

**INTERNAL AFFAIRS INVESTIGATION****#AR13-004****Sonoma County Sheriff's Office**  
**Internal Investigation Report**

INCIDENT TYPE: Administrative Review— Officer Involved Shooting	DATE OF INCIDENT: 10-22-13	DATE REPORTED: 10-22-13	FILE NUMBER: AR13-004
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EMPLOYEE: Deputy Sheriff Erick Gelhaus	DIVISION OR ASSIGNMENT: Patrol	WORK LOCATION: Main Office
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**SUMMARY OF COMPLAINT:**

This is an Administrative Review of an ‘Officer Involved Shooting’ that occurred on October 22, 2013, at approximately 1514 hours, near the intersection of Moorland Avenue and West Robles Avenue, in Santa Rosa, California.

Main office deputies were on routine patrol when they observed a male walking with what appeared to be an AK-47 assault rifle. The deputies activated the lights and sirens of their marked patrol vehicle and shouted commands at the male to drop his weapon. Instead, the male turned towards the deputies while also beginning to point the barrel of the weapon at the deputies. Both deputies feared for their lives, fearing they were going to be shot.

Since the male would not respond to commands and the deputies feared for their lives, one deputy fired his handgun at the male to stop his actions. The male was struck and fell to the ground. After checking on the male it was determined he needed medical assistance. The male was later pronounced deceased.

Santa Rosa Police Department and the District Attorney’s Office were asked to conduct a criminal investigation into what occurred, per the Sonoma County Law Enforcement’s Association “Employee Involved Fatal Incident Protocol.”

DIVISION ASSIGNED: Internal Affairs Unit	DATE ASSIGNED: 02-10-14	DATE COMPLETED: 05-14-14
INVESTIGATOR: Sergeant Larry Doherty	SUPERVISOR(S) REVIEW: Lieutenant Greg Miller	

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<b>VIOLATION (S):</b>	<b>REVIEWER'S FINDING:</b>	<b>REVIEWER'S FINDING:</b>	<b>REVIEWER'S FINDING:</b>
<b>ADMINISTRATIVE REVIEW:</b> <b>NO VIOLATIONS NOTED</b>			
	<b>SIGNED and DATED:</b>  Captain Glen Lawrence	<b>SIGNED and DATED:</b>  Captain Rob Giordano	<b>SIGNED and DATED:</b>  ASH Lorenzo Duenas

<b>DISPOSITION:</b>	
<b>SIGNATURE:</b>  Sheriff Steve Freitas	<b>DATE:</b>

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### Background Summary

On October 22, 2013, at approximately 1514 hours, Sonoma County Sheriff Deputies Erick Gelhaus and Michael Schemmel were driving (a marked patrol vehicle) northbound on Moorland Avenue, just south of the intersection of Moorland Avenue and West Robles Avenue, in Santa Rosa. Deputies Gelhaus and Schemmel were on routine patrol in what is commonly referred to as the Roseland area. Deputy Schemmel was driving the patrol vehicle. Deputy Gelhaus was in the passenger seat. The reason the deputies were doubled up as partners was due to Deputy Gelhaus being Deputy Schemmel's Field Training Officer (FTO).

While approaching the intersection, Deputies Gelhaus and Schemmel both observed a male subject walking on the sidewalk, just north of the intersection. The subject, later identified as Andy Lopez, was walking northbound on the sidewalk along the west side of Moorland Avenue (away from the intersection).



Overhead photo of the scene.

Deputy Gelhaus immediately recognized that Lopez was holding/carrying an AK-47 style assault rifle. Lopez was holding the rifle in his left hand, by the pistol grip, and the rifle was pointed towards the ground. Deputy Gelhaus immediately alerted Deputy

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Schemmel by stating loudly, "Do you see that?" Deputy Gelhaus didn't believe he had time to explain to Deputy Schemmel how an AK-47 round could/would cause serious injury as well as penetrate any coverage their patrol vehicle might provide.

Deputy Gelhaus immediately advised Dispatch he needed a "Code 20 two units," essentially asking for two additional patrol units immediately. While Deputy Gelhaus asked Dispatch for the "Code 20," Deputy Schemmel recognized Lopez was carrying the AK-47 style assault rifle. Deputy Schemmel believed Lopez was holding the rifle in his right hand, by the pistol grip. Deputy Schemmel drove northbound, through the intersection, and into the southbound lane, directing the front of the patrol vehicle towards Lopez' location.

Deputy Schemmel activated the patrol vehicle's emergency lights and siren (briefly) while parking over 60 feet from Lopez. When he placed the patrol vehicle into "park," he observed Lopez quickly glance back towards their location. By this time Deputy Gelhaus had already removed his seatbelt, removed his handgun from his holster, opened the passenger door, and began to exit the patrol vehicle. As Deputy Schemmel began to open his door, Deputy Gelhaus was already kneeling in the "V" of the passenger door of patrol vehicle and pointing his handgun at Lopez.

Deputy Gelhaus began to order Lopez to drop the gun (at least one time, possibly twice, per his statement). Deputies Gelhaus and Schemmel both saw Lopez stop and immediately turn to his right and look over his right shoulder towards both deputies. As Lopez turned towards the deputies, the barrel of the AK-47 style assault rifle began to ascend upward and towards them. Deputies Gelhaus and Schemmel both stated they feared for their lives believing Lopez was raising his rifle to shoot them.

Based on Lopez' failure to drop the rifle (per Deputy Gelhaus' commands) and his turning towards the deputies with the AK-47, Deputy Gelhaus fired his handgun at Lopez trying to stop his action—that is the perceived threat to the deputies' lives. Deputy Schemmel, who had turned off the siren, was just starting to aim his handgun at Lopez when the shots were fired.

Lopez dropped to the ground and eventually onto his back. Deputy Gelhaus then advised Dispatch shots had been fired, a suspect was down, and requested a "Code 3" medical response. Deputies Gelhaus and Schemmel remained behind their patrol vehicle as they gave Lopez repeated commands not to move. Both deputies remained in this position until Deputies Jensen and White arrived on scene.

Deputies Gelhaus, Jensen, and White then moved towards Lopez, who remained lying on his back. Deputy Gelhaus turned Lopez over and placed handcuffs on Lopez. Upon checking, Lopez was unresponsive and did not have a pulse. The handcuffs were immediately removed and CPR provided to Lopez by the deputies until Santa Rosa Fire Department personnel and later AMR medics arrived on scene. AMR medics pronounced Lopez deceased.

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### Complaint / Authorities

This investigation began after a deputy from the Sonoma County Sheriff's Office was involved in an "Officer Involved Shooting" incident at the intersection of Moorland Avenue and West Robles Avenue, Santa Rosa, California.

In the beginning of this investigation, there were no specific allegations of policy violations or misconduct on behalf of any Sonoma County Sheriff's Office employees. Therefore, there were no specific authorities to address; however, there are policies that govern some of the actions that were taken by employees. Based upon those policies, the actions of the employees will be examined to determine if the policies were followed or if any policy can be improved.

The following policy, procedures, or protocols will be reviewed:

#### Sonoma County Sheriff's Office 'Department-Wide Policy and Procedures':

Press Release Policy  
Radio Policy  
Critical Incident Debriefing/Defusing  
Major Incident Notifications  
Use of Force

#### Sonoma County Sheriff's Office 'Law Enforcement Division Policy:

304 Use of Firearms  
312 Authorized Firearms  
400 Patrol Functions

#### Sonoma County Law Enforcement Chief's Association:

Law Enforcement Employee-Involved Fatal Incident Protocol

Copies of the above listed policies, procedures, and protocols are attached to this report.

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Involved Parties—Deputy

Deputy Erick Gelhaus (as of October 22, 2013)



Sex: Male  
Race: White  
DOB: [REDACTED] (48 at the time of incident)  
Date of Hire: 08/26/89  
Collateral Assignments: Firearms Instructor, FTO, SOU  
Assignment: Patrol  
Post Certificates: Basic, 02/03/1993  
Intermediate, 06/26/1996  
Advanced, 05/03/2001

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Range Qualifications:

06/13 Instructor Prequalification  
09/26/13 Handgun/Shotgun

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### Involved Parties—Suspect

Andy Lopez (as of October 22, 2013)

Sex: Male  
Race: Hispanic  
DOB: [REDACTED] 13 at the time of incident)  
Address: [REDACTED] Moorland Avenue  
Santa Rosa, CA 95407  
POB: California

Physical: Height 5' 03"  
Weight 133 lbs.  
Eyes Brown  
Hair Black

Lopez had a marijuana joint (1.3 grams) on his person, which was collected by SRPD evidence technicians.

Forensic Pathologist Arnold Josselson listed "Gunshots to the chest and abdomen" as the cause of death. The autopsy report also revealed that Lopez had "THC" (marijuana) in his system at the time of his autopsy.



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### Investigation

On October 22, 2013, Internal Affairs Sergeants Darin Dougherty and Al Vernon responded to this officer involved shooting to familiarized themselves with the scene.

On February 10, 2014, Captain Glenn Lawrence asked me to conduct an internal administrative review of this incident. I was provided with the Santa Rosa Police Department's report (Case 13-13093—the Officer Involved Shooting Investigation). In reviewing the report, I deduced the following:

On October 22, 2013, at approximately 1514 hours, Deputies Erick Gelhaus and Michael Schemmel were driving northbound on Moorland Avenue, just south of the intersection of Moorland Avenue and West Robles Avenue, in Santa Rosa. Deputies Gelhaus and Schemmel were on routine patrol in what is commonly referred to as the Roseland area. Deputy Schemmel was driving the marked patrol vehicle. Deputy Schemmel was going through this Department's field training program, as he was recently hired.

While approaching the intersection, Deputies Gelhaus and Schemmel both observed a male subject walking just north of the intersection. The subject, later identified as Andy Lopez, was walking northbound on the sidewalk along the west side of Moorland Avenue.

Deputy Gelhaus immediately recognized that Lopez was holding/carrying an AK-47 style assault rifle. Lopez was holding the rifle in his left hand, by the pistol grip, and the rifle was pointed towards the ground. Deputy Gelhaus immediately alerted Deputy Schemmel by stating loudly, "Do you see that?" Deputy Gelhaus didn't believe he had time to explain to Deputy Schemmel how an AK-47 round could cause serious injury as well as penetrate any coverage their patrol vehicle might provide.

Deputy Gelhaus immediately advised Dispatch he needed a "Code 20 two units," essentially asking for two additional patrol units immediately. While Deputy Gelhaus asked Dispatch for the "Code 20," Deputy Schemmel recognized Lopez was carrying an AK-47 style assault rifle. Deputy Schemmel believed Lopez was holding the rifle in his right hand, by the pistol grip. Deputy Schemmel drove northbound, through the intersection, and into the southbound lane directing the front of the patrol vehicle towards Lopez' location.

Deputy Schemmel activated the patrol vehicle's emergency lights and siren while parking over 60 feet from Lopez. When he placed the patrol vehicle into "park," he observed Lopez quickly glance back towards their location. By this time Deputy Gelhaus had already removed his seatbelt, removed his handgun from his holster, opened the passenger door, and began to exit the patrol vehicle. As Deputy Schemmel began to open his door, Deputy Gelhaus was already kneeling in the "V" (space between the passenger door and patrol vehicle) pointing his handgun at Lopez.

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Both deputies had a clear and unobstructed view of Lopez. Deputy Gelhaus then ordered Lopez to drop the gun (at least one time, possibly twice, per his statement). Deputies Gelhaus and Schemmel both saw Lopez turn to his right. As Lopez turned towards the deputies, the barrel of the AK-47 style assault rifle began to ascend upward and towards the deputies. Deputies Gelhaus and Schemmel both stated they feared for their lives believing Lopez was raising the AK-47 to shoot them.

Based on Lopez' failure to drop the rifle (per Deputy Gelhaus' commands) and the appearance that Lopez was turning the AK-47 towards the deputies, Deputy Gelhaus fired 8 rounds at Lopez trying to stop his action—that is the perceived threat to the deputies lives. This all occurred within 10 seconds from when Deputy Gelhaus requested the additional units to shots being fired. 7 of the 8 rounds fired struck Lopez.

