

MONTEREY COUNTY

OFFICE OF THE DISTRICT ATTORNEY

JEANNINE M. PACIONI



DATE: November 17, 2023

TO: Monterey County Sheriff Tina Nieto
1414 Natividad Road
Salinas, CA 93906

FROM: Monterey County District Attorney's Office

SUBJECT: Officer Involved Fatality
Date of Incident: August 8, 2023
Location of Incident: 404 Hyland Drive, Salinas, CA
Deceased: Anthony Tovar
Involved Officers: MCSO Detective David Gonzalez & MCSO Deputy Cristian Pantoja
DA Case No.: 23-0005

Sheriff Nieto:

The District Attorney's Office has completed its investigation and review of the facts surrounding the officer involved shooting that occurred on August 8, 2023. The scope of this review is narrow. It is not to advise concerning best practices for law enforcement in the field, but rather to determine if any officer committed a crime beyond a reasonable doubt.

Our review determined the evidence does not show beyond a reasonable doubt the officers in question committed any crime. Specifically, there is insufficient evidence to prove beyond a reasonable doubt the two officers who fatally shot Anthony Tovar did not have an actual and reasonable belief that Anthony Tovar posed a danger of great bodily injury or death to an officer or civilian when they fatally shot him.

FACTS

The investigation conducted by the District Attorney's Office included:

- District Attorney Investigator interviews of the involved officers and civilian witnesses
- Review of audio and video recordings by law enforcement, including dispatch recordings and 911 audio recordings
- Review of physical evidence
- Review of all reports

On August 8, 2023, at around 8:40pm, Anthony Tovar approached a residence and repeatedly knocked on the door. While husband was not present, his wife and two-year old child were home by themselves. Wife did not open the door but became alarmed and contacted husband for assistance. Tovar left before husband returned home. Husband arrived and discussed the events with his wife. He observed Anthony Tovar (25) on his Ring Camera footage and recognized him as a neighbor from across the street. The Ring videos show Tovar knocking on the door at 08:40pm, 08:41pm, and 08:49pm. Husband then went to Tovar's address at 407 Hyland Drive and contacted him. Tovar claimed that he had been looking for his dog. Husband left and returned home.

Husband estimates that around ten minutes later, Tovar returned to husband and wife's residence. Husband opened the door and stepped outside to speak with Tovar. Tovar pushed passed him and rushed into the house towards wife who was holding her small child. Tovar pulled out a knife. Tovar said that husband had the ability to release Tovar's friends from incarceration. Husband begged Tovar to release his family and tried unsuccessfully to take the knife from Tovar. Tovar held a large knife to wife's throat as he forced her, with her child, to the rear bedroom and barricaded all of them inside. Husband frantically called 911 dispatch asking for a law enforcement response at around 9:30pm.

MCSO Sergeant Gonzalez, MCSO Deputy Pantoja, MCSO Deputy Ramirez, and MCSO Deputy Perez responded. At 9:33pm, dispatch advised the responding units that the male (Tovar) was inside the residence with a knife and had forced wife and child into the back bedroom at knifepoint. At 9:34pm, Sergeant Gonzalez arrived on scene and was flagged down by husband who told him that a man (Tovar) was inside his residence with a knife and had his wife and child. Tovar had locked the door.

Sergeant Gonzalez, Deputy Ramirez, and Deputy Pantoja decided to immediately enter the residence. After entering the residence, they rushed to the locked bedroom door and verbally announced "Sheriff's Department." Sergeant Gonzalez kicked the door multiple times and was able to get it open between 12 and 18 inches. Deputy Pantoja was to his left. Deputies yelled repeatedly for Tovar to "Open the door!" Tovar had placed a dresser in front of the door to act as a barricade.

Sergeant Gonzalez looked in the room and saw wife and child crying on the floor of the bedroom. He also saw wife embracing her child. He saw Tovar facing them with a large knife in his right hand. The knife was over twelve inches in length. Tovar was about five feet from the wife and child while Sergeant Gonzalez was five feet away from Tovar. Sergeant Gonzalez pointed his handgun at Tovar and yelled several commands at Tovar to "drop the knife!" Tovar refused, waived his hand in a "go-away motion," and turned his attention back to wife and child. Sergeant Gonzalez estimated the knife to be around 3 feet away from wife and child. Sergeant Gonzalez fired one shot at Tovar hitting him in the torso. Deputy Pantoja fired one shot and Sergeant Gonzalez fired two more shots. Tovar fell to the ground. The knife was removed from his hand, he was handcuffed, first aid was administered, and medical personnel were dispatched. Tovar was pronounced dead on scene.

LEGAL STANDARDS

The California District Attorneys Association charge filing standard directs prosecutors to assess whether the evidence would warrant conviction by a jury, which requires proof beyond a reasonable doubt. The sole purpose of this review is to determine whether any officer was criminally responsible for the death of Anthony Tovar.

On August 19, 2019, Governor Gavin Newsom signed Assembly Bill 392 into law, which changed the law governing the use of deadly force by police officers and went into effect on January 1, 2020.

Under PC 835a(c)(1), “a peace officer is justified in using deadly force upon another person only when the officer reasonably believes, based on the totality of circumstances, that such force is necessary . . . to defend against an imminent threat of death or serious bodily injury to the officer or to another person.” It also allows for the use of deadly force, “[t]o apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Where feasible, a peace officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.”

“A threat of death or serious bodily injury is ‘imminent’ when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person.” (*Id.* at subsection (e)(2).)

The statute states that *totality of the circumstances* “means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force.” (*Id.* at subsection (e)(3).)

Under the law, any person—including a police officer—can use deadly force in self-defense or in defense of others if the person reasonably believes the immediate use of deadly force is necessary to defend against an imminent danger of great bodily injury or death. The danger does not need to exist as long as the person reasonably believes the danger exists. Further, a person acting in self-defense or defense of others is not required to retreat. The person is entitled to stand his or her ground or even, if reasonable, to pursue an assailant until the danger of death or bodily injury has passed. This is so even if safety could have been achieved by retreating.

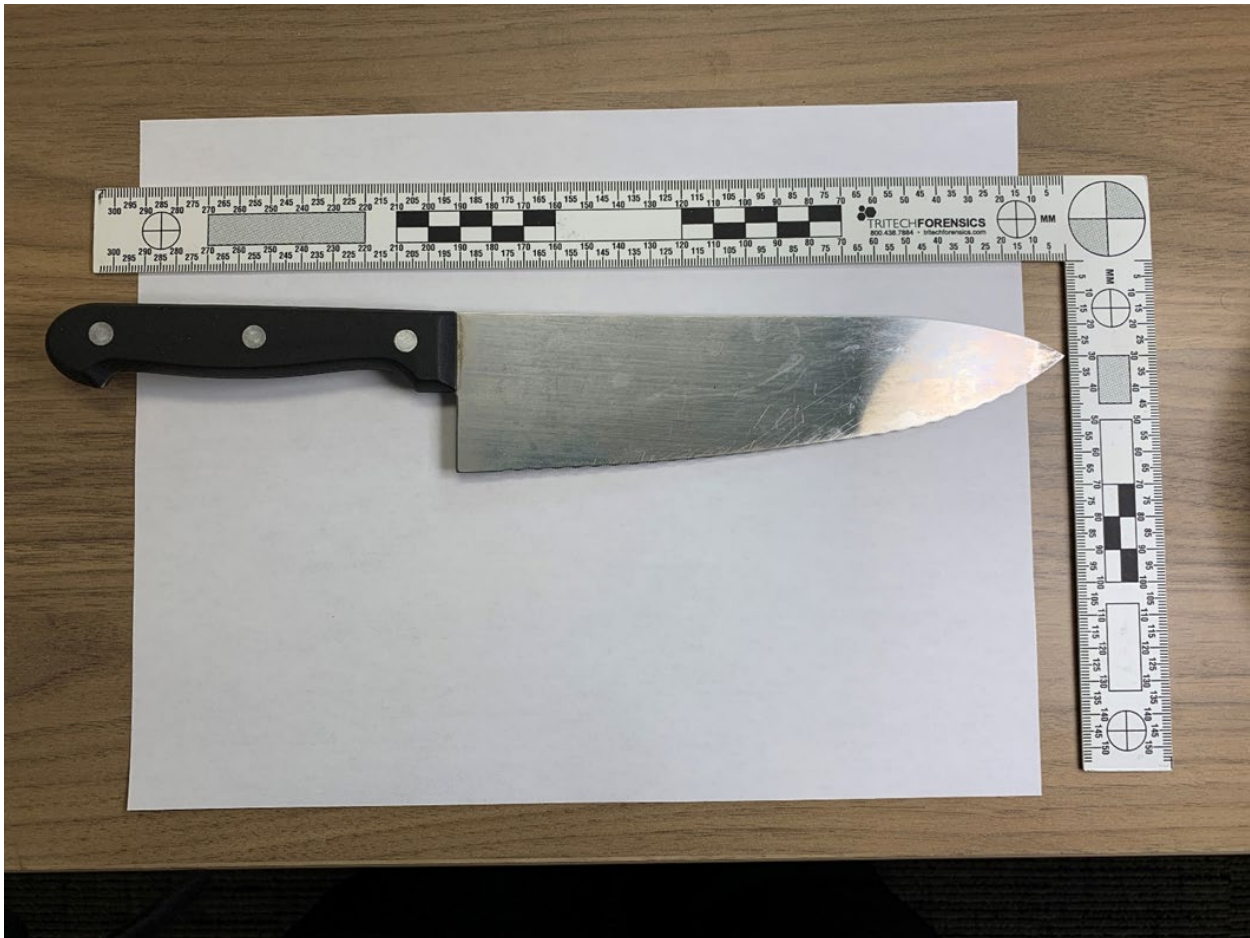
Police officers can lawfully use deadly force even if from 20/20 hindsight other feasible options may have existed. The situation must be viewed from the perspective of a reasonable officer at the scene. Officers are forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.

When a person has a *genuine* belief using force in self-defense, or defense of others, is immediately necessary, a person is not guilty of a homicide unless the belief in self-defense, or defense of others, was unreasonable at the time.

CONCLUSION

There is no basis to conclude that Sergeant Gonzalez and Deputy Pantoja had anything but a genuine belief that deadly force was immediately necessary. Because Tovar kidnapped the mother and her two-year-old child at knifepoint, imprisoned them in their rear bedroom behind a barricaded closed door, displayed a deadly weapon, failed to follow the lawful commands of deputies, and given the totality of these unpredictable and extremely dangerous circumstances, the deputies could reasonably believe Tovar was an imminent threat to the lives of his captors. Therefore, insufficient evidence exists to prove beyond a reasonable doubt that Sergeant Gonzalez or Deputy Pantoja committed any crime.

The role of the District Attorney is not to evaluate the efficacy of departmental tactics or training, nor of course to consider issues of civil liability. Those processes may have the goal of identifying areas for improvement in future similar encounters; they may take advantage of the benefit of hindsight and information not known to the involved peace officers. The role of the District Attorney in deciding whether to charge officers with a crime requires judging their conduct and actions from the perspective of a reasonable officer on the scene at the time of the incident with the information available in a rapidly evolving high-stress encounter. Consequently, having found there is insufficient evidence to prove any crime beyond a reasonable doubt, no further action by this office is contemplated or warranted.







**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

Ryan J. McGuirk
Chief Investigator

Case No.: MCDA 23-0005
Date: 08/30/2023
Supplement Report No.: DAI Rpt. 001

**Re: Anthony Tovar / Monterey County
Sheriff's Office OIS**

Page 1 of 6
Investigator: K. Hunsaker

DECEDENT	Name:	Anthony Tovar
	DOB:	██████████
	Physical Description:	HMA, 5'3", 130 lbs., Blk/Blk
	Home Address:	██
	Driver License/CII	CA Y8169050 / A37472173
	MCSO Case #	FG2304178
	MCSO Coroner Case #	2023-00685
	Santa Cruz County Coroner Case #	23-06441
VICTIM	Name:	Victim 1
VICTIM	Name:	Victim 2
VICTIM	Name:	Victim 3
INVOLVED SERGEANT	Name:	David Gonzalez
	Agency:	Monterey County Sheriff's Office
INVOLVED DEPUTY	Name:	Cristian Pantoja
	Agency:	Monterey County Sheriff's Office
MENTIONED	Name:	██████████ Monterey County Sheriff's Office Forensic Evidence Technician
	Address:	1414 Natividad Rd., Salinas, CA
	Phone #:	831-755-3700

SYNOPSIS:

On 08/08/2023, an Officer-Involved Shooting (OIS) occurred at █████ Hyland Dr. in Salinas. Decedent Anthony Tovar forced his way into the residence, grabbed a female adult and placed a knife to her neck while the adult female was holding her 2-year-old daughter. After Tovar

	<p align="center">MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION</p>	<p>Case #: MCDA 23-0005 Supplement #: DAI Rpt. 001</p>
---	--	--

barricaded himself and the two victims inside a bedroom, Monterey County Sheriff's Office personnel breached the door and discharged their firearms fatally striking Tovar.

NARRATIVE:

On 08/08/2023 at approximately 2220 hours, I was alerted that an OIS had occurred at [REDACTED] Hyland Dr. in Salinas and I was requested to respond to the scene by District Attorney Investigative Captain (DAIC) J. Ferreria. I arrived on scene at approximately 2310 hours. I was designated the Lead Investigator by DAIC Ferreria. I was assisted by District Attorney Investigators (DAI) Smith, Gomez, and Williams. It should be noted that DAIC Ferreria and DAI Williams left the scene to photograph Monterey County Sheriff's Office (MCSO) personnel involved in the shooting and they conducted a round count of the associated OIS weapons. DAI Smith and I were then directed to obtain a statement from the reporting party, Victim 1. It should be noted that Victim 1 was seated in an MCSO patrol vehicle prior to the interview. It should also be noted that I audio-recorded the interview with Victim 1 with my department-issued digital recorder (Item KH 1). The following is a summary of the interview with Victim 1.

SUMMARY OF INTERVIEW WITH VICTIM 1:

After exiting the patrol vehicle, DAI Smith and I identified ourselves to Victim 1 and he agreed to speak with us. Victim 1 confirmed he lived at [REDACTED] Hyland Dr. with his wife, Victim 2, and their two-year-old daughter, Victim 3. Victim 1 provided verbal consent to search the home regarding our investigation. Victim 1 stated a male adult, later identified as Decedent Tovar, entered his home, proceeded into the kitchen area of the home where he grabbed Victim 2 and Victim 3 and took them into a rear bedroom of the residence utilized by Victim 3.

Victim 1 stated Tovar first approached the residence at approximately 2030 hours on 08/08/2023. Victim 1 was not present at the residence but was informed that Tovar was knocking "aggressively" on the front door and side door of the residence while Victim 2 was inside the residence with Victim 3. Victim 2 did not open the doors. After arriving at the home, Victim 1 did



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI Rpt. 001**

not see Tovar. However, Victim 1 accessed his Ring camera which was mounted next to the residence's front door. After he reviewed the Ring camera's video to see who had been knocking the residence's front door earlier on 08/08/2023, Victim 1 said, "It seemed like the neighbor." Victim 1 stated he went across the street to attempt to discover why Tovar had been knocking on the door. Victim 1 stated he observed Tovar come around the side of a pink residence (██████████ Hyland Dr.) behind ██████████ Hyland Dr. According to Victim 1, Tovar stated he had been looking for his dog at Victim 1's residence earlier in the evening. Victim 1 and Tovar then parted ways.

Victim 1 stated Tovar returned to ██████████ Hyland Dr. and knocked on the front door about 10 minutes after his first encounter with Tovar. Victim 1 opened the door and noted Tovar was "acting kind of weird because he wanted to step inside the house." Victim 1 stated he told Tovar they could speak outside the residence. However, Tovar went around Victim 1, entered the residence through the open front door, and approached Victim 2 in the kitchen area of the residence. Victim 2 was holding Victim 3. After grabbing Victim 2 and Victim 3, Tovar brandished a knife. Victim 1 stated that Tovar made several comments including, "you have to help me, because I have some friends in prison, and you have power to get them out." Victim 1 stated he pleaded with Tovar to release Victim 2 and Victim 3 and to leave the residence. Victim 1 stated he began struggling with Tovar and unsuccessfully attempted to grab of the knife. Tovar then forced Victim 2 and Victim 3 into the residence's rear bedroom and locked the door leaving Victim 1 outside the bedroom. Victim 1 then called law enforcement.

Victim 1 confirmed Tovar had the knife prior to entering the residence. Victim 1 stated Tovar made additional comments about friends in prison and that Victim 1 had the power to release these individuals from incarceration. Victim 1 stated he didn't know Tovar but believed Tovar was associated with the pink residence behind ██████████ Hyland Dr.

