



**CHAZ ISAIAH SHERRON
OFFICER-INVOLVED DEATH
PUBLIC REPORT**

CPRC Case No. 12-027

RPD Case No. P12-149530

Approved on
October 22, 2014

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Date of Incident: October 14, 2012 @ 2246 Hours

Location: 3750 Myers Street, Riverside

Decedent: Chaz Isaiah Sherron

Involved Officers: Officer Mike Gomez
Officer David Lim
Officer Chamroeun Ouk
Officer Roberto Serrato

I. Preamble:

The finding of the Community Police Review Commission (“Commission”) as stated in this report is based solely on the information presented to the Commission by the Riverside Police Department (“RPD”) criminal investigation case files, and follow-up information from the CPRC independent investigator.

The Commission reserves the ability to render a separate, modified, or additional finding based on its review of the Internal Affairs Administrative Investigation. Because the Administrative Investigation contains peace officer personnel information, it is confidential under State law. Any additional finding made by the Commission that is based on the administrative investigation would also be confidential, and therefore could not be made public.

II. Finding:

On June 25, 2014, by a vote of 7 to 0 (1 absence, 1 vacancy), the Commission found that the officers' use of deadly force was consistent with RPD Policy Section 4.30 – Use of Force Policy, based on the objective facts and circumstances determined through the Commission’s review and investigation.

Rotker	Hawkins	Ybarra	Taylor	Ortiz	Jackson	Roberts	VACANT	Adams
✓	✓	✓	Absent	✓	✓	✓	X	✓

III. Standard of Proof for Finding:

In coming to a finding, the Commission applies a standard of proof known as the “Preponderance of Evidence.” Preponderance generally means “more likely than not,” or in other words, the amount of information and evidence necessary to tip the scale. It also means that the Commission does not need to have certainty in their findings, such as “beyond a reasonable doubt,” which is the standard applied in criminal cases. The Preponderance of Evidence standard of proof is the same standard applied in most civil court proceedings.

IV. Incident Summary:

On October 14, 2012, at approximately 2246 hours, RPD officers were dispatched to 3750 Myers Street, Apt. #55, in Riverside, regarding a suicidal subject who had a gun. Chaz Sherron had called 911 and said he had a gun and wanted to kill himself.

The dispatcher stayed on the line with Sherron for approximately 20 minutes until officers arrived at the apartment and situated themselves just outside the front door. Throughout the 911 call, Sherron continued to tell the dispatcher that he was going to kill himself.

Officers Gomez, Serrato, Lim, Ouk, and Velasquez arrived at the scene and took up positions at Sherron's front door. Sergeants Lambert, Cash, and Stump arrived at the location to supervise the incident. Officer Gomez was on the right side of the door with Sergeants Stump and Lambert behind him. Officer Lim took up a position on the left side of the door with Serrato behind him. Officer Velasquez was behind Serrato and Ouk was the last in line behind Serrato.

Officer Gomez pushed the front door open about halfway to try and see inside. When the door was pushed open by Gomez, Officer Lim could see the entryway, but could not see Sherron. Officers Gomez and Lim gave commands for Sherron to come out without the gun. Officer Lim then saw Sherron walk into the entryway from the living room with a black semi-automatic pistol in his hand. Sherron was walking directly at Lim while pointing the gun at him (Lim). Officer Lim believed Sherron was going to shoot him, so he fired his duty weapon at Sherron.

Officer Gomez saw Sherron walk out the front door with a black semi-automatic pistol in his hand, pointing the gun at Officer Lim. Gomez believed Sherron was going to shoot Officer Lim so he fired his duty weapon at Sherron. Serrato saw Sherron walk out the front door with his hand fully extended and pointing it at him and Officer Lim. Serrato did not see a gun, but said Sherron's hand was extending forward as though there was a gun in his hand. Serrato heard gunshots and thought Sherron was shooting at him, so he fired his duty weapon at Sherron.

Officer Ouk heard gunshots and then saw Sherron come around the corner and walk directly towards Officers Lim, Serrato, and Velasquez, who fell backwards. Ouk saw Sherron with a large knife in his hand and feared Sherron was going to stab the officers in front of him, so he fired his duty weapon at Sherron.

Sergeant Cash arrived on-scene and organized the officers positioned at the apartment's front door into a "take down team." Officer Velasquez was assigned to a position on the left side of the door as the third individual in a "stack" of three (3) officers. She was also assigned to deploy her M-55 Taser as a "less lethal" force option. She holstered her firearm and insured that her Taser was ready for deployment.

As the gunfire erupted, the “stack” of officers in which Officer Velasquez was positioned immediately retreated backward. Officer Velasquez fell down and Officer Serrato fell on top of her. Officer Velasquez quickly returned to her feet, dropped her Taser, and drew her firearm. She observed the suspect lying motionless on his back on the landing outside the apartment’s front door. The suspect’s left arm and hand was resting across his chest, with a large knife in his left hand. Officer Velasquez sustained a superficial abrasion to her left elbow as she sought cover during the initial gunfire. She did not activate the Taser nor discharge her firearm.

Suspect Sherron was pronounced dead on-scene. It was determined at the subsequent autopsy that Suspect Sherron sustained three gunshot entry wounds to the upper torso. The “cause of death” was listed in the investigative report as "Pending Coroner’s Review." The Riverside County Coroner’s Protocol was redacted in the online public version and not available for CPRC Commissioners' review.

Immediately following the shooting, Officer Brad Smith arrived on-scene to assist with crime scene and inner perimeter security. Officer Smith located two (2) expended shell casings and a replica firearm lying on a grassy lawn area directly beneath the landing to Apt. #55. Sergeant Stump initially observed the replica firearm and brought it to Officer Smith’s attention. The firearm was described as a black “Air Soft” replica pistol. The “Air Soft” pistol was fabricated to emulate a “Sig Sauer” semi-automatic firearm. The replica firearm did not contain orange or red tip safety markers.

Sergeant Stump arrived on-scene at the same time as Sergeant Cash. The responding officers were still attempting to locate the whereabouts of Apt. #55. When they located the apartment, Sergeant Cash accompanied Officers Lim, Serrato, Ouk, and Velasquez to the upstairs landing and positioned themselves on the left side of the apartment’s front door. Once on the upstairs landing, Sergeant Cash began assembling the officers into a “contact team.”

Sergeant Stump and Sergeant Lambert arrived on-scene and proceeded to the upstairs landing, taking a different route than the officers took. They arrived on the landing on the right side of the front door. Sergeant Stump observed Officer Gomez making attempts to peek through an apartment window located to the right of the front door. Sergeant Stump was unsure if the suspect was inside the apartment alone or if other individuals were with him. Sergeant Lambert was on his cell phone with the dispatch center seeking clarification and updated information. Sergeants Stump and Lambert both instructed Officer Gomez to back away from the window. They also asked the officers if anyone had made attempts to communicate with the apartment’s occupant(s). The officers informed them that they had, but had received no response. The officers were instructed to continue their communication attempts.

As Officer Gomez was calling out to the occupant(s) and requesting that they exit the apartment, Sergeant Stump noticed an arm and hand appear from inside the apartment crossing the doorway threshold toward the landing. He immediately heard gunfire and

thought he and the officers on the landing were susceptible to a “cross fire” situation. He immediately began retreating backward into an alcove for the neighboring apartment unit. It should be noted that as Sgt. Stump retreated into the alcove, he sustained superficial abrasions to his left elbow. When the gunfire subsided, Sergeant Stump observed the suspect lying motionless on the landing just outside the front door of Apt. #55. Sergeant Stump said that due to the accelerated nature in which this incident unfolded, he never observed anything in the suspect’s hand as he exited the apartment. Sergeant Stump never fired his firearm nor did he observe which officers had engaged the suspect in gunfire.

After the suspect was handcuffed, Sergeant Stump accompanied a group of officers into the suspect’s apartment to clear it. Upon returning outside, he observed a large knife on the landing within close proximity to the downed suspect. Using his flashlight, he looked downward from the landing and observed what appeared to be a black semi-automatic handgun on the grass.