Lopez dropped to the ground and eventually onto his back. Deputy Schemmel, who had turned off the siren, exited the patrol vehicle and was just starting to aim his handgun at Lopez when the shots were fired.

Deputy Gelhaus advised Dispatch shots had been fired, a suspect was down, and requested a "Code 3" medical response. Deputies Gelhaus and Schemmel remained behind their patrol vehicle as they gave Lopez repeated commands not to move. Both deputies remained in this position until Deputies Jensen and White arrived on scene.

Deputies Gelhaus, Jensen, and White then moved towards Lopez, who remained lying on his back. Deputy Gelhaus kicked the AK-47 assault rifle away from Lopez. It was at that point when Deputy Gelhaus recognized the rifle was actually a replica as it was too light to be an actual AK-47 assault rifle.



A close-up comparison of an AK and the replica.

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Deputy Gelhaus turned Lopez over and placed handcuffs on him. Upon checking, Lopez was unresponsive and did not have a pulse. The handcuffs were immediately removed and CPR provided to Lopez until the Santa Rosa Fire Department (Engine 7580) and later AMR medics arrived on scene. AMR medics (Medic-755) pronounced Lopez deceased.



On October 22, 2013, at 2339 hours, Detectives Brian Boettger and Tim Hughes interviewed Deputy Erick Gelhaus. Present were Attorney Terry Leoni and John Noble, a Labor Relations Representative (Rains, Lucia, and Stern).

Deputy Gelhaus worked day shift and his call sign was E-32. Deputy Gelhaus was riding with his trainee, Deputy Mike Schemmel. Deputy Gelhaus basically stated the following:

Deputy Gelhaus and his trainee Deputy Schemmel were on patrol driving northbound on Moorland Avenue approaching the intersection of Moorland and West Robles Avenues. Deputy Schemmel was driving the marked patrol vehicle. Just north of the intersection, Deputy Gelhaus saw a male subject (later identified as Andy Lopez) walking northbound along the sidewalk on the west side of Moorland Avenue and just north of the intersection. A field was located next to the sidewalk.

Deputy Gelhaus immediately recognized that Lopez was carrying an AK-47 style assault rifle down by his side. Lopez was carrying the assault rifle with his left hand (by the pistol grip) and the rifle was pointed toward the ground. Deputy Gelhaus could also see the magazine in the rifle. Deputy Gelhaus was very descriptive about the AK-47 and its working parts, as he described observing the piston assembly and magazine attached to the rifle. When Deputy Gelhaus first saw Lopez, he was about 25 yards north of their location. Deputy Gelhaus did not see anything in Lopez's right hand.

Deputy Gelhaus immediately put over the radio "Code 20 two units" along with their location.

Deputy Gelhaus did not believe he had time to tell Deputy Schemmel his observations based on Deputy Gelhaus' knowledge and experience of an AK-47 assault rifle. This knowledge included the capabilities of an AK-47 round. Deputy Gelhaus wanted to ensure deputies began to respond prior to their contacting Lopez. Deputy Gelhaus believed Deputy Schemmel made the same observations based on Deputy Schemmel driving through the intersection and immediately into the southbound lane, stopping their patrol vehicle near and behind Lopez. Deputy Gelhaus estimated that upon stopping, they were approximately 10 to 20 yards from Lopez.

When Deputy Schemmel drove into the southbound lane and came to a stop, Deputy Gelhaus had already removed his seat belt, opened the passenger side door, and removed his handgun from his holster. When the patrol vehicle came to a complete

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stop, Deputy Gelhaus took up a position in the "V" (between the opened passenger door and the vehicle). Deputy Gelhaus pointed his handgun at Lopez.

Deputy Gelhaus ordered Lopez to drop the gun. Deputy Gelhaus believed he gave Lopez this command loud and clear and at least one time however he may have said it more than once. Lopez then began to turn towards the deputies. When Lopez turned to the right (and towards the deputies), Deputy Gelhaus saw the barrel of the assault rifle begin to rise upward and towards him and Deputy Schemmel. Deputy Gelhaus feared for his safety as well as that of Deputy Schemmel, since Deputy Gelhaus believed Lopez was "going to shoot at me or my partner."<sup>1</sup>

Based on Lopez' actions and his failure to respond to the commands given to him, Deputy Gelhaus fired his handgun several times at Lopez until he saw Lopez fall to the ground thereby stopping his actions. Deputy Gelhaus believed he fired his handgun at least 6 to 8 times.<sup>2</sup> Deputy Gelhaus then immediately advised Dispatch that shots had been fired and requested an ambulance. Deputy Gelhaus said when Lopez initially fell to the ground he was seated in an upright position.

Deputies Gelhaus and Schemmel remained behind the cover of their patrol vehicle until other units arrived. During this time, Deputy Gelhaus reloaded his handgun. Once Deputies Jensen and White arrived, they and Deputy Gelhaus approached Lopez. Deputy Schemmel remained behind as a cover officer while the deputies approached Lopez.

When Deputy Gelhaus approached Lopez, he noticed the AK-47 assault rifle was still near Lopez, so Deputy Gelhaus kicked the AK-47 assault rifle away from Lopez. It was at that point when Deputy Gelhaus recognized that the rifle was actually a replica as it was too light to be an actual AK-47 assault rifle.

Lopez was turned over onto his chest and placed into handcuffs. Deputy Gelhaus was escorted away from the scene by Deputy Hernandez. Lopez was ultimately pronounced dead at the scene by medical personnel.

For further information regarding this interview, refer to the transcribed copy in the binders provided by SRPD, under tab 5.



On October 22, 2013, at 2220 hours, Detectives Brian Boettger and Tim Hughes interviewed Deputy Michael Schemmel. Present were Attorney Terry Leoni and John Noble, a Labor Relations Representative (Rains, Lucia, and Stern).

Deputy Schemmel worked day shift and his call sign was E-32. Deputy Mike Schemmel was in the FTO program and his training officer was Deputy Gelhaus. Prior to coming to the Sheriff's Office,

<sup>1</sup> Deputy Erick Gelhaus statement, pg. 26 of 27, as found under tab 7.1.

<sup>2</sup> 8 rounds were actually fired.

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Deputy Schemmel worked for the Marin County Sheriff's Department for 11 years. Deputy Schemmel basically stated the following:

Deputies Gelhaus and Schemmel were on patrol in the area of Moorland Avenue and West Robles Avenue. They were northbound approaching that intersection. Deputy Schemmel was driving the marked patrol vehicle and Deputy Gelhaus was the passenger. Deputy Schemmel said his instructions from Deputy Gelhaus were to be as proactive and busy as possible.

While waiting for the vehicles ahead of them to stop so they could proceed (at the four way stop), Deputy Gelhaus said "You see that?" and directed Deputy Schemmel's attention towards Lopez.<sup>3</sup> Lopez was walking northbound on Moorland Avenue, north of the intersection, on the sidewalk west of the roadway. Deputy Gelhaus immediately grabbed their radio and put out an emergency Code 20 on the radio, gave their location, and drew his handgun out of his holster.

Deputy Schemmel stopped the patrol vehicle near the west curb, activated the emergency lights, and briefly activated the siren. Lopez was holding an AK-47 style assault rifle in his right hand, at his side, with the barrel facing towards the ground. Deputy Schemmel said as he was stopping the vehicle, unfastening his seatbelt, and placing it into "park;" Deputy Gelhaus quickly exited the patrol vehicle and began giving loud verbal commands to Lopez. Deputy Gelhaus told Lopez to "Drop the gun!"<sup>4</sup>

Deputy Schemmel stopped the patrol vehicle approximately "six vehicle" lengths behind Lopez. As they came to a stop, Lopez turned his head briefly glancing back towards the deputies' location. As Lopez turned his body to his right, the rifle muzzle was also turning towards the deputies. Deputy Gelhaus fired several rounds at Lopez just as Deputy Schemmel was drawing his handgun from his holster. After being shot, Lopez initially took a step back and then either knelt or fell to the ground. Knowing Lopez had a rifle, Deputy Schemmel feared for his and Deputy Gelhaus' safety, as Lopez turned towards them with the rifle.

Deputy Schemmel then broadcasted, "Shots fired."<sup>5</sup> Deputy Gelhaus requested Code 3 medical aid for Lopez. Deputy Schemmel and Deputy Gelhaus covered Lopez from behind the doors of their patrol vehicle until the other deputies arrived on scene. Deputy Schemmel provided cover when Deputy Gelhaus and other the other deputies contacted Lopez. Shortly after they handcuffed Lopez, the deputies began to provide CPR. Deputy Schemmel was eventually advised by SRPD detectives after his interview that the AK-47 assault rifle was a replica. Up to that point he believed it was an actual AK-47 assault rifle.

For further information regarding this interview, refer to the transcribed copy in the binders provided by SRPD, under tab 5.

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<sup>3</sup> Deputy Schemmel's statement, pg. 8 of 21, as found under tab 7.2.

<sup>4</sup> Ibid, pg. 9 of 21.

<sup>5</sup> Ibid.



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On October 22, 2013, Detective Andrew Riley spoke to Deputy Terry White. Deputy White worked day shift and his call sign was K-5. He responded to Deputy Gelhaus' Code 20 request.

Upon arriving with Deputy Jensen, Deputy White saw Deputy Gelhaus standing near his marked patrol vehicle. Deputies Gelhaus, Jensen, and White approached Lopez while Deputy Schemmel provided cover. Deputies Gelhaus and White holstered their handguns to handcuff Lopez. After checking for a pulse and finding none, Deputy White helped remove the handcuffs and provide CPR. When Deputy White first saw the rifle he believed it was a real AK-47, however upon closer examination (from a few feet away) he was able to determine the gun was a replica.<sup>6</sup>



On October 22, 2013, Detective Gregory Wojcik spoke to Deputy Bryan Jensen. Deputy Jensen worked day shift and his call sign was E-52. He also responded to Deputy Gelhaus' Code 20 request.

Upon arriving (about the same time as Deputy White), Deputy Jensen saw Deputy Gelhaus standing near his marked patrol vehicle. Deputies Gelhaus, Jensen, and White approached Lopez while Deputy Schemmel provided cover. Deputies Gelhaus and White holstered their handguns to handcuff Lopez. After checking for a pulse and finding none, Deputy Jensen helped remove the handcuffs. Deputy White then provided CPR. Deputy Jensen described the rifle he saw as an AK-47, never as a replica.<sup>7</sup>

Santa Rosa Police Department interviewed several witnesses in regards to this 'Officer Involved Shooting.' Some were interviewed on the day it occurred while others were interviewed several days afterwards. There were nearly one hundred citizens contacted. I have quoted a few witnesses who gave statements that were relevant to this investigation and seemed to provide the most significant information:

- [REDACTED] owned the AK-47 replica rifle that was carried by Lopez. When [REDACTED] loaned the rifle to Lopez, [REDACTED] told Lopez to be careful as the orange tip was broken. [REDACTED] said without the orange tip the rifle looked like a "real gun."<sup>8</sup> [REDACTED] was so concerned about the rifle, his cousin purchased some paint (on October 22, 2013) for [REDACTED] to paint the gun orange.
- [REDACTED] was driving northbound on Moorland Avenue, about 300 feet north of Todd Road, when he saw Lopez walking northbound on the west side of Moorland Avenue. According to [REDACTED], Lopez was carrying an AK-47 assault rifle. [REDACTED] said that while the rifle looked real, he figured it wasn't since no one

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<sup>6</sup> Deputy Terry White's statement, pg. 5 of 13, as found under tab 7.3.

<sup>7</sup> Deputy Bryan Jensen's statement, pg. 10 of 16, as found under tab 7.4.

<sup>8</sup> [REDACTED] statement, as found under tab 7.5.

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would carry around an AK-47 during the day especially while walking on the sidewalk. Since [REDACTED] had some of his windows shot out recently, he confronted Lopez about possibly doing it. Lopez denied the vandalism. [REDACTED] described Lopez as being either 15 or 16 years old.

