut him off but that occurred at the entrance to interstate 780 going eastbound. Detective Pulsipher did not know if Hodge had drove to northbound on interstate 680 or southbound on interstate 680. [REDACTED]

[REDACTED] The CHP airship told Fairfield PD there was [REDACTED] who exited Hodge's vehicle and went into Starbucks. They were advised the [REDACTED] never reentered Hodge's vehicle. Hodge drove on [REDACTED] and there were no surveillance units with him. Detective Pulsipher was providing updates from the tracker. A Fairfield PD surveillance team located Hodge. Fairfield PD wanted to do a vehicle assault but there was a school nearby and Sgt. Rombach did not want it done in front of the school or in the school zone and they did not want to put anyone else in danger.

Hodge's drove by the takedown car and the takedown car tried to position itself to stop Hodge's vehicle. The marked patrol car followed the takedown car. There were several stop signs and stop lights. As they approached the first stop sign Fairfield PD's black takedown car shifted over to the left to get in front of Hodge's vehicle. As soon as this happened Hodge's drove his vehicle into oncoming traffic and failed to yield at several stops signs and stop lights. Sgt. Rombach told units to back off, so it would not cause a collision.

Detective Pulsipher stated Hodge's was traveling on westbound I80. Detective Pulsipher continued to provide updates as [REDACTED]. Detective Pulsipher located Hodge by the Casino on San Pablo Dam Road. Detective Pulsipher exits the freeway and Hodge starts driving on the shoulder and passing vehicles on the right. Detective Pulsipher observed Hodge's at an intersection where the traffic was stopped. Hodge's crossed over into the opposite lanes of traffic around the island and sped up through the intersection where traffic was traveling in both directions. Fairfield PD backed off.

Detective Pulsipher stated Hodge was in Richmond. As Hodge drove through Richmond, he failed to yield at stop signs and stop lights. Richmond PD became involved in the pursuit and they were traveling eastbound on interstate 580. Once Richmond PD was involved Sgt. Rombach decided to let Richmond PD handle the situation until the pursuit was terminated. Lieutenant Jacobsen was providing updates to Sgt. Rombach about the incident. Detective Pulsipher stated they received information that CHP had deployed the spike strip, or a spike barrier and it took out the front tires on Hodge's vehicle and he had come to a stop on westbound interstate 80.

Detective Pulsipher learned Hodge's had barricaded himself in his vehicle and they were requested to respond to the scene. Upon Detective Pulsipher's arrival on scene he saw a line of Richmond PD vehicle and Hodge's vehicle in front of them. Detective Pulsipher placed himself in the number two lane. Sgt. Rombach received updates from Richmond PD.

Detective Pulsipher stated they treated it like a barricade situation and attempted to call Hodge out of his vehicle. On two different occasions Hodge's continued driving short distances even though his tires were flat. At times Hodge would roll down his window to communicate and he would reposition his mirrors. Hodge would lean out of his vehicle as if he was trying to see where everyone was positioned. The third time Hodge rolled down his window and was communicating with officers who were trying to him directions he rolled up the window. Sgt. Rombach stated to use the less lethal to take out the back window of Hodge's vehicle, so they could apply gas to the inside of the vehicle which would cause him to exit the vehicle. The first round fired was not effective because it hit just below the window. The second round punctured through the back window and shattered the glass. The third round deployed was CS gas that entered Hodge's vehicle.

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Shortly after Hodge came out and he presented a gun in a fighting stance in a manner that showed he was not ready to submit himself. It appeared to Detective Pulsipher that the look in Hodge's eyes and the way he presented the gun it looked like he had trained and was prepared to use the gun effectively. Detective Pulsipher also stated it appeared at looking at Hodge that he wanted to do harm and he felt he wanted to do harm to him and the officers around him. Due to Detective Pulsipher's position he couldn't safely present his firearm and he decided not to shoot.

I showed Detective Pulsipher photos from the scene and he marked his location where he was approximately positioned during the shooting. Detective Pulsipher also stated there were people in front of him that had their firearms presented so he did not have a shot. Detective Pulsipher explained that he was west of the HOV lane to the west of the center wall. Detective Pulsipher was on the driver's side near the rear quarter panel. Detective Pulsipher was standing and he felt threatened. If Detective Pulsipher would have shot, he would have put other officers at risk or shot at the back of a patrol vehicle.

After the shooting Detective Pulsipher and the other units wanted to check on Hodge's welfare. They also needed to clear Hodge's vehicle to make sure the vehicle was clear of any threat. Officers on scene maintained their positions of cover until Sgt. Rombach gave orders on where he wanted people to go. Detective Pulsipher was directed to stand up on the left side of the patrol vehicle and Richmond PD units were directed to go to Hodge's vehicle and clear any threats. Detective Pulsipher's was directed to address Hodge and make sure he was no longer a threat and to provide any medical aid necessary. Detective Pulsipher and others used as cover to make the approach to Hodge and his vehicle. There was a stack of officers to the right of Detective Pulsipher and they opened the rear hatch of Hodge's vehicle and cleared the rear of his vehicle. However due to height of the rear seats they were unable to see anything in the second row. Detective Pulsipher, Officer Sehr and another officer opened the door of Hodge's vehicle and cleared the back seat to make sure there were no threats.

Once the vehicle was cleared Detective Pulsipher and others started to render medical aid to Hodge. There were three or four people providing medical aid to Hodge and he realized there was not room for more people to assist. Detective Pulsipher saw there was a handgun with an expended cartridge and he knew it was evidence since it was a crime scene. Detective Pulsipher realized he needed to preserve the evidence as best as possible and he stood over the firearm and he told a Richmond Officer to stand there and preserve the evidence until he was instructed to leave with other officers. The Fairfield PD unmarked gray van was used to transport Hodge to San Francisco General Hospital.

Sgt. Rombach pulled everyone back at the scene, so they could start processing the scene and organizing everyone. Sgt. Pucci asked Detective Pulsipher to make a list of those officers that were involved in the shooting and those officers that did not discharge their firearms. Detective Pulsipher drove the black vehicle Officer Strickland was previously driving to Richmond PD with Officer Sehr. Detective Pulsipher arrived at Richmond PD and there were photos taken of all the people that had fired their weapons. Detective Pulsipher was told to go to the hotel. The black vehicle he drove had a flat tire and he was transported to the hotel by Detective Murray. Detective Pulsipher stated he was wearing his full SWAT uniform that consisted of a ballistic helmet, eye protection, ballistic vest with arm sleeves, long sleeve shirt with the same pattern as his pants. He was wearing a drop holster for his firearm and had his rifle slung across his chest. There were Fairfield PD patches on both arms and a POLICE patch on his chest. (Refer to Detective Pulsipher's recorded statement).

Richmond Police Department Witness Officers

Richmond PD Sgt. Lynette Parker #1296 (witness officer) was interviewed on October 3, 2017 at 0830 hours, by EPD Officer Krimsky and Detective Mayorga in a conference room at Richmond Police Department. The interview was audio recorded. (Refer to Officer Krimsky's report for further details).

Richmond PD Sgt. Aaron Pomeroy #1287 (witness officer) was interviewed on October 3, 2017 at 0848 hours, by EPD Officer Krimsky and Detective Mayorga at Richmond PD. The interview was audio recorded. (Refer to Officer Krimsky's report for further details).

Richmond PD Officer Robert Wright #1742 (witness officer) was interviewed on October 3, 2017 at approximately 0923 hours, by EPD Officer Krimsky and EPD Detective Mayorga. (Refer to Officer Krimsky's report for further details).

I interviewed Richmond PD Officer Leah Joseph #1424 (witness officer) at the Richmond Police Department in the large conference room on October 3, 2017 at approximately 0926 hours. Officer Joseph provided me with the following statement. This is a synopsis of her statement.

Officer Joseph heard a call come out as an outside assist for a murder suspect. Officer Joseph was having a vehicle towed when she heard Sgt. Llamas request additional units. Joseph responded to scene and upon her arrival she could hear officers engage in trying to interact with the suspect on the PA system. Officer Joseph knew Fairfield PD was negotiating on the phone with the suspect. Officer Joseph went to the number 4 lane with Officer Finley who was on the passenger side of the patrol vehicle. Officer Joseph stated because she was in the number 4 lane and her position of the target her target beyond the suspect's vehicle was I80.

Officer Joseph's focus was on the passenger side of the suspect's vehicle. Officer Joseph stated it was very clear that less-lethal was going to be used. Officer Joseph saw the suspect exited the vehicle and turned to the left. Officer Joseph could see his hands and she saw a shot. The suspect fell to the ground. The suspect's vehicle was cleared, and they started to perform CPR on the suspect. Officer Joseph's backdrop if she fired her weapon was 180 eastbound. Officer Joseph's body worn camera was activated during this incident. (Refer to Officer Joseph's recorded statement for further statements).

On 10/03/17 at approximately 0937 hours, I interviewed Richmond PD Officer Tyner #1341 (witness officer) in a conference room at Richmond Police Department. I took a recorded statement of the interview. Officer Tyner provided me with the following statement. This is a synopsis of his statement.

Officer Tyner stated he was held over to work because day shift was short. Officer Tyner was towing a vehicle when the pursuit of the suspect vehicle started. Officer Tyner returned to Richmond PD to drop off the CHP 180 when he heard Sgt. Llamas request additional units to respond to the scene. Officer Tyner drove to the scene and when he arrived on scene, he took a position in one of the vehicle doors for position of cover. Officer Tyner stated they were devising a plan of action and someone was on the phone with the suspect at the time. They were trying to communicate with him. Officer Tyner saw less lethal being used to shatter the rear window of the suspect's vehicle. Officer Tyner could see the rear window and the passenger side of the suspect's vehicle. Officer Tyner couldn't see the driver's side door of the suspect's vehicle. Officer Tyner stated this is the reason he did not shoot.

After the shooting stopped Officer Tyner saw they were providing life saving measures to the suspect. Officer Tyner recovered some chalk from his patrol vehicle and he started marking the casings, expended casings and the magazines. Sgt. Pomeroy instructed Officer Tyner to provide an escort for the suspect. The suspect was placed in Fairfield PD's unmarked van. Officer Tyner provided an escort to San Francisco General Hospital. Officer Tyner stated upon arriving to the hospital the medical staff placed the suspect on the gurney and started CPR and rushed him right to a room to complete lifesaving measures.

Officer Tyner stated his body worn camera was turned on during this incident. Officer Tyner stated they tried everything to convince the suspect to get out of the car. Officer Tyner stated they all knew he was armed and that he was not going back to prison. He made this very clear with the people trying to negotiate with him. (Refer to Officer Tyner's recorded statement for further details).

On October 3, 2017 at approximately 1003 hours, I interviewed Richmond PD Officer Campos #1486 (witness officer) at Richmond Police Department in a conference room.

Officer Campos stated he was working patrol when this incident took place. Richmond PD dispatch broadcasted that CHP was in pursuit of a murder suspect vehicle. The suspect vehicle was a black SUV and was in the area of 32nd and Andrade (check location). Officer Campos responded from 6th St. and Bissell St. Dispatch continued to provide updated information. Officer Campos responded to 7th St and Barrett Ave. and saw a motor unit behind the suspect vehicle at the stoplight. at 7th St. The suspect vehicle made a southbound turn on 7th St. at a high rate of speed. Officer Campos activated his code 3 emergency equipment.

Officer Campos was the number one vehicle in the pursuit. The vehicle pursuit continued through the surface streets until it got onto Interstate 580. The suspect vehicle immediately went to the number one lane and Campos was still behind him. Sgt. Llamas was behind Officer Campos and he was calling the pursuit. Traffic came to a complete stop on Interstate 580 and the suspect's vehicle went from the number 1 lane to the right shoulder. The suspect vehicle was traveling approximately 70 miles per hour until it reached I-80.

Sgt. Llamas took over as the number one vehicle in the pursuit and Campos was the number 2 vehicles in the pursuit. Officer Campos saw CHP deploy the spike strip which disabled the suspect's vehicle. The suspect vehicle continues to travel at approximately 50-60 MPH. In the area of Powell St., the suspect's vehicle collided with median divider. The suspect's vehicle stopped in the carpool lane. Officer Campos does a high-risk felony stop on the suspect's vehicle. Sgt. Llamas told an officer to make announcements on the PA system. Officer Campos is uncertain who was making the announcements. The suspect's vehicle moved to the center of the freeway. Officer Campos entered his vehicle and used his PA system to make announcements. Officer Campos asked him to come out and put his hands up, surrender peacefully. Officer Campos repeated this several times. Officer Campos also told him to roll down the window, put your hands out.

Approximately 20-30 minutes later Fairfield PD SWAT arrived. Officer Campos learned a Fairfield detective was talking to the suspect on the phone. Officer Campos returned to his patrol car and continue to make more announcements to come out. The suspect started driving away very slowly. The suspect vehicle stopped, and Officer Campos heard on the radio that Fairfield PD was going to deploy non-lethal. Officer Campos was in the car when the non-lethal was shot and he believed it broke out the rear window.

Officer Campos saw the suspect's vehicle door open. The suspect exited the vehicle with his arms extended shooting. Officer Campos stated it looked like he was shooting at him. Campos saw anger in the suspects face. Officer Campos remembers the smoke coming out of the suspect's gun. Officer Campos did not have his gun out and he took cover behind the dashboard. Officer Campos heard gun shots being fired. Officer Campos peeked his head just a little and saw the suspect go down. The suspect's vehicle was rendered safe. Emergency medical

personal rendered medical aid to the suspect. Officer Campos assisted with loading the suspect into Fairfield PD's van to transport him to the hospital. Sgt. Pomeroy told Officer Campos to relieve Officer Diaz at San Francisco General Hospital. Officer Campos arrived at San Francisco General Hospital and relieved Officer Diaz. Officer Campos was told the suspect died. The Deputies at San Francisco General Hospital told Officer Campos that they would stay with the suspect.

Officer Campos had his body worn camera on during the incident. Officer Campos has been a hostage negotiator since 2010. Officer Campos negotiated with the suspect for approximately 45 minutes to an hour. Campos really wanted the suspect to surrender peacefully. (Refer to Officer Campo's statement for additional details).

Richmond PD Officer Khala Finley #1685 (witness officer) was interviewed on October 3, 2017 at approximately 1009 hours, by EPD Officer Krimsky and EPD Detective Mayorga. (Refer to Officer Krimsky's report for further details).

Richmond PD Officer Jovan Walker #1634 (witness officer) was interviewed on October 3, 2017 at approximately 1059 hours, by EPD Officer Krimsky and EPD Detective Mayorga. (Refer to Officer Krimsky's report for further details).

Richmond PD Officer Daniel Reina #1439 (witness officer) was interviewed on October 4th, 2017 at approximately 1525 hours, by EPD Officer Krimsky and I. (Refer to Officer Krimsky's report for further details).

Richmond PD Officer Dedrick Riley #1380 (witness officer) was interviewed October 5, 2017 at approximately 0846 hours, by EPD Officer Krimsky and I. (Refer to Officer Krimsky's report for further details).

Fairfield PD Subject Officer Statements:

Fairfield PD Officer Shane Raftery #1526 was interviewed on September 28, 2017 at approximately 1240 hours, in a conference room at Richmond Police Department. Present during the interview were Alameda County Deputy District Attorney Autrey James, Alameda County Inspector II James Morris, Fairfield Police Officer Shane Raftery and his legal representative Vance Piggott with Rains Lucia Sterns & Silver PC. and I.

I read Officer Raftery the Beheler statement admonishment. Officer Raftery and Vance Piggott signed the form to acknowledge they understood the admonition. Officer Raftery provided a voluntarily statement. (Refer to signed waiver).

Officer Raftery works for Fairfield PD and is a member of the SWAT perimeter team which is attached to their SWAT team. He has been on the team for approximately two years but has not attended SWAT school.

Officer Raftery was part of a SWAT callout regarding a wanted homicide suspect, Demilo Hodge. They met at Fairfield PD at 0400 hours, for briefing. During the briefing Officer Raftery was given backgrounds on two individuals. Hodge's being the main suspect and the focus of the murder investigation. Hodges had extensive background. Photos were shown at the briefing of Hodge with numerous different firearms both rifles and pistols. They were also told Hodge was in possession of multiple weapons and he may be manufacturing illegal weapons. They presumed he would be armed. They did not say he was armed and dangerous.

Fairfield PD had units conducting surveillance on Hodge and they had a tracker on his vehicle. One of his residence in Napa was under surveillance. Officer Raftery was assigned with a group that was assigned to arrest Hodge. It was determined the best course of action was do a vehicle assault on Hodge's vehicle. After the briefing they went to Fairfield PD range where they practiced the vehicle assault, so everyone knew their roles. The vehicle assault was to take place as Hodge's was moving. They practiced for approximately an hour to an hour and a half.

Officer Raftery was driving a fully marked Fairfield PD patrol vehicle and went to the staging area at [REDACTED]. Units on the surveillance team observed Hodge's enter his black SUV and [REDACTED] was also in the vehicle with him. Since Hodge's [REDACTED] was in the vehicle and they did not want to put [REDACTED] in harm, so they decided to hold off on the vehicle assault. Officer Raftery's assignment in the vehicle assault was to be the traffic block and make sure nobody came behind him and then eventually he would be the prisoner transport.

Fairfield PD followed Hodge to [REDACTED] off at school. Officer Raftery was uncertain of the location but the units attempted to do a vehicle assault and it was believed Hodge's identified the units and he fled at a high rate of speed on the highway. [REDACTED]

Hodge [REDACTED] in the vehicle which they believed made him the sole occupant in the vehicle. They tried to get behind Hodge's vehicle again and Officer Raftery believed Hodge recognized their vehicles and he fled at a high rate of speed again. This was concerning because he was driving in a school zone and there were children walking around with their parents. Hodge was driving with wanton disregard for safety. Hodge was driving on the wrong side of the road in front of a school zone into a blind turn. Once again Fairfield PD backed off, so he would stop driving in an unsafe manner and wouldn't endanger the lives of those around him.

Fairfield Police Department met to regroup and learned Richmond PD was in pursuit of Hodge's vehicle. Officer Raftery also learned that Hodge's vehicle was spiked stripped by CHP on the freeway. Officer Raftery understood they had a barricaded subject and Hodge was inside of his vehicle on the freeway. Officer Raftery arrived on scene with other Fairfield PD units and he observed the same black SUV stopped in the middle of the freeway.

Upon Officer Raftery arrival he observed numerous police vehicles on scene, different force options both lethal and non-lethal. There was canine unit on scene. Fairfield Police Department and Richmond Police Department discussed what each other's roles would be. As this discussion was taking place Hodge slowly started to creep forward with his vehicle. Officer Raftery told his supervisor what was happening. Officer Raftery was under the impression that Hodge's tires were flat, but he was uncertain how far Hodge was trying to go. Officer Raftery felt Hodge was still trying to escape. Officer Raftery entered one of Fairfield PD patrol vehicle and moved approximately 10 feet forward. Hodge's stopped his vehicle. There was a police officer trying to communicate with Hodge. Officer Raftery saw a police car off set directly behind Hodge's vehicle and he saw an officer taking a knee by the front. Officer Raftery had a good vantage point of Hodge's vehicle. Officer Raftery positioned himself behind the (b pillar) of the vehicle with his rifle. Officer Raftery observed that Hodge was not following the verbal commands and he was not cooperating and was not exiting the vehicle. Officer Raftery believed someone was his department was communicating with Hodge by phone.

Officer Raftery heard verbal commands given to Hodge. Officer Raftery observed a less lethal [REDACTED] used to break the back window of Hodge's vehicle. Officer Raftery believes the first round was ineffective and ricocheted or bounced off. The second less lethal broke the back window of Hodge's vehicle. The third less lethal was a gas round which was an attempt to gain compliance from Hodge. Hodge placed his hands out of the window suggesting his hands were free and not holding a weapon. From Officer Raftery experience he felt Hodge may comply and there could be a peaceful resolution since his hands were free of any weapons. Following the gas round Hodge's hands went back inside his vehicle. Hodge's door opened, and he had a black pistol in his hand and he was coming up in an upward motion and Officer Raftery heard the first gunshot which he felt like it came past his left side because of the flinch. Officer Raftery recognized Hodge was shooting at him and felt he was going to kill police officers. There were a large amount of law enforcement officers and bystanders on the freeway.

After Hodge fired his first round and Officer Raftery flinched to his right. Officer Raftery regained his sight picture on his rifle. Hodge was still holding his firearm and still standing. Officer Raftery believed Hodge was still firing his weapon and he fired two rounds with his rifle at Hodge's upper torso. Officer Raftery saw Hodge fall to the ground and he ceased fire. Officer Raftery was attempting to neutralize the threat and he believed he accomplished that. There was a quick check that was conducted, and no officers had been struck by gunfire.

Officer Raftery went over to the Fairfield PD SWAT team and they worked in conjunction with Richmond PD to assess Hodge's vehicle and to make sure the threat was neutralized. Officer Raftery was uncertain if Hodge still had his gun in his hand or away from his hands. Hodge's vehicle was cleared. Officer Raftery already had gloves on and he reached down and checked Hodge for a pulse and he did not feel a pulse, so he started doing CPR. Several other people arrived on scene. Officer Raftery did not know if they were firefighters or paramedics but they appeared they knew what that they were doing. Officer Raftery performed CPR until he became tired. He was relieved by someone else who performed CPR. Officer Raftery assisted in trying to plug one of the wounds with gauze and then he went back to perform CPR to relieve the other person that was performing CPR. A vehicle pulled up to take Hodge to the hospital. They carried Hodge to the car but eventually decided to place him in the van. With Hodge in the van they could still render medical aid and he was transported to San Francisco.

Officer Raftery went to Richmond PD where he was photographed.

Officer Raftery was shown three photos of the scene. They were labeled A, B, C. This was to assist us in understanding where he was when he arrived on scene and where he was when he fired his weapon. The photos shown to Officer Raftery were photos of the scene and the Fairfield PD marked units had already been removed from the scene.

Upon Officer Raftery arrival he was one of the last units to arrive and explained he was to the right-hand side. Officer Raftery explained Hodge's vehicle was in the center of the highway or close to the center and approximately 30 yards away were the first line of police cars. Officer Raftery used the photos to describe his location on scene.

