

**Pursuant to California Penal Code Section 832.7,
which was amended by Senate Bill (SB) 1421, effective
January 1, 2019, and again by Senate Bill (SB) 16,
effective January 1, 2022,
a redacted version of this report is subject to disclosure
under the California Public Records Act.**

UOF REPORT - CASE DETAILS

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Case Categorization

Unintentional Head Strike: N
FID Contact Name: -

Case Details

Incident Date: 06/12/2023 17:05 - Monday
Master Incident No.:
Comm Div Inc No.: 230612000035
Reporting District: 1653
Area of Occurrence: Foothill
Outside Agency Involved: No
Organization Credited with Use of Force: FTHL PAT W5 DENA
Address: NE Quadrant of El Dorado - Kamloops
Los Angeles CA 91331

Incident Overview: Officers responded a restraining order violation radio call. While canvassing for the suspect, officers located the suspect in the suspect vehicle who matched the description given by the victim. When officers attempted to detain the suspect, the suspect parked, and rapidly exited the vehicle in attempt to evade officers. When they approached the suspect, a use of force occurred. Officers utilized control holds, physical force, strikes, and body weight to place the suspect in custody. There was momentarily contact with the neck. FID Lt. Jordan #30895 was contacted at 1945 hours that same day and stated that it did not rise to level of a categorical UOF and the noncategorical level would be dependent on medical results. The suspect sustained a () and is therefore a Incident Level I non-cat due to injury () per Department Manual Volume IV (revised by Special Order No. 6, 2023)

Lighting Conditions: Daylight - Outdoor
Weather Conditions: Clear
Investigating Supervisor Serial No: GONZALEZ, ERIKA - 41925

Related Reports

Supervisor On-Scene

Primary Supervisor On Scene at Time of Incident: No
Primary Supervisor's Name: -

CO 14-Day Review

Required 14-Day Review: Yes
Date Reviewed: 06/21/23 00:00
If No, Details: Captain Bennett completed the 14-Day review on 6/21/23.
If Date Reviewed Not Today, Explain:

Investigative Summary

Activity Source: Radio Call / Crime in Progress
Scene Canvassed for Witness: Yes
Details: Sergeant Gonzalez (Serial No. 441925) canvassed the area for potential witnesses that observed the Use of Force (UOF). Sergeant Gonzalez spoke with citizens in the area of the UOF that did not observe the incident. She spoke with residents at () that did not observe the UOF occur per their statements. Sergeant Gonzalez was unable to reach any residents at () due to a locked gate and per the resident at () were not home. Gonzalez canvassed the area for surveillance videos and was unable to locate any cameras that captured the UOF, the resident at () had cameras but were not recording per () statement. The only other home with cameras was the

UOF REPORT - CASE DETAILS

UOFS

Case Number: 2038314
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Scene Canvassed for Physical Evidence: Details:

residence located at [REDACTED], but no one was home.
Yes

Sergeant Gonzalez (Serial No. 441925) canvassed the area for potential witnesses that observed the Use of Force (UOF). Sergeant Gonzalez spoke with citizens in the area of the UOF that did not observe the incident. She spoke with residents at [REDACTED] that did not observe the UOF occur per their statements. Sergeant Gonzalez was unable to reach any residents at [REDACTED] due to a locked gate and per the resident at [REDACTED] were not home. Gonzalez canvassed the area for surveillance videos and was unable to locate any cameras that captured the UOF, the resident at [REDACTED] had cameras but were not recording per [REDACTED] statement. The only other home with cameras was the residence located at [REDACTED] but no one was home.

In Car Audio:

No

In Car Video:

No

Body Worn Video:

All known Audio and Video recordings have been retained at SID:

Yes

Control Number Or Explain:

The photos were stored on a disk (D#084888)

Addenda Items

File Name	File Type	Description	Report Type	Date	Created By
incident details.pdf	.pdf	Incident Printout	OTR	6/18/23	GONZALEZ, ERIKA - 41925
arrest report and impound.pdf	.pdf	Arrest report and vehicle impound	ARR	7/3/23	GONZALEZ, ERIKA - 41925
io notes.docx	docx	IO Notes	OTR	7/19/23	GONZALEZ, ERIKA - 41925
officer photos.docx	docx	Officer Photos	PHOTO	7/3/23	GONZALEZ, ERIKA - 41925
intersection and location.docx	docx	Location of UOF photos	PHOTO	7/3/23	GONZALEZ, ERIKA - 41925
suspect photos.docx	docx	suspect photos	PHOTO	7/3/23	GONZALEZ, ERIKA - 41925
hospitalreport.pdf	.pdf	report from medical attention	OTR	7/3/23	GONZALEZ, ERIKA - 41925
				12/8/23	GONZALES, RYAN - 40284
img_0055.jpg	.jpg	D#0848888 envelope photo	PHOTO	7/3/23	GONZALEZ, ERIKA - 41925
medical release.pdf	.pdf	Release of Medical Information	OTR	6/18/23	GONZALEZ, ERIKA - 41925

Investigative Narrative Comments

See I/O Notes in "Addenda & Attachments" Section. Exceeded character limit for this space.

UOF REPORT - SUSPECT(S)

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Hernandez, Edwin A

General

Gender:	Male	Descent:	Hispanic
DOB:	08/27/1988	Age:	34
Weight:	190 lbs	Height:	5' 7"
Home Phone No.:		Homeless:	
Other Phone No.:		Business Phone No.:	
Home Address:			
Business Address:			

Identification

Driver's License:

Suspect Detail Information

Arrested:	Yes	Booking No.:	6622525
Charge/Hold:	69 - OBSTRUCT/RESIST EXEC OFF - F	DR No.:	23 - 1609126
Private Person's Arrest:	No	DR Type:	Arrest Report
Suspect/Subject on Parole:	No	Parole Unknown Desc:	
Suspect/Subject on Probation:	No	Probation Unknown Desc:	
Crime Against Police Officer:	Yes	Were photos taken:	Yes
Hobble Used:	No	No Photos Comments:	
Part of Body Restrained by Hobble:		Time Restrained by Hobble:	
Other Part of Body Restrained by Hobble:		Body Position after Application:	
Explain Other Body Position after Application:			

Suspect Contributing Behavior

Weapons Used by Suspect During Use of Force:
Bodily Force, Other - Car Key

Suspect's Impairment Determined by Investigator:
No Impression

Suspect Action Prior to UOF: Assaulted Officer

Suspect Statements

Statement Details 1

Statement Type: Suspect Oral Statement

Statement Filename:

Statement Comments: Suspect stated that he was walking away, officers approached, he proceeds to say stop, raises hands to stop, the officers rushed towards him. Suspect stated that he was just trying to see . He added that officers pushed him to floor and was hit in the head.

(See BWV for recording of interview). The above is just a summary.

Statement provided by the suspect is consistent with the incident as depicted in the arrest report.

Recorded via BWV

Interview Date/Time: 06/12/2023 05:54 PM

UOF REPORT - SUSPECT(S)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Interview Duration: 0 Hrs : 0 Min
Interviewed Independently: Yes
If No, Details:
Interview Recorded: Yes
If No, Details:
Interview Transcribed:
Interviewed By: GONZALEZ, ERIKA - 41925
Media Type: Video
Media Control No.:
Media Comments: BWV
Statement Consistency: Statement consistent
Read Miranda Rights: Y
If No, Explain:
Suspect Waived Rights: Y

Suspect Injury/Medical Treatment Information

Suspect Injured: Yes
Received Medical Treatment: Yes
Medical Release Form Requested: Yes
Medical Release Form Obtained: Yes
If No, Explain:
Medical Action Taken:
Date FID Contacted for Advice: Jun 12, 2023 7:45:00 PM
Hospitalized: No
Hospitalization UOF Related: No
Treated By Physician Name: Dr. Ham Sonny,
Serial No. of Contact at FID: JORDAN, ALISHA - 30895

Suspect Injuries

Type:		Description:	
Source of Injury Info:	Verified or Provided by Medical Personnel		
UOF Related: If No or Unknown, Explain:	Yes	Location:	
Type:	Complained of	Description:	Treated at hospital but no findings per hospital paperwork.
Source of Injury Info:	Reported by the Subject of the Force		
UOF Related: If No or Unknown, Explain:	Yes	Location:	
Type:		Description:	
Sutures:	No		
Source of Injury Info:	Reported by the Subject of the Force		
UOF Related: If No or Unknown, Explain:	Yes	Location:	
Type:	Complained of	Description:	pain to . Treated at hospital. No findings per hospital paperwork.
Source of Injury Info:	Reported by the Subject of the Force		
UOF Related: If No or Unknown, Explain:	Yes	Location:	

Medical Treatment Description

Explain why suspect injured, but no medical treatment received:

UOF REPORT - SUSPECT(S)

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DR No: 23-1609126

DR Type: Arrest Report

Indicate any medical treatment provided (what treatment was done and where):

Complained of

pain to

and pain to

I treated for all complaints at Mission Community Hospital by Physician Dr. Ham Sonny/Dr. Summa James.