- [REDACTED] was driving north on Moorland Avenue approaching the intersection of Moorland Avenue and West Robles Avenue. [REDACTED] observed a marked Sheriff's patrol vehicle directly behind his own. [REDACTED] drove through the intersection (northbound) and noticed a male subject, later identified as Lopez, walking with a rifle in his hands. [REDACTED] was startled and concerned based on the fact that he saw Lopez carrying a rifle and a Sheriff's patrol vehicle approaching behind [REDACTED]. Lopez was carrying the rifle in his left hand, down by his side, and with the barrel of the rifle pointed towards the ground. [REDACTED] described the rifle as an "AK-47 or something like that."

[REDACTED] rolled down his window and told Lopez, "Hey! Throw that thing away!"<sup>9</sup> Though [REDACTED] was about 15 feet away from Lopez, he did not respond to [REDACTED] and continued to walk northbound along Moorland Avenue. [REDACTED] believed something "bad" was going to happen since Lopez was carrying the rifle. As he drove on, [REDACTED] saw (through his rearview mirror) the Sheriff's patrol vehicle drive over towards Lopez and stop.

[REDACTED] believed the deputies also saw Lopez carrying the rifle. [REDACTED] then saw a deputy exit the patrol vehicle and fire 3 shots towards Lopez.

[REDACTED] did not observe or hear any further gunshots. [REDACTED] described Lopez as being 11 or 12 years old and described the rifle as possibly being fake, however, [REDACTED] was not sure.

- [REDACTED] who resides at [REDACTED] Moorland Avenue (north of Lopez' location), said he arrived home just prior to the shooting. [REDACTED] exited his vehicle and was carrying his infant son into his house. [REDACTED] saw Lopez walking on the sidewalk just north of the intersection of Moorland Avenue and West Robles Avenue. Lopez was walking next to the open field along the west sidewalk on Moorland Avenue towards [REDACTED] residence. [REDACTED] saw a patrol vehicle drive through the intersection and then in a diagonal manner blocking both the southbound and northbound lanes of Moorland Avenue. [REDACTED] heard the deputies "blip their siren" and turn their "...lights on."<sup>10</sup> [REDACTED] observed the deputies then exit their patrol vehicle, draw their guns, and heard a deputy order Lopez to "Put the gun down."<sup>11</sup> Lopez turned and faced the deputies. The deputies again ordered Lopez to "Put the gun down."<sup>12</sup> From [REDACTED] location and vantage point, [REDACTED] did not observe what Lopez was doing at this time nor did [REDACTED] see what Lopez might have been carrying. [REDACTED] then heard 5

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<sup>9</sup> [REDACTED] statement, pg. 5 of 18, as found under tab 7.7.

<sup>10</sup> [REDACTED] statement, pg. 2 of 14, as found under tab 7.8.

<sup>11</sup> Ibid, pg. 3 of 14.

<sup>12</sup> Ibid.

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gunshots. [REDACTED] said from the time when the deputies first activated their siren to the time of the gunshots was approximately 20 seconds. Between the times of the second command to drop the gun till when he heard gunshots was approximately 5 seconds.

- [REDACTED] was driving her mother's vehicle, with several other family members, directly behind Deputies Gelhaus and Schemmel's marked patrol vehicle. The patrol vehicle came to a stop at the intersection of Moorland Avenue and West Robles Avenue. The deputies then activated their lights and siren. [REDACTED] noticed a male walking on the sidewalk, on the west side of Moorland Avenue just north of the intersection. The patrol vehicle drove towards the male. Though she does not speak English well, [REDACTED] believed the deputies got out of their patrol vehicle and yelled, "Throw the gun."<sup>13</sup> Shortly thereafter she heard four shots. She believed both deputies fired their handguns. [REDACTED] pulled into her driveway, which is the residence on the [REDACTED] corner of [REDACTED] and [REDACTED]. From there she saw the deputies turn Lopez over and provide him CPR.
- [REDACTED] (mother), [REDACTED] and [REDACTED] (wife) were all passengers in the vehicle driven by [REDACTED]. They each gave essentially the same account as to what they observed as did [REDACTED] other than giving different accounts about how many shots were fired.
- [REDACTED] was visiting/staying with [REDACTED] when the shooting occurred. He recalled hearing shots being fired outside the residence. [REDACTED] went outside and stood on a raised porch. He saw a male laying on the ground and deputies, who were next to a marked patrol vehicle, yelling at the male. [REDACTED] does not speak English so he did not know what the deputies said. [REDACTED] saw a rifle, one that appeared to be real, lying next to the male. [REDACTED] described the rifle as being black with a wood colored stock.<sup>14</sup>

Nothing further at this time.

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<sup>13</sup> [REDACTED] statement, as found under tab 7.9.

[REDACTED] statement, as found under tab 32 of the SRPD investigation.



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### Conclusions and Findings

Based on what I have reviewed of the deputies actions and comparing them to the Sonoma County Sheriff Office's Policy and Procedures; I believe Deputy Erick Gelhaus acted appropriately considering the circumstances he faced on October 22, 2013.

Federal Case Law, *Graham v. Connor*, concludes in its findings that "The right to make an arrest carries with it the right to use objectively reasonable force. In determining whether force used by an officer is objectively reasonable, all of the facts and circumstances with which the officer was confronted are considered including:

1. The information available to the officer at the time of the incident;
2. The acts of the suspect;
3. Whether the suspect reasonably appeared to be a threat to the officer or to other persons;
4. The severity of the crime of which the individual was suspected.

Following those guidelines, Deputy Gelhaus' use of deadly force was reasonable based on Andy Lopez' actions of turning towards Deputies Gelhaus and Schemmel with an AK-47 assault rifle (based on what was believed by the two deputies at the time of the shooting).

California Penal Code Section 835a states:

"A peace officer who makes or attempts to make an arrest need not retreat or desist from his efforts by reason of the resistance or threatened resistance of the person being arrested; nor shall such officer be deemed an aggressor or lose his right to self-defense by the use of reasonable force to effect the arrest or to prevent escape or to overcome resistance."

Deputy Gelhaus believed his life as well as Deputy Schemmel's life was threatened. Based upon this section, Deputy Gelhaus had every right to protect himself with reasonable force, which in this case was shooting Lopez, as he failed to follow commands and turned towards Deputies Gelhaus and Schemmel with the rifle.

The following policy, procedures, or protocols were reviewed:

Sonoma County Sheriff's Office 'Department-Wide Policy and Procedure':

Press Release Policy  
Radio Policy  
Critical Incident Debriefing/Defusing  
Major Incident Notifications  
Use of Force

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### **Sonoma County Sheriff's Office 'Law Enforcement Division Policy:**

304 Use of Firearms  
312 Authorized Firearms  
400 Patrol Functions

### **Sonoma County Law Enforcement Chief's Association:**

Law Enforcement Employee-Involved Fatal Incident Protocol

Copies of the above list policies, procedures, and protocols are attached to this report.

### **Sonoma County Sheriff's Office 'Department-Wide Policy and Procedures':**

#### **Press Release Policy**

The purpose of this policy is to ensure that we, as a Department, provide a fair and consistent release of information regarding the Department's activity to the community. A press release was completed by the Santa Rosa Police Department, as they were the lead agency investigating this office involved shooting (and based on the protocol).

**Findings: No violation noted.**

#### **Radio Policy**

The purpose of this policy is to set guidelines for the radio system and the conduct of those using it. The radio system is designed to utilize the radio to communicate "calls for service, to enhance and support officer safety, to coordinate information and activity between field units, and to provide incident documentation."

A review of the deputies' use of the radio and this policy did not reveal any policy violations.

**Findings: No violation noted.**

#### **Critical Incident Defusing/Debriefing**

The purpose of this policy is to help members, who have been exposed to incidents that involve traumatic injury or death, with a means to minimize potential health problems by discussing and receiving support for their involvement in critical incidents. In this case, the critical incident was an officer involved shooting.

Deputy Gelhaus was made aware of the peer support program however he could not recall if he was made aware of the availability of a chaplain. He was aware there was a

## **INTERNAL AFFAIRS INVESTIGATION**

**#AR13-004**

debriefing and attended it. Deputy Gelhaus recalled being "ordered to attend" the debriefing by a lieutenant, however I could not confirm this.

The policy suggests that a debriefing should occur within three days, however based on circumstances beyond the CID Coordinator's control it did not occur until a few weeks later.

**Findings: No violation noted.**

### **Major Incident Notifications**

The purpose of this policy is to ensure that everyone who is required to be notified within the Department about a major incident be advised of such. In this case everyone was notified as required by this policy.

**Findings: No violation noted.**

### **Use of Force**

The purpose of this policy is to set up guidelines by which the use of force is employed by an officer. Whenever an officer uses deadly force, or is involved in a deadly encounter, their participation in that event will be the subject of intense scrutiny. Not only are the Department's policies considered, so too are the laws governing their use by state and federal authorities.

The policy states that:

"Deputies shall use only that amount of force that reasonably appears necessary, given the facts and circumstances perceived by the Deputy at the time of the event, to effectively bring an incident under control. "Reasonableness" of the force used must be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any interpretation of "reasonableness" must allow for the fact that Deputies are often forced to make split-second decisions in circumstances that are tense, uncertain and rapidly evolving-about the amount of force that is necessary in a particular situation."

There are several factors that are used to determine the reasonableness of force which the deputy applies, of which the following are applicable:

- (a) The conduct of the individual being confronted (as reasonably perceived by the Deputy at the time).
- (b) Deputy/subject factors (age, size, relative strength, skill level, injury/exhaustion and number of Deputies vs. subjects).
- (c) Influence of drugs/alcohol (mental capacity).
- (d) Proximity of weapons.

## INTERNAL AFFAIRS INVESTIGATION

#AR13-004

- (e) Time and circumstances permitting, the availability of other options (what resources are reasonably available to the officer under the circumstances).
- (f) Seriousness of the suspected offense or reason for contact with the individual.
- (g) Training and experience of the Deputy.
- (h) Potential for injury to citizens, Deputies and suspects.
- (i) Risk of escape.
- (j) Other exigent circumstance.

It is recognized that Deputies are expected to make split-second decisions and that the amount of a Deputy's time available to evaluate and respond to changing circumstances may impact his or her decision.

While various degrees of force exist, each Deputy is expected to use only that degree of force reasonable under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this policy.

In regards to when a deputy may use that force, and when it is justified, the policy states:

“A Deputy may use deadly force to protect him or herself or others from what they reasonably believe would be an immediate threat of death or serious bodily injury. “

On October 22, 2013, Lopez was carrying a replica firearm, which looked exactly like an actual AK-47 assault rifle (as shown in the picture on page 10). The firearm carried by Lopez was illegal, since the orange tip was missing and one is not allowed to carry/display an “imitation firearm” in public (16700 PC, 20170 PC, and 20175 PC). In fact, 417.4 PC specifically states “Every person who...draws or exhibits an imitation firearm...in a threatening manner against another in such a way as to cause a reasonable person apprehension or fear of bodily harm is guilty of a misdemeanor.” Deputy Gelhaus said he feared for his life and that of Deputy Schemmel. Deputy Gelhaus' use of force was appropriate based upon his observations and concerns.

Under this policy supervisors also play a role to ensure the application of force is reported. In this instance, Sergeant Brad Burke obtained the basic facts (public safety statement) of what occurred from those who were involved before the protocol was invoked.

**Findings: No violation noted.**

## INTERNAL AFFAIRS INVESTIGATION

#AR13-004

### **Sonoma County Sheriff's Office 'Law Enforcement Division Policy':**

#### **304—Use of Firearms**

The purpose of this policy is to ensure that there is an established procedure for the use and reporting of incidents involving the discharge of firearms. The policy states (like 300):

“A Deputy may use deadly force to protect him or herself or others from what they reasonably believe would be an immediate threat of death or serious bodily injury. “

It also ensures that a member of this Department who uses a weapon, in this case a handgun, successfully passes a Department approved qualification course.

Deputy Gelhaus, upon being questioned by his supervisor, provided a verbal account as to what happened. After being sequestered, he provided an interview to detectives about what transpired.

Deputy Gelhaus used the handgun he qualified with.

In further review of this policy, under sections 304.2 Reporting and 304.3 Investigations, it states that the involved deputy (who uses his firearms) as well as his supervisor shall write memorandums regarding the use and circumstances respectfully. The only exception is if the Sonoma County Law Enforcement Chiefs Association countywide Protocol 93-1 (commonly known as the 'Employee Involved Fatal Incident Protocol') is invoked, which it was.