Upon Officer Raftery's arrival it appeared Richmond Police Department had established a solid front line and there was communication with the suspect. It appeared that Richmond Police Department had the scene under control. It also felt they were not gaining compliance from Hodge.

Officer Raftery stated Richmond PD and Fairfield PD [REDACTED] They communicated through relays. Officer Raftery had a radio channel that involved Fairfield PD and CHP airship. Fairfield radio channel was on a separate channel that could be used for line of sight or car to car since they were out of Fairfield Police Departments radio area. On scene the communication he had was all verbal. When it was time to use less lethal Officer Raftery yelled "Hey, less lethal-less lethal less-lethal!" Officer Raftery wanted to avoid sympathetic gunfire. Officer Raftery explained his agency has less lethal on scene and there was also a canine on scene.

Officer Raftery explained how they wanted a positive outcome and that is why less lethal was used. Officer Raftery stated it appeared there would be a positive outcome since Hodge was putting his hands out of the window and the less lethal was effective. Then the situation escalated very quickly after that.

Officer Raftery never had contact with Hodge prior to this incident and was never involved in prior operational plans with him.

Officer Raftery confirmed he fired two rounds to the upper torso of Hodge. Officer Raftery is uncertain if he struck Hodge. Officer Raftery went on to explain how his department went over the vehicle assault earlier in the morning at their range.

Officer Raftery stated on the day of this incident he woke up at approximately 0200-0300 hours and went to bed at approximately 2300 hours the night before.

Officer Raftery graduated from the Napa Police Academy. He is a police officer with Fairfield Police Department. He is assigned to patrol and his serial number is 1526. He was hired on March 22, 2013 and has been a cop for approximately four and a half years. He has no prior law enforcement experience or military experience. [REDACTED]

Officer Raftery is assigned to patrol and is typically assigned to the Public Service Area. Officer Raftery's normal working hours are 1342 hours to 0200 hours and is considered swing shift. The detail for Hodge was considered a call-out for SWAT operation.

Officer Raftery qualified approximately a month ago and qualifies quarterly with the Fairfield Police Department.

[REDACTED] He wasn't involved in any significant events prior to this incident and did not have any injuries prior to this incident.

Officer Raftery described the uniform he was wearing as black boots, black BDU style pants, his patrol belt, which includes his service pistol, taser, baton ring, [REDACTED], glove, pouch and keys. He was wearing a black police shirt with the words police on both arms. Over his shirt he had a black vest which also has police on the front and back. He had a microphone headset and was wearing a black Kevlar helmet.

Officer Raftery was armed with a Glock 17, 9mm with [REDACTED] in the magazine and one round in the chamber. He also had [REDACTED] additional magazines with [REDACTED] in each magazine. [REDACTED]

He also had a COLT rifle with a [REDACTED]

[REDACTED] He carries his taser on the left side.

Officer Raftery drove fully marked Fairfield Police Department unit 85. The marked vehicle has police on the doors and Fairfield Police on the back of the vehicle with a raised light bar. [REDACTED] He was by himself in the vehicle.

Officer Raftery attended the briefing at 0400 hours that was held at the Fairfield Police Department. There were approximately 20 people that attended the briefing that included the SWAT team and the investigation team. The briefing lasted approximately 30 minutes and they showed a large power point in the front of the room. Officer Raftery's assignment for this incident was prisoner transport and to serve as the rear element of the three-man convoy. [REDACTED]

[REDACTED] They went to Fairfield PD range and practiced the vehicle assault, so they could understand their roles.

Fairfield PD had a surveillance team monitoring Hodge's residence. Officer Raftery confirmed he was in the [REDACTED] parking lot in Napa. Officer Raftery was given updates from officers that were monitoring him. Officer Raftery remembers there was a female getting into a car and there were people he believed exited Hodge's car at Starbucks. Officer Raftery was uncertain what city Starbucks was in. Officer Raftery believed Hodge recognized the surveillance team from the manner Hodge was driving. Officer Raftery was aware they were receiving updates from the CHP airship.

Officer Raftery described how Hodge drove at a high rate of speed as they attempted to follow him. Fairfield PD pulled back and they met in a parking lot to see how they would move forward. There was a concern since they heard he had a firearm and putting two officers in front of him would put them in harm's way.

As they met it was mentioned Richmond PD was in pursuit of Hodge. They stayed there until they were asked to assist at the scene of the incident.

This incident occurred during daylight hours. Officer Raftery described the freeway as being opened in front of him. On the other side of the freeway it was congested traffic and the freeway was shut down due to this incident. There were a lot of onlookers. Officer Raftery answered follow up questions regarding Hodge exiting his vehicle and firing his weapon and attempting to kill law enforcement officers. Officer Raftery described Hodge's actions as being so

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aggressive and violent that it commanded an immediate response. When Officer Raftery fired his second round at Hodge is when he saw Hodge's body drop and when he ceased fire. Verbal commands were given to Hodge and he did not respond. Police K-9 was deployed and Hodge did not respond. Officer Raftery described the distance Hodge's exited his vehicle and approached officers was approximately five feet.

Officer Raftery described Hodge's driving prior to the pursuit by Richmond PD as disregard for persons, vehicle on the roadway and as a person trying to get away. Officer Raftery was unable to determine how fast Hodge was traveling. Officer Raftery did not activate his emergency equipment because they did not get to the point to effectively do the vehicle assault. Officer Raftery explained at the briefing he was given information that Hodge was wanted for murder or for a murder that occurred in Fairfield. Officer Raftery was shown numerous photos of Hodge with firearms including rifles and he was presumed to be armed.

Officer Raftery described one other marked Ford black and white Fairfield Police Department Supervisor's vehicle. The vehicle has police on the white parts of the doors and says Fairfield Police on the front and back. Also, in his group of three cars Officer Raftery was the only marked patrol vehicle. The other was a black slick-top undercover police vehicle and an unmarked black vehicle with functioning emergency lights on the inside. Officer Raftery is uncertain on the streets he took to get to the scene. When Officer Raftery first arrived on scene he arrived with the other two vehicles he was with at approximately the same time. Officer Raftery did have some radio issues but he did recall receiving an update saying Hodge's was barricaded in his vehicle.

Officer Raftery explained when he arrived Hodge moved his vehicle again. Everyone moved their vehicles forward. Officer Raftery exited the vehicle he was in and positioned himself slightly offset to Hodge's vehicle which he felt provided him with cover and safety because he could hide behind it while still maintaining his observation in the car. Officer Raftery explained the vehicle he was behind was canted and its nose was facing to the left towards the opposite side of traffic. He could see the back and drivers' side of Hodge's vehicle, but he was unable to see inside of his vehicle. Hodge's placed his hands out of the driver side window and Officer Raftery did not see anything in Hodge's hand. He thought Hodge's was trying to show of good faith with nothing in his hands. Officer Raftery interpreted this since they were communicating with him for an extended period and people were talking to him that he was coming out of the vehicle with nothing in my hands. Officer Raftery was relieved and thought they would be done in 5 minutes.

Hodge's exited his vehicle with the gun in his hand and Officer Raftery thought "Oh, shit," and he really had to get his sight picture back and when Hodge's hand was coming up he was focusing on his sight picture and that is when he heard the first gunshot which he believed went to his left side because it made him flinch to the his right. Officer Raftery confirmed there were officers to his left, but he is uncertain how many officers were there and what weapons they had. Officer Raftery feared for his safety and the safety of everybody around him. Hodge was an imminent threat who was actively shooting at officers and he felt Hodge was shooting at him. He again confirmed he fired two rounds at Hodge's upper torso and following the second round he saw Hodge's fall to the ground. Officer Raftery felt they effectively neutralized the threat. Officer Raftery felt firing both rounds were necessary.

Officer Raftery described his feelings during the incident. It went from heightened focus to the "Oh, shit," moment, fear and panic and after he shot Hodge and he went down there was still a level of uncertainty. Officer Raftery was worried about people to his left and his right. He looked to his left and right and people were saying they were ok which brought some relief to him but at the same time he did not know if there was anyone else hiding in the car or somebody else with a gun. He did not know if Hodge was pretending that he was injured and down or if he was giving up and surrendering. Officer Raftery met up with his team and they were able to clear the car and Hodge and were able to stop worrying about his life and safety and focus on Hodge by giving him CPR and other first aid measures.

The vehicle they first attempted to place Hodge in was impractical because of the size of the vehicle. Hodge needed assistance and he did not think it was feasible to get in the back of that car, so it was determined to place him in the van to transport him.

Officer Raftery had blood on his pant leg from doing CPR. Once he left the scene, he went to Richmond Police Department where they took overall photographs of him with his clothing and gear. Officer Raftery did not fire his handgun. He described his rifle as a Colt AR stealth rifle that fires .223 rounds that was department issued. The ammunition was provided by the department. The rifle had flashlight and a [REDACTED] on it which were also both departments approved. Officer Raftery was in possession of his rifle the entire time after the shooting until it was collected [REDACTED] in Richmond by CSI staff.

Officer Raftery explained his training with the rifle and how he predominantly trains with the SWAT team twice a month and almost every training they have they use the rifles. He also attended a POST recognized three-day course. Officer Raftery did not provide a public safety statement. He was not wearing a body camera.

Fairfield Police Officer James Sehr #1573 was interviewed on September 28, 2017 at approximately 1256 hours, in a conference room at Richmond Police Department. Present during the interview were Alameda County Deputy District Attorney Kevin Wong, Alameda County Inspector Caesar Basa, Alameda County District Attorney Inspector Jason Riechers and Sehr's counsel Jonathan Murphy with Rains Lucia Stern St. Phalle & Silver, PC. (Refer to Detective Mayorga's report for further details).

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Fairfield Police Department Officer Erick Aagaard #1276 was interviewed on September 28, 2017 at approximately 1323 hours in a conference room at the Richmond Police Department. Present during the interview were Emeryville Police Officer Jason Krinsky, Deputy District Attorney David Cook, Alameda County Deputy District Attorney Inspector Gus Galindo and Aagaard's counsel Julia Fox with Rains Lucia Stern St. Phalle & Silver, PC. (Refer to Officer Krinsky's report for further details).

Fairfield Sergeant Brent Pucci #1383 was interviewed on September 29, 2017 at approximately 1116 hours, in a conference room at the Richmond Police Department. Present during the interview were Alameda County Deputy District Attorney Kevin Wong, Alameda County District Attorney Inspector Caesar Basa, Emeryville Police Detective Edward Mayorga and Pucci's counsel Ian Sangster with Mastagni Holstedt. (Refer to Detective Mayorga's report for further details).

On September 29, 2017 at approximately 1116 hours, Fairfield Police Department Sgt. Kelly Rombach #1225 was interviewed at the Richmond Police Department. Present in the interview were Alameda County Deputy District Attorney David Cook, Alameda County District Attorney Inspector Jason Riechers, Sgt. Rombach's legal representative Kevin Wiemer with Mastagni Holstedt and I. Prior to the questioning Inspector Riechers read Sgt. Rombach the Beherler admonition. Sgt. Rombach voluntarily proceeded with the interview. (Refer signed waiver).

Sgt. Rombach is a Sergeant with the Fairfield Police Department. He has been with the Fairfield Police Department since 2004, approximately 13 years. [REDACTED]

Sgt. Rombach is currently assigned to the Special Operations Team with the Fairfield PD. At the time of this incident Sgt. Rombach was also the SWAT team leader and has been the team leader for approximately four years. Sgt. Rombach completed basic SWAT school in 2007 and attended an 80-hour training hosted by Sacramento PD. Sgt. Rombach's hours of work are Wednesday through Friday from 1300 hours to 2300 hours. Sgt. Rombach's direct supervisor is Lieutenant Jacobsen.

[REDACTED] Sgt. Rombach worked on Tuesday from 0900 hours to 2000 hours. He slept approximately six hours from Tuesday to Wednesday. On Wednesday he worked from 0330 hours. [REDACTED]

Sgt. Rombach described his uniform. He was wearing a police-issued SWAT gear which consist of a uniform top that has a gray kryptek camouflage pattern. The uniform pants also with the gray kryptek camouflage patter and black boots. Over his uniform was his SWAT body armor which consisted of gray camouflage with a kryptek pattern. The SWAT body armor covered the Fairfield PD patches and American Flag were underneath his shoulder pads and not visible. Kevlar sleeves that go down just above the elbow and a police sergeant patch on the front of his chest. There was a police placard on the front chest, police placard on the back and a black helmet. The vest he was wearing was equipped with rifle magazines across the front, an AR-15 rifle slung across the front of his body and a Glock 19, 9mm black and gray in color handgun, holstered in a thigh rig on his right side. Sgt. Rombach had the following items he was carrying on his body. [REDACTED]

Sgt. Rombach had [REDACTED] AR-15 magazines with [REDACTED] rounds in each magazine, [REDACTED] handgun magazines with [REDACTED] rounds in each magazine. His firearm was loaded with [REDACTED] in the magazine and [REDACTED] round in the chamber. Sgt. Rombach had the AR-15 loaded with a [REDACTED]-round magazine. The weapon was charged and placed on safe leaving [REDACTED] rounds in the magazine.

After the shooting Sgt. Rombach went to Richmond PD where he was photographed. He went to the [REDACTED]

On the day of this incident Sgt. Rombach was driving an unmarked department issued gray Town and Country minivan. This vehicle is a vehicle they normally use for undercover work. The vehicle is not equipped with emergency equipment. Inside this vehicle with Sgt. Rombach were Officer Divine (the driver), Officer Ambrose (front passenger), in the rear of the van were Officer Aagaard and Detective Pulsipher. All the above people are members of the Fairfield SWAT team.

Sgt. Rombach described his firearm as a Glock 19, 9mm firearm. The firearm is department issued and the only addition to the firearm is a department approved light. The AR-15 had a light attached and optics which were both approved by his department. The ammunition in the handgun and rifle are both departments approved. Sgt. Rombach last qualified with his rifle in June. Sgt. Rombach only discharged his rifle on Wednesday morning. Sgt. Rombach did not remove his handgun from his holster.

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Sgt. Rombach described the weather as being clear and daylight the day of the incident.

Sgt. Rombach held an operational briefing on Wednesday morning at 0400 hours at the Fairfield Police Department. The operation plan was displayed via a power point displayed on a projector screen as the team was sitting down. There were no concerns at the time of the briefing. In attendance at the briefing were 15 Swat members and approximately 8 to 10 investigators.

Sgt. Rombach knew the mission was to execute a search warrant for Demilo Hodge and acquire DNA from his person. Also, to execute a search warrant to search his cellular telephone to search his black SUV and to search his apartment at [REDACTED]. There was a secondary mission to arrest (Anthony Wong).

There was probable cause for the arrest of Demilo Hodge for murder for the 2015 murder of William Freeman. Detective Grimm provided Sgt. Rombach with pictures collected during the investigation. The pictures depicted Hodge's holding multiple assault rifles that Sgt. Rombach recognized to be AR-15 platform rifles with magazines inserted into the well of the firearm. Hodge's also had handguns as he was holding these rifles in various pictures with the handguns in the waistband of his pants. In some of the pictures Hodge's is wearing a Halloween mask holding other rifles with the handgun in his waistband. For the tactics that were going to be used on this mission was a vehicle assault to gain the element of surprise and not allow a barricaded hostage situation, standoff. The mission was to attempt to assault the vehicle and take Hodge's into custody away from [REDACTED].

There was a secondary briefing at the Fairfield facility where there was a parking lot and the ability to stage vehicles and they did live practice runs for approximately 1 hour deploying the gray undercover van. They completed dry runs and planned for different contingencies on the vehicle assault. After Sgt. Rombach was confident everyone was efficient with the vehicle assault tactics they moved into position. A surveillance team was at [REDACTED] to locate Hodge.

After they went to 1628 Puebla Ave. the surveillance team locates the black SUV parked in the parking lot. There was a vehicle tacker on Hodge's vehicle. There were multiple trackers placed on the vehicle within the last 25 days. The first tracker was around the 9th of September. The last tracker was placed on his vehicle on approximately the 18 or 19th of September. Sgt. Rombach described how the tracker was [REDACTED]. On Wednesday morning they were receiving minute updates from the GPS system. The tracker was on Hodge's vehicle and the surveillance was in place the [REDACTED] with physical eyes on the Hodge's black SUV. At approximately 0630 hours, Robert Murray advised he saw Hodge's exit the area of his apartment door and walk to his SUV. He also observed a [REDACTED] who was described to Sgt. Rombach as matching the description of his [REDACTED] enter the passenger seat of Hodge's vehicle. At this time, the plan was immediately aborted to do any vehicle assault because of [REDACTED] being in the vehicle.

The mission changed to a follow and tail Hodge's by using the tracker updates and the fixed-wing airship being the CHP. CHP was not present at this time, but Lieutenant Jacobsen notified CHP who was able to assist with their airship to assist in tracking Hodge's. Hodge's went to Burger King parking lot and after leaving the Burger King parking lot he started driving southbound on 29 through American Canyon. He continued through Vallejo on Highway 37 to westbound interstate 80 to eastbound 780. Surveillance lost visual of Hodge's, but they were still monitoring the tracker.

The takedown SWAT team stayed back several miles and monitored the vehicle tracker until Hodge's [REDACTED] was dropped off. [REDACTED]

[REDACTED] Sgt. Rombach did not have confirmation [REDACTED] was out of the vehicle, but he believed [REDACTED], stopped [REDACTED] Sgt. Rombach wanted to do the vehicle assault at next available opportunity and take him into custody. As they tried to get themselves into position of advantage which was to be behind Hodge's vehicle.

Hodge's had drove a circle through the neighborhood that began to raise suspicions that he may have overserved the surveillance team. Sgt. Rombach was a narcotics detective for approximately 4 years and supervisor to the narcotics unit for approximately 3 years. Based on his experience he can at times recognize what counter-surveillance looks like and the was his first indication that he was starting to gain suspicion that he was possibly beginning counter surveillance. Hodge's was at an intersection just before 780 and he wanted to assault the vehicle before he got onto 780. Sgt. Rombach knew if he got onto 780 they would have to again abort the plan. Hodge's was at the stop sign just before 780 and Sgt. Rombach felt it was time and gave the order for the vehicle assault to Officer Strickland and Officer Sehr. The vehicle assault was described as the front vehicle, [REDACTED] as the surveillance van [REDACTED] in an effort to hold him in place and deliver a [REDACTED] or regain the element of surprise and then breach the window and take him into custody. The vehicle that was going to be used for the frontal assault was a black slick top Ford Crown Victoria. It has emergency lights and a prisoner cage in the back with California-exempt license plates. It is unmarked.

Officer Strickland attempted to get the unmarked Crown Victoria in front of Hodge's vehicle but because of the location, lanes merge in this area, traffic it caused a narrowing funnel which made it impossible for Officer Strickland to exit his vehicle. During this attempt they gave themselves up and Hodge's quickly accelerated onto

780. There was no emergency equipment activated and they also did not pursue Hodge.

Sgt. Rombach utilized the tracker to track Hodge. They felt they lost the element of surprise and determined they were no longer going to do a vehicle assault. As the tracker was monitored, Hodge's exited Pinole Valley Road, went north and drove into the parking lot where Starbucks is. It was relayed to Sgt. Rombach [REDACTED]

[REDACTED] Sgt. Rombach had lost communication with the CHP airships. CHP airship was communicating with Lt. Jacobsen [REDACTED]

[REDACTED] Sgt. Rombach was receiving relayed information from the airship. He was getting bits and pieces of information from the surveillance team who had caught back up with Hodge's.

Sgt. Rombach described another surveillance entity other than the SWAT team. There was Sgt. Pucci who was the supervisor of the surveillance team that included Officer Serena Smith, Detective Murray and Detective Neil.

Sgt. Pucci was in a marked patrol vehicle and was responsible for any pursuits, other contingencies such as a foot bail and perimeter. Officer Smith was in an unmarked white Dodge Caravan. Detective Murray was in a [REDACTED] and Detective Neil was in a gold Ford Taurus which was equipped with emergency equipment but an unmarked police vehicle.

Hodge's re-entered Pinole Valley Road traveling southbound, the direction he came from. Hodge's went under the freeway and continued for approximately 4 miles traveling down Pinole Valley Road. Sgt. Rombach continued to monitor the tracker and saw that Hodge's entered a random neighborhood and, again, traveling in a random direction without any purpose that it appeared, and he believed it to be counter surveillance. Sgt. Rombach set his take down team and stop team on a side street. Hodge's was driving south, and the surveillance team was approximately 2 miles away from him. Sgt. Rombach's team was set up northbound on Pinole Valley Road. Within a couple of minutes Hodge's traveled northbound just past Sgt. Rombach. As Sgt. Rombach pulled out Hodge's immediately drove into oncoming lanes of traffic on a two-lane roadway in a school zone. There were multiple vehicles traveling at approximately 5 to 10 MPH, all slowing and stopping for their entrance and exit from the school parking lot on Pinole Valley Road. Hodge's drove on the opposite lanes of traffic over the double-yellow line onto the shoulder, weaved in and out of traffic. No emergency equipment was activated at this time and there was no police action taking place on Hodge. Hodge's continued to weave in and out of traffic at a high rate of speed and it was obvious wanton disregard for the safety of all people in the neighborhood including the families that were letting out their children. He continued to drive past the school, he weaved in and out of traffic, driving on the wrong side of the roadway, on the wrong side of the center media, running red lights on the left and right shoulder and then entering the freeway. Sgt. Rombach told his team to abort the mission all together. They would stay away from him and have CHP airship track in. Hodge's was tracked into Richmond.

Sgt. Rombach received an update that Richmond PD was in a pursuit with Hodge. Lt. Jacobsen told Sgt. Rombach that CHP had successfully spike stripped Hodge's tires and they were flat, and the vehicle had stopped. Sgt. Rombach continued to stage his team because he did not want an over response of officers to the scene until it was requested. After staging for approximately 5 to 10 minutes he received information from Lt. Jacobsen that people on scene were requesting the Fairfield SWAT team to assist with a barricaded suspect to try and resolve the incident. Due to heavy traffic it took approximately 10 to 15 minutes to arrive to the scene where Hodge's vehicle had been stopped. Officer Strickland and Officer Raftery were both driving code 3 and the van that Sgt. Rombach was in the middle of both vehicles.

