

CONFIDENTIAL – DO NOT DUPLICATE

**San Diego Police Department
Investigator's Report**

Date of Incident: March 27, 2020
Time of Incident: Approximately 1755 Hours
Location of Incident: 500 Los Angeles Place, San Diego CA
Subject: Internal Investigation I.A. #2020-0367

CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.

SUBJECT OFFICER: SERRANO, David R., POII, ID #6912
Date of Hire: 12-16-2013
S.D.P.D., Special Operations Unit – 2nd Watch
[REDACTED] (W)
H/M, Age [REDACTED]
5'8"/155 lbs.

SUBJECT OFFICER: [REDACTED]

SUBJECT OFFICER: [REDACTED]

SUBJECT OFFICER: [REDACTED]

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

[REDACTED] 537

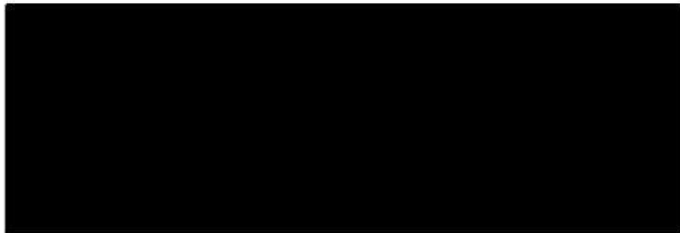
CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 2

SUBJECT OFFICER:



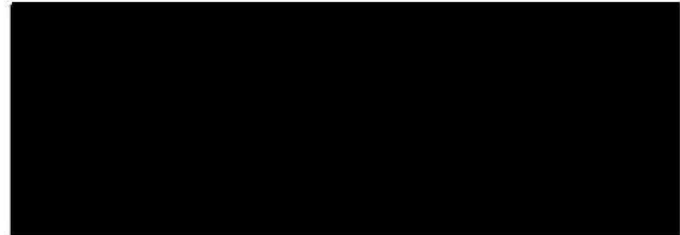
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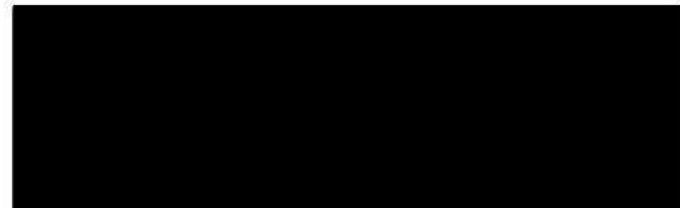
SUBJECT OFFICER:



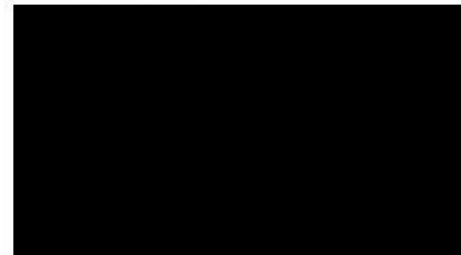
WITNESS OFFICER:



INVOLVED CITIZEN:



OTHERS CONTACTED:



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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 3

OTHERS CONTACTED:



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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 4

SUMMARY:

On March 27, 2020, Special Operations Officer David Serrano #6912 and Officer [REDACTED] responded to assist Officer [REDACTED] and Officer [REDACTED]). Officers [REDACTED] and [REDACTED] were conducting a traffic stop on a Buick Century bearing [REDACTED] license plate [REDACTED] at 5400 Olvera Avenue. The Buick was occupied by the driver, [REDACTED], and the passenger, [REDACTED].

Upon arrival of Officer Serrano and Officer [REDACTED], [REDACTED] and [REDACTED], exited the Buick and ran. Officers [REDACTED] and [REDACTED] ran after [REDACTED]. Officer [REDACTED] pursued [REDACTED] and Officer Serrano got back inside of his patrol vehicle and drove to the intersection of Los Angeles Place and Olvera Avenue.

Officer Serrano witnessed [REDACTED] run along 500 Los Angeles Place. Officer Serrano gave chase and was able to tackle [REDACTED] to the ground and place him under arrest by securing his wrists in handcuffs. Canine Officer [REDACTED] was the first officer to locate and assist Officer Serrano. Officer [REDACTED] BWC captured Officer Serrano escorting [REDACTED] aggressively and [REDACTED] body collide with the front bumper/hood of a patrol SUV. Officer Serrano's BWC was not in "Event Mode" during this contact.

Southeastern Crime Suppression Team (CST) Officer's [REDACTED] and [REDACTED] arrived on scene as well.

Officer Serrano issued citation # [REDACTED] to [REDACTED] for violating 148(a)(1) PC (Resisting/Delaying an officer in the performance of their duty) and 12500(a) VC (Driving without a valid [REDACTED] Driver's License).

The arrest was assigned to Special Operations Detective [REDACTED] Detective [REDACTED] submitted the case file to the City Attorney's Office. [REDACTED], the Deputy City Attorney in charge of issuing, requested the narrative from the San Diego Police Department's Court Liaison Unit. The Court Liaison Unit reviewed the associated BWC footage with [REDACTED] arrest and notified Lt. [REDACTED] of the Special Operations Unit of the incident regarding Officer Serrano.

The case was referred to the Professional Standards Unit (PSU) to review for criminal violations. Detective Sergeant Higdon #5057 and Detective Rzuicidlo #6450 conducted the investigation and submitted their findings to the San Diego District Attorney's Office.

On September 17, 2020, Captain Holden, received a letter from the District Attorney's Office declining to file charges against Officer Serrano for violation of Penal Code 149, Assault by a Peace Officer Without Lawful Necessity.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 5

ALLEGATIONS:

1. FORCE

Officer Serrano used an unreasonable amount of force when executing the arrest of [REDACTED].

2. PROCEDURE

Officer Serrano did not complete a Blue Team entry after using force to execute the arrest of [REDACTED].

3. PROCEDURE

Officer Serrano failed to activate his BWC during an enforcement contact.

4. PROCEDURE

Officer Serrano failed to follow procedures for juvenile arrestees during the arrest of [REDACTED].

5. COURTESY

Officer Serrano was discourteous to [REDACTED].

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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 6

INVESTIGATION:

On September 17, 2020, Internal Affairs Lieutenant Stephen Shebloski assigned me the case to be investigated. I determined the date of this incident was March 27, 2020. This was case brought to Lt. Shebloski's attention by Lt. [REDACTED] of the Special Operations Unit during the week of June 1, 2020. Lt. [REDACTED] informed Lt. Shebloski that Sergeant [REDACTED] of the Court Liasion Unit had informed him the City Attorney's office had concerns related to this case. The case was tolled on **June 6, 2020**, as it was being investigated criminally. I determined on September 17, 2020, the criminal investigation concluded when the District Attorney's Office formally declined to file charges in this case. The case was un-tolled on **September 17, 2020**. The one year date for this incident in regards to Officer Serrano, including the tolled period of 103 days in which it was under criminal investigation, is **September 8, 2021**. The one year date of the incident for all of the other officers included is **May 31, 2021**.

I was provided with a copy of the PSU investigation conducted by Detective Sergeant Higdon and Detective Rzucidlo. The PSU investigation contained:

- Case Synopsis
- Officer Serrano's HR Data Sheet
- Event Printouts for Event #E20030044563
- Officer Reports for Event #E20030044563
- [REDACTED] 8-19-2002 Criminal History
- BWC Reports (Canine Officer [REDACTED] and Officer [REDACTED])
- Officer [REDACTED]'s Interview
- Officer [REDACTED] Interview
- Officer [REDACTED] Interview
- Audio Radio Transmission's: [REDACTED] and [REDACTED]

I additionally printed out:

- Special Operations Unit 2nd watch line-up
- Southeastern Division's CST line-up
- BWC Audit of Officer Serrano, Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], and Officer [REDACTED]

I obtained a photo copy of citation # [REDACTED] from our Records Division.

On October 2, 2020, I began reviewing the above listed documents and BWC videos. I observed the following:

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 7

On March 27, 2020, Special Operations Officer David Serrano #6912 and Officer [REDACTED] were assigned as partners and given unit designator [REDACTED]. Officer [REDACTED] and Officer [REDACTED] were assigned unit designator [REDACTED].

Chief: Investigations II
#Code: 3/27/2020 PM
Watch: 2
Unit: Special Operations

SCHEDULE

Status: Live 3/27/2020 13:28
Print: 03/27/2020 11:32
Billing: (Actual/Minimum) 00

Rank	Officer	ID	Call Sign	DD	Note	Skills
POB	[REDACTED]			MTW	Y	2
POB	[REDACTED]			MTW	Y	2
POB	[REDACTED]			MTW	Y	1.2
POB	[REDACTED]			MTW	Y	1.122.8.0
SGT	[REDACTED]			MTW	N	OL 1070-10
POB	[REDACTED]			MTW	Y	SL 2.6.A.R15.SWAT
POB	[REDACTED]			MTW	Y	
POB	[REDACTED]			MTW	Y	2
MP/PODET	[REDACTED]			FSS	Y	2
POB	[REDACTED]			MTW	Y	

According to the radio transmission on [REDACTED], a female, presumably Acting Detective [REDACTED] identified a Buick bearing [REDACTED] license plate [REDACTED] driven by [REDACTED], and passenger, [REDACTED], as a vehicle for the officers to conduct a traffic stop on for "no front plate" which is a violation of California Vehicle code 5200. Detective [REDACTED] witnessed the same Buick driving faster than the 25 mph speed limit and crossing the limit line in violation of California Vehicle Code 21455.5(a).

Command: Investigations II | Unit: Cargo | Watch: 2 | Date: 03/27/2020

Live Up

Undo Changes | Refresh | Save | Scores | Pending

Watch	Redbook	Rec	Actual	Other	Over
2	0	0	0	0	0

Squad	Rank	Officer	Days Off	Call Sign	Present	Info	Reason/Note	Skills
601	PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			4.5.03T [REDACTED]
601	SGT/D	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			1.12.2.4C [REDACTED]
601	PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			[REDACTED]
601	A/PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			[REDACTED]
601	PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			[REDACTED]
602	PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			14 [REDACTED]
602	PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			[REDACTED]
603	SGT/D	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			14.5.7.0 [REDACTED]
603	PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			[REDACTED]
603	PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			M.4.C. [REDACTED]
603	PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			[REDACTED]
603	PO/DET	[REDACTED]	[REDACTED]	[REDACTED]	<input checked="" type="checkbox"/>			14.15 [REDACTED]

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 8

According to Officer [REDACTED] and Officer [REDACTED] reports they witnessed the Buick's vehicle code violations and activated their patrol vehicles overhead lights. According to Officer Serrano's report, Officer [REDACTED] and him, arrived behind Officer [REDACTED] and [REDACTED] to assist with the traffic stop. Prior to the Buick yielding for the officers, the passenger, [REDACTED], exited and began to flee from the scene. Officer [REDACTED] and Officer [REDACTED] pursued after him.

[REDACTED] exited from the driver's door prior to bring the Buick to a complete stop. Officer [REDACTED] began to chase after [REDACTED] but stopped once [REDACTED] proceeded to jump multiple fence accessing numerous residential yards. Officer Serrano drove his patrol vehicle to the intersection of Los Angeles Place and Olvera Avenue.

Officer Serrano does not have BWC video footage of the incident.

Officer Serrano witnessed [REDACTED] running along 500 Los Angeles Place. Officer Serrano gave chase and was able to tackle [REDACTED] to the ground and place him under arrest by securing [REDACTED] wrists in handcuffs. Canine Officer [REDACTED] was the first officer to locate and assist Officer Serrano.

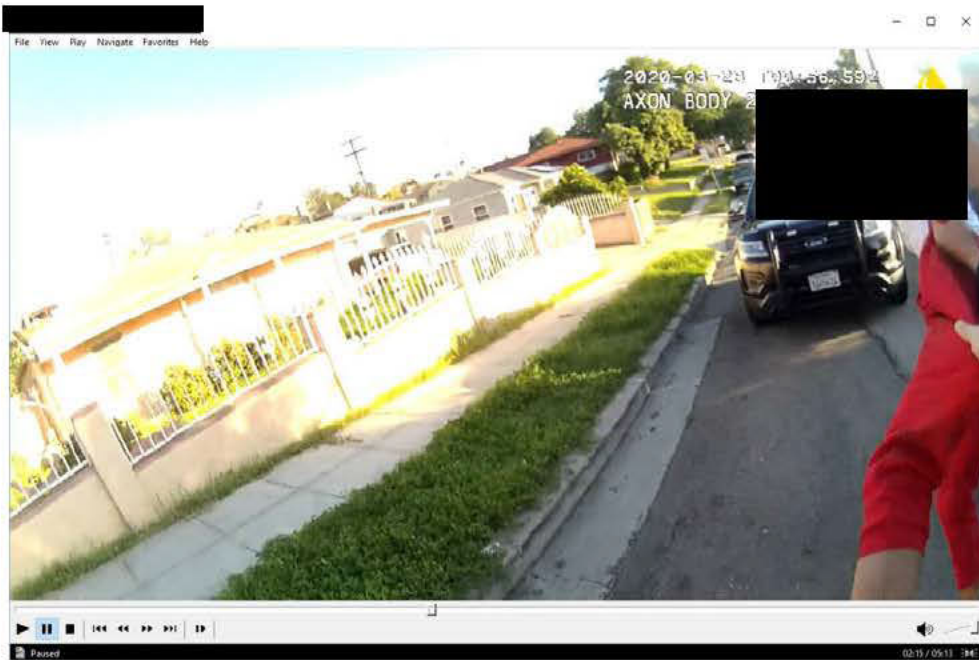


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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 9

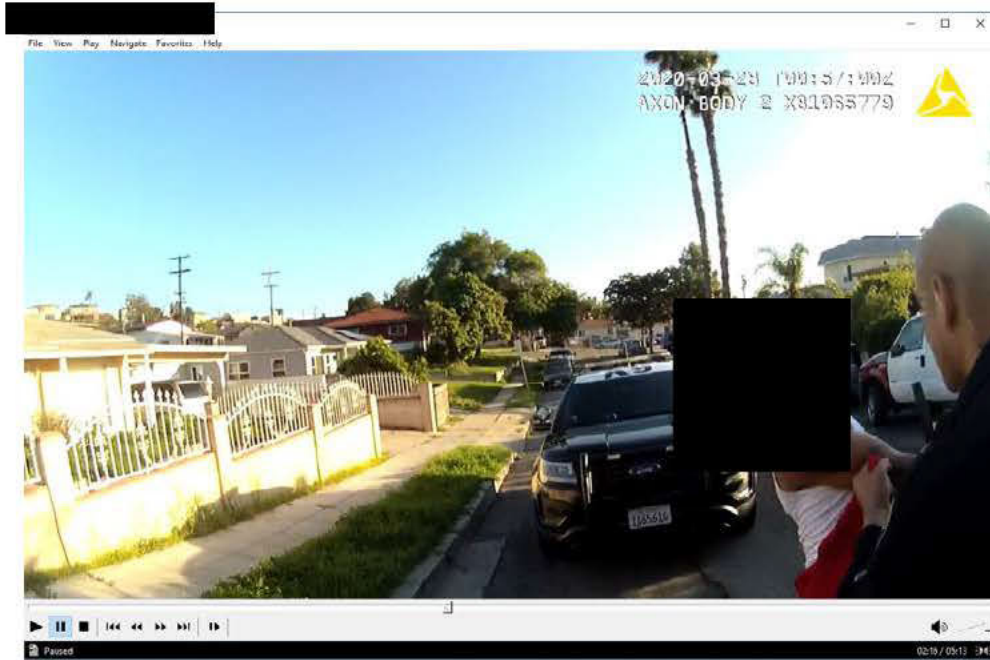
Officer [REDACTED] BWC footage captured Officer Serrano aggressively lift [REDACTED] to his feet and escort him to a patrol vehicle. The BWC footage captured an unintelligible statement from Officer Serrano. A portion of the statement Officer Serrano said to [REDACTED] was, "Fuckin ass up dude." [REDACTED] replies "Yeah, I'm up."



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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 10

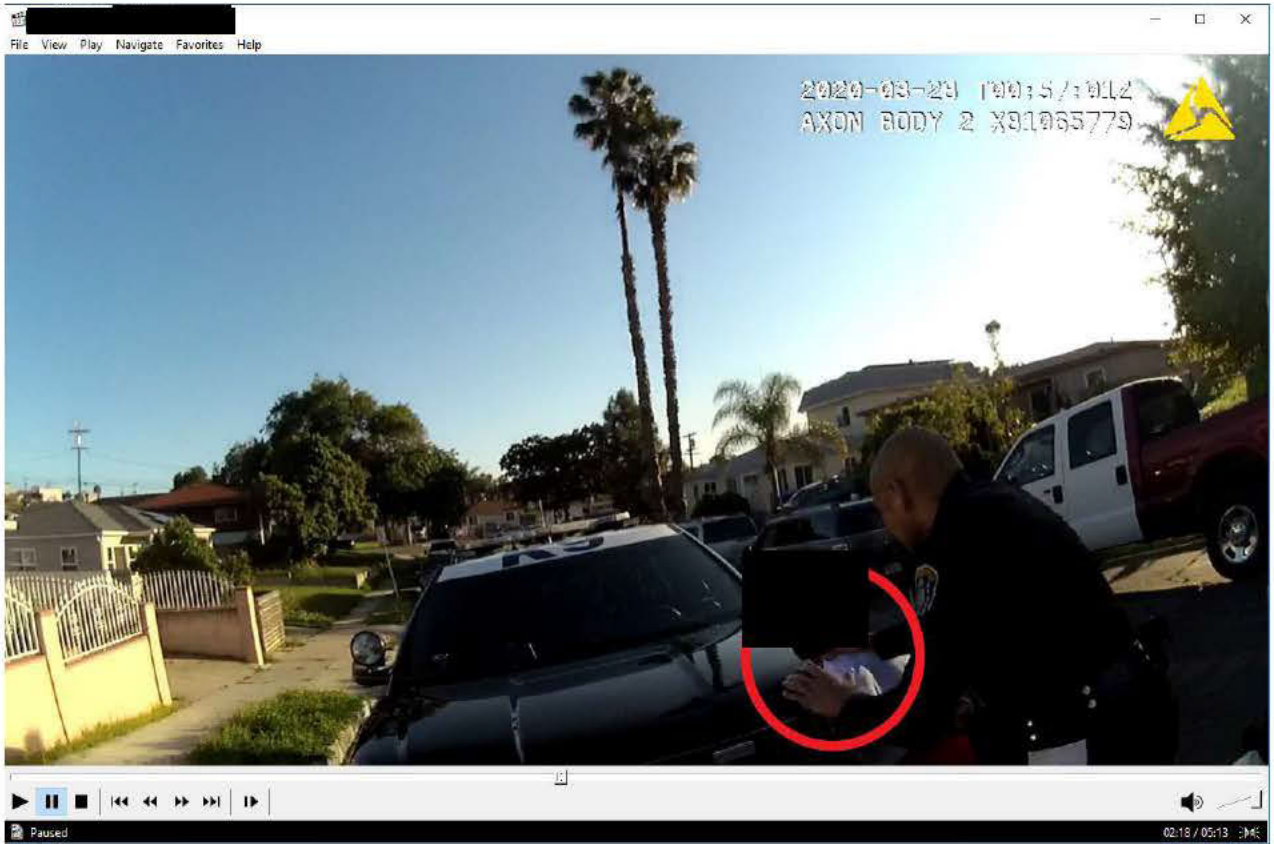


██████████ face and body collide with the front bumper/hood of a patrol SUV with Officer Serrano's right hand clasped to the back of ██████████ neck. ██████████ yelled in agony. Officer Serrano told ██████████, "I'm so fucking disappointed in you, you have no idea."

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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 11



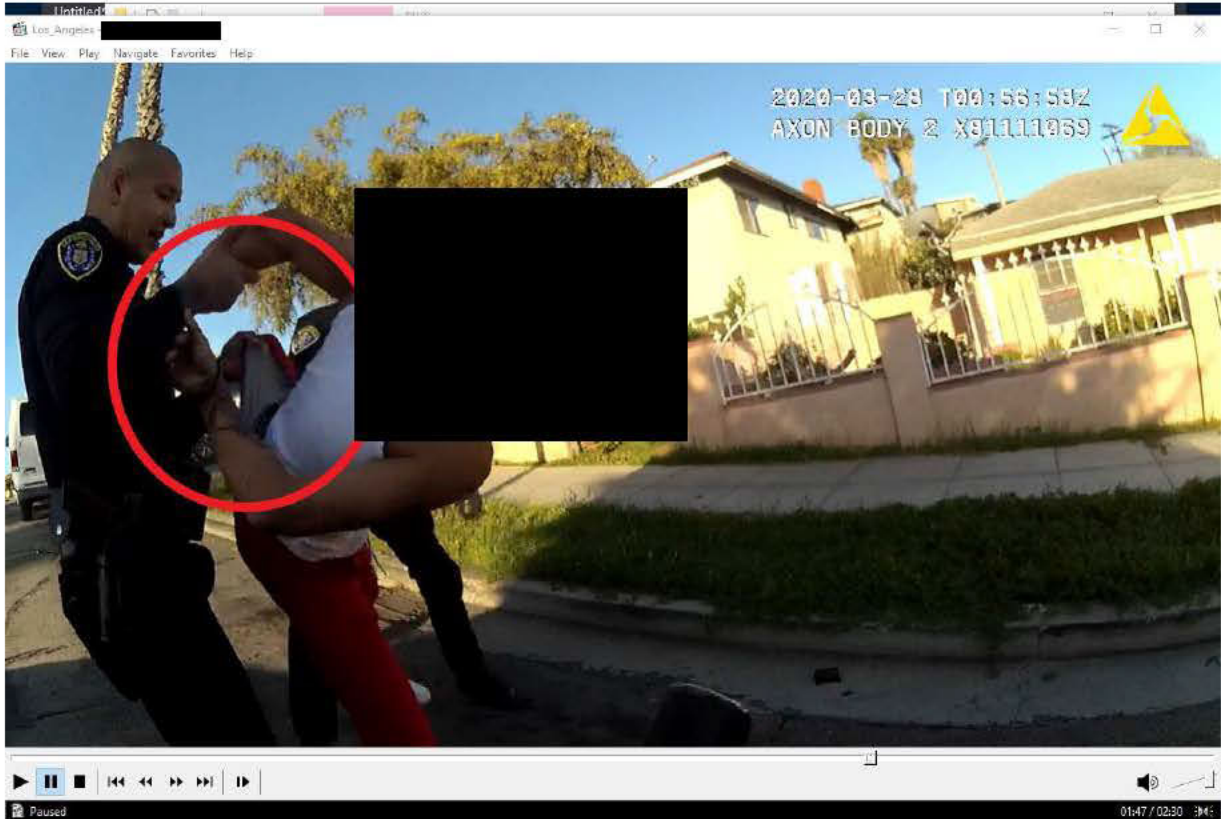
Officer Serrano wrote in his report, “As [REDACTED] was walking, I felt [REDACTED] pulling forward. To maintain control, I placed [REDACTED] toward a patrol vehicle and used my right hand on the upper part of his back/neck to control [REDACTED]. [REDACTED] left side of his face collided into the front panel of the patrol vehicle.”

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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 12

Southeastern Crime Suppression Team (CST) Officer's [REDACTED] and [REDACTED] arrived as Officer Serrano lifted and escorted [REDACTED] to the patrol vehicle. Officer [REDACTED] activated his BWC into "Event Mode" for 30 seconds, however the buffering portion captured another angle of Officer Serrano lifting [REDACTED], [REDACTED] colliding into the patrol vehicle and Officer Serrano yelling at [REDACTED], "I'm so fucking disappointed in you, you have no idea."



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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 13



Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 14

Officer [REDACTED] does not activate his BWC into "Event Mode" during the incident. Officer [REDACTED] BWC footage captured Officer [REDACTED] wearing a BWC.

2020-03-28 T00:57:22Z
AXON BODY 2 X81111069

EVIDENCE CASES INVENTORY ADMIN HELP

RADTKE, TIMOTHY (6554)
Last login: 14 Oct 2021
10:54 AM

ALL EVIDENCE MY EVIDENCE SHARED EVIDENCE EVIDENCE MAP IMPORT EVIDENCE CITIZEN EVIDENCE

ID: [REDACTED] TITLE: [REDACTED] USER OR GROUP: [REDACTED] DATE: 3/27/2021 1 3/27/2021 1 CATEGORY: [REDACTED] TAG: [REDACTED]

SHOW ADVANCED SEARCH RESET FILTERS SEARCH

UPDATE ID ADD CATEGORY REASSIGN REDACT DOWNLOAD MANAGE ACCESS DELETE RESTORE EXPORT
REVIEW ADD TO CASE

VIEW TYPE: GALLERY TABLE SORT BY: Recorded On SORT ORDER: A-Z

3 ITEMS FOUND

ID	TITLE	OWNER	UPLOADED BY	UPLOADED ON	RECORDED ON	CATEGORY	STATUS
20030042825	Pursuit To 895a, S 42nd, Xport...	[REDACTED]	[REDACTED]	Mar 27, 2020 3:33 AM	Mar 26, 2020 11:04 PM	4n 38s Arrest - Felony - No C...	Active
20030042826	Pursuit To 895a, S 43rd, Gravel...	[REDACTED]	[REDACTED]	Mar 27, 2020 3:29 AM	Mar 26, 2020 7:52 PM	7n 45s Arrest - Felony - No C...	Active
20030042826	Pursuit To 895a, S 43rd Miller	[REDACTED]	[REDACTED]	Mar 27, 2020 3:22 AM	Mar 26, 2020 6:35 PM	7n 16s Arrest - Felony - No C...	Active

ITEMS PER PAGE: 20 40 60 80 100

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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 15

Officer [REDACTED] and Officer [REDACTED] BWC's footage continued to capture Officer Serrano's actions, as he escorted [REDACTED] away from the patrol vehicle, along a sidewalk with Officer Serrano's right hand clasped to the back of [REDACTED] neck.

(Captured from Officer [REDACTED] BWC)

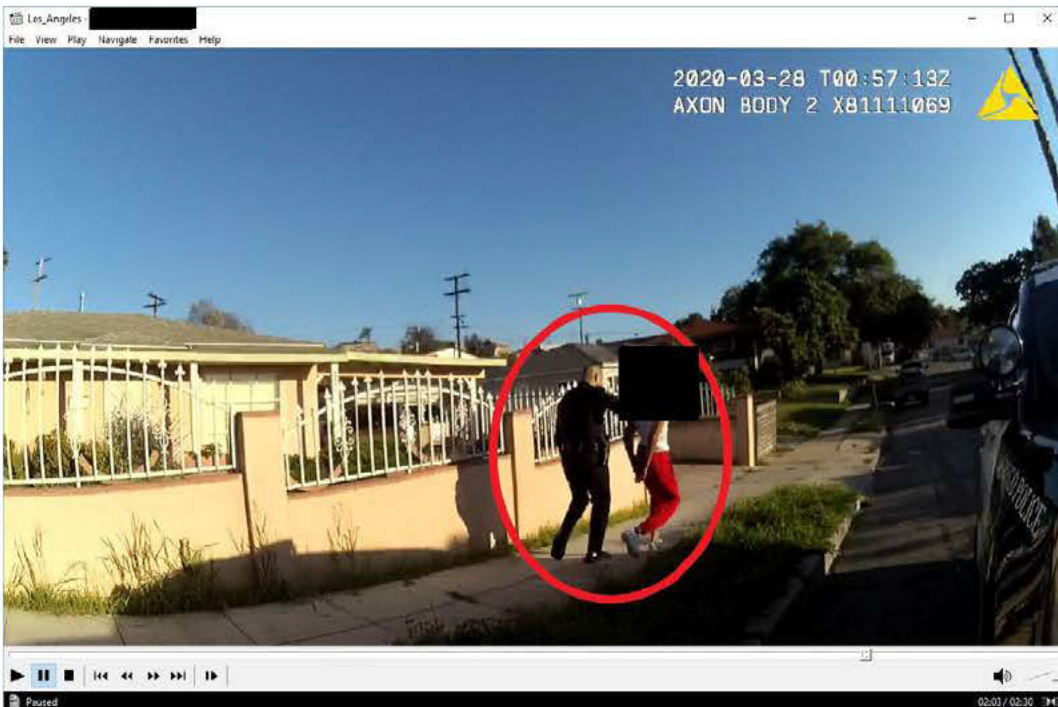


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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 16

(Captured from Officer [REDACTED])



Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

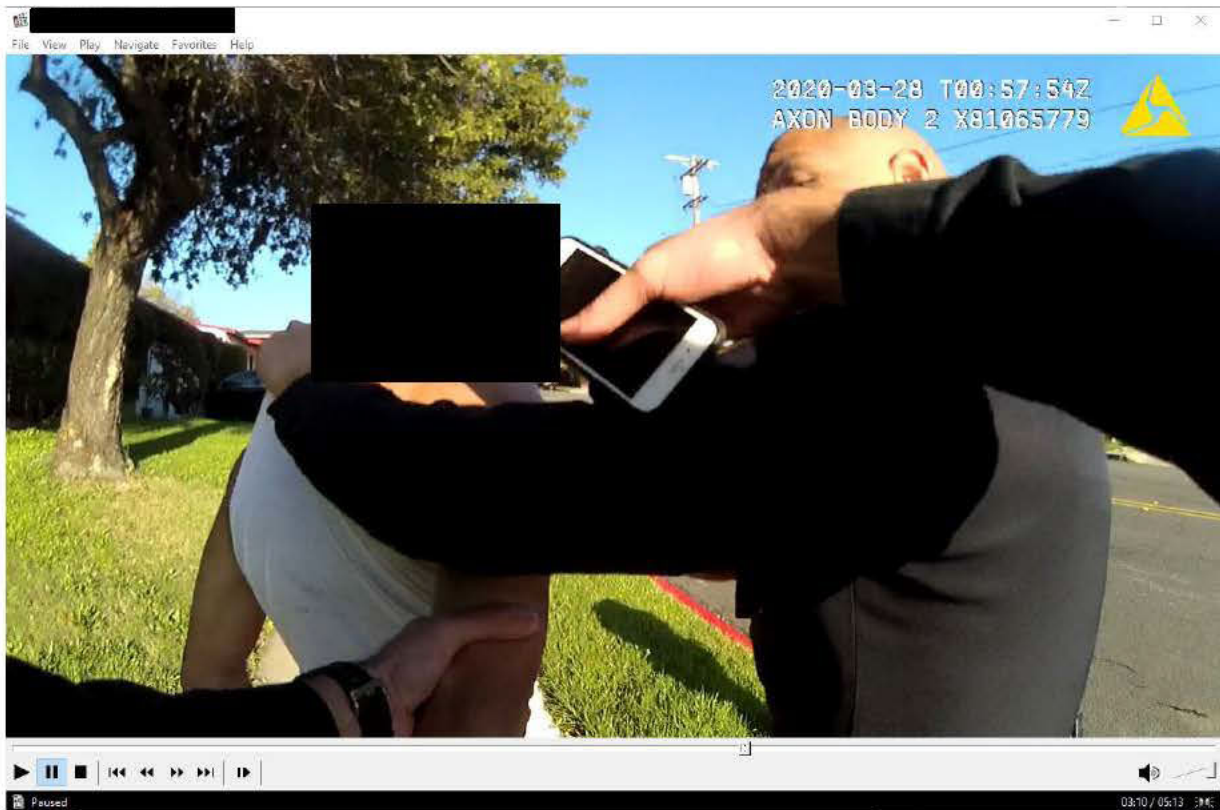
Investigator's Report

Internal Investigation I.A. #2020-0367

Page 17

At 02:06 minutes on Officer ██████ BWC, Officer Serrano can be heard telling ██████ to, "Shut up."

Officer ██████ retrieved Officer Serrano's BWC from the street and a cell phone. Officer ██████ BWC captured Officer Serrano yell at ██████. Officer ██████ ran to catch up to Officer Serrano. Officer ██████ placed his left hand on ██████ right forearm and his right hand on Officer Serrano's shoulder and told Officer Serrano to, "Take this," presumably referring to Officer Serrano's BWC and the cell phone.



Officer Serrano told Officer ██████, "No, just get away, I got this." Officer ██████ stopped and sighed loudly as he watched Officer Serrano place ██████ in the backseat of another patrol vehicle.

According to Officer Serrano's report, he conducted a records check that displayed ██████ was on "active high-risk probation." Officer Serrano issued ██████ citation # ██████ for violating 148(a)(1) PC - Resisting/Delaying an officer in the performance of their duty and 12500(a) VC Driving without a valid California Driver's License.

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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 18

SAN DIEGO POLICE DEPARTMENT
NOTICE TO APPEAR

Class of Vehicle: MISDEMEANOR
 Traffic Nontraffic

Date of Incident: 02/11/2021
Day of Week: Sun

Officer: [REDACTED]

Vehicle: [REDACTED]

City of San Diego, CA

Officer: J. Serrano
Date: 02/11/2021
Time: 0900 PM

Without Administrative Review: Signatures: [REDACTED]

WHERE: ON OR BEFORE DATE: 02/23/2021 TIME: 0900 PM

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE

<input type="checkbox"/> JUVENILE COURT (DEPT. 11) 200 W. BROADWAY SAN DIEGO, CA 92102 (619) 534-1000	<input checked="" type="checkbox"/> MISDEMEANOR ASSIGNMENT DEPT. 220 W. BROADWAY SAN DIEGO, CA 92102 (619) 534-5400
<input type="checkbox"/> SAN DIEGO TRAFFIC COURT 8305 CLAYMONT/MESA BOULEVARD SAN DIEGO, CA 92128 (619) 534-4000	<input type="checkbox"/> SOUTH RAIL COURT 600 2ND AVENUE CHULA VISTA, CA 91910 (619) 748-8200
<input type="checkbox"/> NIGHT COURT CONTACT COURT FOR INFO	<input type="checkbox"/> NIGHT COURT CONTACT COURT FOR INFO
<input type="checkbox"/> NORTH COUNTY REGIONAL CENTER 2615 MELCOSH DRIVE, SUITE 200 VISTA, CA 92081 (760) 520-4800 INFORMATION	<input type="checkbox"/> EAST COUNTY REGIONAL CENTER 360 EAST MAIN STREET EL CAJON, CA 92020 (619) 496-1100 INFORMATION

BWC

SDPD VEH. - PKD - ROLLING - STOPPED ON _____
DIR. - N E S W - LANE 1 2 3 4 5 - OTHER _____

SDPD VEH. NO. _____ YR. MAKE _____

DATE CALIB. _____ BY _____

20	30	40	50	60	70	80
----	----	----	----	----	----	----

STOPPED BY _____ RED LITE _____ SIREN _____ HORN _____ HAND _____

DEF. VEH. - PKD - ROLLING - STOPPED ON _____
DIR. - N E S W - LANE 1 2 3 4 5 - OTHER _____

STOPPED AT _____

DRIVER - OUT OF CAR _____ IN CAR _____

MR _____ LR _____ PASSENGERS: SOLO _____ RF _____ MF _____ RR _____

DISTANCE OBSERVED _____

Officer Serrano did not document [REDACTED] age or date of birth. At the time of this incident, [REDACTED] was still a juvenile (DOB [REDACTED], Age [REDACTED]). Officer Serrano did not fill out the "top sheets" to his report either.

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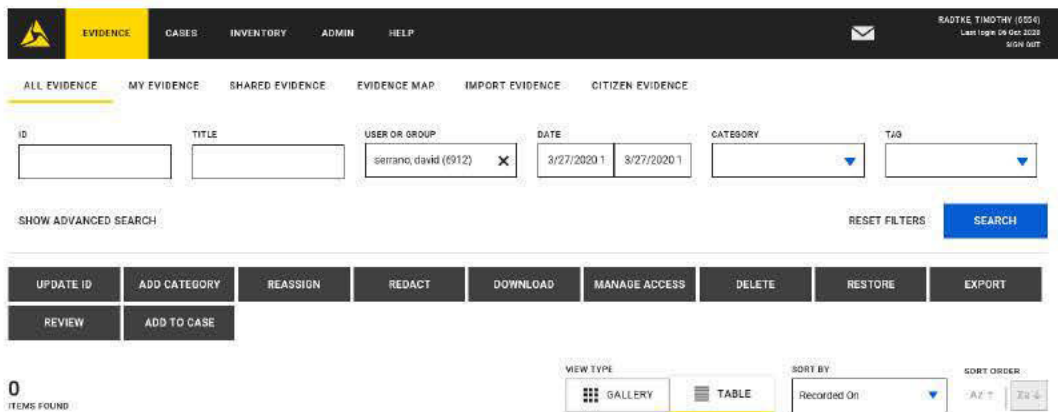
CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 19

		San Diego Police Dept Officer Report	
CAD Event No.		Case No. 20017697	1 Page 1 of 2
		Report No. 19598	
GENERAL CASE INFORMATION			
Special Studies:		Related Cases:	
Location, City, State, ZIP: 500 Los Angeles Place, San Diego, CA 92114		Occurred On: 3/27/2020 6:00:00 PM (Friday) (and Between):	
Jurisdiction: Valencia Park - Southeastern	Beat: 432	Call Source: 8625	
INDIVIDUAL/S			
Name: [REDACTED]		Person Code:	Interpreter Language:
ALIAS / AKA / NICKNAME / MONIKER:			
Home Address, City, State, ZIP:		Res. Country:	County Residence:
Undocumented:			
Race:	Sex:	Date of Birth / Age:	Height:
Weight:	Hair Color:	Eye Color:	Facial Hair:
Complexion:			
Employment Status:	Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:
CONTACT INFORMATION IDENTIFICATION:			
Attire:	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			
REPORT NARRATIVE			

The arrest was assigned to Special Operations Detective [REDACTED]. According to the PSU investigation, Deputy City Attorney in charge of issuing, [REDACTED], the citation was received with no narrative.

At the end of Officer Serrano's report, he documented his BWC turned off during the foot pursuit.



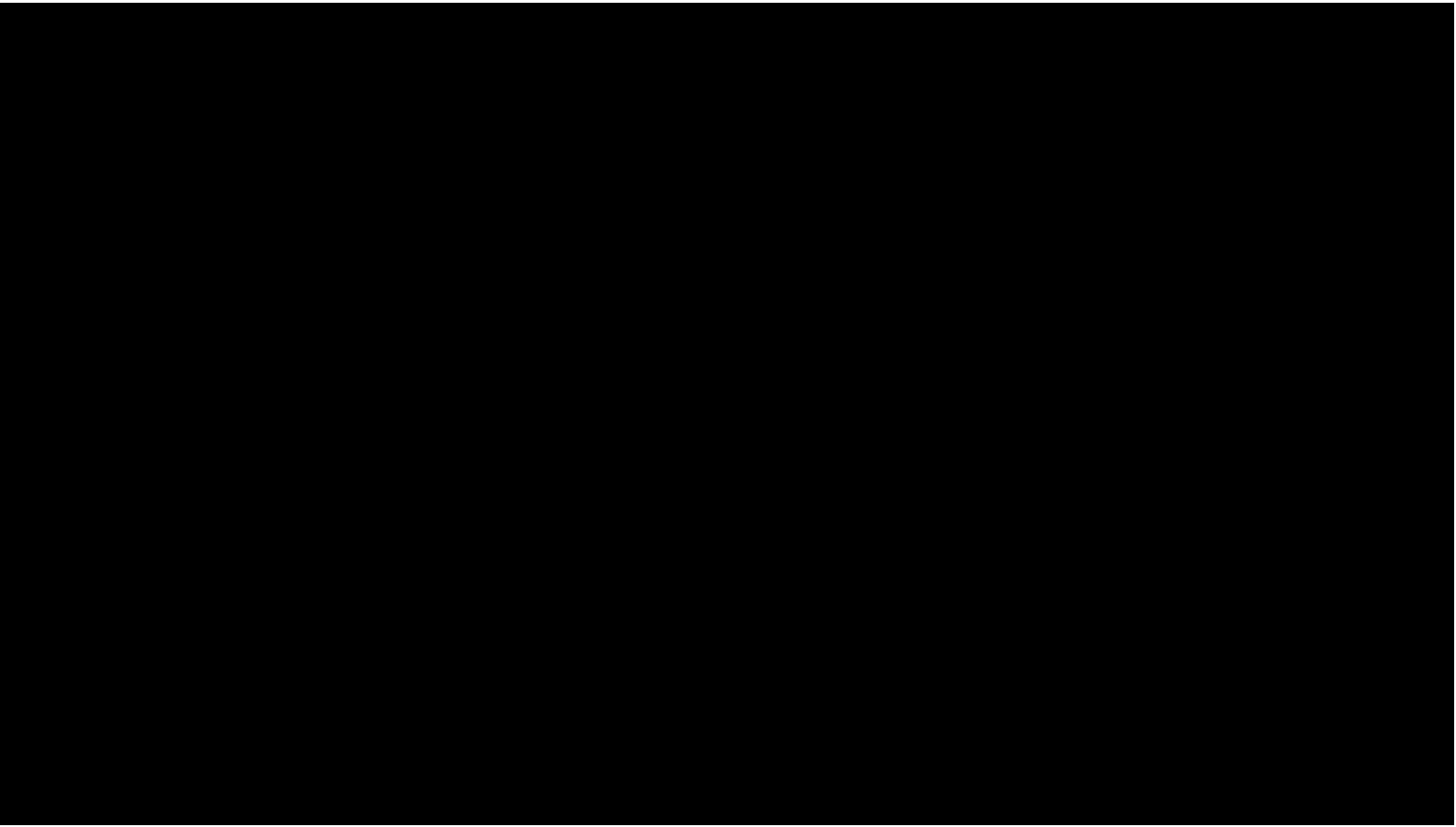
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CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 20

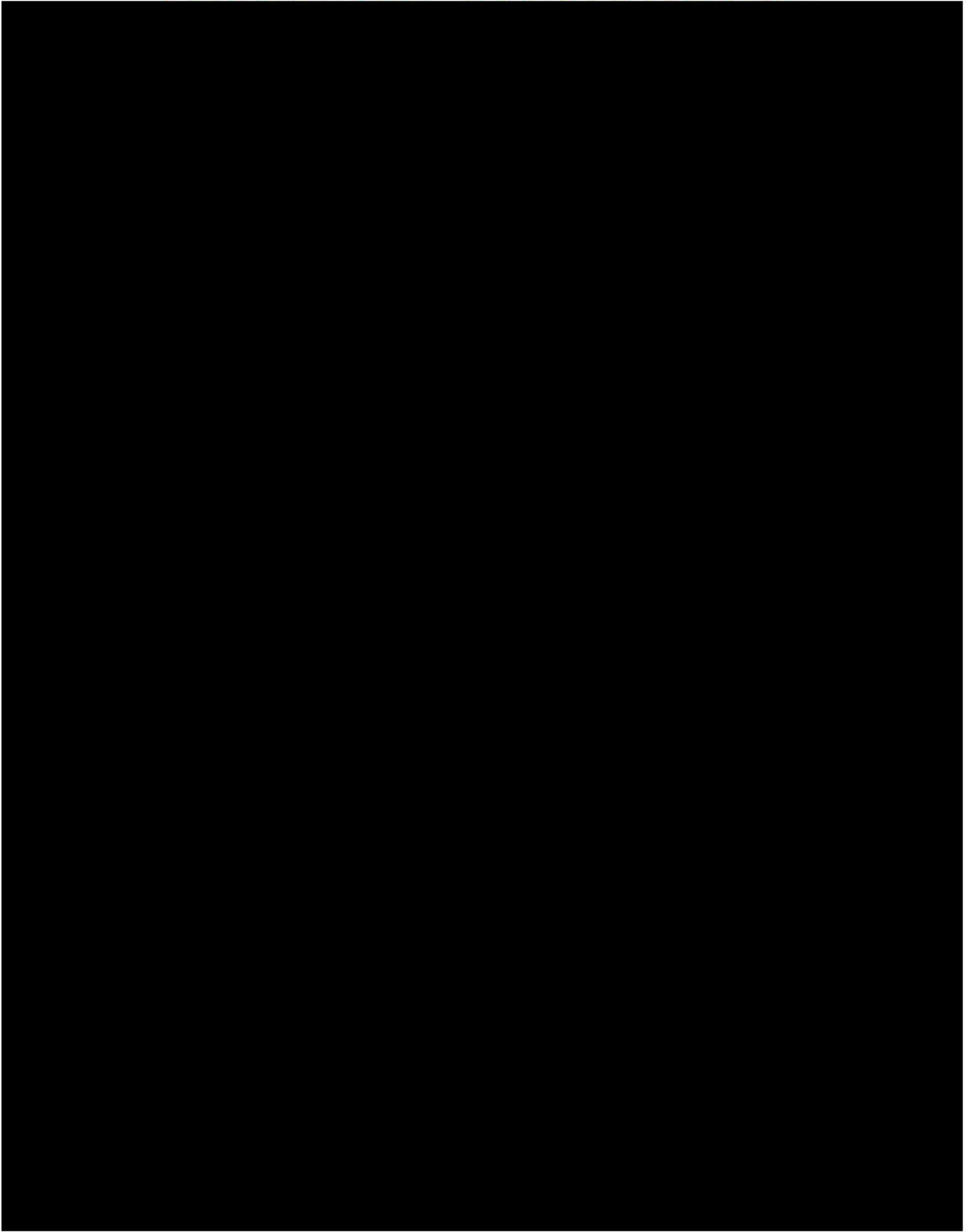
29	03/27/2020 05:39:53.818 PM	Camera powered off using power switch	Battery 83% Video Count 2 GB Remaining 57.185
30	03/27/2020 05:55:11.792 PM	Camera powered on using power switch	
31	03/27/2020 05:55:11.793 PM	Checking firmware version	Firmware Version 1.22.8
32	03/27/2020 08:43:20.210 PM	Event button pressed	

According to Officer Serrano's BWC audit, his camera was powered "on" either just before the foot pursuit or during the foot pursuit and the BWC button to activate the camera into "Event Mode" was never touched.



Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

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Investigator's Report
Internal Investigation I.A. #2020-0367
Page 22

Officer [REDACTED] documented in his report that he retraced the route [REDACTED] ran and did not locate any illegal items. Officer [REDACTED] issued [REDACTED] citation # [REDACTED] for 148(a)(1) PC 148(a)(1) PC - Resisting/Delaying an officer in the performance of their duty. [REDACTED] signed the citation and was released from the scene.

BWC

SDPO VEH - PKD - ROLLING - STOPPED ON
DIR - N E S W - LANE 1 2 3 4 5 OTHER _____
SDPO VEH NO _____ YR. MAKE _____
DATE CALB _____ 20 30 40 50 60 70 80
BY _____
STOPPED BY _____ RED-LITE _____ SIREN _____ HORN _____ HAND _____
DEF. VEH - PKD - ROLLING - STOPPED ON
DIR - N E S W - LANE 1 2 3 4 5 OTHER _____
STOPPED AT _____
DRIVER - OUT OF CAR _____ IN CAR _____
MR _____ LR _____ PASSENGERS _____ SOLO _____ RF _____ MF _____ RR _____
DISTANCE OBSERVED _____

SAN DIEGO POLICE DEPARTMENT
NOTICE TO APPEAR
Date of Violation: 03/27/2020 Time: 1700 Day: _____ City of Violation: _____
Officer: [REDACTED] Citation #: 20017485

VIOLATION: 148(a)(1) PC - RESISTING/Delaying Police Officer (M)

City of San Diego, CA

Signature: [REDACTED] Commissioner

WHEN ORDER BEFORE THIS DATE: 02/03/2020 TIME: 08:00 AM

<input checked="" type="checkbox"/> JUVENILE COURT DEPT 1801 MISSION BLVD SAN DIEGO, CA 92108 (619) 554-1800	<input checked="" type="checkbox"/> MARRIENLAND ARRANGEMENTS DEPT 4800 SAN DIEGO AVE SAN DIEGO, CA 92121 (619) 552-8888
<input type="checkbox"/> SAN DIEGO TRAFFIC COURT 3600 OLIVERA BLVD SAN DIEGO, CA 92103 (619) 554-1800	<input type="checkbox"/> SOUTH COUNTY 900 P STREET SAN DIEGO, CA 92108 (619) 554-4000
<input type="checkbox"/> NORTH COUNTY COURTHOUSE CENTER 300 E. GILBERT DR. SUITE 300 SAN JOSE, CA 95128 (408) 438-4000	<input type="checkbox"/> EAST COUNTY JUDICIAL CENTER 200 EAST 100 STREET SAN JOSE, CA 95128 (408) 438-4000

Following my review of the items above, on October 7, 2020, I sent Command and Subject Officer Notifications to the officer's respective commands. Upon return of their written service, I sent an email to them with their designated date and time of their interview.

On February 11, 2021, at 0943 hours, I spoke to Deputy City Attorney [REDACTED] over the phone.

On February 11, 2021, at 1009 hours, I interviewed Sergeant [REDACTED] over the phone.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division: Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 23

All interviews were audio recorded, unless otherwise noted, and the recordings will be maintained with the Internal Affairs file. The statements are “in essence” synopses of the interviews. (For exact and complete details of the interviews, refer to the audio recordings.)

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 24

Complainant Interview: [REDACTED]

[REDACTED] had a warrant for his arrest during the time of the investigation. [REDACTED] was absconding from justice. I was not able to speak with [REDACTED].

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 25

Others Contacted Interview: Deputy City Attorney [REDACTED]

On October 6, 2020, I emailed Deputy City Attorney in regards to the accuracy of the PSU investigation and the initial reporting for this current investigation. DCA [REDACTED] and I exchanged the following emails. I briefly spoke with DCA on February 11, 2021, at 0943 hours. I was not near my audio recorder at the time, therefore our 5 minute conversation was not audio recorded. DCA [REDACTED] essentially explained the following to me.

The case was submitted to our unit for prosecution review. At the time we did not have the officers BWC videos or a narrative attached to [REDACTED] citation. Once we requested and received the narrative along with the BWC videos we noticed [REDACTED] was a juvenile and the citation should not have been submitted to us from the beginning.

I did not view the officer's BWC videos but I do believe another Deputy City Attorney may have but I do not know who that was. At this point we were also already contacted by the San Diego Police Department's Professional Standard Unit.

The case was closed on our end with a Complaint Request Evaluation (CRE).

The interview ended at 0948 hours.