When Sergeant Lambert arrived on the landing of Apt. #55, he observed Officer Gomez and an unidentified officer on one side of the door and another group of officers positioned on the opposite side of the door. He joined Officer Gomez and Sergeant Stump, saw that the door of Apt. #55 was open, and that Officer Gomez was making attempts to look through a window near the front door. Sergeant Lambert was uncomfortable with the circumstances of the call details. He felt something was suspicious and believed that there may have been someone inside the apartment with the suspect. The fact that no occupant(s) of the apartment were responding to their commands seemed strange. He believed the suspect(s) were attempting to bait the officers into entering the location. He immediately contacted the dispatch center to confirm that the reporting party was the suspect with the gun and if he was alone inside the apartment. Sergeant Lambert then instructed the officers to cease any further attempts to communicate with the suspect(s). He also instructed Officer Gomez to move away from the window. Sergeant Lambert never heard a verbal response from anyone inside the apartment.

Sergeant Lambert then began communicating with additional back-up units, coordinating a perimeter around the apartment complex. Suddenly, he observed the suspect appear at the apartment’s threshold with a black semi-automatic firearm in his right hand. The suspect was moving toward the landing with the firearm held at a forty-five (45) degree angle toward the ground. Sergeant Lambert immediately drew his firearm, but quickly realized he could not fire since there were officers between his position and Sherron’s location. He observed Officer Gomez, who was approximately ten (10) to fifteen (15) feet from the suspect, engage the suspect in gunfire. He observed Officer Gomez’ rounds strike the suspect. The suspect continued moving forward, crossing the threshold and coming into the view of the officers on the opposite side of the door. Sergeant Lambert heard additional gunfire and a voice yelling “watch the crossfire.” Sergeants Lambert and Stump, and Officer Gomez retreated and took cover in the recessed area near the front door of the neighboring apartment. Sergeant Lambert was not injured and did not discharge his firearm during this incident.

Sergeant Matthew Cash arrived at the location at the same time as Sergeant Stump. Sergeant Cash felt the information broadcast to the responding officers was insufficient and made it difficult for him to determine if the reporting party was the individual with the gun or if there was someone else inside the apartment with the suspect. He was informed by Sergeant Lambert that Apt. #55 was upstairs. He accompanied Sergeant Stump to the upstairs landing and observed four (4) to five (5) officers positioned on each side of the front door. The front door was standing approximately three-quarters ($\frac{3}{4}$) open, but Sergeant Cash did not see anyone inside. It was around this time when the dispatcher broadcast an update that the suspect had hung up the telephone.

Sergeant Cash began coordinating with and assigning responsibilities to the officers who were positioned at the front door of Apt. #55. He observed Sergeant Lambert on the telephone with the dispatch center seeking additional information about the suspect and his whereabouts inside the apartment. Sergeant Cash assumed a position on the left side of the door with Officers Serrato, Ouk, Velasquez, and Lim. Officer Gomez, along with Sergeants Stump and Lambert, were positioned on the right side of the door. Sergeant Cash assigned Officer Velasquez as the "less lethal option" and instructed her to deploy her Taser. He also assigned Officers Lim and Ouk as the "contact team" to confront anyone who exited the apartment.

Sergeant Cash was concerned about the manner in which he and the officers were deployed at the front door. He turned briefly to explore a better option for himself and the officers. As he did so, he heard a gunshot followed by yelling. He saw the suspect moving across the threshold of the apartment and onto the landing with the officers quickly backing away. He heard an additional seven (7) to ten (10) shots fired, and watched the suspect fall onto the landing.

Sergeant Cash did not observe the suspect with a firearm. He did observe what he described as a "large kitchen Butcher's knife, with a seven (7) to twelve (12) inch blade," in Sherron's hand. Sherron was holding the knife by the handle with the blade extended out from the bottom of his hand. Sherron maintained possession of the knife as he fell onto the landing. Sergeant Cash noticed that when Sherron fell to the ground, he was still moving but non-responsive to verbal commands or questions. Sergeant Cash stepped over the suspect and placed his foot on the suspect's left arm to prevent further movement of the knife. Officer Lim removed the knife from the suspect's possession. Afterwards, the suspect was rolled over and handcuffed by Officer Ouk. Sergeant Cash heard Sergeant Stump instructing officers to locate the suspect's firearm. The suspect's firearm was located directly beneath Apt. #55 landing on a grassy lawn area. Sergeant Cash did not discharge his firearm during this incident and he was not injured.

Independent witnesses were identified and interviewed separately. Witnesses Cesar and Teresa Macias and two (2) minor children were at home at the time this incident began. Their apartment is located on the second level directly across from Apt. #55.

Teresa was watching television in the living room, when she noticed flash light beams flashing throughout the courtyard of the complex. She looked outside and saw three uniformed Riverside Police Officers walking around. She surmised the police were going to Apt. #55 since they had been called there three (3) times within the past three (3) weeks to address problems with the resident whom she described as a black male.

Cesar, who was asleep in bed, was awakened by Teresa once she noticed the presence of Police Officers within the apartment complex. Teresa informed Cesar that the police were at Apt. #55. The front door of Apt. #55 was partially open and the police were yelling "Riverside Police, come out with your hands up. If you have weapons, throw them down." Cesar recalled the officers personally addressing Sherron by name. Cesar and Teresa Macias estimated that approximately seven (7) police officers were standing on the landing and positioned on each side of the front door.

Additional officers were beneath the landing in the courtyard of the complex. Cesar Macias said Sherron suddenly appeared at the front door and rushed out toward the officers. He heard approximately five (5) or six (6) shots fired and, at the same time, saw the officers quickly backing away from the doorway. He saw Sherron fall onto the landing and assumed at that point that he (Sherron) had been shot by the police.

Teresa Macias said she saw Sherron suddenly appear in his doorway and exit the apartment running toward the officers. Sherron was holding something in his hand, but Teresa could not identify what it was. She heard approximately five (5) or six (6) gunshots and simultaneously saw "muzzle flashes" emanating from the barrels of the officers' firearms. She then saw Sherron fall onto the landing. Based on Sherron's prior actions and behavior within the apartment complex, Teresa believed he may have had mental health issues. Approximately two weeks prior to this incident, Teresa Macias saw Sherron physically assaulting his mother. Police were called to the scene, but they were unable to make contact with anyone and left.

During the post-incident examination and charting of the involved officers' firearms, it was determined that Officer David Lim fired six (6) rounds, Officer Mike Gomez fired four (4) rounds, Officer Rogelio Serrato fired two (2) rounds, and Officer Chamroeun Ouk fired one (1) round. The four involved officers all carried and utilized a Department-issued Glock, Model 22, .40 Caliber Semi-Automatic firearm during this incident. The firearms report concluded that all four officers' firearms functioned properly and there was no explanation as to why two (2) firearms reportedly jammed during the shooting incident.

V. Evidence:

The relevant evidence in this case evaluation consisted primarily of testimony, including that of the four involved police officers, three police supervisors, and three independent witnesses. Other evidence included police reports, evidence collected at the scene, photographs, the involved weapons, and forensic examination results.

VI. Applicable RPD Policies:

All policies are from the RPD Policy & Procedures Manual.

- Investigations of Officer Involved Shootings, Section 4.8
- Use of Force Policy, Section 4.30.

The United States Supreme Court has ruled on two (2) cases that have particular relevance to the use of force in this incident. All decisions by the United States Supreme Court are law throughout the United States. Both cases are incorporated into the Use of Force Policy of the RPD.

Tennessee v. Garner, 47 U.S. 1 (1985), specifically addressed the situation of the lethal use of force by police on a fleeing felon. However, the points of law in this case concerning use of lethal force are applicable in all use of force considerations.

Graham v. Connor, 490 U.S. 396 (1989), considered the reasonableness of a police officer's use of force, and instructed that the reasonableness must be judged from the perspective of a reasonable officer on scene.

VII. Rationale for Finding:

The Commission reviewed the contents of this case file as presented by the Riverside Police Department. The review consisted of official police reports, photographs, and other documents contained in the automated case file.

The case was also reviewed by the Commission's Independent Investigator, Mike Bumcrot, who reported that the investigation and all evidence collection was complete and thorough. The RPD investigation was also reviewed by the Riverside County District Attorney's Office (Paul E. Zellerbach). On July 11, 2013, Mr. Zellerbach issued a letter to the Chief of Police indicating that after reviewing this case and the actions of Officers Mike Gomez, David Lim, Chamroeun Ouk, and Rogelio Serrato, no evidence of criminal culpability was found on the part of any of the involved officers.

