

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #(S)

2015-
 2015-
 2015-

INITIAL INVESTIGATION

E V E N T	DATE REPORTED 07/05/2015	TIME 02:08	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED BETWEEN 07/05/2015	TIME 02:08	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
	AND 07/05/2015	TIME 03:00	COMMON PLACE NAME SPECIALTY SALES	CITY OF OCCURRENCE PLEASANTON
	SYNOPSIS OF EVENT			

Officers responded to an alarm call. Upon arrival, officers discovered a burglary had occurred and the suspect was inside the business. The suspect was uncooperative and fled through a window. Outside, an altercation ensued between the suspect and one officer. During the altercation, the suspect was shot. The suspect later died at Eden Hospital.

O F F I C E R S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE
								E	MEDIA- AUDIO, VIDEO	

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
	2						
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	6						
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	10						

V E H I C L E S	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						
	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
DESCRIPTION							
VALUE							

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:				

REPORTING OFFICER Stocking, Brandon, ,	DATE WRITTEN 07/05/2015	APPROVED BY Schlehuber, Kurt
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PLEASANTON POLICE DEPARTMENT NARRATIVE	DATE/TIME WRITTEN 07/05/2015 02:08	CASE NUMBER 2015-00024571
	REPORTING OFFICER Stocking, Brandon, .	

NOTIFICATION:

At 0208 hours on 7/5/15, Pleasanton Police Dispatch received a call from Bay Alarm. Bay Alarm reported receiving an alarm activation from Specialty Sales located at 4321 First Street in Pleasanton. The initial activation came from "Zone 6" which covers the "right show room motion detector." The reporting party stated she attempted to call the premises and spoke to an "unverified male who refused to give me his name." Minutes later, Bay Alarm called with an update and stated there were additional activations in the "Rear Left Show Room" and "Rear Right Show Room Motion."

At 0336 hours on 7/5/15, I was at my residence and received a call from the Investigations Supervisor, Sgt. Schlehuber. Sgt. Schlehuber advised me Officer Kunkel had been involved in a shooting. Sgt. Schlehuber told me Officer Kunkel received injuries and was being treated at ValleyCare Hospital. Sgt. Schlehuber told me the suspect was transported to Eden Hospital and not expected to survive. I responded from my home and arrived at the station at approximately 0430 hours. I was assigned as the primary investigator.

I was later advised by Lt. Knox that the suspect was pronounced deceased by Eden Hospital staff at 0453 hours.

INITIAL INVESTIGATION:

Upon arrival at the station, dispatch provided me a copy of the CAD notes and radio communications associated with the call for service. I later booked a copy of the radio communications into evidence.

During the initial phases of the investigation, I met with D.A. Inspector Brian Medeiros and Deputy District Attorney Kevin Wong who had been assigned to conduct a parallel investigation, which is protocol in Alameda County.

The Alameda County Crime Lab was contacted and requested to respond to the scene for evidence processing.

Involved officers were relieved of their duties at the scene as soon as possible. These officers returned to the station and were sequestered in various rooms throughout the police station.

The details of the investigation will be documented in supplemental reports.

RECOMMENDATIONS:

None. Investigation is on-going.

B. STOCKING #269

**PLEASANTON POLICE DEPARTMENT
PROPERTY CONTROL REPORT**

DATE/TIME WRITTEN
07/05/2015 02:08
REPORTING OFFICER
Stocking, Brandon, .

CASE NUMBER
2015-00024571

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	1	MEDIA- AUDIO, VIDEO		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
AUDIO CD - DISPATCH RADIO TRAFFIC					PPD75436
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

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CASE NUMBER

2015-00024571

CROSS REF CASE # (S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/09/2015	TIME 15:54	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

On 7/7/15 I conducted an inspection of Officer Kunkel's duty belt and its contents. These items were examined for any damage, blood and were placed back into evidence. Department issued equipment such as Officer Kunkel's portable radio, flashlight and keys were removed from evidence and were given to Sergeant Schlehuber. These items will be later provided to Officer Kunkel upon his return to duty.

OFFENSES	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE
									E	ELECTRONICS

SUBJECTS	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
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VEHICLES	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						
VEHICLES	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						VALUE

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:			

REPORTING OFFICER Sarasua, Benjamin, J.	DATE WRITTEN 07/09/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 7/11/2015 10:01
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**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - NARRATIVE**

DATE/TIME WRITTEN
07/09/2015 15:54

CASE NUMBER
2015-00024571

REPORTING OFFICER
Sarasua, Benjamin, J.

On 7/7/15 at approximately 1600 hours, I was tasked with inspecting Officer Kunkel's duty belt, radio and flashlight. All of these items were previously booked into evidence at the Pleasanton Police Department.

On 7/7/15 at approximately 1610 hours, I checked out Officer Kunkel's department issued radio and flashlight from evidence (PPD75813). These items were sealed in a paper evidence bag. I also checked out Officer Kunkel's department issued duty belt which was booked in a paper evidence bag (PPD75825).

I took both items to the evidence booking room where I placed them on white butcher paper which was on the counter. I opened the evidence bag containing Officer Kunkel's radio and flashlight (PPD75813) and examined and photographed the following items.

1. PPD department issued Motorola APX 6000LI handheld radio and microphone. S/N: 755CNH0455. Radio was in the on position but the battery was dead. Normal wear and tear, no significant damage.
2. Streamlight SL-20L flashlight. S/N: 0270510613

These items were set aside. I opened the evidence bag containing Officer Kunkel's duty belt (PPD75825) and placed this item on the butcher paper. There was a single Taser wire wrapped several times around Kunkel's duty belt and the probe was missing. Officer Kunkel's duty belt contained the following items.

1. Black basket weave Bianchi duty belt with joining clip buckle (no damage).
2. Black basket weave digital recorder case (no damage).
3. Olympus digital voice recorder VN-4100PC (no damage).
4. Black basket weave Bianchi dual handcuff case (no damage).
5. Two sets of handcuffs: One black peerless set of handcuffs in back of pouch (S/N: 616368 Model 700). One silver Smith & Wesson set of handcuffs in front of pouch (#294) no damage.
6. One spring metal key clip with two sets of keys (Ring 1: 7 keys and dongle. Ring 2: 3 keys).
7. Black basket weave Safari hand holster (small scrape on the outside bottom edge).
8. Black basket weave flashlight holder (no damage).
9. Black Streamlight Strion flashlight S/N 199689 (no damage/operates properly).
10. Black basket weave baton ring (scrape on the backside of plastic ring).
11. Black basket weave OC spray holder and canister (Defense Technology MKIII, 1.47 oz. Lot# OC 926) (scrape on plastic).
12. Black Blackhawk Taser holster (operates properly/scrape near safety release).
13. Black basket weave Bianchi radio holder (no damage).
14. Black basket weave Bianchi dual magazine holder (no damage/snaps closed). This dual magazine holder

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/09/2015 15:54	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J,	

contained two fully loaded silver magazines (Sig Sauer P220/8 round capacity). Each magazine contained 8 rounds of Winchester .45 caliber copper jacketed hollow point rounds.

15. Four black basket weave keepers which were snapped together (separated from duty belt). #1, #2, and #4 keeper had loose threading. #3 keeper was in good condition.

Detective Silacci downloaded Officer Kunkel's digital recorder into DIMS and I later booked this item back into evidence (PPD75464, Locker #2). I released Officer Kunkel's department issued radio, flashlights, and keys to Sergeant Schlehuber.

I repackaged Officer Kunkel's duty belt and its contents back in the same evidence packaging and placed these items into evidence. No further action was taken at this time.

End of report.
B. Sarasua #258

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT	DATE/TIME WRITTEN 07/09/2015 15:54	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J,	

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	1	ELECTRONICS	VN-4100PC	\$40.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
OLYMPUS DIGITAL RECORDER					PPD75464
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

CONTROLLED DOCUMENT

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CASE NUMBER

2015-00024571

CROSS REF CASE #S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/10/2015	TIME 12:37	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

On 7/8/15 at around 0830 hours I met with ACSO Criminalists, Penny Ritter and Elyne Salazar, at the Pleasanton Operations Service Center. Ritter and Salazar were assigned to conduct an evidence examination of Deming's 2015 Mercedes Sprinter. Evidence was collected from Deming's vehicle and was later booked into evidence at the Pleasanton Police Department. On 7/10/15 I removed Officer Kunkel's Scorpion camera from evidence and examined it for any videos or photos.

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE
									E	MISCELLANEOUS
							E	CLOTHING, FURS, ETC	\$1.10	
							E	DOCUMENTS	\$0.00	
							E	DOCUMENTS	\$0.00	

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
2							
3							
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10							

V E H I C L E S	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
DESCRIPTION							
	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
EVIDENCE	2015	MERZ	SPRINTER	VAN			
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
				VEHICLE	WHI		
DESCRIPTION					VALUE	\$55000.00	

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:			

REPORTING OFFICER: Sarasua, Benjamin, J,	DATE WRITTEN 07/10/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 7/11/2015 12:52
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/10/2015 12:37	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J,	

On 7/8/15 at around 0830 hours I met with ACSO Criminalists, Penny Ritter and Elyne Salazar, at the Pleasanton Operations Service Center. Ritter and Salazar were assigned to conduct an evidence examination of Deming's 2015 Mercedes Sprinter (VIN:). When I met with Ritter and Salazar, I unlocked the south gates of the PPD range and escorted them both inside. I showed Ritter and Salazar where Deming's vehicle was located and provided them a copy of the Search Warrant that was obtained on 7/5/15.

At approximately 0850 hours Ritter and Salazar began processing Deming's vehicle for evidence. Ritter and Salazar inventoried and photographed every item in Deming's vehicle and later collected and bagged specific items upon my request. Ritter and Salazar collected 13 items from Deming's van which I later booked into evidence at the Pleasanton Police Department. A photograph of the ACSO evidence list will be attached with this report.

On 7/8/15 at around 1500 hours, I returned to Deming's van and collected a black duffel bag containing martial arts equipment. I later booked this item at the Pleasanton Police Department. I also booked a CD/DVD and a USB drive into evidence. These two items contained the video surveillance footage from Specialty Sales when the initial incident occurred. These items were collected by the ACSO Crime Lab on 7/5/15 and a copy of the video was provided to me.

On 7/10/15 at around 1440 hours, I removed Officer Kunkel's uniform shirt from evidence. I opened this bag and collected Officer Kunkel's Scorpion video camera from inside. I photographed this camera and check for any videos or photos using my desktop computer. I located seven (7) photos on this camera that were unrelated to this case. These photos were taken several days/weeks before this incident. After examining Officer Kunkel's body camera, I placed this item back into the evidence bag with his shirt and booked it back into evidence.

Recommendations:
None

End of report.
B. Sarasua #258

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT				DATE/TIME WRITTEN 07/10/2015 12:37	CASE NUMBER 2015-00024571
				REPORTING OFFICER Sarasua, Benjamin, J.	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED					
01	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 0.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) black square metal bar. 55 3/8 inch by 1 inch square. found on front passenger seat					TAG NUMBER PPD75879
02	CODE E	QTY 1	TYPE CLOTHING, FURS, ETC	SERIAL NUMBER	VALUE \$ 1.10
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BLACK KNIT CAP FOUND ON FLOOR IN FRONT OF FRONT PASSENGER SEAT					TAG NUMBER PPD75892
03	CODE E	QTY 1	TYPE DOCUMENTS	SERIAL NUMBER	VALUE \$ 0.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) CHECK BOOK CONTAINING CHECKS FROM . AND (TOP OF GLOVE BOX)					TAG NUMBER PPD75893
04	CODE E	QTY 1	TYPE DOCUMENTS	SERIAL NUMBER	VALUE \$ 0.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BILL OF SALE FOR WHITE MERCEDES VAN (FOUND IN GLOVE BOX)					TAG NUMBER PPD75887
05	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 20.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) KEY WITH FOB FOUND IN GLOVE BOX					TAG NUMBER PPD75904
06	CODE E	QTY 2	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 40.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) WILSON COMBAT PISTOL MAGAZINES (8 ROUNDS EACH, WINCHESTER .45 COPPER/HOLLOWPOINT)					TAG NUMBER PPD75898
07	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 20.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BLACK DICKIES BACKPACK CONTAINING WIG, RED NOTEBOOK, PENS/PENCILS ETC. FLOOR CENTER					TAG NUMBER PPD75910
08	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 20.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) HERSCHEL OD GREEN BACKPACK WITH 3 STENCILS AND PURPLE CUTTING BOARD (CENTER FLOOR)					TAG NUMBER PPD75873
09	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 20.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BLACK LIFEWEAR FLASHLIGHT (REAR COMPARTMENT)					TAG NUMBER PPD75874
10	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 10.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) FLAT BLACK SPRAY PAINT CAN (BD 1204). REAR COMPARTMENT					TAG NUMBER PPD75881
11	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 40.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BLACK NYLON FENDER GUITAR BAG					TAG NUMBER PPD75870
12	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 40.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) DADDARIO NICKEL WOUND GUITAR STRING EXL110-10P (10 SETS)					TAG NUMBER PPD75880
13	CODE E	QTY 1	TYPE CLOTHING, FURS, ETC	SERIAL NUMBER	VALUE \$ 5.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) RED BANDANA WITH PATTERN (FOUND INSIDE LAST STAND FIGHT TEAM BAG)					TAG NUMBER PPD75886
14	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE \$ 100.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) LAST STAND FIGHT TEAM BAG WITH EQUIPMENT					TAG NUMBER PPD75885
15	CODE E	QTY 1	TYPE MEDIA- AUDIO, VIDEO	SERIAL NUMBER	VALUE \$ 0.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) (CD/DVD, USB DRIVE) VIDEO FOOTAGE FROM SPECIALTY AUTO SALES					TAG NUMBER PPD75473
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

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CASE NUMBER

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CROSS REF CASE # (S)

2015-
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SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/05/2015	TIME 21:00	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

Evidence supplemental

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C	PROPERTY TYPE	VALUE
						E		TOOLS	
						E		TOOLS	
						E		TOOLS	
						E		TOOLS	

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NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
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CASE VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						
PROPERTY VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						VALUE

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DISTRICT ATTORNEY
 CHILD PROTECTIVE SERVICES
 ADULT PROTECTIVE SERVICES
 US POSTAL INSPECTORS
 JUVENILE PROBATION
 CITY ATTORNEY
 CODE ENFORCEMENT
 STREETS
 OTHER:

REPORTING OFFICER Boccasile, Barry, .	DATE WRITTEN 07/05/2015	APPROVED BY Schlehuber, Kurt
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL – FIREARM REPORT		DATE/TIME WRITTEN 07/05/2015 21:00	CASE NUMBER 2015-00024571
		REPORTING OFFICER Boccasile, Barry, ,	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED			

GUN 01	CODE	MAKE	MODEL	CALIBER
	E	Sauer, JP & Sons/& Sohn/S&S WG	Sig-Sauer	45
	FINISH	SERIAL NUMBER	OWNER APPLIED NUMBER	
	BLACK STEEL	G322216		
GUN TYPE		ACTION		
DESCRIPTION				VALUE
KUNKEL'S SIG SAUER P220 PISTOL - A				\$700.00

GUN 02	CODE	MAKE	MODEL	CALIBER
	E	Remington Arms Co.		12 GAUGE
	FINISH	SERIAL NUMBER	OWNER APPLIED NUMBER	
	BLACK STEEL			
GUN TYPE		ACTION		
SHOTGUN		PUMP ACTION		
DESCRIPTION				VALUE
REMINGTON 870 SHOTGUN - C				\$400.00

GUN	CODE	MAKE	MODEL	CALIBER
	FINISH	SERIAL NUMBER	OWNER APPLIED NUMBER	
GUN TYPE		ACTION		
DESCRIPTION				VALUE
				\$

GUN	CODE	MAKE	MODEL	CALIBER
	FINISH	SERIAL NUMBER	OWNER APPLIED NUMBER	
GUN TYPE		ACTION		
DESCRIPTION				VALUE
				\$

GUN	CODE	MAKE	MODEL	CALIBER
	FINISH	SERIAL NUMBER	OWNER APPLIED NUMBER	
GUN TYPE		ACTION		
DESCRIPTION				VALUE
				\$

GUN	CODE	MAKE	MODEL	CALIBER
	FINISH	SERIAL NUMBER	OWNER APPLIED NUMBER	
GUN TYPE		ACTION		
DESCRIPTION				VALUE
				\$

GUN	CODE	MAKE	MODEL	CALIBER
	FINISH	SERIAL NUMBER	OWNER APPLIED NUMBER	
GUN TYPE		ACTION		
DESCRIPTION				VALUE
				\$

GUN	CODE	MAKE	MODEL	CALIBER
	FINISH	SERIAL NUMBER	OWNER APPLIED NUMBER	
GUN TYPE		ACTION		
DESCRIPTION				VALUE
				\$

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/05/2015 21:00	CASE NUMBER 2015-00024571
	REPORTING OFFICER Boccasile, Barry, ,	

Attach to main case report - see Detective Boccasile's supplemental narrative report for details.

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT				DATE/TIME WRITTEN 07/05/2015 21:00	CASE NUMBER 2015-00024571
				REPORTING OFFICER Boccasile, Barry, ,	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED					
01	CODE E	QTY 1	TYPE TOOLS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) HANDCUFFS					TAG NUMBER PPD75819
02	CODE E	QTY 1	TYPE TOOLS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) KUNKEL'S DUTY BELT					TAG NUMBER PPD75825
03	CODE E	QTY 1	TYPE TOOLS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) KUNKEL'S FLASHLIGHT AND RADIO					TAG NUMBER PPD75813
04	CODE E	QTY 1	TYPE TOOLS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) CORD IN HALLWAY - 40					TAG NUMBER PPD75854
05	CODE E	QTY 1	TYPE TOOLS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) FIRE EXTINGUISHER PIN - 47					TAG NUMBER PPD75843
06	CODE E	QTY 1	TYPE TOOLS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER WIRE IN HALLWAY - 41					TAG NUMBER PPD75844
07	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BROKEN DOOR JAM IN HALLWAY - 43					TAG NUMBER PPD75845
08	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) LESS LETHAL BEAN BAG - 19					TAG NUMBER PPD75833
09	CODE E	QTY 1	TYPE TRACE EVIDENCE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BLOOD SWAB FROM WALL - 38					TAG NUMBER PPD75827
10	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER AFIDS BEHIND MUSTANG - 46					TAG NUMBER PPD75831
11	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) LESS LETHAL WAD - 21					TAG NUMBER PPD75781
12	CODE E	QTY 1	TYPE TRACE EVIDENCE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) SHOE PRINT ON PAPER - 8					TAG NUMBER PPD75787
13	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER DARTS NEAR VW - 49					TAG NUMBER PPD75791
14	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) AFIDS IN FRONT OF FORD ROADSTER - 45					TAG NUMBER PPD75836
15	CODE E	QTY 1	TYPE TOOLS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) SHARPIE AND CAP UNDER FORD MUSTANG - 17A, 17B					TAG NUMBER PPD75837
16	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER CARTRIDGE AND WIRES FROM ENTRANCE TO HALLWAY - 39					TAG NUMBER PPD75830
17	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) PAPER WADS FROM LESS LETHAL - 22					TAG NUMBER PPD75824
18	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) EXPENDED LESS LETHAL SHELL - 23					TAG NUMBER PPD75848
19	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BEAN BAG FROM BUILDING ENTRANCE - 6					TAG NUMBER PPD75851
20	CODE E	QTY 1	TYPE AUTO PARTS/ACCESS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) KEYS FOR CORVETTE - 10					TAG NUMBER PPD75852

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT				DATE/TIME WRITTEN 07/05/2015 21:00	CASE NUMBER 2015-00024571
				REPORTING OFFICER Boccasile, Barry, ,	
CODE: B-BURNED C-COUNTERFIET/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED					
21	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) LESS LETHAL ROUND CAP - 5					TAG NUMBER PPD75849
21	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) LESS LETHAL ROUND CAP - 5					TAG NUMBER PPD75849
22	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) LESS LETHAL WAD - 18					TAG NUMBER PPD75850
24	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) DEMING DOG TAGS - G					TAG NUMBER PPD75945
25	CODE E	QTY 3	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) EXPENDED SHELL CASINGS - D, E, F					TAG NUMBER PPD75951
26	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER CARTRIDGE DOOR - M					TAG NUMBER PPD75969
27	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) DEMING DOG TAG - I					TAG NUMBER PPD75963
28	CODE E	QTY 1	TYPE AUTO PARTS/ACCESS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TRIUMPH CAR KEYS - 27					TAG NUMBER PPD75835
29	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER CARTRIDGE DOOR - N					TAG NUMBER PPD75957
30	CODE E	QTY 1	TYPE JEWELRY/PRECIOUS METALS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) WATCH AND BROKEN BAND - K					TAG NUMBER PPD75981
31	CODE E	QTY 1	TYPE TOOLS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) MAGAZINE LOADED WITH 5 CARTRIDGES - A2					TAG NUMBER PPD75982
32	CODE E	QTY 1	TYPE CURRENCY, NOTES, ETC.	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) \$15 IN CURRENCY - L4					TAG NUMBER PPD75976
33	CODE E	QTY 1	TYPE ELECTRONICS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) DEMING CELLULAR PHONE - L3					TAG NUMBER PPD75970
34	CODE E	QTY 1	TYPE CURRENCY, NOTES, ETC.	SERIAL NUMBER	VALUE \$5.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) \$5 CASH FROM WALLET - H3					TAG NUMBER PPD75964
35	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER AFIDS SPRING ST DRIVEWAY - R					TAG NUMBER PPD75958
36	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) .45 CARTRIDGE FROM KUNKE'S PISTOL CHAMBER - A1					TAG NUMBER PPD75949
37	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) SET OF KEYS FROM DEMING'S CLOTHING - H4					TAG NUMBER PPD75952
38	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER WIRE FROM SPRING ST - O					TAG NUMBER PPD75946
39	CODE E	QTY 1	TYPE TRACE EVIDENCE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BLOOD SWAB FROM 1ST ST - S					TAG NUMBER PPD75928
40	CODE E	QTY 1	TYPE AUTO PARTS/ACCESS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) MULTIPLE SETS OF KEYS - 30					TAG NUMBER PPD75922

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT				DATE/TIME WRITTEN 07/05/2015 21:00	CASE NUMBER 2015-00024571
				REPORTING OFFICER Boccasile, Barry, .	
CODE: B-BURNED C-COUNTERFIET/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED					
41	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	2	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) LESS LETHAL SHELLS - C1					TAG NUMBER PPD75816
40	E	1	AUTO PARTS/ACCESS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) MULTIPLE SETS OF KEYS - 30					TAG NUMBER PPD75822
41	E	2	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) LESS LETHAL SHELLS - C1					TAG NUMBER PPD75816
44	E	1	CLOTHING, FURS, ETC		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) DEMING BANDANA FROM FLOOR - 11					TAG NUMBER PPD75818
45	E	1	AUTO PARTS/ACCESS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) KEYS NEAR DODGE - 26					TAG NUMBER PPD75829
46	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) UNFIRED LESS LETHAL SHELL FROM 1ST ST - 1					TAG NUMBER PPD75815
47	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) EXPENDED LESS LETHAL ROUND 1ST ST - 2					TAG NUMBER PPD75809
48	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) WAD FROM LESS LETHAL SHOT SHELL - 4					TAG NUMBER PPD75855
49	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER CARTRIDGE AND WIRES - 15					TAG NUMBER PPD75853
50	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BOX LABELED SPARE KEYS W/ SET OF KEYS - 31					TAG NUMBER PPD75841
51	E	1	CLOTHING, FURS, ETC		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) DEMING JEAN JACKET W/ TASER DARTS - L2					TAG NUMBER PPD75840
52	E	1	TOOLS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) MEDICAL EQUIPMENT - L1					TAG NUMBER PPD75786
53	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BROKEN GUITAR - 9					TAG NUMBER PPD75857
54	E	1	CLOTHING, FURS, ETC		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) DEMING CLOTHING - H2					TAG NUMBER PPD75801
55	E	1	TOOLS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) FIRE EXTINGUISHER - 48					TAG NUMBER PPD75839
56	E	1	TOOLS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) MULTITOOL FROM 1ST ST - 1					TAG NUMBER PPD75782
57	E	1	WALLET		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) DEMING WALLET - H1					TAG NUMBER PPD75807
58	E	1	WALLET		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER - 13					TAG NUMBER PPD75846
59	E	1	WALLET		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER - B					TAG NUMBER PPD75788
60	E	1	WEAPON		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) TASER W/ DEPLOYED CARTRIDGE - 29					TAG NUMBER PPD75842

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - PROPERTY RPT**

DATE/TIME WRITTEN
07/05/2015 21:00
REPORTING OFFICER
Boccasile, Barry, ,

CASE NUMBER
2015-00024571

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

ITEM #	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
61	E	1	WEAPON		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
KUNKEL'S POCKET KNIFE					PPD75805
59	E	1	WALLET		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
TASER - B					PPD75788
60	E	1	WEAPON		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
TASER W/ DEPLOYED CARTRIDGE - 29					PPD75842
64	E	1	DOCUMENTS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
WHITE/BLACK COMPOSITION BOOK RECOVERED FROM GREEN BACKPACK IN MERCEDES					PPD75865
65	E	1	ELECTRONICS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
VERIZON 4G/LTE TABLET (MODEL #QMV7A) - RECOVERED FROM FRONT PASSENGER SEAT OF MERCEDES					PPD75926
66	E	1	CLOTHING, FURS, ETC		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
OFFICER'S KUNKEL'S UNIFORM SHIRT					PPD75897
67	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
OFFICER KUNKEL'S BALLISTIC VEST					PPD75872
68	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
OFFICER KUNKEL'S INNER BELT					PPD75903
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S:

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 07/14/2015	TIME 16:56	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

SYNOPSIS OF EVENT

Taser Downloads, Officer Kunkel's department issued firearm serial number verification, examination of Deming's wallet and its contents.

O F F E N S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
	10						

V E H I C L E S	CASE VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
	DESCRIPTION							
	PROPERTY VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR				
DESCRIPTION								
VALUE								

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER: _____			

REPORTING OFFICER Sarasua, Benjamin, J.	DATE WRITTEN 07/14/2015	APPROVED BY Schlehuber, Kurt
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/14/2015 16:56	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J,	

On 7/14/15 at around 1445 hours I removed the following items from evidence:

- Tag - PPD75846--Taser X26P--S/N: X12001MCX--Assigned to Officer Bennett
- Tag - PPD75788--Taser X26P--S/N: X12000DFH--Assigned to Officer Kunkel
- Tag - PPD75842--Taser X26--S/N: X00-066590--Assigned to Officer Paulsen
- Tag - PPD75933--Sig Sauer P220--S/N: G322216--Assigned to Officer Kunkel
- Tag - PPD75807--Deming's Wallet

After I removed these items from evidence I brought them to Officer Fountain who is currently assigned to Personnel and Training. Officer Fountain assisted me with the download of all the Taser devices. Officer Bennett's Taser (X26P) downloaded the following information relevant to this incident.

Seq #	Local Time	Event	Duration (Sec)	Temp	Batt Remaining
756	04 Jul 2015 01:09:00	Armed		27	93
757	04 Jul 2015 01:09:02	Safe	2	26	93
758	04 Jul 2015 12:52:39	Armed		23	93
759	04 Jul 2015 12:52:39	Trigger	5		93
760	04 Jul 2015 12:52:45	Safe	6	25	93
761	04 Jul 2015 02:35:45	Armed		25	93
762	04 Jul 2015 02:35:51	Trigger	2		93
763	04 Jul 2015 02:35:53	Safe	8	25	92
764	04 Jul 2015 02:36:02	Armed		25	92
765	04 Jul 2015 02:36:04	Trigger	5		92
766	04 Jul 2015 02:36:09	Safe	7	25	92
767	14 Jul 2015 15:05:39	USB Connected			

It should be noted that the 'Time Sync' for Officer Bennett's Taser showed the following information. Time Sync 14 Jul 2015 15:05:50 to 14 Jul 2015 15:05:09. This is a difference of 41 seconds. See Officer Bennett's complete Taser download for all event history associated with this device.

Officer Fountain then downloaded Officer Kunkel's Taser (X26P) which generated the following report relevant to this incident.

Seq #	Local Time	Event	Duration (Sec)	Temp	Batt Remaining
994	04 Jul 2015 16:58:41	Armed		22	71
995	04 Jul 2015 16:58:42	Trigger	5		71
996	04 Jul 2015 16:58:48	Safe	7	23	71
997	05 Jul 2015 02:08:47	Armed		26	71
998	05 Jul 2015 02:08:47	Trigger	5		71
999	05 Jul 2015 02:08:54	Trigger	5		71
1000	05 Jul 2015 02:09:02	Trigger	5		71
1001	05 Jul 2015 02:09:13	Safe	26	27	71
1002	14 Jul 2015 14:40:03	Armed		23	71
1003	14 Jul 2015 14:40:05	Safe	2	24	71
1004	14 Jul 2015 14:47:07	USB Connected			

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/14/2015 16:56	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J,	

It should be noted that the 'Time Sync' for Officer Kunkel's Taser showed the following information. Time Sync 14 Jul 2015 14:51:55 to 14 Jul 2015 15:19:14. This is a difference of 27 minutes and 19 seconds. It should also be noted that sequence 1001 and 1002 shows that Officer Kunkel's Taser was armed and made safe. I accidentally activated Officer Kunkel's Taser as I was removing it from the evidence box. See Officer Kunkel's complete Taser download for all event history associated with this device.

Officer Fountain then downloaded Officer Paulsen's Taser (X26) which generated the following report relevant to this incident.

Seq #	Local Time	Event	Duration (Sec)	Temp	Batt Remaining
1526	03 Jul 2015 18:09:42	Trigger	1	25	80
1527	03 Jul 2015 18:09:49	Trigger	5	26	80
1528	04 Jul 2015 17:43:47	Trigger	3	23	80
1529	05 Jul 2015 02:42:16	Trigger	1	23	80
1530	14 Jul 2015 15:24:00	Sync			

It should be noted that the 'Time Sync' for Officer Paulsen's Taser showed the following information. Time Sync 14 Jul 2015 15:30:58 to 14 Jul 2015 15:24:00. This is a difference of 6 minutes and 58 seconds. See Officer Paulsen's complete Taser download for all event history associated with this device.

After all three Taser devices were downloaded, I repackaged them back into their original evidence boxes.

I opened the evidence box containing Officer Kunkel's department issued Sig Sauer P220 to verify the serial number on this firearm. The serial number on Officer Kunkel's firearm is G322216 which matched the equipment list record and firearm qualification records that are kept by Officer Fountain. After I verified the serial number on Officer Kunkel's firearm, I repackaged this item back into its original evidence box.

I also examined the contents of Deming's wallet. All of the items were removed from Deming's wallet and were placed on a clean piece of butcher paper. I photographed these items and returned them back to Deming's wallet. The content of Deming's wallet included the following items:

1. California Medical Marijuana Card
2. Dave and Busters Power Card
3. U.S. Passport and Drivers License
4. GNC Gold Card
5. San Jose Library Card
6. Two photographs
7. CVS Card
8. Allstate Card
9. Chase Visa Card
10. Union Bank Mastercard
11. Macy's Rewards Card
12. Various Business Cards
13. One Receipt and Two Hand Written Notes

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/14/2015 16:56	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J,	

14. One Paperclip and One Torn Parking Receipt 'Keep In Sight'

On 7/14/15 at around 1600 hours, I returned all of the items mentioned above back into evidence at the Pleasanton Police Department.

Recommendations:

None

End of report.

B. Sarasua #258

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #15:

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/15/2015	TIME 11:41	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

Additional evidence booked at the Pleasanton Police Department:

- USB Drive containing ACSO Leica Scans (15 scans)
- CD/DVD containing LPD radio traffic (CAD notes included)

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE
						E		MEDIA- AUDIO, VIDEO	\$00
						E		MEDIA- AUDIO, VIDEO	

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NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
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CASE VEHICLE #1		YEAR	MAKE	MODEL	STYLE
ROLE	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR
DESCRIPTION					
PROPERTY VEHICLE #1		YEAR	MAKE	MODEL	STYLE
ROLE	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR
DESCRIPTION					VALUE

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DISTRICT ATTORNEY
 CHILD PROTECTIVE SERVICES
 ADULT PROTECTIVE SERVICES
 US POSTAL INSPECTORS
 JUVENILE PROBATION
 CITY ATTORNEY
 CODE ENFORCEMENT
 STREETS
 OTHER:

REPORTING OFFICER: **Sarasua, Benjamin, J.**
 DATE WRITTEN: **07/15/2015**
 APPROVED BY: **schlehuber205|Schlehuber, Kurt|7/21/2015|12:51**

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/15/2015 11:41	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J,	

Supplemental Report:

On 7/14/15 at approximately 2000 hours, I arrived at the Livermore Police Department and met with the on duty supervisor, Sergeant Hill. I advised Sergeant Hill that I was there to pick up the LPD dispatch/radio traffic associate with the incident that occurred during the early morning hours of 7/5/15. Sergeant Hill gave me the CD/DVD which contained the LPD radio traffic and also provided me a copy of the LPD CAD report.

On 7/15/15 at approximately 0800 hours, Sergeant Schlehuber met with ACSO Criminalist, Cary Wong, at the ACSO Crime Lab. Wong provided Sgt. Schlehuber a 32GB USB drive which contained all the Leica Scans that were taken from the scene. There were 15 total Leica Scans that were taken from the crime scene on 7/5/15. Sgt. Schlehuber brought this USB drive back to PPD where it was copied into the case file.

On 7/15/15 at around 1200 hours I booked the CD/DVD containing LPD's radio traffic (CAD notes included) and the USB drive containing the 15 Leica scans into evidence at the Pleasanton Police Department.

No further action was taken at this time.

Recommendations:
None.

B. Sarasua #258
End of report.

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT		DATE/TIME WRITTEN 07/15/2015 11:41	CASE NUMBER 2015-0024571
		REPORTING OFFICER Sarasua, Benjamin, J.	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED			

QTY	CODE	TYPE	SERIAL NUMBER	VALUE
01	E	1 MEDIA- AUDIO, VIDEO		\$.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION)				TAG NUMBER
USB CONTAINING ACSO LEICA SCAN				PPD75477
02	E	1 MEDIA- AUDIO, VIDEO		VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)				TAG NUMBER
DVD CONTAINING LPD RADIO TRAFFIC/PRINT OUT OF CAD NOTES				PPD75472
	CODE	QTY	TYPE	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)				TAG NUMBER
	CODE	QTY	TYPE	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)				TAG NUMBER
	CODE	QTY	TYPE	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)				TAG NUMBER
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	CODE	QTY	TYPE	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)				TAG NUMBER

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S:

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 07/15/2015	TIME 14:47	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

SYNOPSIS OF EVENT

Evidence submission to ACSO Crime Lab. Contact was made with the Wheels bus company and they did not have any video surveillance footage that captured this incident.

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1	SB					
	2						
	3						
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V E H I C L E S	CASE VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR					
	DESCRIPTION									
	PROPERTY VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR						
DESCRIPTION										

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER:			

REPORTING OFFICER Sarasua, Benjamin, J,	DATE WRITTEN 07/15/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 7/21/2015 12:59
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INVOLVED PARTY CODE: AD-ANIMAL OWNER, CI-CITIZEN, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PO-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PD-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01	INVOLVED SB	NAME/BUSINESS NAME	DOB	AGE			
	ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
	RESIDENCE ADDRESS						HOME PHONE
	EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO./STATE		OTHER ID	
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
	BUSINESS/SCHOOL ADDRESS						WORK PHONE
	CLOTHING						

INVOLVED	NAME/BUSINESS NAME	DOB	AGE			
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS						HOME PHONE
EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO./STATE		OTHER ID	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
BUSINESS/SCHOOL ADDRESS						WORK PHONE
CLOTHING						

INVOLVED	NAME/BUSINESS NAME	DOB	AGE			
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS						HOME PHONE
EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO./STATE		OTHER ID	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
BUSINESS/SCHOOL ADDRESS						WORK PHONE
CLOTHING						

INVOLVED	NAME/BUSINESS NAME	DOB	AGE			
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS						HOME PHONE
EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO./STATE		OTHER ID	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
BUSINESS/SCHOOL ADDRESS						WORK PHONE
CLOTHING						

INVOLVED	NAME/BUSINESS NAME	DOB	AGE			
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS						HOME PHONE
EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO./STATE		OTHER ID	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
BUSINESS/SCHOOL ADDRESS						WORK PHONE
CLOTHING						

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	<small>DATE/TIME WRITTEN</small> 07/15/2015 14:47	<small>CASE NUMBER</small> 2015-00024571
	<small>REPORTING OFFICER</small> Sarasua, Benjamin, J,	

Supplemental Report:

On 7/15/15 at around 1345 hours I completed an ACSO Request for Crime Lab Services form. On this form I indicated that several items were being submitted to the lab for examination. I requested to have the suspects shoes examined and compared with the white 8.5" X 11" sheet of paper that had a distinctive shoe print on it. This white paper was collected from the floor just inside the east entrance door of the south building of Specialty Sales. I also requested for the lab to examine the suspects clothing and jean jacket for any trace evidence (GSR), holes, rips or tears that may have been caused by gunshots, taser or less lethal deployments. I requested for the lab to examine Officer Kunkel's firearm and magazine for any blood/DNA material. If blood or DNA material was found on the firearm, I requested for the lab to swab and collect this evidence. I requested for the lab to conduct a function test on Officer Kunkel's firearm as well as compare the bullet and cartridge casings with this pistol. I also requested for the lab to conduct a distance determination test of Officer Kunkel's firearm relative to the suspect when the shots were fired.

The following items will be removed from PPD evidence and will be submitted to the ACSO Crime Lab:

1. Deming's Shoes (PPD75975)
2. Deming's Jacket (PPD75840)
3. Deming's clothes (PPD75801)
4. White paper (PPD75787)
5. Sig Sauer P220 (PPD75933)
6. Sig Sauer Magazine (loaded with 5 rounds) (PPD75982)
7. Bullet Fragments collected from Deming at Eden Hospital (PPD75889)
8. Bullet Fragments collected from Deming at Coroner's Office (PPD75900)
9. Cartridge Casings (PPD75951)

The ACSO Crime Lab request form will be attached with this supplemental report.

On 7/15/15 at around 1430 hours I contacted Wheel's bus employee, _____, over the phone. I explained to _____ the basic details of this case and asked if he had any buses that may have traveled through the area of First Street during the time this incident occurred. _____ said the last bus that traveled through the area traveled eastbound on First Street at approximately 0055 hours. _____ said he would look into the video footage for this bus and would get back to me. At around 1500 hours, _____ called me back and said that the DVR for this bus was not working properly and he would not be able to retrieve any video footage. I asked _____ to call me back if he was able to retrieve any video footage from this bus at a later time.

No further action was taken at this time.

Recommendations:
None.

B. Sarasua #258
End of report.

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
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SUPPLEMENTAL INVESTIGATION

CASE NUMBER

2015-00024571

CROSS REF CASE #S

2015-
 2015-
 2015-

E V E N T	DATE REPORTED 07/15/2015	TIME 18:32	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

SYNOPSIS OF EVENT

On 7/8/15 I contacted Bay Alarm Supervisor, _____, regarding the alarm activation that occurred at Specialty Auto Sales on 7/5/15. _____ was able to provide me the details of the alarm events on 7/5/15 from 02:01:34 to 02:43:29. _____ was also able to provide me with the audio file (MP3) which contains the suspect answering the phone at the business.

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C	PROPERTY TYPE	VALUE
									E	MEDIA- AUDIO, VIDEO

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT	
	1							
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	3							
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V E H I C L E S	CASE VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
	LICENSE NUMBER	STATE	V.N NUMBER	TYPE	COLOR			
	DESCRIPTION							
	PROPERTY VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
	LICENSE NUMBER	STATE	V.N NUMBER	TYPE	COLOR			
	DESCRIPTION							
VALUE								

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:			

REPORTING OFFICER Sarasua, Benjamin, J,	DATE WRITTEN 07/15/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 7/21/2015 13:41
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/15/2015 18:32	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J,	

Supplemental Report:

On 7/8/15 at around 1645 hours I contacted Bay Alarm Supervisor, regarding the alarm activation that occurred at Specialty Sales on 7/5/15. was able to provide me the details of the alarm events on 7/5/15 from 02:01:34 to 02:43:29. was also able to provide me with the audio file (MP3) which contains the suspect answering the phone at the business. sent me an email containing the audio file and the alarm events. The alarm events for Specialty Auto Sales are as follows:

02:01:34 RECEIVED ZONE 006 REAR LEFT SHWRM MOTION
02:03:01 CALLED PREMISE 925-484-2262/CONTACTED UNVERIFIED MAN, REFUSED TO GIVE NAME/SAYS HE HAS KEYS
02:03:04 RECEIVED ZONE 003 FRNT RT SHWRM MOTION
02:06:30 LEFT RECORDED MESSAGE FOR CELL
02:08:08 DISPATCHED PLEASANTON POLICE DEPT 925-931-5122
02:08:37 RECEIVED ZONE 004 REAR RT SHWRM MOTION
02:09:18 UPDATED PLEASANTON POLICE DEPARTMENT OF ADDITIONAL SIGNAL
02:10:56 LEFT RECORDED MESSAGE FOR
02:15:38 RECEIVED GENERAL CELLNET BA ZN 6
02:16:08 RECEIVED ZONE 005 FRT LEFT SHWRM MOTION
02:16:08 RECEIVED ZONE 007 FRT LEFT DISPLAY RM MOTION
02:33:57 RECEIVED ZONE 001 EE FRNT RT DR
02:39:08 UPDATED PLEASANTON POLICE DEPARTMENT OF ADDITIONAL SIGNAL
02:40:17 RECEIVED ZN 007 FRONT LEFT DISPLAY RM MOTION
02:40:45 SPOKE TO OP ID 156/ADVISED THEY ARE ON SITE/WILL CALL BACK WITH FURTHER INFORMATION WHEN AVAILABLE
02:42:12 RECEIVED ZN 004 REAR SHWRN MOTION
02:43:29 RECEIVED ZN 005 FRT KEFT SHWRN MOTION

I listened to the Bay Alarm audio file that sent me and I heard the following conversation between the suspect and the Bay Alarm employee:

Suspect: How's it going?

Bay Alarm: Hi this is at Bay alarm calling.

Suspect: Hello.

Bay Alarm: Hi who am I speaking with?

Suspect: You are speaking with. I don't really know my name.

Bay Alarm: I'm sorry, who am I speaking with?

Suspect: I have no name.

Bay Alarm: You have no name? Can I get the code word on the account?

Suspect: I would like to know where the keys are.

Bay Alarm: unintelligible

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/15/2015 18:32	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J.	

Suspect: Somebody in my life please tell me something.

Bay Alarm: Sir, Can I have your name please?

Suspect: I found some keys...I found a camera.

At this point the line goes dead and the recording stops.

On 7/15/15 at around 1900 hours, I copied the Bay Alarm audio file onto a CD/DVD which I later booked into evidence at the Pleasanton Police Department.

No further action was taken at this time.

Recommendations:

None

End of report.

B. Sarasua #258

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT				DATE/TIME WRITTEN 07/15/2015 18:32	CASE NUMBER 2015-00024571
				REPORTING OFFICER Sarasua, Benjamin, J,	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED					
01	CODE E	QTY 1	TYPE MEDIA- AUDIO, VIDEO	SERIAL NUMBER	VALUE \$.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) CD/DVD BAY ALARM RECORDING					TAG NUMBER PPD75462
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
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SUPPLEMENTAL INVESTIGATION

CASE NUMBER

2015-00024571

CROSS REF CASE #S

2015-
 2015-
 2015-

E V E N T	DATE REPORTED 07/14/2015	TIME 15:26	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE
	SYNOPSIS OF EVENT			
<p>Detective Chin and I interviewed Officer Middleton in interview room #1.</p>				

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE

S U B J E C T S	NO.	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
	2						
	3						
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V E H I C L E S	CASE VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
	LICENSE NUMBER	TYPE	VIN NUMBER	TYPE	COLOR			
	DESCRIPTION							
	PROPERTY VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
LICENSE NUMBER	TYPE	VIN NUMBER	TYPE	COLOR				
DESCRIPTION								
VALUE								

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER			

REPORTING OFFICER Silacci, Erik, ,	DATE WRITTEN 07/14/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 7/22/2015 14:20
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**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - NARRATIVE**

DATE/TIME WRITTEN
07/14/2015 15:26
REPORTING OFFICER
Silacci, Erik,

CASE NUMBER
2015-00024571

Narrative:

On 07/06/15 I returned to the PPD station and assisted with interviews of officers who were witnesses to the Officer Involved Shooting that occurred on 07/05/15. We conducted interviews of Officer Anthony Pittl, Officer Bradley Middleton and Officer Steve Bennett.

All interviews were conducted in interview room #1. Officer Pittl's interview began at approximately 1120 hours and ended at approximately 1254 hours. Present in the room were Officer Pittl, (legal counsel), Detective Chin and myself. Officer Bennett's interview began at approximately 1602 hours and ended at approximately 1643 hours. Present in the room during the interview were Officer Bennett, (legal counsel), Detective Chin and myself. Refer to Detective Chin's supplemental reports for details on Officer Pittl's and Officer Bennett's interviews.

Officer Middleton's interview began at approximately 1349 hours and ended at approximately 1444 hours. Present in the room were Officer Middleton, (legal counsel), Detective Chin and myself. During Officer Middleton's interview he referred to the south side of Specialty Sales as the west side. Later in his interview he indicated the west side of the business was closest to a piano store. I am familiar with the area and understood that Officer Middleton was referring to Graham Piano Studio located at 4337 First Street Suite B. This business is in an adjoining building located south of Specialty Sales. For purposes of Officer Middleton's interview when he referred to a location of west or west side the correct location was south. The following is a summary of Officer Middleton's interview (in summary).

Officer Middleton said that on the morning of July 5, 2015 he was wearing a full uniform and full duty belt to include department issued gun, radio, baton and Taser. Officer Middleton also said he was carrying his department issued body worn camera and audio recorder but did not activate either during the incident.

Officer Middleton said prior to the incident he was report writing in the parking lot of St. Elizabeth Seton Catholic Church, 4001 Stoneridge Drive. Officer Middleton noticed an alarm call pending at Specialty Sales and was eventually dispatched to the call as the primary officer. Officer Kunkel, who was working in beat 1, was assigned as a cover officer. Sgt. Gora radioed dispatch and advised he was close to the business and said he would take cover on the call. Officer Kunkel radioed and said he would take primary to allow Officer Middleton to continue report writing. Officer Middleton was canceled from the call and continued his report writing.

Moments later Sgt. Gora advised over the radio he was on scene and could see a "Sprinter van" near the business with a door open. Sgt. Gora then said "I got a glass break". Officer Middleton radioed dispatch he was in route to the business and started responding to the scene.

While driving to the business Officer Middleton heard Sgt. Gora radio "I can hear screaming...someone is inside... something is going on". Sgt. Gora requested responding units respond code 3 (lights and siren). Officer Middleton activated his emergency lights and siren and responded code 3. Upon arrival Officer Middleton parked his patrol vehicle on First Street in front of Cole's Market. Officer Middleton saw and officer, who he believed was Officer Kunkel signal his presence with a flash light. The officer was posted to

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/14/2015 15:26	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik,	

the rear of Specialty Sales. Officer Middleton also saw Sgt. Gora who was posted near the front of the business.

Based on the unusual circumstances described over the radio by Sgt. Gora, Officer Middleton believed the incident could possibly become a critical incident and decided to deploy his department issued patrol rifle. Officer Middleton approached the business on foot and met up with Sgt. Gora at the front of the business. Sgt. Gora radioed for additional officers to respond and asked dispatch to notify Livermore PD and asked for their assistance as well.

Officer Kunkel then came over the radio and advised he (Officer Kunkel) had seen the suspect inside the business and provided a brief description: male with a pony tail wearing black clothing. Officer Kunkel said the suspect was running towards the front of the business.

Officer Middleton positioned himself in front of the south building and noticed the suspect walking through a breeze way carrying a box of keys. The suspect looked up at Officer Middleton but did not react to his presence and began pulling keys from the box. Officer Middleton kept visual of the suspect as he walked to the back of the showroom and then back to the front. The suspect began yelling (unknown what was said) as he paced back and forth. At one point the suspect threw some keys into the air and then sat inside a vehicle, believed to be a Mustang.

Officer Middleton assumed the suspect was trying to steal a vehicle and kept his rifle trained on the suspect. The suspect exited the vehicle and looked directly at Officer Middleton, but did not say anything and shrugged. Officer Middleton's impression of the suspects actions was that the suspect was shrugging as if to say "he was supposed to be there". Based on the suspect's actions and demeanor Officer Middleton believed the suspect was under the influence. The suspect then ran to the back of the building and started yelling again.

Officers Paulson, Palmquist, Bennett and Cobler arrived on scene and met with him and Sgt. Gora near the front of the business. Officer Middleton said the group began establishing a perimeter around the business. Officer Cobler was directed to take a position to the rear of the building.

Moments later the suspect walked towards Officer Middleton who was now on the southeast corner of the building and raised his arms and said "you want to talk?" The suspect continued to pace around the building and never reacted to the fact Officer Middleton was pointing a rifle at him or that approximately six other officers were outside the business. The suspect continued yelling and "throwing up his arms".

The suspect then climbed up into the rafters and started pulling on the overhead conduit. At one point Officer Middleton recalled the suspect yelling out "I'm a mountain lion". From there the suspect traversed a large section of the showroom by swinging overhead from conduit and/ or supporting beams. At one point the suspect dropped from the rafters and fell approximately 10-15 feet but did not sustain any visible injury. Officer Middleton was suprised the suspect didn't appear injured considering how far he had fallen. Officer Middleton said the suspect wasn't "phased" by the fall and continued running and pacing around showroom floor. The suspect then ran up to the front of the building and performed a running jump kick landing against one of the front windows. The window did not break. The suspect picked up a floor jack and threw it at one of the front windows. The window did not break. The suspect picked up a red colored floor jack and threw it at another front window. The window broke and the floor jack landed out in the street directly in front of the

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/14/2015 15:26	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, .	

business (First Street).

The suspect stood in the doorway of the broken window. Sgt. Gora called for "less lethal" to be deployed on the suspect. Officer Palmquist who was carrying a less lethal shotgun and was positioned on the north side of the broken window advised he had a double feed.

Officer Middleton slung his rifle and pulled out his Taser. Officer Middleton powered his Taser on and pointed the red laser directly at the suspect. Officer Middleton ordered the suspect "hands up...hands up...come outside...come out now...do it now". As Officer Middleton was giving orders Officer Bennett, who was posted on the other side of the doorway deployed a less lethal shotgun round at the suspect. Officer Middleton did not know if the round hit the suspect.

The suspect then retreated back inside the business. Officer Pittl and Officer Sheldon (K-9 officer) were now on scene and entered through the front of the business. Other officers including Sgt. Gora also entered the building. Officer Middleton saw the suspect climb onto the roof of a truck on the showroom floor. The suspect sat down directly facing the approaching officers. Officer Sheldon began giving commands "hands up...hands up...you're going to get bit...you're going to get bit...I'm going to release the dog". The suspect did not react to the commands and seemed "nonchalant" about what was happening.

At this point Officer Middleton was now carrying his rifle and was near the back of the group of officers. Sgt. Gora asked for one of the officers to deploy a Taser. Officer Bennett stepped up and ordered the suspect to put his hands up but the suspect did not obey any commands. Officer Bennett deployed his Taser at the suspect. Officer Middleton noticed at least one of the Taser probes attached to the suspect's arm. The suspect did not appear to be affected by the Taser deployment and reached down and pulled the wire(s) from his arm.

Officer Sheldon continued to give commands to the suspect and again the suspect did not obey. Officer Bennett reloaded another cartridge into his Taser and fired at the suspect. From Officer Middleton's vantage point he believed the Taser probes hit the suspect. However, the suspect did not appear to be affected by the Taser and again swiped the wire(s) from his chest and arms. Officer Paulsen who was carrying a less lethal shotgun deployed two less lethal rounds at the suspect. Officer Middleton did not know if any of the rounds hit the suspect and said he (suspect) did not appear to be affected by the rounds.

Officer Middleton said the suspect did not appear to be phased by any of the less lethal use of force employed up to this point in the incident. Officer Middleton said the suspect appeared to be "ramping this up" and didn't seem to care. Officer Middleton said he had never seen anyone like the suspect was and believed the suspect wasn't going to comply with officers and was taking the incident "to another level".

Officer Sheldon continued to order the suspect down off of the truck but the suspect did not obey. Officer Sheldon was getting ready to deploy the K-9 when the suspect jumped off of the truck and began running from officer through the breeze way and towards the back of the north building.

Officers pursued the suspect to a broken window located in the rear of the north building. Officer Middleton looked out the window and saw Officer Cobler running. Officer Middleton heard Officer Sheldon calling the K-9 and thought Officer Cobler might have been running from the K-9. As Officer Middleton turned to make

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his way out through the front of the building and go around he heard three gun shots. Officer Middleton estimated the gun shots rang out 10 seconds after he arrived at the broken window. Officer Middleton said the gun shots came from behind the Specialty Sales building near Spring Street. Officer Middleton turned back around and eventually made his way out of the building through the broken window. From there Officer Middleton walked out onto the sidewalk on Spring Street and into an adjoining parking lot where the Sprinter van was parked. As Officer Middleton turned the corner into the parking lot he saw Officer Kunkel and the suspect lying on the ground. Officer Kunkel and the suspect were approximately eight to ten feet apart (feet facing each other). Officer Sheldon's K-9 was biting the suspect's shoulder as Officers Cobler and Pittl were trying to control the suspect. As Officer Middleton looked at the suspect and Officer Kunkel his (Officer Middleton) "stomach dropped" and his first thought was Officer Kunkel had been shot by the suspect.

When Officer Middleton reached Officer Kunkel, he was on his back looking straight up and said "I'm okay...I'm okay...I think I hurt my legs and back". Officer Middleton saw a handgun lying on the ground a few feet from Officer Kunkel's right hand. Officer Middleton heard someone call for a medical kit. Officer Middleton started walking to his vehicle to retrieve his first aid kit just as a Livermore Police Officer walked up carrying a first aid kit. From there Officer Middleton accompanied Officer Pittl, Officer Sheldon and the Livermore PD Officer on a secondary search of the business. Officer Middleton assisted with securing the crime scene. Officer Middleton was then sequestered in interview room #1 but was later told he could leave and had an interview scheduled for the following day (07/06/15).

The above interview was summarized for purposes of my report. For complete interview details refer to the video recording.

Recommendations: attach to original report.

Silacci #216

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



SUPPLEMENTAL INVESTIGATION

CASE NUMBER

2015-00024571

CROSS REF CASE #S

2015-
 2015-
 2015-

DATE REPORTED 07/20/2015	TIME 13:46	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

On 07/09/15 Officer Lengel and I interviewed _____ and _____

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE

**S
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NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
1	WT	_____	_____	_____	_____	AUDIO RECORDED
2	WT	_____	_____	_____	_____	AUDIO RECORDED
3	WT	_____	_____	_____	_____	AUDIO RECORDED
4						
5						
6						
7						
8						
9						
10						

**V
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CASE VEHICLE #1		YEAR	MAKE	MODEL	STYLE
ROLE	LICENSE NUMBER	ST	WIN NUMBER	TYPE	COLOR
DESCRIPTION					
PROPERTY VEHICLE #1		YEAR	MAKE	MODEL	STYLE
ROLE	LICENSE NUMBER	ST	WIN NUMBER	TYPE	COLOR
DESCRIPTION					VALUE

**R
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DISTRICT ATTORNEY
 CHILD PROTECTIVE SERVICES
 ADULT PROTECTIVE SERVICES
 US POSTAL INSPECTORS
 JUVENILE PROBATION
 CITY ATTORNEY
 CODE ENFORCEMENT
 STREETS
 OTHER: _____

REPORTING OFFICER: **Silacci, Erik, .**
 DATE WRITTEN: **07/20/2015**
 APPROVED BY: **schlehuber205|Schlehuber, Kurt|7/23/2015|12:25**

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENT - INVOLVED SUBJECTS**

DATE/TIME WRITTEN
07/20/2015 13:46
REPORTING OFFICER
Silacci, Erik,

CASE NUMBER
2015-00024571

INVOLVED PARTY CODE: AD-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PG-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01

INVOLVED WT	NAME/BUSINESS NAME		DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS				HOME PHONE		
EMAIL ADDRESS			OTHER PHONE		DRIVER'S LIC NO /STATE	
EMPLOYER/SCHOOL RELATIONSHIP		EMPLOYER/SCHOOL NAME		OCCUPATION		
BUSINESS/SCHOOL ADDRESS				WORK PHONE		
CLOTHING						

02

INVOLVED WT	NAME/BUSINESS NAME		DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS				HOME PHONE		
EMAIL ADDRESS			OTHER PHONE		DRIVER'S LIC NO /STATE	
EMPLOYER/SCHOOL RELATIONSHIP		EMPLOYER/SCHOOL NAME		OCCUPATION		
BUSINESS/SCHOOL ADDRESS				WORK PHONE		
CLOTHING						

03

INVOLVED WT	NAME/BUSINESS NAME		DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS				HOME PHONE		
EMAIL ADDRESS			OTHER PHONE		DRIVER'S LIC NO /STATE	
EMPLOYER/SCHOOL RELATIONSHIP		EMPLOYER/SCHOOL NAME		OCCUPATION		
BUSINESS/SCHOOL ADDRESS				WORK PHONE		
CLOTHING						

INVOLVED	NAME/BUSINESS NAME		DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS				HOME PHONE		
EMAIL ADDRESS			OTHER PHONE		DRIVER'S LIC NO /STATE	
EMPLOYER/SCHOOL RELATIONSHIP		EMPLOYER/SCHOOL NAME		OCCUPATION		
BUSINESS/SCHOOL ADDRESS				WORK PHONE		
CLOTHING						

INVOLVED	NAME/BUSINESS NAME		DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS				HOME PHONE		
EMAIL ADDRESS			OTHER PHONE		DRIVER'S LIC NO /STATE	
EMPLOYER/SCHOOL RELATIONSHIP		EMPLOYER/SCHOOL NAME		OCCUPATION		
BUSINESS/SCHOOL ADDRESS				WORK PHONE		
CLOTHING						

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/20/2015 13:46	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, .	