Attendants

Treated by Physician Name: Dr. Ham Sonny,
R/A Fire Unit Names: RA 989

UOF REPORT - EMPLOYEE(S) USING FORCE

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

BUTLER, CHAD - 34264

General

Role:	Involved	Gender:	
Descent:		Age:	
Weight:		Height:	
Organization:	FTHL PAT W5 DENA	Function:	PATROL
Rank/Pay Grade:	PO 3	Duty Assignment:	CAR
Partner1:	GREEN, AARON - 36890		
Partner2:	-		
Supervisor:	LJUBETIC, TIFFANY - 36608		

Details

On Duty:	Yes	In-Uniform:	Yes
Off Duty In Uniform Reason:		Duty Type:	Uniform
In Body Armor:	Yes		

Equipment

Equipment	Available?	On Person?
Hobble Restraint Device	Yes	Yes
Bean Bag Shotgun	Yes	No
TASER	Yes	Yes
OC Spray	Yes	Yes
Baton	Yes	Yes

Injuries

Type:		Description:	
UOF Related:	Yes	Location:	Photographed
If No or Unknown, Explain:			
Type:		Description:	
UOF Related:	Yes	Location:	
If No or Unknown, Explain:			

UOF REPORT - EMPLOYEE(S) USING FORCE

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Status:

Statements

Statement Consistency: Statement consistent

Miranda Rights:

Waived:

Lybarger Admonishment:

Statement Details 1

Statement Type: Employee Oral Statement

Statement Filename:

Statement Comments: Applied firm grips, physical force, body weight, a punch, elbow strikes, to take the uncooperative suspect into custody.

The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.

Interview Date/Time: 06/12/2023 18:30

Interview Duration: 0 Hrs : 0 Min

Interviewed Independently: Yes

If No, Details:

Interview Recorded:

If No, Details:

Interview Transcribed:

Interviewed By: GONZALEZ, ERIKA - 41925

Media Type:

Media Control No.:

Media Comments:

GREEN, AARON - 36890

General

Role:	Involved	Gender:	
Descent:		Age:	
Weight:		Height:	
Organization:	FTHL PAT W5 DENA	Function:	PATROL
Rank/Pay Grade:	PO 3	Duty Assignment:	CAR
Partner1:	BUTLER, CHAD - 34264		
Partner2:	-		
Supervisor:	LJUBETIC, TIFFANY - 36608		

Details

On Duty:	Yes	In-Uniform:	Yes
Off Duty In Uniform Reason:		Duty Type:	Uniform
In Body Armor:	Yes		

Equipment

Equipment	Available?	On Person?
Hobble Restraint Device	Yes	Yes
OC Spray	Yes	Yes
TASER	Yes	Yes
Baton	Yes	Yes

UOF REPORT - EMPLOYEE(S) USING FORCE

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

Equipment	Available?	On Person?
Bean Bag Shotgun	Yes	No

Statements

Statement Consistency: Statement consistent

Miranda Rights:

Waived:

Lybarger Admonishment:

Statement Details 1

Statement Type: Employee Oral Statement

Statement Filename:

Statement Comments: Officer used firm grips and body weight to place the resisting suspect into custody.

The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.

Interview Date/Time: 06/12/2023 18:40

Interview Duration: 0 Hrs : 0 Min

Interviewed Independently: Yes

If No, Details:

Interview Recorded:

If No, Details:

Interview Transcribed:

Interviewed By: GONZALEZ, ERIKA - 41925

Media Type:

Media Control No.:

Media Comments:

ORTEGA, RYAN - 43983

General

Role:

Involved

Gender

Descent:

Age:

Weight:

Height:

UOF REPORT - EMPLOYEE(S) USING FORCE

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

Organization: FTHL PAT W5 DENA
Rank/Pay Grade: PO 2
Partner1: TORRES, NANCY - 44739
Partner2: -
Supervisor: LJUBETIC, TIFFANY - 36608

Function: PATROL
Duty Assignment: CAR

Details

On Duty: Yes
Off Duty In Uniform Reason:
In Body Armor: Yes

In-Uniform: Yes
Duty Type: Uniform

Equipment

Equipment	Available?	On Person?
Hobble Restraint Device	Yes	Yes
Baton	Yes	Yes
OC Spray	Yes	Yes
TASER	Yes	Yes
Bean Bag Shotgun	Yes	No

Statements

Statement Consistency: Statement consistent
Miranda Rights:
Waived:
Lybarger Admonishment:

Statement Details 1

Statement Type: Employee Oral Statement
Statement Filename:
Statement Comments: assisted in taking suspect into custody by using control holds.

The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.

UOF REPORT - EMPLOYEE(S) USING FORCE

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Interview Date/Time: 06/12/2023 18:20
Interview Duration: 0 Hrs : 0 Min
Interviewed Independently: Yes
If No, Details:
Interview Recorded:
If No, Details:
Interview Transcribed:
Interviewed By: GONZALEZ, ERIKA - 41925
Media Type:
Media Control No.:
Media Comments:

SOSA, EDWIN - 44344

General

Role:	Involved	Gender:	
Descent:		Age:	
Weight:		Height:	
Organization:	FTHL PAT W2 DENA	Function:	PATROL
Rank/Pay Grade:	PO 2	Duty Assignment:	CAR
Partner1:	CORDOBA, AMANDA - 44817		
Partner2:	-		
Supervisor:	CAVESTANY, JOSEPH - 32246		

Details

On Duty:	Yes	In-Uniform:	Yes
Off Duty In Uniform Reason:			
In Body Armor:	Yes	Duty Type:	Uniform

Equipment

Equipment	Available?	On Person?
Bean Bag Shotgun	Yes	No
Hobble Restraint Device	Yes	Yes
TASER	Yes	Yes
OC Spray	Yes	Yes
Baton	Yes	Yes

UOF REPORT - EMPLOYEE(S) USING FORCE

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Date COP Approved Return to
Field Duty:
Send to BSS:
If No, Details:
Status:

Field Duty Restriction Lifted
Effective Date:

Statements

Statement Consistency: Statement consistent
Miranda Rights:
Waived:
Lybarger Admonishment:

Statement Details 1

Statement Type: Employee Oral Statement
Statement Filename:
Statement Comments:

Used firm grips and physical force to assist officers take the suspect into custody.

The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.

Interview Date/Time: 06/12/2023 18:10
Interview Duration: 0 Hrs : 0 Min
Interviewed Independently: Yes

If No, Details:
Interview Recorded:
If No, Details:

Interview Transcribed:

Interviewed By: GONZALEZ, ERIKA - 41925
Media Type:
Media Control No.:
Media Comments:

TORRES. NANCY - 44739

General

Role:	Involved	Gender:	
Descent:		Age:	
Weight:		Height:	
Organization:	FTHL PAT W5 DENA	Function:	PATROL
Rank/Pay Grade:	PO 2	Duty Assignment:	CAR
Partner1:	ORTEGA, RYAN - 43983		
Partner2:	-		
Supervisor:	LJUBETIC, TIFFANY - 36608		

Details

On Duty:	Yes	In-Uniform:	Yes
Off Duty In Uniform Reason:		Duty Type:	Uniform
In Body Armor:	Yes		

Equipment

Equipment	Available?	On Person?
TASER	Yes	Yes
OC Spray	Yes	Yes

UOF REPORT - EMPLOYEE(S) USING FORCE

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

Equipment	Available?	On Person?
Bean Bag Shotgun	Yes	No
Baton	Yes	Yes
Hobble Restraint Device	Yes	Yes

Statements

Statement Consistency: Statement consistent

Miranda Rights:

Waived:

Lybarger Admonishment:

Statement Details 1

Statement Type: Employee Oral Statement

Statement Filename:

Statement Comments: used control holds to help take uncooperative suspect into custody.

The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.