It was the opinion of the Commission that Officers Mike Gomez, David Lim, Chamroeun Ouk, and Rogelio Serrato acted in compliance with California State Law and the Riverside Police Department's Policies and Procedures, and that their use of force was not only reasonable, but necessary. Given Suspect Sherron's demeanor and actions, the officers reasonably concluded that there was a clear and present threat to their lives.

The Commission believes that this was a clear case of the phenomenon referred to as "Suicide by Cop" or "Police-Assisted Suicide." Based on the Commission's analysis of this case, it is clear that Sherron was suicidal by telling the RPD dispatch center he wanted to shoot himself and that he was armed with a gun. This information was relayed to the responding officers via police radio.

The responding officers positioned themselves outside the front door of Sherron's apartment and called out to him that they were present and there to help him. Sherron was ordered to put down any weapons and walk outside. Sherron never gave the officers any verbal response. Instead, Sherron stepped into the entryway of his apartment and without stopping or saying anything, hurriedly walked directly at the officers with a black semi-automatic pistol in one hand and a large knife in the other. Sherron was pointing the semi-auto pistol at Officer Lim while walking at a fast pace directly at him. Sherron had to know what the result and outcome would be considering his actions.

The Commission believes that each officer involved in this shooting feared for his own life and / or that of his fellow officers who were in harm's way as Sherron confronted them in close quarters without stopping as he quickly walked directly at them armed with both a gun and knife. Each officer perceived his own threat level and was justified in the use of deadly force while trying to protect himself and his fellow officers. Under these circumstances, the Commission members believe that the officers had no alternative but to fire their weapons to stop the imminent threat with which they were confronted.

After Sherron was secured, it was learned that the semi-automatic pistol he was carrying and had pointed at the officers was an Airsoft pistol and a replica of a real firearm. It did not display the common red tip that would alert someone that it may not be real. The Airsoft pistol looked like a real gun and, with only split seconds in which to make a determination and decision, the officers could not possibly have known that it was not real.

Section 4.30 of the Riverside Police Department's Policies and Procedures Manual regarding the "Use of Force," allows officers to use force that "is objectively reasonable, given the facts and circumstances perceived by the officers at the time of the event to defend themselves." In this case, Sherron's actions on the evening of Sunday, October 14, 2012, could only reasonably be interpreted by the officers as a direct threat to their lives. Officers Mike Gomez, David Lim, Chamroeun Ouk, and Rogelio Serrato acted in lawful self-defense and the defense of others at the time each officer fired his weapon.

California law provides that the use of deadly force in self-defense or in defense of others is justifiable if the person claiming the right of self-defense or the defense of others honestly believes that he or others were in imminent danger of great bodily injury or death, and a reasonable person in the same circumstances would also deem it necessary to use deadly force in order to protect themselves or others from deadly peril. California Penal Code Section 197; People v. Humphrey (1996) 13 Cal. 4th 1073, 1082; CALCRIM No. 595.

The Commission concluded that the investigation of this Officer-Involved Shooting incident, conducted by the Riverside Police Department and the Riverside County District Attorney's Office, was conducted in a fair and impartial manner and met or exceeded POST standards of practice.

VIII. Recommendations:

The Commission did not make any policy recommendations to the Chief of Police. However, they sent a list of concerns they had discussed during the deliberation process and of which they felt the Chief and his staff should be made aware. The concerns listed in the memorandum to the Chief of Police are as follows:

- The manner in which officers were “stacked” outside the front door proved to be ineffective and unsafe. Once the suspect exited the location, the officers found themselves in a potential lethal crossfire situation with limited options to escape or seek cover. The fact that the landing provided little to no cover or concealment should have been recognized by officers and responding field supervisors.
- It did not appear that there was effective communication between supervising sergeants and officers. We felt that one supervisor should have taken charge of the incident and coordinated activities of all personnel. According to statements made by supervisors at the scene, some of them were not completely content with the manner in which the incident was handled. They were not certain that information provided by the dispatcher was accurate since they were seeking additional information from the dispatch center at the time the shooting occurred.
- Could the dispatcher have kept the calling party on the line longer while the first arriving officers provided specific information on the location of the apartment to coordinate a safe response to other arriving officers and establish a perimeter?

This might also have provided a little extra time for other arriving officers to try and obtain intelligence information from neighbors. Considering the location was a multi-residential housing complex, it would appear that a shooting could endanger many residents since the projectiles may have easily penetrated the walls. With the dispatcher keeping the calling party on the line and not letting him know that officers are on the scene, there might have been time to evacuate some of the tenants.

- It did not appear that the dispatcher provided officers on the scene with intelligence information in regard to prior calls for service at the location. There were three prior responses to the apartment. This could have provided vital information to the officers while planning a strategy to make contact with the subject. It could provide additional information about other tenants in the complex that may know the occupant(s) of the apartment.

IX. Closing:

The Commission offers its empathy to the community members, police officers, and City employees who were impacted by the outcome of this incident, as any loss of life is tragic, regardless of the circumstances.

APPENDIX

RPD Press Release / Press-Enterprise Articles	Section A
CPRC Independent Investigator Reports Mike Bumcrot Consulting	Section B
Fact Sheet	Section C
RPD Policy 4.8: Investigations of Officer Involved Shootings and Incidents Where Death or Serious Likelihood of Death Results	Section D
RPD Policy 4.30: Use of Force Policy	Section E

Section A

RPD Press Release

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Press-Enterprise Articles





# PRESS RELEASE

Riverside Police Department • 4102 Orange ST • Riverside CA 92501

Phone 951.826.5902 • FAX 951.826.5939

INTEGRITY



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EXCELLENCE

## FOR IMMEDIATE RELEASE

October 15, 2012

**Contact: Sergeant David Amador**  
**Robbery / Homicide Unit**  
**951.353.7107**  
damador@riversideca.gov

## OFFICER INVOLVED SHOOTING

Riverside, CA – On Sunday, October 14, 2012, at about 2247 hours, The Riverside Police Department Communications Division received a call from a subject who said he had a handgun and was going to kill himself. Uniformed police officers responded to the subject's apartment in the 3700 block of Myers Street in the City of Riverside.

When officers arrived at the subject's door, they identified themselves, and attempted to make verbal contact through the partially open front door. The officers got no verbal response from anyone inside the apartment. Officers continued to try and make verbal contact but there was no response. A male subject then appeared from inside the apartment holding in his hand what appeared to be a black semi-automatic handgun and was pointing it at the officers. In his other hand, the subject was holding a large kitchen knife. The subject advanced towards the officers. Fearing for their safety, four officers discharged their firearms at the subject. The subject went down on the walkway outside his apartment and medical aid, which was standing by in the area, was immediately summoned. Riverside Fire Department personnel and paramedics from American Medical Response provided immediate medical attention but the subject was pronounced deceased at the scene.

Detectives from the Robbery / Homicide Unit responded along with technicians from the Forensic Unit and are currently investigating this incident. A black Airsoft handgun and a large knife were recovered at the scene. The identity of the 23 year old male is being withheld pending notification of next of kin. The Riverside County Coroner's Office will release the identity of the subject.

The Police Department is requesting anyone who may have information regarding this case, to contact Detective Rick Cobb at 951-353-7135 or Detective Rick Wheeler at 951-353-7134.

###P12-149530###



# RIVERSIDE: Man killed in police shooting

BY JOHN ASBURY

STAFF WRITER

jasbury@pe.com

Published: 15 October 2012 08:33 AM

Riverside police shot and killed a man late Sunday night when officers said a man pointed a gun inside his home.

Police were called shortly before 11 p.m. to an apartment in the 3700 block of Myers Street, south of Van Buren Boulevard, to a report of a suicidal man with a gun, threatening to kill himself.

Officers found the apartment door partially ajar when they announced themselves outside, Riverside police Sgt. David Amador said in a statement.

When police got no answer inside, officers found a man inside the apartment holding a kitchen knife and pointing a black semi-automatic handgun at police, Amador said.

Authorities said the man charged toward police, when four officers, who said they feared for their safety, opened fire, killing the man on the walkway outside his apartment.