Victim 1 stated after he called law enforcement, he continued to plead with Tovar to release his family and to not hurt them. Victim 1 exited the residence and spoke with law enforcement when



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI Rpt. 001**

they arrived. When law enforcement entered his residence, Victim 1 followed but was ordered to leave the residence. Victim 1 confirmed he was inside the home when he heard gunshots. Victim 1 stated he did not hear anything prior to the gunshots. Victim 1 stated Tovar spoke mostly to Victim 1 after entering the home in the kitchen area, mainly concerning the release of Tovar's incarcerated friends. Victim 1 stated he observed Tovar grab Victim 2 around her shoulders and Tovar had the knife behind Victim 2.

Victim 1 stated when Tovar first knocked on the residence's front door, Victim 2 contacted Victim 1 to inform him of the situation. Victim 1 arrived at the residence approximately 10 minutes later and accessed his Ring camera system. Victim 1 stated he attempted to speak with Tovar through his Ring camera system but the battery was low and he was unable to communicate with Tovar.

DAI Smith and I had no additional questions for Victim 1 and ended the interview at approximately 2335 hours.

NARRATIVE:

After the interview with Victim 1 was concluded, DAI Smith and I remained at the scene of the OIS. MCSO Forensic Evidence Technician (FET) [REDACTED] arrived and began processing the crime scene. DAI Smith accompanied FET [REDACTED] while FET [REDACTED] processed the crime scene. DAI Smith also took digital photographs of the scene. I remained on scene with DAI Smith and FET [REDACTED] (See reports from FET [REDACTED] and DAI Smith). I left the scene of the OIS at approximately 0430 hours on 08/09/2023.

On 08/09/2023, I assisted DAI Smith with processing several evidence items recovered from the OIS scene (See DAI Smith's report). Later on 08/09/2023, DAI Gomez and I contacted Victim 2 at [REDACTED] in Salinas. It should be noted that Victim 2 spoke Spanish only. DAI Gomez, who is a certified Spanish speaker with Monterey County, conducted the interview (See DAI Gomez's report). During the course of the interview with Victim 2, DAI Gomez and I were



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI Rpt. 001**

informed Tovar grabbed Victim 2's pants and attempted to pull them down while Tovar held her inside the bedroom at ■■■ Hyland Dr. causing her underwear to rip. Victim 2 provided the grey underwear to DAI Gomez. I took two digital photographs (Item KH 3) of the grey underwear before DAI Gomez collected them as evidence (Item LG 01). Item LG 01 was later booked into evidence at the Monterey County District Attorney's Office.

DAI Gomez and I were also informed Tovar's grey sweatshirt/jacket had not been removed from ■■■ Hyland Dr. DAI Gomez and I accompanied Victim 1 to ■■■ Hyland Dr. and I recovered the grey sweatshirt/jacket (Item KH 2) which was located on top of the bed in the rear bedroom where the OIS occurred. I also took three digital photographs of the grey sweatshirt/jacket before I collected the item (Item KH 4). Item KH 2 was later booked into evidence at the Monterey County District Attorney's Office. Items KH 1 and KH 3 – KH 4 were booked into digital evidence at the Monterey County District Attorney's Office.

EVIDENCE:

<i>ITEM NO.</i>	<i>QUANTITY</i>	<i>DESCRIPTION</i>	<i>LOCATION</i>
KH 1	1 (20.1 megabytes)	Audio Recording of interview with Victim 1 on 08/08/2023	MCDA Digital Evidence
KH 2	1	Tovar's grey sweatshirt/jacket recovered from ■■■ Hyland Dr. on 08/09/2023	MCDA Evidence
KH 3	1 (7.44 megabytes)	Zip file with digital photos of Tovar's grey sweatshirt/jacket recovered from ■■■ Hyland Dr. on 08/09/2023	MCDA Digital Evidence
KH 4	1 (7.37 megabytes)	Zip file with digital photos of Victim 2's ripped underwear (Item LG 01) taken on 08/09/2023	MCDA Digital Evidence



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI Rpt. 001**

RECOMMENDATIONS:

Forward to DAIC J. Ferreria.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

Ryan J. McGuirk
Chief Investigator

Case No.: MCDA 23-0005
Date: 08/11/2023
Supplement Report No.: DAI RPT. 002

**Re: Anthony Tovar / Monterey County
Sheriff's Office OIS**

Page 1 of 4
Investigator: Robin Smith

DECEDENT	Name:	Anthony Tovar
	DOB:	[REDACTED]
	Physical Description:	HMA, 5'3", 130 lbs., Blk/Blk
	Home Address:	[REDACTED]
	Driver License/CII	CA Y8169050 / A37472173
	MCSO Case #	FG2304178
	MCSO Coroner Case #	2023-00685
	Santa Cruz County Coroner Case #	23-06441
VICTIM	Name:	[REDACTED]
	Home Address:	[REDACTED]
	Phone No.:	[REDACTED]
VICTIM	Name:	[REDACTED]
	Home Address:	[REDACTED]
	Phone No.:	[REDACTED]
VICTIM	Name:	[REDACTED]
	Home Address:	[REDACTED]
	Phone No.:	[REDACTED]
INVOLVED SERGEANT	Name:	David Gonzalez
	Agency:	Monterey County Sheriff's Office
INVOLVED DEPUTY	Name:	Cristian Pantoja
	Agency:	Monterey County Sheriff's Office



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT. 002**

SYNOPSIS:

On 08/08/2023, an Officer-Involved Shooting (OIS) occurred at [REDACTED] Hyland Drive in Salinas. Monterey County Sheriff's Office (MCSO) Deputies responded to a call of a man with a knife. Anthony Tovar had forcibly taken a mother and her two-year-old child at knife point into a bedroom and barricaded the door. MCSO Deputies breached the bedroom and observed Tovar with a knife. The deputies discharged their firearms striking Tovar. Tovar did not survive.

NARRATIVE:

On 08/08/2023 at 2219 hours, I received a request to respond to an OIS that had occurred on the [REDACTED] block of Hyland Drive in Salinas, CA. I arrived at the scene at approximately 2236 hours. I contacted Chief District Attorney Investigator, Ryan McGuirk, and District Attorney Investigative Captain, John Ferreria, who directed District Attorney Investigator (DAI), Hunsaker, and I to interview the Reporting Party (RP), [REDACTED]. During the interview, [REDACTED] gave us verbal consent to enter and search his residence located at [REDACTED] Hyland Drive. Please refer to DAI Hunsaker's report for a summary of [REDACTED] interview.

Once we obtained consent to enter [REDACTED] home, DAI Hunsaker and I were tasked with locating and documenting evidence within the residence. We were notified that MCSO's Forensic Evidence Technician (FET), [REDACTED], was enroute and we would be assisting in processing the scene.

Once FET [REDACTED] arrived, I was tasked with taking digital photographs of the scene which included the residence at [REDACTED] Hyland Drive, the evidence located within the residence, and photos of the decedent. After the photographs were taken, we marked each evidence item with yellow numbered placards. I took additional photographs of the evidence items with the placards.

I stood by as FET [REDACTED] took multiple scans of the residence at [REDACTED] Hyland Drive. Once the

	<p align="center">MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION</p>	<p>Case #: MCDA 23-0005 Supplement #: DAI RPT. 002</p>
---	---	--

scans were completed, I collected the following evidence from the residence:

- Item RS-001, 9mm shell casing WMA +P+ (Placard 3)
- Item RS-002, 9mm shell casing WIN 9mm Luger (Placard 4)
- Item RS-003, 9mm shell casing WIN 9mm Luger (Placard 5)
- Item RS-004, Knife w/ black handle, approximately 300 mm in length (Placard 6)
- Item RS-005, 9mm shell casing WIN 9mm Luger (Placard 7)

It should be noted that placards 1 and 2 were placed next to black latex gloves that were found at the scene. The items were photographed, but the gloves were not taken as evidence. The coroner deputy arrived on scene to examine and prepare the decedent's body for transport. When the coroner deputy moved the decedent's body and searched his pants pockets, an iPhone, a Mercedes car key, and a DeWalt box cutter were found in the pockets. When the coroner deputy moved the decedent's legs a spent projectile (bullet) was found that had been under the decedent's boots. I took photographs and collected the items that were found in the decedent's pockets as well as the mushroomed projectile (bullet). They were labeled as the following evidence items:

- Item RS-006, Black iPhone w/ gray case
- Item RS-007, Mercedes car key w/ gray fob attached.
- Item RS-008, DeWalt box cutter (yellow/black)
- Item RS-009, Spent Projectile (mushroomed)

The evidence items were labeled, packaged, and placed in an evidence locker at the Monterey County District Attorney's Office for storage. Two hundred and eleven photographs were taken of the scene. I uploaded the photographs into Evidence.com and labeled the folder as evidence item RS-010. Three additional photographs were taken of evidence item RS-004 (Knife) once I was at the office. I photographed the knife alongside a scale to show the length of the knife and the blade. I uploaded those photographs to Evidence.com as item RS-011.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT. 002**

RECOMMENDATIONS:

Forward to District Attorney Investigative Captain for review.

EVIDENCE:

<i>ITEM #</i>	<i>QTY.</i>	<i>DESCRIPTION</i>	<i>LOCATION</i>
RS-001	1	9mm Shell Casing (MCSO Placard #3) WMA +P+	MCDA
RS-002	1	9mm Shell Casing (MCSO Placard #4) WIN 9mm Luger	MCDA
RS-003	1	9mm Shell Casing (MCSO Placard #5) WIN 9mm Luger	MCDA
RS-004	1	Knife w/ black handle approx. 300mm in length (MCSO Placard #6)	MCDA
RS-005	1	9mm shell casing (MCSO Placard #7) WIN 9mm Luger	MCDA
RS-006	1	Black iphone w/ gray case (suspect/decedent's pocket)	MCDA
RS-007	1	Mercedes car key w/ gray fob attached (suspect/decedent's pocket)	MCDA
RS-008	1	Dewalt box cutter yellow & black (suspect/decedent's pocket)	MCDA
RS-009	1	Spent projectile (mushroomed) bedroom floor under suspect/decedent's feet	MCDA
RS-010	211	Crime Scene Photographs	Evidence.com
RS-011	3	Photographs of RS-004 (Knife) w/ scale	Evidence.com



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

Ryan J. McGuirk Chief Investigator	Case No.: MCDA 23-0005 Date: 08/10/2023 Supplement Report No.: DAI RPT.003
Re: Anthony Tovar / Monterey County Sheriff's Office OIS	Page 1 of 9 Investigator: Damon Williams

DECEDENT	Name:	Anthony Tovar
	DOB:	██████████
	Physical Description:	HMA, 5'3", 130 lbs., Blk/Blk
	Home Address:	██
	Driver License/CII	CA Y8169050 / A37472173
	MCSO Case #	FG2304178
	MCSO Coroner Case #	2023-00685
	Santa Cruz County Coroner Case #	23-06441
VICTIM	Name:	████████████████████
	Home Address:	██
	Phone No.:	██████████
VICTIM	Name:	████████████████████
	Home Address:	██
VICTIM	Name:	████████████████████
	Home Address:	██
	Phone No.:	██████
INVOLVED SERGEANT	Name:	David Gonzalez
	Agency:	Monterey County Sheriff's Office
INVOLVED DEPUTY	Name:	Cristian Pantoja
	Agency:	Monterey County Sheriff's Office

On 08/08/2023 at approximately 2220 hours, I, Monterey County District Attorney's Office Investigator (DAI), was advised there had been an Officer-Involved Shooting (OIS) at ██████ Hyland Dr. in unincorporated Salinas. On 08/08/2023 at approximately 2315 hours, I arrived at the scene and was briefed by DAI Captain Ferreria. On 08/08/2023 at approximately 2345 hours, Captain



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.003**

Ferreria and I responded to the Monterey County Sheriff's Office (MCSO) to photograph and conduct a round count with the two officers who had fired their handguns. Captain Ferreria and I arrived at MCSO at approximately 2400 hours on 08/09/2023.

Deputy Cristian Pantoja

I took the following photo of Dep. Pantoja, his uniform, and the equipment he had been wearing at the time of the OIS. I noted there was a white scuff mark on the left knee of Dep Pantoja's trousers.





**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.003**

The below photo shows Dep. Pantoja's OC spray canister, expandable baton, and Glock 17:





**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.003**

The below photo shows Dep. Pantoja's spare magazines, flashlight and Taser:



Dep. Pantoja's firearm was a department issued Glock 17, 9mm, semi-automatic handgun, serial number MCSO676 with three 17 round capacity magazines. There was one round in the chamber of Dep. Pantoja's handgun and 16 rounds in the magazine inserted into his handgun. Dep. Pantoja's other two magazines were loaded with 17 rounds each. At the time of the OIS, assuming Dep. Pantoja had one extra round kept in the chamber of his handgun, and all of his magazines were fully loaded, **I determined Deputy Pantoja fired one round during the OIS.**



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.003**

Sgt. David Gonzalez

I took the following photo of Sgt. David Gonzalez, his uniform, and the equipment he had been wearing at the time of the OIS:

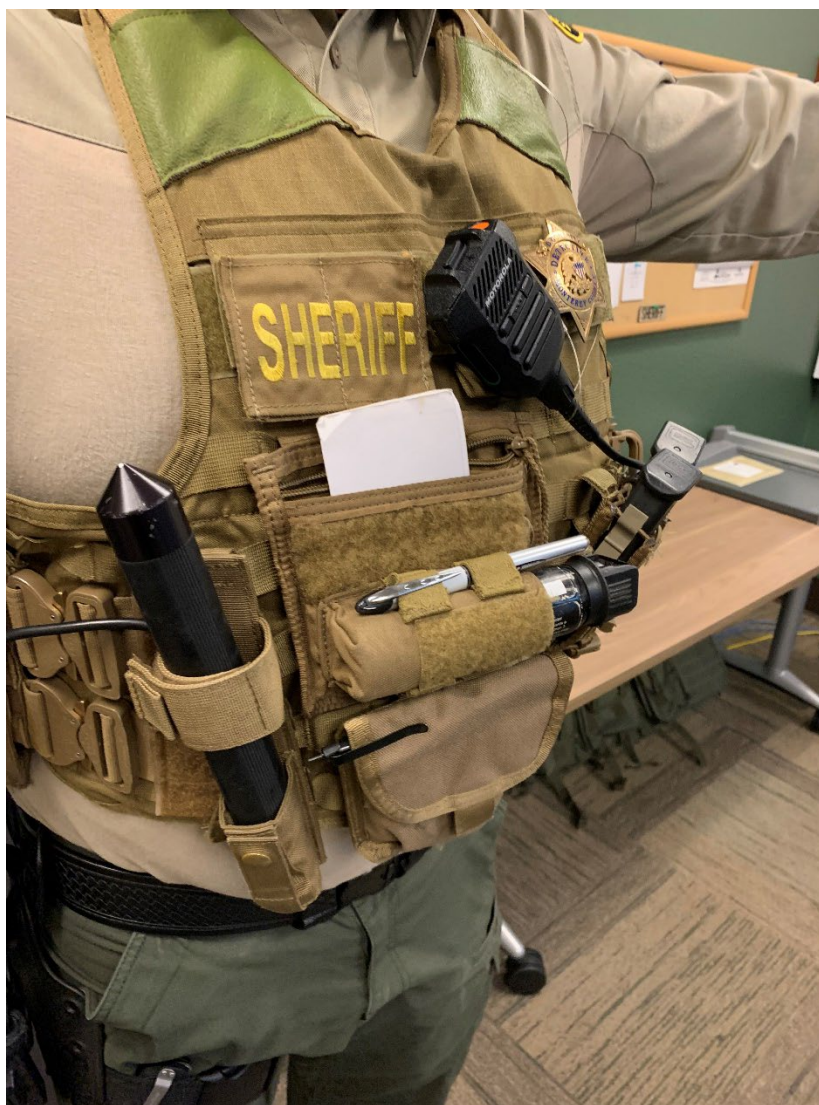




**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.003**

The below photo shows Sgt. Gonzalez's collapsible baton, OC spray canister, and spare magazines:





**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.003**

The below photo shows Sgt. Gonzalez's Glock 17:

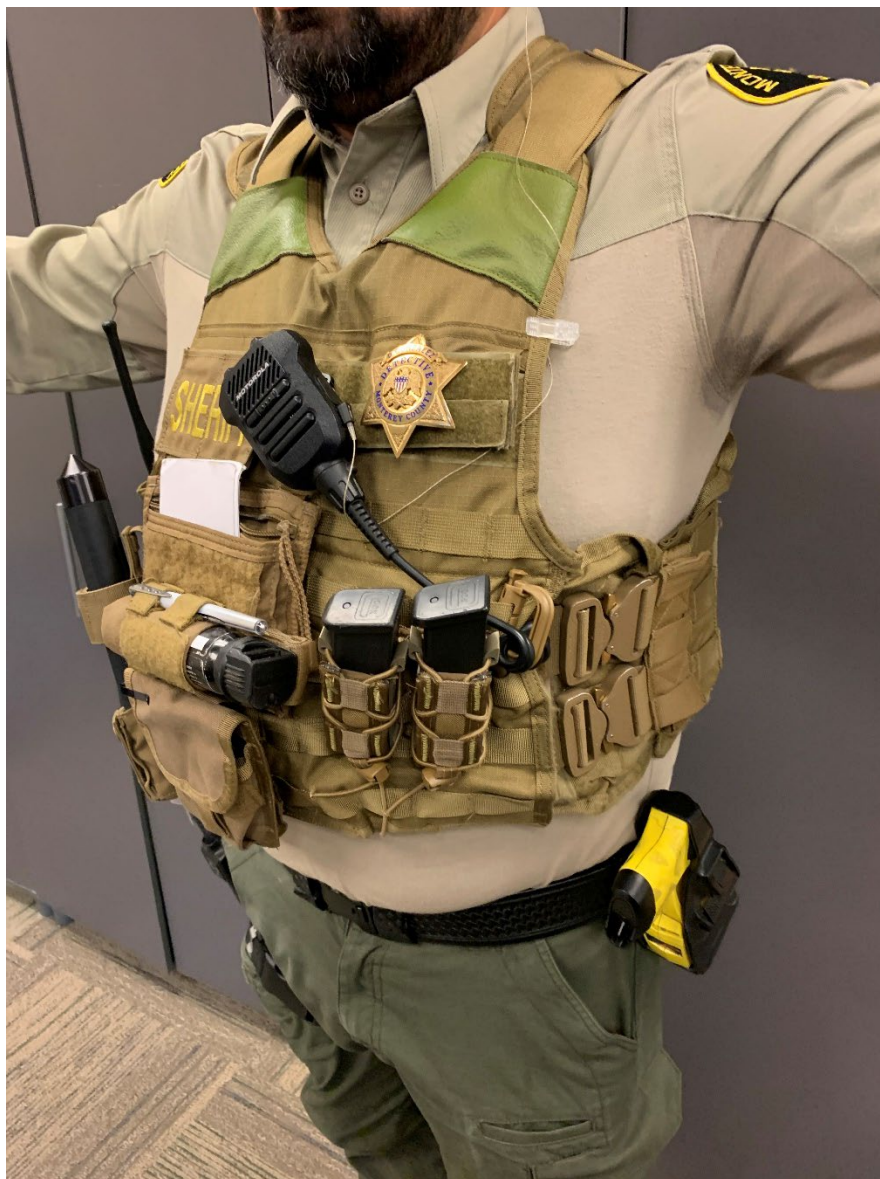




**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.003**

The below photo shows Sgt. Gonzalez's collapsible baton, OC spray canister, spare magazines, and Taser:



Sgt. Gonzalez's firearm was a department issued Glock 17, 9mm, semi-automatic handgun, serial number MCSO400 with three 17 round capacity magazines. There was one round in the chamber of Sgt. Gonzalez's handgun and 14 rounds in the magazine inserted into his handgun. Sgt.

	MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION	Case #: MCDA 23-0005 Supplement #: DAI RPT.003
---	---	---

Gonzalez's other two magazines were loaded with 17 rounds each. At the time of the OIS, assuming Sgt. Gonzalez had one extra round kept in the chamber of his handgun, and all of his magazines were fully loaded, **I determined Sgt. Gonzalez's fired three rounds during the OIS.**

I collected both Dep. Pantoja's and Sgt. Gonzalez's department issued Glock 17s along with a single magazine each as evidence.

On 08/09/2023 at approximately 0030 hours Captain Ferreria and I left MCSO and returned to the scene. I remained at the scene until approximately 0300.

I copied all of the photos I took from the round count into Karpel as evidence.

RECOMMENDATIONS:

Forward to DAI Kris Hunsaker for review.

EVIDENCE:

<i>ITEM NO.</i>	<i>QUAN TITY</i>	<i>DESCRIPTION</i>	<i>LOCATION</i>
DW001	1	Glock 17, 9mm, S/N MCSO676, with 1 mag, no ammo	Locker #3
DW002	1	Glock 17, 9mm, S/N MCSO400, with 1 mag, no ammo	Locker #3
DW003	1	Multiple round count photos	Karpel



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

Ryan J. McGuirk
Chief Investigator

Case No.: MCDA 23-0005
Date: 09/15/2023
Supplement Report No.: DAI RPT.004

**Re: Anthony Tovar / Monterey County
Sheriff's Office OIS**

Page 1 of 12
Investigator: Leo Gómez

DECEDENT	Name:	Anthony Tovar
	DOB:	[REDACTED]
	Physical Description:	HMA, 5'3", 130 lbs., Blk/Blk
	Home Address:	[REDACTED]
	Driver License/CII	CA Y8169050 / A37472173
	MCSO Case #	FG2304178
	Santa Cruz County Coroner Case #	23006441
VICTIM	Name:	Victim 1
VICTIM	Name:	Victim 2
VICTIM	Name:	Victim 3
INVOLVED SERGEANT	Name:	David Gonzalez
	Agency:	Monterey County Sheriff
INVOLVED DEPUTY	Name:	Cristian Pantoja
	Agency:	Monterey County Sheriff

NARRATIVE:

On August 8, 2023, at approximately 2300 hours, I, Monterey County District Attorney Investigator (DAI) Leo Gómez, arrived at the crime scene at Captain John Ferreria's request. I contacted Victim 1 at his parent's home, which was located at [REDACTED] Salinas CA 93907. Victim 1 signed a consent form (Item LG05) to search his residence. I signed this document as a Witness, and I forwarded it to DAI Kris Hunsaker. Victim 1 also delivered to me four digital videos (Item LG02) from his Ring camera that was installed at the front door of his residence.

	<p align="center">MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION</p>	<p>Case #: MCDA 23-0005 Supplement #: DAI RPT.004</p>
---	---	---

These videos showed Decedent Tovar and his dog outside the victim's front door. I also delivered this evidence to DAI Hunsaker.

Conversations with Tovar's relatives:

On August 9, 2023, at approximately 1104 hours, DAI Rachel Maldonado and I visited Tovar's home and we spoke to a number of Tovar's family members who were gathered there praying. Among the large group were Tovar's parents, his sister and her husband. I spoke to these persons in Spanish and I gathered additional information about Tovar's mental history and whereabouts the day before. One of the Tovar's sisters (Noemi) spoke both English and Spanish. I recorded our conversation using a digital device and I transferred the audio file to Evidence.com (Item LG03). I also photographed the Tovar's medication and a knife we found at the home, which resembled the knife Tovar used to kidnap the victims. The following is a synopsis of my conversation with Tovar's relatives. For complete details, please refer to the audio file. The names of the family members I spoke to were Berta Murillo and Ernesto Tovar (Tovar's parents), Noemí Tovar (Tovar's sister) and Jorge (Noemí Tovar's husband.)

Mental Illness:

Tovar's parents stated that Tovar had lived with them through his whole life and was unemployed at the time of the officer-involved shooting (OIS). Tovar attended North Monterey County High School for approximately two years but did not graduate. There was consensus among the relatives that Tovar suffered from mental illness and was taking some medications but the length of his illness, depending on who spoke, was either three, four or ten years. Tovar's parents did not exactly know what Tovar's diagnosis was, but Noemí indicated that he suffered from schizophrenia. Ernesto and Berta stated that Tovar was being treated at Natividad Hospital for mental illness and, sometime in the past, he had been housed at psychiatric facilities in Monterey and Santa Cruz counties. The Santa Cruz County stay lasted approximately one week and occurred sometime in 2021.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.004**

Bertha stated that Tovar's illness began in adulthood and manifested with hallucinations. Bertha described Tovar talking to invisible persons. [REDACTED] also stated that Tovar "didn't sleep" and spent all night walking around their home. The relatives stated that Tovar was often profane and verbally abusive towards his parents but he was never violent at home. The relatives also stated that Tovar had been arrested multiple times for various reasons, including mental illness, bad temper, and for entering a neighbor's home without permission. Tovar's relatives did not know that neighbor's name, but they indicated that the neighbor came to Tovar's home and told his parents that he would shoot Tovar with a gun if he ever entered his home again. [REDACTED] stated that on one occasion, Tovar called her from the Monterey County Jail and stated that he could see her and [REDACTED] inside the jail with him.

[REDACTED] stated that they knew Tovar better than anyone else because Tovar often visited them at their home ([REDACTED]) and he spent a lot of time with them. They also stated that Tovar's ex-girlfriend, whose first name was [REDACTED] was one of their neighbors on Ranchero Drive.

Illicit drugs use:

[REDACTED] stated that Tovar used illicit drugs, including cannabis and methamphetamine, which he obtained from friends. They also stated that Tovar's mental illness intensified with drug use. [REDACTED] stated that Tovar began using drugs after he completed probation. [REDACTED] also stated that Tovar told her that he was anxious about finishing probation, so he could start using cannabis.

Tovar's whereabouts preceding the OIS:

[REDACTED] stated that one or two days before the OIS, around 0400 hours, Tovar went to Destiny's home and climbed on the roof without permission. [REDACTED] learned about this incident from [REDACTED] who was informed by Destiny's father, who saw him on the roof but did not call law enforcement. [REDACTED] father spoke to [REDACTED] about that incident and he was upset.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.004**

On the date of the OIS, Tovar visited [REDACTED] at her home and she became afraid of him because he was "acting up." [REDACTED] was unable to explain what she meant by "acting up," but she mentioned that Tovar was moving and touching his face. Her description seemed to describe the behavior of someone under the influence of a stimulant. [REDACTED] also stated that Tovar was "out of control" because he had broken up with [REDACTED]. Tovar was still with [REDACTED] got home from work at approximately 1900 hours, although he was outside the home in his car, which he had driven to [REDACTED] home.

[REDACTED] described that when he arrived home, Tovar was "OK" but lacked concentration, which he attributed to the roof climbing incident at Destiny's home. [REDACTED] told Tovar that he did not want him at his home anymore because of the trespassing incident at [REDACTED] home.

[REDACTED] cried (presumably at the prospect of not having Tovar visit her home again) and Tovar apologized for his behavior and stated that he would not bother [REDACTED] anymore. Tovar left [REDACTED] and Jorge's home crying, in his vehicle, after [REDACTED] also told him that she didn't want him at her home due to the ongoing drama with [REDACTED]. She also told him that she feared he would do something to her or her children when [REDACTED] wasn't home. [REDACTED] explained that she feared Tovar because he did not take his medication and he was abusive to her parents.

Tovar's relatives did not know when Tovar had last slept or for how long before the OIS, but they believed that he had been awake for 24 or 48 hours since the roof climbing incident at [REDACTED] home.

[REDACTED] stated that sometime during the evening, prior to the OIS, she saw Tovar standing outside her home, talking to a man. The man told Tovar in Spanish, "I saw you in the cameras" and "what were you doing there?" Tovar told the man, "I went to get the dog. The dog went over there and I went to get him." Tovar's relatives described Tovar's dog as a white Chihuahua. [REDACTED] also heard the conversation between Tovar and the man, and he provided a statement that substantiated

█████ narrative. Sometime thereafter, █████ noticed police vehicles near her home and she went outside and called Tovar but he was nowhere to be seen. █████ stated that after speaking to the man, Tovar entered his home through a rear door and went to the kitchen. █████ didn't know where Tovar went thereafter he was in the kitchen.


Tovar's medications:

Inside Tovar's home, on a kitchen shelf, I observed multiple medication containers, three of which had labels from the [REDACTED]. The labels indicated that the medications were prescribed to Tovar by doctors [REDACTED]

The label on the first container was dated June 10, 2023, and read “

The label on the second container, dated

[REDACTED] medicine. The drugs.com website indicated that the imprint on the pills matched the container label. The image below is a photograph of this medication:

The photograph shows a single white, oval-shaped tablet resting on a dark surface. The tablet has a distinct horizontal score line across its center. Below the score line, the word "NORVISO" is printed in capital letters. On the left side of the tablet, there is a small, circular embossed mark or logo.

The label on the third container, dated July 20, 2022, indicated a prescription for 30 Olanzapine 5 mg tablets. The label read, “take 1 tablet every day at bedtime.” The container held 26 intact tablets labeled “CL 40.” The drugs.com website indicated that the imprint on the pills matched the container label. The following image is a photograph of this medication:



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.004**

The large number of tablets found in each container, coupled with the date of the prescriptions and instructions, seemed to corroborate [REDACTED]'s statement about Tovar not taking his medications.

Knife found in Tovar's kitchen:

On a counter, in Tovar's kitchen, we found a knife similar to the one Tovar used during the burglary and kidnapping. We did not find a knife set or any other knives. The image below is a photograph of this knife:





**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.004**

Conversation with Victim 2:

On August 9, 2023, at approximately 1423 hours, DAI Hunsaker and I spoke with Victim 2 at her father-in-law's home. Present during our conversation was her husband, Victim 1. I recorded our conversation using a digital device (Item LG04) and I transferred the audio file to Evidence.com.

Victim 2 stated that she resided at her home with her daughter (Victim 3) and her husband. On the date of the OIS she was at home with her daughter. Victim 1 arrived home from work at approximately 1500 hours to eat, and he returned to work at approximately 1600 hours.

At approximately 2030 hours, someone knocked on her front door, which was closed but unlocked. Victim 2 believed that the person at the door was her husband, so she approached the door, looked through the door glass, and noticed that the person outside was not her husband, but a young man (Tovar) with a small dog. Tovar was wearing a hoodie, sweatpants and a gray or black item over his face. Tovar made eye contact with Victim 2, hand signaled for her to open the door and remained there for five or ten minutes. Victim 2 panicked and did not open the door.

Victim 2 took her daughter to her master bedroom, stayed there some time, called Victim 1 and told him that a stranger was knocking at the front door. Victim 1 told Victim 2 that he was coming home and would arrive in ten minutes. Tovar stopped knocking on the front door for approximately three minutes and began knocking on the side door that was located on the home's north side, between the kitchen and Victim 3's room. This door led from the kitchen to the driveway.

Victim 2 called Victim 1 a second time and he tried to talk to Tovar via their front door camera, but the device was not working. Victim 1 also told Victim 2 that he was driving home and would be there soon. When he arrived, Victim 1 told Victim 2 that, based on what he saw through the



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.004**

front door camera, he believed Tovar was one of their neighbors. Victim 1 also told Victim 2 that he was going to go talk to that neighbor (Tovar) to see what he needed or wanted.

Victim 1 walked to Tovar's home, which was located in an alley perpendicular to the victim's street. After speaking to Tovar, Victim 1 returned home and told Victim 2 that Tovar had gone to their home looking for a dog. After talking to Tovar, Victim 1 returned to his residence, and approximately ten minutes later, Tovar returned to the porch of the victim's residence, while Victim 1 was taking his work clothes off to get in the shower.

Victim 1 went outside and talked to Tovar, leaving his front door ajar. Tovar ran inside the victims' residence, stood approximately 10 feet away from the front door and produced a knife, while Victim 1 stood at the door. When Tovar entered the home, Victim 2 was in the kitchen and her daughter was sitting at the kitchen counter, close to the dining room.

Tovar told Victim 1 to close the front door and made incoherent statements, demanding that Victim 1 help him get his family members and his daughter out of prison. Victim 1 told Tovar to go outside with him and let his wife and daughter go.

At some point, Tovar moved closer to Victim 1 (farther away from the child), so Victim 2 took advantage of this opportunity to run and pick up Victim 3 from the counter area. She held the child in her arms and brought her to the kitchen, behind the counter, near the stove, and away from Tovar. Victim 2 grabbed her cellular telephone to call 911 but Tovar told her not to call the police.

While Tovar was making his incoherent demands, Victim 2 attempted to escape with her daughter through the aforementioned kitchen side door. Victim 2 held the child with her left arm against her chest and handled the door knob with her right hand, but she was unable to open it.

When Victim 2 was facing the side door and struggling to open it, Tovar approached her, stood behind her, and prevented her escape by wrapping his left arm across her chest and putting his



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.004**

knife, with his right hand, against the right side of her neck. Victim 2 felt the blade against her skin.

I asked Victim 2 if she could re-enact this frightening event and she demonstrated Tovar's actions by standing behind Victim 1, wrapping her left arm across his chest and placing her right hand against the right side of his neck.

When Tovar held Victim 2 and her daughter hostage in the kitchen, Victim 1 had his cellphone in his hands, and Tovar told him not to call the police. Tovar then turned Victim 2 and her daughter around 180 degrees, away from the side door and made them face the kitchen refrigerator. Tovar then turned Victim 2 and her daughter ninety degrees to the left of the refrigerator and pushed them with force, against their will away from the kitchen, towards the child's bedroom, which was located to the east of the kitchen, down a short and narrow hallway.

Tovar kidnapped the Victim2 and Victim 3, closed the child's bedroom door behind him and also closed the bedroom's window curtain. Tovar ordered Victim 2 to sit at the foot of the bed, which she did, as she held her daughter close to her chest with both arms. Tovar began pacing along a dresser that was located to the right of the bedroom door, along the bedroom's west wall.