Sgt. Rombach determined he had seven cars involved in this operation. Sgt. Rombach and his team arrived on scene and he observed approximately seven, if not more, Richmond police cars all with their, code 3 light bars activated. He could see multiple police doors open facing towards Hodge's. All vehicles were equipped with push bumpers and were properly marked as Richmond Police placard logo on the doors. Directly behind Sgt. Rombach was a fan of police vehicles and all police officers in full police uniforms. Approximately 100 feet behind Sgt. Rombach gridlocked traffic was stopped. On the opposite lanes of the freeway approximately 150 yards ahead of Sgt. Rombach's location was another fully marked CHP unit blocking traffic with his emergency lights activated.

Sgt. Rombach described the scene. Amongst the gridlock traffic were multiple groups of people who were congregated in different little areas trying to get the best view. He could see people standing on top of what he believed was an ambulance and on top of box trucks. There were people stopped in traffic on the frontage road. Directly behind him was the same thing there were groups and groups of people all congregated in areas behind him and stopped in traffic.

Upon arriving on scene, Sgt. Rombach found the unknown Richmond PD SWAT Sgt. who he believed to be in charge. Sgt. Rombach explained to the Richmond PD SWAT Sgt. who was wearing a SWAT shirt and blue jeans. This Sgt. told Sgt. Rombach that Hodge's was still inside his vehicle and the tires had been punctured. Sgt. Rombach was asked if he wanted to take over tactical to control the scene and he agreed.

Sgt. Rombach explained that contemporary thinking throughout the United States and the tactical world in this situation is evaluating this based on safety priorities, and the safety priorities fall under how we prioritize life, who comes first, and who comes last. The contemporary thinking is the people that come first are all hostages, victims, witnesses or other people in the area. Who comes second are the police and last comes the suspect.

In this situation when it comes to who comes first it would be all the people that are standing out in traffic, who are standing on top of the ambulances, who are standing on top of box trucks. All the people standing behind Sgt. Rombach, all the people to his right, to his left, in addition is he could see the buildings and the city just on the other side of the stopped traffic ahead of him and there is city life going on, and the greater public at large.

Next comes the police under the evaluation process. Sgt. Rombach went on to explain as he was responding to the scene he forgot to mention that Lt. Jacobsen told him after Hodge's had come to a stop after being successfully spike stripped and was considered a barricade, he went mobile again and started driving slow approximately 5 MPH. Sgt. Rombach recognized that he was not able to isolate the scene and his vehicle was entirely immobilized. Hodge's was still able to move and the only direction he was going to go was off the freeway. He was stuck on the freeway by center divides and fences. The only options he had was to turn around and drive towards the police or drive towards the crowds of people ahead of him.

As Sgt. Rombach is coming up with a plan and knew he had plane of less lethal which he called impact ammunition, which is a 40-millimeter soft tip in place. Sgt. Rombach also had a gas contingency plan in place. He spoke with Richmond PD K-9 Officer Reina who had SWAT on his uniform. Sgt. Rombach asked Officer Reina if his K-9 was [REDACTED] Sgt. Rombach was familiar with this since he had been to this training. Officer Reina told him his dog had been to the training. Sgt. Rombach took this into consideration that he has never worked with any of the officers from Richmond PD. Sgt. Rombach wanted to talk to Officer Reina because he wanted to make sure they were on the same page. Sgt. Rombach told Officer Reina that he did not want to get his dog killed.

Sgt. Rombach was concerned that Hodge's was armed in his vehicle. Sgt. Rombach did not want Hodge's to shoot the K-9 and he did not want the K-9 to attack Hodge when he is armed with a firearm. Sgt. Rombach did not want to create that problem and force them to go out front. Instead Sgt. Rombach told Officer Reina if Hodge's exits his vehicle and he is not cooperative that he was going to launch and deliver a soft tip 40-millimeter round and try to gain his compliance that way. If was not compliant then he told Officer Reina to send his dog.

As Sgt. Rombach continues to work on his plan and Hodge's starts driving his SUV forward again not getting closer and closer to the crowd of people. Hodge's drove approximately 100 feet and was now closer to the crowds. Sgt. Rombach's concern was Hodge's is increasing the risk towards the crowds. Hodge's was not demobilized. Hodge's is still able to drive, and he can get out of his car and run towards any person in the crowds. If he is armed, he can carjack anyone, he's able to steal a car. It is only gridlock traffic. Sgt. Rombach can't control the scene because he can't remove the cars in traffic and get the people off the freeway. There is nothing Sgt. Rombach could do because at this point Hodge had control of the scene and Sgt. Rombach's goal was to make the scene safe and for him to gain control of the scene.

Sgt. Rombach spoke to a Richmond officer who was sitting in a vehicle to his left. The Richmond officer began PA announcements to Hodge. Negotiating was taking place on scene by the PA system and Hodge was not surrendering. Due to the safety priorities time was not on Sgt. Rombach's side and if he allowed Hodge to continue to drive his vehicle closer towards the public could be in extreme jeopardy. Sgt. Rombach told Officer Ambrose to deliver a single 40-millimeter sage round to Hodge's back window. Sgt. Rombach wanted to send a message to Hodge that the police were out here, and he needed to come out of the car. Sgt. Rombach described it as a tactic to try and get Hodge to surrender with the lease amount of property damage. The least amount of force as possible from a distance. The 40 millimeter round launched and missed the back window. It hit low on the rear metal door, approximately near the left top corner of the license plate.

After that occurred Hodge's rolled down his window and put his hands out of the window and was communicating back and forth with who Sgt. Rombach thought was the person on the PA. Sgt. Rombach could not hear what Hodge's was saying and he could only see Hodge's hands out of the window and trying to communicate. This happened a couple of times with Hodge putting his hands out of the window, talking and then putting his hands back in the window and rolling the window up. Sgt. Rombach had already given Officer Ambrose on one or two occasions the order to stand down because when Hodge's put his hands out the window and his head out the window, he told Officer Ambrose if he is actively surrendering, don't shoot the car or don't shoot him with a 40 millimeter.

Each time Hodge's stuck his hands out of the window Sgt. Rombach would give the stand down order to not deliver anything in the car. As Hodge's put his hands out, he had dialogue with the officer on the PA system. Sgt. Rombach was unable to hear what was said. Hodge's put his hands back in the car and rolled the window up. At which point Sgt. Rombach told Officer Ambrose to deliver another round, 40 millimeter to the back window of Hodge's vehicle. Sgt. Rombach wanted to break the rear window to have a better view into the car. All the window except the front windshield were tinted on Hodge's vehicle. Sgt. Rombach could not see into Hodge's vehicle. Sgt. Rombach wanted to break the rear window out to have a better view of Hodge and wanted to try and confirm that nobody else was in the vehicle.

The second round was successful and broke the back window and Hodge rolled the front passenger window down again and stuck his hands out of the car, and was leaning out, talking to them again. After approximately two minutes of having Hodge with his hands out the window, talking Sgt. Rombach was concerned with the safety priorities and the people in public. Hodge stopped talking with the officer on the PA. Hodge systematically looked at

everything going on. Sgt. Rombach saw Hodge look at all the people in the parked cars off to his left. If Hodge was sitting properly in the driver seat, it would be just off to his left over the driver's door mirror where all the people were.

When Hodge's did this it increased Sgt. Rombach's concern as to what his plan was. Sgt. Rombach believed Hodge's was buying time and stalling to come up with a plan of what he wanted to do, and it was Sgt. Rombach to disrupt, or prevent him from coming up with a good plan or giving him the time to create a plan. When Hodge's looked at all the people and stopped having a dialogue with the police and started looking to see what, where everything was at and what was going on. It caused Sgt. Rombach concern because he has been in a prior shooting before that was a long standoff, like this, and before the person went for his rifle, he did that exact same thing. He stopped, looked and every single person there, and then he took just a second and quickly went down and grabbed the rifle and this was the exact same thing for him from his experience. Hodge's stopped and looked at everybody, and he systematically started seeing where everybody was. Sgt. Rombach was concerned he was coming up with a plan and that the public was at risk, at which time he gave Officer Ambrose the order to launch gas into the car, due to Hodge not actively surrendering and because he wanted to disrupt Hodge's plan from attacking the police officers or attacking the general public who was there.

Officer Ambrose was directly in front of Sgt. Rombach along the driver's side of the car that he was at when he gave him orders and he launched, the single round of CS gas in the back window of Hodge's vehicle. At which point Hodge's reacted immediately and brought his hands and head into the car. Hodge's disappeared for a moment and after just maybe a second or two, Sgt. Rombach saw Hodge's driver side vehicle door open. Sgt. Rombach yelled at Officer Ambrose to transition to a 40-millimeter soft tip because he wanted Officer Ambrose to be prepared to hit Hodge's with a 40 millimeter to incapacitate him and take him into custody. As the driver's door opened, Hodge's exited and immediately turned towards the police where Sgt. Rombach was. Sgt. Rombach knows it takes three quarters of one second to perceive something and it take three quarters of a second to react to that.

Hodge's was past reaction, and for Sgt. Rombach to perceive what Hodge's had done, he was able to do the following in less than three quarters of a second based on perception and reaction time. Hodge's exited his vehicle and was holding a handgun in his right hand. Hodge's took one step towards Sgt. Rombach and he had a well-balanced stance with his feet slightly shoulder-width apart. Hodge's squatted deeply, brought his left hand over his right hand to create a two-handed pistol grip. As Hodge's squatted, he simultaneously pointed the firearm outward, and he pointed the firearm what looked like directly towards Sgt. Rombach. Sgt. Rombach watch the firearm and saw the muzzle flash on the firearm, visually. Sgt. Rombach saw the firearm cycle as it was semi-automatic handgun, and this was all consistent with the exact report of gunfire, and it appeared that he did this multiple time very quickly. At that time Hodge was under arrest for the attempt murder of the police. Sgt. Rombach feared for his life, that he was going to cause great bodily injury/death to him by use of a firearm, to all the other officers that were there, to all the officer responding to the scene, all the people behind Sgt. Rombach, the onlookers, all the people that were ahead of the police. Sgt. Rombach was concerned if Hodge's ran to the left that it would take him a fraction of a second to get himself between the police and the crowd of people off to the officer's left and he would create a crossfire with the crowd, and Hodge's would be able to run to the crowds and the officers would not be able to stop him with lethal force options as he shot at the police, because the crowd of people have the safety priority and the officers would be unable to engage.

Sgt. Rombach was in fear for his life and the severity of the crime that he believed was attempted murder on the police at the time, although the original crime they were investigating was probable cause for Hodge's arrest for homicide. Hodge's displayed a propensity for violence as he attempted to kill the police and because of that, Sgt. Rombach stepped off to the left and engaged Hodge with his rifle. Sgt. Rombach fired approximately two times at Hodge's upper chest, center mass, and once at Hodge's face. Sgt. Rombach stopped shooting when Hodge's was laying on his side and he no longer appeared to be a threat to him and the firearm was no longer pointed at him or anyone else that is when Sgt. Rombach stopped shooting.

Right after the shooting Sgt. Rombach's first concern was the police officer and where those round that Hodge's fired at the police went, and whether all the police officers were okay. There was a quick assessment that the officers were fine, and the next priority was to come up with a plane to secure Hodge, secure the vehicle and get Hodge's advanced medical care.

Sgt. Rombach devised a plan to use the marked Richmond police vehicle that was right next to him to move it forward and he create two teams. One team's responsibility was to simultaneously secure Hodge. The second team was off to the right passenger side of Hodge's vehicle and was responsible for securing and clearing the black SUV. They moved up and stopped just short of Hodge's. At this time Sgt. Rombach wanted to make sure Hodge's was not lying in wait and trying to ambush them. Sgt. Rombach gave three additional times ordered Hodge's to place his hand on his head. Hodge's appeared unresponsive and he was obviously shot.

Sgt. Rombach communicated with the team on the right side and asked them to move up and clear Hodge's vehicle from the back to avoid crossfire. Sgt. Rombach's team moved up and held on Hodge and the other team cleared the vehicle. Sgt. Rombach asked for a weapon check or pat-down search of Hodge's quickly to make sure he had no other weapons on him and to start CPR. Sgt. Rombach asked Officer Ambrose who was on his team and was assigned to his team specifically because the other medic was assigned to the other team involved in the incident to get the medical aid bag. Officer Ambrose is a registered nurse and attack medic on Sgt. Rombach's team and he

wanted him to start advanced medical care to Hodge.

Sgt. Rombach took into consideration the severity of the original crime that he was responding to was probable cause for Hodge's arrest for murder. However, the crime that was committed in Sgt. Rombach's presence was a felony and he tried to cause great bodily injury or death to the police with a firearm. The threat was Hodge's was armed with a firearm, displaying a propensity for violence as he already gave a wanton disregard for public safety in his presence when he drove through the school zone in the wrong direction and could care less about the safety of others. Hodge's threat was he was armed with a firearm. Hodge was willing to die today. There were multiple people around the freeway that Sgt. Rombach felt Hodge did not care about and he refused to submit to the uniformed officers behind him, all with marked vehicles and police lights on. Hodge failed to submit to the negotiators on the phone with him. Hodge actively resisted when he stepped out of the car and fired a handgun at officer's multiple times and refused to submit to the detention or arrest. Sgt. Rombach felt if he let Hodge's leave the scene at any time, he would pose the greatest risk possible to public safety, all those other people on the freeway who were trapped in traffic in a funnel trap and could not get out, whether they couldn't climb a fence to get off the freeway or have nowhere else to go. Hodge armed with a propensity for violence was stopped right in the middle of this one square mile area and everyone in the area was in danger. That is the decision process he went through.

Sgt. Rombach confirmed Richmond PD's canine went to Hodge after the shooting and came back prior to the teams going and clearing Hodge's vehicle. Sgt. Rombach is uncertain who sent the K-9 to Hodge.

Sgt. Rombach reviewed two photos we showed him of the scene. The digital photos were marked #1 and #2. On photograph #1 Sgt. Rombach marked/identified where his vehicle was located and ultimately where he was located.

Sgt. Rombach confirmed Lt. Jacobsen was responsible for coordinating the other agencies such as CHP. Sgt. Rombach also confirmed they were monitoring the GPS. Officer Pulsipher was monitoring the GPS tracker in the same van Sgt. Rombach was in. Officer Pulsipher was providing him with updated information. Sgt. Rombach confirmed he fired approximately three rounds and his body-worn camera was activated during the incident. Sgt. Rombach reviewed his body-worn camera prior to the interview.

After Hodge was taken to the hospital Sgt. Rombach accounted for all his officers and confirmed nobody was hit with bullets and everyone was okay. Things were different for Sgt. Rombach because he was out of town and did not have communications with dispatch or a command post, so he was essentially just trying to talk and find out where all the officer were and what officers on scene were shooters. Sgt. Rombach wanted to sequester and bring the officers that were involved in the shooting off to a certain area and put them off to the side and have them stay put by the guardrail and not move. Sgt. Rombach did not ask each one of them a public safety statement. Sgt. Rombach was not asked for a public safety statement.

Sgt. Rombach did not have radio communication with Fairfield PD. He informed Lt. Jacobsen of the shooting via his cell phone. He did not call anyone else and did not take photos at the scene. After the shooting Sgt. Rombach estimated they were on the freeway for approximately an hour since they were waiting for rides and they were stuck on the freeway. The van he arrived in was used to transport Hodge to the nearest trauma center. Sgt. Rombach did not recall on the ride back if there was any communication regarding the shooting with others on the team.

Sgt. Rombach was transported to Richmond PD where he was photographed. His AR-15 was recovered at the [REDACTED] in Richmond. Sgt. Rombach had department approved Winchester 55 .223 soft tip ammunition in his AR-15.

Sgt. Rombach described that SWAT is Special Weapons and Tactics. SWAT is used when the agency believes that a certain incident is at a risk where the average patrol officer or patrol team may be a greater risk of injuring themselves or injuring the person they are attempting to apprehend because of the violence or threat the individual poses. Depending on the situation if it a planned event they determine if the event is to dangerous and the threat may be too great for a patrol team to handle and the SWAT team will arrive on scene to use special weapons or tactics to take the person into custody.

Sgt. Rombach stated the Fairfield SWAT team [REDACTED] Annually they have a [REDACTED] train on all the POST guidelines recommended for SWAT training. Included in this training, hostage, barricade subject, shooting or whatever POST recommends. Also, part of their training is doing vehicle assaults and they train on that one or two times a year. They have role players and crash cars and breach the window and do different contingencies as they practice.

Sgt. Rombach explained that SWAT was used for this incident due to the severity of the crime Hodge committed and there was probable cause to arrest him for murder. This is always a SWAT level incident and his threat that he was not going back to jail or prison ever, the search warrant or vehicle assault by Fairfield PD would ultimately become a SWAT level. Also, there was a matrix that was done by Detective Grimm that helps the assessment and the SWAT. [REDACTED]

Sgt. Rombach explained why they decided to do a vehicle assault. [REDACTED] was likely going to be home and if Hodge's was going to turn into a violent barricade, they did not want to create a hostage situation with [REDACTED]. Fairfield PD felt they could gain the element of surprise on a vehicle assault. If they did a search warrant on Hodge's residence they would have to knock and notice that is part of the law, it was not the safest way for the police. They did not want to be standing in front of his house saying, "Hey, we are the police, open the door" and give Hodge's the opportunity to shoot at them. They felt the vehicle assault was the best and safest option. Fairfield PD SWAT was trained on vehicle assaults and they have done them live before on SWAT incidents and the best way to resolve is to isolate him to a vehicle [REDACTED] and to be able to get on him quickly to take him into custody and avoid a barricade.

Sgt. Rombach worked with Lt. Jacobsen to review/approve the operation plan. The changes made were personnel changes and positions of the vehicles that would work best. Sgt. Rombach included in the operation briefing several pictures of Hodge's wielding assault rifles and handguns. Sgt. Rombach shared this information, so his team could understand Hodge's mindset. Also, so his team was prepared and had the correct mindset to make better decisions to process this ahead of time. Sgt. Rombach showed pictures of Hodge's with firearms, so his team could be safe.

Sgt. Rombach began surveillance arrived at Hodge's apartment at approximately 0545 hours or 0600 hours. Sgt. Rombach described why they were using a black unmarked vehicle to use as the first vehicle in the vehicle assault. It was to give Hodge the element of surprise since a marked patrol vehicle from Fairfield PD would be immediately identified by Hodge since he knew he was under investigation with the Fairfield PD.

Sgt. Rombach told his team to stage and not to go anywhere once they arrived, so he could figure out what was happening until he could give them direction.

Sgt. Rombach was positioned behind marked Richmond PD patrol vehicle and approximately 25 yards from Hodge's vehicle. PA announcements were given telling Hodge to put his hands out of the window, to open the door from the outside with your left hand, to step out of the vehicle and how they wanted him to submit to their directions. These were clear directions given and done continuously.

Sgt. Rombach knew he could not isolate or immobilize Hodge and he wanted him out of the vehicle. Sgt. Rombach knows a gas round is uncomfortable and it would force him out of the car. He was not concerned with Hodge being over exposed with gas since Hodge could vent his window. Sgt. Rombach determined if Hodge was not cooperative to deliver a 40-millimeter soft tip to him, and if he was still uncooperative to hold him in place with a canine that was on scene. This decision was based on the safety priorities that Hodge continued to move the car forward, and time was not on his side, and at some point, if he did not take him into custody, the greater public in the area was at risk.

Sgt. Rombach during the interview stood up and demonstrated how Hodge turned toward him. Sgt. Rombach stated he stepped out, faced me directly, square and squatted deeply as he pushed his hands out, and he brought the gun up to where his fist covered his face as if he had a sight picture and was looking down the slide of the firearm at him. Sgt. Rombach could see the front of his body and his hands the front of his chest, the top of his head because it was behind his fists and the weapon and he could see the front of the muzzle of the firearm and his hands and fingers facing him. When Sgt. Rombach saw the muzzle flash, he thought Hodge was trying to kill him.

Sgt. Rombach described his safety assessment as he needed to make sure nobody was shot or injured, and they were okay mentally.

When Hodge's vehicle was cleared there was a semi-automatic handgun lying about arm's reach away in front of him. Hodge weapon remained on scene and Sgt. Rombach did not touch his weapon.

Sgt. Rombach stated when the second less lethal round was fired it caused the back window to be less than completely shot out. The 40 millimeter round made a hole that was slightly larger than the size of a baseball in the center of the back window. Due to the small size of the hole in the window Sgt. Rombach was no able to see what Hodge was doing inside the passenger compartment of the SUV.

Sgt. Rombach believed Hodge fired multiple rounds from his handgun in a rapid succession. (Refer to Sgt. Rombach's statement).

Fairfield Police Officer John Divine #1234 was interviewed on September 29, 2017 at approximately 1404 hours in a conference room at the Richmond Police Department. Present during the interview were Alameda County Deputy District Attorney Kevin Wong, Alameda County District Attorney Inspector Caesar Basa, Emeryville Police Officer Jason Krinsky and Divine's counsel Justin Buffington with Rains Lucia Stern St. Phalle & Silver, PC. (Refer to Officer Krinsky's report for further details.)

Fairfield Police Officer Mike Ambrose #1469 (Less lethal deployment).

Fairfield Police Department Officer Mike Ambrose #1469 was interviewed on September 28, 2017 at approximately

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1543 hours, in a conference room at the Richmond Police Department. Present during the interview were Emeryville Police Officer Jason Krinsky, Deputy District Attorney David Cook, Alameda County Deputy District Attorney Inspector Gus Galindo and Ambrose's counsel Julia Fox with Rains Lucia Stern St. Phalle & Silver. (Refer to Officer Krinsky's report for further details).

Richmond PD Subject Officer Statements:

Officer Cedrick Tagorda #1482 was interviewed on September 28, 2017 at approximately 1421 hours, in a conference room at Richmond PD. Present in the interview were Alameda County District Attorney's Office Inspector James Morris, Alameda County Deputy District Attorney Autrey James and Officer Tagorda's attorney Vance Piggott with Rains Lucia Stern St. Phalle & Silver, PC and I.

I read the Beheler admonishment to Officer Tagorda. Officer Tagorda and Attorney Piggott signed the form showing they understood the admonition. Officer Tagorda provided a voluntary statement. (Refer to signed waiver).