Riverside firefighters and paramedics tried to render medical treatment, but declared the man dead at the scene.

Police found the gun was a black Airsoft handgun. The man, 23, has not yet been identified, pending notification of next of kin.

# Section B

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Mike Bumcrot Consulting

Report of  
Investigation



# MIKE BUMCROT CONSULTING

## REPORT OF INVESTIGATION

**DATE:** October 22, 2012

**SUBJECT:** Officer Involved Shooting Death of Chaz Isaiah Sherron which occurred on October 14, 2012 at 2246 Hours

**CASE:** Riverside Police Department File #P12149530

**LOCATION:** 3750 Myers St., Apt.#55, Riverside

On October 14, 2012, close to midnight, I received information that members of the Riverside Police Department had just been involved in an officer involved shooting that resulted in the death of Chaz Sherron.

On October 18, 2012, I attended the Riverside Police Department Executive Briefing of the shooting along with Frank Hauptmann, Manager of the Community Police Review Commission. We were advised by investigators of the facts surrounding the officer involved shooting including listening to a 911 call from Chaz Sherron to the Riverside Police Department and observing scene photographs.

I was asked by Frank Hauptmann to conduct a neighborhood canvass of the location to search for potential witnesses who had not been located by Riverside Police Department on the night of the incident. If any witnesses were identified, I was asked to conduct a thorough interview and provide a copy of my report to Riverside Police Department.

On October 20, 2012, I responded to the location, the Magnolia Villa Apartment Homes, and contacted the onsite Manager, Brandy Reaves, who walked with me to apartment



P.O. Box 5025  
Norco, CA 92860  
USA

PHONE (951) 733-2062  
E-MAIL [mbumcrot@sbcglobal.net](mailto:mbumcrot@sbcglobal.net)

PI LICENSE 25403

# MIKE BUMCROT CONSULTING

#55, on the second floor. I observed numerous bullet strikes on the outside apartment wall, as well as a pillar directly across from the front door, and a wooden window frame of a downstairs apartment. Several people were cleaning apartment 55 and identified themselves as family members of Chaz Sherron. They stated that all of the furnishings were in such poor condition, they were going to give everything to the Salvation Army.

Brandy Reaves said that Chaz Sherron's apartment was paid for by the HHOPE Program, which stands for Homeless/Housing Opportunities, Partnership and Education Program. This is a Riverside County program which provides housing to individuals eligible for services from the Department of Mental Health.

I was unable to find anyone who admitted to witnessing the incident. I will review the officer involved shooting when Riverside Police Department provides me access to their files.



P.O. Box 5025  
Norco, CA 92860  
USA

PHONE (951) 733-2062  
E-MAIL [mbumcrot@sbcglobal.net](mailto:mbumcrot@sbcglobal.net)

PI LICENSE 25403

# MIKE BUMCROT CONSULTING

## REPORT OF INVESTIGATION

**DATE:** March 9, 2014

**SUBJECT:** Officer Involved Shooting Death of Chaz Isaiah Sherron which occurred on October 14, 2012 at 2246 Hours

**CASE:** Riverside Police Department File #P12149530, CPRC #12-027

**LOCATION:** 3750 Myers Street, Apt. #55, Riverside

On March 5, 2014, I was asked by Frank Hauptmann, Manager of the Community Police Review Commission, to review the circumstances surrounding the officer involved shooting death of Chaz Sherron by Riverside Police Department Patrol Officers Mike Gomez, David Lim, Rogelio Serrato and Chamroeun Ouk. I was also asked to provide my expert opinion in a written report on the manner in which the case was investigated by the Riverside Police Department. I reviewed several hundred pages of police reports, photographs, and other documents contained in the presentation by Riverside police detectives to the Riverside Police Review Commission; I also researched legal issues and the phenomenon known as "Suicide By Cop". I had earlier responded to the location to better understand the reports as well as canvass the apartment complex for witnesses.

It is my conclusion that Officers Gomez, Lim, Serrato and Ouk acted in lawful self defense and defense of others at the time each fired his weapon. It is also my conclusion that this was a classic case of "Suicide By Cop", as evidenced by the attached information. All four shooting officers provided a statement to detectives, which were considered as part of the analysis.



P.O. Box 5025  
Norco, CA 92860  
USA

Phone (951) 733-2062  
E-mail [mbumcrot@sbcglobal.net](mailto:mbumcrot@sbcglobal.net)

PI LICENSE 25403

# MIKE BUMCROT CONSULTING

## FACTUAL ANALYSIS

In the evening hours of October 14, 2012, the Riverside Police Department was dispatched to a location in the city of Riverside regarding Chaz Sherron who was contemplating suicide. Officer Velazquez responded but found that the subject was gone prior to her arrival. A couple of hours later, Chaz Sherron again called the Riverside Police Department from the Myers Street apartment, his residence.

Sherron told the 911 operator that he had a gun and wanted to kill himself. The operator did an excellent job of trying to calm Sherron, all the while dispatching officers to the scene.

Several patrol officers arrived at the location as well as, at least, 3 sergeants. Sgt. Cash immediately took control of the situation and “stacked” officers on both sides of the partially open door of apartment #55, as well as designating which officers would be the “contact team”, who would be responsible for the use of less lethal weapons and who would respond with lethal force, if needed.

Officer Gomez was standing on the right side of the apartment doorway and told any occupants of the apartment that he was from the Riverside Police Department, was there to help, and asked everyone to come out. He received no response from several commands to exit the apartment. Suddenly, he saw Sherron at the doorway, holding a black semi-automatic handgun, and pointing it at the officers standing on the left side of the door and continued to point his handgun at officers. Fearing for the officers’ safety he fired 3 rounds at Sherron’s torso, causing him to fall to the ground.

Officer Lim was standing on the left side of the door and announced his presence at least 3 times. Sgt. Cash had arrived on the scene and designated Officer Lim as the “Point” on the left side. As he looked inside the partially opened door, he saw Sherron, walking towards him, holding a black semi-automatic handgun. He would later describe Sherron to detectives as having a “thousand yard stare”. Sherron raised the pistol towards Officer Lim and, fearing for his life, fired at Sherron. Lim said that he was “scared” and he saw Sherron fall, holding a long knife.



P.O. Box 5025  
Norco, CA 92860  
USA

Phone (951) 733-2062  
E-mail [mbumcrot@sbcglobal.net](mailto:mbumcrot@sbcglobal.net)

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Officer Serrato arrived with his partner, Officer Ouk and Sgt. Cash designated them to be the arrest team. As he stood on the left side of the door, Sherron walked out “out of nowhere”. Sherron had his arm extended as if he were holding a handgun, although he didn't see one. He heard several gunshots and his ears rang so badly, he thought he might have been shot in the head. Fearing that he was being shot at by Sherron, he fired at Sherron and his weapon jammed as he fell backwards. He cleared the weapon malfunction, got up, and assisted Officer Ouk in handcuffing Sherron.

Officer Ouk arrived with his partner, Officer Serrato, and was “stacked” on the left side of the door, when he heard a “pop”. He wasn't sure if it was a gunshot but Officers Lim, Serrato, and Velasquez began falling back towards him as if they had been shot. He saw Sherron walk out of the apartment, holding a knife. Fearing for all the officers' safety, he fired a shot at Sherron and his weapon jammed. He cleared the malfunction, as Sherron fell to the ground.

Recovered at the scene were a large knife that was found in Sherron's left hand and a black Airsoft handgun that was recovered in the grass, directly below Sherron's second floor apartment. It should be noted the Airsoft handgun was an exact replica of a Sig-Sauer pistol and had no orange or red safety markers.

Witnesses Cesar and Teresa Macias live on the ground floor of the apartment complex and watched through their bedroom window as several uniformed police officers approached apartment #55. They weren't surprised by the police presence because police had been to the same apartment 3 times in the last 3 weeks. They thought the apartment occupant had “mental problems”. They saw several officers outside Sherron's apartment and heard “Riverside Police Department, come out with your hands up. If you have weapons, throw them down.” They saw Sherron run out of the front door holding something in his hand. They heard gunshots and saw Sherron fall.

