

**VALLEJO POLICE DEPARTMENT**

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111 AMADOR ST VALLEJO, CA 94590

CRIME REPORTCase
19-1676

OFFENSES	Offenses 245(D)(1) PC 25850(c)(2) PC 22655.5	Description Aslt Po W/Firearm Carrying loaded firearm - stolen firearm Evidence - See Veh Code	Fel/Misd Felony Felony	Date Occurred 02/09/2019	Time Occurred 2236	Incident # 1902090192	
				Date Reported 02/09/2019	Time Reported 2236		
				Related Cases			
				Date Printed 04/02/2019	Time Printed 10:54:09	Printed By 2065	
				Latitude 38.133960	Longitude -122.222230		
Location Taco Bell, 974 Admiral Callaghan Ln, Vallejo, CA 94590			Beat 1	Area 103	Disposition		Dispo Date
Location Type Restaurant	Location of Entry	Method of Entry	Point of Entry		Alarm System	Means of Attack (Robbery)	
Victim Cano, Anthony #714				Drivers License	Cell Phone	Email	
Residence Address 111 Amador St, Vallejo, CA 94590				Notified of Victim Rights No	Residence Phone	DOB	Age Sex Race
Business Name and Address				Business Phone	Height	Wt	Hair Eyes
Assistance Rendered/Victim Disposition				Transporting Agency	Means of Attack (Assaults) Firearm		
Description of Injuries				Other Information			
Witness [REDACTED]				Drivers License [REDACTED]	Cell Phone [REDACTED]	Email	
Residence Address [REDACTED]				Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED] Race [REDACTED]
Business Name and Address				Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED] Eyes [REDACTED]
Suspect McCoy, Willie James				Action Taken	Charges 245(D)(1) PC		
Residence Address [REDACTED]				Residence Phone [REDACTED]	DOB [REDACTED]	Age 20	Sex M Race B
Business Name and Address				Business Phone [REDACTED]	Height 6'	Wt 130	Hair BLK Eyes BRO
Identifying Features Build: Thin Complexion: Dark				Cell Phone	Drivers License [REDACTED]		Arrest Number
Aliases Lil Will, Willie, Willie Bo, Williebo				Val Damaged			
VEHICLES	Status Impounded/VETO	Vehicle Make and Model 2006 Silver/Aluminum Merz CS4			License/State [REDACTED]	VIN [REDACTED]	
OFFICERS	Prepared By 714 - Cano, Anthony	Date 02/09/2019	Assisted By		Approved By 569 - Mustard, Mat		Date 3/11/2019
	Routed To Detective Bureau	Date	Routed To	Date	Notes		

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Victim Eaton, Colin #703	Drivers License	Cell Phone	Email			
Residence Address 111 Amador St, Vallejo, CA 94590	Notified of Victim Rights No	Residence Phone	DOB	Age	Sex	Race
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Assistance Rendered/Victim Disposition		Transporting Agency	Means of Attack (Assaults) Firearm			
Description of Injuries		Other Information				

Victim Glick, Bryan #672	Drivers License	Cell Phone	Email			
Residence Address 111 Amador St, Vallejo, CA 94590	Notified of Victim Rights No	Residence Phone 707-648-4321	DOB	Age	Sex M	Race
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Assistance Rendered/Victim Disposition		Transporting Agency	Means of Attack (Assaults) Firearm			
Description of Injuries		Other Information				

Victim McMahon, Ryan #702	Drivers License CA	Cell Phone	Email			
Residence Address 111 Amador St, Vallejo, CA 94590	Notified of Victim Rights No	Residence Phone [REDACTED]	DOB	Age	Sex M	Race
Business Name and Address Vallejo Police Department, 111 Amador St, Vallejo, CA		Business Phone 707-648-4321	Height	Wt	Hair	Eyes
Assistance Rendered/Victim Disposition		Transporting Agency	Means of Attack (Assaults) Firearm			
Description of Injuries		Other Information				

Victim Patzner, Jordon #713	Drivers License	Cell Phone	Email			
Residence Address 111 Amador St, Vallejo, CA 94590	Notified of Victim Rights No	Residence Phone	DOB	Age	Sex M	Race W
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Assistance Rendered/Victim Disposition		Transporting Agency	Means of Attack (Assaults) Firearm			
Description of Injuries		Other Information				

Victim Thompson, Mark # 621	Drivers License	Cell Phone	Email			
Residence Address 111 Amador St, Vallejo, CA 94590	Notified of Victim Rights No	Residence Phone	DOB	Age	Sex	Race
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes
Assistance Rendered/Victim Disposition		Transporting Agency	Means of Attack (Assaults) Firearm			
Description of Injuries		Other Information				

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	Witness [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Witness [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Witness [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Witness [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Witness [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]

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	Mentioned - Other [REDACTED]	Drivers License NONE	Cell Phone [REDACTED]	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address [REDACTED]		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone [REDACTED]	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address [REDACTED]		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address [REDACTED]		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]
	Mentioned - Other [REDACTED]	Drivers License [REDACTED]	Cell Phone [REDACTED]	Email			
	Residence Address [REDACTED]		Residence Phone	DOB [REDACTED]	Age [REDACTED]	Sex [REDACTED]	Race [REDACTED]
	Business Name and Address [REDACTED]		Business Phone	Height [REDACTED]	Wt [REDACTED]	Hair [REDACTED]	Eyes [REDACTED]

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111 AMADOR ST VALLEJO, CA 94590**CRIME REPORT - PROPERTY**

19-1676

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	638-1 - 1 - W- [REDACTED] INTERVIEW			
2	Evidence	638-2 - 1 - W- [REDACTED] DIAGRAM			
3	Evidence/Returned To Owner	2053-1 - 1 P320 Sig Sauer - 2053-1-OFFICER EATON'S DUTY WEAPON; SIG P320 9MM; 7+1 CARTRIDGES AND 21 RD MAG [REDACTED]			
4	Evidence/Returned To Owner	2053-2 - 1 21 Glock - 2053-2-OFFICER MCMAHON'S DUTY WEAPON; GLOCK 21; 45 CAL; 12 + 1 CARTRIDGES; 13 RD MAG [REDACTED]			
5	Evidence/Returned To Owner	2053-3 - 1 17 Glock - 2053-3-OFFICER CANO DUTY WEAPON; GLOCK 17; 6+1 CARTRIDGES; 17 ROUND MAGAZINE [REDACTED]			
6	Evidence	618-1 - 1 Dvd - (W)- [REDACTED] INTERVIEW			
7	Evidence	618-2 - 1 - (W)- [REDACTED] DIAGRAM			
8	Evidence	618-3 - 1 Dvd - OFC. [REDACTED] INTERVIEW			
9	Evidence	2053-4 - 1 - 2053-4-GSR FROM WILLIE MCCOY			
10	Evidence	2053-5 - 1 - 2053-5-SWABS OF (S) WILLIE MCCOY: BLANK, FACE, LEFT HAND, RIGHT HAND, BUCCAL SWAB			
11	Evidence	2053-6 - 1 - 2053-6-SHOES FROM (S) VEHICLE GREEN AIR JORDANS 23			
12	Evidence	2053-7 - 1 - 2053-7-(S) WALLET WILLIE MCCOY [REDACTED] LOCATED ON (S) DRIVER'S SEAT			
13	Evidence	2053-8 - 1 - 2053-8-(S) S&W 40C 40 CAL S/N [REDACTED]; 1+14 40 CAL AND MAGAZINE [REDACTED]			
14	Evidence/Returned To Owner	2053-9 - 1 - 2053-9-OFFICER M. THOMPSON DUTY WEAPON; GLOCK 17 9MM; 10+1 CARTRIDGES; 17 ROUND MAGAZINE [REDACTED]			
15	Evidence/Returned To Owner	2053-10 - 1 - 2053-10-OFFICER PATZER'S DUTY WEAPON; GLOCK 17; 9MM; 5+1 CARTRIDGES; 17 ROUND MAGAZINE [REDACTED]			
16	Evidence/Returned To Owner	2053-11 - 1 - 2053-11-OFFICER GLICKS DUTY WEAPON; SIG SAUER 226; 9MM, 9+1 CARTRIDGES; 20 ROUND MAGAZINE [REDACTED]			

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ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
17	Evidence	2053-12 - 1 - 2053-12-46 CASINGS LOCATED AT 974 ADMIRAL CALLAGHAN LANE (SEE RPT FOR LIST OF HEADSTAMPS)			
18	Evidence	2053-13 - 1 - 2053-13-2 BULLET JACKETS; 5 EXPENDED BULLETS			
19	Evidence	638-3 - 1 - W- OFC [REDACTED]			
20	Evidence	661-1 - 1 - AUDIO RECORDING OF OFC MCMAHON STATEMENT			
21	Evidence	661-2 - 1 - OVERHEAD PRINT-OUT PRESENTED TO OFC MCMAHON			
22	Evidence	602-1 - 1 Axon - AXON VIDEO OF INTERVIEWS WITH [REDACTED] (WITNESSES)			
23	Evidence	602-2 - 1 - SKETCH OF SCENE DONE BY [REDACTED]			
24	Evidence	680-1 - 1 Cdr - STATEMENT OF OFC EATON #703			
25	Evidence	680-2 - 1 - OVERHEAD PHOTO SHOWN TO EATON			
26	Evidence	509-1 - 1 Cd - OFC THOMPSON INT.			
27	Evidence	509-2 - 1 Cd - OFC. GLICK INT.			
28	Evidence	509-3 - 1 Cd - OFC MCMAHON INT.			
29	Evidence	509-4 - 1 Cd - DISPATCH TAPE OF CALL FOR SVS. 974 ADM. CAL.			
30	Evidence	509-5 - 1 Cd - 911 CALL			
31	Evidence	509-6 - 1 Cd - RADIO TRAFFIC 19-1676			
32	Evidence	571-1 - 1 - CD-OFC CANO STATEMENT			
33	Evidence	571-2 - 1 - CD-OFC PATZER STATEMENT			
34	Evidence	571-3 - 1 - ARIEL PHOTO OF TACO BELL SHOWN TO CANO			
35	Evidence	571-4 - 1 - ARIEL PHOTO OF TACO BELL SHOWN TO PATZER			
36	Evidence	618-4 - 1 Dvd - [REDACTED] VIDEO			
37	Evidence	2053-17 - 1 - 2053-17-(S) MCCOYS LEFT AND RIGHT FINGERNAIL CLIPPINGS			
38	Evidence	2053-18 - 1 - 2053-18-CARMEX, EARPHONES, LIGHTER IN MC COY'SFRONT RIGHT PANT POCKET			
39	Evidence	2053-14 - 1 - 2053-14-BOTTOM AND TOP TEETH JEWELRY IN BLACK BAG LEFT IN JACKET POCKET			
40	Evidence	2053-15 - 1 - 2053-15-7 EXPENDED BULLETS DAY 1 AUTOPSY (SEE REPORT FOR LIST OF LOCATIONS)			

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ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
41	Evidence	2053-16 - 1 - 2053-16-\$30 FROM SUSPECTS BACK AT CORONER'S			
42	Evidence	2053-19 - 1 - 2053-19-PHOTOGRAPHS FROM DAY 1 AUTOPSY FEBRUARY 11, 2019			
43	Evidence	2053-20 - 1 - 2053-20-PHOTOGRAPHS FROM DAY 2 AUTOPSY FEBRUARY 12, 2019			
44	Evidence	2053-21 - 1 - 2053-21-15 EXPENDED BULLETS AND A BULLET FRAGMENT FROM SOLANO COUNTY CORONER'S OFFICE			
45	Evidence	2053-22 - 1 - 2053-22-PHOTOGRAPHS OF SCENE			
46	Evidence	600-1 - 1 Kodak Cd-R - 1 CD-R CONTAINING TOTAL STATION CRIME SCENE DIAGRAM/MAP- OBTAINED BY 600 & 705			
47	Evidence	509-10 - 1 SFPD Case - (S) MCCOY PENDING CASE SFPD			
48	Evidence	509-11 - 1 Map - GOOGLE OVERHEAD-GLICK			
49	Evidence	509-12 - 1 Map - GOOGLE OVERHEAD - THOMPSON			
50	Evidence	2053-23 - 1 - 2053-23-RED IPHONE LEFT JACKET POCKET FROM AUTOPSY			
51	Evidence	2053-24 - 1 - 2053-24-MCCOY'S BLACK T-SHIRT			
52	Evidence	2053-25 - 1 - 2053-25-MCCOY'S BLACK PANTS			
53	Evidence	2053-26 - 1 - 2053-26-GREY SOCKS (MCCOY)			
54	Evidence	2053-27 - 1 - 2053-27- BLACK BOXERS (MCCOY)			
55	Evidence	2053-28 - 1 - 2053-28-(S) GREEN JACKET			
56	Evidence	509-13 - 1 Drawing - WHERE [REDACTED] WAS PARKED			
57	Evidence	509-14 - 1 Cd - INTERVIEW W/ [REDACTED]			
58	Evidence	661-3 - 1 - DVD CONTAINING VIDEO OBTAINED FROM W-[REDACTED]			
59	Evidence	661-4 - 1 - CD CONTAINING VIDEO OBTAINED FROM W-[REDACTED]			
60	Evidence	661-5 - 1 - PRINT-OUT OF TOTAL STATION MAP			
61	Evidence	618-5 - 1 Axon Videos - OFFICERS CANO, PATZER, THOMPSON, MCMAHON, [REDACTED] EATON, GLICK AXON VIDEOS			
62	Evidence	509-15 - 1 Pictures - TOTAL STATION DIAGRAM			
63	Evidence	618-6 - 1 Cd - (M)-[REDACTED] INTERVIEW			

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CRIME REPORT - PROPERTY

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ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
64	Evidence	2053-29 - 1 - 2053-29-TEST FIRES FROM OFFICERS' GUNS (EXHIBIT #'S 2053-1, 2053-2, 2053-3, 2053-9, 2053-10, 2053-11)			
65	Evidence	2053-30 - 1 - 2053-30-1 CD CONTAINING 55 DIGITAL PHOTOGRAPHS			
66	Evidence	2053-31 - 1 - 2053-31-1 CD CONTAINING 14 DIGITAL PHOTOGRAPHS			

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SUPPLEMENT 1 - Witness Statement- [REDACTED]

19-1676

VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

2/9/2019
2247 hours

On the above date and time, I was on patrol as 4A8 with Ofc. [REDACTED] # [REDACTED]. We heard Ofc. Patzer advise he was out with a subject who was sleeping in a vehicle in the drive thru of Taco Bell. Ofc. Patzer additionally advised, he observed a gun in the subjects lap. Ofc. [REDACTED] and I arrived a short time later.

I observed there were sufficient officers around the Mercedes and based on the severity of the situation, I began to place myself in position to prevent any further vehicle or pedestrian traffic into the area of Taco Bell. At this time, I heard the officers at the Mercedes providing commands to the subject inside of the Mercedes, I then heard multiple gunshots being fired in the area of the Mercedes. I remained on scene to collect witness statements and provide scene security.

After the shooting concluded, I spoke to [REDACTED] who provided me with the following information in summary:

[REDACTED] saw a Mercedes stopped in the drive thru without anyone in front of the Mercedes. [REDACTED] decided to park and go inside Taco Bell to order some food. [REDACTED] was back inside of his vehicle when he saw VPD officers arrive on scene and attempt to contact someone inside of the Mercedes in the drive thru. [REDACTED] said he heard the police officers yelling for the subject inside of the Mercedes to show his hands and then he heard shots being fired in the area of the Mercedes. Once [REDACTED] heard the first several shots he ducked his head down inside of his vehicle.

End of [REDACTED] statement.

I did not speak to any further witnesses.

There is nothing further to report at this time.

Ofc [REDACTED]

Prepared By:

[REDACTED]

Date:

02/10/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

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SUPPLEMENT 2 - Call-Out / Suspect Vehicle Search Warrant

19-1676

VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT**SUPPLEMENT:**

On 2-9-19 at approximately 2301 hours, Detective Sergeant M. Mustard #569 contacted me via telephone and advised me Vallejo PD Officers were involved in a shooting. Detective Sergeant Mustard then told me to respond to the VPD to investigate the shooting.

I arrived at the VPD on 2-9-19 at approximately 2354 hours and I began to obtain information regarding the shooting.

I became aware VPD Officers responded to the Taco Bell located at 974 Admiral Callaghan Ln for a report of a welfare check. Dispatch advised patrol officers Taco Bell employee, W- [REDACTED] reported a silver Mercedes was stopped in the drive-thru lane and the driver appeared to be slumped over.

I was advised the officers who initially responded to the scene observed a silver Mercedes with California License Plate number "[REDACTED]" stopped in the drive-thru of the Taco Bell business. When the officers attempted to contact the driver of the Mercedes, they observed the driver had a pistol on his lap.

Additional officers responded to the scene to contact the driver, but the vehicle was locked and officers were not readily able to contact the driver and secure the firearm.

When the driver woke up, he grabbed the pistol on his lap and six Vallejo PD Officers discharged their firearms at the driver.

VPD Officers rendered emergency medical care to the driver, but a Medic Ambulance paramedic who responded to the scene declared the driver deceased.

It was determined the driver was the sole occupant of the vehicle and the driver was preliminarily identified as S- Willie McCoy via his Driver License and his photograph in the CalPhoto database.

Based upon the information I received, I prepared a search warrant that was ultimately signed by the Honorable W. Pendergast on 2-10-19 at approximately 0304 hours. The search warrant commanded the Mercedes with California license plate [REDACTED] be searched for items of evidentiary value and I provided a copy of the search warrant to Corporal R. Botello #486.

I have attached a copy of the search warrant to this report.

- Detective C. Long #661

Prepared By:

661 LONG, CRAIG

Date:

02/10/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019



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SUPPLEMENT 3**

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On 02/09/2019 I was working as a Vallejo Patrol Unit. At approximately 2252 hours I responded to 974 Admiral Callaghan Lane regarding an Officer Involved Shooting.

Once on scene I started the crime scene log, conducted scene security, and filled out the evidence tow sheet (CHP 180).

Nothing Further.

D. Jones 653

Prepared By:

653 JONES, DYNELLE

Date:

02/10/2019

Approved By:

529 DARDEN, STEVE

Date:

02/10/2019

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SUPPLEMENT 4

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On 02/09/2019, I responded to the area of the Taco Bell on Admiral Callaghan to assist in the investigation of an officer involved shooting. I arrived on scene and briefly surveyed the scene. I noticed there was a silver Mercedes Benz inside of the drive-thru area. I could see that vehicle was blocked in the front and behind by marked police SUVs. I saw there appeared to be a body covered by a blanket near the open driver's door. I also noticed several casings on the ground outside of the vehicle.

After viewing the scene, I returned to the VPD. I was assigned to contact two witnesses to the incident at an address in Livermore. Myself, Detective Poyser, and DA investigator Andre Charles drove to the address in Livermore, but we had negative results contacting anyone there. A card was left and a message was left on the voice mail of the witness.