Officer Tagorda has been a police officer for approximately ten years. Officer Tagorda [REDACTED] Officer Tagorda also [REDACTED] Officer Tagorda was a solo officer and he was driving a Chevy Caprice fully marked patrol vehicle 1136. Officer Tagorda's beat is central district B4 and his call sign was two-lincoln- four. He works Tuesday through Friday from 0630 hours to 1630 hours. Officer Tagorda's supervisor is normally Sgt. Rivera. Sgt. Llamas was his supervisor when this incident occurred. Officer Tagorda stated he is right hand dominant. The last shift he worked prior to this incident was Tuesday the day prior from 0630 hours to 1630 hours. Officer Tagorda did not work any overtime [REDACTED]

Officer Tagorda wears contacts and he [REDACTED] Officer Tagorda was wearing a standard patrol uniform with two Richmond PD patches on the shoulders, his silver Richmond PD badge and his duty belt. His duty belt consisted of his Kimber 1911 .45 [REDACTED] spare magazines, [REDACTED] handcuffs, a taser and his radio. Officer Tagorda did not have any injuries related to this incident and he did not leave any items at the scene. Officer Tagorda explained after the incident he returned to Richmond PD and they took photos of him and he submitted his firearm to Richmond PD CSI.

Officer Tagorda stated he was carrying his Kimber 1911 with a [REDACTED] magazine. Officer Tagorda believes he had [REDACTED] in his firearm. Officer Tagorda does [REDACTED] Officer Tagorda carried [REDACTED] additional magazines on his duty belt and each one of them [REDACTED] rounds. Officer Tagorda received firearms training in the Napa Valley Police Academy in 2005. Officer Tagorda goes to the range monthly and qualified a month prior to this incident. Officer Tagorda [REDACTED]

Officer Tagorda describe the weather as clear, hot and was sunny and bright. Officer Tagorda stated Richmond PD dispatch radioed that CHP was following a murder suspect out of Fairfield. CHP air unit was following it and the ground units were trying to catch up. Officer Tagorda did not have any prior contact with Fairfield PD regarding the situation. Officer Tagorda learned Hodge's name once the pursuit terminated and he heard it over the PA announcements.

Officer Tagorda was originally on his way to cover another officer who requested a cover unit. Officer Tagorda was on Richmond Parkway near West Ohio. Officer Tagorda heard a Richmond PD unit spotted Hodge's vehicle in the area of 23rd and Lincoln Ave. which Richmond PD dispatch also broadcasted on the radio. Hodge drove the area of 20th St and Roosevelt Ave. headed south. Officer Tagorda was working on the south side of the city and he knew most vehicle pursuits that occur will head towards 580 or Richmond Parkway. Officer Tagorda was involved in the pursuit. Initially Officer Tagorda and Sgt. Llamas were involved in the pursuit. At the time Officer Tagorda was the second vehicle in the pursuit. Officer Tagorda was initially the number two vehicles in the pursuit at approximately 4th St. and MacDonald when Hodge's vehicle almost collided with Officer Tagorda's vehicle head on. Due to Hodge almost colliding with Officer Tagorda he had to turn back around. As Officer Tagorda was turning back around other units were catching up.

Officer Tagorda described how he located Hodge's vehicle. Sgt. Llamas and Officer Tagorda were in the area of Marina Way and MacDonald. They heard over the radio that Hodge's vehicle was in the area of 7th and Barrett Ave. and driving southbound. on 6th St. Officer Tagorda saw Hodge's vehicle traveling southbound on 6th St. Officer Tagorda believes Hodge's saw them and Hodge's made a southbound turn on 6th St. They saw Hodge's vehicle traveling southbound on 6th St. and they saw Hodge's vehicle make a westbound turn onto Nevin St. Sgt. Llamas headed north on 6th. Officer Tagorda tried to cut Hodge's off thinking he was going to come southbound on one of the streets. Officer Tagorda paralleled Hodge's vehicle and he saw Hodge's vehicle make a southbound turn onto 4th St. Officer Tagorda made a northbound turn. Hodge's vehicle was headed towards Officer Tagorda's vehicle. Officer Tagorda thought Hodge's vehicle was going to collide with his patrol vehicle. When Officer Tagorda braced for impact he was looking at Hodge's front grill of his SUV. Officer Tagorda did not see Hodge's facial expressions

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and he was unable to see how many people were in Hodge's vehicle because of the dark-tinted windows.

Officer Tagorda was able to re-enter the pursuit when he was on 580 and he was approximately the 5th vehicle. Hodge was driving at a high rate of speed, weaving in and out of traffic. Hodge appeared as if he was going to exit the freeway than he continued on the freeway. During the pursuit Officer Tagorda moved to the number two position and Sgt. Llamas was in the number one position of the pursuit after CHP deployed the spike strips. Once the spike strips were deployed the traffic opened on the freeway and Richmond PD units were able to fan out as Hodge's tires shredded all over the place. Sgt. Llamas was the one that called the pursuit. When the spike strips were deployed the suspect hit the spike strip and Officer Tagorda noticed Hodge's left front tire was going flat and he was driving on the rim. Officer Tagorda was on the left and Sgt. Llamas was on the right. Officer Tagorda was at Hodge's approximately 8 o'clock and Sgt. Llamas was at Hodge's approximately 4 o'clock traveling approximately 75 to 100 yards behind Hodge'. They did not want to get too close to Hodge since they did not know his intentions. As the tires on Hodge's vehicle went flat and he was diving on his rims. Hodge slowed down, and he hit the K-rail and Hodge's vehicle came to rest. Officer Tagorda ended up behind him and Sgt. Llamas was to the right of Officer Tagorda. Other Richmond units arrived on scene and they used the PA to do announcements asking Hodge's to step out of his vehicle.

Officer Tagorda's lights and sirens were activated the duration of the pursuit. He believed there were approximately additional 10 patrol units that arrived on scene. Hodge's vehicle stopped at the K-rail. Officer Reina communicated on the PA telling Hodge to step out of the vehicle. Hodge did not respond from inside of his vehicle. Officer Tagorda knew Hodge's was wanted for murder out of Fairfield and was possibly still armed with a firearm. Officer Tagorda's patrol vehicle was approximately 50 yards away and directly behind Hodge's vehicle. Sgt. Llamas was approximately 10 yards to the right of Officer Tagorda. Officer Tagorda removed his duty weapon Kimber 1911 from his holster. Officers were giving commands to Hodge and there was no response. Officer Tagorda felt like it was an eternity. After a period, Officer Tagorda saw the brake lights illuminate from Hodge's vehicle and his vehicle started up and drove slowly on the vehicle's rims to the center of the freeway. Officers entered their patrol vehicles and followed Hodge's vehicle as commands were still being given for Hodge's to stop. There was still no response from Hodge. At one-point Hodge lowered the left and right rear passenger windows and then he closed them. Officer Tagorda thought he saw Hodge sticking his head out and trying to talk or say something. Officer Tagorda received information that Fairfield PD was communicating directly with Hodge. Officer Tagorda saw Fairfield PD arrive and CHP were both on scene. Officer Tagorda did not have radio communication with Fairfield PD. Officer Tagorda did not know how Richmond PD was communicating with Fairfield PD.

Hodge moved his vehicle again approximately 150 yards from where he initially stopped. Hodge was driving approximately 5 MPH. Officer Tagorda and other officers entered their vehicles and followed behind Hodge keeping their distance. Hodge's vehicle came to rest in the middle of the freeway. Officer Tagorda's vehicle along with the other units were lined up behind Hodge's vehicle. Announcements were still being made on the PA system and they were calling "Demilo" by name over the PA. The announcements consisted of telling Hodge "to step out, there was nowhere to go, we don't want to hurt you, just come out, were not leaving nobody need to get hurt" and again no response from Hodge.

Officer Tagorda observed Hodge's windows go up and down again but he still did not respond. Officer Tagorda saw Hodge's brake lights illuminate and again Hodge drives his vehicle forward. Hodge drove less than 5 mph and moved approximately 20 yards and then Hodge stopped his vehicle. Units enter their patrol vehicle and moves forward behind Hodge's vehicle. Hodge was again being told to "stop, stop, stop, there is nowhere to go, Stop the car Stop the car!" Hodge travels approximately 20 yards and then it stops. Again, the patrol units position their vehicles approximately 50 to 75 yards behind Hodge's vehicle. Officer Tagorda continued to hear an officer giving commands on the PA system. Officer Tagorda stated it sounded like Richmond PD K-9 Officer Reina was giving the commands over the PA.

Officer Tagorda's patrol vehicle was positioned almost directly behind Hodge's vehicle. Officer Tagorda stated Hodge's was stopped in the number 3 lane right in the middle. Officer Tagorda stated his vehicle was also in the number 3 lanes off to the side. Hodge's vehicle was at an angle and he could see a part of the driver side door. Inspector Morris showed Officer Tagorda photos of the scene. Officer Tagorda confirmed his vehicle is in the picture. In photo labeled number one Officer Tagorda identifies his patrol vehicle as number 1136. Officer Tagorda circled his patrol vehicle in photos 1,2 and 3. (Refer to surveillance photos shown to Officer Tagorda). In photos number three Officer Tagorda stated he is on the driver side door at he is positioned at the A pillar of his vehicle. Officer Tagorda was uncertain who was at his passenger door since he was focused on Hodge. Officer Tagorda stated not a whole lot of time past from the last time Hodge stopped his vehicle until Hodge exit the vehicle. Officer Tagorda knew Fairfield PD was deploying less lethal through the car. Officer Tagorda stated after the third round of less lethal went through Hodge's vehicle is when Hodge exited his vehicle. Officer Tagorda explained he heard an officer scream out, "less lethal, less lethal; hold your fire." Officer Tagorda saw three less lethal rounds. The first round the officer deployed it deflects off Hodge's vehicle. The second less lethal round penetrated the rear window and goes through. The third round was deployed, and it went through the rear window. At this point Hodge exits his vehicle. When Hodge's exits his vehicle, he has his arms extended with a firearm and he is facing Officer Tagorda and other officers on scene.

Officer Tagorda stated everything was slow motion. Officer Tagorda recalled seeing Hodge's door open and Hodge exiting the vehicle. Officer Tagorda fired his weapon 6 to 8 times. Officer Tagorda was aiming his weapon at

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Hodges. When asked where Officer Tagorda's first round went he stated he hopefully hit Hodges. Officer Tagorda was concerned about the citizens on the other side of the freeway. Officer Tagorda wanted to make sure that his rounds counted. When asked where his second round went Officer Tagorda stated hopefully it hit him. Officer Tagorda was not sure where the third round hit him or if they made contact. Officer Tagorda had the same response for rounds 4,5,6,7 and 8. Officer Tagorda stopped firing his weapon when he felt Hodge was no longer a threat and when he could see the firearm was no longer in his hands.

Officer Tagorda stayed back at his vehicle and continued to point his weapon towards Hodge's vehicle. Hodge's vehicle had not been cleared of other possible suspects. As the other officers went and were close to clearing Hodge's vehicle Officer Tagorda holstered his weapon. Officer Tagorda was not one of the officers that cleared Hodge's vehicle. Officers from both Richmond PD and Fairfield PD cleared Hodge's vehicle together. Officer Tagorda went to Hodge's location to see if anyone needed any assistance and by the time, he arrived other officers had already started CPR and life saving measures on Hodge.

Sgt. Llamas asked who discharged their firearms to step to the side. Officer Tagorda provided a public safety statement on how many rounds he fired, and he was not asked any other questions.

Officer Tagorda returned to Richmond PD and where he was photographed, and his firearm was given to their technician. Officer Tagorda did not sustain any injuries from this incident and he went to The Courtyard By Marriott in Richmond after leaving Richmond PD.

Officer Tagorda was asked follow up questions about this incident.

Officer Tagorda described Hodge's vehicle as being a black Chevy Tahoe. Officer Tagorda described Hodge's driving on the surface streets of Richmond and speeds were from 35 MPH to 90 plus MPH. While Hodges was driving on the surface streets exceeded 90 MPH. Hodge drove through stop signs and red lights, he failed to stop at the controlled stop signs and stop lights. Officer Tagorda activated his lights and siren when he first saw Hodge make a southbound turn onto 6th St. The pursuit entered the freeway at Harbor Way South and eastbound 580. Officer Tagorda stated Hodge's was exceeding 80 MPH while driving southbound on Harbor Way South. Officer Tagorda described Hodge's driving very erratically and dangerously for a couple of miles on the freeway. Officer Tagorda hoped nobody would get hurt as Hodge was driving. CHP deployed the spike strips around University Ave. Officer Tagorda assumed there was a CHP air unit following Hodge. Officer Tagorda did not see Hodge drive over the spike strips, but he did see the tires on Hodge's vehicle start shredding. As Hodge's drove multiple times he drove as if he was going to exit at both the Bayview Exit and Gilman exit but both times decided to stay on 580. They were trying to predict on where he was going to go. When Hodge's hit the spike strip it was Officer Tagorda and Sgt. Llamas that were still behind him. When Hodge's stopped his vehicle Officer Tagorda and Sgt. Llamas were about 50-75 yards behind Hodge's vehicle. Officer Tagorda described his backdrop as he looked straight down the freeway it was pretty clear and eastbound traffic was still moving, and they were trying to coordinate with CHP to get eastbound traffic stopped.

When commands were being given to Hodge, Officer Tagorda could see Hodge's vehicle windows going up and down but he did not hear anything verbal from Hodge's. Officer Tagorda again confirmed less lethal was deployed and within seconds after the third less lethal round was deployed, Hodge exited his vehicle within seconds with a firearm pointed right at Richmond PD and Fairfield PD. Officer Tagorda described Hodge's as he exited his vehicle and stated it happened quickly. Hodge's door swung opened, he exited his vehicle, and it looked like Hodge was charging at them and Officer Tagorda felt Hodge was pointing his firearm right at him and that is when Officer Tagorda reacted. Officer Tagorda felt his instincts take over, his training took over and he had to do what he had to do to protect himself and his fellow officers. Officer Tagorda was uncertain if Hodge fired any rounds at this point. Officer Tagorda reacted to the threat when Hodge exited his vehicle. Again, Officer Tagorda confirmed he fired six to eight rounds. When Officer Tagorda was asked if he believed that some of his rounds or all of rounds struck the suspect he stated, "yes." Once Hodge's went down on the ground and Officer Tagorda determined he was no longer a threat he did not discharge his weapon again.

When Officer Tagorda was asked about what he was thinking about and his emotions he responded by saying he can't even say what emotions he had. Officer Tagorda saw a threat and he reacted to it and that is how they train. Officer Tagorda explained that they are trained to react to a threat. Officer Tagorda could not say he had certain emotions or feelings just that there's a threat. Here is someone (Hodge) trying to take his life or take the lives of his fellow officers and he had to react. Sgt. Alonzo was the person that asked Tagorda about the public safety statement and how many shots he fired.

When asked where Officer Tagorda's marked patrol vehicle was at the scene he confirmed it was in the number four lanes. He identified his vehicle again in the three photos he was shown during the interview. Officer Tagorda described Hodge's vehicle as straddling the number three and the number four lane. Officer Tagorda stayed at his patrol door during the incident and he did not recall moving. Officer Tagorda described what he could see from where he was positioned from his vehicle door. He was able to see Hodge's driver's side vehicle door swing open and Hodge exit his vehicle. Prior to Hodge exiting his vehicle Officer Tagorda was not able to see Hodge's arms extended out of the driver side window. Officer Tagorda confirmed the information he received was he knew Hodge's was a 187 PC- murder suspect out of Fairfield and was still possibly armed with a firearm. Officer Tagorda was given no further information. Officer Tagorda was wearing a body camera and it was activated. He did not

review his body camera video prior to our interview. He activated his body camera during the pursuit while they were still in Richmond. He believes he turned his body camera off after discharging his firearm and it was before or after the public safety statement. Our first interview with Officer Tagorda ended at approximately 1529 hours.

On the same date September 28, 2017, we completed a follow up interview with Officer Tagorda to clarify a couple of things. Officer Tagorda reviewed his body camera video. Officer Tagorda was asked if he moved at some point during the incident. Officer Tagorda confirmed he did move. When Hodge's moved his vehicle for the third and final time Officer Tagorda moved around between vehicles talking with other officers because they were trying to fill the gaps. Officer Tagorda knows at one point he moved all the way to the right to talk to Sgt. Pomeroy who wanted to have more bodies on the right side because the left side was stacked with people. They wanted to make sure they had all the lanes covered in case another suspect came out on the passenger side.

Officer Tagorda confirmed with respect to the photos they don't show the viewpoint he had at the time of the shooting. The photos show the position of where the vehicles are, but not necessarily the view he had of Hodge when he exited the car. This interview concluded at approximately 1540 hours. (Refer to Officer Tagorda's recorded statements).

Richmond Police Detective Anthony Diaz #1512 was interviewed on September 28, 2017 at approximately 1521 hours, in a conference room at the Richmond Police Department. Present in the interview were Alameda County Deputy District Attorney Kevin Wong, Alameda County District Attorney Inspector Caesar Basa, Alameda County District Attorney Inspector Jason Riechers and Diaz's counsel Jonathan Murphy with Rains Lucia Stern St. Phalle & Silver, PC. (Refer to Detective Mayorga's report for further details).

Richmond Police Department Sgt. Donovan Decious #1416 was interviewed on September 28, 2017 at approximately 1543 hours in a conference room at Richmond Police Department. Present during the interview were Emeryville Police Officer Jason Krinsky, Alameda County Assistant District Attorney John Brouhard, Alameda County District Attorney Inspector Gus Galindo and Decious' counsel Julia Fox with Rains Lucia Sterns St. Phalle & Silver, PC. (Refer to Officer Krinsky's report for further details).

Richmond PD Officer Benjamin Mendler #1586 was interviewed on September 28, 2017 at approximately 1548 hours, Officer Benjamin Mendler was interviewed in a conference room at Richmond PD. Present during the interview were Alameda County Deputy District Attorney Autrey James, Alameda County Inspector II James Morris, Richmond Police Officer Benjamin Mendler and his legal representative Vance Piggott with Rains Lucia Stern St. Phalle & Silver PC and I.

I read Officer Mendler the Beheler statement admonishment. Officer Mendler provided a voluntarily statement. Officer Mendler and Vance Piggott signed the form to acknowledge they understood the admonishment. (Refer to signed waiver).

Inspector Morris labeled three aerial photographs that show an overview of the freeway for Officer Mendler to use during the interview.

Officer Mendler is police officer for the city of Richmond and his serial number is 1586. Officer Mendler has been with the Richmond Police Department since January of 2010.

At the time of this incident Officer Mendler was assigned to the traffic special events unit as a motor officer. Officer Mendler's normal work schedule is Tuesday to Friday 0700 hours- 1700 hours. Officer Mendler's primary duty is traffic enforcement, traffic collision investigation, injury traffic collision investigation and fatal traffic collisions. Officer Mendler is an assigned a department motorcycle.

Officer Mendler was in the area of Appian Way on the hillside and likely in the city of Pinole when the call came out. Dispatch stated CHP was in pursuit of a homicide suspect, in a black Suburban. As the call progressed CHP air unit was tracking the black Suburban with a Fairfield PD homicide suspect and they were trying to get units to locate the suspect's vehicle on the ground.

Officer Mendler did not locate the suspect's vehicle until the termination of the pursuit. Officer Mendler described how he arrived in Emeryville. As Officer Mendler was listening to radio traffic he heard Officer Riley who is one of his fellow motor units locate what they believed to be the suspect's vehicle in the downtown area of the Iron Triangle around Barrett Ave. or Roosevelt Ave. There were different locations and they were trying to get units into position behind Hodge's vehicle. Officer Mendler traveled on San Pablo Ave. towards Richmond Parkway because he felt it was less congested than 80. Updates continued, and the suspect was now on 580. Officer Mendler entered 580 from the truck route which is Castro Street off Richmond Parkway and entered 580 eastbound. Traffic became really congested near Bayview so Officer Mendler used the right-hand shoulder once traffic was bad. Officer Mendler used his rear lights so nobody would collide into his motorcycle.

Once Officer Mendler arrived at the end of the pursuit he saw Sgt. Llana who was calling the pursuit. Officer

Mendler also saw Officer Riley and his motorcycle, Officer Reina and his canine car and Officer Campos who arrived close to the time Officer Mendler's arrived.

Officer Mendler could hear Officer Campos using the public-address system (PA) to negotiate with the driver. The suspect's vehicle windows were rolled up and the vehicle windows were tinted from Officer Mendler's view. Officer Campos was on the left side of the roadway and continued to use his PA to give commands and negotiate with the suspect. Officer Mendler recalled hearing an update stating the suspect was armed with a firearm in the vehicle and he was not going back to jail. There were also updates about the location and Officer Mendler believed they gave an update with the suspect's name.

During the pursuit Sgt. Llamas provided updates stating which tires he thought were blown and he radioed the speeds, how Hodge was driving on the right shoulder, and there being a solo vehicle collision.

Officer Mendler described his motorcycle and equipment he had with him. Officer Mendler's motorcycle is equipped with a police radio, moving radar, handheld radar, a department issued AR-15 rifle locked on the back and code 3 lighting equipment. Officer Mendler carries on-duty a Springfield 1911 and [REDACTED]. He confirmed he carried all [REDACTED] weapons during this incident. Officer Mendler's supervisor is Sgt. Pomeroy who was on duty. [REDACTED] Officer Mendler's last shift was on Tuesday from 0700 hours to 1700 hours. [REDACTED]

[REDACTED] He did not sustain any injuries from this event. After the incident a non-sworn Richmond PD CSI took photographs of him and his uniform.

Officer Mendler was wearing a full wool motor uniform, insignia on the left breast, heart badge, name tag, Richmond police shoulder patches. He was also wearing a black and white motor helmet and helmet badge on the forehead. Motoport pants and motorcycle boots.

Officer Mendler had the following items on his duty belt: duty holster with a Springfield 1911 with a magazine for the 1911, [REDACTED] magazines plus one in the firearm, [REDACTED] sets of handcuffs, a keyholder, [REDACTED] size pepper spray, four keepers, flashlight holder with no flashlight in it, radio holder and a taser. He carried a long wood baton on his motorcycle and a short wood baton in his pants pocket. He has [REDACTED] rounds plus one in the chamber and [REDACTED] additional magazines have [REDACTED] rounds in them and the last one has [REDACTED] rounds because it does not function with [REDACTED] rounds. He carries his magazine pouches to his left front. Officer Mendler did not sustain any injuries. The only damage was to the rubber optic cover that was damaged when it was deployed.