SRPD detectives completed a criminal investigation of this matter and Internal Affairs investigators completed this administrative review. That investigation and review provide the details of the "circumstances surrounding the discharge of the firearm" by the deputy and an evaluation of "the circumstances of the firearm discharge[ed]" by the supervisor as required by this policy.

**Findings: No Violation noted.**

#### **312—Authorized Firearms**

The purpose of the policy is to ensure that firearms used by deputies are safe, well-maintained, have been authorized and approved by the Department, and with which the deputies have properly qualified.

Deputy Gelhaus used a Smith & Wesson M&P 9mm caliber handgun, which he not only qualified with but was authorized to carry by this Department. A copy of that authorization is in his personnel file.

**Findings: No Violation noted.**

**INTERNAL AFFAIRS INVESTIGATION**  
**#AR13-004**

**400—Patrol Functions**

The purpose of this policy is to define the functions of the Patrol Bureau. Deputies Gelhaus and Schemmel were patrolling in the Roseland.

**Findings: No violation noted.**

# Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

## Incident Information

Date/Time Reported 10/22/2013 15:14	Date/Time Occurred 10/22/2013 15:14	Date/Time Found 10/22/2013 15:14	Officer (SD1105) RAGAN, SABRINA
Incident Location MOORLAND AV / W ROBLES AV, SANTA ROSA, CA			Supervising Officer (SD402) FUSTON, MARK
Location Comments			
Case Status FURTHER INVESTIGATION			Disposition 962

## Incident Synopsis

Officer Involved Shooting. County-wide Protocol Invoked. SRPD lead agency.

## Charges

1	Charge Type	Description	Statute	UCR	Att
	State	EXHIBIT FIREARM IN PRESENCE OF PEACE OFFICER	417 (C) PC	13A	Com
Alcohol, Drugs or Computers Used " Alcohol " Drugs " Computers		Location Type HIGHWAY/ROAD/ALLEY	Premises Entered	Forced Entry " Yes " No	Weapons 1. Other Firearm 2. 3.
Entry	Exit	Criminal Activity			Hate Group
Bias Motivation		Bias Target	Bias Circumstances		

## Assisting Officers

(SD139) PEDERSEN, JOEL  
(SD146) BASURTO, CARLOS  
(SD348) ESSICK, MARK  
(SD371) PABROS, RICHARD  
(SD402) FUSTON, MARK  
(SD404) BORRUSO, SALVATORE  
(SD443) RAASCH, MIKE  
(SD515) BROWN, STEVE  
(SD535) MOLINARI, JOHN  
(SD548) FREITAS, GARY  
(SD599) BLENKER, JOHN  
(SD623) GELHAUS, ERICK  
(SD631) RYAN, JIM  
(SD653) BURKE, BRAD  
(SD684) WHITE, TERRY  
(SD789) ALTAMIRANO, HECTOR

# Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

## Assisting Officers

(SD923) HERNANDEZ, LLOYD

(SD938) BENYAK, JOHN

(SD968) PERCY, JAMES

(SD984) DESANTIS, TIM

(SD1007) TAIT, DAVE

(SD1021) VELLIS, TED

(SD1090) NEELY, JACK

(SD1396) MIDDLETON, MIKE

(SD1415) PROVOST, MARK

(SD1416) LITTLE, JASON T

(SD1456) RUSSELL, RYAN

(SD1484) ENGRAM, EDDIE

(SD1501) SALKIN, ERIC

(SD1536) FLETCHER, DONALD M

(SD1589) KOEPPPEL, TRAVIS J

(SD1627) HANSHEW, JESSE J

(SD1796) STEFANI, JEREMY J

(SD1813) FOWLER, JAYSON J

(SD1902) MASON, MICHAEL G

(SD2001) TURNEY, JERRY

(SD2172) FOMASI, JOHN

(SD2204) MCCracken, SCOTT

(SD2240) SCHEMMEL, MICHAEL A



## **Incident/Investigation Report**

**Agency:** Sonoma County Sheriff's Department

**Case Number:** 131022-017

### **Narratives**

On 10-22-13 at approximately 1514 hours, SCSO Deputies responded to a request for emergency backup needed for shots fired in the area of West Robles Ave and Moorland Avenue in Santa Rosa. Deputies Gelhaus and Schemmel encountered a subject armed with a rifle.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/22/2013 17:44:35	FOLLOW UP	(SD2001) TURNEY, JERRY
Contact Name		Supervising Officer
		(SD919) FOCHA, CECILE

962

### Supplement Narrative

This supplemental report contains details of my actions at the crime scene.

#### SUPPLEMENTAL NARRATIVE

On 10-22-2013, at 1515 hours, I responded to the area of Moorland and West Robles Avenues, Santa Rosa, to assist at the scene of a Deputy involved shooting. I responded code 3 from downtown Sebastopol, and arrived on the north side of the scene (Moorland Avenue) at about 1526 hours. My call sign was K3, and assigned as the Resident Deputy out of Bodega Bay.

I parked my patrol car outside of the taped off crime scene, and contacted Sgt. Fuston for assignment.

After assisting in taping off any open areas on the north side of the perimeter I was directed to begin a crime scene log, but was relieved of that responsibility by Deputy Terry White.

The main entry/exit point was the south side of the perimeter of the crime scene on Moorland Avenue, so I maintained a position outside the tape on the north side of Moorland Avenue as security. I did not enter the crime scene.

I was relieved at 1605 hours by Deputy Lloyd Hernandez, and directed to the Guerneville area to handle routine calls for service.

Attach to original report.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/22/2013 18:00:00	FOLLOW UP	(SD923) HERNANDEZ, LLOYD
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

On 10/22/13 at about 1514 hours, while working uniform patrol, I responded to a radio transmission of officer needs assistance (Code 20) at the intersection of Moorland Avenue and West Robles Avenue. While responding a second transmission indicated shots fired. I responded code-3 from the Bennett Valley area.

On arrival I contacted Deputy E. GELHAUS who was standing near his patrol car. I noticed Deputy GELHAUS had, what appeared to me to be blood, on both hands. Not knowing if Deputy GELHAUS was injured I had him wash his hands so I could check for injuries.

I had Deputy GELHAUS wash his hands with my bottle water then sterilized his hands with disinfectant. I did not see any injuries which he confirmed he was not injured. I stayed with Deputy GELHAUS until Deputy J. RYAN sequestered Deputy GELHAUS.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/22/2013 18:00:42	FOLLOW UP	(SD938) BENYAK, JOHN
Contact Name		Supervising Officer
		(SD919) FOCHA, CECILE

962

### Supplement Narrative

On 10/22/2013 at approximately 1514 hours, I was completing my civil notice to vacate duties when I heard over the Sheriff's one radio channel a Code 20 called by a Sheriff deputy local unit. The Code 20 was at West Robles Avenue and Moorland Ave., with deputies involved with shots fired and a suspect down.

I proceeded Code 3 to that location arriving at approximately 1525 hours, on Moorland Avenue just south of the intersection of West Robles Avenue. Sgt. Burke was on scene and directing deputies on crime scene preservation and control.

I assisted PCI Detective Ryan Russell, D-12, with putting up crime scene tape around the field from West Robles Avenue to Horizon Way, and then from the corner of West Robles Avenue north on Horizon Way to Gold Dust Way. I then walked back to the intersection of West Robles Avenue and Moorland Avenue, and observed that a Major Incident Log was being taken care of by Deputy Nick Maikranz. I signed the log at 1535 hours.

I assisted other deputies at the intersection of West Robles Avenue and Moorland Avenue with the residents who were trying to come and go from West Robles Avenue east of Moorland Avenue.

At 1610 hours, Sgt. Burke released me from the Officer Involved Shooting scene.

No further information at this time.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/22/2013 18:02:33	FOLLOW UP	(SD1007) TAIT, DAVE
Contact Name		Supervising Officer
		(SD919) FOCHA, CECILE

962

### Supplement Narrative

On 10-22-2013, at 1537 hrs, I arrived at 298 West Robles Avenue and maintained an outer perimeter to the crime scene as well as security to the Command Post.

At 1730 hrs, Sergeant Burke authorized my departure as a SRPD Officer took over my position since their agency was taking over the primary investigation, per standard protocol.

Nothing Further-

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/22/2013 20:12:54	FOLLOW UP	(SD789) ALTAMIRANO, HECTOR
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

On 10/22/13 at approximately 1506 hours, Deputy N. Maikranz and I responded to Moorland Ave. at West Robles Ave. in Santa Rosa, Ca. to assist with this investigation.

Upon our arrival, we assisted with the scene security and eventually were relieved by Deputy J. Blenker at 1610 hours from our detail. NFI.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/22/2013 21:21:39	FOLLOW UP	(SD1484) ENGRAM, EDDIE
Contact Name		Supervising Officer
		(SD919) FOCHA, CECILE

962

### Supplement Narrative

On 10/22/13 at approximately 1514 hours I responded to a request for emergency back up in the area of West Moorland Avenue and West Robles Avenue. As I responded to the scene, the deputies on scene broadcast that shots were fired.

When I arrived on scene, I saw Deputy Gelhaus with blood on his hands and Deputy Schemmel was wearing gloves. I also observed an unknown male on the ground face up and what appeared to be an AK47 rifle on the ground nearby. Deputy Gelhaus advised there were no other suspects so I began to assist with crime scene management and at 1523 hours advised Sheriff's Dispatch that Medical was on scene.

I was directed to monitor the perimeter at Horizon Way and Gold Dust Way. I maintained that position until an Officer from the Santa Rosa Police Department relieved me.

-Nothing Further-

# Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/22/2013 21:42:39	FOLLOW UP	(SD1021) VELLIS, TED
Contact Name	Supervising Officer	
	(SD919) FOCHA, CECILE	

962

## Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	1	[REDACTED]	W	M
Address		DOB	Age	Cell Phone
[REDACTED] MOORLAND AV, SANTA ROSA, CA 95407		[REDACTED]	71	[REDACTED]
Employer Name/Address			Home Phone	
			Business Phone	

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	2	[REDACTED]	W	M
Address		DOB	Age	Cell Phone
[REDACTED] MOORLAND AV, SANTA ROSA, CA 95407		[REDACTED]	46	[REDACTED]
Employer Name/Address			Home Phone	
			Business Phone	

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	3	[REDACTED]	W	M
Address		DOB	Age	Cell Phone
[REDACTED] MOORLAND AV, SANTA ROSA, CA 95407		[REDACTED]	79	[REDACTED]
Employer Name/Address			Home Phone	
			Business Phone	

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	4	[REDACTED]	H	M
Address		DOB	Age	Cell Phone
[REDACTED] MOORLAND AV, SANTA ROSA, CA 95407		[REDACTED]	19	[REDACTED]
Employer Name/Address			Home Phone	
			Business Phone	



## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Narrative

On 10/22/2013, at 1515 hours, I responded to the area of Moorland and West Robles Avenues, Santa Rosa, to assist at the scene of a Deputy involved shooting. I responded code 3 from the Town of Windsor and arrived on the north end of the scene.

When I arrived I was assigned to begin a canvass of nearby residences for any witnesses. I made contact or attempted contact at the following addresses:

█████ Moorland Avenue, Santa Rosa - I contacted resident █████ and he told me, "I was taking a nap and woke up to five or six gunshots." When I asked █████ if he saw anything he told me, "The only thing I saw was them pull a rifle from under the guy when they rolled him over." █████ had no other information to obtain and the contact was terminated.

█████ Moorland Avenue, Santa Rosa - I contacted resident █████ and he told me, "I was watching a movie and heard about six shots." When I asked █████ if he saw anything he told me, "Well, after I heard the shots I made my way out to the street and was told to go home by a Santa Rosa Cop." █████ had no other information to obtain and the contact was terminated.

█████ Moorland Avenue, Santa Rosa - I contacted resident █████ and he told me, "I'm really hard of hearing. I didn't hear or see anything. I don't even know what's going on." █████ had no information to obtain and the contact was terminated.

█████ Moorland Avenue, Santa Rosa - I attempted contact, but no one answered the door.