The following morning, 02/10/2019, I was able to contact witness, [REDACTED]. [REDACTED] advised he was aware I needed to speak with him. He advised he would be available that day for a formal interview. [REDACTED] advised his girlfriend, [REDACTED], would also be available. [REDACTED] was in the vehicle with him at the time of the incident. [REDACTED] agreed to meet with me at 1600 hours in the parking lot of California High School in San Ramon.

Myself, Detective Poyser, and DA investigator Charles met with [REDACTED] and [REDACTED] at the prearranged meeting place. The interviews of [REDACTED] and [REDACTED] were conducted separately inside of a police vehicle. The interviews were recorded on my body camera and the footage was later booked into evidence. [REDACTED] was the first to be interviewed.

[REDACTED] advised she was in the parking lot of the Taco Bell at the time of the incident. [REDACTED] said she was seated in a vehicle. [REDACTED] said she noticed a silver Mercedes stopped at the entrance to the drive-thru. [REDACTED] said there was another vehicle between her vehicle and the Mercedes. [REDACTED] indicated she was in line at the drive-thru when she noticed a Taco Bell employee come into the parking lot. The employee approached the car in front of her and advised that occupant the police had been called because the Mercedes was blocking the drive-thru. [REDACTED] said her vehicle began backing up, so the car in front could exit the parking lot. [REDACTED] said before either car could leave the parking lot, the police arrived. [REDACTED] said two marked police SUVs blocked the entrance/exit to the driveway of the Taco Bell.

[REDACTED] said she saw one officer approach the Mercedes. After approaching the Mercedes the officer pulled his gun out. [REDACTED] said she saw several "back up" officers show up. [REDACTED] said she saw the officers position there vehicles in front and behind of the Mercedes to block it. Once officers were positioned in their vehicles she saw officers near the Mercedes. [REDACTED] said she could not clearly see what was happening inside of the vehicle. [REDACTED] said she next recalled hearing officers state loudly, "show us your hands", and "put your hands up". [REDACTED] said the officers began shooting. [REDACTED] had nothing further to add to her statement.

I next interviewed [REDACTED]. [REDACTED] noted similar observations as [REDACTED]. [REDACTED] again said he and [REDACTED] were the second car back from the Mercedes. [REDACTED] said the Mercedes was blocking the drive-thru. [REDACTED] said he noticed an employee exit the Taco Bell and tell the occupants of the car in front of him the police had been called. [REDACTED] said the police arrived moments later and blocked the entrance/exit to the parking lot. [REDACTED] said he wanted to leave but could not. [REDACTED] said he watched as the officers

Prepared By:

602 SCOTT, JASON

Date:

02/11/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

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SUPPLEMENT 4

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positioned marked patrol vehicles around the Mercedes. [REDACTED] said the officers approached the vehicle, but he could not see what the occupant of the Mercedes was doing. [REDACTED] said he heard the officers state loudly, "show you hands". Shortly thereafter the officer s fired there weapons. [REDACTED] hand sketched the scene as he could remember. The sketch was also booked into evidence. [REDACTED] had nothing further to add to his statement.

The recording of the interviews was booked into evidence.

On 02/11/2019, I received information there may have been a witness to the incident working as the manager inside of the Wing Stop restaurant. I contacted the Wing Stop and the manager for the night of the incident was identified verbally to be [REDACTED]. I was provided with her telephone number. On 02/11/2019at approximately 1600 hours, I contacted [REDACTED]. [REDACTED] was advised about the reason for the call. [REDACTED] immediately told me she did not see what occurred, because she never went outside. I asked her if any of the Wing Stop employees may have witnessed the incident. [REDACTED] said she did not know, but she herself saw nothing.

No further information.

Detective Corporal Jason Scott 602

ADDITIONAL PERSONS

Added: Witness - [REDACTED] DOB: [REDACTED]

ADDITIONAL PROPERTY

Item #22 added: Status: Evidence
1 Axon Video Of Interviews With [REDACTED] And [REDACTED]
(Witnesses)

Item #23 added: Status: Evidence
1 Sketch Of Scene Done By [REDACTED]

Prepared By:

602 SCOTT, JASON

Date:

02/11/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 5 - Initial Response

19-1676

VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

On 2-9-2019 at approximately 2345 hours, I was contacted by Investigations Sgt. Mat Mustard and advised that an officer involved shooting had occurred involving 6 Vallejo Police officers. I responded to the scene, Taco Bell located at 974 Admiral Callaghan Lane, arriving at approximately 0011 hours. I walked the scene and was briefed by on scene patrol officers.

I then responded to the PD where I was assigned to investigative team B with Det. Josh Caitham #571 and DAI Reiner Hernandez of the Solano County District Attorney's Office. We were assigned to interview victim officers Anthony Cano #714, Colin Eaton #703, and Jordan Patzer #713.

Refer to Det. Caitham's supplemental reports regarding Officer Cano and Officer Patzer's statements. Refer to my supplemental report for Officer Eaton's statement.

NFI.

Rose 680

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02/11/2019

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**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 6 - Statement of V-Ofc Eaton # 703

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On 02-10-2019, at approximately 0615 hours, I obtained a statement from Officer Colin EATON, # 703, regarding this incident. Also present at this time was Detective Josh CAITHAM, # 571, and DAI Rainier HERNANDEZ of the Solano County District Attorney's Office and Attorney [REDACTED] of Rains, Lucia, and Stern representing Officer EATON.

Mr. [REDACTED] advised that Officer EATON would provide a voluntary statement regarding the incident; however, the statement was to be audio-recorded only.

Officer EATON advised he was hired by the Vallejo Police Department on approximately August 8, 2017, advising that he has worked for the Vallejo Police Department for 18 months.

Officer EATON is currently assigned to Patrol and works Team 4, [REDACTED]

[REDACTED] This was his second shift this week. When asked, Officer EATON advised that he usually sleeps seven or eight hours between shifts, and that prior to the start of this shift, he had slept eight hours. Officer EATON advised that during tonight's shift, his radio call sign was 4P4, [REDACTED]

When asked, Officer EATON told me that his immediate supervisor is Sgt. WYLIE and that Sgt. WYLIE was on duty at the time of this incident. When asked, Officer EATON told me that he sustained no injuries during this incident and that there was no damage to any department equipment or to his uniform that he is currently aware of.

I asked Officer EATON if what he was currently wearing was what he was wearing at the time of the incident, and he advised that it was. When asked to describe what he was wearing, Officer EATON advised that he was wearing a Vallejo Police Department Class B utility uniform with duty belt, but he does not wear an external vest carrier. Officer EATON further advised that his uniform has Vallejo Police patches on the shoulders and an embroidered badge and he is wearing BDU pants. He was wearing a ballistic vest underneath his uniform shirt, and he is wearing duty boots. When asked to describe his duty belt, Officer EATON advised that from the front and moving clockwise, he has a double handcuff pouch, his duty gun in a holster, nothing on his back, and he has his radio, taser, and a triple magazine pouch.

When asked about his firearm, Officer EATON advised that he carries a Sig Sauer P320 RX model. When asked, Officer EATON advised that it was a personally owned firearm; however

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Date:

02/11/2019

Approved By:

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Date:

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he is department-qualified to carry it, and he last qualified in December. Officer EATON advised that he carries three 17-round magazines on his duty belt. Officer EATON advised that his firearm had a 20-round magazine with one round in the chamber, for a total of 21 rounds. Officer EATON advised that the weapon is a 9mm firearm and that he was carrying department-issued ammunition.

When asked, Officer EATON told me that he was driving Unit 184 at the time of the incident. He described the vehicle as a Ford Explorer Interceptor police vehicle, which is black and white in color with a police light bar on top and the Vallejo Police Department patch on the side of the vehicle. When asked if that was the usual vehicle that he drives, he advised that he tries to drive that vehicle.

When asked to tell me what happened tonight, Officer EATON advised that he and Officer MCMAHON, #702, were finishing up a shots fired call in the area of Sonoma and Yolano, advising that they had searched the area and could not find anything. Officer EATON advised that he was monitoring the radio as he was getting ready to clear his scene when he heard Officer CANO and Officer PATZER get dispatched to a call at the Taco Bell on Admiral Callaghan Way regarding a subject asleep in the drive-thru. Officer EATON described it as a "pretty standard call," but that he was "keeping his ear on it."

Officer EATON stated that as he and Officer MCMAHON were finishing up a conversation, he heard Officer PATZER ask for a Code 33 and he heard him say that the person in the vehicle had a gun in his lap. Officer EATON advised he immediately began heading towards the location Code 3 by way of Sonoma, Redwood, across the freeway, and then drove north on Admiral Callaghan Lane.

Officer EATON advised that as he approached the Taco Bell, he came around it and saw a patrol car with lights on and three officers standing with the suspect car in the drive-thru. Officer EATON advised that he parked next to the cement dumpster containment area near the southern corner of the restaurant. Officer EATON then approached on foot over a grass divider to join the officers already on scene.

Officer EATON advised that the car the officers were currently with was in the first "bend" area of the drive-thru. Officer EATON observed Officer CANO, Officer PATZER, and Officer Mark THOMPSON # 621. All three officers had their guns drawn and pointed at the window of the vehicle. Officer EATON crossed in front of the vehicle and then heard somebody say that the vehicle was still in drive.

Officer EATON then made his way to the driver's side window and looked over Officer THOMPSON's shoulder, didn't get a good vantage point looking over Officer THOMPSON's shoulder, so he then moved towards the front left of the A pillar side of the vehicle, and took

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02/11/2019

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up a position there. I had Officer EATON confirm that he was speaking of the driver's side of the vehicle.

I asked Officer EATON what the other officers on scene were doing at the time he arrived. He stated they all had their firearms out and were pointed at the driver of the vehicle. I asked if they were speaking to each other, and he stated that he couldn't recall exactly what they were saying. He said when he first arrived, "nothing was being loudly verbalized."

He stated that the officers were beginning to talk about how they were going to handle the situation, and Officer EATON indicated that at that point, the driver of the vehicle was still either asleep or unconscious. I asked Officer EATON to tell me what he meant by handle the situation, and Officer EATON advised that the driver of the vehicle was either unconscious or asleep and had a handgun in his lap. I asked Officer EATON how he knew the driver had a handgun in his lap. He stated that he knew initially from the radio broadcast that Officer PATZER put out, but then when he arrived on scene, when he peeked over Mark THOMPSON's shoulder, he saw a portion of the firearm on the suspect's lap.

I asked Officer EATON to continue to tell me what happened. Officer EATON stated that after he moved to the driver's side A pillar, he stated that the other officers on scene were talking about how to do this safely. Officer EATON advised that he heard one of the officers say to move one of the cars up backwards in the drive-thru to attempt to prevent the vehicle from suddenly accelerating. Officer EATON advised that a patrol car did come up to do that; however, he did not know who was driving that vehicle. Officer EATON advised that another patrol car came up to the rear of the vehicle, which in effect boxed in the suspect vehicle.

Officer EATON said at approximately that time, he saw the suspect's hand begin scratching the left side of his chest, which was the first movement he saw the suspect make. This led Officer EATON to believe that the suspect was waking up. Officer EATON stated that he believes the other officers came to the same conclusion, at which time the officers started giving the suspect commands to put his hands up and show his hands.

Officer EATON advised that he saw the suspect begin to wake up. The suspect then looked either left or right out of the car windows at first, and then looked directly at Officer EATON. Officer EATON stated that he then saw the suspect look down toward his lap where the handgun was located. Officer EATON advised that they were giving the suspect commands; however, he did not comply. He made a sudden jerky movement with both hands towards his lap and moved his whole body forward, at which time Officer EATON saw the suspect's left hand drop suddenly towards where the handgun was located; then he saw his right shoulder slump down as well.

Officer EATON stated that he perceived the suspect's actions to be a "very real and deadly

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SUPPLEMENT 6 - Statement of V-Ofc Eaton # 703

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threat towards himself and other officers," at which time he decided to fire his duty weapon.

When I asked Officer EATON to describe the motion a little bit more, he advised that it was very quick and sudden, advising that the suspect went from asleep, to looking around, and then looked down towards the gun, and then very quickly jerked his hands down towards the weapon and hunched his body forward "very quickly."

Officer EATON advised that he was scared, because he knows that even without a handgun in play, he knows that a suspect asleep behind a wheel with the vehicle in drive, when that suspect wakes up, they have a tendency to "take off." He stated that he was worried about that, but the fact that there was a handgun involved and that he suddenly reached towards it, it would be very easy for him to start shooting. The suspect could also start shooting and take off in the vehicle. Officer EATON advised that in his mind he saw a "variety of really bad situations with little or no warning."

I asked Officer EATON what he perceived the motion of the suspect to be. Officer EATON said, "I thought he was going for the handgun in his lap," advising that the way his body moved and hunched over, he didn't know if the handgun had fallen off his lap and he was trying to retrieve it from the floor, or if he was going to move the handgun. He stated he knows that his hands and his body moved towards the handgun. He said from his position at that time, he could not see exactly where the handgun was, because he was too far away from the vehicle, but he had seen it, and he knew where it was located, and he knew where his hands had been, and he knew where his hands had been going.

I asked Officer EATON to talk about where the handgun was oriented in the suspect's lap, and he advised that he did not see that much of it, that he just saw a little bit of it over one of the officer's shoulders, and then he retreated back toward the final position that he took. When asked, Officer EATON could not recall exactly where the handgun was positioned in the suspect's lap.

I asked Officer EATON if he saw any other objects in the suspect's lap, and he stated that he didn't recall seeing any objects in the suspect's lap. He specifically said he didn't recall seeing a cell phone in the suspect's lap. I asked if there was anything around the suspect, and Officer EATON advised that he could not recall.

When asked to talk about the conditions at the scene, Officer EATON advised that it was nighttime. He stated that he thinks it was approximately 2230 hours, to the best of his recollection. He advised that there was some ambient lighting from the Taco Bell, but he would not call it brightly lit. He stated that one of the officers had his weapon light activated that was shining into the window. He was not sure which officer this was, but the lighting was adequate enough to see the interior of the car and the suspect.

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02/11/2019

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Officer EATON advised that the ground was wet, as it had been raining pretty hard all day, but it was not currently actively raining; it was overcast. Officer EATON advised that it might have been misting and the temperature was cold.

I asked Officer EATON what happened when the suspect brought his hands into his lap. Officer EATON said at that time he decided to "take deadly force." I asked Officer EATON what he meant by that, and he stated that he fired his handgun at the suspect. When asked if he knew how many rounds he fired, Officer EATON advised that at the initial time of the shooting, he believed he fired five or six rounds, but he wasn't counting. He then advised that after his weapon was collected by the evidence technician, he believes he fired 14 rounds.

I asked Officer EATON what happened immediately after he fired his weapon. He stated he remembers seeing the windshield and the driver's window, that he could no longer see through them because the impacts from the bullets obscured his vision. He recalls that there was a "fist" sized hole in the lower driver's side window, and he can clearly recall seeing the door lock through that hole. He stated he saw something flashing in the wind, and he didn't know what it was, but then he later discovered it was the window tint on the window.

Officer EATON advised that after he and the other officers stopped firing, he continued to give commands because he wanted to see the suspect's hands. Officer EATON advised that there was a strip of the front windshield that was undamaged towards the top, and he was trying to get the suspect to put his hands up towards there, because at that point, he couldn't see if the suspect was trying to manipulate the handgun or do anything else.

Officer EATON stated that he believes Officer THOMPSON reached through the hole in the driver's door window and unlocked the door and opened the door.

I asked Officer EATON why he stopped firing his handgun, and he advised that he no longer perceived a threat at that point.

I asked what happened after Officer THOMPSON opened the door, and Officer EATON advised that he believes Officer THOMPSON reached in and began to remove the suspect from his seat. He stated the suspect's foot got caught in the door, so he reached in and freed the foot. The suspect was laid on the ground, at which time Officer EATON remembers seeing the handgun on the driver's floorboard of the vehicle.

Officer EATON advised that he began rendering first aid to the suspect with other officers.

I told Officer EATON I wanted to take him back to the time of the shooting. I then asked Officer EATON what he thought would have happened if he didn't fire his weapon. Officer

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02/11/2019

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EATON advised that he "wholly expected the suspect to come up shooting." Officer EATON advised that based on the number of officers who were standing around that car, the suspect would not have had to aim the firearm; he could have just begun firing the weapon and had a very high likelihood of hitting himself or another officer, because of how close they were to the vehicle.

I asked Officer EATON if there were any other appropriate force options that he could have taken. Officer EATON advised that the doors were locked, the windows were up. He then stated "no."

I asked Officer EATON if he knew approximately how many officers were on scene at the time of the shooting. Officer EATON advised seven or eight. I asked Officer EATON if he knew how many patrol cars were on scene, and he stated at least five.

I asked Officer EATON if prior to the suspect waking up or as the suspect was waking up, if he recalls whether any of the patrol cars had their emergency lights on or not. Officer EATON replied that his car did, for sure. I asked Officer EATON if he was parked in such a manner that the suspect would have been able to see his red and blues flashing, and he replied yes, he was. He stated where Officer EATON parked his vehicle, if he was looking straight out his front windshield to his 2:00 would be where the suspect vehicle was, with a clear view of each vehicle, indicating that the suspect should have a clear view of Officer EATON's vehicle, with the flashing emergency lights.

I then showed Officer EATON a Google satellite overhead view of the Taco Bell on Admiral Callaghan Lane. I asked Officer EATON if it looked familiar, and he advised that it did. I noted that the photo was obviously taken during the daytime. I asked Officer EATON what it was a photo of, and he advised that it was a photo of the Taco Bell on Admiral Callaghan where the incident occurred.

At my request, Officer EATON drew the approximate location of where the suspect vehicle was in the drive-thru. The aerial photo shows what appears to be a large tree directly above it. Officer EATON drew the suspect vehicle here, near the southernmost tip of the Taco Bell, assuming that the photo is oriented with north being at the top of the page. Officer EATON then drew where he parked his vehicle, which is east of where the suspect vehicle is located, on the other side of what appears to be a grass island between the Taco Bell drive-thru and the roadway through the parking lot between the Taco Bell and Gateway Plaza.

Officer EATON noted the grassy area that he crossed to approach the suspect vehicle, as well as the dumpster area and a cement retaining wall that he walked by, to cross in front of the suspect car. Officer EATON drew his path of travel from his vehicle. He stated he did not remember if he went around the front of his car or the rear of his car, but crossed the grass median and skirted the wall of the dumpster area, went in front of the suspect car, went to

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02/11/2019

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the driver's side door and then repositioned near the A pillar.

I asked Officer EATON when he fired his weapon what direction he fired, and he stated that it would have been approximately due south. I asked Officer EATON at what angle he fired his weapon. Officer EATON was unsure of the question. I then asked Officer EATON if he aimed his firearm, and he stated yes. I asked him if he recalls if his gun was level, if it was oriented up, or oriented down. Officer EATON indicated that his weapon would have been pointed slightly downwards.