Officer Mendler carries a department issued Colt AR-15, .556 and has department issued ammunition. The rifle was photographed and collected by the non-sworn CSI. The rifle has not been modified. Officer Mendler put a [REDACTED] sight and he took it to an approved range day and sighted it. He has attended a 40-hour course which he took in 2011. He last qualified with the rifle in the beginning of summer and with his handgun in August.

Officer Mendler had a [REDACTED] inserted into his rifle at the time of this incident and had [REDACTED] in his saddle bags. When he carries the rifle on his motorcycle it will only allow him to have a [REDACTED]

Officer Mendler described the scene of the incident. He stated it was sunny, hot and bright. He removed his motorcycle helmet because he was told there was going to be a standoff and they were going to ask for a negotiator.

Officer Mendler looked at the photographs provided to him of the scene. Officer Mendler knows for sure the suspect moved once but the cars were in different positions than they were when he first arrived. The suspect's vehicle was farther to the left than it showed in the pictures. Officer Mendler explained that Officer Campos was in the car farther to the left using the PA to talk to the suspect. Officer Campos vehicle was positioned to the left near the center median. Officer Mendler was shown three photos of the scene after the incident. Officer Mendler identified Officer Campos' marked patrol vehicle as the vehicle closest to the center median. (Refer to photos shown to Officer Mendler). Officer Mendler was to the right of Officer Campos' patrol vehicle or to the right of the canine vehicle.

When Officer Mendler arrived on scene Sgt. Llamas the SWAT team leader asked him if he had his rifle. Officer Mendler told him he did, and Sgt. Llamas asked him to deploy it. Officer Mendler immediately deployed his rifle. Officer Mendler's motorcycle was parked closer to the middle left of the roadway. Hodge's vehicle was in the roadway and ahead of all the cars. [REDACTED] and Sgt. Llamas directed him to a position behind the suspect vehicle. Due to Hodge moving his vehicle and the picture not showing photos prior to the shooting Officer Mendler was uncertain which car he was behind. Officer Mendler had a good view of the driver's side of the suspect's vehicle which was partially in the roadway. Officer Mendler saw the brake lights activated and the suspect vehicle started moving. Officer Mendler ran back and put his rifle in Officer Campos' passenger seat because he was uncertain where Hodge was going to go. Officer Mendler told Officer Campos' that they rifle was in his car.

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Officer Mendler put his motorcycle helmet back on and he got on his motorcycle and went a short distance on his motorcycle. He stopped his motorcycle and removed his rifle from Officer Campos' vehicle and again deployed his rifle. He was next to the canine car. Other officers arrived, and Sgt. Pomeroy asked for a shield. Sgt. Pomeroy handed Officer Mendler the shield. Officer Mendler had a shield, a rifle in a kneeling position or a squatting position. He would alternate depending how his legs were feeling. Sgt. Llamas directed him to the side of his car where there was a good engine block in front of him. Officer Mendler placed the shield against the car and he took up another kneeling position at Sgt. Llamas' patrol vehicle. He still had his motorcycle helmet on and he was looking right down the driver's side of the Suburban.

Officer Mendler looked at the photos and identified vehicle #50 as Sgt. Llamas' vehicle. He did not recall if anyone was on the passenger side. Officer Mendler was parallel to the driver's side. He recalls the backdrop and explained it was better than the backdrop from before he moved. He could see the K-rail, roadway and some vegetation off on the right side of the road. He believes the negation continued for an additional 15 minutes. After approximately 15 minutes the suspect's window went down and his hands came out and an officer gave the command for the suspect to use his left hand to open the door. The suspect was playing a game acting like he did not know how to do what they were asking him to do. Hodge did not follow the commands and rolled the driver window back up. The brake lights would go on and off on the suspect's vehicle.

Fairfield Police Department arrived, and they were going to take tactical command. Officer Mendler heard someone say less lethal, less lethal and the first less lethal round was fired from his left and no windows were broken. Officer Mendler also relayed less lethal so there was no question who was shooting and to make sure there was no sympathetic fire or anything like that. There was another round or two fired of less lethal and the back window was broken out. When the window was broken Officer Mendler could see the driver was startled and jumped. Officer Mendler could not see the driver's seat through the back window from his position. Officer Mendler heard gas and another less lethal round was deployed, and the suspect's hands came out the window. Someone said he is coming out. Two hands disappear. Officer Mendler saw the suspect's door come open, the suspect steps out of his vehicle, turns more than 90 degrees while armed with a firearm. Officer Mendler could see the muzzle of the gun pointed in his direction. Officer Mendler was in the kneeling position with his trigger finger indexed. Officer Mendler saw the suspect turn the end of the gun and saw a flash and he heard two pops. Officer Mendler fired three rounds center mass and he heard other gun fire. Officer Mendler did not know who else was shooting. Officer Mendler felt a brush on his left leg and saw Officer Reina's K-9 run toward the suspect. Officer Mendler was afraid Officer Reina's dog was going to be hit by gunfire. The suspect went down, and Officer Reina was giving commands to his K-9. The K-9 turned as if it was going to listen, did a circle or two then ran towards the suspect grabbing his arm and clothes. Officer Mendler stayed in his position.

A team was put together to clear the suspects' vehicle. They cleared the car and then they went to the suspect. Officer Mendler heard someone yell for a tourniquet. Somebody said to start CPR and there was a code 3 AMR unit on scene. A check at the scene was done of the officers to make sure none of them were injured. Officer Mendler provided a public safety statement to Sgt. Lonzo that consisted of how many rounds he fired and what direction he fired the them. Officer Mendler only fired his rifle and he never transitioned to his handgun. Officer Mendler believes his rounds hit the suspect.

Officer Mendler drove his motorcycle back to Richmond PD and his rifle was transported to Richmond PD by Officer Ruffin. Officer Mendler parked his motorcycle and retrieved his rifle and went to the breakroom where he was photographed and relinquished the weapon to CSI. Officer Mendler did not leave anything at the scene.

Officer Mendler was wearing a body camera that was activated prior to the incident as he was going down the hill. Officer Mendler turned off his BWC after asking Sgt. Lonzo. Officer Mendler looked at the photos again and he marked the photo with an "X" showing where he was located during the shooting. At the time Officer Mendler discharged his rifle he stated he was approximately 35-40 yards from the suspect. Officer Mendler was told Fairfield PD was taking tactical command. Which he described that Fairfield PD oversaw the scene and the decision making.

Officer Mendler answered follow up questions.

Officer Mendler confirmed he had a [REDACTED] round magazine because it fits on his motorcycle. [REDACTED]

[REDACTED] Officer Mendler confirmed he rides a 2015 BMW RTP1200 police model.

Officer Mendler was asked why he fired his weapon. Officer Mendler fired his weapon because he saw the end of a gun pointed at him and discharged in his direction. The suspect was a dangerous felon, the suspect stated he was not going back to jail, he knew there were hundreds of people behind him which included other officers and citizens whose lives were in danger since the suspect was armed and discharged his weapon. Officer Mendler confirmed he saw the muzzle flash come from the suspect's firearm. (Refer to Officer Mendler's recorded statement).

Richmond Police Department Sgt. Chris Llamas #1364 was interviewed on September 28, 2017 at approximately 1641 hours in a conference room at Richmond Police Department. Present during the interview were Emeryville

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Police Officer Jason Krinsky, Deputy District Attorney David Cook, Alameda County Deputy District Attorney Inspector Gus Galindo and Llamas's counsel Julia Fox with Rains Lucia Stern St. Phalle & Silver, PC. (Refer to Officer Krinsky's report for further details).

Richmond Police Officer Orlando Guzman #1652 was interviewed on September 28, 2017 at approximately 1717 hours, Officer Orlando Guzman was interviewed at Richmond Police Department in a small conference room. Present during the interview was Alameda County Deputy District Attorney Autrey James, Alameda County District Attorney Inspector II James Morris, Richmond Police Department Officer Orlando Guzman and his legal representative Vance Piggott of Rains Lucia Stern St. Phalle & Silver PC and I.

Prior to any questioning I read Officer Guzman a Beheler statement admonition. Officer Guzman and Vance Piggott signed the form to acknowledge they understood the admonition. Officer Guzman provided a voluntarily statement. (Refer to signed waiver).

Officer Guzman has been a police officer for approximately 3 yrs. with Richmond Police Department. [REDACTED] He graduated from the Napa Police Academy in 2014. He is currently assigned as a school resource officer and works Tuesday to Friday from 0700 to 1700 hours. His supervisor is Sgt. Parker.

On Tuesday night Officer Guzman slept approximately 8 hours. [REDACTED] The last shift he worked was Tuesday the week prior. He competed in an Explorer competition from Thursday to Sunday and he took Monday and Tuesday off and returned Wednesday morning. [REDACTED]

[REDACTED] Officer Guzman stated his eardrum still hurt from the incident and he could still hear ringing in his right ear. Officer Guzman had no complaint of pain to his left ear.

Officer Guzman was wearing a wool department issued uniform that had a Richmond Police Department patches on each shoulder and a badge on the left side of his chest with his full duty belt. His duty belt included pepper spray, taser, handcuffs, radio and additional magazines. Officer Guzman's duty weapon is a Wilson Combat 1911 .45 caliber. He had [REDACTED] rounds in the magazine and [REDACTED] round in the chamber. He was also carrying [REDACTED] and each of them had [REDACTED] rounds in them. [REDACTED] Officer Guzman did not have a rifle with him and he stated every vehicle has a shotgun inside.

Officer Guzman was driving marked patrol vehicle 1121 a Chevy Caprice. Officer Guzman last qualified on the handgun was at the last department range. All the ammunition he had was department approved.

Officer Guzman described the scene as being sunny and clear.

Officer Guzman heard the call for service from dispatch broadcast they were looking for a homicide suspect. When the call came out Officer Guzman was at DeJean Middle School. He confirmed it was normal as school resource officer to leave the school to assist with an incident. Officer Campos and Sgt. Llamas located the suspect vehicle and a pursuit was initiated. They were driving eastbound on Bissell Ave. and 7th St. in Richmond and drove past Officer Guzman. Officer Guzman entered the pursuit and activated his lights and sirens of his marked patrol vehicle. Officer Guzman was the third patrol vehicle in the pursuit. During the pursuit on the freeway they were traveling approximately 60 MPH. During the pursuit dispatch provided an update that the suspect was armed with what he believed to be a firearm and he heard CHP had spike stripes, but he was uncertain where they had the spike stripes.

There were four photos shown to Officer Guzman to use a reference points of the scene. When Officer Guzman looked at the photos, he stated his patrol vehicle was not pictured in the photos. He went on to explain that when he first arrived in the #3 position going left to right from the center median. After the suspect moved a second time Officer Guzman does not believe his vehicle moved. He believes he got into someone else's patrol vehicle and followed them moving forward. Officer Guzman's vehicle was taken by Officer Campos to San Francisco General Hospital when the suspect was transported.

When Officer Guzman arrived on scene the suspect had just crashed into the center median. He was positioned along the passenger side of the suspect's vehicle. He took a positional advantage and pointed his firearm at the suspect's vehicle door. Officer Guzman heard an officer on scene giving commands through the PA to the suspect to show his hands. The suspect was not cooperative, and he turned his vehicle on and slowly moved forward to the center of the freeway. Officer Guzman got into the driver's side of a marked Richmond patrol vehicle. He is not sure who it belonged to and he slowly followed behind the suspect. The suspect traveled a short distance before coming to a stop. Once stopped Officer Guzman stopped the patrol vehicle and exited the vehicle and takes a positional advantage there and draws his firearm and points it at the suspect vehicle and officers continued giving commands to the suspect.

Officer Guzman sees the suspect start rolling down his window and pulled back his hands out the window and then closed the window. The back hatch to the suspect's vehicle opens. Officer Guzman could kind of see the suspect with the hatch opened and he could hear him speaking but was unable to determine what the suspect was saying. Then the back-hatch closed.

The suspect moved his vehicle again and Officer Guzman entered the marked Richmond PD K-9 vehicle. The suspect moves forward approximately 10 yards. Officer Guzman marked the location of the canine car on the photos we showed him. From the location of the K-9 car Officer Guzman could see the suspect's vehicle driver's side, rear of the vehicle and the trunk. Officer Guzman estimated he was approximately 25-30 yards from the suspect vehicle. Officer Reina and his trainee were close to Officer Guzman. At the end Officer Diaz with him. When Guzman exited the K-9 car he was positioned at the driver's door.

Officer Guzman described what he could see from his position. The suspect's vehicle had tinted windows, so Officer Guzman was unable to see inside the vehicle. More officer came from Fairfield PD. Officer Guzman stated he heard they were going to try and use some type of projectile to break the window, so they could see inside the suspect's vehicle. It was very clear to Officer Guzman due to people yelling less lethal that they were going to use a less lethal projectile to break the window. Officer Guzman stated the first less lethal missed and the second one shattered the rear window, but it did not brake completely. The third round was gas, but he was uncertain where it struck.

After the less lethal gas went into the suspect's vehicle within in a few seconds the suspect exited his vehicle. Officer Guzman observed the suspect open the door, came out facing the officers and he saw a firearm in the suspects hand. The suspect exited the vehicle in an aggressive and fast manner like he was going to shoot him and other officers. Officer Guzman does not know if the suspect fired any rounds from his weapon. Officer Diaz fired his weapon and was standing behind and over Officer Guzman who was kneeling at the "V" in the vehicle door, so his firearm was the only thing that you could probably see. Officer Diaz fired his rifle which caused Officer Guzman to flinch. It was also loud, and Officer Guzman thought he had been shot. Officer Guzman checked himself and realized he was not shot but probably blew his eardrum. Officer Guzman looked up and he saw the suspects firearm and he thought the suspect was going to kill them, so he fired two rounds towards the suspect who was still standing. Officer Guzman fired the rounds to the center of the suspect's body and he was uncertain if they hit the suspect. Officer Guzman completed an in battery reload, inserting a fully loaded magazine into his firearm. Officer Guzman left the magazine on the ground next to the driver's door of the K-9 vehicle.

Officer Guzman is part of the team that stacks up and starts approaching the suspect's vehicle. There was one team on the driver's side of the suspect's vehicle and another team behind on the trunk area and on the passenger side of the suspect's vehicle. The suspect's vehicle was cleared and safe and there was nobody else inside the vehicle. The firearm was not inside the suspect's hand anymore and they began to render aid to the suspect. Officer Guzman used gauze to cover one of the wounds Hodge had on his stomach area. There was an officer from Fairfield PD doing compressions on Hodge and they exchanged after a short time. The paramedics arrived before Officer Guzman was doing compression. They put Hodge's inside the back seat of a marked patrol unit. Officer Guzman stepped away because it was a really confined area and there were a lot of people there providing medical attention to Hodge.

Officer Guzman walked back to where other officers were located by a car near the center median. Officer Guzman provided a public safety statement to Sgt. Lonso who asked him how many rounds he fired and what direction. Officer Guzman told Sgt. Lonso he fired (5) rounds. After Officer Guzman thought about it, he thinks he only fired his weapon (2) rounds. Sgt. Pomeroy gave Officer Guzman a less lethal shotgun during the incident and prior to the suspect moving the last time. Once the suspect moved Officer Guzman placed the less lethal shotgun in the trunk of the K-9 vehicle. Officer Guzman never fired a less lethal round from the shotgun.

Officer Guzman's backdrop was clear there was no traffic, and nobody else besides the suspect in the area and the suspect's vehicle.

Officer Guzman stayed on scene for approximately 10-15 minutes after the incident. He was transported back to Richmond Police Department by Sgt. Parker along with Officer Tagorda and Detective Ricchiuto. Officer Guzman was wearing a body camera and it was activated during the pursuit and was on during the incident and during until the suspect was transported. He turned it off once there were all standing around. There was no communication about the shooting on the return to Richmond Police Department. Officer Guzman was photographed by a Richmond PD CSI technician who also recovered his firearms and ammunition. They left Richmond Police Department and went to [REDACTED] in Richmond. Officer Guzman stated he had ringing in his ear from this incident.

Officer Guzman did not see Hodge shoot at him or a muzzle flash. Officer Guzman stated when Hodge stepped out of his vehicle, he felt Hodge was pointing his firearm at him and Officer Diaz who was standing behind him. Officer Guzman is uncertain how far away Officer Diaz was from him, but he did hear Officer Diaz tell him not to stand up due to the location of Officer Diaz's muzzle. Officer Guzman answered follow up questions. [REDACTED]

Officer Guzman responded to the area of north of Ohio St. and west of Harbor Way to locate Hodge. It was updated that Hodge was driving eastbound Bissel Ave. to 2nd St. or 3rd St. Hodge drove past him as he approached the intersection. Officer Guzman stated when Hodge drove past him on Harbor Way, he was traveling at approximately 50 MPH on the surface streets of Richmond. When Hodge's initially got on the freeway there was no traffic and he

was driving at approximately 90 MPH. Once traffic started back up, Hodge went to the right side of the freeway and slowed down to approximately 60 MPH. Hodge's slowed his vehicle as it approached the spike strips to approximately 30 MPH and Officer Guzman was approximately 30 yards behind Hodge's vehicle. After Hodge's vehicle drove over the spike strips Officer Guzman saw the spike stripes being pulled back and they announced it over the radio. There was a big traffic break after Hodge's vehicle ran over the spike strip. Hodge's vehicle collided on the right shoulder and then collided with the left side. After Hodge stopped his vehicle Officer Guzman positioned himself on the driver's side of Hodge's vehicle. Officer Guzman confirmed he was on the driver side of Hodge's vehicle. Officer Guzman was approximately 20 to 30 yards behind Hodge's vehicle when it was stopped. This included after the suspect moved his vehicle multiple times. Officer Guzman was always 20 to 30 yards behind the suspect's vehicle. Officer Guzman confirmed the commands. Officer Guzman stated Hodge placed his hands out the window the second time he stopped and opened the rear hatch. The commands given to Hodge were given to Hodge's were very clear.

Officer Guzman confirmed when the suspect exited his vehicle, he immediately turned 180 degrees, had a firearm in his hand with a one-handed grip on the firearm. The suspect pointed his firearm at Officer Guzman. Officer Guzman thought the suspect was going to kill him and the other officers. Officer Guzman heard gun fire and flinched, and he came up and Hodge was still there, and he was stumbling, and he still had a gun in his hand. Hodge's gun is pointed at the ground and Officer Guzman fired 2 rounds in the direction of the suspect. Officer Guzman checked himself to make sure he was not shot and completed a tactical reload. Officer Guzman stated once Hodge was shot, he fell to the ground and stopped moving and everyone stopped shooting. Officer Guzman was not sure who the paramedics were, and he did not see an ambulance.

When Officer Guzman fired his weapon, he described the backdrop as being a freeway guard rail that looped to the right from the direction he was facing and brush.

Officer Guzman clarified that he may have fired shots prior to Officer Diaz firing shots.

(Refer to Officer Guzman's recorded statement).

Richmond Police Detective Michael Ricciuto #1719 was interviewed on September 28, 2017 at approximately 1719 hours, in a conference room at the Richmond Police Department. Present during the interview were Alameda County Deputy District Attorney Kevin Wong, Alameda County Inspector Caesar Basa, Alameda County District Attorney Inspector Jason Riechers, Emeryville Detective Edward Mayorga and Ricciuto's counsel Jonathan Murphy with Rains Lucia Stern St. Phalle & Silver, PC. (Refer to Detective Mayorga's report for further details). CHP provide Emeryville Police Department with a large list of civilian witnesses from the freeway that were contact but not interviewed on scene. This is a list of the civilian witness I contacted or attempted to contact for follow up statements. Not all witness provided statements or returned phone calls.

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On 10/16/17 at approximately 1634 hours, I called civilian witness ██████████ who provided me with the following statement: This is a synopsis of his statement:

Watson stated he was approximately the fifth car back on the Frontage Rd and the and he could not see anything happening on the driver's side and only had a view of the passenger side. ██████████ was stopped and going towards San Francisco. ██████████ did not see the suspect and was approximately 100 yards behind the suspect's car. Watson saw the officers gather around. He did not hear any communication from the officers to the suspect. He saw two snipers come up. There was a sniper that took a position in front of his car on the Frontage Rd. He saw a paramedic getting his bag prepared. He could see the officers shoot and saw the paramedics doing CPR. ██████████ was able to

see the paramedics doing CPR from underneath the suspect vehicle. [REDACTED] confirmed he did not see anything because of the angle of where he was stopped. [REDACTED] took photos at the scene. [REDACTED] agreed to email me the photos. On 10/16/17 at approximately 1645 hours, [REDACTED] sent me an email with photos attached. I logged the photos into evidence at EPD. (statement complete)

On 10/16/17 I transferred his recorded phone statement to a CD-R. On 10/16/17 at approximately 1647 hrs. Watson emailed photos of the scene. [REDACTED] also signed the EPD consent form for electronic photos. (Refer to document).

On 10/16/17 at approximately 1800 hours, I called [REDACTED] and left him a message asking him to return my phone call.

On 10/16/17 at approximately 1805 hours, I called [REDACTED] and left him a voicemail message asking me to return his phone call.

On 10/16/17 at approximately 1810 hours, I called [REDACTED] and left her a message asking her to call me.

On 10/16/17 at approximately 1820 hours, I called [REDACTED] and left him a message asking to return my phone call.

On 10/16/17 at approximately 1831 hours, I called [REDACTED] who told me he took cell phone video of the incident. [REDACTED] stated he was on the freeway from Powell St. entrance going towards San Francisco. [REDACTED] was the third car back. [REDACTED] heard the police telling the suspect to come out with his hands up. [REDACTED] heard this for approximately five minutes before CHP asked him to back up because they were too close to the scene. [REDACTED] stated he would come to the PAB to meet me at 0800 on 10/17/17 to provide the videos he recorded. I transferred his digital recorded statement to a CD-R and logged it into evidence. (Refer to [REDACTED] statement).

On 10/17/17 at approximately 0820 hours, [REDACTED] came to the PAB and provided an additional statement to Officer Krinsky and I. [REDACTED] confirmed he entered the freeway from Powell St. and was in the lane next to the water going towards San Francisco. [REDACTED] is a Uber driver and he had a passenger in the car with him. He did not have the passenger's information. [REDACTED] confirmed he heard the officers tell the suspect to get out of the car with your hands up. [REDACTED] did not witness the shooting because CHP had him move back and he was too far away to witness it. [REDACTED] provided seven short videos he recorded from his cell phone to Officer Krinsky. [REDACTED] also signed the consent form. (Refer to attached consent form, recorded statement and videos).