Interview Date/Time: 06/12/2023 18:22

Interview Duration: 0 Hrs : 0 Min

Interviewed Independently: Yes

If No, Details:

Interview Recorded:

If No, Details:

Interview Transcribed:

Interviewed By: GONZALEZ, ERIKA - 41925

Media Type:

Media Control No.:

Media Comments:

CORDOBA, AMANDA - 44817

General

UOF REPORT - EMPLOYEE(S) USING FORCE

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Role:	Involved	Gender:	
Descent:		Age:	
Weight:		Height:	
Organization:	FTHL PAT W2 DEN D	Function:	PATROL
Rank/Pay Grade:	PO 2	Duty Assignment:	CAR
Partner1:	SOSA, EDWIN - 44344		
Partner2:	-		
Supervisor:	GONZALEZ, ERIKA - 41925		

Details

On Duty:	Yes	In-Uniform:	Yes
Off Duty In Uniform Reason:		Duty Type:	Uniform
In Body Armor:	Yes		

Equipment

Equipment	Available?	On Person?
Bean Bag Shotgun	Yes	No
Baton	Yes	Yes
TASER	Yes	Yes
Hobble Restraint Device	Yes	Yes
OC Spray	Yes	Yes

Statements

Statement Consistency: Statement consistent

Miranda Rights:

Waived:

Lybarger Admonishment:

Statement Details 1

Statement Type: Employee Oral Statement

Statement Filename:

Statement Comments: applied control holds to assist in taking uncooperative suspect into custody.

UOF REPORT - EMPLOYEE(S) USING FORCE

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

Interview Date/Time:

Interview Duration:

Interviewed Independently:

If No, Details:

Interview Recorded:

If No, Details:

Interview Transcribed:

Interviewed By:

Media Type:

Media Control No.:

Media Comments:

The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.

06/12/2023 18:15

0 Hrs : 0 Min

Yes

GONZALEZ, ERIKA - 41925

UOF REPORT - EMPLOYEE(S) WITNESS

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

UOF WITNESSES - NON EMPLOYEE WITNESS

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

UOF REPORT - USE OF FORCE REVIEW

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Suspect : **Hernandez, Edwin A**

Suspect Contributing Behavior

Suspect Controlled: Yes

Mental Illness: No

Weapons Used by Suspect
During Use of Force:
Action Prior to UOF:

Bodily Force, Other - Car Key
Assaulted Officer

Suspect Contributing Behavior

Investigating Supervisor's

Observation:

Employee's Observation: No Impression

Comment's:

Suspect's Self-Reporting of

Impairment:

Impairment Confirmed:

Control of Suspect

Hobble Used: No

Hobble Body Position:

Time Restrained with Hobble:

Part of Body Restrained:

Types of Force Used

UOF Type	Qty	Employee & Role	Body Area	Last Controlling Force
Bodyweight	1	BUTLER, CHAD - 34264 Applied	Back,Buttocks,Face,Head,Left Arm,Neck	
Bodyweight	1	GREEN, AARON - 36890 Applied	Left Leg,Right Leg	
Bodyweight	1	ORTEGA, RYAN - 43983 Applied	Back	
Bodyweight	1	TORRES, NANCY - 44739 Applied	Back,Buttocks,Right Leg,Right Shoulder	
Elbow Strike	1	BUTLER, CHAD - 34264 Applied	Head	
Firm Grip	1	BUTLER, CHAD - 34264 Applied	Left Arm,Left Shoulder,Right Arm	
Firm Grip	1	CORDOBA, AMANDA - 44817 Applied	Left Arm,Left Wrist	Yes
Firm Grip	1	GREEN, AARON - 36890 Applied	Left Leg,Right Arm,Right Leg	
Firm Grip	1	ORTEGA, RYAN - 43983 Applied	Left Arm,Left Wrist	
Firm Grip	1	SOSA, EDWIN - 44344 Applied	Right Arm	
Firm Grip	1	TORRES, NANCY - 44739 Applied	Back,Right Arm,Right Hand,Right Wrist	
Physical Force	1	BUTLER, CHAD - 34264 Applied	Chest,Left Arm,Right Arm	
Physical Force	1	ORTEGA, RYAN - 43983 Applied	Left Arm	
Physical Force	1	SOSA, EDWIN - 44344 Applied	Right Arm	
Punch	1	BUTLER, CHAD - 34264 Applied	Face	

Weapon or Device Used:

If "Other" Impact Weapon or Device Used:

Use of Force Type : Firm Grip

Prior Warning Required: No

Verbatim Warning Given:

Verbal Warning Given:

Use of Force Type : Bodyweight

Prior Warning Required: No

Verbal Warning Given:

UOF REPORT - USE OF FORCE REVIEW

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Verbatim Warning Given:

Use of Force Type : Firm Grip

Prior Warning Required: No

Verbatim Warning Given:

Verbal Warning Given:

Use of Force Type : Firm Grip

Prior Warning Required: No

Verbatim Warning Given:

Verbal Warning Given:

Use of Force Type : Firm Grip

Prior Warning Required: No

Verbatim Warning Given:

Verbal Warning Given:

Use of Force Type : Bodyweight

Prior Warning Required: No

Verbatim Warning Given:

Verbal Warning Given:

Use of Force Type : Firm Grip

Prior Warning Required: No

Verbatim Warning Given:

Verbal Warning Given:

Use of Force Type : Firm Grip

Prior Warning Required: No

Verbatim Warning Given:

Verbal Warning Given:

Use of Force Type : Bodyweight

Prior Warning Required: No

Verbatim Warning Given:

Verbal Warning Given:

Use of Force Type : Bodyweight

Prior Warning Required: No

Verbatim Warning Given:

Verbal Warning Given:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

BUTLER, CHAD - 34264

Watch Commanders Insight

OFFICER BUTLER, CHAD Serial No. 34264

WATCH COMMANDER'S INSIGHT:

I, Lieutenant Nick Giordano, Serial No. 37933, Watch Commander, Foothill Patrol, have reviewed this Level I Non-Categorical Use of Force (NCUOF) as well as the related reports, BWV, and photographs.

This NCUOF occurred when officers responded to a radio call for a domestic violence restraining order violation. Officer Butler and his partner responded to assist the primary unit and canvassed the area. While they canvassed the area, they observed a possible suspect vehicle. Officers exited their vehicle to further investigate when the suspect suddenly exited the vehicle. The suspect refused to cooperate or follow commands, attempted to assault an officer and a use of force occurred.

USE OF FORCE:

The UOF occurred on a sidewalk where officers attempted to detain the suspect for a restraining order violation. The suspect did not comply and attempted to strike one of the officers. The use of force by Officer Butler; firm grip, physical force, punches, elbow strike, and bodyweight to the suspect, was objectively reasonable, and at the lowest level to reduce injury to the officers and the suspect.

Firm Grips: I find that the application of this force was objectively reasonable and proportional given the suspect's continued efforts to resist commands and prevent arrest. Additionally, de-escalation efforts by the primary unit; ordering the suspect to stop resisting and comply were ineffective. I believe the continued use of this low-level force was appropriate given the type of physical resistance enacted by the suspect.

I recommend these applications of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

Bodyweight: I find this application of force was objectively reasonable and proportional to the suspects actions and continued resistance.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

Physical Force: I find this application of force was objectively reasonable and proportional given the suspects active resistance and failure to comply with commands.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

Punch: One punch was thrown by Butler; in response to the suspect attempt to get to his feet. This punch was also in response to the actions by the suspect and his attempt to strike officers with a set of keys. Given the proximity of all involved and the need to protect himself, I find the punch appropriate and proportional to the suspect's actions.

Sergeant Gonzalez discussed the use of the punches with Officer Butler, in reference to Use of Force Directive No. 2, Strikes and Kicks. The discussion addressed the avoidance of intentional punches to the head to prevent injury to the officers hand. Officer Butler was receptive to the discussion and I determined that no further action is required.

I recommend that this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

Elbow Strikes: Two elbow strikes were thrown by Butler; in response to the suspects continued resistance. These strikes were also in response to the actions by the suspect and his attempt to strike officers with a set of keys. Given the proximity of all involved and the need to protect himself, I find the elbow strikes appropriate and proportional to the suspect's actions.

I recommend that this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

TACTICS:

During a canvass of the area, Officer Butler and his partner located the suspects vehicle. As officer Butler and his partner exited their vehicle, the suspect suddenly exited the vehicle.

Officer Butler immediately broadcast their updated location and advised units that they were Code 6 on the suspect. Officer Green later updated it to a backup request.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

During the initial portion of the contact (prior to the UOF) Officer Butler was the designated cover of ficer while Officer Green was the contact officer.

Overall, the tactics Officer Butler used prior, during, and after the UOF were objectively reasonable, necessary, appropriate, and did not substantially deviate from Department procedures.

During the NCUOF, Officer Butler made momentary contact with the suspect's neck. In addition to the unintentional neck contact, the suspect sustained [REDACTED]. FID Lt. Jordan #30895 was contacted and stated that the case did not rise to the level of a categorical UOF. Therefore, the case was to be investigated as a Level I NCUOF.

POLICY / OTHER ISSUES:

Officer Butler did not activate the Digital In-Car Video (DICV) prior to the contact with the suspect.