Narrative:

On 07/09/15 I returned to work and noticed I had a voicemail from [redacted] was mentioned as the other band member that Deming Jr. had played with a few days before this incident in Dublin. [redacted] goes by the name [redacted] and was mentioned by [redacted] during his interview.

I called [redacted] back and asked if he was available for an interview. [redacted] said he was available later that morning.

After I spoke with [redacted] I asked Detective Boccassile if he had a phone number or address for [redacted]. Based on the information I had up to this point I believed Deming Jr. had met with [redacted] a day or two before this incident. Detective Boccassile provided me with an address of [redacted]. I ran the address using a law enforcement database and learned [redacted] was associated to the [redacted] residence.

At approximately 1040 hours Officer Lengel and I drove to the above mentioned address. I knocked on the door and a female adult who identified herself as [redacted] of [redacted] answered. I identified myself by my department issued ID card and badge and asked to speak with [redacted]. [redacted] invited us inside the residence and said she would go and get her. [redacted] returned a few moments later and said [redacted] would be out in a few minutes.

While we waited for [redacted] I asked [redacted] if Deming Jr. was at her residence recently. [redacted] said he (Deming Jr.) was at the residence on the evening of July 4th 2015. [redacted] said it was the first time she had met Deming Jr. and said her [redacted] had arranged to give Deming Jr. an organ. [redacted] said Deming Jr. arrived around 1900 hours that evening and loaded the organ into a white van. During her brief conversation with Deming Jr. mentioned he was going to take the organ to San Jose. [redacted] described Deming Jr. as "very polite...and a very nice young man". Deming Jr. left shortly after loading the organ into the van (refer to audio recording for further details).

[redacted] appeared and agreed to speak with us. [redacted] told me the following (in summary):

[redacted] knew Deming Jr. through her friend [redacted], Deming Jr.'s [redacted] said she had been friends with Deming Jr. for a few months. During a recent text conversation [redacted] mentioned her family was going to give away their organ. Deming Jr. said he wanted the organ and agreed to pick-up the organ on July 4th. [redacted] said Deming Jr. arrived sometime after 1900 hours. Deming Jr. loaded the organ then left a few moments later. During their brief conversation Deming Jr. said he was headed to San Jose, presumably to drop off the organ at his [redacted] house. From there Deming Jr. said he was planning to return to Modesto later that night. [redacted] did receive a text message later that night from Deming Jr. around 2040 hours indicating the organ wasn't working. Deming Jr. said he believed the power cord was the cause. The text message conversation continued until 2100 hours.

I asked [redacted] if she was aware of any drug use by Deming Jr. [redacted] said she believed Deming Jr. had a medical marijuana card but she wasn't aware of any "hard" drug use. [redacted] said Deming Jr. told her about one of his friends who was using "hard" drugs. Deming Jr. stopped speaking with the friend. [redacted] believed

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/20/2015 13:46	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, ,	

the friend's name was ' ' (unknown last name).

Later in our conversation Officer Lengel asked if she remembered a text conversation she had with Deming Jr. regarding him using psychedelic mushrooms. initially said she didn't remember the conversation but later said she did speak with Deming Jr. (via text) about taking mushrooms. couldn't remember how long ago the conversation occurred but indicated Deming Jr. was apparently driving under the influence of mushrooms. also couldn't elaborate on any specifics on their conversation and could only remember she told Deming Jr. she was angry and told him he shouldn't drive if he was under the influence.

said the above mentioned text conversation had since been deleted from her phone but she did allow me to view the text conversation between her and Deming Jr. from July 4th. The conversation began with Deming Jr. asking if he could pick up the organ. They agreed on 1900 hours and later texted her address. allowed me to photograph the text conversation (refer to iPad photographs for full details).

The above interviews were summarized for purposes of this report. Please refer to the audio recordings for full statement details.

Officer Lengel and I then drove to in and met with invited us inside his residence and agreed to speak with us. told Officer Lengel and I the following (in summary):

said he posted an ad in craigslist for a singer for his band approximately 2 weeks ago. A person who identified himself as "Jonny Maroosis" replied to the ad and said he was interested in the singing position and provided a website (jonnymaroosis.com). I had previously viewed the website: <http://jonnymaroosis.com>. The website includes pictures of Deming Jr. and audio clips of him singing.

agreed to meet Deming Jr. on June 30 at his friend's house () for an audition. The day of the audition Deming Jr. was dropped off by an unknown person in an unknown vehicle. Deming Jr. texted before arriving and said he was running late because he gave his ride the wrong directions. Deming Jr. then texted at 1416 hours and said he was outside house. Deming Jr. was supposed to have a microphone but did not bring one. and played music for about an hour and Deming Jr. tried to sing over the music but he couldn't be heard because he didn't have a "rig" (microphone and speaker). last saw Deming Jr. waiting for a ride on a bench down the street from house. later received text from Deming Jr. stating he would contact him when he had his "rig". did not respond

said he had spoken with prior to my conversation with him regarding this incident. looked up a news story on the shooting on the internet and saw a picture of Deming Jr. in a football uniform. said the person who auditioned with his band was the same person in the picture (Deming Jr.).

I provided my contact information and asked if he could send me any email correspondence between him and Deming Jr. said he would go through his emails and send me what he had.

The above interview was summarized for purposes of this report. Refer to the audio recording for full

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/20/2015 13:46	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, ,	

interview details.

I later returned to the PPD station and received an email from [redacted] The email included the conversation between him and Deming Jr. regarding the craigslist ad (no longer posted) and the audition (see attached emails).

Recommendation: attach to original report.

Silacci #216

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/23/2015	TIME 10:47	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

On 7/16/15 at around 1330 hours I met with Specialty Sales Manager, regarding this case. provided me with me with an estimate for the damage found an documented on the vehicles within the business. This estimate will be included with this report.

OFFENSES	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE

SUBJECTS	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1	SB					
2							
3							
4							
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6							
7							
8							
9							
10							

VEHICLES	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						
VEHICLES	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		VALUE
	DESCRIPTION						

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:			

REPORTING OFFICER Sarasua, Benjamin, J.	DATE WRITTEN 07/23/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 7/23/2015 13:13
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**PLEASANTON POLICE DEPARTMENT
SUPPLEMENT - INVOLVED SUBJECTS**

DATE/TIME WRITTEN
07/23/2015 10:47

CASE NUMBER
2015-00024571

REPORTING OFFICER
Sarasua, Benjamin, J.

INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PO-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01

INVOLVED	NAME/BUSINESS NAME		DOB	AGE
SB				
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
			to	to
RESIDENCE ADDRESS	HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID	
			/	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION		
BUSINESS/SCHOOL ADDRESS	WORK PHONE			
CLOTHING				

INVOLVED	NAME/BUSINESS NAME		DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
			to	to
RESIDENCE ADDRESS	HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID	
			/	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION		
BUSINESS/SCHOOL ADDRESS	WORK PHONE			
CLOTHING				

INVOLVED	NAME/BUSINESS NAME		DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
			to	to
RESIDENCE ADDRESS	HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID	
			/	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION		
BUSINESS/SCHOOL ADDRESS	WORK PHONE			
CLOTHING				

INVOLVED	NAME/BUSINESS NAME		DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
			to	to
RESIDENCE ADDRESS	HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID	
			/	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION		
BUSINESS/SCHOOL ADDRESS	WORK PHONE			
CLOTHING				

INVOLVED	NAME/BUSINESS NAME		DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
			to	to
RESIDENCE ADDRESS	HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID	
			/	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION		
BUSINESS/SCHOOL ADDRESS	WORK PHONE			
CLOTHING				

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/23/2015 10:47	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J.	

On 7/16/15 at around 1330 hours I met with Specialty Sales Manager, [redacted] at his business. [redacted] said he was provided a written estimate for the damaged done to the vehicles in his business. [redacted] said he would forward this estimate to me after our meeting. [redacted] also said the total estimated damage to the front and back windows and the window in the office hallway is \$911.00.

On 7/4/15, [redacted] said he clocked out for the day at 1802 hours. [redacted] said he was working with [redacted] and [redacted] (unknown last name) that day. After [redacted] clocked out for the day, he said he set the alarm, locked the front door and hung out with [redacted] and [redacted] for a few minutes in the south parking lot (south side of south building). [redacted] said he forgot he had some vehicle keys in his pocket so he entered the business and disabled the alarm to return the keys. After [redacted] returned the keys inside, he reset the alarm and locked up the business. [redacted] said he hung out with [redacted] and [redacted] for a few more minutes and all of them eventually left around 1830.

[redacted] said he did not know anyone by the name Johnathon Deming. Specialty Sales does not have any record of this name in their computer system. I provided [redacted] with my business card and asked him to call me if he had any further information regarding this case.

On 7/20/15 at 1710 hours, I received an email from [redacted] which had the damage estimate attached. I reviewed this damage estimate and found the following vehicle were damaged:

Year	Make	Model	VIN	Estimated Damage
1993	Dodge	RT/10 (Red)		\$766.00
1977	Ferrari	GTO 250 (Red)		\$1,873.44
1979	Volkswagen	Beetle (Red)		\$1,334.10
1965	Daytona	Shelby Coupe (Blue)		\$702.75
2004	Volkswagen	R32 (Blue)		\$1,760.08
1969	Pontiac	GTO (Red)		\$102.00
1956	Cadillac	El Dorado (Pearl)		\$1,125.75
1966	Chevrolet	Chevelle Malibu (White)		\$1,166.50
1957	International	A110 Pickup (Silver)		\$1,141.89
Total Estimated Damage				\$9,972.51

The entire damage estimate report will be included with this report.

No further action was taken at this time.

Recommendations:

None

End of report.

B. Sarasua #258

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 07/28/2015	TIME 10:05	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE
	SYNOPSIS OF EVENT			

EVIDENCE SUPPLEMENT - DRYING LOCKER

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE
									E	CLOTHING, FURS, ETC

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT	
	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							

V E H I C L E S	CASE VEHICLE #1								
	ROLE	YEAR	MAKE	MODEL	STYLE	LICENSE NUMBER	STATE	VIN NUMBER	COLOR
	DESCRIPTION								
	PROPERTY VEHICLE #1								
ROLE	YEAR	MAKE	MODEL	STYLE	LICENSE NUMBER	STATE	VIN NUMBER	COLOR	
DESCRIPTION									
VALUE									

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER:			

REPORTING OFFICER Boccasile, Barry, .	DATE WRITTEN 07/28/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 8/17/2015 12:56
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/28/2015 10:05	CASE NUMBER 2015-00024571
	REPORTING OFFICER Boccasile, Barry, .	

On 7/5/15, I received the item labeled "J" (Deming's clothing and a towel used during life saving efforts) from ACSO crime lab and placed them into the secure PPD evidence drying locker. The evidence bag containing the listed items was later sealed and booked into evidence. See label for chain of custody.

CONTROLLED DOCUMENT

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - PROPERTY RPT**

DATE/TIME WRITTEN
07/28/2015 10:05
REPORTING OFFICER
Boccasile, Barry, .

CASE NUMBER
2015-00024571

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	1	CLOTHING, FURS, ETC		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
DEMING CLOTHING, TOWEL					PPD75734
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S:

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 08/10/2015	TIME 10:14	INCIDENT TYPE HOMICIDE	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE
	SYNOPSIS OF EVENT			
<p>Examination and documentation of the condition of Officer Kunkel's uniform and ballistic vest.</p>				

O F F I C E R S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
	10						

V E H I C L E S	CASE VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR					
	DESCRIPTION									
	PROPERTY VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR						
DESCRIPTION										
VALUE										

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER:			

REPORTING OFFICER Shuffield, Robert, ,	DATE WRITTEN 08/10/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 8/17/2015 13:00
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 08/10/2015 10:14	CASE NUMBER 2015-00024571
	REPORTING OFFICER Shuffield, Robert, ,	

On 7/14/2015, I examined and photographed Officer Kunkel's uniform shirt. The shirt appeared to be in good condition overall. There was a wavy discoloration on and above the left shirt pocket. There was a three centimeter white powdery mark on the right sleeve cuff. There was a one centimeter white powdery mark on the back of the uniform shirt in the area of the wearer's left shoulder blade.

Officer Kunkel's badge, number 294, was attached to the left side of the shirt above the shirt pocket. There was a Bic pen and a penlight in the left shirt pocket. Officer Kunkel's name plaque was attached to the uniform above the right shirt pocket. An American flag pin was attached to the shirt above Officer Kunkel's name plaque. Inside the right shirt pocket was a stack of index cards bound by a binder clip. The stack of cards included Field Interview cards, a Drug Abuse Recognition card, a bruise card, a Field Sobriety Test card, Officer Kunkel's business card, a Miranda Admonition card, and a traffic court date card.

Officer Kunkel's Scorpion Video recorder was in the evidence bag containing his uniform shirt. The recorder did not have any unusual marks or damage.

I examined and photographed Officer Kunkel's white rubber inner belt. The belt appeared to be in good condition and did not have any unusual marks or damage.

I examined and photographed Officer Kunkel's Second Chance ballistic vest. The vest appeared to be in good condition and did not have any unusual marks or damage.

R. Shuffield 276

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
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CASE NUMBER

2015-00024571

CROSS REF CASE #1(S)

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 2015-
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SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 08/10/2015	TIME 10:17	INCIDENT TYPE HOMICIDE	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE
	SYNOPSIS OF EVENT			

I authored and served search warrants for Deming's cellular phone, tablet computer, cellular phone records, tablet computer records, medical records, bank records, Facebook records, and email records.

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
	10						

V E H I C L E S	CASE VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR					
	DESCRIPTION									
	PROPERTY VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR					
	DESCRIPTION									

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER:			

REPORTING OFFICER Shuffield, Robert, ,	DATE WRITTEN 08/10/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 8/27/2015 15:39
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 08/10/2015 10:17	CASE NUMBER 2015-00024571
	REPORTING OFFICER Shuffield, Robert, .	

On 7/7/2015, Detective Sarasua notified me that a cellular phone had been recovered from Deming's clothing at the scene. Detective Stocking had obtained Deming's cellular phone number - () from : I confirmed the telephone number was accurate through a law enforcement public records search. I authored search warrants for the contents of Deming's cellular phone and the associated cellular phone records. The warrants were signed by Judge Blea III. I served AT&T with the warrant on 7/7/2015. Detective Boccasile served warrant for the contents of cellular phone warrant on 7/8/2015. See attached warrants.

On 7/7/2015, I located Deming's Facebook profile at . I authored a search warrant for records associated with the account, which was signed by Judge Blea III. I served the warrant on 7/7/2015. See attached warrant.

On 7/7/2015, I authored a warrant for Deming's medical records, which was signed by Judge Blea III. I served Eden Hospital, Paramedics Plus, and the Livermore/Pleasanton Fire Department with the warrant on 7/8/2015. Each of the organizations provided the records the same day. See attached warrant and medical records.

On 7/7/2015, Detective Boccasile notified me he had located a cellular tablet computer inside the white Mercedes Sprinter van. I authored a search warrant for the contents of the tablet computer, which was signed by Judge Moruza. Detective Boccasile served the warrant on 7/8/2015. See attached warrant.

On 7/14/2015, I authored a warrant for Deming's tablet computer cellular records, which was signed by Judge Blea III. I served the warrant on Verizon on 7/14/2015. See attached warrant.

On 7/14/2015, I authored a warrant for the Google account associated with Deming's tablet computer, which was signed by Judge Blea. I served the warrant on Google on 7/14/2015. See attached warrant.

On 7/16/2015, I authored search warrants for the bank accounts associated with the bank cards recovered from Deming's wallet (Chase card and Union Bank card). The warrants were signed by Judge Blea III. I served Union Bank Branch Manager Edrahilda Alcantara with the warrant for the Union Bank records. I served Chase Branch Manager Ofelia Osegueda with the warrant for the Chase records. See attached warrants.

On 7/16/2015, Verizon produced the records requested in the search warrant. The records indicated the tablet computer was associated with Verizon account . The account was owned by "John Deming." The records did not contain any information useful for establishing Deming's whereabouts around the time of this incident. See attached cell phone records.

On 7/23/2015, Facebook provided Deming's Facebook records. The records indicated the account was registered to John Deming with an email address of : . The account was associated with telephone number (), which had been verified with a call by Facebook. The most recent login to the account occurred on 7/3/2015 at 1250 hours. The most recent messaging activity occurred on 6/24/2015 and did not appear relevant to this investigation. I reviewed Deming's posting history, messaging history, and photographs and did not locate any information which appeared relevant to this investigation. See attached Facebook records.

On 7/28/2015, Union Bank provided bank records associated with the Union Bank card located in Deming's wallet. The bank card was associated with Union Bank account number . The account was opened on 7/13/2011 under the name . at .

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 08/10/2015 10:17	CASE NUMBER 2015-00024571
	REPORTING OFFICER Shuffield, Robert, ,	

The account appeared to be owned by Deming's ... and listed Deming as a beneficiary. The account had very little activity between 6/16/2015 and 7/16/2015. The activity included two payments to Fitness 19 (a gymnasium) in Milpitas, a deposit of \$200.00, and three overdraft fees. See attached bank records.

On 8/4/2015, AT&T provided Deming's cellular phone records. The records indicated the AT&T account number was The account was assigned to Deming with a cellular phone number of an address of and an email address of AT&T also provided historical cellular location data for the period of 4/1/2015 through 7/8/2015. Detective Stocking reviewed the historical cellular location data.

On 8/5/2015, JP Morgan Chase provided bank records associated with the Chase card located in Deming's wallet. The bank card was associated with Chase account number The records indicated the account was owned by Deming and with a home phone of , a cell phone of , and an address of The activity on the account listed transactions between 5/26/2015 and 7/20/2015. None of the records appeared relevant to this investigation. See attached bank records.

On 8/7/2015, Google provided the records associated with Deming's Google account. I examined the Deming's email records. There did not appear to be any emails relevant to this investigation. I examined Deming's Google search history. The records indicated Deming had searched the following terms which appeared relevant to the investigation:

- 7/5/2015 0459 UTC: Rowdy Ronda
- 7/5/2015 0312 UTC: Breaking and entering
(Deming visited numerous web sites related to Rowdy Ronda)
- 7/3/2015 2129 UTC: Police response time
- 7/3/2015 2128 UTC: Paramedic response time
- 5/5/2015 2138 UTC: Buy morphine
- 5/5/2015 2137 UTC: Does chloroform make you pass out
- 5/5/2015 2135 UTC: Where to buy chloroform
- 5/5/2015 2132 UTC: Where to buy chloroform
- 5/5/2015 2132 UTC: Chloroform
- 5/5/2015 2127 UTC: Where to buy chloroform
- 5/5/2015 2127 UTC: How to make chloroform
(Deming visited numerous web sites related to chloroform during these searches)

See Google records.

R. Shuffield 276

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CASE NUMBER

2015-00024571

CROSS REF CASE #S

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 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 09/01/2015	TIME 11:59	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE
	SYNOPSIS OF EVENT			
	Follow-up investigation: I attempted to interview _____ of _____			

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE	

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1	SB					
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
	10						

V E H I C L E S	CASE VEHICLE #1				
	ROLE	YEAR	MAKE	MODEL	STYLE
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR
	DESCRIPTION				
	PROPERTY VEHICLE #1				
	ROLE	YEAR	MAKE	MODEL	STYLE
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR	
DESCRIPTION					
VALUE					

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER: _____				

REPORTING OFFICER Silacci, Erik, ,	DATE WRITTEN 09/01/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 9/1/2015 15:57
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**PLEASANTON POLICE DEPARTMENT
SUPPLEMENT - INVOLVED SUBJECTS**

DATE/TIME WRITTEN
09/01/2015 11:59
REPORTING OFFICER
Silacci, Erik,

CASE NUMBER
2015-00024571

INVOLVED PARTY CODE: AD-ANIMAL OWNER, CI-CITIED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PG-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RD-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01

INVOLVED SB	NAME/BUSINESS NAME		DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
RESIDENCE ADDRESS			HOME PHONE	
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE	
CLOTHING				

INVOLVED	NAME/BUSINESS NAME		DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
RESIDENCE ADDRESS			HOME PHONE	
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE	
CLOTHING				

INVOLVED	NAME/BUSINESS NAME		DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
RESIDENCE ADDRESS			HOME PHONE	
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE	
CLOTHING				

INVOLVED	NAME/BUSINESS NAME		DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
RESIDENCE ADDRESS			HOME PHONE	
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE	
CLOTHING				

INVOLVED	NAME/BUSINESS NAME		DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE	WEIGHT/RANGE
RESIDENCE ADDRESS			HOME PHONE	
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE	
CLOTHING				

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 09/01/2015 11:59	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik ,	

Narrative:

On 08/26/15 I conducted further follow-up on this case and attempted contact with a subject, _____ of _____ responded to _____ residence the day the search warrant was executed (07/05/15).

I called _____ and spoke with him by phone. I asked _____ if he was available for an interview. _____ said he would be available this Friday, 08/28/15 and asked me to call him then.

On 08/28/15 I called _____ and asked if I could meet with him. _____ said he was working and wouldn't be available until later that afternoon. I provided my phone number to _____ and asked him to contact me as soon as he was available. As of 09/01/15 I have not received a return phone call from _____.

Silacci #216

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
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CASE NUMBER

2015-00024571

(CROSS REF. CASE #S)

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 2015-
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SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 09/01/2015	TIME 11:42	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT*
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

SYNOPSIS OF EVENT

A search warrant was obtained for Deming's Instagram records. Facebook refused to produce the records. Pleasanton PD ceased efforts to obtain the records specified in the search warrant.

O F F I C E S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE

S U B J E C T S	NO.	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1	SB					WRITTEN
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
10							

V E H I C L E S	CASE VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR					
	DESCRIPTION									
	PROPERTY VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR					
	DESCRIPTION									VALUE

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER			

REPORTING OFFICER Shuffield, Robert, ,	DATE WRITTEN 09/01/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 9/1/2015 16:39
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INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PG-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01	INVOLVED SB	NAME/BUSINESS NAME					DOB	AGE
	ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES	
	RESIDENCE ADDRESS					HOME PHONE		
	EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO /STATE		OTHER ID /		
	INSHIP	EMPLOYER/SCHOOL NAME			OCCUPATION			
	BUSINESS/SCHOOL ADDRESS					WORK PHONE		
	CLOTHING							

INVOLVED	NAME/BUSINESS NAME					DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES	
RESIDENCE ADDRESS					HOME PHONE		
EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO /STATE		OTHER ID /		
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME			OCCUPATION			
BUSINESS/SCHOOL ADDRESS					WORK PHONE		
CLOTHING							

INVOLVED	NAME/BUSINESS NAME					DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES	
RESIDENCE ADDRESS					HOME PHONE		
EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO /STATE		OTHER ID /		
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME			OCCUPATION			
BUSINESS/SCHOOL ADDRESS					WORK PHONE		
CLOTHING							

INVOLVED	NAME/BUSINESS NAME					DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES	
RESIDENCE ADDRESS					HOME PHONE		
EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO /STATE		OTHER ID /		
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME			OCCUPATION			
BUSINESS/SCHOOL ADDRESS					WORK PHONE		
CLOTHING							

INVOLVED	NAME/BUSINESS NAME					DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES	
RESIDENCE ADDRESS					HOME PHONE		
EMAIL ADDRESS	OTHER PHONE		DRIVER'S LIC NO /STATE		OTHER ID /		
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME			OCCUPATION			
BUSINESS/SCHOOL ADDRESS					WORK PHONE		
CLOTHING							

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	<small>DATE/TIME WRITTEN</small> 09/01/2015 11:42	<small>CASE NUMBER</small> 2015-00024571
	<small>REPORTING OFFICER</small> Shuffield, Robert, ,	

From Detective Boccasile's search of Deming's tablet computer, it was determined Deming had an Instagram account. I viewed the account at [redacted]. The account displayed several images and videos of Deming. One of the videos displayed a man, who appeared to be Deming, rapidly consuming a can of beer. The video appeared to have been uploaded around 7/4/2015. I authored a search warrant for Instagram records held by Facebook (the company who owns Instagram). The search warrant was signed by Judge Blea III and served on 7/21/2015. Facebook refused to supply the records pursuant to the search warrant indicating they would only reply to search warrants addressed to Instagram.

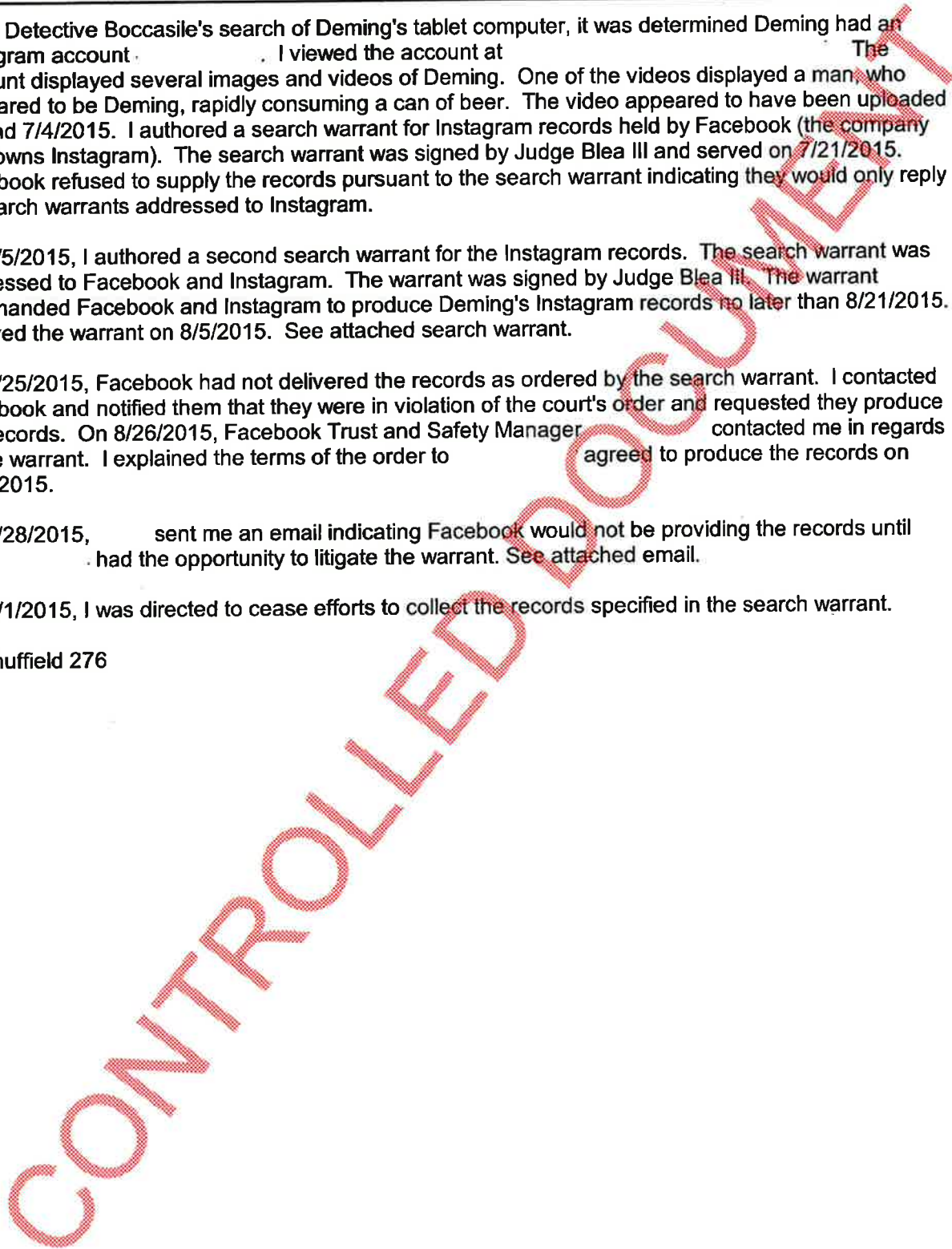
On 8/5/2015, I authored a second search warrant for the Instagram records. The search warrant was addressed to Facebook and Instagram. The warrant was signed by Judge Blea III. The warrant commanded Facebook and Instagram to produce Deming's Instagram records no later than 8/21/2015. I served the warrant on 8/5/2015. See attached search warrant.

On 8/25/2015, Facebook had not delivered the records as ordered by the search warrant. I contacted Facebook and notified them that they were in violation of the court's order and requested they produce the records. On 8/26/2015, Facebook Trust and Safety Manager [redacted] contacted me in regards to the warrant. I explained the terms of the order to [redacted] and [redacted] agreed to produce the records on 8/28/2015.

On 8/28/2015, [redacted] sent me an email indicating Facebook would not be providing the records until [redacted] had the opportunity to litigate the warrant. See attached email.

On 9/1/2015, I was directed to cease efforts to collect the records specified in the search warrant.

R. Shuffield 276



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CASE NUMBER

2015-00024571

CROSS REF CASE #S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 07/05/2015	TIME 10:49	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE
	SYNOPSIS OF EVENT			

I photographed the involved officers, their uniforms, and injuries. I authored a search warrant for the crime scene on First St. I authored and executed a search warrant at Deming's residence, and collected evidence pertinent to the investigation.

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE
									E	DOCUMENTS
							E	DRUGS		
							E	ELECTRONICS		
							E	DOCUMENTS		

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT	
	1							
	2							
	3							
	4							
	5							
	6							
	7							
	8							
	9							
	10							

V E H I C L E S	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						
	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						VALUE

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER:			

REPORTING OFFICER Shuffield, Robert, ,	DATE WRITTEN 07/05/2015	APPROVED BY Schlehuber, Kurt
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/05/2015 10:49	CASE NUMBER 2015-00024571
	REPORTING OFFICER Shuffield, Robert, .	

On 7/5/2015, I was assigned to assist Detective Stocking with this investigation.

On 7/5/2015, about 0657 hours, I photographed Officer Middleton and his clothing in interview room 1. Officer Middleton was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Middleton.

At 0659 hours, I photographed Officer Bennett and his clothing in interview room 2. Officer Bennett was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Bennett.

At 0702 hours, I photographed Officer Cobler and his clothing in the police department's "back conference room." Officer Cobler was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I observed two rust colored circular stains, less than 1/4 inch in diameter, on Officer Cobler's uniform shirt. The stains were in the middle of the shirt just above his belt line. The stains appeared consistent with blood stains. I observed three smeared rust colored stains, approximately two inches across, on Officer Cobler's uniform pants. The stains were located on the pants near Officer Cobler's thigh. The stains appeared consistent with blood stains. Officer Cobler believed the stains were blood from the individual later identified as Deming. I did not discuss any other details about the case with Officer Cobler.

At 0708 hours, I photographed Officer Palmquist and his clothing in the police department's "overflow Lieutenant's office." Officer Palmquist was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Palmquist.

At 0712 hours, I photographed Officer Sheldon and his clothing in the Youth Services Unit. Officer Sheldon was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Sheldon.

At 0714 hours, I photographed Officer Pittl and his clothing in the police department's gymnasium. Officer Pittl was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Pittl.

At 0718 hours, I photographed Sergeant Gora, his clothing, and Taser body worn video camera in Captain Finn's office. Sergeant Gora was wearing a full Pleasanton police uniform, including his badge, name tag, patches, Taser body worn camera, and duty belt. I did not discuss any of the circumstances of the case with Sergeant Gora.

At 0720 hours, I photographed Officer Kunkle and his clothing in the police department's "upstairs conference room." Officer Kunkle was wearing a plain black undershirt, a pair of Pleasanton Police uniform pants, and black boots. Officer Kunkle identified several areas of his body where he was feeling pain. Officer Kunkle indicated he suffered a scratch to the center of his chin. I observed a scratch, approximately one inch long, in the center of Officer Kunkle's chin. I photographed the scratch. Officer Kunkle indicated he had soreness under each of his eyes. I observed a slight dark discoloration under Officer Kunkle's right eye, approximately 1.5 inches across. I photographed each of the areas where Officer Kunkle indicated soreness. Officer Kunkle indicated he was feeling soreness on the back side of his head, approximately two inches in from his left ear and right above his neck. I did not observe any obvious injuries and photographed the area. Officer Kunkle indicated he had a scratch on his right elbow. I observed a fresh circular skin tear, approximately 1/4 inch across, on Officer Kunkle's left elbow. I photographed the injury. Officer Kunkle indicated he had an abrasion on his left index

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finger. I observed a fresh circular abrasion, approximately 1/4 inch across, on the Officer Kunkle's left index finger knuckle. I photographed the injury. Officer Kunkle indicated he had an abrasion on his right elbow. I observed a red abrasion, approximately one inch across, on Officer Kunkle's right elbow. I photographed the injury. I did not discuss any additional details about the case with Officer Kunkle.

At 0739 hours, I photographed Officer Paulsen and his clothing in the YCSU Sergeant's Office. Officer Paulsen was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Paulsen.

On 7/5/2015, about 0815 hours, I collected Officer Cobler's uniform shirt and pants from him. I booked them into the Pleasanton Police Property Room as evidence.

Based on the police dispatch call notes and circumstances of the incident, I believed evidence pertinent to the investigation would be located in and around 4321 First St. I authored a search warrant for the scene of the incident, 4321 First St, and a vehicle which appeared to be related (a white Mercedes Sprinter van registered to Deming's father) for the collection of related evidence. The warrant was signed by Judge Hernandez. Detective Sarasua served the warrant and collected the listed evidence. See attached warrant and Detective Sarasua's supplemental reports.

Based on the Mercedes Sprinter van's registration and photos Detective Chin took of the deceased subject, along with a California driver's license in the name of Deming recovered at the scene, I believed the individual was likely Deming. Through DMV records checks and a search of a law enforcement public records database, I identified Deming's residence as [redacted]. Through a DMV "vehicle's registered to" inquiry, I identified Deming as the registered owner of a 2009 Mercury Grand Marquis (CA License [redacted]). Based on the circumstances of the incident, I believed evidence pertinent to the investigation would be located at Deming's residence and in his vehicle. I authored a search warrant for the residence and vehicle for evidence relevant to the investigation. The warrant was signed by Judge Hernandez. See attached warrant.

On 7/5/2015, about 1915 hours, Sergeant Schlenhuber, Detectives Chin, Stocking, Silacci, Officer Lengel, and I served the warrant at [redacted] Deming's [redacted] was the only individual present at the residence. Detectives Stocking and Lengel spoke to [redacted] while Detectives Chin, Silacci, and I conducted the search. I took a video recording of the interior of the residence prior to beginning the search. Deming's bedroom was identified as the bedroom at the end of the interior hallway on the left side of the hallway (toward the front of the residence). This bedroom was the only room containing male clothing and the bedroom contained numerous items belonging to Deming, including prescription medications and written reports for school containing Deming's name. A second bedroom in the residence, located halfway down the hallway on the left side, did not contain a bed or any items indicating a person was staying in it. The third bedroom, located at the end of the hallway on the right side, appeared to belong to [redacted]. The bedroom contained numerous items of women's clothing and items relating to [redacted] employment.

Approximately 10 minutes into the search, I heard [redacted] yell loudly and begin crying. I did not hear the contents of the conversation, but [redacted] reaction led me to believe she had been notified of Deming's death.

The following items were located and seized during the search of Deming's residence:

- 1) A handwritten document containing Deming's writings from a cardboard box on his bedroom floor.

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- 2) An Amoxicillin prescription belonging to J. Deming (Indicia) was found in Deming's top right dresser drawer inside his bedroom.
- 3) A Canon video camera from the top of Deming's bed inside his bedroom.
- 4) A small green composition book containing Deming's writings from the top of Deming's bed inside his bedroom.
- 5) A black journal containing Deming's writings from his bed inside his bedroom.
- 6) An "Art of War" book, in which Deming had underlined specific passages, from the top of Deming's bed inside his bedroom.
- 7) A Macbook Pro notebook computer from the top of Deming's bed inside his bedroom.
- 8) Miscellaneous recordable CD's from the top of Deming's desk inside his bedroom.
- 9) A black flash drive from the top of Deming's desk inside his bedroom.
- 10) A brown wooden box containing a digital scale, small plastic press lock baggies, and an unfired .45 caliber cartridge from the top of Deming's desk inside his bedroom.
- 11) A black pry-bar from the top of Deming's desk inside his bedroom.
- 12) Numerous handwritten documents from the top of Deming's desk inside his bedroom.
- 13) Three notebooks (one red, one yellow, and one green) containing Deming's writings from Deming's closet floor inside his bedroom.
- 14) A Panasonic video camera from the top shelf of Deming's closet inside his bedroom.
- 15) A desktop computer from under Deming's desk inside his bedroom.
- 16) A Sharp brand video camera from the floor of the garage.
- 17) A Panasonic video camera from the top of a television inside the garage.
- 18) A Sony video camera from the TV stand inside the garage.

During the search, additional items were located which appeared relevant to the investigation, but were not described in the search warrant. Detective Sarasua authored a second search warrant and the following items were collected:

- 1) A body armor carrier and body armor plates from Deming's desk chair inside his bedroom.
- 2) A pistol magazine loaded with 7 .45 caliber cartridges from the top of Deming's desk inside his bedroom.
- 3) A black air soft pistol with the orange safety tip removed from the top of Deming's bed, under

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	REPORTING OFFICER Shuffield, Robert, .	

the comforter, inside his bedroom.

See attached warrant and Detective Sarasua's supplemental reports.

The 2009 Grand Marquis was not located at the residence so a search of the vehicle was not conducted.

I booked the items recovered from the two search warrants at into the PPD Property Room as evidence.

R. Shuffield 276

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT				DATE/TIME WRITTEN 07/05/2015 10:49	CASE NUMBER 2015-00024571
				REPORTING OFFICER Shuffield, Robert,	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED					
ITEM	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
01	E	1	DOCUMENTS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) HANDWRITTEN DOCUMENT - 1					TAG NUMBER PPD75789
02	E	1	DRUGS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) AMOXICILLIN PRESCRIPTION FOR J. DEMING - 2					TAG NUMBER PPD75790
03	E	1	ELECTRONICS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) CANON VIDEO CAMERA - 3					TAG NUMBER PPD75778
04	E	1	DOCUMENTS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) SMALL COMPOSITION BOOK - 4					TAG NUMBER PPD75779
05	E	1	DOCUMENTS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BLACK JOURNAL BOOK - 5					TAG NUMBER PPD75820
06	E	1	DOCUMENTS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) "ART OF WAR" BOOK - 6					TAG NUMBER PPD75814
07	E	1	ELECTRONICS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) MACBOOK PRO - 7					TAG NUMBER PPD75767
08	E	1	MEDIA- AUDIO, VIDEO		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) MISC CD'S - 9					TAG NUMBER PPD75785
09	E	1	MEDIA- AUDIO, VIDEO		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) FLASH DRIVE - 10					TAG NUMBER PPD75776
10	E	1	PARAPHERNALIA-DRUGS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BROWN BOX WITH SCALE, BAGGIES, AND LOOSE .45 ROUND - 11					TAG NUMBER PPD75777
11	E	1	TOOLS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) PRY BAR - 12					TAG NUMBER PPD75858
12	E	1	DOCUMENTS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) HANDWRITTEN DOCUMENTS - 13					TAG NUMBER PPD75784
13	E	3	DOCUMENTS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) RED, YELLOW, GREEN NOTEBOOKS - 14					TAG NUMBER PPD75808
14	E	1	ELECTRONICS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) PANASONIC VIDEO CAMERA - 15					TAG NUMBER PPD75774
15	E	1	ELECTRONICS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) SHARP VIDEO CAMERA - 16					TAG NUMBER PPD75826
16	E	1	ELECTRONICS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) DESKTOP COMPUTER - 17					TAG NUMBER PPD75795
17	E	1	ELECTRONICS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) PANASONIC VIDEO CAMERA - 18					TAG NUMBER 75796
18	E	1	ELECTRONICS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) SONY DIGITAL CAMERA - 19					TAG NUMBER PPD75802
19	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) BODY ARMOR CARRIER AND INSERTS - 1A					TAG NUMBER PPD75780
20	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) HANDGUN MAGAZINE WITH 7 .45 CALIBER ROUNDS - 2A					TAG NUMBER PPD75783

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT				DATE/TIME WRITTEN 07/05/2015 10:49	CASE NUMBER 2015-00024571
				REPORTING OFFICER Shuffield, Robert, ,	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED					
21	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) AIR SOFT GUN - 3A					TAG NUMBER PPD75775
22	CODE E	QTY 1	TYPE CLOTHING, FURS, ETC	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) COBLER'S UNIFORM PANTS					TAG NUMBER PPD73960
23	CODE E	QTY 1	TYPE CLOTHING, FURS, ETC	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) COBLER'S UNIFORM SHIRT					TAG NUMBER PPD73966
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

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CASE NUMBER

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CROSS REF CASE #1(S)

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SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/06/2015	TIME 17:56	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

Photographs of Johnathon Deming, Jr. at Eden Medical Center and collection and booking of gun shot residue kits for Pleasanton PD Officer Kunkel and Deming.

OFFENSE	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE
									E	MISCELLANEOUS
							E	MISCELLANEOUS		
							E	CLOTHING, FURS, ETC		

SUBJECTS	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
		1					
	2						
	3						
	4						
	5						
	6						
	7						
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	10						

VEHICLES	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						
VEHICLES	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						VALUE

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER			

REPORTING OFFICER Chin, Jonathan,	DATE WRITTEN 07/06/2015	APPROVED BY Schlehuber, Kurt
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/06/2015 17:56	CASE NUMBER 2015-00024571
	REPORTING OFFICER Chin, Jonathan, .	

Narrative:

On 07/05/15 about 0400 hours after being notified of the Officer Involved Shooting incident, I responded to the scene located at 4321 First Street. I arrived at the scene from the south side of the location on First Street. I contacted Pleasanton PD Sgt. Gora, Officer Sheldon, and Officer Paulsen at the front of the location. I asked Pleasanton PD Sgt. Gora which officers were involved and stated all on duty officers at the time were involved in the incident. He also advised me Pleasanton PD Officer Kunkel was at Valley Care Medical Center with Pleasanton PD Officer Palmquist. The shot suspect was transported to Eden Medical Center to be treated for his injuries. While on scene, Pleasanton PD Officer Paulson approached me and pointed out an automobile floor jack lying on the west sidewalk of the location which he stated the suspect threw. He also stated there was one expended less lethal shotgun round and one "live" less lethal shotgun round located on the west side of the south building of 4321 First Street. I returned to the station.

About 0500 hours, I responded to Eden Medical Center in Castro Valley to attempt to interview Johnathon Deming, Jr. While en-route to Eden Medical Center, I was advised Deming had died while receiving medical treatment. I arrived at the hospital Emergency Room and was told Deming was located in the Operating Room on the second floor. I was also given a brown paper bag containing Deming's belongings which were on his person when he arrived at Eden Medical Center. The brown paper bag contained a pair of shoes. I contacted Paramedics Plus to determine where Deming's clothing was located, I was told the clothing was located at the crime scene in Pleasanton which was later confirmed by other Pleasanton PD Detectives. I brought the packaged shoes to Pleasanton PD and placed them into property to dry because of blood on the shoes. After the shoes were dried, they were booked into property at Pleasanton PD.

I took multiple digital photographs of Deming and was directed to four specific areas by medical staff.

County Sheriff's Office Coroner Deputies Frazier and Easling arrived,

The Alameda County Sheriff's Office Coroner's Bureau took custody of Deming.

I returned to Pleasanton PD and contacted Pleasanton PD Officer Kunkel in the Men's Locker Room. I unpackaged a gunshot residue kit and collected samples from his left and right hands. The samples were booked into evidence after they were collected. He advised me he had washed his hands at least once since firing his duty firearm and me collecting samples.

Detective J. Chin

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT	DATE/TIME WRITTEN 07/06/2015 17:56	CASE NUMBER 2015-00024571
	REPORTING OFFICER Chin, Jonathan, .	

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
GUNSHOT RESIDUE KIT FOR OFFICER KUNKEL					PPD75934
				SERIAL NUMBER	VALUE
02	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
GUNSHOT RESIDUE KIT FOR DEMING					PPD75940
				SERIAL NUMBER	VALUE
03	E	1	CLOTHING, FURS, ETC		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
DEMING'S SHOES					PPD75975
				SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
				SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

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CASE NUMBER

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SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 07/07/2015	TIME 16:16	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE
	SYNOPSIS OF EVENT			
<p>Detective Chin and I interviewed three witnesses at</p>				

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P C	PROPERTY TYPE	VALUE

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1	WT					
2	WT						AUDIO RECORDED
3	WT						AUDIO RECORDED
4	WT						
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10							

V E H I C L E S	CASE VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
	DESCRIPTION							
PROPERTY VEHICLE #1								
ROLE	YEAR	MAKE	MODEL	STYLE				
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR				
DESCRIPTION								
VALUE								

R T E	<input type="checkbox"/> DISTRICT ATTORNEY <input type="checkbox"/> CHILD PROTECTIVE SERVICES <input type="checkbox"/> ADULT PROTECTIVE SERVICES <input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION <input type="checkbox"/> CITY ATTORNEY <input type="checkbox"/> CODE ENFORCEMENT <input type="checkbox"/> STREETS
	OTHER

REPORTING OFFICER Silacci, Erik, .	DATE WRITTEN 07/07/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 9/9/2015 18:07
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**PLEASANTON POLICE DEPARTMENT
SUPPLEMENT - INVOLVED SUBJECTS**

DATE/TIME WRITTEN
07/07/2015 16:16

CASE NUMBER
2015-00024571

REPORTING OFFICER
Silacci, Erik,

INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PG-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01

INVOLVED WT	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
			WEIGHT/RANGE to
		HAIR	EYES
RESIDENCE ADDRESS	HOME PHONE		
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

02

INVOLVED WT	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
			WEIGHT/RANGE to
		HAIR	EYES
RESIDENCE ADDRESS	HOME PHONE		
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

03

INVOLVED WT	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
			WEIGHT/RANGE to
		HAIR	EYES
RESIDENCE ADDRESS	HOME PHONE		
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

04

INVOLVED WT	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
			WEIGHT/RANGE to
		HAIR	EYES
RESIDENCE ADDRESS	HOME PHONE		
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

INVOLVED WT	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
			WEIGHT/RANGE to
		HAIR	EYES
RESIDENCE ADDRESS	HOME PHONE		
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/07/2015 16:16	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, ,	

Narrative:

On 07/07/15 I conducted follow-up investigation on this case. Detective Chin and I were tasked with interviewing 4 subjects who were identified by Officer Cobler the morning of the incident (07/05/15).

Detective Chin and I responded to _____ and attempted contact with ' _____ of _____ juvenile male answered the door and verbally identified himself as ' _____ said he and his _____ had a few friends over on the morning of 07/07/15. _____ said he was sleeping and did not hear anything. _____ mentioned one of the subjects, _____, was at his house that night and was enrolled at _____ summer school.

Detective Chin and I responded to _____ and spoke with summer school Principal _____ said _____ was enrolled in summer school and requested he respond to the main office. I asked _____ to check if any of the other juveniles were enrolled in summer school. _____ said _____ and _____ were enrolled as well. _____ requested _____ and respond to the office.

Detective Chin and I spoke with all three students individually in the SRO office. Each interview was audio recorded. The first student we spoke with was _____ told me the following (in summary):

On 07/05/15 _____ was at his friend's house (_____) on Railroad Avenue in the backyard when he heard an alarm sound. _____ assumed the alarm was coming from a nearby business, possibly the car dealership. _____ and his friends thought someone was breaking into a business. The alarm sounded for approximately 8-10 minutes before _____ heard sirens approaching. Approximately 10 minutes later _____ heard yelling then 3 gun shots. _____ didn't know _____ was said during the yelling.

Detective Chin and I spoke with _____ told me the following (in summary):

_____ said he was at _____ house the morning of 07/05/15. _____ was in the backyard with a few friends when he heard an alarm sounding. _____ believed the alarm was sounding from a business near Spring Street. A few minutes later _____ heard sirens approaching. Approximately 10 minutes later _____ heard people yelling "get on the ground...get on the ground". _____ then heard 3 gun shots and what he described as a metal object(s) falling on the ground and made the sound "ting...ting...ting".

Detective Chin and I then spoke with _____ told me the following (in summary):

_____ said on morning of 07/05/15 he was at ' _____ house with a few friends. _____ was outside in the backyard eating when he heard an alarm sounding from a nearby business. _____ got up and stood on a trampoline near the backyard fence. Approximately 10 minutes later heard people yelling "get down" and then 3 gun shots. _____ then heard glass being shattered.

The above statements were summarized for purposes of this report. For complete statement details refer to the respective audio recordings.

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/07/2015 16:16	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, ,	

The above audio recordings were later downloaded into DIMS.

Silacci #216

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100
SUPPLEMENTAL INVESTIGATION



CASE NUMBER

2015-00024571

CROSS REF CASE #S:

2015-
 2015-
 2015-

DATE REPORTED 07/09/2015	TIME 14:57	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

Statements of Pleasanton PD Officer Pittl and Bennett.

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE

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NO	INVOLVED	NAME (LAST FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
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CASE VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						
PROPERTY VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						
VALUE						

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<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER			

REPORTING OFFICER Chin, Jonathan,	DATE WRITTEN 07/09/2015	APPROVED BY Schlehuber, Kurt
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/09/2015 14:57	CASE NUMBER 2015-00024571
	REPORTING OFFICER Chin, Jonathan, .	

On 07/06/15 Pleasanton PD Detective Silacci and I conducted an interview of Pleasanton PD Officer Pittl who was a witness of an Officer Involved Shooting which occurred on 07/05/15. Pleasanton PD Officer Pittl was advised he was being interviewed as a witness and the interview was being recorded, also present was his legal representative

Pleasanton PD Officer Pittl advised me he had not spoken about the Officer Involved Shooting to anyone including his coworkers who were also on scene at the time. The following is a summary of Pleasanton PD Officer Pittl's interview, for its entirety refer to the uploaded video recording of this interview.

Pleasanton PD Officer Pittl stated he was in full uniform on the day of the incident with one Pleasanton PD patch clearly displayed on each shoulder, name plate on his right chest, and his Pleasanton PD issued badge on his left chest area. He had his department issued audio and video recorders on his person at the beginning of his shift. He stated he did activate his video recorder but he could not recall at which time. Pleasanton PD Officer Pittl also stated he was wearing his fully equipped duty belt and had also checked out his SWAT rifle which he normally uses on patrol. He was assigned to use Pleasanton Patrol vehicle #475 which is a fully marked patrol vehicle equipped with a light bar, less lethal shotgun, medical supplies, and did not have a caged transport area.

For a Saturday evening, Pleasanton PD Officer Pittl stated the pace of the work was slow but nothing was unusual. He first became aware of the beginning of the incident while he was at Santa Rita Jail booking a subject he had arrested. Pleasanton PD Officer Pittl said he was not sure the exact nature of the call for service but his attention was heightened when he heard Pleasanton PD Sgt. Gora say he saw a broken window and a suspect was visible inside of the business screaming. He heard Pleasanton PD Sgt. Gora ask for additional units to respond. After Pleasanton PD Officer Pittl's arrestee was booked, he left the jail and responded to the location of the incident at 4321 First Street (Specialty Car Sales). He activated his lights and siren and responded Code 3.

While en-route, he heard multiple officers providing updates over the radio. Pleasanton PD Officer Pittl said he became increasingly concerned after hearing the voices of his fellow officers. He had worked with all of the officers on the same shift since at least April 2015. Pleasanton PD Officer Pittl said the officers' voices were higher pitched and they spoke faster than normal which indicated an increased level of stress.

Pleasanton PD Officer Pittl arrived on scene and parked north of Specialty Car Sales. When he arrived he saw five to six officers standing in front of the business. He also saw a shattered window at the front of the south building and an unknown object in the roadway, the object was later determined to be a vehicle floor jack. Pleasanton PD Officer Pittl retrieved his SWAT rifle because of the damage he saw in front of the building, the large size of the building and the known presence of an individual or possibly multiple subjects inside of the building.

As Pleasanton PD Officer Pittl approached the building, he could hear yelling and banging coming from the interior of the business. He could not remember if he heard an audible alarm. As Pleasanton PD officers prepared to enter the business, Pleasanton PD Officer Pittl was assigned as cover for Pleasanton PD K9 Officer Sheldon and his police service dog. He said multiple commands were given for the suspect to exit the building, which were ignored by the suspect. Pleasanton PD Officer Pittl did not see the suspect, later identified as Johnathon Deming Jr., until after he had made entry into Specialty Car Sales. After making entry into the south building of Specialty Car Sales, he saw Deming sitting on the roof of a pickup truck.

Once inside, Pleasanton PD officers spread themselves out around Deming and gave multiple commands to Deming. Deming continued to yell at the officers while being given commands and he did not respond to any thing said by officers. Pleasanton PD Officer Pittl said even though Deming did not appear to recognize the presence of the officers, he did appear to focus on the police service dog. He said Deming appeared to

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - NARRATIVE**

DATE/TIME WRITTEN
07/09/2015 14:57

CASE NUMBER
2015-00024571

REPORTING OFFICER
Chin, Jonathan, ,

become more agitated and have increasing anger towards Pleasanton PD officers as time went on.

As Deming began to reach into his left pant pocket with his left hand, Pleasanton PD Officer Bennett discharged his department issued Taser. Pleasanton PD Officer Pittl said the first application of the Taser appeared to not affect Deming. He believed the Taser probes did not make contact with Deming. Deming continued to stare at Pleasanton PD officers. Pleasanton PD Officer Bennett reloaded his Taser and discharged it a second time at Deming. The second deployment also appeared to not have an effect on Deming as well. Pleasanton PD Officer Pittl said Deming said, "Fuck your tasers" and ripped the Taser probe wires away from himself after Pleasanton PD Officer Bennett had deployed his Taser the second time. Pleasanton PD Officer Pittl said he believed the Taser probes did not make a completed connection because of a loud audible sound of the electrical discharge. He also thought a third deployment of a Taser occurred but he was not able to identify which Pleasanton PD officer discharged his Taser.

After the unsuccessful Taser deployments, Pleasanton PD Officer Sheldon and his police service dog began to slowly close the distance between them and Deming to deploy the police service dog to take Deming into custody. When Deming noticed the police service dog getting closer, he suddenly fled off of the pickup truck he was on and fled through the building away from Pleasanton PD officers. The police service dog was released to apprehend Deming.

As Deming continued to run from officers, Pleasanton PD Officer Paulsen engaged Deming firing two less lethal shotgun rounds at him as he fled. Pleasanton PD Officer Pittl did not know if Deming was struck by either round, but he said Deming continued to run appearing to not be effected by anything. As Deming fled, he ran between cars as well as jumped from car to car to flee from Pleasanton PD officers and to avoid being detained.

Pleasanton PD Officer Pittl began to pursue Deming while staying behind the police service dog. He lost visual of Deming as he ran out of the building through a shattered window, he looked out of the window and could not locate Deming. Pleasanton PD Officer Sheldon arrived and put his police service dog outside of the building. The police service dog located a target which was later determined to be Pleasanton PD Officer Cobler. After Pleasanton PD Officer Sheldon regained control of his police service dog, the Pleasanton PD officers inside of the building exited the building through the shattered window.

As Pleasanton PD Officer Pittl exited the building, he said he heard what he identified as three gun shots to the west of Specialty Car Sales. He quickly ran around a corner and saw Pleasanton PD Officer Kunkel on his back on the ground and Deming lying on his right side. He said Deming and Pleasanton PD Officer Kunkel were between six and eight feet apart with their feet facing each other. Pleasanton PD Officer Pittl did not know who fired the shots, but assumed Deming was shot because of visible bleeding from the suspect. He said he did not know Pleasanton PD Officer Kunkel's condition but believed he was injured because in his experience, a police officer would lift their head to locate a suspect if they were lying on their back on the ground.

Pleasanton PD Officer Pittl located Deming and he proceeded to control him by grabbing his left hand by pulling him into a prone position, which Deming actively resisted. Two other Pleasanton PD Officers attempted to control Deming's right hand but were unable to immediately because Deming was actively trying to resist officers by pulling his hand away. Deming was eventually controlled and placed into handcuffs by officers. Immediately following being handcuffed, medical aid was rendered to Deming by Pleasanton PD Officer Cobler.

After the scene had stabilized, Pleasanton PD Officer Pittl and other Pleasanton PD officers as well as an

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/09/2015 14:57	CASE NUMBER 2015-00024571
	REPORTING OFFICER Chin, Jonathan, .	

unknown Livermore PD Officer cleared 4321 First Street of any other suspects. No other suspects were located. Pleasanton PD Officer Pittl assisted with securing the crime scene until he was relieved and went to Pleasanton PD where he waited to be questioned.