On 10/17/17 at approximately 1653 hours, I called [REDACTED] and left her a message asking her to return my phone call.

On 10/17/17 at approximately 1700 hours, I called [REDACTED] and the number provided [REDACTED] was disconnected. I used TLO.com and located another number [REDACTED] and it was also not in service.

On 10/17/17 at approximately 1712 hours, I called [REDACTED] and he was at work and was unable to provide me with a statement.

On 10/17/17 at approximately 1720 hours, I called [REDACTED] and left her a message asking her to call me back.

On 10/18/17 at approximately 1632 hours, I called AMR (888) 267-6591 and asked them if they responded to the scene of the shooting. I was informed they did not respond because it was out of their jurisdiction.

On 10/18/17 at approximately 1643 hours, I called [REDACTED] and left him a voicemail message.

On 10/18/17 at approximately 1656 hours, witness [REDACTED] returned my phone call and provided me with the following statement. This is a synopsis of his statement. [REDACTED] was on the onramp off of Powell St. on 80 towards San Francisco. [REDACTED] was the second car back. There were a lot of police vehicles that were shielding him from seeing things. [REDACTED] described that there was a concrete wall to his left and the water was to his right. His wife [REDACTED] was in the car with him. [REDACTED] was there for approximately an hour before the shooting and approximately an hour after the shooting. [REDACTED] did not hear any communication between the officers and the suspect. [REDACTED] stayed in the car the entire time. [REDACTED] and [REDACTED] did not see the shooting because their view was obstructive. They heard the gun fire but did not see anything. [REDACTED] and [REDACTED] did not take any video or photos of the scene. (Refer to Koshland's recorded statement).

On 10/18/17 I transferred the digital recording to a CD-R.

On 10/18/17 at approximately 1657 hours, I called [REDACTED] [REDACTED] who answered the phone but was unable at to talk because she was at work. [REDACTED] told me she would call me on 10/19/17 at approximately 0900 hrs. [REDACTED] never returned my phone call.

On 10/18/17 at approximately 1719 hours, I called [REDACTED] [REDACTED] and left him a message asking him to return my phone call.

On 10/18/17 at approximately 1730 hours, [REDACTED] [REDACTED] returned my phone call and provided me with the following statement. [REDACTED] was on the freeway. Gregory saw the suspect vehicle and Richmond PD pass him. [REDACTED] saw Richmond PD and saw the black SUV stopped. There was a CHP officers that asked him to back up. [REDACTED] back his vehicle up. [REDACTED] heard the officers tell the suspects to exit the vehicle. The suspect refused to exit his car. [REDACTED] saw the passenger window of the suspect vehicle open and the back of the suspect vehicle open. The suspect moved forward, and it made it hard for [REDACTED] to hear or see. [REDACTED] saw other officers arrive. [REDACTED] did not see when the suspect exited his vehicle. [REDACTED] was in the slow lane and he was the first car there and he was the only one on the freeway for a short period of time. He saw the suspect stop and the police stop and he did not want to pass them, so he stopped. [REDACTED] heard an initial shot which he did not know what it was than there was a delay before he heard all the gun fire. [REDACTED] told me he had photos of the incident and he would send them to me. (Refer to [REDACTED] recorded statement). After I got off the phone with him, I sent him a text message using my work cell phone that included my business card so he could send me the photos. At approximately 1840 hours, I received a text message from Gregory that included two photos of the scene. I transferred the two photos to a CD-R.

There were two paramedics that arrived on scene and provided medical aid to Hodge and assisted with transporting Hodge to San Francisco General Hospital. The paramedics were not on scene when I arrived. I attempted to identify the paramedics by contacting AMR and Paramedics Plus.

On 10/19/17 I sent an email to Troy Vincent with AMR with a photo of the paramedics on scene. [REDACTED] checked with his co-workers and they do not recognize the paramedics.

On 10/19/17 I called Joey with Paramedics Plus. I sent him an email with photos of the paramedics, and he reviewed the email and did not recognize the paramedic in the photos.

On 10/23/17 at approximately I called CHP air unit and talked to [REDACTED] and he provided me with Officer Koyl's email address.

On 10/23/17 at approximately 1648 hrs. I called witness [REDACTED] [REDACTED] and left him a message.

On 10/23/17 at approximately 1726 hours, I called witness [REDACTED] [REDACTED] [REDACTED] did not see who was shooting. [REDACTED] was on the onramp towards San Francisco from Powell St. [REDACTED] could see the front line of police officers. [REDACTED] was approximately the fifth car back. [REDACTED] did not hear the officers give any commands. [REDACTED] heard one pop than a second or two later she heard twelve pops and saw the puffs of smoke. [REDACTED] saw the body language of the police officers change after the shooting and she stated it was like threat was gone. [REDACTED] did not take any photos or videos of the incident. (Refer to [REDACTED] statement).

On 10/23/17 at approximately 1723 hours, I called [REDACTED] [REDACTED] and left another message asking him to return my phone call.

On 10/23/17 at approximately 1732 hours, I called [REDACTED] [REDACTED] who was a witness. [REDACTED] told me he was on the freeway access towards San Francisco, and he was the third car back. [REDACTED] saw the suspect and the police in a standoff. [REDACTED] saw the police move in and shoot the suspect. [REDACTED] did not hear any commands being given. [REDACTED] had two passengers in the vehicle that were with him from casual carpool, but he did not have any contact information for them. [REDACTED] stated he had photos that he would email or text me of the incident. (Refer to [REDACTED] statement). I used my department issued cell phone and sent a text to [REDACTED] that included a picture of my business card. On 10/23/17 Davis texted me the three photos to my work phone. I transferred the photos to a CD-R.

On 10/23/17 at approximately 1742 hours, I called [REDACTED] [REDACTED] and left him a message asking him to return my phone call.

On 10/23/17 at approximately 1747 hours, I called [REDACTED] [REDACTED] and left him a message asking him to return my phone calls.

On 10/23/17 at approximately 1754 hrs. called [REDACTED] [REDACTED] and left her a voicemail message.

On 10/23/17 at approximately 1755 hours, I called [REDACTED] [REDACTED] [REDACTED] and left a voicemail message for her asking her to return my phone call.

On 10/23/17 at approximately 1834 hours, [REDACTED] [REDACTED] called back and stated he was on his motorcycle at the front of the line in the fast lane stopped. He arrived 10-15 minutes after the shooting, so he did not witness the shooting or anything that happened prior to the shooting. (Refer to [REDACTED] statement).

On 10/30/17 at approximately 1626 hours, I sent a fax request to Alameda County Sheriff's Office Coroner's Bureau requesting a copy of the report for Demilo Hodge. Alameda County Deputy Wilson told me the report was not complete and would probably not be available for a month or two.

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On 10/30/17 at approximately 1656 hours, I called witness [REDACTED] [REDACTED] who provided me with the following details. [REDACTED] told me he was on the freeway in the fast lane in a white cargo van and was headed towards San [REDACTED]. [REDACTED] was on the freeway for approximately 15 minutes. The police were in front of [REDACTED]. Perez took photos and video and will e-mail them to me.

On 10/30/17 at approximately 1724 hours, [REDACTED] emailed me three digital photos attached to my department issued e-mail.

On 10/30/17 at approximately 1727 hours, [REDACTED] emailed me five additional photos from the scene to my department e-mail.

On 10/30/17 at approximately 1827 hours, I called [REDACTED] [REDACTED] and left him a voicemail message asking him to return my phone call.

On 10/30/17 at approximately 1854 hours, I called [REDACTED] [REDACTED] and he provided me with the following statement. Perry was in front and was in the carpool lane on highway 80 towards San Francisco. [REDACTED] told me he did not hear or see anything. [REDACTED] was unable to hear any commands being given and there was a CHP SUV blocking him. [REDACTED] was on a motorcycle and he did not take any videos or photos of the incident. (Refer to [REDACTED] recorded statement).

On 10/30/17 at approximately 1905 hours, I called [REDACTED] [REDACTED] and left a voicemail message asking her to return my phone call.

On 10/30/17 at approximately 1908 hours, I called [REDACTED] [REDACTED] and left her a voicemail asking her to return my phone call.

On 10/30/17 at approximately 1915 hours, [REDACTED] [REDACTED] told me she walked to the front of the line and she heard one pop first than the second round. [REDACTED] saw the suspect put his hands out of his window showing the suspect did not have anything. [REDACTED] was stopped, and she was about seven cars back behind the police cars. [REDACTED] was facing south towards San Francisco. [REDACTED] did not recall hearing anything the officers were saying. [REDACTED] was in the carpool lane. [REDACTED] saw two EMT's run past her before the shooting. [REDACTED] was uncertain where the EMT'S came from. They were running towards the scene of the shooting. [REDACTED] saw the suspect's door open and she saw him coming out and that it was too low, and she could not see. The suspect appeared to be pointing something and she does not trust what she saw but it appeared he was pointing something at the officers. Prior to exiting the suspect waived his arms out like he did not have anything. [REDACTED] stated it was stressful situation, but she felt law enforcement handled it well. [REDACTED] told me she had multiple photos of the scene. I used my department issued cell phone and sent her a text with my business card. (Refer to [REDACTED] statement). [REDACTED] did not send me the photos she had.

On 11/01/17 at approximately 1831 hours, I called [REDACTED] [REDACTED] and he asked me to meet him on 11/02/17 in Rodeo so I can recover the video surveillance he has of the shooting. On 11/02/17 Detective Head and I met with [REDACTED] in Rodeo. Perez provided the following statement in Spanish. [REDACTED] stated he was on the highway 80 going towards San Francisco. There was a line of police cars and police motorcycles. There was a car in front of the police cars. There were gun shots. He heard the first shot when the suspect's car door was open, and the suspect fell to the ground. [REDACTED] thinks the suspect shot because it was a different sound than when the police starting firing. Perez was unable to hear officers talking to the subject because of the distance and the music being played.

On 11/01/17 at approximately 1830 hours, I called [REDACTED] [REDACTED] and left him a message asking him to return my phone call.

On 11/01/17 at approximately 1837 hours, I called [REDACTED] [REDACTED] and left a voicemail message asking him to return my phone call.

On 11/01/17 at approximately 1840 hours, I called [REDACTED] [REDACTED] and she asked that I call her back at approximately 1900 hours because she was working.

On 11/01/17 at approximately 1909 hours, I called [REDACTED] [REDACTED] [REDACTED] and she provided me with the following details. [REDACTED] was on the freeway by Powell St. going towards San Francisco. [REDACTED] was on the on ramp from Powell St. and she was the first car that was stopped. [REDACTED] had her windows up and she was scared. The officers told her to put her windows up. [REDACTED] was there for approximately two to three hours until they cleared the area. [REDACTED] was unable to see the shooting because she was behind the line of police cars. [REDACTED] heard the first shot and she saw the driver door open, but she did not see the suspect exit the car. [REDACTED] was scared and ducked down in her car until the shooting stopped. [REDACTED] saw the police running towards the suspect's car. [REDACTED] took one picture once she arrived but stated she did not record anything since she panicked. [REDACTED] had the picture on snap chat, but it went away, and she no longer has the picture. (Refer to [REDACTED] recorded statement).

Civilian Witnesses interviewed by Alameda County District Attorney Inspectors

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thought the police may have shot a canister of tear gas into the suspect's vehicle. The suspect's vehicle door opened, and the suspect exited the car. [REDACTED] believed the suspect was attempting to surrender when he was shot by the police and he did not see a firearm in the suspect's hands. [REDACTED] learned later the suspect shot at the police. [REDACTED] provided video from the incident before the shooting occurred. (Refer to [REDACTED] statement).

On 10/13/17 Inspector Knight interviewed [REDACTED] by telephone. [REDACTED] was riding a motorcycle in the carpool lane from eastbound highway 80 from San Francisco to highway 80 in Emeryville. [REDACTED] was at the front of the CHP traffic break.

[REDACTED] arrived at the incident at approximately 0845 hours. At approximately 0920 hours, he saw a black SUV driving on the freeway with flat tires. [REDACTED] saw police cars behind the suspect vehicle. [REDACTED] heard the police using their PA to order the suspect to stop his vehicle. The suspect stopped his vehicle but after approximately five minutes the suspect moved his vehicle forward which put the suspect approximately 200-300 feet from [REDACTED]. [REDACTED] heard the police repeatedly telling the suspect to open his window and to put his hands out and open the door from the outside and to slowly exit the vehicle. Each time the police told the suspect he would not be harmed if he followed their instructions. [REDACTED] saw the suspect open his window at least two times and place his hands outside but he was unable to hear what the suspect was saying. [REDACTED] saw the police shoot something at the suspect's back window of the SUV to break out the window. [REDACTED] saw people arrive in military clothing carrying rifles. [REDACTED] heard two - three shots and then a barrage of gunfire that lasted 5-10 seconds and the suspect was shot. [REDACTED] was unable to see if the suspect had a firearm. [REDACTED] stated the suspect "blew off" the instructions from the police and was doing everything wrong if he wanted to live. [REDACTED] did not capture any video of the incident. (Refer to [REDACTED] statement).

On 10/13/17 and 10/16/17 Inspector Knight called [REDACTED] and left messages asking him to return his phone call. [REDACTED] never returned his phone calls.

On 10/16/17 Inspector Knight called [REDACTED] by telephone and took the following statement.

[REDACTED] stated he was driving north on highway 880 to eastbound highway 80. [REDACTED] was the first car in the traffic break at the bottom of the ramp. After approximately ten minutes of being stopped on the freeway by the police she saw a large black vehicle coming towards her in the opposite lanes of the freeway and it came to a stop. [REDACTED] heard the police talking on their PA to the suspect. The police told him to roll down his windows and put his hands out. The addressed the suspect by the name ' [REDACTED] [REDACTED] stated the suspect's vehicle moved forward again and the police told the suspect on their PA to stop. This caused [REDACTED] to be approximately ten meters away from the suspect's vehicle. The suspect rolled down his window, placed both hands and his head outside the window and looked aback at the police and said something see was unable to hear. [REDACTED] heard a shot and saw the suspect put his hands back in his car and he rolled up the window. Approximately one minute later the suspect exited his vehicle and pointed a gun at the police. [REDACTED] stated the police shot at the suspect for approximately five to six seconds. A group of police officers wearing black moved toward the suspect's vehicle and checked his vehicle. Once they checked the vehicle, they performed CPR on the suspect. The police car came up and they placed the suspect in the vehicle. [REDACTED] saw a large van come up and they transferred the suspect to the van. A few minutes later the van drove away. [REDACTED] did not have any video of the incident. (Refer to [REDACTED] statement).

On 10/13/17 Inspector Alexander called [REDACTED] by telephone and took the following statement. [REDACTED] stated he was riding his motorcycle from highway 880 north to eastbound highway 80. [REDACTED] was at the front of the traffic control and at the gore point of the merge.

[REDACTED] stated upon his arrival the suspect and the police were stopped back closer to the Powell St. exit off highway 80. The suspect's vehicle was described as a black limo-type SUV with blacked out windows that began moving forward on flat tires. [REDACTED] could hear the police on their PA telling the suspect to stop. The suspect came to a stop and the police for twenty minutes communicated with the suspect on their PA. The police told him to roll his window down and put his hands and arms out of the window and to surrender. [REDACTED] saw the suspect roll his window down and place his hands and arms out to surrender. [REDACTED] also saw the suspect rolling up his window and yelling back at the police. [REDACTED] heard the suspect tell the police "make the dog go away." The police responded on the PA that the dog was gone. [REDACTED] stated the suspect put his hands out his window and started to open his vehicle door. [REDACTED] believed someone shot one time at the vehicle and immediately after this the suspect pulled himself back in the vehicle and squirmed around. The suspect opened his door, exited his vehicle, crouched and spun around shooting a gun at the police. The police shot the suspect. The police moved up and tried to resuscitate the suspect. The police placed the suspect in a police car. The suspect was transferred to a van and the van drove away. [REDACTED] recorded the incident. (Refer to [REDACTED] statement).

On 10/13/17 Inspector Alexander interviewed [REDACTED] by telephone. [REDACTED] provided the following details. Olson was riding his motorcycle north on highway 880 to highway 80 eastbound. [REDACTED] was at the front of the traffic break. Olson observed several officers pointing their rifles at a black SUV. The suspect opened his window and [REDACTED] heard the police on their loudspeaker say, "Hold your hands out the window." The suspect complied with his command then pulled his hands back inside, closed his window and drove forward. [REDACTED] stated the police officers told the suspect to stop, and the suspect drove approximately 20 feet forward and stopped. The suspect opened his window again than closed it. [REDACTED] said the police ordered the suspect over the loudspeaker several

times to "open the widow and stick your hands out where we can see them." [REDACTED] heard a shot but was uncertain if it came from the police officers or the suspect. Olson saw the back door of the SUV open and the police started shooting. [REDACTED] saw the suspect getting back inside the back door and closing it. The police moved forward, opened the front door, unlocked the back door and pulled the suspect out of his vehicle. The police performed CPR on the suspect. [REDACTED] did not have any photos or video of the incident. (Refer to [REDACTED] statement).

On 10/13/17 Inspector Alexander called [REDACTED] on the telephone and she provided him with the following statement. [REDACTED] stated she was driving a Toyota Sienna and was driving eastbound highway 580 to eastbound 80 in Emeryville. [REDACTED] was the first vehicle in the traffic break. [REDACTED] could see the police surrounding a vehicle further down the freeway. [REDACTED] was stopped by police at the freeways merge. [REDACTED] saw the suspect's vehicle and the police on highway 80 westbound coming closer to [REDACTED] location. The center median obscured her view of the suspect vehicle from the waist up. Lee heard the police directing the suspect calling him by the name "Milo" to roll down his window and open his door with this left hand. [REDACTED] thought the police told the suspect that they did not want to hurt him and that they wanted it to end peacefully. [REDACTED] stated the suspect rolled his window down and up. The suspect rolled his window down again and placed both his hands and head outside the vehicle window and he was talking to the police. [REDACTED] heard a gunshot and the suspect went back inside window and rolled the window up. The suspect exited his vehicle suddenly and the police shot him. [REDACTED] provided video and photos of the incident. (Refer to [REDACTED] statement).

On 10/16/17 Inspector Alexander interviewed [REDACTED] by telephone, and he provided him with the following statement. [REDACTED] was driving north on highway 880 to eastbound highway 80 and was at the front of the traffic break. [REDACTED] saw a black Escalade with tinted windows approximately 1000 feet away on the freeway. The Escalade moved forward towards [REDACTED] location and stopped three times with the police following him. Each time the suspect's vehicle stopped the police would give commands from the loudspeaker such as "roll down your window, show us your hands get out of the car Demilo. Just open the windows and show us your hands." The suspect's vehicle came to a final stop approximately 100-150 feet of [REDACTED] location. [REDACTED] thought the police were calm and he felt the suspect was messing with the police rolling his window up and down and talking back to the police. Morse does not recall all the suspect said to the police, but he remembers the suspect saying, "Get rid of the canine." The police told the suspect "the dog is gone, roll down your windows, show us your hands." [REDACTED] heard a muffled shot or pop and then saw the suspect roll his window down and stuck his head out. [REDACTED] thought an officer may have fired a single round at which time the suspect pulled his head back inside his vehicle. Approximately 10-30 seconds later the suspect opened his door and came out with something in his hands. [REDACTED] stated the officers shot 40-50 rounds at the suspect. The officers used a police car as cover and drove forward and cleared the suspect's vehicle. [REDACTED] saw the police place the suspect in a minivan which drove towards San Francisco. [REDACTED] provided video of the incident. (Refer to [REDACTED] statement).

On 10/13/17 Inspector Alexander interviewed [REDACTED] by telephone. [REDACTED] provided the following details. Olson was riding his motorcycle north on highway 880 to eastbound highway 80. [REDACTED] was at the front of the traffic break. [REDACTED] observed several officers pointing their rifles at a black SUV. The suspect opened his window and [REDACTED] heard the police on their loudspeaker say, "Hold your hands out the window." The suspect complied with his command then pulled his hands back inside, closed his window and drove forward. [REDACTED] stated the police officers told the suspect to stop, and the suspect drove approximately 20 feet forward and stopped. The suspect opened his window again than closed it. [REDACTED] said the police ordered the suspect over the loudspeaker several times to "open the widow and stick your hands out where we can see them." [REDACTED] heard a shot but was uncertain if it came from the police officers or the suspect. [REDACTED] saw the back door of the SUV open and the police started shooting. [REDACTED] saw the suspect getting back inside the back door and closing it. The police moved forward, opened the front door, unlocked the back door and pulled the suspect out of his vehicle. The police performed CPR on the suspect. [REDACTED] did not have any photos or video of the incident. (Refer to Olson's statement).

On 10/13/17 Inspector Alexander called [REDACTED] on the telephone and she provided him with the following statement. [REDACTED] stated she was driving a Toyota Sienna and was driving eastbound 580 to eastbound 80 in Emeryville. [REDACTED] was the first vehicle in the traffic break. [REDACTED] could see the police surrounding a vehicle further down the freeway. [REDACTED] was stopped by police at the freeways merge. Lee saw the suspect's vehicle and the police on highway 80 westbound coming closer to Lee's location. The center median obscured her view of the suspect vehicle from the waist up. [REDACTED] heard the police directing the suspect calling him by the name "Milo" to roll down his window and open his door with this left hand. [REDACTED] thought the police told the suspect that they did not want to hurt him and that they wanted it to end peacefully. [REDACTED] stated the suspect rolled his window down and up. The suspect rolled his window down again and placed both his hands and head outside the vehicle window and he was talking to the police. [REDACTED] heard a gunshot and the suspect went back inside window and rolled the window up. The suspect exited his vehicle suddenly and the police shot him. [REDACTED] provided video and photos of the incident. (Refer to [REDACTED] statement).