The radio log shows that the first call for service happened at 2246 hours. Just 9 minutes later, Sherron tells the 911 operator that he is bi-polar, is suffering from depression and just wants to die. At 2301, the operator hears officers in the background and Sherron hangs up the telephone. At 2305, radio traffic states that shots have been fired and the suspect is down.



P.O. Box 5025  
Norco, CA 92860  
USA

Phone (951) 733-2062  
E-mail [mbumcrot@sbcglobal.net](mailto:mbumcrot@sbcglobal.net)

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## EXPERT QUALIFICATIONS

I was employed as a peace officer for the Los Angeles Sheriff's Department for 34 years. I worked as a jail deputy, 18 months as a patrol officer, and four years assigned to the Special Enforcement Bureau (SWAT team). My last 27 years on the department, I was assigned to the Detective Division, including over 22 years assigned to the Homicide Bureau. I investigated over 450 homicides and suspicious deaths and over 100 Officer Involved Shootings, including the murders of ten police officers.

In 1994, I assisted in writing the LASD Homicide Bureau Investigative Manual. I was also selected to be a member of the Joint LASD/LAPD Crime Lab Development Committee as well as the JET Committee to develop Homicide Bureau job standards and selection criteria. In 1995, I was selected as California's Deputy Sheriff of the Year by the California Organization of Police and Sheriffs (COPS) for the investigation, arrest, and conviction of a suspect in the murders of two local policemen.

For over 15 years, I have taught "High Profile Murder Investigations", "Homicide Scene Management", and Officer Involved Shooting Investigations" for the Robert Presley Institute of Criminal Investigation, police academies, advanced training classes, supervisor training, college classes, Homicide School, and in-service training. I am currently on staff with the Police Policy Studies Council where I teach and consult nationally on officer involved shooting, homicide, and suspicious death investigations. I am currently the investigator for the Riverside Police Review Commission. Although I retired from LASD in 2002, I was immediately signed to a contract to train newly assigned homicide detectives. In 2006, I was also assigned to the LASD Cold Case team where I have reviewed over one thousand unsolved murders and specifically work the unsolved DNA and latent print cases.



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Norco, CA 92860  
USA

Phone (951) 733-2062  
E-mail [mbumcrot@sbcglobal.net](mailto:mbumcrot@sbcglobal.net)

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## INVESTIGATION AND REVIEW

The investigation into the Officer Involved Shooting Death of Chaz Isaiah Sherron was conducted by the Riverside Police Department and the Riverside County District Attorney's Office. I reviewed all the reports submitted to the Community Police Review Commission and researched deadly force legal issues. The District Attorney found there was no criminal liability.

## LEGAL ANALYSIS

California law provides that the use of deadly force in self defense and defense of another if it reasonably appears to the person claiming the right to use such force that he actually and reasonably believed that he or another person was in imminent danger of great bodily injury or death. CALCRIM No. 3470.

The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. This analysis must also allow for the fact that officers are often forced to make split second judgments about the amount of force that is necessary in circumstances that are tense, uncertain, and rapidly evolving. *Graham v. Conner* (1989) 490 U.S. 386, 396-397.

## CONCLUSION

The evidence examined shows that several Riverside Police Officers responded to a request for help by Chaz Sherron. Upon their arrival at the location, several of the patrol officers, all in official police uniforms, attempted to coax Sherron from his residence. Sherron had told the 911 operator that he was bi-polar, suffered from depression, and wanted to kill himself. Officer Gomez told Sherron that he (Gomez) was there to help him. It is quite apparent that Chaz Sherron was unwilling, or unable, to take the violent act to end his own life, and thus he created a deadly situation thereby relying on the police.



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Norco, CA 92860  
USA

Phone (951) 733-2062  
E-mail [mbumcrot@sbcglobal.net](mailto:mbumcrot@sbcglobal.net)

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I have worked on or reviewed over one thousand officer involved shootings and have studied the dilemma known as “Suicide By Cop”, or police assisted suicide. A 1998 report by the American College of Emergency Physicians examined all officer involved shootings involving the Los Angeles County Sheriff’s Department and found that suicide by cop incidents accounted for 11% of all deputy involved shootings and 13% of all deputy involved justifiable homicides. See Attached.

Suicide by cop occurs when people want to die but can’t kill themselves. So they put themselves in a position where a police officer is forced to shoot them.

In the above mentioned study of shootings involving the Los Angeles Sheriff’s Department, researchers found that in the 11% of suicide by cop officer involved shootings, 98% were male; 39% had a history of domestic violence (Sherron had reportedly beaten his mother just weeks before his death); many individuals had a prior history of suicide attempts (Sherron reportedly told the 911 operator that he had past suicide attempts); 17% used a toy or replica gun.

Rebecca Stincelli is a recognized expert in the field of Suicide By Cop. She writes that to qualify as a Suicide By Cop, the following criteria must be met:

- The suicidal subject must demonstrate the intent to die
- The suicidal subject must have a clear understanding of the finality of the act
- The suicidal subject must confront an officer to the degree that it compels the officer to act with deadly force
- The suicidal subject actually dies.

See Attached.

Also see attached Journal of Forensic Sciences Article on Suicide By Cop where researchers found over one third of officer involved shootings in North America are “Suicide By Cop”.

Rick Parent, a Canadian police-shooting expert and on staff with the Police Policy Studies Council, wrote an article for Police Magazine in October 2000, titled “When



P.O. Box 5025  
Norco, CA 92860  
USA

Phone (951) 733-2062  
E-mail [mbumcrot@sbcglobal.net](mailto:mbumcrot@sbcglobal.net)

PI LICENSE 25403

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Police Shoot”. He writes of several key factors being present in fatal police shootings. One is titled “mental disorder” and reads “mental disorders, or characteristics consistent with that of a deranged and irrational person, were displayed by roughly half of the individuals who were shot and killed by police. These findings are based upon the actions and behavior of the suspect during his/her encounter with the police. Also noteworthy is that, in roughly one third of these instances, the deceased had a recorded history of mental disorder.

The actions of Chaz Sherron reasonably created a fear of death or serious bodily injuries to all Riverside police officers present at the location, and their response with deadly force was justified. I also find that the investigation into the Officer Involved Shooting Death of Chaz Sherron was completed in a fair and impartial manner and met or exceeded POST standards of practice.



P.O. Box 5025  
Norco, CA 92860  
USA

Phone (951) 733-2062  
E-mail [mbumcrot@sbcglobal.net](mailto:mbumcrot@sbcglobal.net)

PI LICENSE 25403

## Clinical and Forensic Indicators of "Suicide by Cop"\*

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American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959

**REFERENCE:** Mohandie K, Meloy JR. Clinical and forensic indicators of "suicide by cop." *J Forensic Sci* 2000;45(2):384-389.

**ABSTRACT:** This paper reviews the literature pertaining to the phenomenon of "suicide by cop"—any incident in which a suicidal individual attempts to get law enforcement to kill him. This article defines the term "suicide by cop," discusses the various motivations of individuals who engage in this type of behavior, presents the risk factors and indicators for suicide and violence, and describes specific indicators for suicide by cop. Proper recognition of these events, prior and subsequent to their occurrence, has important implications for prevention, officer safety, equivocal death analysis and psychological autopsy, civil litigation, criminal justice proceedings, and community stability. This paper presents seven case studies which demonstrate the clinical and forensic indicators of this phenomenon.

**KEYWORDS:** forensic science, suicide by cop, victim-precipitated homicide, police-assisted suicide, suicide, homicide, police, violence risk, equivocal death analysis

In the United States the suicide rate for all ages in the general population has remained between 11 and 12 suicides per 100 000 population. More than 31 000 people take their own lives each year, and suicide is one of the leading causes of death (1). Attention has recently begun to focus upon incidents in which a suicidal individual engages in conspicuous and threatening behavior in an attempt to get law enforcement to kill him, a phenomenon known as "suicide by cop." Proper recognition and understanding of these events, prior and subsequent to their occurrence, has critical implications for prevention, officer safety, equivocal death analysis, and psychological autopsy, civil litigation, criminal justice proceedings, and community stability (2-4). This paper defines the phrase "suicide by cop," discusses the various motivations of individuals who engage in this type of behavior, presents an overview of the limited research as it relates to the prevalence and dynamics of this problem, presents the risk factors for suicide and violence, describes generic suicide and violence indicators, and discusses specific indicators for suicide by cop.