Tovar then handed Victim 2 his cellular telephone and told her to dial Victim 1's number. Victim 2 complied and handed the phone back to Tovar, who continued walking around the room. Victim 2 did not know if Tovar was able to talk to Victim 1, but eventually Tovar placed his phone on a dresser and told Victim 2 that nothing was going to happen to her or her daughter.

Tovar pulled all the dresser drawers out, looking for a gun and he asked Victim 2 if there was a gun in her house. Victim 2 told him that there were no guns at her home. Sometime thereafter, Victim 2 and Tovar heard sirens, and Tovar told her in Spanish, "I told your husband not to call the police, now all of us are going to get fucked."



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.004**

Tovar then told Victim [REDACTED] to put down and let go of her daughter but she refused and continued holding the child with both arms against her chest, while sitting at the foot of the child's bed. Tovar removed his belt from his pants, threw it somewhere and unbuttoned his pants.

Tovar, holding his knife in one of his hands, used his other hand to pull down Victim 2's leggings. Tovar grabbed the leggings and pulled them down with force from the waist area two or three times. While describing this horrible ordeal, Victim 2 used her hands to re-enact her and Tovar's actions. Victim 2 moved her left arm away from her daughter, continued holding her against her chest with her right arm, and swiftly grabbed the top of her leggings near the area where Tovar was trying to pull them down and she prevented him from taking her clothes off. Victim 2 told Tovar that she would ask Victim 1 not to let the police inside the room and she asked him to not do anything to her.

Tovar continued pulling Victim 2's clothing with such force that he ripped her underwear and pulled Victim 2 and her daughter off the bed. Victim 2 remained on the bedroom floor, holding her daughter.

While describing the frightening assault, Victim 2 instinctively pulled her leggings down and showed DAI Hunsaker and I the hole in her underwear, which she was still wearing. At the conclusion of the interview, Victim 2 handed me her ripped underwear, which I delivered to DAI Hunsaker for booking at the Monterey County District Attorney's Office (Item LG01).

Victim 2 believed that Tovar was going to sexually assault her. She feared for her life and expected Tovar to stab her with the knife at any time because she had already felt the blade against her neck. Victim 2 told Tovar that she would ask Victim 1 not to let the police come inside the room and she asked him to not do anything to her. She also repeatedly yelled at Victim 1 not to let the police enter the room, as Tovar had told her that he did not want law enforcement



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.004**

involvement. Victim 2 specifically told Tovar, "I am telling him (Victim 1) not to let them in, so don't do anything to me, I'm pregnant."

The deputies who rescued Victim 2 arrived at the barricaded bedroom door when Victim 2 was on the floor, holding her daughter, with Tovar standing above them with his knife. Victim 2 heard the rescuing deputies give commands to Tovar before they entered the bedroom but she did not understand what they said because she did not speak English.

When the rescuing deputies forced the bedroom door open, Victim 2 was still on the floor holding her daughter. Tovar stood up between Victim 2 and the deputies and they continued giving commands to Tovar. Victim 2 did not understand the commands, but she believed the deputies ordered Tovar to drop his knife. Sometime thereafter, Victim 2 heard a gun shot and she observed blood and flesh coming out of one of Tovar's forearms. Victim 2 closed her eyes when she saw Tovar's blood hit one of the bedroom walls, and she covered her daughter's eyes with her left hand, as she heard two additional shots.

EVIDENCE:

ITEM NO.	QUANTITY	DESCRIPTION	LOCATION
LG0 1	1	Victim 2's torn grey underwear	MCDA
LG 02	1	Zip file with four videos from Victim 1's Ring Camera system	MCDA Evidence
LG 03	1	Audio file with interview with Tovar's family	MCDA Digital Evidence
LG 04	1	Audio file with interview with Victim 2	MCDA Digital Evidence
LG 05	1	PDF of signed Consent to Search Form	MCDA Digital Evidence

RECOMMENDATIONS:

Submit to Captain J. Ferreria for review.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

Ryan J. McGuirk
Chief Investigator

Case No.: MCDA 23-0005
Date: 08/30/2023
Supplement Report No.: DAI RPT.005

**Re: Anthony Tovar / Monterey County
Sheriff's Office OIS**

Page 1 of 10
Investigator: K. Hunsaker

DECEDENT	Name:	Anthony Tovar
	DOB:	██████████
	Physical Description:	HMA, 5'3", 130 lbs., Blk/Blk
	Home Address:	██
	Driver License/CII	CA Y8169050 / A37472173
	MCSO Case #	FG2304178
	MCSO Coroner Case #	2023-00685
	Santa Cruz County Coroner Case #	23-06441
VICTIM	Name:	Victim 1
VICTIM	Name:	Victim 2
VICTIM	Name:	Victim 3
INVOLVED SERGEANT	Name:	David Gonzalez
	Agency:	Monterey County Sheriff's Office
INVOLVED DEPUTY	Name:	Cristian Pantoja
	Agency:	Monterey County Sheriff's Office
CONTACTED	Name:	██████████, Monterey County Sheriff's Office Property Technician
	Address:	1414 Natividad Rd., Salinas, CA
	Phone #:	831-755-3700

SYNOPSIS:

On 08/08/2023, an Officer-Involved Shooting (OIS) occurred at █████ Hyland Dr. in Salinas. Decedent Anthony Tovar forced his way into the residence, grabbed a female adult and placed a knife to her neck while the adult female was holding her 2-year-old daughter. After Tovar

	MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION	Case #: MCDA 23-0005 Supplement #: DAI RPT.005
---	---	---

barricaded himself and the two victims inside a bedroom, Monterey County Sheriff's Office personnel breached the door and discharged their firearms fatally striking Tovar.

NARRATIVE:

On 08/11/2023 at approximately 0940 hours, DAI Torres and I conducted an interview with MCSO Acting Sergeant/Detective David Gonzalez who was involved in the OIS. The interview was conducted at the Monterey County District Attorney's Office in Salinas. Also in attendance was Sgt. Gonzalez's legal counsel, [REDACTED]. It should be noted that I audio-recorded the interview with Sgt. Gonzalez with my department-issued digital recorder (Item KH 5). The following is a summary of my interview with Sgt. Gonzalez.

SUMMARY OF INTERVIEW WITH MCSO SERGEANT DAVID GONZALEZ:

I confirmed with Sgt. Gonzalez that he had not been ordered, coerced, or compelled to be present for the interview and he had spoken with his attorney prior to the interview. I also informed Sgt. Gonzalez he could end the interview at any point and request any needed breaks. Two breaks were taken and the audio recording was paused during each break. I obtained the following information about Sgt. Gonzalez:

	Background And Experience
Name	David Gonzalez
Agency	Monterey County Sheriff's Office
Date of Hire	October 15, 2015
Rank	Acting Sergeant/Detective
Age	[REDACTED]
Years of Law Enforcement Experience	Approximately 8 years with the Soledad Police Department Almost 8 years with the Monterey County Sheriff's Office
Current Assignment	Acting Sergeant, Patrol Bureau



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.005**

Auxiliary Assignments	Former SWAT Operator for approximately two years, two years prior to August 2023
Specialized Training	Basic Police Academy, multiple law enforcement trainings for gangs and narcotics, SWAT school. CIT training in 2018
Call Sign	1S33
CAD	G03469
	Uniform/Equipment
Uniform Description	In uniform on 08/08/2023. Black boots, green BDU pants, tan long-sleeved shirt, Monterey County Sheriff's Office patches on both arms, load-bearing vest with "Sheriff" patch on front and back, badge on left chest
Equipment	2 pistol magazines on chest, ASP on the right lower torso, radio on the right torso area. OC spray in admin. pouch center right torso. 2 sets of handcuffs on lower center of vest. Duty belt had Taser on the left and a pistol/holster on the right.
	Vehicle
Vehicle Used	Assigned vehicle, lights and sirens checked the night prior to 08/08/2023
Use of Force Equipment available in vehicle	Less than lethal shotgun in vehicle Department-issued rifle in vehicle
BWC or Dashcam Footage	None
	Weapons
Make/Model/Caliber	Glock/ 17M/ 9mm
Serial Number	MCSO400
Department Issued	Yes
How long has it been issued?	Since 2015
Modifications/Accessories	TLR-1 HL Streamlight Flashlight attached
Qualification Date	Approximately June 2023



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.005**

**Magazine Capacity and
Loadout**

17 rounds. 1 fully loaded magazine inserted into the magazine well with 1 round chambered (18 total rounds). 2 additional fully loaded 17-round magazines on front of the vest

After obtaining the information as noted above, I asked Sgt. Gonzalez to describe in detail the incident that occurred on 08/08/2023 at [REDACTED] Hyland Dr. Sgt. Gonzalez stated he was near the west end of [REDACTED] prior to the OIS. Sgt. Gonzalez stated he was informed by dispatch that a male subject had entered a residence with a knife. Sgt. Gonzalez stated he made sure the responding deputies were using their emergency lights and sirens enroute to Hyland Dr. Sgt. Gonzalez advised dispatch he was near Hyland Dr. and stated he had not activated his emergency lights and sirens to respond. Sgt. Gonzalez stated he was going to stage in the area when he was advised the male subject had a knife and was with the reporting party's (RP) wife and child. Sgt. Gonzales stated he thought this situation was "a hostage/rescue kind of ordeal."

Sgt. Gonzalez arrived at El Rancho Way and Hyland Dr. and was approached by the RP (Victim 1). Sgt. Gonzalez advised dispatch of his contact with the RP and that the RP had informed Sgt. Gonzalez the suspect was in a rear bedroom with a knife along with the RP's wife and child. Sgt. Gonzalez observed another deputy behind him and told the deputy, "Let's go. We're going to make entry into the house." Sgt. Gonzalez entered the residence at [REDACTED] Hyland Dr. and was told by the RP the suspect was in the back room and gave permission for Sgt. Gonzalez to kick down the interior bedroom door. Sgt. Gonzalez kicked the bedroom door once and observed the door had been barricaded by a "heavy object." Sgt. Gonzalez stated when he noticed the barricade, "That kind of like triggered in me like a different feeling. Like, this is serious and there is a lot of truth to what this guy's saying that there's going to be, we're going to open the door and we're going to be faced with some kind of scenario."

Sgt. Gonzalez kicked the bedroom door harder a second time near the door handle breaking the door panel. Sgt. Gonzalez was able to open the bedroom door approximately 1 – 1 ½ feet to look inside the bedroom. When Sgt. Gonzalez kicked the bedroom door, Deputy Cristian Pantoja was



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.005**

on Sgt. Gonzalez's left side while Deputy Josue Ramirez was behind Sgt. Gonzalez and Deputy Pantoja. Sgt. Gonzalez looked into the bedroom and saw a lady and child, later identified as Victim 2 and Victim 3 respectively, sitting on the floor of the bedroom in "the northeast corner." Victim 2 was crying and holding Victim 3. Sgt. Gonzalez stated he observed the suspect, later identified as Decedent Tovar, standing approximately five feet away from the female and child. Tovar was facing toward Sgt. Gonzalez but was holding and pointing a knife at the female and child. It was then requested to take a break in the interview.

After the break, Sgt. Gonzalez continued with his statement. Sgt. Gonzalez described the bedroom as a small room. After kicking the bedroom door, Tovar was looking at Sgt. Gonzalez and Deputy Pantoja. Sgt. Gonzalez saw the knife in Tovar's hand which Sgt. Gonzalez described as a "kitchen knife, 9 inches, he was holding it by the handle, pointing it at the lady and the child." Sgt. Gonzalez gave verbal commands to Tovar to drop the knife. Tovar looked at Sgt. Gonzalez before returning his gaze towards the female and child. Sgt. Gonzalez then fired one round at Tovar. Sgt. Gonzalez said he had previously drawn his pistol upon entering the home and his pistol was kept at "low ready" until he encountered Tovar.

Sgt. Gonzalez recognized the object blocking the bedroom door as a clothes dresser approximately 3 – 4 feet tall and the dresser did not allow the door to be fully opened. Sgt. Gonzalez also observed a closet behind Tovar. Sgt. Gonzalez stated, "What was going through my head at that point was if he gets an opportunity, and he lunges at them with the knife, was that he was going to harm the child or the lady, and if he came at us, I would get stabbed or my partner would get stabbed. And so as soon as he turned to look at the lady, that's when I fired my first shot." Sgt. Gonzalez said the shot struck Tovar in the front torso. Sgt. Gonzalez stated Tovar returned to "an aggressive stance" and Tovar continued to hold the knife in his right hand. Sgt. Gonzalez ordered Tovar to drop the knife and heard Deputy Pantoja also order Tovar to drop the knife.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.005**

Sgt. Gonzalez described Tovar as 5' 6" to 5' 8" with short hair and thin build. After the first shot, Sgt. Gonzalez said Tovar again looked at Sgt. Gonzalez before returning his gaze toward the female in the room. Sgt. Gonzalez stated he then fired three additional rounds striking Tovar at least twice. Sgt. Gonzalez noticed a spent shell casing in the air and deduced Deputy Pantoja fired his pistol as well. After being struck, Tovar fell to the floor. Sgt. Gonzalez heard someone state that Tovar still had the knife. Another deputy removed the knife from Tovar and Sgt. Gonzalez removed the female and child from the room. Sgt. Gonzalez turned over the female and child to Deputy Perez and Sgt. Gonzalez returned to the bedroom where he observed the knife was on the floor between Tovar and the female's location prior to her removal from the room.

Sgt. Gonzalez provided his handcuffs to Deputy Ramirez who handcuffed Tovar. First aid was then administered to Tovar. Sgt. Gonzalez cleared the remainder of the home and cleared medical personnel to enter the residence to continue to administer first aid to Tovar. Sgt. Gonzalez directed Deputy Perez to separate the female and the RP into separate vehicles. Sgt. Gonzalez assisted in directing the set up of the crime scene and making the appropriate notifications of the OIS to dispatch. Sgt. Gonzalez directed photographs be taken of the crime scene and the victims. Sgt. Gonzalez then returned to MCSO. Sgt. Gonzalez said the RP indicated Tovar was a neighbor and Sgt. Gonzalez could not state if he knew the suspect by sight from any previous encounters.

When I asked, Sgt. Gonzalez stated he did announce "Sheriff's Office" after entering the residence. Sgt. Gonzalez stated he did not attempt to force the door open further after kicking the door the second time as he and Deputy Pantoja were able to see Tovar through the established opening. Sgt. Gonzalez confirmed Tovar held the knife in his right hand. Sgt. Gonzalez was not given a description of Tovar prior to encountering Tovar. Sgt. Gonzalez stated he ordered Tovar to drop the knife 3 – 4 times.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.005**

Sgt. Gonzalez did not believe he had any additional options available regarding his use of force given the circumstances of the call. Sgt. Gonzalez stated, "At that point with what we were addressing, we were presented with a deadly force situation where there was no time to react for a Taser because a Taser could be ineffective." Sgt. Gonzalez stated Tovar appeared to be unaffected by the first gunshot. Sgt. Gonzalez said, "In my mind, there was no other option." Sgt. Gonzalez explained the use of a Taser had several drawbacks including agitating Tovar causing Tovar to lunge at Sgt. Gonzalez or the female or child.

DAI Torres asked Sgt. Gonzales what was going through his mind when he fired the second volley. Sgt. Gonzalez stated Tovar was still "looking for a target because the knife was, like he's ready to go, he's looking to see, he looked at me and then he looked at the lady and that's kind of where, and the knife was so close to them where it would take one step, one half second, and he could have injured like whether it's fatally or not fatally, and that's kind of where I thought that he was going to take action with the knife." Sgt. Gonzalez clarified "take action" to mean stabbing the victims. Sgt. Gonzalez stated he constantly addressed Tovar and did not give commands to the other deputies inside the residence.

Sgt. Gonzalez also clarified that when Tovar looked at Sgt. Gonzalez, Tovar was "scanning for an option to attack" and that was the basis for Sgt. Gonzalez's first shot. Sgt. Gonzalez estimated the distance between himself and Tovar to be approximately five feet and Tovar was also approximately five feet away from the female and child who were on the floor. Sgt. Gonzalez stated Tovar was standing, holding the knife while "scanning and looked like he was thinking about what he was going to do. So if he had lunged at the lady, in my head, I thought we would not be able to shoot because she would be part of the backdrop. I didn't want to give him that opportunity. Whereas if he had lunged at us, we would still have a clear shot." Sgt. Gonzalez stated other than his commands to Tovar to drop the knife, he did not have time to attempt any other forms of de-escalation. Additionally, Sgt. Gonzalez stated he did not have time to discuss the use of less than lethal options prior to entering the residence.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.005**

Sgt. Gonzalez estimated 1 – 2 minutes elapsed from the time he entered the residence until the shots were fired. Sgt. Gonzalez stated Tovar did not say anything during the encounter. Sgt. Gonzalez stated had there been ample time to retrieve the less than lethal shotgun, it could have been feasible to use. Sgt. Gonzalez stated the call from dispatch, the information he obtained from the RP, and the fact the bedroom door was barricaded, confirmed his belief Tovar was the intruder. Sgt. Gonzalez said the female was seated on the floor and was “sheltering” the child by holding the child with both arms. While both were crying, neither victim made any comments during the incident.