I asked Officer EATON what his backdrop was. He replied the car. I advised Officer EATON that he indicated he was firing at a downward angle, so I asked Officer EATON if it would be safe to say that his backdrop was the vehicle, the suspect in the vehicle, the vehicle underneath the suspect, and then the ground underneath the car, and Officer EATON replied yes, sir.

I asked Officer EATON if there was anyone else in the car, and he replied "not that I recall, I know there was nobody in the front passenger seat." He remembers the rear windows being pretty heavily tinted, but from his position, he did not see anyone else in the vehicle.

When asked if he knew the suspect, Officer EATON advised that he did not. I asked Officer EATON if to his knowledge he had any prior contacts with the suspect, and he replied "not at all". I asked Officer EATON if he had any prior contacts with any witnesses or any employees of the Taco Bell, and he advised he did not. I asked Officer EATON if he had ever been to that Taco Bell before, and he advised he had not.

I asked Officer EATON approximately how far away he was from the vehicle when he fired his weapon, and he said approximately 4 or 5 feet.

I reminded Officer EATON that we had previously talked about his uniform and how he was currently wearing what he was wearing at the time of the incident. I asked him if he had been photographed in his uniform, and he advised that he had. I asked if his firearm had been collected, and he advised it had been collected by Cpl. BOTELLO and Evidence Technician DAILEY.

I asked Officer EATON if he was wearing a body camera. He advised that he was. I asked Officer EATON if he activated it prior to the incident. He advised that he did. I asked Officer EATON if he had a chance to review the video. He advised that he had. I asked Officer EATON if he reviewed the video, and he advised that he did. I asked Officer EATON if he discussed this incident with anyone other than his attorney, and he advised that he had not.

Officer EATON was asked if he could describe the part of the gun that he saw when he initially

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02/11/2019

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02/18/2019

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arrived on scene. He said from what he saw, he believed it to be a black semi-automatic style handgun.

Officer EATON was asked if he remembers what commands he remembers saying to the suspect. Officer EATON stated that he prefers to say show me your hands, and he believes that's what he was saying, but he is not 100% sure. Officer EATON was asked why he was saying that, and he stated that in his training and experience, he knows that hands are what can hurt him, so if he can maintain visual contact on the hands, it allows him to better control the situation, which is why he was trying to see the suspect's hands. Officer EATON was asked if he was trying to keep the suspect from reaching to the gun, and he replied yes, sir, and that was the purpose of his commands, but that he did not comply with his commands.

I asked if the suspect said anything to him or anyone, and he said not that he was aware of.

Officer EATON was asked if his patrol car is equipped with video cameras, and he advised that it is not.

Officer EATON was asked to demonstrate the motion of the suspect. He stated that when he arrived, the suspect was reclined back in his chair. He stated he does not remember the suspect's left hand, but he remembers seeing the right hand on the suspect's lap or inner thigh. He stated his right hand came up, and he demonstrated this and scratched his left chest area. Officer EATON stated that's when the suspect woke up and that all officers began giving verbal commands and that the suspect then became fully conscious, began looking around, looked either left or right first, then looked at Officer EATON, looking him straight in the eyes, and then leaned forward. The suspects left hand dipped, and he put his left hand in his lap, and then he said his right shoulder hunched forward and his back hunched forward. Officer EATON said it was very fast and it all happened at the same time, advising that it was very quick.

Officer EATON was asked if at the time he decided to fire his firearm, if other officers were firing their firearms, and he stated that by his recollection, it was simultaneous.

Officer EATON was asked if the suspect could have been reaching for anything else other than a firearm. Officer EATON advised that based on what he saw, it did not appear he could be reaching for anything else and it appeared he was reaching for the gun.

I asked Officer EATON if he was wearing a jacket tonight, and he advised he was not and that he was dressed exactly as he had previously described.

We then took a short break. At the conclusion of the break, Officer EATON was advised that all officer-involved shootings are reviewed by the District Attorney's Office.

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Date:

02/11/2019

Approved By:

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I advised Officer EATON that I would be booking the photo that he marked into Evidence. I asked him to sign his name and badge number and date it.

Officer EATON's interview was recorded on audio. I booked a copy of the audio into Evidence as 680-1. Refer to audio for additional details. I booked the aerial photograph of the Taco Bell that Officer EATON had drawn on into Evidence as 680-2.

ROSE 680

Prepared By:

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Date:

02/11/2019

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02/18/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 7

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

On 2/10/19 I interviewed Ofc. MARK THOMPSON accompanied by his attorney, [REDACTED] (RLS) Det. CRAIG LONG and Inv. AARON DYLAN, regarding an officer involved shooting that took place at 974 Admiral Callaghan Ln. Vallejo at approximately 10:45 pm.

The interview was recorded audibly only. The following is a summary of the interview, listen to the recording for the complete interview.

THOMPSON said he was working as 4D3 [REDACTED] on 2/9/19. He was on duty and near Redwood/Admiral Callaghan finishing a call when he heard an officer state that the subject in the car was unconscious in the vehicle with a gun in his lap. He was dispatched to the call, 974 Admiral Callaghan Ln, (Taco Bell) and responded to the scene. THOMPSON said he parked just north of the suspect vehicle and parallel to the drive-through. THOMPSON exited his vehicle and approached the vehicle and came to the drivers side of the vehicle. CANO tells THOMPSON that the driver is passed out with a gun in his lap, THOMPSON confirms this information by looking into the vehicle. THOMPSON sees that the vehicle is in drive and the suspects foot was on the brake. THOMPSON asked for an additional unit to pin the suspect vehicle in from the front. The officers formed a plan to quietly open the driver's door, reach into the vehicle and secure the weapon. They attempted to open the door but the door was locked. THOMPSON said he backed off, asked for the supervisor to respond and then the suspect awoke. THOMPSON said they began to yell at the suspect to show them his hands, put his hands up. THOMPSON said that the suspect looked at them and then his hands reached toward the weapon on his lap. THOMPSON said he thought the suspect was going to use the weapon against him, THOMPSON began to back pedal away from the door and fired 5-6 rounds at the driver. After firing, THOMPSON said he could still see the suspect moving in the vehicle, he reached through the hole in the drivers window and unlocked the vehicle and pulled the driver out of the vehicle, handcuffed the suspect and directed officers to start rendering first aid. THOMPSON said the suspects weapon was now on the driver's floor board.

THOMPSON said he did not recognize the suspect and did not recognize the name WILLIE McCOY.

THOMPSON said he had a clear back drop, was in fear of being shot and that he fired his weapon.

THOMPSON was wearing a body camera at the time of this incident and it was on during the incident. THOMPSON said that he did not review the recording prior to the interview.

Prepared By:

509 YATES, SCOTT

Date:

02/11/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019



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S.Yates # 509

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 8

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On 2/10/19 I interviewed Ofc. BRIAN GLICK accompanied by his attorney [REDACTED] (RLS), Det. LONG and Inv. AARON DYLAN regarding an officer involved shooting that occurred at 974 Admiral Callaghan Ln., Taco Bell on 2/9/19 at approximately 10:45 pm.

The following is a summarization of that interview, for complete details listen to the recording.

GLICK said that on this shift his call sign was 4P1, [REDACTED] GLICK said he was at Kaiser Hospital (975 Sereno, Vallejo) exiting the hospital he heard the call dispatch of a welfare check on a driver passed out in a vehicle in the drive through of Taco Bell, 974 Admiral Callaghan Ln. GLICK said he heard the officers on scene state over the radio that the driver was passed out and hand a gun on his lap. GLICK drove code 3 to the scene, THOMPSON said on the radio that the next arriving unit need to block the suspect vehicle from the front, drive in the exit of the drive through and block the suspect vehicle in, GLICK stated that he did this. GLICK exited his vehicle and saw the driver appeared to be sleeping. Moments later the driver woke up and looked around, looking at the officers next to the drivers side of the vehicle. Officers began yelling commands at the suspect to show his hands, to put his hands up. GLICK said that he saw the suspects hands appeared to be in his lap, he appeared to be manipulating the weapon and preparing to shoot at officers. GLICK said that the suspect failed to comply with demands and was manipulating the weapon and appeared to preparing to shoot at officers, he fired his weapon at the suspect from the front of the suspects vehicle slightly off center toward the passenger side of the vehicle. GLICK said that he moved to the driver side of the vehicle with Ofc. McMAHON and the driver was removed from the vehicle and aid was given to him.

S.Yates # 509

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509 YATES, SCOTT

Date:

02/11/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590
SUPPLEMENT 9 - Review of OFC Eaton's Axon Video

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

I viewed Officer Eaton's Axon video from this incident. It is approximately 6 minutes and 26 seconds long. The video begins at time stamp 2/10/2019 at 0650:05 hours, UTC time, which is based on Arizona time as Axon headquarters is in Arizona. Unless quoted, all times referenced in this supplement are based on the video time stamp.

As the video begins, Officer Eaton is in his patrol car en route to the scene. His emergency lights are activated. As Officer Eaton arrives on scene, another patrol car's emergency lights are observed to be on. Officer Eaton exits his patrol vehicle at 0650:25 hours. After exiting the vehicle, Officer Eaton crosses in front of his patrol vehicle, crosses the grass median and approaches the cement dumpster enclosure. Officer Eaton then crosses in front of the suspect vehicle, at which time, Officer Patzer, Officer Cano and Officer Thompson are seen at the driver's side of the suspect vehicle, which appears to be a silver Mercedes.

Officer Eaton appears to look between Officer Thompson and Officer Cano and then moves and stands between Officer Patzer and Officer Cano taking this position at 0650:57 hours. At 0650:59 hours, the suspect can briefly be seen. At 0650:59 hours, officers begin yelling commands. "Keep your hands where I can see them" can be heard. Officers can also be heard saying, "Put your hands up." At approximately 0651:01 hours, officers fire at the suspect in the vehicle. The last shot is heard at approximately 0651:05 hours. At this point, an officer can be heard saying, "Cease fire, cease fire." Another officer can then be heard broadcasting radio traffic that shots have been fired, officers are okay, and to stage medical.

At 0651:13 hours, officers continue to tell the suspect to show his hands. Officers give the suspect numerous commands to show his hands. Officers continue to make radio broadcasts that shots have been fired, officers okay, and to stage medical.

At approximately 0651:41 hours, Officer Thompson can be heard saying that officers are okay, the suspect is moving but not responsive to commands. Officers continue to instruct the suspect to show his hands. At 0652:03 hours, Officer Thompson advises that he is going to unlock the door. He then reaches in, unlocks and opens the driver's side door. An officer advises that the gun is on the floorboard.

Officer Thompson and Officer Cano remove the suspect from the vehicle. Officer Thompson advises officers to start first aid. The suspect is handcuffed and officers begin rendering first aid to the suspect.

At approximately 0653:04 hours, Officer Patzer advises that he does not have a pulse, at which time, another officer immediately begins chest compressions. An officer notes that CPR was started at "2253 hours". Chest compressions were then stopped to place a chest seal on the suspect. Chest compressions continue at the direction of Officer Thompson. First aid, including chest compressions, continues to be given to the suspect throughout the duration of the video.

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02/18/2019

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The involved officers are removed from the scene. The video shows Officer Eaton walking away from the suspect, after being told he needs to leave, at approximately 0656:06 hours. However, Officer Eaton briefly paces back and forth until he deactivates his camera at approximately 0656:31 hours.

NFI.

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**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 10 - Review of OFC Patzer's Axon Video

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

I reviewed Officer PATZER's Axon video. The video is approximately 6 minutes and fifty 56 seconds long. The video time stamp begins on 02/10/2019 at 0647 hours and 00 seconds UTC time. This time is based on Arizona time where Axon is located. Unless quoted, all times referenced in this supplement are based on the video time stamp.

Video including audio begins immediately upon the body camera activation. Officer is PATZER standing behind Officer CANO who is at the driver side window of the suspect vehicle. Officer PATZER moves to the left side of Officer CANO. Officer PATZER can then be seen pointing his firearm with his right hand at the suspect seated in the driver seat through the front windshield. At approximately 0647 hours and 03 seconds, Officer CANO asks Officer PATZER if "you see it." Officer PATZER says "no." Officer PATZER then moves closer to the car and appears to look in. He then says "yeah." Officer CANO points towards the front of the vehicle and tells Officer PATZER to cover down which Officer PATZER acknowledges. At approximately 0647 hours and 15 seconds, Officer PATZER says to wait here until we get more people. Officer PATZER can then be heard broadcasting that the driver of the vehicle is still unconscious and has a gun in his lap. He advises that they are trying to wake up the driver and then advises that they are going to wait for more units.

At approximately 0638 hours and 45 seconds, Officer PATZER moves across the front of the vehicle to the passenger side and confirms that no one is sitting in the rear seat. He then returns to his position at the front driver side of the vehicle. At 0648 hours and 18 seconds, Officer CANO states something similar to the magazine is out, if he shoots he only has one shot. At approximately 0640 hours and 41 seconds, Officer CANO can be heard telling somebody else that the suspect has a gun in his lap and the magazine is out. At 0648 hours and 54 seconds, Officer PATZER moves his arm down and Officer CANO can now be seen speaking with Officer THOMPSON. Both of officers are looking through the driver's window. At 0649 hours and 13 seconds, Officer THOMPSON can be heard saying, "If he reaches for it, you know what to do." Officer THOMPSON then states that the car is in drive at which point Officer PATZER then steps off line with the front of the vehicle. Officer PATZER asks if someone is going to try and grab the gun.

At 0649 hours and 54 seconds, Officer PATZER moves his arm and the camera now has a clear view of the suspect through the front windshield. The suspect is seated in the driver seat. His head is slumped over towards his left shoulder. The suspect appears to be a black male adult.

At approximately 0649 hours and 56 seconds, an uninvolved party is seen behind the suspect vehicle and Officers tell the subject to back up. The subject walks away.

At 0650 hours and approximately 10 seconds, Officer PATZER broadcasts to have one of the incoming Patrol units enter the drive-thru from the opposite direction to block the forward progress of the suspect's vehicle. Officer PATZER then asks another Officer to move his Patrol car against the suspect vehicle's rear bumper. At 0650 hours and approximately 57 seconds,

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SUPPLEMENT 10 - Review of OFC Patzer's Axon Video

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Officer PATZER again moves his arm and we can see another Officer standing between Officer CANO and Officer PATZER. Based on my earlier review of Officer EATON's Axon video, I believe this Officer to be Officer EATON.

At 0650 and 59 seconds, Officers suddenly begin yelling for the suspect to keep his hands up. Officers can be heard saying "put your hands up" repeatedly.

Approximately 0651 hours and 1 second, Officer PATZER begins firing his weapon. The last gunshots are heard at approximately 0651 hours and 5 seconds. Officer PATZER immediately broadcasts that shots have been fired, Officers are okay, and to stage Medical. Simultaneously another Officer can be heard yelling cease fire. Several Officers ask the suspect several times to "let me see your hands." The suspect is also told to show his hands and to put his hands up. 0651 hours and 22 seconds, Officer PATZER again broadcasts that shots have been fired, Officers are okay, and Medical needs to be staged. At 0652 hours and 4 seconds, Officer THOMPSON can be seen reaching through a hole in the driver side window, unlocking the door and opening the driver side door. Officer PATZER advises for someone to grab the gun and an Officer replies that the gun is on the floorboard.

Officers then pull the suspect out of the vehicle at 0652 hours and 19 seconds. Officer THOMPSON can be heard saying that "we need to start first aid." Officers begin rendering first aid. Officer PATZER puts on gloves and takes a position above the suspect's right shoulder and it appears Officer PATZER checks the suspect's pulse at the neck. Officer PATZER states, "He has labored breathing." Another Officer to the right of Officer PATZER can be seen with gloved hands lifting the suspect's shirt. Officers begin assessing the suspect's injuries. At 0652 hours and 54 seconds, Officers ask for chest seals. Approximately 0653 hours and 00 seconds, an Officer asks if he has a pulse. Officer PATZER states he does not have a pulse at which point another Officer begins chest compressions.

An Officer notes that CPR begins at "2253 hours".

At 0653 hours and 18 seconds, Officers stop chest compressions to place chest seal. Chest compressions begin again at approximately 0653 hours and 30 seconds.

Officer PATZER deactivates his camera at approximately 6553 hours and 55 seconds.

NFI.

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**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 11 - V- McMahon Statement

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT**SUPPLEMENT:**

On 2-10-19 at approximately 0614 hours, I contacted Officer R. McMahon #702 in the non-secure interview room at the VPD to obtain his voluntary statement in regards to the officer involved shooting that occurred at the Taco Bell business located at 974 Admiral Callaghan Ln on 2-9-19 at approximately 2245 hours.

McMahon's his attorney, M- [REDACTED] (RLS), Detective S.Yates #509 and Solano County District Attorney Investigator A. Dillion were present in the interview room.

At the request of [REDACTED] the interview was only recorded with an audio recorder. The following is a summary of McMahon's statement:

McMahon was hired by the Vallejo Police Department in July of 2017. [REDACTED]

On 2-9-19, McMahon was assigned as unit "4P7" in vehicle number "191." McMahon clarified he regularly drove unit 191 during his shifts and the functions-check of the vehicle he conducted at the beginning of shift reflected the vehicle and its equipment were operable. McMahon described vehicle number 191 as a fully-marked Ford patrol SUV.

McMahon was wearing his fully marked Vallejo PD "Class C" patrol uniform with long sleeves. McMahon described the details of his uniform and the equipment he was carrying. At the time the shooting occurred, McMahon was carrying his personally-owned Glock brand model 21 .45 caliber pistol. McMahon had a cartridge loaded in the chamber of his pistol, a 13-round magazine fully-inserted in the magazine well of the pistol, and two additional 13 round magazines that were secured in magazine-carriers on his duty belt.

McMahon confirmed he was currently wearing the same uniform and equipment he was wearing when the shooting occurred. McMahon stated none of his uniform or equipment items were damaged during the shooting.

McMahon also stated he did not sustain any injuries during the shooting.

McMahon stated the scene of the shooting was the Taco bell business located at 974 Admiral Callaghan Lane. McMahon stated that particular Taco Bell was located within a shopping center and recalled there was a Wing Stop business located to the south of the business and a Starbucks business located north of the business.

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02/18/2019

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McMahon recalled at the time of the shooting, the rain had stopped, but the roads were still wet.

McMahon stated the scene was partially lit by lamps in the parking lot of the shopping center and by the illumination emitted from the businesses.

McMahon recalled he was completing his investigation into the report of a shooting in the area of mobile homes located near Enterprise St with Officer C. Eaton #703 when he heard via the radio, Officer A. Cano #714 and Officer J. Patzer #713 responded to the Taco Bell located at 974 Admiral Callaghan Ln for a welfare check.