Pleasanton PD Officer Pittl said he did not hear anything just prior the sounds of gunshots. He stated none of the less lethal methods appeared to be effective when applied to Deming. Based on Deming's behavior and the ineffectiveness of used less lethal techniques, he believed Deming would be dangerous in any physical confrontation against any officer and possibly against two officers.

At the conclusion of the interview, I asked Pleasanton PD Officer Pittl if he had any more information, he stated he did not.

After speaking to Pleasanton PD Officer Pittl, Detective Silacci and I interviewed Pleasanton PD Officer Bennett. The following is a summary of Pleasanton PD Officer Bennett's interview, refer to the uploaded recording of the interview for further. Pleasanton PD Officer Bennett was accompanied by his legal defense representative, the entire time.

Pleasanton PD Officer Bennett stated he was wearing his full uniform with one Pleasanton PD patch on each shoulder. His name tag was displayed on his right chest and his badge on his left chest. He was wearing his full duty belt, which included both lethal and less lethal force options. He stated he had spark tested his Taser prior to the start of his shift. Based off of the test, Pleasanton PD Officer Bennett believed the Taser was working properly. He said he had both his video and audio recording equipment, but did not use either during the incident.

Pleasanton PD Officer Bennett had gone to the station at the end of his shift to go off duty. At that time he had left his original patrol vehicle, #408. When the initial dispatch call was announced over the radio, he heard Pleasanton PD Sgt. Gora request multiple units to respond to Specialty Car Sales Pleasanton PD Officer Bennett ran to a Pleasanton PD patrol vehicle to respond to the scene. The vehicle was later determined to be #478, he was not able to check all of the vehicle's equipment before putting it into service.

While responding from Pleasanton PD, he heard multiple units responding to Specialty Car Sales. Dispatch also updated a male subject was on scene. Pleasanton PD Sgt. Gora had updated responding units that a male was heard inside screaming, he was also seen with a pole banging on the walls inside the business. Pleasanton PD Officer Bennett arrived on scene and parked in front of Coles Supermarket located at 4277 First Street which is north of Specialty Car Sales.

Pleasanton PD Officer Bennett looked into the business and believed he saw movement in the building but no subject inside. He did not deploy the less lethal shotgun from patrol vehicle #478 because he had not probably checked all of the equipment in the vehicle. Pleasanton PD Officer Bennett heard Pleasanton PD Sgt. Gora yelling commands to the subject inside the building (later determined to be Johnathan Deming Jr.) and heard Deming continue to yell. Pleasanton PD Officer Palmquist arrived on scene and began to confirm all of the rounds being put into a less lethal shotgun were less lethal. The first two rounds loaded into the shotgun were visually confirmed to be less lethal.

After Pleasanton PD Officer Palmquist loaded the second less lethal round into the shotgun there appeared to be a malfunction because no more rounds could be loaded. Pleasanton PD Officer Bennett believed there was a "double feed" inside of the chamber of the shotgun. He took possession of the shotgun to try to fix the malfunction. While attempting to fix the malfunction, Pleasanton PD Officer Bennett heard other officers yelling to get back then he heard a loud bang next to him. He looked up and saw a "two ton" vehicle floor

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/09/2015 14:57	CASE NUMBER 2015-00024571
	REPORTING OFFICER Chin, Jonathan, ,	

jack lying on a car and against a window inside of Specialty Car Sales. It was about 15 to 20 feet away from Pleasanton PD Officer Bennett's location. He heard officers yell to get back again and saw another "two ton" vehicle floor jack get thrown through a window at the front of the business where Pleasanton PD officers were standing. A large amount of glass flew through the air and was scattered on the ground in front of the south building of the business.

After the second vehicle floor jack was thrown, Pleasanton PD Officer Palmquist went to the front of the building while Pleasanton PD Officer Bennett continued to fix the malfunction of the less lethal shotgun. Pleasanton PD Officer Bennett heard more commands given to Deming which he did not comply with. He was able to fix the malfunction and chambered one less lethal round into the shotgun. Pleasanton PD Officer Bennett could see Deming's right leg, and fired one less lethal round from the shotgun he had just cleared the malfunction from. The less lethal round missed Deming who retreated back into the building.

Pleasanton PD Officer Bennett said he looked into the business and saw Deming running inside of the business and jumping on and off vehicles inside. He also saw Deming jump from one vehicle and hang from the interior rafters of the building while screaming. At one point, Pleasanton PD Officer Bennett said he heard another officer say Deming said he was a mountain lion. Deming eventually fell from the rafters, unknown if that was intentional or accidental. Pleasanton PD Officer Bennett lost sight of the subject after he fell then located him after he was seated on the roof of a pickup truck. After Pleasanton PD officers entered the business, Pleasanton PD Officer Bennett slung his less lethal shot gun and withdrew his handcuffs in preparation of apprehending Deming.

More verbal commands were given to Deming to comply, which he ignored. After the continuous refusal by Deming to follow commands given, Pleasanton PD Officer Bennett holstered his handcuffs and withdrew his department issued Taser as another option for less lethal force. He saw Deming reaching for his left pocket with his left hand and he discharged his Taser. Pleasanton PD Officer Bennett said he believed the probes of the Taser missed and noticed the Taser was not effective. He reloaded his Taser and discharged it again. At this time, Deming's fingers were almost inside of his pocket. When Pleasanton PD Officer Bennett discharged his Taser for the second time, Deming had no reaction to the Taser. Deming stood up, jumped off of the vehicle, and fled through the business.

As Pleasanton PD officers pursued Deming, Pleasanton PD Officer Bennett heard glass breaking. He said he lost sight of Deming and the police service dog while pursuing Deming. About five to ten seconds later, Pleasanton PD Officer Bennett heard three gunshots. Pleasanton PD Officer Paulsen shattered the remaining glass of the window Deming was seen fleeing through so officers could exit Specialty Car Sales through the window. Pleasanton PD Officer Bennett exited the building and went towards a white van which was parked to the rear of the business. As he approached the white van, he saw Deming being taken into custody and Pleasanton PD Officer Kunkel lying on the ground not moving. Pleasanton PD Officer Bennett saw a firearm and a discharged Taser lying on the ground near Pleasanton PD Officer Kunkel and Deming. Pleasanton PD Officer Kunkel was lying unresponsive on the ground and Deming was still kicking and resisting officers trying to control him and render medical aid to trauma suffered by Deming.

Pleasanton PD Sgt. Gora requested "Code 3" medical for both Pleasanton PD Officer Kunkel and Deming. He said medical aid was provided to Deming first do to his visible injuries. When Paramedics Plus arrived on scene, Pleasanton PD Officer Bennett stood near shell casings from expended rounds he had located as to not have them moved. After being relieved from his post of crime scene security, he returned to Pleasanton PD where he was secluded from other involved parties of the Officer Involved Shooting and stated he had not spoken to anyone else about the event.

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/09/2015 14:57	CASE NUMBER 2015-00024571
	REPORTING OFFICER Chin, Jonathan, ,	

Detective J. Chin #274

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
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CASE NUMBER

2015-00024571

CROSS REF CASE #(S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/11/2015	TIME 13:35	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

Investigative Supplement

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P C	PROPERTY TYPE	VALUE
							E	MISCELLANEOUS	
							E	MISCELLANEOUS	

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NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
1	SB					
2	SB					AUDIO RECORDED
3	SB					VERBAL
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CASE VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						
PROPERTY VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						VALUE

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DISTRICT ATTORNEY
 CHILD PROTECTIVE SERVICES
 ADULT PROTECTIVE SERVICES
 US POSTAL INSPECTORS
 JUVENILE PROBATION
 CITY ATTORNEY
 CODE ENFORCEMENT
 STREETS
 OTHER:

REPORTING OFFICER: **Lengel, Matthew, .**
 DATE WRITTEN: **07/11/2015**
 APPROVED BY: **schlehuber206|Schlehuber, Kurt|9/9/2015|18:00**

PLEASANTON POLICE DEPARTMENT SUPPLEMENT - INVOLVED SUBJECTS		DATE/TIME WRITTEN 07/11/2015 13:35	CASE NUMBER 2015-00024571	
		REPORTING OFFICER Lengel, Matthew,		
INVOLVED PARTY CODE: AD-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PG-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS				
01	INVOLVED SB	NAME/BUSINESS NAME	DOB AGE	
	ALIAS NAME	RACE SEX HEIGHT/RANGE to WEIGHT/RANGE to HAIR EYES		
	RESIDENCE ADDRESS			HOME PHONE
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE	OTHER ID
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
	BUSINESS/SCHOOL ADDRESS	WORK PHONE		
	CLOTHING			
02	INVOLVED SB	NAME/BUSINESS NAME	DOB AGE	
	ALIAS NAME	RACE SEX HEIGHT/RANGE to WEIGHT/RANGE to HAIR EYES		
	RESIDENCE ADDRESS			HOME PHONE
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE	OTHER ID
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
	BUSINESS/SCHOOL ADDRESS	WORK PHONE		
	CLOTHING			
03	INVOLVED SB	NAME/BUSINESS NAME	DOB AGE	
	ALIAS NAME	RACE SEX HEIGHT/RANGE to WEIGHT/RANGE to HAIR EYES		
	RESIDENCE ADDRESS			HOME PHONE
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE	OTHER ID
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
	BUSINESS/SCHOOL ADDRESS	WORK PHONE		
	CLOTHING			
	INVOLVED SB	NAME/BUSINESS NAME	DOB AGE	
	ALIAS NAME	RACE SEX HEIGHT/RANGE to WEIGHT/RANGE to HAIR EYES		
	RESIDENCE ADDRESS			HOME PHONE
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE	OTHER ID
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
	BUSINESS/SCHOOL ADDRESS	WORK PHONE		
	CLOTHING			

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/11/2015 13:35	CASE NUMBER 2015-00024571
	REPORTING OFFICER Lengel, Matthew. .	

Narrative:

On 07/05/15 at 0400 hours I was called at home by Pleasanton Police Department Dispatcher Lora Howell. Howell advised there was a request for day shift patrol officers to come in early due to an officer involved shooting incident that had occurred. I responded to the police department and started my patrol shift at approximately 0500 hours.

I was in full uniform, driving a marked Pleasanton Police vehicle, assigned to beat three with call sign J-32. At approximately 0538 hours I was dispatched to meet Sergeant Fragomeli at Ray Street and First Street. I was to be assigned a perimeter position at the crime scene to relieve morning watch units. I responded from the area of Bernal Avenue and Valley Avenue. I arrived on scene within five minutes.

While I was at Ray Street and First Street, waiting for assignment, I was contacted via phone by Sergeant Kurt Schlehuder. Sergeant Schlehuder asked that I respond to the station as I was being temporarily re-assigned to Investigations to assist with this case. I drove to the station, changed out of uniform, into a department approved polo shirt and khaki 5-11 pants. My call sign (J-32) was re-assigned to another officer and I was assigned 266 as my call sign.

Sergeant Schlehuder, Detective Stocking and I drove to the parking lot of 4223 First Street where we were met by Alameda County Deputy District Attorney Kevin Wong and Alameda County District Attorney Inspector Brian Medeiros.

At approximately 0835 hours I entered the crime scene, from the north side of Spring Street, with investigators to conduct a preliminary walk through. At approximately 1000 hours I exited the crime scene, having completed the walk through. I did not re-enter the crime scene at any point in this investigation.

After leaving the crime scene, Detective Stocking, Sergeant Schlehuder and I went to the police station. I was assigned to assist Detective Stocking with interviews of witness officers, as well as the interview of Officer Kunkel.

Officer Kunkel's interview was tentatively scheduled for the afternoon of July 6, 2015. At approximately 1239 hours on July 5, 2015, Detective Stocking and I met with Officer Kunkel and his attorney in the upstairs conference room. Detective Stocking admonished Officer Kunkel to not talk about the incident.

Prior to conducting these interviews Detective Stocking, DDA Wong, Inspector Medeiros, and I met privately in the police department traffic office. We listened to an audio copy of police radio traffic related to the incident. At approximately 1302 hours we viewed the video recording taken by Sergeant Gora's Taser Camera at the scene of the incident.

I assisted Detective Stocking with two officer interviews (Officer Palmquist and Sergeant Gora) on July 5, 2015. Both interviews were conducted at the Pleasanton Police Department in Interview Room # 1.

The interview of Officer Palmquist began at approximately 1354 hours and ended at approximately 1503 hours. Present in the room were Officer Bradley Palmquist, (legal counsel), Detective Stocking, and myself. Refer to Detective Stocking's report for details of this interview.

The interview of Sergeant Gora began at approximately 1539 hours and ended at approximately 1739 hours. Present in the room were Sergeant Eric Gora, (legal counsel), Detective Stocking and myself. Refer to Detective Stocking's report for details of this interview.

Upon completion of the interviews I was informed a search warrant had been obtained for the address of

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the home of (S)-Johnathon Patrick Deming Jr. Detective Chin advised me that Deming Jr.'s identity had been confirmed as the deceased suspect. I was assigned to assist with the service of this warrant. A briefing was conducted at the police department for the officers involved in the service of the warrant. During the briefing I was informed that the home belonged to (S)-Deming'

I was also provided with information that Deming Jr's , is an with the

At the time of the search warrant I was still dressed in a Pleasanton Police Department polo shirt and khaki 5-11 pants. The shirt is dark blue with an embroidered badge on the left breast. My name is embroidered on the right breast of the shirt. I had my badge (#266) clipped to my front waistband. The shirt was tucked in, clearly exposing my badge to anyone in front of me.

At approximately 1852 hours we (Sergeant Schlehuder, Detective Stocking, Detective Chin, Detective Shuffield, Detective Silacci, and Officer Lengel) went to As we approached the home I took a position on the northeast corner of the residence, outside a gate on the right side of the home when looking at the house from the street. I could see the north side of the rear yard from my vantage point. Detectives went to the front of the residence and attempted contact at the front door. From my position I could clearly hear loud knocks on the front door and Detective Stocking announcing our presence and demanding entry.

As detectives were knocking on the door I saw a female subject (later identified as walk from the backyard, around the northwest corner of the home, and toward me on the walkway along the north side of the home. was carrying a bucket of vegetation in her hands. It appeared to me that she did not know we were present. I called out to the detectives that I had a visual of a subject in the rear yard. I then called out to identifying myself as a police officer, advised her we were there to serve a search warrant and ordered her to walk to me. I opened the gate, clearly exposing myself to I did not perceive to be a threat. I kept my pistol in a position of low ready as complied with my orders. As approached me I moved past her to allow detectives behind me to contact her while I continued to move forward into the rear yard. With the assistance of detectives the interior of the house was cleared. No other persons were located at the property. As I came back out of the home, into the backyard, I noticed was handcuffed. She was speaking with Sergeant Schlehuder.

When the house was secured I walked around the corner where our vehicles were parked. I obtained my department issued "Olympus" brand digital audio recorder. Upon returning to the home, approximately five minutes later, I started audio recording. was seated on a patio chair in the backyard. She was no longer handcuffed. I kept the recorder on, in my left hand from that moment, the entire time we remained on scene.

Upon turning the recorder on Detective Stocking was speaking with: told Detective Stocking she resides at the home with her and identified them as Johnathon Deming Jr. and stated her friend, ' may be coming over. Detective Stocking advised he would be able to provide her with a lot of details as the search is concluding. asked if we had a search warrant. She was informed there is a warrant and that she would be provided with a copy of the warrant and a receipt for property that is seized.

Detective Stocking told we were at her home in regards to Johnathon. He asked when Deming Jr. was last at home. said he was there last night (July 4th). said she did not know what times Deming Jr. was there but he had left home "about eleven thirty." said she didn't want to say too much because she didn't know what was going on. Detective Stocking asked if Deming Jr. was with anyone the previous night. began to cry and said she didn't know because she had been at a bar-b-que.

Detective Stocking stepped away for a moment. asked me if she could call her

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I told she could not use her cell phone yet because electronics were included in the search warrant.

Detective Stocking returned and asked about the times she was at the barbeque. She said she left the barbeque around 2230 hours and arrived home around 2330 hours. Deming Jr. entered room around 2330 hours, told her he loved her and said he was leaving. Detective Stocking asked if Deming Jr. had ever been arrested. She said no.

When Detective Stocking asked about Deming Jr.'s friends she said, "I don't know lately. He has less and less friends."

Detective Stocking asked if she knows if Deming Jr. uses drugs. She replied, "I don't know." When asked if she has suspicion that Deming Jr. uses drugs, replied, "I always have suspicion of everybody but, yeah I, yes I do." Detective Stocking asked what types of drugs she thinks Deming Jr. might be using. She said, "I don't know."

Detective Stocking asked if Deming Jr. had been acting strangely or differently than normal. said, "Yeah." went on to describe that Deming Jr. had not been talking to her too much. She said everyone has been telling her that is normal for a nineteen year old.

was told that Deming Jr. was acting bizarre the previous night. Detective Stocking asked her if Deming Jr. takes medication, has been known to be violent, or has ever been known to steal. shook her head in a negative manner to all of these questions but did not provide a verbal response. Detective Stocking told that Deming Jr. had broken into a business the previous night, in Pleasanton, and was acting bizarre. He asked if she could provide any information that would help determine why he was acting this way.

She did not immediately answer so I asked what made her suspect Deming Jr. has been using drugs. said, "Well the only thing is that, um, just that, just he doesn't talk to me and um there was a, a razor blade on the floor." told us she found the razor blade on the kitchen floor.

Detective Stocking asked if Deming Jr. stays with her all the time. She said he either stays with her or at his house. Detective Stocking asked if Deming Jr.'s lives in

replied, "No, can you call his and ask him? I don't know where his stays. I don't even know the address."

asked Detective Stocking if he could tell her more about what was happening and asked where her is. He told her that her is at the Alameda County Sheriff's Department in Alameda County. At about this point started asking if her: is alive. Detective Stocking explained that the previous night Deming Jr. broke into a business in Pleasanton, confronted officers, and had been killed.

I stayed with throughout the remainder of the service of the search warrant. We mostly remained in the backyard. Later in the evening we moved to the dining room.

told us she wanted to be there with her. I told her we would try to locate him and relay that request to him. was later contacted by Sergeant Schlehuber, after being given death notification by Oakdale Police Department. Sergeant Schlehuber told of request to have him present with her. advised he would not be responding to home.

Early on, after being given notification of Deming Jr.'s death, asked me to call a friend for her. She looked up a phone number in her phone for Sergeant Schlehuber attempted to contact with a department

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phone but there was no answer. He left her a message requesting she call him back or call

As I sat with [redacted] I began to build a rapport with her. She requested a sweater and tissue at one point. She was given these items.

[redacted] asked me who shot her [redacted] I replied, "The Pleasanton Police Department." She asked who we were. I told her we are with the Pleasanton Police Department. [redacted] asked me why we shot Jonathon. I told her that I could only tell her what she was already advised of, that he had broken into a building, was acting irrational, and a violent struggle occurred. [redacted] said this didn't sound like Deming Jr. at all and described him as even tempered.

[redacted] said, "I didn't see anything else...anything unusual." I commented about the razor blade and asked [redacted] if it was in the kitchen when she returned home from the BBQ. She said yes.

Shortly after [redacted] said this she was given a copy of the search warrant by Detective Stocking. [redacted] read the warrant in my presence and asked me a few questions related to it.

[redacted] asked me about our approach on the house. I explained to her for safety reasons we use certain tactics on approach. She asked me if we rang the doorbell. I told her yes and she said she didn't hear it.

About an hour into the recording [redacted] told me that Deming Jr. smokes marijuana but she has never known him to use any other drugs. She went on to say that she saw a "paper" today that said he smokes marijuana. I asked her if she meant a doctor's note and she acknowledged this is what she meant.

[redacted] again spoke about Deming Jr. withdrawing himself from her recently and not carrying on in depth conversations with her as he had in the past. I asked [redacted] if Deming Jr. had a girlfriend. She said no but he had talked about wanting one.

Sergeant Schlehuber advised me a safe was located in a bedroom inside the house. He asked if I could attempt to obtain the combination to the safe. I explained to [redacted] that the detectives needed to search the safe. She agreed to open the safe for us. I walked with [redacted] to her bedroom. She used the combination to open the safe for us.

Deming Jr. has a vehicle registered to him, a 2009 Mercury Grand Marquis. Knowing the vehicle was to be searched pursuant to the warrant I asked [redacted] where Deming Jr.'s car is. She said his [redacted] has it. I asked her if it is in [redacted] She said yes.

While I was sitting with [redacted] Detective Stocking began looking through her cellular phone. There were several text messages located that were sent to/from a contact named, "Bubba". I asked [redacted] what name her son is listed as in her phone contacts. She said, "Bubba."

As detectives were preparing to leave I impressed upon [redacted] the fact that she should have someone with her. She called her friend, [redacted] While she was speaking with [redacted] broke down, handed me her phone, and asked me if I could talk to him. I informed [redacted] that [redacted] had died. [redacted] asked me if I could stay with [redacted] until he arrives.

While we were waiting for [redacted] to arrive, [redacted] said Deming Jr. had left her home on Tuesday, went to Oakdale or Modesto, and returned on Saturday (July 4). I asked [redacted] if Deming Jr. was home alone when she returned home on Saturday night. She said she thought so. [redacted] said Deming Jr. did not tell her where he was going when he left on Saturday night. She assumed he was returning to Oakdale.

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had stated that she is employed by various car dealerships. She said she processes DMV paperwork for the dealerships. worked out of her home and at various dealerships. stated Deming Jr. and , both have worked with her in the past. When I explained to where Specialty Sales Classics is located, she stated she has never conducted business with them.

When arrived we spoke briefly with him and left the home. We drove back to the police department and my shift ended.

On July 6, 2015, I assisted Detective Stocking with the interviews of officers who had been present during the original call for service at Specialty Auto Sales. We conducted interviews of Officer Mark Sheldon, Officer Tyler Paulsen, and Officer Brandon Cobler.

The interview of Officer Mark Sheldon began at approximately 1120 hours and ended at approximately 1220 hours. The interview was conducted in Interview Room #2. Present in the room were Officer Mark Sheldon, (legal counsel), Detective Stocking, and myself. Refer to Detective Stocking's report for details of this interview.

The interview of Officer Tyler Paulsen began at approximately 1320 hours and ended at approximately 1415 hours. The interview was conducted in Interview Room #2. Present in the room were Officer Paulsen, (legal counsel), Detective Stocking and myself. Refer to Detective Stocking's report for details of this interview.

The interview of Officer Brandon Cobler began at approximately 1505 hours and ended at approximately 1558 hours. The interview was conducted in Interview Room #1. Present in the room were Officer Cobler, (legal counsel), Detective Stocking and myself. Refer to Detective Stocking's report for details of this interview.

During Officer Cobler's interview he informed us of some knee injuries he obtain during this incident. At the conclusion of the interview I examined Officer Cobler's knees and took photographs of them using Detective Stocking's department issued iPad. The photographs were uploaded to DIMS. I used a photo scale/bruise card when taking the photographs. The card was booked into evidence at the police department.

At approximately 1838 hours Officer Dan Kunkel was interviewed in Interview Room #1 at the Pleasanton Police Department. The interview concluded at approximately 2031 hours. Present in the room were Officer Kunkel, Detective Stocking, D.D.A. Wong, D.A. Inspector Medeiros, and myself. Refer to Detective Stocking's report of details of this interview.

At the conclusion of this interview I took several photographs of Officer Kunkel's injuries. I observed some discoloration on the bridge of his nose. A photographic scale/bruise card was used when taking these photographs. This card was booked into evidence at the police department.

My shift ended after meeting with Officer Kunkel. I did not come to work on July 7th.

When I returned to work on the morning of July 8th I was paired up with Detective Silacci. We were tasked with conducting interviews and to determine a timeline of Deming Jr's actions in the day(s) leading up to this incident. Prior to leaving the station Detective Silacci and I reviewed some videos found on a camera that had been seized at Deming Jr's home. The videos had been located by Detective Stocking. One of the videos depicted Deming Jr. filming himself. He was talking about cutting his hair. Toward the end of the clip the camera was rotated and could be seen. The video appeared to be taken from inside a home. The video closes with a shot of the area through a large window. We learned had an address of In comparing the area of on Google maps to the area in view of the video I determined it to look similar and believed the video may have been created at this address.

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had given Sergeant Schlehber a possible address in Pleasanton for some band members that Deming Jr. may have recently met up with. The address, , was determined to be in the City of . Detective Silacci and I went to that address. As we were arriving, a subject identified as was driving away from the front of the residence. We waved to him and he stopped. Detective Silacci interviewed in the street.

After speaking with , we went to his home and met with his Detective Silacci interviewed

Detective Silacci and I went to , and met with and his at their home. was interviewed by Detective Silacci.

After meeting with I received a call from Detective Stocking. He stated a bag had been located in Deming Jr.'s vehicle. The bag had the words written on it. Detective Stocking located a business by that name in He asked us to contact the business owners and determine any possible association they have with Deming Jr.

We went to and attempted contact with residents at at approximately 1235 hours. There was no response at the door. The house appeared to possibly be vacant and under remodel construction.

At approximately 1240 hours we attempted contact at the first residence east of that location, There was no answer at the door. There was a white colored Mercury Grand Marquis parked on the property just east of the front door. The vehicle did not have license plates on it. I looked at the VIN through the front windshield and confirmed it was the same VIN listed on the DMV registration for the Mercury owned by Deming Jr. (VIN:).

In looking at the view from the north side of the home) it appeared that the video was taken from this address. I noticed a large window on the north side of the house. In looking north from the home I could see what appeared to be the same homes that can be seen in the video (specifically).

In this particular location of the roadway runs in an east/west direction. There are only homes on the south side of the street. The homes are built at the top of a small hill. There is a sound wall on the north side of the roadway. runs in a north/south direction on the north side of the sound wall north of

After attempting contact at these two addresses Detective Silacci and I went to Three juvenile females came to the door. Detective Silacci interviewed the girls.

We drove to and met with and Detective Silacci interviewed and While speaking with them we stepped out onto their front yards to better understand what houses on they were referring to during their statements. While we were speaking with I saw what appeared to be an older female with gray hair enter the home at

Detective Silacci and I went back to At approximately 1315 hours we made contact at the door with a female who identified herself as We identified ourselves with our badges and department issued identification cards to Detective Silacci also verbally identified us as being with Pleasanton Police Department. verbalized that she was the of Johnathon Deming Jr. agreed to talk with us. She stepped out to the patio just outside the entrance to her home, arranged chairs for us, and sat down to talk to us.

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Detective Silacci and I spoke with [redacted] for almost an hour. Refer to Detective Silacci's report for details of this interview.

During this interview I talked to [redacted] about the recording that had been located on the camera. I explained that it was a recording of Deming Jr. talking about cutting his hair with his father present in the background. [redacted] seemed to know what recording I was speaking of and believed it had been filmed in her living room sometime the previous week, possibly Thursday or Friday. She also commented about [redacted] asking her if she knew where his camera was, within the past few days.

Toward the end of our conversation with [redacted] her cell phone rang. She remained seated, spoke to the person who called, and told them she was talking to us. When she ended the call she told us that was her [redacted] and that he didn't want her talking to us. [redacted] continued speaking with us.

At one point during the interview [redacted] mentioned that Deming Jr. had attended "Big Valley" school.

At around 1400 hours, a vehicle pulled up to the house. [redacted] of the [redacted] got out of the vehicle and met with us on the front walkway. [redacted] asked if she could speak with Detective Silacci or me. Detective Silacci requested I speak with [redacted] while he continued speaking with [redacted] and I walked to the driveway on the south side of the home. She explained to me that [redacted] had called her and advised her that we were interviewing his mother. He asked [redacted] if she would respond to [redacted] home and be present for the remainder of the interview. I told her this was not a problem.

[redacted] went on to say that she had something else she believed I should be aware of. She said she had been informed by an [redacted] that he had recently been present at a party that was attended by several [redacted] employees. The party had taken place on or about June 7th at the home of [redacted] and John Deming Jr. were present at the party.

At some point during [redacted] time there Deming Jr. walked away from the house. [redacted] had a brief conversation with [redacted] regarding his son walking away from the party (the house where the party occurred is in the country and there isn't anywhere close by to walk to) [redacted] told [redacted] that during his conversation with [redacted] he ([redacted] said something similar to, "That boy is acting stranger and stranger."

[redacted] also stated she heard Deming Jr. had been expelled from school, possibly for using racial slurs.

(On 07/10/15 at around 1745 hours I spoke with [redacted] on the phone to verify what she told me. She confirmed the above statement and added that she never questioned [redacted] about this and never got into more detail about what happened at the party.)

[redacted] and I went back over to the front of the home. Detective Silacci completed the interview with [redacted] Refer to his report for a complete summary of the interview with [redacted]

We met with [redacted] on the street, at the bottom of the hill, after the interview with [redacted] was completed. She provided me with [redacted] and [redacted] contact information.

I contacted [redacted] and advised him of what I was investigating. We arranged to meet later in the day.

Detective Silacci and I went to [redacted] at around 1530 hours. We met with [redacted] in the office. Refer to Detective Silacci's supplemental report for details of this contact.

At approximately 1640 hours Detective Silacci and I met with [redacted] at his home. [redacted] has been a [redacted]

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with [redacted] for approximately 2 years. [redacted] stated he and his [redacted] attended a party at the home of [redacted] on June 7th, 2015. They arrived approximately an hour after the party started. [redacted] said when they pulled up to the party he saw Deming Jr. walking from the front of the house toward the street. [redacted] had never met Deming Jr. but recognized him from photos he had seen. They did not have a conversation. Deming Jr. was smiling as he walked past [redacted] said he went into the house and told [redacted] that his [redacted] had just left [redacted] said he didn't know what's going on and they need to go find him. [redacted] said something like, "That's weird" or "He's acting moody" and "out of place." [redacted] left and neither he nor his [redacted] returned. [redacted] couldn't recall speaking with anyone else at the party regarding Deming Jr. I asked [redacted] if he had ever heard [redacted] talk about his [redacted] at any other time. He said other than playing football and wanting to start a band they had no conversations regarding Deming Jr.

As we were leaving [redacted] home he advised us [redacted] is on vacation in southern California. I did not contact him.

After interviewing [redacted] Detective Silacci and I returned to the Pleasanton Police Department and ended our shift.

All of the interviews Detective Silacci and I conducted on 07/08/15 were audio recorded using my department issued "Olympus" brand digital audio recorder. The recordings were uploaded to DIMS.

On 07/09/15 Detective Silacci and I met with [redacted] and [redacted] at their homes. Refer to Detective Silacci's report for details of these interviews.

On 07/10/15 at approximately 1410 hours I spoke with [redacted] on the phone [redacted] is the [redacted] confirmed that Deming Jr. had been a student at Big Valley during the 2010-2011 school year and a portion of the 2011-2012 school year. These were his Freshman and Sophomore years. Deming Jr. played football and left the school right after the football season ended during his Sophomore year.

[redacted] said Deming Jr. was not expelled. She did not recall having to take any disciplinary action with him and has no record of such. She said he maintained a low GPA and described him as being "not motivated" and "quiet."

Officer M. Lengel #266

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT	DATE/TIME WRITTEN 07/11/2015 13:35	CASE NUMBER 2015-00024571
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CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
PHOTO SCALE/BRUISE CARD USED FOR PHOTOS OF OFFICER COBLER ON 07/06/15					PPD75859
02	E	1	MISCELLANEOUS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
PHOTO SCALE/BRUISE CARD USED FOR PHOTOS OF OFFICER KUNKEL ON 07/06/15					PPD75860
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
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PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S:

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 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

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DATE REPORTED 07/14/2015	TIME 08:38	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

SYNOPSIS OF EVENT

On 07/05/15 I was called out to the scene of an Officer Involved Shooting. I responded to the PPD station and then to the crime scene. I later returned to the PPD station and assisted Detective Shuffield with research on the suspect and his residence. A search warrant on the suspect's residence was later authored, approved and executed.

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE

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NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
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3						
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6						
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CASE VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						
PROPERTY VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						VALUE

**R
T
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<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER: _____			

REPORTING OFFICER Silacci, Erik, ,	DATE WRITTEN 07/14/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 9/9/2015 18:03
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/14/2015 08:38	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, ,	

Narrative:

On 07/05/15 around 0300 hours I received a phone call from Sgt. Schlehuber, the Criminal Investigations Unit Supervisor. Sgt. Schlehuber advised there was an officer involved shooting in Pleasanton and requested I respond to the Pleasanton Police Station.

I arrived at the Pleasanton Police Station shortly after 0400 hours. At the time of my arrival and throughout the day I was dressed in my department approved polo shirt and khaki pants. Shortly thereafter I accompanied Officer Sarasua and Officer Boccasille to the crime scene. Officer Boccasille parked his unmarked vehicle (tan Ford Explorer) at the nearby 76 gas station. We walked into the outer perimeter through the driveway of 4275 First Street and spoke with Sgt. Gora in the parking lot. Sgt. Gora provided us with details regarding the crime scene perimeter and what streets were closed due to the incident.

Officer Sarasua and I walked around the inner perimeter crime scene tape toward the front of Speciality Sales, 4321 First Street. From my vantage point which was north of Speciality Sales, I could see two patrol vehicle parked on Spring Street and one patrol vehicle parked on First Street near the front of the business. I also noticed a large white cargo van parked west of the business in an adjoining parking lot. As we walked in front of the business I noticed a large red floor jack in the street. There was also glass from a broken front window of the business near the jack.

I walked back to the parking lot of 4275 First Street. Sgt. Schlehuber arrived on scene and asked me to respond back to the PPD station and assist Officer Shuffield who was helping to sequester involved officers.

I returned to the PPD station and assisted Officer Shuffield. Officer Shuffield later learned a set of dog tags were recovered from the crime scene. The dog tags had the name Johnathon Deming

engraved on them. Officer Shuffield also learned an involved vehicle (2015 Mercedes Sprinter Van #) was registered to . A driver's license check on returned confidential to indicating was possibly a A search of the telephone number from the dog tags () using a law enforcement public records database indicated the number was associated to Johnathon Patrick Deming Jr. with a date of birth of 01/29/96. Based on the database results appeared to be associated with Johnathon Patrick Deming Jr. and was most likely his

For purposes of this report will be referred to as Johnathon Patrick Deming Jr. will be referred to as Deming Jr.

I called and spoke with a dispatcher who identified herself as " I asked if was an employee of the said was a with the department. I asked " if had a and if so what his name was. confirmed Deming Jr. was also said she believed Deming Jr. lived in

Detective Shuffield later received confirmation that the deceased suspect in this case was Deming Jr. Detective Shuffield authored a search warrant for Deming Jr.'s residence, (see

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/14/2015 08:38	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, ,	

Officer Shuffield's supplemental report for details).

I was then assigned to assist with the service of the warrant. A briefing was conducted at the PPD station for all officer involved in the service of the search warrant. During the briefing I was advised the residence was owned by Deming Jr.'s

At approximately 1852 hours CIU Detectives, including Sgt. Schlehuber, Detective Stocking, Detective Chin, Detective Shuffield, Officer Lengel and I executed the search warrant at [redacted] At the time of the search warrant I was dressed in my department polo and khaki pants. I was also wearing a department issued "raid" vest. I clipped my department issued badge (#216) to the outside of the vest directly above the left side of my chest. The badge was clearly exposed to anyone in front of me.

Detective Stocking and I approached the front door which had a large metal screen attached. Detective Stocking knocked on the door and gave the "knock and notice" announcement numerous times. Approximately one minute later I heard Officer Lengel, who was posted at the side gate near the garage say he had a subject with him. I walked over to where Officer Lengel was standing and saw a female adult walking from the backyard of the residence. The subject matched the DMV photo of [redacted] of Deming Jr.

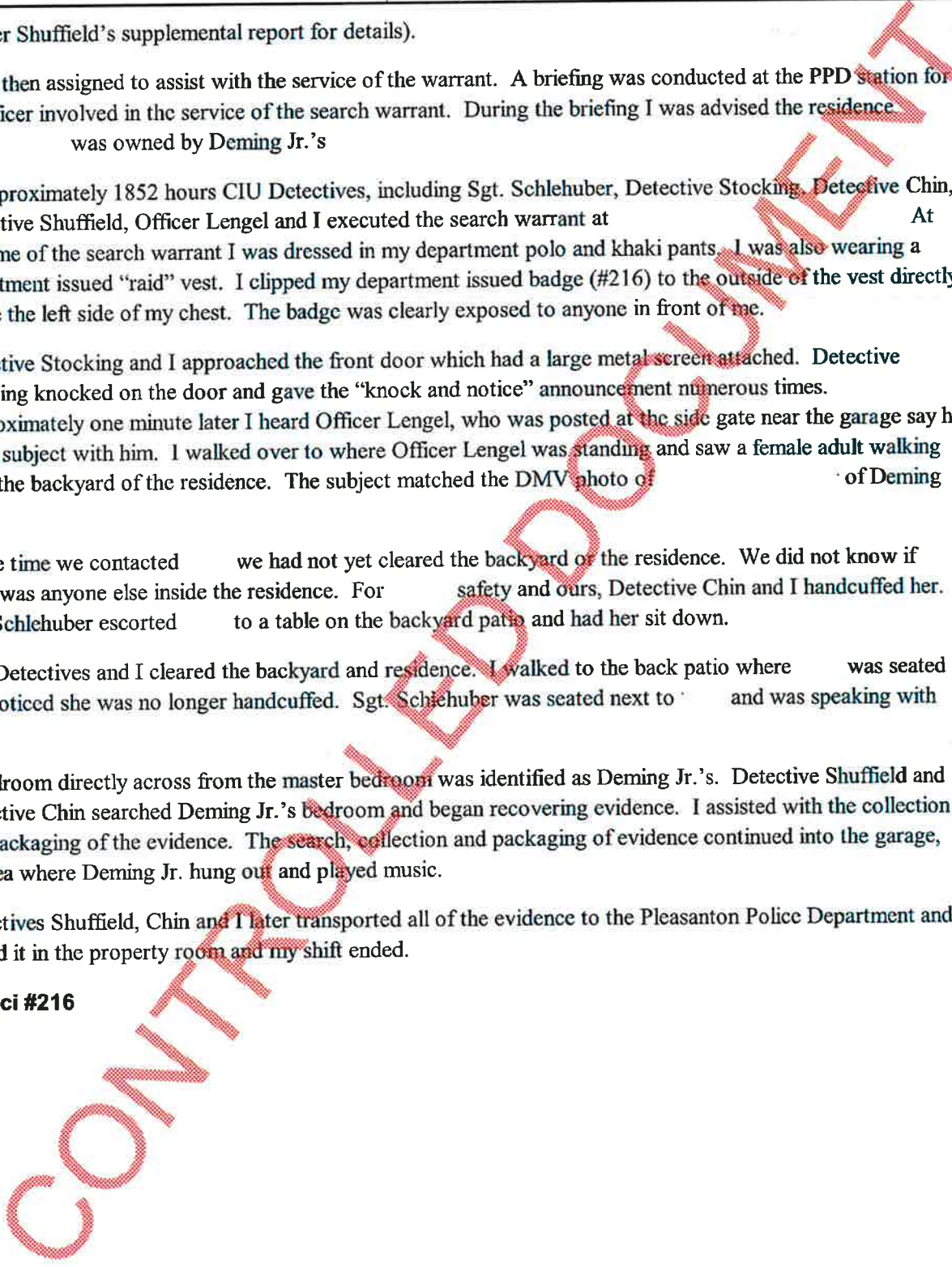
At the time we contacted [redacted] we had not yet cleared the backyard of the residence. We did not know if there was anyone else inside the residence. For [redacted] safety and ours, Detective Chin and I handcuffed her. Sgt. Schlehuber escorted [redacted] to a table on the backyard patio and had her sit down.

CIU Detectives and I cleared the backyard and residence. I walked to the back patio where [redacted] was seated and noticed she was no longer handcuffed. Sgt. Schlehuber was seated next to [redacted] and was speaking with her.

A bedroom directly across from the master bedroom was identified as Deming Jr.'s. Detective Shuffield and Detective Chin searched Deming Jr.'s bedroom and began recovering evidence. I assisted with the collection and packaging of the evidence. The search, collection and packaging of evidence continued into the garage, an area where Deming Jr. hung out and played music.

Detectives Shuffield, Chin and I later transported all of the evidence to the Pleasanton Police Department and placed it in the property room and my shift ended.

Silacci #216



PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 07/15/2015	TIME 10:09	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

SYNOPSIS OF EVENT

Officer Lengel and I contacted and interviewed witnesses in _____ and _____

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P/C	PROPERTY TYPE	VALUE

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1	WT					AUDIO RECORDED
	2	WT					AUDIO RECORDED
	3	WT					AUDIO RECORDED
	4	WT					AUDIO RECORDED
	5	WT					
	6	WT					AUDIO RECORDED
	7	WT					
	8	WT					
	9						
10							

V E H I C L E S	CASE VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR					
	DESCRIPTION									
PROPERTY VEHICLE #1										
ROLE	YEAR	MAKE	MODEL	STYLE						
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR						
DESCRIPTION									VALUE	

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER: _____			

REPORTING OFFICER Silacci, Erik, ,	DATE WRITTEN 07/15/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 9/9/2015 17:55
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PLEASANTON POLICE DEPARTMENT SUPPLEMENT - INVOLVED SUBJECTS		DATE/TIME WRITTEN 07/15/2015 10:09	CASE NUMBER 2015-00024571
		REPORTING OFFICER Silacci, Erik,	
INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PO-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS			
01	INVOLVED WT	NAME/BUSINESS NAME	DOB
	ALIAS NAME	RACE SEX	HEIGHT/RANGE to WEIGHT/RANGE to HAIR EYES
	RESIDENCE ADDRESS	HOME PHONE	
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE OTHER ID
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION
	BUSINESS/SCHOOL ADDRESS	WORK PHONE	
	CLOTHING		
02	INVOLVED WT	NAME/BUSINESS NAME	DOB
	ALIAS NAME	RACE SEX	HEIGHT/RANGE to WEIGHT/RANGE to HAIR EYES
	RESIDENCE ADDRESS	HOME PHONE	
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE OTHER ID
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION
	BUSINESS/SCHOOL ADDRESS	WORK PHONE	
	CLOTHING		
03	INVOLVED WT	NAME/BUSINESS NAME	DOB
	ALIAS NAME	RACE SEX	HEIGHT/RANGE to WEIGHT/RANGE to HAIR EYES
	RESIDENCE ADDRESS	HOME PHONE	
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE OTHER ID
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION
	BUSINESS/SCHOOL ADDRESS	WORK PHONE	
	CLOTHING		
04	INVOLVED WT	NAME/BUSINESS NAME	DOB
	ALIAS NAME	RACE SEX	HEIGHT/RANGE to WEIGHT/RANGE to HAIR EYES
	RESIDENCE ADDRESS	HOME PHONE	
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE OTHER ID
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION
	BUSINESS/SCHOOL ADDRESS	WORK PHONE	
	CLOTHING		
05	INVOLVED WT	NAME/BUSINESS NAME	DOB
	ALIAS NAME	RACE SEX	HEIGHT/RANGE to WEIGHT/RANGE to HAIR EYES
	RESIDENCE ADDRESS	HOME PHONE	
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE OTHER ID
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION
	BUSINESS/SCHOOL ADDRESS	WORK PHONE	
	CLOTHING		

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENT - INVOLVED SUBJECTS**

DATE/TIME WRITTEN
07/15/2015 10:09
REPORTING OFFICER
Silacci, Erik,

CASE NUMBER
2015-00024571

INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PO-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WFW-WITNESS

06

INVOLVED: **WT** NAME/BUSINESS NAME: _____ DOB: _____ AGE: _____

ALIAS NAME: _____ RACE: _____ SEX: _____ HEIGHT/RANGE: _____ WEIGHT/RANGE: _____ HAIR: _____ EYES: _____

RESIDENCE ADDRESS: _____ HOME PHONE: _____

EMAIL ADDRESS: _____ OTHER PHONE: _____ DRIVER'S LIC NO./STATE: _____ OTHER ID: _____

EMPLOYER/SCHOOL RELATIONSHIP: _____ EMPLOYER/SCHOOL NAME: _____ OCCUPATION: _____

BUSINESS/SCHOOL ADDRESS: _____ WORK PHONE: _____

CLOTHING: _____

07

INVOLVED: **WT** NAME/BUSINESS NAME: _____ DOB: _____ AGE: _____

ALIAS NAME: _____ RACE: _____ SEX: _____ HEIGHT/RANGE: _____ WEIGHT/RANGE: _____ HAIR: _____ EYES: _____

RESIDENCE ADDRESS: _____ HOME PHONE: _____

EMAIL ADDRESS: _____ OTHER PHONE: _____ DRIVER'S LIC NO./STATE: _____ OTHER ID: _____

EMPLOYER/SCHOOL RELATIONSHIP: _____ EMPLOYER/SCHOOL NAME: _____ OCCUPATION: _____

BUSINESS/SCHOOL ADDRESS: _____ WORK PHONE: _____

CLOTHING: _____

08

INVOLVED: **WT** NAME/BUSINESS NAME: _____ DOB: _____ AGE: _____

ALIAS NAME: _____ RACE: _____ SEX: _____ HEIGHT/RANGE: _____ WEIGHT/RANGE: _____ HAIR: _____ EYES: _____

RESIDENCE ADDRESS: _____ HOME PHONE: _____

EMAIL ADDRESS: _____ OTHER PHONE: _____ DRIVER'S LIC NO./STATE: _____ OTHER ID: _____

EMPLOYER/SCHOOL RELATIONSHIP: _____ EMPLOYER/SCHOOL NAME: _____ OCCUPATION: _____

BUSINESS/SCHOOL ADDRESS: _____ WORK PHONE: _____

CLOTHING: _____

INVOLVED: _____ NAME/BUSINESS NAME: _____ DOB: _____ AGE: _____

ALIAS NAME: _____ RACE: _____ SEX: _____ HEIGHT/RANGE: _____ WEIGHT/RANGE: _____ HAIR: _____ EYES: _____

RESIDENCE ADDRESS: _____ HOME PHONE: _____

EMAIL ADDRESS: _____ OTHER PHONE: _____ DRIVER'S LIC NO./STATE: _____ OTHER ID: _____

EMPLOYER/SCHOOL RELATIONSHIP: _____ EMPLOYER/SCHOOL NAME: _____ OCCUPATION: _____

BUSINESS/SCHOOL ADDRESS: _____ WORK PHONE: _____

CLOTHING: _____

INVOLVED: _____ NAME/BUSINESS NAME: _____ DOB: _____ AGE: _____

ALIAS NAME: _____ RACE: _____ SEX: _____ HEIGHT/RANGE: _____ WEIGHT/RANGE: _____ HAIR: _____ EYES: _____

RESIDENCE ADDRESS: _____ HOME PHONE: _____

EMAIL ADDRESS: _____ OTHER PHONE: _____ DRIVER'S LIC NO./STATE: _____ OTHER ID: _____

EMPLOYER/SCHOOL RELATIONSHIP: _____ EMPLOYER/SCHOOL NAME: _____ OCCUPATION: _____

BUSINESS/SCHOOL ADDRESS: _____ WORK PHONE: _____

CLOTHING: _____

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/15/2015 10:09	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, ,	

Narrative:

On 07/08/15 I was paired up with Officer Lengel who was temporarily assigned to CIU to assist with this case. We were tasked with conducting interviews and establishing a timeline for Deming Jr. leading up to this incident. Prior to leaving the station, Detective Stocking said he had located a video that Deming Jr. made sometime prior to the incident. The videos were located on a camera that was seized during a search of Deming Jr.'s residence on 07/05/15.

The video depicted Deming Jr. who appeared to be talking to himself. As the camera panned out I saw an adult male sitting in the same room overlooking a Cul de Sac. I recognized the subject as [redacted] I had previously learned [redacted] had an associated address of [redacted] I did a google maps search of [redacted] The Google maps street view of the residence resembled the area pictured in the video. Based on the view of the camera as it panned out to [redacted] it appeared the video may have been recorded from [redacted] residence.

I also spoke with Sgt. Schlehuber before I left. Sgt. Schlehuber said he had spoken with [redacted] via telephone after he was notified of his [redacted] death. [redacted] told Sgt. Schlehuber his [redacted] (Deming Jr.) had met up with a group of friends to play music a few days before this incident. [redacted] provided an address of [redacted] and believed the residence was in [redacted] I did a google search on the above address and determined it was most likely located in the City of [redacted]

Officer Lengel and I responded to the above address. Upon arrival we saw a vehicle leaving the residence. I flagged down the driver, who later verbally identified himself as [redacted] I agreed to speak with me and told me the following (in summary):

[redacted] said he met Deming Jr. through a Craigslist posting for his band. [redacted] said he was looking for a singer and Deming Jr. had replied to the ad. [redacted] said another band member; " [redacted] posted the ad and set-up the audition with Deming Jr. [redacted] did not know [redacted] last name and only had his phone number [redacted] I later called and spoke with [redacted] and determined his legal name was [redacted]

[redacted] said he and [redacted] met with Deming Jr. at [redacted] residence on Wednesday July 1 around 1430 hours. [redacted] said Deming Jr. was dropped off by an unknown person. The audition lasted around and hour and half to two hours. After the audition Deming Jr. said he was going to be picked up and waited outside (refer to audio recorded interview for full details).

After speaking with [redacted] Officer Lengel and I went to his residence and spoke with his [redacted] agreed to speak with me and told me the following (in summary):

[redacted] said sometime last week her [redacted] had two friends over to the house. [redacted] recognized one of the friends from previous meetings and knew him as [redacted] said she didn't know who the other friend was. [redacted] said she briefly saw the unknown friend and could only describe him as "thin with long hair in a ponytail". [redacted] said the group went to their garage and practiced playing music. The group practiced for an hour or two before [redacted] saw the unknown friend outside. Detective Lengel showed a photo of Deming Jr. and asked if he was the person who was at her house during the band practice/

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	REPORTING OFFICER Silacci, Erik, .	

audition. The photo shown to [redacted] was a high school football picture that some news media websites had posted. [redacted] said she believed the person was Deming Jr. [redacted] wasn't sure what the exact date was when she saw Deming Jr. and said she would check her calendar and get back to me (refer to audio recorded interview for full details).

Officer Lengel and I then drove to [redacted] to meet with [redacted] was with a group of friends at a house near where the incident occurred. [redacted] was the last person in the group I had yet to contact.

Upon arrival I knocked on the door and [redacted] father, [redacted] answered. I explained that we wanted to speak with [redacted] regarding an incident that occurred in Pleasanton. [redacted] invited us inside his residence and went to tell [redacted] we were there. [redacted] sat down with us agreed to speak with me. Both of [redacted] parents [redacted] were present during the interview. [redacted] told me the following (in summary):

[redacted] said he was at his friend's house [redacted] on the early morning of July 5th. [redacted] said he and some other friends were in the backyard eating when he heard an alarm sounding from a nearby business. [redacted] said [redacted] house backed up to a "Mexican market". I am familiar with the area and believe the market [redacted] was referring to was Hidalgo's Little Market, located at 126 Spring Street. The alarm sounded for approximately 10 minutes before [redacted] heard someone yell "get on the ground". Within 2 to 3 seconds later [redacted] heard 3 gun shots. [redacted] looked over the back fence and saw police lights. He and his friend's then walked down to the corner of Railroad Avenue and Spring Street and noticed the street was being cordoned off by Police (refer to audio recorded interview for full details).

Officer Lengel and I drove to [redacted] and attempted contact the resident(s) of [redacted] There was no answer at the door and the residence appeared to be under renovation. Detective Lengel and I walked to the house next door at [redacted] and attempted contact with the resident(s) but there was no answer. There was a white colored Mercury Grand Marquis parked on the property just east of the residence. The vehicle was the same make and model as a vehicle registered to Deming Jr. Officer Lengel verified the VIN through the windshield and confirmed it was registered to Deming Jr.

From our vantage point which was overlooking [redacted] we could see into an adjacent court. Officer Lengel mentioned the view resembled the picture from Deming Jr.'s video we viewed earlier that morning. Officer Lengel specifically recalled one of the houses, later determined to be located at [redacted] pictured in the video (Refer to Officer Lengel's supplemental report for further details).

Officer Lengel and I attempted contact with the resident(s) at [redacted] This residence is directly west of the residence at [redacted] 3 female juveniles answered the door and verbally identified themselves as [redacted] I asked if any of the girls knew the neighbors at [redacted]. The juveniles said they had not seen anyone residing at the residence for a few months and did not know if anyone was actually living there. They did mention they had seen a large white utility van around the residence within the past couple of weeks but could not provide any further information.

We then drove to [redacted] and met with a resident, [redacted] I asked [redacted] if she had any information on the two residences ([redacted] above her house. [redacted] said she recently

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	<small>DATE/TIME WRITTEN</small> 07/15/2015 10:09	<small>CASE NUMBER</small> 2015-00024571
	<small>REPORTING OFFICER</small> Silacci, Erik, .	

noticed workers at cutting back trees but didn't know exactly when that was. As we were speaking with we noticed an older female adult walking into the residence at

We walked across the street to and met with a resident, I asked if she had any information on the two above mentioned residences. said routinely saw people, mainly younger juveniles at and said she recently saw an older white haired male at the residence. said the residence located at was being renovated. said the residence's trees and shrubs were recently trimmed and she did not believe anyone was living there. also mentioned she had seen a large tall white van in front of but didn't know who it belonged to.

Officer Lengel and I returned to As we walked up the driveway I noticed a black Mercedes sedan parked next to Deming Jr.'s Mercury. I knocked on the front door and an adult female who verbally identified herself a answered. I identified myself as a Pleasanton Police Detective and showed my department issued ID. said she was Deming Jr.'s and agreed to speak with us. asked us to sit with her in the courtyard and brought out a picture album of her told me the following (in summary):

said her Deming Jr. had never been in any trouble at school and/ or with the Police. said she was in disbelief by what she had read in the newspaper regarding her demeanor the night of the incident. said she last saw her on the morning Friday July 3 and explained he (Deming Jr.) came by her house to load some item to the van, which belonged to his

As Deming Jr. drove down the driveway yelled out to him "hey piece of cake". Deming Jr. smiled at his and waved goodbye. Deming Jr. told his he was going to drive his house in assumed he (Deming Jr.) would meet up with some friends for the 4th of July and was fairly certain he did arrive at his mother's house in later that day (07/03/15). expected her to return to Oakdale sometime after the holiday and didn't have any idea why he (Deming Jr.) would have stopped in Pleasanton.

said she previously lived at the residence next door and the residence was currently being renovated. said her usually stayed with his in and did not have many friends in On the occasions when he did stay in he (Deming Jr.) usually stayed with his at her house or his house. I asked where her lived. would not disclose where her lived. later mentioned Deming Jr. had stayed over at her house for few nights leading up to July 3rd.

then mentioned Deming Jr. was 19 years old and went on to say her wasn't perfect and said 19 was tough age for a young boy. spoke in general terms and said some 19 year olds "are a little confused, they don't have a job, they don't have a career...not quite sure what they are going to do".

said on the day she last saw Deming Jr. he talked of his plans, which included playing his guitar and his desire to get a dog. spoke of all of the schools Deming Jr. attended, most of which were in near the residence and said he (Deming Jr.) had never been in trouble. went on to say she wasn't aware of any drug use by Deming Jr. and didn't believe he was suffering from any mental ailments. also mentioned Deming Jr. briefly attended

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and said the school "wasn't a good fit for him". Deming Jr. returned to [redacted] and graduated in 2014.

As we were speaking with [redacted] she received a text message on her cell phone. [redacted] said the message was from her [redacted] asking her to call him. [redacted] called [redacted] from her cell phone and a brief conversation ensued. [redacted] told her she was speaking with two detectives from the Pleasanton Police Department and asked if it was okay if she spoke with us. [redacted] ended the call and said her [redacted] said it was okay to speak with us.

I continued my conversation with [redacted] and asked if Deming Jr. had any connection or knew anyone from Pleasanton. [redacted] said she wasn't aware of any connection but mentioned he "jammed" with a group in or around Pleasanton within the last week. I understood "jammed" to mean he (Deming Jr.) played music with some other musicians. [redacted] did not know any of the names of people Deming Jr. had played music with.

Officer Lengel asked [redacted]; if she was aware of a video Deming Jr. may have recorded recently. Officer Lengel told [redacted] the video appeared to have been recorded from her house. [redacted] believed the video was taken this past Thursday or Friday (July 1st or 2nd) and was recorded using [redacted] video camera. [redacted] said she recalled Deming Jr. speaking with his [redacted] about cutting his (Deming Jr.) hair. [redacted] said her [redacted] had planned to donate his hair.

As we were speaking with [redacted] a vehicle drove up to the residence and parked. A female approached us and identified herself as [redacted] with the [redacted] Officer Lengel stepped away and spoke with [redacted] in private (Refer to Officer Lengel's supplemental report for details).

Officer Lengel and [redacted] returned to the patio. [redacted] said she didn't have anything else to say and provide me with her contact information.

The above interview was a summary for purposes of my report. Refer to the audio recording for full details of the interview.

Officer Lengel and I walked to the bottom of the hill where our vehicle was parked and met with [redacted] previously told Officer Lengel about a recent shift party that was attended by Deming Jr. and [redacted] One of the officers who attended [redacted] talked with [redacted] regarding Deming Jr.'s odd behavior. [redacted] provided Officer Lengel with [redacted] contact information (see Officer Lengel statement for details).

Officer Lengel and I went to [redacted] Officer Lengel had received information from Detective Stocking that a bag containing martial arts training gear had been recovered from the white Mercedes van. The bag had the gym's name written on it.