Radtke, Timothy

From: [REDACTED]
Sent: Thursday, February 11, 2021 9:40 AM
To: Radtke, Timothy
Subject: RE: Citation # [REDACTED]

Good Morning,

The BWC was viewed by our office. I am checking with the assigned DCA to see if they had to request it be shared or if it was already shared.
I do have the CRE with the original citations ready to be sent back to SDPD.
I'll let you know what I hear about the BWC.

[REDACTED]
[REDACTED]
Chief Deputy City Attorney
Case Issuance Unit
Office of the City Attorney
1200 Third Avenue, Suite 700
San Diego, CA 92101
[REDACTED]



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Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 26

From: Radtke, Timothy <[REDACTED]>
Sent: Thursday, February 11, 2021 7:25 AM
To: [REDACTED]
Subject: RE: Citation # [REDACTED]

Morning DCA [REDACTED]

I am wrapping up the investigation and I just had one last question regarding this matter. Do you remember if the officers BWC videos were sent to you along with the citations and do recall ever viewing any of the officers BWC footage pertaining to this case?

1

Thank you,
Hope all is well,

Tim Radtke #6554
Detective Sergeant
Internal Affairs
San Diego Police Department

[REDACTED]

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From: [REDACTED]
Sent: Friday, October 9, 2020 7:52 PM
To: Radtke, Timothy <[REDACTED]>
Subject: RE: Citation # [REDACTED]

Dear Detective Sergeant Radtke,

The citation for [REDACTED] was submitted along with the citation for [REDACTED] and the report for [REDACTED] Officer [REDACTED] report on [REDACTED] was not submitted with the packet. [REDACTED] citation did not have a DOB and had the wrong court address listed.

It wasn't until we requested the missing report for [REDACTED] that we discovered he was a juvenile.

If you need any additional information, please do not hesitate to contact me.

Best regards,
[REDACTED]
[REDACTED]
Chief Deputy City Attorney
Case Issuance Unit
Office of the City Attorney
1200 Third Avenue, Suite 700
San Diego, CA 92101
[REDACTED]



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Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 27

From: Radtke, Timothy <[REDACTED]>
Sent: Tuesday, October 6, 2020 11:23 AM
To: [REDACTED]
Subject: Citation # [REDACTED]

Afternoon CDA [REDACTED],

I am investigating the incident involving citation # [REDACTED] regarding [REDACTED] for policy and procedure violations. I see in the previous investigation conducted by our Professional Standards Unit that the citation was submitted to your office with no narrative or BWC's associated. I wanted to make sure that was correct and if there was anything else missing that is usually submitted with a citation, and I mean other than the fact the suspect was a juvenile. I also understand this incident occurred on March 27, 2020 so you may not recall it either.

Thank you for any assistance,

Tim Radtke #6554
Detective Sergeant
Internal Affairs
San Diego Police Department

[REDACTED]

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Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 28

Others Contacted Interview: Sergeant [REDACTED]

On February 11, 2021, at 1009 hours, I interviewed Sergeant [REDACTED] over the phone. I asked Sergeant [REDACTED] how his unit became aware of the incident and their handling of the information. The following is an "in-essence" statement of the interview. (For exact complete details of the interview, refer to the audio recording.)

I am the sergeant of the court liaison unit. I was made aware of this incident by my officer, Officer [REDACTED]. Officer [REDACTED] was contacted by the City Attorney's Office requesting a BWC video from Officer Serrano. Officer [REDACTED] couldn't find a video from Officer Serrano and notified me. I therefore notified Lieutenant [REDACTED] of the SOU unit.

I have not had any further dealings with the case.

The interview concluded at 1012 hours.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 29

Others Contacted Interview: Officer [REDACTED]

On February 11, 2021, at 1014 hours, I interviewed Officer [REDACTED] over the phone. I asked Officer [REDACTED] how he became aware of the incident and his handling of the information. The following is an “in-essence” statement of the interview. (For exact complete details of the interview, refer to the audio recording.)

I work as a court liaison. I received request from the City Attorney's Office requesting BWC videos for the incident they provided. When I looked it up on [REDACTED] I only located one video and it was a canine officers (Officer [REDACTED]).

By viewing that BWC video, I noticed more officers were present but there were no other videos that I located. I used the department roster for SOU because they don't show up on the incident printout.

While I viewed the canine officers BWC I noticed an officer had a prisoner, in handcuffs that was on the ground. I witnessed the officer pick up the prisoner and “push” him onto the hood of the canine officer's car. I saw the officer pointing at the prisoner and saying something but I could not understand what was being said.

The officer then pulled of the prisoner off of the hood and escorted him away.

I thought the force was excessive, so I notified Sergeant [REDACTED] of what I witnessed. Sergeant [REDACTED] than made his own notifications.

The interview ended at 1020 hours.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 30

Witness Officer Interview: Officer [REDACTED]

On November 5, 2020, at 0954 hours, IA Detective Sergeant Jesus Sanchez #5560 and I interviewed Officer [REDACTED] in the Internal Affairs interview room. I asked Officer [REDACTED] what he witnessed and his interpretation of Officer Serrano's conduct. The following is an "in-essence" statement of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been employed with the San Diego Police Department for 7 years. I have been assigned to the canine unit for the last year and half. Being a canine officer I provide support to patrol officers and specialized or proactive units with radio calls. The majority of our services are to respond to radio calls as a means to deescalate situations and prevent officers or the public from getting injured.

I was working on March 27, 2020, and responded to event #20030044563. I choose to listen to the [REDACTED] frequency along all of the other patrol commands frequencies. The SOU unit works city wide and have a high likelihood of getting into a foot or vehicle pursuits with a felon or someone with a weapon. That is something a canine unit would help with. I also know there is a chance they're going to be involved in a critical incident that would not be broadcasted over the main frequency right away.

During this event I was in the area when the traffic stop and foot pursuit was occurred. I heard Officer Serrano broadcast he was with one subject and it sounded like he was alone so I went to help him. I knew this was an "enforcement contact" so I knew to activate my BWC, which I did.

When I arrived on scene, I observed Officer Serrano, who I know from my patrol time working at Southeastern Division with him, take [REDACTED] into custody. Officer Serrano appeared to be handcuffing [REDACTED] or had just finished handcuffed [REDACTED]. I don't remember hearing Officer Serrano yell or say anything to [REDACTED] at the time I was exiting my patrol vehicle.

I think Officer Serrano picked or assisted [REDACTED] up by his arms. I remember [REDACTED] was laying on his stomach, on the ground. I do not recall seeing Officer Serrano grab ahold of [REDACTED] pants while he was picking or assisting [REDACTED] up. I do remember Officer Serrano having grasped [REDACTED] arm.

After [REDACTED] was on his feet, Officer Serrano maneuvered [REDACTED] toward my patrol vehicle. [REDACTED] collided with the front of it and appeared Officer Serrano perhaps lost his balance as well because it appeared his body weight fell into the vehicle. I was not actively "hands on" with [REDACTED] when they collided into the front of my vehicle, so it is hard for me to tell if [REDACTED] tripped or was pushed into the vehicle. On my BWC it appeared Officer Serrano either guided or pushed [REDACTED] into my patrol vehicle. I could not tell if [REDACTED] was trying to pull away, tripping, or if Officer Serrano was tripping over [REDACTED]. I really don't know.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 31

When [REDACTED] collided with the front of my patrol vehicle, I think [REDACTED] said, "Ouch" or made some sort of noise. Officer Serrano told [REDACTED] he was disappointed in him. That stuck out to me.

I saw Officer Serrano had his hand on the back of [REDACTED] neck. I was not in the position to see if he had grasped [REDACTED] neck, but he definitely had his hand there. I don't know if he had his hand there to keep [REDACTED] from coming off of the patrol vehicle or prevent [REDACTED] from moving. I could not tell if he was "grasping" [REDACTED] neck.

I did notice that while Officer Serrano was escorting [REDACTED] to either his patrol vehicle or another SOU vehicle down the street, Officer Serrano still had his hand on [REDACTED] neck. I don't know if he was grasping [REDACTED] neck though or if he was guiding him that way. When I got a little bit closer and saw this going on it was surprise to me because I know Officer Serrano and this is not the way he normally acts.

I did not hear Officer Serrano yell at [REDACTED] to shut up. I do remember there being some words being exchanged between the two of them. I don't know what specifically was being said.

Officer Serrano may have asked for me to pick up the property that was on the ground which was a BWC, I'm assuming was his, and a cell phone. I was in the process of picking it up I think when he may have asked. I think that was the reason I was so far behind when Officer Serrano escorted [REDACTED] to the other patrol vehicle. I was at least half a block behind them from what I recall.

When I caught up to Officer Serrano and [REDACTED], I thought the interaction was "odd." I already knew this interaction was "odd" compared to how I know Officer Serrano and the way he treated the public in southeast. I could see Officer Serrano was upset and the fact he told [REDACTED] he was disappointed in him lead me to believe there was more of relationship then simply Officer Serrano arresting a suspect from a foot pursuit.

I ultimately walked back to them to make sure they were each "okay." I also wanted to make sure nothing escalated further and if there was a personal element to this I could calm it down.

On the BWC camera it looks bad. He was yelling at a subject he just took into custody, with a use of force. I spoke with Officer Serrano after the fact about the way his actions looked on camera. After I showed him my BWC footage, he explained to me his relationship [REDACTED] and I understood more why he reacted the way he did because of his connection to [REDACTED]. Officer Serrano knew [REDACTED] from the Gang Intervention Units – Boxing Club. [REDACTED] was someone that Officer Serrano has been trying to help. It put it more into perspective because I know from my personal experience of helping with mentoring programs and seeing someone you developed a relationship with and tried to guide down a correct path and they continued to get into trouble because of their own doings. I can understand why Officer Serrano acted the way he did.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 32

I think Officer Serrano's actions could be debated as to if they would bring the department into disrepute. A video going viral could show an officer being rude to a kid but others may say that those officers were really upfront and "straight" with the kid and explained why they were disappointed in him. I'd like to think a bystander could hopefully see the more personal aspect of this and that it is not some use of force. I think the situation could go either way.

In hindsight I do think Officer Serrano's actions were appropriate for the situation. I think sometimes the kids that live in Southeastern Division need to be held accountable, strict with them, and told when they are disappointing someone.

I do not think Officer Serrano's conduct need to be reported especially after learning the backstory to their relationship. I did not come up to a scene and witness an officer using unnecessary force on a subject. I saw an officer with a personal relationship to the subject, who was angry, and told the subject he was disappointed in him.

The interview concluded at 1011 hours.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 33

Subject Officer Interview: Officer [REDACTED]

On October 28, 2020, at 0555 hours, Sergeant Yesi Quintos #5635 and I interviewed Officer [REDACTED] [REDACTED] in the Internal Affairs interview room. I asked Officer [REDACTED] questions regarding his activation of his BWC and his perception of Officer Serrano's conduct during the incident. POA Attorney Ed Southcott was present as Officer [REDACTED] legal representative.

I read the Administrative Admonishment for Sworn Personnel and Officer [REDACTED] stated he would answer all questions truthfully. The following is an "in-essence" statement of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been employed with the San Diego Police Department for seven and half years. I have been assigned to Southeastern Division for three and half years. During this incident on March 27, 2020. I was assigned to Southeastern Division's Crime Suppression Team (CST).

Commonly on CST, I monitor [REDACTED] and [REDACTED], which is how I became aware of this specific incident. I believe we were responding to a "traffic stop" that turned into a foot pursuit. This is an enforcement contact and is a mandatory recording per Department Procedure 1.49.

I have a BWC issued to me. I was trained on how to use it and when to activate it. I should have activated it earlier but I was in the passenger seat and was concentrating on navigating us to the scene as quickly as possible. By the time we arrived and I was out of the car I realized I needed to turn on my BWC and that was when I activated it into "event mode."

When I arrived on scene I saw, Officer Serrano already had [REDACTED] detained. [REDACTED] was handcuffed, lying on the ground on his stomach, and in the street. I did not have a good view but it looked like Officer Serrano assisted [REDACTED] to his feet by his arm.

I never saw [REDACTED] make contact with the vehicle. From my angle it looked like [REDACTED] lost his balance and fell forward. I saw on the video that Officer Serrano grasped [REDACTED] by the back of his neck. I do not recall if Officer Serrano escorted [REDACTED] in the same manner with his hand grasping onto the back of [REDACTED] neck.

I remember Officer Serrano telling [REDACTED] something along the lines of, "I'm so disappointed in you." I do not remember hearing Officer Serrano tell [REDACTED] to shut up.

(Sergeant Quinto and I asked Officer [REDACTED] questions about his interpretation of Officer Serrano's conduct.)

When we arrived I didn't know really what was occurring because we got there somewhat "after the fact." I know there was a gun outstanding but I didn't know why Officer Serrano was acting

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 34

the way he was. Officer Serrano looked clearly upset or angry during the situation but I was not sure why. Officer Serrano yelled at [REDACTED] but I did not see Officer Serrano overtly be physically aggressive with [REDACTED]. To me it looked like [REDACTED] was not walking and Officer Serrano was somewhat "pulling" [REDACTED] along to "encourage" [REDACTED] to move.

I don't know what upset Officer Serrano. I did not see any conduct exhibited by Officer Serrano that should have been reported.

The interview concluded at 0606 hours.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 35

Subject Officer Interview: Officer [REDACTED]

On October 28, 2020, at 1157 hours, Sergeant Yesi Quintos #5635 and I interviewed Officer [REDACTED] [REDACTED] in the Internal Affairs interview room. I asked Officer [REDACTED] questions regarding his activation of his BWC and his view of Officer Serrano's conduct during the incident. POA Attorney Ed Southcott was present as Officer [REDACTED] legal representative.

I read the Administrative Admonishment for Sworn Personnel and Officer [REDACTED] stated he would answer all questions truthfully. The following is an "in-essence" statement of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been employed by the San Diego Police Department for five and half years. I was assigned to Southeastern Division during this incident. I have worked at Southeastern Division for about four and half years. At the time of this incident I was assigned to the Crime Suppression Team (CST).

I was working on March 27, 2020 and responded to event #20030044563 at 5500 Olvera Ave and 500 Los Angeles Place. My partner (Officer [REDACTED]) and I were in the area of the traffic pursuit that SOU (Special Operations Unit) was involved in with multiple subjects. We commonly monitor [REDACTED] and [REDACTED], which are the frequencies utilized by SOU.

At the time of the incident I was not sure what was going on. I did not know the details surrounding the incident whether it was an enforcement contact or not. I don't know if the SOU officer already made the traffic stop and the subjects ran from them or if SOU was trying to make a stop. I didn't have any of that information.

At one point an officer said they were in foot pursuit and we went to cover them. I do think a foot pursuit is an enforcement contact.

I am issued a BWC and I have been trained on how to use it and when to activate it into "Event Mode." Enforcement contacts are a mandatory recording set forth in the Department Procedure 1.49.

I do not have a BWC recording regarding this incident because I remember we were very close to the area it was occurring in. We heard someone was in foot pursuit. The street that was broadcasted was Los Angeles Place, I believe. I knew we were close but I didn't know how to get there.

Officer [REDACTED] was the passenger and he was attempting to locate the address and so was I, as I was driving. In this situation, where an officer's safety is paramount, my mindset was to find the

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 36

officer to provide any help he may need. The first thing that came to my mind was officer safety, not to turn on my BWC.

When I arrived on scene, the subject was already detained and in handcuffs. I do not remember if Officer Serrano had [REDACTED] on the ground or standing. There did not appear to be any further enforcement occurring so there was no reason for me to turn on my camera. Officer Serrano was escorting the subject and we still didn't really know what happened at that point. We didn't know if the person detained was under arrest, if so what for, or if they were only detained. Officer Serrano did not advise us of what was occurred.

Officer [REDACTED] and Officer [REDACTED] asked Officer Serrano if he needed assistance and Officer Serrano said no. Therefore I got back inside the patrol vehicle and left the scene.

Our policy states that we are to turn on our BWC for a contact that has the potential to turn into an "enforcement contact."

I do not recall [REDACTED] making contact with a patrol vehicle, whether tripping or being pushed. I do recall Officer Serrano escorting [REDACTED], as we are trained to by the arm. I remember Officer Serrano told [REDACTED] he was disappointed in him in a scolding type of voice. I don't remember hearing Officer Serrano tell [REDACTED] to, "Shut up." Officer [REDACTED] told me later on in the week that he spoke with Officer Serrano and Officer Serrano informed him that he, a "mentor" to [REDACTED] through a community outreach program.

I don't believe that Officer Serrano's conduct would have made the department look bad in the eyes of the public. I do not feel that any of Officer Serrano's actions or conduct was needed to be reported as "misconduct."

This incident occurred about 7 months ago so my recollection of the incident is not the best.

The interview concluded at 1211 hours.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 37

Subject Officer Interview: Officer [REDACTED]

On October 30, 2020, at 1401 hours, IA Detective Sergeant Robert Davis #6781 and I interviewed Officer [REDACTED] in the Internal Affairs interview room. I asked Officer [REDACTED] questions regarding his activation of his BWC and his view of Officer Serrano's conduct during the incident. POA Attorney Amy Margolies was present as Officer [REDACTED] legal representative.

I read the Administrative Admonishment for Sworn Personnel and Officer [REDACTED] stated he would answer all questions truthfully. The following is an "in-essence" statement of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been employed with the San Diego Police Department for 11 years. I have been assigned to the Special Operations Unit for 4 years.

I was working and I do remember event #20030044563 that occurred on March 27, 2020 regarding the traffic stop at 5500 Olvera Avenue that turned into a foot pursuit.

The incident started when SOU was working saturation patrol in the area of "Lincoln Park." Undercover detectives located a vehicle to conduct a traffic stop on for a limit line violation. Officer [REDACTED] and Officer [REDACTED] were positioned as the primary unit to conduct the traffic stop on the vehicle. Officer Serrano and I happened to come upon the stop and were positioned to be the cover unit. Officer Serrano was the driver and I was the passenger.

As we positioned ourselves behind Officer [REDACTED] and Officer [REDACTED], they already activated their overhead lights and as the vehicle appeared to be yielding on Olvera Avenue, I saw a young black male exit the passenger door and start to run. He ran along a side street called San Onofre Terrace. I immediately exited our patrol vehicle and proceeded to run towards the vehicle. I did notice the driver got out and started to run as well.

Officer [REDACTED] chased after the passenger. I was way behind as I was tried to get out of my patrol car, air the radio traffic, clear the car, and then chase Officer [REDACTED] because I could no longer see the suspect. I broadcasted the traffic that Officer [REDACTED] couldn't. Officer [REDACTED] ultimately caught the suspect and took him into custody.

This was an enforcement contact. I am assigned a BWC. I was trained on how to operate it and when to activate it into "Event Mode." An enforcement contact is a mandatory recording. The reason I do not have a BWC recording is because of the circumstances of the traffic stop, it quickly evolved, and was not a standard stop where the occupants stayed in the vehicle. As we approached the occupants got out and ran while the vehicle was still moving. There was an exigency to get of the car and it was no longer a "routine stop." As I tried to broadcast radio traffic, open my door, find my feet, and pursue after Officer [REDACTED], it did not ever occur to

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 38

me that my BWC was not recording. It was not a conscious decision, it is just something that happened. I can't remember if I turned it on or not. At the end, when you see a green light flashing, your heart sinks because up until that point I acted and assumed my BWC was on, and then finding out the repercussions of being human and knowing I made an error in a quickly evolving situation. It was definitely gut wrenching in that moment.

By [REDACTED] fleeing from the traffic stop while the vehicle was still moving is very unorthodox. [REDACTED] fled for a reason. Later there was masks, handgun magazines, full face coverings with the eyes cut out found in the trunk of the car. They definitely fled from something. They not only put the officers at risk but also the safety of the public.

This also caused for the radio frequencies to become "patched" resulting in units from Southeastern Division to drive lights and sirens along with the SOU units. They drove fast in a residential area. The suspect's actions were a threat to the officers and the public.

I do not feel like there was a safe time to turn my BWC into event mode. I was running and aired most of the radio traffic for the foot pursuit of [REDACTED]. I was in a sprint trying to catch up the entire time. We ran a long distance. So by the time [REDACTED] was taken into custody and I stopped running, I felt it was finally safe to turn my BWC on but there was no more reasoning to turn it on since [REDACTED] was placed inside of a police vehicle.

Once other officer's arrived I walked the path we ran to check for any evidence that was discarded by [REDACTED].

When I got back to our patrol vehicle, I saw Officer Serrano was at our car with the driver of the suspect vehicle, [REDACTED]. Officer Serrano issued [REDACTED] a citation and when he released [REDACTED], Officer Serrano gave [REDACTED] a semi hug. I did not see any misconduct from Officer Serrano.

The interview concluded at 1418 hours.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 39

Subject Officer Interview: Officer [REDACTED]

On October 30, 2020, at 1401 hours, IA Detective Sergeant Robert Davis #6781 and I interviewed Officer [REDACTED] in the Internal Affairs interview room. I asked Officer [REDACTED] questions regarding his activation of his BWC and his view of Officer Serrano's conduct during the incident. POA Attorney Amy Margolies was present as Officer [REDACTED] legal representative.

I read the Administrative Admonishment for Sworn Personnel and Officer [REDACTED] stated he would answer all questions truthfully. The following is an "in-essence" statement of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been employed with the San Diego Police Department for 15 years. I have been assigned to the Special Operations Unit (SOU) for 8 years.

I was working and I do remember event #20030044563 that occurred on March 27, 2020 regarding the traffic stop at 5500 Olvera Avenue that turned into a foot pursuit.

I believe the incident began when a detective saw the suspect vehicle in the area of 5000 Logan Avenue. That area recently had a homicide and we were assigned to saturation patrol there in response to the recent violence. That area is also a well-known "Lincoln Park" hangout and Lincoln Park gang has been in a decade long "war" with members of the "Skyline Piru" gang.

The detective saw the vehicle driven by [REDACTED] drive in the area and broadcasted its description. Officer [REDACTED] and I were in the area and witnessed the vehicle commit a limit line violation and "run the stop sign" at Olvera Avenue and San Jacinto Drive. That was when we were going to conduct the traffic stop.

I do consider this traffic stop to be an enforcement contact. I am issued a BWC. I was trained on how to operate it and when to activate it into "Event Mode." I do know that an enforcement contact is a mandatory recording.

I attempted to activate my BWC prior to initiating the traffic stop. I believed it was turned on at the start of the traffic stop and prior to conducting the stop. It wasn't until after the contact and I went to turn off my BWC that I saw the green light was still flashing when I realized it was never activated. I have had problems with that BWC in the past. I have since replaced it and gotten a new one.

I believe there was at least one other time I went to turn on my BWC and it did not activate. I thought that I documented it but I was unable to locate that exact incident. I brought with me a printout of my previous Officer Daily Journals (ODJ) where I documented malfunctions with my BWC. On June 25, 2020 I documented that my BWC died early in the shift and charged it from

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 40

1900-2000 hours, and it died again during the shift. On August 5, 2020, I documented that my BWC died before 1600 hours into the shift.

As we initiated the traffic stop and prior to the suspect vehicle yield, the passenger door opened, and [REDACTED] proceeded to run from the vehicle. My partner, Officer [REDACTED], exited our patrol vehicle and chased [REDACTED].

Shortly after that and prior to the suspect vehicle coming to complete stop, the driver, [REDACTED], exited and proceeded to run from the vehicle. I got out and chased [REDACTED] for approximately 10 yards until he jumped a fence into the backyard of [REDACTED] Olvera Avenue. As I was getting to the fence, I noticed he disappeared out of sight to the west of that residence. I believed he was running to "double back" to the street so I went to the street to intercept him, but he did not come out that way.

I maintained the southeast perimeter, assuming he was "hunkered down" in a neighboring yard. I stayed there and broadcasted my location and waited for assistance.

Officer Serrano eventually broadcasted the suspect exited from several houses to the west and he was able to detain that subject. I made it to Officer Serrano but [REDACTED] was already secured in the back of a patrol vehicle. I did not see any interaction between Officer Serrano and [REDACTED].

I searched the suspect car and inside of the trunk was a backpack with a 2 ski masks with the eye holes cut out, a red zipper bag with HK magazine inside (for a handgun), and a red bandana.

I have had a BWC for 5 years. I have activated it thousands of times. I would never knowingly not activate it. There was no intention in this case to not turn it on. I believed during the entirety of this incident it was on and it just happens that it was not.

The interview concluded at 1510 hours.

(The following is the ODJ, BWC malfunction documentation provided by Officer [REDACTED] during his interview)

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
 Internal Investigation I.A. #2020-0367
 Page 41

Date and Time	Event ID	Source	Description	User
06/25/21 18:42:30	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN	Unit (CP134) of Issue Qty 16882 CUST- IN	74074
06/25/21 18:42:38	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
06/25/21 18:45:02	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
06/25/21 18:45:47	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
06/25/21 19:45:53	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
06/25/21 19:45:54	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
06/25/21 20:29:29	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
06/25/21 22:26:33	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
06/29/21 03:22:38	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
06/30/21 14:38:27	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
07/01/21 14:56:19	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
07/01/21 15:26:49	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074
07/01/21 20:18:19	SCPE34	Unit (CP134) of Issue Qty 16882 CUST- IN QM	Unit (CP134) of Issue Qty 16882 CUST- IN QM	74074

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Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division: Internal Affairs
 Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 42

Subject Officer Interview: Officer [REDACTED]

On November 12, 2020, at 1353 hours, IA Detective Sergeant Quintos #5635 and I interviewed Officer [REDACTED] in the Internal Affairs interview room. I asked Officer [REDACTED] questions regarding his operation of his BWC during the incident. FOP Attorney Donovan Jacobs was present as Officer [REDACTED] legal representative.

I read the Administrative Admonishment for Sworn Personnel and Officer [REDACTED] stated he would answer all questions truthfully. The following is an "in-essence" statement of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been employed with the San Diego Police Department for 14 years and assigned to the Special Operations Unit for the last 8 years.

I was working on March 27, 2020 and responded to event #20030044563 at 5500 Olvera Avenue. The incident started as a "proactive traffic stop" initiated by other officers of the Special Operations Unit. My partner and I responded to assist with traffic stop. A traffic stop is considered an enforcement contact.

I am issued a BWC and I have received training on how to operate it and when to activate it into "Event Mode." Enforcement contacts and searches are considered a mandatory recording.

When I arrived on scene, I proceeded to search the adjacent property for any evidence or contraband that could have been thrown during the foot pursuit. I was retracing the route the suspect ran and the properties adjacent to it. I did not locate any evidence.

I turned my BWC off while searching the adjacent property because at the time the information that was being shared over the radio was sensitive in nature regarding [REDACTED] social media postings containing firearms. I felt that it was better for me to have my camera off to avoid any exposure of the intelligence that may negatively effect any confidential informants or the investigations.

The interview conclude at 1400 hours.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 43

Subject Officer Interview: Officer [REDACTED]

On November 12, 2020, at 1429 hours, IA Detective Sergeant Quintos #5635 and I interviewed Officer [REDACTED] in the Internal Affairs interview room. I asked Officer [REDACTED] questions regarding his operation of his BWC during the incident. POA Attorney Amy Margolies was present as Officer [REDACTED] legal representative.

I read the Administrative Admonishment for Sworn Personnel and Officer [REDACTED] stated he would answer all questions truthfully. The following is an "in-essence" statement of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been employed with the San Diego Police Department for 14 years and assigned to the Special Operations Unit for the last 4 years.

I was working on March 27, 2020 and responded to event #20030044563 at 5500 Olvera Avenue. The Special Operations Unit was assigned to work that specific area due to recent violence in the area. This specific traffic stop was initiated when detectives spotted it in the area and directed us to conduct a traffic stop on it. A traffic stop is considered an enforcement contact.

I am issued a BWC and I have received training on how to operate it and when to activate it into "Event Mode." Enforcement contacts are considered a mandatory recording but searches are not to my understanding.

As a general practice when we conduct a traffic stop the decision to make the stop is determined when we activate the overhead lights. In this instance, I was riding passenger I was manipulating the radio just prior to Officer [REDACTED] activating our lights. I believe I had the radio in one hand and manipulating the seatbelt in my other hand. In this particular instance, the passenger jumped out and proceeded to run before the car came to a stop. I got out and proceeded to chase by passengers. I didn't have a chance to activate it prior to getting out of my patrol vehicle.

After I took [REDACTED] into custody, I searched the female's car where I last saw [REDACTED] walking from. During the search other officers began to arrive at the scene and we started to discuss Intel that led us to the stop, in particular the "gang sect" [REDACTED] and [REDACTED] belong too. So in order to protect possible informants or ongoing investigations I turned my BWC off. I finished searching the female's vehicle with her consent without activating my BWC back into "Event Mode."

The interview concluded at 1436 hours.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 44

Subject Officer Interview: Officer Dave Serrano #6320

On November 13, 2020, at 1007 hours, IA Detective Sergeant Quintos #5635 and I interviewed Officer David Serrano #6912 in the Internal Affairs interview room. I asked Officer Serrano questions regarding his operation of his BWC, his conduct, and his relationship with [REDACTED] during the incident. POA Attorney Amy Margolies was present as Officer Serrano's legal representative.

The following is a transcription of the interview completed by www.nettranscripts.com. (For exact and complete details of the interview, refer to the audio recording.) I reviewed the audio interview and the transcription for accuracy.

Sgt. Radtke: All right today's date is Friday November 13 and the time is 1007 hours. I am Sergeant Tim Radtke, ID number 6554 and we are located in Internal Affairs interview room in San Diego Police Department Headquarters. In the room with me if you could Officer Serrano just state your name, rank, and ID number.

Off. Serrano: David Serrano, POII #6912.

Sgt. Radtke: Perfect. And I advised you of your right to representation when we agreed to this interview. In the room with you is.

Atty. Margolies: Amy Margolies, POA Attorney.

Sgt. Radtke: Thank you. Also in the room with me is Detective Sergeant Quintos. If you could just state your ID number please.

Sgt. Quintos: 5635.

Sgt. Radtke: Perfect. All right before we get going Officer Serrano if you could just what's your date of hire?

Off. Serrano: Date of hire is 12 of 2013.

Sgt. Radtke: Okay. And division you're currently assigned to?

Off. Serrano: Telephonic Reporting Unit.

Sgt. Radtke: And before that it was SOU though, correct?

Off. Serrano: Yes, sir.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 45

Sgt. Radtke: All right we'll just put (unintelligible). Currently first watch hours?

Off. Serrano: It's second watch hours.

Sgt. Radtke: Oh okay.

Off. Serrano: Yeah it's under their umbrella.

Sgt. Radtke: Okay and when you were at SOU was that second watch hours?

Off. Serrano: Yes, sir.

Sgt. Radtke: And then what race do you consider yourself?

Off. Serrano: I am Hispanic.

Sgt. Radtke: Consider yourself male?

Off. Serrano: Yes.

Sgt. Radtke: How tall are you?

Off. Serrano: 5'8" on a good day.

Sgt. Radtke: Okay how much do you think you weigh?

Off. Serrano: I weigh 155.

Sgt. Radtke: It's a good weight. It's a good weight...

Off. Serrano: Manageable.

Sgt. Radtke: Yeah, I'm the same. Okay and then at the time of this incident, SOU, correct? Is where you were working?

Off. Serrano: Yes, sir.

Sgt. Radtke: Okay I'm just going and I'm going to read you the admonishment. At this time I'm going to question you about procedure violations. My questions during this interview concern administrative matters relating to the official business of the police

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 46

department. I'm not going to question you for the purpose of a criminal prosecution. In a criminal investigation you have the right to remain silent and not incriminate yourself. However since this is an administrative not a criminal investigation, your failure to answer my questions could be insubordination and result in discipline up to including termination. Any statements you make cannot be used against you in any criminal proceeding. Under penal code 832.7, a grand jury, attorney general's office or district attorney's office may have the right to obtain a copy of your statement to me during this interview. Your statements to me cannot be used against you by any agency in any criminal proceeding. You are required to answer my questions fully and truthfully. This requirement is set forth in section 9.4 and 9.29 of the San Diego Police Department policy manual. 9.4 obedience of lawful order policy. Members shall promptly obey any lawful orders of superiors. This includes orders relayed from a superior by someone of the same or lesser rank. 9.29 truthfulness policy. Members shall be truthful in all matters relating to their duties. Upon the order of a superior or any officer appointed by the chief of police to conduct an internal investigation and in accordance with the constitutional and contractual guarantees including the right to representation, members shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department. Refusal to answer my questions is in itself a violation of department policy and will subject you to disciplinary penalties. Do you understand what I've just explained to you?

Off. Serrano: Yes.

Sgt. Radtke: Is there anything that prevents you or may prevent you from answering my questions fully and truthfully?

Off. Serrano: No.

Sgt. Radtke: Do you have any questions concerning what I have just explained to you?

Off. Serrano: No.

Sgt. Radtke: I now order you to answer the following questions. I am also ordering you not to disclose anything we discuss during this interview or anything regarding this investigation with anyone other than your employee representative or legal counsel. Doing so would be insubordination and by itself could subject you to disciplinary action up to and including termination.

Off. Serrano: Okay.

Sgt. Radtke: All right. How long have you worked for the San Diego Police Department?

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 47

Off. Serrano: Seven years now, sir.

Sgt. Radtke: Okay and how long have you been assigned to SOU?

Off. Serrano: Two years.

Sgt. Radtke: And can you describe in your own words essentially what SOU does, what its responsibilities essentially are?

Off. Serrano: It's a uniform detail that's attached to the street gang unit. In addition to that they provide a uniform presence for specialized units such as robbery, homicide, SIU, CIU, narcotics, and any other investigative units. In addition to that, our primary role is to gain intel out in the field to provide assistance for any investigative follow-ups for detectives. And to that we provide a proactive to enforcement and make arrests.

Sgt. Radtke: Okay.

Off. Serrano: With all of or not limited to violent offenders.

Sgt. Radtke: Perfect. Okay. And were you working on March 27, 2020 and responded to event 20030044563 at 500 Olvera Avenue and essentially where it ended at 500 Los Angeles Place?

Off. Serrano: Yes, sir.

Sgt. Radtke: Okay. Did you review your report prior to coming here?

Off. Serrano: Yes, sir.

Sgt. Radtke: Okay. And I didn't find any BWCs. Did you watch anybody else's BWC before coming here?

Off. Serrano: Just briefly with my attorney.

Sgt. Radtke: Okay whose BWC was that?

Atty. Margolies: I think we watched...

Sgt. Radtke: Was it [REDACTED]?

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 48

Atty. Margolies: Yeah I think we watched about 20 seconds of [REDACTED].

Sgt. Radtke: Okay.

Atty. Margolies: And I believe less than five seconds max of...

Sgt. Radtke: [REDACTED]?

Atty. Margolies: [REDACTED].

Sgt. Radtke: Okay.

Atty. Margolies: And then real quick about your BWC though. They're saying that they - that they didn't find any.

Off. Serrano: Which is odd because my BWC was actually on and it turned off when I had made contact with [REDACTED].

Sgt. Radtke: Okay.

Off. Serrano: And it turned off. And so I had notated that in the report. I said that the BWC had turned off. And I categorized it and I can't find it and I did time, I did date, I did under the incident number, I did under the cite number. And it's nowhere to be found.

Sgt. Radtke: Okay. I do have a line of questioning for that...

Off. Serrano: Okay.

Sgt. Radtke: when we get to it. So just tell me that again when we get to it...

Off. Serrano: Yes, sir.

Sgt. Radtke: But I understand what you're saying.

Off. Serrano: Yes, sir.

Atty. Margolies: Because he actually reviewed it.

Off. Serrano: Yeah I - I...

Atty. Margolies: Yeah.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 49

Off. Serrano: In fact when I was doing the initial paperwork which was finalizing the incident number, I had been reviewing it and then I notated it in my report that it was like okay well it turned off and there's nothing I can do...

Sgt. Radtke: Yeah.

Off. Serrano: about it.

Sgt. Radtke: I think it's like the last sentence in your report it says that it turned off...

Off. Serrano: Yes, sir.

Sgt. Radtke: during the foot pursuit or...

Off. Serrano: Yes, sir.

Sgt. Radtke: It says that or - okay. No worries, okay. Like I said I have some questions for that coming up.

Off. Serrano: Okay.

Sgt. Radtke: So just give me that answer when we get to that stuff. Okay. So you did say that you were working on March 27, 2020 and responded to the incident...

Off. Serrano: Yes, sir.

Sgt. Radtke: Correct? Okay how did this event basically come to fruition? How was it started?

Off. Serrano: Myself and Officer [REDACTED], we were a two-man unit. We were conducting saturation in Lincoln Park Community, specifically in the 5000 block of Logan. There at the time - so there was some history over the course of that two-week period where we had a young man by the name of [REDACTED] who was an affiliate gang member with the 59 Brims which is an ally gang set with the Lincoln Park bloods, had been stabbed at 2 o'clock in the afternoon by a black male. And he was rushed to the hospital and unfortunately succumbed to his wounds. At that moment we then started receiving additional information from our detectives, informing us that there had been some concerns that it may have been a rival gang set that was responsible for the death. That rival gang set was Skyline Pirus and O'Farrell Banksters which is also an allied clique to East Lake Pira- oh I'm sorry Skyline Pirus. Their boundaries are more east of Southeast Division and the Skyline community including O'Farrell Park. In that two-

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 50

week period we had a rash of shootings. We also were conducting surveillance on the memorial that was taking place at the 5000 block. With the assistance of SOU had conducted a traffic stop and had arrested three males possessing firearms that were intended to do a drive-by. All this was intel related so we were able to apprehend those suspects. In addition to that, southeast CST had two other stops that resulted in making arrests on a firearm, both subjects that were possessing the firearms and failure to yield. So it had been extremely busy and there had been some credible information that the rivalry between the two sets was going to continue to be ongoing and more bloodshed was going to be taking place in that community.

Sgt. Radtke: Okay. So I understand all of that. How did this traffic stop get started then?

Off. Serrano: So at the time Officer [REDACTED] and I, we were conducting saturation and we were somewhere in the vicinity of Division and Main. And Acting Detective [REDACTED] had informed us over the radio that two black males and two females were sitting in the back seat of a gray sedan were driving up and down 5000 Logan. At that point there was communication between two other uniformed officers attached to SOU which was Officer [REDACTED] and Officer [REDACTED]. Those two officers were communicating with [REDACTED] and informing him hey yeah this probably needs to get stopped because they keep driving up and down. It's of concern because there was a group of individuals at 5000 Logan. So the concern that there may have be a potential drive-by that was going to take place in front of us. Meanwhile we were monitoring both [REDACTED] and our primary channel so there was a lot of radio traffic kind of in and out. And so we were kind of making our way to 5000 Logan. And then at some point the car had evaded them and so they lost sight. And then eventually they spotted the car at Euclid and Imperial which is about two blocks just north of 5000 Logan. At that time they were still kind of coordinating in terms of whether they were going to stop the vehicle or not. At that point they said that they had saw two females exit the vehicle and then two black males drive off in an eastward direction. We were pretty far from it and so we kind of figured you know what we'll let the other officers handle that traffic stop and kind of make our way to the females. And we turned eastbound on Churchward and then we were kind of in the vicinity and then suddenly we were informed that the car is on Olvera and it was like - it seemed like it was just right there at that moment. So we were not even prepared for the stop or anything like that. And Officer [REDACTED] and Officer [REDACTED] had say hey we're going to be conducting a traffic stop at 5400 Olvera facing eastbound. At that point we were literally just behind them so I'm about to exit the vehicle, turn on my camera, and all of a sudden Officer [REDACTED] says, "Hey they're taking off. They're taking off." And so I can hear the buzzing because there was a lot of chatter on the radio on both frequencies. And so I immediately hit my body camera with my fingers. And I looked in a northeast direction and I saw Officer [REDACTED] pursuing the driver as Officer [REDACTED] was pursuing the

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 51

passenger. Officer [REDACTED] again jumped out the vehicle and pursued the passenger assisting Officer [REDACTED].

Sgt. Radtke: So they were all pursuing on foot?

Off. Serrano: Yes, sir.

Sgt. Radtke: Okay.

Off. Serrano: At that point I ran out on foot. I saw the driver was a black male wearing a white tank top and blue and red pants jump the fence on the northwest corner of Olvera and I believe it was Trinidad, one of those streets. I think it was like 58 [REDACTED] or 58 [REDACTED] or 54 [REDACTED] Olvera. He hit the fence and then began running through the back yards in a westwardly direction. I immediately ran back into my car. I jumped in and I made my way to the west end of Olvera and Los Angeles to set up a perimeter. I jumped out the car again. It's more of an autonomic response for me with BWC so I'm always hitting it just by muscle memory. I hit it again. I jump out. I'm at this point walking northbound on the 500 block of Los Angeles from Olvera. I'm standing there for approximately ten seconds. And I see the same male that I saw run from the vehicle jumping over a fence onto the street side and he's approximately 50 feet or 75 feet from me. And he's continuing to cross the street making his way westbound towards Los Angeles. I tell him to get down and he looks directly at me. And then to my surprise I was extremely shocked by it to see that it was a young man that I knew by the name of [REDACTED].

Sgt. Radtke: And how do you know it was [REDACTED]?

Off. Serrano: I can go into all that if you want me to or...

Atty. Margolies: It's fine.

Off. Serrano: Okay. So [REDACTED] and I had met each other at a boxing gym called [REDACTED]. The boxing gym itself kind of endorses the idea to have police officers train with intercity kids that have some troubled pasts. And so it's trying to collaborate and build the relationships among the community. I had participated that late in 2017 and continued on until about 2020. During that time is when I met [REDACTED]. You know, much like a mentorship I kind of saw him as a son, cared about him deeply. I found out that he had gotten himself in some significant trouble. And I was communicating with his stepmom via text and coordinating times to talk to him which I had done, you know, trying to express my concerns about his direction and the way he was going. I was aware that he was

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 52

affiliated to the gang set O'Farrell Gangsters. And so ultimately I was just shocked to see that because my personal life and my professional life had crossed paths at that very moment. So it took me by surprise because I didn't expect that. And so at that point I called his name. I said, "█████ get on the ground, get on the ground." And he looked directly at me and his eyes were wide and open and he was shocked and he said - and I said, "It's Coach David, it's Coach David." And he said, "I'm sorry, I'm sorry." And he continued running westbound in a direction towards the back yard of a home off of Los Angeles. I continued pursuing him. I said, "Stop, you need to stop. Please stop." And he said, "I'm sorry, I'm sorry," as he's continuing running. And at this point we run around the house and we go back street side onto Los Angeles in the middle of the roadway. I advance. I tackle him. He falls directly onto his back. I position myself by placing my right knee onto his stomach-chest area. I place my right hand onto his face and neck area just to control his body and posture. I then grab his right hand. I roll over to his stomach. I handcuff him. And then I go from there.

Sgt. Radtke: Okay. Did you say anything to █████ while you were handcuffing him?

Off. Serrano: I said, "Does this hurt?" And I said, "What are you doing?" And he was catching his breath and so he wasn't responsive at that time. And so there was a K-9 unit that I later out found out that it was Officer █████ and two southeast CST officers that came to assist me. Officer █████ and Officer █████. I picked up █████ and when I picked him up, I immediately felt him give a push forward in a forward momentum which based off of his actions previous where I had told him to stop and he said, "I'm sorry," but he continued to run so now the concern was that he was making his second attempt to evade me. So therefore my next course of action was to control him. And I didn't want to put him on the ground because he was handcuffed. So the likeliness of him sustaining significant injury would have been highly probable. So therefore I was closer to the vehicle so it was a form of a vertical floor as it was taught by me in the academy to control him in the best course of way.

Sgt. Radtke: Okay let me ask you a couple quick questions.

Off. Serrano: Mm-hm.

Sgt. Radtke: We're kind of getting ahead now. When he was on the ground did you pat him down at all or anything?

Off. Serrano: I briefly put my hand across his back and then at that point that's when Officer █████ had arrived.

Sgt. Radtke: Okay. And then how did you pick up █████ from the ground or assist him to his feet?

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 53

- Off. Serrano: I reached with my right hand and with my left hand, I grabbed the waistband and I lifted him up from the ground.
- Sgt. Radtke: Oh okay. And is that essentially how we're trained to pick a 10-16 up?
- Off. Serrano: It was clear that he was out of breath and he was trying to stay on the ground. So the best course of action was just to get him up from the ground because one it helps him expand his diaphragm and he's able to breathe better.
- Sgt. Radtke: Okay. I can understand that but picking him up by his pants...
- Off. Serrano: It was...
- Sgt. Radtke: ...is just what...
- Off. Serrano: ...the only...
- Sgt. Radtke: ...I'm asking.
- Off. Serrano: ...option just because I didn't want him to fall forward because he was handcuffed.
- Sgt. Radtke: Okay. And then if you can describe basically, how are we trained to pick a 10-16 up? I know you stated that was your best option but how would we normally pick up a 10-16?
- Off. Serrano: In most cooperative situations, we would allow them to sit up, bend a knee, and pick them up.
- Sgt. Radtke: Okay.
- Off. Serrano: But his actions dictated that otherwise because he had ran from me. And so my responsibility was to control [REDACTED].
- Sgt. Radtke: Okay. And you kind of were already hinting at it with the car being the vertical platform but when you initially picked him up, what was your initial course of where you were going to take him or what you're going to do with him once you did get him to his feet?
- Off. Serrano: Yeah you know I didn't know it was a K-9 car up until when I got there and I saw the cage but when he had made impact with the vehicle, he still was in a slouch position

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 54

and his head was down. So I placed my hand on the back of his neck too control him because it's always been something that's been talked down our throats in the academy and I came from southwestern academy and that was something that was said hey where the head goes, the body goes. It's simple body mechanics. And so at that point my best course of action was to assure that he was not going to evade me and also to remain control and then escort him to the next patrol vehicle which was mine.

Sgt. Radtke: Okay. So essentially when you pick him up, your course of action was essentially because he was falling forward to get him against something so you could control him?

Off. Serrano: Yes, sir...

Sgt. Radtke: Okay.

Off. Serrano: Because I felt him move forward and so you know after he had ran from me and I told him to stop and he continues, said I'm sorry and still ran, like due to the totality of the circumstances and the lack of cooperation from the get-go of him leaving the car, him running away from me, it was still I felt like at that moment he was making his second attempt. So it was my responsibility to retain custody of [REDACTED] at that moment.

Sgt. Radtke: Okay. So because this is obviously kind of a big issue...

Off. Serrano: Right.

Sgt. Radtke: ...we had a lot of things come into a factor, so what he ends up colliding into Officer [REDACTED] car, right, you are saying essentially you thought he was pulling away from you and he's directed into the car? Is that what you're saying is that was your means of controlling him from pulling away from you?

Off. Serrano: Yeah it was the safest way for him not going to the ground and he was maybe approximately two to three feet from the vehicle. So the distance between him and the floor as opposed to the distance between him and the car were...

Sgt. Radtke: Okay.

Off. Serrano: ...much safer.

Sgt. Radtke: Okay. So just too kind of eliminate anything else, did you feel as though he tripped at all in any means?

Off. Serrano: I couldn't see that because in the position in which I was, I was directly behind him, I

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 55

had my right hand on - in that part I don't recall exactly - my body hand or my left hand was on his left bicep and I was trying to hold him up and I could feel him going forward and pulling me. And so I tried to do the best case scenario which was try to hold him up using the vehicle as a form of vertical floor.

Sgt. Radtke: Okay.

Atty. Margolies: But you couldn't see his legs...

Off. Serrano: I couldn't...

Atty. Margolies: ...is what you're saying?

Off. Serrano: No I couldn't see his legs because I was - and he's much taller than me...

Sgt. Radtke: Mm-hm.

Off. Serrano: And so I only saw his left shoulder and his head and then the feel of him pulling away from me. I wasn't looking directly at his feet because my biggest responsibility was his upper body.

Sgt. Radtke: Okay. At this point do you recall like where your hands were still on him while you were trying to control him?

Off. Serrano: We had gone forward and that's when my hand had moved over to the back of his neck and the upper part of his back.

Sgt. Radtke: Okay. And that was your right hand. Do you remember where your left hand was at all or?

Off. Serrano: It was on his left shoulder or left inner bicep.

Sgt. Radtke: Okay. So just so we can eliminate it or whatever, do you feel as though you pushed him into the car?

Off. Serrano: I would not do that to him.

Sgt. Radtke: Okay.

Off. Serrano: No because even when I effect the arrest I did not strike him. I did not place him in a carotid restraint. I did nothing to indicate that I would put him in a position to succumb

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 56

to any injuries.

Sgt. Radtke: Okay.

Off. Serrano: That was not my course of action and my specific mindset was to control my 10-16 in the best way possible.

Sgt. Radtke: Okay.

Off. Serrano: And safest way possible.

Sgt. Radtke: Okay.

Sgt. Quintos: Do you mind if I ask real quick?

Sgt. Radtke: Yep.

Sgt. Quintos: I just want to understand [REDACTED] already created that forward momentum. As he was going forward, you made the decision that you didn't want him to go to the ground because of distance would have increased the force on him and maybe caused injury. So the next platform that you saw was the vehicle in itself. The motion that you're describing, was that created by [REDACTED]? That forward motion?

Off. Serrano: Yes.

Sgt. Quintos: And then so then your role was to just direct where you would land?

Off. Serrano: Yes...

Sgt. Quintos: Okay.

Off. Serrano: ...the safest way possible. It was a matter of split of a second, you know, and my mind is racing. You know I had just encountered the situation. It was, you know, the stress level was extremely high so but I still made the conscious mindset to yeah I still have the responsibility to ensure his safety and him not colliding to a hard asphalt rock floor and...

Atty. Margolies: Face first.

Off. Serrano: Face first so you know the distance between himself and I think he's like 6-feet, maybe 6'1", he's a pretty tall kid. So him falling from that distance to the ground at his own

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 57

forward momentum, his injury would have been astronomical. I mean he could have had lacerations, you know, facial fractures, something. But, you know, it all happened at that very moment where I was like no I can't have him fall on the floor. I'm going to use the vehicle as the best and safest manner which is what we're told, hey use something that's a vertical wall to prevent potential or serious injury.

Sgt. Quintos: And then that forward momentum, you said [REDACTED] was how tall?

Off. Serrano: Approximately 6 feet to 6'1".

Sgt. Quintos: And how much do you think he weighed?