When McMahon heard either Officer Cano or Officer Patzer advised via the radio they located the vehicle and it was occupied by an unconscious male with a firearm on his lap, he concluded his investigation and he and Officer Eaton responded to the scene with their emergency lights and sirens engaged.

As McMahon was responding to the scene, he heard Officer M. Thompson #621 request via the radio a responding officer enter the drive-thru via the exit of the drive-thru lane in order to pin the front of the associated silver Mercedes.

McMahon arrived at the scene after traveling northbound on Admiral Callaghan Ln and entered the shopping center via the driveway on Admiral Callaghan Ln that is immediately north of the Taco Bell business.

After entering the shopping center, McMahon drove to the exit of the Taco Bell drive-thru lane and entered the drive-thru lane via the exit. McMahon observed Officer B. Glick #672 had already approached the front of the silver Mercedes via the exit of the drive-thru and had parked his vehicle in front of the Mercedes. McMahon subsequently parked his vehicle behind Officer Glick's vehicle.

When McMahon exited his patrol vehicle, he observed Taco Bell employees were standing next to the rear passenger corner of Officer Glick's vehicle in the drive-thru lane. McMahon told the employees to go back inside the business because he was concerned they could potentially walk into the line-of-fire in a shooting.

McMahon then heard VPD Officers yelling commands to a subject. McMahon recalled hearing the officers tell the subject to show them his hands. McMahon then began to jog towards Officer Glick's location and heard shots being fired.

Due to the fact McMahon was aware the subject officers were contacting was armed, McMahon had heard VPD Officers yell numerous commands for the subject to show them his hands, and he was now hearing gunshots, McMahon believed the suspect had reached for the firearm and attempted to engage the officers in a shooting.

McMahon was cognizant of the fact the shopping center was populated by citizens patronizing the businesses and that amplified his concern as he heard the gunshots.

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As McMahon arrived at Officer Glick's location, he felt as though his VPD partners, the citizens at the shopping center, and he were in imminent danger of being shot.

When McMahon first observed the Black male adult subject sitting in the driver seat of the Mercedes, the subject was moving back and forth. When I asked McMahon to describe what he meant when he said the suspect was moving back and forth, McMahon clarified the suspect appeared to making turning motions from side-to-side and McMahon could not see his hands.

While McMahon was hearing the gunshots, it appeared gunshots to the windshield of the Mercedes appeared to be projecting outward from windshield towards the officers who were shooting at the windshield. It appeared to McMahon the suspect in the vehicle was shooting at the other officers on scene and engaging them in an active gun-fight.

McMahon was standing next to Officer Glick's right shoulder when he discharged a single round towards driver of the Mercedes. McMahon discharged his pistol towards the driver to stop him from engaging the other officers in a gun-fight.

After McMahon discharged the round, Officer Glick stepped in front of the barrel of McMahon's pistol. McMahon was able to stop before discharging a second round and he maneuvered around Glick such that he was standing next to Glick's left shoulder.

When McMahon reassessed the threat posed by the suspect, he observed the suspect was leaning towards the passenger seat and did not appear to be reaching for anything. McMahon also observed gunshots were no longer being fired through the windshield and he determined the suspect was no longer actively engaging officers in a gun-fight.

After the scene was secured and the suspect was determined to no longer be a threat, VPD Officers pulled the suspect out of the vehicle and began to render medical treatment to the suspect.

McMahon ran to his vehicle and retrieved his first aid kit. McMahon then provided gauze pads and a chest seal to the officers who were providing first aid care to the suspect.

McMahon clarified he was in a standing position when he discharged the single round towards the suspect and he fired it at a downward angle. McMahon stated he was previously a firearms instructor and he knew that shooting at a downward angle mitigates the likelihood of striking an unintended person or object in the backdrop of the target.

McMahon described the backdrop behind the Mercedes as being "horrible" when he discharge the round towards the suspect. McMahon recalled the sidewall of the Wing Stop business was 15-20 yards behind the Mercedes in the direction he fired.

I asked McMahon if he could recognize the suspect when he initially arrived at the scene and he told me he could not.

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02/11/2019

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02/18/2019

**VALLEJO POLICE DEPARTMENT**

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I asked McMahon if he could recognize the suspect as officers rendered him first aid and he told me he could not.

I asked McMahon if he was familiar with the name "Willie McCoy" and he advised me he was not.

At the conclusion of the incident, McMahon provided his Glock 21 pistol to Corporal R. Botello #486.

McMahon confirmed he was wearing his Axon body camera during the incident and he reviewed the Axon recording with his attorney before he provided me his statement.

I provided McMahon a color printed overview of the scene that was obtained from the Google Maps website. Using a pink pen, McMahon marked the location of his parked vehicle, the location of Glick's parked vehicle, the location of the suspect vehicle, and the locations of other VPD vehicles that were on scene. I have booked the original printout into Evidence at the VPD and I have attached a copy to this report.

I have downloaded the audio recording of McMahon's statement to the Axon Evidence database at the VPD. Refer to the audio recording for McMahon's complete statement.

I reviewed the calls-for-service on 2-9-19 and observed on 2-9-19 at approximately 2234 hours, McMahon, Officer Eaton, and Officer A. [REDACTED] # [REDACTED] were dispatched to 1455 Enterprise St for a report of 10-12 shots heard in the area. I observed Officer [REDACTED] cleared the scene at approximately 2247 hours and McMahon cleared the scene at approximately 2248 hours. I observed McMahon documented he was not able to locate a crime scene and there did not appear to be any merit to the shooting (Incident # 1902090191). I reviewed the Dispatch log associated with this report and observed McMahon was shown to be dispatched to this incident at approximately 2248 hours.

-Detective C. Long #661

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661 LONG, CRAIG

Date:

02/11/2019

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569 MUSTARD, MAT

Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 12 - Call-out/ (W) [REDACTED] and Ofc.
[REDACTED] Statements

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

CASE: 19-1676

CODE: PC 245(D)1

CRIME: Assault on a Police Officer with a Firearm

LOCATION: Taco Bell
974 Admiral Callaghan
Vallejo, CaliforniaVICTIM: Officer Mark THOMPSON #621
Officer Bryan GLICK #672
Officer Ryan MCMAHON #702
Officer Collin EATON #703
Officer Jordan PATZER #713
Officer Anthony CANO #714SUSPECT: McCOY, Willie James BMA
[REDACTED]

WITNESS: [REDACTED]

MENTIONED: [REDACTED]
[REDACTED]

Prepared By:

618 GREENBERG, ROB

Date:

02/12/2019

Approved By:

569 MUSTARD, MAT

Date:

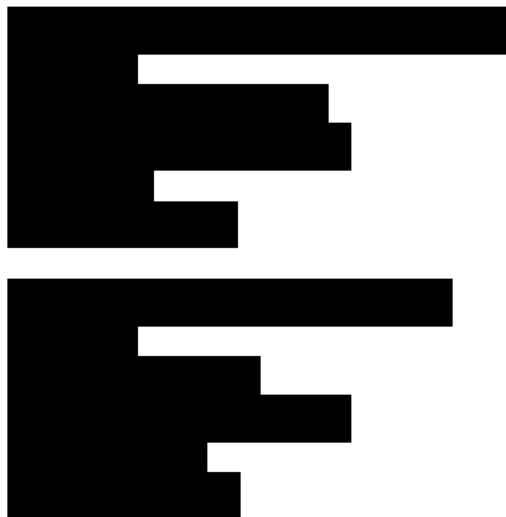
02/18/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 12 - Call-out/ (W)-[REDACTED] and Ofc.
[REDACTED] Statements

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

On 02/09/19 at approximately 2315 hours, I received a call at home regarding an officer involved shooting in the City of Vallejo. It was told that there were several Officers that fired their weapons at a subject at the Taco Bell located at 974 Admiral Callaghan Drive. I did not receive any more information regarding the involved parties at that time. I responded to the location from home and arrived at approximately 2345 hours.

When I arrived I saw the parking lot of Taco Bell was closed off by crime scene tape. There was a silver Mercedes in the drive-thru entrance. Just past the entrance to the drive-thru, I saw a silver Mercedes, model CLS 500, California license plate [REDACTED]. The driver door was open and there was a body on the ground just outside the driver door covered by a yellow emergency blanket. The subject was later identified as (S)-Willie McCoy [REDACTED]. I looked inside the car and I could see a pair of green tennis shoes on the floorboard as well as a black compact firearm with an extended magazine sticking out of it. On the driver seat I saw a red colored wallet.

I met with Sergeant Wylie who briefed me on the incident. Sergeant Wylie told me the following in summary:

Sergeant Wylie told me Officers were dispatched to Taco Bell for the report of somebody passed out in a vehicle in the drive-thru. Officers arrived and found the subject and sole occupant of the vehicle asleep in the driver's seat. There was a gun in plain view on his lap. They formulated a plan to take him into custody when something transpired, and several

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SUPPLEMENT 12 - Call-out/ (W)- [REDACTED] and Ofc.
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officers fired at the suspect. They rendered medical aid and McCOY was declared deceased at the scene. He informed me the victim officers were Officers THOMPSON, GLICK, McMAHON, EATON, PATZER, and CANO. They were all taken back to the station and sequestered. I asked if anybody had attempted to contact the employees at the Taco Bell in an attempt to obtain video surveillance of the parking lot. They stated the manager was inside and had the video ready to view. Sgt. Wylie also told me one Taco Bell employee was transported to the station for an interview and there were two other customers who witnessed the incident also at the station.

I went into the restaurant and met with the manager (M)- [REDACTED]. She stated she was the store manager and not present in the restaurant at the time of the shooting, however, she came in to access to the video. There are three video cameras that monitor the outside of the restaurant and all are in the drive thru. I looked at the views on the video screen and I could see that this incident occurred in an area of the drive thru that was not covered by a video camera. I noticed the time stamp on the video and it showed 2328 hours. I looked at the time on my iPhone and it stated the time was 2348 hrs., indicating the time stamp on the video was 20 minutes slow. Dispatch advised me the shots fired announcement was made at 2252 hours indicating the time on the camera would be at 2232 hours. I watched all three exterior video cameras and I could see police cars entering the scene but there was no coverage of the incident. I downloaded the video encompassing fifteen minutes of 2330 to 2345. I asked [REDACTED] if all the employees currently in the store were the ones that were here at the time of the incident and she stated they were. They were identified as (M)- [REDACTED] and [REDACTED]. I collected the contact information for the three employees in the store. [REDACTED] told me the other employee that was in the store at the time, (W)- [REDACTED] had been taken to the Police Department to be interviewed by the police.

I spoke with the three women and they all said they did not see anything. They stated they were taking the trash out through the door on the east side of the restaurant. That door is north of the area of the drive-thru where the shooting occurred. They were unable to see anything due to the large big screen menu at the entrance to the drive thru. The ladies told me as the second police car drove the wrong way through the drive thru, the officer exited and told them to go back inside. At that time they attempted to go back in the door they came out of, but it had locked from the inside. They started to walk around the restaurant at which time they heard the gunshots and ran around the building and came back into the restaurant. I watched the video of the exterior of the drive thru that covered the door the girls came out of. I went out that door and stood where they were at and I could not see the Mercedes the suspect was in. I then saw them run north along the back of the building and disappear out of camera view when the officer arrived in the Patrol car. After collecting the video, I then returned to the Vallejo Police Department.

Prepared By:

618 GREENBERG, ROB

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02/12/2019

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02/18/2019

**VALLEJO POLICE DEPARTMENT**

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At 0100 hours I attended briefing with the Detective Division and the Solano County District Attorney's Office Investigators. At that time we watched body camera video of the officers, as well as the radio traffic of the incident. We were all then assigned tasks. I was assigned to the C Team with [REDACTED] District Attorney's Office Investigator Jerry Sanchez. We were tasked with interviewing [REDACTED] the assistant manager at Taco Bell, and Officer [REDACTED] who witnessed the shooting.

The first person we interviewed was [REDACTED] For his exact statement refer to the DVD. [REDACTED] told us the following in summary:

[REDACTED] stated that he works at Taco Bell on Admiral Callaghan and is the assistant manager. He has been working at this store for approximately one month. Before this he worked in the Sonoma Taco Bell. [REDACTED] stated his shift started at 1500 hrs. and he was to work until 0100 hrs. He was in the kitchen area with fellow employees (M)- [REDACTED], [REDACTED] and another lady named [REDACTED]. [REDACTED] stated he was in the kitchen when [REDACTED] asked him if there was anybody in the drive thru. She stated she could hear horns honking out in front of the restaurant. [REDACTED] said he walked towards the front doors on the south side of the building. The front doors pop out from the building and there are windows that look south as well as east. He looked out the window east towards the drive-thru and saw a car sitting at the entrance to the drive-thru. [REDACTED] stated he did not hear the beep in his headset indicating to him that somebody was at the drive-thru. He thought the speaker might have been malfunctioning, so he decided to look and saw the car sitting there. [REDACTED] went out and walked towards the car which he described as a silver Mercedes. He could not see anybody inside the car due to the heavily tinted front windows. He said he got no closer than six feet to the car. [REDACTED] went back inside the restaurant and called the police.

[REDACTED] stated he told 911 that the car was idling in the drive thru and was not moving and he could not tell how many people were inside the vehicle due to the tinted windows. He could say he did not see anybody leave or come from the vehicle when he was looking at it.

[REDACTED] could tell there were license plates on the silver Mercedes but was unable to provide the license plate number to the dispatcher due to the angle of the vehicle and he could not clearly see the plate. [REDACTED] stated after he hung up with 911, a courier for the food delivery company Door Dash walked up to the drive thru window because he could not get through the drive-thru. He stated they are not supposed to help walk up people to the drive-thru window, but he did, due to the man delivering food. [REDACTED] said he then saw a police car arrive and he went back to the area near the front door where the windows were and looked at the Mercedes. At that time, he saw on police officer with a gun drawn pointed at the driver area of the car. He said he stood there at the window momentarily and he saw three officers near the driver door of the vehicle. [REDACTED] said he went back inside where all of the other employees were. He was in back and he went to go lock up the store and he did not know

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02/18/2019

**VALLEJO POLICE DEPARTMENT**

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where the other three of the employees were. He asked [REDACTED] where the other three women were at and she told him that they went outside to throw out the trash. [REDACTED] said he started to head towards the back door which is on the east side of the building near the drive-thru and the dumpsters when he heard all of the gunshots. He was standing in the middle of the kitchen when he heard the gunshots when the three women came back into the restaurant through the drive-thru window. He said all of the women were saying, "They shot the guy, they shot the guy," referring to the police shooting the subject in the silver Mercedes. [REDACTED] said they were talking but nothing specifically that he could remember about what they saw or heard.

We then interviewed Officer [REDACTED]. The interview was recorded and booked into evidence. For exact statement, refer to the DVD. Officer [REDACTED] told us the following in summary:

Officer [REDACTED] Badge # [REDACTED] is assigned to [REDACTED] with Sergeant Wylie. Tonight he was working in Beat 8 with Officer [REDACTED] Badge # [REDACTED]. Their call sign was 4A8 and they were driving unit 166. Officer [REDACTED] stated he was in the passenger seat and Officer [REDACTED] was the driver of the vehicle. [REDACTED]

[REDACTED] stated they had just picked up some food and were driving north on Fairgrounds Drive to the north substation to eat their lunch. He heard the call at Taco Bell come out as somebody passed out in the vehicle in the drive thru. He heard Officer PATZER, who he knew was working as a solo patrol officer this evening, and another unknown solo patrol officer was dispatched to cover him. A short time later he then heard Officer PATZER advise over the radio that the subject had a gun on his lap. At that time, Officer [REDACTED] turned the vehicle around and they headed to the Taco Bell from their location. They responded from Fairgrounds Drive and got on Highway 37 eastbound and exited at Admiral Callaghan arriving at Taco Bell. He stated they responded code 3 with their lights and sirens on. He stated when they pulled into the parking lot, he saw Officers PATZER, THOMPSON and CANO at the driver door of a gold sedan in the drive-thru. He noticed that they had their guns out and pointed in the direction of the vehicle. They were all on the driver side of the car. He does not remember the order of who was standing where, but he knows one was standing in line with the mirror approximately four feet back from the car, one was standing even with the driver seat approximately four feet back from the car, and the third Officer was standing at the B pillar of the vehicle approximately four feet from the car. [REDACTED] exited his car and began walking up to assist them when Officer PATZER told him to move one of the patrol cars behind the suspect vehicle in the drive-thru so he could not escape. [REDACTED] stated as he was walking up he could hear the officers talking to themselves but could not tell what they were saying. He said he got into somebody's Patrol car, unknown which officer, and pulled their car up behind the suspect vehicle. Officer [REDACTED] stated just as he was getting out of the vehicle he heard multiple shots fired by the Officers in the direction of the suspect in the driver seat of

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02/18/2019

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the vehicle. Officer [REDACTED] stated from his vantage points while at the scene, he could not see into the car to how many occupants were in there. Officer [REDACTED] stated he saw Officers THOMPSON, GLICK, McMAHON, PATZER, and CANO at the area of the suspect vehicle as the shots were fired. He stated his partner, Officer [REDACTED], was back at their Patrol car. Officer [REDACTED] stated he could not see the suspect at all and has no idea what he was doing prior to the shooting as he was unable to see into the vehicle. Officer [REDACTED] said he did not fire his weapon. After the shooting, he heard multiple commands from Officers directed at the suspect to show his hands. Officer [REDACTED] stated he also began giving commands for the suspect to show his hands and drew his gun from his holster. Officer [REDACTED] said a hole had opened up in the driver window and Officer THOMPSON reached in and unlocked the door and opened the door.

[REDACTED] said Officer [REDACTED] pulled the suspect out of the vehicle and put him on the ground. Officer [REDACTED] stated he saw multiple gunshots on the suspect's left side and sternum. He applied three chest seals to the wounds on the chest. Officer [REDACTED] heard one Officer say that they could see the gun on the floorboard of the vehicle. Officer [REDACTED] stated he did have his body cam on during the incident and it was downloaded. I asked what he did after the medics arrived and began to assist the suspect. He stated he interviewed a female witness (W)-[REDACTED]. She provided a quick statement to him and at that time it was requested by the Lieutenant that she come to the station to be interviewed by Detectives. Officer [REDACTED] stated [REDACTED] drove herself to the Police Department and he saw her when he arrived at the Police Department.

Officer [REDACTED] interview was concluded and he returned back to Patrol.

During the interview with [REDACTED] he drew a map of the scene and of things he described to us during the interview. That drawing was booked into evidence as Item # 618-2. [REDACTED] also told us that he had attempted to take a video after the shooting. He thought he did and when he looked at his phone he saw that it was only a two second video of him manipulating the phone and it was pointed at the ground. [REDACTED] emailed that to me and that email was booked into evidence as Item # 618-4.

Investigation continues.

