



Use of Force Report

Salinas Police Department



Report #

23-040231

Related Incident #

Incident Case Instruction

Routing

Date Of Incident

Date Of Report

Incident Date	04/09/23	Report Date	04/27/23
Incident Time	1614	Report Time	0022

Incident Address

Address/Street Name	704 Garner Avenue			
City	Salinas	State	CA	
Beat				

Supervisor Notified

Notified	Yes			
Time Notified	1618	Arrived	1618	Name Sgt. Ruben Sanchez

Reason for use of force

Reasons	Effect Arrest, Prevent Escape, Protect Public, Protect Self, Seriousness of Crime
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Type Of Incident

Traffic Stop

Location Type

Field/Woods (10)

Lighting Condition

DayLight

Weather Condition

Clear

Incident Attachment

Is there a document attached to this report?	Yes
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Officer - Anthony Garcia**Officer Information**

Principal/ Primary Officer?	Yes	Personnel Number	30349		
First Name	Anthony	Middle Name			Last Name Garcia
Age	39	On Duty?			
Permanent Assignment	Police Officer	In Uniform?			Race Hispanic/Latino
Gender	Male				
De-escalation	Use Non-Threatening Verbals		CIT?	Yes	
Body Worn Camera?	Yes	Activated?	Yes		

Officer Injury

Injured?	No
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Suspect - Francisco Ruiz**Suspect Information**

First Name	Francisco	Middle Name	Hernandez	Last Name	Ruiz
Address	Transient	City	Salinas	State	CA
DOB	[REDACTED]				
Race	Hispanic/Latino	Gender	Male		
Height	5' - 5' 3"	Weight	150 - 199	Build	Medium/Average

Suspect Action**Weapon Used by Suspect**

<input checked="" type="checkbox"/> Hands / Feet	<input type="checkbox"/> Club / Bat / Blunt Object	<input type="checkbox"/> Edged Weapon
<input type="checkbox"/> Firearm	<input checked="" type="checkbox"/> Other	

Arrest

Arrested	Yes
Arrest Date	04/09/23
Charges	VC2800.2(A)=F - EVADE PEACE OFFICER DISREGARD SAFETY063300, VC10851(A)=F - TAKE VEHICLE W/O OWNER'S CONSENT/VEH046415, PC148(A)(1)=M - RESIST-DELAY OBSTR POLICE-EMER 089500

Charges	Felony	Misdemeanor	Warrant	Municipal Ordinance Violation
VC2800.2(A)=F - EVADE PEACE OFFICER DISREGARD SAFETY063300	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VC10851(A)=F - TAKE VEHICLE W/O OWNER'S CONSENT/VEH046415	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PC148(A)(1)=M - RESIST-DELAY OBSTR POLICE-EMER 089500	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





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Suspect Injury

Injured?	Yes
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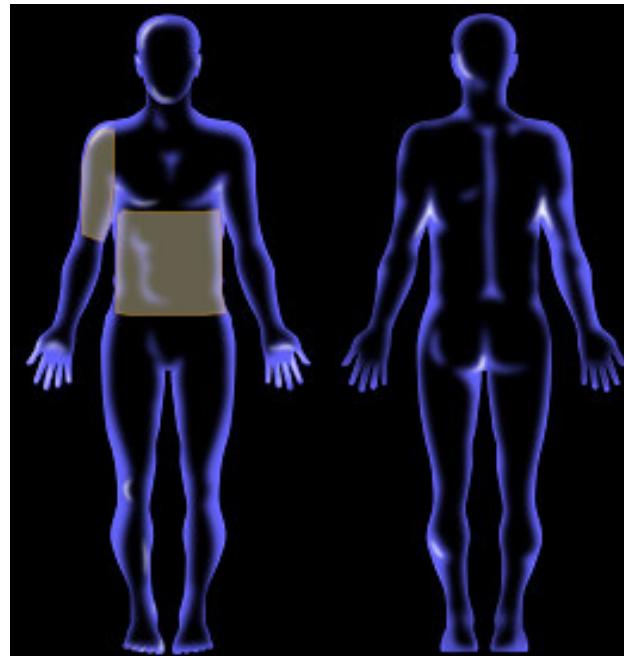
Injury Type	K9 Bite(s)	Injury Severity	Other Visible Injury	How Injury Occurred	K9 Apprehension
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Suspect Medical Treatment

Treatment Received?	Yes	Treatment By	Marie Lutz		
Transported	Yes	Transported By	MED33		
Transported Time	1636	Transported To	Natividad Medical Center		
Photographs of Injuries	Yes	Photographs Taken By	Officer Dorantes		

Body Parts Injured

Point Type
Upper Arm (right)
Stomach



Point Type





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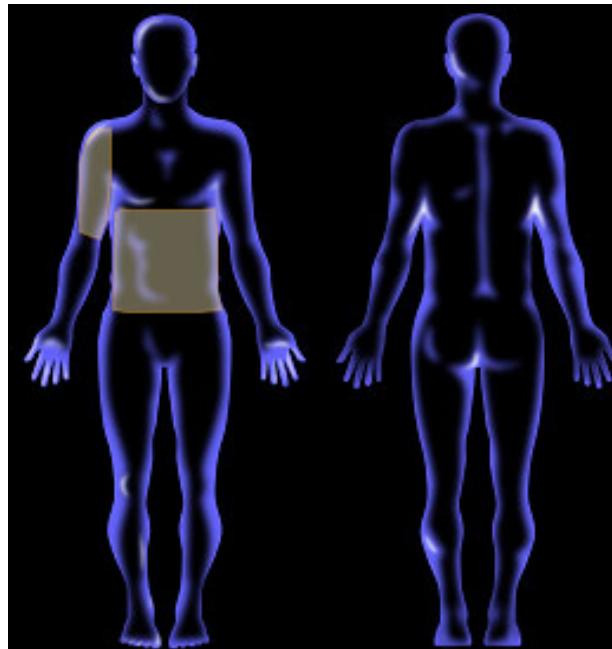
23-040231