### Definition

According to the Police Officer Standards and Training (5), "suicide by cop" is a term used by law enforcement and others to de-

<sup>1</sup> Police psychologist, Los Angeles Police Department, Los Angeles, CA.

<sup>2</sup> Associate clinical professor of psychiatry, University of California, San Diego, San Diego, CA.

\* The opinions included herein represent the authors' own views and do not reflect an official organizational opinion or communication.

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scribe an incident in which an individual engages in behavior which poses an apparent risk of serious injury or death, with the intent to precipitate the use of deadly force by law enforcement personnel towards that individual.

There are a variety of terms which are used synonymously with the term suicide by cop, including "police-assisted suicide," "victim-precipitated homicide," and "hetero-suicide" (5,6). "Police-assisted suicide" is preferred by some because it clarifies that the incident involves police action in the death of another, and avoids confusing the event with "police suicide" which refers to the suicide of a law enforcement officer. The generic "victim-precipitated homicide" (VPH) describes those victims who somehow initiate or contribute to the sequence of events that results in their deaths (6,7). This term has been criticized because it is too general and applies to other unrelated situations, and it places the involved law enforcement personnel in the position of being labeled suspect(s) and the suicidal person being viewed as the "victim" (5). "Hetero-suicide," a subcategory of VPH in one classification system, has been coined to describe situations whereby one commits suicide by causing another person to perform the act, usually by entering into confrontations with opponents who are bigger, have more fighting experience, or are better armed than the potential VPH victim (6).

We adopt the term "suicide by cop" since it is a more commonly used and universally understood expression for these types of events, embraced by law enforcement, public and the media (5).

### Motivations

All suicidal behavior is goal-directed behavior, with some goals appearing to be more instrumental and others more expressive (8). Instrumental goals might include avoidance of consequences such as incarceration or reconciliation of a failed love relationship, while expressive goals might include venting hopelessness or rage about the individual's life, or proving some emotional point. These categories help to focus investigations or review these events, but it is important to note that both motivations are usually present in any given situation, as suicide by cop is usually overdetermined. There are also three common "meta" or ultimate goals, at least one of which is present in every "suicide by cop" situation: suicide, homicide-suicide, or attention or "cry for help."

### Instrumental Goals

In the instrumental category, individuals are: (1) attempting to escape or avoid the consequences of criminal or shameful actions; (2) using a forced confrontation with police to reconcile a failed relationship; (3) hoping to avoid the exclusion clauses of life insurance policies; (4) rationalizing that while it may be morally wrong to commit suicide, being killed resolves the spiritual problem of

suicide; or (5) seeking what they believe to be a very effective and lethal means of accomplishing death.

The first type of situation is illustrated by an incident which took place in February 1996, in Honolulu, Hawaii. This event ended when the suspect was shot to death by police after he threatened to kill his hostage. The suspect had killed his girlfriend several days prior to returning to his former workplace and shooting a co-worker, and had made it known in conversations with witnesses that he "would not go back to jail" (personal communication, Captain K. Kaniho, Sept. 1996). In his wallet was a news account of his father's death at the hands of police prior to the suspect's birth. Homicide-suicide appeared to be his ultimate goal, interrupted by the escape of his prospective victims. He paraded his remaining hostage in front of police officers, taunting them, and was in the midst of a 60-second countdown to kill his hostage when he was killed by the officers.

The second type of incident is exemplified by an event that occurred in Southern California in August 1998. In this incident, a civilian police department employee was attempting to reconcile with his estranged wife and showed up at her house drunk, begging her to let him in to discuss their relationship. When she refused, he asked to use the bathroom and she then allowed him in the residence. An argument ensued with the husband refusing to leave. When the wife threatened to call the police, the husband said "I'll call them for you" and proceeded to call the local police and hang up on the dispatcher, resulting in a police response. The husband grabbed a replica pistol and opened the door, apparently waiting for the police to arrive. He was talked out of this suicide attempt by his son, and taken for psychological evaluation, admitting that he was "trying to get sympathy from my wife . . . make her take me back" (first author's field observation). It would appear that attention, rather than suicide, was the individual's ultimate goal in this circumstance.

In an example of the other types of instrumental motivation, a depressed and suicidal man in Los Angeles during the 1980s threatened to kill himself with a recently purchased handgun, and negotiations were begun to dissuade him from committing suicide. During the negotiation process, the man indicated that he was going to force the police to kill him, as he was worth "more to my children dead than alive" (personal communication, Lieutenant M. Albanese, Jan. 1999). He also stated that he was afraid of simply wounding himself and becoming more of a burden to the world. He had lost his job, recently separated from his wife, and had only minimal custody of his children. He also believed that if he killed himself, he would disqualify his life insurance policy, while if the police killed him, his children would receive the benefits. Furthermore, he believed that it was wrong within his spiritual belief system to commit suicide, but rationalized that if someone else did it, this would not bar him from the spiritual afterlife. After several hours of negotiations, the man surrendered without harming himself. In this example, suicide appeared to be the ultimate or meta-goal, with the instrumental sub-goals readily apparent.

### *Expressive Goals*

In the expressive category, individuals are communicating: (1) hopelessness, depression, and desperation; (2) a statement about their ultimate identification as victims; (3) their need to save face by dying or being forcibly overwhelmed rather than surrendering; (4) their intense power needs; (5) rage and revenge; or (6) their need to draw attention to an important personal issue (9).

On November 23, 1998, in Orange County, CA, a father who was angry over the special schooling for his disabled son, was shot to death by a police sniper after taking several school officials hostage at gunpoint and claiming to have explosive devices (10). He had recently lost custody of his children and was embroiled in court battles with his estranged wife and the school district over the care of his disabled child. He told one of his hostages, "I came here today to get myself killed, because I don't have the guts to kill myself" (10). Throughout hours of negotiation, he ranted and raved about the inadequate education that the school district was providing for his 16-year-old deaf son. At the end of the ordeal, he paraded a hostage at gunpoint in front of police, who shot him. Later it was determined that while the gun was operative, the apparent explosive devices were fake. In this case, several expressive needs are apparent. This man was hopeless and desperate in his own perception of life circumstances, desired attention for an important personal issue, and saw himself as a victim, creating the circumstances to fulfill that role even in the manner of his death. He also sought to punish and intimidate those whom he perceived had caused him to suffer, and inflict revenge and rage against those in positions of authority by overpowering the school administrators with force, and by cajoling the police to kill him so that it would be their fault. As noted by statements attributed to this man, an instrumental goal was also present in this situation: setting up circumstances so that someone who was capable of completing his suicide would do so. The meta-goal here was suicide.

Also on November 23, 1998, a trespasser was shot to death by Los Angeles police officers who found him armed with a rifle upon their arrival (11). He shouted "just shoot me, just shoot me," then pointed his rifle at the police (11). The man had been evicted from the house, was still staying there, and was reported to have been "kind of down in the dumps." He had a history of sporadic employment, alcohol abuse, recently lost both parents to cancer, and one of his sons had just died. One year prior, he had threatened a neighbor's children with a rifle, stating "don't walk in front of my house or I'll blow you away." In this case, the suicide by cop behavior appeared to fulfill the expression of hopelessness and depression, as well as his acceptance of the victim role. Saving face by dying, rather than suffering further shame and defeat, may also have been a goal. Again, the instrumentality of avoiding consequences and utilizing an effective means of death is apparent. Ultimately, this situation may have been an attempted homicide-suicide.

In 1994, Los Angeles police responded to a domestic dispute with shots fired. When officers arrived, family members who had escaped the wrath of the gunman told the police that he was heavily armed, homicidal, and suicidal. Several years prior, he had been suspected and acquitted in a murder case. When the gunman became aware that police were at the location, he immediately fired over 50 rounds from an AK 47, shot and killed his horse, and shot his favorite vehicle. In the ensuing gunfight, he refused to stop shooting and was ultimately killed by police. Hopelessness and tremendous rage appeared to be the expressive goals, with homicide-suicide being the meta-goal.