Det. R. Greenberg #618

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I accessed the audio/video recording of the shooting associated with this case number that was captured by V- Officer R. McMahon #702's Axon body camera and I reviewed the footage. The following is a summary of the footage:

When the recording begins, it appeared McMahon was arriving on scene. I could observe through the windshield of his vehicle, McMahon drove past a VPD patrol SUV that had its emergency lights engaged and he also drove past a uniformed VPD Officer.

McMahon completed turning movements inside the vehicle and I could observe an illuminated "Taco Bell" sign was affixed to the building that McMahon parked next to.

McMahon begins to exit his patrol vehicle at the "27" second mark of the video.

It is relevant to note the Axon body cameras maintain a 30 second audio buffer when the device is turned on. When the user activates the camera, the device begins a video recording and the 30 seconds of buffered video footage is saved. The first 30 seconds of the video did not have an associated audio recording.

The first audio I could hear was McMahon saying, "Go inside."

I then observed McMahon had his pistol raised as he ran towards marked VPD patrol SUV #155. Vehicle #155 was parked directly in front of McMahon's vehicle and it was oriented in the same direction.

At the "32" second mark of the footage, I could hear subjects in the background yelling commands. It appeared the subjects yelled, "keep your hands in air" and "hands up!"

McMahon ran along side the driver sides of the vehicles and arrived at the vicinity of the rear driver door of vehicle #155 at the "34" second mark of the video. When McMahon arrived at the rear driver side door of vehicle #155, I could hear what appeared to be multiple gunshots.

McMahon continued to run to a uniformed VPD Officer who was standing in the vicinity of the front driver side bumper of unit #155. The officer had his pistol aimed towards the windshield of a silver Mercedes and it appeared the officer was discharging his pistol.

When McMahon arrived at the officer, he placed his left hand on the officer's back and pointed his pistol towards the windshield of the silver Mercedes with his right hand.

At the "36" second mark of the footage, it appeared McMahon discharged a single round towards the windshield of the Silver Mercedes. Immediately after it appeared McMahon discharged his firearm, the officer who was standing next to McMahon, stepped in a backwards direction towards his right. The officer stepped directly in front of McMahon's pistol and McMahon transitioned his pistol behind the officer. McMahon then began to raise his pistol towards the windshield of the Mercedes from the left

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side of the officer to whom he was standing near. I could still hear what appeared to be gunshots as McMahon pointed his pistol towards the windshield of the Mercedes.

I heard the last gunshot at the "37" second mark of the footage. At the "38" second mark of the footage, I could hear what appeared to be an officer on scene broadcasting radio traffic to Dispatch. I heard the officer advise shots were fired, officers were ok, and he requested medical assistance.

Officers continued to orient their pistols towards the Mercedes as they yelled to the driver to show his hands.

Officers then approached the driver door of the Mercedes, pulled the subject out of the Mercedes, laid the subject on the ground on his back, and appeared to assess him for injuries.

As a VPD Officer performed CPR on the subject, McMahon ran back towards his vehicle and retrieved a pouch from his trunk. When McMahon returned to the officers who were providing medical aid to the subject, I could see the pouch contained first aid materials. McMahon then provided first aid materials to the officers who were providing medical aid to the subject.

McMahon then retrieved crime scene tape from his vehicle and began securing the scene with the crime scene tape.

The video concluded when Sergeant S. Darden #529 contacted the officers who were involved in the shooting.

- Detective C. Long #661

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT**INTERVIEW OF ANTHONY CANO, BADGE NUMBER 714:**

On 02/10/19 at approximately 2336 hours, I was notified by Detective Sergeant MUSTARD of an officer-involved shooting that occurred at the Taco Bell on Admiral Callaghan Lane. MUSTARD advised this was an Investigations callout and I responded to the Vallejo Police Department.

On 02/10/19 at about 0530 hrs I interviewed Officer Anthony CANO in regards to the officer-involved shooting. Present during the interview was his attorney, [REDACTED] of Rains Lucia Stern, Detective Kevin ROSE of the Vallejo Police Department, Detective Reiner HERNANDEZ of the Solano County District Attorney's Investigator's Office, myself, and Officer CANO. The interview was audio recorded at the request of [REDACTED]. The following is a summary of the interview. See recording for full details.

Officer CANO identified himself and his Badge Number, #714. He advised that he'd been employed by the Vallejo Police Department for approximately 10 months. [REDACTED]

He stated on the date of the incident his call sign was 4P5. [REDACTED]

[REDACTED] He advised he was a solo officer and was not doubled up with anyone. [REDACTED]

[REDACTED] He advised that his sergeant is Sergeant WILEY, and that Sergeant WILEY was working at the time of the incident.

Officer CANO advised that he received a small injury during the incident. It was a small cut to his right ring finger. He advised this injury was photographed. When asked if his uniform or equipment was damaged he advised that he had blood on his right pant leg.

Officer CANO was asked to describe what he was wearing during the incident, and he stated that he was wearing his full duty uniform, which he was wearing during this interview. He stated that the uniform consisted of a blue BDU shirt and pants. He was wearing his utility belt and boots. I asked him to further describe his uniform. He stated there were two Vallejo Police patches one on each arm. He indicated there was a badge on his shirt which he described as a shield with his badge number in it, and his name was on the shirt.

When asked to describe the contents of his utility belt, CANO advised he had three Glock 17 firearm magazines, each loaded with 17 rounds. He had key ring, an X-26 Taser, his radio,

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OC, his firearm, which he stated was a Glock 17, and his handcuff case.

He advised that after the incident he was photographed. He stated that the photographs were taken while at the Vallejo Police Department.

He described his vehicle during the incident as Vehicle 147, which is a fully marked black and white police car. The vehicle is a Ford Explorer with Vallejo PD badges on both doors, a light bar, push bumper, and lights and sirens. He advised that this is not his normal vehicle. He stated he does not have a normal vehicle as he is fairly new and is assigned whatever vehicle is left. He advised that the vehicle has cameras in it, however, it was unknown if the cameras were working. He stated that he does not have a login to the vehicle's cameras.

He described his firearm as a Glock 17, 9 mm, black in color. This is the firearm that is issued to him by the Vallejo Police Department. He stated that the Glock 17 has 17 rounds in the magazine plus one in the chamber. He advised there were three magazines on his belt, one in the gun, and one cartridge in the chamber. He advised this is how the firearm was loaded prior to the incident. Officer CANO advised that he does not carry a backup firearm.

Officer CANO then described the incident. He stated that he was dispatched to a call in Beat 1 of an unconscious driver in a silver Mercedes in the Taco Bell drive through at Admiral Callaghan. Officer CANO stated that he responded from the area of Tennessee and Sacramento, and that he was the primary officer. He advised Officer PATZER was dispatched as his backup officer. He stated that they entered the Taco Bell area through the entrance near Target.

CANO indicated he pulled up to the south side of the building, which is the main entrance, and spoke to a Taco Bell employee who pointed out the vehicle and stated he's passed out. Officer CANO did not know the address of the Taco Bell. Officer PATZER went to the rear of the suspect vehicle and ran the vehicle's license plate.

Officer CANO approached the driver's side door and saw a black male adult, 20 to 30 years old, sitting in the driver's seat either unconscious or asleep. He stated the seat was back a little, and the suspect's head was back to the left. He thought the driver was drunk or on drugs. Officer PATZER shined his light into the vehicle and saw a small pistol on the lap of the suspect. Upon seeing the pistol Officer CANO drew his firearm and pointed it at the suspect's chest. Officer CANO then told Officer PATZER, gun, there's a gun, and told PATZER to call it out. Officer PATZER called for a Code 33, which means radio silence barring emergency traffic.

Officer PATZER then went to the front of the suspect vehicle and drew his firearm. Officer PATZER radioed dispatched that there was a gun on the suspect's lap. Both PATZER and

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CANO waited for additional units to arrive.

Officer CANO indicated the second he saw the gun it really raised concerns for the safety of himself and Officer PATZER. He advised the firearm was easily accessible to the suspect. Officer CANO indicated that he and PATZER had thought about trying to open the door and remove the person from the car as he thought the vehicle was unlocked. They then decided to wait for cover.

Officer THOMPSON arrived on scene and came up to the driver door next to Officer CANO. Officer THOMPSON drew his firearm. Officer THOMPSON saw that the vehicle was still in drive, and they believed that the vehicle was not moving because the suspect's foot was on the brake. CANO advised that they decided to block the vehicle in as it was in drive, and they had a police vehicle pull in front of the suspect car, coming through the opposite entrance of the drive through. They placed a second police vehicle behind the suspect car.

Officer CANO indicated there were four officers near the front of the suspect vehicle and that he and Officer THOMPSON were at the driver's side of the suspect vehicle. He stated the suspect's left hand was down near the firearm, and his right hand was down also. The suspect then began to scratch his chest with his right hand. Officer CANO gave commands, let me see your hands, let me see your hands, put your hands up, put your hands up!

Officer CANO advised other officers were giving similar commands. Officer CANO indicated the suspect woke up, leaned his whole body forward toward the firearm, at which point he fired gunshots.

I asked Officer CANO to describe the conditions. He advised that it had been raining earlier, however, it was not raining at this time. As far as the lighting conditions were concerned, he stated that he used his flashlight to see inside the car and the gun. He advised there were street lights present as well. CANO indicated that once he used his flashlight he could see the firearm. He described it as a semiautomatic Smith & Wesson Shield with an extended magazine or with the magazine sticking out because the suspect had released it. He stated that the chamber on the firearm was closed and believed it was possible there was a round in the chamber. He stated the firearm had a black frame and a silver slide. The magazine had a base plate and a silver body.

I had Officer CANO go back to the point where the suspect had scratched his chest. He stated the suspect scratched his chest with his right hand and that all of the officers began giving commands of hands up. He stated he saw the suspect's eyes open. The suspect then lunged or leaned forward very hard, dropped his right hand down to the firearm, and that was when the shots were fired. I asked Officer CANO why they were giving commands. He stated he wanted the suspect's hands as far as possible from the gun. When asked why, he said he

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didn't want that lethal threat pointed at him or other officers.

Officer CANO indicated he was unsure if the suspect touched the firearm. As soon as the suspect reached for the firearm he began firing. He stated that he fired 11 shots. When asked why he fired, Officer CANO indicated because it appeared the suspect was going for the firearm and that he fired shots to preserve his life and the life of other officers. Officer CANO indicated that he feared the suspect was going to grab the firearm, and if he had grabbed the firearm he feared the suspect was going to fire at other police officers. Officer CANO indicated that the suspect dropped both of his hands to the firearm.

Officer CANO indicated that other officers had fired shots as well. He stated there were five other officers, to include Officer PATZER, Officer THOMPSON, Officer EATON, Officer GLICK, and Officer MCMAHON. Officer CANO indicated that when the commands were given the suspect did not comply with commands and then reached for the firearm.

Officer CANO stated that he had never met the suspect before. He advised he has never had any contacts with the suspect before. Officer CANO also indicated that he had never met the witness at Taco Bell before and does not know anyone who works at Taco Bell. Officer CANO indicated he had no prior knowledge of the incident other than the call he was dispatched to. He stated that the call was also visible on his in-car computer, which reflected the same as the radio dispatch.

Officer CANO advised that when they had arrived on scene he had observed the suspect vehicle at the entrance to the drive through prior to the order screen. He later indicated on a Google Maps printout of the area where the vehicle was located in relation to the Taco Bell and the drive through.

When asked how he felt regarding the incident, CANO stated that he was scared when the suspect was waking up, and that is when he gave clear and concise commands. He was hoping the suspect would comply with those orders; however, the suspect's hands dropped to the gun. Officer CANO was in fear for the six officers on scene. The six officers had no cover, were about 2 feet away. Officer CANO indicated he feared if the suspect fired he didn't think the suspect would have missed. Officer CANO indicated he was in fear for his own life as well.

CANO indicated that he drew his firearm the second he saw the suspect's firearm. He advised that the vehicle and the suspect matched the description in the dispatch call. He stated that the suspect was the only occupant in the vehicle. CANO indicated that his backdrop was the car, the person in the car, and then ultimately the pavement underneath the car as his gun was pointed downward toward the suspect.

Officer CANO stated that after the incident his firearm was collected. When asked if there

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were any other force options available that would have been effective, Officer CANO indicated that there were not any as the vehicle's doors were locked, the windows were up, and they could not get to the suspect. He stated the only other option they had was their voices as they could not get inside the vehicle. He stated that if they had been able to get inside the vehicle they would have attempted to grab the firearm while the suspect was sleeping.

Officer CANO stated that after the shooting occurred they called for medics. He advised that the threat was gone and they began to render medical first aid. He stated they were able to unlock the vehicle through the broken window. They then removed the suspect from the vehicle and handcuffed him. Officers [REDACTED] and [REDACTED] began chest compressions. Chest seals were applied to the suspect.

Once the incident was over Officer CANO was removed from the scene by Sergeant DARDEN. Officer CANO indicated that he did have a body camera on him at the time of the incident. He stated the body camera was activated and recording. He advised that he did review his body camera prior to this interview.

CANO indicated there were six other officers on scene and possibly five to six patrol cars. He stated that Officer THOMPSON'S patrol car had flashing emergency lights during the incident and was located behind and to the left of the suspect vehicle.

When asked to describe the location of the suspect's firearm, Officer CANO stated that the firearm was on the suspect's left thigh with the barrel facing the suspect's right knee cap. He advised the way it was orientated the suspect could have grabbed it with either hand. Officer CANO demonstrated how the suspect acted when he dropped both of his hands. He stated the suspect dropped both hands and then dropped his body forward. His body lunged forward as if doing a crunch. When asked what would have happened if he had not fired his firearm, Officer CANO indicated the suspect would have shot officers.

Officer CANO indicated he is trained to use the firearm issued to him. He stated that he last qualified with the firearm approximately one month prior. Officer CANO was wearing glasses at the time of the interview. He stated they are prescription glasses and that he was wearing them during the incident. CANO stated that he was probably a foot away from the driver's side door when the shooting occurred. CANO stated he did not discuss the events of the incident with anyone but his attorney.

We then took a break and placed the recorders on pause as Officer CANO and his attorney remained in the interview room. When I returned I continued the interview.

Officer CANO stated there was nothing on the suspect's lap or in the vicinity except for the firearm. He advised the car was a clean car. CANO stated the movement of the gun was fast

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and immediate, and that the suspect leaned over at the waist. He described the movement as very fast as he was going for the firearm. He stated that he woke up, made eye contact, and immediately went for the firearm when he was seen by police.

The interview was concluded.

Officer CANO wrote his name and badge number on the Google Map photo which was later booked into evidence.

Caitham 571

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On 02/10/19 I responded to the Vallejo Police Department for an officer-involved shooting. On 02-10-19 at about 0650 hrs I conducted an interview with Ofc Jordon PATZER, Badge Number 713. Present during the interview was Raines LUCIA STERN, attorney [REDACTED]. Also present was Detective Kevin ROSE and Investigator Renier HERNANDEZ of the Solano County District Attorney's Investigations Office. At the request of PATZER'S attorney, [REDACTED] the interview was audio recorded. The following is a summary of the interview. See recording for full details.

PATZER advised that he was hired by the Vallejo Police Department in May of 2018. He was unsure of the exact hire date, but stated he has worked for the Vallejo Police Department for approximately nine months. [REDACTED]

[REDACTED] He stated that on the date of the incident his call sign was 4P6 [REDACTED]

[REDACTED] He advised that his supervisor is Sergeant WILEY and that Sergeant WILEY was working at the time of the incident.

PATZER advised he received no injuries during the incident and no damage to his uniform or equipment. He advised that Corporal BOTELLO took pictures of him after the incident at the police station. PATZER advised that the uniform he was wearing during the interview was the same uniform he was wearing at the time of the incident. He described the uniform as being a full police uniform with a long-sleeved shirt. It had one Vallejo Police Department patch on both shoulders, for a total of two, his badge with his badge number, and his name on the shirt. When asked what color the uniform was he said black, however, when prompted he corrected saying that it was blue.

Officer PATZER was asked to account for the items on his duty belt. He stated he had a magazine pouch consisting of three magazines, a baton ring, a radio, a Taser, OC spray, a key pouch, and his firearm. He advised that he was not wearing a jacket at the time of the incident, and that he appeared as he did in this interview.

PATZER described his vehicle. He stated it was Vehicle Number 176, which is a Ford Explorer. It is a marked Vallejo Police patrol vehicle, further described as black and white in color, emergency lights, a push bumper, with Vallejo Police Department badges on both doors and states Police on the back. He advised the vehicle is equipped with a siren. He stated this is not his normal vehicle and that his vehicle changes on a daily basis.

PATZER described his firearm as a Glock 17 9mm. The firearm is a black semiautomatic and is issued by the Vallejo Police Department. It was loaded with Vallejo Police Department

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ammunition.

PATZER stated that at the time of the incident the firearm was loaded with a full magazine containing 17 rounds and one in the chamber. He advised he also had three magazines on his belt, each loaded with 17 rounds. PATZER advised he had no backup firearm. PATZER advised that he is trained and qualified with this firearm. He stated that his last qualification was two to three months ago at the last Advanced Officer Training day, AOT.

PATZER advised that at the time of the call he was at Tennessee and Sacramento. He stated that he had been sent to a petty theft, however, he diverted to this call. He stated that Officer CANO had been dispatched to a welfare check at the Taco Bell drive through with the driver slumped over and passed out at the driver wheel. PATZER advised that CANO had no cover, so he diverted from his petty theft to cover CANO on the call. He stated that they arrived at the Taco Bell, which was located in the Target Shopping Center, which is off of Admiral Callaghan Lane. On arrival he advised that he saw the suspect vehicle matching the description in the call. He advised that he parked his police vehicle behind the suspect vehicle and ran the plate. PATZER advised that he and CANO arrived simultaneously. PATZER indicated that the call was dispatched over police radio. He stated that his car is equipped with a computer that shows the dispatched calls, and that the call matched that which was radioed.

When asked to describe the conditions, PATZER stated that it was lightly sprinkling or had just stopped. He stated that it had been raining all night. He stated that it was cold and windy and wet on the ground. PATZER believed it was sprinkling at the time of the incident. He stated the area of the Taco Bell was well lit. He advised it was dark at the time of the call, but that Taco Bell had overhead lights illuminating the area.

PATZER stated that CANO approached the driver door and shined his light through the window of the suspect vehicle. He stated that CANO said something similar to, there's a gun, call it out. PATZER advised that he was 5 feet to CANO'S right at the time that CANO saw the gun. PATZER advised that he observed CANO draw his firearm. At that time CANO stated, there's a gun on his lap. Patzer drew his firearm as well. PATZER advised that he radioed it out, asking for a Code 33, which means emergency transmissions only over police radio. PATZER advised that he stated over the radio that the unconscious driver had a gun in his lap.