K-9 - Bolt**K9s Information**

Deployed at Suspect	Francisco Ruiz	Deployed by Officer	Anthony Garcia	K-9 Name	Bolt
K-9 Breed	Belgian Malinois	K-9 Type	Other	Reason Deployed	Apprehension
Number of Bites	02				
Did suspect comply after K-9 was deployed?	Yes				

Body Parts Injured

Point Type	Value
Upper Arm (right)	1
Stomach	1



Point Type	Value





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Narrative

Narrative

On 04/09/2022 at approximately 1614 hours, Officer Wayman observed an occupied stolen vehicle in the area of Fairhaven Street and 1st Avenue. The vehicle was being driven by Francisco Hernandez Ruiz and he was the sole occupant. Officer Wayman followed the vehicle and coordinated units to assist with the high risk stop. Officer Anthony Garcia and I responded to assist with the traffic stop. A traffic stop was attempted at North Sanborn Road and East Laurel Drive however, Ruiz failed to stop and continued to drive northbound on North Sanborn Road. Officer Anthony Garcia took the primary position and Officer Wayman took secondary position. A plan for pursuit intervention technique (PIT) was discussed and Officer Solis and I also were the 3rd and fourth units. At North Sanborn Road and Garner Avenue Ruiz traveled westbound on Garner Avenue and a pursuit ensued. Ruiz was traveling at speeds of approximately 45 MPH in a 25 MPH zone and passed vehicles on the left, Ruiz failed to stop at stop signs on Garner Avenue. It should be noted the Easter Holiday was on the date of this pursuit.

At the dead end of Garner Avenue, Ruiz foot bailed from the stolen vehicle and ran southbound behind 704 Garner Avenue. A bicycle/pedestrian path backs up to the area. Officer Anthony Garcia deployed his canine, Bolt to assist with the apprehension of Ruiz. I was on scene at the time of the canine deployment. Canine Bolt assisted with the apprehension of Ruiz; Ruiz ran into a thick landscaped area behind 704 Garner Avenue after fleeing the stolen vehicle. Ruiz was taken into custody and medical aid arrived on scene to treat Ruiz for his injuries he received from canine Bolt. I interviewed Officer Anthony Garcia on scene regarding the use of force. Officer Anthony Garcia advised Ruiz kept reaching under the seat during the pursuit and Ruiz also took a while to get out of the stolen before fleeing on foot. Officer Anthony Garcia also advised Ruiz had an object in his hand, but he got rid of it as he ran.

Officer Anthony Garcia gave verbal commands to Ruiz to stop, and Ruiz didn't stop and continued to run.

Ruiz was transported by AMR to Natividad Medical Center for treatment of the injuries he sustained from the K-9 bite. I responded to Natividad Medical Center and contacted Ruiz and interviewed him regarding the use of force. I asked Ruiz why he didn't stop, and Ruiz advised because he was scared. I asked Ruiz if he knew we were law enforcement officers and Ruiz advised he did. Ruiz stated he saw the police patrol vehicles. I then asked Ruiz if he heard the officer telling him to stop as he ran, and Ruiz advised he did and again Ruiz stated he didn't stop because he was scared. Ruiz then advised he knew the dog was being released but Ruiz didn't know the dog was going to apprehend him. Ruiz advised he was not going to ever run again.

I reviewed the body camera videos, patrol vehicle videos and read the reports for the incident. Officer Anthony Garcia documented further details of why he deployed K-9 Bolt to assist with the apprehension of Ruiz.

Officer Anthony Garcia advised based on his training and experience as a police officer stolen vehicles are utilized by criminals and gang members to commit other crimes such as, but not limited to armed -robberies, burglaries, and shootings. He also knows that it is not uncommon for auto thieves to utilize and possess tools such as, but not limited to screwdrivers, picks, and pry-bars, which can be used as crude weapons against officers and the public. Further, Ruiz was actively resisting and evading officers and based on the fact that Ruiz demonstrated his willingness to endanger the lives of the public and responding officers, showing no regard for the safety of others and that he was an unsearched felony suspect who had committed a serious offense, Officer Anthony Garcia deployed K-9 Bolt to apprehend Ruiz.

The use of the K-9 also greatly decreased the threat to officers and the public during the apprehension of suspect Ruiz and the use of the K-9 was the less than lethal force option.

Based on the totality of the circumstances, the use of force was objectively reasonable and within Salinas Police Policy to effect an arrest and to prevent escape Ruiz who was reaching under the seat area during the pursuit and wanted on felony charges for evading and vehicle theft. Further, Ruiz jumped into a thick, overgrown brush area making it difficult for officers to clearly observe Ruiz and the potential of him being armed based on Officer Anthony Garcia's observation of Ruiz reaching under the seat area as he pursued him.





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Reviews

Name	Date
Filice, Roberto-20245	12/11/2023, 12:04 PM
Diaz, Kimberly-75085	11/22/2023, 5:26 AM
Johnson, Brian-46742	12/11/2023, 10:34 AM
Magana, Gerardo-54372	09/21/2023, 6:04 PM
Gonzalez, Angel-31972	09/08/2023, 1:55 PM
Godwin, James-31831	08/10/2023, 12:14 PM
Bravo, Luis-10704	12/13/2023, 11:08 AM
Martinez, Manuel-54921	12/11/2023, 10:39 AM
Sanchez, Ruben-76997	05/24/2023, 11:04 PM