Off. Serrano: Oh at least 175, 180.

Sgt. Quintos: Is that bigger than you?

Off. Serrano: Oh most definitely.

Sgt. Quintos: And could you with your own physical strength have pulled back?

Off. Serrano: You know we were both going in that direction. And I didn't anticipate him going and just based off of it, it would have prevented me from doing so because if I would have fallen back then I would have likely just pulled him down and then have gone in a different direction an fallen on the floor to the left-hand side of me.

Sgt. Quintos: Do you think physically you could have pulled him back?

Off. Serrano: No just...

Sgt. Quintos: Okay.

Off. Serrano: ...in the direction he was and the size difference would have been...

Sgt. Quintos: Okay.

Off. Serrano: ...way different.

Sgt. Quintos: Thank you.

Sgt. Radtke: Okay. So I know you stated this is the way you were taught in the southwestern academy but when [REDACTED] struck Officer [REDACTED] patrol vehicle, and you wrote in your

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 58

report that you used your right hand to basically the upper part of [REDACTED] back and neck to control him, is that what southwestern has essentially taught you guys is that's how you control somebody is by the back of their neck, upper part of their back?

Off. Serrano: Yeah you know I attended the academy back in 2008 and the techniques that were applied and they really haven't changed because they say hey you know it's a rapid involving situation and your hand placement's important and the safety of a prisoner is important as well but also to ensure officer safety is paramount, you know, place your hands in the safest way possible. And at the time the way he collided, I had placed my hand at the base of his neck and head and upper part of his back. And like I explained in the first part, we were always told where the head goes, the body goes or the body follows. And so I was, you know, trying to get him up in an upright position to posture up so I can continue escorting him to the patrol car.

Sgt. Radtke: Okay. And then when he essentially is on Officer [REDACTED] patrol vehicle, why do you end up telling him that you're so disappointed in him?

Off. Serrano: I was disappointed because I knew him from outside of work and the potential that we all saw in him and the conversations that we had, I was just hurt. You know at the end of the day, we're police officers and we're there to empathize with those that we come in contact on a day to day basis and I'm a firm believer of community relationships and you know, I've never cussed at any of my kids at the boxing gym. But the gravity of the situation was a lot worse than what he really understood because he wasn't there to go offer an olive branch to these gang members that were on 5000 Logan. He was there because he was going to go ahead and commit a crime, a crime that would have resonated within the community by somebody being shot or worse being killed. And the ongoing violence would have just been even worse. I think our summer would have been a lot worse had that situation not been stopped.

Sgt. Quintos: Okay. Mr. Serrano how old was this kid when you met him?

Off. Serrano: When I met him he was maybe 14 at the time. And I had kind of lost contact with him because unfortunately he had gotten shot in La Mesa. And he did approximately a year in juvenile hall.

Sgt. Quintos: And this potential crime that could have happened at 5000 Logan, what were you afraid would have happened to this young man? Not the community, not the people standing there, what did you fear for this young man?

Off. Serrano: His life would have been done. And I felt like if he was either the trigger man or simply the person that played a role in driving that trigger man to hurt somebody or kill

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 59

somebody, his life would have been pending imprisonment for the rest of his life. And you know at the end of the day, we all have a responsibility to care for our community. And you know I take it personal. I have a heart behind my badge and I feel for these young men. I myself grew up similar situation and so to me it was all or nothing and I wanted him to understand that I was truly hurt. And we had our heart to heart moment, you know, when he was in the back seat of my car. And I expressed, you know, he's got a tremendous amount of potential and, you know, I didn't want him to fail. And he knew what he did. You know? And I later found out that the passenger of that traffic stop was [REDACTED]. [REDACTED] was arrested a month prior for possessing a firearm up in northern division. The [REDACTED] family is a well-known family within Skyline Pirus community. So and I was told that there was some items recovered from the vehicle. There was a couple of masks and then I was told that one of the fanny packs on [REDACTED] [REDACTED] was open and that there was a likeness that there was a firearm. And I'll get to that in a second when we have a chance.

Sgt. Quintos: Okay.

Sgt. Radtke: Okay. In your report you state I believe it's after he hits the car and he's getting up by you wrote that he postured up in your report. What'd you mean by that?

Off. Serrano: Meaning he...

Sgt. Radtke: Where...

Off. Serrano: ...went in an upright position. And so that was enough to give me the opportunity to now guide him and then escort him to the patrol vehicle.

Sgt. Radtke: So him standing up?

Off. Serrano: Yes, sir.

Atty. Margolies: Sergeant Radtke do you mind if I give him a copy of his report?

Sgt. Radtke: Yeah absolutely.

Atty. Margolies: I don't know that you need to read, I just want you to have it there...

Off. Serrano: Yeah.

Sgt. Radtke: Should he...

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 60

Atty. Margolies: ...in case you have to refer to it.

Off. Serrano: Yeah...

Sgt. Radtke: I think (unintelligible)...

Off. Serrano: (Unintelligible).

Sgt. Radtke: ...paragraph here somewhere so.

Off. Serrano: Yeah so it's.

Sgt. Radtke:: Okay so then when he gets up or essentially and you start walking him away, your hand is still at the back of his neck. I don't want to say you're grasping but can you describe to me how your hand was?

Off. Serrano: Actually I wasn't actually on the neck. I was clinching the back of his shirt...

Sgt. Radtke: Okay.

Off. Serrano: ...just to maintain control. And my hand position is actually seen in the camera, me holding onto his shirt...

Sgt. Radtke: Okay.

Off. Serrano: And so as I was walking him, I was like you know what are you doing, you know you did wrong, you understand that, right? He just kept apologizing. He was like, "I'm sorry, sir. I'm sorry, coach. I'm sorry." And I said, "You know what, don't apologize, just think about what you've done. You know? Think about what's going on."

Sgt. Radtke: Okay. And then I'm clearly getting the feeling that emotion is probably driving a lot of this contact at this point and stuff. But obviously I need to ask this stuff because this is the policy and procedure type stuff. But is that how you guys are trained to escort 10-16 through the southwestern academy? Or was that a bit more of emotion driving that escort?

Off. Serrano: It wasn't emotion. It was just simply a control. And the best course you know at the same time, like I said, he's much taller than me. So I have to control him the best way possible. And I wasn't going to slunch him over because he was clearly exhausted from running from me. So, you know, in most cases we bend them over and then we escort them. But you know again the floor, he's handcuffed and if he leans forward, the

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 61

likeliness of his sustaining some significant injury would have been there. So, you know, holding onto the shirt is ideal. And that's always been something that's been told to us in the academy. Hey, you know, sometimes things don't always play in your favor. You know, we don't have a controlled condition out in the field. So use what you have at that very moment.

Sgt. Radtke: Okay. So you're stating that was basically what you felt was the best way possible at that time. And then you're saying your other hand was wrapped around his arm...

Off. Serrano: Yes, sir.

Sgt. Radtke: ...as you're kind of escorting him...

Off. Serrano: Yes, sir.

Sgt. Radtke: ...I think that's kind of basically what you showed your left arm was holding onto his...

Off. Serrano: Correct.

Sgt. Radtke: ...his left arm and your right arm was holding onto the back of his shirt.

Off. Serrano: Right.

Sgt. Radtke: Okay.

Sgt. Quintos: Just real quick.

Sgt. Radtke: Yep, go for it.

Sgt. Quintos: When you're grasping the back of that shirt to control and maintain control on someone who's taller than you, a good almost what, four inches taller than you?

Off. Serrano: At least.

Sgt. Quintos: Is that a technique to position the prisoner for a position of advantage to get them to almost like slouch down...

Off. Serrano: Yeah.

Sgt. Quintos: ...and crouch and get him into your height?

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 62

Off. Serrano: Not necessarily my height but just, you know, he was leaning forward so my best option was to hold onto the upper part of his body so that he wasn't leaning forward or falling over. So you know we still have to bear mind the responsibility of his safety, so that was the best technique that was available at that time.

Sgt. Quintos: Okay.

Sgt. Radtke: And then it's captured on other BWCs but as you're walking [REDACTED] from Officer [REDACTED] car back to your car, it can be heard you yelling...

Off. Serrano: Mm-hm.

Sgt. Radtke: ...yelling at him and cursing. Can you give an explanation as to why?

Off. Serrano: You know like I said I've never cussed at any of my kids at the boxing gym. And this wasn't me cussing at him to belittle him. This wasn't me cussing at him to say he's less than. It was not the case. It was more of you understand the gravity of the situation? This is not something to joke around. You still have your whole life ahead of you. I want you to understand that this situation could have been a lot worse and by no shape or form it was directed to him. It was my frustrations and my concerns for him that he could have lost the rest of his life.

Sgt. Radtke: Okay, I'm going to ask you this question. It might be a little bit tough because I understand there's a lot of emotion into it. And basically from the way that it's kind of captured and the way that it looks is I just hear a lot of cursing and yelling going on. Do you feel that you controlled your emotions at that time or do you think your emotions led you to the cussing and yelling?

Off. Serrano: We're human, you know, and I was upset but not in a way that would injure him or put him in a bad position to - yeah you know like I said being in that position and just the fact that I was like hey I don't want you to get injured but you know I wanted him to understand that hey, you know, this is not a game. This is something that could have ruined your life.

Sgt. Radtke: Do you feel like your emotions were still in check at that point?

Off. Serrano: I believe so because...

Sgt. Radtke: Okay.

Off. Serrano: ...even when I had escorted him to the car and I put him inside the car, I set him down.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 63

You know you could tell I was upset, right, I was hey you've got to understand the situation. You ran from us. This is bad. You know, what you were intending to do was even worse. But it still didn't change that I still had a job to do. I opened the door to my patrol vehicle. I placed him in the back seat. I didn't shove him in the car. I didn't try to hurt him. I didn't do anything that would jeopardize his safety or potentially injure him.

Atty. Margolies: Did he sustain any injuries throughout this contact?

Off. Serrano: He did not sustain any injuries. There was no abrasions. There was no lacerations. There was no complaint of pain. He was just apologetic the entire time after the arrest had taken place.

Sgt. Radtke: When Officer [REDACTED] caught up to you and he basically put his hand on you and tried to almost grab a hold of suspect [REDACTED], he tried to split you two up. Why didn't you allow that to happen? Because essentially you told him, you know, get away, I got this.

Off. Serrano: Yeah I mean at that point I was fine. I was in control. You know at the end of the day it's my prisoner. I bear responsibility for him. And so I was in the frame of mind to - hey let's put him in the car. Let's now focus on the investigation outside of that which is try to recover any firearms, try and recover and other evidence that would lead to, you know, the likeliness of him trying to shoot these individuals off of 5000 Logan. So my mindset was focus on let's get the job at hand.

Sgt. Radtke: Okay. And you placed [REDACTED] inside of your patrol vehicle, correct?

Off. Serrano: Yes, sir.

Sgt. Radtke: And you conducted a records check on [REDACTED] which eventually you found out that he was under high-risk probation?

Off. Serrano: Yes, sir.

Sgt. Radtke: Did you ever attempt to contact his probation officer?

Off. Serrano: No we didn't. Or actually no I did. I did try to. Unfortunately, I wasn't able to. And DCU which is the probation officer desk, they weren't able to do anything because we were literally in the midst of COVID.

Sgt. Radtke: Okay. And you know [REDACTED] personally...

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 64

Off. Serrano: I do.

Sgt. Radtke: ...obviously. So why did you end up writing [REDACTED] a citation?

Off. Serrano: Again, the only option was because he had only been arrest for 148 and 12-5 that the charges were fairly small and so because of COVID we weren't able to book [REDACTED] [REDACTED] into custody.

Sgt. Radtke: Okay. And when you wrote a citation, why did you leave his date of birth and his age off of the citation?

Off. Serrano: Oh that was just an error. I didn't even realize that to be honest...

Sgt. Radtke:: Okay.

Off. Serrano: ...with you.

Sgt. Radtke: Do you guys want to see the citation?

Off. Serrano: Yeah like I said I didn't intend (unintelligible).

Sgt. Radtke: (Unintelligible).

Off. Serrano: No I know.

Sgt. Radtke: Okay. So just an error?

Off. Serrano: Yeah it was just an error on my end.

Sgt. Radtke: Okay. And do you realize that [REDACTED] was a juvenile at this time?

Off. Serrano: I thought he was 18 at the time because he had told me that he was 18, you know, because I had said, you know, "Why aren't you home?" He says, "I'm 18." And the I said, "Well that still doesn't change anything. You - when you're at home, you're doing better." And then he kind of continued on with the conversation.

Sgt. Radtke: Okay. And do you know how we do handle juveniles?

Off. Serrano: Yes.

Sgt. Radtke: Can you kind of give me a quick explanation as to your understanding of it?

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 65

Off. Serrano: Yeah with juveniles we notify their parents, inform them that we had made contact and give them a disposition of the case. And then we take their information so we can input it into the report.

Sgt. Radtke: Would you have contacted one of his parents to come pick him up?

Off. Serrano: Yes.

Sgt. Radtke: Just really quickly while it's on the top of my head, while you had him as a 10-16, did any of the detectives come and talk to him?

Off. Serrano: Briefly, while I was standing there, Detective ██████ ..

Sgt. Radtke: Okay.

Off. Serrano: ...with the street gang unit, he had arrived and he had briefly talked to him. He said, "Hey ██████ what are you doing?" And so initially ██████ was a little disrespectful and I said, "Hey, ██████, you got to knock it off, dude. You got to talk to him." And then Detective ██████ was like hey you know you got shot in ██████, you know, you had a gun on you and you just did a year in juvenile. Like hey you got to stop. You know, time's up. And then he said yeah you know I didn't get shot. And there was this like more of a disagreement on ██████ behalf. And then ██████ was like hey (unintelligible) so we've been - started talking about, you know, the direction of where ██████ had ran and tried to coordinate a systematic search of trying to locate anything that may have been dumped.

Sgt. Radtke: Okay.

Atty. Margolies: Because Detective ██████ seemed to know who ██████ was and at least understand what he had been going through in the last year whereas you kind of lost touch?

Off. Serrano: Yeah he was more aware. So I didn't know at the time that - I know he had gotten arrested but I didn't know why he had gotten arrested. I know that he was in jail for a period of time but I didn't know why. And it wasn't until that moment that ██████ had told me hey this...

Atty. Margolies: And this...

Off. Serrano: ...is why...

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 66

Atty. Margolies: ...is where like [REDACTED] and [REDACTED] were kind of going back and forth about the incident that landed him in juvie...

Off. Serrano: Correct.

Atty. Margolies: ...right? Yeah.

Sgt. Radtke: What did you end up doing with the citation?

Off. Serrano: Filled it out and then I dropped it into the records box. That's where all our citations are submitted. I completed the narrative an my RIPA and everything else that followed with it and then that was it.

Sgt. Radtke: Okay. After you ended up writing the citation, what did you end up doing with [REDACTED] [REDACTED]?

Off. Serrano: So I was with [REDACTED] for about a good hour, maybe an hour 30. I was there for a while and we're talking and I'm explaining to him, you know, the situation could have led a lot worse. And he apologized and I said, you know, "What are you doing? Where are you at right now? Are you staying with your [REDACTED], [REDACTED]?" And he had said no, you know, he's kind of bouncing from couch to couch. And I said, "Okay." I said, you know, "Are you working?" He said, "No." I said, "Well let me see if I can try to help you get a job. I got some buddies that work at [REDACTED]. Let me get your number." And he gave me his number. And then as we're talking, there was an older black lady that had stepped outside and it was at the corner of Los Angeles and Olvera on the north side. She came out and she was like, "Hey, what's going on?" And I said, "Nothing ma'am, just talking to him." And she said, "Okay." And then she redirects her attention to [REDACTED] and she says, "You know this officer?" And he nods his head up and down. And she goes, "You better listen to this officer. He cares about you." And I respond to him, you know, "More than you know, ma'am." And she goes, "I'm glad you're out here talking to this young man. We need more officers like you like that." And I said, "I appreciate it ma'am, I'm just trying to do right for this young kid. He's something special." And she said, "I'm glad." And she goes, "You better listen to him," she tells [REDACTED]. And he kind of nodded his head up and down. And then after the cite was done and everything, I gave him a hug, I told him I loved him. I said I'd call him and see what news I can give him regarding the job with [REDACTED], and that was the extent of our contact.

Sgt. Radtke: Okay. Did you end up talking to Officer [REDACTED] and watching his BWC after the incident occurred?

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 67

Off. Serrano: It was brief, he had said, "Do you want to take a look?" And I was like, "Yeah just so I at least get an idea because my BWC had fallen on the floor." And so I saw it and I said, "Okay fine." There was no concern for it because what I felt and what I did felt like it was reasonable. It was the safest way and in no shape or form excessive.

Sgt. Radtke: Okay. Did Officer [REDACTED] have a conversation with you at all about him telling you hey this looks bad?

Off. Serrano: No he said, "Hey what's going on?" And I said, "Hey I know this kid." And he said, "Oh because we were kind of surprised when you told him you were disappointed in him." And I said, "No I know him." And he said, "Oh okay, that makes sense." And that was it.

Sgt. Radtke: Okay. Did you use Officer [REDACTED] BWC essentially to recollect your memory to assist you with writing your report?

Off. Serrano: Briefly but like I had an idea because it was pretty new at the time of what had happened. So I'm pretty good about notating everything, which is why I said, "Hey he collided on the front panel of the vehicle, his head and shoulder." There was no lies behind it...

Sgt. Radtke: Yeah.

Off. Serrano: It was.

Sgt. Radtke: Okay. So just so there's nothing hiding here, your report looks just like my report.

Off. Serrano: Right.

Sgt. Radtke: Why do you have no top sheet information?

Off. Serrano: Oh, so face sheets are associated to the cite, so that's why I used it. I just inputted the narrative.

Sgt. Radtke: Okay.

Off. Serrano: Yeah.

Sgt. Radtke: Is that the - I left once NETrms kind of came on the field - is that generally the rule of thumb, the way that it goes?

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 68

Off. Serrano: I mean that's how I've been doing it.

Sgt. Radtke: Okay.

Off. Serrano: It's something that, you know, we were always told hey your cite is your face sheet and then your narrative, you know, so I said, "Okay cool."

Sgt. Radtke: Okay.

Sgt. Quintos: When you say face sheet, is this...

Off. Serrano: The citation...

Sgt. Quintos: ...pretty much...

Off. Serrano: Yeah. Because it...

Sgt. Quintos: Also it recognizes your arrest top sheet?

Off. Serrano: Yes.

Sgt. Quintos: Okay. So when you open your report for an officer's report only, to complete a narrative for the citation, whether it's a misdemeanor, traffic citation or a misdemeanor crime, the template itself doesn't ask you for that information...

Off. Serrano: Yeah...

Sgt. Quintos: ...up front (unintelligible)...

Off. Serrano: And I tabbed over straight to the narrative and began typing because, like I said, I - I use this as my face sheet. So it was just - that's something I have always done and I've never been called - it's never been an issue. But yeah, that's why.

Sgt. Radtke: Do you attach your narrative to this when you turn it in?

Off. Serrano: The narrative is associated to the case number so...

Sgt. Radtke: Oh.

Off. Serrano: Yeah, so.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 69

Sgt. Quintos: Is there a case number on this?

Off. Serrano: No it's (unintelligible) the cite number, I'm sorry...

Sgt. Quintos: Is the cite number is...

Off. Serrano: Yeah...

Sgt. Quintos: ...on there.

Off. Serrano: Yeah the cite number is on there.

Sgt. Quintos: So in order for a detective or someone to link these two together, they'd have to read your narrative?

Off. Serrano: Right.

Sgt. Quintos: Right? So there's not an event number or the case number on this citation. So I guess where I'm getting at is these two have to be linked together...

Off. Serrano: Right.

Sgt. Quintos: And they're best linked if we put as much information as possible.

Off. Serrano: Right. Yeah well my best information was the cite number. I mean it was inputted in the narrative portion of it, so...

Sgt. Quintos: Okay.

Off. Serrano: And there's documentation to show that there's a nexus to this report.

Sgt. Quintos: Okay and your sergeant approved both of these?

Off. Serrano: Yes.

Sgt. Radtke: Okay. I couldn't find a blue team either. Did you complete a blue team?

Off. Serrano: Yeah we always do them. We have to do them. I mean in SOU we always do blue teams.

Sgt. Radtke: Do you remember doing one?

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 70

Off. Serrano: Yeah I remember I was tabbing through it that night of...

Sgt. Radtke: Okay. Okay now I'm going to ask you a bunch of BWC. So obviously do you consider this to be an enforcement contact?

Off. Serrano: Yes.

Sgt. Radtke: And you were issued a BWC, correct?

Off. Serrano: Yeah.

Sgt. Radtke: Okay. And you were trained on how to use that BWC?

Off. Serrano: Yes.

Sgt. Radtke: And when to activate it into event mode?

Off. Serrano: Yes.

Sgt. Radtke: And an enforcement contact is a mandatory recording, correct?

Off. Serrano: Yes.

Sgt. Radtke: Okay. And obviously in your report you wrote the last sentence is that basically it turned off during the foot pursuit. And you believe that to be accurate, correct?

Off. Serrano: Yes.

Sgt. Radtke: Okay. I did an audit on your BWC and I actually show that your camera was off during the time in which everyone else's BWC that was recording...

Off. Serrano: Mm-hm.

Sgt. Radtke: ...I used that time because this was all zulu times.

Off. Serrano: I hear you.

Sgt. Radtke: It's based off the sky and stuff like that. So just looking for your reasoning and your explanation as to why you think that your camera was off...

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 71

Off. Serrano: Mm-hm.

Sgt. Radtke: It goes off at...

Off. Serrano: 5:39.

Sgt. Radtke: ...5:39 and then it's powered back on at 5:55.

Off. Serrano: Okay.

Sgt. Radtke: That's basically right after the foot pursuit or during the foot pursuit. Do you have a reason as to maybe why it was off?

Off. Serrano: No like I said I wasn't even looking at it. You know, immediately hitting it and then I jumped out the car the first time...

Sgt. Radtke: Mm-hm.

Off. Serrano: ...and then jumped back in and then hit it again and jumped back out and then began chasing him. That's what's weird is because I remember looking at it...

Sgt. Radtke: Okay,

Off. Serrano: ...on my phone and seeing him run across on my phone from using the Axon app. So (unintelligible)...

Sgt. Radtke: Is it customary for you to do a hard shutoff after an incident by chance?

Off. Serrano: I think the hard shutoff may have been the case when I tackled him, you know, because our BWCs do turn off like that from previous incidents that I've had. So like I said that's something that I can't control because it's a mechanical thing. And the way the actual tab is positioned on the BWC, you know, it gets caught. It...

Sgt. Radtke: Okay.

Off. Serrano: ...happens a lot. I've had a similar incident where I got in a foot chase and I hit the fence and the BWC had rolled off, you know what I mean, and I've had other incidents where a BWC hit the side of my head and I turned off the BWC. You know what I mean, so these things have happened in the past.

Sgt. Radtke: I'm the first to admit the magnets are not always the strongest or the best.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 72

Off. Serrano: Unfortunately.

Sgt. Radtke: Okay and you believe that you categorized the video and it was categorized correctly?

Off. Serrano: I input in in my phone. That's what - that's the weird part because I was talking to Amy. I was like I know I seen it. That's the weird part.

Atty. Margolies: Because you have this image...

Off. Serrano: Yeah.

Atty. Margolies: ...from the way you describe it.

Off. Serrano: I have the image of him running across on my screen on my phone, so that's why I'm like I know I had it.

Sgt. Radtke: Okay. I mean like I said I'm just looking for your explanation...

Off. Serrano: No.

Sgt. Radtke: So...

Off. Serrano: Totally understandable.

Sgt. Radtke:: Okay. So just so we can be perfectly clear here, your report is accurate to the best of your recollection then?

Off. Serrano: Yes.

Sgt. Radtke: Okay. Two questions left and just your honest opinion. Do you feel that you conducted yourself professionally during this call?

Off. Serrano: Yes.

Sgt. Radtke: Okay. And do you think that your actions could have brought the department in disrepute or, basically that word just means in bad light, from those that don't know your relationship with [REDACTED]? So say the people in the houses as you were walking him or something like that or like that neighbor that came out, do you think any of that could have brought the department into bad light?

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 73

Off. Serrano: No.

Sgt. Radtke: No? Okay. I don't have any further questions. Do you?

Sgt. Quintos: Just real quick, any mechanical issues with your BWC that you have to take it to OPS support or repairs or anything like that?

Off. Serrano: My BWC had kind of like would not link to my phone occasionally and I would have to reset it. And then there would be some times where it wouldn't - when I docked it, it wouldn't take the charge. So I would have to like wait there for a period of time. But as far as the thing, it worked fine. You know I had no issues with it, so.

Sgt. Quintos: Have you had to take that BWC to OPS support to get it replaced or repaired?

Off. Serrano: I'm trying to think. I think there was - I don't know if that one's a replacement because there was one time that I had to take my BWC. I don't recall if it was prior or after, but yeah I cannot tell you for sure, unfortunately. But I know that there was some issues with my BWC and it was some of those errors. And then I don't know if it was before or after that I had to take my BWC.

Sgt. Quintos: Okay.

Sgt. Radtke: Okay. Is there something that you guys would like to get put on the record?

Atty. Margolies: Well yes, just for a little bit of context with your relationship with [REDACTED]. So you met him at a boxing studio that this program is kind of put on by - is it another law enforcement, like a border patrol person?

Off. Serrano: Yeah so the head instructor is a border patrol agent with the K-9 unit. And he has gone - and I know him from outside of work and him and I crossed paths and he said hey I'm at this boxing gym, you know, I have these kids and maybe you can come by, you know, because we want to have more uniform presence for these kids so they can feel comfortable because the perception is that cops are bad in the neighborhood. And so we want to kind of give them that different look like hey they're just like you, you know? We all laugh, we all cry, we all express our emotions the same way. We're no different.

Atty. Margolies: So that's in about like 2017?

Off. Serrano: Yes.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 74

Atty. Margolies: So around 2017 when you meet [REDACTED], he hasn't been fully indoctrinated in the gang yet?

Off. Serrano: No.

Atty. Margolies: Is that right?

Off. Serrano: No in fact you could see the stages with him because when he was around, he was focused on training, fighting, and doing his thing. And that was another upsetting part is the kid had such a great boxing potential and I mean I've seen him firsthand beat up grown men at that age. I mean his hands were phenomenal. I mean he was a prize fighter. And so we all saw the potential and we all were trying to turn - and in those stages of contacting him and just having those conversations in the gym, talking and sitting down and what have you in between sets or whatever, we would talk and you would kind of hear the way he would talk. It would just be different. And that was something that I even called to his attention when we were talking in the back seat of the car because he would talk a certain way and I was like, you know, just street lingo. And I was like, "Hey dude, it's me. You don't got to be like that." And it was like a light switch for him. It turned off and he was talking to me normal. And he started bringing [REDACTED] around to the gym.

Atty. Margolies: To the boxing gym back in like 2017, 2018?

Off. Serrano: Yeah 2018.

Atty. Margolies: And by then though, you know that [REDACTED] is bad news?

Off. Serrano: Yeah when he had told me I said oh what's your name, because that's when I met [REDACTED] and he had introduced me to [REDACTED]. And I said, "Oh what's your name?" And he said, "Oh my name's [REDACTED]." And I was like, "Oh what's your last name?" And I was like, "[REDACTED]." And I was like, "Okay." And then we would talk and [REDACTED] - I don't know if - there was a point in our conversation one time when were talking and we were talking about neighborhoods and I was like, "Oh where'd you grow up, [REDACTED]?" Because I just wanted to kind of see what he would say. And he said, "I grew up in [REDACTED]l." And you could tell like it was a sense of pride, right? And I said, "Oh okay." And I said, "So you know so-and-so," you know, some of the guys that have grown up in the neighborhood. And he goes, "Oh yeah I know that's," you know, and then I mentioned his [REDACTED]. And he goes, "Yeah, you know, it's my [REDACTED] from, you know, a different [REDACTED]." And I said, "Okay." And then you know I could see [REDACTED] kind of slowly making that decision on going in that path. And then at one point he had gotten himself into some trouble with Chula Vista PD. There was an incident where

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 75

█████h had pulled a knife out on a kid and so a BOLO had come out with Chula Vista PD and there was a case for a 417, brandishing of a knife. And so I recognized it and I had called the detective. And I said, "I know this kid. This is his, you know, his █████'s information. This is where he goes to the boxing gym." And they go okay. So they followed up and I didn't bother to ask on what the disposition of the case was. And that was kind of like okay hey we're not teeter-tottering on the idea of like he's starting to do more violent crimes. And so we would talk to him and then he left for about a couple months. And then you could tell like he was just a different person. And so we were like hey dude like what's going on? Why aren't you coming around the gym? And so he kind of just hung his head low and didn't really want to talk about it.

Atty. Margolies: And without getting into it, is it safe to say that based on █████ upbringing and his relationship with his family, you saw some similarities with how you were brought up and have been with your family?

Off. Serrano: Oh most definitely.

Atty. Margolies: And was that part of the...

Off. Serrano: Yeah I mean...

Atty. Margolies: ...relationship that formed back then?

Off. Serrano: I mean █████ been in and out of prison. The only time I got to see █████, I worked in southeast and I would see █████ pushing a shopping cart. You know, I understood it.

Atty. Margolies: When you were talking, fast-forward to the incident that we're here to talk about, when you were in the back seat after the arrest had taken place and you're speaking with █████, did you tell me that you even phoned the gym again? Did you do that? Am I making that up?

Off. Serrano: Yeah I actually had called █████ and...

Atty. Margolies: Who runs the gym.

Off. Serrano: Who runs the gym. And I said, "Hey █████ I got █████ here." And he said, "Oh man, can I talk to him?" I said, "Yeah." And then I said, "Hey █████, coach wants to talk to you." And then they had their conversation. And █████ had said, "Hey I'll talk to your █████. I'll let her know, you know, that you got caught up."

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 76

Atty. Margolies: So kind of the reason I'm even asking any of these questions is I just want it to be known at any point in your contact from when you were chasing him to when you tackled him to the ground to when you picked him up to when you walked him over to your vehicle, at any point, was there ever an intent to hurt him?

Off. Serrano: Absolutely...

Atty. Margolies: Physically hurt him?

Off. Serrano: No.

Atty. Margolies: And at any point did you ever physically hurt him?

Off. Serrano: No I didn't. Once I tackled him down to the ground, that's where it stopped and then after he pulled away from me and, you know, I had to control him. Like I still have a job to do. I have a responsibility to uphold the law and I did the best case scenario which was use that car as a vertical floor to prevent him from being injured from falling on the floor and striking his face.

Atty. Margolies: And I know you said that you were upset. I think the word Sergeant Radtke used was emotional at times, were you ever so upset or so emotional that you felt like you couldn't professionally perform your duties?

Off. Serrano: No.

Atty. Margolies: And looking back, do you think that you let your emotions effect the performance of your duties?

Off. Serrano: No.

Sgt. Quintos: Officer can you tell me how often you saw [REDACTED] at the gym?

Off. Serrano: I saw him maybe three times a week at the gym.

Sgt. Quintos:: And how much time did the...

Off. Serrano: It had been a span...

Sgt. Quintos: ...training?

Off. Serrano: Yeah that had been a span over maybe a year and a half. I was able to kind of have

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 77

some time outside of work and also I participated in the battle of the badges. So from there, you know, that opportunity was presented, you know, me having to talk with - have those talks with him. And I had other talks with other kids and stuff. And but [REDACTED] you know, we all saw the potential in him. You know? And that's the worst part about it you know is he's a good kid. And we all loved him. You know? We all took time out of our own day to ensure that he was okay and he was on the right track and I mean you could hear from [REDACTED] himself, he'll tell you how much he felt about the kid, too. I mean we all had this tremendous like support that we thought we would be able to pull him away from that life. And unfortunately we had more of a resistance than we thought. Unfortunately, the streets consumed him and now, you know, I've found out that he caught himself in a pimping and pandering case that he had 417'd his [REDACTED] in Spring Valley with a gun. So you know I'm hurt by it, you know, at the end of the day because I feel like we failed him. You know what I mean? At the end of the day, too, you know I feel like we had some responsibility to ensure that he was going to have some success in his life. And at the end of the day that's what hurts. It does.

Sgt. Quintos: When he first started at your gym, how tall was he?

Off. Serrano: Oh man maybe like he was already my size, like 5-9. And he was already a tall kid.

Sgt. Quintos: Would you say, and I'm not a boxer, that he had a good reach extension?

Off. Serrano: Oh yeah. Yeah I've sparred with him plenty of times. He's left me black and blue.

Sgt. Quintos: You've described him as good and sounds like he's a good boxer for his age and has immense potential of reaching stars with this type of sport. What else made him good though?

Off. Serrano: Put it this way, this young man had his third amateur boxing match. He fought a guy that was 16 and 0 and destroyed this guy, like just put him away. No questions asked. I mean it was like and everybody was like shocked by that.

Sgt. Quintos: Okay.

Off. Serrano: And that's what happens, I mean...

Atty. Margolies: But I think that's...

Sgt. Quintos: That...

Off. Serrano: Like...

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 78

Atty. Margolies: That's a good question for someone who - I mean I don't box, so what makes a good boxer? They can land punches really strong? Is there a discipline? Is there a balance? Like what makes someone a good boxer? What made him a good boxer?

Off. Serrano: One, his athletic ability. You know just his overall size, his reach advantage that he had, he had long arms. You know, the ability to stay composed at such an early on stage in his fighting career and be able to fight somebody at that level, you know, because you know at that age we try to compare each other. These boxers, the safest way possible to ensure that one is not going to be better than the other by a huge significant distance and we try to kind of compare that we see them spar they'll exchange and then we like okay they look like they compare, we can get them to fight together. In his situation, we were like all right this is pretty, it's a pretty tough fight for him but we're going to see how he does. And I mean he went flying colors without any issues and we were just like stunned. And you know honestly I believe that he could have been an Olympic hopeful. I mean we all saw it. There was no - I mean you talk to anybody at the gym, we all saw it. You know and he - we would have other officers spar with him and he was beating up the other officers. And they were all like Jesus like where's this kid come from? You know and I've boxed many years. I've fought professionally in mixed martial arts, black belt in Jiu jitsu. You know so I understand that side and I know what I'm capable of and I know what I'm not capable of doing.

Sgt. Quintos: Okay. Because I don't know the kid but you have clearly described his athletic potential and his skill, I don't dispute that this kid was good at boxing. But what outside of boxing made him a good kid? Because you also describe the influences that were in his life that shows some negativity...

Off. Serrano: Right.

Sgt. Quintos: ...and not the right decisions for this young man. What outside of boxing made him a good kid?

Off. Serrano: You could tell he was trying, despite his circumstances. He grew up in [REDACTED]. His [REDACTED] was dealing with drugs. He came to San Diego because his [REDACTED] had just gotten out and he was trying to get his life back in order. And you could see that he was trying like despite his circumstances, he was like okay hey, these are the cards that I was dealt with. But at the same time, you know, he was respectful. You know, during our encounters, you know, I remember I brought up a story to him about his potential and the type of character he was. One specific, leaving the gym with my [REDACTED] because my [REDACTED] would go with me. You know, [REDACTED] would go, you know, and I was pretty open to my life outside of work, you know? They knew I was a cop but I have [REDACTED]

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 79

I'm a human. And so [REDACTED] is with me and we're leaving the gym. And I'm putting [REDACTED] in the [REDACTED] and I look over and [REDACTED] is running with [REDACTED] sweater. And he hands me it and I said, "Hey thanks kid," you know, "Have a good night dude, I'll see you tomorrow." And I brought that up to him because I told him, I said, "Dude those are just the little qualities that you have as a good person. You're not a bad person. You know, you just got dealt with a crappy card, you know? And but you're playing it all wrong." And he hung his head and, you know, but if out of all of this, if he could just change like maybe that moment was hey this is my opportunity to be like I brushed pretty close to law that could have imprisoned me for the rest of my life, I think it's time for some change. And whether these incidents that happened after, you know, were a result of it, I have no idea. You know, at the end of the day, he's 18 at this point. You know, he's a grown man. And but you know we all saw he was a good character and he had the discipline and you could see that he was trying to put his best foot forward. It's just unfortunate it wasn't the case.

Sgt. Radtke: Thank you.

Atty. Margolies: Thank you.

Sgt. Radtke: You guys have anything else?

Atty. Margolies: No.

Sgt. Radtke: All right. Let's end this. It is 1116 hours.

The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 80

CONCLUSIONS:

1. FORCE - SUSTAINED

Officer Serrano used an unreasonable amount of force when executing the arrest of [REDACTED].

On March 27, 2020, Special Operations Officer David Serrano #6912 and Officer [REDACTED] ([REDACTED]) responded to assist Officer [REDACTED] and Officer [REDACTED] ([REDACTED]) conduct a traffic stop on a Buick Century occupied by the driver, [REDACTED], and the passenger, [REDACTED].

During the execution of the traffic stop, [REDACTED] and [REDACTED], exited the Buick and ran. Officers [REDACTED] and [REDACTED] chased after [REDACTED]. Officer [REDACTED] pursued [REDACTED] and Officer Serrano drove to the intersection of Los Angeles Place and Olvera Avenue.

Officer Serrano witnessed [REDACTED] run along 500 Los Angeles Place. Officer Serrano gave chase and was able to apprehend [REDACTED]. Officer Serrano issued citation # [REDACTED] to [REDACTED] for violating 148(a)(1) PC (Resisting/Delaying an officer in the performance of their duty) and 12500(a) VC (Driving without a valid California Driver's License).

San Diego Police Department Procedure 1.04 Use of Force, Subsection V Procedure, dated February 28, 2020:

- A. Force, as defined above, may be used to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or, protect the officer, the subject, or another person from injury or death. Any time force is used, the officer shall apply a level of force that is reasonable for the situation.

Officer Serrano wrote in his report that once he spotted [REDACTED] run toward [REDACTED] Los Angeles Place, he gave verbal commands to [REDACTED] to stop. Officer Serrano gave chase and [REDACTED] continued to defy Officer Serrano's orders.

San Diego Police Department Procedure 1.04 Use of Force, Subsection IV Definition, dated February 28, 2020:

- A. **Active Resistance** – Physically evasive movements to defeat an officer's attempt at control, including bracing, tensing, running away or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 81

San Diego Police Department Procedure 1.04 Use of Force, Subsection III Background, dated February 28, 2020:

Penal Code 834a creates a duty to submit to an arrest by a peace officer. Penal Code 834a states, "If a person has knowledge, or by the exercise of reasonable care, should have knowledge, that he/she is being arrested by a peace officer, it is the duty of such person to refrain from using force or any weapon to resist such arrest."

Penal Code section 835a(b) authorizes an officer to use reasonable force to make a lawful arrest, prevent an escape, or to overcome resistance. Officers are not required to retreat or desist from their efforts by reason of resistance or threatened resistance of the person being arrested. The decision to use deadly force in response to a perceived imminent threat of death or serious bodily injury to the officer or another person is one of the most critical decisions an officer will ever be called upon to make. Only force that is reasonable to overcome resistance may be used to effect a detention or an arrest, or take a person meeting the requirements of Welfare and Institutions Code section 5150 into protective custody. Additionally, officers shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.

Penal Code 148(a)(1) makes it illegal to resist, delay, or obstruct an officer's attempt to carry out his or her duties. Penal Code 148(a)(1) states, "Every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety Code, in the discharge of attempt to discharge any duty of his or her officer or employment, when no other punishment is prescribed, shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment."

Assembly Bill 392 also addresses an officer's decision making, leading up to their use of force, when given the time and opportunity to do so. When feasible, officers shall take reasonable steps in the pre-planning of responses to critical incidents, taking into consideration the need for additional officers, force options and other available resources.

Officer Serrano wrote in his report he was able to close the distance and tackle [REDACTED] to the ground, thus preventing [REDACTED] from reaching for a potential weapon. Officer Serrano wrote [REDACTED] fell onto his back. Officer Serrano placed his right knee on [REDACTED] chest and extended his right hand across [REDACTED] neck/face to maintain control. Officer Serrano then pulled [REDACTED] right arm and rolled him onto his stomach. Officer Serrano placed [REDACTED] hands behind his back and handcuffed him. Serrano wrote he lifted [REDACTED] up from the ground.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 82

(The following is an excerpt from Officer Serrano's arrest report of [REDACTED].)

While at Los Angeles Place and Olvera Ave, I parked the patrol vehicle and began walking northbound on 500 Los Angeles Place. I saw [REDACTED] running across the street, heading toward the backyard of 5 [REDACTED] Los Angeles Place. I immediately pursued [REDACTED] and verbally commanded him to stop. [REDACTED] disobeyed my verbal orders and continued running into the backyard. [REDACTED] ran toward the north end of the residence and jumped over a 4' wooden fence, heading eastbound toward the street. I was able to close the distance and tackled him to the ground to prevent him from reaching for any potential weapons. Smith fell onto his back. I placed my right knee on his chest and extended my right hand across his neck/face to maintain control. I repositioned myself and pulled [REDACTED] right arm and rolled [REDACTED] onto his stomach. I placed [REDACTED] hands behind his back. I handcuffed [REDACTED] and lifted him up from the ground.

Based on Officer [REDACTED] BWC footage, Officer Serrano was positioned next to [REDACTED] when Officer [REDACTED] arrived. The following is a still shot captured from Officer [REDACTED] BWC.



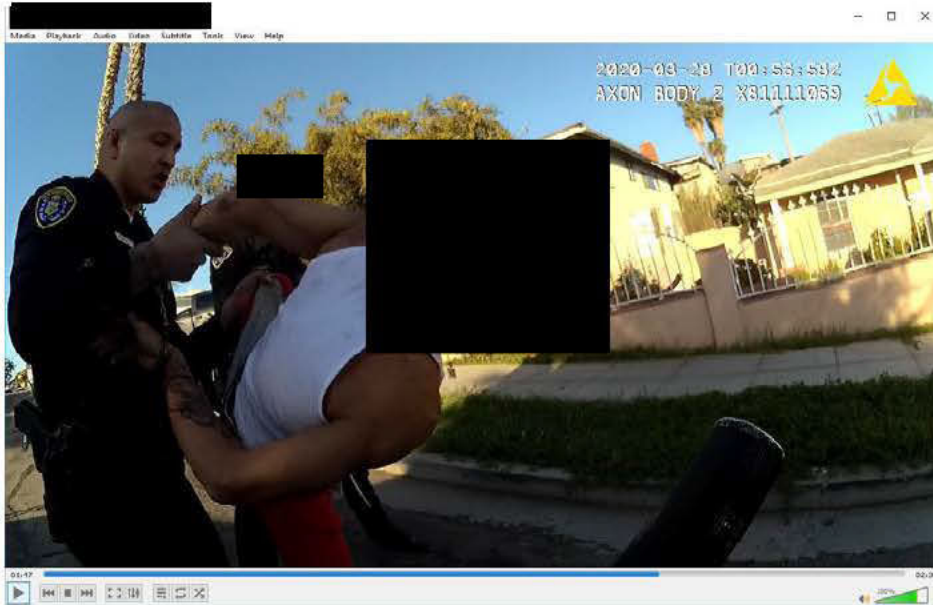
Officer Serrano said during his interview he reached with his right hand and left hand when he grabbed [REDACTED] waistband and lifted him up from the ground. Officer Serrano said, it was clear [REDACTED] was out of breath and he was trying to stay on the ground. The best course of action Officer Serrano said was to get [REDACTED] up from the ground because it would help [REDACTED] expand his diaphragm and be able to breathe better. Officer Serrano said that picking [REDACTED] up by his pants was the only option because he didn't want [REDACTED] to fall forward because he was handcuffed.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 83

(The following is a screen shot from Officer [REDACTED] BWC of Officer Serrano picking [REDACTED] up from the ground.)



(The following is a screen shot from Officer [REDACTED] BWC showing Officer Serrano grasp on [REDACTED] pants.)



Officer Serrano's left hand lifting [REDACTED] by the pants

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 84

Officer Serrano explained during his interview that in the most cooperative situations, officers would allow prisoners to sit up, bend a knee, and pick them up. Officer Serrano said although [REDACTED] actions dictated otherwise because he ran from officers, Officer Serrano felt he had a responsibility to control [REDACTED].

Officer Serrano wrote in his report, as [REDACTED] was walking, he felt [REDACTED] "pulling forward." To maintain control, Officer Serrano placed [REDACTED] toward a patrol vehicle and used his right hand on the upper part of [REDACTED] back/neck to control him. Officer Serrano wrote the left side of [REDACTED] face collided into the left front panel of the patrol vehicle but sustained no visible injuries.

(The following is an excerpt of Officer Serrano's arrest report of [REDACTED].)

As [REDACTED] was walking, I felt [REDACTED] pulling forward. To maintain control, I placed [REDACTED] toward a patrol vehicle and used my right hand on the upper part of his back/neck to control [REDACTED]. [REDACTED] left side of his face collided into the left front panel of the patrol vehicle. [REDACTED] did not sustain any visible injuries. [REDACTED] stopped pulling forward and postured up. I escorted [REDACTED] and walked him to my patrol vehicle. [REDACTED] was placed into the backseat of the patrol vehicle. A records check revealed [REDACTED] was on active high-risk probation. [REDACTED] was issued a citation [REDACTED] for being in violation of 148 (a) (1) PC-Resisting and delaying a police officer and 12500 (a) CVC-Driving while not being issued a California driver's license. [REDACTED] was released without incident.

Officer Serrano said during the interview, when he picked [REDACTED] up, he immediately felt [REDACTED] "give a push forward" which based off of [REDACTED]s actions previously, Officer Serrano was now concerned [REDACTED] was making a second attempt to evade him. Therefore, Officer Serrano's next course of action was to control [REDACTED] by placing him against a vehicle as a vertical floor, as opposed to placing [REDACTED] back on the ground and possibly sustaining an injury because he was handcuffed.

Officer Serrano said when [REDACTED] made impact with the vehicle, he was in a slouched position and his head was down. Officer Serrano placed his hand on the back of [REDACTED]s neck to control him, "because it's always been something that's been talked down our throats in the academy and I came from Southwestern Academy and that was something that was said where the head goes, the body goes. It's simple body mechanics."

I asked Officer Serrano during the interview if [REDACTED] could have tripped. Officer Serrano said he couldn't see that because of the position he was in. Officer Serrano said he had his left hand on [REDACTED] left bicep and was trying to hold [REDACTED] up but he could feel [REDACTED] going forward and pulling away. In response, Officer Serrano tried to do the best case scenario which was to try to prop [REDACTED] up using the vehicle as a form of vertical floor.

Officer Serrano said as [REDACTED] was going forward he transitioned his right hand to the back of [REDACTED] neck/back and his left hand was on [REDACTED] left shoulder or inner left bicep.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

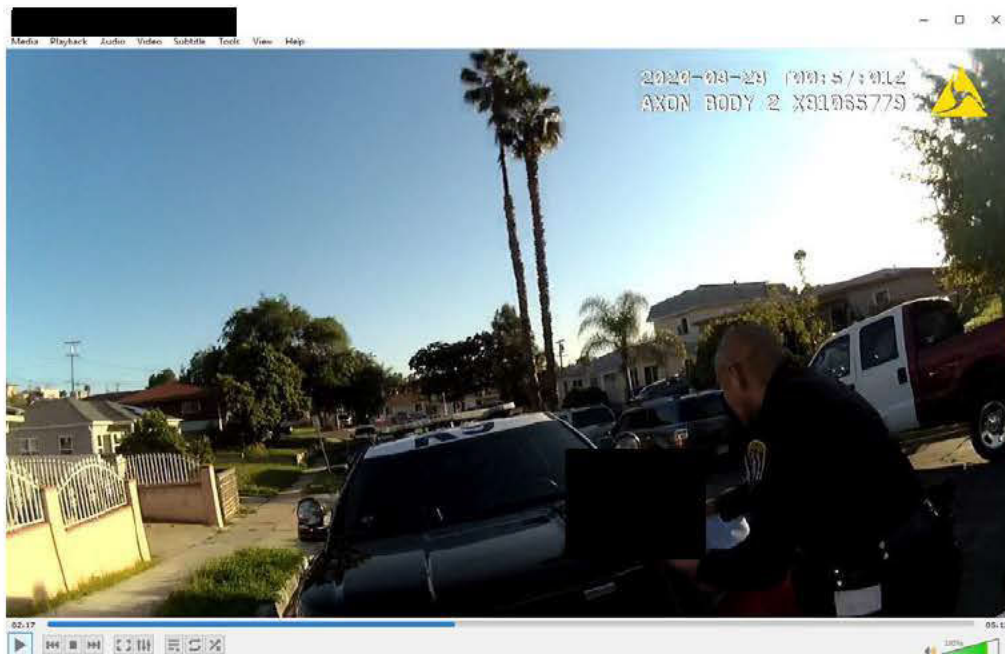
CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 85

(The following is a screen shot from Officer [REDACTED] BWC of Officer Serrano escorting [REDACTED] while holding [REDACTED] pants upward with his left hand.)



(The following is a screen shot from Officer [REDACTED] BWC of [REDACTED] colliding with the patrol vehicle.)



Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 86

(The following is a screen shot from Officer [REDACTED] BWC of [REDACTED] colliding with the Officer [REDACTED] patrol vehicle.)



(The following is a screen shot from Officer [REDACTED] BWC of Officer Serrano with his hand on the back of [REDACTED] neck.)



Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 87

Officer Serrano was asked if he pushed [REDACTED] into Officer [REDACTED] patrol vehicle. Officer Serrano said he would not do that to [REDACTED]. Officer Serrano added that even when he was effecting the arrest he did not strike [REDACTED]. He did not place [REDACTED] in a carotid restraint. He did nothing to indicate that he would put [REDACTED] in a position to succumb to any injuries.

Officer Serrano wrote in his report after documenting [REDACTED] colliding into Officer [REDACTED] patrol vehicle that [REDACTED] stopped pulling forward and postured up. He escorted [REDACTED] and walked [REDACTED] to his patrol vehicle. Officer Serrano placed [REDACTED] into the back seat of the patrol vehicle.

(The following is an excerpt of Officer Serrano's arrest report of [REDACTED].)