Officer Butler's BWV was activated during the UOF and captured the entirety of the incident.

Officer Butler utilized profanity during the UOF incident to gain compliance from the suspect.

The minor deviation from DICV was addressed with a Supervisor Action Item (SAI). Officer Butler was reminded about Special Order No. 45 (October 2009), Digital In-Car Video Use and Deployment. The use of profanity by Officer Butler was not directed at the suspect in a derogatory manner and only utilized when the suspect failed to comply with commands. Upon conclusion of the UOF, Officer Butler maintained his professionalism. I believe that Sergeant Gonzalez adequately addressed the profanity during her investigation and no further action is necessary.

I recommend that the tactics utilized by Officer Butler be classified as ADMINISTRATIVE APPROVAL / INCIDENT DEBRIEF.

SUPERVISOR OVERSIGHT:

Sergeant I Erika Gonzalez, Serial No. 41925, responded to the scene of the UOF and assumed responsibility as the Investigating Supervisor. Sergeant Gonzalez completed separate and independent interviews of all the involved parties. She canvassed for evidence and completed a thorough at scene investigation. At the conclusion of the incident, Sergeant Gonzalez conducted an Incident Debrief to reinforce the positive aspects of the incident and discuss areas of improvement. I determined that Sergeant Gonzalez on-scene investigation was thorough and complete.

Findings by No Org. WATCH COMMANDER - GIORDANO, NICK - 37933

Date Reviewed:	7/10/2023	Date Approved:	7/10/2023	Reviewed History Date:	7/10/2023
Tactic Finding Action:	None	Reviewed Work History:			
Policy Change	No	Use of Force Related			
Recommendation:		Complaint Initiated:			

No Force Used Information for this Employee

Action(s) Taken: No Data

Work History Review Comments:

Finding Review Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Findings by No Org. WATCH COMMANDER - LJUBETIC, TIFFANY - 36608

Date Reviewed: 7/26/2023 Date Approved: 7/26/2023 Reviewed History Date: 7/26/2023
Tactic Finding Action: Administrative Approval Reviewed Work History: Yes
Policy Change Recommendation: No Use of Force Related Complaint Initiated: Yes

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval
Hernandez, Edwin	Punch		In Policy	Administrative Approval
Hernandez, Edwin	Physical Force		In Policy	Administrative Approval
Hernandez, Edwin	Elbow Strike		In Policy	Administrative Approval

Action(s) Taken: Incident Debrief

Work History Review Comments:

Finding Review Comments: I, Lieutenant Ljubetic, Acting Foothill Patrol Commanding Officer, reviewed this investigation, including related reports, Body-Worn Video, and Watch Commander Insight, completed by Lieutenant Giordano. A review of Officer Butler's work history report revealed no area of concern.

Officers Butler and Green, responded as an additional unit to a radio call of, Domestic violence Restraining Order Violation.

As officers canvassed the area, they observed the suspect vehicle parked. Officers exited their vehicle to further investigate and observed the suspect exit his vehicle. The suspect was given commands to which he ignored. Officers approached the suspect and a Use of Force occurred as the suspect turned to face officers while armed with a pair keys and attempted to assault Officer Green.

Officer Butler utilized a combination of Firm Grips, Punch, Elbow Strikes, Physical Force, and Bodyweight to stop the suspect's violent and aggressive behavior.

The suspect's actions posed an immediate threat to the safety of officers, which ultimately resulted in the use of punches and elbow strikes. In review of BWV, Use of Force Directive No. 2, Strikes and Kicks and Use of Force policy, I found it reasonable to use punches and elbow strikes in response to the suspect's violent actions.

In evaluating this NCUOF, I determined the force used by Officer Butler was objectively reasonable, necessary, proportional, and within Department Policy and State Law. Officers properly used de-escalation techniques to reduce the intensity of the incident and used the minimal amount of force necessary. There was no evidence or allegation of biased policing, nor did I observe any requirement for another employee to intercede. Officers rendered aid by ensuring that the suspect was immediately placed in the recovery position and later received proper medical attention by requesting an RA for visible injuries the suspect sustained during the Use of Force.

Regarding tactics, I/O Sergeant Gonzalez identified issues, which he covered during an incident debrief with Officer Butler.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Findings by No Org. COMMANDING OFFICER - PLUGGE, MATTHEW - 35134

Date Reviewed: **Date Approved:** 12/8/2023 **Reviewed History Date:**
Tactic Finding Action: Administrative Approval **Reviewed Work History:**
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** Yes

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval
Hernandez, Edwin	Punch		In Policy	Administrative Approval
Hernandez, Edwin	Physical Force		In Policy	Administrative Approval
Hernandez, Edwin	Elbow Strike		In Policy	Administrative Approval

Action(s) Taken: Incident Debrief

Work History Review Comments:

Finding Review Comments:

Findings by No Org. ASSISTANT COMMANDING OFFICER - ESPINOZA, GISSELLE - 31041

Date Reviewed: 10/3/2023 **Date Approved:** 10/3/2023 **Reviewed History Date:** 10/3/2023
Tactic Finding Action: Administrative Approval **Reviewed Work History:** Yes
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** Yes

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval
Hernandez, Edwin	Punch		In Policy	Administrative Approval
Hernandez, Edwin	Physical Force		In Policy	Administrative Approval
Hernandez, Edwin	Elbow Strike		In Policy	Administrative Approval

Action(s) Taken: Incident Debrief

Work History Review Comments:

Finding Review Comments: Commander Espinoza has reviewed and concurs with the findings, actions and recommendations by Acting PCO, Lt. Ljubetic.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Employee Discussions

Action(s) Taken Completion Information

Action(s) Taken: Incident Debrief

Date:

TMS Numbers:

Provided by: -

Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

GREEN, AARON - 36890

Watch Commanders Insight

OFFICER GREEN, AARON Serial No. 36890

WATCH COMMANDER'S INSIGHT:

I, Lieutenant Nick Giordano, Serial No. 37933, Watch Commander, Foothill Patrol, have reviewed this Level I Non-Categorical Use of Force (NCUOF) as well as the related reports, BWV, and photographs.

This NCUOF occurred when officers responded to a radio call for a domestic violence restraining order violation. Officer Green and his partner canvassed the area and observed a possible suspect vehicle. Officers exited their vehicle to further investigate when the suspect exited the vehicle. The suspect refused to cooperate or follow commands, attempted to assault an officer and a use of force occurred.

USE OF FORCE:

The UOF occurred on a sidewalk where officers attempted to detain the suspect for a restraining order violation. The suspect did not comply and attempted to strike one of the officers. The use of force by Officer Green; firm grip and bodyweight to the suspect, was objectively reasonable, and at the lowest level to reduce injury to the officers and the suspect.

Firm Grips: I find that the application of this force was objectively reasonable and proportional given the suspects continued efforts to resist commands and prevent arrest. Additionally, de-escalation efforts by the primary unit; ordering the suspect to stop resisting were ineffective. I believe the continued use of this low-level force was appropriate given the type of physical resistance enacted by the suspect.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

Bodyweight: I find this application of force was objectively reasonable and proportional to the suspects actions and continued resistance. Officer Green maintained control of the suspects legs to prevent him from standing up.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

TACTICS:

During a canvass of the area, Officer Butler and his partner located the suspect's vehicle. As officer Butler and his partner exited their vehicle, the suspect suddenly exited the vehicle.

Officer Butler immediately broadcast their updated location and advised units that they were Code 6 on the suspect. Officer Green later updated it to a backup request.

Officer Green attempted to de-escalate the situation through verbalization with the suspect prior to the UOF.

During the initial portion of the contact (prior to the UOF) Officer Butler was the designated cover officer while Officer Green was the contact officer.

Overall, the tactics Officer Green used prior, during, and after the UOF were objectively reasonable, necessary, appropriate, and did not substantially deviate from Department procedures.

During the NCUOF, Officer Butler made momentary contact with the suspect's neck. In addition to the unintentional neck contact, the suspect sustained [REDACTED]. FID Lt. Jordan #30895 was contacted and stated that the case did not rise to the level of a categorical UOF. Therefore, the case was to be investigated as a Level I NCUOF.

POLICY / OTHER ISSUES:

Officer Green did not activate the Digital In-Car Video (DICV) prior to the contact with the suspect.

Officer Green's BWV was activated during the UOF and captured the entirety of the incident.

The deviation from DICV was adequately addressed with a Supervisor Action Item (SAI). Officer Green was reminded about Special Order No. 45, (October 2009), Digital In-Car Video Use and Deployment.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

I recommend that the tactics utilized by Officer Green be classified as ADMINISTRATIVE APPROVAL / NO ACTION.