Upon arrival the gym was closed. I called the number listed on the front of the business. A female adult answered and verbally identified herself as [redacted] one of the gym's owners. I asked [redacted] if she was available to respond to the club so I could speak with her. [redacted] said she was driving to the club and would there in a few minutes. [redacted] arrived at the club and [redacted]

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invited us inside.

agreed to speak with me and told me the following (in summary):

I asked [redacted] if she knew the name Johnathon Deming. Officer Lengel explained a bag with her gym's name and other MMA training gear was found in a vehicle. [redacted] did not know Deming Jr.'s name and as she was looking through the gym registry on her computer she called her husband [redacted]. Officer Lengel spoke with [redacted] who was on speaker phone and described the items found in the vehicle and provided the name Johnathon Deming. [redacted] did not immediately recognize the name.

Officer Lengel also showed [redacted] a picture of Deming Jr. [redacted] said she believed the person in the picture was the son of an [redacted]. Upon hearing what [redacted] said [redacted] recalled the person and asked if he (Deming Jr.) was ever given a uniform. [redacted] confirmed Deming Jr. was provided a uniform (referred to as a "Gi"). [redacted] said Deming Jr. attended the gym for a short time and said she had planned to terminate his membership because he "solicited a minor" at the gym. [redacted] said [redacted] had inquired about signing his (Deming Jr.) at the gym over the course of the past year. [redacted] told [redacted] his (Deming Jr.) needed to straighten his life out and wasn't going anywhere. [redacted] contacted [redacted] within the last few weeks and said he was ready to sign his [redacted] up for lessons. [redacted] recommended having Deming Jr. attend a few lessons before fully enrolling him at the gym.

During Deming Jr.'s second gym visit he approached a young girl (believed to be around 13 years old) and asked if she wanted to go for a ride and mentioned he had a Mercedes. The young girl later told her father about the incident. The father then reported the incident to [redacted] the following day. [redacted] and his wife [redacted] decided they would speak with [redacted] and advise him his [redacted] was not welcome back at the gym but he (Deming Jr.) never returned. [redacted] then ended the call and we continued our conversation with [redacted].

I asked [redacted] if she had any contact information for the father of the 13 year old girl Deming Jr. approached at the gym. [redacted] said the girl had recently joined the gym and she [redacted] didn't have her contact information with her. [redacted] said she would contact me later with the information and called and spoke with the trainer that witnessed the incident [redacted].

[redacted] put the phone on speaker and told [redacted] she was speaking with Officer Lengel and I. [redacted] asked [redacted] if he knew the juvenile female's name involved in the incident with Deming Jr. [redacted] said the girl had recently joined the gym and he couldn't remember her. Officer Lengel spoke up and asked [redacted] if he remembered coaching Deming Jr. [redacted] said he remembered Deming Jr. and said he only attended classes for a week. [redacted] said Deming Jr. was "a little strange" and talked about another incident involving a blonde female student. The female was "doing a technique". Deming Jr. was nearby and made a comment to the girl that she couldn't do the technique because she was too pretty. [redacted] thought the comment was strange and noticed the female student was embarrassed but didn't say anything to Deming Jr. [redacted] also remember a conversation he had with Deming Jr. about his [redacted] experience. Deming Jr. asked [redacted] how long he had been teaching MMA. [redacted] told Deming Jr. he had been training for 16

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/15/2015 10:09	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, ,	

years. Deming Jr. then made the comment "oh...so you're a sensei". [redacted] told Deming Jr. that term pertained to Karate and that he [redacted] practiced a different type of martial art (Muay Thai). Later on in the training session [redacted] asked Deming Jr. to take a water break. Deming Jr. replied "thank you sensei" [redacted] told Deming Jr. he wasn't a "sensei" and told him not to call him that. When the class ended Deming Jr. again referred to [redacted] as a "sensai". [redacted] replied "dude...I'm not your sensei".

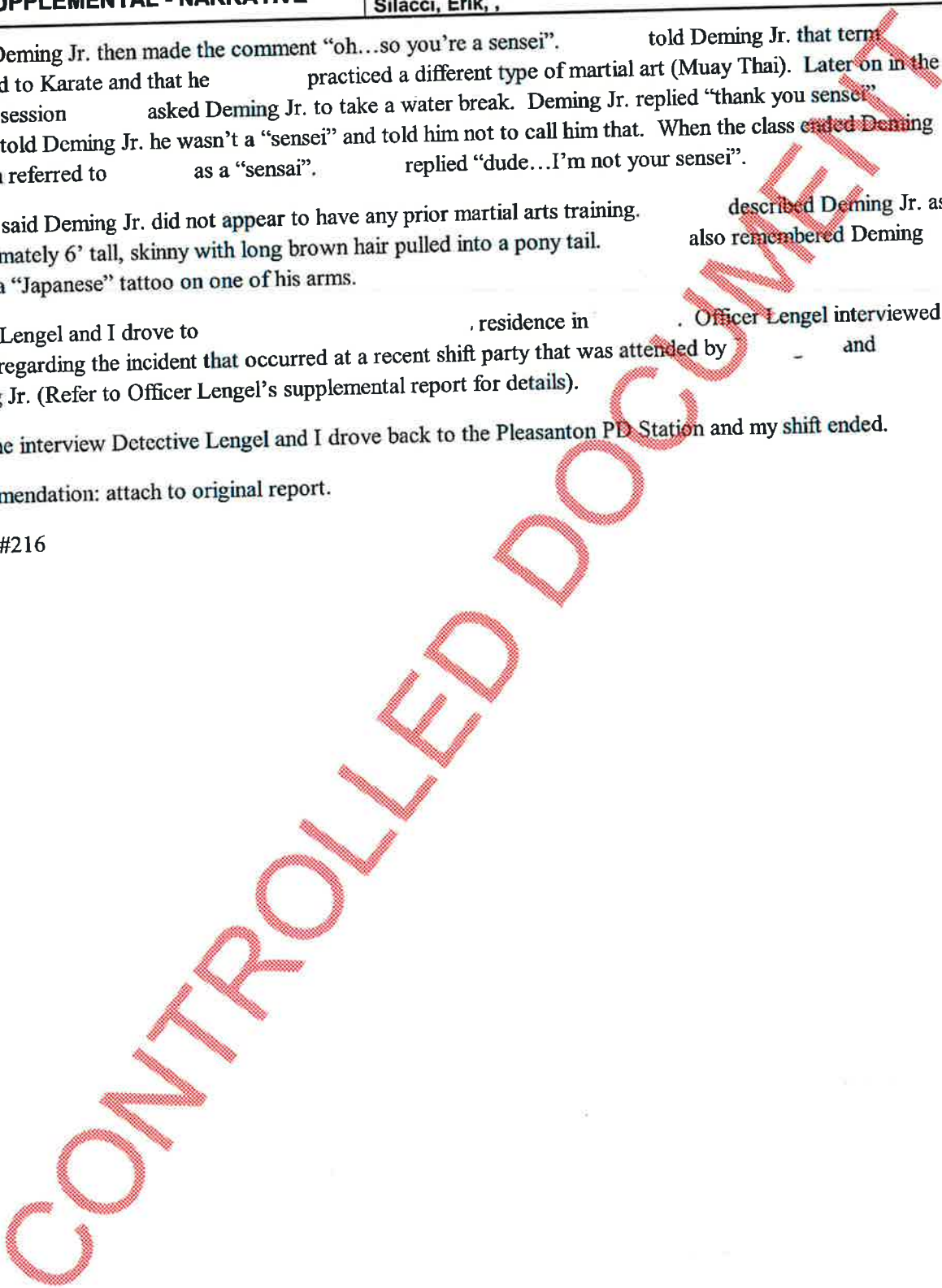
[redacted] said Deming Jr. did not appear to have any prior martial arts training. [redacted] described Deming Jr. as approximately 6' tall, skinny with long brown hair pulled into a pony tail. [redacted] also remembered Deming Jr. had a "Japanese" tattoo on one of his arms.

Officer Lengel and I drove to [redacted] residence in [redacted]. Officer Lengel interviewed [redacted] regarding the incident that occurred at a recent shift party that was attended by [redacted] and Deming Jr. (Refer to Officer Lengel's supplemental report for details).

After the interview Detective Lengel and I drove back to the Pleasanton PD Station and my shift ended.

Recommendation: attach to original report.

Silacci #216



PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/21/2015	TIME 14:21	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

**Contacted Deming Jr.'s friends from facebook including _____ and
 I also attempted contact with _____, and left a message. I then spoke
 with _____, Deming Jr.'s _____ and gave her the opportunity to speak with me.
 declined my request.**

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P.C.	PROPERTY TYPE	VALUE

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NO.	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
1	PG					VERBAL
2	WT					VERBAL
3	WT					NONE
4	WT					NONE
5	WT					
6						
7						
8						
9						
10						

**V
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CASE VEHICLE #1							
PLATE	YEAR	MAKE	MODEL	STYLE			
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
DESCRIPTION							
PROPERTY VEHICLE #1							
PLATE	YEAR	MAKE	MODEL	STYLE			
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
DESCRIPTION							
VALUE							

**R
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DISTRICT ATTORNEY
 CHILD PROTECTIVE SERVICES
 ADULT PROTECTIVE SERVICES
 US POSTAL INSPECTORS
 JUVENILE PROBATION
 CITY ATTORNEY
 CODE ENFORCEMENT
 STREETS
 OTHER: _____

REPORTING OFFICER: **Silacci, Erik, .**
 DATE WRITTEN: **07/21/2015**
 APPROVED BY: **schlehuber205|Schlehuber, Kurt|9/9/2015|17:50**

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENT - INVOLVED SUBJECTS**

DATE/TIME WRITTEN
07/21/2015 14:21
REPORTING OFFICER
Silacci, Erik,

CASE NUMBER
2015-00024571

INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PG-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01

INVOLVED **PG** NAME/BUSINESS NAME _____ DOB _____ AGE _____
 ALIAS NAME _____ RACE _____ SEX _____ HEIGHT/RANGE _____ WEIGHT/RANGE _____ HAIR _____ EYES _____
 RESIDENCE ADDRESS _____ HOME PHONE _____
 EMAIL ADDRESS _____ OTHER PHONE _____ DRIVER'S LIC NO /STATE _____ OTHER ID _____
 EMPLOYER/SCHOOL RELATIONSHIP _____ EMPLOYER/SCHOOL NAME _____ OCCUPATION _____
 BUSINESS/SCHOOL ADDRESS _____ WORK PHONE _____
 CLOTHING _____

01

INVOLVED **WT** NAME/BUSINESS NAME _____ DOB _____ AGE _____
 ALIAS NAME _____ RACE _____ SEX _____ HEIGHT/RANGE _____ WEIGHT/RANGE _____ HAIR _____ EYES _____
 RESIDENCE ADDRESS _____ HOME PHONE _____
 EMAIL ADDRESS _____ OTHER PHONE _____ DRIVER'S LIC NO /STATE _____ OTHER ID _____
 EMPLOYER/SCHOOL RELATIONSHIP _____ EMPLOYER/SCHOOL NAME _____ OCCUPATION _____
 BUSINESS/SCHOOL ADDRESS _____ WORK PHONE _____
 CLOTHING _____

03

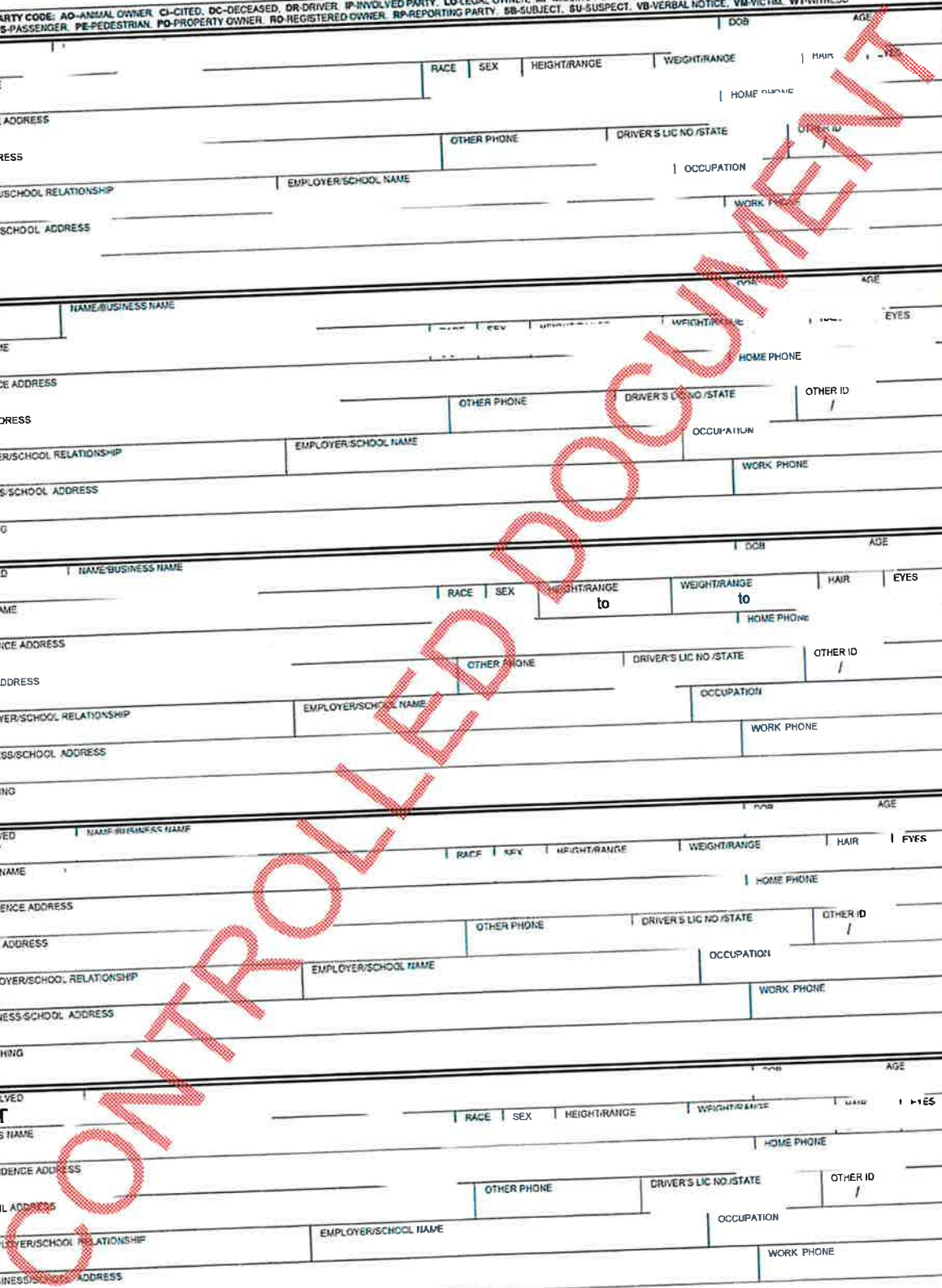
INVOLVED **WT** NAME/BUSINESS NAME _____ DOB _____ AGE _____
 ALIAS NAME _____ RACE _____ SEX _____ HEIGHT/RANGE _____ WEIGHT/RANGE _____ HAIR _____ EYES _____
 RESIDENCE ADDRESS _____ HOME PHONE _____
 EMAIL ADDRESS _____ OTHER PHONE _____ DRIVER'S LIC NO /STATE _____ OTHER ID _____
 EMPLOYER/SCHOOL RELATIONSHIP _____ EMPLOYER/SCHOOL NAME _____ OCCUPATION _____
 BUSINESS/SCHOOL ADDRESS _____ WORK PHONE _____
 CLOTHING _____

04

INVOLVED **WT** NAME/BUSINESS NAME _____ DOB _____ AGE _____
 ALIAS NAME _____ RACE _____ SEX _____ HEIGHT/RANGE _____ WEIGHT/RANGE _____ HAIR _____ EYES _____
 RESIDENCE ADDRESS _____ HOME PHONE _____
 EMAIL ADDRESS _____ OTHER PHONE _____ DRIVER'S LIC NO /STATE _____ OTHER ID _____
 EMPLOYER/SCHOOL RELATIONSHIP _____ EMPLOYER/SCHOOL NAME _____ OCCUPATION _____
 BUSINESS/SCHOOL ADDRESS _____ WORK PHONE _____
 CLOTHING _____

05

INVOLVED **WT** NAME/BUSINESS NAME _____ DOB _____ AGE _____
 ALIAS NAME _____ RACE _____ SEX _____ HEIGHT/RANGE _____ WEIGHT/RANGE _____ HAIR _____ EYES _____
 RESIDENCE ADDRESS _____ HOME PHONE _____
 EMAIL ADDRESS _____ OTHER PHONE _____ DRIVER'S LIC NO /STATE _____ OTHER ID _____
 EMPLOYER/SCHOOL RELATIONSHIP _____ EMPLOYER/SCHOOL NAME _____ OCCUPATION _____
 BUSINESS/SCHOOL ADDRESS _____ WORK PHONE _____
 CLOTHING _____



PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/21/2015 14:21	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik,	

Narrative:

On 07/10/15 I received a voicemail message from [redacted] one of the owners of [redacted] provided me with the contact information for the female juvenile who was approached by Deming Jr. at the club. I called and spoke with a female adult who identified herself as [redacted], mother of [redacted] and asked her about the incident with her daughter. [redacted] said her daughter had just joined the gym when the incident occurred sometime in mid to late June 2015. [redacted] told her mother an adult male had approached her during her training class and starting flirting with her. The adult male told [redacted] she was "pretty" and began bragging about places he had traveled and then offered to give her a ride in his Mercedes.

[redacted] reported the incident to her mother after the training class ended. [redacted] said her daughter was so disturbed by the incident that she decided not to return to the gym. [redacted] then reported the incident [redacted] was able to determine the person who approached [redacted] was Deming Jr. [redacted] told [redacted] she would speak with Deming Jr. and advise him he was no longer welcome at the gym.

I asked [redacted] is she reported the incident to the [redacted] Police Department and she said she had not. [redacted] said her daughter had since returned to the gym and was attending training classes.

On 07/16/15 I conducted follow-up on this case. I viewed Deming Jr.'s Facebook account and noticed one of his friends; [redacted] had attended [redacted] I used a law enforcement database and located a phone number for [redacted] and called and spoke with him.

I asked [redacted] if he was friends with Deming Jr. and if he had recently seen him. [redacted] said he and Deming Jr. were friends but they weren't very close. [redacted] said he last saw Deming Jr. about a week prior to this incident when they were both socializing with a group of friends. [redacted] said Deming Jr. was closer to another friend of his and provided me with the name and phone number for [redacted]

On 7/21/15 I called and spoke with [redacted] via telephone. [redacted] said he was friends with Deming Jr. and said he last saw him (Deming Jr.) around a week prior to this incident. [redacted] had Deming Jr. over at his house in [redacted] I asked if Deming Jr. had any friends from Pleasanton. [redacted] said to the best of his knowledge Deming Jr. did not have any friends in Pleasanton and did not know why he was in this city on July 4th. I asked [redacted] if there was anyone else who I should speak with who might have more information on Deming Jr. [redacted] said Deming Jr.'s best friend was [redacted]

I researched [redacted] in Facebook and through a law enforcement database. I located a possible match for [redacted] with an address in [redacted] and a phone number of [redacted] I called the number and spoke with a female who identified herself as [redacted] said her [redacted] was not but was expected to return later that afternoon. I provide my contact information to the [redacted] and asked her to give it to [redacted]

I located a phone number for Deming Jr.'s [redacted] from Deming Jr.'s website [redacted]. The website had a phone number on the contact list which was registered to [redacted] I called the number and there was a generic outgoing message. I left a message with my contact [redacted]

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/21/2015 14:21	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik ,	

information and requeste. return my call.

I also located an associated phone number for I called the number and spoke
with I asked if she would be willing to speak with me regarding her said she would not
speak with me.

As of 07/23/15 I had not recieved return phone calls from either . or

Recommendation: attach to original report.

Silacci #216

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S:

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

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DATE REPORTED 07/23/2015	TIME 10:04	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

SYNOPSIS OF EVENT

Supplement documenting the first day of the investigation from Sgt. Schlehuber's viewpoint to include the execution of the search warrant on Also, included is miscellaneous follow-up documentation.

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY TYPE	VALUE
						E MEDIA- AUDIO, VIDEO	

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NO.	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
1	IP					
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CASE VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	PLATE NUMBER	TYPE	COLOR		
DESCRIPTION						
PROPERTY VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	WIN NUMBER	TYPE	COLOR		
DESCRIPTION						VALUE

**R
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DISTRICT ATTORNEY
 CHILD PROTECTIVE SERVICES
 ADULT PROTECTIVE SERVICES
 US POSTAL INSPECTORS
 JUVENILE PROBATION
 CITY ATTORNEY
 CODE ENFORCEMENT
 STREETS
 OTHER:

REPORTING OFFICER Schlehuber, Kurt, ,	DATE WRITTEN 07/23/2015	APPROVED BY bretzing118 Schlehuber, Kurt 9/9/2015 18:15
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PLEASANTON POLICE DEPARTMENT
SUPPLEMENT - INVOLVED SUBJECTS

DATE/TIME WRITTEN
07/23/2015 10:04
 REPORTING OFFICER
Schlehuber, Kurt,

CASE NUMBER
2015-00024571

INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PO-PARENT/GUARDIAN, PV-PARKED VEHICLE, PE-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01

INVOLVED IP	NAME/BUSINESS NAME	DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR EYES
RESIDENCE ADDRESS		HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE		OTHER ID /	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION			
BUSINESS/SCHOOL ADDRESS		WORK PHONE			
CLOTHING					

INVOLVED	NAME/BUSINESS NAME	DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR EYES
RESIDENCE ADDRESS		HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE		OTHER ID /	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION			
BUSINESS/SCHOOL ADDRESS		WORK PHONE			
CLOTHING					

INVOLVED	NAME/BUSINESS NAME	DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR EYES
RESIDENCE ADDRESS		HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE		OTHER ID /	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION			
BUSINESS/SCHOOL ADDRESS		WORK PHONE			
CLOTHING					

INVOLVED	NAME/BUSINESS NAME	DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR EYES
RESIDENCE ADDRESS		HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE		OTHER ID /	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION			
BUSINESS/SCHOOL ADDRESS		WORK PHONE			
CLOTHING					

INVOLVED	NAME/BUSINESS NAME	DOB		AGE	
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR EYES
RESIDENCE ADDRESS		HOME PHONE			
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE		OTHER ID /	
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION			
BUSINESS/SCHOOL ADDRESS		WORK PHONE			
CLOTHING					

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/23/2015 10:04	CASE NUMBER 2015-00024571
	REPORTING OFFICER Schlehuber, Kurt, .	

Narrative:

On July 5th at approximately 0300 hours I received a phone call at home from Lt. Jim Knox. He informed me there was an officer involved shooting that occurred at Specialty Sales on First St. Lt. Knox stated that Officer Kunkel was the involved officer and was the one who discharged his firearm. He also stated the suspect was unknown at this time and was not expected to survive his wounds. I began calling Detectives to inform them of the call out and to report to the station to begin working on the shooting investigation.

I arrived at the station at approximately 0415 hours. Detective Shuffield, Stocking, and Silacci were already at the station. Det. Chin had responded to the crime scene on First St. and Detective Boccasile had responded to Valley Care Hospital where Officer Kunkel was being treated.

I contacted Detective Chin and Boccasile and requested them to return to the station to brief the case and delegate responsibilities to each Detective. Once everyone arrived back at the station Detective Sarasua arrived as well. Detective Shuffield provided us with a sheet of paper titled "OIS timeline" which he prepared from the CAD call notes. This was a breakdown of what happened on the call in an easy to read format. We used this to get an understanding of the call and to prepare our investigation. It was at this time I identified Detective Stocking as the Lead Detective on the case. It was at this time we learned the suspect had died at Eden Hospital.

I requested Detective Chin respond to Eden Hospital to document the condition of the suspect and to collect any evidence. I put Detective Sarasua in charge of the crime scene. I also requested Detective Boccasile assist him with this task. Detective Shuffield began writing a search warrant to give us the authority to collect evidence at the scene. Detective Silacci assisted Detective Shuffield with researching the suspect and attempting to establish his identity.

Officer Lengel was working patrol on this day. Due to his recent experience as the person crimes detective I felt his expertise would be valuable on this case. I contacted Sgt. Fragomeli and requested that Officer Lengel be reassigned to CIU for the day to assist with this case. Officer Lengel returned to the station, changed clothing into a Department Polo and cargo pants, and contacted me for an assignment. I assigned him to work with Detective Stocking as his primary assisting detective.

I notified the District Attorney's office of the investigation and requested the DA "Shoot Team" respond to conduct their independent investigation. I also contacted the Alameda County Crime Lab and requested that they respond to collect and document the crime scene and all evidence within the scene. I contacted the president of the Pleasanton Police Officer's Association, Ken McNeill, and notified him that Officer Kunkel had been involved in a shooting and he would need representation. I also notified PPOA Secretary Kyle Henricksen and he responded to the station as well.

Detective Stocking and I responded to the crime scene. DDA Kevin Wong, DA Inspector Brian Medeiros, Detective Stocking, Sarasua, and Boccasile, Officer Lengel, ACSO Crime Scene Tech Cary Wong, Lt. Knox, Sgt. Ted Young and I conducted a walkthrough of the crime scene. I discussed with Detective Stocking and Sarasua what I thought were important pieces of evidence to be aware of. After approximately 3 hours I returned to the station.

At the station I saw that all involved officers were sequestered to different parts of the building. Due to my familiarization with our body worn video test project I was asked to upload the video that Sgt. Gora recorded during the call. At approximately 1247 hours I uploaded the video to evidence.com. After the video was uploaded I contacted Detective Stocking, DDA Wong, and Inspector Medeiros to let them know the video was ready to view. We went into the Traffic office and viewed the video. See Detective Stocking's supplement for details of the video.

I made the decision to let the involved officers go home and return the next day for their interviews. Officer Palmquist and Sgt. Gora stayed behind due to the fact they would be unavailable the next day. Their interviews were

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	REPORTING OFFICER Schlehuber, Kurt, .	

conducted by Detective Stocking and Officer Lengel. See Detective Stocking's supplement for details.

Detective Stocking, Silacci, and Boccasile all worked on a positive identification of the suspect. At approximately 1530 hours the suspect was positively identified as Johnathon Deming Jr. with a date of birth of 01/29/96. He was identified by a CDL in a wallet recovered from the pants the suspect was wearing, a "dog tag" that was recovered at the scene, and the registration of the vehicle. Photographs of the suspect were also compared to known photographs of Deming Jr. and the photos depicted the same person. Based upon this information I believed the deceased suspect was Johnathon Deming Jr.

Detective Silacci determined that Deming Jr.'s primary residence was in [redacted]. He began collecting intelligence about this address while Detective Shuffield began authoring a search warrant for the residence. The purpose of the search warrant was to look for any evidence that would help us identify why Deming Jr. was in Pleasanton at Specialty Sales. We also were looking for evidence that would explain Deming Jr.'s erratic behavior, and evidence of burglary activity or burglary tools.

The warrant was signed and Officer Silacci wrote the operations plan for the execution of the warrant. Officer Silacci conducted a briefing for those serving the warrant; Detective Silacci, Detective Stocking, Detective Chin, Detective Shuffield, Officer Lengel, and myself. During the briefing Det. Silacci stated that Deming Jr.'s [redacted] was expected to be at home and [redacted] may also be there. The briefing included the standard precautions and contingencies that are discussed with the majority of search warrants CIU executes.

I was wearing my department polo shirt with an embroidered badge over my left chest, my name embroidered on my right chest, a khaki pair of 5.11 cargo pants, and my department tactical vest. On my tactical vest my badge was clipped to my left chest and clearly visible from the front. I had in my possession my police radio, Taser, handcuffs, extra magazines, and a flashlight. On my belt I was carrying my Sig Sauer 226 9mm pistol, a set of handcuffs, and an extra magazine loaded with 9mm ammunition. On the front and back of my tactical vest in white lettering is the word "Police."

We drove to San Jose and parked to the rear of the target residence at [redacted]. We walked to the front of the residence where Det. Stocking knocked on the front screen door and announced his presence, identified himself, stated his purpose, and demanded entry. I was standing at the top of the driveway where I could see Det. Stocking at the door, Det. Chin and Silacci behind him, Det. Shuffield to the side and Officer Lengel to the right of the residence standing by the back gate.

After approximately 30 to 45 seconds I heard Officer Lengel yell that he saw someone on the side of the residence. The side gate was opened by Officer Lengel and while holding his gun at the low ready I observed him giving commands to someone. Officer Chin and Silacci responded to that side of the residence and I followed behind. I saw Officer Silacci handcuff a woman I recognized as [redacted] from her CDL photo that was provided to me during the briefing. Based upon the fact we were executing a search warrant, which is inherently dangerous, were unaware of how many people may be inside, the fact Deming Jr.'s father was a [redacted] and most likely had weapons and the fact I did not know how [redacted] would behave when confronted by police entering her residence; I felt it was reasonable to detain her in handcuffs until the scene was stabilized. I holstered my pistol and stood by with [redacted] while the rest of the Detectives entered the backyard and cleared the residence. [redacted] began asking me what all of this was about. I informed her it had to do with her son and that I would explain everything to her as soon as the residence was cleared of any potential threats to our presence. After approximately 2 minutes Detectives had finished clearing the residence so I led [redacted] to the back yard. In the back yard I removed the handcuffs from her wrists and we sat down on the patio furniture.

I determined [redacted] posed little threat to the officers and there was no need to keep the handcuffs on any longer. I

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/23/2015 10:04	CASE NUMBER 2015-00024571
	REPORTING OFFICER Schlehuber, Kurt, ,	

estimated she was handcuffed for approximately 3 to 5 minutes. sat down on a couch while I sat on a chair. I began explaining why we were there and inquired about her and if she knew where he was on the 4th of July. I informed her we were with the Pleasanton Police Department and that Deming Jr. had broken into a building last night. We spoke for approximately 4 minutes until Det. Stocking and Officer Lengel walked over to where we were and took over the interview. I had recorded my contact with until my digital recorder fell, hit the ground and broke. I was able to record approximately half of our conversation.

After Det. Stocking took over the interview I called PD and requested the on duty watch commander. I spoke with Sgt. Joe Johnson and requested that he make the death notification to who lives in He called back a short while later and told me was not at his residence so he called him and spoke to him over the phone notifying him his son was dead after an altercation with the Pleasanton Police Department. He told me he gave my phone number to and instructed him to call me. This conversation took place at approximately 2045 hours.

At 2045 hours I received a phone call from I explained to him the information that we knew at the time surrounding his death. I told him that officers responded to an alarm call where they located Deming Jr. acting bizarre. Numerous attempts to gain compliance from Deming Jr. were unsuccessful and the fact there were several Taser and less lethal uses of force before a confrontation behind the business with a single officer resulted in his death. I also explained that there was body worn video evidence as well as surveillance video from inside the building. I closed our conversation with letting him know we will get to the bottom of the investigation and make sure we do our job to locate all evidence to help paint the picture of what happened that night. stated he did not want to drive to right now to be with I asked him about his and he said he would notify her of her death. Our phone conversation lasted approximately 10 minutes.

At approximately 2230 hours we returned to the station with the evidence that was collected from the search warrant.

On 07/06/15 I was given a copy of Officer Kunkel's last firearm qualifications from Det. Sarasua, who is also a department range master. I attached the document to this report.

I was contacted by via text message on 07/06/15 at 1036 hours. It stated, "Kids my was playing music with CA United States." I texted back, "Ok thanks." I forwarded this information to Det. Silacci.

On 07/08/15 at 1100 hours Officer Chu gave me a thumb drive with the edited interior surveillance video from Specialty Sales. I viewed the video and gave the thumb drive to Det. Sarasua to book into evidence.

Also on 07/08/15 at 1230 hours I received a report from Dispatch Manager, Margaret Mary Goulart. This report was a detailed log of the date and time radio transmissions were made on the morning of 7/05/15. I attached this document to the report.

On 7/09/15 I went to Livermore Police Department and obtained a copy of Sgt. Horton's body worn video that he recorded during the incident. I booked this video into evidence at 1400 hours.

On 07/09/15 I drove to the Alameda County Crime Lab at 0800 hours and met with Cary Wong. He gave me a thumb drive with the Leica scans the crime lab completed of the crime scene. I gave the thumb drive to Det. Sarasua who booked it into evidence.

K. Schlehuber #205

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - PROPERTY RPT**

DATE/TIME WRITTEN
07/23/2015 10:04

CASE NUMBER
2015-00024571

REPORTING OFFICER
Schlehuber, Kurt,

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	1	MEDIA- AUDIO, VIDEO		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
BODY WORN VIDEO RECOVERED FROM LPD SGT. HORTON					PPD75899
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



SUPPLEMENTAL INVESTIGATION

CASE NUMBER

2015-00024571

(CROSS REF CASE #S)

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DATE REPORTED 07/23/2015	TIME 11:44	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

SYNOPSIS OF EVENT

Detective Boccasile's Investigation supplemental: Transport Officer Kunkel from VCM to station, crime scene, secondary crime scene walkthrough (business canvas for surveillance video and witnesses, metal detection and visual detection), journal (from Mercedes), cellular phone and tablet recovery and basic forensic examination and review, Sgt Gora's body camera serial number.

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY TYPE	VALUE
						E MEDIA- AUDIO, VIDEO	

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NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
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2						
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4						
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7						
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**V
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CASE VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						
PROPERTY VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		VALUE
DESCRIPTION						

**R
T
E**

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:			

REPORTING OFFICER: **Boccasile, Barry, .** DATE WRITTEN: **07/23/2015** APPROVED BY: **schlehuber205|Schlehuber, Kurt|9/9/2015|18:19**

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/23/2015 11:44	CASE NUMBER 2015-00024571
	REPORTING OFFICER Boccasile, Barry, ,	

In the early morning of 7/5/15, I responded to the police station to assist in the investigation involving Officer Kunkel. Upon arrival at the station I learned that Officer Kunkel was at Valley Care Hospital and I responded to that location. I met with Officer Kunkel and Officer Palmquist as they were leaving the Emergency Room and I offered to transport Officer Kunkel to the police station. Officer Palmquist handed me a hospital bag containing Officer Kunkel's uniform shirt, his ballistic vest and his inner belt. I took custody of the items and transported them and Officer Kunkel to the police station. While driving to the police station Officer Kunkel asked if he could call his family and he then proceeded to call his wife. He did not provide any details of the incident he had been involved in and I did not inquire but he did spontaneously state "I got knocked down" and "I glad I train the way I do because it saved my life". Once at the station I stayed with Officer Kunkel in the upper conference room until Officer McNeil arrived to attend to Officer Kunkel. I secured the hospital bag containing Officer Kunkel's items in Sgt. Schlehuber's office and later booked them into evidence.

I then went with Detective Sarasua to the crime scene located in and around 4321 First St, Specialty Sales Classics. While I was at the crime scene I took photographs and videos in an effort to supplement the ACSO crime scene technicians who were processing the scene. I later uploaded the videos and photographs to the case folder (for later upload into Evidence.com by Sgt. Schlehuber). Also while at the crime scene I photographed and inspected the interior and exterior of the patrol vehicles located within the crime scene and later facilitated returning them into service. Sgt. Gora had informed me Officer Kunkel's duty belt had been removed from him while he was being treated by medical personnel who had initially responded to the scene. Officer Kunkel's duty belt had been placed into an evidence bag and put into the rear seat of Sgt. Gora's patrol vehicle. While inspecting and photographing Sgt. Gora's vehicle I located the evidence bags containing Officer Kunkel's duty belt, flashlight and radio. I later returned to the station and booked them into evidence. I also collected, and later booked into evidence, a pair of handcuffs (Peerless serial #121149) and protective gloves which I located on the hood of Sgt. Gora's patrol vehicle.

While at the scene I also photographed and inspected (interior and exterior) the white Mercedes Sprinter Van located within the crime scene and registered to Jonathon Patrick Deming. While conducting the check of the interior of the van I observed the following items of note: brown couch (in rear of van), keyboard instrument (in rear of van), black soft guitar case (in rear of van), black and red gym bag containing martial arts equipment (in rear of van), black metal "pole type" object (leaned against front passenger seat), black Verizon tablet (on front passenger seat), fireworks (smaller "firecracker type" - front passenger seat, "mortar type" - behind front passenger seat), black and white composition journal containing multiple pages of handwritten writings (in backpack behind front passenger seat), two handgun magazines loaded with ammunition (in dash storage compartment), vehicle purchase agreement and Kaiser medical record (glove compartment). After inspecting and photographing the Mercedes I completed a CHP 180 and facilitated having it towed to the OSC evidence yard for later detailed processing by the ACSO crime scene technicians. Refer to Detective Sarasua's and ACSO crime scene technicians' supplemental reports for further details.

I also provided Detective Shuffield with photographs of Jonathon Patrick Deming Jr's driver license and passport card to assist in the identification of the suspect.

Detective Sarasua and I took custody of the evidence ACSO crime scene technicians had collected from the crime scene. We transported the evidence to the station and secured it in the evidence room.

On 7/6/15 Detective Shuffield I booked the evidence collected from both the crime scene and the search warrant conducted at Deming's residence into the evidence room. Detective Shuffield and I then returned to the crime scene in and around 4321 First St, Specialty Sales Classics. We conducted a secondary walk through of the area including a

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/23/2015 11:44	CASE NUMBER 2015-00024571
	REPORTING OFFICER Boccasile, Barry, ,	

visual check for any further evidence, a search for metallic evidence utilizing a metal detector and a surrounding business canvas for witnesses and/or surveillance cameras. While conducting the visual check of the parking lot of 120 Spring St I located the following two items: a broken neck chain with a cross (found on the curb and ivy just west of the location of where Deming's clothing had been located) and a broken Scorpion body camera holder clip (approximately 14.5 feet south of the south curblin line of Spring St. and 26 west of the fence located between the parking lot of 120 Spring St and the north parking lot for the Firehouse Arts Center). Detective Shuffield and I conducted a search of the landscaping in and around 4321 First St, 120 Spring St and north parking lot of the Firehouse Arts Center utilizing a metal detector with negative results for any evidence. Detective Shuffield and I conducted a surrounding business canvas for witnesses and/or surveillance cameras with the following results:

120 Spring St - no video or witnesses

124 Spring St - no video or witnesses

had surveillance camera to the rear of the business showing the

far south end of the shared parking lot with 120 Spring St. Reviewed video during the time of the incident and nothing captured on the video. No witnesses.

127 Spring St (Valley Times) - had surveillance cameras (reviewed and collected, see below for details). No witnesses.

120 Ray St (AT&T) - no video or witnesses

173 Spring St - no video or witnesses

4337 1st St - no video or witnesses

4337a 1st St - no video or witnesses

4337b 1st St - no video or witnesses

4337c 1st St - no video or witnesses

4277 1st St - no external video or witnesses

4275 1st St - no video or witnesses

4271 1st St - no external video or witnesses

4259 1st St - no video or witnesses

4247 1st St - no video or witnesses

4241 1st St - no video or witnesses

4235 1st St - no video or witnesses

4223 1st St - no video or witnesses

4212 1st St - no external video during time closed hours or witnesses

I initially reviewed the live surveillance feeds at the Valley Times and saw they had two cameras that pointed in a southeastern direction towards Spring St. The subject I originally spoke to at Valley Times did not have access to the archived surveillance footage. I returned on 7/9/15 and met with

) who had access to the archived surveillance footage. I copied the surveillance footage from the two surveillance cameras which pointed towards Spring St. I also photographed the live surveillance feeds of the two surveillance cameras and noted a time difference of approximately 18 minutes (camera time 16:18:01 hours, synced iPhone camera time 16:36:02 hours). I later reviewed the surveillance footage and noted the following items: CAM 4 (camera date/time 7/5/15 01:35:20, estimated date/time 7/5/15 01:53:21) aerial firework from the area of Spring St, CAM 4 (camera date/time 7/5/15 02:17:14, estimated date/time 7/5/15 02:35:15) 3 small flashes of light, possible muzzle flashes from the area of Spring St, which coincide with the estimated time and location of the shots fired by Officer Kunkel. I reviewed the rest of the copied surveillance footage (both cameras) and did not note any further identifiable areas of note. I then uploaded the photographs of the live surveillance feeds (showing the camera perspective and camera time) and the copied surveillance footage to the case folder (for later upload into Evidence.com by Sgt. Schlehuber). I also booked a flash drive with a copy of the surveillance footage into evidence.

On 7/7/15, Detective Sarasua and I went to the OSC and I took custody of the black and white composition journal and

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/23/2015 11:44	CASE NUMBER 2015-00024571
	REPORTING OFFICER Boccasile, Barry. .	

the Verizon tablet from the white Mercedes van. I later returned to the station and scanned the pages of the journal into a PDF file. I then uploaded the PDF file to the case folder (for later upload into Evidence.com by Sgt. Schlehuber) and booked the journal into evidence. Detective Sarasua and I went to Specialty Sales Classics and we photographed and weighed the two vehicle jacks thrown by Deming. We utilized a digital scale which I photographed before and during the weighing. The results were as follows: red/black jack (Model 200T, Serial #F12040196) - 93.0lbs, gray jack (Pittsburgh 3 ton, Partial Serial #2351221) - 68.5lbs. We also estimated the distance between the front door of Specialty Sales Classics and the location where the red/black jack was found on the night of the incident at over 20 feet (via tape measure). I later uploaded the photographs of the scale and jacks to the case folder (for later upload into Evidence.com by Sgt. Schlehuber).

On 7/8/15, Detective Chin and I took the cell phone found in Deming's clothing (removed from his person) and the Verizon tablet found on the passenger seat of the white Mercedes Van to the Bureau of Forensic Services (CA DOJ) at the Richmond DNA Laboratory where we utilized the Cellular Phone and Mobile Device Kiosk. We performed basic forensic examinations of both devices in accordance to Search Warrants Detective Shuffield had authored and which had been signed by Judges of the County of Alameda Superior Court. We later uploaded the digital reports of the forensic examinations to the case folder (for later upload into Evidence.com by Sgt. Schiehuber).

On 7/9/15, I reviewed the digital reports of the forensic examinations of the cell phone and tablet for items pertinent to the investigation. I provided that information to Detective Silacci (for the creation of a timeline of Deming's actions prior to the incident) and to Detective Stocking (for the main case report). Refer to their respective reports for details.

I recovered the serial number (x78057616) of the Axon Flex body camera which had been assigned to Sgt. Gora's Axon Flex from Evidence.com.

Detective Boccasile #272

CONTROLLED DOCUMENT

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - PROPERTY RPT**

DATE/TIME WRITTEN
07/23/2015 11:44

CASE NUMBER
2015-00024571

REPORTING OFFICER
Boccasile, Barry,

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	1	MEDIA- AUDIO, VIDEO		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
32gb flash drive containing surveillance footage from Valley Times building					PPD76211
				SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE # (S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 08/25/2015	TIME 11:08	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON
	SYNOPSIS OF EVENT Supplemental Report: ACSO Crime Scene reports/Crime Scene Log			

O F F S	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE
						E	MEDIA- AUDIO, VIDEO
				E	MEDIA- AUDIO, VIDEO	\$.00	

S U B J E C T S	NO	INVOLVED	NAME (LAST FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1	SB	KEELER, ANN M				
	2	SB	LANZISERA, KRISTI				
	3	SB	OVERCASH, TOMI				
	4	SB	HANK, TOM				
	5	SB	WANSIN, OUNKEO				
	6	SB	DILBECK, MICHELLE				
	7	SB	WONG, CARY				
	8	SB	KENDLE, HEIDI				
	9						
	10						

V E H I C L E S	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						
PROPERTY VEHICLE #:							
ROLE	YEAR	MAKE	MODEL	STYLE			
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
DESCRIPTION						VALUE	

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:				

REPORTING OFFICER Sarasua, Benjamin, J,	DATE WRITTEN 08/25/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 9/10/2015 17:07
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PLEASANTON POLICE DEPARTMENT SUPPLEMENT - INVOLVED SUBJECTS		DATE/TIME WRITTEN 08/25/2015 11:08	CASE NUMBER 2015-00024571				
		REPORTING OFFICER Sarasua, Benjamin, J.					
INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PO-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS							
01	INVOLVED SB	NAME/BUSINESS NAME KEELER, ANN M		DOB	AGE		
	ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
	RESIDENCE ADDRESS 2901 PERALTA OAKS CT OAKLAND, CA 94605				HOME PHONE (510)382-3351		
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID		
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
	BUSINESS/SCHOOL ADDRESS				WORK PHONE		
	CLOTHING						
02	INVOLVED SB	NAME/BUSINESS NAME LANZISERA, KRISTI		DOB	AGE		
	ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
	RESIDENCE ADDRESS 2901 PERALTA OAKS CT OAKLAND, CA 94605				HOME PHONE (510)382-3351		
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID		
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
	BUSINESS/SCHOOL ADDRESS				WORK PHONE		
	CLOTHING						
03	INVOLVED SB	NAME/BUSINESS NAME OVERCASH, TOMI		DOB	AGE		
	ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
	RESIDENCE ADDRESS 2901 PERALTA OAKS CT OAKLAND, CA 94605				HOME PHONE (510)382-3351		
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID		
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
	BUSINESS/SCHOOL ADDRESS				WORK PHONE		
	CLOTHING						
04	INVOLVED SB	NAME/BUSINESS NAME HANK, TOM		DOB	AGE		
	ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
	RESIDENCE ADDRESS 2901 PERALTA OAKS CT OAKLAND, CA 94605				HOME PHONE (510)382-3351		
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID		
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
	BUSINESS/SCHOOL ADDRESS				WORK PHONE		
	CLOTHING						
05	INVOLVED SB	NAME/BUSINESS NAME WANSIN, OUNKEO		DOB	AGE		
	ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
	RESIDENCE ADDRESS 2901 PERALTA OAKS CT OAKLAND, CA 94605				HOME PHONE (510)382-3351		
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID		
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
	BUSINESS/SCHOOL ADDRESS				WORK PHONE		
	CLOTHING						

PLEASANTON POLICE DEPARTMENT SUPPLEMENT - INVOLVED SUBJECTS		DATE/TIME WRITTEN 08/25/2015 11:08	CASE NUMBER 2015-00024571				
REPORTING OFFICER Sarasua, Benjamin, J.							
INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PO-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PD-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS							
06	INVOLVED SB	NAME/BUSINESS NAME DILBECK, MICHELLE		DOB	AGE		
	ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
	RESIDENCE ADDRESS 2901 PERALTA OAKS CT OAKLAND, CA 94605				HOME PHONE (510)382-3351		
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID		
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
	BUSINESS/SCHOOL ADDRESS				WORK PHONE		
	CLOTHING						
	07	INVOLVED SB	NAME/BUSINESS NAME WONG, CARY		DOB	AGE	
ALIAS NAME		RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS 2901 PERALTA OAKS CT OAKLAND, CA 94605				HOME PHONE (510)382-3351			
EMAIL ADDRESS		OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID		
EMPLOYER/SCHOOL RELATIONSHIP		EMPLOYER/SCHOOL NAME		OCCUPATION			
BUSINESS/SCHOOL ADDRESS				WORK PHONE			
CLOTHING							
08		INVOLVED SB	NAME/BUSINESS NAME KENDLE, HEIDI		DOB	AGE	
	ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
	RESIDENCE ADDRESS 2901 PERALTA OAKS CT OAKLAND, CA 94605				HOME PHONE (510)382-3351		
	EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID		
	EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME		OCCUPATION			
	BUSINESS/SCHOOL ADDRESS				WORK PHONE		
	CLOTHING						
		INVOLVED	NAME/BUSINESS NAME		DOB	AGE	
ALIAS NAME		RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS				HOME PHONE			
EMAIL ADDRESS		OTHER PHONE	DRIVER'S LIC NO /STATE		OTHER ID		
EMPLOYER/SCHOOL RELATIONSHIP		EMPLOYER/SCHOOL NAME		OCCUPATION			
BUSINESS/SCHOOL ADDRESS				WORK PHONE			
CLOTHING							

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 08/25/2015 11:08	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J.	

Supplemental Report:

On 7/5/15 at around 0330 hours, I received a phone call from Sergeant Schlehuber regarding this OIS case. I responded from my residence and later arrived at the Pleasanton Police Department at around 0445 hours. When I arrived on scene at the Pleasanton Police Department, Sgt. Schlehuber advised Detective Boccasile and I that we would be responsible for the crime scene located at 4321 First Street, Pleasanton and 120 Spring Street, Pleasanton.

On 7/5/15 at around 0515 hours the Alameda County Crime Lab was contacted regarding this case. The Alameda County Crime Lab was requested to assist with processing the scene at 4321 First Street, Pleasanton and at 120 Spring Street, Pleasanton and collecting any related evidence.

On 7/5/15 at approximately 0826 hours the following personnel conducted a walk through of the crime scenes located at 4321 First Street, Pleasanton and 120 Spring Street, Pleasanton.

- Detective Stocking
- Detective Boccasile
- Detective Sarasua
- DA Investigator Kevin Wong
- DA Investigator Brian Medeiros
- Sgt. Schlehuber
- Sgt. Young
- Lt. Knox

On 7/5/15 at around 0906 hours Criminalist Cary Wong, Criminalist Michelle Dilbeck and Sheriff's Technician Tomi Overcash arrived on scene and joined the investigators mentioned above with the crime scene walk through.

This crime scene walk through was completed at around 1000 hours. After the crime scene walk through was completed, Detective Boccasile and I supervised the Alameda County Crime Lab employees as they processed the scene and collected evidence. A crime scene log was completed and will be included with this report.

On 8/25/15 I received a copy of the Alameda County Crime Lab report for the crime scenes located at 4321 First Street, Pleasanton and 120 Spring Street, Pleasanton. The Alameda County Crime Lab also provided a crime lab report for Deming's vehicle and the evidence collected from this vehicle. These ACSO Crime Lab reports will be included with this supplemental report.

The Alameda County Crime Lab also provided a CD/DVD containing photographic evidence related to this case. I attempted to view these photographs on this CD/DVD but was unsuccessful. I later booked this CD/DVD into evidence at the Pleasanton Police Department.

On 9/4/15 I received a USB drive/CD from the Alameda County Crime Lab which contained all the digital photographs from the crime scene. I later booked this USB drive/CD into evidence at the Pleasanton Police Department.

Recommendations:

Attach supplemental report to original case report.

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 08/25/2015 11:08	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J.	

End of report.
B. Sarasua #258

CONTROLLED DOCUMENT

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - PROPERTY RPT**

DATE/TIME WRITTEN
08/25/2015 11:08

CASE NUMBER
2015-00024571

REPORTING OFFICER
Sarasua, Benjamin, J,

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE E	QTY 1	TYPE MEDIA- AUDIO, VIDEO	SERIAL NUMBER	VALUE \$.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) CD/DVD CONTAINING PHOTO EVIDENCE					TAG NUMBER PPD75448
02	CODE E	QTY 1	TYPE MEDIA- AUDIO, VIDEO	SERIAL NUMBER	VALUE \$.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) USB DRIVE/CD CONTAINING CRIME SCENE PHOTOS					TAG NUMBER PPD75454
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
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DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #(S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/05/2015	TIME 10:49	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

I photographed the involved officers, their uniforms, and injuries. I authored a search warrant for the crime scene on First St. I authored and executed a search warrant at Deming's residence, and collected evidence pertinent to the investigation.

OFFENSE	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P/C	PROPERTY TYPE	VALUE
									E	DOCUMENTS
							E	DRUGS		
							E	ELECTRONICS		
							E	DOCUMENTS		

SUBJECTS	NO	INVOLVED	NAME (LAST FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
		1					
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
	10						

VEHICLES	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR	DESCRIPTION	
VEHICLES	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR	DESCRIPTION	
						VALUE	

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:			

REPORTING OFFICER Shuffield, Robert, ,	DATE WRITTEN 07/05/2015	APPROVED BY Schlehuber, Kurt
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/05/2015 10:49	CASE NUMBER 2015-00024571
	REPORTING OFFICER Shuffield, Robert, ,	

On 7/5/2015, I was assigned to assist Detective Stocking with this investigation.

On 7/5/2015, about 0657 hours, I photographed Officer Middleton and his clothing in interview room 1. Officer Middleton was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Middleton.

At 0659 hours, I photographed Officer Bennett and his clothing in interview room 2. Officer Bennett was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Bennett.

At 0702 hours, I photographed Officer Cobler and his clothing in the police department's "back conference room." Officer Cobler was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I observed two rust colored circular stains, less than 1/4 inch in diameter, on Officer Cobler's uniform shirt. The stains were in the middle of the shirt just above his belt line. The stains appeared consistent with blood stains. I observed three smeared rust colored stains, approximately two inches across, on Officer Cobler's uniform pants. The stains were located on the pants near Officer Cobler's thigh. The stains appeared consistent with blood stains. Officer Cobler believed the stains were blood from the individual later identified as Deming. I did not discuss any other details about the case with Officer Cobler.

At 0708 hours, I photographed Officer Palmquist and his clothing in the police department's "overflow Lieutenant's office." Officer Palmquist was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Palmquist.

At 0712 hours, I photographed Officer Sheldon and his clothing in the Youth Services Unit. Officer Sheldon was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Sheldon.

At 0714 hours, I photographed Officer Pittl and his clothing in the police department's gymnasium. Officer Pittl was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Pittl.

At 0718 hours, I photographed Sergeant Gora, his clothing, and Taser body worn video camera in Captain Finn's office. Sergeant Gora was wearing a full Pleasanton police uniform, including his badge, name tag, patches, Taser body worn camera, and duty belt. I did not discuss any of the circumstances of the case with Sergeant Gora.

At 0720 hours, I photographed Officer Kunkle and his clothing in the police department's "upstairs conference room." Officer Kunkle was wearing a plain black undershirt, a pair of Pleasanton Police uniform pants, and black boots. Officer Kunkle identified several areas of his body where he was feeling pain. Officer Kunkle indicated he suffered a scratch to the center of his chin. I observed a scratch, approximately one inch long, in the center of Officer Kunkle's chin. I photographed the scratch. Officer Kunkle indicated he had soreness under each of his eyes. I observed a slight dark discoloration under Officer Kunkle's right eye, approximately 1.5 inches across. I photographed each of the areas where Officer Kunkle indicated soreness. Officer Kunkle indicated he was feeling soreness on the back side of his head, approximately two inches in from his left ear and right above his neck. I did not observe any obvious injuries and photographed the area. Officer Kunkle indicated he had a scratch on his right elbow. I observed a fresh circular skin tear, approximately 1/4 inch across, on Officer Kunkle's left elbow. I photographed the injury. Officer Kunkle indicated he had an abrasion on his left index

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/05/2015 10:49	CASE NUMBER 2015-00024571
	REPORTING OFFICER Shuffield, Robert, ,	

finger. I observed a fresh circular abrasion, approximately 1/4 inch across, on the Officer Kunkle's left index finger knuckle. I photographed the injury. Officer Kunkle indicated he had an abrasion on his right elbow. I observed a red abrasion, approximately one inch across, on Officer Kunkle's right elbow. I photographed the injury. I did not discuss any additional details about the case with Officer Kunkle.

At 0739 hours, I photographed Officer Paulsen and his clothing in the YCSU Sergeant's Office. Officer Paulsen was wearing a full Pleasanton police uniform, including his badge, name tag, patches, and duty belt. I did not discuss any of the circumstances of the case with Officer Paulsen.

On 7/5/2015, about 0815 hours, I collected Officer Cobler's uniform shirt and pants from him. I booked them into the Pleasanton Police Property Room as evidence.

Based on the police dispatch call notes and circumstances of the incident, I believed evidence pertinent to the investigation would be located in and around 4321 First St. I authored a search warrant for the scene of the incident, 4321 First St, and a vehicle which appeared to be related (a white Mercedes Sprinter van registered to Deming's father) for the collection of related evidence. The warrant was signed by Judge Hernandez. Detective Sarasua served the warrant and collected the listed evidence. See attached warrant and Detective Sarasua's supplemental reports.

Based on the Mercedes Sprinter van's registration and photos Detective Chin took of the deceased subject, along with a California driver's license in the name of Deming recovered at the scene, I believed the individual was likely Deming. Through DMV records checks and a search of a law enforcement public records database, I identified Deming's residence as [redacted]. Through a DMV "vehicle's registered to" inquiry, I identified Deming as the registered owner of a 2009 Mercury Grand Marquis (CA License [redacted]). Based on the circumstances of the incident, I believed evidence pertinent to the investigation would be located at Deming's residence and in his vehicle. I authored a search warrant for the residence and vehicle for evidence relevant to the investigation. The warrant was signed by Judge Hernandez. See attached warrant.

On 7/5/2015, about 1915 hours, Sergeant Schlehuber, Detectives Chin, Stocking, Silacci, Officer Lengel, and I served the warrant at [redacted] Deming's [redacted] was the only individual present at the residence. Detectives Stocking and Lengel spoke to [redacted] while Detectives Chin, Silacci, and I conducted the search. I took a video recording of the interior of the residence prior to beginning the search. Deming's bedroom was identified as the bedroom at the end of the interior hallway on the left side of the hallway (toward the front of the residence). This bedroom was the only room containing male clothing and the bedroom contained numerous items belonging to Deming, including prescription medications and written reports for school containing Deming's name. A second bedroom in the residence, located halfway down the hallway on the left side, did not contain a bed or any items indicating a person was staying in it. The third bedroom, located at the end of the hallway on the right side, appeared to belong to [redacted]. The bedroom contained numerous items of women's clothing and items relating to [redacted] employment.