I asked Sgt. Gonzalez what he believed Tovar’s intent was when he first observed Tovar standing in the room with the knife. Sgt. Gonzalez said, “To inflict like serious bodily harm on someone.” Sgt. Gonzalez believed Tovar was intent on injuring somebody. Another break in the interview was taken at this time.

After this break, I asked Sgt. Gonzalez several follow-up questions. I asked Sgt. Gonzalez to describe the female’s position on the floor while holding the child. Sgt. Gonzalez stated the female was sitting on the floor with her feet near her buttocks providing shelter for the child. Sgt. Gonzalez estimated the child to be approximately 2 – 3 years old. Sgt. Gonzalez estimated the female to be in her mid-20s. The female had her arms wrapped around the child. Sgt. Gonzalez said the female and child were chest-to-chest facing each other. Sgt. Gonzalez stated the female appeared to be “in fear for her life” as she was crying. Sgt. Gonzalez stated he believed the female was in fear of her life because she was crying and she was sheltering the child from Tovar by wrapping her arms around the child. Sgt. Gonzalez stated he thought Tovar was going to stab either the female or the child with the knife because of the way Tovar was holding the knife and the way Tovar “target scanned” by looking at Sgt. Gonzalez and then returning his gaze toward the victims attempting to ascertain which target would be the easiest to stab. Sgt. Gonzalez estimated the knife was approximately three feet away from the female and her child.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.005**

Based on his training and experience, I asked Sgt. Gonzalez what possibilities existed with a suspect holding a knife three feet away from a potential victim. Sgt. Gonzalez responded, "A person could get stabbed. It takes less than a second." Sgt. Gonzalez did not recall Tovar moving during the encounter. DAI Torres asked if the distance between Tovar and the female and child changed during the encounter and Sgt. Gonzalez stated, "No." Sgt. Gonzalez stated after the first shot was fired, Tovar maintained the same position and the knife remained approximately three feet away from the female and child. Sgt. Gonzalez could not remember if Tovar moved toward the female and child after the first shot was fired.

Sgt. Gonzalez had no additional information to provide but said, "It was just a very dramatic situation at the time." When I asked Sgt. Gonzalez if he had previously encountered Tovar, he said he recognized Tovar's name after reviewing the CAD (Computer Aided Dispatch) and he knew Tovar lived in the area. Sgt. Gonzalez said he knew Tovar, but he did not recognize Tovar during the encounter inside 404 Hyland Dr. Sgt. Gonzalez said Tovar had previously registered with him as part of Tovar's 290 PC status.

I had no additional questions for Sgt. Gonzalez and ended the interview at approximately 1045 hours.

NARRATIVE:

On 08/15/2023, I received the MCSO Crime Scene Log (Item 01AS) from MCSO Property Technician [REDACTED] which was later booked into evidence at the Monterey County District Attorney's Office. I also booked Item KH 5 into digital evidence at the Monterey County District Attorney's Office.

EVIDENCE:

	MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION	Case #: MCDA 23-0005 Supplement #: DAI RPT.005
---	---	---

<i>ITEM NO.</i>	<i>QUANTITY</i>	<i>DESCRIPTION</i>	<i>LOCATION</i>
KH 5	1 (67.5 megabytes)	Audio of Interview with Sgt. David Gonzalez on 08/11/2023	MCDA Digital Evidence
01AS	1	MCSO Crime Scene Log	MCDA Evidence

RECOMMENDATIONS:

Forward to DAIC J. Ferreria.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

Ryan J. McGuirk
Chief Investigator

Case No.: MCDA 23-0005
Date: 09/15/2023
Supplement Report No.: DAI RPT.006

**Re: Anthony Tovar / Monterey County
Sheriff's Office OIS**

Page 1 of 4
Investigator: Thomas Torres

DECEDENT	Name:	Anthony Tovar
	DOB:	[REDACTED]
	Physical Description:	HMA, 5'3", 130 lbs., Blk/Blk
	Home Address:	[REDACTED]
	Driver License/CII	CA Y8169050 / A37472173
	MCSO Case #	FG2304178
	MCSO Coroner Case #	2023-00685
	Santa Cruz County Coroner Case #	23-06441
VICTIM	Name:	Victim 1
VICTIM	Name:	Victim 2
VICTIM	Name:	Victim 3
INVOLVED SERGEANT	Name:	David Gonzalez
	Agency:	Monterey County Sheriff's Office
INVOLVED DEPUTY	Name:	Cristian Pantoja
	Agency:	Monterey County Sheriff's Office

NARRATIVE:

On 8/11/23 at approximately 1059 hours, Monterey County Sheriff Office (MCSO) Deputy Cristian Pantoja was interviewed regarding his involvement in the Officer Involved Shooting (OIS) that occurred on 08/08/23. Also present during the interview was attorney [REDACTED] representing Deputy Pantoja, and District Attorney Investigator (DAI) Kris Hunsaker. The interview was audio recorded (Items TT 1 and TT 2) using my department issued cellular phone. Items TT 1 and TT 2 were later uploaded into digital evidence at the Monterey County District Attorney's Office.

Deputy Pantoja confirmed this interview was voluntary, and he was not ordered, coerced, or



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.006**

compelled to provide a statement. Deputy Pantoja also had the opportunity to consult with his attorney prior to this interview.

Deputy Pantoja was asked a series of questions regarding his assignment, equipment, training, and experience. The following is a summary of his responses:

Deputy Pantoja said he is employed with the Monterey County Sheriff's Office and is a Deputy in training. Deputy Pantoja has been in the field training program for approximately 2 ½ months. He has been employed with the Sheriff's Office for 4 years and was a jail deputy prior to his current assignment. Deputy Pantoja has attended the basic police academy and does not hold any auxiliary assignments. Deputy Pantoja has not attended any specialized training other than the police academy.

On the day of this interview, Deputy Pantoja was [REDACTED], and his current title is Deputy in training. Deputy Pantoja is issued a Glock 17 Pistol that utilizes a 9 mm round. Deputy Pantoja is also assigned a patrol rifle. The rifle is a Colt rifle that fires a .223 round. The pistol and rifle have an added department-issued flashlight attached to them. The pistol has been issued to Deputy Pantoja for approximately 4 years. The rifle has been issued to him for approximately 1 year.

Deputy Pantoja does not carry a backup weapon. Deputy Pantoja performs functions checks before every shift on both of his issued firearms. Deputy Pantoja qualified with both firearms the week he started the field training program.

On the day of the incident, Deputy Pantoja was wearing a class A uniform which consists of a shirt with Sheriff's Office patches on both sleeves. He was wearing green class A pants and a duty belt. Deputy Pantoja also had a badge on his left chest and a name plate on the right chest. Deputy Pantoja carries two (2) pairs of handcuffs, radio, flashlight, collapsible baton, Glock 17 pistol, taser, OC spray and two (2) pistol magazines on his duty belt.

On the day of the incident Deputy Pantoja was in a marked Sheriff's Office patrol car. The vehicle is equipped with emergency lights and siren. The vehicle is not equipped with a camera. Deputy Pantoja said the Monterey County Sheriff's Office does not issue body worn cameras to deputies.

Deputy Pantoja went on to recall the events of the day of the incident. Deputy Pantoja said he was dispatched to a call that was a 911 hang up. He was told by dispatch that a caller had said there was someone with a knife and then the call was disconnected. Deputy Pantoja was finishing a traffic stop at the time he was contacted by dispatch. After getting in his vehicle, a location was given on Hyland Drive. Deputy Pantoja activated his emergency lights and siren and responded to the area.

While driving to the location, additional information was being provided to Deputy Pantoja. Deputy Pantoja said he was told that a suspect was locked in a room armed with a knife, with a



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.006**

female adult and a child. Upon arriving, Deputy Pantoja said he saw Sgt. Gonzalez running towards the residence where the suspect was located. Deputy Pantoja followed Sgt. Gonzalez into the residence.

Deputy Pantoja said due to the severity of the information he was provided, he unholstered his firearm. When he entered the residence, Deputy Pantoja saw a male adult in the living room of the house. He ordered the adult to exit which he did. Sgt. Gonzalez went down a hallway inside of the residence to a closed door. Sgt. Gonzalez attempted to open the door, but it was locked.

Sgt. Gonzalez told Deputy Pantoja to take a "breach position." Deputy Pantoja believed this meant they would kick the door open. Sgt. Gonzalez kicked the door approximately two (2) times. Deputy Pantoja said he began to feel fear because it was unknown what was inside of the room. Deputy Pantoja said he knew someone had a knife and possible hostages inside of the room. Deputy Pantoja said the door appeared to be barricaded and it opened only slightly after being kicked.

Deputy Pantoja said he looked inside of the room, and he could see a female adult who appeared to be holding a small child and was in distress. The female was crying as was the child and they were on the bedroom floor. Deputy Pantoja said the female adult appeared to be in fear for her life. Deputy Pantoja said he was holding his firearm in a low ready position and was scanning the room. Deputy Pantoja said he saw a Hispanic male adult holding what appeared to be a kitchen knife in his hand. Deputy Pantoja said he was afraid because he did not know the suspect's abilities with the knife. Deputy Pantoja said he began to give the suspect commands such as "drop the knife."

Deputy Pantoja said he felt afraid for his life as well as the life of the female and child. The suspect was in close proximity to the victims as well as the deputies. Deputy Pantoja said that the suspect, later identified as Anthony Tovar, was not listening to any of the commands the deputies were giving him. Deputy Pantoja yelled at Tovar and said, "look at me." Tovar looked at Deputy Pantoja and waived his hand in a motion that Deputy Pantoja took as "go away." Tovar was in a bladed stance and holding the knife out in front of himself. Tovar then began to turn away from Deputy Pantoja and Sgt. Gonzalez towards both victims. Deputy Pantoja said he heard approximately three (3) rounds go off from Sgt. Gonzalez's pistol. Tovar flinched and had a physical reaction to the shots. Deputy Pantoja said he believed the shots had struck Tovar.

Tovar then turned completely around with his back to the deputies. He faced both the female and the child with the knife still in his hand. The blade of the knife was pointed at both victims. Deputy Pantoja said it was at this time he believed it was Tovar's intention to kill both the woman and child. Tovar took a step in the victims' direction with the blade of the knife pointed directly at them. Deputy Pantoja estimated Tovar was only a few feet away from the victims at this time. Deputy Pantoja fired a single shot at Tovar. Tovar stopped and showed a flinch or physical

	MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION	Case #: MCDA 23-0005 Supplement #: DAI RPT.006
---	---	---

reaction to the single shot. Tovar then collapsed with the knife still in his hand. Tovar was on the floor motionless. Deputies forced their way in the room and removed the knife from his hand.

Deputies rendered basic first aid to Tovar. Fire and AMR were also requested over the radio. Tovar was still breathing and had a pulse during this time. Fire and AMR arrived and took over first aid efforts. At this time Deputy Pantoja was relieved from the scene. The interview ended around this time.

RECOMMENDATIONS:

Forward to District Attorney Investigative Captain J. Ferreria.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

DAI

Ryan J. McGuirk
Chief Investigator

Case No.: MCDA 23-0005
Date: 8/14/23
Supplement Report No.: DAI RPT.007

**Re: Anthony Tovar / Monterey County
Sheriff's Office OIS**

Page 1 of 8
Investigator: Rachel Maldonado

DECEDENT	Name:	Anthony Tovar
	DOB:	[REDACTED]
	Physical Description:	HMA, 5'3", 130 lbs., Blk/Blk
	Home Address:	[REDACTED]
	MCSO Coroner Case #	2023-00685
	Santa Cruz County Coroner Case #	23-06441
VICTIM	Name:	[REDACTED]
	Home Address:	[REDACTED]
	Phone No.:	[REDACTED]
VICTIM	Name:	[REDACTED]
	Home Address:	[REDACTED]
VICTIM	Name:	[REDACTED]
	Home Address:	[REDACTED]
INVOLVED SERGEANT	Name:	David Gonzalez
	Agency:	Monterey County Sheriff's Office
INVOLVED DEPUTY	Name:	Cristian Pantoja
	Agency:	Monterey County Sheriff's Office

SYNOPSIS:

This report documents the contact and interview with Deputy Josue Ramirez regarding the Officer Involved Shooting that occurred on August 8, 2023. Also present during the interview was Attorney [REDACTED], representing Deputy Ramirez, and Monterey County District Attorney Investigator Justin Bell.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.007**

NARRATIVE:

At approximately 1130 hours, I met with Monterey County Sheriff's Office (MCSO) Deputy Josue Ramirez, Attorney [REDACTED] and Monterey County District Attorney Investigator Justin Bell at the Monterey County District Attorney's Office for an interview. The interview was audio recorded using my department issued digital recorder, and officially began at 1158 hours.

It should be noted that due to a break during the interview, there are a total of two audio recordings for this interview. The first interview will be labeled Interview Part 1, and the second, Interview Part 2.

Deputy Ramirez stated that this interview was voluntary, and he was not ordered, coerced, or compelled to provide a statement. He also had the opportunity to consult with his attorney prior to this interview.

Deputy Ramirez was asked a series of questions regarding his assignment, equipment, training, and experience. The following is a summary of his responses:

Deputy Ramirez is currently assigned to the patrol division of the Monterey County Sheriff's Office (MCSO), which was the capacity he was working at the time of the Officer Involved Shooting (OIS). Deputy Ramirez was also a breacher on the MCSO SWAT team, a drone operator, and a Field Training Officer (FTO). Deputy Ramirez has been a sworn deputy with MCSO since 2015 (approximately 8 years). He did not work for any other departments prior to MCSO. Deputy Ramirez's badge/CAD number is R8475, and on the day of the OIS his call sign was 1Z3. Deputy Ramirez is [REDACTED]

Deputy Ramirez has training in the police academy, CPR training, less lethal force options training and arrest and control techniques training. He has not yet attended CIT training for Crisis Intervention or Critical Incidents.

	<p align="center">MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION</p>	<p>Case #: MCDA 23-0005 Supplement #: DAI RPT.007</p>
---	---	---

On the day of the OIS, Deputy Ramirez was carrying the following firearm:

- Glock 17, 9mm – Primary Duty Weapon

This firearm is department-issued. Deputy Ramirez has had this firearm for over 5 years. The only modifications were a mounted flashlight and grip additions. He last qualified with this weapon in March of 2023, which was also the last time he did a function check. The magazine was loaded to capacity (17 rounds) plus one in the chamber.

Deputy Ramirez did not fire his weapon during this incident.

At the time of his response to the scene, Deputy Ramirez was dressed in his patrol uniform which consisted of a tan shirt, green BDU uniform pants, a tan outer carrier bearing a badge, name plate, MCSO patches on both sleeves and a patch on the back of the carrier which read “Sheriff.” Also on the carrier were a flashlight, pepper spray, taser, baton, handcuffs, magazines, and an admin pocket with pens and a notepad. Deputy Ramirez wore a duty belt with only his firearm which was in a drop-down holster attached to his leg. He also wore tactical boots.

On the day of the OIS, Deputy Ramirez’s assigned vehicle was patrol unit 3089. Deputy Ramirez was working in an FTO capacity the evening of the shooting, and he shared this vehicle with his trainee, Deputy Pantoja, who conducted an inspection on the vehicle prior to the start of the shift. Deputy Ramirez believed all the equipment in the vehicle was functioning. The vehicle was equipped with a less lethal shotgun. Deputy Ramirez said the vehicle usually has a WRAP, which is a device used to restrain combative individuals. He did not know if the WRAP was in the trunk that evening since he did not inspect the vehicle. The vehicle was not equipped with any cameras.

Deputy Ramirez was then asked to explain in his own words the circumstances surrounding this OIS. The following is a summary of his statement:



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.007**

Deputy Ramirez and Deputy Pantoja were on patrol and had just cleared a traffic stop in the city of Salinas at Boronda Road and North Main St. Dispatch advised of a 911 hangup call where a reporting party (RP) reported a man was inside of his residence with a knife. While enroute to the scene, dispatch updated something regarding a mother and a child; however, due to the chaos he, could not recall any more details.

Deputy Pantoja was driving, and they headed towards the residence with lights and sirens activated. Deputy Ramirez was the passenger and was talking to Deputy Pantoja making sure they knew where they were going and the fastest route to take.