PATZER then moved to the front of the vehicle. PATZER then leaned over the windshield and looked into the vehicle and saw that the driver was sleeping or unconscious. He stated he had one arm over his head and his right hand was down. He stated that he observed the firearm on the suspect's lap and that the gun had a teal green grip. PATZER advised that the firearm had the magazine sticking about approximately 1 inch, and he believed that it was an extended magazine.

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PATZER advised that he observed the gun on the driver's lap. His initial thought was to wake the suspect up but then changed his mind due to the severity of the situation, which was a gun on the driver's lap. They decided to wait for more units. PATZER stated that he assumed the gun was loaded and could not tell if it wasn't. He advised that the gun was on the suspect's left thigh with the barrel oriented to the driver door. He stated the gun was on the mid thigh, and that the barrel was pointed towards the door towards Officer CANO. He stated the grip was facing the suspect's waistband.

Officer PATZER stated that Officer THOMPSON arrived. Officer THOMPSON went around the back of the suspect vehicle. Officer THOMPSON then observed that the vehicle was still in drive. They decided to block the vehicle in. They had a police vehicle drive in the reverse entrance of the Taco Bell drive through to block the front of the vehicle, and then put another vehicle in back of the suspect vehicle. They believed that the only reason the vehicle was not moving at this time was because the suspect had his foot on the brake.

Officer THOMPSON then tried to open the door, however, the door was locked. The suspect was still unconscious at this time. No one had tried to wake the suspect up. The suspect then began to wake up, but was not totally awake. Officer PATZER stated that officers then began giving commands, hands, hands, hands, hands! Officer PATZER stated that the suspect then looked left and then looked back at him, and then at his lap. PATZER believes he was looking at the gun. PATZER advised there was nothing else on the suspect's lap or in the general area except for the firearm. PATZER advised that the suspect then dropped both of his hands down suddenly like a flinch. He stated that there was only one thing the suspect could be going for, which was the firearm. PATZER advised that the suspect's firearm was already facing other officers.

PATZER was asked to describe the movement further. He stated that the suspect's hand that was up came down and dropped suddenly in his lap. He stated that both hands dropped in his lap. He stated there was nothing else there but the firearm. He described the movement as rapid or quick, or a sudden jerking movement flinch.

PATZER stated that the suspect reached straight down towards his lap and there was only one thing the suspect could be reaching for. After the suspect's hands had reached his lap PATZER demonstrated and described that the suspect's shoulders raised and that elbows came up to follow, and that his hands began to come up over the dash. As the suspect's hands were coming up there was only one thing he could have been reaching for. PATZER stated that all the suspect had to do was pull the trigger, that the suspect wouldn't have to aim due to the proximity as the gun was already facing officers.

Officer PATZER advised his immediate concern was that the suspect would use the firearm

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571 CAITHAM, JOSH

Date:

02/12/2019

Approved By:

569 MUSTARD, MAT

Date:

02/19/2019

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590
SUPPLEMENT 15 - Statement of Ofc. Patzer

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against other officers and that it constituted an immediate threat. PATZER stated that he felt scared that the suspect was going to kill the other officers or kill him. PATZER was also in fear for other people in the vicinity. He stated that they had already shooed off a Taco Bell employee and a security guard, and he was unsure if other civilians were present, creating a safety concern. PATZER advised that once the suspect reached towards the weapon he fired towards the suspect. He stated that he was trying to stop the threat, and that he only needed to stop the threat. He advised the only option immediate to stop the threat was to fire his firearm. PATZER advised that he thought he fired six rounds. He later learned that he fired a total of 12.

PATZER advised that prior to the shooting, commands were issued by other officers on scene, show me your hands, put your hands up, hands up, hands up. PATZER advised that he gave commands of hands up, show us your hands. When asked why he gave those commands, PATZER stated because if his hands were up and open then he knew the suspect wasn't reaching for the gun. He advised the suspect did not comply and that's when he dropped his hands in a quick motion. PATZER advised that he fired his firearm until the threat was stopped. He stated that after the shots, the suspect was moving toward the passenger side of the vehicle. PATZER believed it was apparent that the suspect couldn't reach for anything anymore. He did not know where the gun was at this time. Everyone was still giving commands. Officer PATZER then radioed for medical assistance.

He stated they were able to open the door and began to pull the suspect out of the car. He observed the gun on the floorboard. He stated the suspect was handcuffed. He advised that officers on scene began to render first aid for the suspect. PATZER advised that he checked for a pulse but could not feel one. He stated that Officer [REDACTED] began doing first aid. He advised that chest seals were applied to the suspect as the suspect was observed bleeding from the chest.

When asked about other force options that could have been employed, PATZER advised there were no other force options available. He stated that the suspect was in a vehicle armed with a firearm. He advised the windows were up. He stated that they couldn't use a Taser or a baton, and that they could not get in the vehicle as the vehicle was locked. He stated all doors were closed and all windows were up.

I asked Officer PATZER to further describe the suspect's gun. He stated it had a teal green grip with a silver magazine protruding approximately 1 inch. He stated the magazine had a black baseplate. He advised the frame and the firearm were of a silver color, and described it as a full sized semiautomatic pistol.

He stated there were six to eight police officers present at the time of the incident. He stated there were five to six police cars at the time of the incident. He advised that a lot of the cars

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had flashing overhead lights activated at the time of the incident.

He advised that his firearm was taken at the conclusion of the incident by Corporal BOTELLO and Evidence Tech Stephanie DAILEY. He advised that he was photographed and that the photos took place at the station.

Officer PATZER advised that he does not know who the suspect was. He does not even know the suspect's name. He stated that he has had no contacts with the suspect in the past. He advised that he knows no one that works at the Taco Bell.

When asked to describe his backdrop he advised that his firearm was pointed in a downward angle towards the car windshield, and that the ultimate backdrop would be the ground.

When asked what prompted him to draw his firearm, Officer PATZER stated that it was two things; first, Officer CANO stating the suspect had a gun, and then Officer CANO drawing his firearm. He advised that as officers arrived on scene they were made aware of the situation. He stated that everyone knew there was a gun in the car.

Officer PATZER was wearing a body camera at the time of the incident. He advised that the incident was recorded by his body cam. He stated that he reviewed his body camera recording prior to this interview. He advised that the car he was driving had no cameras in it.

When asked further, Officer PATZER stated that he thought the suspect was coming up with the gun and that he thought the suspect was going to use it against officers on scene. He stated that he felt fearful that the suspect was going to use it against us, felt fear for himself and for other officers as it was already facing other officers. He advised that's why he fired his firearm.

I produced a Google Maps photograph of the area containing Taco Bell. On the photograph Officer PATZER drew the location of the suspect vehicle and his own vehicle. He drew the suspect vehicle at the entrance of the Taco Bell drive through at or prior to the ordering menu. He stated that at the time he arrived there were no other cars in the drive through. He stated he did not know the address of the Taco Bell, but described the area to include the Target Shopping Center, also known as Gateway Plaza. Patzer wrote his name and date on the photo which was later booked into evidence.

Officer PATZER stated the suspect made no sounds and made no statements. He advised that other officers also fired shots. He was unsure of how many officers fired shots as he was focused on the threat.

Officer PATZER advised that he did not discuss the events of this incident with anyone other

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Date:

02/12/2019

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than his attorney prior to this interview.

Nothing further.

CAITHAM 571

Prepared By:

571 CAITHAM, JOSH

Date:

02/12/2019

Approved By:

569 MUSTARD, MAT

Date:

02/19/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 16 - Review of Ofc Cano's Axon Camera

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I viewed Officer CANO'S Axon video from this incident. It is approximately 10 minutes, 23 seconds long. The video begins with time stamp 02/10/2019 at 06:46:41 hours (UTC Time). The following is a summary of the events captured by the body camera.

Officer CANO activates his body camera. A silver vehicle is observed in front of him. CANO then states, gun, gun, and draws his firearm. CANO tells Officer PATZER to call it out. CANO then states, there's a gun in his lap and points the gun out to Officer PATZER. PATZER acknowledges seeing the gun. CANO advised that the door looks like it's open and he wants to pull the suspect out. The driver of the vehicle is observed to be a black male adult. He can be seen in the driver's seat of the vehicle with his head to the left. He appears to be unconscious. The suspect is further observed by officers to be the only occupant in the vehicle. Officer CANO then states that the magazine is out of the gun, and advises if the suspect shoots he only has one shot.

Officer THOMPSON arrives and is briefed by CANO. Officer THOMPSON plans to open the door and grab the gun. At this point Officer THOMPSON notices that the vehicle is still in drive. THOMPSON tries the door, however, advises the door is locked. Activated police vehicle emergency lights can be observed in the video flashing.

Officers make a plan to place a patrol car in front of the suspect vehicle and behind the suspect vehicle as the vehicle is in drive and they do not want it to move. The suspect is then seen scratching his chest. Officers state that he's starting to wake up. Officers begin giving commands to have the suspect put his hands up. The suspect is observed not complying and reaches down with both hands and leaning forward. Officer CANO and other officers on scene begin to fire gunshots. CANO shoots through the driver's side window. Commands are given to show hands after the shooting stops. Officers broadcast that shots have been fired.

Officer THOMPSON unlocks the driver's side door through the broken window and opens the door. The suspect is then removed from the vehicle. As the suspect is being removed from the vehicle, officers state the handgun is observed on the floorboard. The suspect is handcuffed. Officers then begin first aid on the suspect. First aid continues for the duration of the video consisting of chest compressions and officers placing chest seals on wounds of the suspect. Supervisors are observed arriving on scene. It is determined who the Actor Officers are. Actor Officers are eventually told to leave the scene and the video concludes.

See video for full details.

CAITHAM 571

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SUPPLEMENT 17 - Initial Response

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CASE: 19-1676

On 02/09/2019 at approximately 11:56 pm, I received a phone call from Detective Sergeant Mustard regarding an officer involved shooting that occurred at the Taco Bell located on Admiral Callaghan Lane in Vallejo, California.

I arrived at the crime scene at approximately 12:15 am. I entered the crime scene and noticed there was a silver vehicle in the entrance to the drive-thru of the Taco Bell. I noted that the driver door was open. There was a yellow blanket on the ground just outside the driver door. Underneath the blanket, appeared to be an individual who was deceased, further identified as Suspect. I noticed casings in the general vicinity of the Suspect who was underneath the yellow blanket on the ground, just outside the door. I did not count the casings, manipulate the casings, or note how many casings there were. Without touching anything, I visually looked into the passenger compartment of the vehicle via the open driver door. I saw that there was a dark colored semiautomatic firearm on the driver floorboard of the vehicle. There was apparent blood in and around the driver's seat of the vehicle. I then departed the crime scene after spending approximately ten minutes at the scene.

I responded back to the Vallejo Police Department where I participated in a briefing. Attending that briefing, were members of Solano County District Attorney's Office and Vallejo Detectives. I was assigned to a team, which consisted of myself, [REDACTED], and Solano County District Attorney Investigator RISTER. We were tasked with interviewing Witnesses at the scene, which included [REDACTED] and Vallejo Officer [REDACTED]

Refer to supplements for further detail.

[REDACTED]

Prepared By:

[REDACTED]

Date:

02/12/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 18 - W- [REDACTED]

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CASE: 19-1676

INCIDENT: OIF

WITNESS: [REDACTED]

On 02-10-19, at approximately 0130 hours in the morning, I conducted an interview with [REDACTED] at the Vallejo Police Department. Present in the interview room was Detective Thompson and Solano County DA Investigator Rister. During the interview with [REDACTED] she related the following in summary.

[REDACTED] was driving on her way home from work while Facetiming her boyfriend (Not Present) when [REDACTED] decided she wanted Taco Bell. She subsequently went to the nearest Taco Bell which is the one located on Admiral Callaghan Lane.

[REDACTED] was the sole occupant in her vehicle when she arrived at the Taco Bell. [REDACTED] attempted to pull into the Taco Bell drive-thru but was prevented from doing so due to a silver luxury sedan, possibly a Lexus, stopped at the entrance to the drive-thru. She said that the silver sedan was not at the menu board rather, further back at the initial entrance to the drive-thru itself.

She said she was still Facetiming her boyfriend at this time and she stopped behind the silver vehicle. She recalled that the silver vehicle had its running lights on and believed the car was running at the time. She did not recall cars in front of the silver vehicle. She was stopped behind the silver vehicle for about ten minutes waiting for the silver vehicle to proceed through the drive-thru so that she could get the food that her boyfriend had ordered her via DoorDash.

While parked behind the silver vehicle, another car pulled in behind [REDACTED] vehicle waiting in line to go through the drive-thru. [REDACTED] recalled that after the passing of about ten minutes, she tried to get the attention of the driver of the silver vehicle in front of her. She flashed her high beams at the vehicle trying to get the driver's attention with no success. She rolled down the driver window to her vehicle, leaned her head out and tried to look at the silver vehicle in front of it to see if there was anyone inside the car. Due to her vehicle positioning behind the silver vehicle, which was canted in a turn, she could see the driver side of the silver vehicle to include the driver window. She noticed that the driver window, in

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02/12/2019

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SUPPLEMENT 18 - W- [REDACTED]

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addition to all the other windows, were tinted. She could not see an occupant in the vehicle. She believed there was one, but she said she could see the dashboard of the vehicle.

Around this time, she noticed that the employee inside the Taco Bell was pacing back and forth. She made a gesture to the employee and got the employee's attention. The employee opened the main door to the Taco Bell in response. She recalled the employee of the store telling her, that he believed that the occupant of the silver vehicle in front of her was drunk and that they had made numerous attempts to get his attention and the police had been called. The employee then suggested that she drive through the drive-thru in the opposite direction to get her order at the drive-thru window.

[REDACTED] subsequently put her car in reverse. The vehicle that was parked behind her backed up allowing her to back her vehicle up. She then drove through the parking lot toward the drive-thru exit. As she got to the exit of the drive-thru, she decided not to enter the drive-thru. She backed up and proceeded through the parking lot back toward the drive-thru entrance. [REDACTED] stopped short of the entrance due to police vehicles arriving in the parking lot.

While seated in her vehicle with her window down, she could now see the entire passenger side of the silver vehicle which was facing in a north direction at the entrance of the drive-thru. She noticed two police officers, fully uniformed associated with marked patrol vehicles, standing near the driver side of the silver vehicle with their guns out and the flashlights on their guns turned on. She heard them make verbal announcements, which she could not recall what was being said, but she knew that the verbal announcements were being directed at the occupant in the silver vehicle.

She saw additional police vehicles on the freeway with their lights flashing and siren sounding. As numerous police vehicles arrived on scene at the Taco Bell. She could not recall if their lights were on. She recalled two vehicles pass her in the parking lot and enter the drive-thru exit. Once the officers went into the drive-thru, she lost sight of them.

At one point, [REDACTED] saw numerous uniformed police officers standing along the driver side of the silver vehicle with their guns out and directing their verbal commands at the occupant in the vehicle. Again, she could not recall what the officers were saying.

As the officers were making the verbal commands, she saw the officers shoot into the vehicle and could see the driver window of the silver vehicle being struck by gunfire. As a result of the gunfire, it caused a hole or opening in the driver window near the bottom at the frame of the door. [REDACTED] could see inside through aforementioned hole and see movement inside the vehicle. She could not see what kind of movement the occupant of the car was making.

She believes she heard two volleys of gunfire. Once the gunfire stopped, the police officers

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02/12/2019

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opened the driver door and pulled out the occupant onto the ground. Initially, [REDACTED] thought the officers were placing the occupant in handcuffs. But then saw the officers performing CPR.

After a period of time, paramedics arrived. She was contacted by police officers and agreed to come to the Vallejo Police Department in her own vehicle to be interviewed.

She mentioned that when she initially saw the first two police officers arrive on scene and try to make contact with the occupant of the vehicle, she switched her Facetime view so that her boyfriend, who was on the opposite end of the line, could see what she was seeing.

Throughout the interview with [REDACTED] I referred her to a Google satellite overview of the Taco Bell. [REDACTED] made drawings on it indicating vehicle positioning, her path of travel, and where she ultimately stopped when she witnessed the shooting. The interview with [REDACTED] was audio recorded, burned to disk and booked into evidence, along with the Google satellite overview image which she drew on.

This is merely a summary of the interview with [REDACTED] Refer to recording for further detail.

[REDACTED]

Prepared By:

[REDACTED]

Date:

02/12/2019

Approved By:

569 MUSTARD, MAT

Date:

02/19/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 19 - Officer [REDACTED]

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CASE: 19-1676

INCIDENT: OIF

WITNESS: Officer [REDACTED]

On 02-10-19, at approximately 3:40 am, I, along with [REDACTED] and Solano County DA Investigator RISTER, conducted an interview with Officer [REDACTED]. The interview was audio recorded. Officer [REDACTED] provided the following statement in summary.

Prior to responding to the incident in question, Officer [REDACTED] was across town in Beat 7 meeting with fellow patrol officers when he overheard other officers on his team get dispatched to the Taco Bell on Admiral Callaghan in regards to a subject passed out in a vehicle in the drive-thru. Shortly thereafter, he heard updated reports that the officers who had arrived on scene were contacting a subject in a car in possession of a gun. Officer [REDACTED] and the other officers he was with responded Code 3, lights and sirens, to the Taco Bell.

He said that as he was responding to the scene, he overheard a number of Officers trying to broadcast at the same time. Officer [REDACTED] ultimately learned that an officer-involved shooting had occurred.

Once he arrived on scene, he parked on Admiral Callaghan and approached the scene on foot. He took a position to the driver side rear door of the silver Suspect Vehicle and was standing behind Officer THOMPSON who was standing at the driver door. He said that other officers were still giving verbal commands to the occupant in the vehicle who was not responding.

He noticed that the vehicle appeared to have sustained bullet holes. He saw a hole in the driver window. He recalled Officer THOMPSON breaking out the remaining driver window, reach into the car and unlocked the driver door. He recalled the driver door to the Suspect Vehicle opening and officers pulling the suspect out of the vehicle. As the suspect was being pulled from the vehicle, Officer [REDACTED] was in position to grab the suspect's arm and assist in placing the suspect in handcuffs behind his back. Once on the ground, Officer [REDACTED] noticed that the suspect appeared to have sustained gunshot wounds and proceeded to assist with conducting lifesaving measures. He noticed that on the driver floorboard of the Suspect Vehicle, near the brake and accelerator pedal, was a black colored semi-automatic firearm. He said that paramedics arrived, and he had no further involvement in the incident.

This is merely a summary of the interview with Officer [REDACTED]. Refer to recording for further detail.

Prepared By:

Date:

Approved By:

Date:

02/12/2019

569 MUSTARD, MAT

02/19/2019

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SUPPLEMENT 19 - Officer [REDACTED]

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The end.

[REDACTED]

Prepared By:

[REDACTED]

Date:

02/12/2019

Approved By:

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02/19/2019



VALLEJO POLICE DEPARTMENT

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SUPPLEMENT 20 - Keizer PD stolen gun report

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On 02-12-19 I contacted Keizer PD, Oregon, to obtain a copy of there stolen gun report case #14-5249. I requested a copy of the report.