SUPERVISOR OVERSIGHT:

Sergeant I Erika Gonzalez, Serial No. 41925, responded to the scene of the UOF and assumed responsibility as the Investigating Supervisor. Sergeant Gonzalez completed separate and independent interviews of all the involved parties. She canvassed for evidence and completed a thorough at scene investigation. At the conclusion of the incident, Sergeant Gonzalez conducted an Incident Debrief to reinforce the positive aspects of the incident and discuss areas of improvement. I determined that Sergeant Gonzalez on-scene investigation was thorough and complete.

Findings by No Org. WATCH COMMANDER - GIORDANO, NICK - 37933

Date Reviewed: 7/10/2023

Date Approved: 7/10/2023

Reviewed History Date: 7/10/2023

Tactic Finding Action: None

Reviewed Work History:

Policy Change: No

Use of Force Related

Recommendation:

Complaint Initiated:

No Force Used Information for this Employee

Action(s) Taken: No Data

Work History Review Comments:

Finding Review Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

Findings by No Org. WATCH COMMANDER - LJUBETIC, TIFFANY - 36608

Date Reviewed: 7/26/2023

Date Approved: 7/26/2023

Reviewed History Date: 7/26/2023

Tactic Finding Action: Administrative Approval

Reviewed Work History: Yes

Policy Change Recommendation: No

Use of Force Related Complaint Initiated: Yes

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments: I, Lieutenant Ljubetic, Acting Foothill Patrol Commanding Officer, reviewed this investigation, including related reports, Body-Worn Video, and Watch Commander Insight, completed by Lieutenant Giordano. A review of Officer Green's work history report revealed no area of concern.

Officers Green and Butler, responded as an additional unit to a radio call of, Domestic violence Restraining Order Violation.

As officers canvassed the area, they observed the suspect vehicle parked. Officers exited their vehicle to further investigate and observed the suspect exit his vehicle. The suspect was given commands to which he ignored. Officers approached the suspect and a Use of Force occurred as the suspect turned to face officers while armed with a pair keys and attempted to assault Officer Green.

Officer Green utilized a combination of Firm Grips, and Bodyweight to stop the suspect's violent and aggressive behavior.

In evaluating this NCUOF, I determined the force used by Officer Green was objectively reasonable, necessary, proportional, and within Department Policy and State Law. Officers properly used de-escalation techniques to reduce the intensity of the incident and used the minimal amount of force necessary. There was no evidence or allegation of biased policing, nor did I observe any requirement for another employee to intercede. Officers rendered aid by ensuring that the suspect was immediately placed in the recovery position and later received proper medical attention by requesting an RA for visible injuries the suspect sustained during the Use of Force.

The tactics used by Officer Green before, during and after the use of force was reasonable and appropriate and did not deviate from Department procedures.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Findings by No Org. COMMANDING OFFICER - PLUGGE, MATTHEW - 35134

Date Reviewed: **Date Approved:** 12/8/2023 **Reviewed History Date:**
Tactic Finding Action: Administrative Approval **Reviewed Work History:**
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** Yes

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments:

Findings by No Org. ASSISTANT COMMANDING OFFICER - ESPINOZA, GISSELLE - 31041

Date Reviewed: 10/3/2023 **Date Approved:** 10/3/2023 **Reviewed History Date:** 10/3/2023
Tactic Finding Action: Administrative Approval **Reviewed Work History:** Yes
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** Yes

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments: Commander Espinoza has reviewed and concurs with the findings, actions and recommendations by Acting PCO, Lt. Ljubetic.

Employee Discussions

Action(s) Taken Completion Information

Action(s) Taken: No Action
Date:
TMS Numbers:
Provided by: -
Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

ORTEGA, RYAN - 43983

Watch Commanders Insight

OFFICER ORTEGA, RYAN Serial No. 43983

WATCH COMMANDER'S INSIGHT:

I, Lieutenant Nick Giordano, Serial No. 37933, Watch Commander, Foothill Patrol, have reviewed this Level I Non-Categorical Use of Force (NCUOF) as well as the related reports, BWV, and photographs.

This NCUOF occurred when officers responded to a radio call for a domestic violence restraining order violation. Officer Ortega and his partner conducted a restraining order violation investigation when officers broadcast a backup for the suspect. Officer Ortega observed officers involved in a UOF with the suspect and responded to assist. The suspect refused to cooperate or follow commands and attempted to assault officers during the incident.

USE OF FORCE:

The UOF occurred on a sidewalk where officers attempted to detain the suspect for a restraining order violation. The suspect did not comply and attempted to strike one of the officers. Officer Ortega's force applications were not excessive and were proportionate to gain control of the suspect who continued to resist.

Firm Grips: I find that the application of this force was objectively reasonable and proportional given the suspect's continued resistance and efforts to prevent arrest. Additionally, de-escalation efforts by the primary unit; ordering the suspect to stop resisting were ineffective. I believe the continued use of this low-level force was appropriate given the type of physical resistance enacted by the suspect.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

Bodyweight: I find this application of force was objectively reasonable and proportional to the suspects actions and continued resistance.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

Physical Force: I find this application of force was objectively reasonable and proportional given the suspects continued resistance and failure to comply with commands.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

During the NCUOF, Officer Butler made momentary contact with the suspect's neck. In addition to the unintentional neck contact, the suspect sustained [REDACTED] FID Lt. Jordan #30895 was contacted and stated that the case did not rise to the level of a categorical UOF. Therefore, the case was to be investigated as a Level I NCUOF.

TACTICS:

Officer Ortega responded to the backup and immediately attempted to de-escalate the situation through verbalization during the UOF.

Overall, the tactics Officer Ortega used prior, during, and after the UOF were objectively reasonable, necessary, appropriate, and did not substantially deviate from Department procedures.

POLICY / OTHER ISSUES:

Officer Ortega BWV was activated during the UOF and captured the entirety of the incident.

I recommend that the tactics utilized by Officer Ortega be classified as ADMINISTRATIVE APPROVAL / NO ACTION.

SUPERVISOR OVERSIGHT:

Sergeant I Erika Gonzalez, Serial No. 41925, responded to the scene of the UOF and assumed responsibility as the Investigating Supervisor. Sergeant Gonzalez completed separate and independent interviews of all the involved parties. She canvassed for evidence and completed a thorough at scene investigation. At the conclusion of the incident, Sergeant Gonzalez conducted an

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

Incident Debrief to reinforce the positive aspects of the incident and discuss areas of improvement. I determined that Sergeant Gonzalez on-scene investigation was thorough and complete.

Findings by No Org. WATCH COMMANDER - GIORDANO, NICK - 37933

Date Reviewed: 7/10/2023

Date Approved: 7/10/2023

Reviewed History Date: 7/10/2023

Tactic Finding Action: None

Reviewed Work History:

Policy Change: No

Use of Force Related

Recommendation:

Complaint Initiated:

No Force Used Information for this Employee

Action(s) Taken: No Data

Work History Review Comments:

Finding Review Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Findings by No Org. WATCH COMMANDER - LJUBETIC, TIFFANY - 36608

Date Reviewed: 7/26/2023 Date Approved: 7/26/2023 Reviewed History Date: 7/26/2023
Tactic Finding Action: Administrative Approval Reviewed Work History: Yes
Policy Change Recommendation: No Use of Force Related Complaint Initiated: No

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval
Hernandez, Edwin	Physical Force		In Policy	Administrative Approval
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments: I, Lieutenant Ljubetic, Acting Foothill Patrol Commanding Officer, reviewed this investigation, including related reports, Body-Worn Video, Digital In-Car Video and Watch Commander Insight, completed by Lieutenant Giordano. A review of Officer Ortega's work history report revealed no area of concern.

Officer Ortega responded as a backing unit to Officer Butler and Officer Green.

Officers Green and Butler were checking the area for a suspect of a Domestic Violence Restraining Order Violation. As officers canvassed the area, they observed the suspect vehicle parked. Officers exited their vehicle to further investigate and observed the suspect exit his vehicle. The suspect was given commands to which he ignored. Officers approached the suspect and a Use of Force occurred as the suspect turned to face officers while armed with a pair keys and attempted to assault Officer Green.

Officer Ortega utilized a combination of Firm Grips, Physical Force, and Bodyweight to subdue the suspect.

In evaluating this NCUOF, I determined the force used by Officer Ortega was objectively reasonable, necessary, proportional, and within Department Policy and State Law. Officers properly used de-escalation techniques to reduce the intensity of the incident and used the minimal amount of force necessary. There was no evidence or allegation of biased policing, nor did I observe any requirement for another employee to intercede. Officers rendered aid by ensuring that the suspect was immediately placed in the recovery position and later received proper medical attention by requesting an RA for visible injuries the suspect sustained during the Use of Force.