█████ Moorland Avenue, Santa Rosa - I contacted resident █████ and he told me, "I was in my backyard and heard about five or six gunshots." When I asked █████ if he saw anything he told me, "No, I walked out front to see what was going on and saw all you guys and went back to my yard." █████ had no other information to obtain and the contact was terminated.

After my contact at █████ Moorland Avenue, Santa Rosa, I was released from the scene and assigned to respond to calls for service in the north end of the county.

Nothing further to report.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/22/2013 22:07:44	FOLLOW UP	(SD1813) FOWLER, JAYSON J
Contact Name		Supervising Officer
		(SD919) FOCHA, CECILE

962

### Supplement Narrative

On 10/22/2013, at approximately 1515 hours, I responded to the area of Moorland Avenue and West Robles Avenue, Santa Rosa to assist at a scene of a Deputy involved shooting. I and several WPD Deputies responded Code-3 from WPD and arrived a short time later.

While on scene I was tasked with assisting with a neighborhood canvass. I attempted contact at the following addresses:

■ Moorland Ave: no response, appeared no one was home

■ Moorland Ave: no response, appeared no one was home

I contacted the resident at ■ Moorland Ave, ■ who stated he arrived home at approximately 1400 hours from shopping with his 3 year old child, ■ at Costco. At approximately 1510 hours ■ was out in the rear garage of his residence and heard what he thought was gun shots. ■ stated he "thought it was an automatic weapon" because he heard approximately ten shots in rapid succession. I asked ■ if he heard any yelling or other commotion and he stated he did not, just the suspected automatic gunfire.

After completing my portion of the canvass, I was released from the scene by Sgt. M. Fuston.

Nothing further.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/22/2013 22:22:56	FOLLOW UP	(SD1105) RAGAN, SABRINA
Contact Name		Supervising Officer
		(SD919) FOCHA, CECILE

962

### Supplement Narrative

On 10-22-13 at approximately 1514 hours, I responded to a request for emergency backup needed in the area of West Robles Ave and Moorland Avenue in Santa Rosa. While en-route I heard Deputy Gelhaus broadcast "Shots fired".

At approximately 1520 hours, I arrived on-scene and took a position at Gold Dust Way near Horizon Way. I assisted in assuring no unauthorized persons entered the crime scene area.

At approximately 1749 hours, I was relieved of my position by a Santa Rosa PD Officer Jeff Travers and transported Deputy Jensen to the Sheriff's Office.

Nothing further

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 01:20:51	FOLLOW UP	(SD1941) CRABB, ROBERT J
Contact Name		Supervising Officer
		(SD919) FOCHA, CECILE

962

### Supplement Narrative

On 10/22/13 I responded to the scene at Moorland Ave and West Robles Ave to relieve Deputy Blenker. I arrived at 2120 hours and took over the Major Incident Access Log at 2122 hours. I maintained the scene log until the scene was released at 2155 hours. I later booked the access log into SCSD Evidence.

Nothing Further

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 08:00:15	FOLLOW UP	(SD599) BLENKER, JOHN
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

This supplement is being submitted to provide information regarding what I was tasked to do at the scene of an officer involved shooting.

On 10-22-2013 at approximately 1555 hrs I heard a Code 20 on the Radio from Deputy Gelhaus after he had contacted a suspicious person. A short while later Deputy Gelhaus advised over Sheriff's radio that shots were fired. I went to the location of East Robles and South Moorland to assist as need on crime security. I responded to this call from the Geyserville area.

I arrived at the location at approximately 1600 hrs and relived Deputy Maikranz of crime scene duties. Over the next several hours I monitored investigators coming and going from the crime scene and made sure no unauthorized persons entered the scene. I had each person entering the scene fill out their name rank and reason for entering the scene. I did not enter the scene while working this assignment. I was relieved at 2130 by Deputy Crabb. Upon being relieved by Deputy Crabb I turned over all log documentation to him. I then left the area and went off duty. No further information.

# Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 08:08:43	FOLLOW UP	(SD1536) FLETCHER, DONALD M
Contact Name	Supervising Officer	
	(SD146) BASURTO, CARLOS	

962

## Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
1		W	M		29
Address		Cell Phone		Home Phone	
MOORLAND AV, SANTA ROSA, CA 95407					
Employer Name/Address				Business Phone	
Witness Type					

Witness Notes

## Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)	Race	Sex	
Contacted	5		W	M	
Address		DOB	Age	Cell Phone	Home Phone
MOORLAND AV, SANTA ROSA, CA 95407			56		
Employer Name/Address				Business Phone	

Name Code	Seq. #	Name (Last, First, M)	Race	Sex	
Contacted	6		A	F	
Address		DOB	Age	Cell Phone	Home Phone
MOORLAND AV, SANTA ROSA, CA			53		
Employer Name/Address				Business Phone	

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Narrative

On 10-22-13, at approx. 1514 hours, PCI Sgt. Raasch, Detectives` Percy & Russell and I were conducting follow-up at [REDACTED] Hewett Steet in Santa Rosa.

I was on the phone with SCSO Dispatch and heard the dispatcher say "Shots fired." Dispatch disconnected the line and we immediately responded to the area of Moorland Avenue @ W.Robles to assist SCSO Deputies who had broadcasted the "Shots fired."

We arrived on scene at approx. 1521 hours and observed several SCSO Deputies tending first aid to a handcuffed subject who was laying down in the field west of the west Moorland Avenue side walk. I observed an object on the ground east of the subject that appeared to be an "AK" Assault Rifle. The stock, fore end, and pistol grip were brown and the barrell and "banana" magazine were black.

I assisted with crime scene control until asked by Sgt. Fuston to escort the parents of witness [REDACTED] back to [REDACTED] residence at [REDACTED] Moorland Avenue to pickup [REDACTED] infant son. I contacted [REDACTED] parents [REDACTED] on W. Robles Ave. @ the Railroad tracks. I escorted [REDACTED] and [REDACTED] to the rear of [REDACTED] Moorland Avenue outside the inner crime scene to pickup [REDACTED] son. I supervised the child exchange and escorted [REDACTED] with their grandson back to W. Robles Ave. @ the railroad tracks.

At approx. 1600 hours, we were relieved from the scene.

Nothing further.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 08:31:36	FOLLOW UP	(SD984) DESANTIS, TIM
Contact Name		Supervising Officer
		(SD1112) EATON, VANCE

962

### Supplement Narrative

On 10-22-2013 at 1315 hours, I responded to the shots fired incident at West Robles and Mooreland Ave.

1532 hours, I arrived on scene and began a road closure at West Robles Ave and the Railroad Tracks located to the west of Horizon Way.

All access to the area was restricted to Law Enforcement personnel only at this time.

1807 hours, I was relieved by the Sonoma County Road Department crew that was handling the road closure with SRPD officers controlling the inside perimeter area.



## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 08:39:05	ATTACHMENT ADDED	(SD371) PABROS, RICHARD
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

On 10-22-2013, at 1525 hrs, I arrived at [REDACTED] West Robles Avenue and maintained an outer perimeter to the crime scene as well as security to the Command Post.

At approximately 1730 hrs, Sergeant Burke authorized my release over my position to SRPD.

Nothing Further.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 08:43:13	FOLLOW UP	(SD968) PERCY, JAMES
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

SUPPLEMENTAL REPORT RE 131022-017

Sonoma County Sheriff's Office

Detective J Percy

#### NARRATIVE:

On 10-22-2013 at approximately 1514 hrs, Sgt Raasch, Detectives Russell, Fletcher and I were at an unrelated Santa Rosa residence conducting follow-up on an unrelated case when Detective Fletcher advised there were "shot's fired." Detective Fletcher was on the phone with Sheriff's dispatch when he learned this. Sgt Raasch, Detectives Russell, Fletcher and I responded in our unmarked Sheriff's vehicle to the area of Moorland Ave and W. Robles Ave where the incident was reported to have occurred.

At approximately 1521 hrs, we arrived on scene. I parked our Sheriff's vehicle on Moorland Ave, at the north/east corner of the open field that is located at the corner of Moorland Ave and W. Robles Ave. I immediately observed a marked Sheriff's Office patrol car facing N/B in the S/B traffic lane of Moorland Ave, just north of W. Robles Ave. I could see a subject lying on the ground, off to the right (west), between my location and the patrol vehicle. The subject was on the west-side sidewalk, and uniformed deputies appeared to be rendering first aid. I removed latex gloves from my vehicle and ran up to the subject down.

At that time, Deputy T. White was rendering first aid by performing chest compressions on the subject. The subject appeared to be young Hispanic male juvenile, and he appeared lifeless. I did not observe any physical injuries. Fire/EMS arrived on scene and resumed medical treatment. Shortly after, I learned that the subject was pronounced dead. I observed a black and brown colored AK-47 assault rifle (or similar) with a high capacity magazine loaded in it. I observed the rifle on the ground between the subject and the street. The firearm appeared real. I assisted by placing crime-scene tape around the perimeter of the field. Sgt Raasch, Detectives Russell, Fletcher and I left at 1600 hrs.

Nothing further

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 08:54:44	FOLLOW UP	(SD1456) RUSSELL, RYAN
Contact Name		Supervising Officer
		(SD443) RAASCH, MIKE

962

### Supplement Narrative

Detective Ryan Russell  
Sonoma County Sheriff's Office  
Property Crimes Investigations

On 10/22/13, at approximately 1514 hrs., Sgt. Raasch and Detectives` Fletcher, Percy and I were on Hewitt Street in Santa Rosa conducting follow up on an active property crimes investigation. Detective Fletcher was on the phone with sheriff's dispatch and informed me of a "Shots fired" call. Sgt. Raasch, Detectives` Fletcher, Percy and I responded to the area of Moorland Ave. and W. Robles Ave. in Detective Percy's unmarked county vehicle.

At 1521 hrs., we arrived on scene. I saw two sheriff's patrol vehicles parked on Moorland Ave., just north of W. Robles Ave. One of the vehicles was parked in the northbound lane of Moorland Ave., while the other was parked in the southbound lane. Both patrol vehicles were facing a northern direction. To the north west of the patrol vehicles, I saw a subject lying on the sidewalk. The subject was being tended to by uniformed Deputies, who were administering first aid.

Approximately twenty feet away from where the subject was being treated by Deputies, I saw an AK-47 lying on the ground. I alerted Detective Fletcher about the gun lying on the ground. I then took a second look at the AK-47 and believed that then gun might not be an authentic AK-47 and possibly some sort of replica or BB gun. I never touched the gun and proceeded to establish a crime scene by stringing up crime scene tape around the perimeter of the scene.

At 1600 hrs., Sgt. Raasch, Detectives Fletcher, Percy and I left the scene.

Nothing further.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 08:56:45	FOLLOW UP	(SD631) RYAN, JIM
Contact Name		Supervising Officer
		(SD1112) EATON, VANCE

962

### Supplement Narrative

On 10/22/2013 at approximately 1514 hours, I heard Dep. Gelhaus requesting a emergency assistance at Moorland Ave. and West Robles Ave. I responded from the Sheriff's Main office along with my trainee, Dep. Stefani.

I responded into the scene from N/B Mooreland Ave. from Todd Rd. As we arrived on scene I noticed Dep. Gelhaus` and Dep. Schemmel`s patrol car facing N/W on Mooreland Ave, adjacent from a dirt lot. I had heard Dep. Gelhaus on the radio earlier reporting "shots fired". I noticed from a distance what appeared to be a suspect down, with Medic`s attending to the suspect.

I noticed several areas that needed to be cordoned off to establish a crime scene perimeter. I had Dep. Stefani use yellow Sheriff`s barrier tape to cordon off Horizon Wy. at West Robles Ave. and at the intersection of Horizon Wy. at Gold Dust Wy. After several minutes, I responded back down to the corner of West Robles Wy. and Moorland Ave. meeting up with Dep. Gelhaus for a sequestering assignment. I directed trainee Dep. Stefani to remain on scene with F.T.O. Dep. Engram for any further assistance. I then transported and sequestered Dep. Gelhaus from the scene to [REDACTED] Santa Rosa. I remained with Dep. Gelhaus until his interview with the investigating agency (SRPD) was completed. I then transported him back to the Sheriff`s main office for our end of shift at approx. 0100 hours 10/23/2013.