On February 28, 1997, two heavily armed and vested gunmen engaged in one of the deadliest shootouts in modern United States history during a bank robbery gone awry. This shootout, which was broadcast on live television, ended with nine police officers and three citizens wounded, nearly 2000 rounds fired, one of the suspects committing suicide when his assault weapon became inoperative, and the second suspect being shot to death by Special Weapons and Tactics team members. These suspects were extremely violent during past crimes, possessed automatic weapons

and armor piercing ammunition, and trained extensively. A search warrant found the movies "Heat" and "Navy Seals," as well as books about close-quarters combat and police tactics in their safe house. While suspect number one took his own life, the second suspect continued to engage in gunfire with the police when it was clear that he could not escape. After he was incapacitated by the police gunfire and safety taken into custody, he told the arresting officers, "why don't you just put a bullet in my head" and, "why don't you just kill me. I'm not telling you a fucking thing" prior to dying (personal communication, Officer R. Massa, Jan. 1999). It is probable that these suspects decided that they would never be taken alive and would take as many law enforcement officers and others with them in the event they ever faced capture, dying in a blaze of antisocial glory. This fulfills the expressive goal of face saving, and especially speaks to the power needs of these individuals—"I am too powerful to be taken alive" and "I am so powerful that I died in a blaze of glory." While one may consider this to be speculation, it certainly is supported by the father of one of the deceased suspects who stated proudly "everything my son did, he did all the homework. . . any crime that you could put out there, he could show you a better way to do it. . . all the way up to bank robbery" (12). He added, "Larry told me that if it ever came down to him getting busted—going to jail for the rest of his life—he'd rather die" (12). Clearly, in this case there were also the instrumental goals of escape and avoidance of punishment present. The meta-goal in this situation was homicide-suicide.

Many mass murderers reflect a similar expressive dynamic. For example, Charles Whitman killed 16 people and wounded at least 31 others on August 1, 1966 in the Texas Tower incident (13). Heavily armed and purposeful, he left suicide notes and diary entries with the bodies of his mother and wife whom he killed before embarking on his murderous spree. These communications and behaviors made it clear that he did not intend to survive the incident, and that he wanted to die while engaged in the mass murder. Hempel, Meloy, and Richards (14) in a nonrandom study of 30 mass murderers over the past 50 years, found that death by suicide or at the hands of others is the usual outcome for the mass murderer. Hopelessness, a "warrior identity," rage, and intense power needs merge into a yearning for homicidal achievement, during which the perpetrator plans on being killed by police at some point. Cases such as these, with a meta-goal of homicide-suicide, represent the most lethal of suicide by cop scenarios because of this grandiose and overwhelming expressive need to achieve by killing and then dying at the hands of others. Table 1 lists a comparison of instrumental and expressive motives in suicide by cop situations. This table presents actual verbalizations, derived from the first author's experience in field response to hostage and barricade situations and psychological autopsy investigations, by individuals who have attempted or completed suicide by cop. These utterances are

strikingly similar to the concept of "psychological abstract" developed by Hempel et al. (14) to describe verbalizations immediately prior to, or during mass murder, which give insight into the perpetrator's intent and motivation.

### Overview of Research

The research on suicide by cop is limited. In an early study which looked at 3282 homicides from 1956 through 1975 in Dade County, Florida, Wright and Davis (7) found the largest category of murders to be victim-participated homicide, a general category that includes situations where there was any participation by the victim in the incident, close enough to be considered an integral part of the act, thus a more inclusive category than "suicide by cop." These cases accounted for approximately 10% of all of the examined homicides between 1966 and 1975. They concluded that the difference between firearms and other weapons was most important in the victim-participated homicide category, with these homicides most frequently involving firearms (71%). They argued that in the heat of passion, the presence of a firearm can turn a fight into a killing, a fact that suicidal individuals in the 1990s seem well aware. They noted a 240% increase in violent situations involving firearms over other weapons, a finding of researchers examining this issue in other contexts (15,16).

Haruff, Llewellyn, Clark et al. (17) examined the related issue of firearm suicides during confrontations with police, what they termed "police associated deaths," in which an armed suspect being pursued, apprehended, or otherwise confronted by police suddenly turns the gun on himself. They examined 14 cases which qualified out of a total of 1203 suicides that occurred between 1984 and 1992 in Marion County, Indiana. This represented 1% of all suicides, and 2% of firearm suicides. They found that all of the subjects were male and 72% were in the 20- to 39-year-old range. Fifty-seven percent of the cases originated as a marital or relationship disturbance, and in 29% of the cases, the subject was wanted for a crime. All of the suicides were committed with handguns. Fifty percent of the cases where data were available (10 cases) tested positive for alcohol and/or drugs. While this study did not look specifically at the issue of suicide by cop, the presence of suicidal ideation among subjects during police intervention can be serious and lethal.

In a recent study conducted on all shooting cases handled by the LA County Sheriff's Department between 1987 and 1997 ( $n = 437$ ), it was determined that 13% of all fatal officer-involved shootings and 11% of all officer-involved shootings, fatal and nonfatal, were suicide by cop situations (18). In addition, data for 1997 indicated that these cases accounted for 25% of all officer-involved shootings, and 27% of all officer-involved justifiable homicides, a significant increase over previous years. They found that 98% of the suspects were male, 70% had a criminal record, 65% had drug or alcohol problems, 63% had a known psychiatric history, 39% had a history of domestic violence, and 65% had verbally communicated their suicidal intent. In addition, 48% had guns, most of which were loaded and operative, while others had what appeared to be a lethal weapon (replica pistol, knives, or blunt objects) during the confrontation with police. In 39% of the cases domestic violence was the precipitating cause for police response, 20% of the cases involved despondence over a relationship breakup, while 9% of the cases involved a "three strikes" individual facing capture.

To provoke officers to shoot them, 50% pointed their firearm at officers, 26% lunged at officers with a knife, 15% fired their weapons at officers, 4% threw a knife at officers, and 4% contin-

TABLE 1—*Instrumental versus expressive motivations in suicide by cop.*

| Instrumental                                             | Expressive                                   |
|----------------------------------------------------------|----------------------------------------------|
| "I'm not going back to jail"                             | "My life is hopeless"                        |
| "I wanted her to come back to me"                        | "I am the ultimate victim"                   |
| "God won't forgive me if I do it, but He will if you do" | "Soldiers never surrender"                   |
| "Make sure my kids get the insurance money"              | "I am important enough to be killed by cops" |
| "I can't do it myself"                                   | "I'll teach you a lesson"                    |
|                                                          | "This is worth dying for"                    |

ued to assault civilians with a lethal weapon after being ordered to drop their weapon. Seventy-eight percent of the suspects verbally indicated that they wanted to commit suicide by cop: 58% asked officers to shoot them, 6.5% told someone else they would have officers shoot them, 6.5% told officers afterwards that suicide by cop was why they continued to point their weapon, 2.2% thanked officers for shooting them, 2.2% left a written note, and 2.2% called law enforcement officers prior to the event stating they wanted to commit suicide. Twenty-two percent indicated their suicidal intentions through demonstrative behavior: 15.2% continued to point their weapon after being told they would be shot, and 6.5% lunged at officers with a knife, knowing they would be shot. Seventy percent of the shootings took place within 30 min of the arrival of officers (18).

In another non-random study of suicide by cop cases, Kennedy et al. (2) reviewed an electronic library containing the full text from 22 newspapers, representing 18 metropolitan areas in the United States, to obtain a broad sample of accounts of police shootings in which potential cases of suicide by cop could be found. They analyzed a total of 240 articles from the years 1980 to 1995, and using two independent raters, catalogued the incidents into one of five categories: (1) probable suicide; (2) possible suicide; (3) uncertain; (4) suicide improbable; and (5) no suicidal evidence. They obtained 74% inter-rater agreement on categorization. They found probable or possible suicidal motivation in 16% of the 240 incidents. However, when they identified 80 cases with sufficient detail to classify, they found that 46% of these cases contained some evidence of possible or probable suicidal motivation. They then examined a new sample of 33 usable incidents taken from the *Detroit Free Press* files from 1992 to 1993 and determined that 47% of the cases with enough detail to classify had possible suicidal motivation. These data, while not rigorously collected and subject to reporting biases, indicate that anywhere from 16 to 46% of police shootings may be precipitated by suicidal motivation on behalf of the suspect.