On 10/16/17 Inspector Galindo contacted [REDACTED] telephone. [REDACTED] provided the following statement. [REDACTED] stated he was driving eastbound highway 80 in Emeryville. [REDACTED] was uncertain of his exact location. [REDACTED] stopped his vehicle behind the line of vehicles and was unable to see very well. [REDACTED] did see the police cars behind a black vehicle. [REDACTED] stated the suspect's vehicle moved forward. [REDACTED] could hear the police on their loudspeaker but could not understand what they were saying. [REDACTED] stated he heard gunshots but did not see who was shooting or if anyone was shot. [REDACTED] took a single picture of the incident on his phone. [REDACTED] provided the photos to the Alameda County District Attorney. (Refer to [REDACTED] statement).

On 10/16/17 Inspector Alexander telephoned [REDACTED] who provided him with the following statement. [REDACTED] was driving northbound on highway 880 to eastbound highway 80 in Emeryville. He was the second vehicle back from the traffic break. He saw a group of police cars in the opposite lanes of traffic. He heard the police saying, "Emilio, Emilio, come out, put your hands up, get out of the vehicle," This occurred for approximately 10-15 minutes. [REDACTED] saw a black SUV moving forward 20 -30 feet. A police car hit the SUV on the left side. [REDACTED] heard the police telling the suspect not to move. For approximately an hour the police ordered the suspect to exit his vehicle. [REDACTED] saw the suspect roll down his window and say something to the police which he could not hear. [REDACTED] heard the police say something to the effect of if you do not comply, we will have to use deadly force-we will shoot you. [REDACTED] heard what he thought was a warning shot and the suspect displayed his middle finger back to the police as though he was angry. [REDACTED] thinks the police were giving the suspect commands for approximately two hours. The suspect had one arm out the window and he heard the police tell the suspect to place both arms outside. Suddenly the suspect opened his door, exited the vehicle, turned towards the police with something in his hand. The suspect assumed a crouching posture consistent with attempting to shoot at the police with the left arm forward. The police fired approximately 50 rounds over 2 seconds. The police dog went forward than went back quickly. [REDACTED] stated the police or medics tried to do CPR. The police picked up the suspect and took him away. [REDACTED] provided video of the incident. (Refer to [REDACTED] statement).

Alameda County District Attorney Inspector Shawn Knight #287 interviewed the following civilian witnesses. These are synopsis of his interviews.

On November 2, 2017 at approximately 1345 hours, Inspector Knight contacted [REDACTED] by telephone. Averill stated he was driving from northbound 580 to highway 80 and was taking the Powell St. exit when traffic was stopped at the traffic break 50' from the exit.

[REDACTED] confirmed he could see the suspect's vehicle, which was stopped to his left. The police were using a bull horn trying to negotiate with the subject calling by the names of [REDACTED]. [REDACTED] heard the police telling the subject to put his hands out the window up and down two to three times. This continued for approximately ten minutes up until the time he watched as the subject exited his vehicle with a gun in his hand, firing two shots at the police, before being taken down by return fire from the police.

[REDACTED] confirmed nobody else was with him in his vehicle. [REDACTED] recorded video of the incident. Inspector Knight planned with [REDACTED] to obtain a consent to search form and to retrieve the videos. (Refer to [REDACTED] statement).

On November 3, 2017 at approximately 0925 hours, Inspector Knight called [REDACTED] by telephone and obtained the following statement over the telephone.

[REDACTED] stated he was driving to work and was coming from San Francisco and was northbound on highway 80 and taking the Powell St exit in Emeryville but was stopped two cars south of the traffic break.

[REDACTED] stated he could see and hear the police telling the subject to put his hands out of the car. [REDACTED] watched the subject put his hands in and out of the window and several times roll the window up and down. [REDACTED] filmed the incident until the subject exited his vehicle, firing twice at the police, and falling out of the sight due to return fire from the police.

[REDACTED] stated nobody else was with him in his vehicle and he did have video of the incident. Inspector Knight met with Kaul and it was determined there was no video recording available due to malfunctioning of the recording device. (Refer to [REDACTED] statement).

On November 3, 2017 at 0947 hours, Inspector Knight telephoned [REDACTED] who provided him with the following statement.

[REDACTED] stated he was driving his Toyota and was coming from San Francisco. [REDACTED] was just northbound on highway 80 and was taking the Powell St exit in Emeryville and was in the last lane from the right. [REDACTED] heard the police talking with the subject for more than 10 minutes. The police were telling the subject to show his hands and put his hands up. The subject was in a black SUV on the other side of the freeway. [REDACTED] stated he was live on Facebook. [REDACTED] continued to hear the police telling the subject to show them his hands. [REDACTED] was not watching the incident until he heard the gun shots and then he looked up.

[REDACTED] is an Uber driver and had a passenger at the time of this incident. The passenger left prior to being contacted by police and [REDACTED] does not have any information of the passenger. [REDACTED] also does not have any video of this incident. (Refer to [REDACTED] statement).

On November 3, 2017 at approximately 0955 hours, Inspector Knight called [REDACTED] by telephone. [REDACTED] provided him with the following statement.

[REDACTED] stated she was driving her Acura coming from Oakland highway 580 and just merged onto northbound highway 80. Bui was stopped two cars back of the traffic break in the third lane over from the shooting.

[REDACTED] heard the police calling the subject's name of [REDACTED]. Bui saw the subject roll his window up and

down and looking out of it. [REDACTED] states they were there for a long time watching as the subject drove his vehicle forward a short distance. [REDACTED] stated the police told people to exit their vehicles and move to the side. [REDACTED] followed what the police told her to do and she did not see the subject exit his vehicle.

[REDACTED] told Inspector Knight she had video of the incident but was uncertain when she could provide the video. Inspector Knight emailed [REDACTED] with a consent form and provided details on how to provide him with the video. [REDACTED] never provided Knight with the video. (Refer to [REDACTED] statement). On 11/3/17 at 1342 hours, Inspector Knight telephoned [REDACTED] who provided him with the following details.

[REDACTED] stated he was driving a Ford ranger and was coming from Oakland on highway 580 onto eastbound highway 80. [REDACTED] was five cars back from the traffic break and two lanes from the center medium.

[REDACTED] could hear the officer telling the subject to put his hands out of the window. [REDACTED] watched as the subject would put his hands out his window one at a time. The police told the subject to exit his vehicle. [REDACTED] saw the subject exit his vehicle towards the officers and his arms extended out and firing once towards the officers. [REDACTED] ducked but he could hear the return fire from different kinds of weapons. [REDACTED] did not think any of the officer fired more than three times, but multiple officers did fire. [REDACTED] has no video of the incident. (Refer to [REDACTED] statement).

On 11/3/17 Inspector Knight telephoned witnesses, [REDACTED] and left messages for them asking them to return our phone calls.

On 11/6/17 at approximately 1518 hours, Inspector Knight contacted [REDACTED] by telephone. [REDACTED] provided him with the following details. [REDACTED] was driving from Oakland on eastbound 580 to eastbound highway 80. [REDACTED] was traveling in the third lane from the left and was in the first line of cars at the traffic break. [REDACTED] stated he was approximately 50 to 60 feet from the incident.

[REDACTED] heard the police telling the subject to put his hands out of the window, which the subject did. [REDACTED] thought the subject was cooperating with the police. The police continued to use their PA, telling the subject to keep his hands out. [REDACTED] saw the subject waiving at people. [REDACTED] saw the subject's black SUV's rear window pop open, giving the subject a clear vision out of the back window. [REDACTED] heard one round go off, but he did not think it was police that fired the round. Approximately 20-30 seconds later the subject exited his vehicle in a low horizontal position only giving a profile of 6 to 7 inches. The subject was armed with a 45 and fired two rounds. Due to the center medium [REDACTED] was unable to see the subject, and heard the police return fire at the subject. [REDACTED] did not have any video of the incident. (Refer to [REDACTED] statement).

On 11/6/17 Inspector Knight called [REDACTED] by telephone and left him a message asking him to return his call.

As of 11/8/17, the following witnesses never returned phone Inspector Knight's phone call, [REDACTED] and [REDACTED]. (Refer to Inspector Knight's supplemental report for further details).

Interviews of San Francisco County Sheriff's Department:

On 10/05/17 at approximately 1138 hours, Detective Mayorga and I interviewed Deputy Moore #1633 with the San Francisco County Sheriff's Department at San Francisco General Hospital room 1C18. Deputy Moore was assigned to the front entrance of the emergency room. Deputy Moore is responsible to make sure no weapons go inside the hospital by screening them. Moore was alerted of a possible shooting coming to the emergency room. The silver van arrived in the emergency parking area. Deputy Moore described Richmond PD officer in full uniform and Fairfield PD was wearing tac gear. Moore stated policy is when there is a person that has been shot and arrives at the hospital, they lock down the emergency area of the hospital and the vehicle they arrive in. Fairfield PD told them they would take care of their vehicle. Deputy Moore was contacted to secure the emergency area and to lock it down. Deputy Moore was assigned by his lieutenant to stay with Hodge's body once he was pronounced deceased for approximately 2 to 2.5 hours until he was relieved. Nobody came to see Hodge's in the room. Deputy Moore was with medical staff as Hodge's body was moved to the morgue where it was secured. (Refer to Elliott's statement).

On 10/18/17 0909 hours, Officer Krinsky and I interviewed Deputy Elliott #2236 with the San Francisco County Sheriff's Department. Deputy Elliott was with Hodge after he was pronounced deceased. Deputy Elliott was with him for approximately one hour to one and half hours. Nobody came to see Hodge's while she was watching Hodge. Hodge was transported to the hospital mortuary. (Refer to Deputy Elliott's statement).

On 10/18/17 at approximately 0916 hours, Officer Krinsky and I met with San Francisco County Sheriff's Deputy Johnathan Worthge at San Francisco General Hospital who provided us with the following details. Deputy Worthge stated he was notified from dispatch there was a shooting that occurred, and they should expect a vehicle or ambulance to come in with the person shot. At the time they were not aware it was an officer involved shooting until the van arrived with Hodge. Once the van arrived a Fairfield PD officer exited the van and identified himself. Hodge was removed from the van by medical staff. Once Hodge was removed from the van Worthge assisted with securing the scene. (Refer to Deputy Worthge's statement).

AMR Interviews

RFP004157

4/22/2019

In reviewing BWC footage and during the interviews with officers from Richmond Police Department and Fairfield Police Department there were paramedics that arrived on scene. It was determined the paramedics were not from Alameda County or PMP ambulance company. Officer Krinsky took screen shots from officers BWC of the paramedics that assisted officers with providing life saving measures to Hodge and assisted in transporting him to San Francisco General Hospital.

On 11/06/17 at approximately 1620 hours, I called AMR San Francisco and left a message for Trudy. Trudy returned my phone call and requested that I send over photos of the paramedics. I sent Trudy photos of the paramedics. On 11/06/17 at approximately 2351 hours, Trudy returned my e-mail and identified the paramedics as Zach Smith and Christopher Cameron.

On 11/07/17 at approximately 1650 hours, Zach Smith returned my call and confirmed he was the paramedic that assisted in the transportation of Hodge's to San Francisco General Hospital. Smith told me he also wrote a report for this incident.

On 11/07/17 at approximately 1715 hours, I emailed Trudy with AMR and asked her how to request a copy of Smith's report.

On 11/08/17 I received an email from Shannon Nelson with AMR with a copy of the AMR report that Smith wrote. (Refer to attached AMR report).

AMR 18 Crew was assigned to AMR CCT unit and was returning from a CCT without a patient when they found themselves in proximity of a police incident on I-80 approximately 0.25 miles south west of Emeryville on/off ramp. Due to scene activities, congestion of traffic was causing an inability for EMS/Fire to access the scene. Due to AMR 18 CCT proximity to the incident, they made themselves available to the incident commander. They were then put in staging as the only EMS resource at the scene during the incident.

The incident commander declared the scene was safe and medical 18 was requested to the scene. They were escorted by PD officer at a PT who was lying on the ground with multiple gunshot wounds. CPR was being performed by a PD officer. Medic 18 crew preceded to expose the PT and for rapid trauma assessment. PT ventilation were the assisted OPA in place. EKG and defib patches were placed, with EKG showing sinus brady in 10-15 BPM. CPR was continued.

On 11/15/17 at approximate 1426 hours, I met with Zachary Smith a paramedic with AMR San Francisco Ambulance. Smith stated on 09/27/17 he was in an ambulance and was approximately twenty vehicles behind the incident. Smith realized as the incident occurred that Alameda County Fire and other paramedics were unable to respond due to heavy traffic being stopped on the freeway. Smith realized there were no responding units of fire or paramedics that could respond since the shoulders on the freeway were blocked by vehicles. Smith recognized medical was unable to treat a perspective patient. Smith recognized this was a tactical situation. Smith felt he had a duty to act even though he and Christopher Cameron were not dispatched to the scene. Smith contacted CHP officer and identified himself as an AMR paramedic and he told them he did not think the responding units would be able to advance to the scene due to traffic being stopped. The CHP officer radioed Smith's availability. Smith could hear the gun shots. Smith and Cameron were unable to drive to the scene because of traffic. Smith and Cameron ran from their ambulance carrying two medical bags to the scene. Smith was on the freeway where Hodge was to assist with providing medical attention. Smith confirmed the officers on scene started performing life saving measures prior to his arrival by performing compression and another was providing direct pressure on an arm wound.

Smith accessed Hodge for trauma and determined he had a pulse and there was blood flow. Smith knew they needed to stop the bleeding and a placed a tourniquet on him. Smith packed the bullet wounds. There was a sucking chest wound and they started rescue breathing and Smith continued to ask for an ambulance. Smith made the decision with the incident commander that they would transport Hodge to the hospital. They attempted to place Hodge in the rear of a patrol vehicle but due to his height Smith was unable to provide medical treatment to Hodge. Hodge was placed in the minivan and he was transported to San Francisco General Hospital. Smith did not know how traffic was going to Highland Hospital with a part of the freeway being shut down. Smith also did not have direct communication with Highland. Smith had a radio and he was able to contact San Francisco General Hospital and provided them Hodge's medical condition.

Smith stated in the van used to transport Hodge there was a driver, his partner Cameron and Officer Diaz who was providing medical care to Hodge. Smith stated there was a police escort with emergency equipment activated. Upon arriving at San Francisco General Hospital, the hospital was prepared, and they took Hodge into the trauma team.

Smith saw a black handgun next to Hodge on the ground at the scene of the shooting. (Refer to Smith's recorded statement)

On 11/16/17 at approximately 1130 hours, I met with EMT Christopher Cameron with AMR San Francisco who provided me with the following details. This is a synopsis of his statement.

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Cameron is a trained EMT and can work in the ambulance system. Cameron stated he was with unit 118 and they were a non-dedicated unit and they were returning from a critical call transport from Roseville. Traffic started backing up on highway 80. Cameron was working with Zach Smith and there was a nurse also on board. Smith realized other medical personnel would be unable to arrive on scene due to traffic. They retrieved equipment from the ambulance and walked closer to the scene. Smith contacted the police and told them they had some trauma equipment and were available. Cameron was looking through the equipment when he heard gun shots. Smith and Cameron contacted Hodge and they worked with officers on scene with providing medical care to Hodge. They placed Hodge in the police cruiser than they decided to use the van to transport Hodge to San Francisco General Hospital. There was a police car driving with lights and siren to escort Hodge. Hodge was on a monitor and the alarm sounded that they needed to perform CPR. They started CPR on Hodge and San Francisco General Hospital was contacted via county radio to meet them outside with a gurney. Hodge was placed on a gurney and transported inside the hospital. Once inside the hospital and a short time later it was determined the wounds Hodge sustained were un-survivable and he was pronounced deceased.

Cameron stated when he arrived officers were providing medical attention to Hodge. Hodge was non-verbal and they had to keep his airway opened. The officers did not say anything to Cameron. He did not see the shooting. (Refer to Cameron's statement).

On 11/08/17 at approximately 1809 hours, Alameda County Sheriff's Office Coroner's Bureau faxed a report for Hodge.

On 09/29/17 Coroner's Pathologist Doctor M. Ferenc performed an autopsy and determined Hodge's cause of death to be "Multiple Gunshot Wounds."

On 10/09/17 Central Valley Toxicology completed the medical screen of Hodge's chest blood and urine samples collected during the autopsy. The screen detected .2grams of ethyl alcohol and 15.5 mg/L of Ibuprofen. No other common acidic, neutral or basic drugs detected. The urine sample tested negative for ethyl alcohol. (Refer to ACSO Coroner's report). (Complete synopsis).

On 10/19/17 at approximately 1330 hours, Detective Mayorga recovered the SECA audio file from LT.

Jacobsen with Fairfield PD.

I reviewed the file, and this is a synopsis of the file.

The Seca audio is a recording of radio traffic from Fairfield PD and CHP air unit. The audio provided updates of Hodge as he is being followed by the air unit. During the initial radio traffic, the CHP air unit is following Hodge's vehicle. Fairfield PD request the air unit to follow the second vehicle that was driven by Anthony Wong a tan pickup truck. The air unit breaks to look for Wong's vehicle. Wong's vehicle is located, and the air unit returns to look for Hodge's vehicle. The air unit locates Hodge's vehicle. They follow Hodge off Pinole Valley Road and drives to the Starbucks. Both rear doors of Hodge's vehicle open and it was described as two children exited his vehicle. Hodge's hugged both children and they stayed at Starbucks while Hodge left the area and continued to drive.

The air unit describes how Hodge's is driving over double lines, disobeying stop signs went through an intersection all on Pinole Valley Road. Hodge drove onto highway 80. They confirm he is to be considered armed and dangerous and has been known to have handguns and rifles.

CHP air unit confirms he has updated his units with the information. CHP units have discussed setting up a spike strip. Hodge exited off San Pablo Dam Road to San Pablo Ave. and he is traveling in the wrong direction as he drives.

CHP air unit advises Richmond PD is involved and has located Hodge's vehicle traveling southbound on Harbour Way from Ohio St. and Richmond PD is in pursuit of Hodge. Fairfield PD stated they have current information that Hodge had a firearm with him. Hodge goes e/b 580 from Harbour Way. Hodge continues eastbound 580. Hodge is passing Central Ave. travelling at speeds of 70-75 MPH on the right shoulder of the freeway.

CHP air unit states a felony stop in progress on westbound 80 at Powell St. Hodge is still in the driver's seat in the number 1 and 2 lanes and Hodge is not exiting the vehicle.

CHP air unit advises Hodge is mobile again and driving approximately 5 MPH and stopped in the number three lane. (Radio traffic stops. Refer to Seca Audio).

BODY WORN CAMERA FAIRFIELD PD

Fairfield Police Sergeant Brent Pucci #1383 body worn camera. Sgt. Pucci activated his camera on scene and while less lethal was being deployed. You can hear the warning to other officers that less lethal is going to be deployed. Than you can hear the less lethal being deployed. You can hear the exchange of gun fire but are unable to see Hodge exit his vehicle on Sgt. Pucci's BWC. (Refer to Sgt. Pucci's BWC for further detail).

RFP004159

4/22/2019

Fairfield Police Sergeant Kelly Rombach #1225 body worn camera. Sgt. Rombach activated his body worn camera while on scene. Sgt. Rombach arrived and took over as the tactical control of the scene. Sgt. Rombach communicates with the officer giving commands and what to do in the event Hodge surrenders. You can hear over the PA that the K-9 has been put away. Sgt. Rombach also has the less lethal prepared and gives the orders to Officer Ambrose to deploy 40 millimeter less lethal and to shoot the back window of Hodge's vehicle. You can hear from his camera the less lethal being deployed. Sgt. Rombach tells Officer Ambrose to switch to tear gas and gives the order to deploy the tear gas. After the order is given for less lethal you can hear shots fired. Sgt. Rombach's camera did not show who was discharging their firearms, and his camera did not show Hodge exit the vehicle. During the shooting Sgt. Rombach was positioned on the driver side of Hodge's vehicle behind the patrol vehicle.

Once the shooting occurred Sgt. Rombach moved the team forward to clear Hodge's vehicle. Once the car is cleared medical attention is immediately provided to Hodge from officers on scene and AMR. (Refer to Sgt. Rombach's BWC).

BODY WORN CAMERA RICHMOND PD

Richmond Police Officer Daniel Campos #1486 body worn camera. Officer Campos began recording prior to his arrival on scene. Upon arriving on scene verbal commands were being given to Hodge. A short time later Officer Campos used a PA in a marked patrol vehicle to communicate with Hodge. Officer Campos communication is clear, the commands were clear, and Officer Campos was calling Demilo by name. You can also hear officers yell less lethal to each other prior to less lethal rounds being deployed. You are unable to see Hodge exit his vehicle on Officer Campos' body worn camera. (Refer to his BWC footage for further details).

Richmond Police Officer Daniel Reina #1439 body worn camera. Officer Reina activated his BWC while in Richmond. His BWC stayed activated throughout the incident. Due to Officer Reina's position with the canine his BWC does not capture Hodge exit his vehicle. It does capture his canine being deployed to confirm that Hodge was not lying in wait and was no longer a threat. (Refer to Officer Reina's BWC).

Richmond Police Officer Dedrick Riley #1380 body worn camera. Officer Riley activated his BWC while riding his motorcycle to the scene. On Officer Riley's BWC you can hear Officer Campos using his PA to give commands to Hodge. Due to Officer Riley taking cover behind his door and the position of the patrol vehicle you are unable to see Hodge exit his vehicle. (Refer to Officer Riley's BWC for further details).

Richmond Police Officer Jeffrey Tyner #1341 body worn camera. Officer Tyner activated his BWC once on scene. Officer Tyner was positioned in the driver side door of a marked patrol vehicle which was positioned on the passenger side of Hodge's vehicle. Tyner's BWC only shows the passenger side of the vehicle during the shooting. It does show Officer Tyner marking evidence at the scene. (Refer to Tyner's BWC for further details).

Richmond Police Officer Khala Finley #1685 body worn camera. Officer Finley activated his BWC while driving to the scene. During the incident Officer Finley's BWC is on but due to the position it only shows the door frame of the vehicle he is using for cover. Officer Finley was positioned to the passenger side of Hodge's vehicle. (Refer to Officer Finley's BWC for further details).

Richmond Police Officer Javon Walker #1634 body worn camera. Officer Walker activated his BWC prior to his arrival. Officer Walker is positioned on the passenger side of a marked patrol vehicle and in the vehicle nearest the guard rail on the west side of the freeway. Officer Walker's BWC does not capture Hodge exiting his vehicle due to his position of being on the passenger side of Hodge's vehicle. After the shooting you can see officers clear Hodge's vehicle. (Refer to Officer Walker's BWC for further details).