As [REDACTED] was walking, I felt [REDACTED] pulling forward. To maintain control, I placed [REDACTED] toward a patrol vehicle and used my right hand on the upper part of his back/neck to control [REDACTED]. [REDACTED] left side of his face collided into the left front panel of the patrol vehicle. [REDACTED] did not sustain any visible injuries. [REDACTED] stopped pulling forward and postured up. I escorted [REDACTED] and walked him to my patrol vehicle. [REDACTED] was placed into the backseat of the patrol vehicle. A records check revealed [REDACTED] was on active high-risk probation. [REDACTED] was issued a citation ([REDACTED] for being in violation of 148 (a) (1) PC-Resisting and delaying a police officer and 12500 (a) CVC-Driving while not being issued a California driver's license. [REDACTED] was released without incident.

Officer Serrano said during his interview that [REDACTED] stood-up and he basically allowed Officer Serrano to escort him to the patrol vehicle. I asked Officer Serrano to describe his hand positioning while he escorted [REDACTED] because it appeared he escorted him with his hand grasped around the back of [REDACTED] neck. Officer Serrano explained that his hand was actually clinched to the back of [REDACTED] shirt.

During his interview I asked Officer Serrano if Southwestern Academy taught recruits to escort prisoners in this manner and if emotions possibly drove his conduct during this contact. Officer Serrano said it wasn't emotional and it was simply a control. Officer Serrano said because [REDACTED] was taller than him he had to control [REDACTED] the best way possible. Officer Serrano said he wasn't going to slouch [REDACTED] over because he was clearly exhausted from running. Officer Serrano said in most cases he bends the prisoner over and escorts them. He felt holding onto [REDACTED] shirt was ideal and that was what was taught to him in the academy. Officer Serrano said they don't have controlled conditions in the field, so they use what they have at that very moment.

Officer Serrano described that while his right hand was holding onto [REDACTED] shirt, his left hand was holding on [REDACTED] left arm.

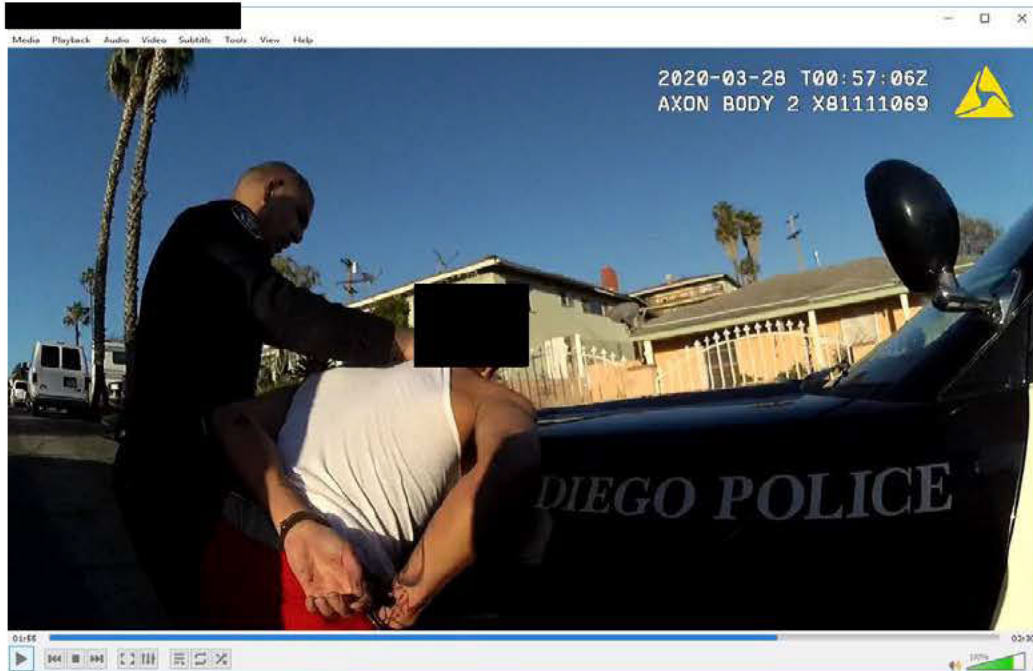
Officer [REDACTED] BWC video footage showed Officer Serrano's right hand on the back of [REDACTED] neck while [REDACTED] was on the hood of Officer [REDACTED] patrol vehicle. It appeared Officer Serrano was grasping the back of [REDACTED] neck while he was yelling at [REDACTED] about how he was disappointed in him. Officer Serrano used his right hand to maintain a hold of [REDACTED]. Officer Serrano's left hand did not grab ahold of either of [REDACTED] arms.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 88

(The following pictures are captured from Officer [REDACTED] BWC videos of Officer Serrano escorting [REDACTED])



Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 89



Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 90

(The following is a still shot captured from Officer [REDACTED] BWC as he caught up to Officer Serrano, as Officer Serrano was near his patrol vehicle while still escorting [REDACTED].)



Officer Serrano said during his interview that when he placed [REDACTED] in the back of his patrol vehicle, "You could tell I was upset." Officer Serrano said he opened the door to his patrol vehicle and placed [REDACTED] in the back seat. Officer Serrano said he didn't shove [REDACTED] in the car, he didn't try to hurt [REDACTED], and he didn't do anything that would jeopardize his safety or potentially injure [REDACTED].

Although, Officer Serrano expressed he did not do anything to hurt or injure [REDACTED], Officer Serrano clearly used force that was beyond the scope of reasonable. Officer Serrano had the legal right to pursue and tackle [REDACTED], as [REDACTED] was actively attempting to evade him and defying his commands to stop. According to Officer Serrano, [REDACTED] knew it was Officer Serrano that he was running from because according to Officer Serrano's interview [REDACTED] looked directly at him and said "I'm sorry, I'm sorry." Officer Serrano yelled to [REDACTED] that it was "Coach David" hence they would know each other from the boxing gym where Officer Serrano mentored [REDACTED].

After Officer Serrano tackled [REDACTED] he turned him over and place handcuffs on [REDACTED] wrists. Officer Serrano waited for a second officer to arrive, which was Officer [REDACTED] a short time later. Officer Serrano said he lifted [REDACTED] up from the ground with his right hand while his left hand had ahold of [REDACTED] pants. Officer Serrano said he did it this way because it was clear [REDACTED] was out of breath from

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 91

running and wanted to stay on the ground. Officer Serrano also said this was the only option of getting [REDACTED] to his feet because he did not want [REDACTED] to fall forward while handcuffed. Yet, Officer Serrano explained that in the most cooperative situations, officers would have prisoners sit up, bend a knee, and pick them up.

However, Officer [REDACTED] BWC footage contradicted Officer Serrano's statement because [REDACTED] was not resisting at this time. [REDACTED] may have been out of breath from running but he was not demonstrating passive or active resistant behavior. The BWC footage clearly showed Officer Serrano did not give [REDACTED] an opportunity to comply and get to his feet in the department trained manner. As Officer Serrano lifted [REDACTED], he told [REDACTED], "Fucking ass up dude," as [REDACTED] was saying "Ahhh."

Officer [REDACTED] and Officer [REDACTED] BWC captured the way Officer Serrano lifted [REDACTED] up to his feet was likely a factor that caused [REDACTED] to fall forward as Officer Serrano escorted him towards Officer [REDACTED] police vehicle. Officer [REDACTED] and Officer [REDACTED] BWC both captured how [REDACTED] could not gain his balance due to Officer Serrano pulling his pants up so high that [REDACTED] left leg could not touch the ground. This caused [REDACTED] to essentially hop on his right leg as Officer Serrano was pushing him forward. Officer Serrano wrote in his report, and said in his interview, that [REDACTED] was pulling forward and he believed [REDACTED] was attempting to evade him for a second time. This was clearly refuted in the officer's BWC footage and more likely a result of the way Officer Serrano had lifted [REDACTED] and was moving him forward.

Officer Serrano said during his interview that he used Officer [REDACTED] patrol vehicle as a vertical floor to keep [REDACTED] from falling to the ground and injuring himself. The officers' BWC footage captured [REDACTED] face colliding onto the hood/front driver's side fender of Officer [REDACTED] patrol. The BWC footage does not definitively confirm or deny if Officer Serrano directly pushed [REDACTED] into Officer [REDACTED] patrol vehicle but it does show Officer Serrano did not make any attempts to stop or shelter [REDACTED] from striking his face against the patrol vehicle.

Directly after [REDACTED] face struck the patrol vehicle, Officer Serrano did not tend to [REDACTED] or ask if he was okay but rather placed his right hand on the back of [REDACTED] neck and yelled at [REDACTED] about how he was disappointed in him. Officer [REDACTED] BWC footage captured Officer Serrano push [REDACTED] head downward toward the hood of the car after expressing his disappointment in him (1:53 into Officer [REDACTED] BWC).

Officer Serrano said during his interview that emotions were not involved and driving his conduct during this incident. However, when asked directly about the manner in which he escorted [REDACTED] from Officer [REDACTED] patrol vehicle to his (with his right hand clasped to the back of [REDACTED] neck), Officer Serrano replied, "It was just simply a control." It can be seen on Officer [REDACTED] BWC footage that Officer Serrano has a grasp on the back of [REDACTED] neck as he proceeded to pull [REDACTED] off of Officer [REDACTED] patrol vehicle. Officer Serrano had his right thumb on the left side of [REDACTED] neck and his fingers were on the right side of [REDACTED] neck. Officer Serrano does not use his left hand to grasp [REDACTED] arm or assist

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 92

in escorting [REDACTED]. It was not until Officer [REDACTED] ran up to Officer Serrano and [REDACTED] did Officer [REDACTED] BWC capture Officer Serrano grasping onto [REDACTED] shirt. This view which looked entirely different than what was captured on Officer [REDACTED] BWC at the beginning of the escort. Escorting a prisoner by the collar of their shirt or by the back of their neck is not a prisoner control technique trained by San Diego Police Department.

Based on the totality of the circumstances, Officer Serrano failed to reassess the situation and make sound decisions after tackling and placing handcuffs on [REDACTED]. Officer Serrano did not provide any reasonable belief or specific or articulable facts to believe [REDACTED] was still attempting to flee after being handcuffed and controlled by him. After Officer Serrano took [REDACTED] into custody he was no longer exhibiting active resistance behavior. In fact, all BWC footage that captured this event showed that [REDACTED] was compliant the entire time despite how Officer Serrano used physical strength and unapproved prisoner control techniques on him. In fact, if [REDACTED] wanted to attempt to flee, he easily could have pulled away as Officer Serrano was only holding onto [REDACTED] by grasping the back of his neck. Officer Serrano used an unreasonable level of force for this situation, which is a violation of San Diego Police Department Procedure 1.04 as cited in this allegation. Therefore, this allegation is **SUSTAINED**.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

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Investigator's Report
Internal Investigation I.A. #2020-0367
Page 93

2. PROCEDURE - SUSTAINED

Officer Serrano did not complete a Blue Team entry after using force to execute the arrest of [REDACTED].

On March 27, 2020, Special Operations Officer David Serrano #6912 and Officer [REDACTED] responded to assist Officer [REDACTED] and Officer [REDACTED] conduct a traffic stop on a Buick Century occupied by the driver, [REDACTED], and the passenger, [REDACTED].

During the execution of the traffic stop, [REDACTED] and [REDACTED], exited the Buick and ran. Officers [REDACTED] and [REDACTED] chased after [REDACTED]. Officer [REDACTED] pursued [REDACTED] and Officer Serrano drove to the intersection of Los Angeles Place and Olvera Avenue.

Officer Serrano witnessed [REDACTED] run along 500 Los Angeles Place. Officer Serrano gave chase and was able to apprehend [REDACTED]. Officer Serrano issued citation # [REDACTED] to [REDACTED] for violating 148(a)(1) PC (Resisting/Delaying an officer in the performance of their duty) and 12500(a) VC (Driving without a valid California Driver's License).

San Diego Police Department Procedure 1.04 Use of Force, Subsection VI. Reporting The Use of Force, dated February 28, 2020:

VI. REPORTING THE USE OF FORCE

- A. Officers who use force shall ensure that detailed, accurate reports (arrest, detention, or ARJIS-9) describing the force used and all the circumstances and facts surrounding the use of that force are prepared, including, but not limited to, factors listed in the Force Matrix section of this procedure. **In addition, force effectiveness statistical data is also collected whenever force is used. To facilitate this, officers will complete a Use of Force, BlueTeam entry.**

As described in allegation #1, Officer Serrano used force when he tackled [REDACTED] to the ground to effect the arrest as documented in his report and as he stated in his interview. Officer Serrano also used his physical strength to lift [REDACTED] from the ground to the standing position and then to forced [REDACTED] to walk forward toward Officer [REDACTED] patrol vehicle. Officer Serrano again used force when he pushed [REDACTED] head downward by his neck after [REDACTED] face collided on Officer [REDACTED] patrol vehicle (as captured on Officer [REDACTED] BWC video). Officer Serrano also used physical strength when he used his right hand hold onto the back of [REDACTED] neck/collar to escort [REDACTED] to his patrol vehicle.

Officer Serrano said during the interview that he remembered tabbing through and filling out the blue team entry. Officer Serrano said he always completes Blue Team entries. Although Officer Serrano believed he may have completed a Blue Team entry there is no documentation to show one was completed in the Blue Team system. Therefore, this allegation is **SUSTAINED**.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 94

3. PROCEDURE – SUSTAINED

Officer Serrano failed to activate his BWC during an enforcement contact.

On March 27, 2020, Special Operations Officer David Serrano #6912 and Officer [REDACTED] responded to assist Officer [REDACTED] and Officer [REDACTED] conduct a traffic stop on a Buick Century occupied by the driver, [REDACTED], and the passenger, [REDACTED].

During the execution of the traffic stop, [REDACTED] and [REDACTED], exited the Buick and ran. Officers [REDACTED] and [REDACTED] chased after [REDACTED]. Officer [REDACTED] pursued [REDACTED] and Officer Serrano drove to the intersection of Los Angeles Place and Olvera Avenue.

Officer Serrano witnessed [REDACTED] run along 500 Los Angeles Place. Officer Serrano gave chase and was able to apprehend [REDACTED]. Officer Serrano issued citation # [REDACTED] to [REDACTED] for violating 148(a)(1) PC (Resisting/Delaying an officer in the performance of their duty) and 12500(a) VC (Driving without a valid California Driver's License).

San Diego Police Department Procedure 1.49 AXON Body Worn Camera, Subsection V Procedure, dated March 8, 2018:

I. Mandated Recordings

1. Enforcement Related Contacts

- a. All officers who are issued a BWC shall keep their BWC on Buffering Mode/Stand-by Mode while on duty, except during instances listed in this procedure under Prohibited Recordings. Keeping the BWC on Buffering/Stand-by Mode allows officers to capture pre-event recordings when the Event Mode is activated.
- b. Officers shall use the Event Mode to record enforcement related contacts. The Event Mode shall be activated prior to actual contact with the citizen, or as soon as safely possible thereafter, and continue recording until the contact is concluded or the contact transitions from an enforcement contact into intelligence gathering.
- c. Officers shall begin recording in the event mode while driving to a call that has the potential to involve an enforcement contact.
- d. Officers are strongly encouraged to inform citizens they are being recorded in an effort to de-escalate potential conflicts.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 95

- e. Enforcement related contacts include the following: Traffic stops, field interviews, detentions, arrests, persons present at radio calls who are accused of crimes, and consensual encounters in which the officer is attempting to develop reasonable suspicion on the subject of the encounter.
- f. Covering another City employee or law enforcement officer during an enforcement contact, including, but not limited to, PISOs, Parking Controllers, etc.
- g. Officers working plain clothes assignments are exempt from this policy.

Officer Serrano does not have a BWC video “uncategorized” or “categorized” during the time of the incident. The following is a scanned image of Officer Serrano’s [REDACTED] from March 26, 2020 to March 28, 2020.

The screenshot shows a search interface with the following elements:

- Search filters: ID, TITLE, USER OR GROUP (serrano, david (6912)), DATE (3/26/2020 1, 3/28/2020 1), CATEGORY, TAG.
- Buttons: SHOW ADVANCED SEARCH, RESET FILTERS, SEARCH.
- Action buttons: UPDATE ID, ADD CATEGORY, REASSIGN, REDACT, DOWNLOAD, MANAGE ACCESS, DELETE, RESTORE, EXPORT, REVIEW, ADD TO CASE.
- Summary: 1 ITEMS FOUND.
- View options: VIEW TYPE (GALLERY, TABLE), SORT BY (Recorded On), SORT ORDER (AZ ↑, Za ↓).
- Table of results:

ID	TITLE	OWNER	UPLOADED BY	UPLOADED ON	RECORDED ON	CATEGORY	STATUS
20030046106	[REDACTED]	serrano, david (6912)	serrano, david...	Mar 28, 2020 11:31 PM	Mar 28, 2020 5:53 PM	21m 32s Citation - Infraction or...	Active

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 96

The following is a scanned image of the audit trail for Officer Serrano's assigned BWC device

[REDACTED]

[REDACTED]

DEVICE AUDIT TRAIL

[REDACTED]

Date Range: 27 Mar 2020 - 27 Mar 2020
Document generated: 06 Oct 2020
Audit generated by: Radtke, Timothy

Item	Date/Time	Event	Additional information
25	03/27/2020 05:20:26.030 PM	Recording started due to event button press	Battery 86% GB Remaining 57.628
26	03/27/2020 05:20:26.040 PM	Video file created	Unique ID 45c9b69d55be4619a1999bde72e2f2f4 Source Camera
27	03/27/2020 05:30:16.700 PM	Event button held	
28	03/27/2020 05:30:16.701 PM	Recording stopped due to event button hold	Battery 84% Video Count 2 GB Remaining 57.187
29	03/27/2020 05:39:53.818 PM	Camera powered off using power switch	Battery 83% Video Count 2 GB Remaining 57.185
30	03/27/2020 05:55:11.792 PM	Camera powered on using power switch	
31	03/27/2020 05:55:11.793 PM	Checking firmware version	Firmware Version 1.22.8
32	03/27/2020 08:43:20.210 PM	Event button pressed	

The incident occurred at approximately 05:50 pm



Based on Officer [REDACTED] BWC footage, I was able to conclude Officer Serrano did have a BWC with him during the incident. The following are images from Officer [REDACTED] BWC footage that captured Officer [REDACTED] picking it up Officer Serrano's BWC and giving it back to him.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 97

Officer [REDACTED]
picking up Officer
Serrano's BWC.



Officer [REDACTED]
handing Officer
Serrano his BWC
back.



Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 98

Officer Serrano said during his interview he was issued a BWC and was trained on how to, and when to, activate it into "Event Mode." Officer Serrano said he knows enforcement contacts are a mandatory recording and he considered this incident to be an enforcement contact.

Officer Serrano initially said during his interview he felt it was odd (he had no BWC video of this event) because he believed his BWC was on and it may have turned off when he made contact with [REDACTED]. Officer Serrano said he immediately hit the button on the BWC to start the recording when he first exited his patrol vehicle during the first time prior to the locating [REDACTED]. Officer Serrano said he hit the button again when he got back inside the patrol vehicle and then again before chasing [REDACTED]. Officer Serrano said he remembered watching his BWC video of [REDACTED] running across his phone on the [REDACTED] App.

I asked Officer Serrano during the interview if he customarily does a "hard shutoff" after incidents. Officer Serrano said he thought the hard shutoff may have occurred when he tackled [REDACTED], because his BWC has accidentally been turned off that way during previous incidents. Officer Serrano said that's something that he can't control because it's a mechanical thing. He described the way the tab is positioned on the BWC and it often gets caught. He described similar incidents where he got in a foot chase, hit a fence, and the BWC rolled off. He also described other incidents where his BWC hit the side of his head and turned off.

Officer Serrano said he categorized the BWC in his phone because he has an image of watching his BWC footage on his phone and saw [REDACTED] running.

Although, Officer Serrano believes he turned his BWC into "Event Mode" upon first attempting to make contact and again prior to the foot pursuit, the evidence does not corroborate that. There is no "uncategorized" or "categorized" video in Officer Serrano's [REDACTED] database. There is no indication in the audit trail of Officer Serrano's BWC to show he attempted to activate his BWC into "Event Mode." In contrast the audit trail showed Officer Serrano's BWC was, in fact, turned completely off during the time of the foot pursuit and powered back on near the completion of the incident.

There is no evidence to confirm Officer Serrano's belief that he turned his BWC into "Event Mode." Rather it is apparent that Officer Serrano did not have a BWC recording of this event as required per Department Procedure 1.49. Therefore, this allegation is **SUSTAINED**.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 99

4. PROCEDURE - SUSTAINED

Officer Serrano failed to follow procedures for juvenile arrestees during the arrest of [REDACTED].

On March 27, 2020, Special Operations Officer David Serrano #6912 and Officer [REDACTED] ([REDACTED]) responded to assist Officer [REDACTED] and Officer [REDACTED] ([REDACTED]) conduct a traffic stop on a Buick Century occupied by the driver, [REDACTED], and the passenger, [REDACTED].

During the execution of the traffic stop, [REDACTED] and [REDACTED], exited the Buick and ran. Officers [REDACTED] and [REDACTED] chased after [REDACTED]. Officer [REDACTED] pursued [REDACTED] and Officer Serrano drove to the intersection of Los Angeles Place and Olvera Avenue.

Officer Serrano witnessed [REDACTED] run along 500 Los Angeles Place. Officer Serrano gave chase and was able to apprehend [REDACTED]. Officer Serrano issued citation # [REDACTED] to [REDACTED] for violating 148(a)(1) PC (Resisting/Delaying an officer in the performance of their duty) and 12500(a) VC (Driving without a valid California Driver's License).

San Diego Police Department Procedure 3.08 Juvenile Procedures, Subsection VII, dated October 23, 2019:

VII. INFRACTION OR MISDEMEANOR FIELD RELEASES

- A. Officers may "field release" a juvenile arrested for any infraction or misdemeanor if the juvenile can provide satisfactory evidence of personal identification and the juvenile is a resident of San Diego County.
- B. If the juvenile is not a resident of San Diego County, it is not likely he or she will return for court on an infraction or a misdemeanor; therefore, another disposition is appropriate.
- C. **To release a juvenile in the field for a non-traffic related offense, a Juvenile Contact Report (ARJIS-8) must be completed. Officers must enter "Field Release" in the field disposition box of the JCR. The officer should contact the juvenile's parent or guardian, advising them of the arrest before the end of shift. If the officer is unable to make contact, the appropriate area JST will do so later.**
- D. When a school official calls an officer to a school campus to handle a juvenile, the officer must determine if the juvenile has violated the law or if the juvenile has violated a school policy. To maintain the credibility of the school officials and the Police Department, the officer should use discretion in determining the disposition of the juvenile.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 100

As stated in the previous allegations, after Officer Serrano apprehended [REDACTED], Officer Serrano escorted [REDACTED] to his patrol vehicle. Officer Serrano documented in his report that, he conducted a records check and discovered [REDACTED] was on active high-risk probation. Officer Serrano issued [REDACTED] a citation for violating Penal Code 148(a)(1) and California Vehicle Code 12500(a).

(The following is an excerpt of Officer Serrano's arrest report of [REDACTED])

As [REDACTED] was walking, I felt [REDACTED] pulling forward. To maintain control, I placed [REDACTED] toward a patrol vehicle and used my right hand on the upper part of his back/neck to control [REDACTED]. [REDACTED] left side of his face collided into the left front panel of the patrol vehicle. [REDACTED] did not sustain any visible injuries. [REDACTED] stopped pulling forward and postured up. I escorted [REDACTED] and walked him to my patrol vehicle. [REDACTED] was placed into the backseat of the patrol vehicle. A records check revealed [REDACTED] was on active high-risk probation. [REDACTED] was issued a citation ([REDACTED] for being in violation of 148 (a) (1) PC-Resisting and delaying a police officer and 12500 (a) CVC-Driving while not being issued a California driver's license. [REDACTED] was released without incident.

Officer Serrano stated during his interview he attempted to contact [REDACTED] probation officer but was unsuccessful. He was able to contact the probation officer desk (DCU) and was informed they couldn't do much because of COVID-19. Officer Serrano also said [REDACTED] told him he was 18 and Officer Serrano thought [REDACTED] was 18. Officer Serrano said issuing [REDACTED] a citation was the only option because the charges were "fairly small" and because of COVID they were not able to book [REDACTED] into jail.

I asked Officer Serrano during the interview essentially why he left all the age indicators on the documents blank. Officer Serrano said leaving [REDACTED] date of birth and age off of the citation was an error and he did not realize he forgot to fill in the information. Officer Serrano said the citation acts at the "face sheet" of the report. He said he inputs the information into the narrative that correlates the citation to the arrest.

(The following is a copy of citation # [REDACTED] followed by a screen shot of Officer Serrano's arrest report of [REDACTED].)

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
 Internal Investigation I.A. #2020-0367
 Page 101

SAN DIEGO POLICE DEPARTMENT
NOTICE TO APPEAR

Case No. 19-2012 Date 02/11/21 Time 09:00 AM/PM AM Day of Week Mon

Traffic Nontraffic

Misdemeanor Felony

Misdemeanor 12500(a) VC Police Officer

NG CDL

City of San Diego, CA OTHER

Violations not committed in my presence, based on information and belief.

Without admitting guilt, I acknowledge the foregoing to be true and correct.

Signature: [Redacted] Date: 02/11/21 Time: 09:00 AM/PM AM

WHERE: ON OR BEFORE DATE 02/11/21 TIME: 09:00 AM/PM AM

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE

<input type="checkbox"/> JUVENILE COURT (DEPT. 11) 200 W. BROADWAY SAN DIEGO, CA 92102 (619) 534-1000	<input checked="" type="checkbox"/> MISDEMEANOR ASSIGNMENT DEPT. 200 W. BROADWAY SAN DIEGO, CA 92102 (619) 534-1000
<input type="checkbox"/> SAN DIEGO TRAFFIC COURT 3855 CLAYMONT/MESA BOULEVARD SAN DIEGO, CA 92120 (619) 594-4000	<input type="checkbox"/> SOUTH RAILROAD COURT 600 9TH AVENUE CHULA VISTA, CA 92011 (619) 740-0200
<input type="checkbox"/> NORTH COUNTY REGIONAL CENTER 385 S. MELCOSH DRIVE, SUITE 300 VISTA, CA 92081 (760) 520-4800 INFORMATION	<input type="checkbox"/> EAST COUNTY REGIONAL CENTER 380 EAST MAIN STREET EL CAJON, CA 92020 (619) 496-1100 INFORMATION

BWC

SDPD VEH. - PKD - ROLLING - STOPPED ON _____

DIR. - N E S W - LANE 1 2 3 4 5 - OTHER _____

SDPD VEH. NO. _____ YR. MAKE _____

DATE CALIB. _____ BY _____

20	30	40	50	60	70	80
----	----	----	----	----	----	----

STOPPED BY _____ RED LITE _____ SIREN _____ HORN _____ HAND _____

DEF. VEH. - PKD - ROLLING - STOPPED ON _____

DIR. - N E S W - LANE 1 2 3 4 5 - OTHER _____

STOPPED AT _____

DRIVER - OUT OF CAR _____ IN CAR _____

MR. LR. _____ PASSENGERS: SOLO _____ RF _____ MF _____ RR _____

DISTANCE OBSERVED _____

INDIVIDUAL/S									
Name: <u>[Redacted]</u>					Person Code: _____			Interpreter Language: _____	
Home Address, City, State, ZIP: _____					Res. Country: _____		County Residence: _____		Undocumented: _____
Race: _____	Sex: _____	Date of Birth / Age: _____	Height: _____	Weight: _____	Hair Color: _____	Eye Color: _____	Facial Hair: _____	Complexion: _____	
Employment Status: _____		Occupation/Trade: _____		Employer/School: _____			Employer Address, City, State, ZIP: _____		
CONTACT INFORMATION									
Attire: _____					Injury: _____		Extent Of Treatment: _____		Violent Crime Circumstances: _____
Subject Injury Description: _____									
Officer Injury Description: _____									

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

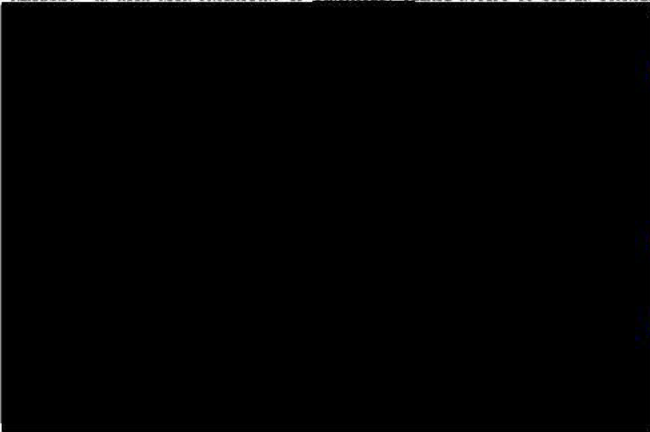
Investigator's Report
Internal Investigation I.A. #2020-0367
Page 103

I asked Officer Serrano if he knew how to handle juvenile prisoners. He stated officers are to notify their parents, inform them of the contact, and the disposition. Officer Serrano said officers shall obtain the parents contact information and document it in the report. Officer Serrano said during the interview he would have contacted [REDACTED] parents to come pick him up if he knew [REDACTED] was a juvenile.

Because Officer Serrano documented that he completed a records check and discovered [REDACTED] was on active high-risk probation, I completed a records search on San Diego Law and Justice Network (SDLaw) and found two notifications regarding [REDACTED]. The one identifies [REDACTED] as being on high risk probation with the probation officers information and it identifies [REDACTED] date of birth, showing [REDACTED] was 17 at the time of the arrest. The second notification has contact information for any probation violations committed by [REDACTED] and it has [REDACTED] date of birth on it as well.

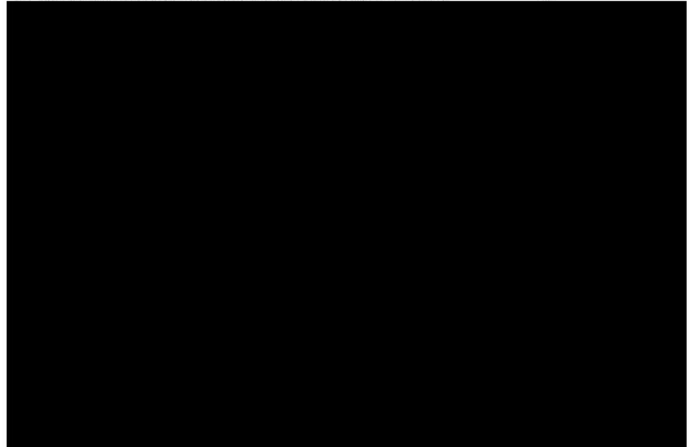
MA19 OFFICER NOTIFICATION SYSTEM (ONS) INFORMATION

AGENCY: PR ONS NUMBER: [REDACTED] DATE: 12 31 19 TIME: CASE:
NOTIFY TYPE: PR RELATED CRIME:
REMARKS: ON HIGH RISK PROBATION. IF CONTACTED, PLEASE NOTIFY PO STEVEN TOROLE



MA19 OFFICER NOTIFICATION SYSTEM (ONS) INFORMATION

AGENCY: SP ONS NUMBER: [REDACTED] DATE: 11 12 20 TIME: CASE:
NOTIFY TYPE: JUVENILE COURT ORDERS RELATED CRIME: XX XX



Officer Serrano frequently spoke about his relation with [REDACTED] during the interview. Officer Serrano estimated he first met [REDACTED], when [REDACTED] was approximately 14 years old. It was clear that Officer Serrano had enough knowledge on [REDACTED] to roughly know how old [REDACTED] was.

Officer Serrano did not complete the correct the documentation for a juvenile. Officer Serrano should have documented the [REDACTED] criminal actions on a Juvenile Contact Report (Arjis-8). Officer Serrano did not document or stated during his interview that he attempted to contact [REDACTED] guardian. Officer Serrano stated he put the citation in the records bin at the station and did not forward any information on the appropriate area commands Juvenile Services Team for later follow-up. Based Officer Serrano neglect in verifying [REDACTED] age and his lack of inputting the required identifying information for [REDACTED], [REDACTED] arrest was handled inappropriately. Therefore, this allegation is **SUSTAINED**.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 104

5. COURTESY - SUSTAINED

Officer Serrano was discourteous to [REDACTED].

On March 27, 2020, Special Operations Officer David Serrano #6912 and Officer [REDACTED] ([REDACTED]) responded to assist Officer [REDACTED] and Officer [REDACTED] ([REDACTED]) conduct a traffic stop on a Buick Century occupied by the driver, [REDACTED], and the passenger, [REDACTED].

During the execution of the traffic stop, [REDACTED] and [REDACTED], exited the Buick and ran. Officers [REDACTED] and [REDACTED] chased after [REDACTED]. Officer [REDACTED] pursued [REDACTED] and Officer Serrano drove to the intersection of Los Angeles Place and Olvera Avenue.

Officer Serrano witnessed [REDACTED] run along 500 Los Angeles Place. Officer Serrano gave chase and was able to apprehend [REDACTED]. Officer Serrano issued citation # [REDACTED] to [REDACTED] for violating 148(a)(1) PC (Resisting/Delaying an officer in the performance of their duty) and 12500(a) VC (Driving without a valid California Driver's License).

San Diego Police Department Policy 9.20 Courtesy Policy, Dated March 27, 2015, states:

Members shall be courteous to all persons. Members shall be tactful in the performance of their duties, shall control their tempers, exercise the utmost patience and discretion, and shall not engage in argumentative discussion even in the face of extreme provocation. Except when necessary to establish control during a violent or dangerous situation, no member shall use coarse, profane or violent language. **Members shall not use insolent language or gestures in the performance of his or her duties.** Members shall not make derogatory comments about or express any prejudice concerning race, religion, politics, national origin, gender (to include gender identity and gender expression), sexual orientation, or similar personal characteristics.

When Officer [REDACTED] first arrived to assist Officer Serrano with [REDACTED], Officer [REDACTED]'s BWC footage captured Officer Serrano lift [REDACTED] to his feet while saying, "Fucking ass up dude." Officer Serrano lifted [REDACTED] by grabbing a hold of [REDACTED] waistband and directly lifted [REDACTED] upward. By Officer Serrano lifting [REDACTED] this way, it appeared [REDACTED] could not gain his balance and appeared to be falling forward as Officer Serrano was pushed him forward. While this was occurring Officer Serrano continued to hold [REDACTED] pants high enough where it appeared [REDACTED] left foot could not touch the ground and he was essentially hopping on his right leg.

Officer Serrano said during the interview that he used Officer [REDACTED] patrol vehicle as a vertical floor to keep [REDACTED] from falling to the ground and injuring himself. The officers' BWC footage captured [REDACTED] face colliding onto the hood/front driver's side fender of Officer [REDACTED] patrol vehicle. Once this occurred, Officer Serrano simultaneously placed his right hand on the back of [REDACTED] neck and yelled at [REDACTED], "I'm so fucking disappointed in you, you have no idea." Officer [REDACTED] BWC footage captured

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report

Internal Investigation I.A. #2020-0367

Page 105

Officer Serrano then pushed [REDACTED] head downwards towards the hood of the car after expressing his disappointment.

Officer Serrano said in his interview he told [REDACTED] he was disappointed in him because he knew [REDACTED] personally. Officer Serrano said the gravity of the situation was a lot worse than what [REDACTED] truly understood. Officer Serrano said he believed [REDACTED] was there (5000 Logan area) to commit a crime. He further stated his belief that crime would have resonated within the community by somebody being shot or worse, killed.

Officer [REDACTED] and Officer [REDACTED] BWC footage captured Officer Serrano escort [REDACTED] h by only his right hand on the back of [REDACTED] neck. Officer [REDACTED] BWC captured Officer Serrano curse at [REDACTED] (transcribed to the best of the audio capture), "What did I tell you? What did I tell you?... Fucking, wanna be that type of fucking kid... act stupid." Officer Serrano yelled this at [REDACTED] at a volume where it was picked up by Officer [REDACTED] BWC from approximately 30 to 40 yards away.

Officer [REDACTED] ran to catch up to Officer Serrano and [REDACTED] to make sure they were "okay" and nothing escalated further. Officer [REDACTED] said in his interview that he could tell the interaction between Officer Serrano and [REDACTED] was "odd." Officer [REDACTED] said he knows Officer Serrano and he expected him to act differently with the public. Officer [REDACTED] said the BWC footage of Officer Serrano and [REDACTED] interaction did not look good.

Officer Serrano told Officer [REDACTED] to, "Get away, I got this," when Officer [REDACTED] placed his hands between Officer Serrano and [REDACTED]. Officer Serrano placed [REDACTED] in the back seat of his patrol vehicle.

Officer Serrano said during his interview that his emotions were "in check" because he did not shove [REDACTED] into the back seat of his car, he did not injure [REDACTED], or do anything that would jeopardize [REDACTED]'s safety. However, it's clear by Officer Serrano's actions that he did not control his temper or exercise the utmost patience during this incident. In addition, he used profanity and cursed at [REDACTED] when it was not necessary. Therefore, this allegation is **SUSTAINED**.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

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Investigator's Report

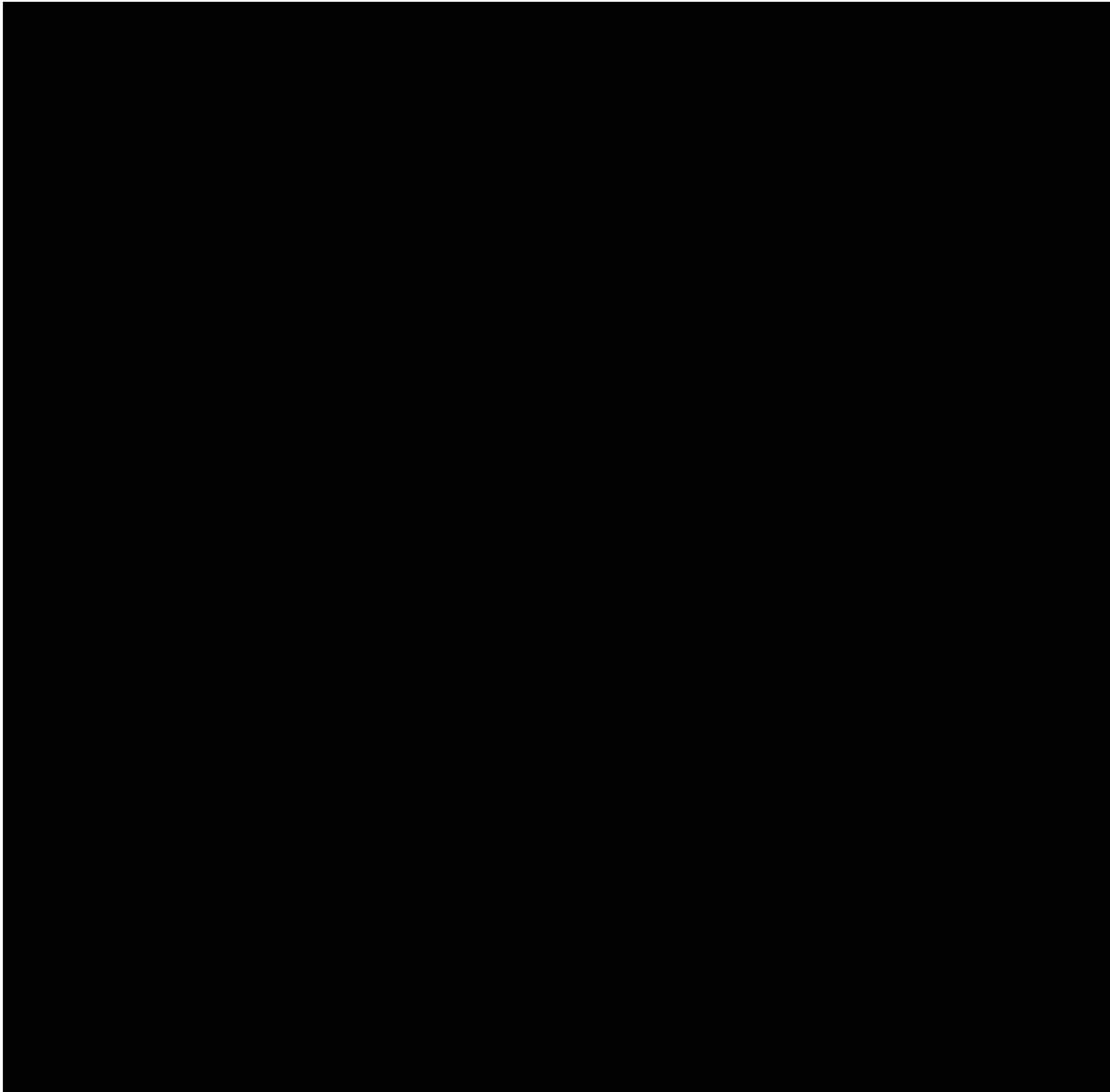
Internal Investigation I.A. #2020-0367

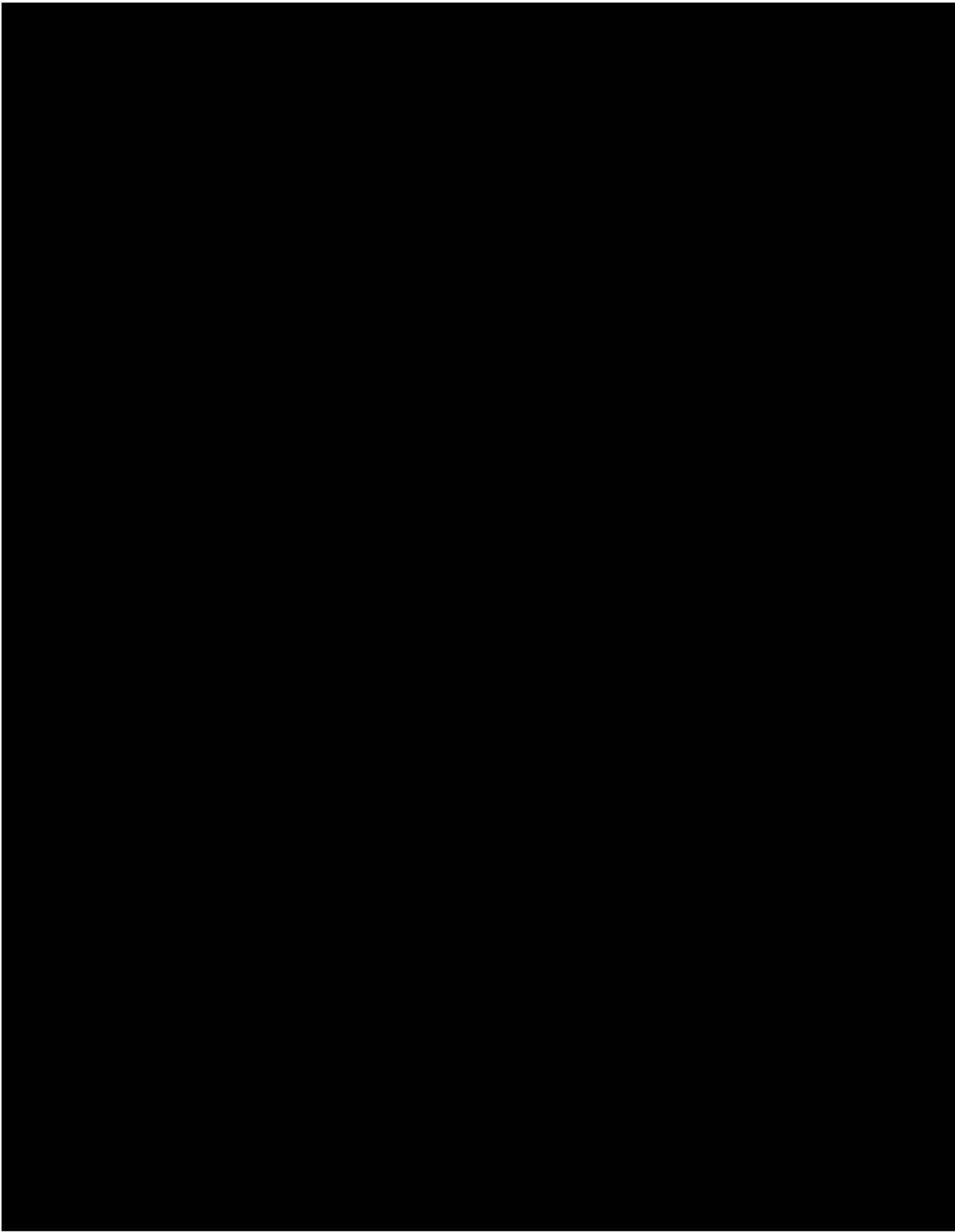
Page 106

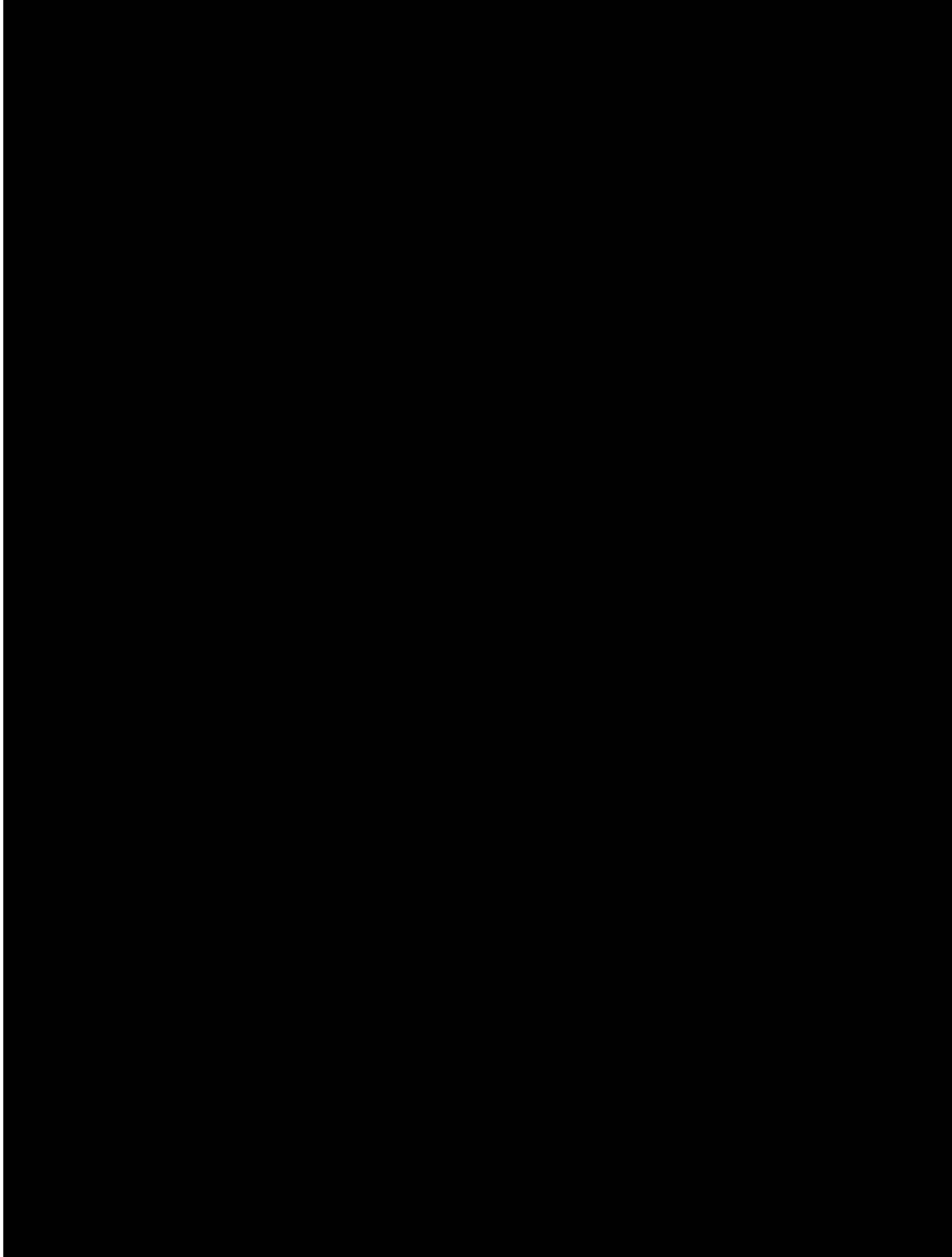
OTHER FINDINGS:

1. PROCEDURE - SUSTAINED

Officer [REDACTED] violated Department Procedure 1.49, Section V when he failed to activate his BWC's prior to arrival during an enforcement contact.