Approximately 10 minutes into the search, I heard [redacted] yell loudly and begin crying. I did not hear the contents of the conversation, but [redacted] reaction led me to believe she had been notified of Deming's death.

The following items were located and seized during the search of Deming's residence:

- 1) A handwritten document containing Deming's writings from a cardboard box on his bedroom floor.

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - NARRATIVE**

DATE/TIME WRITTEN
07/05/2015 10:49

CASE NUMBER
2015-00024571

REPORTING OFFICER
Shuffield, Robert, .

- 2) An Amoxicillin prescription belonging to J. Deming (Indicia) was found in Deming's top right dresser drawer inside his bedroom.
- 3) A Canon video camera from the top of Deming's bed inside his bedroom.
- 4) A small green composition book containing Deming's writings from the top of Deming's bed inside his bedroom.
- 5) A black journal containing Deming's writings from his bed inside his bedroom.
- 6) An "Art of War" book, in which Deming had underlined specific passages, from the top of Deming's bed inside his bedroom.
- 7) A Macbook Pro notebook computer from the top of Deming's bed inside his bedroom.
- 8) Miscellaneous recordable CD's from the top of Deming's desk inside his bedroom.
- 9) A black flash drive from the top of Deming's desk inside his bedroom.
- 10) A brown wooden box containing a digital scale, small plastic press lock baggies, and an unfired .45 caliber cartridge from the top of Deming's desk inside his bedroom.
- 11) A black pry-bar from the top of Deming's desk inside his bedroom.
- 12) Numerous handwritten documents from the top of Deming's desk inside his bedroom.
- 13) Three notebooks (one red, one yellow, and one green) containing Deming's writings from Deming's closet floor inside his bedroom.
- 14) A Panasonic video camera from the top shelf of Deming's closet inside his bedroom.
- 15) A desktop computer from under Deming's desk inside his bedroom.
- 16) A Sharp brand video camera from the floor of the garage.
- 17) A Panasonic video camera from the top of a television inside the garage.
- 18) A Sony video camera from the TV stand inside the garage.

During the search, additional items were located which appeared relevant to the investigation, but were not described in the search warrant. Detective Sarasua authored a second search warrant and the following items were collected:

- 1) A body armor carrier and body armor plates from Deming's desk chair inside his bedroom.
- 2) A pistol magazine loaded with 7 .45 caliber cartridges from the top of Deming's desk inside his bedroom.
- 3) A black air soft pistol with the orange safety tip removed from the top of Deming's bed, under

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/05/2015 10:49	CASE NUMBER 2015-00024571
	REPORTING OFFICER Shuffield, Robert, ,	

the comforter, inside his bedroom.

See attached warrant and Detective Sarasua's supplemental reports.

The 2009 Grand Marquis was not located at the residence so a search of the vehicle was not conducted.

I booked the items recovered from the two search warrants at Room as evidence. into the PPD Property

R. Shuffield 276

CONTROLLED DOCUMENT

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - PROPERTY RPT**

DATE/TIME WRITTEN
07/05/2015 10:49
REPORTING OFFICER
Shuffield, Robert ,

CASE NUMBER
2015-00024571

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	1	DOCUMENTS		
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
HANDWRITTEN DOCUMENT - 1					PPD75789
02	E	1	DRUGS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
AMOXICILLIN PRESCRIPTION FOR J. DEMING - 2					PPD75790
03	E	1	ELECTRONICS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
CANON VIDEO CAMERA - 3					PPD75778
04	E	1	DOCUMENTS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
SMALL COMPOSITION BOOK - 4					PPD75779
05	E	1	DOCUMENTS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
BLACK JOURNAL BOOK - 5					PPD75820
06	E	1	DOCUMENTS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
"ART OF WAR" BOOK - 6					PPD75814
07	E	1	ELECTRONICS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
MACBOOK PRO - 7					PPD75767
08	E	1	MEDIA- AUDIO, VIDEO	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
MISC CD'S - 9					PPD75785
09	E	1	MEDIA- AUDIO, VIDEO	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
FLASH DRIVE - 10					PPD75776
10	E	1	PARAPHERNALIA-DRUGS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
BROWN BOX WITH SCALE, BAGGIES, AND LOOSE .45 ROUND - 11					PPD75777
11	E	1	TOOLS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
PRY BAR - 12					PPD75858
12	E	1	DOCUMENTS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
HANDWRITTEN DOCUMENTS - 13					PPD75784
13	E	3	DOCUMENTS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
RED, YELLOW, GREEN NOTEBOOKS - 14					PPD75808
14	E	1	ELECTRONICS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
PANASONIC VIDEO CAMERA - 15					PPD75774
15	E	1	ELECTRONICS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
SHARP VIDEO CAMERA - 16					PPD75826
16	E	1	ELECTRONICS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
DESKTOP COMPUTER - 17					PPD75795
17	E	1	ELECTRONICS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
PANASONIC VIDEO CAMERA - 18					75796
18	E	1	ELECTRONICS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
SONY DIGITAL CAMERA - 19					PPD75802
19	E	1	MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
BODY ARMOR CARRIER AND INSERTS - 1A					PPD75780
20	E	1	MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
HANDGUN MAGAZINE WITH 7 .45 CALIBER ROUNDS - 2A					PPD75783

**PLEASANTON POLICE DEPARTMENT
SUPPLEMENTAL - PROPERTY RPT**

DATE/TIME WRITTEN
07/05/2015 10:49

CASE NUMBER
2015-00024571

REPORTING OFFICER
Shuffield, Robert, .

CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

21	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) AIR SOFT GUN - 3A					TAG NUMBER PPD75775
22	CODE E	QTY 1	TYPE CLOTHING, FURS, ETC	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) COBLER'S UNIFORM PANTS					TAG NUMBER PPD73960
23	CODE E	QTY 1	TYPE CLOTHING, FURS, ETC	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) COBLER'S UNIFORM SHIRT					TAG NUMBER PPD73966
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
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CASE NUMBER

2015-00024571

CROSS REF CASE #1(S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/14/2015	TIME 15:26	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

Detective Chin and I interviewed Officer Middleton in interview room #1.

OFFENSE	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE

SUBJECTS	NO.	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
2							
3							
4							
5							
6							
7							
8							
9							
10							

VEHICLES	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						
VEHICLES	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						VALUE

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER: _____			

REPORTING OFFICER Silacci, Erik, ,	DATE WRITTEN 07/14/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 10/1/2015 16:12
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/14/2015 15:26	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, .	

Narrative:

On 07/06/15 I returned to the PPD station and assisted with interviews of officers who were witnesses to the Officer Involved Shooting that occurred on 07/05/15. We conducted interviews of Officer Anthony Pittl, Officer Bradley Middleton and Officer Steve Bennett.

All interviews were conducted in interview room #1. Officer Pittl's interview began at approximately 1120 hours and ended at approximately 1254 hours. Present in the room were Officer Pittl, (legal counsel), Detective Chin and myself. Officer Bennett's interview began at approximately 1602 hours and ended at approximately 1643 hours. Present in the room during the interview were Officer Bennett, (legal counsel), Detective Chin and myself. Refer to Detective Chin's supplemental reports for details on Officer Pittl's and Officer Bennett's interviews.

Officer Middleton's interview began at approximately 1349 hours and ended at approximately 1444 hours. Present in the room were Officer Middleton, (legal counsel), Detective Chin and myself. During Officer Middleton's interview he referred to the south side of Specialty Sales as the west side. Later in his interview he indicated the west side of the business was closest to a piano store. I am familiar with the area and understood that Officer Middleton was referring to Graham Piano Studio located at 4337 First Street Suite B. This business is in an adjoining building located south of Specialty Sales. For purposes of Officer Middleton's interview when he referred to a location of west or west side the correct location was south. The following is a summary of Officer Middleton's interview (in summary).

Officer Middleton said that on the morning of July 5, 2015 he was wearing a full uniform and full duty belt to include department issued gun, radio, baton and Taser. Officer Middleton also said he was carrying his department issued body worn camera and audio recorder but did not activate either during the incident.

Officer Middleton said prior to the incident he was report writing in the parking lot of St. Elizabeth Seton Catholic Church, 4001 Stoneridge Drive. Officer Middleton noticed an alarm call pending at Specialty Sales and was eventually dispatched to the call as the primary officer. Officer Kunkel, who was working in beat 1, was assigned as a cover officer. Sgt. Gora radioed dispatch and advised he was close to the business and said he would take cover on the call. Officer Kunkel radioed and said he would take primary to allow Officer Middleton to continue report writing. Officer Middleton was canceled from the call and continued his report writing.

Moments later Sgt. Gora advised over the radio he was on scene and could see a "Sprinter van" near the business with a door open. Sgt. Gora then said "I got a glass break". Officer Middleton radioed dispatch he was in route to the business and started responding to the scene.

While driving to the business Officer Middleton heard Sgt. Gora radio "I can hear screaming...someone is inside...something is going on". Sgt. Gora requested responding units respond code 3 (lights and siren). Officer Middleton activated his emergency lights and siren and responded code 3. Upon arrival Officer Middleton parked his patrol vehicle on First Street in front of Cole's Market. Officer Middleton saw and officer, who he believed was Officer Kunkel signal his presence with a flash light. The officer was posted to

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	<small>REPORTING OFFICER</small> Silacci, Erik, .	

the rear of Specialty Sales. Officer Middleton also saw Sgt. Gora who was posted near the front of the business.

Based on the unusual circumstances described over the radio by Sgt. Gora, Officer Middleton believed the incident could possibly become a critical incident and decided to deploy his department issued patrol rifle. Officer Middleton approached the business on foot and met up with Sgt. Gora at the front of the business. Sgt. Gora radioed for additional officers to respond and asked dispatch to notify Livermore PD and asked for their assistance as well.

Officer Kunkel then came over the radio and advised he (Officer Kunkel) had seen the suspect inside the business and provided a brief description: male with a pony tail wearing black clothing. Officer Kunkel said the suspect was running towards the front of the business.

Officer Middleton positioned himself in front of the south building and noticed the suspect walking through a breeze way carrying a box of keys. The suspect looked up at Officer Middleton but did not react to his presence and began pulling keys from the box. Officer Middleton kept visual of the suspect as he walked to the back of the showroom and then back to the front. The suspect began yelling (unknown what was said) as he paced back and forth. At one point the suspect threw some keys into the air and then sat inside a vehicle, believed to be a Mustang.

Officer Middleton assumed the suspect was trying to steal a vehicle and kept his rifle trained on the suspect. The suspect exited the vehicle and looked directly at Officer Middleton, but did not say anything and shrugged. Officer Middleton's impression of the suspect's actions was that the suspect was shrugging as if to say "he was supposed to be there". Based on the suspect's actions and demeanor Officer Middleton believed the suspect was under the influence. The suspect then ran to the back of the building and started yelling again.

Officers Paulson, Palmquist, Bennett and Cobler arrived on scene and met with him and Sgt. Gora near the front of the business. Officer Middleton said the group began establishing a perimeter around the business. Officer Cobler was directed to take a position to the rear of the building.

Moments later the suspect walked towards Officer Middleton who was now on the southeast corner of the building and raised his arms and said "you want to talk?" The suspect continued to pace around the building and never reacted to the fact Officer Middleton was pointing a rifle at him or that approximately six other officers were outside the business. The suspect continued yelling and "throwing up his arms".

The suspect then climbed up into the rafters and started pulling on the overhead conduit. At one point Officer Middleton recalled the suspect yelling out "I'm a mountain lion". From there the suspect traversed a large section of the showroom by swinging overhead from conduit and/ or supporting beams. At one point the suspect dropped from the rafters and fell approximately 10-15 feet but did not sustain any visible injury. Officer Middleton was suprised the suspect didn't appear injured considering how far he had fallen. Officer Middleton said the suspect wasn't "phased" by the fall and continued running and pacing around showroom floor. The suspect then ran up to the front of the building and performed a running jump kick landing against one of the front windows. The window did not break. The suspect picked up a floor jack and threw it at one of the front windows. The window did not break. The suspect picked up a red colored floor jack and threw it at another front window. The window broke and the floor jack landed out in the street directly in front of the

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	REPORTING OFFICER Silacci, Erik ,	

business (First Street).

The suspect stood in the doorway of the broken window. Sgt. Gora called for "less lethal" to be deployed on the suspect. Officer Palmquist who was carrying a less lethal shotgun and was positioned on the north side of the broken window advised he had a double feed.

Officer Middleton slung his rifle and pulled out his Taser. Officer Middleton powered his Taser on and pointed the red laser directly at the suspect. Officer Middleton ordered the suspect "hands up...hands up...come outside...come out now...do it now". As Officer Middleton was giving orders Officer Bennett, who was posted on the other side of the doorway deployed a less lethal shotgun round at the suspect. Officer Middleton did not know if the round hit the suspect.

The suspect then retreated back inside the business. Officer Pittl and Officer Sheldon (K-9 officer) were now on scene and entered through the front of the business. Other officers including Sgt. Gora also entered the building. Officer Middleton saw the suspect climb onto the roof of a truck on the showroom floor. The suspect sat down directly facing the approaching officers. Officer Sheldon began giving commands "hands up...hands up...you're going to get bit...you're going to get bit...I'm going to release the dog". The suspect did not react to the commands and seemed "nonchalant" about what was happening.

At this point Officer Middleton was now carrying his rifle and was near the back of the group of officers. Sgt. Gora asked for one of the officers to deploy a Taser. Officer Bennett stepped up and ordered the suspect to put his hands up but the suspect did not obey any commands. Office Bennett deployed his Taser at the suspect. Officer Middleton noticed at least one of the Taser probes attached to the suspect's arm. The suspect did not appear to be affected by the Taser deployment and reached down and pulled the wire(s) from his arm.

Officer Sheldon continued to give commands to the suspect and again the suspect did not obey. Officer Bennett reloaded another cartridge into this Taser and fired at the suspect. From Officer Middleton's vantage point he believed the Taser probes hit the suspect. However, the suspect did not appear to be affected by the Taser and again swiped the wire(s) from his chest and arms. Officer Paulsen who was carrying a less lethal shotgun deployed two less lethal rounds at the suspect. Officer Middleton did not know if any of the rounds hit the suspect and said he (suspect) did not appear to be affected by the rounds.

Officer Middleton said the suspect did not appear to be phased by any of the less lethal use of force employed up to this point in the incident. Officer Middleton said the suspect appeared to be "ramping this up" and didn't seem to care. Officer Middleton said he had never seen anyone like the suspect was and believed the suspect wasn't going to comply with officers and was taking the incident "to another level".

Officer Sheldon continued to order the suspect down off of the truck but the suspect did not obey. Officer Sheldon was getting ready to deploy the K-9 when the suspect jumped off of the truck and began running from officer through the breeze way and towards the back of the north building.

Officers pursued the suspect to a broken window located in the rear of the north building. Officer Middleton looked out the window and saw Officer Cobler running. Officer Middleton heard Officer Sheldon calling the K-9 and thought Officer Cobler might have been running from the K-9. As Officer Middleton turned to make

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his way out through the front of the building and go around he heard three gun shots. Officer Middleton estimated the gun shots rang out 10 seconds after he arrived at the broken window. Officer Middleton said the gun shots came from behind the Specialty Sales building near Spring Street. Officer Middleton turned back around and eventually made his way out of the building through the broken window. From there Officer Middleton walked out onto the sidewalk on Spring Street and into an adjoining parking lot where the Sprinter van was parked. As Officer Middleton turned the corner into the parking lot he saw Officer Kunkel and the suspect lying on the ground. Officer Kunkel and the suspect were approximately eight to ten feet apart (feet facing each other). Officer Sheldon's K-9 was biting the suspect's shoulder as Officers Cobler and Pittl were trying to control the suspect. As Officer Middleton looked at the suspect and Officer Kunkel his (Officer Middleton) "stomach dropped" and his first thought was Officer Kunkel had been shot by the suspect.

When Officer Middleton reached Officer Kunkel, he was on his back looking straight up and said "I'm okay...I'm okay...I think I hurt my legs and back". Officer Middleton saw a handgun lying on the ground a few feet from Officer Kunkel's right hand. Officer Middleton heard someone call for a medical kit. Officer Middleton started walking to his vehicle to retrieve his first aid kit just as a Livermore Police Officer walked up carrying a first aid kit. From there Officer Middleton accompanied Officer Pittl, Officer Sheldon and the Livermore PD Officer on a secondary search of the business. Officer Middleton assisted with securing the crime scene. Officer Middleton was then sequestered in interview room #1 but was later told he could leave and had an interview scheduled for the following day (07/06/15).

The above interview was summarized for purposes of my report. For complete interview details refer to the video recording.

Recommendations: attach to original report.

Silacci #216

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/20/2015	TIME 13:46	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT

On 07/09/15 Officer Lengel and I interviewed _____ and _____

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE

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NO.	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
1	WT	_____	_____	_____	_____	AUDIO RECORDED
2	WT	_____	_____	_____	_____	AUDIO RECORDED
3	WT	_____	_____	_____	_____	AUDIO RECORDED
4						
5						
6						
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8						
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10						

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CASE VEHICLE #1		YEAR	MAKE	MODEL	STYLE
ROLE	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR
DESCRIPTION					
PROPERTY VEHICLE #1		YEAR	MAKE	MODEL	STYLE
ROLE	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR
DESCRIPTION					VALUE

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<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER: _____			

REPORTING OFFICER Silacci, Erik, ,	DATE WRITTEN 07/20/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 10/1/2015 16:24
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**PLEASANTON POLICE DEPARTMENT
SUPPLEMENT - INVOLVED SUBJECTS**

DATE/TIME WRITTEN
07/20/2015 13:46

CASE NUMBER
2015-00024571

REPORTING OFFICER
Silacci, Erik,

INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITIZEN, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PO-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01

INVOLVED WT	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
RESIDENCE ADDRESS	WEIGHT/RANGE to	HAIR	EYES
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

02

INVOLVED WT	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
RESIDENCE ADDRESS	WEIGHT/RANGE to	HAIR	EYES
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

03

INVOLVED WT	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
RESIDENCE ADDRESS	WEIGHT/RANGE to	HAIR	EYES
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

INVOLVED	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
RESIDENCE ADDRESS	WEIGHT/RANGE to	HAIR	EYES
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

INVOLVED	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to
RESIDENCE ADDRESS	WEIGHT/RANGE to	HAIR	EYES
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS	WORK PHONE		
CLOTHING			

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/20/2015 13:46	CASE NUMBER 2015-00024571
	REPORTING OFFICER Silacci, Erik, ,	

Narrative:

On 07/09/15 I returned to work and noticed I had a voicemail from [redacted] was mentioned as the other band member that Deming Jr. had played with a few days before this incident in Dublin [redacted] goes by the name [redacted] and was mentioned by [redacted] during his interview.

I called [redacted] back and asked if he was available for an interview. [redacted] said he was available later that morning.

After I spoke with [redacted] I asked Detective Boccassile if he had a phone number or address for [redacted]. Based on the information I had up to this point I believed Deming Jr. had met with [redacted] a day or two before this incident. Detective Boccassile provided me with an address of [redacted]. I ran the address using a law enforcement database and learned [redacted] was associated to the residence.

At approximately 1040 hours Officer Lengel and I drove to the above mentioned address. I knocked on the door and a female adult who identified herself as [redacted] of [redacted] answered. I identified myself by my department issued ID card and badge and asked to speak with [redacted]. [redacted] invited us inside the residence and said she would go and get her. [redacted] returned a few moments later and said [redacted] would be out in a few minutes.

While we waited for [redacted] I asked [redacted] if Deming Jr. was at her residence recently. [redacted] said he (Deming Jr.) was at the residence on the evening of July 4th 2015. [redacted] said it was the first time she had met Deming Jr. and said her [redacted] had arranged to give Deming Jr. an organ. [redacted] said Deming Jr. arrived around 1900 hours that evening and loaded the organ into a white van. During her brief conversation with Deming Jr. mentioned he was going to take the organ to San Jose. [redacted] described Deming Jr. as "very polite...and a very nice young man". Deming Jr. left shortly after loading the organ into the van (refer to audio recording for further details).

[redacted] appeared and agreed to speak with us. [redacted] told me the following (in summary):

[redacted] knew Deming Jr. through her friend [redacted]. Deming Jr.'s [redacted] : said she had been friends with Deming Jr. for a few months. During a recent text conversation [redacted] mentioned her family was going to give away their organ. Deming Jr. said he wanted the organ and agreed to pick-up the organ on July 4th.

[redacted] said Deming Jr. arrived sometime after 1900 hours. Deming Jr. loaded the organ then left a few moments later. During their brief conversation Deming Jr. said he was headed to San Jose, presumably to drop off the organ at his [redacted] house. From there Deming Jr. said he was planning to return to Modesto later that night. [redacted] did receive a text message later that night from Deming Jr. around 2040 hours indicating the organ wasn't working. Deming Jr. said he believed the power cord was the cause. The text message conversation continued until 2100 hours.

I asked [redacted] if she was aware of any drug use by Deming Jr. [redacted] said she believed Deming Jr. had a medical marijuana card but she wasn't aware of any "hard" drug use. [redacted] said Deming Jr. told her about one of his friends who was using "hard" drugs. Deming Jr. stopped speaking with the friend. [redacted] believed

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	REPORTING OFFICER Silacci, Erik, .	

the friend's name was (unknown last name).

Later in our conversation Officer Lengel asked if she remembered a text conversation she had with Deming Jr. regarding him using psychedelic mushrooms. initially said she didn't remember the conversation but later said she did speak with Deming Jr. (via text) about taking mushrooms couldn't remember how long ago the conversation occurred but indicated Deming Jr. was apparently driving under the influence of mushrooms. also couldn't elaborate on any specifics on their conversation and could only remember she told Deming Jr. she was angry and told him he shouldn't drive if he was under the influence.

said the above mentioned text conversation had since been deleted from her phone but she did allow me to view the text conversation between her and Deming Jr. from July 4th. The conversation began with Deming Jr. asking if he could pick up the organ. They agreed on 1900 hours and later texted her address. allowed me to photograph the text conversation (refer to iPad photographs for full details).

The above interviews were summarized for purposes of this report. Please refer to the audio recordings for full statement details.

Officer Lengel and I then drove to and met with invited us inside his residence and agreed to speak with us. told Officer Lengel and I the following (in summary):

said he posted an ad in craigslist for a singer for his band approximately 2 weeks ago. A person who identified himself as replied to the ad and said he was interested in the singing position and provided a website I had previously viewed the website: The website includes pictures of Deming Jr. and audio clips of him singing.

agreed to meet Deming Jr. on June 30 at his friend's house for an audition. The day of the audition Deming Jr. was dropped off by an unknown person in an unknown vehicle. Deming Jr. texted before arriving and said he was running late because he gave his ride the wrong directions. Deming Jr. then texted at 1416 hours and said he was outside house. Deming Jr. was supposed to have a microphone but did not bring one. and played music for about an hour and Deming Jr. tried to sing over the music but he couldn't be heard because he didn't have a "rig" (microphone and speaker). last saw Deming Jr. waiting for a ride on a bench down the street from house. later received text from Deming Jr. stating he would contact him (when he had his "rig". did not respond.

said he had spoken with prior to my conversation with him regarding this incident. looked up a news story on the shooting on the internet and saw a picture of Deming Jr. in a football uniform. said the person who auditioned with his band was the same person in the picture (Deming Jr.).

I provided my contact information and asked if he could send me any email correspondence between him and Deming Jr. said he would go through his emails and send me what he had.

The above interview was summarized for purposes of this report. Refer to the audio recording for full

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	REPORTING OFFICER Silacci, Erik, .	

interview details.

I later returned to the PPD station and received an email from [redacted] The email included the conversation between him and Deming Jr. regarding the craigslist ad (no longer posted) and the audition (see attached emails).

Recommendation: attach to original report.

Silacci #216

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S:

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/14/2015	TIME 13:47	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE

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SYNOPSIS OF EVENT:

On 7/11/15 at around 1400 hours, I met with _____ at Specialty Sales in Pleasanton. During this contact, I collected the two floor jacks that the suspect threw during the incident that occurred on 7/5/15. Both floor jacks were booked into evidence at the Pleasanton Police Department.

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P.C.	PROPERTY TYPE	VALUE
						E	MISCELLANEOUS	\$100.00
						E	MISCELLANEOUS	\$100.00

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NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
1	SB					
2						
3						
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CASE VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						
PROPERTY VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						VALUE

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DISTRICT ATTORNEY
 CHILD PROTECTIVE SERVICES
 ADULT PROTECTIVE SERVICES
 US POSTAL INSPECTORS
 JUVENILE PROBATION
 CITY ATTORNEY
 CODE ENFORCEMENT
 STREETS
 OTHER: _____

REPORTING OFFICER Sarasua, Benjamin, J,	DATE WRITTEN 07/14/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 10/5/2015 16:59
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**PLEASANTON POLICE DEPARTMENT
SUPPLEMENT - INVOLVED SUBJECTS**

DATE/TIME WRITTEN
07/14/2015 13:47

CASE NUMBER
2015-00024571

REPORTING OFFICER
Sarasua, Benjamin, J.

INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PG-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01

INVOLVED SB	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE
			WEIGHT/RANGE
			HAIR
			EYES
RESIDENCE ADDRESS			HOME PHONE
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE
CLOTHING			

INVOLVED	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE
			WEIGHT/RANGE
			HAIR
			EYES
RESIDENCE ADDRESS			HOME PHONE
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE
CLOTHING			

INVOLVED	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE
			WEIGHT/RANGE
			HAIR
			EYES
RESIDENCE ADDRESS			HOME PHONE
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE
CLOTHING			

INVOLVED	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE
			WEIGHT/RANGE
			HAIR
			EYES
RESIDENCE ADDRESS			HOME PHONE
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE
CLOTHING			

INVOLVED	NAME/BUSINESS NAME	DOB	AGE
ALIAS NAME	RACE	SEX	HEIGHT/RANGE
			WEIGHT/RANGE
			HAIR
			EYES
RESIDENCE ADDRESS			HOME PHONE
EMAIL ADDRESS	OTHER PHONE	DRIVER'S LIC NO./STATE	OTHER ID
EMPLOYER/SCHOOL RELATIONSHIP	EMPLOYER/SCHOOL NAME	OCCUPATION	
BUSINESS/SCHOOL ADDRESS			WORK PHONE
CLOTHING			

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 07/14/2015 13:47	CASE NUMBER 2015-00024571
	REPORTING OFFICER Sarasua, Benjamin, J,	

Supplemental Report:

On 7/11/15 at around 1400 hours, Sergeant Schlehuder and I went to Specialty Sales and met with [redacted] I asked [redacted] if I could take the two floor jacks that the suspect threw during the incident on 7/5/15. These two floor jacks would be later booked into evidence at the Pleasanton Police Department. [redacted] said he would call his boss to see if he would be willing to release both floor jacks to me. After a few minutes, [redacted] said his boss told him to release both floor jacks to me.

I obtained a written statement from [redacted] regarding the two floor jacks. In this statement, [redacted] indicated that these two floor jacks have been in the possession of Specialty Sales since the time this incident occurred on 7/5/15. These two jacks were the same jacks that were thrown by the suspect on 7/5/15 (See written statement).

I completed a property receipt for both floor jacks which [redacted] also reviewed and signed. I provided a copy of this property receipt to [redacted] and a copy will be included with this report.

After collecting the floor jacks from Specialty Sales, Sergeant Schlehuder and I drove back to the Pleasanton Police Department and placed both floor jacks into evidence.

Recommendations:

None

End of report.

B. Sarasua #258

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT		DATE/TIME WRITTEN 07/14/2015 13:47	CASE NUMBER 2015-00024571
		REPORTING OFFICER Sarasua, Benjamin, J.	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED			

01	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER 2351221	VALUE \$100.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) GRAY PITTSBURGH 3 TON FLOOR JACK					TAG NUMBER PPD75474
02	CODE E	QTY 1	TYPE MISCELLANEOUS	SERIAL NUMBER F12040196	VALUE \$100.00
DESCRIPTION (MAKE/MODEL/DESCRIPTION) RED/BLACK HARBOR FREIGHT 3 1/4 TON LOW PROFILE FLOOR JACK					TAG NUMBER PPD75468
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



SUPPLEMENTAL INVESTIGATION

CASE NUMBER

2015-00024571

CROSS REF CASE #S)

2015-00002088
 2015-
 2015-

DATE REPORTED 07/27/2015	TIME 14:23	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON

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SYNOPSIS OF EVENT

1. Notifications & Assignments
2. Witness Sequestration
3. Computer-Assisted Dispatch (CAD) Log
4. Crime Scene Walk-Through
5. Dispatch Recording
6. Neighborhood Canvass

OFFENSE	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE

SUBJECTS	NO.	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1	VM	KUNKEL, DANIEL			34	M
2	SU	DEMING, JOHNATHON PATRICK JR.		1/29/1996	19	M	NONE
3							
4							
5							
6							
7							
8							
9							
10							

VEHICLES	CASE VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
	DESCRIPTION							
VEHICLES	PROPERTY VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
	DESCRIPTION							VALUE

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER			

REPORTING OFFICER Stocking, Brandon, ,	DATE WRITTEN 07/27/2015	APPROVED BY schlehuber205 Goulart, Margaret Mary 9/10/2015 03:07
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INVOLVED PARTY CODE: AO-ANIMAL OWNER, CI-CITED, DC-DECEASED, DR-DRIVER, IP-INVOLVED PARTY, LO-LEGAL OWNER, MP-MISSING PERSON, O-OTHER, PO-PARENT/GUARDIAN, PV-PARKED VEHICLE, PS-PASSENGER, PE-PEDESTRIAN, PO-PROPERTY OWNER, RO-REGISTERED OWNER, RP-REPORTING PARTY, SB-SUBJECT, SU-SUSPECT, VB-VERBAL NOTICE, VM-VICTIM, WT-WITNESS

01	INVOLVED VM	NAME/BUSINESS NAME KUNKEL, DANIEL	DOB 34	AGE			
	ALIAS NAME	RACE W	SEX M	HEIGHT/RANGE 5' 11 to 5' 11	WEIGHT/RANGE 240 to 240	HAIR	EYES
	RESIDENCE ADDRESS 4833 BERNAL AVE PLEASANTON, CA 94566					HOME PHONE (925)931-5100	
	EMAIL ADDRESS			OTHER PHONE	DRIVER'S LIC NO /STATE	OTHER ID PASSPORT 189	
	EMPLOYER/SCHOOL RELATIONSHIP			EMPLOYER/SCHOOL NAME		OCCUPATION	
	BUSINESS/SCHOOL ADDRESS					WORK PHONE	
	CLOTHING						

02	INVOLVED SU	NAME/BUSINESS NAME DEMING, JOHNATHON PATRICK JR.	DOB 1/29/1996	AGE 19			
	ALIAS NAME	RACE W	SEX M	HEIGHT/RANGE 5' 11 to 5' 11	WEIGHT/RANGE 180 to 180	HAIR BRO	EYES HAZ
	RESIDENCE ADDRESS					HOME PHONE	
	EMAIL ADDRESS			OTHER PHONE	DRIVER'S LIC NO /STATE	OTHER ID /	
	EMPLOYER/SCHOOL RELATIONSHIP			EMPLOYER/SCHOOL NAME		OCCUPATION	
	BUSINESS/SCHOOL ADDRESS					WORK PHONE	
	CLOTHING						

INVOLVED	NAME/BUSINESS NAME	DOB	AGE			
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS					HOME PHONE	
EMAIL ADDRESS			OTHER PHONE	DRIVER'S LIC NO /STATE	OTHER ID /	
EMPLOYER/SCHOOL RELATIONSHIP			EMPLOYER/SCHOOL NAME		OCCUPATION	
BUSINESS/SCHOOL ADDRESS					WORK PHONE	
CLOTHING						

INVOLVED	NAME/BUSINESS NAME	DOB	AGE			
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS					HOME PHONE	
EMAIL ADDRESS			OTHER PHONE	DRIVER'S LIC NO /STATE	OTHER ID /	
EMPLOYER/SCHOOL RELATIONSHIP			EMPLOYER/SCHOOL NAME		OCCUPATION	
BUSINESS/SCHOOL ADDRESS					WORK PHONE	
CLOTHING						

INVOLVED	NAME/BUSINESS NAME	DOB	AGE			
ALIAS NAME	RACE	SEX	HEIGHT/RANGE to	WEIGHT/RANGE to	HAIR	EYES
RESIDENCE ADDRESS					HOME PHONE	
EMAIL ADDRESS			OTHER PHONE	DRIVER'S LIC NO /STATE	OTHER ID /	
EMPLOYER/SCHOOL RELATIONSHIP			EMPLOYER/SCHOOL NAME		OCCUPATION	
BUSINESS/SCHOOL ADDRESS					WORK PHONE	
CLOTHING						

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1. NOTIFICATIONS & ASSIGNMENTS:

Upon arrival at the station, I met with Sgt. Schlehuber at approximately 0430 hours on 7/5/15. Sgt. Schlehuber contacted the Alameda County District Attorney's Office and notified them of the officer-involved shooting. Sgt. Schlehuber contacted the Alameda County Sheriff's Department Crime Lab and requested the respond to assist with crime scene processing.

I requested Detective Chin go to Eden Hospital to obtain information about the suspect, who had not yet been identified, and his injuries.

Detective Boccasile had already responded to ValleyCare Hospital where Officer Kunkel was.

Former Detective Lengel, now assigned to patrol, reported to work early for his patrol shift which began at 0600 hours. Sgt. Schlehuber arranged with the patrol supervisor, Sgt. Fragomeli, for Officer Lengel to be temporarily re-assigned to the Criminal Investigations Unit to assist with the investigation.

I requested Detective Sarasua respond to take control of the crime scene and coordinate evidence processing. I instructed Detective Sarasua not to enter the interior of the crime scene until I responded for an initial walk-through.

At 0500 hours, I was contacted via phone by Deputy Coroner Easling. Deputy Easling advised she had been notified by Eden Hospital of the suspect's death and was responding there. Deputy Easling inquired about the suspect's identity and I told her the suspect had not yet been identified. The coroner's report number is 15-02088.

Lt. Knox was assigned to conduct the administrative investigation into the shooting. Sgt. Young was assigned to assist Lt. Knox.

2. WITNESS SEQUESTRATION:

At approximately 0430 hours on 7/5/15, I arrived at the station. I was advised by Sgt. Gora that he, along with five morning watch officers, two night watch officers and a Livermore PD Sergeant had been at the scene during or immediately after the shooting occurred. Sgt. Gora stated only Officer Kunkel had used lethal force on the suspect. Officer Kunkel was at ValleyCare Hospital. Sgt. Gora advised that all remaining Pleasanton officers were assigned to maintain perimeter positions until they could be relieved. Livermore PD Sergeant Horton had returned to his city.

As additional officers were called in from home for relief, involved officers began to be relieved of their assignments and returned to the station. As the officers arrived, I escorted them to various locations within the police station for sequestration. The following officers were placed in the following locations:

Sgt. Gora - Captain Finn's Office
Ofc. Middleton - Interview Room #1
Ofc. Bennett - Interview Room #2
Ofc. Sheldon - Youth/Community Services Unit

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Ofc. Paulsen - Sgt. Munayer's Office
Ofc. Palmquist - Overflow Lieutenant's Office
Ofc. Cobler - Downstairs Conference Room
Ofc. Pittl - Gymnasium

Officer Shuffield photographed each officer in the uniform they were wearing at the time of the shooting. These photographs were uploaded into DIMS.

Officer Kunkel was released from the hospital and transported back to the station by Detective Boccasile. Officer Kunkel was taken to the upstairs conference room. Officer McNeill arrived soon after and stayed with Officer Kunkel who was never left alone during this time. Officer McNeill arranged for Officer Kunkel's legal representative, _____ to come to the station.

I was later notified by _____ that Officer Kunkel was complaining of a possible head injury that had not been treated while he was at the hospital. At 1237 hours on 7/5/15, I met with _____ and Officer Kunkel in the upstairs conference room. I activated my digital audio recorder and advised Officer Kunkel that I wished for him to be able to obtain medical treatment for his head injury. I asked Officer Kunkel not to speak with anyone but his representative about the incident. I asked Officer Kunkel to refrain from watching any media coverage of the incident. Officer Kunkel stated he understood.

I told Officer Kunkel I wished to reconvene with him after he obtained medical clearance. Officer Kunkel chose a tentative time to meet for an interview at 1800 hours on 7/6/15.

3. COMPUTER-ASSISTED-DISPATCH (CAD) LOG:

I obtained a copy of the CAD Narrative Report for the incident to gather an understanding of what had occurred during the call for service. This report documents notations made by dispatch and the notations are date/time stamped. The narrative began at 02:08:59 on 7/5/15. Initial information provided in the CAD narrative indicated there was an alarm activated at 4321 First Street and a male subject on the premises refused to provide a name to the alarm company when the business was called.

Numerous subsequent notations were made by Dispatcher Timmerman and Dispatcher Harvey. At 02:10:58, additional alarm activations were reported. At 02:35:58, "SHOT FIRED" was notated in the narrative.

A complete copy of the CAD report was attached to this report and utilized for reference during the investigation.

4. CRIME SCENE WALK-THROUGH:

Detective Shuffield authored a search warrant for the premises of 4321 First Street to search for evidence of the burglary and shooting. The search warrant was signed electronically by The Honorable Judge Hernandez at 0650 hours on 7/5/15 (SEE DET. SHUFFIELD'S SUPPLEMENT FOR SEARCH WARRANT DETAILS).

I responded to the command post (4223 First Street) that had been established for the crime scene. I

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determined a crime scene had been established prior to my arrival.

Specialty Sales, 4321 First Street, is located in the southwest corner of the intersection of First Street (North/South) and Spring Street (East/West). Immediately west of the business is the entrance to a long parking lot which extends south and runs behind several businesses that face First Street. This parking lot is owned by The City of Pleasanton. This parking lot has a lane for two-way traffic with a row of parking stalls on each side. Vegetation and a chain link fence with planks inserted for privacy run along each side of the parking lot. On the east side of the parking lot is a walkway that runs southbound through the vegetation.

Immediately west of this parking lot is the entrance to the parking lot of 120 Spring Street. The paved parking lot runs in two directions from this point. A narrow driveway runs south along the east fence line. A second narrow driveway runs west, parallel to Spring Street with one row of parking stalls on its south side.

Traffic was blocked with crime scene tape in both directions on First St between Bay Street and Arendt Way. Traffic was blocked with crime scene tape in both directions on Spring Street between First Street and Railroad Avenue.

The interior crime scene was cordoned off with crime scene tape. This area included the entire parking lot of Specialty Sales (4321 First Street), the city-owned parking lot to the west of the business and the premises of 120 Spring Street.

I met with Sgt. Schlehuter, Det. Sarasua, Det. Boccasile, Officer Lengel, Lt. Knox and Sgt. Young from Pleasanton PD. I also met with DDA Wong and Inspector Medeiros from the Alameda County District Attorney's Office. Together, we entered the interior perimeter at 0826 hours on 7/5/15.

I saw a white Mercedes which was parked at the east entrance of the parking lot of 120 Spring Street facing south. A few feet southwest of the van, I saw what appeared to be blood stains on the concrete. Within a fifteen foot radius from the blood stain, I saw various items scattered on the ground. These items included a Sig handgun, a Taser with a discharged cartridge attached, a yellow shotgun, blood-stained clothing items, a watch, a wallet, military-style "dog tags" and various blood-stained medical supplies.

I inspected the exterior of the Mercedes van and noted the right rear door was open. Inside the van, I saw a couch and an air-compressor among other items in the cargo area of the van. The van had a paper license plate on the rear and no license plate on the front. A long pole was visible in the front passenger seat of the van.

A Pleasanton PD Patrol Supervisor vehicle was parked in the parking lot of 120 Spring Street facing east. A Pleasanton PD patrol vehicle was parked on the north side of Spring Street facing west, directly across from the northwest corner of 4321 First Street.

As I walked eastbound along the south sidewalk of Spring Street, I noticed two green pieces of plastic that appeared to be Taser cartridge doors. These were located between 4321 First Street and the adjacent city-owned parking lot. In the same area were multiple anti-felon identification devices (AFIDS) from a deployed Taser cartridge.

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As I approached the west side of 4321 First Street, I saw that the second window from the north end was broken on the west wall. A large hole was present on the south side of the window. This hole was large enough for a person to fit through. I saw broken glass both on the inside and outside of the building adjacent to this window.

I saw no exterior cameras at 4321 First Street or 120 Spring Street. I continued to walk eastbound on Spring Street. I noted six large windows on the north side of the business facing Spring Street that appeared intact. I turned right onto southbound First Street. From this vantage point, I could see that the main structure of 4321 First Street consisted of a large show room adjacent to the northeast corner of the intersection of First Street and Spring Street. A second large show room was located south of the first. The two show rooms were connected in the middle by a narrower portion of the building. The main entrance to the business was on the south show room facing east toward First Street.

As I walked southbound on First Street past the north show room, I noted all windows appeared intact on the east side of the north show room. As I approached the south show room, I saw there were two large windows on the south side of the east wall and two more on the north side of the east wall. Between the two sets of windows I saw a set of double-doors with wooden frames and glass centers. The glass of the northern door was shattered. This door was open. A large, red vehicle jack was outside the building resting on the west curb line of First Street.

I saw one expended and one unexpended bean-bag shotgun round on the east side of the south show room. I saw one bean bag projectile near the threshold of the double doors.

I entered the south show room through the open door and slowly walked through the interior of the business. Inside the business, I saw a second commercial jack resting on the hood of a vehicle that faced the east windows along First Street, north of the main entrance. The vehicle appeared to have damage caused from the jack landing on it.

On the hood of a red vehicle parked in the south show room, I saw the words "CONFRONT ME IN PEACE I HAVE MUCH TO TEACH" written in large black letters. In a small bathroom located off of the south show room, the words "HOPE N HUMANITY IS FAILED" written in similar style in black ink on a mirror.

Near the center of the south show room was a black Sharpee marker on the floor. I also located two expended bean-bag shotgun shells and two bean bag projectiles. Two Taser guns were on the floor. One of the Taser guns had no cartridge inserted. The second Taser had a deployed cartridge attached.

Two offices were along the north wall of the south show room. In the east office was part of a smashed guitar.

Inside the west office was a television monitor displaying seven live feeds of closed circuit surveillance cameras throughout the building. All of the feeds showed interior views. No exterior views were displayed. Several desks were in the office as well as file cabinets. Several of the drawers in the office were opened. The door on the north side of the office leads to a corridor that connects the north and south show rooms. I noticed damage to this door's frame that appeared to be caused by the door being forced open, inward toward the office.

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As I walked into the south end of the corridor, I saw a wooden sign on the floor that appeared to have fallen from the wall above it. Next to this sign, I saw what appeared to be a Taser wire on the floor. I noticed a surveillance camera above the south entrance of the corridor was dangling from its mount. Near this corridor entrance was a red car parked in the south show room. On the hood of the car, I saw several car keys scattered. On the floor next to the car, I saw small fragments of wood. It appeared that these fragments could have been from the smashed guitar seen in the east office. As I walked through the corridor to the north, I saw a broken window to another office with glass on the floor below it.

I walked into the north show room and could see the broken window on the northwest corner of the building. I noticed a cream-colored powder coated some of the cars parked in the show room and saw the same powder was on areas of the floor. I saw a large fire extinguisher near the center of the show room and a nearby pin that appeared to have been pulled from the extinguisher.

I pointed out my findings to Detective Sarasua and did not disturb items in the scene. Criminalist Wong, Criminalist Dilbeck and Technician Overcash from the Alameda County Crime Lab arrived at 0906 hours. Detective Sarasua, Detective Boccasile and Crime Lab personnel began to process the interior and exterior scenes for evidence collection, photography and measurement (SEE SUPPLEMENTAL REPORTS AND CRIME LAB REPORT FOR DETAILS).

I returned to the station with Sgt. Schlehuber, Officer Lengel, DDA Wong and Inspector Medeiros.

5. DISPATCH RECORDING:

At the station, Sgt. Schlehuber provided me with a CD containing the audio recording of radio communications during the incident. The recording was time condensed because when the audio is burned to disc, gaps between transmissions are removed.

I listened to the recording with Officer Lengel, DDA Wong and Inspector Medeiros. The recording is 15 minutes, 30 seconds long and begins with the alarm call being dispatched. Dispatcher Harvey is dispatching during the incident. I determined the following officers had been assigned the following call signs during the incident according to CAD records:

S13 - Sgt. Gora
H11 - Ofc. Kunkel
H21 - Ofc. Pittl
H22 - Ofc. Middleton
H31 - Ofc. Palmquist
H32 - Ofc. Paulsen
K12 - Ofc. Bennett
K21 - Ofc. Sheldon (K-9)
K31 - Ofc. Cobler

I was also provided a copy of records of radio transmissions. This listed the date, time and duration of each transmission as well as the radio from which the transmission was made. This assisted me with identifying

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who made which transmission. I heard the following in summary on the dispatch recording. This is not a complete transcription. For full details, see audio file:

Harvey dispatched Ofc. Middleton and Ofc. Kunkel to an audible alarm at Specialty Sales, 4321 First Street. Harvey advised the alarm was coming from two motion sensors and that a male subject was on the premises but refused to give his name to the alarm company. Sgt. Gora advised he was at the station and could act as cover officer. Harvey cancelled Ofc. Middleton's response. Ofc. Kunkel advised he would continue to the call so that Ofc. Middleton could continue to write his reports.

Sgt. Gora advised he arrived on scene and that a Mercedes Sprinter van with paper license plates was parked behind the business. Sgt. Gora advised the dome light of the van was on, the back door was open and no one was around. Sgt. Gora then stated "I got a window break on the business." Ofc. Middleton instructed dispatch to reassign him to the call.

Sgt. Gora: "There's somebody screaming very loud inside the building and smashing things...Start my cover code three." (A noise - possibly screaming - can be heard in the background during this transmission.)

Ofc. Middleton: "Henry 22 code Three."

Sgt. Gora advised he was near the northwest corner of the building

Dispatch requested Ofc. Kunkel's estimated time to arrival and Ofc. Kunkel advised "I'm 97 (on scene), didn't want to interrupt." Sgt. Gora asked Ofc. Sheldon "Are you still on the air?" Ofc. Sheldon replied "Affirm. From Livermore though." Sgt. Gora said "Yeah start code three. Something's going on in this building. We're just going to set up a perimeter right now."

Sgt. Gora asked Ofc. Palmquist and Ofc. Paulsen "Are you guys just on that dog call?" One of these officers responded "We are both en route from Ruby Hill." Sgt. Gora then advised one of them to deploy "a less lethal" when they arrived.

Officer Kunkel: "I've got eyes on. There's a male subject, ponytail, wearing all black clothing. He's running to the front of the building...I can't see if he's holding anything."

Ofc. Middleton: "I got eyes on...He's heading back to the back of the building...with a black bandana around his face."

Ofc. Kunkel: "I think he's got a box in his hands."

Ofc. Middleton: "Affirm. It looked like he was going through a box of keys or something."

Ofc. Kunkel: "There might be another person in here as well. I don't know if he's talking to himself or somebody else. It looks like he's coming out the back now toward me."

Ofc. Middleton "11-from 22, did you see him come out?"

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Sgt. Gora: "Yeah he's heading to the front."

Ofc. Middleton: "Copy. I can hear him talking inside."

Ofc. Bennett then said "I'm back on the air. Where am I needed?" Sgt. Gora requested Ofc. Cobler be paged to respond from the station. Ofc. Kunkel asked for "An ETA on the K-9."

Sgt. Gora: "His home. Cobler I want you on the south, let's put you on the southwest corner, kind of backed up to the liquor store. Dan's got the northwest corner and then Middleton and I will take the East side of the building for right now. It's just an awkward sized building and we've got it pretty much all surrounded right now."

Ofc. Cobler: "What's the location again?"

Sgt. Gora: "The corner of Kottinger and First Street. It's a classic car shop."

Ofc. Kunkel: "He's going toward the front again. He's put the box down. He's got something in his hand. I can't tell what it is."

Sgt. Gora: "Copy. Let's get one unit to keep a car going at Kottinger and First in case this goes mobile (inaudible) got access to all the car keys in there."

Ofc. Middleton addressed Sgt. Gora and advised "He's requesting to talk to (inaudible) on the phone"

Sgt. Gora: "I'm sorry what was that?"

Ofc. Paulsen and Ofc. Palmquist announced their arrival at the scene and dispatch acknowledged both arrivals. Ofc. Sheldon advised "Just FYI I'm on Stanley" and dispatch acknowledged.

Sgt. Gora: "Can you see if Livermore has a couple units. It's a really big building. We're spread out really thin here."

Ofc. Kunkel: "Sam 13, Henry 11, you want the K-9 over here with me at the window with the hole in it?"

Sgt. Gora said "He just tried to force his way through the front. He's got a big pole." Someone could be heard yelling in the background of this transmission.

Ofc. Pittl announced "Clearing the jail now." Dispatch acknowledged.

Ofc. Kunkel: "I'm holding my spot in the rear. Can I get an update from the front?"

Harvey: "Henry 22?"

Ofc. Middleton said "They're challenging him."

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Harvey: "Copy. Subject's challenging them."

Ofc. Middleton: "He's running to the back of the building."

Harvey : "Subject's running through the back."

Sgt. Gora: "Less lethal deployed"

Harvey: "Copy. Less lethal deployed."

Ofc. Kunkel: "He's still at the back of the building"

An officer whose voice I could not recognize said "He went over there on that north bay side over there."
Another officer who I could not recognize said "He's in the southwest corner." Two loud screams can be heard in the background at the end of this transmission.

Sgt. Gora: "He's still inside. We can hear him screaming."

An officer I could not recognize said "Eyes on in the back. He's walking on top of cars" and then "He's making his way to what looks like windows or the roof. It's going to be toward that over there in between the two buildings."

Ofc. Bennett: "He's in the rafters."

Harvey: "Dispatch copies subject in the rafters. Sam 13, two units from Livemore Code 3 en route."

Sgt. Gora: "Copy."

Ofc. Pittl: "Henry 21 to Sam 13, I'm coming on scene. Where do you want me?" (Sirens heard in background)

Sgt. Gora: "I'm sorry is that you Pittl?"

Ofc. Pittl: "Affirm. Where do you want me?"

Sgt. Gora: "Come to Spring and First Street. Meet with Sheldon and myself."

Ofc. Pittl: "10-4"

Sgt. Gora: "Sam 13 to units in the back. We are making entry with the K-9"

Ofc. Kunkel: "Copy. For the K-9 there's glass all over the ground back here."

Harvey: "Dispatch copies. Making entry with the K-9"

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Unidentified Officer: "To the rear. He's out the back to the rear" (Dog can be heard barking in background)

Ofc. Kunkel: "We got one out the back of the building"

Harvey: "Dispatch copies one out the back of the building"

Ofc. Kunkel: "Henry 11 shot fired"

Ofc. Cobler: "Code 3 medical"

Harvey: "Code 3 medical"

Sgt. Gora: "I need code three medical"

Harvey: "Sam 13 I copy code three medical. To the rear? Confirm."

Harvey: "Sam 13 Fire's en route."

Sgt. Gora: "Sam 13 I'm going to need two ambulances"

Harvey: "I copy two ambulances"

Ofc. Pittl: "We're starting medical. Starting medical on the suspect now"

Harvey: "I copy starting medical on the suspect"

Ofc. Pittl: "We are going to clear the building, myself, Sheldon and the Livermore unit."

As the transmissions continue, Sgt. Gora instructs medical units to respond via Main Street to Spring Street. Sgt. Gora requested Lt. Knox be notified of the shooting. Ofc. Palmquist advised that fire personnel were on scene. Officer Sheldon arranged with Sgt. Gora to set up crime scene tape. Sgt. Gora made arrangements for traffic to be blocked on First Street and Spring Street.

See audio recording of radio traffic for complete details. The radio transmission log has been attached to this report.

6. NEIGHBORHOOD CANVASS:

At approximately 0840 hours on 7/5/15, Officer Albert and Officer Lewellyn conducted a neighborhood canvass in an attempt to locate witnesses to the incident. During the canvass, contact was attempted with residents of 39 addresses on First Street, Kottinger Drive and Railroad Avenue. Officer Albert obtained written statements from citizens he contacted which included the following:

A resident who identified herself as _____ noticed police outside at approximately 0400 hours but did not see or hear anything further.

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A resident who identified herself as ' stated that between the hours of 0230 and 0245 on 7/5/15 she awoke to a male voice yelling outside. described the voice as angry and cursing. said the commotion lasted for about 20 - 30 minutes when she heard three suspected gun shots. Following the gunshots heard police activity but was unable to see anything from her window.

A resident who identified herself as stated at around 0230 hours on 7/5/15 she awoke to noise outside her home. looked out her upper bathroom window which faces First Street and saw police activity. described seeing police surround Specialty Sales. saw a K-9 officer and stated she could clearly hear a K-9 announcement. said the commands were clear and understandable from her window across the street. saw the K-9 enter the business and later heard a series of two gun shots followed by a series of three gun shots. said the two series of gun shots sounded noticeably different from each other.

A resident who identified himself as stated he was awoken at approximately 0130 hours by what he believed to be a gun shot. A few minutes later, heard a series of multiple gun shots but did not see anything.

A resident who identified himself as said he awoke at approximately 0130 hours when he heard what he believed to be a single gun shot or M-80 firework. returned to sleep and did not see anything.

A resident who identified herself as stated that between 0230 hours and 0300 hours, she awoke to what she believed was a gun shot coming from the parking lot adjacent to her home also heard glass breaking, yelling and a loud commotion. heard a single male voice yell "Do you need help?" later heard three additional gun shots but could not see anything from her location.

Follow-up visits to homes where nobody answered were made on 7/7/15 (SEE OFFICER ALBERT'S SUPPLEMENTAL REPORT FOR DETAILS).

RECOMMENDATIONS:

Attach to original report.

B. STOCKING #269

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 07/27/2015	TIME 14:59	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON
	SYNOPSIS OF EVENT			

- 7. Sgt. Gora Body-Worn Video
- 8. Officer Palmquist Statement

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P.C.	PROPERTY TYPE	VALUE

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
	10						

V E H I C L E S	CASE VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR			
	DESCRIPTION							
	PROPERTY VEHICLE #1							
	ROLE	YEAR	MAKE	MODEL	STYLE			
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR				
DESCRIPTION								
VALUE								

R T E	<input type="checkbox"/> DISTRICT ATTORNEY <input type="checkbox"/> JUVENILE PROBATION OTHER:	<input type="checkbox"/> CHILD PROTECTIVE SERVICES <input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> ADULT PROTECTIVE SERVICES <input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> US POSTAL INSPECTORS <input type="checkbox"/> STREETS

REPORTING OFFICER Stocking, Brandon, ,	DATE WRITTEN 07/27/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 8/18/2015 15:55
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7. SGT. GORA BODY-WORN VIDEO:

I was advised by Sgt. Schlehuber that Sgt. Gora had activated his Taser body-worn video camera during the incident and the video had been uploaded to Evidence.com. Sgt. Schlehuber downloaded a copy of the video. DDA Wong, Inspector Medeiros, Sgt. Schlehuber, Officer Lengel and I reviewed this footage in the Pleasanton PD Traffic Office on 7/5/15 at approximately 1300 hours. During the footage, I saw the following in summary:

The video displays a date of 7/5/15. The first 30 seconds of the video has no sound as the Taser camera retroactively recorded thirty seconds of video footage without audio from before it was activated. During this time, Sgt. Gora is walking along the sidewalk of First Street and approaches Officer Paulsen who is loading a yellow less-lethal shotgun. Sgt. Gora and Officer Paulsen visually inspect four less-lethal bean bag rounds that Officer Paulsen then loads into the shotgun.

As Sgt. Gora walks to the south side of the store front, the large jack can be seen resting along the west curb line of First Street. An officer states he can see the suspect in the rafters and then an officer requests a "Wrap" (full body restraint) be brought to the scene because the suspect is saying he's a mountain lion. Sgt. Gora instructs officers near the front door to maintain visual surveillance on the suspect while he walks to Officer Sheldon who had apparently just arrived.

Sgt. Gora explains the suspect is wearing a mask and bulky clothing and is inside the business. Sgt. Gora says he believes the suspect is either "11-5" or "5150." Yelling is heard from the front door and Sgt. Gora walks toward the main entrance of the south show room where other officers are positioned and monitoring the suspect who is not seen on the video. One of the officers says "Now he's hanging from the rafters."

Officer Sheldon moves to the front door with his K-9. Officer Paulsen pushes the front door open and it swings inward. Officer Sheldon, standing at the threshold, loudly announces "Hey you better come out, we'll send the dog" as the dog begins barking. Officer Sheldon says "Come out dude, hey." The suspect inside is briefly seen through the front door, running in the back of the business from left to right across the camera's view.

Officer Sheldon verbally asks for confirmation that there was "A good 459" and Sgt. Gora confirms "Good 459." Officer Sheldon continues issuing commands of "You better come out, you're going to get bit. We're going to send the dog" in a loud voice. Sgt. Gora coordinates the order in which officers would enter the business and then broadcasts "Sam 13 to units in the back we are making entry with the K-9."