Richmond Police Officer Orlando Guzman #1652 body worn camera. Officer Guzman activated his BWC in Richmond during the vehicle pursuit with Hodge. The audio traffic is clear and CHP air unit updates Richmond PD that per Fairfield PD, Hodge has a firearm in the vehicle. During the pursuit the BWC only shows the inside of Guzman's patrol vehicle. You can hear radio traffic saying the spike strip was effective and Hodge's front tire is going low. Once the tires went flat Hodge was driving on the front rims. Officer Guzman arrives on scene and Hodge's vehicle is stopped in the carpool lane next to the center median. Officer Guzman removed his pistol and after a short period of time went to the marked K-9 vehicle and removed a rifle from the trunk.

Officer Guzman positioned himself on the driver side door of the canine vehicle. His BWC shows a clear view of the back of Hodge's vehicle and along the driver side of the vehicle. Hodge opened the back hatch of his SUV and then closed the rear hatch. They continue to give Hodge commands which he does not follow. Hodge brake lights come on and he moves forward. Guzman give the rifle he had to another officer. Guzman enters a marked Richmond PD patrol vehicle and moves the vehicle forward following Hodge. Guzman stops his vehicle and exits his vehicle with his handgun drawn. Guzman moves multiple times to cover. Guzman transitions to a less lethal shotgun. Guzman places the less lethal shotgun in the trunk of the canine vehicle and transitions to his handgun. Guzman used the driver side door for cover, and he is partially in the marked median and the #1 lane of traffic. He has a clear view of the left side of Hodge's vehicle and the back of his vehicle. You can hear someone yell brake lights and Hodge moved his vehicle forward again and Officer Guzman enters the driver side of a marked patrol vehicle and drives forward.

You can hear officers yell window down. Commands continue to be given to Hodge over the PA. You can also hear less lethal and be prepared for 40-millimeter soft tip. You can continue to hear officer yelling less lethal and hands out the window from the PA. Commands are continuously, and you can hear people yelling gas. You can hear officer say he is out and then you hear gun fire. Guzman is standing behind the driver's side door, so you are unable to see Hodge exit the vehicle from his BWC. You can see shell casings on the BWC fall into the driver side floorboard of the vehicle Guzman is using for cover. Guzman does a tactical reload and the magazine that is originally in his firearm at the time of the shooting drops to ground. Guzman is part of a team that approaches Hodge's vehicle and assist in clearing the vehicle. Guzman assist with providing first aid to Hodge. (Refer to Officer Guzman's BWC for further details).

Richmond Police Officer Leah Joseph #1424 body worn camera. Joseph activates her BWC just prior to arriving on scene. As Officer Joseph arrives on scene and approved two marked patrol vehicles in the number four and five lanes on the freeway. She tells the officers on scene "in case you guys didn't know he said he's not going to jail today, and he is going to die." Officer Joseph is positioned behind the passenger door of a marked patrol vehicle. Officer Joseph's BWC records the gunfire but due to her position it does not show Hodge exiting the vehicle, him firing at officers and the officers returning firing. (Refer to Officer Joseph's BWC for further details).

Richmond Police Officer Benjamin Mendler #1586 body worn camera. Mendler activated his BWC while he is riding his motorcycle to the scene. When he arrives on scene he immediately deploys his rifle from his motorcycle. You can hear on his BWC commands being given to Hodge over the PA. Hodge moves forward and Officer Mendler places his rifle in the front seat of a marked Richmond PD patrol vehicle. He gets back on his motorcycle and is part of the short pursuit with Hodge. Once Hodge's stops his vehicle Officer Mendler gets off his motorcycle and immediately retrieved his rifle from the passenger seat of the Richmond PD patrol vehicle. Officer Mendler positioned himself behind the same marked patrol vehicle that was stopped in the carpool lane and provided him with a clear view of the driver side of Hodge's vehicle and the back of his vehicle. You can hear officers yelling brake lights and the car just started (referring to Hodge's vehicle). Hodge again moved his vehicle forward. Officer Mendler is holding a shield and walking behind Richmond PD' canine unit as the marked patrol vehicle he is next to moves forward following Hodge. You can hear officer yelling less lethal and commands continue to be given to Hodge. You can hear the less lethal rounds being discharged. Officer yell he's coming out. You hear gun fire. During the shooting Officer Mendler is next to the driver side front fender of marked patrol vehicle #50. Officer Mendler is in the number 2 lane and from his vantage point had a view of the driver side and back of Hodge's vehicle. (Refer to Officer Mendler's BWC for further details).

Richmond Police Officer Anthony Diaz #1512 body worn camera. Officer Diaz activated his BWC when he arrived on scene. He exits Richmond PD marked patrol unit and immediately deploys his rifle. He takes cover behind the passenger door of the vehicle he arrived in. Officer Diaz moves over to the rear passenger door of the marked Richmond PD canine unit and behind Officer Guzman. You can hear officers say brake lights and car just started. Hodge moved his vehicle forward. Officer Diaz tells Officer Guzman to drive the marked vehicle and walk him forward. Hodge's vehicle comes to a stop. Officer Diaz is again positioned in the rear passenger door of the driver's side of the canine vehicle. Officer Diaz is heard yelling window down. Officer Guzman is again in front of Officer Diaz. You can hear commands being given to Hodge and you can hear multiple officers yell less lethal including Officer Diaz. You can hear Officer Diaz say gas multiple times. Officer Diaz says he's out and you can hear gun fire. You can see shell casings falling on the ground. You are unable to see Hodge exit his vehicle on Officer Diaz's BWC because he is behind the rear passenger window on the driver side which blocks the camera. During the shooting Officer Diaz was in lane #1 and had a clear view of the driver side of and rear of Hodge's vehicle. Officer Diaz moves forward with a marked Richmond PD vehicle to be a cover for officers. As other officers approached Hodge's vehicle Officer Diaz moves over and assist officers clearing Hodge's vehicle. Officer Diaz provided medical attention to Hodge. Officer Diaz was with in the van that transported Hodge to San Francisco General Hospital. (Refer to Officer Diaz's BWC for further details).

Richmond Police Officer Wright #1742 body worn camera. Officer Wright activated his body worn camera as he exited the parking lot of Richmond PD. Officer Wright drives through Richmond and onto the freeway behind other Richmond PD units that are in pursuit of Hodge. When Hodge's vehicle is disabled Officer Wright positioned his vehicle behind Hodge's vehicle. Officer Wright gives clear commands to Hodge to come out with your hands up. Officer Wright then uses the PA inside his vehicle to communicate with Hodge. Officer Wright gives orders to Hodge that are clear. Officer Campos takes over negotiating with Hodge using the PA in Officer Wright's patrol vehicle. After Hodge moves his vehicle for the last time and less lethal is being prepared to be discharged. Officer Wright is standing behind Officer Diaz. Officer Diaz is standing behind the passenger door on the driver's side and Officer Wright is behind him. You can hear officers yelling less lethal. You can see Hodge's hands outside the driver side window. You can hear officers telling him on the PA to open the door and surrender peacefully. You can hear clear commands being given to Hodge to surrender peacefully. Officer Wright's body worn camera shows Hodge exit his vehicle and turn towards the officers. Officer Wright stays back as officers are clearing Hodge's vehicle. Once the vehicle is cleared you can hear an officer say let's start CPR and you can see the two paramedics running toward Hodge. (Refer to Officer Wright's body worn camera).

Richmond Police Officer Cedric Tagorda #1483 body worn camera. Officer Tagorda activates his BWC while driving to the scene and during the vehicle pursuit. You can hear the updates of the vehicle pursuit. Hodge's vehicle comes to a stop next to the center median and is disabled. Officer Tagorda positioned his patrol vehicle to the rear passenger side of Hodge's vehicle. As Officer Tagorda exits his vehicle you can see Hodge's front passenger side tire

is flat. Officer Tagorda starts giving verbal commands to Hodge. You can hear an officer request a traffic break for eastbound lanes of traffic. There is a request for AMR to respond and stage a mile back. You can hear the orders being given on the PA to Hodge. Units are notified they have a standoff and tell them it will be a callout. You can hear Officer Tagorda say brakes (referring to brake lights on Hodge's vehicle). Hodge moves his vehicle forward and Officer Tagorda enters the driver side of his patrol vehicle and pursues Hodge at approximately 5 MPH. You can hear the sirens during the pursuit. Hodge stops his vehicle and Officer Tagorda exits his vehicle with his firearm deployed. Officer Tagorda moves around multiple times as he take cover. Officer Tagorda takes cover behind the driver side door of a patrol vehicle You can hear gun shots and see multiple shell casings falling to the ground around Officer Tagorda and inside of his vehicle which appear to be coming from his firearm. When Officer Tagorda stood up after the shooting he is positioned behind the driver side door of his patrol vehicle. He had a view of the rear of Hodge's vehicle and you can see the passenger door opened. Officer Tagorda stays back as they clear Hodge's vehicle. Officer Tagorda moves up with the paramedics towards Hodge. Officer Tagorda's camera shows CPR being performed on Hodge. A Sgt. from Richmond PD asked Officer Tagorda if he fired and he held up four fingers and stated four. You can see Hodge's firearm on the ground and the magazine a short distance away and a spent shell casing. (Refer to Officer Tagorda's BWC).

Richmond Police Sergeant Chris Llamas #1364. Sgt. Llamas activated his body worn camera as he was driving on highway 80 and pursuing Hodge prior the Central Ave. off ramp. As Sgt. Llamas was providing speeds and traffic conditions there is an update on the radio saying he made a threat that he is not going back to jail per Fairfield PD. Sgt. Llamas described how the spike strip was effective. Sgt. Llamas along with two marked patrol vehicles arrive behind Hodge's vehicle after he came to a stop. Sgt. Llamas requested a traffic break on the eastbound lanes of highway 80. You can hear verbal commands being given to Hodge. Sgt. Llamas request AMR to stage a mile back. Commands are given on the PA. The commands are loud and clear. Sgt. Llamas requested the Bearcat from county for a call out. Officers use the PA and start calling Hodge by his first name. CHP arrived on the eastbound lanes of traffic to assist with a traffic break. Radio traffic confirms Fairfield PD is on the phone with Hodge. You can hear the announcement for less lethal to be deployed. As shots are fired Sgt. Llamas is behind a marked patrol vehicle and his camera does not show Hodge exit the vehicle. After the shots are fired you can see Hodge on the ground and the K9 approaching the suspect. Sgt. Llamas is part of the team which approaches and clears Hodge's vehicle. Officers begin CPR and provide medical aid to Hodge and AMR arrives on scene. (Refer to Sgt. Llamas' BWC).

Hodge's recovered firearm.

Hodge's firearm is a Springfield Armory XD-40 caliber serial # [REDACTED] handgun was recovered on scene by Emeryville Police Department. Hodge's firearm was loaded with (1) live .40 caliber cartridge. Hodge's magazine was ejected from his firearm and located near Hodge's firearm. The magazine was loaded with (9) live .40 caliber cartridges. The magazine's capacity was (12) rounds.

Officers Weapons Fairfield Police Officers

Officer Shane Raftery (fired rifle)-Colt rifle, model M4 Carbine, 5.56 NATO caliber, serial number [REDACTED] When Officer Raftery's rifle was received it was loaded with [REDACTED] cartridge in the chamber and a [REDACTED] round magazine seated inside the magazine well, loaded with [REDACTED] cartridges. Officer Raftery stated he loaded the rifle with a [REDACTED] round magazine and there were no rounds in the chamber. Officer Raftery carried an extra [REDACTED] round magazine in a pouch on the front of his vest. Refer to Contra Costa County Laboratory Examination item #16. Based on Alameda County Crime Laboratory Examination report there were [REDACTED] cartridge cases "Winchester 223 REM" fired and ejected from the above listed firearm.

Officer James Sehr-Colt (fired rifle) rifle, M4 Commando model, 5.56 Nato caliber, serial number [REDACTED] When Officer Sehr's rifle was received it was loaded with [REDACTED] cartridge in the chamber and a [REDACTED] round magazine seated in the magazine well, loaded with [REDACTED] cartridges. Officer Sehr stated he loaded his rifle with [REDACTED] cartridge in the chamber and [REDACTED] cartridges in the magazine. Officer Sehr carried [REDACTED] extra [REDACTED] round rifle magazines. each magazine loaded with [REDACTED] rounds. Refer to Contra Costa County Laboratory Examination item #19. Based on Alameda County Crime Laboratory Examination report there were [REDACTED] cartridge cases "Winchester 223 REM" fired and ejected from the above listed rifle.

Officer Erik Aagaard-(fired rifle)-Colt rifle, model M4 Commando, 5.56x45 mm, serial number [REDACTED] When Officer Aagaard's rifle was received it was loaded with [REDACTED] cartridge in the chamber and a [REDACTED] round magazine seated inside the magazine well, loaded with [REDACTED] cartridges. twenty-five rounds. Officer Aagaard stated he loaded his firearm with [REDACTED] cartridges in the [REDACTED] round magazine and there was not a round in the chamber. Aagaard also carries four additional [REDACTED] round magazines. [REDACTED] of the extra magazines were fully loaded with (30 cartridges) and the other extra [REDACTED] round magazine was loaded with [REDACTED] cartridges. Refer to Contra Costa County Laboratory Examination item #9-1. Based on Alameda County Crime Laboratory Examination it was determined [REDACTED] cartridge case "Winchester 223 REM" were fired and ejected from the above listed rifle.

Officer John Divine (fired rifle)-Accuracy International rifle, model AT308, 308 Winchester caliber, serial number [REDACTED] When Officer Divine's rifle was received there were no rounds in the chamber and [REDACTED] cartridges loaded in the [REDACTED] round magazine. Officer Divine stated he loaded his magazine with [REDACTED] cartridges and carried [REDACTED] additional magazines loaded with [REDACTED] round magazines. Officer Divine stated he discharged [REDACTED] round. Refer to Contra Costa County Laboratory Examination item #21. Based on Alameda County Crime Laboratory Examination

report it was determined cartridge case "Hornady 308 WIN" were fired and ejected from the above listed rifle.

Sgt. Brent Pucci (fired handgun)- Glock pistol, model 17Gen4, 9mm Luger caliber, serial number [REDACTED]. When officer Pucci's firearm was received it was loaded with [REDACTED] cartridge inside the chamber, a [REDACTED] round magazine seated inside the magazine well, fully loaded with [REDACTED] cartridges. Officer Pucci advised a tactical reload was conducted on scene. Officer Pucci provided the magazine that was removed on scene. This magazine was a [REDACTED] round magazine loaded with [REDACTED] cartridges. Officer Pucci carried a third [REDACTED] round magazine fully loaded with [REDACTED] cartridges. Refer to Contra Costa County Laboratory Examination item #14-1. Based on the Alameda County Crime Laboratory Examination report it was determined [REDACTED] cartridge cases "F C 9mmLuger" were fired and ejected from the above listed handgun.

Sgt. Kelly Rombach (fired rifle)-Colt rifle, M4 Commando, 5.56x45mm Nato caliber, serial number [REDACTED]. When Sgt. Rombach's rifle was received it was loaded with [REDACTED] cartridge inside the chamber, a [REDACTED] round magazine seated inside the magazine well, loaded with [REDACTED] cartridges. Sgt. Rombach stated when he loaded his rifle there was [REDACTED] cartridge in the chamber and [REDACTED] cartridges in the [REDACTED] round magazine. Sgt. Rombach also had four additional magazines and each [REDACTED] round magazine had [REDACTED] cartridges in each one of them. Based on the Alameda County Crime Laboratory Examination report it was determined [REDACTED] cartridge cases "Winchester 223 Rem" were fired and ejected from the above listed rifle.

Fairfield Police Department (less-lethal)

Officer Michael Ambrose-(fired less-lethal) Penn Arms launcher, model GL1-40-C, 40mm, serial number [REDACTED]. When Officer Ambrose's less lethal launcher was received unloaded. Ambrose advised he shot [REDACTED] shot tip rounds and [REDACTED] round on scene. There Ambrose deployed two 40mm Exact Impact Soft Tip rounds and a 40mm CS [REDACTED] round. Refer to Contra Costa County Laboratory Examination item #28. (Complete)

Richmond Police Department Officers Weapons

Detective Michael Ricciuto's (fired handgun) -Glock pistol, model 17, 9mm Luger caliber, serial number [REDACTED]. When Officer Ricciuto's handgun was received it was loaded with [REDACTED] cartridge inside the chamber, with a [REDACTED] round magazine seated inside the magazine well, loaded with [REDACTED] cartridges. Detective Ricciuto stated he loaded his firearm with [REDACTED] cartridge in the chamber and [REDACTED] cartridges in the magazine. Detective Ricciuto's [REDACTED]. Refer to Contra Costa County Laboratory Examination item #13-1. Based on Alameda County Crime Laboratory Examination report there were [REDACTED] cartridge cases "Hornady 9mm Luger" fired and ejected from the above listed handgun.

Sergeant Donovan Decious (fired handgun) - Nighthawk Custom pistol, model 1911 GRP, serial number [REDACTED]. When Sgt. Decious' handgun was received it was loaded with [REDACTED] cartridge inside the chamber, with a [REDACTED] round magazine seated inside the magazine well, loaded with [REDACTED] cartridge. Decious stated he loaded his firearm with one cartridge in the chamber and [REDACTED] cartridges in the magazine. Decious carried [REDACTED] additional [REDACTED] round magazines that were each fully loaded with [REDACTED] cartridges in each magazine. Decious stated he fired four to five rounds. Refer to Contra Costa County Laboratory Examination item #3-1. Based on the Alameda County Crime Laboratory Examination report determined [REDACTED] cartridge cases "WINCHESTER 45 AUTO" and [REDACTED] cartridge case "Federal 45 AUTO" were fired and ejected from the above listed handgun.

Officer Cedric Tagorda (fired handgun)-Kimber pistol, model 1911 Custom TLE/RL 11, .45 auto caliber, serial number [REDACTED]. When Officer Tagorda's handgun was received it was loaded with [REDACTED] cartridge inside the chamber, with a [REDACTED] round magazine seated inside the magazine well, loaded with [REDACTED] cartridge. Tagorda stated he loaded his firearm with [REDACTED] cartridge in the chamber and [REDACTED] cartridges in the [REDACTED] round magazine. Tagorda carried [REDACTED] additional [REDACTED] round magazines loaded with [REDACTED] rounds in each magazine. Officer Tagorda stated he fired his weapon six to eight times. Refer to Contra Costa County Laboratory Examination item #7-1. Based on Alameda County Crime Laboratory Examination report it was determined there were (6) cartridge cases "Winchester 45 AUTO", and [REDACTED] cartridge case "Federal 45 AUTO +P, fired and ejected from the above listed firearm.

Officer Orlando Guzman-(fired handgun)-Wilson Combat pistol, model CQB, 45 ACP caliber, serial number [REDACTED]. Officer Guzman's gun was received loaded with [REDACTED] cartridge in the chamber, with a [REDACTED] round magazine seated inside the magazine well, loaded with [REDACTED] cartridges. Guzman stated he loaded his firearm with [REDACTED] cartridge in the chamber and [REDACTED] cartridges in the magazine. Guzman also carried [REDACTED] magazines, and each [REDACTED] with [REDACTED] cartridges in each magazine. Guzman stated he fired [REDACTED] rounds and did a tactical reload of his pistol. Guzman dropped the original magazine next to his car and he did not recover it. The magazine he left at the scene was recovered as evidence and loaded with one .45cal Winchester cartridge (live). Refer to Contra Costa County Laboratory Examination item #5-1. Based on Alameda County Crime Laboratory Examination report there were [REDACTED] Cartridge case "Winchester 45 AUTO" that were determined to be fired and ejected from the above handgun.

Sgt. Chris Llamas-(fired shotgun)- Remington shotgun, model 870 Police Magnum, 12-gauge, serial number [REDACTED] (RPD #9). Sgt. Llamas' shotgun was received with [REDACTED] round inside the chamber, and [REDACTED] round inside the magazine tube. Sgt. Llamas stated there were [REDACTED] rounds loaded in shotgun. Llamas stated he fired [REDACTED] rounds. (Refer to Contra Costa County Laboratory Examination item #22) Based on Alameda County Crime Laboratory Examination report there were [REDACTED] shot gun shell casings with "12 GA Made in U.S.A." fire and

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ejected from the above shotgun.

Officer Ben Mendler (fired rifle)-Colt rifle, model M4 Carbine, 5.56 X45 mm caliber, serial number [REDACTED] When Officer Mendler's rifle was received it was loaded with [REDACTED] cartridge inside the chamber, with a [REDACTED] round magazine seated inside the magazine well, loaded with [REDACTED] cartridges. Officer Mendler stated he does not normally fully load his rifle magazines because they sometimes malfunction. Officer Mendler believed [REDACTED]
[REDACTED] Officer Mendler [REDACTED]

Refer to Contra Costa County Laboratory Examination item #12-1. Based on Alameda County Crime Laboratory Examination report it was determined (3) cartridge cases "R-P 223 REM" were fired and ejected from the above listed rifle.

Officer Anthony Diaz (fired rifle)-Colt rifle, M16A2 Commando model, 5.56 NATO caliber, serial number [REDACTED]. When Officer Diaz's rifle was received there were no rounds in the chamber and [REDACTED] rounds loaded in the [REDACTED] round magazine. Officer Diaz stated he loaded the rifle with [REDACTED] in the chamber and [REDACTED] rounds in the magazine. Officer Diaz also carries [REDACTED] rifle magazine loaded with [REDACTED] rounds. Refer to Contra Costa County Laboratory Examination item #18. Based on Alameda County Crime Laboratory Examination report there were [REDACTED] cartridge case "FC 223 REM" fired and ejected from the above listed rifle.

Officer Michael Ambrose-(fired non-lethal) Penn Arms launcher, model GL1-40-C, 40mm, serial number [REDACTED] When Officer Ambrose's less lethal launcher was received unloaded. Ambrose advised he shot [REDACTED] tip rounds and [REDACTED] round on scene. There Ambrose deployed two 40mm Exact Impact Soft Tip rounds and a 40mm CS [REDACTED] round. Refer to Contra Costa County Laboratory Examination item #28.