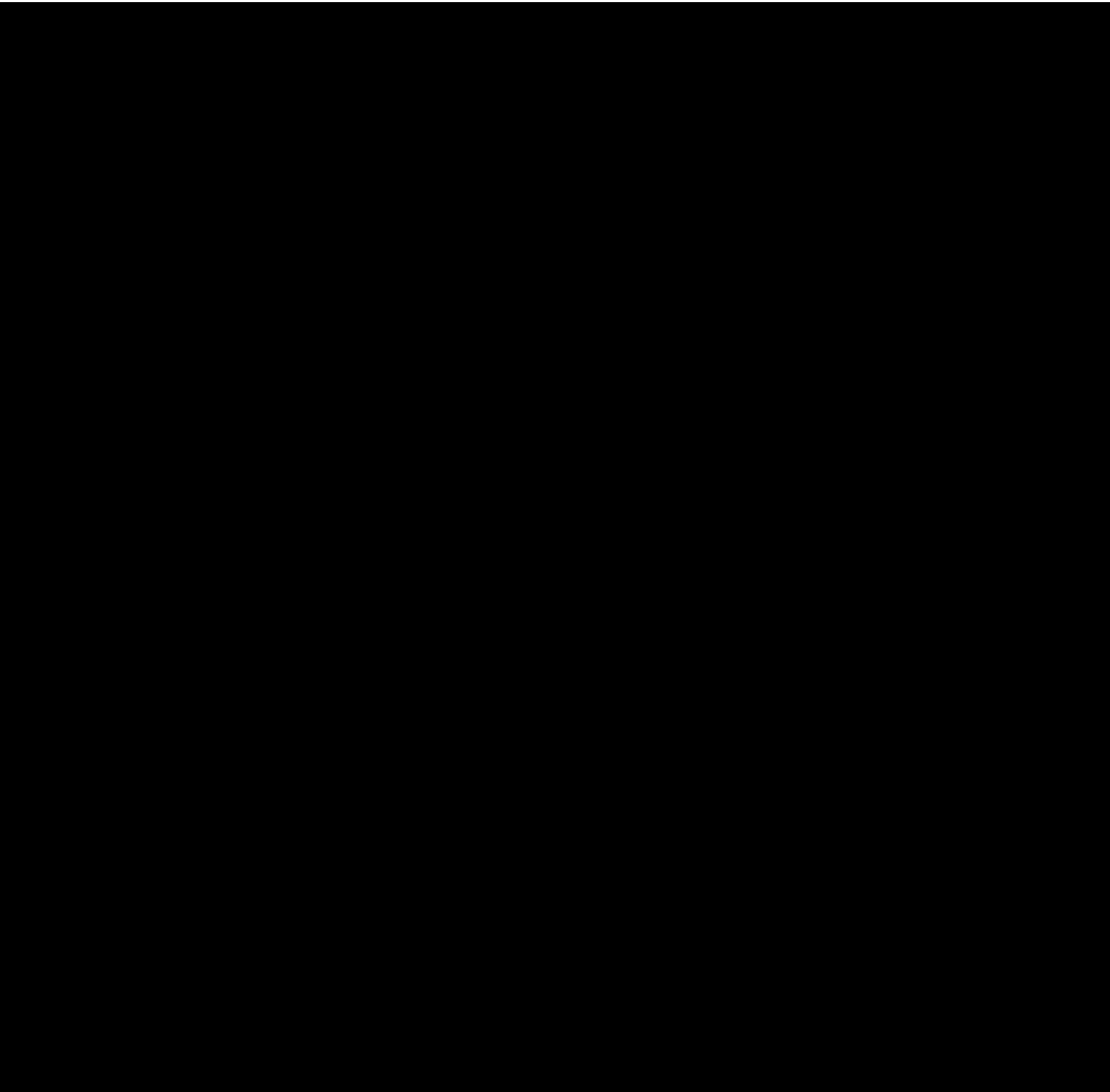
CONFIDENTIAL – DO NOT DUPLICATE

Investigator's Report
Internal Investigation I.A. #2020-0367
Page 109

OTHER FINDINGS:

2. PROCEDURE - SUSTAINED

Officer [REDACTED] violated Department Procedure 1.49, Section V, when he failed to activate his BWC during the enforcement contact.



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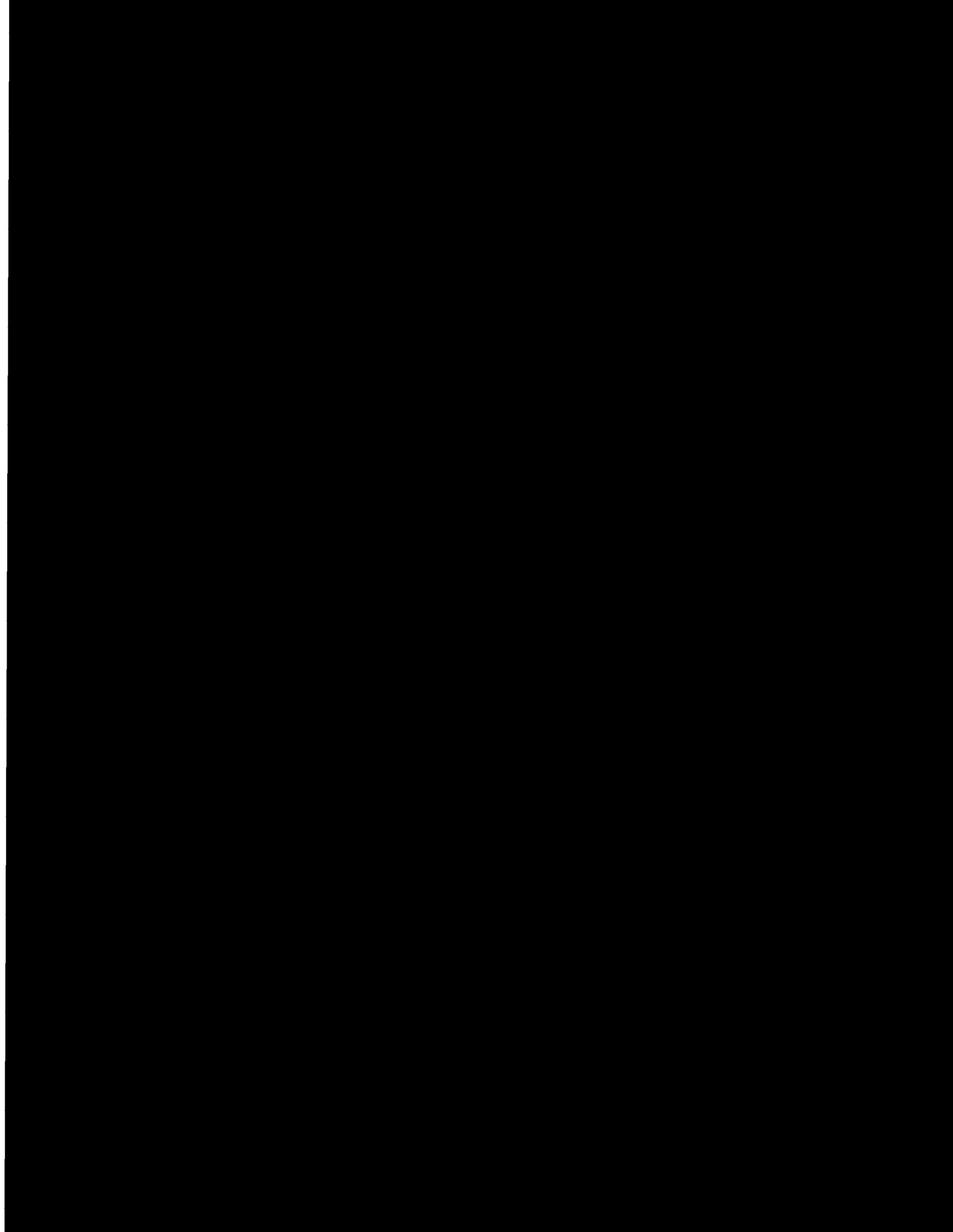
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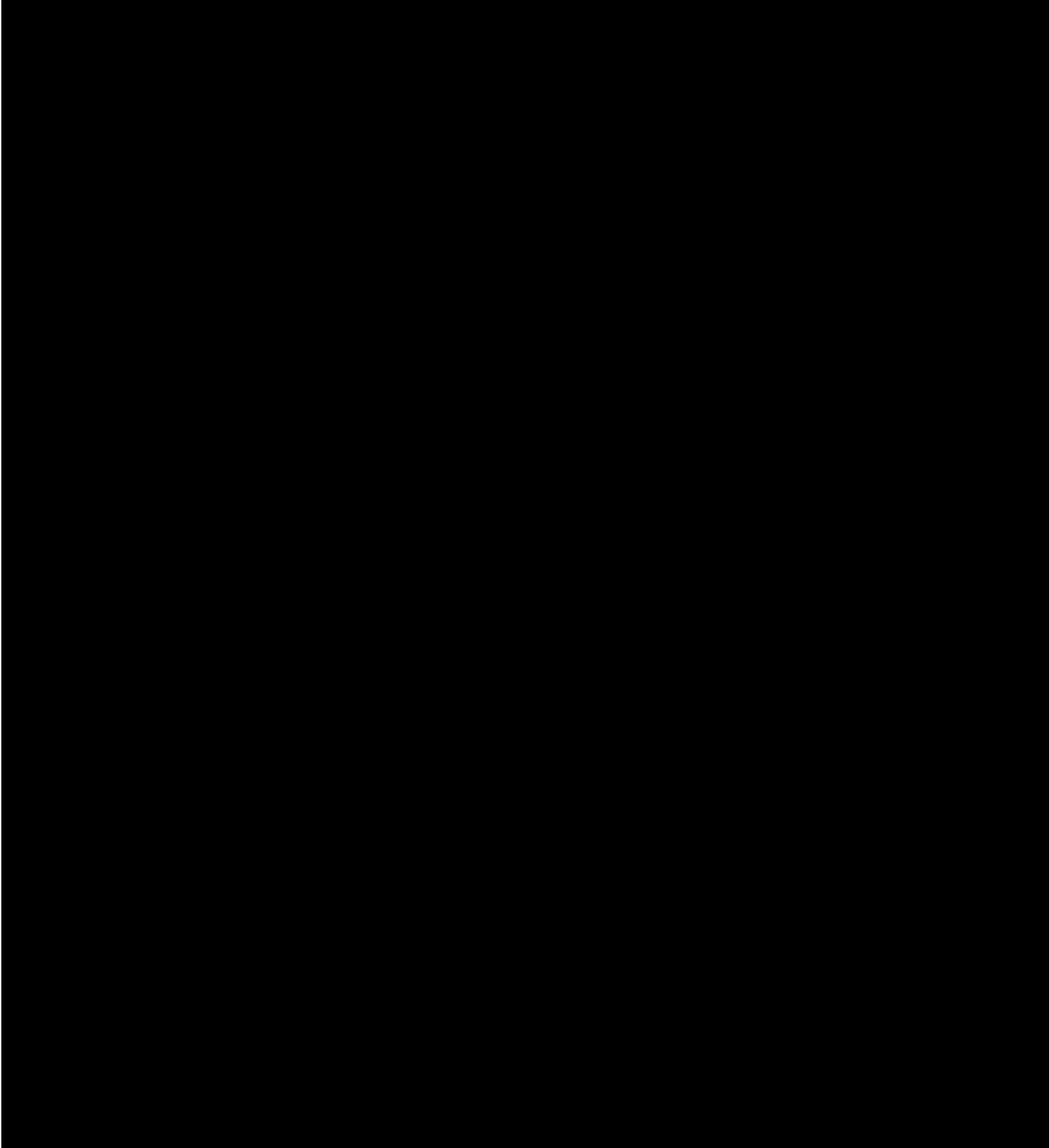
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Investigator's Report

Internal Investigation I.A. #2020-0367

Page 112

The following is a scanned image of the audit trail for Officer [REDACTED] assigned BWC device [REDACTED].



Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021

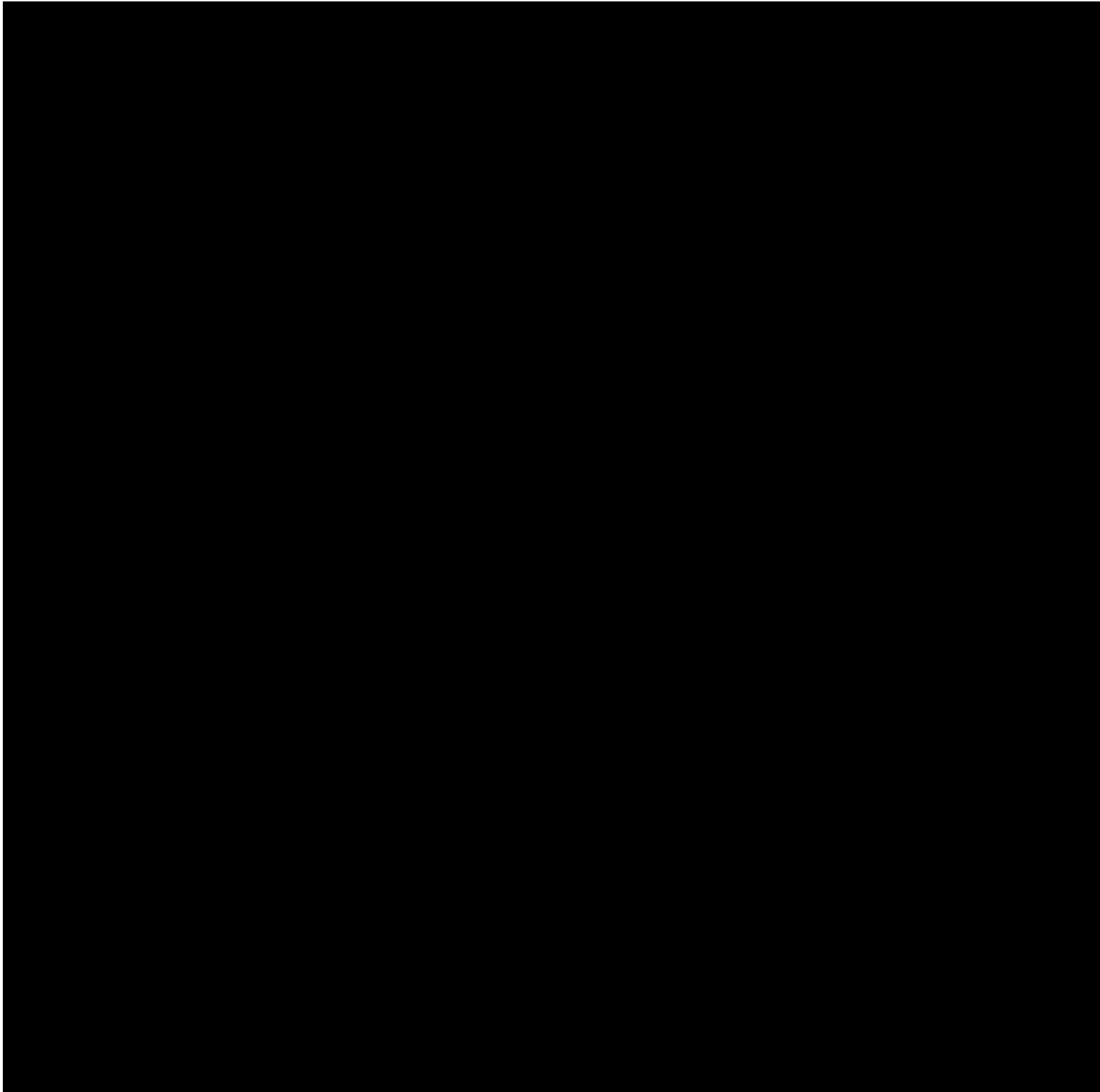
CONFIDENTIAL – DO NOT DUPLICATE

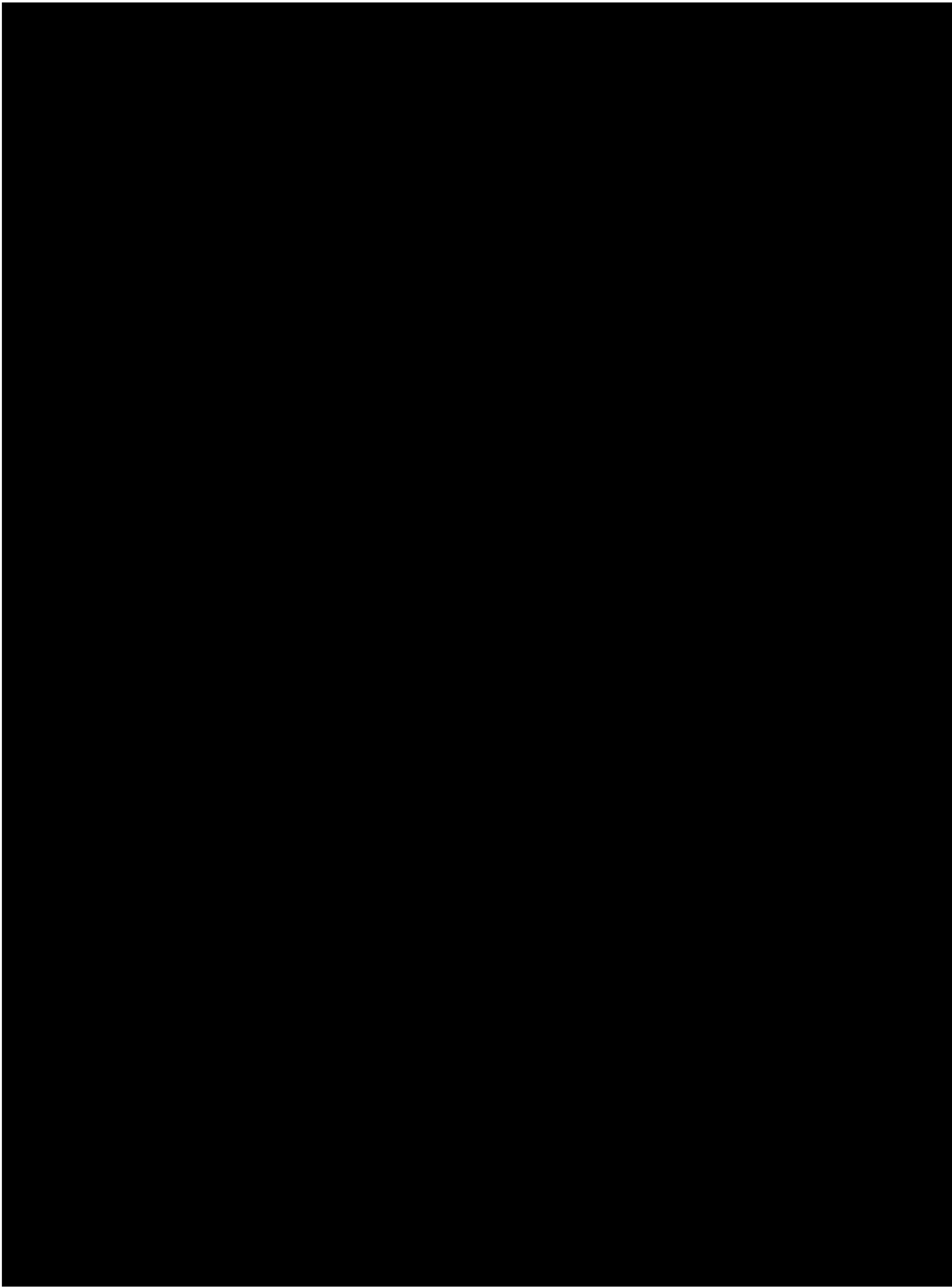
Investigator's Report
Internal Investigation I.A. #2020-0367
Page 114

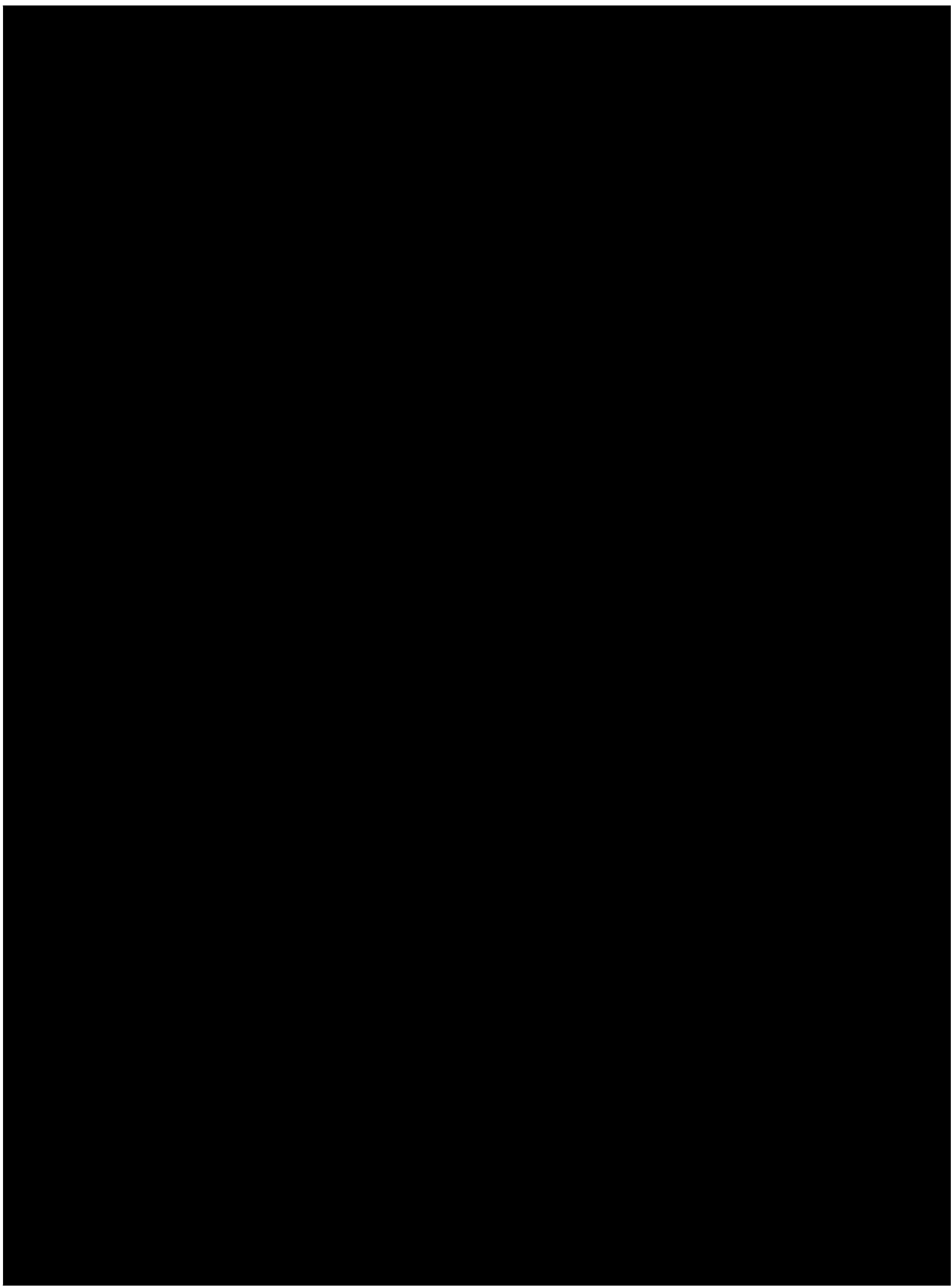
OTHER FINDINGS:

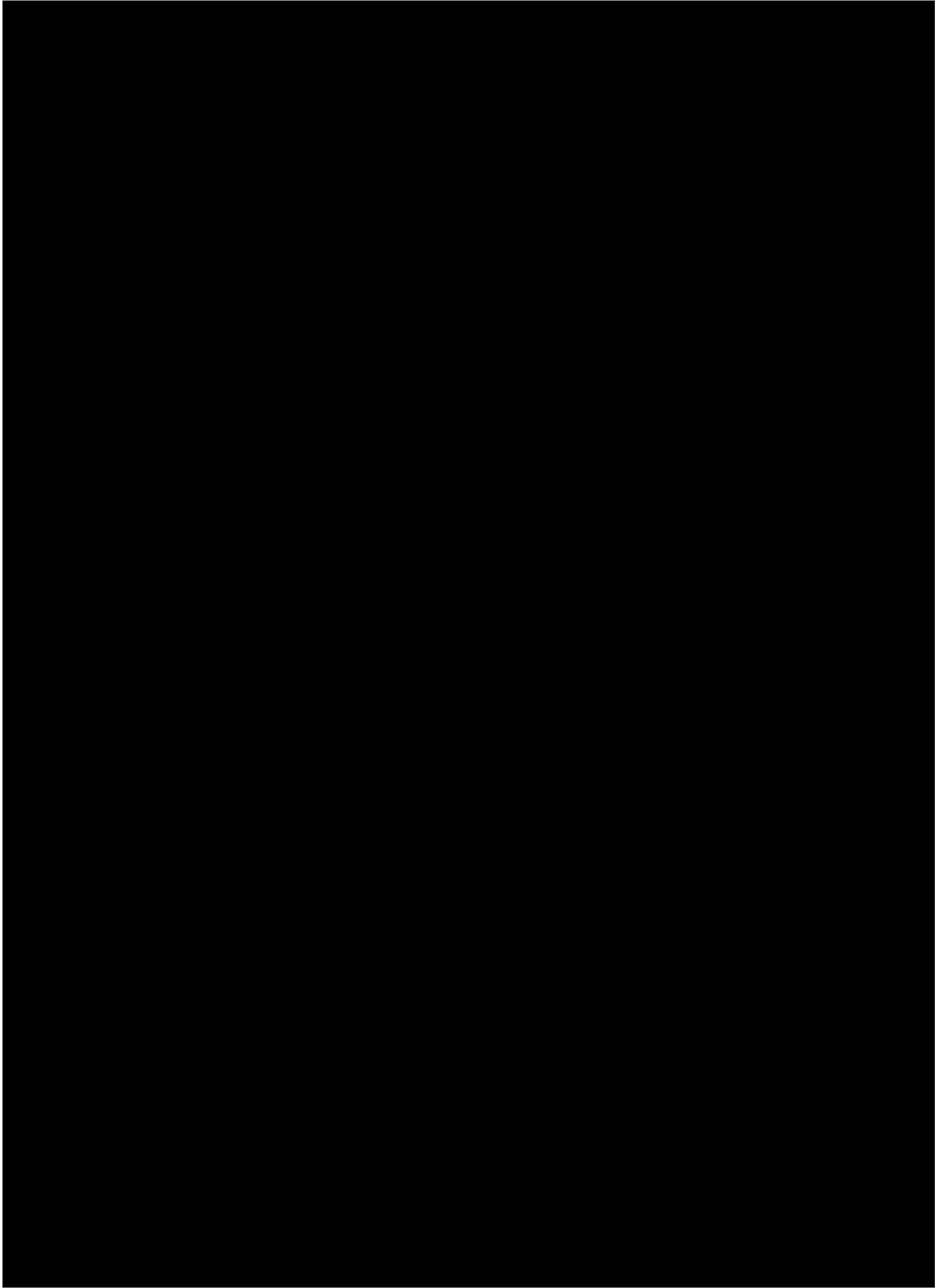
3. PROCEDURE - SUSTAINED

Officer [REDACTED] violated Department Procedure 1.49, Section V, when he failed to activate his BWC during the enforcement contact.







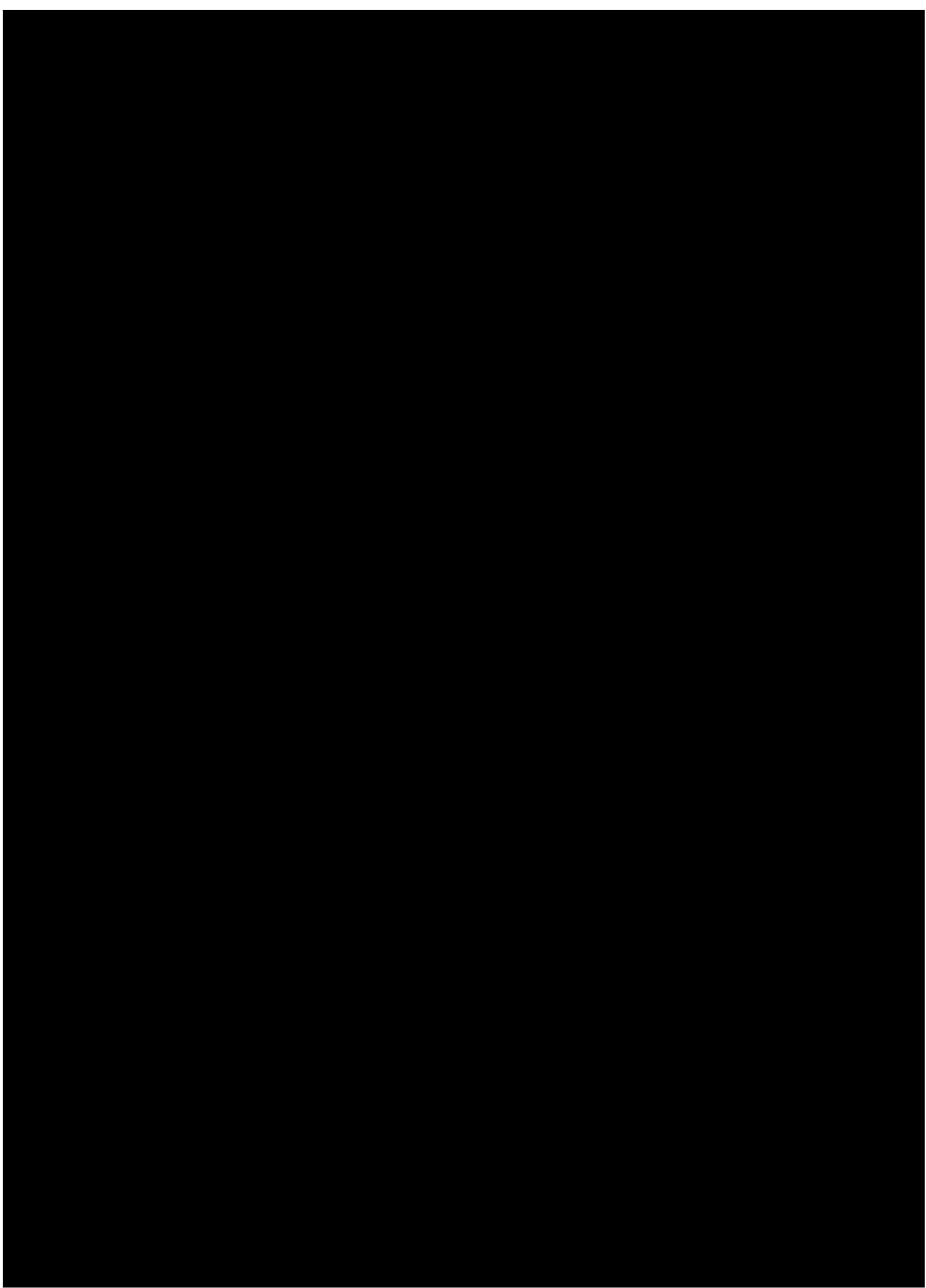


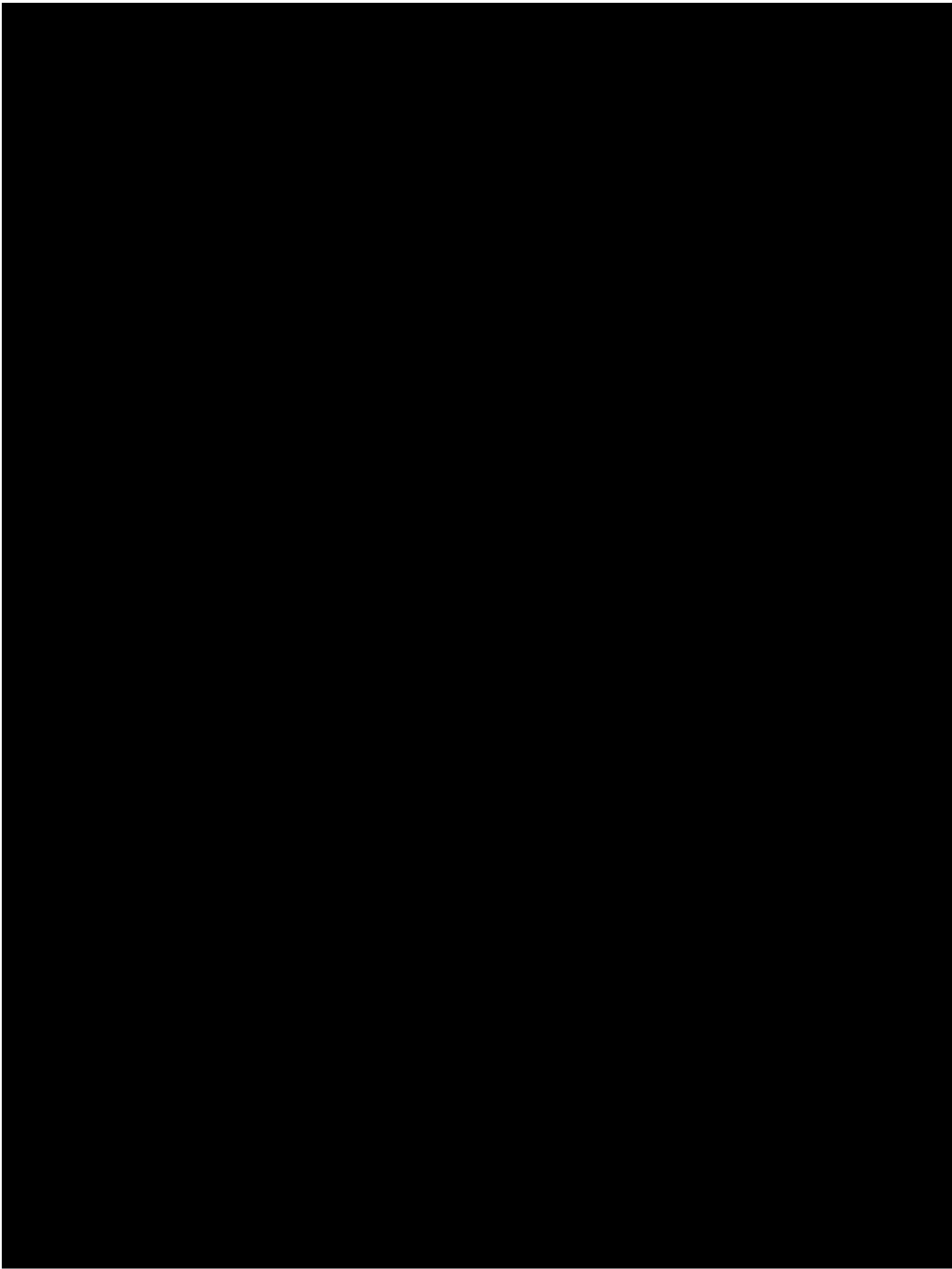
The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be recorded to ensure the integrity of the financial statements. This includes not only sales and purchases but also expenses, income, and any other financial activity. The text explains that proper record-keeping is essential for identifying trends, managing cash flow, and providing a clear picture of the company's financial health to stakeholders.

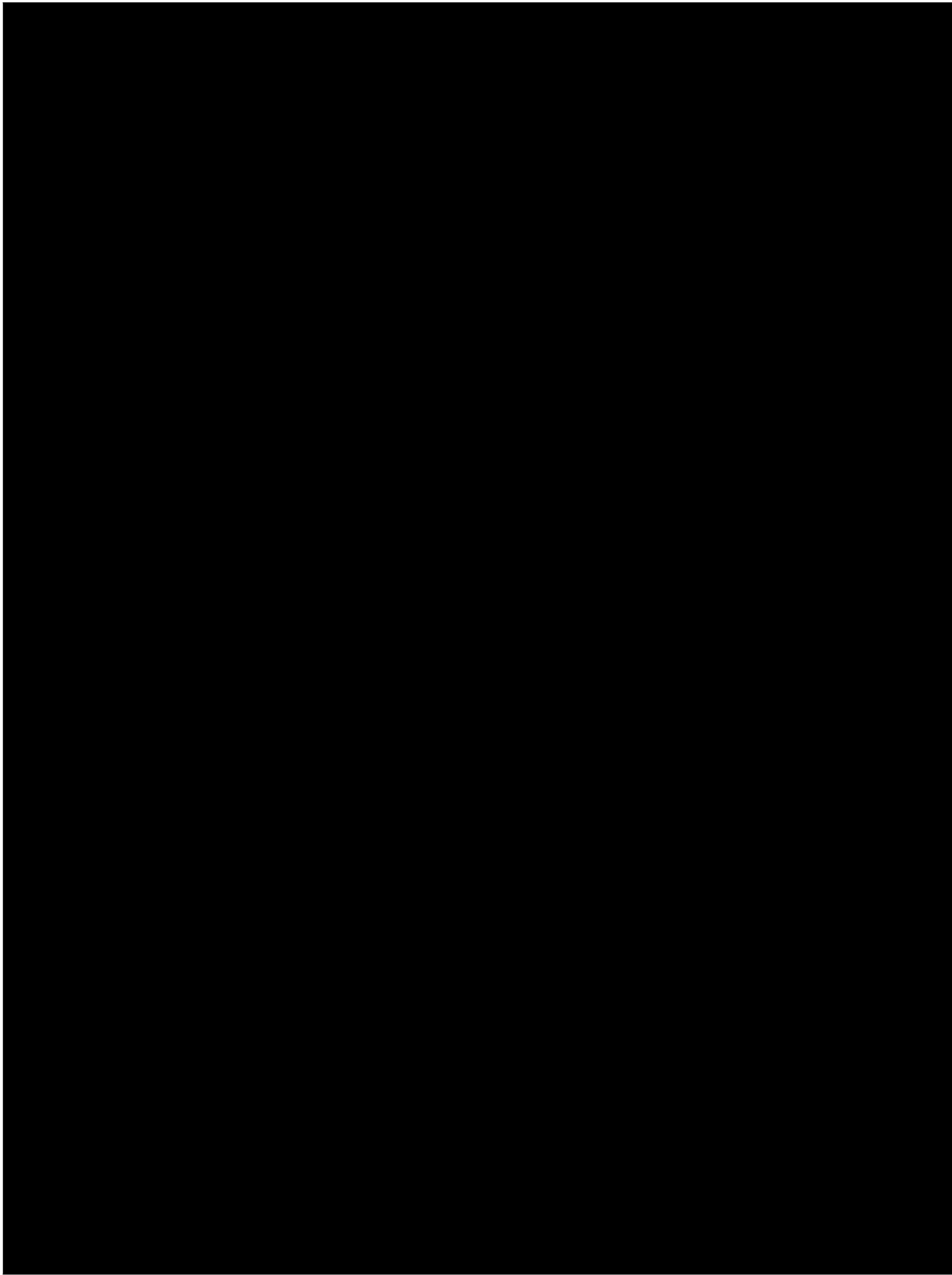
Next, the document addresses the process of reconciling accounts. It states that regular reconciliation is necessary to detect and correct any discrepancies between the company's internal records and the bank's statements. This process involves comparing the two sets of records, identifying any differences, and investigating the causes. Common reasons for discrepancies include timing differences, errors in recording, or unauthorized transactions. The text provides a step-by-step guide to performing a reconciliation, from gathering the necessary documents to reviewing the results and making adjustments as needed.

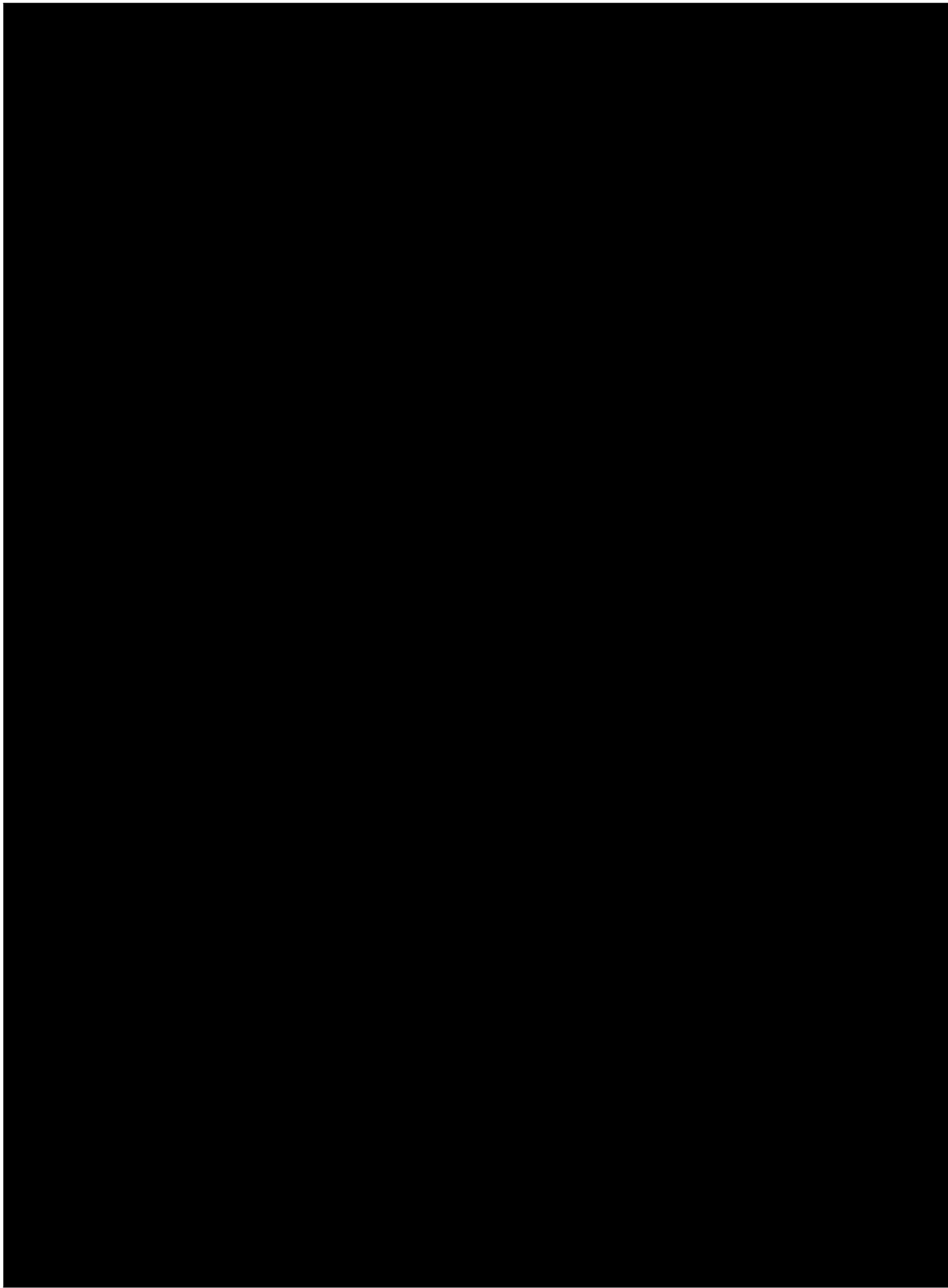
The third section focuses on the classification of expenses. It explains that expenses should be categorized into different groups, such as operating expenses, capital expenditures, and non-recurring items. This classification is important for analyzing the company's cost structure and identifying areas where costs can be reduced. The text also discusses the importance of using consistent codes and descriptions for each expense entry to facilitate reporting and analysis.

Finally, the document concludes by emphasizing the overall importance of financial discipline and attention to detail. It states that a commitment to accurate record-keeping and regular reconciliation is essential for the long-term success of any business. By following these practices, companies can ensure that their financial data is reliable and that they are in a position to make informed decisions about their future operations.

