

On 4/15/23 at 0257 hours, I was dressed in my full uniform and driving a full marked patrol car. I responded to the area of Commerce Blvd and Arlen Dr for the report of a 415 argument between 2 males. The reporting party, [REDACTED] told Dispatch that he was being threatened by another male who has been drinking. The suspect, later identified as Jonathan Sebastian, had threatened to light [REDACTED]'s property on fire. Sebastian was described as an approximately 25 year old, white male adult with a thin build wearing a short jean jacket. Sebastian had a stick and threw it.

PSO Forte had arrived and activated his overhead lights just before me to see a male wearing all black running from the scene toward my direction (N/B on Commerce Blvd). I could see PSO Forte motion with his flashlight in my direction as he gave out the direction of the fleeing suspect at 03:00:46 hours.

I exited my patrol car and located the male, that matched the description, running passed my patrol car on the bike path. I illuminated him with my flashlight. I said "POLICE STOP" as I ran after him. While running with him, I deployed my extendable baton and struck him in the right arm near the elbow while I was running next to him. My baton strike was not effective as he continued to run away from me. I then told him that I would Tase him if he did not stop and he began to slow down. (I had no intention of using my Taser due to his heavy jacket) He turned his body away from me and I could no longer see his hands. I tackled him from behind and ended up on top of him, straddling his back. I controlled his left hand with my left and placed it to the small of his back, I maintained control until PSO Forte arrived on scene to assist. PSO Forte secured his right arm in a handcuff and we secured his left arm in the open handcuff.

After PSO Forte activating his overhead flashing red and blue lights once on scene, and I giving him commands to stop as he fled the scene, running next to him to strike him with my baton from my left hand to his right arm and then advising him that I would Tase him, I felt this was sufficient notice for him to know that I was a police officer.

With limited information from [REDACTED] and the mention of a setting his property on fire, a stick being thrown and the furtive movements of him turning his body away from me to conceal his hands, I suspected that he slowed to retrieve a weapon that he would use against me. Based on the totality of circumstances and the rapidly evolving situation of the foot pursuit and the suspects failure to follow my commands, I had probable cause to believe he was in violation of 148(a)1 PC for fleeing the scene of a potential crime and not obeying my lawful commands.

He was transported by PSO Forte to Memorial Hospital for treatment. [REDACTED]

Sebastian stated that he originally saw lights and heard someone yell "STOP". He said he did not hear me say Stop Police, he did not remember he was struck with a baton and he did not hear me say that I would tase him.

The disposition of this use of force incident is within policy.