Deputy Ramirez heard Sergeant David Gonzalez advise he had arrived on scene just a few seconds before he and Deputy Pantoja arrived. Deputy Ramirez saw Sergeant Gonzalez speaking with a male outside in front of the house. As they were exiting the vehicle, they saw Sergeant Gonzalez run into the home. Deputy Pantoja immediately ran after Sergeant Gonzalez. Deputy Ramirez immediately followed Deputy Pantoja. As he entered the home, Deputy Ramirez could see Sergeant Gonzalez at the right side of a door in a hallway just past the kitchen. Deputy Pantoja met and stood to the left of that same door. Sergeant Gonzalez began to kick in the door as Deputy Ramirez arrived and stood directly behind Deputy Pantoja. He said the room was at the northeast corner of the home.

As the door was kicked open, they noticed it was obstructed by an object, and they could not enter. Deputy Ramirez could not see inside, but he knew Deputy Pantoja and Sergeant Gonzalez were challenging someone as they shouted, "Drop the knife." As this was going on, Deputy Ramirez was able to see into the opposite side of the room where a mother and a child were on the floor. He described them as being terrified, trembling, and hugging each other.

Deputy Ramirez said commands continued towards the suspect to drop the knife. Deputy Ramirez said he also made commands to drop the knife even though he could not see the suspect. Deputy



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.007**

Ramirez then heard a firearm discharge followed by more commands to drop the knife. Deputy Ramirez heard a firearm discharge again, and then they entered the room. As they entered, Deputy Ramirez could see the suspect on the floor. He also saw the knife.

Deputy Ramirez went directly to the mother and child, got them up and escorted them out of the room. Deputy Ramirez returned to the room, handcuffed the suspect, turned him over and began to render medical aid (refer to the audio recording for details on Deputy Ramirez's efforts to treat the suspect). AMR and fire personnel arrived a short time later and took over medical treatment of the suspect.

Deputy Ramirez recalled that the officers present during the shooting were Sergeant Gonzalez, Deputy Pantoja, Deputy Perez and himself.

I followed up with questions for Deputy Ramirez regarding his mindset during this incident. After hearing initial radio traffic, Deputy Ramirez was in fear for the mother and child. He said he has two daughters himself, so this was terrifying.

Deputy Ramirez said he had no prior knowledge of the suspect, and he did not know who the suspect was. Deputy Ramirez said he had no interactions with the suspect prior to the shooting, and the only time he saw him was after deputies entered the room. Prior to the shooting, Deputy Ramirez did not hear or see the suspect.

Deputy Ramirez did not recall if any description of the suspect was broadcasted prior to his arrival. Deputy Ramirez's mindset upon arrival was that he needed to be with his sergeant and Deputy Pantoja. He said he did not know if Sergeant Gonzalez heard or saw something, but since he ran into the house by himself, Deputy Pantoja and Deputy Ramirez immediately followed him so they could go in together.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.007**

Deputy Ramirez said there was no plan formulated during this incident, and everything happened so quickly that he could only react to the other officers' actions. Deputy Ramirez did not hear communication during the call amongst officers, but he was the last to walk up. As he walked up, he put his hand on the shoulder of Deputy Pantoja in preparation for room entry and to alert Deputy Pantoja that Deputy Ramirez was behind him. This was for tactical purposes as he was trained during SWAT. Deputy Ramirez said that had they been able to enter the room at that point, he would have remained with Deputy Pantoja and provided him direction while dealing with the situation. Due to the circumstances, Deputy Ramirez was not able to do this.

Upon arrival at the scene, Deputy Ramirez recalled Sergeant Gonzalez talking to a male he believed to be the reporting party. The male appeared to be in a state of panic. Deputy Ramirez did not hear their exchange.

Deputy Ramirez did not recall anyone on scene verbally identify themselves as law enforcement. He said the command of "drop the knife" was given several times. He said it was more than two. He could not recall any background noise that would obstruct the suspect's ability to hear commands.

Deputy Ramirez described the layout of the residence as a living room that feeds into the kitchen. The kitchen leads to a hallway where the door to the room is located. This was where the four officers were positioned as they challenged the suspect. From where he was standing in the hallway, Deputy Ramirez estimated he was 10 feet from the mother and child in the room.

Deputy Ramirez said he did not discharge his weapon. Sergeant Gonzalez and Deputy Pantoja discharged their weapons.

I asked Deputy Ramirez what he thought the suspect was trying to do. He mentioned there were many unknowns regarding the suspect and he was worried he would violently hurt the mother and



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.007**

the little girl. He was thinking the worst based on the fact he believed the suspect was a random person in the home, and he was worried of a violent sexual assault.

DAI Bell asked Deputy Ramirez if any information he received gave him the sense of the type of call this was, specifically to know whether this was a stranger or a domestic violence situation. Deputy Ramirez responded that he could not discern what type of call it was, nor could he know if there were issues with the RP. In his mind, Deputy Ramirez understood this to be a hostage situation based on the information he was given.

Deputy Ramirez said that there were no other force options available to deal with the situation. He said that everything happened very quickly and the deputies that shot had to instantly react to what was in front of them. From the time they entered the home until the time of the shots, Deputy Ramirez estimated it was less than a minute. In his mind, when he saw the door was intentionally blocked by the suspect, he believed the suspect was trying to prevent anyone from entering the room.

DAI Bell asked Deputy Ramirez about the potential danger of a person with a knife, based on his training and experience. He said a knife can cause severe damage or life-threatening injuries. It could take seconds for a person with a knife to severely injure someone. In this situation, there was not enough time to run to a vehicle to get a less lethal option. When they arrived, the immediate instinct was to be with Sergeant Gonzalez, so he was not by himself, and Deputy Ramirez needed to remain with Deputy Pantoja.

Deputy Ramirez said that upon opening the door, it opened about a foot. With the layout of the hallway and the amount of space available, they would not have been able to deploy a taser or other less lethal options. Deputy Ramirez did not have a good angle or view to deploy one of these options.

	MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION	Case #: MCDA 23-0005 Supplement #: DAI RPT.007
---	---	---

This concluded the interview of Deputy Ramirez. The interview was concluded at 1241 hours.

RECOMMENDATIONS:

Forward to Deputy District Attorney Investigative Captain J. Ferreria.

EVIDENCE:

<i>ITEM NO.</i>	<i>QUANTITY</i>	<i>DESCRIPTION</i>	<i>LOCATION</i>
RA1	1	Audio Recording of interview with Deputy Ramirez Part 1	Digital Discovery
RA2	1	Audio Recording of interview with Deputy Ramirez Part 2	Digital Discovery



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

Ryan J. McGuirk
Chief Investigator

Case No.: MCDA 23-0005
Date: 08/24/2023
Supplement Report No.: DAI RPT.008

**Re: Anthony Tovar / Monterey County
Sheriff's Office OIS**

Page 1 of 6
Investigator: J. Bell

DECEDENT	Name:	Anthony Tovar
	DOB:	[REDACTED]
	Physical Description:	HMA, 5'3", 130 lbs., Blk/Blk
	Home Address:	[REDACTED]
	Driver License/CII	CA Y8169050 / A37472173
	MCSO Case #	FG2304178
	MCSO Coroner Case #	2023-00685
	Santa Cruz County Coroner Case #	23-06441
VICTIM	Name:	[REDACTED]
	Home Address:	[REDACTED]
	Phone No.:	[REDACTED]
VICTIM	Name:	[REDACTED]
	Home Address:	[REDACTED]
VICTIM	Name:	[REDACTED]
	Home Address:	[REDACTED]
	Phone No.:	[REDACTED]
INVOLVED SERGEANT	Name:	David Gonzalez
	Agency:	Monterey County Sheriff's Office
INVOLVED DEPUTY	Name:	Cristian Pantoja
	Agency:	Monterey County Sheriff's Office

	MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION	Case #: MCDA 23-0005 Supplement #: DAI RPT.008
---	---	---

SYNOPSIS:

This report summarizes the interview of witness Deputy Jason Perez.

SUMMARY:

On 8/11/2023 at approximately 1305 hours, Investigator Maldonado and I interviewed witness Deputy Jason Perez at the Monterey County District Attorney's Office in Salinas. The interview was regarding the deputy involved shooting that occurred on 8/11/2023 in the city of Salinas. Deputy Perez was represented by his attorney, [REDACTED]
[REDACTED] I audio recorded the interview and uploaded the interview to evidence.com as JB-1.

Deputy Perez confirmed he was present to provide a voluntary statement, and that he had been able to consult with his attorney prior the interview. Deputy Perez provided the following information about his assignment, training, equipment and uniform:

	Background And Experience
Name	Jason Perez
Agency	Monterey County Sheriff's Office
Date of Hire	March 3, 2013
Rank	Deputy
Age	[REDACTED]
Years of Law Enforcement Experience	10 Years of law Enforcement Experience 4 Years of Patrol experience
Current Assignment	Patrol
Auxiliary Assignments	Drone team
Specialized Training	Police Academy, Field Training program Annual departmental firearms training Pistol and Rifle qualification Less Lethal training on taser, OC spray, baton, less lethal shotgun and Pepper ball



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.008**

Call Sign	1Z4
Badge Number	P6081
	Uniform/Equipment
Uniform Description	Green BDU pants with exterior tactical vest Metal badge on chest Large lettering 'sheriff' on back Sheriff's patches on both shoulders Hat with Sheriff's cloth badge Taser Handcuffs, OC Spray Two spare magazines on the vest Police Radio
Equipment	Duty belt with firearm and tourniquet
	Vehicle
Vehicle Used	Dodge Charger Marked black and white vehicle with Sheriff's on the doors and back Siren and emergency lighting
Use of Force Equipment available in vehicle	Less lethal shotgun
Is there BWC or DashCam Footage	None
	Weapons
Make/Model/Caliber	Glock unknown model 9mm
Serial Number	Unknown
Department Issued	Department issued
How long has it been issued?	Approximately 2 years
Modifications/Accessories	Department approved flashlight
Qualification Date	June of 2023
Magazine Capacity and Loadout	17 rounds in the magazines plus one in the chamber
Last function check	Cleaned after last qualification



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.008**

Deputy Perez told me the following in summary:

Deputy Perez is normally assigned to coastal patrol, but they were short staffed in Salinas and he volunteered to be reassigned. Deputy Perez was with Deputy Ramirez and Deputy Pantoja at a traffic stop at Boronda Rd. and North Main Street. At approximately 2132, hours he received a dispatch call from Monterey County Communications that a male was reporting that a subject was in his house with a knife locked in a room. He said the details were vague at that time.

Deputy Perez responded to [REDACTED] Hyland Drive with lights and sirens (code 3) behind Deputy Ramirez and Deputy Pantoja. He received updates that the reporting party (RP) was asking them to hurry, and said that the subject was in the house with his wife with a knife.

Deputy Perez heard Sgt. Gonzales attach himself to the call. They received an update that there was a man with a knife locked in a room with the caller's wife and child. Sgt. Gonzales arrived and updated over the radio that he was being flagged down by a male.

Deputy Perez arrived on scene shortly after. Deputy Perez saw Deputy Pantoja and Deputy Ramirez running towards the front of the house. Deputy Perez started running after them then paused for a second and thought that he should get the less lethal shotgun out of his trunk. Deputy Perez saw Sgt. Gonzales "basically leap into the house" and he felt that Sgt. Gonzales had more information because he had arrived first and had spoken to the RP already. Based on Sgt. Gonzales' actions and the information he had already received, Deputy Perez felt that the circumstances were so exigent that there was not time to go back and get the less lethal shotgun. Deputy Perez ran towards the house.

Deputy Perez said based on the information he had received from dispatch told him that they needed to get into the house quickly. He felt that the subjects were in danger, and he felt that there was just no time. Based on the information he had, he felt that the suspect's intention was to harm the woman and child or the responding deputies.

When Deputy Perez got to the front door of the residence, he, the RP, and another male were standing just outside the house and he told them to get farther away. When he was inside, he could hear kicking "bang bang" and the voice of Sgt. Gonzales yelling "open the door, open the door" When Deputy Perez got to the hallway, he could see Sgt. Gonzales to the right and Deputy



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.008**

Pantoja a little bit to the left. Deputy Perez was right behind Deputy Ramirez. He could see that the door was open 1.5 to 2 feet and appeared to be barricaded by a dresser with a mirror attached to it. He could see the deputies trying to push it but it would not move. At that time all he could see through the opening in the door was the dresser blocking the doorway and the back wall of the room. Deputy Perez could not see the mother and child or the suspect in the room. He then heard "drop the knife, drop the knife" before hearing a bang, and then another bang. He said there was about 5 seconds between the first bang and the second bang.

I asked if there was anything going on at the time of the commands to drop the knife that would have prevented someone from hearing the deputies. He said there was not. I asked if he heard any announcements that it was the police or sheriff's department, and he said, "no."

When Deputy Perez saw that the door was barricaded, Deputy Perez thought that meant that the victims were in danger. That meant that the suspect was not going to come out, and was going to harm the child or the mother, because he had barricaded himself in with them.

Deputy Perez turned around and saw the RP behind him and had to tell him to get back outside.

Deputy Perez had to help get the door open because it was still barricaded. He saw the suspect on the ground wounded and the mother and child huddled over in a fetal position crying with the mother bear hugging the child. They ended up breaking the door basically in half and climbed over the dresser to get inside the bedroom. Deputy Perez pulled the mother and child out of the room and checked them to make sure they were okay. A little later AMR Ambulance arrived. Deputy Perez put the mother and child into his patrol car, and put the husband into another patrol car.

Deputy Perez was told to remain with Deputy Pantoja and they did not discuss anything about the incident.

I asked, based on his training and experience, what threat someone with a knife posed. He said a knife could easily kill or seriously injure the victims.

I asked if Deputy Perez had the less lethal shotgun upon his arrival into the house, if it could have changed the way the situation was handled. Deputy Perez said he did not think so.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.008**

Firstly, the less lethal shotgun has a standoff distance. Based on the fact that it was such a small room he would not have been able to deploy it safely. Additionally, if the less lethal shotgun was not effective, the suspect could have been angered and then taken out his aggression on the victims while they were barricaded in the room. He said that door was so effectively barricaded that it took the deputies substantial time and effort to get the door open even after the suspect was down.

Deputy Perez also described that he could not see the suspect from his position in the hallway, and that he would have needed to get around and in front of the other deputies before he would have an opportunity to use it, and in doing so he would have removed their ability to deploy lethal force and have lethal cover.

Deputy Perez said he did not hear any sound from inside the room prior to the shooting, and could not see the suspect. He did not hear any words from the suspect. He did not have any prior knowledge of the suspect or the residence they had entered.

Deputy Perez thought that maybe 1 or 2 minutes passed between his arrival on scene and the shooting. He said the whole scene was so dynamic and fast, everything happened in a split-second decision.

Deputy Perez never fired his weapon. Deputy Perez said he did not render medical aid to the suspect because he was responsible for the victim and her child.

Deputy Perez said he did not think they had any other force options based on how quickly the events transpired. They did not even get a chance to think about using OC or other options. He said OC also would not have been a good option because everyone would have been effected by it in such a confined space, and they would have lost control over the whole situation.

He felt that if they had tried a taser, people are aware of how to defeat the taser. He felt if they had tried to tase the suspect and it failed, he would have been angered into action to harm the victim and her child. Deputy Perez said the suspect had the advantage over them the entire time. Based on what Deputy Perez saw once in the room, he understood the suspect was a lunge away from the victims and it would have taken less than a second for him to harm them.

RECOMMENDATIONS:

Attach to OIS investigative report.



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

Ryan J. McGuirk
Chief Investigator

Case No.: MCDA 23-0005
Date: 08/22/2023
Supplement Report No.: DAI RPT.009

**Re: Anthony Tovar / Monterey County
Sheriff's Office OIS**

Page 1 of 3
Investigator: C. Quaglia

DECEDENT	Name:	Anthony Tovar
	DOB:	
	Physical Description:	HMA, 5'3", 130 lbs., Blk/Blk
	Home Address:	
	Driver License/CII	CA Y8169050 / A37472173
	MCSO Case #	FG2304178
	MCSO Coroner Case #	2023-00685
	Santa Cruz County Coroner Case #	23-06441
VICTIM	Name:	VICTIM 1
VICTIM	Name:	VICTIM 2
VICTIM	Name:	VICTIM 3
INVOLVED SERGEANT	Name:	David Gonzalez
	Agency:	Monterey County Sheriff's Office
INVOLVED DEPUTY	Name:	Cristian Pantoja
	Agency:	Monterey County Sheriff's Office
CONTACTED	Name:	Dr.
	Agency:	Santa Cruz County Sheriff's Office
CONTACTED	Name:	, Evidence Clerk
	Agency:	Santa Cruz County Sheriff's Office
MENTIONED	Name:	, Criminalist
	Agency:	Santa Cruz County Sheriff's Office
MENTIONED	Name:	Autopsy Technician
	Agency:	Santa Cruz County Sheriff's Office

	MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE BUREAU OF INVESTIGATION		Case #: MCDA 23-0005
			Supplement #: DAI RPT.009

MENTIONED	Name:	Autopsy Technician
	Agency:	Santa Cruz County Sheriff's Office

SUMMARY:

At the time of this investigation, I was employed as a Monterey County District Attorney's Office (MCDA) Investigator (DAI). On Friday, August 11th, 2023, I was assigned to attend the autopsy of decedent Anthony Tovar at the Santa Cruz County Sheriff's Office (SCSO) Coroner Autopsy Suite. The autopsy was conducted by Chief Forensic Pathologist Dr. [REDACTED], it began around 0900 hours and concluded at around 1500 hours. SCSO Criminalist [REDACTED], and Autopsy Technicians [REDACTED] and [REDACTED] were assisting. Monterey County District Attorney Investigative Aide (DAIA) [REDACTED] were in attendance. [REDACTED], and I witnessed the autopsy from a viewing room adjoined to the autopsy suite. We viewed the autopsy suite directly through a glass partition and electronically via closed circuit television monitoring. The rooms were equipped with two-way communication via an intercom system.