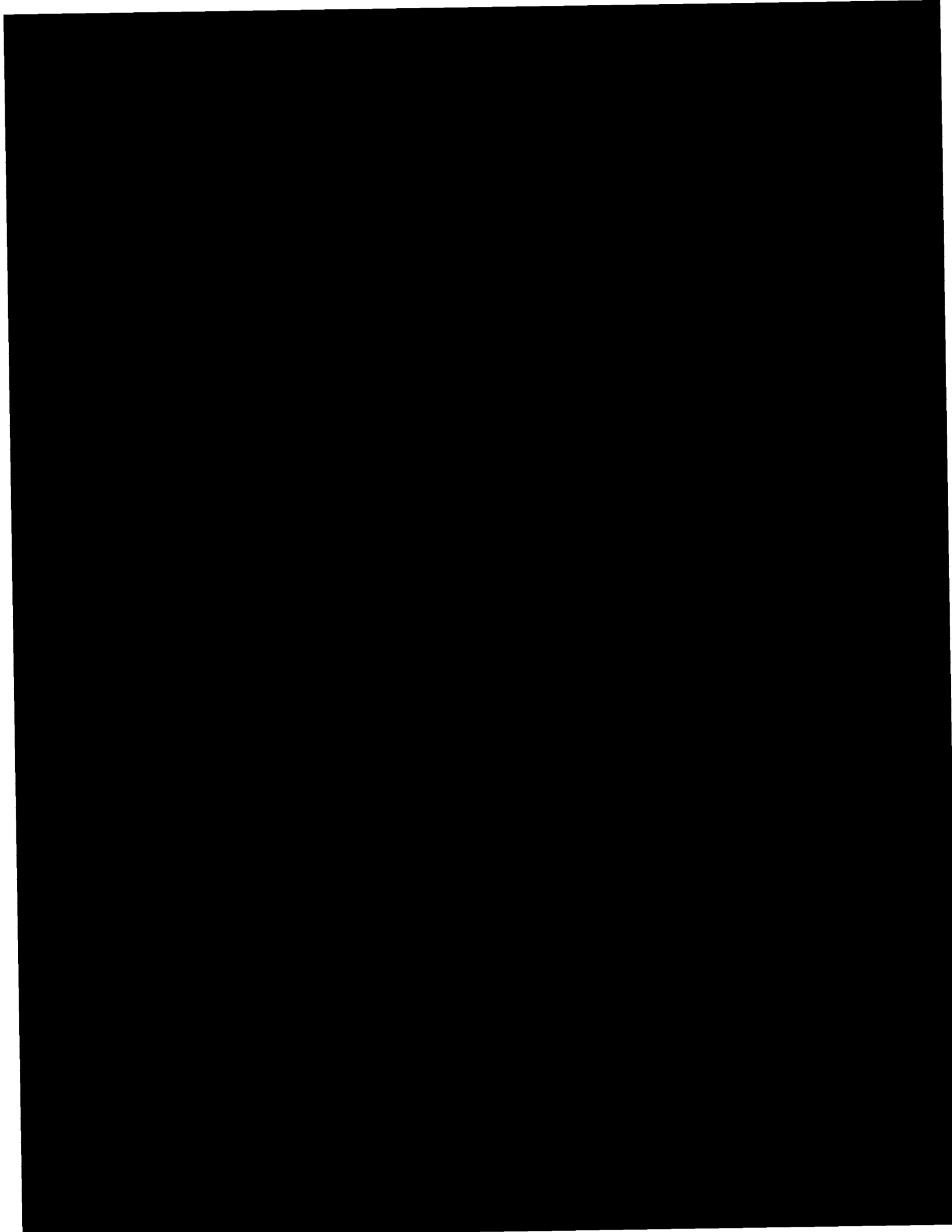


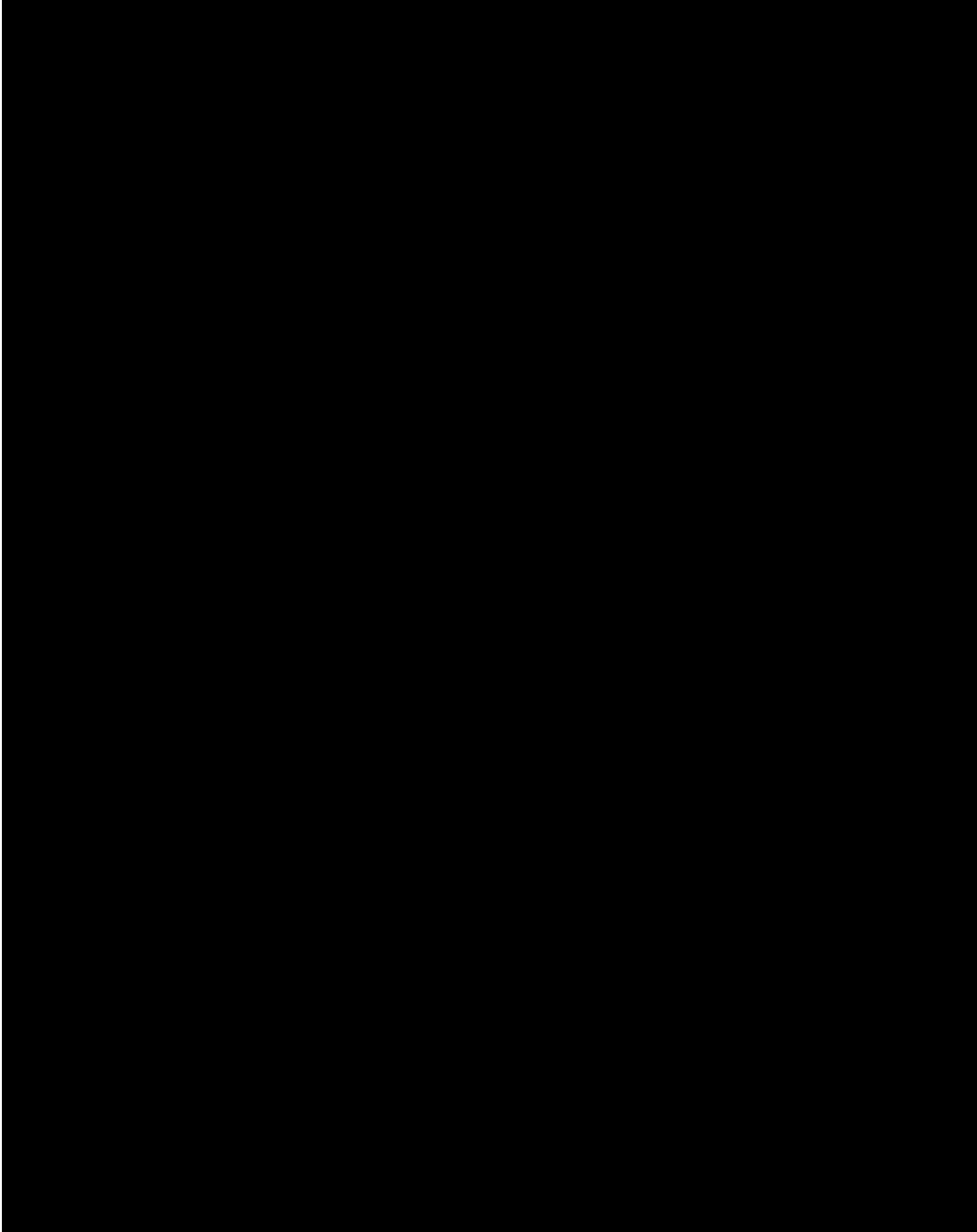


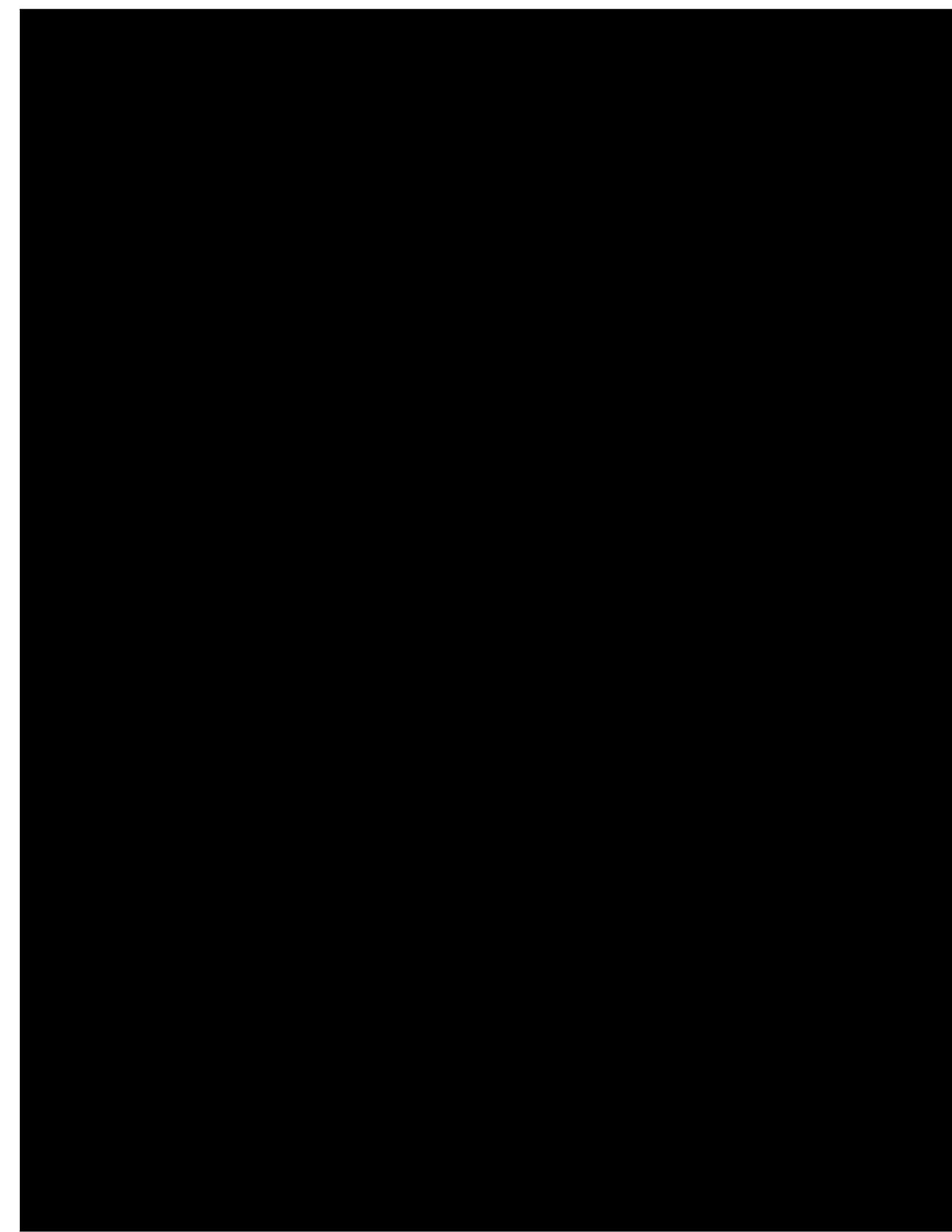


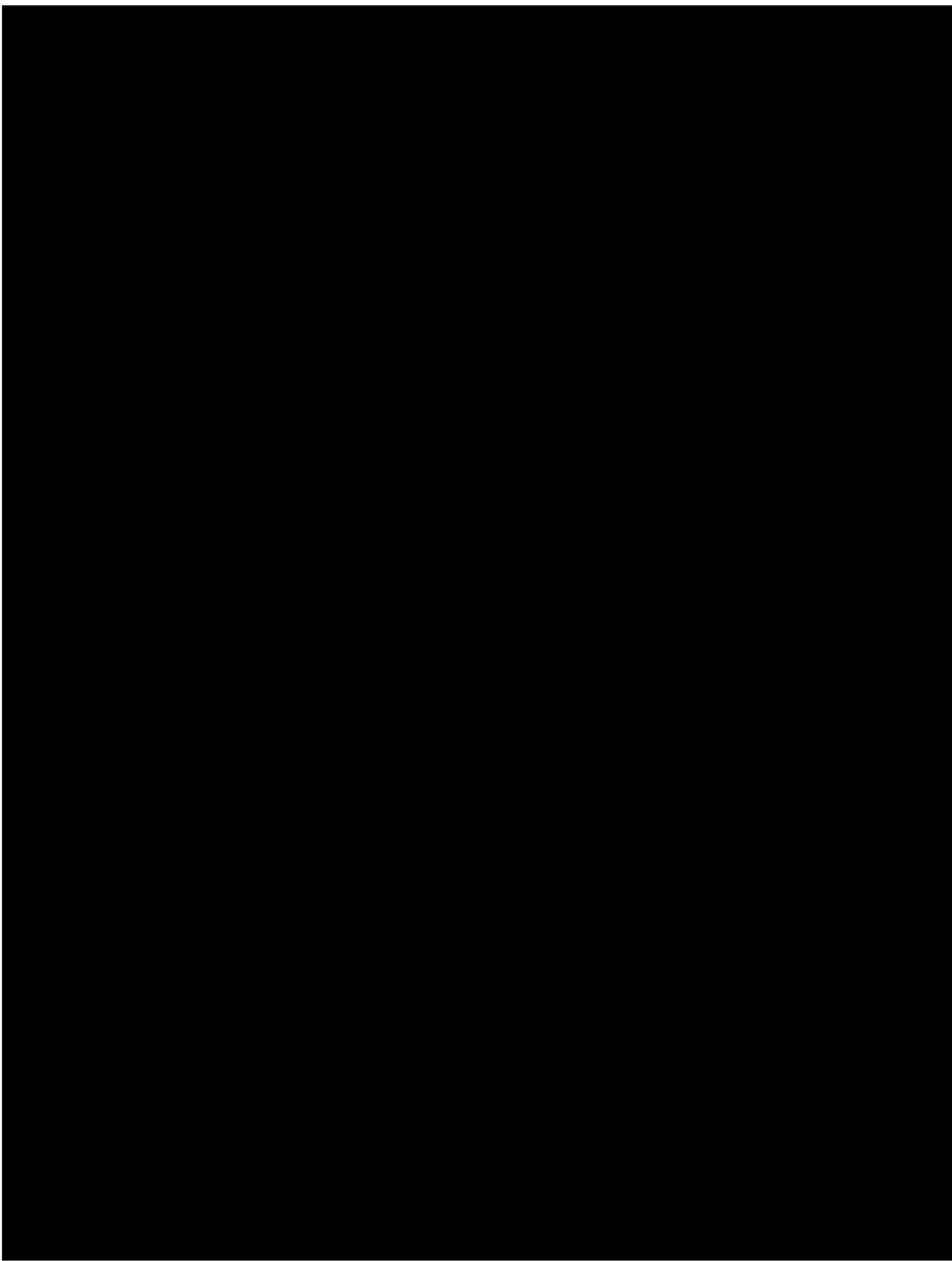


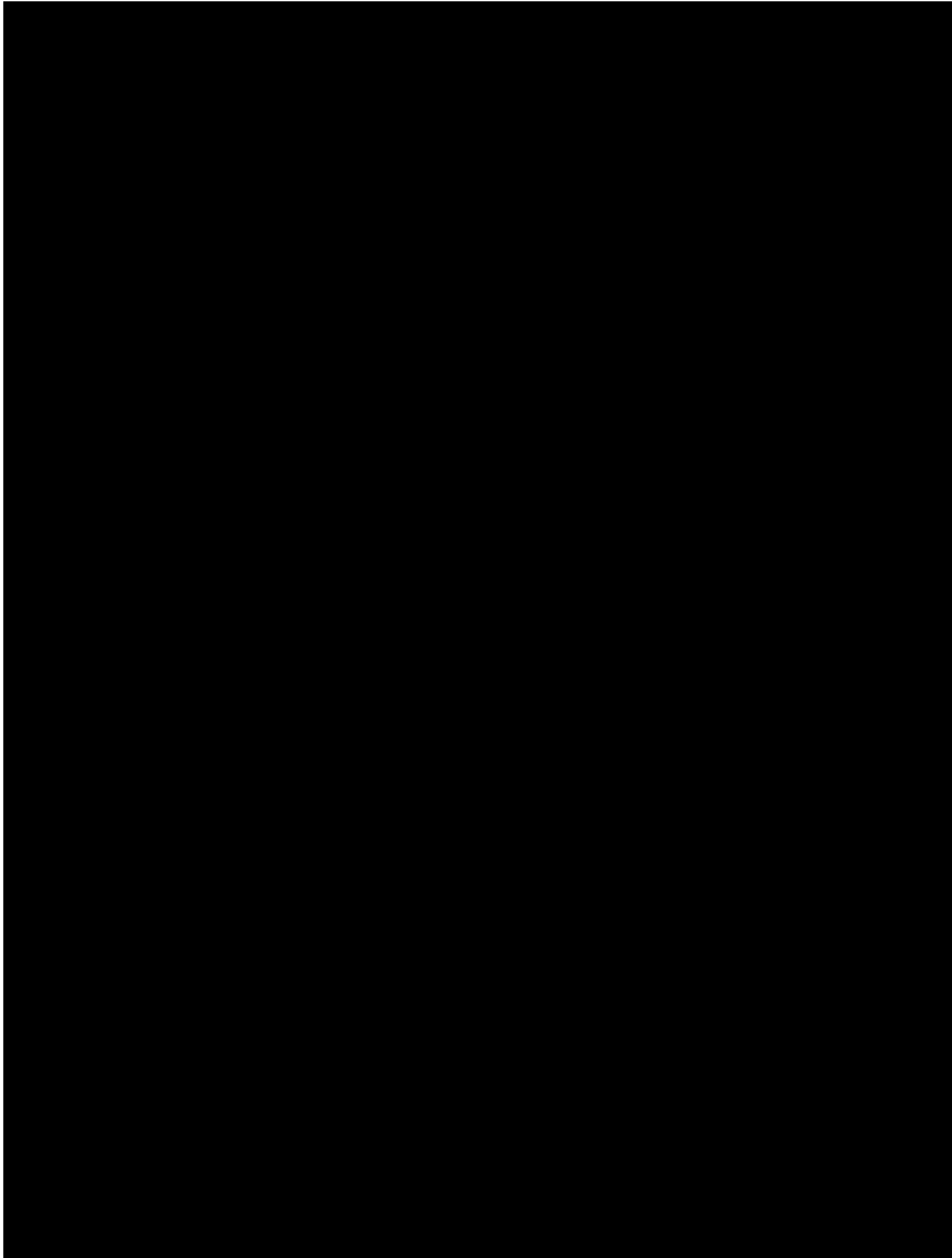


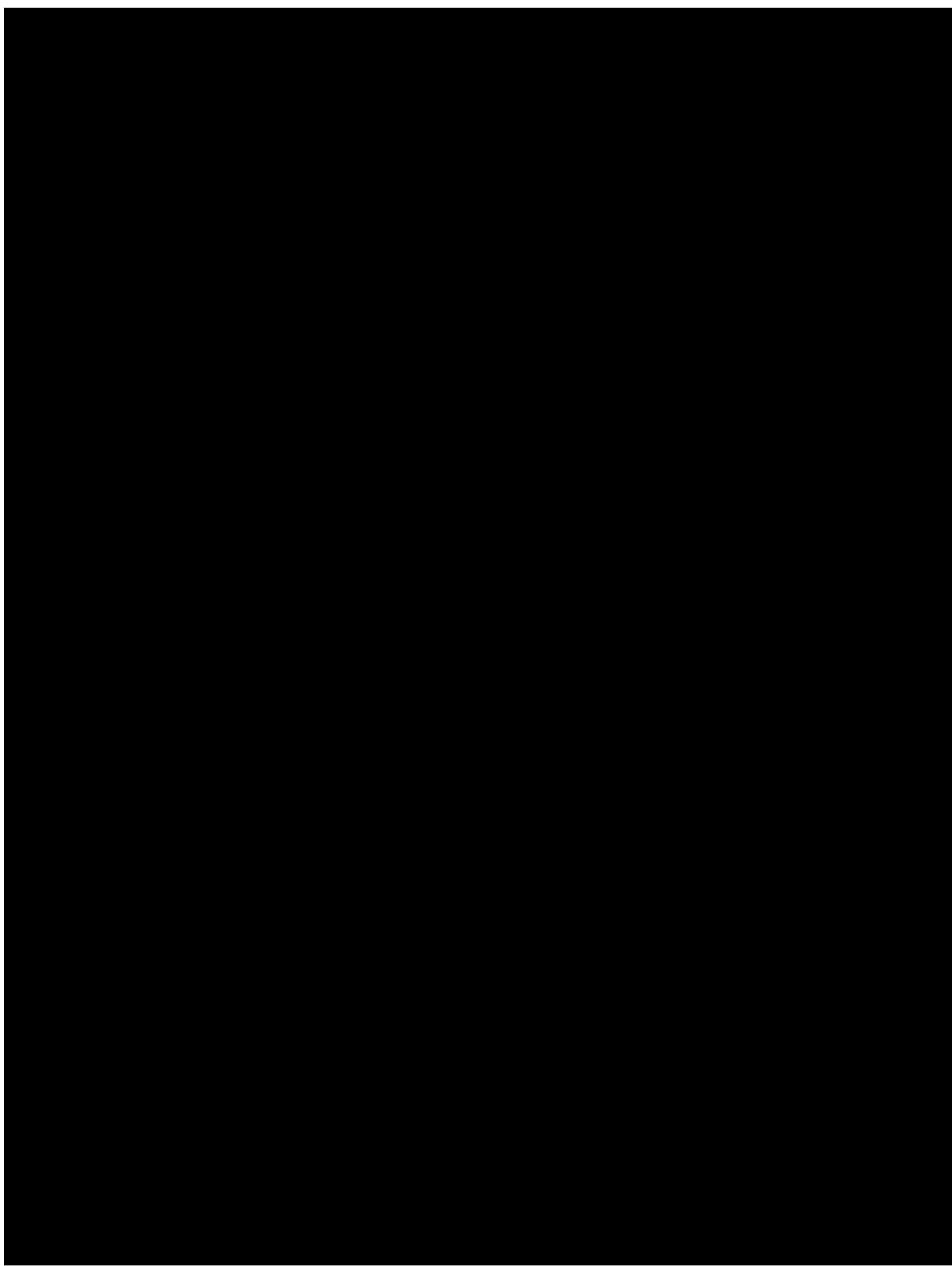












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Investigator's Report
Internal Investigation I.A. #2020-0367
Page 131

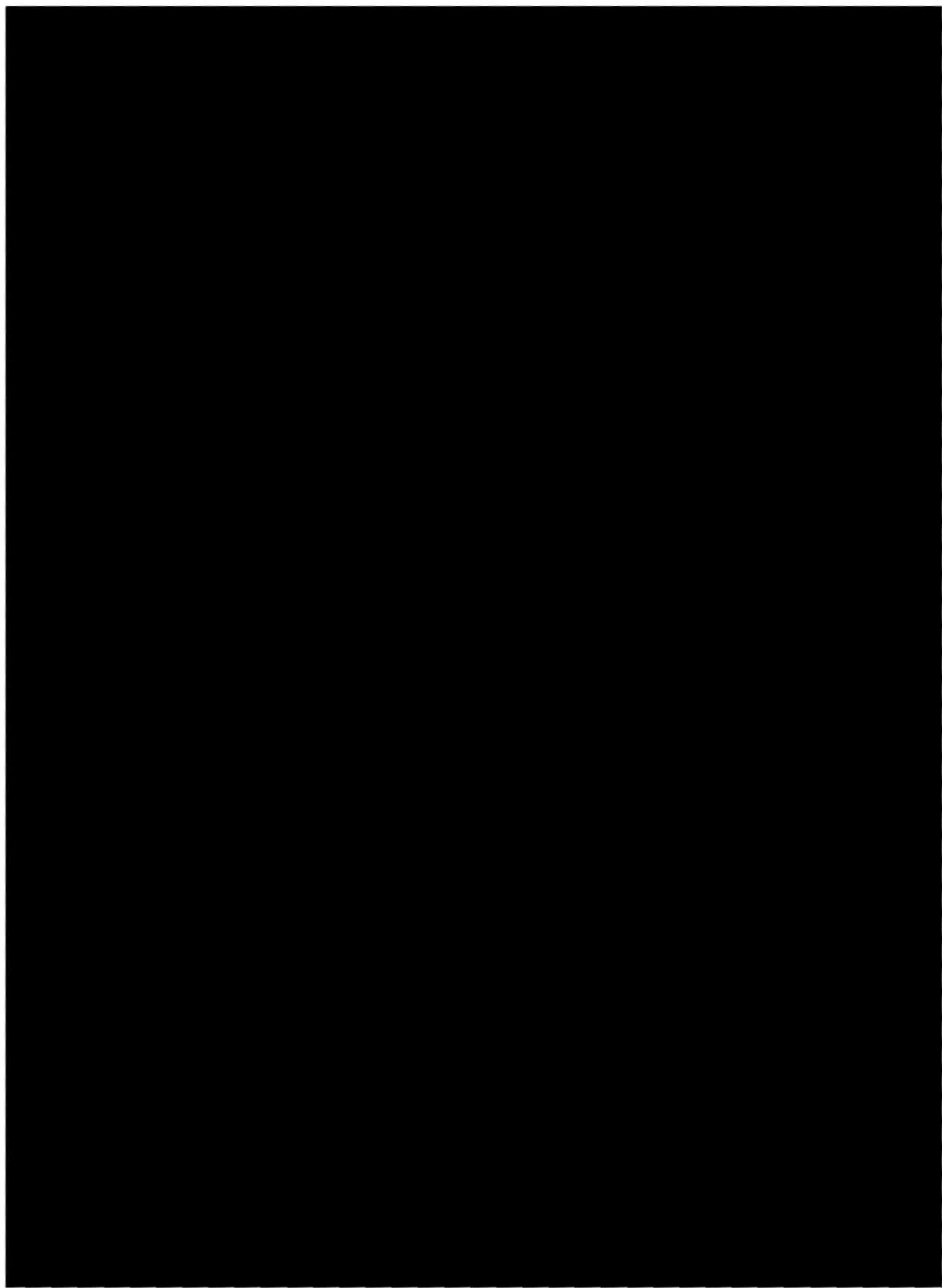
DOCUMENTATION:

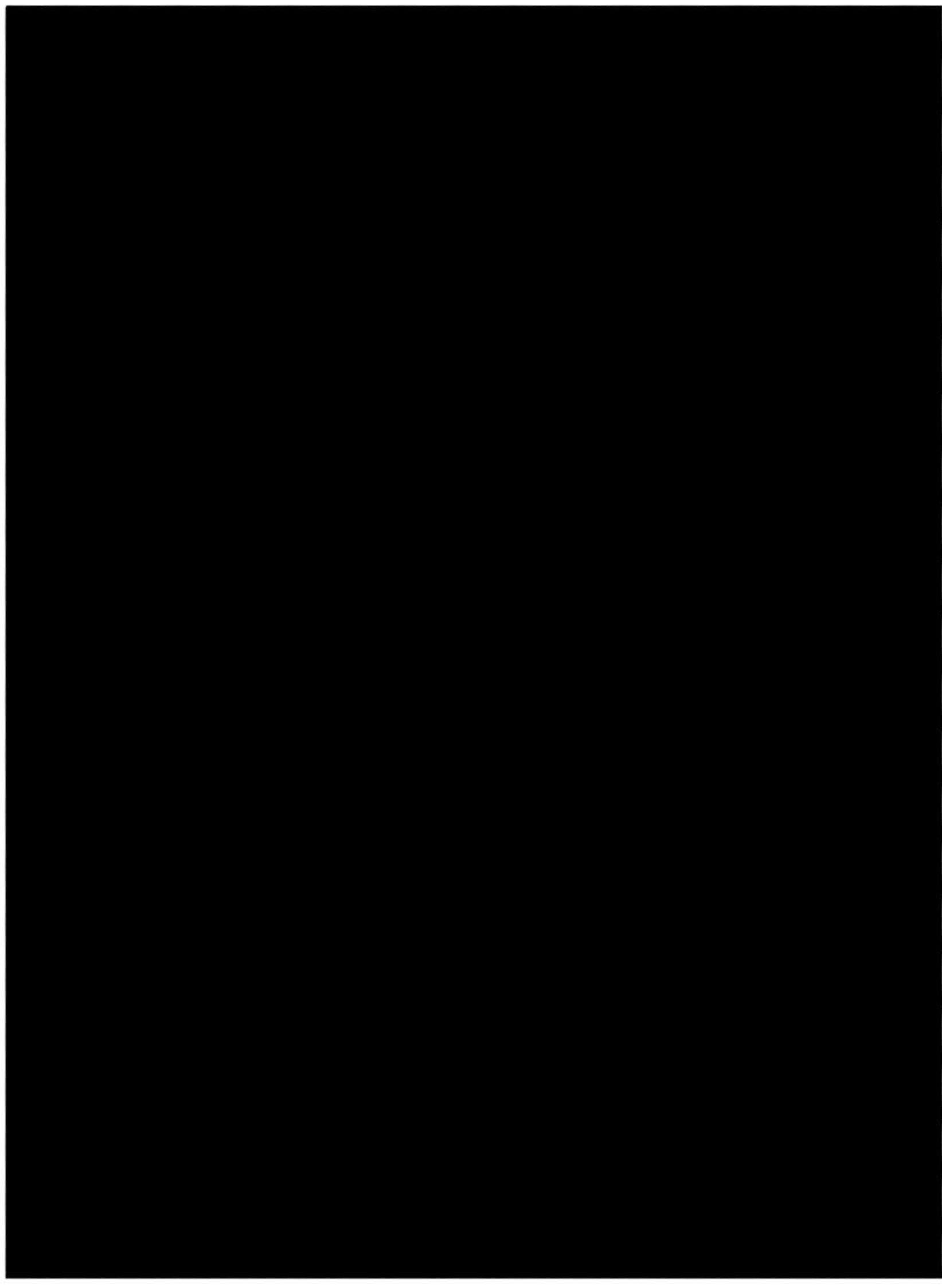
The results of this investigation are based on the following items:

1. Body Worn Camera footage from Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], and Officer [REDACTED]
2. BWC Audits for Officer Serrano, Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], Officer [REDACTED], and Officer [REDACTED]
3. Copies of all reports completed under Event #E20030044563
4. Audio Recordings for all officer and witnesses interviews.
5. Calls for Service E20030044563.
6. Copy of citation #Y [REDACTED] and # [REDACTED].
7. Copy of District Attorney's letter.
8. ONS hits for [REDACTED].
9. Officer [REDACTED] provided ODJ documents.
10. Officer Serrano's [REDACTED] screenshot.
11. SOU lineup schedule for Mach 27, 2020.
12. Southeastern Division CST schedule for March 27, 2020.
13. Professional Standards Unit (PSU) Investigation.

CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.

Reporting Officer: Timothy Radtke, Sergeant ID: 6554 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: February 11, 2021







RECEIVED
21 FEB 25 AM 8:51
INTERNAL AFFAIRS

MEMORANDUM

DATE: February 9, 2021
TO: Richard Freedman, Captain, Investigations II
FROM: Albert Guaderrama, Executive Assistant Chief of Police
Via Mike Holden, Captain, Internal Affairs
SUBJECT: Completed Internal Investigation

CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR THE CITY ATTORNEY.

IA INDEX FILE NUMBER: 2020-0367

SUBJECT OFFICER: SERRANO, David R., Police Officer II, ID #6912

NATURE OF COMPLAINT: 1. Force 2. Procedure 3. Procedure 4. Procedure 5. Courtesy

DISPOSITION: 1. Sustained 2. Sustained 3. Sustained 4. Sustained 5. Sustained

Discipline or Notice of Adverse Action must be served by: September 8, 2021

The above internal investigation has been completed and is attached for your review. Commanding Officers will review the investigation with the subject employee and return the signed package to Internal Affairs within 30 days.

If the employee does not agree with the disposition/findings of this investigation, he/she may file a written rebuttal within 30 days of the date the employee signed below. The rebuttal will be filed with the investigation in Internal Affairs, see D.P. 1.10, VII, E.

- Mark the box if the subject employee retained the attached investigation.
- Mark the box if the subject employee retained the CD containing audio interviews.

In order to obtain the entire case file, contact the Internal Affairs Unit. Please allow one business day to complete your request.

I have read the Internal Affairs investigation reference the above complaint.

Employee [Redacted] Date 2/23/21 Commanding Officer [Redacted]



The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be recorded to ensure the integrity of the financial data. This includes not only sales and purchases but also expenses and income. The text suggests that a consistent and thorough record-keeping system is essential for identifying trends and making informed decisions.

Next, the document addresses the issue of budgeting. It explains that a well-defined budget helps in controlling costs and maximizing resources. By setting clear financial goals and limits, individuals and organizations can avoid overspending and stay on track. The text provides practical advice on how to create a budget that is realistic and adaptable to changing circumstances.

The third section focuses on the role of technology in modern accounting. It highlights how software solutions can streamline processes, reduce errors, and provide real-time insights into financial performance. The document discusses various types of accounting software and their benefits, as well as the importance of data security and backup procedures.

Finally, the document concludes by emphasizing the value of professional advice. It notes that while many accounting tasks can be handled internally, consulting with a qualified accountant or financial advisor can provide valuable expertise and ensure compliance with complex regulations. The text encourages readers to seek professional help when needed to optimize their financial health.



SAN DIEGO POLICE DEPARTMENT

Communications Division

Audio & Document Request Form

Check the boxes for items being requested

Audio: <input type="checkbox"/> Phone calls (includes 911 calls) <input checked="" type="checkbox"/> Radio Transmissions	Printouts: <input type="checkbox"/> Unit history or Officer's Daily Journal (ODJ) <input type="checkbox"/> MCT messages
---	--

Date of Request: 6/6/2020

Division/Unit: PSU

Requestor's Name: Dan Higdon

Requestor's Phone: [REDACTED]

Requested for: Investigation
(if request is for other than the original requestor)

Requestor's Email:

Priority: 3
(1=most urgent; 5=least urgent)

Information needed to process the request

SDPD Incident #(s): E20030044563
(include cross-referenced incident #'s if needed) MAY BE ON [REDACTED]

Date & Time of Incident: 3/27/2020, 1800 hrs

Location of Incident: 5500 Olvera Ave.

Final Typecode or Type of Incident: unk

Last name & ID of first officer assigned to Incident: 6912 SERRANO

Suspect Name:

Court Date:

Additional Information (if needed, to specify the timeframe and/or details of your request):

<i>For Internal Use Only</i>	
<input type="checkbox"/> Received	<input type="checkbox"/> Completed by: _____ Disc #: _____

BWC

SDPD VEH. - PKD - ROLLING - STOPPED ON

DIR. - N _ E _ S _ W - LANE 1 2 3 4 5 OTHER

SDPD VEH. NO. YR. MAKE

DATE CALIB. 20 30 40 50 60 70 80

BY

STOPPED BY RED-LITE SIREN HORN HAND

DEF. VEH. - PKD - ROLLING - STOPPED ON

DIR. - N _ E _ S _ W - LANE 1 2 3 4 5 OTHER

STOPPED AT

DRIVER - OUT OF CAR IN CAR

MR _ LR _ PASSENGERS: SOLO _ RF _ MF _ RR

DISTANCE OBSERVED

SAN DIEGO POLICE DEPARTMENT

NOTICE TO APPEAR

MISDEMEANOR

Traffic

Nontraffic

Date of Violation

Time

AM

Day of Week

Case

03/27/2020 1700

PM

S M T W T F S

Name (First Middle Last)

Owner's Responsibility (Veh. Code § 44000.1)

Veh. Lic. No. or VIN

State

COMMERCIAL VEHICLE (Veh. Code, § 15210(b))

Yr. of Veh.

Make

Model

Body Style

Color

HAZARDOUS MATERIAL (Veh. Code, § 353)

Evidence of Financial Responsibility

Registered Owner of Lessee

Same as Driver

Address

Same as Driver

City

State

ZIP Code

Correctable Violation (Veh. Code, § 40610)

Booking Required

Misdemeanor or Infraction (Circle)

Yes

No

Code and Section

Description

M 8 (a) PC - RESIST/OBSTRUCT PEACE OFFICER (M)

I

M

I

M

I

M

I

Speed Approx.

P.P./Max Spd.

Veh. Lmt.

Safe

Radar

N

COMMENTS: (Weather, Road & Traffic Conditions)

COLLISION

W

E

CLR CLDY FOG RAIN DRY SLIPPERY HVY. MED. LIGHT

Location of Violation(s)

at 5500 OLVERA AVE. SAN DIEGO

CITY OF SAN DIEGO, CA OTHER

Violations not committed in my presence, declared on information and belief.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Arresting/Citing Officer

I.D. No.

Command/Shift

3/27/20

Date

Name of Arresting Officer, if different from Citing Officer

I.D. No.

Command/Shift

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.

X Signature

WHEN: ON OR BEFORE THIS DATE: 03/27/2020

TIME: 02:00

AM PM

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE

WHERE:

JUVENILE COURT, DEPT. 11
2901 MEADOWCREEK DRIVE
SAN DIEGO, CA 92123 (858) 634-1600

MISDEMEANOR ARRAIGNMENT DEPT. 5
220 W. BROADWAY UNION ST
SAN DIEGO, CA 92101 (619) 450-5400

SAN DIEGO TRAFFIC COURT
8650 CLAYMONT MESA BOULEVARD
SAN DIEGO, CA 92123 (858) 634-1800
NIGHT COURT-CONTACT COURT FOR INFO

SOUTH BAY COURT
500 3RD AVENUE
CHULA VISTA, CA 92011 (619) 746-6200
NIGHT COURT-CONTACT COURT FOR INFO

NORTH COUNTY REGIONAL CENTER
325 S. MELROSE DRIVE, SUITE 350
VISTA, CA 92081 (760) 201-8900 INFORMATION

EAST COUNTY REGIONAL CENTER
250 EAST MAIN
EL CAJON, CA 92020 (619) 456-4100 INFORMATION

SAN DIEGO POLICE DEPARTMENT

MISDEMEANOR

NOTICE TO APPEAR

Traffic

Nontraffic

Date of Violation

Time

AM

PM

Day of Week

Case No.

3/27/20

9:12

S M T W T F S

[Redacted]

Driver Lic. No. State Class Commercial Age Birth Date

[Redacted]

Correctable Violation (Veh. Code, § 40610)	Booking Required	Misdemeanor or Infraction (Circle)
Yes No Code and Section Description		
<input type="checkbox"/> <input checked="" type="checkbox"/> 14861(1) PC (RESIST/DELAY)		M I
<input type="checkbox"/> <input type="checkbox"/> 12500(a) VC POLICE OFFENSE		M I
<input type="checkbox"/> <input type="checkbox"/> NG CDC		M I
<input type="checkbox"/> <input type="checkbox"/>		M I

Speed Approx. P.F./Max Spd. Veh. Lmt. Safe Radar

COMMENTS: (Weather, Road & Traffic Conditions) COLLISION

Location of Violation(s) at 500 LOS ANGELES

CITY OF SAN DIEGO, CA OTHER

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Arresting or Citing Officer [Redacted] I.D. No. Command/Shift Beat

Date Name of Arresting Officer, if different from Citing Officer I.D. No. Command/Shift Beat

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW. X Signature [Redacted]

WHEN: ON OR BEFORE THIS DATE: 06/23/24 TIME: 0900 AM PM

WHERE:	
<input type="checkbox"/> JUVENILE COURT, DEPT. 11 2901 MEADOWLARK DRIVE SAN DIEGO, CA 92123 (858) 634-1600	<input checked="" type="checkbox"/> MISDEMEANOR ARRAIGNMENT DEPT. 220 W. BROADWAY SAN DIEGO, CA 92101 (619) 450-5400
<input type="checkbox"/> SAN DIEGO TRAFFIC COURT 8950 CLAIREMONT MESA BOULEVARD SAN DIEGO, CA 92123 (858) 634-1800 NIGHT COURT CONTACT COURT FOR INFO	<input type="checkbox"/> SOUTH BAY COURT 500 3 RD AVENUE CHULA VISTA, CA 91910 (619) 745-6200 NIGHT COURT CONTACT COURT FOR INFO
<input type="checkbox"/> NORTH COUNTY REGIONAL CENTER 325 S. MELROSE DRIVE, SUITE 350 VISTA, CA 92081 (760) 201-6909 INFORMATION	<input type="checkbox"/> EAST COUNTY REGIONAL CENTER 250 EAST MAIN STREET EL CAJON, CA 92020 (619) 456-4100 INFORMATION

BWC

SDPD VEH. - PKD - ROLLING - STOPPED ON

DIR. - N E S W - LANE 1 2 3 4 5 - OTHER

SDPD VEH. NO. YR. MAKE

DATE CALIB. 20 30 40 50 60 70 80

BY STOPPED BY RED LITE SIREN HORN HAND

DEF. VEH. - PKD - ROLLING - STOPPED ON

DIR. - N E S W - LANE 1 2 3 4 5 - OTHER

STOPPED AT DRIVER - OUT OF CAR IN CAR

MR LR PASSENGERS: SOLO RF MF RR

DISTANCE OBSERVED

330 West Broadway
San Diego, CA 92101
(619) 531-4040
SanDiegoDA.com

OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF SAN DIEGO

DAVID GREENBERG
ASSISTANT DISTRICT ATTORNEY

SUMMER STEPHAN
DISTRICT ATTORNEY

September 17, 2020

Captain Mike Holden
San Diego Police Department
Professional Standards Unit/Internal Affairs
1401 Broadway
San Diego, CA 92101



Re: Officer David Serrano ID 6912

We have completed our review of the reports, BWC, radio transmissions, personnel records, and audio recordings generated in relation to the SDPD Professional Standards Unit's (PSU) investigation for SDPD Officer David Serrano ID 6912. The PSU investigation focused on Officer David Serrano's apprehension of a suspect on March 27, 2020 and whether the force used by Officer David Serrano was lawful.

We are declining to file a charge against Officer David Serrano for violation of Penal Code section 149, Assault by a Peace Officer Without Lawful Necessity. After careful review of the evidence and based on the totality of the circumstances, we do not believe a jury will be able to find beyond a reasonable doubt that Officer David Serrano acted in an unlawful manner. We have considered the witness interviews, the evidence, the circumstances surrounding the alleged offenses, and the law in reaching this conclusion.

If you have any questions, please do not hesitate to contact me.

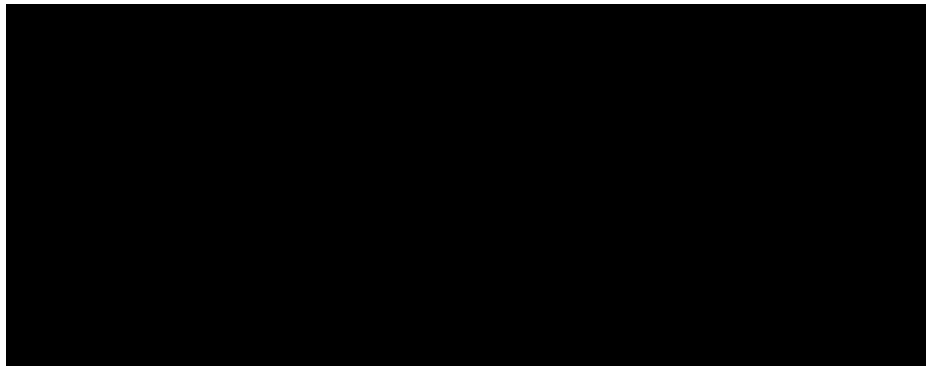
Respectfully,


Fiona Dunleavy
Deputy District Attorney


**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): March 27, 2020
TIME (occurrence): 1800 Hours
LOCATION: 500 Los Angeles Place, San Diego, CA
SUBJECT: Professional Standards Unit Investigation 2020-025
Interview of Officer [REDACTED]

OFFICER:



INVESTIGATION:

On June 22, 2020, at approximately 0810 hours, Detective Rzucidlo and I interviewed K-9 Officer [REDACTED] at the PSU Office. Officer [REDACTED] was advised that he was a witness officer in a PSU investigation and he was not being ordered and is not obliged to speak with us. Officer [REDACTED] understood and agreed to be interviewed regarding his interaction with Officer SERRANO on March 27, 2020. The interview was digitally recorded and will be maintained by the Professional Standards Unit (PSU) Office. The following is an *“in essence”* synopsis of the interview and is written in chronological order as Officer [REDACTED] provided during the interview. This is not meant to be a word for word account of our conversation with Officer [REDACTED]. *(For exact and complete details of the interview, refer to the audio recording)*

Working in the K-9 unit I routinely scan all the frequencies. I choose to scan the [REDACTED]” frequency because there is a good chance they will get involved in a foot pursuit or some type of active incident where my K-9 would be useful. I was in the Southeastern area when I heard the SOU team had at least one or more people running from a car they had attempted to stop.

I heard Officer SERRANO put out that he had one in custody in the 500 block of Los Angeles Place. Based on what I could tell, Officer SERRANO didn't appear he had anyone with him. I decided to cover him.

Upon my arrival I saw that Officer SERRANO had one male on the ground. Officer SERRANO was either in the process of handcuffing the male or had just completed handcuffing the male.

I exited my patrol vehicle and I recall picking up his BWC which was on the ground. I either went to help Officer SERRANO lift the subject up to his feet, or he (Officer SERRANO) may have already been doing that.

Once the male was on his feet, both Officer SERRANO and the subject made contact with the front of my patrol car. Officer SERRANO picked him off my patrol car and they walked up the street. Officer SERRANO was kinda yelling at the male and said he was “disappointed” in the male.

I picked up some property and followed Officer SERRANO as he walked the male back to his patrol car. I tried to take custody of the male from Officer SERRANO because Officer SERRANO was upset. Officer SERRANO said he had the male and I noticed and felt that he had calmed down. I figured it was better to let Officer SERRANO place the male in the patrol car than argue in the street.

I handed the equipment which I grabbed from the ground back to Officer SERRANO. I asked Officer SERRANO about the comment he made to the male. Officer SERRANO explained that he knew the male from working the Southeastern Division and participating in a youth boxing program sponsored by GIU “Gang Intervention Unit.” Officer SERRANO said he was involved in this program somehow. When Officer SERRANO explained this to me afterwards, I could see that he was disappointed in this kid because he was trying to help him.

When Officer SERRANO stood the kid up I could see Officer SERRANO was upset with this kid. I wasn’t hands-on during that incident. I couldn’t tell if he (the subject) tripped prior to making contact with my car. I couldn’t feel what Officer SERRANO was feeling. If it was a use-of-force it could have been the guy was pulling away from Officer SERRANO. But, again, I don’t know what Officer SERRANO was feeling. To me, it looked like he either tripped or moved towards the car or he tried to pull away from Officer SERRANO and it was a use-of-force.

I also spoke with Officer SERRANO with regards to the use-of-force I observed. I don’t know what Officer SERRANO was feeling there, but I know what it looked like on my BWC. Again, I had a conversation with Officer SERRANO after the fact. Why did this happen the way it had happened? This is what it’s going to look like on my BWC. I showed Officer SERRANO my BWC and his contact with [REDACTED]. My plan is to document my BWC with the event number and check the appropriate boxes. I wanted to get into his head to see his side of the incident and why it progressed to Officer SERRANO saying he was disappointed in the subject. That is when Officer SERRANO informed me of the boxing program. I don’t recall exactly what Officer SERRANO told me if it was force or the kid tripped. Again,

I wasn't hands-on with the guy. It looked like a use-of-force on my BWC. I don't think the kid hit the car hard at all, at least from what I could tell. I didn't see any physical injury from the impact. I was more concerned on how it looked and the comments made regarding Officer SERRANO being disappointed in the young male.

I don't remember exactly what he told me if it was a use-of-force or the guy tripped, I think he mentioned something about the subject tripping towards the car. I just know what it looked like on my BWC, I felt it looked like a use-of-force.

I don't remember exactly what conversation I had with Officer SERRANO but it was essentially the actions on my BWC doesn't look good. There may be a use-of-force and you're yelling at the guy. Officer SERRANO explained himself by telling me he knows the subject. Officer SERRANO explained to me that the subject tripped or he tripped, it wasn't a use-of-force, one of them tripped. He didn't seem concerned when I told him I was going to categorize my BWC.

After our conversation, the SOU Team was looking for a possible firearm which may have been thrown by one of the males who ran from the car. I left the area shortly thereafter.

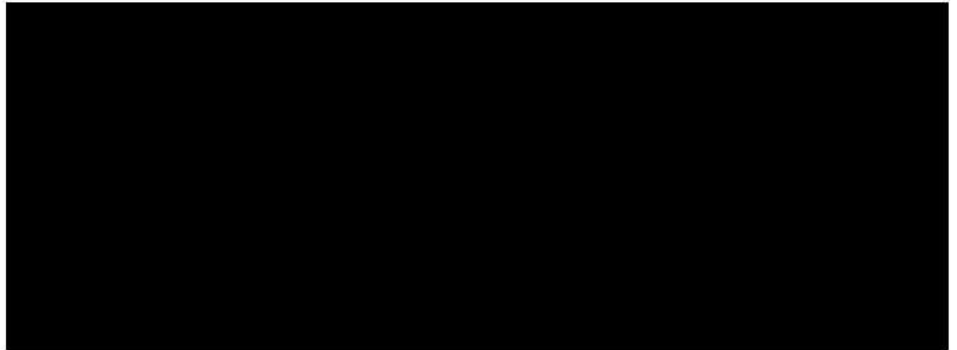
The interview concluded at 0830 hours.

Reporting Investigator: Sergeant Daniel Higdon ID# 5057 Professional Standards Unit
Approved by: _____ ID# _____ Date of Report: June 23, 2020

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): March 27, 2020
TIME (occurrence): 1800 Hours
LOCATION: 500 Los Angeles Place, San Diego, CA
SUBJECT: Interview of Officer [REDACTED]
Professional Standards Unit Case: #2020-025

WITNESS:



INVESTIGATION:

On June 23, 2020, at approximately 1227 hours, Sgt. HIGDON #5057 and I spoke with Officer [REDACTED] at his residence. I recorded our conversation. The recording will be maintained with PSU. The following is an “in essence” report including Officer [REDACTED] answers to our questions and is not meant to be a word for word account of our conversation with Officer [REDACTED]. Refer to the recording for further details.

STATEMENT OF OFFICER [REDACTED]:

I started the conversation by explaining we were from the Professional Standards Unit and were conducting a criminal investigation where he was a witness. I explained to Officer [REDACTED] that he did not have to speak with us if he did not want to. Officer [REDACTED] agreed to provide a statement.

I explained that we would like to talk about an incident that occurred on March 27, 2020 where Officer [REDACTED] and his partner Officer [REDACTED] responded to assist Special Operations Unit Officers after two subjects fled from a vehicle. I showed Officer [REDACTED] a still image from his body worn camera footage to help him recall the specific incident. Officer [REDACTED] stated he remembered the incident. The image below is the image I presented to Officer [REDACTED].



I asked Officer [REDACTED] how he became aware of the incident and what he witnessed after arriving on scene.

I was assigned to the Crime Suppression Team in Southeastern. We monitored the “Gangs” frequency when they were working our area. We drove to the area when the foot pursuit came out. We got to the area to cover him. He already had the subject in custody. He took the subject and started walking away. He asked us to pick up the property that was on the ground.

I asked if he had any other interactions while he was there.

Not with that officer. I was there with my partner, Officer [REDACTED]. Officer SERRANO was the officer with the subject in custody. I’ve worked with him before in Southeastern.

I asked Officer [REDACTED] if he witnessed any use of force.

Nothing. He was already in custody when we got there. Officer SERRANO lifted him up and started walking away. I kind of stopped watching at that point. I think Officer SERRANO walked him back to his car.

I asked Officer [REDACTED] if anyone grabbed the property Officer SERRANO asked for.

I don’t remember who grabbed it. It wasn’t us. There was another officer there.

I asked Officer [REDACTED] if he had any conversations with Officer [REDACTED] about the incident.

Yeah. They had mentioned there might have been a gun outstanding. We weren't sure what the details were but Officer SERRANO indicated they didn't need us anymore so we left the scene.

I asked Officer [REDACTED] if he recalled any statements made by Officer SERRANO while they were there.

Not off the top of my head.

I asked Officer [REDACTED] if he had any conversations with Officer SERRANO after the incident.

I asked him what had happened and he mentioned he knew the guy from prior stuff. He helped train the guy with boxing or something like that. I don't know the specific nature of it. Officer SERRANO had pulled me aside a few days later and talked to me about it. I didn't have any other conversations with Officer SERRANO about it.

I told Officer [REDACTED] that he mentioned that he did not witness any use of force.

Nothing other than Officer SERRANO lifting the subject to his feet and walking him off. He was already in handcuffs when we got there. He lifted him up and took him off.

I showed Officer [REDACTED] the still image below from his body worn camera footage. I told Officer [REDACTED] the subject had come into contact with the front of the patrol car prior to the image I was showing him. I asked if he recalled the subject contacting the patrol car.



It looked like the guy lost his balance. I didn't see Officer SERRANO push the guy or anything like that. I couldn't tell from my angle.

I asked Officer [REDACTED] if he believed the subject lost his balance.

It looked like he was refusing to walk or something of that nature and Officer SERRANO was encouraging him to move along because the guy wasn't moving. I didn't see him contact the car so I don't know if he did or not. It looked like he went in that direction but I couldn't tell what had happened. That's what the conversation with Officer SERRANO was about. He told me what happened.

I asked Officer [REDACTED] if he had any issues with the subject coming into contact with the car.

Like I said, I didn't know the details of what happened. I didn't know if Officer SERRANO was getting him away from a gun on the ground. I didn't know what was going on at that time.

I asked Officer [REDACTED] if the conversation with Officer SERRANO was because of the subject coming into contact with the car.

It was any overall conversation about what had occurred.

I asked Officer [REDACTED] if he heard Officer SERRANO make any statements to the subject that made it sound like Officer SERRANO knew him.

He said something along the lines of, "I'm so disappointed in you."

I asked Officer [REDACTED] if that statement raised any flags.

Officer SERRANO had worked the Crime Suppression Team so I assumed the guy was someone he had contact with over the years.

Sgt. HIGDON asked Officer [REDACTED] if they heard the foot pursuit over the radio.

I heard they were trying to make a traffic stop and I heard the foot bail.

Sgt. HIGDON asked where Officer SERRANO and the subject were when they arrived on scene.

The still image you showed me was basically the first thing I saw. He already had the guy on the ground.

Sgt. HIGDON asked Officer [REDACTED] what he saw after Officer SERRANO stood the subject up.

I saw Officer SERRANO pull the 10-16 toward wherever he was going. I didn't know the nature of it but it looked like the 10-16 lost his balance and he took him off from there.

Sgt. HIGDON asked Officer [REDACTED] if he remembered Officer SERRANO saying he was disappointed in the subject or if that was something they talked about later.

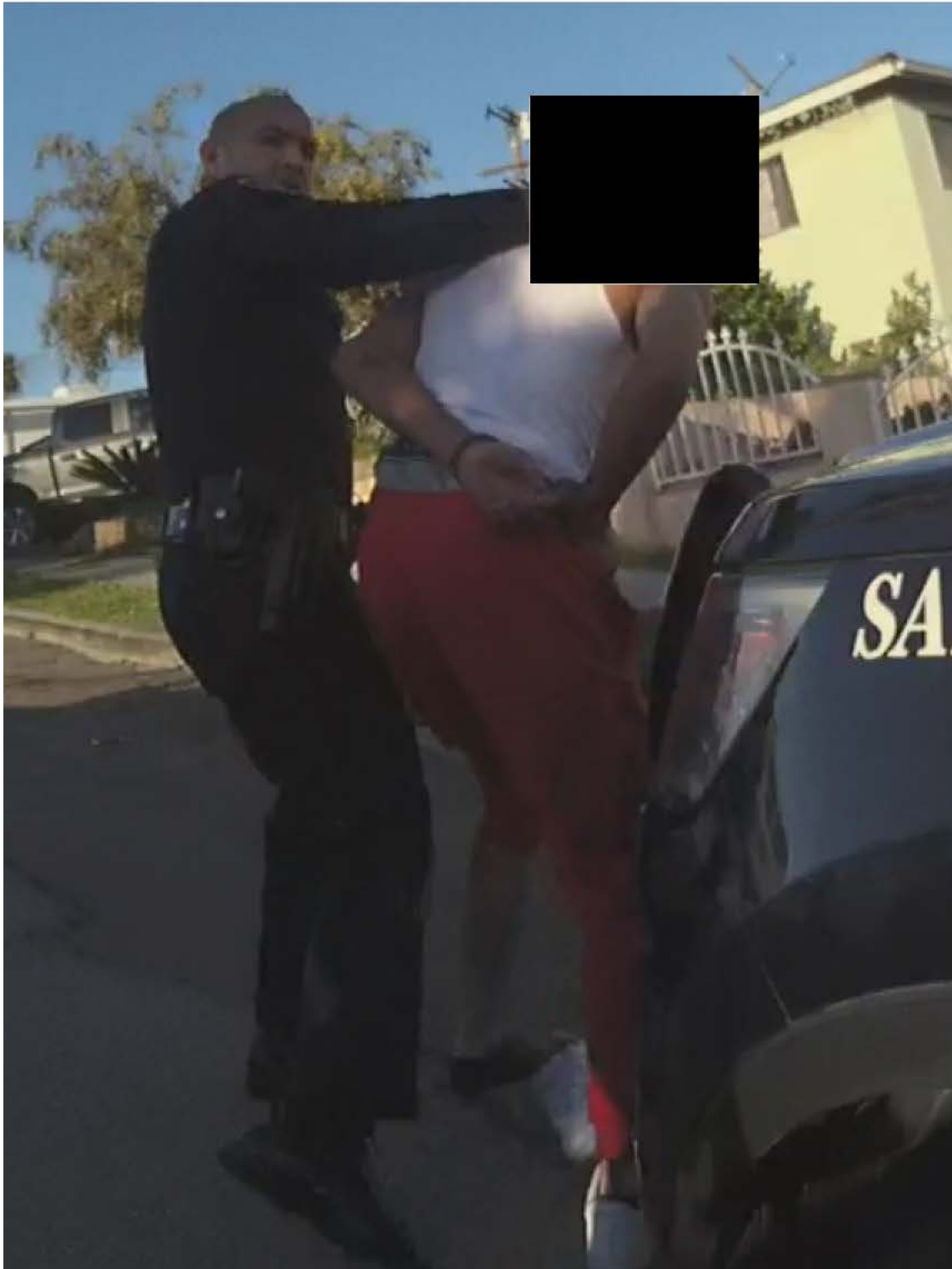
I remembered hearing that. I had talked to Officer SERRANO about it a few days later. I wanted to make sure that he was ok because I didn't know the previous interactions so I reached out to him. I didn't know the nature of why he was saying that he was disappointed in someone as he was taking them into custody. That triggered me to check on him. He told me that he was doing good and told me about the previous interactions. Officer SERRANO said he used to box with him at a local gym and he was trying to keep him out of trouble. I don't know what kind of program it was but it seemed like Officer SERRANO was trying to mentor him.