-nothing further-

# Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 14:07:26	FOLLOW UP	(SD1396) MIDDLETON, MIKE
Contact Name	Supervising Officer	
	(SD1351) NAUGLE, JAMES M JR	

962

## Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	7		H	M
Address		DOB	Age	Cell Phone
APRICOT LN, SANTA ROSA, CA 95407			18	
Employer Name/Address			Home Phone	
Business Phone				
Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	8		H	F
Address		DOB	Age	Cell Phone
APRICOT LN, SANTA ROSA, CA 95407			45	
Employer Name/Address			Home Phone	
Business Phone				
Name Code	Seq. #	Name (Last, First, M)	Race	Sex
Contacted	9		H	F
Address		DOB	Age	Cell Phone
APRICOT LN, SANTA ROSA, CA 95407			27	
Employer Name/Address			Home Phone	
Business Phone				

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Narrative

SCSO CASE # 131022-017  
DEP. MIKE MIDDLETON #1396  
SUPPLEMENTAL REPORT

On 10-22-2013, at approximately 1516 hours, I responded from the Windsor Police Department to assist with an Officer involved shooting in the area of West Robles Avenue and Moorland Avenue. Due to heavy traffic it took several minutes for me to arrive on scene. When I arrived numerous SCSO and SRPD units were already on scene and the area had been secured.

I assisted in a canvass of residences in the area north of the scene. A summary is as follows:

■■■■ NEWMARK DRIVE - this residence is on the southeast corner of the intersection of Newmark Drive and Moorland Avenue. No one was home at the residence.

■■■■ APRICOT LANE - This residence is situated on the northeast corner of Newmark Drive and Moorland Avenue. At this residence I spoke with ■■■■ and his mother, ■■■■ stated they were inside his residence when he heard what he thought were 4 to 5 gunshots. A few minutes later he heard several sirens as emergency vehicles arrived in the area. ■■■■ stated he never looked out of the residence to see what had happened. He did not hear anything unusual prior to hearing the shots.

■■■■ is a Spanish speaker only, and ■■■■ provided translation. She stated she was also inside her house and heard 4 or 5 loud sounds. She did not know what the sounds were until ■■■■ came downstairs and spoke to her about possibly having heard gunshots. She did not look outside, and did not realize anything had happened until several sirens started arriving in the area.

■■■■ APRICOT LANE - this residence is one house north of ■■■■ Apricot Lane - I spoke with ■■■■ ■■■■ is a Spanish speaker, and an onlooker provided translation. ■■■■ had several small children in the residence with her. She stated she had been inside her house and never heard or saw anything. She told me that until she opened her door to speak with me she did not even realize there were police in the area.

NO FURTHER INFORMATION.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 14:39:29	FOLLOW UP	(SD1796) STEFANI, JEREMY J
Contact Name		Supervising Officer
		(SD1112) EATON, VANCE

962

### Supplement Narrative

On 10/22/13 at approximately 1514 hours, F.T.O. Deputy Ryan and I responded for emergency assistance for Deputy Gelhaus. The location of assistance was Mooreland Ave. and West Robles Ave.

Upon arrival, Deputy Ryan instructed me to use yellow barrier tape to secure the scene. I used the barrier tape to close off the intersection of West Robles Ave. and Horizon Way. Also, I closed off the intersection of Horizon Way and Gold Dust Way.

Deputy Ryan was assigned to be the sequestering deputy for Deputy Gelhaus. I remained at the scene with F.T.O. Engram.

Deputy Engram and I used the yellow barrier tape to close off the area around Deputy Gelhaus and Deputy Schemmel's patrol car. I used the tape approximately 5 feet behind and approximately 10 feet in front of the patrol car. The tape went from the East curbside to the West curbside of Mooreland Ave.

Deputy Engram and I were assigned to man the perimeter of the scene at Horizon Way and Gold Dust Way. At approximately 1645 hours, we were relieved by a Santa Rosa Police Officer.

-nothing further-

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 14:47:48	FOLLOW UP	(SD1041) TONEY, JEFF
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

Supplemental Report  
Case # SD131022-017  
Sonoma County Sheriff's Office  
Detective Jeff Toney  
Violent Crimes Investigation Unit

On 10-22-2013, at approximately 1514 hours, I was on duty at the Sheriff's main office when I heard a Sheriff Deputy's radio broadcast request for a "code-20" two units at Moorland Avenue/West Robles Avenue. Seconds later, I heard a Sheriff Deputy's radio broadcast "Shots fired, suspect down". At this time, all members of the Sonoma County Sheriff's Violent Crimes Investigation Unit responded code-3 to the scene.

I arrived on scene via the north end of Moorland Avenue from Corby Avenue at approximately 1527 hours, and parked my vehicle on Moorland Avenue at Newmark Drive. I signed in to the crime scene log and entered the scene to conduct an investigative walk through.

The scene was released to the Santa Rosa Police Department investigators upon their arrival at approximately 1700 hours. At approximately 1817 hours, I left the scene and responded to the Sheriff's main office to meet with Santa Rosa Police Department's Violent Crimes Detectives, Riley, Wojcik and De Leon. There, I monitored the witness interviews of Deputies Jensen, Neely, White and Borruso.

Nothing further



## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 16:03:45	FOLLOW UP	(SD826) KING, ANTHONY
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

Supplemental Report, SCSO Case # 13-1022-017, Detective Tony King.

I am currently a member of the Sonoma County Sheriff's Office Property Crimes investigations Unit. On 10-22-2013 I was at my desk in the SCSO Main Office when I noticed VCI Detectives leaving the office and when I asked why was told there was a "shooting." I left the office and went to the 3000 block of Moorland Avenue, Santa Rosa, Sonoma County following them.

When I arrived I met with SCSO Sergeant Mark Fuston and I asked how I could help. Sergeant Fuston directed me to assist in contacting nearby residents in the event they had any information regarding the incident.

From where I was standing I could see to the south a grass field cordoned off by yellow crime scene tape. I could see SCSO patrol cars and an ambulance parked near the field.

I walked upon SCSO Deputy T. Vellis who was speaking with a citizen, adult male white, who was making the statement that he was "home alone, watching a movie and heard shots." The male stated he "did not see anything."

I walked to the east of him and made contact at the residence marked [REDACTED] Moorland Avenue. When I called out and identified myself a young girl came to the door to speak to me. I again identified myself and told her there had been an incident near her residence, and did she hear or see anything. The girl, who identified herself as [REDACTED] told me she was home alone and did not hear or see anything. [REDACTED] said she arrived home at about noon, and acted surprised at my contact. Her dog was barking and she directed my attention to the dog and said, "If anything happened my dog would have barked." [REDACTED] told me she was seventeen years old and her parents would be home shortly. I asked that she call her parents and tell them she was fine and at home so they would not be alarmed when they did come home and see patrol cars about the neighborhood. She told me she would do so.

When I returned to Sergeant Fuston I learned the other homes in the area had been contacted and I was no longer needed.

I arrived when other VCI units advised dispatch they were "97" and I left the area at about 1630 hours.

End of report.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/23/2013 16:58:33	FOLLOW UP	(SD1309) MANCILLA, ADRIAN
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

SUPPLEMENTAL REPORT  
VIOLENT CRIMES INVESTIGATIONS UNIT  
DETECTIVE ADRIAN MANCILLA  
SCSO CASE# 131022-017

On 10/22/2013, at approximately 1514 hours, I was inside the Sheriff's Office Investigations Bureau with other members of the Violent Crimes Investigations Unit when I heard Deputy Gelhaus broadcast over the radio that he needed emergency assistance. Shortly thereafter, I heard Deputy Gelhaus advise that shots were fired. Deputy Gelhaus advised units to respond to Moorland Ave. Other VCI detectives also heard the radio traffic and we responded code 3 to the scene.

I responded into the crime scene area from Corby Ave and turned southbound onto Moorland Ave. At approximately 1527 hours, I parked at the intersection of Moorland Ave and Newmark Dr. I arrived on scene simultaneously with Detective G. Freitas. Deputy Maikranz was holding an Incident Crime Log. I signed the log and walked southbound on Moorland Ave. I saw two marked patrol cars parked at the intersection on Moorland Ave and West Robles Ave. As I was walking southbound in the road, I saw a white blanket lying on the westside of the road, directly adjacent to the sidewalk. As I got closer to the blanket, I noticed a body lying underneath the blanket. Directly next to the blanket I saw an assault style firearm. The firearm had a brown colored stalk, a brown colored pistol grip and a brown colored fore grip. Based upon my training and experiences, I recognized the firearm as an AK-47. I also noticed a clear plastic colored handgun lying next to the AK-47. I remained in the middle of the road and walked past the body and firearms. I reached the two patrol cars that were parked on Moorland Ave and West Robles Ave. I noticed several casings lying in between the two vehicles.

I walked past the patrol cars and met up with Detective Sgt. C. Basurto and other Violent Crimes detectives. I was informed that the firearms located near the body were replica firearms. I later attended an incident briefing in the presence of the Santa Rosa Police Department (SRPD) and Petaluma Police Department (PPD) investigations staff. SRPD had agreed to take the role of lead investigative agency for this investigation and PPD detectives were going to assist.

After the briefing, I remained on scene until approximately 1817 hours. Detective J. Toney and I responded back to the Sheriff's Office main building where we met SRPD Violent Crimes Investigators Riley, Wojick and De Leon. I assisted by showing the detective interviewers the location where the interviews were going to

## **Incident/Investigation Report**

**Agency:** Sonoma County Sheriff's Department

**Case Number:** 131022-017

take place inside the Sheriff's Office Investigations Bureau. I observed through a closed circuit monitoring room SRPD detectives interview Deputies B. Jensen, T. White, J. Neely and S. Borruso.

No further information at this time.

# Incident/Investigation Report **UNAPPROVED**

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/24/2013 03:35:50	SCANNED NON ILEADS FORMS	(SD272) SCHARBIUS, JOAN
Contact Name	Supervising Officer	

962

## Supplement Narrative

EV SHT, 10-24, 272-JS  
Ev/Prop Sht, 11/7/13, 2150-AH  
EV SHT, 11-19, 272-JS  
PHYSICAL EV SUB FORMS, 5-14-14, 272-JS

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/25/2013 10:16:51	FOLLOW UP	(SD1422) BUERGLER, JOHN
Contact Name		Supervising Officer
		(SD535) MOLINARI, JOHN

962

### Supplement Narrative

On 10/22/13 at approximately 1540 hrs, I received a request from Detective Cutting that I bring a canopy and barriers to the scene of an Officer Involved Shooting at W. Robles Avenue and Moorland Avenue.

I obtained the supplies and responded to the scene, where I was briefed by Detective Cutting. Detective Cutting advised me that the scene was going to be turned over to Santa Rosa Police Department pursuant to the Critical Incident Protocol and the SRPD ID Tech was en route.

A short time later, I met with Santa Rosa ID Tech Adora Pinnow. I advised her that we had barriers and a canopy if needed. She stated she would use the barriers, but wanted to take overall photographs of the scene first.

After she completed her photographs, she requested my assistance along with Detective Koepfel in setting up the barriers. We entered the scene with Pinnow and set up the barriers at her direction.

After I cleared the scene, I was assigned to set up a video camera for monitoring the interviews [REDACTED] I responded to [REDACTED] and set up two adjoining rooms, one for viewing. At the conclusion of the interviews, I dismantled the equipment and left [REDACTED] at approximately 0100 hrs.

No further information.