I observed the decedent in a white body bag labeled as "Anthony Tovar" and sealed with bag lock #85571. I witnessed Criminalist [REDACTED] taking photographs to document the postmortem examination. I witnessed Criminalist [REDACTED] collect the following items of evidence during the autopsy:

<u>Catalog #:</u>	<u>Item #:</u>	<u>Number of</u> <u>Packages:</u>	<u>Description of Articles:</u> (include model, serial no., identifying marks, condition, etc.)
8058	CQ01	1	DNA sample collected by SCSO Tech [REDACTED]
8059	CQ02	1	Bag Lock #85571 collected by SCSO Criminalist
8060	CQ03	1	Decedent's R Shoe collected by SCSO Criminalist
8061	CQ04	1	Decedent's L Shoe collected by SCSO Criminalist
8062	CQ05	1	Decedent's R Sock collected by SCSO Criminalist
8063	CQ06	1	Decedent's Left Sock collected by SCSO Criminalist
8064	CQ07	1	Decedent's Underpants collected by SCSO Criminalist



**MONTEREY COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

**Case #: MCDA
23-0005
Supplement #:
DAI RPT.009**

8065	CQ08	1	Decedent's Shirt collected by SCSO Criminalist
8066	CQ09	1	Projectile A from Right Chest Wall collected by SCSO
8067	CQ10	1	Projectile D from Right Chest Wall collected by SCSO
8068	CQ11	1	Projectile from Right Lung collected by SCSO
8069	CQ12	1	R Hand Fingernail Swabs collected by SCSO
8070	CQ13	1	L Hand Fingernail Swabs collected by SCSO
8071	CQ14	1	Two (2) Blank Water Swabs collected by SCSO
8072	CQ15	1	R Hand Fingernail Clippings collected by SCSO
8073	CQ16	1	L Hand Fingernail Clippings collected by SCSO
8074	CQ17	1	Digital Evidence from SCSO uploaded to Evidence.com

At the conclusion of the autopsy, [REDACTED] stated that the cause of death was two (2) gunshot wounds. One (1) projectile struck the left lung, the heart, and the right lung. The other projectile struck the T-5 vertebrae and the right lung. The death occurred "within minutes" of the injuries.

On 08/18/23 I met with SCSO Evidence [REDACTED] at the SCSO Evidence Room located on [REDACTED] in Santa Cruz and received the above listed items of evidence (CQ01-CQ17). I transported the items to the MCDA evidence room in Salinas where I logged each item and placed them into intake for processing.

No further information.

RECOMMENDATIONS:

Forward to investigations Captain John Ferreria and Investigator Kris Hunsaker.

MONTEREY COUNTY SHERIFF

1414 NATIVIDAD ROAD
SALINAS CA 93906
PHONE (831) 755-3700
FAX (831) 755-3810

FG2304178

Case Number

1ST DEGREE RES BURG						
Reporting Officer	Reporting Officer	Reporting Officer	Reporting Officer	Date / Time Reported	Date / Time / Day (From)	Date / Time / Day (To)
SCHUMACHEREP				08/09/23 21:30	08/08/23 21:30	08/08/23 21:36

Street Address

HYLAND DR , SALINAS

Cross Street

460(A) PC F BURGLARY:FIRST DEGREE

VICTIM(s)

NON SUSPECT(s)

NO. 01	Name (Last, First, Middle) (DELETED 08/11/2023),
NO. 02	Name (Last, First, Middle) (DELETED 08/11/2023),
NO. 03	Name (Last, First, Middle) (DELETED 08/11/2023),

ADULT

ADULT

SUSPECT(s)

NO. 01	Name (Last, First, Middle) TOVAR, ANTHONY						Phone 0 -		Race H	Sex M	
							HT 503	WT 130			
	Eyes BLACK						Appearance				Nickname
	Hair Length						Hair Style				
	Facial Hair						Speech		Complexion		
	Identifier						Demeanor		Weapon		
	Juvenile / Adult ADULT						Occupation				

PROPERTY / EVIDENCE

NO. 01	Involvement EVIDENCE		Value \$ 0.00		Officer SOTOESPINOZA		Recover Date //		Entered 08/09/2023	
	Quantity 1	Name DOCUMENTS		Make	Model		Primary Color WHITE	Trim Color	Year / Age	Size / WT / Cal
	Officer Applied Number 01AS		Serial	Lic. Owner Applied No		CLETS Number		Owner		
	Bike	Gears	Wheel Size	Seat Make	Fender	Check No	Bank Branch	Date Written //	Gun Type	Barrel Length
Misc Information CRIME SCENE LOG										

MONTEREY COUNTY SHERIFF

1414 NATIVIDAD ROAD
SALINAS CA 93906
PHONE (831) 755-3700
FAX (831) 755-3810

FG2304178

Case Number

Attachments: Supplemental Narratives

Supplement Number	Date	Description
01	08/09/2023	MEILAN SUPPLEMENT
02	08/09/2023	BROWN SUPPLEMENT
03	08/09/2023	SOTO SUPPLEMENT
04	08/09/2023	SUPPLEMENT 04
05	08/09/2023	ROMERO SUPP
06	08/10/2023	SGT. KENNEDY RESPONSE
07	08/10/2023	HOPKINS INTIAL
08	08/10/2023	DET. WILSON RESONSE

Copies To

Signature Verifying Original Copy of Case: _____ Date: _____

Released By: _____ Received By: _____ Date: _____

8/31/2023 8:26:20AM
Print Date/Time

controlled document, duplication or re-issuance controlled by law.

PageNo. 2

MONTEREY COUNTY SHERIFF

1414 NATIVIDAD ROAD
SALINAS CA 93906
PHONE (831) 755-3700
FAX (831) 755-3810

FG2304178

Case Number

Victim's Confidential Personal Information

The following is considered confidential personal information as per California Penal code 964(b) and is provided below to be disseminated in accordance with an agreeable procedure between local law enforcement, the district attorney and the courts to protect the victims and witnesses of crimes.

VICTIM(s)

NO
01

NO
02

NO
03

MONTEREY COUNTY SHERIFF

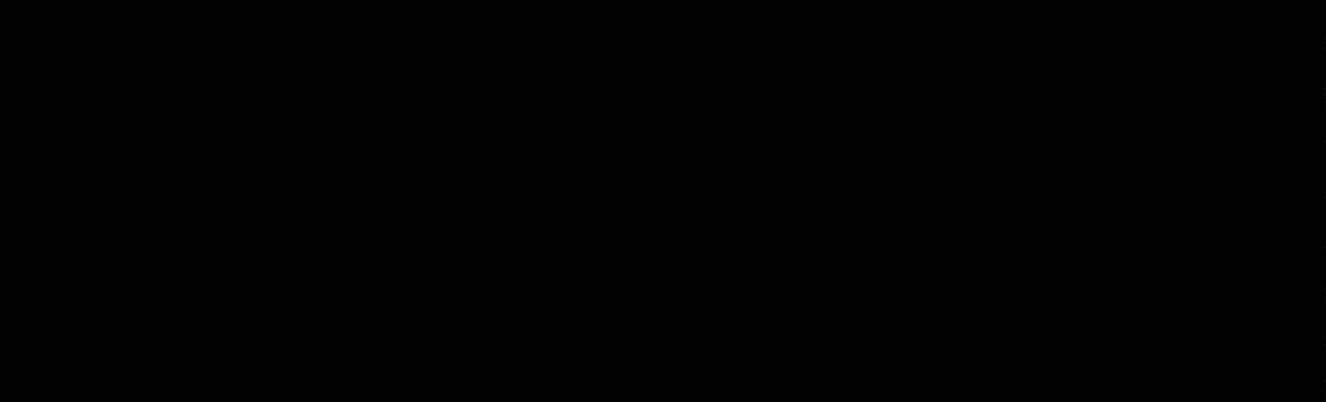
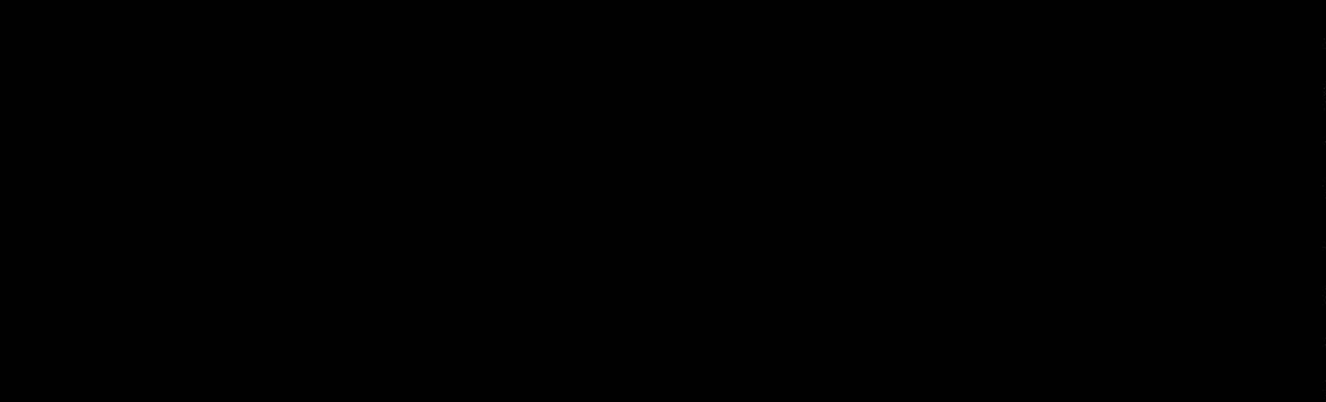
1414 NATIVIDAD ROAD
SALINAS CA 93906
PHONE (831) 755-3700
FAX (831) 755-3810

FG2304178

Case Number

Witness Confidential Personal Information

The following is considered confidential personal information as per California Penal code 964(b) and is provided below to be disseminated in accordance with an agreeable procedure between local law enforcement, the district attorney and the courts to protect the victims and witnesses of crimes.

NON SUSPECT(s)						
NO. 01	Name (Last, First, Middle) (DELETED 08/11/2023),		Involvement CONTACTED		Nickname	
	Primary Address		Phone ()-		DOB #	Race Sex
	Secondary Address		Phone ()-		DL Number	
			Occupation			
NO. 02	Name (Last, First, Middle) (DELETED 08/11/2023),		Involvement WITNESS		Nickname	
	Primary Address		Phone ()-		DOB #	Race Sex
	Secondary Address		Phone ()-		DL Number	
			Occupation			
NO. 03	Name (Last, First, Middle) (DELETED 08/11/2023),		Involvement REPORTING PARTY		Nickname	
	Primary Address		Phone ()-		DOB #	Race Sex
	Secondary Address		Phone ()-		DL Number	
			Occupation			
NO. 04					Race H	Sex M
					Number	
NO. 05					Race H	Sex F
					Number	

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

Case Number
FG2304178

Date
08/09/23

Officer
SCHUMACHEREP

Primary Narrative

On 8-08-23, at approximately 2130 HRS, deputies were dispatched to [REDACTED] Hyland Dr, Salinas. The RP, [REDACTED] stated there was a male subject inside his residence. The male was in a bedroom, with [REDACTED] The male was armed with a knife.

At approximately 2135 HRS, SGT D GONZALEZ, FTO RAMIREZ, Deputy C PANTOJA, and Deputy J PEREZ arrived on scene.

At approximately 2136 HRS, radio traffic advising "shots fired" was put out.

Deputy SOTO and I responded from the area of Highway 1 and Merritt St, Castroville. We responded with emergency lights and siren.

While en route to the incident, I assumed the role of Patrol Supervisor, as the only on duty supervisor was involved in the incident.

I contacted Commander N DAVIS, via cellular telephone, advised of the deputies involved in a shooting, and stated more information would be provided as soon as I arrived on scene.

At approximately 2147 HRS, upon arrival on scene, I advised Deputy SOTO to start a crime scene log and establish the entry/exit point at the intersection of El Rancho Way and Hyland Dr, Salinas.

I then contacted SGT GONZALEZ, who was standing out in front of the residence.

I confirmed SGT GONZALEZ had no injuries and obtained a Public Safety Statement.

SGT GONZALEZ stated he fired 1 round from his department-issued Glock 17M. When the suspect did not react to this, he fired 2, or possibly 3, more rounds from his handgun.

SGT GONZALEZ stated there were no outstanding subjects, no other persons were injured, and the incident occurred in the bedroom, located to the rear of the residence.

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

I then entered the residence, where I found Salinas Fire personnel, as well as AMR Medical personnel, providing medical treatment to the male subject.

I checked on FTO RAMIREZ and Deputy C PANTOJA. Both advised they had no injuries.

FTO RAMIREZ stated he did not engage the subject, as Deputy PANTOJA and SGT GONZALEZ were positioned in front of him at the time of the incident.

I then spoke with Deputy PANTOJA.

I obtained a Public Safety Statement from Deputy PANTOJA.

Deputy PANTOJA stated he fired 1 round from his department-issued Glock 17M.

Deputy PANTOJA stated there were no outstanding subjects, no other persons were injured, and the incident occurred in the bedroom.

After speaking with SGT GONZALEZ and Deputy PANTOJA, it was apparent there was no longer any threat to the residents, deputies, or the general public. The incident was contained to the bedroom, inside the residence. There were no outstanding suspects, and all involved parties were accounted for.

Several minutes later, FTO MEILAN and Deputy M BROWN arrived on scene.

I had them relieve FTO RAMIREZ and stand by in the bedroom for scene security.

Deputy PANTOJA was then placed in a marked patrol vehicle with Deputy J PEREZ, who stated he was not involved in the incident.

SGT GONZALEZ was placed in a marked patrol vehicle with Deputy ROMERO.

FTO RAMIREZ was placed in a marked patrol vehicle with Deputy MORAN.

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

I advised the involved deputies to contact their family/significant others to tell them they were involved in a critical incident and that they were safe. They were advised to not talk to anyone about the incident, whether it was family, or other law enforcement officers.

SGT GONZALEZ, FTO RAMIREZ and Deputy PANTOJA were then taken to the Central Patrol Station, Salinas.

The mother and child had already been removed from the residence and were secured in a patrol vehicle.

A short time later, Commander N DAVIS and Commander J SMITH arrived on the scene.

Both were briefed and provided with as much information as possible.

At the time, the identity of the subject was unknown. He did look familiar, but I could not recall his name at the time. I did recall him being contacted while investigating a sexual assault at a residence across the street, down an alleyway. I could not recall the address but did recall contacting him while assisting with that case.

This information was later passed on to investigators.

None of the involved deputies were able to identify the male.

Monterey County District Attorney's Office Investigators arrived on the scene, as well as detectives from the Monterey County Sheriff's Office.

Scene security was maintained by Monterey County Sheriff's Office deputies, as well as Salinas Police Officers.

The investigation was taken over by the Monterey County District Attorney's Office Investigators.

Nothing further from this deputy at this time.

Case continued with Monterey County District Attorney's Office.

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

Approved by : KENNEDYNM Date : 08/10/2023 09:21 AM

MONTEREY COUNTY SHERIFF1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810**Case Number**
FG2304178**Date**
08/09/23**Officer**
MEILANJ**Supplement 01**

On 8-8-2023, at approximately 2136 hours, Deputy M. Brown and I responded to [REDACTED] Hyland Drive in Salinas. Deputies had previously responded to the address, at about 2130 hours, to a report of a male inside of a residence with a knife. At about 2136 hours, deputies on scene broadcast "shots fired". We then responded code 3 with our emergency lights and sirens from the area of Moss Landing on Highway 1.

We arrived at the scene at about 2147 hours, and I saw crime scene tape had been placed on Hyland Drive at El Rancho Way. Deputy A. Soto was maintaining the crime scene log and I checked in with him and then entered the scene. I entered the residence and moved to the back bedroom where numerous Fire Personnel from Engine #2 and AMR Medical Personnel from unit 48 were rendering medical aid to a male who was lying on the ground in the back bedroom of the residence. The subject was declared deceased a short time later.