We ended the interview at 1238 hours.

Reporting Investigator: Detective J. Rzucidlo ID# 6450 Professional Standards Unit

Approved by: Sgt, Dan Higdon ID# 5057 Date of Report: 06/24/2020

██████████ BWC: 1:58 into footage. Note ██████████ left shoe. ██████████ kicks shoe back on as he is walked from patrol car.





Professional Standards Unit Case#:

2020-025

Date of Occurrence:

March 27, 2020

Time of Occurrence:

1800 Hours

Location of Occurrence:

500 Los Angeles Place, San Diego, CA

Subject Officer(s)

David SERRANO, ID 6912

BWC assisted in investigation = YES

Conclusion = Forward to District Attorney for consideration

PSU Lieutenant Approval: _____ / Date: _____

Investigators:

Sergeant Daniel Higdon, ID 5057

Detective John Rzucidlo, ID 6450

**SAN DIEGO POLICE DEPARTMENT
SYNOPSIS REPORT**

DATE (occurrence): March 27, 2020
TIME (occurrence): 1800 Hours
LOCATION: 500 Los Angeles Place, San Diego
SUBJECT: Professional Standards Unit Investigation 2020-025

REPORTING PARTY: San Diego Police Department
Court Liaison Division



SUBJECT OFFICER(s): **SERRANO, David R.,**
PO II, ID #6912
Date of Hire: 12/16/2013
S.D.P.D., Special Operations Unit
[REDACTED]
H/M, DOB: [REDACTED]



INVESTIGATION:

On June 6, 2020, at approximately 1000 hours, Professional Standards Unit Lieutenant J. Campbell, ID 6367 assigned this case to Detective Rzucidlo, ID 6450 and me for investigation.

Officer David SERRANO issued citation # [REDACTED] to [REDACTED] for 148(a)(1)PC: Resisting / Delaying & 12500(a)CVC: Driving with no California Driver's License. This citation was submitted to the City Attorney's Office without a narrative.

[REDACTED] the Deputy City Attorney in charge of issuing requested the narrative from the San Diego Police Department's Court Liaison Unit. The Court Liaison Unit reviewed the associated Body Worn Camera footage associated with [REDACTED] arrest and requested that

Internal Affairs review the footage for policy and/or criminal violations. The case was referred to the Professional Standards Unit (PSU) to review this incident for criminal violations.

Lieutenant Campbell requested that Detective Rzucidlo and I look at all the associated BWC video and written reports.

There was no associated BWC footage associated with this contact/incident from Officer SERRANO, the arresting officer. Detective Rzucidlo and I examined the [REDACTED] history for Officer SERRANO and other officers involved on E20030044563. Detective Rzucidlo located one mislabeled BWC video which was captured and corrected by PSU. It does not appear that Officer SERRANO activated his BWC prior to or during this incident.

The contact was initiated on March 27, 2020, at approximately 1800 hours. Officer SERRANO was working as a two man unit assigned to the Special Operations Unit (SOU), with Officer [REDACTED]. Both SERRANO and [REDACTED] were in full uniform and driving a marked San Diego Police Department patrol vehicle.

Officer SERRANO and Officer [REDACTED] stopped to assist another officer with a traffic stop and observed the driver and passenger run away from the stopped vehicle. Officer [REDACTED] exited the patrol vehicle and assisted with the apprehension of the passenger while Officer SERRANO drove his marked patrol vehicle to a nearby position to maintain a perimeter.

Officer SERRANO observed a black male whom he recognized as the driver running from the scene. Officer SERRANO chased the male, later identified as [REDACTED], and eventually overtook and tackled him to the ground, taking him into custody. [REDACTED] was handcuffed by Officer SERRANO.

K-9 Officer [REDACTED] arrived on scene shortly after [REDACTED] apprehension. K-9 Officer [REDACTED] BWC was activated.

Officer SERRANO stood [REDACTED] up and walked him towards a nearby marked patrol vehicle. Officer SERRANO appeared to rush and lead [REDACTED] as he walked away from the area of arrest and towards a marked patrol vehicle. [REDACTED] can be seen on Officer [REDACTED] BWC impacting the left front corner panel of the marked patrol car. [REDACTED] upper torso and head come into contact with the vehicle. Officer SERRANO is observed on K-9 Officer [REDACTED] BWC leaning over next to [REDACTED] ear and saying, "I'm so fucking disappointed in you, you have no idea".

On June 6, 2020, Detective Rzucidlo and I observed all the BWC video associated with Event 20030044563.

Excerpt from Officer SERRANO's written report:

As [REDACTED] was walking, I felt [REDACTED] pulling forward. To maintain control, I placed [REDACTED] toward a patrol vehicle and used my right hand on the upper part of his back/neck to control [REDACTED]. [REDACTED] left side of his face collided into the left front panel of the patrol vehicle. [REDACTED] did not sustain any visible injuries. [REDACTED] stopped pulling forward and postured up. I escorted [REDACTED] and walked him to my patrol vehicle. [REDACTED] was placed into the backseat of the patrol vehicle. A records check revealed [REDACTED] was on active high-risk probation. [REDACTED] was issued a citation [REDACTED] for being in violation of 148 (a) (1) PC-Resisting and delaying a police officer and 12500 (a) CVC-Driving while not being issued a California driver's license. [REDACTED] was released without incident.

Please review all the associated BWC Report and Video for the entirety of the contact(s).

On June 19, 2020, I spoke with Deputy City Attorney, [REDACTED], she informed me that the City Attorney's Office would not be issuing charges against [REDACTED] and [REDACTED].

On June 22, 2020, at approximately 0810 hours, Detective Rzcuidlo and I interviewed K-9 Officer [REDACTED] at the PSU Office. Officer [REDACTED] was advised that he was a witness officer in a PSU investigation and he was not being ordered and is not obliged to speak with us. Officer [REDACTED] understood and agreed to be interviewed regarding his interaction with Officer SERRANO on March 27, 2020. The interview was digitally recorded and will be maintained by the Professional Standards Unit (PSU) Office. The interview concluded at 0830 hours.

On June 22, 2020, Detective Rzcuidlo contacted Probation Officer [REDACTED] (P.O. [REDACTED] is [REDACTED] assigned Probation Officer. P.O. [REDACTED] stated that [REDACTED] has not checked in for over three months. [REDACTED] currently lives with [REDACTED]. On June 22, 2020, at approximately 0930 hours, Detective Rzcuidlo and I went to the area of 500 Los Angeles Place to inspect and observe the area where Officer Serrano took [REDACTED] into custody. We checked the area for surveillance video cameras, none were located.

On June 22, 2020, Detective Rzcuidlo and I conducted a follow-up at [REDACTED]. This is [REDACTED] residence. There was no answer at the door and we left a business card requesting contact.

On June 22, 2020, I requested the San Diego Police Department, radio communications for [REDACTED] for the radio transmissions concerning this incident. San Diego Police Department Audio Research completed my request and sent me the radio transmissions. I added the audio file to this investigation. The communications show the SOU Teams following the car which [REDACTED] was driving resulting in [REDACTED] and [REDACTED] fleeing from the car. Officer SERRANO acknowledges his apprehension of [REDACTED] on Los Angeles Place.

On June 23, 2020, at approximately 0830 hours, Detective Rzcuidlo spoke with [REDACTED], the father of [REDACTED]. [REDACTED] supplied Detective Rzcuidlo with [REDACTED] cell number. Detective Rzcuidlo called [REDACTED] and upon identifying himself, [REDACTED] hung up ending the call. Detective Rzcuidlo called a second time and spoke to a male who identified himself as [REDACTED] brother. Detective Rzcuidlo asked to speak with [REDACTED] regarding an investigation and the subject hung up. Detective Rzcuidlo called [REDACTED] and asked him [REDACTED] has any siblings. [REDACTED] informed Detective Rzcuidlo was informed [REDACTED] has no brothers.

On June 23, 2020, at approximately 0900 hours, Detective Rzucidlo called Officer [REDACTED] to schedule an interview. Detective Rzucidlo left a voicemail message.

On June 23, 2020, at approximately 0947 hours, Detective Rzucidlo spoke with Officer [REDACTED] and scheduled an interview. Detective Rzucidlo explained the role of the Professional Standards Unit. Officer [REDACTED] agreed to be interviewed at his home, at 1230 hours.

On June 23, 2020, at approximately 1227 hours, Detective Rzucidlo and I interviewed Officer [REDACTED] at his residence. Officer [REDACTED] was advised that he was a witness officer in a PSU investigation and he was not being ordered and is not obliged to speak with us. Officer [REDACTED] understood and agreed to be interviewed regarding his interaction with Officer SERRANO on March 27, 2020. The interview was digitally recorded and will be maintained by the Professional Standards Unit (PSU) Office. The interview concluded at 1238 hours.

On June 24, 2020, at approximately 1216 hours, Detective Rzucidlo and I interviewed Officer [REDACTED] at Northeastern Division's Wellness Room. Officer [REDACTED] was advised that he was a witness officer in a PSU investigation and he was not being ordered and is not obliged to speak with us. Officer [REDACTED] understood and agreed to be interviewed regarding his interaction with Officer SERRANO on March 27, 2020. The interview was digitally recorded and will be maintained by the Professional Standards Unit (PSU) Office. *(For exact and complete details of the interview, refer to the audio recording and written statement by Detective Rzucidlo)* The interview concluded at 1224 hours.

On June 25, 2020, at approximately 1205 hours, Detective Rzucidlo and I met with Officer SERRANO at the Northwestern Division Sub Station's Wellness Room.

Detective Rzucidlo and I explained to Officer SERRANO that we were from the Professional Standards Unit and were investigating possible criminal allegations stemming from his arrest of [REDACTED].

Officer SERRANO informed us that he was told to report to the TRU unit in early June and was not given any reasons for his reassignment. Officer SERRANO had contacted the Police Officer's Association at that time and retained an attorney. Officer SERRANO declined to give us a statement at this time.


I supplied Officer SERRANO with my business card and requested that he and his POA Attorney contact me for a possible interview.

Our interview with Officer SERRANO ended at 1213 hours.

On June 25, 2020, at approximately 1300 hours, POA Attorney, Amy Margolies called me. POA Attorney Margolies requested to see all BWC videos related with this incident as well as all written reports. I informed POA Attorney Margolies that Officer SERRANO did write a report, but did not have his BWC activated.

POA Attorney Margolies stated she was not comfortable with Officer SERRANO submitting a criminal statement to investigators at this time.

This case is being submitted to the San Diego District Attorney's Office for review for 149 PC.

Reporting Investigator: Sergeant Daniel Higdon ID# 5057 Professional Standards Unit
Approved by:  ID# 6367 Date of Report: July 2, 2020

330 West Broadway
San Diego, CA 92101
(619) 531-4040
SanDiegoDA.com

OFFICE OF
THE DISTRICT ATTORNEY
COUNTY OF SAN DIEGO

DAVID GREENBERG
ASSISTANT DISTRICT ATTORNEY

SUMMER STEPHAN
DISTRICT ATTORNEY

September 17, 2020

Captain Mike Holden
San Diego Police Department
Professional Standards Unit/Internal Affairs
1401 Broadway
San Diego, CA 92101



Re: Officer David Serrano ID 6912

We have completed our review of the reports, BWC, radio transmissions, personnel records, and audio recordings generated in relation to the SDPD Professional Standards Unit's (PSU) investigation for SDPD Officer David Serrano ID 6912. The PSU investigation focused on Officer David Serrano's apprehension of a suspect on March 27, 2020 and whether the force used by Officer David Serrano was lawful.

We are declining to file a charge against Officer David Serrano for violation of Penal Code section 149, Assault by a Peace Officer Without Lawful Necessity. After careful review of the evidence and based on the totality of the circumstances, we do not believe a jury will be able to find beyond a reasonable doubt that Officer David Serrano acted in an unlawful manner. We have considered the witness interviews, the evidence, the circumstances surrounding the alleged offenses, and the law in reaching this conclusion.

If you have any questions, please do not hesitate to contact me.

Respectfully,


Fiona Dunleavy
Deputy District Attorney


E20030044563 - 1185 - REQUEST FOR TOW TRUCK
5500 OLVERA AVE SD

System Comments

Date/Time Terminal Operator

03/27/20 18:58:30 EVENT CREATED - Type: 1150 - TRAFFIC STOP/WITH LICENSE, Location: 5500 OLVERA AVE SD, Agency: SDPD, Group: P4, Beat: 432, Status: P, Priority: 2

03/27/20 18:58:30 INITIAL CALL - Call Source: OFFICER, Caller Name: , Caller Phone Number: , Caller Address:

03/27/20 18:58:31 EVENT UPDATED - Total Assigned Units: 1,

03/27/20 18:58:31 EVENT UPDATED - First Unit Dispatched Time: 03/27/20 18:58:31, Status Code: A,

03/27/20 18:58:31 EVENT UPDATED -

03/27/20 18:58:31 EVENT UPDATED - First Unit Arrived Time: 03/27/20 18:58:32,

03/27/20 18:58:31 EVENT REMARK - Field Event
OTHER - SPECIFY TYPE IN COMMENTS - 1150

03/27/20 18:58:31 EVENT REMARK - ** LOI search completed at 03/27/20 18:58:31

03/27/20 18:58:31 UNIT UPDATED - Unit: [REDACTED], Status: DP, Location: 5500 OLVERA AVE SD, Employees: [REDACTED]

03/27/20 18:58:32 UNIT UPDATED - Unit: [REDACTED], Status: 97, Location: 5500 OLVERA AVE SD, Employees: [REDACTED]

03/27/20 18:59:09 CASE NUMBER ASSIGNED - 20017685

03/27/20 18:59:10 EVENT UPDATED - Primary Employee Id: [REDACTED], Primary Unit Id: OPS31, Rms Transfer Time: 03/27/20 18:59:10,

03/27/20 18:59:10 EVENT REMARK - ** Case number 20017685 has been assigned to event E20030044563

03/27/20 19:10:37 EVENT UPDATED - Rms Transfer Time: 03/27/20 19:10:37, Total Assigned Units: 2,

03/27/20 19:10:37 UNIT UPDATED - Unit: [REDACTED], Status: DP, Location: 5500 OLVERA AVE SD, Employees: [REDACTED]

03/27/20 19:11:33 UNIT UPDATED - Unit: [REDACTED], Status: UC, Location: , Employees: [REDACTED]

03/27/20 19:11:33 UNIT UPDATED - Unit: [REDACTED], Status: UC, Location: , Employees: [REDACTED]

03/27/20 19:12:37 EVENT UPDATED - Rms Transfer Time: 03/27/20 19:12:37,

03/27/20 19:12:37 EVENT REMARK - ** VEH search completed at 03/27/20 19:12:37

03/27/20 19:12:37 ADD SUPPLEMENTAL- Revision Number: 1, Supplemental Type: Vehicle, Color: GRV LicensePlateNumber: [REDACTED] LicenseType: X LicenseYear: 2003 Make: BUIC Model: 4d ModelYear: 2003 State: SC UnitId: [REDACTED]

03/27/20 19:12:37 UNIT UPDATED - Unit: [REDACTED], Status: UC, Location: , Employees: [REDACTED]

03/27/20 19:12:37 UNIT UPDATED - Unit: [REDACTED], Status: UC, Location: , Employees: [REDACTED]

03/27/20 19:12:48 EVENT REMARK - ** TOW REQUEST #64857 initiated at 3/27/2020 7:12:48 PM from \$ [REDACTED] for E20030044563

03/27/20 19:12:48 TOW REQUEST - Status: 1, Location : 5500 OLVERA AVE SD, Comment : DISPATCHED

03/27/20 19:12:57 EVENT REMARK - Tow Request Created TowID: 20200327A0037

03/27/20 19:12:57 EVENT REMARK - Tow Request Update- TowID: 20200327A0037 Status: DISPATCHED Tow Company: A to Z Enterprises

03/27/20 19:14:30 UNIT UPDATED - Unit: [REDACTED] Status: DC, Location: 5500 OLVERA AVE SD, Employees: [REDACTED]

03/27/20 19:14:31 UNIT UPDATED - Unit: [REDACTED] Status: DC, Location: 5500 OLVERA AVE SD, Employees: [REDACTED]

03/27/20 19:14:32 UNIT UPDATED - Unit: [REDACTED] Status: DC, Location: 5500 OLVERA AVE SD, Employees: [REDACTED]

03/27/20 19:14:33 UNIT UPDATED - Unit: [REDACTED], Status: DC, Location: 5500 OLVERA AVE SD, Employees: [REDACTED]

03/27/20 19:14:34 UNIT UPDATED - Unit: [REDACTED] Status: UC, Location: 5500 OLVERA AVE SD, Employees: [REDACTED]

03/27/20 19:24:39 EVENT UPDATED - Rms Transfer Time: 03/27/20 19:24:39, Total Assigned Units: 1,

03/27/20 19:24:39 UNIT UPDATED - Unit: [REDACTED], Status: AV, Location: , Employees: [REDACTED]

03/27/20 19:25:49 EVENT UPDATED - Agency Event Type Code: 1185, Agency Event Type Code Desc: REQUEST FOR TOW TRUCK, Common Event Revision Number: 2, Priority: 3, Priority Changed Time: 03/27/20 19:25:49,

03/27/20 19:25:49 EVENT UPDATED - Common Event Revision Number: 3, Priority: 2, Rms Transfer Time: 03/27/20 19:25:49,

03/27/20 19:25:49 EVENT REMARK - ** Event Type changed from 1150 to 1185 at: 03/27/20 19:25:49

03/27/20 19:25:49 EVENT REMARK - ** Event Priority changed from 2 to 3 at: 03/27/20 19:25:49

03/27/20 19:25:49 EVENT REMARK - ** Event Priority changed from 3 to 2 at: 03/27/20 19:25:49

03/27/20 19:33:58 EVENT REMARK - AUTORETURN CB, IS ASKING WHAT CITY FACILITY TOW WILL BE GOING TO?

03/27/20 19:35:45 EVENT REMARK - WILL BE P SECTION TOW - WILL BE UP TO AUTO RETURN

03/27/20 19:38:18 EVENT REMARK - AUTORETURN ADV'ING THEY DO NOT HAVE A P SECTION

03/27/20 19:39:51 EVENT REMARK - AUTORETUREN T4 22651P AND HAS LOC NOW

03/27/20 20:35:13 EVENT UPDATED - Rms Transfer Time: 03/27/20 20:35:13,

03/27/20 20:35:13 EVENT REMARK - [REDACTED]

03/27/20 20:35:13 EVENT REMARK - ** Case number 20017697 has been assigned to event E20030044563
** >>> by: [REDACTED] on terminal: [REDACTED]

03/27/20 20:35:13 CASE NUMBER ASSIGNED - 20017697

03/27/20 21:36:38 EVENT UPDATED - Total Assigned Units: 0,

03/27/20 21:36:38 EVENT CLOSED -

03/27/20 21:36:38 EVENT UPDATED - Closing Employee Id: [REDACTED], Closing Terminal: SOPS34, Closing Time: 03/27/20 21:36:38, Is Open: False, Rms Transfer Time: 03/27/20 21:36:38,

03/27/20 21:36:38 EVENT REMARK - ** Event E20030044563 closed.

03/27/20 21:36:38 DISPOSITION ASSIGNED - O

03/27/20 21:36:38 UNIT UPDATED - Unit: [REDACTED], Status: AV, Location: , Employees: [REDACTED]

Search:

1 New Message | 6450 [Logoff] | Help

Main Events Units Messages Lineups Inquiry Configure

**E20030044563 - 1185 - REQUEST FOR TOW TRUCK
5500 OLVERA AVE SD**

Overview	Chronology	Event Unit	View Map	Event Details	Event Calls (1)
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Unit ID	Car ID	Agency	Dispatch Group	Status	Time	Employee	ID	Terminal	Location	Comment	Unit Devices	Employee Devices
[REDACTED]	[REDACTED]	SDPD	P4	DP	18:58:31	[REDACTED]	[REDACTED]	[REDACTED]	5500 OLVERA AVE SD		746172	00037ECF/MDT/Default System ([REDACTED])* , 761196 ([REDACTED]), 762147 ([REDACTED])
[REDACTED]	[REDACTED]	SDPD	P4	97	18:58:32	[REDACTED]	[REDACTED]	[REDACTED]	5500 OLVERA AVE SD		746172	00037ECF/MDT/Default System ([REDACTED])* , 761196 ([REDACTED]), 762147 ([REDACTED])
[REDACTED]	[REDACTED]	SDPD	P4	DP	19:10:37	[REDACTED]	[REDACTED]	[REDACTED]	5500 OLVERA AVE SD		746618	00037EC3/MDT/Default System ([REDACTED])* , 760563 ([REDACTED]), 761085 ([REDACTED])
[REDACTED]	[REDACTED]	SDPD	P4	UC	19:11:33	[REDACTED]	[REDACTED]	[REDACTED]		Unit [REDACTED] Inf Issue Qry 0:6320 CLETS- RQ: .LIC, [REDACTED].LIS, [REDACTED]	746618	00037EC3/MDT/Default System ([REDACTED])* , 760563 ([REDACTED]), 761085 ([REDACTED])
[REDACTED]	[REDACTED]	SDPD	P4	UC	19:12:37	[REDACTED]	[REDACTED]	[REDACTED]		Unit [REDACTED] Inf Issue Qry 0:6320 CLETS- RQ: .LIC, [REDACTED].VMA/BUIC.LIS, [REDACTED]	746618	00037EC3/MDT/Default System ([REDACTED])* , 760563 ([REDACTED]), 761085 ([REDACTED])
[REDACTED]	[REDACTED]	SDPD	P4	DC	19:14:30	[REDACTED]	[REDACTED]	[REDACTED]	5500 OLVERA AVE SD	Tracking device 00037ECF/MDT/Default System cleared.	746172	00037ECF/MDT/Default System ([REDACTED])* , 761196 ([REDACTED]), 762147 ([REDACTED])
[REDACTED]	[REDACTED]	SDPD	P4	DC	19:14:31	[REDACTED]	[REDACTED]	[REDACTED]	5500 OLVERA AVE SD	Device 46172/Radio Alias/Default System removed.		00037ECF/MDT/Default System ([REDACTED])* , 761196 ([REDACTED]), 762147 ([REDACTED])
[REDACTED]	[REDACTED]	SDPD	P4	DC	19:14:32	[REDACTED]	[REDACTED]	[REDACTED]		Device 46172/Radio Alias/Default System added.	746172	

Unit ID	Car ID	Agency	Dispatch Group	Status	Time	Employee ID	Terminal	Location	Comment	Unit Devices	Employee Devices
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	5500 OLVERA AVE SD			00037ECF/MDT/Default System [REDACTED]*, 761196 [REDACTED], 762147 [REDACTED]
[REDACTED]	[REDACTED]	SDPD	P4	DC	19:14:33	[REDACTED]	[REDACTED]	5500 OLVERA AVE SD	Tracking device 00037ECF/MDT/Default System set.	746172	00037ECF/MDT/Default System [REDACTED]*, 761196 [REDACTED], 762147 [REDACTED]
[REDACTED]	[REDACTED]	SDPD	P4	UC	19:14:34	[REDACTED]	[REDACTED]	5500 OLVERA AVE SD	New equipment list for Unit [OPS31] :	746172	00037ECF/MDT/Default System [REDACTED]*, 761196 [REDACTED], 762147 [REDACTED]
[REDACTED]	[REDACTED]	SDPD	P4	AV	19:24:39	[REDACTED]	[REDACTED]			746172	00037ECF/MDT/Default System [REDACTED]*, 761196 [REDACTED], 762147 [REDACTED]
[REDACTED]	[REDACTED]	SDPD	P4	AV	21:36:38	[REDACTED]	[REDACTED]			746618	00037EC3/MDT/Default System [REDACTED]*, 760563 [REDACTED], 761085 [REDACTED]

Search: GO >

1 New Message | 6450 [Logout] | Help

Main Events Units Messages Lineups Inquiry Configure

Unit History Inquiry Results (28 Returned) [New Unit History Inquiry >](#)

Show Entries

Date Range

Unit History From 03/27/20 - 03/27/20

Agency	Group	Unit ID	Unit Type	Mileage	Status	Event	Type	Subtype	Date/Time	Employee	Pager	Operator	Terminal	Location	Comments	U Des
SDPD	P0	[Redacted]	OPS	46999	DC				03/27/20 15:12:28	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]	Device 60971/HT Radio/Default System added for employee [Redacted]	745
SDPD	P0	[Redacted]	OPS	46999	UE				03/27/20 15:12:29	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UT				03/27/20 15:29:23	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 15:31:18	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 15:32:26	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 15:32:41	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 15:37:16	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 15:59:13	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 16:11:00	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 16:12:11	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 16:12:37	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 16:21:10	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 16:53:41	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS		UC				03/27/20 16:53:56	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745
SDPD	P4	[Redacted]	OPS	46999	UC				03/27/20 16:55:21	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]		745

Agency	Group	Unit ID	Unit Type	Mileage	Status	Event	Type	Subtype	Date/Time	Employee	Pager	Operator	Terminal	Location	Comments	U Dev
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 16:59:57	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 17:00:20	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 17:05:22	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS	46999	UC				03/27/20 17:17:07	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 17:26:00	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 17:26:01	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 17:26:47	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 19:23:07	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 21:57:07	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 22:14:23	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]	DPS		UC				03/27/20 22:21:02	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745
SDPD	P4	[REDACTED]		13047	LO				03/27/20 23:04:39	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	
SDPD	P4	[REDACTED]		13047	DC				03/27/20 23:04:40	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	745



San Diego Police Dept Officer Report

CAD Event No.

Case No. **20017697**Report No. **19598****1**

Page 1 of 2

GENERAL CASE INFORMATION

Special Studies:		Related Cases:	
Location, City, State, ZIP: 500 Los Angeles Place, San Diego, CA 92114		Occurred On: 3/27/2020 6:00:00 PM (Friday)	
Jurisdiction: Valencia Park - Southeastern	Beat: 432	Call Source: 8625	(and Between):

INDIVIDUAL/S

Name: [REDACTED]		Person Code:	Interpreter Language:
Home Address, City, State, ZIP: [REDACTED]			
ALIAS / AKA / NICKNAME / MONIKER:			
Res. Country:		County Residence:	Undocumented:
Race:	Sex:	Date of Birth / Age:	Height:
Weight:	Hair Color:	Eye Color:	Facial Hair:
Complexion:	Employment Status:		
Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:	
CONTACT INFORMATION IDENTIFICATION:			
Attire:	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			

REPORT NARRATIVE

On 03/27/20 at approximately 1800 hours, Officer [REDACTED] and I were working as a two man unit, in full uniform and driving a marked patrol vehicle, in the city and county of San Diego. We are currently assigned to the Special Operations Unit (SOU).

uring the course of our duties, Officer [REDACTED] and I were arriving to assist Officer [REDACTED] and Officer [REDACTED] on a traffic stop at 5400 Olvera Ave. As we pulled behind Officer [REDACTED] and Officer [REDACTED] patrol vehicle, I saw two males exit and run from the stopped vehicle (Buick Century [REDACTED]), which was parked at the south curb. Officer [REDACTED] exited the vehicle and assisted Officer [REDACTED] by pursuing the passenger who was later identified as, [REDACTED] ([REDACTED]), heading southbound on San Onofre Terrace from Olvera Ave. Refer to Officer [REDACTED] A-9 report for further details. Officer [REDACTED] pursued the driver who was later identified as, [REDACTED] ([REDACTED]). I saw [REDACTED] jump the east chain link fence of [REDACTED] Olvera Ave. I immediately drove to Los Angeles Place and Olvera Ave to take the west perimeter.

While at Los Angeles Place and Olvera Ave, I parked the patrol vehicle and began walking northbound on 500 Los Angeles Place. I saw [REDACTED] running across the street, heading toward the backyard of [REDACTED] Los Angeles Place. I immediately pursued [REDACTED] and verbally commanded him to stop. [REDACTED] disobeyed my verbal orders and continued running into the backyard. [REDACTED] ran toward the north end of the residence and jumped over a 4' wooden fence, heading eastbound toward the street. I was able to close the distance and tackled him to the ground to prevent him from reaching for any potential weapons. [REDACTED] fell onto his back. I placed my right knee on his chest and extended my right hand across his neck/face to maintain control. I repositioned myself and pulled [REDACTED] right arm and rolled [REDACTED] onto his stomach. I placed [REDACTED] hands behind his back. I handcuffed [REDACTED] and lifted him up from the ground.

As [REDACTED] was walking, I felt [REDACTED] pulling forward. To maintain control, I placed [REDACTED] toward a patrol vehicle and used my right hand on the upper part of his back/neck to control [REDACTED]. [REDACTED] left side of his face collided into the left front panel of the patrol vehicle. [REDACTED] did not sustain any visible injuries. [REDACTED] stopped pulling forward and postured up. I escorted [REDACTED] and walked him to my patrol vehicle. [REDACTED] was placed into the backseat of the patrol vehicle. A records check revealed [REDACTED] was on active high-risk probation. [REDACTED] was issued a citation ([REDACTED]) for being in violation of 148 (a) (1) PC-Resisting and delaying a police officer and 12500 (a) CVC-Driving while not being issued a California driver's license. [REDACTED] was released without incident.

My BWC turned off turning the foot pursuit.

Reporting Officer SD6912 - SERRANO, DAVID R	Division / Organization SPOPS / INVII - Investigations II	Reviewed By [REDACTED]
Report Date 3/27/2020 8:36:59 PM	Detention Assigned [REDACTED]	Reviewed Date 3/29/2020 10:39:10 PM



San Diego Police Dept Officer Report

CAD Event No.

Case No. **20017697**

Report No. **19598**

2

Page 2 of 2

For the arrest of [REDACTED], A RIPA entry was submitted.

Related reports:

Refer to Officer [REDACTED] A-9 report for further details

Approved by Sgt [REDACTED]

Reporting Officer SD6912 - SERRANO, DAVID R	Division / Organization SPOPS / INVII - Investigations II	Reviewed By [REDACTED]
Report Date 3/27/2020 8:36:59 PM	Detective Assigned [REDACTED]	Reviewed Date 3/29/2020 10:39:10 PM

Printed By [REDACTED]

Printed: June 5, 2020 - 10:11 AM

BWC

SDPD VEH - PKD - ROLLING - STOPPED ON

DIR - N E S W - LANE 1 2 3 4 5 OTHER

SDPD VEH NO. YR. MAKE

DATE CALIB. 20 30 40 50 60 70 80

BY

STOPPED BY RED LITE SIREN HORN HAND

DEF VEH - PKD - ROLLING - STOPPED ON

DIR - N E S W - LANE 1 2 3 4 5 OTHER

STOPPED AT

DRIVER - OUT OF CAR IN CAR

MR LR PASSENGERS SOLO RF MF RR

DISTANCE OBSERVED

SAN DIEGO POLICE DEPARTMENT

MISDEMEANOR

NOTICE TO APPEAR

Traffic

Nontraffic

Date of Violation Time Day of Week Case No.



Yes	No	Code and Section	Description	Booking Required	Misdemeanor or Infraction (Circle)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1155011330	DRIVER'S LICENSE		M I
<input type="checkbox"/>	<input checked="" type="checkbox"/>	1250012120	POLICE OFFICER		M I
<input type="checkbox"/>	<input checked="" type="checkbox"/>	NO CBL			M I
<input type="checkbox"/>	<input checked="" type="checkbox"/>				M I

Speed Approx. P.P. Max. Spd. Veh. Dist. Side Radar

COMMENTS: (Weather, Road & Traffic Conditions) COLLISION

CLR CDDY FOG RAIN DRY SLIPPERY HWY. MED LIGHT

Location of Violation(s) at 500 LOS ANGELES

CITY OF SAN DIEGO, CA OTHER

Violations not committed in my presence, declared on information and belief.

I declare under penalty of perjury that the facts of this Notice to Appear are true and correct.

Signature of Citing Officer: [Redacted] ID. No. Command/Beat

Date: Name of Answering Officer, if different from Citing Officer ID. No. Command/Beat

WITHOUT ADMITTING GUILT, I PROMISE TO APPEAR AT THE TIME AND PLACE INDICATED BELOW.

Signature: [Redacted]

WHEN: ON OR BEFORE THIS DATE: 04/11/19 TIME: 9:00 AM PM

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE

WHERE	THREATENED OR PROBATION DEPT.
<input type="checkbox"/> JUVENILE COURT, DEPT. 11 3801 MEADOWLARK DRIVE SAN DIEGO, CA 92123 (858) 634-1000	<input type="checkbox"/> MISDEMEANOR ASSIGNMENT DEPT. 220 W. BROADWAY SAN DIEGO, CA 92101 (619) 450-5400
<input type="checkbox"/> SAN DIEGO TRAFFIC COURT 5950 CLAIREMONT MESA BOULEVARD SAN DIEGO, CA 92123 (619) 634-1600	<input type="checkbox"/> SOUTH BAY COURT 500 9TH AVENUE CHULA VISTA, CA 91910 (619) 746-6200
<input type="checkbox"/> NIGHT COURT-CONTACT COURT FOR INFO	<input type="checkbox"/> NIGHT COURT-CONTACT COURT FOR INFO
<input type="checkbox"/> NORTH COUNTY REGIONAL CENTER 325 S. MELROSE DRIVE, SUITE 350 VISTA, CA 92081 (619) 201-9900 INFORMATION	<input type="checkbox"/> EAST COUNTY REGIONAL CENTER 250 EAST MAIN STREET EL CAJON, CA 92020 (619) 456-4100 INFORMATION

Notice to Appear form approved by the Judicial Council of California. PD-117 (encl) (Rev. 1/04) (Ver. Code, §§ 40559(a), 40519(a), 40525, 46600) (Pen. Code, § 866.9)

SEE REVERSE 114-130



San Diego Police Dept Officer Report

CAD Event No. 20030044563

Case No. 20017685

Report No. 19596

1

Page 1 of 2

GENERAL CASE INFORMATION

Special Studies:		Related Cases:	
Location, City, State, ZIP: 5500 Olvera Ave, San Diego, CA 92113		Occurred On: 3/27/2020 6:00:00 PM (Friday)	
Jurisdiction: Valencia Park - Southeastern	Beat: 432	Call Source:	(and Between):

INDIVIDUAL/S

Name:	Person Code:	Interpreter Language:	
ALIAS / AKA / NICKNAME / MONIKER:			
Home Address, City, State, ZIP:	Res. Country:	County Residence:	Undocumented:
Employment Status:	Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:
CONTACT INFORMATION			
Type: MP - Mobile Phone	Number/Address:		
IDENTIFICATION:			
Type:	Number:	State:	Country: US - UNITED STATES
Attire: Gray hoodie; black pants; white/red shoes	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			

REPORT NARRATIVE

On 03/27/2020, Officer [REDACTED] and I were operating as members of the Special Operations Unit (SOU), driving a fully marked police vehicle and wearing full police uniforms. On the above date, we were working directed saturation patrol in the Lincoln Park and Valencia Park neighborhoods. At approximately 1800 hours, we saw a silver Buick sedan [REDACTED] ([REDACTED]) driving south on San Jacinto Dr approaching Olvera Ave. We saw the vehicle drive through the stop sign/limit line at Olvera Ave without coming to a complete stop, then continuing east onto Olvera Ave. Det. [REDACTED] was also directly behind the vehicle and aired the same observations.

Officer [REDACTED] positioned our patrol vehicle directly behind the Buick and activated our emergency vehicle lights to conduct an enforcement stop on the vehicle for the above listed violation. The vehicle slowly began to yield to the south side of 5500 Olvera Ave. Just before the car came to a stop, the front passenger door opened and the front right passenger, later identified as [REDACTED], jumped out of the moving car and began running. [REDACTED] quickly turned south onto San Onofre Ter and ran away. I saw the driver's door open and the driver, later identified as [REDACTED], also get out of the car and begin running north across Olvera Ave.

I immediately exited my patrol car and began chasing [REDACTED] on foot. As I chased [REDACTED], I gave him several loud orders to stop. [REDACTED] looked back at me several times as he continued running south on San Onofre Ter. As he ran, [REDACTED] kept his right hand clenched at the front of his pants waistband area, near the front of his body. [REDACTED] pants were fairly tight, and did not appear to be falling or impeding [REDACTED] running. Based on his actions of immediately fleeing from the vehicle and his behavior of continuously holding the front of his waistband, I believed he was likely carrying and/or concealing a weapon.

I continued chasing [REDACTED] on foot as I gave more loud orders to stop. [REDACTED] turned left, southbound onto Santa Isabel Dr. I briefly lost sight of him as he ran south up the street behind a line of tall hedges. I continued up Santa Isabel Dr where I saw [REDACTED] run. I quickly saw [REDACTED] in the driveway of a residence at 800 Santa Isabel Dr. [REDACTED] was walking back down the driveway toward the street. Based on [REDACTED] aforementioned behavior and my belief he was likely armed, I immediately pointed my firearm at him and ordered him onto the ground. [REDACTED] complied and I detained him by placing him in handcuffs.

I retraced the route where [REDACTED] had run, but did not locate any illegal items. Det. [REDACTED] responded to speak with [REDACTED]. I issued [REDACTED] a citation ([REDACTED]) for 148(a)(1) PC-Resist/obstruct peace officer. [REDACTED] signed the citation and [REDACTED] as released on his written promise to appear.

Reporting Officer [REDACTED]	Division / Organization SPOPS / INVII - Investigations II	[REDACTED]
Report Date 3/27/2020 8:27:52 PM	Detective Assigned	Reviewed Date 3/29/2020 10:43:43 PM



San Diego Police Dept Officer Report

CAD Event No. **20030044563**

Case No. **20017685**

Report No. **19596**

2

Page 2 of 2

A RIPA data entry was completed for this incident.

Approved by: Sgt [REDACTED]

Reporting Officer [REDACTED]	Division / Organization SPOPS / INVII - Investigations II	Reviewed By [REDACTED]
Report Date 3/27/2020 8:27:52 PM	Detective Assigned	Reviewed Date 3/29/2020 10:43:43 PM



San Diego Police Dept Officer Report

CAD Event No. **20030044563**Case No. **20017685**Report No. **19599****1**

Page 1 of 2

GENERAL CASE INFORMATION

Special Studies:		Related Cases:	
Location, City, State, ZIP: 5400 Olvera Av, San Diego, CA 92114		Occurred On: 3/27/2020 6:00:00 PM (Friday)	
Jurisdiction: Valencia Park - Southeastern	Beat: 432	Call Source:	(and Between):

INDIVIDUAL/S

Name: [REDACTED]		Person Code:	Interpreter Language:
Home Address, City, State, ZIP: [REDACTED]			
Res. Country:			
County Residence:		Undocumented:	
Race:	Sex:	Date of Birth / Age:	Height:
Weight:	Hair Color:	Eye Color:	Facial Hair:
Complexion:		Employment Status:	
Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:	

CONTACT INFORMATION**IDENTIFICATION:**

Attire:	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			

Name: [REDACTED]		Person Code:	Interpreter Language:
Home Address, City, State, ZIP: [REDACTED]			
Res. Country:			
County Residence:		Undocumented:	
Race:	Sex:	Date of Birth / Age:	Height:
Weight:	Hair Color:	Eye Color:	Facial Hair:
Complexion:		Employment Status:	
Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:	

CONTACT INFORMATION**IDENTIFICATION:**

Attire:	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			

REPORT NARRATIVE**Officer's Statement:**

On 03/27/20, Officer [REDACTED] and I were in full police uniform in a marked police car working as part of the Special Operations Unit. At about 1800 hours, we saw a silver Buick Century ([REDACTED]) make an eastbound turn onto Olvera Avenue from San Jacinto Drive after failing to stop at the intersection's stop sign. I activated my overhead lights to conduct a traffic stop of the car at 5400 Olvera Avenue. Prior to stopping, the front passenger door opened and [REDACTED] ran from the car. Officer [REDACTED] exited our car and pursued [REDACTED] on foot. While the car was still moving, the driver, [REDACTED], fled from the car, leaving the car in gear and rolling. I pursued [REDACTED] on foot as he jumped over a fence on the east side of the property of [REDACTED] Olvera Avenue and into the backyard. I saw [REDACTED] turn down the west side of the yard out of my sight. Thinking he was heading back toward the street, I ran around the front of the house to intercept him, but he never appeared. [REDACTED] had continued jumping fences and running through backyards westbound until Officer Serrano #6912 caught him on Los Angeles Place.

A records check revealed [REDACTED] had no driver's license issued to him. Detective [REDACTED] and I inventoried the Buick prior to impounding it per 22651(p) VC. I watched as Detective [REDACTED] opened a backpack in the trunk of the car. The backpack contained red paisley bandana, a black ski mask with the eyes and mouth cut out, a black ski mask with a skull printed on it and the eyes cut out, and a small red zippered bag containing an empty HK pistol magazine. I photographed the car and the items, collected them, and later impounded them at Headquarters.

Reporting Officer SD6118 - [REDACTED]	Division / Organization SPOPS / INVII - Investigations II	Reviewed By [REDACTED]
Report Date 3/27/2020 8:41:45 PM	Detective Assigned	Reviewed Date 3/29/2020 10:41:03 PM



San Diego Police Dept Officer Report

CAD Event No. **20030044563**

Case No. **20017685**

Report No. **19599**

2

Page 2 of 2

Immediately after activating my overhead lights, I attempted to activate my body-worn camera, but did not notice until after the incident had concluded that it never activated.

Approved by: [REDACTED]

Reporting Officer [REDACTED]	Division / Organization SPOPS / INVII - Investigations II	Reviewed By SD5461 [REDACTED]
Report Date 3/27/2020 8:41:45 PM	Detective Assigned	Reviewed Date 3/29/2020 10:41:03 PM