# Incident/Investigation Report **UNAPPROVED**

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/28/2013 10:14:52	ROUTE TO	(SD1466) LOGAN, JANIS
Contact Name	Supervising Officer	

962

## Supplement Narrative

Call fr Maureen, per Lt. Miller, litigation hold on this case  
#1456 10-23 flup linked to pci sgt role for approval (not in box), 11-12-13, 272-js  
Litigation Hold # 1121; Report not to be released without approval from management. 11/19/2013, 274 mf  
ISD (Chris Hentz) notified report and supps are locked for copying for litigation hold. 12/11/13, 274-mf  
Recd fax from Santa Rosa PD, Officer Brian Boettger is requesting a copy of the report and supps. Spoke with  
Lt. Miller, per Lt. ok to release to SRPD, rept at front desk for p/u, 12/23/13, 1881-MCM  
Rpt stamped and redacted completely to [REDACTED] and mailed to him at [REDACTED]  
Quigg Drive [REDACTED] Santa Rosa CA 95409 5/3/18 2600jk.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/28/2013 10:54:14	FOLLOW UP	(SD548) FREITAS, GARY
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

Supplemental Report  
Case Report #131022-017  
Detective Gary Freitas #548  
Violent Crimes Investigations Unit

#### Investigation:

On 10/22/13, at approximately 1514 hours, I was in the Violent Crimes Investigations Unit when I began monitoring radio traffic on the Sheriff's Office main radio channel. I heard a deputy broadcast, "Code-20 two units," and seconds later that shots had been fired and one subject was down. I recognized the voice to be that of Deputy Gelhaus, and a short time later learned that deputies shot an individual on Moorland Avenue near W. Robles Avenue.

Detective Sergeant Basurto along with detectives Cutting, Mancilla, Toney, and I responded to the scene and arrived there at approximately 1527 hours. We parked along Moorland Avenue near Newmark Drive which was just north of the northern most boundary of the established crime scene border that had been delineated with barrier tape. Deputy Terry White was manning the Major Incident Access Log, and after I signed in, I crossed underneath and began walking in the middle of the roadway towards the southern boundary of the scene that had been established at W. Robles Avenue and Moorland Avenue.

As I walked I took note of a body that was covered and lying on the west sidewalk of Moorland Avenue adjacent to an open field that extends north from the intersection of Moorland Avenue and W. Robles Avenue. Lying a few feet east of the body in an unplanted strip between the sidewalk and the curb, I saw an AK-47 style assault rifle that had, what appeared to be was a wood fore-grip, stock, and pistol grip.

Just inside the southern boundary of the crime scene there were two, marked, Sheriff's Office patrol cars, both of which were facing north on Moorland Avenue. One of the patrol cars was parked in the southbound lane and at a slight angle to the curb, while the other was next to it in the northbound lane. There were several shell casings on the street between the front quarter panels of the two patrol cars.

After reaching the southernmost boundary of the crime scene perimeter, I met with other detectives who had gathered just inside the barrier tape that had been stretched across Moorland Avenue at W. Robles. While there, Detective Sergeant Basurto informed us that Deputy Gelhaus and his trainee, Deputy Schemmell, were the two deputies who went out on the subject, and that initial reports were that both deputies fired their

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

weapons. He told us a public safety statement had been obtained, and that a house at the north end of the vacant field had been identified as one that had apparently been struck by a bullet. A short time later he informed us that the Critical Incident Protocol had been activated and the Santa Rosa Police Department would be the primary investigative agency conducting the investigation.

At approximately 1840 hours a briefing was given by Detective Cutting, the lead detective from the Sheriff's Office. Afterwards, I went to the south end of the scene and signed out of the Major Incident Access Log and left the area. After leaving, Detective Cutting and I responded to [REDACTED] where deputies Gelhaus and Schemmell were being sequestered. Our role would be to monitor their interviews.

At approximately 2220 hours, from an adjacent room, Detective Cutting and I, along with representatives from the District Attorney's Office, the Santa Rosa Police Department, and the Petaluma Police Department listened to the interview with Deputy Schemmell via a video feed from the room where the interview was occurring. During this interview, Detective Hughes from the Santa Rosa Police Department was the primary interviewer and Detective Boettger assisted.

At approximately 2240 hours, the interview with Deputy Gelhaus began. Once again we monitored the interview from an adjacent room, and during this interview, Detective Boettger was the primary interviewer while Detective Hughes assisted.

At the conclusion of the interviews I left [REDACTED] and had no other involvement in this investigation.

There is nothing further at this time.



## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/28/2013 13:09:07	FOLLOW UP	(SD1589) KOEPEL, TRAVIS J
Contact Name		Supervising Officer
		(SD535) MOLINARI, JOHN

962

### Supplement Narrative

On 10/22/13 at approximately 1540 hrs, I received a request from Detective Cutting to bring a canopy and barriers to the scene of an Officer Involved Shooting at W. Robles Avenue and Moorland Avenue.

I obtained the supplies and responded to the scene, where I was briefed by Detective Cutting. Detective Cutting advised me that the scene was going to be turned over to Santa Rosa Police Department pursuant to the Critical Incident Protocol and the SRPD ID Tech was en route.

A short time later, I met with Santa Rosa ID Tech Adora Pinnow. I advised her that we had barriers and a canopy if needed. She stated she would use the barriers, but wanted to take overall photographs of the scene first.

After she completed her photographs, she requested my assistance along with Detective Buerger in setting up the barriers. We entered the scene with Pinnow and set up the barriers at her direction.

No further information.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
11/06/2013 16:00:57	FOLLOW UP	(SD1894) MAIKRANZ, NICHOLAS J
Contact Name		Supervising Officer
		(SD146) BASURTO, CARLOS

962

### Supplement Narrative

On 10/22/13 I was assigned to court security. At approximately 1500 hours, I was at the Sheriff's main office working on a report. While working in the report writing room, I heard a Code 30 on the radio. I responded to Moorland Ave. at West Robles Ave. in Santa Rosa, Ca. along with Deputy Altamirano as F-24.

When I arrived the scene was taped off and medical personnel were clearing. I started a major incident log at the south end of the scene. No unauthorized personnel entered the scene while I was present. I was relieved by Deputy J. Blenker at approximately 1600 hours all documentation was handed to him.

Nothing further at this time.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
11/07/2013 09:45:06	FOLLOW UP	(SD1415) PROVOST, MARK
Contact Name		Supervising Officer
		(SD470) SCANLON, KEVIN

962

### Supplement Narrative

#### SUPPLEMENTAL INVESTIGATION:

On Tuesday, October 22, 2013 at 1534 hours I received a request from Sheriff's Dispatch that Lieutenant Steve Brown was requesting the Sheriff's Mobile Command Center respond to a scene event near the intersection of Moreland Avenue and West Robles, Santa Rosa (Unincorporated Sonoma County).

Deputy Mike Mason and I responded to the main office and drove the Mobile Command Post to the scene arriving at approximately 1607 hours. I met with Lieutenant Steve Brown and set the vehicle up for operation in an adjacent parking lot. Deputy Mike Mason and I stood by with the command post until approximately 2100 hours when I was instructed to break it down and return to the main office.

# Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

## Supplement Information

Supplement Date	Supplement Type	Supplement Officer
11/10/2013 09:24:28	FOLLOW UP	(SD1416) LITTLE, JASON T
Contact Name	Supervising Officer	
	(SD348) ESSICK, MARK	

962

## Other Persons Involved

Name Code Contacted	Seq. # 10	Name (Last, First, M) [REDACTED]	Race A	Sex M
Address [REDACTED] MOORLAND AV, SANTA ROSA, CA 95407		DOB [REDACTED]	Age 29	Cell Phone [REDACTED]
Employer Name/Address		Home Phone [REDACTED]		
		Business Phone		

Name Code Contacted	Seq. # 11	Name (Last, First, M) [REDACTED]	Race A	Sex M
Address [REDACTED] MOORLAND AV, SANTA ROSA, CA 95407		DOB [REDACTED]	Age 25	Cell Phone [REDACTED]
Employer Name/Address		Home Phone [REDACTED]		
		Business Phone		

Name Code Contacted	Seq. # 12	Name (Last, First, M) [REDACTED]	Race A	Sex M
Address [REDACTED] MOORLAND AV, SANTA ROSA, CA 95407		DOB [REDACTED]	Age 72	Cell Phone [REDACTED]
Employer Name/Address		Home Phone [REDACTED]		
		Business Phone		

Name Code Contacted	Seq. # 13	Name (Last, First, M) [REDACTED]	Race A	Sex F
Address [REDACTED] MOORLAND AV, SANTA ROSA, CA 95407		DOB [REDACTED]	Age 58	Cell Phone [REDACTED]
Employer Name/Address		Home Phone [REDACTED]		
		Business Phone		

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Narrative

On 10/22/2013 at approximately 1514 hours, I responded to the area of Moorland Ave and West Robles for a Deputy emergency involving shots fired.

Upon my arrival I was instructed to conduct a neighborhood canvas to search for any witnesses to the incident. I contacted the following residents of [REDACTED] Moorland Ave. [REDACTED] and [REDACTED]

[REDACTED] told me the following: He was watching television when he heard what sounded like five to six gun shots. He remained inside and did not leave the residence. He told me he only heard the shots and never went outside.

[REDACTED] told me he was doing work upstairs on the computer when he heard what he thought was five gunshots. He did not look outside and remained inside the house.

[REDACTED] told me he heard bang, bang and bang; however he did not see anything.

[REDACTED] said she heard only a bang. She never attempted to leave the house and did not see anything.

I did not contact any other residents in the area.

Nothing further.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
11/12/2013 19:42:05	FOLLOW UP	(SD139) PEDERSEN, JOEL
Contact Name	Supervising Officer	
	(SD919) FOCHA, CECILE	

962

### Other Persons Involved

Name Code Involved, Other	Seq. # <b>14</b>	Name (Last, First, M) [REDACTED]				Race W	Sex M
Address [REDACTED] HORIZON WY, SANTA ROSA, CA 95407		DOB [REDACTED]	Age 29	Cell Phone	Home Phone [REDACTED]		
Employer Name/Address					Business Phone		

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Narrative

On 10/22/2013 at about 1514 hours, I responded to the intersection of Moorland Ave. and West Robles Ave. for a call of emergency assistance that was radioed in By Deputy Gelhaus.

I, along with other swing shift Deputies responded to the scene. I arrived at approximately 1521 hours. I parked my patrol car at the intersection of West Robles Ave. and Horizon Way. I entered the scene and briefly approached a white male whom I saw lying supine on the sidewalk of Moorland Ave. I saw what appeared to be an AK-47 assault rifle lying several feet away.

Deputy Gelhaus instructed me to canvas the immediate area for witnesses. I exited the scene and walked over to Horizon Way. I spoke with a man who identified himself via CDL as [REDACTED] was standing in front of his residence, located at [REDACTED] Horizon Way. I asked [REDACTED] if he had witnessed the shooting. [REDACTED] told me that he did not see anything. He was sitting on his front porch putting on his shoes when he heard what sounded like six to seven gunshots. From [REDACTED] house, his vision of the scene was obstructed by other houses on Horizon Way. He could not provide me with any more information.

I then assisted with outer scene security until I was relieved at approximately 1600 hours.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
11/22/2013 07:36:13	FOLLOW UP	(SD1641) CUTTING, BRANDON A
Contact Name	Supervising Officer	
	(SD530) MCALVAIN, SHANNON	

962

### Offenders

Seq. #	Type	Name(Last, First, M)						
1	INDIVIDUAL	LOPEZ CRUZ, ANDY [JUVENILE]						
AKA	Race	Sex	DOB	Age	Height	Weight		
Andy Lopez	H	M		13				
Address			Cell Phone		Home Phone			
MOORLAND AV, SANTA ROSA, CA 95407								
Employer Name/Address					Business Phone			
Scars, Marks, Tatoos or other distinguishing features								
Physical Characteristics								

Suspect Details



# Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

## Supplement Narrative

Sonoma County Sheriff's Office (SCSO)  
Case #131022-017  
Violent Crimes Investigations Unit (VCI)  
Detective Brandon Cutting

Officer Involved Shooting  
Moorland Ave @ W. Robles Rd, Santa Rosa, Sonoma County

On 10/22/13 at approximately 1514 hours, I was monitoring SCSO patrol radio channel one when I heard an incident being broadcast on Moorland Av and W. Robles Rd, Santa Rosa, by Deputy E. Gelhaus. I was listening to the call when I heard the broadcast that shots had been fired so I responded to the scene along with the other Detectives from the VCI unit.

When I arrived at the scene (approximately 1527 hours), I was advised that the medics had just identified that (OF) Andy Lopez was deceased at the scene. A crime scene was being established. As the on-call Detective for VCI, I was assigned to be the liaison Detective for SCSO VCI.