Fire and AMR personnel left the scene a short time later and Deputy Brown and I relieved Deputy J. Ramirez who was maintaining scene security in the bedroom. We then remained as scene security until relieved by Monterey County District Attorney's Office investigators.

Nothing further from this Deputy.

Case continues with the Monterey County District Attorney's Office.

Approved by : KENNEDY NM Date : 08/10/2023 09:23 AM

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700

Fax (831) 755-3810

Case Number

FG2304178

Date

08/09/23

Officer

BROWNNMM

Supplement 02

On 8/8/2023, at about 2130 hours, deputies were dispatched to [REDACTED] Hyland Dr., Salinas on the report of an unknown male suspect, with a knife, inside the residence. FTO J. Meilan and I began to drive toward the residence.

At about 2136 hours, deputies advised, via radio, shots were fired, and the suspect was shot.

FTO Meilan and I responded with our emergency overhead lights and sirens activated from Highway 1 and Molera Rd.

Upon arrival, at about 2147 hours, we were met on scene with multiple outside agencies to include, Salinas Police Department (SPD), Salinas Fire Department (SFD), and American Medical Response (AMR). The Sheriff Deputies already on scene were Sergeant D. Gonzalez, FTO J. Ramirez, FTO E. Schumacher, Deputy C. Pantoja, and Deputy A. Soto.

I exited my patrol vehicle and I saw Sheriff's Office crime scene tape blocked off at the intersection of Hyland Dr., and El Rancho Wy. I entered the secured area and entered the residence.

Once I was inside the residence, I saw SFD and AMR personnel treating a victim in a rear bedroom. At 2202 hours, SFD announced the time of death which was approved by Dr. [REDACTED] of Natividad Medical Center (NMC).

A short time later, I contacted [REDACTED] and he advised he was assigned to Medic Engine #2. I also contacted AMR [REDACTED] and he advised he was assigned to unit #48. All AMR and SFD personnel left the scene.

I then took multiple digital images of the crime scene. The images were of the outside of the residence, inside the living room, kitchen, bedrooms, the back bedroom where the shooting occurred, of the decedent, and a knife. I later uploaded the digital images to the Monterey County Sheriff's Office Image Swap database.

I then remained in the residence, just outside of the bedroom, with the decedent and the knife lying near his body to keep the scene secure. I was later relieved from the crime scene by Monterey County Sheriff's Detectives and Monterey County District Attorney's Office Investigators.

Nothing further from this deputy.

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

Case continues with FTO Schumacher.

Approved by : KENNEDYNM Date : 08/10/2023 09:26 AM

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

Case Number
FG2304178

Date
08/09/23

Officer
SOTOESPINOZA

Supplement 03

On 08/08/2023, at about 2135 hours, FTO Schumacher and I responded to 404 Hyland Drive, Salinas. Sergeant Gonzalez, FTO Ramirez, and Deputy Pantoja responded to a call of a man with a knife inside the reporting party's residence.

Deputies on-scene advised there had been shots fired. I activated my overhead emergency lights and sirens and responded from Highway 1 and Merritt Street in Castroville.

I arrived on-scene at about 2145 hours.

At about 2148 hours, I started a Crime Scene Log and advised County Communications.

I remained on the Crime Scene Log duty until 0431 hours.

At about 0455 hours, I returned to Central Station in Salinas. I gave a copy of the Crime Scene Log to the Monterey County Sheriff's Office Records Division to be scanned into the report on TracNet.

At about 0500 hours, I placed the original Crime Scene Log in an evidence envelope. I sealed, initialed, and time stamped the envelope and placed it in evidence locker number 36.

Refer to Deputy Schumacher's primary report for further information.

Approved by : KENNEDYNM Date : 08/10/2023 09:26 AM

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

Case Number
FG2304178

Date
08/09/23

Officer
SANOW

Supplement 04

On 8/08/2023 at approximately 2202 HRS. I arrived on scene at 404 Hyland Drive, Salinas. There was an OIS at this location.

Deputy E. SCHUMACHER asked me to get the names of the men from Salinas Fire, Medic Engine #2.

Battalion Chief [REDACTED]
[REDACTED]

Nothing further by this Deputy.

Approved by : KENNEDY NM Date : 08/10/2023 09:27 AM

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700

Fax (831) 755-3810

Case Number

FG2304178

Date

08/09/23

Officer

ROMEROL1

Supplement 05

On 08/08/23 at about 2136 hours, I heard Salinas Patrol Units responding to 404 Hyland Drive. Dispatch advised that a male was locked in a bedroom with a female and small child. The male was allegedly armed with a knife.

I heard units go on scene, and shortly after broadcast "shots fired," over the radio.

I responded with emergency lights and siren from the Monterey Sub Station.

I arrived on scene and stood outside the residence to provide scene security. A short time later, I saw Salinas Fire and AMR personnel exit the residence.

I contacted the two AMR Paramedic's and identified them as Sergio IBARRA and Jennifer GARCIA.

I continued to standby on scene until Commander N. Davis arrived. I was then advised to drive Sergeant D. Gonzales back to the station and stand by with him.

Sergeant D. Gonzales and I returned to the Monterey County Main Station and waited for Monterey County District Attorney Investigators to respond. After the investigators responded to the scene and contacted Sergeant Gonzales he was allowed to go off duty. I then went back into service.

Nothing Further

Approved by : KENNEDYNM Date : 08/10/2023 09:41 AM

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

Case Number
FG2304178

Date
08/10/23

Officer
KENNEDY NM

Supplement 06

On August 8th, 2023, at approximately 2152 hours I received a phone call from Deputy S. Moran. Deputy Moran informed me that there was a deputy-involved shooting at an unknown location and he was responding. I was currently the on-call Detective Sergeant for the violent crime's unit of investigations. I contacted investigations Commander Jason Smith and notified him of what had occurred.

I then contacted dispatch. I was informed that the shooting happened at [REDACTED] Hyland Drive, Salinas. I then contacted the on-call detectives Daniel Hopkins, and Jesus Reyes. Both began their response to the scene. I then contacted senior homicide detective Arras Wilson and requested he stand by for a response.

I was then briefed by Commander Jason Smith that the entire team would need to respond to the scene. I arrived at the location shortly after and met Detective Wilson and Detective Hopkins. We received a briefing about this incident and that the District Attorneys' Office would be handling the deputy-involved shooting investigation with the Sheriff's Office assisting with the evidence collection/identification.

I contacted Detective Sergeant Michael Smith and requested the on-duty crime scene investigator (CSI) respond to the scene. CSI [REDACTED] later responded to the scene. It was then determined that Detective Wilson and Detective Hopkins and I were enough personnel at the scene to assist with the CSI duties. Should be mentioned that Detective Hopkins and I have completed the basic and advanced crime scene investigators course. When [REDACTED] arrived on the scene, she was given a brief and escorted throughout the residence. [REDACTED] then created a path for the digital scanner and began her work.

It should be mentioned the MCSO Detectives and I maintained an observational role throughout the District Attorney's Office investigation. We were strictly there to provide resources and support for [REDACTED]. On August 9th, 2023, at approximately 0208 hours, [REDACTED] completed her scans and requested I contact the on-duty coroner. Det. Jeffery Squires from the Coroner's Office was contacted and later responded to the scene. During the removal of the decedent, Det Squires requested assistance moving the body due to the tight quarters where he lay. Det. A. Wilson and I assisted with the removal.

The suspect was identified by Det. Hopkins. (Please see his attached supplemental report for further). Once the decedent was removed, all personnel began leaving the scene. All detectives and I signed out of the crime scene log and stayed until the scene was taken down.

Nothing further from this Sergeant.

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

Approved by : SMITHMS Date : 08/10/2023 07:54 PM

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700

Fax (831) 755-3810

Case Number

FG2304178

Date

08/10/23

Officer

HOPKINS DP

Supplement 07

On 8/8/23, at about 2200 hours, I received a phone call from Det. Sgt. Kennedy. He asked me to respond to [REDACTED] Hyland Dr. in Salinas to assist with an investigation of a shooting.

I arrived on scene and was informed that the Monterey County District Attorney's Office would be handling the investigation of the incident. I was told that they would be utilizing the services of the Sheriff's Office Forensic Evidence Technicians to document the scene and collect evidence.

I was asked to remain on scene and assist [REDACTED] as she processed the crime scene.

During the investigation, a key fob with a Mercedes logo was found in the victim's pockets. I offered to walk the neighborhood in search of a Mercedes associated to the keys.

I walked through the alley across the street from [REDACTED] Hyland Dr. with DAI Captain Ferreria. We located a 2001 black Mercedes (CA License Plate 7DAX938) parked in the alley.

I returned to the scene and collected the key. I returned to the vehicle and the key unlocked the vehicle. On the front passenger seat, Cap. Ferreria found several pieces of mail with the name Anthony Tovar on them.

I contacted the Monterey County Records Department and asked them to conduct a record check on Anthony Tovar with the approximate age range of twenty-five to thirty years old. They advised that they located an Anthony Tovar (7/22/98). I asked them to send a photo of Tovar. They emailed me a photo of Tovar and I forwarded the photo to Capt. Ferreria to assist with identification.

I then remained on scene until the scene was released to the homeowner.

Case continues.

Approved by : SMITHMS Date : 08/10/2023 07:57 PM

MONTEREY COUNTY SHERIFF

1414 Natividad Road
Salinas, CA 93906

CA0270000

Phone (831) 755-3700
Fax (831) 755-3810

Case Number
FG2304178

Date
08/10/23

Officer
WILSONAJ

Supplement 08

On 08-08-23, at approximately 2205 hours, I was off duty at my residence when Det. Sgt. Kennedy called me and asked me to respond to the Sheriff's Office in Salinas to assist in this investigation. I arrived at the Sheriff's Office at approximately 2230 hours. I contacted Sheriff's Office Records Clerk [REDACTED] and requested a copy of the incident CAD which she provided to me. Next, I conducted an inquiry in Tracnet of [REDACTED] Hyland Drive in Salinas. I did not see any recent reports associated with that address.

At approximately 2304 hours, Det. Sgt. Kennedy re-contacted me by phone and asked me to respond to the scene. I drove to Hyland Drive from the Sheriff's Office and arrived at approximately 2337 hours. I observed the area was blocked off with crime scene tape with an inner and outer perimeter established. I observed a crime scene log was being maintained and several people from the Sheriff's Office and DA's Office were on scene.

I observed the patrol cars from Sheriff's Office personnel who first arrived on scene were still parked in the area. I was tasked with returning one of the patrol cars to the Sheriff's Office in Salinas. Later, I participated in the search warrant service at the residence on Hyland Drive.

Case continues.

Approved by : SMITHMS Date : 08/10/2023 08:00 PM



Office of the Sheriff, Monterey County Crime Scene Log

Case Number: 23-04178

Date and time initiated: 08/08/23 @ 2148

Deputy Keeping Log: A. SOTO

Location of Incident: [REDACTED] HYLAND DRIVE, SALINAS

All persons entering this crime scene must be identified and logged.

Those listed are subject to court subpoena and may be required to supplement the report.

This form will be submitted with the crime report.

	Rank/Name (Print legibly)	Initial	Enter Time	Exit Time	Purpose of entry	Evidence Removed Y/N
1	SERGEANT GONZALEZ	GA	2148	2232	RESPONSE TO CALL	N
2	DEPUTY MCELAN		2150	0115	RESPONSE TO CALL	N
3	DEPUTY BROWN	M/B	2150	0107	RESPONSE TO CALL	N
4	DEPUTY SCHUMACHER		2148	0421	RESPONSE TO CALL	N
5	DEPUTY PEREZ		2148	2233	RESPONSE TO CALL	N
6	DEP ROMERO	LR	2152	2236	RESPONSE TO CALL	N
7	DEPUTY PANTOSA		2148	2233	RESPONSE TO CALL	N
8	DEPUTY RAMIREZ		2148	2236	RESPONSE TO CALL	N
9	DEPUTY MORAN		2158	2200	RESPONSE TO CALL	N
10	SERGEANT DUNAGAN		2155	2200	RESPONSE TO CALL	N
11	RAMIREZ VICTORIA		2148	2200	RESPONSE TO CALL	N
12	DEPUTY SANDOZ	LD	2202	0430	RESPONSE TO CALL	N
1	[REDACTED]	DS	2148	2214	MEZ MEDICAL	N
1	[REDACTED]		2148	2214	↓ MEDICAL	N
1	[REDACTED]		2148	2214	↓ MEDICAL	N
1	[REDACTED]		2148	2210	Bat 1 MEDICAL	N
17	WICOR DAVIS		2210		Commando RESPONSE	N
18	JASON SMITH	JS	2223	0322	Commando RESPONSE	N

** Identify each person entering the crime scene. Deny entry to any person not having a valid purpose for entering the crime scene. If there is a question as to validity of purpose to enter, contact the ranking investigator to clear or deny the entry.

** Direct each person entering the crime scene to the predetermined contact location (Page 1 of 3)



Office of the Sheriff, Monterey County
Crime Scene Log

Case Number: 23-04178

Date and time Initiated: 08/08/23 @ 2148

Deputy Keeping Log: A. SOTO

Location of Incident: HYLAND DRIVE, SALINAS

All persons entering this crime scene must be identified and logged.

Those listed are subject to court subpoena and may be required to supplement the report.

This form will be submitted with the crime report.

	Rank/Name (Print legibly)	Initial	Enter Time	Exit Time	Purpose of entry	Evidence Removed Y/N
1	DAN HOPKINS	DA	2301	0421	INVESTIGATIONS RESPONSE CRIME SCENE	N
2					REFERENCE	
3	Chief McGuirk			0139	INVESTIGATION	N
4	Capt Ferreria	Quf	2308	0427	DA CAPT @ SCENE	N
5	Inv Smith	RS	2308	0428	DA	Y
6	Inv Hunsaker	HI	2310	0428	DA	Y
7	Inv Williams	2324	2324	0250	SURVE INV	N
8	Sgt. N. Kennedy	2337	2337	0400	EVIDENCE INV.	N
9	INV. GOMEZ	LE	2356	0250	CRIME SCENE	N
10						N
11						N
12						N
13						N
14						N
15						N
16						N
17						N
18						N

** Identify each person entering the crime scene. Deny entry to any person not having a valid purpose for entering the crime scene. If there is a question as to validity of purpose to enter, contact the ranking investigator to clear or deny the entry.

** Direct each person entering the crime scene to the predetermined contact location (Page 2 of 3)



Office of the Sheriff, Monterey County
Crime Scene Log

Case Number: 23-04178

Date and time Initiated: 08/08/23 @ 2148

Deputy Keeping Log: A. SOTO

Location of Incident: [REDACTED] HYLAND DRIVE, SALINAS

All persons entering this crime scene must be identified and logged.

Those listed are subject to court subpoena and may be required to supplement the report.

This for will be submitted with the crime report.

[REDACTED]					Evidence Removed Y/N
[REDACTED]					N
[REDACTED]					N
3	DET. WILSON	1/W	2382	0421 INVESTIGATIONS	N
4	DET. SQUIZZES	JS	0319	0407 CROWDER	N
	[REDACTED]		0334	0400 EVIDENCE	X
6					
7					
8				CRIME SCENE BROKEN DOWN	
9				0431 HOURS	
10					
11					
12					
13					
14					
15					
16					
17					
18					

** Identify each person entering the crime scene. Deny entry to any person not having a valid purpose for entering the crime scene. If there is a question as to validity of purpose to enter, contact the ranking investigator to clear or deny the entry.

** Direct each person entering the crime scene to the predetermined contact location (Page 3 of 3)

MONTEREY COUNTY SHERIFF
1414 NATIVIDAD ROAD
SALINAS CA 93906
PHONE (831) 755-3700

Property\Evidence Receipt

FG2304178

Case Number

FAX (831) 755-3810

Description: **HOMICIDE** **CRIMINAL \ JUSTIFIABLE** **FIREARM** Report Date : **08/09/23**

No 01	Officer Applied Number 01AS	Officer SOTOESPINOZA	Involvement EVIDENCE	Recovered From Stolen	Recover Date //	Value \$ 0.00	Entered 08/09/2023
	Quantity 1	Name DOCUMENTS	Make	Model	Primary Color WHITE	Trim Color	Year / Age
	Serial	License or OAN	CLETS Number	Gun Type	Barrel Length	Gun Stock	Size / WT / Cal
	Misc Information CRIME SCENE LOG						Bin Location
	Owner	DOB	Involvement	Owner phone	Address		

ITEM(S)	DATE	RELINQUISHED BY (PRINT NAME & SIGN)	RECEIVED BY (PRINT NAME & SIGN)	PURPOSE
01AS	08/09/23	A. Soto <i>[Signature]</i>	T. Cornejo <i>[Signature]</i> 8/9/23	EVIDENCE
01AS	8/16/23	T. Cornejo <i>[Signature]</i>	K. Hunsicker <i>[Signature]</i> 8/16/23	D.A.