The firearm in the hit was a .40 cal Smith and Wesson M&P compact, serial [REDACTED]. The same that was recovered in the suspect vehicle.

On 02-12-19 at about 1550 hrs I received a copy of the report. The report was scanned in and attached to this report. See report for details.

A locate was sent to Keizer PD notifying them the gun had been recovered.

Caitham 571

Prepared By:

571 CAITHAM, JOSH

Date:

02/12/2019

Approved By:

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Date:

02/18/2019



VALLEJO POLICE DEPARTMENT

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SUPPLEMENT 21 - CORONER AUTOPSY

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

SUPPLEMENT:

On 2-11-19 at approximately 1230 hours, I responded to the Solano County Coroner's Office to observe the autopsy of S- Willie McCoy.

Dr. Josselson was still performing another autopsy when I arrived at the office and he did not begin McCoy's autopsy until later in the afternoon. At approximately 1600 hours, Dr. Josselson suspended his autopsy and advised me he would only be counting and measuring injuries until he resumed the autopsy on 2-11-19.

On 2-12-19 at approximately 1300 hours, I returned to the Coroner's Office and Dr. Josselson concluded his autopsy of McCoy.

I observed McCoy sustained multiple gunshot wounds and multiple bullets were recovered from his body.

See Senior Police Assistant S.Dailey's supplement regarding details of the autopsy.

- Detective C. Long #661

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 22 - DAY 1 AUTOPSY

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

Report Date : February 11, 2019
Agency : Vallejo Police Department
Agency Case # : 19-1676
Victim: Vallejo Police Officers
Suspect: McCoy, Willie
Crime : 245 (D)(1) PC

CRIME SCENE INVESTIGATION - SUPPLEMENTAL REPORT**OVERVIEW**

On February 11, 2018 I was notified by the Solano County Coroner's Office that they would be performing an autopsy of Willie McCoy on today's date. I responded to the Solano County Coroner's Office to collect evidence and photograph the autopsy.

I arrived at the Solano County Coroner's Office at approximately 1230 hours. Present during the autopsy was Dr. Josselson, Coroner's Volunteer Iris, Vallejo Police Department Detective Craig Long, District Attorney Investigator Matt Eleopoulos and Vallejo Police Department Cadet Irene Estepa.

I arrived back at the Vallejo Police Department Evidence Section to book the evidence after the autopsy.

PURPOSE OF EXAMINATION

To attend, photograph and collect evidence from the autopsy of McCoy.

EVENT DESCRIPTION

On February 8, 2018 a Vallejo Police Officers were involved in an incident in which McCoy was shot. McCoy succumbed to his injuries at the scene.

McCoy was transported to the Solano County Coroner's Office by Deputy Henry.

On February 11, 2018 I responded to the Solano County Coroner's Office to observe the autopsy of McCoy.

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2053 DAILEY, STEPHANIE

Date:

02/13/2019

Approved By:

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Date:

02/18/2019

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SUPPLEMENT 22 - DAY 1 AUTOPSY**

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT**EXAMINATION RESULTS**

McCoy was located in a while sealed body bag. The blue seal #142250 was cut at 1410 hours by Dr. Josselson.

McCoy is a black male adult with short curly black hair, black facial hair and multiple tattoos.

McCoy was handcuffed at the scene. Detective Long removed the handcuffs at the Coroner's Office and I collected the handcuffs.

I cut McCoy's left hand and right hand fingernails, putting the clippers used in the same bag as the nail clippings.

McCoy was wearing a black t-shirt, green jacket, black boxer briefs, black sweat pants and grey socks.

Located in McCoy's right front pant pocket was Carmex, earphones and a lighter.

Located in McCoy's left jacket pocket was a black bag with top and bottom teeth jewelry.

Iris was unable to locate blood so I do not collect blood from McCoy.

7 bullets were located on February 11, 2019. See list below for locations of the expended bullets and fragments.

EXPENDED BULLETS FEBRUARY 11, 2019

Left hand base of ring finger

Table at coroner's office

McCoy's green jacket

Under right leg

Right inside of McCoy's green jacket

Right lower arm

Prepared By:

2053 DAILEY, STEPHANIE

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

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02/18/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 22 - DAY 1 AUTOPSY

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Left lower arm

Dr. Josselson measured and documented McCoy's injuries. Detective Long assisted me in photographing McCoy's injuries.

Dr. Josselson removed bullets that were immediately under McCoy's skin. He did not do an internal exam on February 11, 2019.

McCoy was resealed with blue tag number 142614 at 1644 hours on February 11, 2019.

See coroner's report for additional information pertaining to where McCoy's injuries were including the cause of death.

PROPERTY BOOKED

2053-14-BOTTOM AND TOP TEETH JEWELRY IN BLACK BAG LEFT IN JACKET POCKET
2053-15-7 EXPENDED BULLETS DAY 1 AUTOPSY (SEE REPORT FOR LIST OF LOCATIONS)
2053-16-\$30 FROM SUSPECTS BACK AT CORONER'S
2053-17-(S) MCCOYS LEFT AND RIGHT FINGERNAIL CLIPPINGS
2053-18-CARMEX, EARPHONES, LIGHTER IN MC COY'S FRONT RIGHT PANT POCKET

Stephanie Dailey
Senior Police Assistant
CSI #2053
Vallejo Police Department

Prepared By:

2053 DAILEY, STEPHANIE

Date:

02/13/2019

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Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 23 - DAY 2 AUTOPSY

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

Report Date : February 12, 2019
Agency : Vallejo Police Department
Agency Case # : 19-1676
Victim: Vallejo Police Officers
Suspect: McCoy, Willie
Crime : 245 (D)(1) PC

CRIME SCENE INVESTIGATION - SUPPLEMENTAL REPORT**OVERVIEW**

On February 12, 2018 I was notified by the Solano County Coroner's Office that they would be completing the autopsy of Willie McCoy on today's date. I responded to the Solano County Coroner's Office to collect evidence and photograph the autopsy.

I arrived at the Solano County Coroner's Office at approximately 1230 hours. Present during the autopsy was Dr. Josselson, Coroner's Volunteer, Vallejo Police Department Detective Craig Long and District Attorney Investigator Matt Eleopoulos.

I arrived back at the Vallejo Police Department Evidence Section to book the evidence after the autopsy.

PURPOSE OF EXAMINATION

To attend, photograph and collect evidence from the autopsy of McCoy on February 12, 2019.

EVENT DESCRIPTION

On February 8, 2018 a Vallejo Police Officers were involved in an incident in which McCoy was shot. McCoy succumbed to his injuries at the scene.

McCoy was transported to the Solano County Coroner's Office by Deputy Henry.

On February 11, 2018 I responded to the Solano County Coroner's Office to observe the autopsy of McCoy. The autopsy was not completed on February 11, 2019 so I responded

Prepared By:

2053 DAILEY, STEPHANIE

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 23 - DAY 2 AUTOPSY

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

to the Solano County Coroner's Officer on February 12, 2019 to continue photographing the autopsy and collecting evidence.

EXAMINATION RESULTS

McCoy was located in a while sealed body bag. The blue seal #142614 was cut at 1316 hours by Dr. Josselson on February 12, 2019.

McCoy's clothing, fingernail clippings and 7 expended bullets were located and collected on February 11, 2019.

Dr. Josselson collected 15 expended bullet from McCoy on today's date. See list below of locations per Dr. Josselson where the bullets were located.

EXPENDED BULLETS FEBRUARY 12, 2019

Back

Piece of metal and expended bullet from right upper arm

Right chest under the word "God"

Upper interior right chest

Under "My" on chest-upper left chest

Above "Glory"; upper left chest

Under left collarbone

Right upper lung lobe

Right lung middle lobe

Right chest cavity

Left chest cavity

Right chest cavity

Left chest cavity

Right axilla (arm pit)

Left hand

Metal fragment located on February 11, 2019

Dr. Josselson performed an internal autopsy and removed expended bullets from McCoy.

Prepared By:

2053 DAILEY, STEPHANIE

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

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I did not collect blood at the autopsy. The Solano County Coroner's Office will maintain a blood sample from McCoy.

Detective Long, Investigator Eleopoulos and I left the coroner's office at approximately 1605 hours. I returned to the evidence section to book in evidence collected at the autopsy and download the photographs.

See coroner's report for additional information pertaining to where McCoy's injuries were including the cause of death.

PROPERTY BOOKED

2053-20-PHOTOGRAPHS FROM DAY 2 AUTOPSY FEBRUARY 12, 2019

2053-21-15 EXPENDED BULLETS AND A BULLET FRAGMENT FROM SOLANO COUNTY CORONER'S OFFICE

Stephanie Dailey
Senior Police Assistant
CSI #2053
Vallejo Police Department

Prepared By:

2053 DAILEY, STEPHANIE

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

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I reviewed Ofc.'s Thompson's body camera footage regarding this incident. Ofc. THOMPSON's footage is consistent with the interview I conducted with him on 2/10/19.

Ofc. THOMPSON starts recording at 10:49 pm 2/9/19, (2/10/19 06:50:27 UTC time) he is at the drivers side door of the suspect vehicle, Ofc. CANO is already on scene, drivers door, and has his weapon at a low ready pointed at the driver. THOMPSON immediately assess the situation and tells CANO that he, THOMPSON is going to open the door and grab the weapon, if the driver goes for the weapon, CANO knows what to do, 10:49:29pm.

10:49:48 THOMPSON sees that the vehicle is in drive, 10:49:51 THOMPSON tries the door handle and discovers the door is locked.

At 10:50:07 THOMPSON asks for another unit to block the suspect vehicle head on in the drive thru. At 10:40:34 Ofc GLICK arrives and proceeds into the exit of the drive thru and then THOMPSON orders a patrol car to be pulled closer to the rear bumper of the suspect vehicle. At 10:51:00 THOMPSON asks for the patrol Sgt. To respond to the scene.

At 10:51:22 you can see the driver start moving in the vehicle and officers began yelling at the suspect to put his hands up, show hands, Police department. While standing at the drivers door. At 10:51:24 shots start being fired, THOMPSON's arms move in front of his camera, at 10:51:27, THOMPSON's arms lower and he is now several feet away and toward the rear of the suspect vehicle. At 10:51:28 the last shot is fired, at 10:51:31 THOMPSON tells VPD dispatch that shots have been fired and start code 3 medic. At 10:51:39 THOMPSON approaches the drivers door again as officers are yelling at the suspect to show his hands. At 10:51:50 THOMPSON again tells dispatch that shots were fired and to start medic. 10:52:03 THOMPSON says on the radio that all officers are OK, the suspect is moving and not following commands. At 10:52:26 THOMPSON tells officers that he is going to unlock the drivers door, moves forward and does so. At 10:52:34 THOMPSON and officers pull the suspect from the vehicle, take him to the ground and handcuff the suspect. At 10:52:42 THOMPSON tells officers to start first aid on the suspect. At 10:53:04 THOMPSON again tells dispatch that the driver has been taken out of the vehicle, shots had been fired, officers were alright and to start medical code 3. At 10:53:23 Officers are seen administering first aid. At 10:53:53 THOMPSON tells officers to keep doing chest compressions and to apply chest seals to wounds. At 10:54: Sgt WYLIE appears in front of THOMPSON and THOMPSON says he is going to turn his camera off, the camera turns off at 10:54:18pm.

Prepared By:

509 YATES, SCOTT

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/20/2019



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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

S.Yates # 509

Prepared By:

509 YATES, SCOTT

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/20/2019

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590
SUPPLEMENT 25 - SUPPLEMENTAL REPORT

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENTSupplemental Report:

On 09 Feb 19 at about 2352 hours, I was contacted by (T-20) Sergeant S. Bower #552 regarding an officer involved shooting in the parking lot of Taco Bell, located at 974 Admiral Callaghan Lane. Sergeant S. Bower requested Officer K. Trimble #705 and I respond to assist with mapping the scene.

Officer K. Trimble and I arrived on 10 Feb 19 at approximately 0108 hours and mapped the scene using a Leica TS12 Total Station. The measurements contained in the factual diagram are approximate. See attached factual diagram for further.

A copy of the factual diagram was placed onto a Compact Disc-Recordable (CD-R) and later booked into the VPD Evidence Unit under evidence item #600-1.

Officer W. Boyce #600

Prepared By:

600 BOYCE, WAYLON

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

While conducting this investigation into (S) McCOY, I learned of a recent case filed against McCOY in San Francisco. Det. Sgt. Mustard contacted Sgt RANDY LY SFPD who was the investigator of the case. LY said the case had been filed, dismissed (Det. On vacation) and then refiled with a pending date for a preliminary hearing.

SFPD case number is 180248854. The following is a synopsis of the case. On 4/8/2018 at 1:30 am the victim (CV) was forcibly kidnapped off the "track" in the Mission District at 20th/Shotwell by her pimp (S) WILLIE J. McCOY II, for the purposes of commercial sex exploitation. McCOY was driving a silver Saturn CA license # [REDACTED] (later recovered in Vallejo) during this incident. McCOY intended to drive the victim to Los Angeles to traffic her. The victim managed to escape and ran away from her exploiter on the freeway. McCOY made explicit threats to kill the victim and her family with an assault weapon. McCOY is associated in this case with two other vehicles, a Porsche Cayenne [REDACTED] and silver Mercedes [REDACTED]

SF DA.'s office charged McCOY with 207 (a), 236.1 (b), 266h(a) and 422 P.C. Later in the day on 4/8/2018 Oakland Police served a search warrant at the residence of WILLIE McCOY II and seized several pistols and an assault rifle.

I booked a copy of the SFPD into evidence.

S.Yates # 509

Prepared By:

509 YATES, SCOTT

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

Report Date: February 10, 2019
Agency: Vallejo Police Department
Agency Case #: 19-1676
Crime: 187 PC
Location: 974 Admiral Callahan Dr.
TOC: 2236
Suspect: McCoy, Willie (DOB [REDACTED])

CRIME SCENE INVESTIGATION - SUPPLEMENTAL REPORT**OVERVIEW**

On February 10, 2019 (Saturday) at approximately 2300 hours I was contacted By Detective Sergeant Mat Mustard regarding an Officer involved shooting that just occurred in the drive-thru of the Taco Bell restaurant.

Sergeant Mustard requested that I respond to the scene along with Senior Police Assistant Stephanie Dailey #2053 to document the scene and collect evidence.

I responded to the scene and arrived at approximately 0005 hours on February 11, 2019 along with Senior P.A. Dailey and Sergeant Mustard.

Upon arrival I contacted Sergeant Kyle Wylie who was in charge of scene security along with several Vallejo PD Officers and Solano Sheriff's Deputies.

Sgt. Wylie walked us through the scene and advised that an individual had been passed out unresponsive behind the wheel of a Mercedes-Benz sedan with the vehicle in gear and running. Sgt. Wylie advised that arriving Officers discovered that the individual seated in the driver's seat had what appeared to be a handgun on his lap.

During the contact Vallejo PD Officers discharged their firearms at the suspect when he grabbed the firearm.

P.A. Dailey took overall photographs of the scene and of the deceased suspect.

At 0100 hours we then responded to the Vallejo Police Department for a briefing.

The Vallejo Police Department Traffic Unit responded to complete a "Total Station" diagram and measurements of the scene and the evidence collected. Refer to their report.

Prepared By:

486 BOTELLO, RICH

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

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After the briefing P.A. Dailey and I met with all Officers who were involved in the shooting incident.

P.A. Dailey took photographs of the Officers front, sides, back and hands. We then collected their duty weapons and they were photographed. Their duty weapons were unloaded and the magazine was removed from the duty weapon and also unloaded.

The live rounds from the magazine were counted to include the live round from the chamber of their duty weapon.

The duty weapon, magazine and live rounds were then packaged.

We also had each Officer remove their spare magazines from their duty belt and unload each magazine to count the live cartridges that were in each magazine.

We then responded to the Vallejo Police Evidence Section to drop off the Officer's duty weapons, then responded back to the scene arriving at approximately 0300 hours.

Detective Craig Long had advised that a search warrant for the silver Mercedes-Benz vehicle had been signed and that we were authorized to search the vehicle.

Placards were placed at items of evidence that were identified and P.A. Dailey took overall photographs of the scene with the placards in place. The items were later collected and packaged, then transported to the Vallejo Police Department Evidence Section and booked into evidence.

While on scene after the suspect's semi-automatic handgun was photographed, I picked up the handgun and removed the magazine. The magazine appeared to be an extended magazine with a capacity marking of (15) on the side of the magazine. There appeared to be (14) live cartridges loaded into the magazine.

I then opened the slide and locked it into the open position and there was a live cartridge in the chamber of the handgun. P.A. Dailey took photographs of this and then it was brought to the Evidence response vehicle to be secured. The semi-automatic handgun was a Smith and Wesson M&P C40 .40 caliber, S/N [REDACTED]. The handgun, magazine, and live cartridges were later booked into evidence.

Solano County Deputy Coroner Angie Hendry arrived on scene with a removal crew to take custody of (S) Willie McCoy. Refer to Solano County Coroners' report # 19-0138. Suspect McCoy had been determined deceased by Paramedic [REDACTED] at approximately

Prepared By:

486 BOTELLO, RICH

Date:

02/13/2019

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Date:

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111 AMADOR ST VALLEJO, CA 94590

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2300 hours via [REDACTED] at Kaiser Vacaville.

The vehicle was impounded as an evidence tow by [REDACTED].

EVENT DESCRIPTION

On February, 9, 2019 I was requested to respond to an Officer Involved shooting scene at the Taco Bell Restaurant, 974 Admiral Callahan Dr.

Upon arriving at the scene I noted the following: the scene had been secured by Vallejo PD Officers and Solano County Sheriff's Deputies. There was crime scene tape surrounding the area and parking lot of the Taco Bell and adjacent businesses.

I noted that there was a silver Mercedes-Benz 4-dr vehicle, Ca/ [REDACTED] facing North stopped at the entrance of the drive-thru still running and in gear. There was a marked Vallejo Police Department SUV facing South nosed up to the front bumper and another marked Vallejo Police Department SUV to the rear of the Mercedes-Benz to prevent escape.

I noticed that there was a male adult black lying on his back and bleeding from wounds and he was deceased. The male adult, later identified as Willie McCoy, was fully clothed and covered in a yellow blanket. There appeared to be multiple opened packages of emergency medical equipment on and around the male adult and they appeared to have been used.

I noticed that there were several expended bullet casings on the ground specifically around the drivers' side door area of the vehicle, to the left front fender area and into the shrub and decorative rock raised curb area separating the drive - thru entrance and the handicap parking stall to the west.

There were several expended bullets on the ground near the adult male, and I also noticed expended bullets in the door frame of the drivers' side door between the seat and the door. There was also an expended bullet in the vent area of the dashboard just in front of the steering wheel.