Sgt Brad Burke provided me with an overview of the scene, explaining that Deputy E. Gelhaus and his trainee, Deputy M. Schemmel, had contacted a person believed to be carrying an AK-47 firearm in his hand. Shots were fired and Lopez was struck by rounds and found to be deceased. Sgt Burke provided me with a description of where the rounds were fired from and the direction the shots were fired. Sgt Burke also stated that Deputy Gelhaus was an FTO and Deputy Schemmel was his trainee. Sgt Burke understood that only Deputy Gelhaus had fired his service pistol. Sgt Burke also advised me that the Officer Involved Shooting Protocol had been activated and that Santa Rosa Police Department (SRPD) was going to be the lead investigation agency for the incident.

At approximately 1700 hours, I met with Santa Rosa Police Department VCI Detective Brian Boettger. Detective Boettger was assigned as the primary Detective for SRPD. I advised Detective Boettger that Deputies Gelhaus and Schemmel had been taken separately to [REDACTED] in Santa Rosa to await their interviews.

I also assisted with providing SRPD with the details known when they had their investigations teams assembled at the command post.

At approximately 1752, I accompanied SRPD Detectives into the crime scene for observations of the scene.

After we left the crime scene, I went to [REDACTED] where I later observed the interviews that were conducted by Detective Boettger and Detective T. Hughes. The first interview conducted was by Detective Boettger with Deputy Gelhaus. The second interview conducted was by Detective Hughes with Deputy Schemmel.

I was aware that other Santa Rosa Police Department Detectives were conducting interviews at SCSO main office with the other Deputies that responded to the emergency radio call. I did not observe any of those interviews as I was [REDACTED] during those interviews.

## **Incident/Investigation Report**

**Agency:** Sonoma County Sheriff's Department

**Case Number:** 131022-017

For specific statements made by anyone involved in the incident, refer to the investigation report completed to by Detective Boettger.

On 10/23/13 at approximately 0900 hours, I attended the autopsy of Andy Lopez at the Sonoma County Coroner's Office. For details of the findings during the autopsy, refer to the coroners report.

End of Supplemental report.

## Incident/Investigation Report

Agency: Sonoma County Sheriff's Department

Case Number: 131022-017

### Supplement Information

Supplement Date	Supplement Type	Supplement Officer
12/02/2013 13:56:39	FOLLOW UP	(SD515) BROWN, STEVE
Contact Name		Supervising Officer
		(SD515) BROWN, STEVE

962

### Supplement Narrative

On 10/22/13 at approximately 3:15 pm, I was assigned as the Patrol Watch Commander for the Sheriff's Office. I was participating in an inner department interview process when I was notified by Detective Gary Freitas that there had been an Officer Involved Shooting in the area of Moorland Avenue in Santa Rosa.

I immediately responded to the area and arrived at approximately 3:25 pm. I contacted Sergeant Burke and Deputy Gelhaus on scene who gave me a short brief of the incident. Sergeant Burke told me that Deputy Gelhaus and Schemmel were involved in the shooting and the suspect was armed with an AK 47 assault rifle. He further told me that both deputies were uninjured. I observed the subject who had been shot approximately 30 yards from my location and he was being attended to by medical personnel.

I was aware from the call for service that Deputies Gelhaus and Schemmel went out on a suspicious persons contact and a short time later broadcasted "Shots fired, suspect down." There were several other Deputies on scene in addition to numerous CHP and SRPD Officers. The scene was taped off by deputies on scene and I began making notifications to the Sheriff's Office Command Staff.

I set up a command post in the area of West Robles Avenue and Standish Avenue. I talked with Lieutenant Tosti from SRPD and it was determined that they would be conducting the investigation in the incident. At approximately 5:20 pm, I responded to the Sheriff's Office and briefed the command staff on the incident as I knew it.

# Sonoma County Sheriff's Department

## EVIDENCE / PROPERTY SHEET

Case Number: **131022017**

Submitting Deputy: **CRABB, ROBERT**

	Article	Brand	Model	Serial Number
Item #: <b>RC#1</b>				
Evidence	DOCUMENT			
	Major Incident Access Log			





218315

# Sonoma County Sheriff's Department

## EVIDENCE / PROPERTY SHEET

Case Number: **131022017**

Submitting Deputy: **WILLIAMSON, DONNA**

	Article	Brand	Model	Serial Number
Item #: <b>DW01</b>				
Evidence	DISPATCH MEDIA - CD			218858
	Radio and phones until 1607hrs			
Item #: <b>DW02</b>				
Evidence	DISPATCH MEDIA - CAD			218859
	LOG			
	1 CAD log			

# Sonoma County Sheriff's Department

## EVIDENCE / PROPERTY SHEET

Case Number: **131022017**

Submitting Deputy: **JONES, DONALD**

	Article	Brand	Model	Serial Number
Item #: <b>DJ01</b>				
Evidence	FLASH DRIVE			
	all incoming and out going phone calls and radio traffic 1500-0100			



219406

RELATED BFS CASE #

State of California  
Department of Justice  
Bureau of Forensic Services

BFS CASE #

SR-13-003952

## Physical Evidence Submission Form

(Instructions for use of form located on reverse side.)

INFORMATION AND  
REPORT SECURITY

ROUTINE

AGENCY ONLY

AGENT ONLY



SUBMITTING AGENCY: SANTA ROSA PD

AGENCY CASE NO: 13-13093

COUNTY OF PROSECUTION: SONOMA

RELATED AGENCIES/CASE NUMBER(S): SCSO 131022-017

OFFENSE(S): OIS

DATE OF INCIDENT: 10-22-13

DATE NEEDED: —

REASON:

INVESTIGATING OFFICER: B. BOETTGER PHONE: 707-543-3600 FAX:

INVESTIGATING OFFICER - EMAIL ADDRESS:

S, V, OTHER, OFFICER	SUBJECTS			DATE OF BIRTH	CII # (LATENTS AND DNA)
	Last name	First Name	MI		
S	LOPEZ	ANDY	—		

## EVIDENCE SUBMITTED

LINE	ITEM NUMBER	DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE)	COMMENTS OR REQUESTS FOR SERVICE
	1A6	AUTOPSY BLDN OF LOPEZ	

SANTA ROSA POLICE DEPARTMENT  
CONTROLLED DOCUMENT  
DO NOT DUPLICATE

Chain of custody for items listed above

Line/Item NUMBER	Received From (SIGN NAME LEGIBLY)	Delivered to (SIGN NAME LEGIBLY)	DATE
1A6	GAHAN / 916	(P) Det S. Cooper	10-24-13
1A6	Gregg	Jana Hansen	452 5/1/14

PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES  
\*BFS LABORATORIES SHALL DECIDE THE SPECIFIC METHOD OF ANALYSIS

SCSO

RELATED BFS CASE #

State of California  
Department of Justice  
Bureau of Forensic Services

BFS CASE #

SR-13-3952

Physical Evidence Submission Form  
(Instructions for use of form located on reverse side.)INFORMATION AND  
REPORT SECURITY

ROUTINE

AGENCY ONLY

AGENT ONLY

SUBMITTING AGENCY: 13- SRPD

AGENCY CASE NO: 13-13098

COUNTY OF PROSECUTION: Sonoma

RELATED AGENCIES/CASE NUMBER(S):

OFFENSE(S): OLS

DATE OF INCIDENT:

DATE NEEDED: ASAP

REASON: DA

INVESTIGATING OFFICER: B. BOETTGER

PHONE: 549.3600

FAX:

INVESTIGATING OFFICER - EMAIL ADDRESS:

S, V, OTHER, OFFICER	SUBJECTS			DATE OF BIRTH	CII # (LATENTS AND DNA)
	Last name	First Name	MI		
V	GELHANS	ERIC			

## EVIDENCE SUBMITTED

LINE	ITEM NUMBER	DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE)	COMMENTS OR REQUESTS FOR SERVICE
1	76	SWEATSHIRT T-SHIRT	PROCESSING
			BALIST HIPS
		DA'S OFFICE HAS SPOKE W/ DOJ LAB PRIOR TO THIS	
		Also in Hem 76 bpl (R 2 QUEST)	
	76A	"Visine Advanced" bottle, approximately half full in Hem 76 bpl.	
	76B	debris & ~ plant material/grass from Hem 76.	

Chain of custody for items listed above

Line/Item NUMBER	Received From (SIGN NAME LEGIBLY)	Delivered to (SIGN NAME LEGIBLY)	DATE
76	Andrew Riley 4/16/14	DOJ, Jim Young	4-16-14
76	Keggs	Jim HANSEN	5/1/14

PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES  
BFS LABORATORIES SHALL DECIDE THE SPECIFIC METHOD OF ANALYSIS



RELATED BFS CASE #

State of California  
Department of Justice  
Bureau of Forensic ServicesBFS CASE #  
**SR-13-003952****Physical Evidence Submission Form**  
(Instructions for use of form located on reverse side.)INFORMATION AND  
REPORT SECURITYROUTINE  
☒AGENCY ONLY  
☐AGENT ONLY  
☐SUBMITTING AGENCY: **SRPD**AGENCY CASE NO: **13-13093**COUNTY OF PROSECUTION: **Sonoma**

RELATED AGENCIES/CASE NUMBER(S):

OFFENSE(S): **OIS**

DATE OF INCIDENT:

DATE NEEDED: **ASAP**REASON: **DA**INVESTIGATING OFFICER: **B BOETTGER** PHONE: **543-3600**

FAX:

INVESTIGATING OFFICER - EMAIL ADDRESS:

S, V, OTHER, OFFICER	SUBJECTS			DATE OF BIRTH	CII # (LATENTS AND DNA)
	Last name	First Name	MI		
<b>V</b>	<b>GELHANS</b>	<b>ERICK</b>			

## EVIDENCE SUBMITTED

LINE	ITEM NUMBER	DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE)	COMMENTS OR REQUESTS FOR SERVICE*
<b>1</b>	<b>77</b>	<b>T-SHIRT</b>	<b>Ballistic Analysis</b>

Chain of custody for items listed above

Line/Item NUMBER	Received From (SIGN NAME LEGIBLY)	Delivered to (SIGN NAME LEGIBLY)	DATE
<b>77</b>	<b>Aditya Kress</b>	<b>Gray Prieto</b>	<b>4-17-14</b>
<b>77</b>		<b>Jim Hansen</b>	<b>5/1/14</b>

PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES  
\*BFS LABORATORIES SHALL DECIDE THE SPECIFIC METHOD OF ANALYSIS

RELATED BFS CASE #

State of California  
Department of Justice  
Bureau of Forensic Services

BFS CASE #

SR-13-3952

**Physical Evidence Submission Form**  
(Instructions for use of form located on reverse side.)INFORMATION AND  
REPORT SECURITY

ROUTINE

AGENCY ONLY

AGENT ONLY



SUBMITTING AGENCY: Santa Rosa PD

AGENCY CASE NO: 13-13053

COUNTY OF PROSECUTION: Sonoma

RELATED AGENCIES/CASE NUMBER(S):

OFFENSE(S): OIS

DATE OF INCIDENT: 10/22/13

DATE NEEDED:

REASON:

INVESTIGATING OFFICER: B. Boettger

PHONE: 543-3600

FAX:

INVESTIGATING OFFICER - EMAIL ADDRESS:

S, V, OTHER, OFFICER	SUBJECTS			DATE OF BIRTH	CII # (LATENTS AND DNA)
	Last name	First Name	MI		
	Lopez	Andy	C	6/2/2000	
	Gelhaus	Erick			

## EVIDENCE SUBMITTED

LINE	ITEM NUMBER	DESCRIPTION OF EVIDENCE (ONE ITEM PER LINE WHEN POSSIBLE)	COMMENTS OR REQUESTS FOR SERVICE*
	SLE 2	One CD w/ 62 digital photos & 11 jpeg meta files.	

Chain of custody for items listed above

Line/Item NUMBER	Received From (SIGN NAME LEGIBLY)	Delivered to (SIGN NAME LEGIBLY)	DATE
SLE 2	lab prepared	Quarles	4/23/14
SLE 2	Klepp	Jiba Hansen	5/1/14

PLEASE SUBMIT A POLICE REPORT OR ATTACH A SEPARATE SHEET WITH A SUMMARY OF THE CASE FOR CRIMINALISTICS CASES  
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