The tactics used by Officer Ortega before, during and after the use of force was reasonable and appropriate and did not deviate from Department procedures.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Findings by No Org. COMMANDING OFFICER - PLUGGE, MATTHEW - 35134

Date Reviewed: **Date Approved:** 12/8/2023 **Reviewed History Date:**
Tactic Finding Action: Administrative Approval **Reviewed Work History:**
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** No

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval
Hernandez, Edwin	Physical Force		In Policy	Administrative Approval
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments:

Findings by No Org. ASSISTANT COMMANDING OFFICER - ESPINOZA, GISSELLE - 31041

Date Reviewed: 10/3/2023 **Date Approved:** 10/3/2023 **Reviewed History Date:** 10/3/2023
Tactic Finding Action: Administrative Approval **Reviewed Work History:** Yes
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** No

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval
Hernandez, Edwin	Physical Force		In Policy	Administrative Approval
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments: Commander Espinoza has reviewed and concurs with the findings, actions and recommendations by Acting PCO, Lt. Ljubetic.

Employee Discussions

Action(s) Taken Completion Information

Action(s) Taken: No Action
Date:
TMS Numbers:
Provided by: -
Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

SOSA, EDWIN - 44344

Watch Commanders Insight

OFFICER SOSA, EDWIN Serial No. 44344

WATCH COMMANDER'S INSIGHT:

I, Lieutenant Nick Giordano, Serial No. 37933, Watch Commander, Foothill Patrol, have reviewed this Level I Non-Categorical Use of Force (NCUOF) as well as the related reports, BWV, and photographs.

This NCUOF occurred when officers responded to a radio call for a domestic violence restraining order violation. Officer Sosa and his partner responded to a backup request by officers who were Code 6 on a restraining order violation suspect. Officer Sosa observed officers involved in a UOF with the suspect and responded to assist. The suspect refused to cooperate or follow commands and attempted to assault officers during the incident.

USE OF FORCE:

The UOF occurred on a sidewalk where officers attempted to detain the suspect for a restraining order violation. The suspect did not comply and attempted to strike one of the officers. Officer Sosa's force applications were not excessive and were proportionate to gain control of the suspect who continued to resist.

Firm Grips: I find that the application of this force was objectively reasonable and proportional given the suspect's continued resistance and efforts to prevent arrest. Additionally, de-escalation efforts by the primary unit; ordering the suspect to stop resisting were ineffective. I believe the continued use of this low-level force was appropriate given the type of physical resistance enacted by the suspect.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

Physical Force: I find this application of force was objectively reasonable and proportional given the suspects active resistance and failure to comply with commands.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

During the NCUOF, Officer Butler made momentary contact with the suspect's neck. In addition to the unintentional neck contact, the suspect sustained [REDACTED]. FID Lt. Jordan #30895 was contacted and stated that the case did not rise to the level of a categorical UOF. Therefore, the case was to be investigated as a Level I NCUOF.

TACTICS:

Officer Sosa responded to the backup and immediately attempted to de-escalate the situation through verbalization during the UOF.

Officer Sosa placed his handcuffs on the ground to transition to his Taser if needed.

Overall, the tactics Officer Sosa used prior, during, and after the UOF were objectively reasonable, necessary, appropriate, and did not substantially deviate from Department procedures. The minor oversight with his handcuffs was immediately recognized by Officer Sosa and he quickly kicked them away. I determined that Sergeant Gonzalez adequately addressed the minor oversight with his equipment and no further action is required.

POLICY / OTHER ISSUES:

Officer Sosa BWV was activated during the UOF. The BWV was powered on and the 2-min buffer captured the entirety of the incident.

I recommend that the tactics utilized by Officer Sosa be classified as ADMINISTRATIVE APPROVAL / INCIDENT DEBRIEF.

SUPERVISOR OVERSIGHT:

Sergeant I Erika Gonzalez, Serial No. 41925, responded to the scene of the UOF and assumed responsibility as the Investigating Supervisor. Sergeant Gonzalez completed separate and independent interviews of all the involved parties. She canvassed for evidence and completed a thorough at scene investigation. At the conclusion of the incident, Sergeant Gonzalez conducted an

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

Incident Debrief to reinforce the positive aspects of the incident and discuss areas of improvement. I determined that Sergeant Gonzalez on-scene investigation was thorough and complete.

Findings by No Org. WATCH COMMANDER - GIORDANO, NICK - 37933

Date Reviewed: 7/10/2023

Date Approved: 7/10/2023

Reviewed History Date: 7/10/2023

Tactic Finding Action: None

Reviewed Work History:

Policy Change: No

Use of Force Related

Recommendation:

Complaint Initiated:

No Force Used Information for this Employee

Action(s) Taken: No Data

Work History Review Comments:

Finding Review Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Findings by No Org. WATCH COMMANDER - LJUBETIC, TIFFANY - 36608

Date Reviewed: 7/26/2023 Date Approved: 7/26/2023 Reviewed History Date: 7/26/2023
Tactic Finding Action: Administrative Approval Reviewed Work History: Yes
Policy Change Recommendation: No Use of Force Related Complaint Initiated: No

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Physical Force		In Policy	Administrative Approval
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval

Action(s) Taken: Incident Debrief

Work History Review Comments:

Finding Review Comments: I, Lieutenant Ljubetic, Acting Foothill Patrol Commanding Officer, reviewed this investigation, including related reports, Body-Worn Video, Digital In-Car Video and Watch Commander Insight, completed by Lieutenant Giordano. A review of Officer Sosa's work history report revealed no area of concern.

Officer Sosa responded as a backing unit to Officer Butler and Officer Green.

Officers Green and Butler were checking the area for a suspect of a Domestic Violence Restraining Order Violation. As officers canvassed the area, they observed the suspect vehicle parked. Officers exited their vehicle to further investigate and observed the suspect exit his vehicle. The suspect was given commands to which he ignored. Officers approached the suspect and a Use of Force occurred as the suspect turned to face officers while armed with a pair keys and attempted to assault Officer Green.

Officer Sosa utilized a combination of Firm Grips, and Physical Force to subdue the suspect.

In evaluating this NCUOF, I determined the force used by Officer Sosa was objectively reasonable, necessary, proportional, and within Department Policy and State Law. Officers properly used de-escalation techniques to reduce the intensity of the incident and used the minimal amount of force necessary. There was no evidence or allegation of biased policing, nor did I observe any requirement for another employee to intercede. Officers rendered aid by ensuring that the suspect was immediately placed in the recovery position and later received proper medical attention by requesting an RA for visible injuries the suspect sustained during the Use of Force.

Regarding tactics, I/O Sergeant Gonzalez identified issues, which he covered during an incident debrief with Officer Sosa.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Findings by No Org. COMMANDING OFFICER - PLUGGE, MATTHEW - 35134

Date Reviewed: **Date Approved:** 12/8/2023 **Reviewed History Date:**
Tactic Finding Action: Administrative Approval **Reviewed Work History:**
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** No

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Physical Force		In Policy	Administrative Approval
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval

Action(s) Taken: Incident Debrief

Work History Review Comments:

Finding Review Comments:

Findings by No Org. ASSISTANT COMMANDING OFFICER - ESPINOZA, GISSELLE - 31041

Date Reviewed: 10/3/2023 **Date Approved:** 10/3/2023 **Reviewed History Date:** 10/3/2023
Tactic Finding Action: Administrative Approval **Reviewed Work History:** Yes
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** No

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Physical Force		In Policy	Administrative Approval
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval

Action(s) Taken: Incident Debrief

Work History Review Comments:

Finding Review Comments: Commander Espinoza has reviewed and concurs with the findings, actions and recommendations by Acting PCO, Lt. Ljubetic.

Employee Discussions

Action(s) Taken Completion Information

Action(s) Taken: Incident Debrief
Date:
TMS Numbers:
Provided by: -
Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

TORRES, NANCY - 44739

Watch Commanders Insight

OFFICER TORRES, NANCY Serial No. 44739

WATCH COMMANDER'S INSIGHT:

I, Lieutenant Nick Giordano, Serial No. 37933, Watch Commander, Foothill Patrol, have reviewed this Level I Non-Categorical Use of Force (NCUOF) as well as the related reports, BWV, and photographs.

This NCUOF occurred when officers responded to a radio call for a domestic violence restraining order violation. Officer Torres and her partner conducted a restraining order violation investigation when officers broadcast a backup for the suspect. Officer Torres observed officers involved in a UOF with the suspect and responded to assist. The suspect refused to cooperate or follow commands and attempted to assault officers during the incident.