Officer Sheldon and his K-9 enter the business, followed by Officer Pittl who is carrying a rifle, Officer Palmquist who is carrying a handgun and Officer Paulsen who is carrying a yellow less-lethal shotgun. Sgt. Gora follows Officer Paulsen with his handgun drawn. The show room is filled with classic cars. As officers are entering, additional loud commands of "Let me see your hands" and "Get them up" can be heard. The officers walk along a wall on the right side of the camera's view and come to the corner of an office inside the business where Officer Sheldon stops, holding his K-9 by the collar. Officer Pittl remains immediately to Officer Sheldon's left. Officer Paulsen and Officer Palmquist move around a black car to the left. Commands continue and the K-9 continues to bark. Sgt. Gora moves to the left and stands near Officers Paulsen and Palmquist.

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As the camera moves back toward the right, the suspect is seen sitting on the roof of a pickup truck with his hands raised at about chest level. The building is well-lit. The suspect lowers his hands to the roof of the truck and leans forward. An officer yells "Hands up" and the suspect raises his hands to about the height of his head as he comes to a standing position on the pickup's hood. The suspect then sits on the hood with his legs in front of him and his hands in front of him at chest height. Officers can be heard yelling and the K-9 continues to bark. The suspect appears to be saying something to the officer that cannot be distinguished.

The suspect moves his hands to his sides and pushes himself upward and back onto the roof of the pickup where he again takes a seated position. The suspect turns to his right away from Officer Sheldon. As the camera moves to the right, Officer Bennett is standing behind Officer Sheldon at the corner of the office. The view of the suspect is partially blocked by Sgt. Gora's handgun at this time. The suspect's arms move out to his side and are raised to about shoulder-height. The suspect says "I have nothing. I mean you no harm" and then additional words that are undistinguishable over the sound of the K-9 barking.

Officer Pittl tells the suspect to "Come down or you're going to get bit" and the suspect replies "What's going to happen if I don't?" One of the officers responds "Then the dog's going to come up there and bite you." The suspect's elbows are resting on his knees and his hands are hanging between his legs. Sgt. Gora instructs Officer Bennett to transition to his Taser.

An officer is heard saying loudly "Get down on the ground now." The suspect, still seated on the roof of the pickup is saying something but it is indistinguishable. From the right side of the camera's view, a Taser is discharged. The wires travel toward the suspect and a loud popping sound is heard. The distinct clicking sound of a Taser cycle is heard. The suspect appears unaffected. With his left hand, the suspect reaches down to the outside of his left leg and pulls a Taser probe from his pants. Sgt. Gora says "Nope."

The suspect says "What the fuck was that?" and shrugs as he turns his body toward where Officers Sheldon, Pittl and Bennett are standing. The suspect says "Really?" Officers Sheldon, Bennett, Pittl and Palmquist move closer to the suspect who is still seated on the roof of the pickup with his hands resting on top of his legs. Officers say at least two additional times "Get your hands up."

Officer Bennett, who is pointing a Taser at the suspect, fires the Taser. A popping sound is heard as the Taser discharges and then the Taser is heard cycling. At least one of the Taser probes strikes the suspect, who is wearing a denim jacket, in the center portion of his torso. The suspect flinches slightly and moves his hands inward toward the center of his torso. The suspect appears to pull a Taser probe out of the front of his torso. The suspect immediately stands up on top of the pickup and turns away from the officers to face the rear of the building. Either Sgt. Gora or Officer Paulsen yells "Less lethal shotgun" as the suspect jumps from the roof of the pickup to the floor on the far side of the pickup. A crashing sound is heard as the suspect lands but he falls out of sight of the camera's view.

Sgt. Gora turns to his left and moves around a car. The sound of running feet is heard. Two loud blasts are heard that sound consistent with less-lethal shotgun deployments. An officer yells "He's running left" as Officer Palmquist passes Sgt. Gora to Sgt. Gora's left. Another officer is heard saying "Go, go, go." Additional yelling is heard as Sgt. Gora turns the corner around the rear of a car. Sgt. Gora yells "Dog, dog, dog"

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As Sgt. Gora's camera turns to the right, a hallway is straight in front of him. Ahead of Sgt. Gora, the backs of several officers, including Officer Paulsen, are seen as the officers run down the hallway away from the camera. A muffled radio transmission that includes the words "To the rear" is heard from Sgt. Gora's radio. As Sgt. Gora enters the north show room behind the other officers, another muffled radio transmission that includes "The back of the building" can be heard.

Sgt. Gora follows the other officers toward what I recognized as the northwest corner of the business where the broken window is. Officers line up behind the broken window. Dispatcher Harvey says "Dispatch copies. One out the back of the building." One officer can be heard saying "Watch that shit." Immediately after this, Officer Sheldon yells loud and repeated commands that include "Off." Glass can be heard breaking.

Three "bang" sounds, consistent with gun shots, are heard as one officer jumps through the broken window. One officer says "Go, move." Another officer steps across broken glass and exits the window. As Officer Paulsen lifts his left leg through the opening, the radio transmission "Henry 11 shot fired" is heard on the radio in the background. After Officer Paulsen clears the window, Officer Middleton exits the window and Sgt. Gora follows.

Once Sgt. Gora is outside, Officers can be seen running along the sidewalk (I recognized this to be the south sidewalk of Spring Street). To Sgt. Gora's right, Officer Sheldon is seen with his K-9 now returned to its leash. Officer Sheldon and Sgt. Gora run westbound on the sidewalk. They pass the entrance to a parking lot on the left and then the white Mercedes van comes into view on the left. An officer on the radio requests "Code 3 medical" at this time.

As Sgt. Gora turns to his left and runs around the back of the van, several officers come into the camera's view leaning inward toward someone lying on the ground. A yellow, less-lethal shotgun is resting to the left of this group of officers. Just beyond the shotgun, another person lying on the ground comes into view as Sgt. Gora approaches. An officer is heard saying "Are you ok?"

Sgt. Gora walks toward his left and requests "Code 3 medical" on the radio. He turns his camera back toward his right. As this happens, it is clear that the second person lying on the ground is Officer Kunkel. Officer Kunkel is lying on his back with his left leg extended straight and his right knee bent. Both of Officer Kunkel's arms are out to his side and resting on the ground at about the level of his head. Officer Kunkel's head is toward the north with his legs toward the south.

Officer Palmquist bends over to Officer Kunkel's left hand and says "I got it dude, I got it." Officer Kunkel doesn't appear to respond but his right arm moves slightly downward toward his body. A Taser is seen lying on the ground near Officer Kunkel's right hand. On the right side of the camera's view, the suspect is lying face down north of Officer Kunkel. Officer Cobler is straddling the suspect's legs and attempting to place handcuffs on him. The suspect's body is moving. Officer Sheldon is heard giving a command similar to "Los" to his K-9. The K-9 barks.

The camera turns back toward Officer Kunkel, who is still lying on his back. Officer Kunkel moves his right arm again toward his body but is otherwise motionless. Somebody says "He got hit in his face" as Officer Palmquist kneels down to Officer Kunkel's right. Officer Palmquist holds Officer Kunkel's right eye open and

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shines a handheld flashlight into the eye as he says "You alright Dan?." Sgt. Gora says "Dan you're ok bud. You're ok bro." A few seconds later, Sgt. Gora asks Officer Kunkel "You ok brother?" Officer Kunkel does not respond.

Sgt. Gora walks back toward the suspect who is moving his body while on the ground. The suspect is bleeding from the head. Sgt. Gora requests two ambulances via radio. Sgt. Gora turns back toward Officer Kunkel and an officer is heard saying "I'm just going to take him away." An officer is seen reaching down to pick up the handgun that was lying next to Officer Kunkel. Sgt. Gora instructs the officer "Leave that, leave that" before the officer's hand reaches the weapon.

From the side of the camera, Officer Kunkel comes into view and is now standing. Officer Kunkel says "I can't walk" and sounds short of breath. Officer Kunkel limps past Sgt. Gora and another officer is seen holding Officer Kunkel's left arm for support.

Sgt. Gora walks back toward the suspect who is being attended to by Officer Cobler. Other officers arrive near the suspect. Officer Pittl inquires about the suspect's injuries as he goes through a trauma kit. Officer Cobler says "I got a belly wound." A pool of blood is seen beneath the suspect as Sgt. Gora tells the suspect "Just try to relax. We've got medics coming for you." The suspect is heard moaning as Sgt. Gora walks away. Officers in the background are heard talking to the suspect, instructing him to remain still and to relax.

During the remaining minutes of the video, Sgt. Gora begins to coordinate a secondary search of the building, instructs medical personnel to enter the scene from Main Street and requests Lt. Knox be notified of the shooting. Sgt. Gora approaches the suspect, who is still conscious and is being treated and restrained by Officer Cobler and LPD Sgt. Horton. Sgt. Gora asked the suspect several times "What's your name?" An LPFD fire engine arrives at approximately this time.

Sgt. Gora walked to Officer Kunkel, who was being assisted in walking along the sidewalk by Officer Palmquist and asks if he is hurt. Officer Palmquist replies "He threw out both hamstrings probably and got hit in the face" Sgt. Gora tells Officer Kunkel that the first ambulance will need to be for the suspect. Sgt. Gora tells arriving LPFD personnel that there was an officer involved shooting and that the suspect was shot in the face and body. Sgt. Gora then says "And then we have an officer but he's ok for right now."

Sgt. Gora, via police radio, requests dispatch add a note to CAD that he is turning off his body-worn camera at 0245 hours. The camera footage ends.

This is a summary and not a complete representation of the video footage. For complete details, see video recording.

8. OFFICER PALMQUIST STATEMENT:

At 1354 hours on 7/5/15 I interviewed Officer Palmquist in Interview Room #1 at the Pleasanton Police Department. Also present during the interview were Officer Lengel and Officer Palmquist's legal representative, Attorney [redacted] The interview was audio & video recorded.
Officer Palmquist told me the following in summary:

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Officer Palmquist has been employed as a police officer with Pleasanton PD since August of 2013 and is currently assigned to patrol. Officer Palmquist previously worked as a patrol officer for South San Francisco PD for approximately one and a half years. Prior to this, Officer Palmquist was a reserve police officer in Mendota, CA for approximately one year. Officer Palmquist graduated from a police academy in Fresno, CA in December of 2009. Officer Palmquist has completed three Field Training Programs; one at each agency. Officer Palmquist has had no special assignments. Additional training he's received include 11550 H&S training, Crisis Intervention Training and Interview & Interrogation. Officer Palmquist has no prior military experience.

Officer Palmquist began his shift on 7/4/15 a few minutes before 1800 hours. At the time of this interview, Officer Palmquist had been on duty since his shift began but had since changed out of his uniform. During his shift, Officer Palmquist was wearing a full Pleasanton PD patrol uniform including two department patches on his shoulders, a metal badge and a name plate. Officer Palmquist was assigned Pleasanton PD Vehicle #408, a marked "slick-top" patrol vehicle equipped with emergency lights and siren, police radio, MDC, medical equipment and a yellow less-lethal bean-bag shotgun. Officer Palmquist was assigned to beat 3 as a solo unit. His call sign was H31 according to CAD records.

Officer Palmquist was assigned to a call involving two loose dogs in the Ruby Hill neighborhood when he overheard radio traffic regarding an alarm call that Sgt. Gora had been dispatched to. Officer Palmquist heard Sgt. Gora mention a Mercedes vehicle with paper license plates and an open rear door. This drew Officer Palmquist's attention to the call because he recalled earlier hearing an interrupted burglary call on beat 1 that involved a Mercedes with paper license plates.

Officer Palmquist said that he has worked with Sgt. Gora enough to tell by the tone of his voice when Sgt. Gora is "sensing that something is not right." Officer Palmquist sensed that "something is not right" based on Sgt. Gora's voice and the mention of the Mercedes. Officer Palmquist then heard Sgt. Gora say something about a "window break." Officer Palmquist, along with Officer Paulsen who was at the same dog call, left the call and began driving toward Sgt. Gora's location.

While en route, Officer Palmquist heard Sgt. Gora request Officer Sheldon respond "code three" to the alarm call. Officer Palmquist heard Sgt. Gora say somebody was screaming or yelling from inside the building. Officer Palmquist believed the call was unusual because people who commit burglaries usually try to be quiet while they commit the crime. Officer Palmquist considered the possibility that there was a hostage situation inside the business. Officer Palmquist heard somebody on the radio say they saw a male inside the business moving around.

Officer Palmquist arrived on scene from the north and parked on First Street, north of the business, facing south along the west curb line. Officer Palmquist did not recall hearing an alarm sounding. Around this time, Sgt. Gora requested one of the responding units bring a less-lethal shotgun to the scene. Officer Palmquist removed the less-lethal shotgun from his vehicle and went to the northeast corner of the business where he saw Officer Bennett standing. Officer Palmquist began loading the shotgun with four bean bag rounds. As he loaded each round, he had Officer Bennett visually confirm that the rounds were less-lethal bean bag rounds. Officer Palmquist could hear somebody yelling commands at this time.

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Officer Palmquist attempted to rack the shotgun and said he could feel something not functioning properly on the weapon. Officer Palmquist showed the shotgun to Officer Bennett and Officer Bennett said he believed there was a "double-feed" in the weapon. Officer Palmquist handed the shotgun to Officer Bennett who began to attempt to fix the weapon. Officer Palmquist drew his handgun to provide cover for Officer Bennett.

As Officer Palmquist looked at the front of Specialty Sales, he saw a male subject wearing dark clothing inside the business. From inside, the male threw a large object at a front window of the business while the suspect was standing three or four feet from the window. Other officers were standing directly in front of the window at this time, approximately six or eight feet from the suspect, who was inside. Officer Palmquist said the object was thrown directly at the officers. Officer Palmquist believed the suspect was intentionally trying to harm officers by throwing the object. Officer Palmquist later saw the object was a large floor jack.

Later in the interview, Officer Palmquist explained the floor jack caused the glass on the right of the door to break and fall from the frame. Officer Palmquist never described the suspect exiting the business.

Officer Palmquist heard Sgt. Gora give a command to deploy a less lethal bean bag round. From twelve to fifteen feet, Officer Bennett fired one bean bag round which either grazed the suspect's right side or barely missed. The suspect looked directly at Officer Bennett but otherwise did not react. The suspect was making a lot of noise at this time but had some kind of cloth over his face. Officer Palmquist couldn't hear what the suspect was saying. Other officers on scene were giving commands to the suspect that were loud enough for the suspect to hear. These commands were similar to "Show us your hands" and "Come outside."

Officer Palmquist said "After the bean bag missed and he looked at Officer Bennett, he made a rather weird turn, I believe it was to his right, and he kind of fell over himself and he caught himself with his arms and he basically perched himself up on all fours and he literally, like an animal would do, ran galloping on all fours straight to the back of the warehouse." Somewhere around this time, Officer Palmquist heard the suspect say something similar to "I'm a mountain lion."

Officer Palmquist said the suspect ran off to the right and went out of sight but returned shortly and jumped on top of a car. Officer Palmquist moved near the front door to see the suspect better. The suspect walked back and forth making noises and yelling. The suspect then began climbing up pipes on the right (north) side of the warehouse. The suspect held onto a beam that ran north to south and began "Swinging on it like he was a monkey." Officer Palmquist described that the suspect swung hand-over-hand on the beam to approximately the middle of the warehouse.

Officer Palmquist said "Somebody said something similar to 'He's going to drop and he's going to break his ankles' and sure enough within a matter of seconds he literally drops straight onto the concrete floor, nothing below him, and instantly popped back up and just ran and that utterly shocked me." Officer Palmquist said the suspect ran toward the back of the building. Officer Palmquist further explained that he believed if he (himself) had fallen from the beam as the suspect did, he would break his legs and could never get up from the fall. Officer Palmquist estimated the suspect fell eighteen to twenty feet.

Officer Sheldon arrived and went to the front door where he gave a warning instructing the suspect to come outside or he would be bit by the dog. The suspect stood still and did not respond. The suspect climbed

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onto the top of a black pickup where he sat and stared at officers. Officer Sheldon continued the commands to come outside.

Officer Sheldon entered the business holding the collar of his K-9. The other officers at the front of the business entered the business and moved toward the suspect, forming a semi-circle around him. An officer that was standing to the right of Officer Palmquist fired a Taser at the suspect. Officer Palmquist said he didn't believe the Taser struck the suspect. The Taser skipped off the pickup and had no visible effect on the suspect. Verbal commands to comply continued to be made by officers. The suspect remained "perched" on the car not appearing to respond or care about what was going on around him. Officer Palmquist described the suspect's lack of response as bizarre.

Officer Palmquist said another less-lethal round was deployed as well as another Taser but he did not recall the order. Officer Palmquist specifically remembered during the second Taser deployment seeing one probe strike the suspect into the suspect's center mass. Officer Palmquist didn't see what happened to the second probe and described "absolutely no reaction from the suspect. He with one hand, I can't remember which one, just grabbed it and threw it off and literally had a look on his face, like thinking it's funny."

The suspect spun and rolled to his right off the side of the vehicle. Officer Palmquist saw Officer Paulsen deploy two less-lethal bean bag rounds. Officer Palmquist was unsure if the bean bag rounds struck the suspect. The suspect instantly ran toward the rear of the business down a small hallway into another show room. Officer Palmquist lost sight of the suspect. By the time Officer Palmquist got to the hallway, the suspect was exiting the business through the broken rear window in the second show room.

Officer Palmquist and the other officers inside the business pursued the suspect. Officer Palmquist estimated he was the third or fourth officer from the front of the group. He could not see if the suspect had anything in his hands at this point.

Officer Sheldon arrived at the broken window first and lifted his K-9 out through the broken window. Officer Palmquist then heard Officer Sheldon yell something like "No, no, no" toward his K-9. Through the window, Officer Palmquist saw Officer Cobler on the exterior of the building sprinting northbound past the broken window.

A few seconds later, Officer Palmquist heard two or three loud "bangs" in rapid succession that he instantly recognized as gun shots. Officer Palmquist could tell the shots were not bean bag rounds. Officer Palmquist first believed that somebody had shot the K-9 and assumed the K-9 had "latched onto" Officer Cobler. Officers began exiting through the window. As Officer Palmquist exited, he turned to his right expecting to see Officer Cobler and the K-9 on the ground but he didn't. Officer Palmquist could not see the suspect.

Officer Palmquist remembered stepping to the right and following other officers that were running westbound. After a short distance of running, Officer Palmquist looked to the left and saw the suspect. Officer Palmquist described the suspect as being "face down but not flat, he was kind of on his side but faced down." The suspect's head was north of his feet. The officer in front of Officer Palmquist ran toward the suspect. Officer Palmquist said he looked further to his left and saw Officer Kunkel.

Officer Palmquist requested water at this time. I left the room and returned shortly later with water for

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Officer Palmquist. When I returned, Officer Palmquist continued by saying "So that's when I saw Officer Kunkel."

Officer Palmquist said Officer Kunkel was lying on his back. Officer Palmquist said Officer Kunkel's hands were "like this" and raised both of his hands over his head. I asked "What'd you think?" Officer Palmquist became visibly upset and said "Honestly I thought I'd seen a dead cop." Officer Palmquist said Officer Kunkel and the suspect were within a few feet of each other but his attention was drawn to Officer Kunkel.

Officer Palmquist ran to Officer Kunkel. Officer Palmquist said "His eyes were like wide open but he was staring just into the distance it looked like, like into the sky. And I kneeled down and I'm looking over him and there was no acknowledgement of me being there at all. I remember in his left hand he was like grasping, or his handgun was in his hand still. And I'm calling to him 'are you ok, are you ok?' and there was at least a few seconds, probably longer, that there was no reaction from him. No answer. No movement. Nothing. The Livermore Sergeant was kind of behind me and I remember him yelling 'is he ok, is he ok?' He said it a couple of times and I glanced to see who it was and I saw it was the Livermore sergeant, he was pointing at Kunkel. I just looked back and I started shaking him and after a few seconds he finally said something like 'yeah I'm ok' or 'yeah' and just he really seemed dazed and really just out of it"

I asked Officer Palmquist if he could see any injuries on Officer Kunkel. Officer Palmquist said Officer Kunkel's face was red around his cheek and nose area. Officer Palmquist stayed with Officer Kunkel who said he had injured both of his hamstrings. Officer Palmquist said Officer Kunkel's gun was still in Officer Kunkel's hand. Officer Palmquist removed the gun from Officer Kunkel's hand and slid it about six inches to the side.

Officer Palmquist assisted Officer Kunkel to his feet. Officer Palmquist said Officer Kunkel seemed "hurt." Officer Palmquist said "He's a lot bigger than me and I had to put all my weight into get him up. He was dead weight. Once I got him up and he tried to take a step it didn't go very well, he kind of stumbled. He tried to do a few more steps and I just had to end up grabbing his arm and throwing it over my shoulder and just kind of semi-dragging him into the street."

Officer Palmquist said somebody else, possibly the Livermore Sergeant, showed up on Officer Kunkel's right side to assist. They walked him across the street and tried to open a patrol car but he didn't have any keys. Officer Kunkel tried to sit down but said he couldn't sit because his hamstrings hurt. Officer Palmquist stayed with Officer Kunkel until he was loaded into an ambulance. During this time, Officer Kunkel said something similar to "I thought he was going to pull a gun on me. I'm glad he didn't pull a gun." Officer Kunkel also said "I'm so happy I'm alive."

A fire engine arrived and went toward the suspect. The first arriving ambulance also tended to the suspect. The second ambulance crew came to Officer Kunkel. Officer Palmquist noticed Taser wires wrapped around Officer Kunkel's legs. Officer Palmquist assisted with removing Officer Kunkel's duty belt. The belt and Taser wires were placed in evidence bags and handed to Sgt. Gora. Officer Kunkel was loaded onto a gurney and transported in the ambulance. No officer rode with Officer Kunkel in the ambulance. Officer Palmquist got into his patrol car and drove behind the ambulance to ValleyCare Hospital.

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At the hospital, Officer Palmquist saw Officer Kunkel removed from the ambulance on a gurney, wearing a "C-Spine." His shirt and ballistic vest were removed and handed to Officer Palmquist inside of a bag. Officer Palmquist later gave this bag to Detective Boccasile. Officer Kunkel was taken into the hospital. Chief Spiller arrived at the hospital. After approximately thirty minutes, Officer Kunkel was released from the hospital and walked without assistance. A doctor told Officer Palmquist he did not believe Officer Kunkel suffered a tear of his hamstring but may have pulled one or both. The doctor indicated he was not concerned with bleeding of the brain unless Officer Kunkel experienced dizziness or vomiting. Detective Boccasile arrived and transported Officer Kunkel away from the hospital.

Officer Palmquist returned to the scene and conducted traffic control at an intersection until relieved. Officer Palmquist said he did not speak to anyone about the incident but called his wife and said he'd be delayed because there was a shooting. Officer Palmquist said he had not seen any news reports about the shooting. Officer Palmquist said he never used force against the suspect. Officer Palmquist did not activate either his video or audio recorder during the incident.

Officer Palmquist recalled placing the less-lethal shotgun back into the rack of his patrol vehicle but did not recall if or when it was returned to him by Officer Bennett. He said the weapon may have been placed in his patrol car unsecured but did not recall exactly how he regained possession of it. Officer Palmquist never unloaded the shotgun.

I asked for Officer Palmquist's overall assessment of the suspect during his contact with him. Officer Palmquist said "A lot of things went through my mind. Number one is he on narcotics? Is he high on PCP? I mean just the nature of him falling so far onto the concrete and bouncing up. It was obvious to me we are going to have to get him to comply which wasn't going well or we are going to have to use a very large amount of force because he wasn't listening to us and he was showing that pain was not affecting him. Tasers aren't working, bean bags aren't working, that drop had no effect on him, he was still able to get up and run, so it was going through my mind that there's going to have to be a lot of force used if he's not going to comply with us."

At the conclusion of the interview, [redacted] requested to ask some follow-up questions. She asked if Officer Palmquist had worked with Officer Kunkel before and if so, what his usual demeanor was. Officer Palmquist said "He's a very calm, level-headed officer. He's very calm under stress. He handles violent calls very well."

[redacted] asked "So how, what were you thinking when you saw him on the ground like this." Officer Palmquist replied "Shocked, surprised."

[redacted] said "I know you said he was making some spontaneous statements to you. He talked about, you know, thinking the suspect was going to pull a gun and he was happy that he was alive. Did he say anything to you about the suspect's actions toward him? Anything like that?"

Officer Palmquist replied "Yes. I remember him saying something that the suspect was running, he was behind the suspect, he fired his Taser but it didn't do anything and the suspect like turned around and started to charge him and did some sort of a jump kick slash punch thing and basically he said he had tried to, he saw it coming, and he tried to punch the suspect but he ended up getting hit in the face and I believe

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kicked in the chest is what he said or something similar to that.”

asked “And when Officer Kunkel said ‘I’m glad to be alive’, did you take that to mean that he thought at that time, when he was alone with the suspect, he thought he was going to die?” Officer Palmquist replied “He absolutely thought he was going to die.”

The interview concluded at 1504 hours on 7/5/15. This is only a summary and not a complete representation of the interview. For complete details of the interview, see video-recorded statement.

RECOMMENDATIONS:

Attach to original report.

B. STOCKING #269

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S:

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/27/2015	TIME 15:23	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON

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SYNOPSIS OF EVENT

9. Sergeant Gora Statement
 10. Crime Scene Evidence Collection
 11. Search Warrant - Suspect's Residence

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE

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PROPERTY VEHICLE #1		YEAR	MAKE	MODEL	STYLE
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DESCRIPTION					VALUE

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DISTRICT ATTORNEY
 JUVENILE PROBATION
 CHILD PROTECTIVE SERVICES
 CITY ATTORNEY
 ADULT PROTECTIVE SERVICES
 CODE ENFORCEMENT
 US POSTAL INSPECTORS
 STREETS
 OTHER:

REPORTING OFFICER: **Stocking, Brandon,** DATE WRITTEN: **07/27/2015** APPROVED BY: **schlehuber205|Schlehuber, Kurt|8/18/2015|15:56**

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9. SERGEANT GORA STATEMENT:

At 1539 hours on 7/5/15 I interviewed Sgt. Eric Gora in Interview Room #1 at the Pleasanton Police Department. Also present during the interview were Officer Lengel and Sgt. Gora's legal representative, Attorney . The interview was audio & video recorded. Sgt. Gora told me the following in summary:

Sgt. Gora has been employed with the Pleasanton Police Department since July of 2010. Sgt. Gora was promoted to the rank of Sergeant in August of 2014 and is currently assigned as a patrol supervisor. Prior to his promotion, Sgt. Gora worked as a Detective in the Criminal Investigations Unit and as a patrol officer. Sgt. Gora was previously employed by Citrus Heights PD from 2006 to 2010 where he served as a patrol officer, Field Training Officer, School Resource Officer and Youth & Family Services Detective. Prior to Citrus Heights PD, Sgt. Gora was employed as a patrol officer for Stockton PD from 2004 to 2006. Sgt. Gora graduated from the San Joaquin Delta Police Academy in 2003 and completed field training programs at both Stockton PD and Pleasanton PD. He has attended multiple training courses that include investigative courses, internal affairs investigations and critical incident management. Sgt. Gora has no prior military experience.

Sgt. Gora's shift began at 1800 hours on 7/4/15 but he arrived one hour early. He had five officers assigned to his shift and also supervised three swing shift officers for the second half of their shift. Sgt. Gora's call sign was S13. Sgt. Gora wore a class B department uniform with a Pleasanton PD patch on each shoulder, a sergeant's badge, sergeant stripes on his sleeve, a name plate and American flag pin. Sgt. Gora also wore his duty belt with department-issued equipment. Sgt. Gora wore a Taser Axon Flex camera mounted to his shirt collar.

Sgt. Gora explained he is part of a pilot program for the new Taser cameras. He was issued the camera approximately thirty days earlier and as part of the testing phase of the program, tries to utilize the camera during calls for service and contacts. Sgt. Gora was assigned Pleasanton PD vehicle #481, a marked patrol supervisor's vehicle equipped with emergency lights, a police radio and MDC. Inside the vehicle was an automated electronic defibrillator, a patrol rifle, less-lethal shotgun and other miscellaneous equipment.

Upon beginning his shift, Sgt. Gora led his watch in a briefing that began around 1805 hours. Topics covered in the briefing included plans for dealing with the large crowds expected at the Alameda County Fairgrounds due to the 4th of July fireworks show at the county fair. Sgt. Gora spoke at briefing about information provided recently by the federal government about the increased warning of terrorist activity. Sgt. Gora reminded the officers that explosions or shootings reported during the events at the fair could be associated to terrorism. Sgt. Gora discussed the response plan for responding to critical incidents at the fairgrounds as well as protocol for completing daily activity reports. The briefing lasted approximately twenty minutes.

Between the beginning of his shift and the call for service at 4321 First Street, Sgt. Gora estimated he responded to approximately six calls for service and conducted one traffic stop. Sgt. Gora recalled responding to a juvenile problem on Division Avenue where he located individuals who were looking for directions. Sgt. Gora believed he activated his body-worn video camera during his traffic stop but was not certain.

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Sgt. Gora became aware of the call for service located at 4321 First Street just after 0200 hours on 7/5/15 while he was at the station reviewing reports submitted by swing shift officers who were about to end their shift. Sgt. Gora heard via police radio that a beat 1 unit and beat 2 unit were dispatched to an alarm call at a classic car dealership in beat 3. Sgt. Gora knew that both beat 3 officers were on another call in Ruby Hill (A gated community several miles away from the main portion of the city) and Sgt. Gora was not far from the alarm call. Sgt. Gora told dispatch he would act as cover officer for the alarm call, which is common for him to do.

Sgt. Gora heard dispatch say the alarm company had contacted somebody by phone inside the business who refused to give his name. Sgt. Gora remarked that this is not uncommon at certain times of the day but is unusual for it to happen at the time it did. Dispatch instructed one of the responding units to cancel their response. The cancelled officer advised he would respond so that the other could write his reports. Sgt. Gora responded without lights and sirens activated and drove northbound on Main Street and turned onto eastbound Spring Street. Sgt. Gora parked his patrol vehicle just east of a Mexican grocery store on Spring Street where he turned off his patrol car's headlights. Sgt. Gora estimated it took one or two minutes for him to drive to the business. He was familiar with the business and its location.

When Sgt. Gora arrived, he saw a white Mercedes van parked in the parking lot off Spring Street near where Sgt. Gora stopped his patrol car. One of the rear doors was open, the van had paper license plates and Sgt. Gora thought this was unusual. Sgt. Gora exited his patrol car and confirmed nobody was in or around the Mercedes. Sgt. Gora notified dispatch of the van's presence. Sgt. Gora looked at the business (Specialty Sales) located at 4321 First Street and saw that a large pane glass window near the northwest corner of the business had been broken. Sgt. Gora notified dispatch of the broken window.

As Sgt. Gora approached the business with his handgun and flashlight drawn, he could hear "banging" and screaming coming from the south side of the business. Sgt. Gora suspected somebody had broken into the building and was attempting to force a garage door open to steal one of the valuable cars inside. Sgt. Gora recalled reaching to activate his Taser camera but when he clicked the activator, he did not hear the audible tone which indicates the camera is activated. Sgt. Gora recalled continuing to try to activate his camera without success. Sgt. Gora later realized he had turned off the camera while he was reviewing reports at the station in order to save its battery. Sgt. Gora later remembered this and was successful in activating his video recorder.

Sgt. Gora requested his cover respond "Code 3" (with lights and sirens activated) and heard an additional unit respond. Sgt. Gora knew Officers Paulsen and Palmquist were in Ruby Hill (a gated community several miles away from the main part of Pleasanton), Officer Pittl was at Santa Rita Jail in Dublin. Swing Shift Officers Cobler and Bennett were at the station preparing to end their shift. K-9 Officer Sheldon was en route to his home, having completed his shift.

Officer Kunkel was the first unit to arrive and came from southbound First Street onto westbound Spring Street in his patrol car. As Officer Kunkel exited his patrol car, Sgt. Gora told Officer Kunkel to remain at the northwest corner while Sgt. Gora went to the northeast corner. Sgt. Gora continued to hear the loud banging noises and screaming coming from inside the business. Sgt. Gora could not tell if somebody was screaming at another person or if there was only one person inside. Sgt. Gora described the screaming as "A rant but not words that I could understand." The screaming sounded to be that of a male.

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The next officer to arrive on scene was Officer Middleton who came from north of Sgt. Gora's position and deployed from his patrol vehicle with a patrol rifle. Sgt. Gora instructed Officer Middleton to go to the southeast corner of the building. Around this time, Officer Kunkel communicated on the police radio that he saw the suspect and described him as a male wearing dark clothing with a bandana over his face.

Via police radio, Sgt. Gora asked if K-9 Officer Sheldon was still on the radio. Officer Sheldon responded that he was but was nearly home. Sgt. Gora instructed Officer Sheldon to respond to the scene "Code 3." Sgt. Gora requested dispatch page Officer Cobler, who may have been in the process of doffing his gear at the end of his shift, and have him respond. Sgt. Gora quickly received a response that Officer Cobler and Officer Bennett were responding from the station. Sgt. Gora, via police radio, asked if Officer Palmquist and Officer Paulsen were still on a loose dog call in Ruby Hill. Sgt. Gora received a response from one of the officers that they were both en route to Sgt. Gora's location. Sgt. Gora could hear sirens in the background and instructed the officers to respond "Code 3."

Sgt. Gora recalled going back to Officer Kunkel's location where he saw the suspect inside. Sgt. Gora described the suspect as a tall, thin person wearing a black bandana covering his or her nose, a dark jean jacket and long dark pants. He then saw the suspect run to the front of the business and heard Officer Middleton say he could see the suspect. Sgt. Gora said at times the suspect would go to a part of the business where nobody could see him. Sgt. Gora described running back and forth between the two positions and during this time he repeatedly tried to activate his body-worn video recorder without success. This is approximately when Sgt. Gora realized that his camera was turned off.

At around this time, Sgt. Gora was near a window at the front of the business and saw the suspect come to the window and say "Fuck you." Sgt. Gora physically demonstrated that the suspect raised both of his fists with only his middle fingers extended as he said this. Sgt. Gora described the suspect as yelling with "intense anger."

Officers Paulsen, Palmquist, Cobler and Bennett arrived at about the same time. Sgt. Gora instructed Officer Cobler to go to the back side of the building opposite from Officer Kunkel. Sgt. Gora, standing near the front of the business, saw the suspect through the glass windows go into what appeared to be a storage room near a red Ferrari. Sgt. Gora requested one of the next units bring a less-lethal shotgun. Sgt. Gora saw Officers Palmquist and Bennett to his right "working together." Sgt. Gora believed these two officers were loading a less-lethal shotgun with one officer watching to confirm only less-lethal bean bag rounds are loaded into the weapon.

Sgt. Gora saw the suspect exit the storage room and run toward the front of the business carrying a large floor jack, a couple feet in length with four wheels and a pole extending from one end. The suspect went to the front of the Ferrari and threw the floor jack into the window directly in front of where Sgt. Gora was standing. The jack hit the window, bounced off it and landed on the hood of the Ferrari. Sgt. Gora recalled that around this time, he was able to successfully turn the power on to his video recorder. Sgt. Gora heard a "beep." Sgt. Gora initially thought this "beep" indicated the recorder was recording but later realized it only indicated the recorder was "ready to record."

The suspect then ran back into the same room he had been in before and returned with a second floor jack.

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Officer Paulsen had moved to Sgt. Gora's left side. Officer Bennett and Officer Palmquist were to his right. The suspect ran directly at the front door and threw the floor jack through the pane glass front door. The glass shattered immediately and Sgt. Gora heard a loud "boom." The floor jack "Went kind of sailing over the sidewalk, bounced on the sidewalk and then slid and came to a stop right at the, right off the curb, it was somewhat on the curb, somewhat off the curb into the street."

Sgt. Gora said "And then the suspect then came to the door threshold, and he was yelling, and he was angry and he was like, he was just screaming and I could see his eyes and I could see part of, like his forehead was angry and his mannerisms and like his fists were clenched and, um, he was yelling, but he wasn't yelling anything, he was just yelling and like screaming."

I asked Sgt. Gora if he could make out any of the words the suspect was saying. Sgt. Gora replied "No there was no words, it was just, it wasn't even like he was just screaming different tones and it was, uh. Some of it was like that guttural scream, like he was, like this enraged scream, is what I would classify it as."

Sgt. Gora had now explained that two separate floor jacks had been thrown by the suspect and I asked for clarification on various distances associated with these throws. Sgt. Gora estimated the suspect was less than five feet from the window when he threw the first jack. Sgt. Gora was standing about ten feet away from the window at the curb line. This jack was thrown directly in the direction of Sgt. Gora.

When the suspect threw the second jack which broke through the front glass door of the business, Officer Paulsen was the closest to the door. The suspect was immediately in front of the door when he threw the jack and the jack went through the door, flying in the air approximately five to eight feet before hitting the concrete and sliding into the street. The jack appeared to have been thrown in the general direction of other officers but Sgt. Gora couldn't tell the exact distance from the jack to the officers.

After breaking the glass of the front door, the suspect stood near the threshold of the front door. Sgt. Gora, as the supervisor on scene, recalled considering the fact that the suspect may have had access to the vehicles inside the business. Sgt. Gora knew he had an officer with a less-lethal bean bag shotgun. Sgt. Gora called to the area of Officers Bennett and Palmquist and said "Less lethal, less lethal." Sgt. Gora described this as an instruction to fire the less-lethal shotgun at the suspect. Sgt. Gora hoped the less-lethal round would stun or incapacitate the suspect so officers could move in to make an arrest. Officer Bennett then fired the less-lethal shotgun from "a wide angle." The bean bag projectile did not strike the suspect. Instead, the projectile impacted into the door frame or somewhere near the threshold of the door and the suspect retreated back into the business.

I asked Sgt. Gora to describe the lighting at the scene. Sgt. Gora said "There's a little bit of street lighting out front which was another tactical disadvantage that we had because we were well lit. Inside the business, there was, I think some residual lighting just from the lights outside but there wasn't, that I could recall, interior lights that were well, that illuminated the inside of the business. So that's where I talked about earlier, like, there's a lot of places of concealment, a lot of places of cover, a lot of cars and hiding spots in rooms that were dark. I remember when I was standing at the front of the business originally when Officer Kunkel says 'I see him running out the, around the back; and I could see movement, um, but from my distance I wouldn't be able to make out a subject or person or anything like that, so it wasn't, I think there's a large tactical advantage to how much it was dimly lit inside, or outside there was actually a decent amount

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of lights, street lights, overhead lights.”

K-9 Officer Sheldon arrived with his dog and Officer Pittl arrived with a “long gun” (rifle). Sgt. Gora walked toward K-9 Officer Sheldon and said “Here’s what we’ve got.” Officer Sheldon said he had been listening to the call on the radio and asked “Just confirm we have a crime.” Sgt. Gora told Officer Sheldon that a “459” (burglary) had been committed. Sgt. Gora explained that having a “Felony want” was important for the K-9 handler to decide whether or not to deploy his dog.

At this time, the suspect was “Literally hanging from the rafters of the business” according to Sgt. Gora, “And swinging on them like they’re monkey bars in grade school.” Sgt. Gora described the suspect’s behavior as “Completely irrational, he was very angry, very elevated.” Sgt. Gora said he assumed, based on his training and experience, that the suspect was “high” on drugs or alcohol or a combination thereof. Sgt. Gora said he has seen people using PCP or with “Meth psychosis” and this is what he believed the suspect was experiencing. Sgt. Gora said the suspect, while swinging from the rafters, fell out of his view behind a car. Sgt. Gora estimated the rafters were over fifteen feet high.

Sgt. Gora said he knew he had two “long guns,” a handgun and that Officer Bennett had fired at least one round from a less-lethal shotgun. Sgt. Gora asked Officer Paulsen to go back to his car and get a second less-lethal shotgun. Sgt. Gora again attempted to activate his video recorder and this time heard a distinctive audio tone and knew the camera was recording. When Officer Paulsen returned with the less-lethal shotgun, he asked Sgt. Gora to “Check my rounds.” Sgt. Gora verified each of the four rounds inserted into Officer Paulsen’s shotgun were less-lethal rounds.

Sgt. Gora told me “I knew I had a very volatile, dangerous situation. This suspect’s actions were very aggressive, very violent; I didn’t know if he had weapons.” Sgt. Gora explained he knew he “Had two long guns, one very experienced operator with that long gun (Sgt. Gora had previously explained that Officer Pittl was an experienced SWAT Operator who he relies on for tactical advice). I had two less-lethal firearms. I had two officers, including myself, with handguns and I had a K-9.”

Officer Lengel asked if any commands had been given to the suspect at this point. Sgt. Gora said, “Yeah we were telling him ‘Show us your hands, come outside and, like, get down on the ground, like normal police commands to surrender, come outside, comply with our orders.’”

Sgt. Gora explained that K-9 Officer Sheldon ran up to the door and said something similar to “K-9, Come out with your hands up or you’re going to get bit by my dog.”

Sgt. Gora said he could see the suspect was elevated on the top of the cab of an older, dark, Chevy or Ford pickup truck with the hood open and Sgt. Gora made the decision to enter the business to effect an arrest. As Sgt. Gora entered the business with other officers, they approached the suspect as he was sitting on this vehicle. Sgt. Gora said he and the other officers “naturally we just fanned out” around the vehicle. The suspect was sitting on top of the cab of the vehicle. Sgt. Gora didn’t recall the suspect saying anything. Officer Sheldon was close to the suspect with his K-9. Sgt. Gora recalled seeing the suspect being very fidgety and officers yelling “Show me your hands” to the suspect.

Sgt. Gora recalled that K-9 Officer Sheldon was not deploying his dog at this time. Sgt. Gora believed that K-

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9 Officer Sheldon was within policy to deploy his dog but saw that Officer Sheldon had not done so. Sgt. Gora admitted that Officer Sheldon has more experience with his dog and assumed Officer Sheldon must not have "been comfortable" with deploying the dog at this time because he had not done so yet. Sgt. Gora then instructed Officer Bennett to deploy his Taser on the suspect. Sgt. Gora believed that Officer Bennett was within the 21-foot reach of Officer Bennett's Taser, although he admits he was "Close to it, but within it." Sgt. Gora described the suspect as being at an elevated position in respect to the officers. Sgt. Gora didn't believe "Going hands on" or utilizing batons would be feasible with the suspect at this elevated height.

Sgt. Gora recalled seeing Officer Bennett extend one arm forward. Sgt. Gora saw the red dot from the Taser's laser sight on the suspect's chest and described it as "moving as it commonly does."

Sgt. Gora said "At the deployment of the Taser, I didn't hear that good, that lock or that sound that they train you when you've got a good contact tase, it was that, um, somewhat contact, I remember watching the suspect pull a barb out of his left leg and then he pulled one out of, like out of his jacket somewhere and I just kind of assumed like the barb didn't go in, and I remembered Officer Paulsen, had his Taser and I think he, he deployed his Taser at that point, after he saw that Officer Bennett's wasn't working. He deployed his Taser and I really don't know if that made contact or if that was deflected from the car, I don't recall because I remember at that point going 'Less lethal, less lethal, let's go to the next level.' We're going to reach out with less-lethal bean bags and try to get this guy off of the car, knowing that I have a K-9 that I could help to use with apprehension, but let's, let's even the playing field and get him off the top of this car so I said 'less-lethal, less-lethal' and to be honest I don't remember who fired what. I remember at one point, I think a, I think a bean bag round was shot at that suspect on the car. I remember seeing some kind of, like roll and fall off what would be the passenger side of the truck, and then I remember Officer Paulsen in a, like a really strong stance, rack a shotgun, deploy a round, rack a shotgun and then deploy a round as the suspect ran away from us into a small, like joint, like a multi-doored, maybe like a break room or like a conference room, or like whatever, like a sales room, I'm not sure what happens in that room, but I saw Officer Paulsen deploy two, um, bean bag rounds at the suspect."

Sgt. Gora said he saw Officer Sheldon's K-9, off leash, round a corner while chasing the suspect toward the broken window suspected of being the original entry point at the northwest corner. The suspect, at a full sprint, jumped through the window and Sgt. Gora heard additional glass breaking. Sgt. Gora yelled "Dog, dog, dog" and heard other officers yelling. Sgt. Gora believed Officer Kunkel, via police radio, said something similar to "He's coming out the back." Sgt. Gora fell toward the back of a line of several officers. Sgt. Gora saw Officer Middleton break out some of the glass near the northwest window. Sgt. Gora heard Officer Sheldon yelling loud commands toward his dog. Sgt. Gora then heard three gun shots in rapid succession.

Sgt. Gora's first thought was that Officer Sheldon's K-9 had exited the window and engaged Officer Kunkel. Sgt. Gora believed Officer Kunkel was forced to shoot the K-9 to "Get him off." Sgt. Gora followed officers through the window as he heard "Shots fired" on the radio. Sgt. Gora didn't know who had said "Shots fired." Sgt. Gora recalled following other officers as he ran toward the white van outside.

As he came around the corner of the white van, Sgt. Gora saw the suspect lying on the ground and Officer Sheldon's K-9 biting him somewhere in the left arm, forearm or torso. The suspect was resisting and pulling away with Officer Cobler who was on top of him.

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Sgt. Gora turned and saw Officer Kunkel lying on his back. Officer Kunkel's legs were spread, his arms were out to the side and his gun was lying on the ground next to him. Sgt. Gora told me "I thought he had been shot." Sgt. Gora said something like "You're ok, Kunkel, you're ok" to Officer Kunkel.

Sgt. Gora drew his attention to the suspect who rolled over. Sgt. Gora saw the suspect had a gun shot wound to his head. Officer Cobler held a glove to the suspect's abdomen. Someone asked for "Code 3 medics" on the radio and Sgt. Gora recalled saying "No, send me two." A Livermore Officer (Later identified as Sgt. Horton) arrived. Sgt. Gora saw Sgt. Horton help pick up Officer Kunkel from the ground. Sgt. Gora saw an officer reach for a gun lying on the ground. Sgt. Gora told the officer not to pick up the gun. Sgt. Gora heard Officer Kunkel say "I pulled my hamstrings, I pulled my hamstrings." This was the first time Officer Kunkel had responded. Sgt. Gora described Officer Kunkel as "Grimacing in pain" as he had been lying on the ground. Sgt. Gora instructed officers to take Officer Kunkel away. Sgt. Gora later described that Officer Kunkel's face was red but he didn't see any other visible injuries on him.

Sgt. Gora recalled somebody bringing a trauma kit and throwing it to him. Sgt. Gora threw the trauma kit to Officer Pittl who began treating the suspect. Sgt. Gora said he could tell the suspect was losing "Copious amounts of blood." The suspect was in handcuffs but still appeared to be resisting officers as they treated him.

Sgt. Gora recalled going to Officer Pittl and instructing him to go back to the building to ensure there was nobody else inside. Officer Pittl later told Sgt. Gora that the building "was clear." Sgt. Gora flagged down an incoming fire engine. Once medical personnel were on scene, Sgt. Gora made appropriate notifications to his chain of command and notified dispatch that he was turning off his body-worn camera.

Sgt. Gora insured no other officers were injured and instructed an officer to take photographs of Officer Kunkel who had Taser wires wrapped around his legs. Sgt. Gora obtained a public safety statement from Officer Kunkel who said the suspect was not armed and that he had fired two rounds toward the suspect. Officer Kunkel said something similar to "Sarge I tried but why'd he have to do that?" according to Sgt. Gora. Officer Kunkel expressed that his "legs were killing him." Officer Kunkel said he had Tased the suspect and then shot him. Sgt. Gora instructed Officer Palmquist to stay with Officer Kunkel.

Sgt. Gora saw Officer Cobler and Officer Palmquist collect Officer Kunkel's duty belt which they placed into an evidence bag. The evidence bag was placed into Sgt. Gora's car at his direction.

I offered Sgt. Gora a break and he said "I wouldn't mind using the restroom." As Sgt. Gora exited the interview room I turned off my digital audio recorder. The video recorder continued to run. Sgt. Gora returned to the interview room and answered follow-up questions. I re-activated my digital audio recorder.

Sgt. Gora explained that after the shooting, he instructed Officer Palmquist to follow the ambulance that took Officer Kunkel to the hospital. Sgt. Gora made notifications to his chain of command that a shooting had occurred.

Sgt. Gora said he knew that three less-lethal bean bags had been deployed and a fourth may have been deployed. Sgt. Gora believed one of the rounds struck the suspect in the abdomen as he was getting off the

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truck. Sgt. Gora believed a total of two Tasers deployments were made at around this time. Sgt. Gora said in his career, he has used Tasers on suspects and has seen both successful and unsuccessful deployments.

Sgt. Gora added that after the Tasers were deployed, the suspect stood up on top of the pickup and took a fighting stance. The suspect then began reaching downward and Sgt. Gora said he was scared that the suspect may have been reaching for a gun.

I asked Sgt. Gora if he observed the suspect commit any additional crimes once he was on scene. Sgt. Gora said he saw the suspect commit a felony vandalism by damaging the Ferrari and at least one other car in addition to breaking the front door. Sgt. Gora also said he believed that when the suspect threw the floor jack toward officers, he could easily have caused great bodily injury to an officer.

Sgt. Gora said when he arrived on scene, he could hear an alarm sounding from the business. Sgt. Gora remembered the alarm stopped at some point but again sounded. Sgt. Gora could easily hear officers' commands inside the business.

Officer Lengel asked Sgt. Gora if the suspect ever changed his clothing during the contact. Sgt. Gora recalled that Officer Paulsen told the suspect to remove the bandana from his face. Sgt. Gora said, of all the commands given to the suspect, this was the only one he complied with. Sgt. Gora believed the suspect threw the bandana onto the floor.

Sgt. Gora said he has been Officer Kunkel's supervisor since January 2015 and has also previously supervised him for short periods of time before that. Sgt. Gora described Officer Kunkel as a strong officer, strong investigator and specifically mentioned he has noted his strong communication skills in previous evaluations he's written for Officer Kunkel. Sgt. Gora described Officer Kunkel as somebody who communicates well in different situations and with a variety of people.

After the shooting, Sgt. Gora's team was required to remain at scene to keep the scene secure. Sgt. Gora went to each officer at the scene and asked if they were injured. No other officers reported being injured. Sgt. Gora instructed each officer not to talk about the details of the incident with each other. Sgt. Gora, when relieved, returned to the station with Officer Pittl because Sgt. Gora's car was inside the crime scene. Sgt. Gora said he removed his phone charger and wallet from his duty bag but left his vehicle otherwise unchanged. During the ride to the station, Sgt. Gora told Officer Pittl he was proud of his team and that it would be a very long day. No details of the case were discussed. When he returned to the station, Sgt. Gora gave his Taser camera to Sgt. Schlehuber.

Sgt. Gora was not injured during the call and stated he never personally used force against the suspect. Sgt. Gora knew that Officer Pittl had activated his Scorpion camera during the incident and was told Officer Paulsen had activated his digital audio recorder but was unsure if there were any other recording devices activated by officers.

Sgt. Gora stated he did not view his video recording or any other video or audio recording of the incident prior to giving his statement, including reviewing any dispatch recordings.

I asked Sgt. Gora if the suspect ever complied at any point. Sgt. Gora said other than removing

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his bandana, he never did. Sgt. Gora described giving the suspect "Countless orders" but it didn't seem "like anything mattered." Sgt. Gora said that even after being shot and handcuffed, the suspect continued to struggle with officers who were administering medical aid. Sgt. Gora said when the suspect fled, he appeared so intent to exit through the window that Sgt. Gora didn't believe it would have mattered if the window was broken or not, the suspect was going to go through it.

Sgt. Gora added that one of the reasons he made the decision to enter the business was because the suspect had been seen with a box of keys. Sgt. Gora explained he didn't want the suspect to gain access to a vehicle and "Go mobile."

Officer Lengel asked if Sgt. Gora saw any bystanders in the area when the incident occurred. Sgt. Gora said, around the time the jack was thrown through the window, Sgt. Gora saw two vehicles traveling northbound on First Street. The vehicles slowed and Sgt. Gora ordered the drivers to keep going. Sgt. Gora saw nobody else around the area.

The interview concluded at 1739 hours. This is a summary and not a complete representation of the interview. For complete details, see video recorded statement.

10. CRIME SCENE EVIDENCE COLLECTION:

Throughout the day on 7/5/15, I was provided periodic updates by Detective Sarasua who was supervising the processing of the crime scene. Detective Sarasua advised me via phone that during a cursory search of the white Mercedes van at the crime scene, he located two loaded handgun magazines.

Detective Sarasua said he also located a notebook with several pages written on inside it and I was later shown photograph of some of the pages. In the writing, Detective Sarasua found what appeared to be a check list. On the check list was "Disguise," "Gloves," "Screamers to drown out noise & be a distraction," "Check location," "Escape route" and "Vehicle? Van sedan? Mercedes?" "No Plates" was written above the line about the vehicles and "Van" was underlined. Below the list, "Alaby taking couch to Oakdale from San Jose" was written.

These writings in the notebook appeared to me as some form of planning checklist. On another page was a similar list in which "Disguise," "Gloves" had "Alaby" had asterisks next to them. The last two lines on this list were "Spray paint" and "Stencil spray on pumps..." Below this was written "BIG MESSAGE ON WALL" Below this was a paragraph that began with "ATTENTION GOV LAB RATS They Gift wrap the straw that broke the camels back"

On a subsequent page of the notebook, additional notes were written that included "Take a shit in a bag have it near the window in case Im pulled over," "Screamers call in fake emergency," "Make stencil" Additional notes mentioned going to San Jose on Saturday, setting a watch to midnight and "Film myself." On another page "Call in pretend to be whispering (taken)" was written.

Fireworks were located in the van. A firework mortar was located outside of the broken window of the business. Detective Sarasua found spray paint and a hand-made stencil with the same paragraph that began with "ATTENTION GOV LAB RATS" in the van.

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I recognized there was a couch in the back of the van, the van had no license plates, the suspect had been seen wearing a mask, fireworks were found in the suspect's van. These facts lead me to believe the suspect may have planned some type of criminal activity and may have been involved in that activity during the incident being investigated (SEE SUPPLEMENTAL REPORTS FROM DETECTIVES SARASUA AND BOCCASILE FOR DETAILS).

11. SEARCH WARRANT - SUSPECT'S RESIDENCE:

Upon the completion of Sgt. Gora's interview, I learned that the suspect's wallet had been collected and contained the California Driver License and U.S. Passport of Johnathon Patrick Deming Jr. The white Mercedes van was found to be registered to [redacted] with confidential license plates associated to the [redacted]. Detective Shuffield located a Facebook account for Deming Jr. When comparing Deming Jr's passport photo and photos on his Facebook page, he appeared to be the suspect. The address on the driver license in Deming Jr's wallet was [redacted] Deming Jr had a 2009 Mercury Grand Marquis registered to him.

Officer Shuffield obtained a search warrant for [redacted] as well as the 2009 Mercury for burglary tools, controlled substances, electronic devices and other items which could associate Deming Jr to Specialty Sales.

At approximately 1852 hours on 7/5/15, I assisted with service of the search warrant at [redacted] in [redacted]. Also present during the search warrant service were Sgt. Schlehber, Officer Lengel, Detective Shuffield, Detective Silacci and Detective Chin. The Mercury was not located at the residence. At the residence, we contacted Deming Jr's [redacted] I spoke with [redacted] in the back yard of the residence and, as other detectives conducted the search of the house, notified her of her [redacted] death at 1935 hours per my wristwatch (SEE OFFICER LENGEL'S SUPPLEMENTAL REPORT FOR DETAILS OF [redacted] STATEMENT).

As Detectives Shuffield, Silacci and Chin conducted a search of the residence, they identified a back bedroom as appearing to belong to Deming Jr. Inside the room, they located a ballistic vest, a handgun magazine loaded with .45 caliber ammunition and a replica handgun. Based on the notebook and handgun magazines located in Deming Jr's van, it appeared he may have been planning some type of armed encounter with law enforcement. I determined the ballistic vest, magazine and replica handgun could be associated with this planning. I contacted Detective Sarasua who was at the station and requested he obtain a "Piggy back warrant" to collect these items.

When I entered Deming Jr's room, I saw a camera, notebook and laptop computer placed on his bed. These items were collected by Detective Shuffield. Detective Shuffield also collected various journals, a desktop computer and other electronic items pursuant to the original search warrant (SEE DETECTIVE SHUFFIELD'S SUPPLEMENTAL REPORT FOR DETAILS OF ITEMS COLLECTED FROM SEARCH WARRANT SERVICE).

RECOMMENDATIONS:

Attach to original report.

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B. STOCKING #269

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S)

2015-
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SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/27/2015	TIME 15:28	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON

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SYNOPSIS OF EVENT

12. Officer Sheldon Statement
 13. Officer Paulsen Statement

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OTHER:			

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12. OFFICER SHELDON STATEMENT:

At 1120 hours on 7/6/15 I interviewed Officer Mark Sheldon in Interview Room #2 at the Pleasanton Police Department. Also present during the interview were Officer Lengel and Officer Sheldon's legal representative, Attorney [redacted]. The interview was audio and video recorded. Officer Sheldon left work on the afternoon of 7/5/15 after being instructed by Captain Eicher not to discuss details of the incident. Officer Sheldon returned the following day to provide his statement. Officer Sheldon told me the following in summary:

Officer Sheldon has been employed as a police officer with Pleasanton PD for 13 years and is currently assigned as a K-9 handler on patrol. Officer Sheldon's K-9 partner is "Falco." During his time with Pleasanton PD, Officer Sheldon was a member of the SWAT team for four years and a member of the Special Investigations Unit for four years. Prior to Pleasanton PD, Officer Sheldon worked for the Alameda County Sheriff's Office for two years. Officer Sheldon graduated from the Alameda County Sheriff's Office Police Academy in March of 2000. Officer Sheldon completed a four-week Jail Training Program at the sheriff's department and a Field Training Officer Program at Pleasanton PD. Officer Sheldon has attended various law enforcement trainings that have covered the topics of narcotics and K-9 handling. Officer Sheldon is a Drug Recognition Expert (DRE). Officer Sheldon and his K-9 partner completed a five-week basic K-9 training program and attend on-going K-9 training sessions for four hours each week. Officer Sheldon has no prior military experience.