Message #: 85683405

From: SYSTEM @ CLETS 06.07.20 08:41:03

To : [REDACTED] @ 600410892

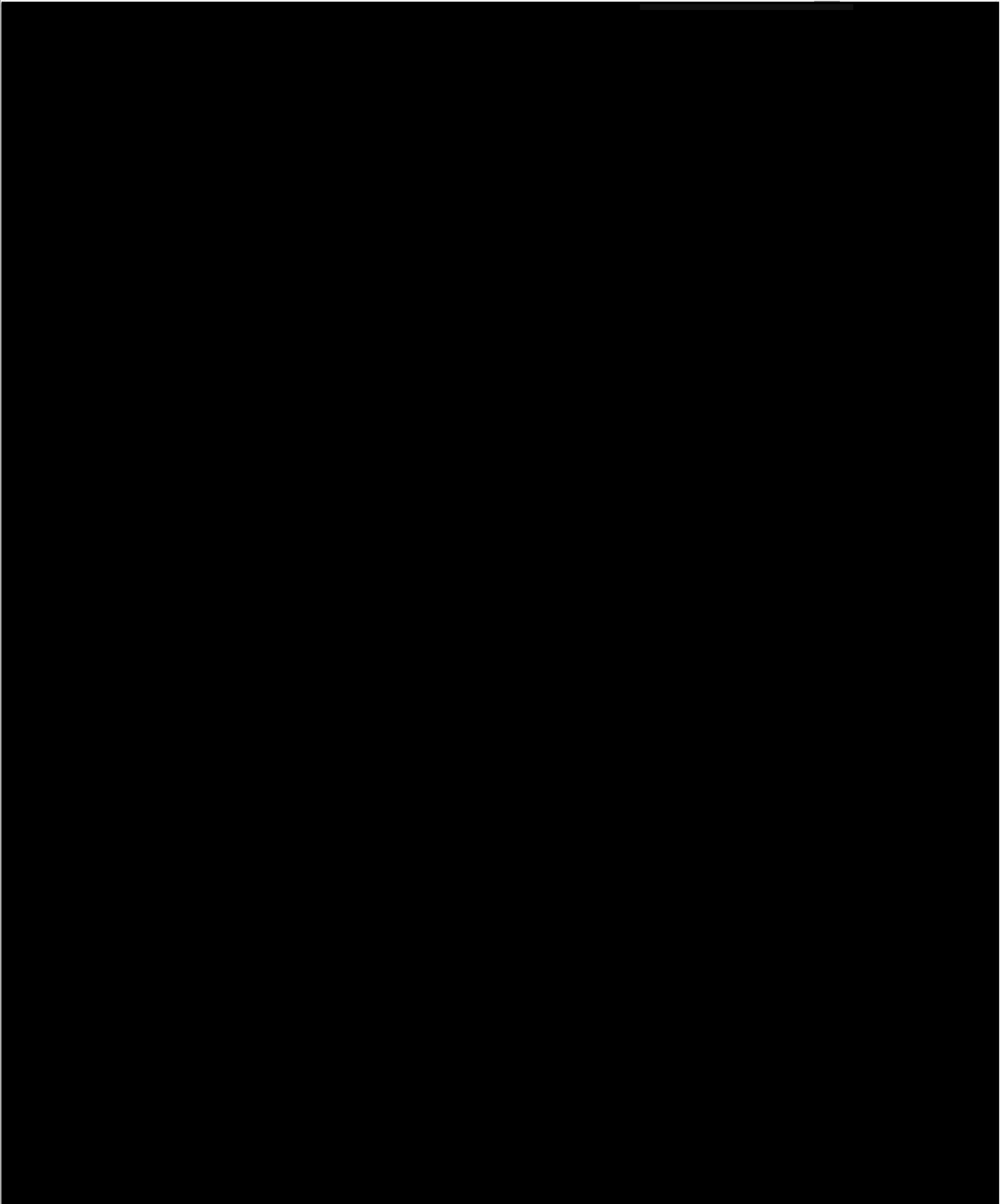
[REDACTED] IN

DATE:06-07-20*TIME:08:41*

MATCHED ON:*L/N*F/N* BD

DMV RECORD FOR LAW ENFORCEMENT USE ONLY

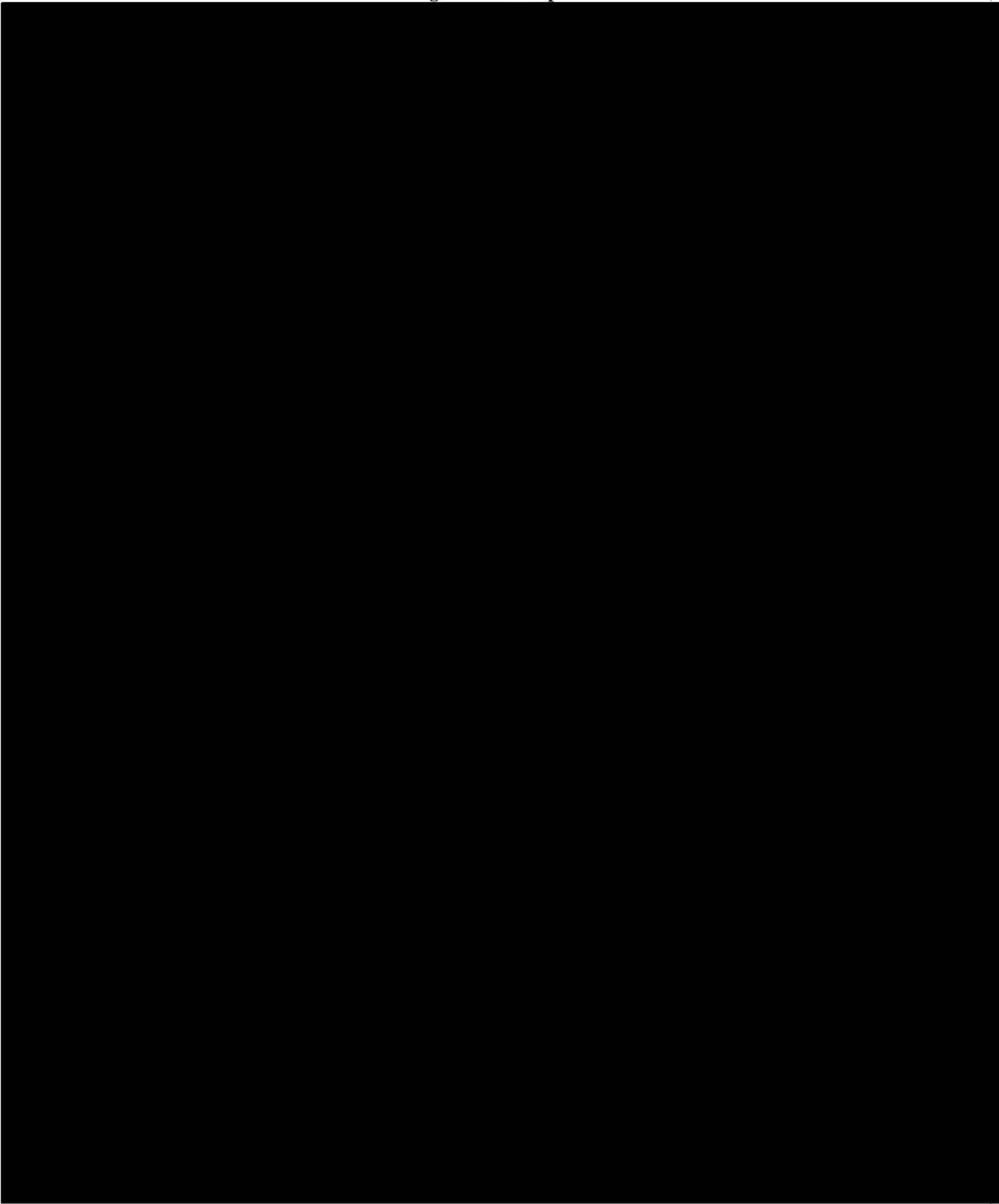




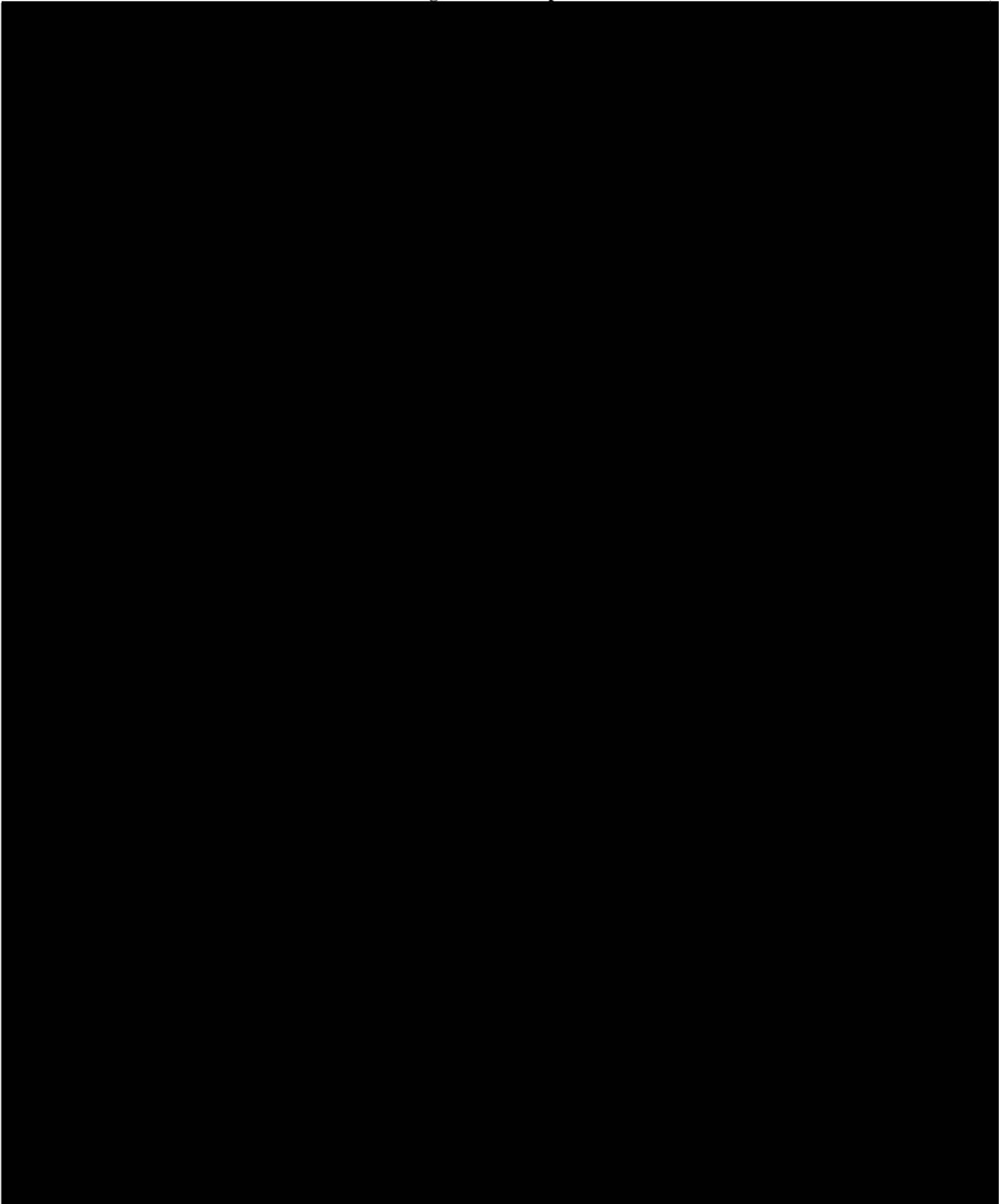
CNT:02

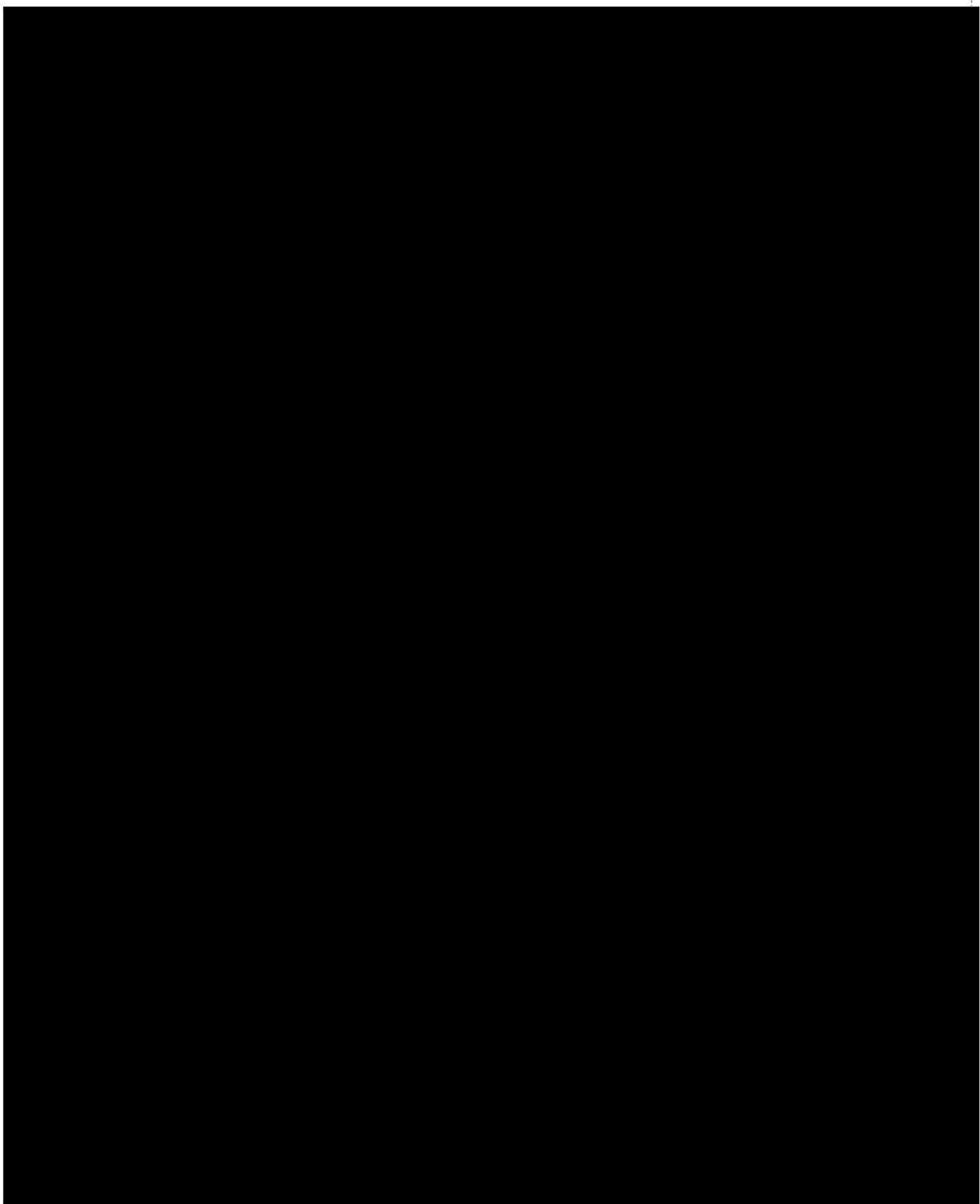


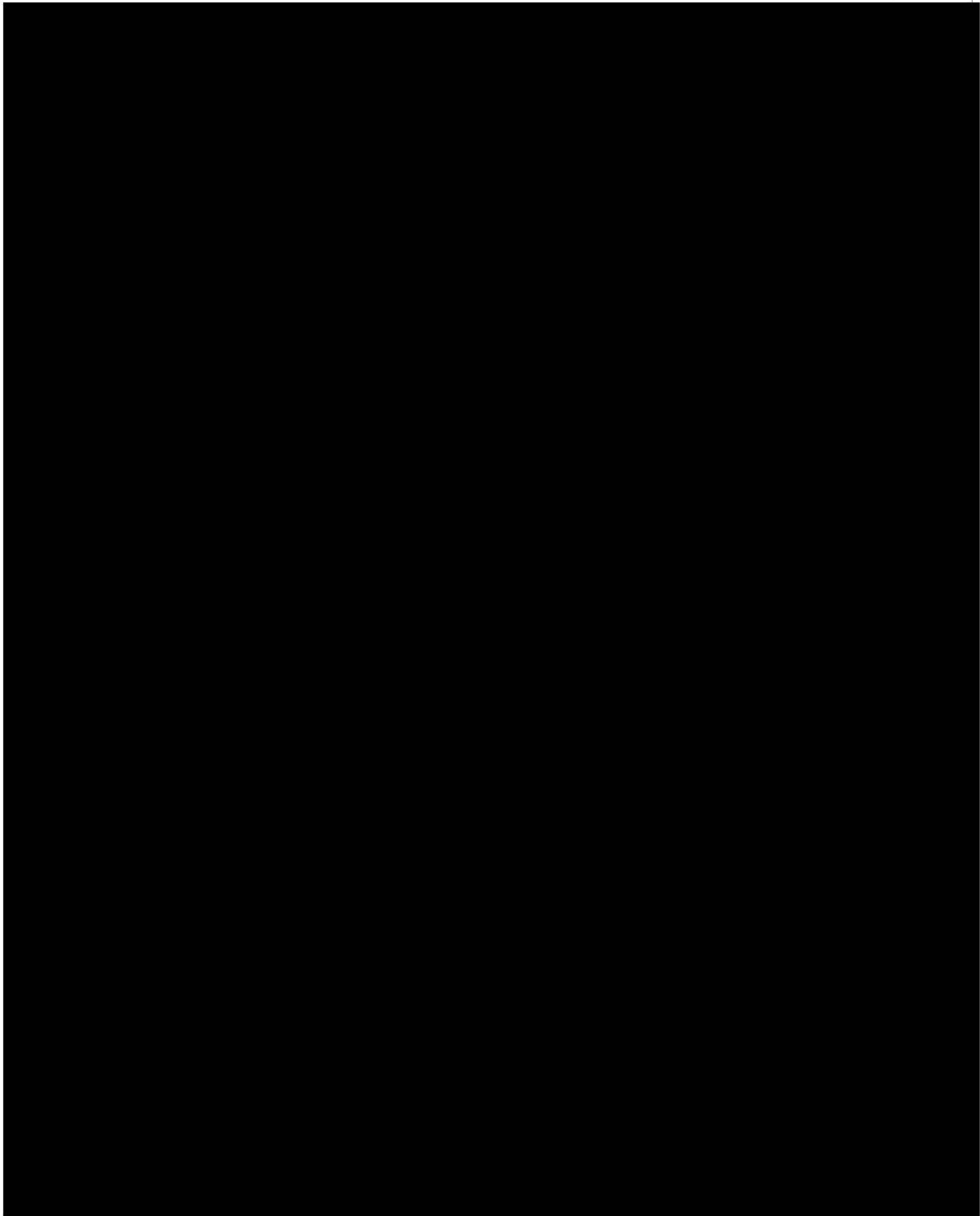
San Diego Sheriff's Department



San Diego Sheriff's Department



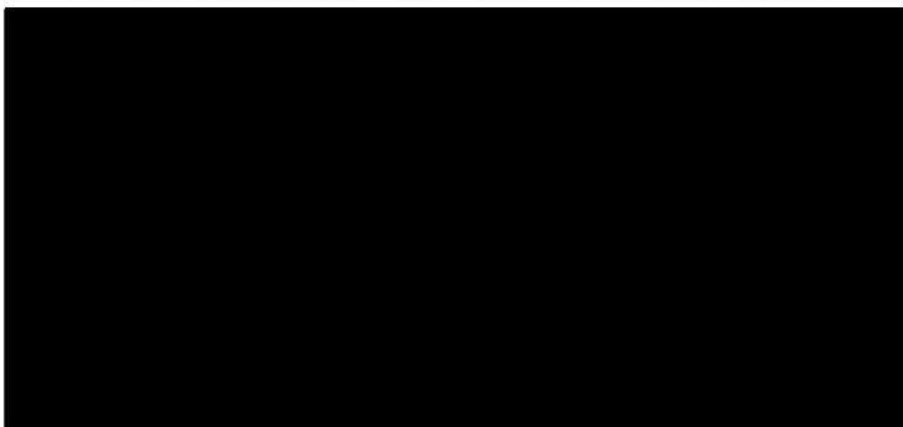




**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): March 27, 2020
TIME (occurrence): 1800 Hours
LOCATION: 500 Los Angeles Place, San Diego, CA
SUBJECT: Professional Standards Unit Investigation 2020-025
Body Worn Camera (BWC) Report: K-9 Officer [REDACTED]

OFFICER:



INVESTIGATION:

On March 27, 2020, at approximately 1800 hours, K-9 Officer [REDACTED] assisted the Special Operations Unit (SOU) with a traffic stop which resulted in the driver and passenger running from the vehicle. SOU Officer SERRANO drove his vehicle to a perimeter position and observed the driver, [REDACTED] run into the street in front of him. Officer SERRANO took chase on foot, overtaking and tackling [REDACTED]. K-9 Officer [REDACTED] drove up and his BWC captures the moments after Officer SERRANO caught and took [REDACTED] into custody.

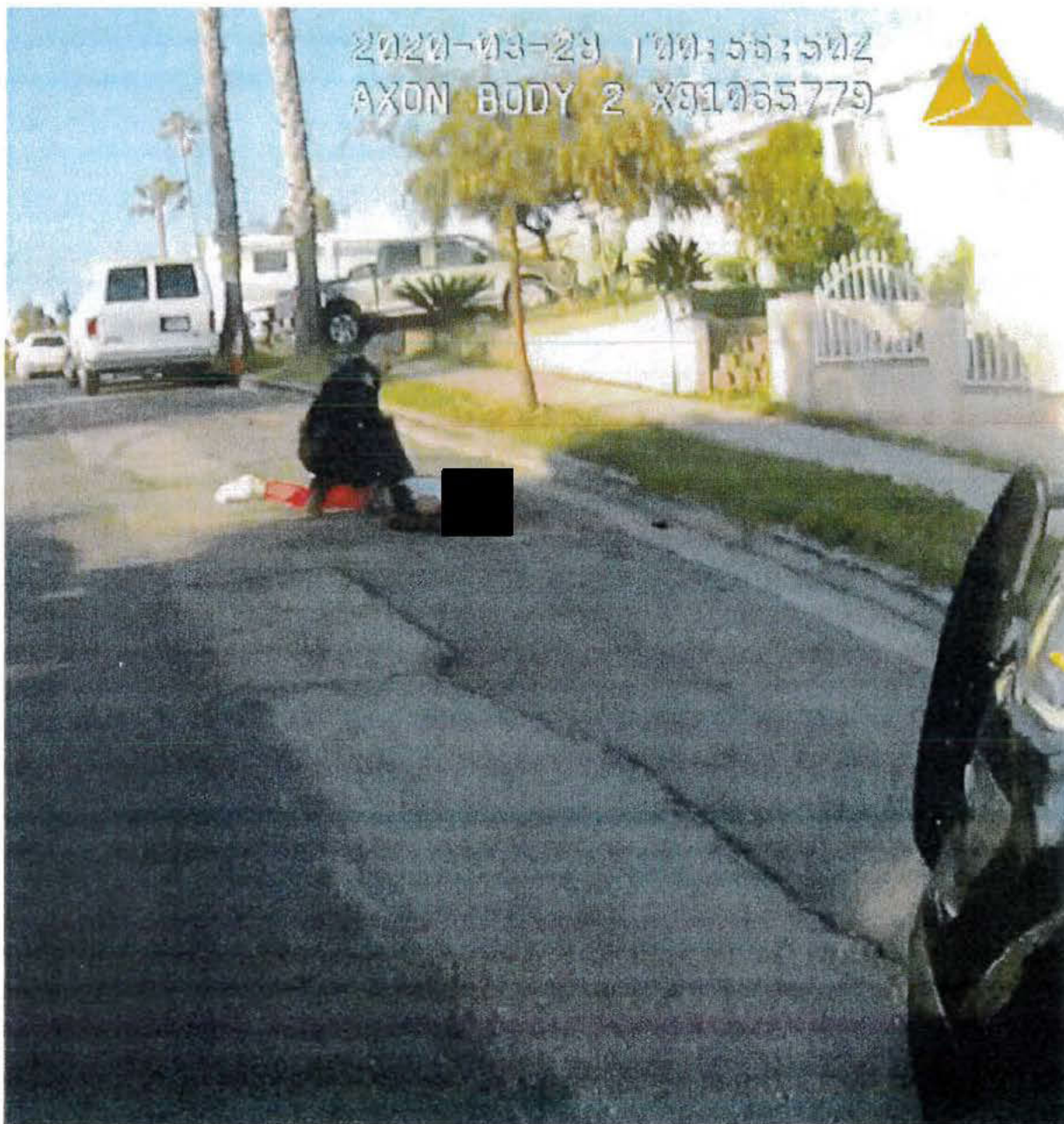
On June 15, 2020, I reviewed K-9 Officer [REDACTED] body worn camera video associated with the citation and arrest of [REDACTED]. A summary of the video is listed in chronological order.

See attached video labeled "[REDACTED] - [REDACTED]" for further.

BWC Title: [REDACTED]
BWC Length: 5:13
Officer: [REDACTED]

The BWC video has a two minute buffer where there is no audio. The BWC video begins with K-9 Officer [REDACTED] driving to the scene in his marked patrol vehicle. K-9 Officer [REDACTED] parks his patrol car near where Officer SERRANO is taking [REDACTED] into custody. A second marked patrol car arrives on scene. The audio starts as K-9 Officer [REDACTED] arrives on scene and exits his patrol vehicle.

- 02:06: K-9 Officer [REDACTED] exits his patrol car. Officer SERRANO can be seen taking [REDACTED] into custody [REDACTED] is prone on his stomach with Officer SERRANO in a control position. It appears that Officer SERRANO is handcuffing [REDACTED].



- 02:12 – 02:16: Officer SERRANO stands [REDACTED] up by his right arm and clothing. K-9 Officer [REDACTED] asks Officer SERRANO, “Where did you pick him up?” Officer SERRANO is not heard responding to Officer [REDACTED] question. The BWC depicts Officer SERRANO’s BWC camera on the ground in the gutter immediately in the area where he took [REDACTED] into custody. A cell phone belonging to [REDACTED] is observed on the ground next to [REDACTED] right foot. Officer SERRANO’s body is positioned directly behind [REDACTED]. As [REDACTED] is stood up he can be overheard saying, “Ow.” Officer SERRANO can be saying an unintelligible statement while standing [REDACTED] up. A portion of the statement Officer SERRANO can be heard making, “ ---- get up.” [REDACTED] replies, “I’m up.”



- 02:16 – 02:17: Officer SERRANO is leading [REDACTED] towards a marked patrol vehicle parked along the curblin. Another marked patrol vehicle is parked off-view to the right of Officer SERRANO and [REDACTED]. While [REDACTED] is being directed towards K-9 Officer [REDACTED] vehicle, [REDACTED] head dips and his shoulders rotate to the right. It appears that Officer SERRANO redirects [REDACTED] movements back towards the K-9 vehicle.



Timestamp: 02:16



Timestamp: 02:17

The above 'snapshots are of [REDACTED] being led towards the K-9 vehicle.

- 02:18 – 02:19: As they move forward, [REDACTED] impacts the left corner panel of Officer [REDACTED] patrol vehicle. [REDACTED] head can be seen making contact with the hood/quarter panel of the marked patrol car.



- 02:19 – 02:25: Officer SERRANO stated, “I’m so fucking disappointed in you, you have no idea,” to [REDACTED]. Officer SERRANO’s hands are controlling [REDACTED] by [REDACTED] left arm and neck.



- Officer SERRANO articulates this interaction with [REDACTED] in his written report.

Excerpt from Officer SERRANO’s written report:

As [REDACTED] was walking, I felt [REDACTED] pulling forward. To maintain control, I placed [REDACTED] toward a patrol vehicle and used my right hand on the upper part of his back/neck to control [REDACTED]. [REDACTED] left side of his face collided into the left front panel of the patrol vehicle. [REDACTED] did not sustain any visible injuries. [REDACTED] stopped pulling forward and postured up. I escorted [REDACTED] and walked him to my patrol vehicle. [REDACTED] was placed into the backseat of the patrol vehicle. A records check revealed [REDACTED] was on active high-risk probation. [REDACTED] was issued a citation ([REDACTED]) for being in violation of 148 (a) (1) PC-Resisting and delaying a police officer and 12500 (a) CVC-Driving while not being issued a California driver’s license. [REDACTED] was released without incident.

- 02:25 – 02:28: Officer SERRANO walks [REDACTED] around the front of K-9 Officer [REDACTED] patrol car. Officer SERRANO can be overheard saying, “get his shit *unintelligible*.” Officer [REDACTED] can be seen on his BWC retrieving Officer SERRANO’s BWC camera and [REDACTED] cell phone. After retrieving the items Officer SERRANO can be seen walking [REDACTED] on the sidewalk back towards Officer SERRANO’s patrol vehicle. K-9 Officer [REDACTED] walks behind and eventually jogs to catch up with Officer SERRANO and [REDACTED].

- 02:38: Officer [REDACTED] displaying a "C4" sign.



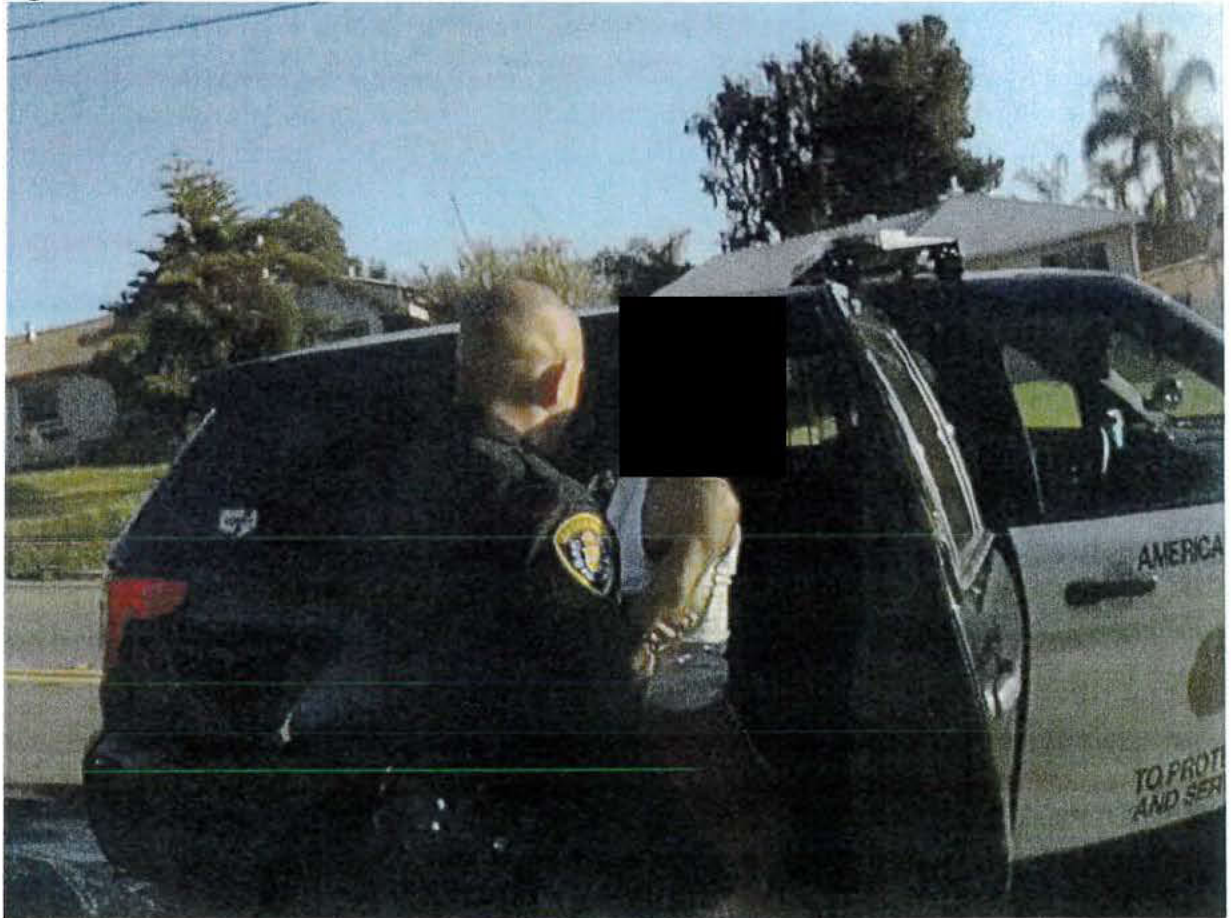
- 02:41 – 03:05: K-9 Officer [REDACTED] follows on foot and asks Officer SERRANO, “Hey SERRANO, did he toss anything?” Officer SERRANO is not heard responding. Officer SERRANO can be overheard speaking with [REDACTED], but the BWC does not clearly capture what is said between Officer SERRANO and [REDACTED] as he is taken to the patrol car.



- 03:07 – 03:14: K-9 Officer [REDACTED] approaches Officer SERRANO from behind and with his left hand attempts to take [REDACTED] from Officer SERRANO while handing SERRANO the cell phone and BWC camera. K-9 Officer [REDACTED] is heard saying, “SERRANO, take this.” Officer SERRANO responds, “No, just get away, I got this.”



- 03:14 – 03:22: Officer SERRANO walks [REDACTED] to his patrol car and places him in the right rear seat.



Body Worn Camera Footage ends. There is no further interaction between [REDACTED], Officer SERRANO and Officer [REDACTED].

Reporting Investigator: Sergeant Daniel Higdon ID# 5057 Professional Standards Unit
Approved by: _____ ID# _____ Date of Report: June 15, 2020

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATIVE REPORT**

DATE (occurrence): March 27, 2020
TIME (occurrence): 1800 Hours
LOCATION: 500 Los Angeles Place, San Diego, CA
SUBJECT: Professional Standards Unit Investigation #2020-025
Body Worn Camera Report – Officer [REDACTED]

INVESTIGATION:

On June 6, 2020, at approximately 1000 hours, Professional Standards Unit Lieutenant J. CAMPBELL, ID 6367 assigned this case to Sgt. HIGDON, ID 5057 and me for investigation.

Lieutenant CAMPBELL advised that citation [REDACTED], written to [REDACTED], DOB [REDACTED] was rejected by the City Attorney's Office with concerns over what was observed on Officer [REDACTED], Body Worn Camera (BWC).

A search was conducted to locate additional body worn camera videos of the incident involving Officer D. SERRANO #6912 and [REDACTED]. A video recorded by Officer [REDACTED] BWC was located. The videos were saved and will be maintained by PSU. Refer to the videos for further details. The following is a synopsis of Officer [REDACTED] video.

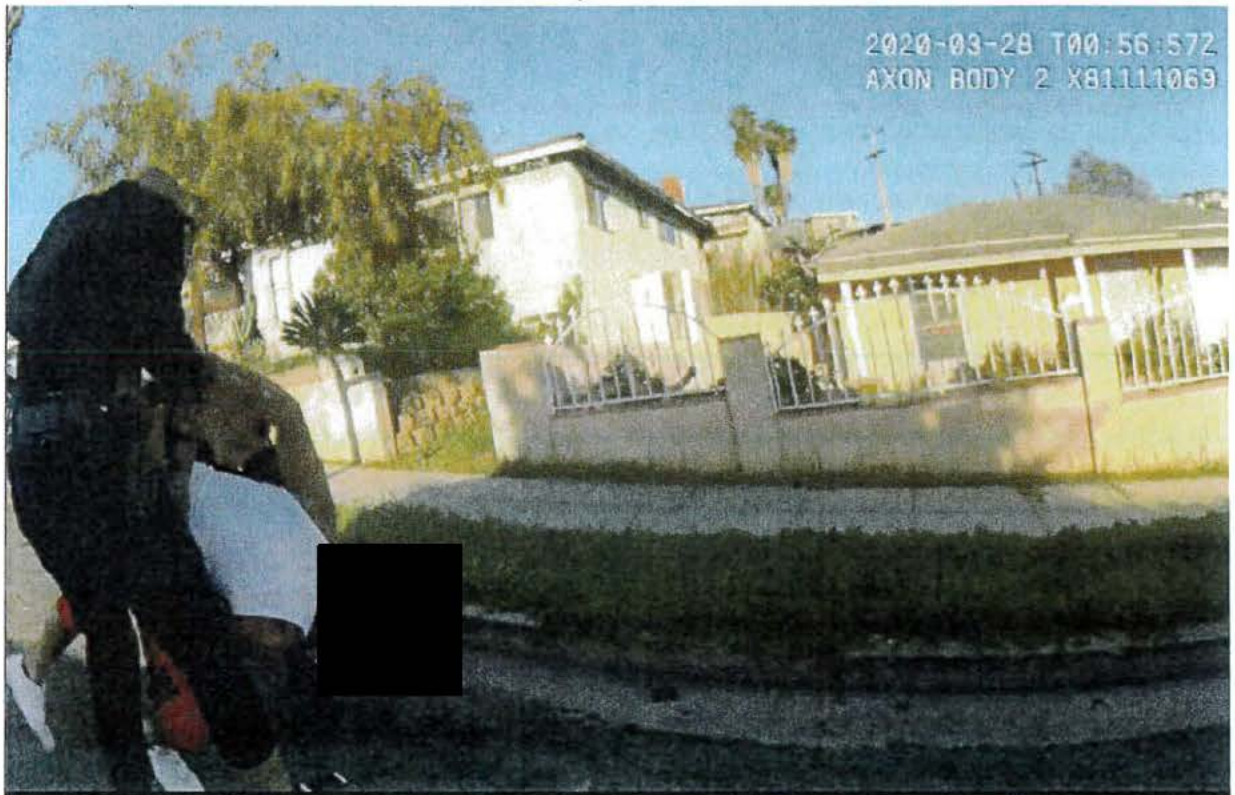
Video title: Los Angeles - [REDACTED]
Officer: [REDACTED]
BWC video length: 2:30

Officer [REDACTED] unit designator was [REDACTED]. He was the passenger in the police vehicle. Officer [REDACTED] was driving the vehicle. There was no BWC footage from Officer [REDACTED] during this incident.

- 1:44 Officers [REDACTED] and [REDACTED] arrived on scene. Officer [REDACTED] exited the vehicle. There is no audio until the 2:00 mark.
- 1:46 Officer [REDACTED] approached Officers SERRANO and [REDACTED]. [REDACTED] was face down on the street in handcuffs. Officer SERRANO was bent over with his hands on [REDACTED] left side.



1:47 Officer SERRANO lifted [REDACTED] to his feet.

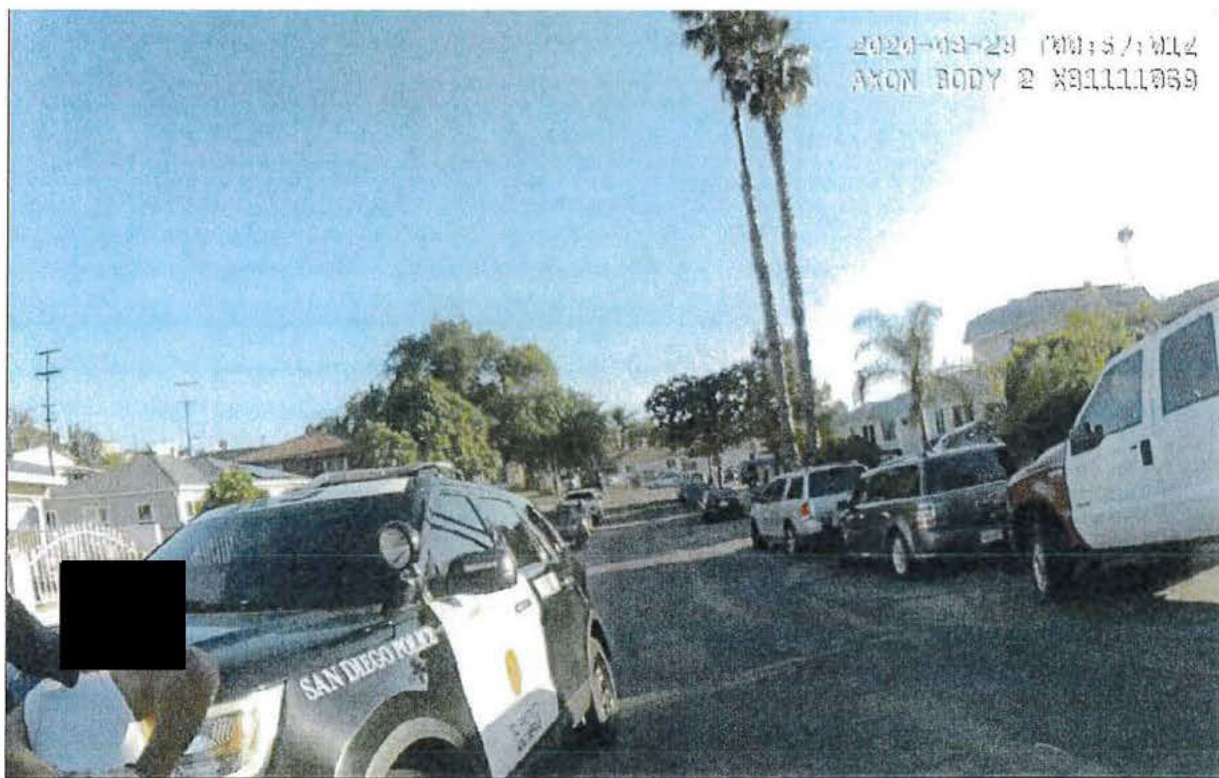




1:49 Officer SERRANO escorted [REDACTED] toward Officer [REDACTED] K-9 vehicle.
Officer [REDACTED] hands are visible in the image below.



1:50 [REDACTED] impacts the front of the K-9 vehicle.



1:53 Officer SERRANO had his right hand on the back of [REDACTED] neck. It appeared he was squeezing the back of his neck and pushed [REDACTED] head forward slightly.



1:56 Officer SERRANO escorted [REDACTED] away from the vehicle toward the sidewalk.



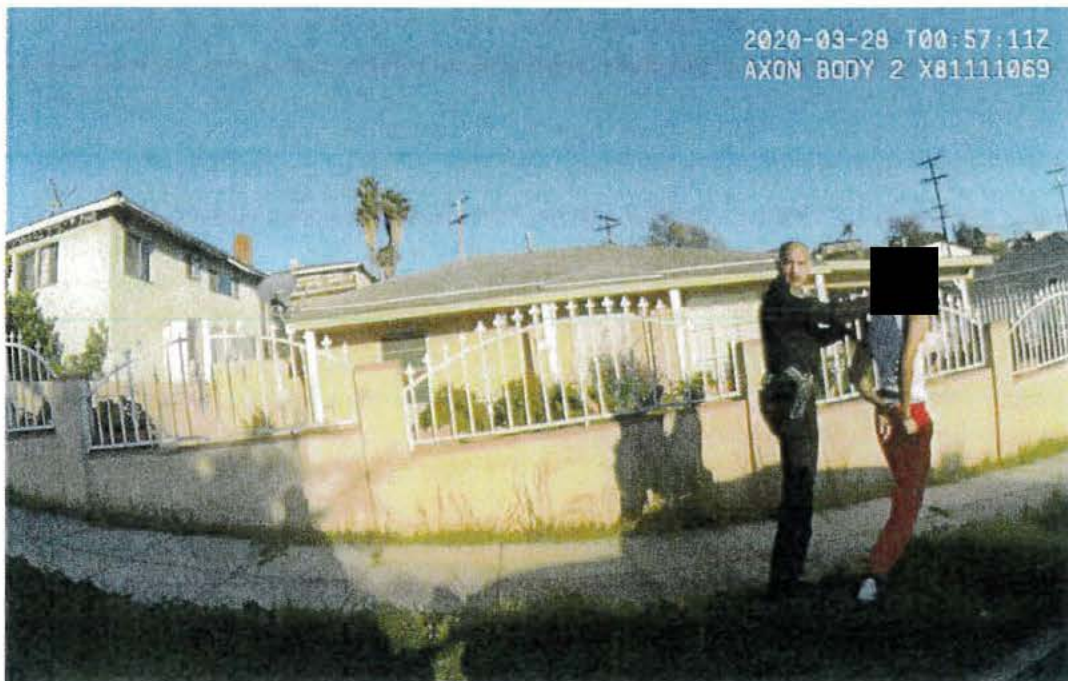
1:58 It appeared [REDACTED] left shoe had partially come off of his foot. The first two images above showed his left foot was completely inside of his shoe.



1:59 [REDACTED] placed his left foot back into his shoe.



2:01 The first audio can be heard. Officer SERRANO turned back toward Officers [REDACTED] and [REDACTED] and stated, "Get his shit." Officer [REDACTED] asked, "You good?" Officer SERRANO did not respond.



2:04 It sounded as if Officer SERRANO stated, "Shut up" to [REDACTED] as he escorted him on the sidewalk.



2:16 Officer [REDACTED] asked, "Is that all he had?" to Officer [REDACTED] as Officer [REDACTED] walked toward Officer SERRANO. Officer [REDACTED] was carrying [REDACTED] property. I did not hear a response from Officer [REDACTED]. Officer [REDACTED] turned to walk toward his patrol vehicle and turned off his body worn camera at 2:30.

Reporting Investigator: Detective J. Rzucidlo
Approved by: Sgt. Daniel Higdon

ID# 6450 Professional Standards Unit
ID# 5057 Date of Report: 06/15/2020

[REDACTED] 5057



San Diego Police Dept Officer Report

CAD Event No. **20030044563**Case No. **20017685**Report No. **19599****1**

Page 1 of 2

GENERAL CASE INFORMATION

Special Studies:			Related Cases:		
Location, City, State, ZIP: 5400 Olvera Av, San Diego, CA 92114			Occurred On: 3/27/2020 6:00:00 PM (Friday)		
Jurisdiction: Valencia Park - Southeastern	Beat: 432	Call Source:	(and Between):		

INDIVIDUAL/S

Name: [REDACTED]				Person Code:		Interpreter Language:				
ALIAS / AKA / NICKNAME / MONIKER:										
Home Address, City, State, Z P:				Res. Country:		County Residence:		Undocumented:		
Race:	Sex:	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:		Complexion:	
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address City State Z P:				
CONTACT INFORMATION IDENTIFICATION:										
Attire:				Injury:		Extent Of Treatment:		Violent Crime Circumstances:		
Subject Injury Description:										
Officer Injury Description:										

Name: [REDACTED]				Person Code:		Interpreter Language:				
ALIAS / AKA / NICKNAME / MONIKER:										
Home Address City State Z P:				Res. Country:		County Residence:		Undocumented:		
Race:	Sex:	Date of Birth / Age:	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:		Complexion:	
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address, City, State, Z P:				
CONTACT INFORMATION IDENTIFICATION:										
Attire:				Injury:		Extent Of Treatment:		Violent Crime Circumstances:		
Subject Injury Description:										
Officer Injury Description:										

REPORT NARRATIVE**Officer's Statement:**

On 03/27/20, Officer [REDACTED] and I were in full police uniform in a marked police car working as part of the Special Operations Unit. At about 1800 hours, we saw a silver Buick Century [REDACTED] make an eastbound turn onto Olvera Avenue from San Jacinto Drive after failing to stop at the intersection's stop sign. I activated my overhead lights to conduct a traffic stop of the car at 5400 Olvera Avenue. Prior to stopping, the front passenger door opened and [REDACTED] ran from the car. Officer [REDACTED] exited our car and pursued [REDACTED] on foot. While the car was still moving, the driver, [REDACTED] fled from the car, leaving the car in gear and rolling. I pursued [REDACTED] on foot as he jumped over a fence on the east side of the property of [REDACTED] Olvera Avenue and into the backyard. I saw [REDACTED] turn down the west side of the yard out of my sight. Thinking he was heading back toward the street, I ran around the front of the house to intercept him, but he never appeared. [REDACTED] had continued jumping fences and running through backyards westbound until Officer Serrano #6912 caught him on Los Angeles Place.

A records check revealed [REDACTED] had no driver's license issued to him. Detective [REDACTED] and I inventoried the Buick prior to impounding it per 22651(p) VC. I watched as Detective [REDACTED] opened a backpack in the trunk of the car. The backpack contained red paisley bandana, a black ski mask with the eyes and mouth cut out, a black ski mask with a skull printed on it and the eyes cut out, and a small red zippered bag containing an empty HK pistol magazine. I photographed the car and the items, collected them, and later impounded them at Headquarters.

Reporting Officer [REDACTED]	Division / Organization SPOPS / INVII - Investigations II	Reviewed By [REDACTED]
Report Date 3/27/2020 8:41:45 PM	Detective Assigned	Reviewed Date 3/29/2020 10:41:03 PM



San Diego Police Dept Officer Report

CAD Event No. **20030044563**

Case No. **20017685**

Report No. **19599**

2

Page 2 of 2

Immediately after activating my overhead lights, I attempted to activate my body-worn camera, but did not notice until after the incident had concluded that it never activated.

Approved by: [REDACTED]

Reporting Officer [REDACTED]	Division / Organization SPOPS / INVII - Investigations II	Reviewed By [REDACTED]
Report Date 3/27/2020 8:41:45 PM	Detective Assigned	Reviewed Date 3/29/2020 10:41:03 PM

[REDACTED]

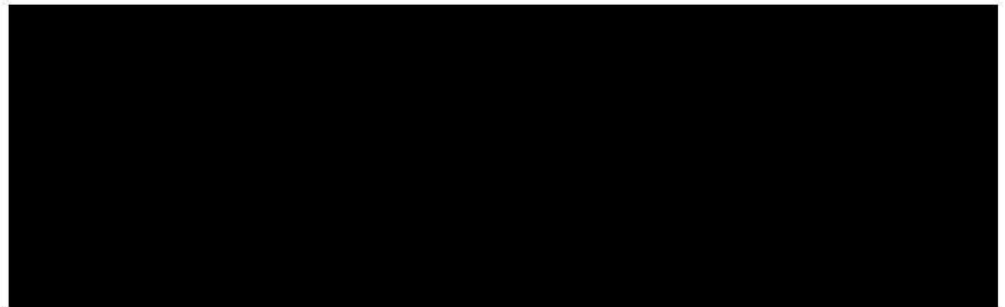
Printed By [REDACTED]

Printed: February 1, 2022 - 9:38 AM

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): March 27, 2020
TIME (occurrence): 1800 Hours
LOCATION: 500 Los Angeles Place, San Diego, CA
SUBJECT: Interview of Officer [REDACTED]
Professional Standards Unit Case: #2020-025

WITNESS:



INVESTIGATION:

On June 24, 2020, at approximately 1216 hours, Sgt. HIGDON #5057 and I spoke with Officer [REDACTED] in a meeting room at Northwestern Division. I recorded our conversation. The recording will be maintained with PSU. The following is an “in essence” report including Officer [REDACTED] answers to our questions and is not meant to be a word for word account of our conversation with Officer [REDACTED]. Refer to the recording for further details.

STATEMENT OF OFFICER [REDACTED]:

I started the conversation by explaining we were from the Professional Standards Unit and were conducting a criminal investigation where he was a witness. I explained to Officer [REDACTED] that he did not have to speak with us if he did not want to. Officer [REDACTED] agreed to provide a statement.

I explained that we would like to talk about an incident that occurred on March 27, 2020 where Officer [REDACTED] and his partner Officer [REDACTED] responded to assist Special Operations Unit Officers after two subjects fled from a vehicle. I showed Officer [REDACTED] a still image from Officer [REDACTED] body worn camera footage to help him recall the specific incident. Officer [REDACTED] stated he remembered the incident. The image below is the image I presented to Officer [REDACTED].



I asked Officer [REDACTED] how he became aware of the incident and what he witnessed after arriving on scene.

I don't remember a lot of details. I remember it was a failure to yield with SOU (Special Operations Unit). We were in the area. We began heading that way. I was driving. I believe they "foot bailed" and there was information there was possibly a gun involved. That escalated our attempt to get there and help.

Somehow we became aware that Officer SERRANO was chasing someone. We went looking for Officer SERRANO to assist him. We rolled up as the subject was already handcuffed. We stood by to assist Officer SERRANO if he needed any help.

I asked Officer [REDACTED] if they provided any help.

I don't think I even walked over toward him. I was on the driver's side of our vehicle. He looked like he was fine. K9 Officer [REDACTED] was there and Officer [REDACTED] was there if he needed any help. I didn't do anything. I don't remember saying anything. I don't think Officer [REDACTED] did anything. I believe Officer SERRANO had the situation under control and didn't need any assistance.

I asked Officer [REDACTED] if he witnessed anyone use any force.

All I really saw was Officer SERRANO assisting the subject up off of the ground. I don't know if my partner or I asked if he needed to put him in the back of our car. Officer SERRANO said he had it. He walked the prisoner down the street to where his car was. I remember Officer SERRANO picking the subject up off of the ground if that's a use of force.

I asked Officer [REDACTED] if he heard Officer SERRANO make any statements to the prisoner.

I heard him say something that he was disappointed in the subject.

I asked Officer S [REDACTED] if he knew what Officer SERRANO meant by that.

Not at the time. I talked to Officer [REDACTED] about it and he apparently talked to Officer SERRANO and found out who that suspect was to Officer SERRANO. Officer SERRANO had been a mentor to the subject. He was a young male that had been having trouble with the law and getting arrested. Officer SERRANO was attempting to mentor him through boxing and mixed martial arts. That was the only backstory I got.

I asked Officer [REDACTED] if he witnessed anything inappropriate or out of line.

No. Not at all.

I asked Officer [REDACTED] if he witnessed the subject come into contact with a patrol car as Officer SERRANO was assisting him.

No. I don't remember seeing that.

I asked Officer [REDACTED] if he viewed anyone body worn camera footage from the incident or they spoke about it.

No.

Sgt. HIGDON asked Officer [REDACTED] where he was when he heard Officer SERRANO say that he was disappointed.

It's hard to say. I don't remember the incident clearly enough. I believe I was on the other side of our car the entire time. I could be wrong. I remember hearing the statement made by Officer SERRANO.

Sgt. HIGDON asked Officer [REDACTED] if he heard a collision between the subject and the K9 vehicle.

I don't remember that.

We ended the interview at 1224 hours.

Reporting Investigator: Detective J. Rzucidlo ID# 6450 Professional Standards Unit

Approved by: Sgt, Dan Higdon ID# 5057 Date of Report: 06/24/2020



San Diego Police Dept Officer Report

CAD Event No. 20030044563

Case No. 20017685

Report No. 19596

1

Page 1 of 2

GENERAL CASE INFORMATION

Special Studies:		Related Cases:	
Location, City, State, ZIP: 5500 Olvera Ave, San Diego, CA 92113		Occurred On: 3/27/2020 6:00:00 PM (Friday)	
Jurisdiction: Valencia Park - Southeastern	Beat: 432	Call Source:	(and Between):

INDIVIDUAL/S

Name: [REDACTED]	Person Code:	Interpreter Language:	
ALIAS / AKA / NICKNAME / MONIKER:			
[REDACTED]			
Attire: Gray hoodie; black pants; white/red shoes	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			

REPORT NARRATIVE

On 03/27/2020, Officer [REDACTED] and I were operating as members of the Special Operations Unit (SOU), driving a fully marked police vehicle and wearing full police uniforms. On the above date, we were working directed saturation patrol in the Lincoln Park and Valencia Park neighborhoods. At approximately 1800 hours, we saw a silver Buick sedan ([REDACTED] c [REDACTED]) driving south on San Jacinto Dr approaching Olvera Ave. We saw the vehicle drive through the stop sign/limit line at Olvera Ave without coming to a complete stop, then continuing east onto Olvera Ave. Det. [REDACTED] was also directly behind the vehicle and aired the same observations.

Officer [REDACTED] positioned our patrol vehicle directly behind the Buick and activated our emergency vehicle lights to conduct an enforcement stop on the vehicle for the above listed violation. The vehicle slowly began to yield to the south side of 5500 Olvera Ave. Just before the car came to a stop, the front passenger door opened and the front right passenger, later identified as [REDACTED], jumped out of the moving car and began running. [REDACTED] quickly turned south onto San Onofre Ter and ran away. I saw the driver's door open and the driver, later identified as [REDACTED], also get out of the car and begin running north across Olvera Ave.

I immediately exited my patrol car and began chasing [REDACTED] on foot. As I chased [REDACTED], I gave him several loud orders to stop. [REDACTED] looked back at me several times as he continued running south on San Onofre Ter. As he ran, [REDACTED] kept his right hand clenched at the front of his pants waistband area, near the front of his body. [REDACTED] pants were fairly tight, and did not appear to be falling or impeding [REDACTED] running. Based on his actions of immediately fleeing from the vehicle and his behavior of continuously holding the front of his waistband, I believed he was likely carrying and/or concealing a weapon.

I continued chasing [REDACTED] on foot as I gave more loud orders to stop. [REDACTED] turned left, southbound onto Santa Isabel Dr. I briefly lost sight of him as he ran south up the street behind a line of tall hedges. I continued up Santa Isabel Dr where I saw [REDACTED] run. I quickly saw [REDACTED] in the driveway of a residence at 800 Santa Isabel Dr. [REDACTED] was walking back down the driveway toward the street. Based on [REDACTED] aforementioned behavior and my belief he was likely armed, I immediately pointed my firearm at him and ordered him onto the ground. [REDACTED] complied and I detained him by placing him in handcuffs.

I retraced the route where [REDACTED] had run, but did not locate any illegal items. Det. [REDACTED] responded to speak with [REDACTED]. I issued [REDACTED] a citation ([REDACTED]) for 148(a)(1) PC-Resist/obstruct peace officer. [REDACTED] signed the citation and was released on his written promise to appear.

Reporting Officer [REDACTED]	Division / Organization SPOPS / INVII - Investigations II	Reviewed By [REDACTED]
Report Date 3/27/2020 8:27:52 PM	Detective Assigned	Reviewed Date 3/29/2020 10:43:43 PM



San Diego Police Dept Officer Report

CAD Event No. **20030044563**

Case No. **20017685**

Report No. **19596**

2

Page 2 of 2

A RIPA data entry was completed for this incident.

Approved by: [REDACTED]

Reporting Officer [REDACTED]	Division / Organization SPOPS / INVII - Investigations II	Reviewed By [REDACTED]
Report Date 3/27/2020 8:27:52 PM	Detective Assigned	Reviewed Date 3/29/2020 10:43:43 PM