USE OF FORCE:

The UOF occurred on a sidewalk where officers attempted to detain the suspect for a restraining order violation. The suspect did not comply and attempted to strike one of the officers. Officer Torres force applications were not excessive and were proportionate to gain control of the suspect who continued to resist.

Firm Grips: I find that the application of this force was objectively reasonable and proportional given the suspect's continued resistance and efforts to prevent arrest. Additionally, de-escalation efforts by the primary unit; ordering the suspect to stop resisting were ineffective. I believe the continued use of this low-level force was appropriate given the type of physical resistance enacted by the suspect.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

Bodyweight: I find this application of force was objectively reasonable and proportional to the suspect's actions and continued resistance.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

TACTICS:

Officer Torres responded to the backup and immediately attempted to de-escalate the situation through verbalization during the UOF.

Overall, the tactics Officer Torres used prior, during, and after the UOF were objectively reasonable, necessary, appropriate, and did not substantially deviate from Department procedures.

During the NCUOF, Officer Butler made momentary contact with the suspect's neck. In addition to the unintentional neck contact, the suspect sustained [REDACTED]. FID Lt. Jordan #30895 was contacted and stated that the case did not rise to the level of a categorical UOF. Therefore, the case was to be investigated as a Level I NCUOF.

POLICY / OTHER ISSUES:

Officer Torres BWV was activated during the UOF and captured the entirety of the incident.

I recommend that the tactics utilized by Officer Torres be classified as ADMINISTRATIVE APPROVAL / NO ACTION.

SUPERVISOR OVERSIGHT:

Sergeant I Erika Gonzalez, Serial No. 41925, responded to the scene of the UOF and assumed responsibility as the Investigating Supervisor. Sergeant Gonzalez completed separate and independent interviews of all the involved parties. She canvassed for evidence and completed a thorough at scene investigation. At the conclusion of the incident, Sergeant Gonzalez conducted an Incident Debrief to reinforce the positive aspects of the incident and discuss areas of improvement. I determined that Sergeant Gonzalez on-scene investigation was thorough and complete.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

Findings by No Org. WATCH COMMANDER - GIORDANO, NICK - 37933

Date Reviewed: 7/10/2023

Date Approved: 7/10/2023

Reviewed History Date: 7/10/2023

Tactic Finding Action: None

Reviewed Work History:

Policy Change: No

Use of Force Related

Recommendation:

Complaint Initiated:

No Force Used Information for this Employee

Action(s) Taken: No Data

Work History Review Comments:

Finding Review Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Findings by No Org. WATCH COMMANDER - LJUBETIC, TIFFANY - 36608

Date Reviewed: 7/26/2023 Date Approved: 7/26/2023 Reviewed History Date: 7/26/2023
Tactic Finding Action: Administrative Approval Reviewed Work History: Yes
Policy Change Recommendation: No Use of Force Related Complaint Initiated: No

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments: I, Lieutenant Ljubetic, Acting Foothill Patrol Commanding Officer, reviewed this investigation, including related reports, Body-Worn Video, Digital In-Car Video and Watch Commander Insight, completed by Lieutenant Giordano. A review of Officer Torres's work history report revealed no area of concern.

Officer Torres responded as a backing unit to Officer Butler and Officer Green.

Officers Green and Butler were checking the area for a suspect of a Domestic Violence Restraining Order Violation. As officers canvassed the area, they observed the suspect vehicle parked. Officers exited their vehicle to further investigate and observed the suspect exit his vehicle. The suspect was given commands to which he ignored. Officers approached the suspect and a Use of Force occurred as the suspect turned to face officers while armed with a pair keys and attempted to assault Officer Green.

Officer Torres utilized a combination of Firm Grips, and Bodyweight to subdue the suspect.

In evaluating this NCUOF, I determined the force used by Officer Torres was objectively reasonable, necessary, proportional, and within Department Policy and State Law. Officers properly used de-escalation techniques to reduce the intensity of the incident and used the minimal amount of force necessary. There was no evidence or allegation of biased policing, nor did I observe any requirement for another employee to intercede. Officers rendered aid by ensuring that the suspect was immediately placed in the recovery position and later received proper medical attention by requesting an RA for visible injuries the suspect sustained during the Use of Force.

The tactics used by Officer Torres before, during and after the use of force was reasonable and appropriate and did not deviate from Department procedures.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Findings by No Org. COMMANDING OFFICER - PLUGGE, MATTHEW - 35134

Date Reviewed: **Date Approved:** 12/8/2023 **Reviewed History Date:**
Tactic Finding Action: Administrative Approval **Reviewed Work History:**
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** No

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments:

Findings by No Org. ASSISTANT COMMANDING OFFICER - ESPINOZA, GISSELLE - 31041

Date Reviewed: 10/3/2023 **Date Approved:** 10/3/2023 **Reviewed History Date:** 10/3/2023
Tactic Finding Action: Administrative Approval **Reviewed Work History:** Yes
Policy Change Recommendation: No **Use of Force Related Complaint Initiated:** No

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Bodyweight		In Policy	Administrative Approval
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments: Commander Espinoza has reviewed and concurs with the findings, actions and recommendations by Acting PCO, Lt. Ljubetic.

Employee Discussions

Action(s) Taken Completion Information

Action(s) Taken: No Action
Date:
TMS Numbers:
Provided by: -
Comments:

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

DR No: 23-1609126

Case Type: NONCAT - I

Case Status: Closed

DR Type: Arrest Report

CORDOBA, AMANDA - 44817

Watch Commanders Insight

OFFICER CORDOBA, AMANDA Serial No. 44817

WATCH COMMANDER'S INSIGHT:

I, Lieutenant Nick Giordano, Serial No. 37933, Watch Commander, Foothill Patrol, have reviewed this Level I Non-Categorical Use of Force (NCUOF) as well as the related reports, BWV, and photographs.

This NCUOF occurred when officers responded to a radio call for a domestic violence restraining order violation. Officer Cordoba and her partner responded to a backup request by officers who were Code 6 on a restraining order violation suspect. Officer Cordoba observed officers involved in a UOF with the suspect and responded to assist. The suspect refused to cooperate or follow commands and attempted to assault officers during the incident.

USE OF FORCE:

The UOF occurred on a sidewalk where officers attempted to detain the suspect for a restraining order violation. The suspect did not comply and attempted to strike one of the officers. Officer Cordoba's force applications were not excessive and were proportionate to gain control of the suspect who continued to resist.

Firm Grips: I find that the application of this force was objectively reasonable and proportional given the suspect's continued resistance and efforts to prevent arrest. Additionally, de-escalation efforts by the primary unit; ordering the suspect to stop resisting were ineffective. I believe the continued use of this low-level force was appropriate given the type of physical resistance enacted by the suspect.

I recommend this application of force be classified as: IN POLICY / ADMINISTRATIVE APPROVAL.

During the NCUOF, Officer Butler made momentary contact with the suspect's neck. In addition to the unintentional neck contact, the suspect sustained [REDACTED] FID Lt. Jordan #30895 was contacted and stated that the case did not rise to the level of a categorical UOF. Therefore, the case was to be investigated as a Level I NCUOF.

TACTICS:

Officer Cordoba responded to the backup and immediately attempted to de-escalate the situation through verbalization during the UOF.

Overall, the tactics Officer Cordoba used prior, during, and after the UOF were objectively reasonable, necessary, appropriate, and did not substantially deviate from Department procedures.

POLICY / OTHER ISSUES:

Officer Cordoba BWV was activated during the UOF and captured the entirety of the incident.

I recommend that the tactics utilized by Officer Cordoba be classified as ADMINISTRATIVE APPROVAL / NO ACTION.

SUPERVISOR OVERSIGHT:

Sergeant I Erika Gonzalez, Serial No. 41925, responded to the scene of the UOF and assumed responsibility as the Investigating Supervisor. Sergeant Gonzalez completed separate and independent interviews of all the involved parties. She canvassed for evidence and completed a thorough at scene investigation. At the conclusion of the incident, Sergeant Gonzalez conducted an Incident Debrief to reinforce the positive aspects of the incident and discuss areas of improvement. I determined that Sergeant Gonzalez on-scene investigation was thorough and complete.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Findings by No Org. WATCH COMMANDER - GIORDANO, NICK - 37933

Date Reviewed: 7/10/2023 Date Approved: 7/10/2023 Reviewed History Date: 7/10/2023
Tactic Finding Action: None Reviewed Work History:
Policy Change No Use of Force Related
Recommendation: Complaint Initiated:

No Force Used Information for this Employee

Action(s) Taken: No Data

Work History Review Comments:

Finding Review Comments:

Findings by No Org. WATCH COMMANDER - LJUBETIC, TIFFANY - 36608

Date Reviewed: 7/26/2023 Date Approved: 7/26/2023 Reviewed History Date: 7/26/2023
Tactic Finding Action: Administrative Approval Reviewed Work History: Yes
Policy Change No Use of Force Related No
Recommendation: Complaint Initiated:

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments: I, Lieutenant Ljubic, Acting Foothill Patrol Commanding Officer, reviewed this investigation, including related reports, Body-Worn Video, Digital In-Car Video and Watch Commander Insight, completed by Lieutenant Giordano. A review of Officer Cordoba's work history report revealed no area of concern.