Officer Sheldon began his shift on 7/4/15 at his regular start time of 1400 hours. He regularly works Friday, Saturday and Sunday from 1400 hours until 0230 hours. Officer Sheldon wore a Pleasanton PD BDU-style uniform with a cloth badge embroidered on the right side of his chest and his name embroidered on the left side. The uniform had two Pleasanton PD patches, one on each sleeve. Officer Sheldon was wearing a department-issued Scorpion camera and carried a department-issued audio recording device. Officer Sheldon's call sign was K21 and he was assigned marked Pleasanton PD vehicle #486 equipped with a cage for his K-9 partner. At the beginning of his shift, Sgt. Fragomeli was Officer Sheldon's supervisor until she was relieved later in the shift by Sgt. Gora.

Officer Sheldon reported nothing was unusual about the shift other than it was the 4th of July holiday and he had responded to several calls of fireworks. Because of Officer Sheldon's assignment as a K-9 officer, Officer Sheldon leaves work at 0215 hours (15 minutes early) in his department vehicle to account for his drive time back to his residence in Livermore. While driving home in his marked police vehicle and police uniform, Officer Sheldon heard Sgt. Gora respond to an alarm call where the alarm company said somebody was on scene refusing to give their name. Officer Sheldon heard, via police radio, that Sgt. Gora located a van with its back door open. Officer Sheldon heard Sgt. Gora report a broken window to the business and then heard screaming from inside the business. Sgt. Gora asked if Officer Sheldon was still "On the air." Officer Sheldon responded that he was listening and Sgt. Gora requested Officer Sheldon respond "Code 3," which he did.

When Officer Sheldon arrived on scene, he parked his vehicle in front of the business located at 4321 First Street. Officer Sheldon saw numerous officers (he estimated four or five) on scene in front of the business. He heard the suspect had been seen inside the building and that a less-lethal bean bag shotgun round was fired. Officer Sheldon knew from radio traffic that a perimeter had been established and officers were positioned to the rear of the business.

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Officer Sheldon spoke to Sgt. Gora and was told a subject was inside. Sgt. Gora confirmed a burglary had occurred. Officer Sheldon removed his K-9 from his vehicle, placed him on a leash and "stacked" near the front door with other officers. Officer Sheldon could hear other officers verbally engaging the suspect. Officer Sheldon heard Officer Paulsen saying something similar to "Hey buddy, what's going on? Hey pull your bandana down and let's talk." Officer Sheldon did not hear an audible alarm sounding at this time. At some time later during the incident, Officer Sheldon could hear an alarm sounding but was unsure when it activated.

Officer Paulsen reached through the broken glass and opened the front door. Officer Sheldon knelt down at the threshold and initially could not see the suspect. Officer Sheldon then saw the suspect, a thin white male with long hair and a bandana over his face, hanging by his arms from the rafters of the business. The suspect was moving "hand over hand" across the rafters as he hung. Officer Sheldon saw the suspect traverse at least two beams of the rafters from north to south in this manner. The suspect released his grasp and fell straight to the ground. Officer Sheldon estimated the suspect fell 15 - 20 feet and immediately stood up, not appearing to be injured. The suspect ran toward the rear of the business toward Officer Sheldon's right, behind a wall and out of sight. Officer Sheldon ordered the suspect to come outside, told him he had a dog and if the dog located him, the dog would bite him. Officer Sheldon didn't recall the number of times he repeated this command but the dog was barking as the commands were being given. Officer Sheldon believed the commands were loud enough to be heard by the suspect.

Officer Sheldon knew the suspect had not been complying with commands, was out of sight and had fallen a great distance without appearing injured. He could also see there was broken glass inside the business. Officer Sheldon believed obtaining a better vantage point of the suspect was a better option than releasing the dog blindly. Officer Sheldon moved forward with other officers to the corner of an office inside the business. Other officers followed and fanned out away from Officer Sheldon.

Officer Sheldon could now see the suspect seated on top of a pickup and described "his feet were on the window and his butt was on the cab." Officer Sheldon estimated the suspect was seated five to six feet above the ground and he was fifteen to twenty feet away from Officer Sheldon and his dog. Officer Sheldon again gave the suspect orders to "Come down" and said "If you don't come down you're going to get bit." Officer Sheldon could see the suspect's hands and could tell he was not holding anything. The suspect did not comply.

Another officer (Officer Sheldon was not sure which officer but believed it was Officer Bennett) fired a Taser at the suspect. One probe struck the suspect's left thigh. Officer Sheldon did not know where the second probe went but saw the suspect reach down, pull the Taser probe from his thigh and say "What is this, a Taser?" The suspect looked at the probe and then threw it downward. Officer Sheldon did not believe both the Taser probes had fully connected to the suspect and the suspect appeared unaffected by it. Officer Sheldon saw the suspect was "Sweating profusely."

Officers continued to order the suspect to come down off the truck. The suspect began to slide down the truck but then stopped and said something similar to "No. I don't want to get bit." Officer Sheldon said "If you come down, you're not going to get bit." Officer Sheldon saw another officer (He did not know which one) fire a second Taser. Officer Sheldon didn't know where the Taser probes struck but the suspect was

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unaffected.

The suspect jumped off the truck and landed on the opposite side from Officer Sheldon. Officer Sheldon could only see the top of the suspect's body through the truck. Officer Paulsen, who was to Officer Sheldon's left, fired two rounds from the less-lethal bean bag shotgun. Officer Sheldon did not know if the bean bags struck the suspect. Officer Sheldon moved around the left side of the truck and saw the suspect running away. Officer Sheldon released his dog as the suspect ran into a small office attached to the south show room. The suspect quickly emerged from the office and continued to run away from Officer Sheldon. Officer Sheldon followed the dog which followed the suspect. The remaining officers were now behind Officer Sheldon as they ran northbound through a corridor which led to the north show room. Officer Sheldon saw the distance shorten between the dog and the suspect. Officer Sheldon lost sight of the suspect and then saw his dog run into one of the cars in the north show room at "full speed." Officer Sheldon explained it appeared the dog slid on the slick floor and collided with the parked car.

The dog recovered and went around the vehicle. The dog made his way to the northwest corner of the showroom where Officer Sheldon saw a shattered window. This was the first time Officer Sheldon saw the broken window. The dog propelled himself toward the window. Officer Sheldon believed the dog knew the suspect had run out the window but that the dog could not figure out how to get through the elevated window.

Officer Sheldon described the inside of the north building as "cloudy." Officer Sheldon explained he later learned that a fire extinguisher had been discharged there.

Officer Sheldon went to the broken window and lifted up the dog to help him through the window. As the dog made his way through the window, Officer Sheldon, from inside the building, saw Officer Cobler on the outside of the building running northbound toward the window. Officer Sheldon's dog saw Officer Cobler running and began running toward Officer Cobler who was to Officer Sheldon's left. Officer Sheldon believed his dog was going to engage Officer Cobler. Officer Sheldon yelled commands from inside the building, instructing the dog not to bite Officer Cobler. The dog yielded and did not bite Officer Cobler. Officer Cobler jumped over some bushes to get away from the dog. Officer Sheldon told Officer Cobler to stop moving.

Officer Sheldon exited the window and instructed his dog to lie down. The dog complied. Officer Sheldon did not know where the suspect had gone. Other than Officer Cobler, Officer Sheldon did not see any other officers around. Officer Sheldon "grabbed" his dog, attached a leash and moved with his dog toward Spring Street when he heard two gun shots fired from west of his location. Officer Sheldon said he knew the shots were from a firearm and were not bean bag rounds based on the sound. Officer Sheldon saw a large white van parked west of him and believed the shots came from the other side of the van. Officer Sheldon said he could not see anything to the west of the van because the van blocked his view.

A group of officers were just exiting the business through the broken window behind Officer Sheldon. Officer Cobler joined the group of officers. Officer Sheldon saw officers approach the white van and go around it. Officer Sheldon moved around the van with Sgt. Gora.

Officer Sheldon saw Officer Kunkel on the ground, lying on his back with a handgun lying off to the left (east)

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side of him. Officer Sheldon said Officer Kunkel was lying motionless with his feet to the south and his head toward the north.

Officer Sheldon saw the suspect face down approximately five feet away from Officer Kunkel. The suspect's feet were to the south and his head was to the north. The suspect was north of Officer Kunkel's location. Officer Sheldon saw Officers Cobler and Pittl engaged with the suspect trying to get the suspect's hands behind his back to be placed in handcuffs. Officer Sheldon said the suspect was physically resisting and the officers could not handcuff him. Officer Cobler appeared to gain some control of the suspect's right arm. Officer Pittl was attempting to control the suspect's left arm but was unsuccessful.

Officer Sheldon said "He was still resisting, he was lifting up, he was trying to, he was just resisting, and he wasn't, they weren't able to get his hands behind his back and handcuff him." Officer Sheldon went on to explain that the suspect was using "Some good force." Officer Sheldon made the decision to bring his dog to the suspect and apply force to overcome the resistance in order to handcuff him.

Officer Sheldon located a visible portion of the suspect's body and instructed his dog to bite the suspect there. The dog bit the suspect somewhere near the suspect's upper left torso, shoulder or arm. Officer Sheldon said the bite appeared successful because the other officers were able to handcuff the suspect after a few seconds. The dog was attached to a leash during the bite.

I asked if Officer Sheldon noticed anything happening near Officer Kunkel. Officer Sheldon again described Officer Kunkel as motionless and on his back. Officer Sheldon could tell Officer Kunkel was injured and did not hear Officer Kunkel say anything. Officer Sheldon said at that time, he knew two shots had been fired and did not know if Officer Kunkel had been shot. Officer Sheldon asked aloud "How is he doing?" and Officer Palmquist gave Officer Sheldon "a thumbs up." Officer Sheldon assumed this meant Officer Kunkel was "ok."

After the shooting, Officer Sheldon heard Sgt. Gora instruct somebody to get a trauma bag. At this time, Officer Sheldon noticed blood around the suspect for the first time. Sgt. Gora asked Officer Sheldon to place his dog inside his patrol car which he did.

Officer Sheldon recalled that Sgt. Gora had requested officers respond from Livermore PD. After the shooting and subsequent dog bite, Officer Sheldon noticed Livermore Sergeant Horton at the scene but did not know when he had arrived there.

Officer Sheldon secured the front of the business as Livermore PD officers set up crime scene tape around the building. Officer Sheldon believed two officers had responded from Livermore PD, Sgt. Horton and Officer Avila. Officer Sheldon established a crime scene log and stood in front of the business for the next four or five hours.

Officer Sheldon's car was inside the crime scene. A female Pleasanton PD volunteer arrived with another K-9 vehicle and took Officer Sheldon and his dog back to the station.

Officer Sheldon was not injured during the incident. He did not see any civilians in the area of the incident. Officer Sheldon never activated his video or audio recorders during the incident. Officer Sheldon did not

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speak or communicate with other involved officers about the incident. When asked if he had seen any media coverage of the incident, Officer Sheldon said he did see and read a press release that had been e-mailed to all members of the department.

The interview concluded at 1219 hours on 7/6/15. This is only a summary and not a complete representation of the interview. For complete details of the interview, see video-recorded statement.

13. OFFICER PAULSEN STATEMENT:

At 1320 hours on 7/6/15 I interviewed Officer Tyler Paulsen in Interview Room #2 at the Pleasanton Police Department. Also present during the interview were Officer Lengel and Officer Paulsen's legal representative, Attorney . The interview was audio & video recorded.

Officer Paulsen left work on the afternoon of 7/5/15 after being instructed by Captain Eicher not to discuss details of the incident. Officer Paulsen returned the following day to provide his statement. Officer Paulsen told me the following in summary:

Officer Paulsen has been employed as a police officer with Pleasanton PD since August of 2013 and is currently assigned to patrol. Officer Paulsen previously worked as a patrol officer for Clear Lake PD for approximately four years. He graduated the Yuba College Police Academy in December of 2008. He completed Field Training Programs at both police departments and has attended additional training in the areas of field sobriety testing and interview & interrogation. Officer Paulsen has no prior military experience.

Officer Paulsen is currently assigned to work patrol on Friday, Saturday and Sunday. His shift begins at 1800 hours and ends at 0630 hours the following day. On 7/4/15, Officer Paulsen's shift began at 1800 hours. He was wearing a Pleasanton PD uniform with Pleasanton PD patches, a badge, a name plate and duty belt. Officer Paulsen was assigned marked Pleasanton PD vehicle #407. Inside the vehicle was a less-lethal bean bag shotgun and his department-issued AR-15 rifle. Officer Paulsen has received training on both weapons. Officer Paulsen was in a solo patrol unit and his call sign was H32.

Officer Paulsen was assigned to a call of loose dogs in the Ruby Hill neighborhood when he heard, via police radio, Sgt. Gora dispatched to an alarm call in Officer Paulsen's assigned district. Officer Paulsen heard Sgt. Gora relay over the radio that there was screaming coming from inside the building and that a window was broken. Sgt. Gora requested units respond to his location "Code 3." Officer Paulsen was with Officer Palmquist at the dog call in Ruby Hill. Both Officers Paulsen and Palmquist responded to Sgt. Gora's location with their emergency lights and sirens activated.

Officer Paulsen was familiar with the location of the business. He arrived on scene while traveling southbound on First Street. He parked his patrol vehicle in a bus stop on the east side of First Street, north of the business where the alarm call was. While en route, Officer Paulsen learned, via police radio, that additional screaming was coming from inside and a male suspect was seen in the business. Officer Paulsen told me he believed Sgt. Gora's main concern was handling the call quickly because the suspect had access to vehicles inside the business. Officer Paulsen said if the suspect accessed a vehicle, he could drive right out of the business through the business' large glass windows.

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Officer Paulsen ran toward the front of the business that faces First Street. Officer Paulsen did not remove his shotgun at this point. Officer Paulsen was not sure how many officers were on scene but he knew at least Sgt. Gora and Officer Middleton were there prior to his arrival. Officer Paulsen asked Sgt. Gora if anyone was on the back side of the building. Sgt. Gora told Officer Paulsen that Officers Kunkel and Cobler were on the back side of the business. A short time later, Officer Paulsen saw that Officers Palmquist and Bennett were in front of the building. Sgt. Gora asked Officer Sheldon and his K-9 to respond. Officer Paulsen was aware Officer Pittl was assigned to another call and unable to respond initially. Sgt. Gora asked for Livermore PD units to respond "Code 3."

Officer Paulsen could see the suspect inside the car dealership through the large glass windows that face First Street. Officer Paulsen described the suspect as "Very irate and agitated." He said it appeared the suspect was "under the influence of some drug." Officer Paulsen said that at his previous agency (Clear Lake PD) he dealt with multiple subjects who were under the influence of drugs that gave them physical strength and power which people not under the influence do not possess.

Officer Paulsen said "My initial thought, seeing this guy, was there's something wrong with him, he's obviously got something going on and he's highly agitated and he's running around, jumping on the cars. He's hanging in the rafters, on the roofs, like a jungle gym and at one point, he picked up a large car jack." Officer Paulsen physically demonstrated the approximate size of the car jack. Officer Paulsen said the suspect "ran to the front window and threw it at us." Officer Paulsen said the first car jack thrown did not penetrate the window but instead landed on the front of a car inside the business.

The suspect then picked up another car jack and threw it outside. This jack broke the front glass window and came out onto the street. Officer Paulsen said "At that point, when he's picking those up, throwing them, that's a whole new ball game because those are pretty heavy equipment and he picked them up." Officer Paulsen did not know where the suspect located the two car jacks he had thrown.

When the suspect threw the first car jack, the suspect was standing to the right of the front door if looking at it from the street. Officer Paulsen estimated the suspect was approximately five feet from the glass when he threw the first jack that did not penetrate the glass. When he threw the second jack, the suspect was closer to the front door. Officer Paulsen said he and other officers began to back up because they anticipated the jack being thrown through the glass. When the second jack was thrown, Officer Paulsen was near the roadway on the west side of First Street.

I asked Officer Paulsen what he believed the suspect's intention was when he threw the car jacks and Officer Paulsen replied "Trying to hit an officer with it, and when he's picking those, they're not light pieces of equipment, and when he's just picking those up and throwing them, coupled with his bizarre behavior and being irate and agitated, there was big red flags that there was something wrong with this guy and he was, you know, it was, we weren't sure what was going to happen at that point."

Officer Paulsen said he only saw one person in the business and described him as a white male adult with a black bandana wrapped around his face. Officer Paulsen said he and other officers tried to talk to the suspect but the suspect didn't seem to listen. One officer relayed that the suspect had made a statement describing himself as "A mountain lion." The suspect continued to run back and forth inside the building.

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Officer Paulsen did not recall hearing an alarm sounding.

Officer Paulsen said there were lights turned on both inside the building and on the street. Officer Paulsen said he was able to see the suspect because of the lighting.

I asked Officer Paulsen to describe how the suspect hung from the rafters. Officer Paulsen told me there was an office that separated the two buildings of the business. Above the office was "some sort of structure on the wall." Officer Paulsen said it was difficult to see at this point but he could tell the suspect was near the roof of the business.

Officer Paulsen described that the suspect continued to move back and forth along the front of the building and officers moved back and forth to maintain visual contact with him.

I asked if the opening created by the jack going through the window was large enough for a person to go through. Officer Paulsen replied "Yes. Someone could have squeezed through it, yes." Officer Paulsen said the suspect made no attempt to exit the business but stood near the threshold while another officer gave him commands to come outside. The suspect did not comply and "was agitated." Sgt. Gora made a command to deploy the less lethal shotgun on the suspect. Officer Paulsen knew there was some type of malfunction with a shotgun but that a bean bag round was eventually fired by Officer Bennett. The bean bag round did not strike the suspect but caused the suspect to turn and go deeper into the building.

I asked where officers were standing when the bean bag shotgun was deployed. Officer Paulsen requested to draw a diagram of where officers were standing in relation to the suspect when the bean bag shotgun was deployed. I provided Officer Paulsen a piece of yellow paper. He drew a sketch (not to scale) of the front of the business. Officer Paulsen pointed out where he, Officer Bennett and the suspect were standing. I annotated the location of the suspect, Officer Paulsen and Officer Bennett on the paper as described by Officer Paulsen. I later signed the paper in the upper left corner and Officer Paulsen signed it as well. I later booked this diagram into evidence.

Officer Paulsen, realizing Officer Bennett's shotgun had malfunctioned once, went to his patrol vehicle and retrieved his less-lethal bean bag shotgun. When Officer Paulsen returned, he went to Sgt. Gora and loaded four bean bag rounds that had been stored in a holder on the side of the shotgun. Sgt. Gora confirmed each of the four rounds loaded into the yellow shotgun were less-lethal bean bag rounds.

Officer Sheldon arrived on scene with his K-9 and Officer Pittl arrived on scene at approximately the same time. Officer Paulsen reached through the broken window and opened the front door. Officer Sheldon entered the business followed by other officers. When officers got into the building, Officer Paulsen could see the suspect seated on the roof of a pickup. Officers formed a partial circle around the suspect. As Officer Sheldon gave commands, the suspect's focus was directed toward the dog. Officer Bennett deployed a Taser and it was ineffective. Officer Paulsen saw the suspect pull a Taser dart from his clothing. The suspect appeared agitated and upset.

The suspect appeared to turn as if he was going to run. Officer Paulsen deployed his Taser and it was again ineffective. Officer Paulsen did not know if or where the Taser probes struck the suspect. Officer Paulsen dropped his Taser and transitioned to his less-lethal shotgun. Officer Paulsen targeted a meaty portion of

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the suspect's arm as he was getting down from the truck and beginning to run away. Officer Paulsen said he aimed for the upper body because he didn't want to aim low and strike the K-9 if it was deployed. The first bean bag deployment was ineffective.

Officer Paulsen fired a second bean bag round. Officer Paulsen was unsure if or where either bean bag projectile struck the suspect but neither one was effective in stopping the suspect who did not appear to react to the bean bag rounds. The suspect ran into an office and then into a hallway that led to the north building. Officer Paulsen lost sight of the suspect. Officer Paulsen along with other officers pursued the suspect. Officer Sheldon released his dog at about this time.

As officers ran to the north building, they could not locate the suspect but Officer Sheldon's dog ran to the broken window in the northwest corner. Officer Sheldon lifted his dog through the window and then followed the dog through the window to the outside. Officer Paulsen saw a large piece of glass hanging from the window. Officer Paulsen took the butt of the shotgun and struck the glass to clear room for officers to exit the window.

Officer Paulsen heard one gun shot fired and then heard somebody on the radio say "Shots fired." Officer Paulsen ran to his right toward a white van parked nearby. When he came around the rear of the van, Officer Paulsen saw Officer Kunkel and the suspect lying on the ground past the front of the van.

Officer Paulsen said Officer Kunkel was lying on his back. His feet were facing north toward Spring Street and his head was toward the south. His arms were at his sides and his gun was on the ground to the right side of Officer Kunkel, the side closest to the auto dealership. A Taser was on the ground near Officer Kunkel's left side.

Officer Paulsen recognized that the suspect on the ground was the same suspect he saw inside the business. The suspect was also lying on the ground and his head was facing toward Spring Street with his feet extending away from Spring Street. Officer Paulsen set his less-lethal bean bag shotgun on the ground.

Officer Paulsen tried to restrain the suspect with Officer Cobler. Officer Paulsen had to use both of his arms to restrain one arm but the suspect continued to "flop around" and Officer Paulsen said the suspect appeared very strong. Officer Paulsen saw blood on the suspect's face. An officer was standing by Officer Kunkel. Officer Paulsen said Officer Kunkel was not moving and Officer Paulsen believed he may have been shot. Officer Paulsen heard Officer Kunkel say something similar to "I got hit in the head."

Officer Paulsen removed a trauma kit and towel from Sgt. Gora's car. He brought these items to the suspect. As medical aid was rendered, the suspect remained conscious, moaned and continued to move his body forcefully. Officer Paulsen said it took himself and two other officers to keep the suspect in place. Two ambulances were called for and Officer Paulsen remained with the suspect until they arrived. The suspect was transported in an ambulance while another officer walked Officer Kunkel to a second ambulance.

Officer Paulsen stayed at the scene until relieved by other personnel. Officer Paulsen then drove to the station alone. Officer Paulsen said he did not speak with other officers about the details of the incident. I asked Officer Paulsen if he saw any news stories about the incident. Officer Paulsen said he saw and read the press release e-mailed to all department members but nothing else.

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Officer Paulsen said he qualified with the less-lethal shotgun during his last department training but did not recall the date.

restated that Officer Paulsen had been actively involved in placing handcuffs on the suspect and had to use "A good deal amount of force" to do so. asked Officer Paulsen how tall he was and Officer Paulsen replied that he was 6'6". asked Officer Paulsen how much he weighed and Officer Paulsen stated he weighed between 250 and 255 pounds.

asked if Officer Paulsen activated either his audio or video recorder during the incident. Officer Paulsen stated he activated his audio recorder during the incident and that he had given the recorder to a detective. asked when Officer Paulsen stopped recording. Officer Paulsen said it was some time around when medical personnel arrived.

The interview concluded at 1414 hours on 7/6/15. This is only a summary and not a complete representation of the interview. For complete details of the interview, see video-recorded statement.

RECOMMENDATIONS:

Attach to original report.

B. STOCKING #269

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #(S)

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 07/27/2015	TIME 15:52	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON

SYNOPSIS OF EVENT

14. Officer Cobler Statement

O F F S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE

S U B J E C T S	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
10							

V E H I C L E S	CASE VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR					
	DESCRIPTION									
	PROPERTY VEHICLE #1									
	ROLE	YEAR	MAKE	MODEL	STYLE					
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR						
DESCRIPTION										
VALUE										

R T E	<input type="checkbox"/> DISTRICT ATTORNEY <input type="checkbox"/> JUVENILE PROBATION OTHER:	<input type="checkbox"/> CHILD PROTECTIVE SERVICES <input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> ADULT PROTECTIVE SERVICES <input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> US POSTAL INSPECTORS <input type="checkbox"/> STREETS

REPORTING OFFICER Stocking, Brandon, ,	DATE WRITTEN 07/27/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 9/9/2015 18:28
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14. OFFICER COBLER STATEMENT:

At 1506 hours on 7/6/15, I interviewed Officer Brandon Cobler in Interview Room #1 at the Pleasanton Police Department. Also present during the interview were Officer Lengel and Officer Cobler's legal representative. The interview was audio and video recorded. Officer Cobler left work on the afternoon of 7/5/15 after being instructed by Captain Eicher not to discuss details of the incident. Officer Cobler returned the following day to provide his statement. Officer Cobler told me the following in summary:

Officer Cobler has been employed as a police officer with Pleasanton PD since September of 2014 and is currently assigned to patrol. Officer Cobler graduated the Alameda County Sheriff's Office Police Academy in September of 2014. Officer Cobler completed a four-month Field Training Program with Pleasanton PD. Officer Cobler has no prior military experience. Officer Cobler is assigned to swing shift and works on Friday, Saturday and Sunday from 1400 hours until 0230 hours of the following day.

Officer Cobler began his shift on 7/4/15 at 1400 hours. He was wearing a full police uniform with two shoulder patches, a badge and name plate visible. Officer Cobler was assigned marked patrol vehicle #489 and his call sign was K31.

Officer Cobler reported nothing strange, unusual or out of the ordinary occurred during his shift. Near the end of his shift, Officer Cobler was in the Sergeant's Office turning in citations he had written earlier. An alarm call was dispatched in beat 3. Sgt. Gora, who was in the office with Officer Cobler, used his police radio to advise he would respond to the call. Sgt. Gora left and Officer Cobler went to the locker room where he changed out of his police uniform. Officer Bennett was also in the locker room. Officer Cobler had not paid attention to the radio traffic but heard Officer Bennett putting his uniform back on while in the locker room. Officer Cobler then began to put his uniform back on in a hurry.

Officer Cobler ran to the parking lot where he got into a marked patrol car. Officer Cobler wasn't sure which car it was as he had already unloaded vehicle #489, the vehicle he had driven during his shift. Officer Cobler heard Sgt. Gora ask for units to respond "Code 3," for Livermore PD units to respond and to have dispatch page Officer Cobler. Officer Cobler transmitted on the radio that he was en route to the call but asked where it was because he had not heard the location of the call. Officer Cobler said he realized the call was unusual because of the "Code 3" response requested and the outside agency being requested to respond.

Officer Cobler arrived on scene by traveling northbound on First Street and parked his patrol vehicle on the east side of First Street approximately fifty feet south of Specialty Sales. Officer Cobler drew his handgun and ran to the southeast corner of the building. Officer Cobler saw approximately four or five officers in the front of the business. Through the glass windows of the building, Officer Cobler saw a male suspect wearing a mask inside. Officer Cobler heard officers give loud and clear commands to the suspect. Officer Cobler didn't remember if an alarm was sounding at this time.

Officer Cobler saw the suspect approach the front door of the business. The suspect carried a large floor jack to the front of the business. Officer Cobler, who stated he used to be a mechanic, described the floor jack as red, three feet in length and nearly a foot wide. Officer Cobler described the jack as being either a two-ton or four-ton model with wheels on it. Officer Cobler said he knows those types of floor jacks are

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heavy and are not meant to be picked up. Officer Cobler couldn't estimate the distance the floor jack was thrown but later saw it near the southbound lane of First Street. Officer Cobler said other officers were around but he didn't recall how they reacted to the floor jack being thrown. The suspect then "Flipped off" the officers from inside the business.

Sgt. Gora told Officer Cobler to go to the southwest corner of the building and he went there by traveling along the south wall. Officer Cobler saw two windows near the southwest corner of the business but they had sheets over them and Officer Cobler could not see inside. When Officer Cobler got to the corner, he could see Officer Kunkel at the northwest corner of the building. Officer Cobler estimated he was 100 yards from Officer Kunkel. Officer Cobler believed Officer Kunkel may have been standing near Spring Street but didn't pay much attention to where he was. After initially seeing Officer Kunkel, Officer Cobler never saw Officer Kunkel again until after the shooting. Officer Cobler knew Officer Sheldon had arrived and heard someone say something about sending a dog into the building based on what he heard over the radio.

Based on what he had seen and the radio traffic he heard, Officer Cobler told me the suspect sounded like "a caged animal." Officer Cobler heard things breaking inside. Officer Cobler said based on the radio traffic, the suspect sounded "Like an ape in Planet of the Apes just going crazy." Officer Cobler heard that the suspect had left the business to the rear. Officer Cobler knew there were several officers in front of the business and didn't see the suspect leave near his location so he knew the suspect had to have left near Spring Street. Officer Cobler turned and looked along the back side of the business. He did not see Officer Kunkel, the suspect or anybody else. Officer Cobler began running northbound along the back side (west side) of the business.

As Officer Cobler approached the northwest corner, he saw a broken window to the business and saw Officer Sheldon's dog being lifted out of the window from inside. The dog was looking directly at Officer Cobler. Officer Cobler became fearful because he believed the dog was going to attack him. The dog ran toward Officer Cobler. Officer Cobler jumped over and ran around a hedge of bushes to avoid being bitten by the dog. Officer Cobler said he was extremely scared of the dog and stopped focusing on anything other than the dog. Officer Sheldon appeared and was able to grab ahold of his dog.

Officer Cobler, who was now facing north, heard a muffled gun shot coming from his left. He initially thought the sound was a firework. Officer Cobler thought it sounded too quiet to be a gun shot. A nearby officer said something similar to "That's a gun shot." Officer Cobler stopped focusing on the dog at this time and began trying to figure out where the suspect was and where Officer Kunkel was.

An officer was now in front of Officer Cobler and ran westbound around the corner of a fence. It appeared to Officer Cobler that this officer had a better idea of where the shots came from so Officer Cobler followed him. As the other officer rounded the corner, the officer yelled "Blue, blue, blue." When Officer Cobler followed the other officer around the corner, he saw Officer Kunkel and the male suspect lying on the ground. Officer Cobler's attention was first drawn toward Officer Kunkel. Officer Cobler saw a gun lying on the ground but didn't know whose it was.

Officer Cobler said Officer Kunkel was making some sort of sound, like a moan, that indicated he was in pain. Officer Cobler's attention was then drawn to the suspect lying to his right. Officer Cobler initially did not think the suspect had been shot because of the amount of movement being made by the suspect while on

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the ground. Officer Cobler assisted other officers by attempting to handcuff the suspect.

Officer Cobler described Officer Kunkel lying on the ground but could not recall his exact position. Officer Cobler thought Officer Kunkel may have been in the fetal position and didn't remember if he was moving or not.

Officer Cobler described the suspect's head was north of his body and he was lying near a curb. The suspect was closer to First Street than Officer Kunkel was. Officer Cobler described their relative positions as forming a "Slightly obtuse triangle" with their feet forming the corner of the triangle.

Officer Cobler said the suspect was "squirming and his legs kept coming in and out." Officer Cobler said he straddled the suspect and grabbed one of his arms to try to restrain the suspect and noticed blood coming from the suspect's abdomen as well as his face. Officer Cobler said the suspect was wearing a shirt but it was pulled upward. Officer Cobler saw a Taser probe in the front side of the suspect's shirt and saw "a hole" in the suspect's abdomen below the shirt. Officer Cobler believed the Taser probe was pulled away from the suspect during a subsequent scuffle while officers attempted to handcuff the suspect. Officer Cobler couldn't recall which arm he was trying to control but remembered it was a struggle to control the suspect.

Officer Sheldon approached the suspect with his dog. Officer Cobler believed the dog may have bit the suspect during the struggle but wasn't sure. The suspect continued to struggle but he and other officers were able to successfully control the suspect's arms and place him into handcuffs. Officer Cobler said his knees were scuffed on the ground during the scuffle. After the suspect was handcuffed, Officer Cobler had to remain on top of the suspect to maintain control because the suspect continued to move and pull away.

Officer Cobler applied pressure to the suspect's abdominal wound with a glove and asked another officer to bring him a towel. Officer Cobler said "Until fire arrived, I thought this guy could easily get up and run away. He had that much energy left." Fire Department and EMS personnel arrived shortly later. Medical personnel asked Officer Cobler to remove the handcuffs and he did. Once medical staff arrived, the suspect appeared to calm down and Officer Cobler believed the suspect was succumbing to his injuries. Officer Cobler was unable to pay much attention to Officer Kunkel during this time because of the efforts required to control the suspect. Officer Cobler later recalled seeing Officer Kunkel being loaded into an ambulance.

Officer Cobler did not recognize the suspect from any previous contacts. Sgt. Gora later asked Officer Cobler to set up caution tape near the intersection of Railroad Avenue and Spring Street. A group of people were there and four of them said they had heard the gun shots. Officer Cobler wrote the names and contact information down from the four individuals who had said they heard the shots. None of the subjects reported seeing the shooting. The individuals were young and said they had been at a party nearby. (It was noted during the interview that [redacted] had handed me two field interview cards with names on them the previous day. [redacted] advised he was given the cards by Officer Cobler. Officer Cobler said he gave the cards to [redacted].

After about two hours, Officer Cobler was relieved of his post. Officer Cobler drove his patrol car back to the station alone. At the station, he washed his hands because they had blood on them. Officer Cobler had blood on his uniform pants. These pants were photographed by Officer Shuffield.

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I asked Officer Cobler if he had discussed the incident with anyone else. Officer Cobler told me that in the minutes proceeding the shooting, he spoke with Officer Sheldon and Officer Bennett at the scene.

Officer Cobler explained he asked Officer Bennett what happened inside the building. Officer Bennett described trying to shoot the suspect with a Taser and with a less-lethal bean bag shotgun. Officer Bennett said the Taser and less-lethal deployments were not effective. At no point did Officer Bennett instruct Officer Cobler on what to say during the interview. At no point did Officer Cobler instruct Officer Bennett on what to say during the interview.

Officer Cobler explained he spoke with Officer Sheldon about how scared he was of Officer Sheldon's dog. They spoke briefly about Officer Cobler being chased by the dog and Officer Sheldon told Officer Cobler to remain still the next time he was being chased by a dog. At no point did Officer Sheldon instruct Officer Cobler on what to say during the interview. At no point did Officer Cobler instruct Officer Sheldon on what to say during the interview.

I asked Officer Cobler if he had seen any news articles or media publications regarding the incident. Officer Cobler said he follows the City of Pleasanton's Facebook page and saw a brief post about the shooting that did not include any details which Officer Cobler was not already aware of. I asked Officer Cobler if he read any associated comments for the post and he said he did. I asked if he saw any posts that appeared to be made by individuals who appeared to have information about the shooting and Officer Cobler said "no." Officer Cobler told me he also read the press release issued by Pleasanton PD that was sent to his work e-mail.

I asked Officer Cobler if he ever activated his video or audio recorder. Officer Cobler said when he exited his patrol car, his video recorder fell to the ground. He recovered it and found the clip had broken off. Officer Cobler never activated any video or audio recording devices during the incident (Detective Shuffield later found what appears to be a broken clip of a Scorpion camera at the scene).

The interview concluded at 1557 hours on 7/6/15. This is only a summary and not a complete representation of the interview. For complete details of the interview, see video-recorded statement.

RECOMMENDATIONS:

B. STOCKING #269

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

EVENT

DATE REPORTED 07/27/2015	TIME 15:56	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON

SYNOPSIS OF EVENT

15. Officer Kunkel Statement

OFFENSES

SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE

SUBJECTS

NO	INVOLVED	NAME (LAST, FIRST, MIDDLE SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

VEHICLES

CASE VEHICLE #1		YEAR	MAKE	MODEL	STYLE
ROLE	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR
DESCRIPTION					
PROPERTY VEHICLE #1		YEAR	MAKE	MODEL	STYLE
ROLE	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR
DESCRIPTION					VALUE

ROUTE

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:			

REPORTING OFFICER Stocking, Brandon, .	DATE WRITTEN 07/27/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 8/18/2015 15:52
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15. OFFICER KUNKEL STATEMENT:

At 1837 hours on 7/6/15 I interviewed Officer Daniel Kunkel in Interview Room #1 at the Pleasanton Police Department. Also present during the interview were Officer Lengel, DDA Wong, DA Inspector Medeiros and Officer Kunkel's legal representative, Attorney [redacted]. The interview was audio and video recorded.

I read Officer Kunkel the following admonishment from a printed form:

"Officer Kunkel, you are represented here at this interview by your attorney, [redacted]. You are not in custody and you are free to conclude the interview at any time. You are not obligated to answer any questions. Any answers you do give may be used in a court of law. Having this in mind, do you wish to voluntarily proceed with the interview?"

Officer Kunkel replied "Yes." Officer Kunkel, [redacted] and I signed the form which was later attached to this report. Officer Kunkel told me the following in summary:

Officer Kunkel is 34 years old and has been employed as a police officer with Pleasanton PD since March of 2014. He is currently assigned to Patrol. Officer Kunkel was previously employed as a police officer with Antioch PD for approximately seven and a half years beginning in 2006. Officer Kunkel graduated the Alameda County Sheriff's Office Police Academy in October of 2006. Officer Kunkel completed Field Training Programs at both Antioch PD and Pleasanton PD. Officer Kunkel has received additional law enforcement training that includes the topics of drug abuse recognition, field sobriety testing and report writing. Officer Kunkel served as a light armored vehicle gunner and vehicle commander in the United States Marine Corps from 2001 to 2005 and was deployed to Iraq twice. Officer Kunkel received an honorable discharge from the Marine Corps and served four additional years as a reserve. Officer Kunkel's dominant hand is his left hand.

Officer Kunkel's current work schedule is Friday through Sunday from the 1800 hours to 0630 hours the following day. On his shift that began on 7/4/15, Officer Kunkel wore a full Pleasanton PD uniform that included City of Pleasanton patches on both shoulders, a metal badge on the left side of his chest and a name plate. Officer Kunkel wore a duty belt that contained the following items in order beginning with the front center and moving to Officer Kunkel's right: Belt buckle, double horizontal magazine pouch, handheld radio, Taser, pepper spray canister, small flashlight, handgun and audio recorder. Officer Kunkel wore a department-issued video recorder affixed to the front of his uniform shirt, below his collar and roughly near the center of his chest.

Officer Kunkel described his duty weapon as a department-issued Sig Saur P220 .45 caliber pistol, silver and black in color. Officer Kunkel made no modifications to the weapon and it had no light affixed to it. The weapon was loaded with department-issued Winchester ammunition. Officer Kunkel had one magazine in the weapon and two additional magazines on his duty belt. Officer Kunkel said the capacity of each magazine was either seven or eight rounds (Determined to be eight rounds). Officer Kunkel carried the weapon with one round loaded into the chamber and a full magazine attached. Officer Kunkel carried no

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secondary firearm. Officer Kunkel has trained with this firearm and last qualified with it during department training on or near 6/13/15.

Officer Kunkel described the holster for his firearm as a double-retention holster carried on his dominant left side. The holster is equipped with a "hood" and thumb actuator which must both be engaged in sequence to remove the firearm from the holster. Officer Kunkel's department-issued Taser is carried on his right side and is set up to be drawn with his non-dominant right hand.

On 7/4/15, Officer Kunkel began his shift at 1800 hours. Officer Kunkel inspected his handgun to ensure it was loaded at the beginning of his shift but did not perform a function check. Officer Kunkel did not recall if he performed a "spark test" on his Taser. Officer Kunkel was assigned to Pleasanton PD vehicle #402, a marked police vehicle equipped with lights, siren and three automated license plate recognition (ALPR) cameras. These cameras capture still images of license plates when they pass through the camera's view. Officer Kunkel performed a pre-shift inspection of his vehicle and found everything to be in working order.

Officer Kunkel was assigned to patrol district 1. His call sign was H11 and his supervisor was Sgt. Gora. He was assigned as a solo patrol unit. The last shift Officer Kunkel worked before this shift was a 12 ½ hour shift that ended at 0630 hours on 7/4/15. Officer Kunkel slept approximately six hours between these two shifts. I asked Officer Kunkel if he took any medications or consumed any alcoholic beverages between these two shifts. Officer Kunkel said he consumed no alcohol but took two "Pain-Off" pills for a headache at approximately 1745 hours on 7/4/15. Officer Kunkel obtained this medication from the first aid cabinet in the Pleasanton PD break room. Officer Kunkel occasionally wears prescription reading glasses when he reads but did not wear them at any time during his shift on 7/4/15.

When Officer Kunkel arrived to work on 7/4/15, he attended a shift briefing. Also present in the briefing were Sgt. Gora, Officer Paulsen, Officer Middleton and Officer Palmquist. Officer Kunkel believed Officer Pittl arrived late and was unsure if he was in the briefing. Discussion during the briefing was centered on protocol for responding to incidents at the 4th of July fireworks show being held at the Alameda County Fairgrounds in Pleasanton.

Prior to the incident being investigated, Officer Kunkel estimated he responded to between five and ten calls for service during his shift, most of which were reports of illegal fireworks. Officer Kunkel also estimated he made three traffic enforcement stops and issued several parking citations. During one of the traffic enforcement stops, Officer Kunkel activated his digital audio recorder. This was the only time during his shift that he activated either his video or audio recorder.

I told Officer Kunkel I would now be inquiring specifically about the call for service at 4321 First Street that began the current investigation. Officer Kunkel said he was dispatched to an alarm call along with Sgt. Gora while he was parked in the area of W. Las Positas Blvd and Coronado Way. The call was not in Officer Kunkel's assigned district. Officer Kunkel drove southbound on Hopyard Road, turned east onto Del Valle Parkway, south on Main Street and then east on Ray Steet.

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Approximately thirty seconds prior to his arrival on scene, Officer Kunkel heard Sgt. Gora advise, via police radio, that a suspicious Mercedes utility van was parked behind the business with its rear door open and a glass window to the business was broken. Officer Kunkel also heard Sgt. Gora say he could hear screaming from inside the business. Sgt. Gora requested his cover officer respond "Code 3" which Officer Kunkel explained means an emergency response with lights and sirens activated. Officer Kunkel was arriving on scene at about the time this request was made and did not activate either his lights or sirens. When Officer Kunkel arrived, he saw Sgt. Gora standing near the corner of the business where the broken window was. Officer Kunkel parked near Sgt. Gora, adjacent to the business on the north side of the road facing west.

I asked Officer Kunkel to describe, in chronological order, what happened from this point forward. I asked him to include what he saw, what he heard, new information he obtained, information he provided to others, actions he took and what he was thinking. I did not interrupt Officer Kunkel as he told me the following:

Sgt. Gora was at the northwest corner near a large broken window. The break in the window was large enough for a person to go through. Officer Kunkel saw broken glass on the inside of the business near the window. Sgt. Gora requested additional units respond "Code 3" and set up perimeter positions around the business when they arrived. Sgt. Gora moved to the front of the business, out of Officer Kunkel's view. Officer Sheldon responded from his home with a K-9. Officers Cobler and Bennett, who had ended their shift, returned to duty and responded to the scene.

Officer Kunkel was the only officer near the broken rear window. He heard items being broken and smashed inside. Through the windows, he saw a male with black hair and a ponytail inside the business. The suspect was near the front and couldn't see Officer Kunkel. As additional officers arrived on scene, they all went to the front of the business. Officer Kunkel feared the individual he saw was actively burglarizing the business. Officer Kunkel said, based on his previous law enforcement experience with Antioch PD, he's confronted burglary suspects who have retreated from victim businesses through the point where they accessed the business. Because of this, Officer Kunkel asked via radio if the K-9 officer wanted to meet with him at the suspected point of entry. Officer Kunkel heard no response and the K-9 officer responded to the front of the business.

Officer Kunkel heard two or three muffled gunshots. Officer Kunkel initially believed these were gunshots but then heard Sgt. Gora say on the radio that officers had deployed less-lethal shotgun rounds. Officer Kunkel then realized what he heard were the less-lethal shotgun rounds being fired. After a few seconds, Officer Kunkel saw the suspect again inside the business running toward him. Officer Kunkel tried to key his radio microphone but could not use the radio because "Everybody was talking already." Officer Kunkel drew his department-issued Taser and continued to watch the suspect inside.

The suspect ran to the broken window where Officer Kunkel was. The suspect stepped up and onto the window ledge and jumped through the window toward Officer Kunkel. Officer Kunkel verbally identified himself as a police officer and told the suspect to stop but the suspect did not listen. With his Taser in his

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right hand, Officer Kunkel attempted to fire his Taser into the front of the suspect from a distance of approximately three feet. The Taser did not fire and Officer Kunkel realized the safety was still activated. Officer Kunkel deactivated the safety as the suspect ran past him. As the suspect passed, Officer Kunkel said he did not have a "good shot" at the suspect's shoulder. Officer Kunkel waited for the suspect to pass him. The suspect ran westbound along the sidewalk toward the white Mercedes van. Officer Kunkel again told the suspect to stop and the suspect did not comply. Officer Kunkel fired his Taser at the suspect's back from a distance of approximately five feet. Officer Kunkel saw at least one probe strike the suspect in the back, just below his shoulder blades. Officer Kunkel heard his Taser cycle and the suspect continued to run away.

Officer Kunkel began to run after the suspect. Officer Kunkel immediately felt "a pop" in one of his hamstrings; he did not remember which one. Officer Kunkel felt "excruciating pain" from the hamstring but continued running after the suspect and continued to order the suspect to stop. The suspect ran around the back of the white van and toward the front of the van. Officer Kunkel felt the wire which connects the Taser prong to the cartridge expand. He said it felt like the Taser wire snapped out of the Taser. Officer Kunkel again activated his Taser from ten to eighteen feet away but it had no visible effect.

Officer Kunkel said, "He (The suspect) turned around and he began screaming, and screaming in a way that I can only explain as being consistent with, like an animal in duress, distress, screaming, I couldn't hear what he was screaming about other than 'you're going to tase me' or something to that similar effect, 'don't tase me.' As he turned around, he started running at me, rapidly running at me. At that point, I still had my Taser in my hand. I felt like he was going to assault me so I braced myself. I remember seeing his fists were clinched as he ran at me. He was clearly upset, still screaming and he ran toward me, at that time, as he got closer towards me, he jumped and he kicked me. I don't remember which leg he kicked me with but he kicked me as he was in the air. He did some sort of martial arts type kick or something similar to that and, as he kicked me, he kicked me in my waist. I fell backwards. I felt excruciating pain in the opposite hamstring. I don't remember if it was in my left or in my right, but now both of my hamstrings hurt really bad."

Officer Kunkel continued, "I remember being hit in the face multiple times with fists, with his closed fists. And it got, as I was being hit after being kicked, I lost my balance and I fell on my back. And at that time, this individual jumped on top of me and started hitting me repeatedly in my face. My back of my head was on the ground; I felt pain on the back of my head. I felt pain in the front of my face, my nose, my eyes. He hit me repeatedly in the face. I remember trying to get some sort of space between him, between me and him to free myself and I couldn't do it. I was struggling to, I was struggling to keep conscious, I was fatigued, I was in pain and I feared I was going to lose consciousness and I feared that he was going to kill me if he had a chance to."

He continued, "At that point, believing that I was going to lose consciousness at any minute, being so fatigued and being in so much pain that I wiggled enough, and I realized that I still had my Taser in my right hand. And I don't recall if I removed the Taser cartridge at that point or not, but I remember reaching up, and as he was hitting me, I was able to reach up with my right hand and I was able to activate the Taser in drive stun mode with my right hand and it actually blocked my face from being hit by putting my hand up,

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from him punching me. And I activated my Taser and I drove it into his forehead as hard as I could to give me enough space to, to draw my handgun because I feared that at any moment I was going to die, like I felt like I was going to pass out from exhaustion and he was going to kill me. I was able to rock over to my right side slightly. I dropped my Taser and I drew my handgun with my left hand and I remember pointing it at him at point blank range, right here (Officer Kunkel physically demonstrated pointing his handgun), and I shot one time. And I don't know where I hit, I didn't aim. And I shot, I let my hand go back down and I shot one more time with my left hand. And after I shot the second shot, I heard him growling or something right next to me and I looked over and I saw he was on the ground and I just laid there and I just was thankful that I was breathing, and I couldn't move."

He continued, "I was so exhausted that I just laid on the ground with my arms at my side and I remember hearing footsteps, I remember hearing boots running up to me. I remember trying to key my radio microphone to tell dispatch that there were shots fired and that I needed Code 3 cover. But I couldn't activate my handheld device because people were on the radio and it kept beeping. I heard the footsteps run up to me and I remember being thankful that my partners, everybody that was on scene, were running up to assist me. I remember laying on the ground, on my back, and just being thankful that I was alive. I remember Sgt. Gora or another officer asked me if I was ok and they told me to get up off the ground and I could not get up. I could not get up on my own. I was in so much pain that I wanted to lay there and I told them to provide medical attention to the individual who attacked me as I laid there."

Officer Kunkel became visibly emotional as he continued, "I just remember being thankful that my team came and helped me because I was going to, I thought I was dead." Because he was visibly upset, I offered Officer Kunkel a break. He shook his head in a negative manner and continued.

He said, "I didn't think I was going to see my wife and my kids ever again. And if I didn't do what I did that I was gonna die." Officer Kunkel took a long pause before continuing. He said "And then I remember Officer Palmquist grabbed my hand, my right hand, and he helped me up and I couldn't get up on my own because my legs hurt so bad and I was still exhausted. He helped me up and asked me if I was ok. We walked back to the other side of the road away from the guy I just shot, and I left my gun there. I left my gun right where I had my arms extended out laying on the ground, I left everything there and I just walked to the other side of the road where the ambulance showed up. They started treating me for my injuries. I remember telling Officer Palmquist that the guy, I thought he was on drugs because he wasn't even acting human. He was displaying like this super human strength that I thought that, I thought that he was on some sort of stimulant or some sort of drug that was making him not feel pain, and act the way that he acted because he was, he was acting like some, not your, not a typical person would act. And, inside the business, those noises that I was hearing, he sounded like an animal. He sounded like he was screaming like an animal, and I just remember hearing that, and as he attacked me he was screaming like an animal."

Officer Kunkel continued to say he believed the suspect was using drugs and again mentioned he appeared to have "super human strength." Officer Kunkel ended his narrative with "I was forced to protect my life by

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shooting him.”

I began asking follow-up questions. Officer Kunkel explained when the suspect came out through the window, he (Officer Kunkel) was standing on the sidewalk near the northwest corner of the building. Officer Kunkel never drew his firearm prior to drawing his Taser. He described the suspect as running very fast and having no difficulty jumping through the window. Officer Kunkel said he fired his Taser the first time while standing still and did not begin running until after this deployment. Officer Kunkel said he'd never experienced the pain in his hamstring before and the injury caused him to run slower than he would otherwise.

I asked Officer Kunkel if he ever lost sight of the suspect while he was chasing him. Officer Kunkel said “No.” He further explained the suspect continued to get farther and farther away as he chased him. Officer Kunkel said he was trying to communicate on the radio during the chase. Officer Kunkel determined he was not going to catch the suspect and stopped running in order to establish a perimeter with other units. Officer Kunkel estimated he had run between 100 and 150 feet from the building when he stopped. This is when the suspect stopped and turned around to face Officer Kunkel.

I asked Officer Kunkel if he recalled how many times he was struck in the face and he could not remember. Officer Kunkel said he was never able to strike the suspect other than with his Taser.

I asked Officer Kunkel how the suspect was positioned when he was striking. Officer Kunkel replied “He mounted, he crawled on top of me like a fighter, like a ring fighter would fight and he started hitting me in the face.” Officer Kunkel said he knew the suspect was too close to him to be standing. Officer Kunkel said he didn't pay attention to the suspect's legs because he was focused on his hands and did not want to be disarmed by the suspect.

When Officer Kunkel fired the first shot, he said he did not aim but pointed the gun toward the suspect. He didn't recall if the weapon was in contact with the suspect or not. After the first shot, the suspect continued striking. Officer Kunkel physically demonstrated the position of his left hand as he described lifting the firearm higher and taking a second shot with one hand on the weapon. I asked what the back drop of the suspect was when he shot and he said “I don't remember. I thought I was going to die. I wasn't paying attention to what was behind me, behind him, or I was too busy trying to fight for my life.”

I asked Officer Kunkel to tell me why, in his own words, he fired the first shot. Officer Kunkel said “Because I thought I was going to die. I thought he was going to kill me.” I said “Based on what?” Officer Kunkel replied “I thought I was going to lose consciousness and he was going to disarm me and kill me with my own handgun.”

I asked Officer Kunkel where the second shot was aimed. Officer Kunkel said “I aimed it at his body. I didn't even, I didn't aim, I just pointed and shot. I didn't even aim. I didn't have time to aim.” I asked what the back drop was for the second shot. Officer Kunkel replied “I was, I, I truly thought that every bit of energy that I had, I used to get those two shots off and I just laid there afterwards because I couldn't even move, I

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just, I was spent. I had no energy left.”

Officer Kunkel said the weapon fired properly with no malfunctions and he never reloaded the weapon. I asked Officer Kunkel if he considered the use of any other force options prior to using lethal force. Officer Kunkel said “I did. I tried using my Taser and it didn’t work. I didn’t use my pepper spray. I had pepper spray on my body. I didn’t have a chance to reach for it.”

Officer Kunkel said he provided a public safety statement to Sgt. Gora and I asked what he said. Officer Kunkel said “I told him that I fired two shots and that I believed there was no outstanding rounds impacting any of the nearby businesses or buildings and that the person that I shot was the one who was laying on the ground next to me when he (Sgt. Gora) walked up.”

I asked Officer Kunkel what injuries he sustained at the scene. Officer Kunkel told me he sustained bruising and abrasions to both cheeks, under his eyes and to the bridge of his nose. He had a concussion, pulled both of his hamstrings and had minor abrasions near both of his elbows as well as the knuckle of his left index finger.

Officer Lengel asked follow-up questions. Officer Lengel asked if Officer Kunkel lost consciousness during the altercation. Officer Kunkel said “I just remembered seeing stars and I just, I didn’t have any energy, I couldn’t move or do anything. I just laid there. I couldn’t, I couldn’t, I tried to get up but I couldn’t, couldn’t. My mind was saying get up and move and get to a position of safety but I couldn’t. I couldn’t; my body wasn’t reacting.”

I asked if Officer Kunkel spoke about the incident to anyone other than his legal representative and during the public safety statement. Officer Kunkel said other than what he had described saying to Officer Palmquist immediately after the incident, he had not. I asked if he saw any news stories or media coverage of the incident and he said “no.”

Officer Kunkel told me he left the scene in an ambulance, strapped to a board with a C-spine, and was transported to ValleyCare Hospital. Officer Kunkel said he didn’t recognize the suspect as someone he had seen before.

Deputy District Attorney Wong asked follow-up questions. DDA Wong asked if Officer Kunkel ever activated his digital audio or video recorder. Officer Kunkel said he never activated the video or audio recorder. When asked why he didn’t activate the recorder, Officer Kunkel said he was too busy concentrating on the suspect from the back of the business. Officer Kunkel said the Scorpion video cameras often do not work properly. He said he has tried to turn his camera on before and has had to look down to see if it was recording. Officer Kunkel said this is an officer safety issue in his opinion because it causes him to take his eyes off what he is doing.

DDA Wong asked why Officer Kunkel took the medication prior to his shift and Officer Kunkel told him it was because he had a headache. Officer Kunkel said the headache went away after taking the pills. Officer

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Kunkel said he had no other headaches or physical ailments after taking the medication, until the altercation with the suspect.

During further questioning from DDA Wong, Officer Kunkel was asked if he knew the name of the business where the alarm call was. Officer Kunkel said he recalled seeing "Custom auto" written on one of the windows. Officer Kunkel confirmed the name and address of the business were provided at the time the call was dispatched. Officer Kunkel believed the address was 4321 First Street. DDA Wong asked what time the call was dispatched. Officer Kunkel estimated it was sometime around 0230 hours or 0245 hours. Officer Kunkel estimated it took him between three to five minutes to arrive at the scene after being dispatched.

DDA Wong asked Officer Kunkel to describe what he heard coming from inside as he was positioned on the northwest corner. Officer Kunkel replied "I heard screeching noises and yelling and growling and, I heard items being broken, consistent with glass items, I heard banging of what I believe was metal objects being banged on and items being ripped down from the ceiling. I don't know if it was an air conditioning duct or what but something fell from the ceiling. And at that time, I think I thought that he was climbing up into the air ducts."

Officer Kunkel said the suspect came in and out of his view approximately three times while inside the business. Officer Kunkel said the lights inside the business were illuminated. Officer Kunkel said he saw the suspect carrying a box during one of the times he was in view. The suspect then went out of Officer Kunkel's view and returned later carrying another object that Officer Kunkel could not identify.

DDA Wong asked if Officer Kunkel ever thought the suspect had a weapon. Officer Kunkel said he was specifically looking to see if the suspect had a weapon. Officer Kunkel said the object in the suspect's hands could have been a weapon but he didn't see anything that was definitively a weapon. Officer Kunkel said he relayed this information to dispatch over the radio. Officer Kunkel recalled seeing the suspect shaking his head rapidly, raising his head erratically and the suspect was screaming, growling, talking to himself and mumbling.