There were several bullet strikes in the front windshield of the vehicle, specifically on the drivers' side corner and from the front passengers' side corner. The drivers' side front door window also appeared to have been broken out.

The door to the vehicle was open, and I could see that there was a wallet on the driver's seat, a pair of green Nike Air Jordan shoes on the floorboard and a black semi-automatic handgun further down on the drivers' side floorboard near the pedals.

Prepared By:

486 BOTELLO, RICH

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

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These items were documented at the scene and collected. All items of evidence were transported to the Vallejo Police Department Evidence Section for booking.

EVIDENCE COLLECTED**Placard List:**

- 1- Expended casing, chrome, FC, 9mm caliber
- 2- Expended casing, chrome, FC, 9mm caliber
- 3- Expended casing, chrome, FC, 9mm caliber
- 4- Expended casing, chrome, FC, 9mm caliber
- 5- Expended casing, chrome, FC, 9mm caliber
- 6- Expended casing, chrome, FC, 9mm caliber
- 7- Expended casing, chrome, FC, 9mm caliber
- 8- Expended casing, chrome, FC, 9mm caliber
- 9- Expended casing, chrome, FC, 9mm caliber
- 10- Expended casing, chrome, FC, 9mm caliber
- 11- Expended casing, chrome, FC, 9mm caliber
- 12- Expended casing, chrome, FC, 9mm caliber
- 13- Expended casing, chrome, FC, 9mm caliber
- 14- Expended casing, chrome, FC, 9mm caliber
- 15- Expended casing, chrome, FC 9mm caliber
- 16- Expended casing, chrome, FC 9mm caliber
- 17- Expended casing, chrome, FC, 9mm caliber
- 18- Expended casing, chrome, FC 9mm caliber
- 19- Expended casing, chrome, FC, 9mm caliber
- 20- Expended casing, chrome, FC, 9mm caliber
- 21- Expended casing, chrome, FC, 9mm caliber
- 22- Expended casing, chrome, FC, 9mm caliber
- 23- Expended casing, chrome, FC, 9mm caliber
- 24- Bullet Jacket - Copper
- 25- Expended casing, chrome, FC, 9mm caliber
- 26- Expended casing, chrome, FC, 9mm caliber
- 27- Expended casing, chrome, FC, 9mm caliber
- 28- Bullet Jacket - Copper
- 29- Expended casing, SPEER 15 9mm Luger
- 30- Expended casing, chrome, FC, 9mm caliber
- 31- Expended casing, chrome, SPEER, 9mm caliber
- 32- Expended casing, chrome, FC, 45 caliber
- 33- Expended casing, chrome, FC, 9mm caliber

Prepared By:

486 BOTELLO, RICH

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

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- 34- Expended casing, SPEER, 9mm caliber
- 35- Expended casing, chrome, FC, 9mm caliber
- 36- Expended casing, chrome, FC, 9mm caliber
- 37- Expended casing, chrome, SPEER, 9mm caliber
- 38- Expended casing, chrome, FC, 9mm caliber
- 39- Expended casing, chrome, FC, 9mm caliber
- 40- Expended casing, chrome, FC, 9mm caliber
- 41- Expended casing, chrome, SPEER, 9mm caliber
- 42- Expended casing, chrome, SPEER, 9mm caliber
- 43- Expended casing, chrome, SPEER, 9mm caliber
- 44-SHOES - Nike Air Jordan, Green
- 45- Expended casing, chrome, FC, 9mm caliber
- 46- (S) Firearm: S&W 40C, S/N [REDACTED] .40 caliber, with magazine and (15) live cartridges
- 47- Expended casing, chrome, FC, 9mm caliber
- 48-Expended bullet - Copper
- 49- Expended casing, chrome, FC, 9mm caliber
- 50- Expended casing, chrome, FC, 9mm caliber
- 51- Expended bullet - Copper
- 52- Expended casing, chrome, FC, 9mm caliber
- 53- Expended bullet - Copper
- 54- Expended bullet - Copper
- 55- Expended bullet - Copper

Corporal R.A. Botello #486

Prepared By:

486 BOTELLO, RICH

Date:

02/13/2019

Approved By:

569 MUSTARD, MAT

Date:

02/18/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 28

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

I reviewed Ofc. GLICK's camera footage, it begins at 10:50:27 pm 2/9/19, (2/10/19 06:50:27 UTC) The video shows GLICK arriving on scene and driving in the exit of the Taco Bell driver thru.

10:50:51 GLICK stops/parks in front of the suspect vehicle. 10:50:55 GLICK exits his vehicle.

10:50:58 GLICK moves toward the front of his vehicle and Officers immediately begin yelling at the suspect to show his hands. At 10:51:00 GLICK is near the passenger side front fender of the suspect vehicle and the first shot is fired.

10:51:04 the last shot is fired, GLICK is still in the same position, 10:51:05 officers yell cease fire and the suspects vehicle has rolled forward coming to rest against GLICK's front bumper.

10:51:13 Officers begin yelling at the suspects to show his hands. At 10:51:20 Officers are concerned about crossfire and GLICK begins to move toward the rear of his vehicle, another officer can be seen moving with him and at 10:51:32 GLICK stops at the drivers side of the suspect vehicle, near his right front fender of his patrol vehicle.

10:52:00 THOMPSON is seen reaching for the drivers door, officers remove the suspect from the vehicle and GLICK covers the passenger compartment of the suspect vehicle.

10:54:23 GLICK approaches a silver vehicle stopped in the Taco Bell parking lot and asks if they are OK.

10:54:47 GLICK approaches another dark colored vehicle in the lot and confirms they are OK.

10:54:52 GLICK walks back to the suspect and the camera shows officers continuing life saving measures on the suspect.

10:56:13 GLICK walks to a station wagon in the parking lot and Sgt. Wylie is speaking with the driver, At 10:56:34 GLICK walks back to the scene officers are still doing CPR on the suspect, Sgt DARDEN pulls all the involved officers involved aside and insures they are OK, the recording ends at 10:57:18pm.

The recording is consistent with the statement GLICK provided in his interview on 2/10/19.

S.Yates # 509

Prepared By:

509 YATES, SCOTT

Date:

02/19/2019

Approved By:

569 MUSTARD, MAT

Date:

02/20/2019



VALLEJO POLICE DEPARTMENT

111 AMADOR ST VALLEJO, CA 94590
SUPPLEMENT 28

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VALLEJO POLICE DEPARTMENT

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

Officer CANO was operating VPD unit # 147 on the date of this incident. Unit # 147 is equipped with an in-car camera system, I reviewed the camera history activations on 2/9/19, the only activation was at 12:36pm by officer Hernandez. The vehicle shows no other activations on this date.

S.Yates # 509

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

On 2/20/2019 Det. LONG and myself went to [REDACTED]. And contacted [REDACTED] regarding a video of this incident he posted to social media, in turn the video was picked up and broad casted by local news channels. The following is a summary of an audio recorded interview with [REDACTED] at his residence, the recording was booked into evidence.

[REDACTED] said that he and his friend [REDACTED] went to Wing Stop, 972 Admiral Cal. Ln. Vallejo on 2/20/2019 at approximately 10:30pm. They went into the store for 20-25 minutes. They walked back out to [REDACTED] car parked in a stall facing east and ate. [REDACTED] said that he saw a police car arrive and then minutes later more officers arrived. [REDACTED] said he heard officers yelling and then shots. [REDACTED] said at first that he saw the suspect vehicle but then said he could not see the suspect vehicle because police vehicles were blocking it.

[REDACTED] said he could not see into the vehicle, could not tell how many people were in the car and could not see any movement in the suspect vehicle.

[REDACTED] said he was seated in the right front passenger seat of [REDACTED] vehicle and they were the only two were in the vehicle. [REDACTED] said that he had to look past [REDACTED] out his window and 30-40 yards away to where the scene was.

[REDACTED] said that he posted the video that was recorded by [REDACTED] to social media for "clout". [REDACTED] said he made no effort to contact police because he has let the media influence his perception of law enforcement and is afraid of the police. [REDACTED] apologized for not coming forward.

With [REDACTED] I drew a picture of where he said he was parked and where the incident took place. When finished [REDACTED] agreed that the picture was accurate. The picture was booked into evidence.

For the complete interview listen to the CD.

S.Yates # 509

ADDITIONAL PERSONS

Added: Witness - [REDACTED]

Prepared By:

509 YATES, SCOTT

Date:

02/20/2019

Approved By:

569 MUSTARD, MAT

Date:

02/20/2019



VALLEJO POLICE DEPARTMENT

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

ADDITIONAL PROPERTY

Item #56 added: Status: Evidence
1 Where [redacted] Was Parked
Item #57 added: Status: Evidence
1 Interview W/ [redacted]

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 31

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VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

On 2/20/19 Det LONG and I interviewed (W) [REDACTED] at his residence, [REDACTED]. During the interview [REDACTED] stated that he recorded the shooting at 974 Admiral Cal. Ln. On 2/9/19, an edited version was posted to the internet and later shown by local news. [REDACTED] said that what they shared was a 42 second edited clip of the 2m16s video he recorded. [REDACTED] provided the full length video to Det. LONG who downloaded the video to a DVD.

I reviewed the recording, the total recording length is 2m 16 s.

7 seconds [REDACTED] says there are 7 cops here.

11 seconds, can hear police yelling at suspect.

12-14 seconds shots fired.

28 seconds officers yelling to show hands.

1m03s officers yelling hands up.

1m50s [REDACTED] says 5 cops blasted their pistols

2m [REDACTED] says they told him to get out of the car.

2m04s [REDACTED] says don't know whats so hard about getting out of the car.

2m16s video ends.

S.Yates # 509

ADDITIONAL PERSONS

Added: Witness - [REDACTED]

Added: Witness - [REDACTED]

ADDITIONAL PROPERTY

Item #56 added: Status: Evidence

1 Where [REDACTED] Was Parked

Item #57 added: Status: Evidence

1 Interview W/ [REDACTED]

Prepared By:

509 YATES, SCOTT

Date:

02/20/2019

Approved By:

569 MUSTARD, MAT

Date:

02/22/2019

**VALLEJO POLICE DEPARTMENT**

111 AMADOR ST VALLEJO, CA 94590

SUPPLEMENT 32 - Review of Ofc. [REDACTED] BWC video/

Lab pick-up

Page 1

19-1676

VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

On 022119 I reviewed Ofc. [REDACTED] body worn camera footage from this incident. I interviewed Ofc. [REDACTED] the night of the shooting and he stated that as soon as he arrived on scene, another officer asked him to move a patrol car into the drive-through to block the suspect's vehicle from behind. Ofc. [REDACTED] said he got in the driver's seat of an unknown officer's car and parked it behind the suspect's silver Mercedes. He then said as he was getting out of the car he heard the shots fired.

I reviewed the video and the first 30 seconds had no audio due to the buffering. The video starts with Ofc. [REDACTED] in the driver's seat of patrol car. He parks the car and exits the vehicle and Ofc. [REDACTED] walks in front of him and they appear to be talking to each other. At 22 seconds into the video Ofc. [REDACTED] runs around the front of the car he just parked and to the driver's side of the suspect vehicle behind Ofc. Thompson and Ofc. Cano. It's at this point Ofc. [REDACTED] activates his camera as sound can now be heard.

At 1:10 he gives commands for the suspect to show his hands. At 1:29 Ofc. Thompson unlocks the driver's door of the Mercedes through the hole now there in the driver's window and the suspect is taken into custody.

Ofc. [REDACTED] goes to his car for his medical kit and comes back to provide first aid to the suspect and inspect his injuries and apply chest seals. Once medics arrive Ofc. [REDACTED] turns off his camera.

Cpl. Botello advised me the officers firearms were ready to be picked up from the San Mateo Crime Lab. I called and spoke with the lab and set an appointment for 022219 at 1100 hrs. for the firearms to be picked up.

Cadet [REDACTED] responded to the San Mateo Crime Lab and retrieved the guns. Cadet [REDACTED] me the guns to return to the officers.

Nothing further.

Det. R. Greenberg #618

Prepared By:

618 GREENBERG, ROB

Date:

02/21/2019

Approved By:

569 MUSTARD, MAT

Date:

02/26/2019

**VALLEJO POLICE DEPARTMENT**

Page 1

111 AMADOR ST VALLEJO, CA 94590
SUPPLEMENT 33 - Officer [REDACTED] AXON review.

19-1676

VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

I reviewed Officer [REDACTED] Axon video regarding his initial response/ arrival/ involvement. The Axon video is 6 minutes and 50 seconds long. In the Axon footage, it depicts [REDACTED] arriving, and running to the scene.

Once he arrives, the silver Mercedes Sedan is depicted parked in the Taco Bell drive-thru. The Mercedes has apparent bullet holes in the driver window. The shooting appears to have occurred prior to Officer [REDACTED] arrival. The video depicts Officer Thompson and another officer standing at the driver door. Officer Thompson and the officer standing next him are giving loud verbal orders to the occupant in the car. They have a light illuminating the driver window while Officer Thompson can be seen with his firearm pointed at the driver window.

Officer [REDACTED] also has his firearm directed at the vehicle. Officer Thompson verbalizes that he is going to attempt to open the driver door. He reaches through the hole in the window, unlocks the door and opens it. Once the door is opened, the driver window falls to the ground (1:04). As the occupant is being pulled from the vehicle, an officer's voice can be heard, "firearm on the floorboard".

Once the occupant is pulled from the vehicle, Officer [REDACTED] grabs the occupants arm. Officer Thomson can be heard, "we need to start first aid" (1:20). Officers on scene place the occupant in handcuffs and roll him onto his back. Officer [REDACTED] proceeds to coordinate with other officers with assessing the occupants injuries, and proceeds to conduct CPR (2:04). Life saving measures continue until relieved by medical personnel.

This is merely a summary, refer to Axon footage for further details.

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03/06/2019

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Date:

03/08/2019

**VALLEJO POLICE DEPARTMENT**

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SUPPLEMENT 34 - Taco Bell District Manager Interview

19-1676

VALLEJO POLICE DEPARTMENT CONTROL DOCUMENT

The week of 021819 I noticed the Taco Bell had been closed as the windows were covered with butcher paper and the signage had been removed from the building. I spoke with the manager of the tobacco shop nearby and he stated the store shut down suddenly due to the employees being harassed by friends and family members of (S)-McCoy. I attempted to call all employees that week and no one ever called me back after leaving messages.

On 022819 Det. Rose and I attempted to contact the employees of Taco Bell present the night of this shooting. I attempted to contact (W)-[REDACTED] and [REDACTED] at home. I spoke with [REDACTED] and he stated [REDACTED] was working at different store now and he wasn't sure which one she was at today. I asked for her phone number and he provided the same one I was given. I asked him to call her which he did and she didn't answer. I left another card and asked to have them call me when they returned home.

I attempted contact at (W)-[REDACTED] home. I spoke with [REDACTED] who stated she was working at the [REDACTED] [REDACTED] mentioned [REDACTED] was being harassed while at work and received death threats and was scared to return.

Det. Rose and I responded to [REDACTED] I spoke with the manager (M)-[REDACTED] and she stated [REDACTED] showed up for one day and has not been back to work since. She is not sure where any of the other store employees have gone since the store closed. I asked to contact the district manager and she provided me (M)-[REDACTED] contact information.

We went to (M)-[REDACTED] address and there was no answer. I left a card and she never called me back. I left several messages for (W)-[REDACTED]

I called [REDACTED] and left a message and I didn't receive a call back.

On 030619 I called [REDACTED] and was able to speak with him. The conversation was recorded and booked into evidence. For exact statement, refer to CD. [REDACTED] told me the following in summary:

[REDACTED] is a district manager for Taco Bell. [REDACTED]

[REDACTED] said the day after the shooting BMAs kept coming in to the store and asking the employees what happened and wanted to know who called the police. Several employees were asked why they didn't call security instead of the police. These BMAs were telling customers that the employees will kill them if they come to store. The parking lot was full of people constantly smoking marijuana and drinking alcohol.

[REDACTED] said these BMAs were identifying themselves as (S)-McCoy's family to the employees and they were scaring the employees with their aggressive behavior. [REDACTED] said people were blocking the drive thru and not letting customers or employees enter the drive thru or the lobby of the restaurant. [REDACTED] said for the next three days different groups of BMAs kept coming in the store and staring at the employees with "mad and scary" looks making the employees fear for their safety. [REDACTED] said he has several female employees who come in at approx. 0600 hrs. in the morning, BMAs would approach

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SUPPLEMENT 34 - Taco Bell District Manager Interview

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them aggressively asking what happened related to the shooting wanting to know why the police were called. [REDACTED] said several times they closed the lobby and only opened the drive thru so they wouldn't have any more problems in the store and to protect the employees who feared for their safety.

[REDACTED] said on the morning of 021419 he was speaking with a WMA who asked if it was okay for him to park in the lot. [REDACTED] told the man it was okay and talking to him when a BMA pulled up in a white car and began asking [REDACTED] about the shooting. He told [REDACTED] something similar to "you killed my brother." He told the man in the car he didn't want any problems and then the man specifically asked if [REDACTED] was working and he wanted to talk to him about calling the police. [REDACTED] said he doesn't know how this man knows [REDACTED] was the one who called the police. [REDACTED] told him no and the man left.

That same morning at approx. 0900 hrs. a BMA came into the store with a bag. He said the man ate and sat in the lobby for a long time. At approx. 1130 hrs. the man came up to the registers and pulled a gun out of his pants and began questioning the employees. [REDACTED] said he didn't point the gun at anyone, but was holding it in his hand while he questioned the employees. The male kept walking toward the front door and looking outside. At one point the BMA was outside long enough, one of the employees ran over and locked the doors.

[REDACTED] said he called 911 and the man came to the drive thru window. The man said he was leaving and asked that they hand him his bag he left on the table. [REDACTED] said a female employee named [REDACTED] grabbed his bag from the table and took it to the BMA at the window. She told [REDACTED] she saw another gun inside his bag as she handed it to him through the window and he left.

[REDACTED] said with continued harassment of employees and everyone fearing for their safety, [REDACTED] closed the store that day. He stated the lease on the building was set to expire at the end of April and they were closing that location at that time, however he closed the store for the safety of the employees and customers.

[REDACTED] said he does not have the cameras in the store anymore and the hard drive was taken by company management. I asked if he could still obtain it from the corporate office and he said he already tried, he doesn't know what happened to the camera system. I asked him to provide [REDACTED] contact information and he said he would call me back.

I looked at the last call at Taco Bell documented under incident number 1902140120. In that call employee [REDACTED] called 911 for a female customer in the parking lot. The female had locked her keys in her car. A BMA in the parking lot said he could shoot the window out for her and patted his waistband and the female saw the outline of a gun. I did not locate a call from [REDACTED] regarding the man in the store with a gun.

Nothing further at this time pending contact with [REDACTED]

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