Officer Cordoba responded as a backing unit to Officer Butler and Officer Green.

Officers Green and Butler were checking the area for a suspect of a Domestic Violence Restraining Order Violation. As officers canvassed the area, they observed the suspect vehicle parked. Officers exited their vehicle to further investigate and observed the suspect exit his vehicle. The suspect was given commands to which he ignored. Officers approached the suspect and a Use of Force occurred as the suspect turned to face officers while armed with a pair keys and attempted to assault Officer Green.

Officer Cordoba utilized Firm Grips to subdue the suspect.

In evaluating this NCUOF, I determined the force used by Officer Cordoba was objectively reasonable, necessary, proportional, and within Department Policy and State Law. Officers properly used de-escalation techniques to reduce the intensity of the incident and used the minimal amount of force necessary. There was no evidence or allegation of biased policing, nor did I observe any requirement for another employee to intercede. Officers rendered aid by ensuring that the suspect was immediately placed in the recovery position and later received proper medical attention by requesting an RA for visible injuries the suspect sustained during the Use of Force.

The tactics used by Officer Cordoba before, during and after the use of force was reasonable and appropriate and did not deviate from Department procedures.

FINDINGS (INTERNAL PROCESS REPORT)

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Findings by No Org. COMMANDING OFFICER - PLUGGE, MATTHEW - 35134

Date Reviewed: Date Approved: 12/8/2023 Reviewed History Date:
Tactic Finding Action: Administrative Approval Reviewed Work History:
Policy Change No Use of Force Related No
Recommendation: Complaint Initiated:

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments:

Findings by No Org. ASSISTANT COMMANDING OFFICER - ESPINOZA, GISSELLE - 31041

Date Reviewed: 10/3/2023 Date Approved: 10/3/2023 Reviewed History Date: 10/3/2023
Tactic Finding Action: Administrative Approval Reviewed Work History: Yes
Policy Change No Use of Force Related No
Recommendation: Complaint Initiated:

Suspect	UOF Used	Location	Classification	Action
Hernandez, Edwin	Firm Grip		In Policy	Administrative Approval

Action(s) Taken: No Action

Work History Review Comments:

Finding Review Comments: Commander Espinoza has reviewed and concurs with the findings, actions and recommendations by Acting PCO, Lt. Ljubetic.

Employee Discussions

Action(s) Taken Completion Information

Action(s) Taken: No Action
Date:
TMS Numbers:
Provided by: -
Comments:

Meeting Dates

TGCO Meeting Date: 10/10/2023
UOFRS Confirmation of Action(s)
Taken Completion Date:

UOFS Brief (to be completed by UOF Review Section only)

UOF Review Section Brief
Comments:

Date	Time	Comments	User	Case Status at Time Of Entry
6/21/2023	15:35	Captain Bennett completed 14-Day review.	BENNETT, JAMIE-31406	Investigation

ROUTING NOTES

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Work Item Name	Target User Id	Start Date	Completion Date	Open/Comp By	Organization	Rank	Comments	Work Item Status	Case Status
Enter CIRD CO Findings	No Org - 26098	12/8/23	12/8/23	GUTIERREZ, JONATHAN-34336	26119	SGT 2	Reviewed the investigation, including the related reports, photographs, BWV (sufficient to adjudicate the applications of force and tactics) and the IPR. Concur with the findings and recommendations for the involved officers.	Completed	Findings
Conduct Administrative Review and Analysis	No Org - 26119	10/10/23	10/12/23	GONZALES, RYAN- 40284	26119	PO 3	Ready for review	Completed	Pre-Findings
Conduct Non-Categorical Investigation Review	No Org - 11108	8/31/23	10/3/23	PAULAUSKAS, DAVID- 39941	12794	PO 3	Valley Bureau Findings Completed.	Completed	COC Review
Conduct Non-Categorical Investigation Review	-	7/25/23	7/26/23	MEDINA, ROBERT-38807	11967	PO 2	Divisional review complete	Completed	Investigation Review
Conduct Non-Categorical Investigation Review	-	7/21/23	7/25/23	MEDINA, ROBERT-38807	11967	PO 2	See email	Completed	Investigation Review
Conduct Non-Categorical Investigation	-	7/19/23	7/19/23	GONZALEZ, ERIKA- 41925	11951	SGT 1	Completed and ready for your review.	Completed	Investigation
Conduct Non-Categorical Investigation Review	-	7/13/23	7/13/23	MEDINA, ROBERT-38807	11967	PO 2	See email	Kickback	Investigation Review
Conduct Non-Categorical Investigation Review	No Org - 11175	7/10/23	7/11/23	GIORDANO, NICK- 37933	11962	LT 1	Submitted for review on 07/11/23.	Completed	Investigation Review
Conduct Non-Categorical Investigation	-	7/10/23	7/10/23	MEDINA, ROBERT-38807	11967	PO 2	Review needed	Completed	Investigation
Conduct Non-Categorical Investigation Review	-	7/10/23	7/10/23	ERCOLANO, CHRISTOPHER-37574	11951	LT 1	Please add complaint info and push to LT Giordano. Thank you.	Kickback	Investigation Review
Conduct Non-Categorical Investigation Review	No Org - 11175	7/10/23	7/10/23	MEDINA, ROBERT-38807	11967	PO 2	Please review	Completed	Investigation Review
Conduct Non-Categorical Investigation	-	7/9/23	7/10/23	MEDINA, ROBERT-38807	11967	PO 2	WC Insights needed	Completed	Investigation
Conduct Non-Categorical	-	7/9/23	7/9/23	LJUBETIC, TIFFANY-	11950	LT 1	Please add complaint info	Kickback	Investigation Review

ROUTING NOTES

UOFS

Case Number: 2038314

Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126

DR Type: Arrest Report

Work Item Name	Target User Id	Start Date	Completion Date	Open/Comp By	Organization	Rank	Comments	Work Item Status	Case Status
Investigation Review				36608					
Conduct 14-Day Incident Review	No Org - 11175	6/14/23	6/21/23	BENNETT, JAMIE- 31406	11950	CAPT 1	14-Day Review	Completed	Investigation
Conduct Non-Categorical Investigation		6/12/23	7/8/23	GONZALEZ, ERIKA- 41925	11951	SGT 1	Ready for your review (WC insight)	Completed	Investigation

Attachments

UOFS

Case Number: 2038314
Case Type: NONCAT - I

Case Status: Closed

DR No: 23-1609126
DR Type: Arrest Report

Attachment Type	Context Data	Attachment Description
Addenda Item	incident details.pdf	Incident Printout
Addenda Item	medical release.pdf	Release of Medical Information
Addenda Item	hospitalreport.pdf	report from medical attention
Addenda Item	io notes.docx	IO Notes
Addenda Item	suspect photos.docx	suspect photos
Addenda Item	intersection and location.docx	Location of UOF photos
Addenda Item	officer photos.docx	Officer Photos
Addenda Item	arrest report and impound.pdf	Arrest report and vehicle impound
Addenda Item	img_0055.jpg	D#0848888 envelope photo
Employee Oral Statement		Used firm grips and physical force to assist officers take the suspect into custody. The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.
Employee Oral Statement		Officer used firm grips and body weight to place the resisting suspect into custody. The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.
Employee Oral Statement		assisted in taking suspect into custody by using control holds. The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.
Employee Oral Statement		applied control holds to assist in taking uncooperative suspect into custody. The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.
Employee Oral Statement		used control holds to help take uncooperative suspect into custody. The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.
Employee Oral Statement		Applied firm grips, physical force, body weight, a punch, elbow strikes, to take the uncooperative suspect into custody. The statement provided by the involved officer is consistent with the incident as depicted in the arrest report.
Suspect Oral Statement		Suspect stated that he was walking away, officers approached, he proceeds to say stop, raises hands to stop, the officers rushed towards him. Suspect stated that he was just trying to see [REDACTED]. He added that officers pushed him to floor and was hit in the head. (See BWV for recording of interview). The above is just a summary. Statement provided by the suspect is consistent with the incident as depicted in the arrest report. Recorded via BWV
UOFRS Brief		