Officer Kunkel described the suspect as "Acting out of the ordinary, acting like, I've encountered hundreds of persons that are under the influence of controlled substances and he was acting, in my opinion, consistent with someone that was under the influence of a CNS stimulant or something close to that and I believed he was under the influence."

DDA Wong asked how seeing the individual and watching his demeanor made Officer Kunkel feel. Officer Kunkel said "It made me feel that he potentially was going to be combative towards me. I've contacted numerous people throughout my law enforcement career who've been under the influence and combative toward officers and, like I stated earlier, I've also taken part in calls and investigations where individuals were actively inside burglarizing buildings and they, I've seen them exit, or I've been a part of investigations where they've exited the point where they entered the business. And that's what made me feel like he was going to exit there and that's why I tried to call, I tried to call for a K-9 to my position."

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DDA Wong asked why Officer Kunkel thought the K-9 did not come to his position. Officer Kunkel said he didn't believe the other officers heard him because they were addressing the suspect in the front of the business.

DDA Wong asked if Officer Kunkel ever saw the suspect do anything, such as break objects, while inside the building. Officer Kunkel said he saw the suspect walk out of view and then he heard somebody say the suspect was climbing up on the rafters. Officer Kunkel then saw something fall from the ceiling, possibly a metal box. Officer Kunkel said he never saw the suspect actually "banging" on anything or punching out windows but heard the noises he described earlier.

DDA Wong asked if Officer Kunkel initially knew the origins of the gunshots he heard prior to the suspect exiting the building. Officer Kunkel said "No. It was reverberating, echoing inside, so I didn't know where they were at and he was out of my view. So I didn't know if he, at that time, I didn't know if he was shooting or if it was us. Until he came back into my view and that's when Sgt. Gora or somebody on the radio said that they deployed the bean bag shotgun and then that made me feel that, it was ok, it was the bean bag shotgun that I heard and it wasn't him shooting at us or us shooting him with a handgun."

DDA Wong asked how much time passed after hearing the gunshots and seeing the suspect again. Officer Kunkel estimated it was three to five seconds later.

DDA Wong inquired about when Officer Kunkel drew his Taser and asked if it was already drawn prior to the suspect exiting the window. Officer Kunkel said "I got my Taser out. I thought that he was going to see me and turn around and I thought that was going to give me some time to draw my Taser, but he was so quick in how he got through that window that I was drawing my Taser right as he was getting out that window." Officer Kunkel added that it appeared the suspect looked right at him but then continued running past him. Officer Kunkel recalled yelling something similar to "Stop!" or "Police, stop!" as the suspect ran by him.

DDA Wong asked if the Taser made contact with the suspect when Officer Kunkel held it to the suspect's face. Officer Kunkel said he heard the Taser cycle and it "just briefly, it briefly got his attention off of hitting me and that was when I was just got him just enough room to just slide my hips over a little bit." Officer Kunkel said "It just created a little bit of space between him and I."

DDA Wong asked if the suspect said anything when he was on top of Officer Kunkel. Officer Kunkel said the suspect was screaming the entire time. DDA Wong asked if Officer Kunkel could describe his face and he replied "I don't remember what his face looked like. I was being hit. I was being hit over and over and over again. I just remember seeing stars and, you know, remember, I remember thinking I was going to die."

DDA Wong asked when Officer Kunkel hit his head on the ground. Officer Kunkel said it was around the time he got knocked onto his back and while the suspect was hitting him in the face. Officer Kunkel recalled feeling pain in the back of his head and feeling his head hit the concrete. Officer Kunkel explained his flashlight was tucked into his back beneath his belt and he remembered his back hurting from being on top

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of the flashlight.

DDA Wong asked what Officer Kunkel was thinking when he was on the ground being attacked. Officer Kunkel said "I thought that I had to fight for my life and that I had to get enough space because, to be able to draw my handgun, because I couldn't get any space or get any reaction out of him by deploying my Taser in drive stun mode or in the other mode, deploying the darts, it was having no effect on him, and I was to the point where I was at the end of my, my, I was physically exhausted. And I remember thinking in my mind that I need to, I need to, I need to end this before I die, before I get, before I lose consciousness and that he continues to assault me and disarm me and kill me and that was when I made the decision to drop my Taser and to rock my hip over a little bit and to draw my gun and shoot."

DDA Wong asked if there was any break at all in the suspect's aggression toward Officer Kunkel. Officer Kunkel said "Just when I shot. I think when I shot the first shot it created more space and then the second shot I remember just hearing him kind of growl a little bit and hit the ground next to me. Then I remember just looking over my shoulder like this (He physically demonstrated looking over his shoulder to his right) to see if he was going to keep coming at me. I remember seeing him hit the ground so I stopped shooting. And I looked over my shoulder and I saw that he wasn't getting back up and then I just remembered (inaudible). I just laid there and made sure that he wasn't going to continue to assault me and that's when I heard everybody else run up."

DDA Wong asked what the suspect's position was when Officer Kunkel took the second shot. Officer Kunkel said the suspect was still above him. DDA Wong asked why Officer Kunkel took the second shot. Officer Kunkel said "Because he hadn't, he was still, I thought he was still going to be, he was still attacking me. I shot once and shot twice and I stopped as soon as he stopped. I stopped shooting as soon as he stopped attacking me." Officer Kunkel then explained the suspect fell to the ground just outside Officer Kunkel's reach.

Inspector Medeiros asked follow-up questions. Inspector Medeiros asked how the exterior lighting was when the incident occurred. Officer Kunkel said there was some lighting, mostly street lights, near the perimeter of the business. Officer Kunkel said the area where the altercation occurred near the van was much darker.

Inspector Medeiros asked Officer Kunkel to describe the terrain where the physical altercation occurred. Officer Kunkel said "I believe it was concrete, like a rough concrete, not smooth. I remember feeling it rough. There was some shrubbery. That's all I remember."

Inspector Medeiros asked Officer Kunkel to estimate the suspect's size. Officer Kunkel said "He was taller than me, skinny build. I remember looking up and saying 'Is he taller than me? Or is he jumping right now?' I thought he jumped. He was that much, he was tall." Inspector Medeiros asked for Officer Kunkel's height and weight. Officer Kunkel said he was 6'1" and weighed 240 pounds without his gear.

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I asked Officer Kunkel if he was wearing any jewelry during the incident. Officer Kunkel said he wore a wedding band. I later specifically asked Officer Kunkel if he had been wearing a watch. Officer Kunkel said he was not wearing a watch during the altercation (This was to determine if the broken watch at the scene was his or the suspect's).

asked follow-up questions. asked, as the suspect ran around the van, what was in front of the suspect. Officer Kunkel said he believed there was additional parking in front of the van. said "Based on that observation, there wasn't anything preventing the suspect from continuing to flee past the van, true?" Officer Kunkel said "Correct." said "And instead of doing that, he decided to turn and engage you?" Officer Kunkel said "Yes." said "How did you interpret that behavior?" Officer Kunkel said "That he was going to assault me and try to fight me to get away. His stance was combative. His nature was aggressive. He was screaming. He was clenching his fists. He was shaking and I just remember telling myself 'get ready because he's coming at me.' I mean I've never had anybody ever do that to me, ever. I've never had somebody advance on me like that and I just remember readying myself and preparing myself for the impact."

asked if Officer Kunkel believed his life would be in danger if the final Taser deployment did not work. Officer Kunkel said "Yeah, I thought that if my, if that Taser did not work, I was not, I had to create a little bit of space and if that failed, I thought I was going to die. I thought I was dead, a dead man. And I remember after it was over just being, just a sigh of relief that it, that my Taser worked. That worked."

The interview concluded at 2030 hours on 7/6/15. This is only a summary and not a complete representation of the interview. For complete details of the interview, see the video recorded statement.

RECOMMENDATIONS:

Attach to original report.

B. STOCKING #269

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
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CASE NUMBER
2015-00024571

CROSS REF CASE #1(S)
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SUPPLEMENTAL INVESTIGATION

DATE REPORTED 07/27/2015	TIME 16:16	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON

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SYNOPSIS OF EVENT

16. Specialty Sales Surveillance Video
 17. Autopsy
 18. Sgt. Horton Body-Worn Video
 19. Sgt. Horton Statement

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SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	PROPERTY TYPE	VALUE

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ROLE	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR
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REPORTING OFFICER Stocking, Brandon, ,	DATE WRITTEN 07/27/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 8/18/2015 15:59
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16. SPECIALTY SALES SURVEILLANCE VIDEO:

Detective Sarasua worked with the Alameda County Crime Lab to obtain copies of the video surveillance footage from the security cameras inside of Specialty Sales. Detective Sarasua obtained approximately an hour of footage from each of the seven cameras and condensed the footage down to one file that only included camera views showing the suspect's movement inside the business. I reviewed this condensed video. The video is date and time stamped. Detective Sarasua told me the crime lab determined the time stamp on the video was approximately six minutes faster than AT&T time. There is no audio component of the video. The following is a summary of what is seen on the video (All times are according to the video's time stamp, approximately six minutes ahead of real time):

At 02:05:48, the suspect enters the business through the northwest window carrying a long (approximately five feet in length) pole and an acoustic guitar slung over his shoulders. He is wearing a bandana over his face.

At 02:06:11, he enters the west office and emerges from the office at 02:06:34. The suspect enters the central office at 02:06:54. This is the only office with a camera inside. He looks around the office and exits at 02:07:09.

At 02:07:13 the suspect opens the door of a vehicle in the south showroom, places the long pole inside, reaches into the vehicle, backs away and appears to talk aloud to himself. The suspect walks away from the vehicle toward the front of the business. He walks off camera near the main entrance at 02:07:40. He emerges from the office at 02:08:15.

At 02:08:34, the suspect enters the central office. He notices the monitor displaying the live video feeds and looks at it for a few seconds. The suspect picks up a phone from one of the desks and appears to talk with someone on the phone for several seconds. During this time, the suspect picks up a hat from a piece of furniture and inspects it. He opens a file cabinet drawer and then picks up a key and a camera sitting on a desk. He loiters in the office, appears to talk to himself and then plays the guitar in front of the video monitor. The suspect opens three additional drawers and looks in them. He exits the central office at 02:12:26 and walks across the corridor into the west office.

At 02:12:48 the suspect walks back to the car he first entered. He suddenly stops and appears to scream. He retrieves the pole from inside the car and closes the door. The suspect walks around and looks at different cars while holding the pole and guitar. He sets the guitar down in the corridor. The suspect stands in the corridor and appears to talk to himself. He opens a door to another room and looks inside. The suspect looks around the corridor, paces back and forth and then runs into the north showroom at 02:14:47. The suspect runs the length of the north show room then walks back toward the corridor, leaning into the interior of several vehicles as he walks by them.

At 02:15:23 he enters the central office again. The suspect opens a desk drawer and rifles through its contents. He takes something from the drawer and places it into his pocket. The suspect continues to look

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around the room and again stops to look at the video monitor while apparently talking to himself. The suspect appears to yell at the monitor and continues walking around the room as if looking for something. He opens two additional drawers before exiting back into the corridor at 02:16:54.

At 02:16:57 he enters an office on the west side of the corridor and emerges at 02:17:10. The suspect walks to the center of the corridor, slams one end of the pole onto the ground and then aggressively thrusts it with both hands into the drywall of the corridor's west wall. The suspect removes the pole from the drywall and aggressively thrusts it into the drywall of the corridor's east wall. He removes the pole again and thrusts it through an office window on the corridor's west wall, breaking the glass.

At 02:17:23 the suspect walks into the north show room, slams one end of the pole onto the ground and then returns to the corridor. The suspect walks to the south of the corridor where he gestures with his hands as if he is talking to somebody. The suspect returns to the vehicle he first entered and enters its driver seat again with the pole. After several seconds inside the vehicle, he exits and walks into the central office at 02:18:07.

In the office, the suspect again opens drawers and looks inside them. The suspect returns to the corridor and picks up his guitar. Carrying the guitar and pole, the suspect walks to the north show room and stands near the corridor entrance. He again appears to talk to himself, gesturing with his hands.

At 02:19:16 the suspect exits through the broken window at the building's northwest corner carrying the guitar and pole. He enters again through the broken window at 02:20:57. He is now carrying the guitar and a fire extinguisher but not the pole.

At 02:21:05 the suspect sets the guitar on the floor and removes the pin from the fire extinguisher. The suspect discharges the fire extinguisher onto at least five cars inside the north show room. When the extinguisher appears empty, the suspect throws it forcefully into the hood of a light colored vehicle at 02:21:35. The suspect walks toward the northwest corner and looks out the broken window. He walks back toward the center of the show room and picks up his guitar. The room is noticeably cloudy from the fire extinguisher discharge.

The suspect walks southbound through the corridor carrying the guitar. At 02:22:27 he forcefully kicks the west door of the central office with his right foot, causing it to open inward. The suspect enters the central office. In the office, the suspect looks beneath desks and continues to gesture as if he is talking to himself.

At 02:23:02 the suspect throws an object across the room and then picks up a marker from the top of a desk.

The suspect walks back into the south show room and approaches an orange vehicle near the main entrance. At 02:23:22 the suspect writes something with the marker on top of the driver's side of the orange vehicle.

At 02:23:34 the suspect approaches the large window facing First Street, south of the main entrance and

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strikes the window with the body of the guitar. The window flexes but does not break. The suspect appears to talk to somebody outside of the business but nobody is seen. At 02:23:40, the suspect picks up a glass bowl containing business cards and throws it into the wall above the main entrance. The glass bowl shatters.

At 02:23:47 the suspect walks off camera to the small room near the main entrance of the south show room. He returns to the camera's view at 02:24:20. The suspect walks back through the south show room toward the corridor entrance and approaches the car he first entered.

At 02:25:14 the suspect raises the guitar over his shoulder and behind his back. As he walks toward the car he first entered, he aggressively and forcefully swings the guitar into the car's roof. The guitar splinters when it strikes the car. The suspect pulls the guitar back and forcefully swings it into the roof a second time, causing further splintering of the guitar. The suspect walks into the corridor carrying the broken guitar.

At 02:25:22 the suspect forcefully strikes the broken guitar against the west wall of the corridor. The suspect carries the broken guitar back to the small room near the main entrance of the business and walks out of camera view at 02:26:03. The suspect emerges seconds later without the guitar.

At 02:27:36 the suspect enters the central office from the south show room. After entering, the suspect turns around and forcefully kicks something (possibly the wall) with his left foot twice. The suspect forcefully pulls open a file cabinet drawer. The suspect walks to a desk, bends down behind it and rifles through drawers. At 02:27:59 the suspect removes a box from one of the desk drawers. The suspect reaches into the box and removes a set of keys as he walks out of the office into the corridor, carrying the box with him.

At 02:28:28 the suspect runs back toward the main entrance with the box in his hands. The suspect raises his right arm toward the front window and extends his middle finger aggressively toward the front of the business. The suspect walks into the small room near the main entrance and off camera view at 02:28:32.

At 02:28:43 he emerges from the room with the box and walks toward the west side of the south show room. He again approaches the same car he originally entered and appears to look through the contents of the box as he's holding it and standing near the car. At 02:29:25 the suspect empties the contents of the box onto the hood of the car. It appears the box was filled with keys. The suspect picks up several keys and looks at them. He takes one of the sets of keys and runs to a white car with dark stripes on the south side of the south show room. With the key in his hand, the suspect enters the driver seat of the vehicle at 02:29:46. The suspect's actions are not visible by the camera while he is inside the car.

At 02:30:05 the suspect exits the car and returns to the vehicle hood where the rest of the keys from the box are. As he does this, he throws the keys in his hand upward. The suspect picks up and looks at other keys from the box.

At 02:31:23 the suspect stands, faces west, arches his shoulder backward and appears to yell or howl toward

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the ceiling. The suspect again sorts through the multiple keys.

At 02:33:13 the suspect walks toward the main entrance. He approaches the main door and appears to shake the door handle. The suspect backs away from the door. The suspect charges forward toward the front door, jumps and kicks the door with his right foot. The suspect's right foot strikes a white piece of paper affixed on the door's interior.

At 02:33:25 the suspect walks into the small room near the main entrance. At 02:34:14 the suspect exits the room carrying a large, red floor jack. The suspect holds each side of the jack's base. The suspect takes several small steps toward the main entrance and swings the jack backwards as if preparing to throw it. As the suspect moves forward and throws the jack through the window, he steps in front of a large sign which partially blocks the camera's view of him and the main door. The suspect moves behind the sign and out of view as emergency lights appear to flash outside (visible through the windows facing First Street).

At 02:34:38 the suspect rapidly runs from behind the sign westbound through the south show room. The suspect performs a somersault as he runs. Outside, an officer comes into view through one of the large windows.

At 02:34:51 the suspect runs northbound through the corridor and briefly removes the bandana from his face before replacing it. The suspect walks back into the south show room and stands near the far west side of the room.

At 02:35:56 the suspect jumps onto the hood of the vehicle which he first entered. The suspect then jumps onto the roof of this vehicle. The suspect steps down onto the vehicle's trunk, reaches upward and climbs upward and just out of the camera's view. The suspect's right foot is seen as it bumps the camera while the suspect is above the camera.

At 02:36:45 the suspect's feet are seen dangling above camera #3. The suspect swings both feet in a circular motion at least two times. The suspect's feet appear to strike the camera and the camera falls to a position where it is now pointing directly at the floor below. A majority of the south show room is no longer visible from any camera view because of the displaced camera. A sign which reads "More Cars" falls from above camera #4's view and lands near the south entrance of the corridor.

At 02:38:17 the main door is pushed open by officers.

At 02:39:04 Officers Sheldon, Pittl, Palmquist, Paulsen and Sgt. Gora enter the south show room through the main entrance. The officers move beyond the view of camera #2. At 02:39:29 Officers Middleton and Bennett enter the main entrance. Officer Bennett slings his yellow less-lethal shotgun and walks beyond the camera's view.

At 02:40:40 the suspect runs into the central office from the south show room. He runs rapidly around a desk and exits the room through the west door into the corridor. As the suspect runs out of the office, Officer Sheldon enters the office with his K-9 on a leash at 02:40:44. Officer Sheldon and the K-9 pursue the

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suspect through the office. Midway through the office, Officer Sheldon drops the K-9's leash. The K-9 runs into the corridor and Officer Sheldon follows. Other officers are seen running through the corridor, after the dog.

At 02:40:47 the suspect runs northbound into the north show room, jumps onto the hood and over the roof of a parked car. The suspect runs and jumps through the broken window at the northwest corner of the building. As the suspect jumps through the window, the K-9 collides with the parked car which the suspect jumped over. As the K-9 runs around the car, officers emerge from the corridor into the north show room. Officer Pittl follows the K-9 around the car toward the broken window. Officer Sheldon is immediately behind Officer Pittl. As the other officers enter the north show room, they all move toward the northwest corner. The corner is dark and nothing on the exterior can be seen except for the beams of flashlights. One by one, officers exit the window. Flashlight beams can be seen traveling away from the window. Once the officers are outside, nothing additional can be seen on the video.

At no time is a second suspect seen on the video.

This is only a summary and not a complete representation of the video. For complete video details, see video.

17. AUTOPSY:

At approximately 0830 hours on 7/9/15, Detective Chin was contacted by the Alameda County Coroner's Office and was told the autopsy of Deming was ready to be conducted. Detective Chin and I responded to the Coroner's Office. The autopsy was conducted by Dr. Herrmann and began at approximately 0925 hours. During the autopsy, Detective Chin took numerous photos and later uploaded them into DIMS. I observed or was told the following by Dr. Herrmann during the autopsy:

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- Autopsy

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Redacted
- Autopsy

19. SGT. HORTON BODY-WORN VIDEO:

On 7/9/15 Sgt. Schlehuber obtained a copy of the video footage from the body-worn camera Sgt. Horton activated during the incident. I reviewed the video and saw the following:

The video begins as Sgt. Horton is driving his patrol vehicle with its emergency lights activated. There is no date or time stamp visible. The video is 20 minutes, 3 seconds in length. Sgt. Horton arrives on scene driving southbound on First Street, advises dispatch he is on scene and then parks on the east side of First Street, north of Spring Street.

Sgt. Horton exits his vehicle and moves to the trunk. Sgt. Horton removes a rifle from a bag in the trunk. As he is loading the rifle with a magazine, yelling is heard in the background. Sgt. Horton abruptly closes the trunk of his vehicle and runs back to the driver seat. Additional yelling is heard in the distant background. Sgt. Horton turns on his car. Three faint "pop" sounds are heard in the background. Sgt. Horton begins to drive toward Specialty Sales and reaches for the radio. Sgt. Horton says "Sam 3" on the radio. The male dispatcher immediately replies "Yeah I copy on their channel." Sgt. Horton says "Shots have been fired."

Sgt. Horton stops his patrol car on Spring Street north of Specialty Sales. The Livermore dispatcher asks Sgt. Horton if he was involved in the shooting and Sgt. Horton advises he was not. Sgt. Horton exits his vehicle as Sgt. Gora is running around the rear of the Mercedes van.

Sgt. Horton runs to the suspect who is surrounded by four officers and a K-9. Sgt. Horton briefly turns to his left and Officer Kunkel is visible, lying motionless on his back. A Taser is resting a few inches away from Officer Kunkel's right hand. Officer Kunkel's left side is not in view. Officer Pittl asks Sgt. Horton if he has an "AED" (Automated Electronic Defibrillator). Sgt. Horton states he has a defibrillator and runs to the trunk of his patrol car. Sgt. Horton looks through various pieces of equipment and then runs back toward the suspect. Sgt. Horton sets a yellow defibrillator on the curb next to the suspect and then walks back toward Spring Street.

As Sgt. Horton walks back toward Spring Street, Officer Kunkel and Officer Palmquist are seen walking eastbound in the center of Spring Street. Officer Palmquist is positioned to Officer Kunkel's left. Officer Kunkel's left arm is over Officer Palmquist's right shoulder. Officer Palmquist appears to be supporting some of Officer Kunkel's weight.

Sgt. Horton runs to Officer Kunkel's right side. Officer Kunkel is holding the back of his right thigh with his right hand. Sgt. Horton says "Are you ok?" Officer Palmquist says "I got you dude." Officer Kunkel says "I pulled both my hamstrings."

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Sgt. Horton walks alongside Officer Kunkel toward the north curb. Officer Palmquist says "Let's go right here....sit down." Officer Kunkel says "I can't." Sgt. Horton points to a nearby patrol car and instructs Officer Kunkel to sit on its bumper. Sgt. Horton tells his dispatcher via radio that no officers were shot but the suspect was. Officer Kunkel says "I fired twice" while outside the camera's view. Sgt. Horton tells Officer Kunkel "Don't even worry about any of that." Officer Palmquist says "You're not going to say nothing right now." Officer Palmquist attempts to open the driver door of the patrol car but his key does not work.

In the background, Officer Pittl announces that he "Needs bodies" to clear the building. Sgt. Horton goes to the front of his patrol car and retrieves his rifle. Sgt. Horton walks eastbound on Spring Street toward First Street where he comes to another Livermore PD patrol car (Later determined to be Officer Yost's patrol car) and places his rifle in the front seat. Sgt. Horton goes to the trunk of the patrol car and removes yellow crime scene tape. Sgt. Horton ties the tape to a nearby pole and sets up tape along First Street to the south end of the business. Sgt. Horton then sets up crime scene tape along the north side of Spring Street. Sgt. Horton begins to speak with Officer Sheldon at the intersection of First Street and Spring Street. The video ends.

This is only a summary and not a complete representation of the video. For complete details, see video recording.

19. SGT. HORTON STATEMENT:

At 1408 hours on 7/16/15 I interviewed Livermore Police Sgt. Jim Horton in interview room #1 of the Pleasanton Police Department. Also present during the interview were Detective Silacci and Sgt. Horton's legal representative, Attorney . The interview was audio and video recorded. Sgt. Horton told me the following in summary:

Sgt. Horton has been a sworn police officer with Livermore PD for 13 years and is currently assigned as a patrol supervisor. Sgt. Horton previously worked for the Alameda County Sheriff's Office for seven years. Sgt. Horton graduated the San Joaquin Delta College Police Academy in June of 1994. Sgt. Horton is currently assigned to work from 2000 hours until 0700 hours four days per week. His work days rotate with four days of work followed by four days off.

When Sgt. Horton responded to Pleasanton on 7/5/15 he was wearing a Livermore PD patrol uniform with department patches on both shoulders, a badge and name plate. Sgt. Horton had a department-issued Taser camera mounted on the front of his uniform near his right shoulder. Livermore PD Dispatch informed Sgt. Horton that Pleasanton PD was requesting two officers respond to a possible burglary in progress. Sgt. Horton was on Stanley Blvd near Murrieta Blvd. Sgt. Horton responded with his emergency lights and sirens activated. Sgt. Horton requested one other Livermore PD officer respond as well.

Sgt. Horton said Livermore PD dispatch originally described the call as a burglary in progress. As Sgt. Horton responded, he was updated that the suspect had challenged officers with a pipe or pole and was "acting 5150." Sgt. Horton never switched to Pleasanton PD's radio channel. Sgt. Horton activated his body worn

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video camera while he was responding to the scene and turned it off sometime after the shooting.

Sgt. Horton drove to the scene and parked on the east side of First Street, north of Spring Street. Sgt. Horton saw patrol vehicles around the business but didn't see any officers outside. He expected to take a perimeter position so he removed his patrol rifle from the rear storage area of his vehicle. As Sgt. Horton began walking across the street toward the car dealership, he saw two subjects running away from the business, westbound on Spring Street. Sgt. Horton's original thought was that a suspect was being chased by an officer. Sgt. Horton said he couldn't hear anything coming from the scene at this time. Sgt. Horton ran back to the front seat of his patrol car.

At around the time he entered his patrol car, Sgt. Horton heard three distinct gun shots. Sgt. Horton said the gun shots were rapid but there appeared to be more time between the first and second shots than there was between the second and third. Sgt. Horton drove his patrol vehicle to the area where he heard the gun shots come from. Sgt. Horton exited his vehicle.

Sgt. Horton saw the suspect lying face down on the ground and saw a Pleasanton Police Officer positioned over the suspect trying to place handcuffs on him. A police dog was actively biting the suspect. Another police officer was positioned near the front of the suspect. The officers didn't appear to need Sgt. Horton's assistance.

Sgt. Horton looked to his left and saw "the involved officer" (Officer Kunkel) lying on his back with his knees bent. Sgt. Horton described Officer Kunkel and said "He had a really dazed, confused look on his face, kind of a blank stare look on his face." Another officer was tending to Officer Kunkel. Sgt. Horton asked this officer "Has he been hit" (referring to the Officer Kunkel). The officer replied "No. His legs hurt." Sgt. Horton turned his attention back to the suspect. An officer (Sgt. Horton believed this was Sgt. Gora) said they needed a medical kit. Sgt. Horton returned to his vehicle, did not have a medical kit but located an AED (Automated Electronic Defibrillator). Sgt. Horton retrieved the AED, ran back to the suspect and laid the AED in a shrub area adjacent to the suspect.

Sgt. Horton then saw another Pleasanton officer "assisting the involved officer out of the scene." Sgt. Horton grabbed Officer Kunkel's right arm, placed it around Sgt. Horton's shoulder and assisted the officer in walking away to a nearby curb. Sgt. Horton and the other Pleasanton officer tried have Officer Kunkel sit on the curb but Officer Kunkel said he couldn't sit because his legs hurt. Sgt. Horton helped Officer Kunkel to a nearby patrol car.

Officer Kunkel said something similar to "I think I fired two rounds." Sgt. Horton told Officer Kunkel that he will have plenty of time to tell people what happened, but that Sgt. Horton needed to make sure he was "Ok." Sgt. Horton helped Officer Kunkel sit on the front of the patrol car. Sgt. Horton heard another Pleasanton officer say he needed people to help clear the inside of the building. Sgt. Horton returned to his patrol car to get his rifle but when he returned, found that enough officers had been gathered to clear the business.

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Sgt. Horton set up crime scene tape around the scene. Sgt. Horton said the other officer that responded from Livermore PD was Officer Kyle Yost. Sgt. Horton said Officer Yost did not arrive on scene until after the shooting when the officers were clearing the interior of the building. Sgt. Horton said he didn't believe Officer Yost ever went west of the intersection of First Street and Spring Street.

I asked if Sgt. Horton had anything else to add. Sgt. Horton said "The only thing that really stuck in my head was the officer looking back at it." I asked what Sgt. Horton thought when he first saw Officer Kunkel. He said "Based on the way he was laying, I thought he'd been hit. And not having, not seeing it or having any knowledge, the way he was laying back and the officer was cradling him and the look in his face, that was my first thing and that's why I asked 'had he been hit?' Because his stare was blank. He looked extremely confused."

The interview concluded at 1421 hours on 7/16/15. This is only a summary and not a complete representation of the interview. For complete details of the interview, see video-recorded statement.

RECOMMENDATIONS:

Attach to original report.

B. STOCKING #269

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

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SUPPLEMENTAL INVESTIGATION

DATE REPORTED 08/17/2015	TIME 13:16	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
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SYNOPSIS OF EVENT

- 20. Call For Service # 15-24561
- 21. Camcorder Footage
- 22. Taser Probe Marks
- 23. Martial Arts Equipment
- 24. Toxicology Report
- 25. Phone Records

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CASE VEHICLE #1						
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DESCRIPTION						
PROPERTY VEHICLE #1						
ROLE	YEAR	MAKE	MODEL	STYLE		
LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
DESCRIPTION						
VALUE						

**R
T
E**

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER: _____			

REPORTING OFFICER Stocking, Brandon, .	DATE WRITTEN 08/17/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 9/9/2015 18:24
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	<small>DATE/TIME WRITTEN</small> 08/17/2015 13:16	<small>CASE NUMBER</small> 2015-00024571
	<small>REPORTING OFFICER</small> Stocking, Brandon, .	

20. CALL FOR SERVICE # 15-24561:

During his statement, Officer Palmquist said he remembered hearing a call for service earlier in the night that involved a possible burglary and a suspect driving a Mercedes van. I located Call For Service # 15-24561 which was created at 0057 hours on 7/5/15. The reporting party said a subject was inside his garage at

The subject was described as a white male adult wearing a grey tank top and shorts. He left in a black Mercedes van with paper license plates. Officers Kunkel, Pittl and Bennett were dispatched to the call. The call was cleared with no report taken and "No crime" notated in the call notes.

21. CAMCORDER FOOTAGE:

On 7/8/15 I removed the camcorder collected from from evidence. Using my desktop computer, I viewed files stored on the camera. The dates of the files were unconfirmed and could not be accurate due to some of the videos depicting Deming Jr were dated as 7/5/15 after 0500 hours.

The contents of the video camera included 39 short video clips depicting on These videos were dated 1/3/15, 1/4/15, 5/6/15 and 5/30/15. An additional 48 short video clips dated 11/29/13 depicted a high school football game.

One clip dated 7/4/15 at 2030 hours depicted Deming Jr filming himself at what appeared to be his residence in Deming holds the camera and films himself seated while wearing no shirt. Deming Jr says "It is Independence Day yet I don't know if my independence will be won if I chop off the one thing that symbolizes it." Deming Jr flicks his hair and then says "What do I do? Do I cut my hair or do I leave it long and long." Deming Jr then points one finger to the camera and says "You got some shit on your face." Deming Jr then pans the camera to the corner of the room where is seated in a chair looking at a cellular phone. Deming Jr asks "What do you think" looks up from his phone toward the camera and says "I think it's a good idea." then looks back toward his cell phone.

Deming Jr pans the camera back toward his face and stares at the camera. Deming Jr says "See what I'm dealing with?" Deming Jr then shakes the camera, opens his eyes wide and says "See?" Deming Jr moves the camera closer to his face and says "Do you know?" Deming Jr then turns the camera away from him and points it out of a second story window. As he zooms the camera across the street, Deming Jr begins to hum and sing before the camera stops filming.

Three other video clips on the camera depict Deming Jr in the garage of his home in Each of the three videos are similar in that Deming Jr begins filming his wrist watch which is set to midnight and says "It's midnight." Deming Jr then sets the camera down, moves into the camera's view with an acoustic guitar and plays a song titled "It's Midnight." These three video clips were all dated on 7/5/15 at 0508 hours, 0513 hours and 0525 hours according to the time stamp on the video files.

I copied all of the camcorder's files onto a thumb drive and booked it separately into evidence.

22. TASER PROBE MARKS - FOREHEAD:

After interviewing Officer Kunkel on 7/6/15, I reviewed the photographs taken of Deming Jr at Eden Hospital. On Deming Jr's forehead, I saw two small red marks near the center of the forehead. I recognized the distance between

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these two marks was approximately the same as the width of a Taser cartridge. The photographs taken at the hospital did not include a scale. When I attended the autopsy of Deming Jr on 7/9/15, I could not see these markings on Deming's forehead and could not verify the distance between them or what caused them.

23. MARTIAL ARTS EQUIPMENT:

On 7/8/15, Detective Sarasua processed the suspect's Mercedes van. Detective Sarasua told me that a martial arts gee and martial arts safety equipment were located in the Mercedes. The items were inside a bag with a logo that said " [REDACTED] I recognized that Officer Kunkel had described Deming Jr using "Some sort of martial arts type kick" to kick Officer Kunkel in the abdomen. I additionally recalled seeing Deming Jr jump and kick the wall inside the business prior to his confrontation with Officer Kunkel.

I researched " [REDACTED] on Google.com and determined the logo was associated to a mixed martial arts gym in [REDACTED]. I requested Officer Lengel contact the gym to determine if Deming Jr was a student and what type of martial arts training he'd received. Officer Lengel contacted the gym owner and learned Deming Jr had attended two classes at the gym but did not return for additional sessions (SEE OFFICER LENGEL'S SUPPLEMENT FOR DETAILS).

I later reviewed the video taken during the search warrant service in San Jose. I saw a white martial arts belt still in its plastic packaging on the desk in Deming Jr's room.

24. TOXICOLOGY REPORT:

At 1000 hour on 7/27/15 I obtained a copy of the toxicology report for the testing of Deming's blood.

[REDACTED] ; no additional information provided. The toxicology screening was performed by Central Valley Toxicology, Inc.

At approximately 1300 hours on 7/27/15 I contacted Central Valley Toxicology and spoke with an employee named [REDACTED]

[REDACTED] Deputy Gutierrez told me the blood samples were still in the custody of Central Valley Toxicology and the coroner's office would request the additional screening.

25. PHONE RECORDS:

Detective Shuffield authored a search warrant for Deming's cell phone records. He received the records and provided me with them on 8/3/15. I reviewed the records using Cellhawk. The records were for the dates between 4/1/15 and 7/7/15. I noted the following during my review of the records:

The first cell tower connection made by Deming's phone on 7/5/15 was at 1004 hours and connected to a tower located inside the Alameda County Fairgrounds in Pleasanton. The last cell tower connection made by the phone on 7/4/15 was made at 2100 hours and connected to a tower in San Jose, CA. Sixteen connections were made to towers

PLEASANTON POLICE DEPARTMENT - SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 08/17/2015 13:16	CASE NUMBER 2015-00024571
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in San Jose between 1615 hours and 2100 hours on 7/4/15.

At 1924 hours on 7/4/15, Deming's phone connected to a tower located near Concannon Blvd and Cordoba Street in Livermore. At 1838 hours on 7/4/15, Deming's phone connected to a cell tower in San Jose.

Deming's phone connected to cell towers in San Jose 23 times between 1402 hours and 1838 hours on 7/4/15. At 1224 hours on 7/4/15, Deming's phone connected to a cell tower near the intersection of Patterson Road and Central Avenue in Riverbank.

At 1217 hours on 7/4/15, Deming's phone connected to a cell tower near N. Yosemite Ave and E. North Street in Oakdale. The phone connected 21 times to this cell tower between 1158 hours and 1217 hours on 7/4/15.

At 1139 hours on 7/4/15, Deming's phone connected to a cell tower located near the intersection of Greger Street and Kaufman Road in Oakdale.

Between 0033 hours and 1139 hours on 7/4/15, Deming's phone connected 67 times to the cell tower located near the intersection of N. Yosemite Ave and E. North Street in Oakdale.

Based on these records, I determined Deming's phone was in the area of Oakdale from the early morning hours of 7/4/15 until 1224 hours when it connected in the area of Riverbank. By 1402 hours, the phone had traveled to San Jose and appeared to remain there until 1838 hours. At 1924 hours, the phone was in the area of Livermore. The phone returned to San Jose by 1615 hours and appeared to remain there until 2100 hours. The phone made no additional cell tower connections until after the shooting occurred. The phone connected to cell towers in Pleasanton beginning at 1004 hours on 7/5/15.

Additionally, I noted that the phone regularly connected to cell towers in Oakdale and San Jose as well as towers near major freeways between the two locations. On 6/17/15 the phone traveled east through Sacramento, CA and Reno, NV to Spring Creek, NV. On 6/18/15 the phone continued east to Salt Lake City, NV to Denver, CO. On 6/19/15 the phone continued east through Omaha, NE to Chicago, IL. On 6/20/15, the phone connected to towers near the cities of Syracuse, Albany and New York in the State of New York. On 6/21/15 the phone was in New York, NY in the morning and then appeared near the Oakland Airport in the evening.

RECOMMENDATIONS:

Attach to original report.

B. STOCKING #269

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100
SUPPLEMENTAL INVESTIGATION



CASE NUMBER
2015-00024571
 CROSS REF CASE #S)
 2015-
 2015-
 2015-

DATE REPORTED 08/18/2015	TIME 16:34	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON

EVENT

SYNOPSIS OF EVENT

26. Investigator's Summary

OFFENSE	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE
									E	MEDIA- AUDIO, VIDEO

SUBJECTS	NO	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
2							
3							
4							
5							
6							
7							
8							
9							
10							

VEHICLES	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						
VEHICLES	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						VALUE

<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:			

REPORTING OFFICER Stocking, Brandon, ,	DATE WRITTEN 08/18/2015	APPROVED BY Schlehuber, Kurt
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 08/18/2015 16:34	CASE NUMBER 2015-00024571
	REPORTING OFFICER Stocking, Brandon, .	

26. INVESTIGATOR'S SUMMARY:

Based on the investigation of the death of Johnathon Deming Jr, I determined the following:

At approximately 0159 hours on 7/5/15, Johnathon Deming Jr broke the window near the northwest corner of 4321 First Street with a pole. Deming Jr entered the business, a classic car show room. Deming Jr spent several minutes wandering inside the building and activated multiple motion alarms. Bay Alarm Company received the activation at 0201 hours and attempted to call inside the business. Deming Jr answered the phone but refused to identify himself to the alarm company. Bay Alarm called Pleasanton PD and advised them of the activation at 0208 hours.

Officer Kunkel and Sgt. Gora initially responded to the business for the alarm call. Video surveillance inside the business showed Deming Jr becoming increasingly agitated as he poked holes in the business interior walls and broke a window with a long pole. Deming Jr searched through desk drawers as if looking for something. Deming Jr sprayed multiple vehicles with a fire extinguisher and smashed an acoustic guitar on one of the vehicles.

Sgt. Gora arrived on scene at approximately 0219 hours and saw Deming Jr's white Mercedes van parked near the northwest corner and found the northwest window of the business broken. Sgt. Gora heard screaming from inside the business and requested additional units respond. Officer Kunkel arrived at approximately 0220 hours and held a perimeter position near the broken window at the northwest corner.

As additional units arrived they met near the main entrance on the east side of the business. Officer Kunkel remained on the northwest corner and Officer Cobler was positioned on the southwest corner. Officers on scene saw Deming Jr inside wearing a bandana over his face. Officers saw Deming Jr with a box of keys. Based on video surveillance, it appeared Deming Jr was attempting to start vehicles inside the show room. Officers gave verbal commands to Deming Jr to exit the business but he did not comply. Deming Jr went to an office near the front of the business and emerged carrying a large floor jack. Deming Jr threw this floor jack at one of the windows between him and the officers outside. The floor jack bounced off the window and fell onto the hood of a vehicle.

Deming Jr re-entered the office and emerged with a second floor jack determined to weigh 93 pounds. Deming Jr threw this floor jack through the glass door of the business in the direction of the officers outside. The floor jack landed on First Street approximately 21 feet from where Deming Jr threw it. Deming Jr continued to disobey commands to exit the business. Officer Bennett fired one bean bag round from a less-lethal shotgun. The round missed Deming Jr. Deming Jr retreated to the west side of the business where he climbed up to the rafters and hung by his hands. Deming Jr kicked one of the surveillance cameras and moved to the center of the store by swinging on the rafters. Deming Jr dropped from the rafters, landing on the concrete floor and appeared un-phased by the fall.

Because of the possibility of Deming Jr gaining access to vehicles inside, Sgt. Gora decided to enter the business with a K-9 and other officers, some armed with Tasers and less-lethal shotguns. Officers entered the business at approximately 0233 hours. Officers found Deming Jr seated on the roof of a pickup in the south show room. Officers spread out around the pickup and gave Deming Jr commands to come down from the pickup's roof. Deming Jr did not comply. Officer Bennett fired his Taser at Deming Jr, striking him in the front abdominal area with one probe. The Taser deployment was ineffective and Deming Jr removed the probe. Officer Bennett fired a second Taser which struck Deming Jr in his left leg with one probe. The second Taser deployment was again ineffective and Deming Jr removed the probe.

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Deming Jr stood up and jumped off the pickup. Officer Paulsen deployed his Taser but it either missed or was ineffective. Officer Paulsen then fired two bean bag rounds from a less-lethal shotgun. Based on injuries on Deming Jr, it appears one of these rounds struck Deming Jr on the right rear thigh. The other bean bag appears to have struck Deming Jr above the front of his left knee. Deming Jr fled through an interior office and was pursued by Officer Sheldon and his K-9, which was on a leash. Deming Jr ran through the office and exited into a corridor which connects the north and south show rooms. Officer Sheldon released his K-9 from the leash and the K-9 pursued Deming Jr northbound through the corridor and into the north show room.

Deming Jr jumped on top of a vehicle parked in the north show room. He then jumped to the other side of the vehicle and then jumped through the broken window at the northwest corner of the show room. Deming Jr exited the business at 0235 hours. Officer Sheldon's K-9 slid on the concrete floor and collided with the car which Deming Jr had jumped over. Officer Sheldon's K-9 ran around the car and to the broken window. Officer Sheldon approached the window and assisted his K-9 through it.

As Deming Jr was running toward the broken window, Officer Kunkel was outside the window and watched Deming Jr run toward him. Officer Kunkel removed his Taser and attempted to fire it at the front of Deming. The Taser was still set to safe and did not fire. Officer Kunkel switched his Taser to "Fire" as Deming Jr jumped through the window and ran westbound past Officer Kunkel. Officer Kunkel gave verbal commands to "stop" but Deming Jr did not comply. Officer Kunkel fired his Taser at Deming Jr, striking him with at least one probe in the back. Deming Jr appeared unaffected by the Taser and continued to run westbound along the south side of Spring Street.

Officer Kunkel pursued Deming Jr and immediately felt pain in one of his hamstrings. Officer Kunkel continued to pursue Deming Jr despite the pain. Deming Jr, pursued by Officer Kunkel, ran around the back of his white van. As Officer Kunkel felt the Taser wire extending, he pulled the Taser trigger again but it had no effect on Deming Jr.

On the west side of the van, Deming Jr abruptly stopped, turned and faced Officer Kunkel. Deming Jr charged toward Officer Kunkel as he screamed indistinguishable sounds. Officer Kunkel braced for an assault and expected Deming Jr to punch him. Deming Jr jumped and kicked Officer Kunkel in the abdominal area. This caused Officer Kunkel to lose balance and fall backward onto the concrete ground. Deming Jr straddled Officer Kunkel and began striking him with closed fists in the face. Officer Kunkel was struck an unknown number of times in his face as he attempted to block the strikes. At some point in the altercation, Officer Kunkel struck his head on the concrete.

Officer Kunkel felt fatigue and pain and believed he was about to lose consciousness. Officer Kunkel realized he still had his Taser in his right hand. Officer Kunkel reached upward with his right hand and placed the front of the Taser on Deming Jr's forehead and pulled the trigger, activating the Taser in "drive stun" mode. Deming Jr backed his head away from the Taser but continued to strike Officer Kunkel with his fists. Officer Kunkel rocked his body to his right and removed his department-issued handgun from his holster. Officer Kunkel pointed the handgun upward toward Deming Jr and fired three rounds. One round struck Deming Jr in the abdomen. One round struck Deming Jr in the face. It is unknown where the additional round went. After being struck in the head, Deming Jr stopped striking Officer Kunkel and fell to his left (Officer Kunkel's right). Officer Kunkel broadcast "Shot fired" over the radio and remained on his back until other officers came to his location.

As Officer Kunkel was involved in the physical altercation with Deming Jr, the remaining officers were attempting to exit the business behind the K-9. When the K-9 exited the window, he saw Officer Cobler running northbound along the west exterior of the business. The K-9 focused on Officer Cobler and advanced toward him. Officer Sheldon

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successfully called off the K-9 before it bit Officer Cobler. Officer Paulsen broke additional glass on the window so officers could fit through it. Officers had drawn their attention toward the K-9 and Officer Cobler and were unaware of the location of Deming Jr and Officer Kunkel. When these officers heard the gun shots coming from west of their location, they ran to the other side of the white van and found Deming Jr with gunshot wounds to his face and abdomen.

Officers provided medical aid to the suspect until ambulances and Fire Department personnel arrived. Officer Palmquist assisted Officer Kunkel to his feet and escorted him away from the area. Officer Kunkel was transported by ambulance to ValleyCare Hospital and Deming Jr was transported by ambulance to Eden Hospital. Deming Jr was pronounced deceased at 0453 hours by hospital staff.

There were no direct witnesses to the altercation between Deming Jr and Officer Kunkel. Officer Kunkel's account of the altercation was corroborated by physical evidence. Officer Kunkel's Taser was downloaded and confirmed the Taser was triggered three times at 02:36:06, 02:36:13 and 02:36:21 (according to Taser clock, adjusted for time synchronization). Two small dots which appeared consistent with being created by direct contact with a Taser cartridge were on Deming Jr's forehead.

. Camera footage from the body cameras of Sgt. Gora and LPD Sgt. Horton show Officer Kunkel lying motionless, unresponsive and on his back with his handgun on the ground to his left and Taser on the ground to his right seconds after the shots were fired. A wire from a deployed Taser cartridge was tangled on Officer Kunkel's duty belt after the altercation.

Deming Jr displayed great strength and athleticism while inside the business prior to the altercation with Officer Kunkel. Deming Jr threw a 93 pound jack several yards toward officers and fell from rafters, which were over 15 feet high, appearing uninjured and unaffected by the fall.

Deming Jr was inside of the business for approximately twenty minutes prior to officers arriving on scene. Deming Jr exited the business once during this period and returned. During this time, the audible alarm was activated and Deming Jr spoke with the alarm company employee on the phone. Officers arrived on scene at 0219 hours. Deming Jr refused commands for approximately fourteen minutes between the time officers arrived at 0219 hours and when they entered the business at 0233 hours. Deming fled through the broken window at approximately 0235 hours and the shots were fired at approximately 0236 hours. Differences in time stamps between various video sources, radio traffic and CAD notes were taken into consideration to determine these times. Deming Jr had multiple opportunities to leave the business before officers arrived. Deming Jr had multiple opportunities to comply with officers after they arrived.

This investigation included statements from Officer Kunkel and other officers at the scene, the review of video surveillance inside the business and from body-worn cameras and physical evidence. Based on the investigation, I believe that at approximately 0235 hours on 7/5/15, Officer Daniel Kunkel, in fear of death or great bodily injury, shot Johnathon Deming Jr two times. Deming Jr later died as a result of the gunshot wounds. Officer Kunkel's actions during this incident were in compliance with California Penal Code Section 196(2) P.C., Justifiable Homicide by Public Officers.

RECOMMENDATIONS:

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I recommend a copy of this report be forwarded to Alameda County Deputy District Attorney Kevin Wong for review.

This case is continued pending the final autopsy/Coroner's report.

B. STOCKING #269

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT				DATE/TIME WRITTEN 08/18/2015 16:34	CASE NUMBER 2015-00024571
				REPORTING OFFICER Stocking, Brandon, .	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED					
01	CODE E	QTY 1	TYPE MEDIA- AUDIO, VIDEO	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) THUMB DRIVE CONTAINING VIDEOS FROM CAMCORDER IN DEMING'S ROOM					TAG NUMBER PPD76352
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
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DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

(CROSS_REF CASE #(S))

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

DATE REPORTED 08/25/2015	TIME 17:01	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON

**E
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T**

SYNOPSIS OF EVENT

- 27. Involved Personnel
- 28. Knife & Blood At Scene
- 29. Video Enhancement
- 30. Coroner's Report
- 31. Toxicology Report #2

OFFENSE	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	PROPERTY	P.C.	PROPERTY TYPE	VALUE
									E	MEDIA- AUDIO, VIDEO

SUBJECTS	NO.	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
2							
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9							
10							

VEHICLES	CASE VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						
VEHICLES	PROPERTY VEHICLE #1						
	ROLE	YEAR	MAKE	MODEL	STYLE		
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR		
	DESCRIPTION						VALUE

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
OTHER:				

REPORTING OFFICER Stocking, Brandon, ,	DATE WRITTEN 08/25/2015	APPROVED BY schlehuber205 Schlehuber, Kurt 8/27/2015 15:46
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PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 08/25/2015 17:01	CASE NUMBER 2015-00024571
	REPORTING OFFICER Stocking, Brandon, ,	

27. INVOLVED PERSONNEL:

PLEASANTON PD PATROL:

Sgt. E. Gora # 283
Officer D. Kunkel #294
Officer B. Cobler #296
Officer B. Palmquist #293
Officer M. Sheldon #194
Officer T. Paulsen #291
Officer S. Bennett #263
Officer B. Middleton #292
Officer A. Pittl #280
Lieutenant J. Knox # 65

PLEASANTON PD INVESTIGATIONS:

Lieutenant J. Bretzing #118
Sergeant K. Schlehuber #205
Detective B. Stocking #269
Detective B. Sarasua #258
Detective E. Silacci #216
Detective B. Boccasile #272
Detective R. Shuffield #276
Detective J. Chin #274
Officer M. Lengel #266

PLEASANTON PD SPECIAL ENFORCEMENT UNIT:

Sergeant T. Young #70
Officer N. Albert #285
Officer C. Lewellyn #286

ALAMEDA COUNTY DA PERSONNEL:

Deputy District Attorney Kevin Wong
Deputy District Attorney Vicki Long
Inspector Brian Medeiros

ACSO CORONER PERSONNEL:

Deputy K. Easling
Deputy C. Frazier

ACSO CRIME LAB PERSONNEL:

Criminalist C. Wong
Criminalist L. Dilbeck
Criminalist A. Keeler

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - NARRATIVE	DATE/TIME WRITTEN 08/25/2015 17:01	CASE NUMBER 2015-00024571
	REPORTING OFFICER Stocking, Brandon, ,	

Criminalist K. Lanzisera
Criminalist H. Tom
Criminalist E. Salazar
Criminalist P. Ritter
Technician T. Overcash
Technician H. Kendle
Computer Forensic Examiner W. Ounkeo

LIVERMORE PD PERSONNEL:

Sergeant J. Horton #930
Officer K. Yost #63

LPPD PERSONNEL:

Engine 91:

PARAMEDICS PLUS PERSONNEL:

Vehicle #4205 (Deming):
Paramedic
EMT

Vehicle #5201 (Kunkel):
Paramedic
EMT

28. KNIFE & BLOOD AT SCENE:

At the scene, a folding knife was located near the northwest corner of Spring Street and First Street. Nearby, drops of what appeared to be dried blood were located. Throughout the investigation, I could not determine that these items were related to the case. The knife was collected and the suspected blood drops were swabbed.

29. VIDEO ENHANCEMENT:

On 8/6/15, I removed the USB drive containing video surveillance from 127 Spring Street. I released the video to DA Inspector Brian Medeiros to have it analyzed by the District Attorney's Office Video Unit to see if it could be enhanced. On 8/20/15, I was told by Inspector Medeiros that Vickie Long of the DA's Office attempted to brighten the footage but was still unable to distinguish anything noteworthy. I viewed the video and determined nothing additional could be seen in the footage. I returned the original USB drive to evidence and booked the enhanced footage on a CD into evidence.

30. CORONER'S REPORT:

On 8/20/15 I received the Coroner's Autopsy Protocol Report (Coroner Case # 15-02088). I reviewed the report. The

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report stated the cause of death was “
enumerated as follows:

The autopsy findings were

Redacted
- Autopsy

31. TOXICOLOGY REPORT #2:

On 8/25/15, I received the second toxicology report from the Alameda County Coroner’s Office.

I attached a copy of the toxicology report to this report.

RECOMMENDATIONS:

Attach to original report.

B. STOCKING #269

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT	DATE/TIME WRITTEN 08/25/2015 17:01	CASE NUMBER 2015-00024571
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CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION
R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED

01	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
	E	1	MEDIA- AUDIO, VIDEO		
DESCRIPTION (MAKE/MODEL/DESCRIPTION) CD CONTAINING MODIFIED VIDEO FROM BAY AREA NEWS GROUP CAMERAS					TAG NUMBER PPD75465
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
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	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT
 4833 BERNAL AVENUE, P.O. BOX 909
 PLEASANTON, CA 94566-0802 (925) 931-5100
 CA0011100



CASE NUMBER

2015-00024571

CROSS REF CASE #S:

2015-
 2015-
 2015-

SUPPLEMENTAL INVESTIGATION

E V E N T	DATE REPORTED 10/01/2015	TIME 17:24	INCIDENT TYPE CRIME REPORT	SIGNIFICANT EVENT
	OCCURRED/BETWEEN	TIME	LOCATION OF OCCURRENCE 4321 FIRST ST	AT INTERSECTION WITH
	AND	TIME	COMMON PLACE NAME	CITY OF OCCURRENCE PLEASANTON
	SYNOPSIS OF EVENT			

32. Officer Kunkel Medical Records
33. Ballistics Analysis

O F F I C E R S	SECTION - TYPE	A/C	CNT	SECTION - TYPE	A/C	CNT	P R O P E R T Y	P.C.	PROPERTY TYPE	VALUE
								E	DOCUMENTS	

S U B J E C T S	NO.	INVOLVED	NAME (LAST, FIRST, MIDDLE, SUFFIX)	DATE OF BIRTH	AGE	SEX	STATEMENT
	1						
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
	10						

V E H I C L E S	CASE VEHICLE #1		YEAR	MAKE	MODEL	STYLE
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR	
	DESCRIPTION					
	PROPERTY VEHICLE #1		YEAR	MAKE	MODEL	STYLE
	LICENSE NUMBER	STATE	VIN NUMBER	TYPE	COLOR	
	DESCRIPTION					
	VALUE					

R T E	<input type="checkbox"/> DISTRICT ATTORNEY	<input type="checkbox"/> CHILD PROTECTIVE SERVICES	<input type="checkbox"/> ADULT PROTECTIVE SERVICES	<input type="checkbox"/> US POSTAL INSPECTORS
	<input type="checkbox"/> JUVENILE PROBATION	<input type="checkbox"/> CITY ATTORNEY	<input type="checkbox"/> CODE ENFORCEMENT	<input type="checkbox"/> STREETS
	OTHER			

REPORTING OFFICER Stocking, Brandon, ,	DATE WRITTEN 10/01/2015	APPROVED BY Schlehuber, Kurt
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32. OFFICER KUNKEL MEDICAL RECORDS:

On 9/28/15 I received records for medical treatment received by Officer Kunkel

The records were received by mail from Officer Kunkel's attorney, Joseph Lucia

A cover letter accompanied the records stating that the release of the enclosed records was being done for the sole purpose of aiding in this investigation and was for use by the Pleasanton Police Department only

Due to this letter, the records I received were booked into evidence.

During his return visit to Valley Care Hospital on the afternoon of 7/5/15, Officer Kunkel was diagnosed with a

33. BALLISTICS ANALYSIS:

On 10/2/15, I received the ballistics report from the ACSO Crime Lab. Detective Sarasua had requested the Crime Lab determine if the bullets recovered from Deming Jr were fired from Officer Kunkel's department-issued handgun. The report indicated the two bullets recovered were fired from Officer Kunkel's

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department-issued handgun.

Detective Sarasua had requested Deming Jr's clothing be tested to determine the approximate distance from which the gun shot that struck Deming Jr's abdominal area was fired. The areas of clothing around the gun shot entry hole were tested for the presence of gun shot residue (GSR) but none was located. The distance the shot was fired from was unable to be determined. A copy of ACSO's report is attached.

RECOMMENDATIONS:

Attach to original report.

B. STOCKING #269

CONTROLLED DOCUMENT

PLEASANTON POLICE DEPARTMENT SUPPLEMENTAL - PROPERTY RPT				DATE/TIME WRITTEN 10/01/2015 17:24	CASE NUMBER 2015-00024571
				REPORTING OFFICER Stocking, Brandon, ,	
CODE: B-BURNED C-COUNTERFEIT/FORGED D-DAMAGED DS-DESTROYED E-EVIDENCE F-FOUND L-LOST O-OBSERVATION R-RECOVERED SK-SAFEKEEPING S-STOLEN SR-STOLEN/RECOVERED					
01	CODE E	QTY 1	TYPE DOCUMENTS	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION) PACKET CONTAINING OFFICER KUNKEL'S MEDICAL RECORDS					TAG NUMBER PPD77474
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
	CODE	QTY	TYPE	SERIAL NUMBER	VALUE
DESCRIPTION (MAKE/MODEL/DESCRIPTION)					TAG NUMBER
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