Kennedy et al. (2) also found that demonstrative behavior on the part of the suspect was present in 89% of the cases. These behaviors included pointing or firing a gun at an officer, and reaching for a weapon. They also found that armed robbery was the most frequent reason for officer intervention; however, they noted a slight trend for suicidal incidents to involve the triad of general disturbance, domestic disturbance, and person with a weapon calls. They speculated that armed robbery often signifies a desperate crime in which many offenders, while much preferring to get away, would rather be killed than captured. Similar to the Hutson et al. (18) study, they found that 97% of the suspects were male. They concluded that these events require greater law enforcement attention due to the number of police shootings that involve these types of individuals and because of the impact that they can have upon community police relations. The weakness of this study is that news reports are an unreliable source of data. Data collection is not scientifically rigorous, tends to reflect local biases, and many events fail to be included.

A study reported by Parent (19) examined the frequency and degree of victim-precipitated acts that have constituted lethal threats to police officers in British Columbia municipal departments and the Royal Canadian Mounted Police between 1980 and 1997. He found that characteristics associated with victim-precipitated homicide appear to be a significant factor in 48% of the 58 cases that were analyzed. In these cases, the individuals' statements and actions clearly reflected their intent to commit suicide. He noted that in several cases the perpetrator of the lethal threat had a docu-

mented history of mental illness and/or suicidal behavior, and several had a high blood-alcohol level at the time of death. He concluded that in some instances, alcohol, substance abuse, and mental illness were added to the complex picture of suicidal tendencies. A significant weakness of this particular study is the failure to report methodology and statistics on these variables; however, the study does offer some insight into the possible international significance of this issue.

The issue of suicide by cop, while not a new phenomenon, is a relatively new area for scientific study. While the preliminary data reviewed here indicate that it is a significant problem, and there is some indication that the problem is increasing, this may be a reflection of better reporting and documentation. At the same time, if there is an actual increase, the change may be a function of changes in the criminal justice system (three strikes laws and tougher sentencing) and problems in the mental health system. Clearly, more research is needed.

### Generic Suicide and Violence Risk Factors

There are generic suicide and violence risk factors which are provided by mental health researchers. Monahan (20) reported that (a) the prevalence of violence is more than five times higher among people who meet criteria for a DSM-III Axis I diagnosis than those who are not diagnosable; (b) the prevalence of violence among people who meet criteria for a diagnosis of schizophrenia, major depression, or mania/bipolar disorder are remarkably similar; and (c) the prevalence of violence among persons who meet criteria for a diagnosis of alcoholism is 12 times that of persons who receive no diagnosis, and the prevalence of violence among persons who meet criteria for being diagnosed as abusing drugs is 16 times that of persons who receive no diagnosis. Meloy (21) has identified individual and situational factors that may suggest increased violence potential: individual factors include past crime or violence, aged 15 to 24, male gender, lower intelligence, and alcohol and psychostimulant use; while situational factors include violent family background, a peer system that provides pressure to be violent, lack of employment or unsatisfactory employment, victim availability (affects frequency, severity, and lethality), weapon availability, and availability of alcohol. Weapon availability in the home has been identified as a strong risk factor for suicide and homicide (15,16). Other factors include family history of mental illness and alcohol abuse, family history of violence and child abuse, and seizure disorders or brain dysfunction (22). The general trend in violence research is to categorize factors as either dispositional (static) or clinical-situational (dynamic) to assess a real threat. Overprediction is still the major problem, primarily due to low base rates in most samples of "violent" individuals and clinical fears of false negatives.

Studies conducted by Shneidman (23) indicate that in 90% of actual suicide cases, people had given verbal or behavioral clues within the week or so before they committed suicide. He notes, however, that most individuals who threaten suicide do not attempt or commit suicide, a finding that parallels those of other violence researchers; that is, most individuals who threaten violence do not carry out their threats or *pose* a threat (24). He distinguishes between the *prospective* view of violence threats which focuses on the reality of how very few people who make threats or generate behavioral clues suggestive of a problem actually carry out the threat or do something violent. However, it is his opinion that, in practice, common sense dictates the wisdom of adopting a conservative or *retrospective* view, taking seriously any talk or indicators of violence potential (23).

TABLE 2—Verbal clues to suicide.

1. Direct threats—"maybe I should kill myself," "maybe I should kill \_\_\_\_" (25).
2. Veiled threats—"my life is over," "thanks for everything, you've been a good friend," "I know where s/he lives!," "I can't go on without \_\_\_\_" (25).
3. Hopeless and helpless statements—"there's no way out," "I'll never have a family" (25).
4. Statement of worthlessness, self-hate, and intense guilt—"I don't deserve to live."
5. Complaints about depression, great emotional pain, physical pain, distress, crying spells, or sleeplessness (25).
6. Angry statements such as "If I can't have him or her, then no one can," "they'll be sorry."
7. Statements that suggest over identifying with someone who committed suicide or another act of violence—"I wish it were me," "I know why he killed all those people, they just can't keep treating people bad," "I tell you I think a lot of how gratifying it would be to hurt people and sometimes I dream about it."
8. Verbal wills—"will you take care of my pets?," "tell Joe how much I care" (25).
9. Bizarre thoughts—"these people are not who they say they are and they are stealing my thoughts and poisoning me," "the end of the world is coming and I have a special mission to complete before it happens." Evidence of delusions (fixed and false beliefs).
10. Obsessions—"I can't get her or what she might be doing with him off of my mind," "It's wrong what the boss did to me and I'm NOT going to let it go." Grievances, lawsuits, multiple complaints.

TABLE 3—Behavioral clues to suicide.

1. Any overt act of violence such as suicide attempt or gesture, or assault of another.
2. Recklessness, putting self in harm's way or being provocative, and "I don't care what happens to me attitude" displayed in behavior.
3. Giving away personal possessions, getting affairs in order (25).
4. Suicide or violence rituals: writing a note, diary entries, dressing up for the assault, rehearsal. Acquiring a method for suicide attempt. Precautions taken to avoid rescue (25).
5. Pathological attachment: repeatedly pursuing, reuniting, and failing with love interest. Following, stalking, surveilling of another as a response to loss (26).
6. Drinking, drug use, or failure to take prescribed medication or treatment.
7. Restlessness or agitation indicative of major depression.
8. Deteriorating personal appearance, evidence of lack of sleep, poor personal hygiene.
9. Inappropriate displays of emotion, tearfulness, angry outbursts related to depression.
10. Social withdrawal and isolation as a result of depression.

#### Generic Suicide Indicators

In practical terms, there are two categories of clues, verbal and behavioral, that are reflective of some of the documented risk factors for suicide and violence risk, which may be observed by a loved one, friend, co-worker, or supervisor. Verbal clues to suicide risk are presented in Table 2, while behavioral clues to suicide risk are presented in Table 3.

#### Suicide by Cop Indicators

##### Verbal and Behavioral Clues

There are also multiple categories of clues that are indicative of suicide by cop. These data points are derived from the literature and the authors' experience with these situations. While certain clues may be more indicative of elevated risk in a given situation, the cur-

TABLE 4—Verbal clues to suicide-by-cop risk.

1. Demands that authorities kill him/her (9).
2. Sets a deadline for authorities to kill him/her (3,9).
3. Threatening to kill or harm others (27).
4. Wants to "go out in a blaze of glory" and/or indicates he "won't be taken alive" (7,9).
5. Gives a verbal will (27).
6. Tells hostages and others s/he wants to die (3).
7. Looking for a "macho" way out (9).
8. Offers to surrender to person in charge (9).
9. Indicates elaborate plans for his/her own death (9).
10. Expresses feeling of hopelessness/helplessness (9).
11. Emphatic that "jail is not an option" (27).
12. Biblical references, specifically the Book of Revelations and resurrection (3).

TABLE 5—Behavioral clues to suicide-by-cop risk.

1. Demonstrative with weapon (2).
2. Points loaded or unloaded weapon or apparent weapon at police (2).
3. Clears a threshold in a barricade situation in order to fire weapon (27).
4. Shooting at the police (2).
5. Reaching for a weapon or apparent weapon with police present (2).
6. Attaches weapon to body (27).
7. Countdown to kill hostage or others with police present (27).
8. Assaulting or harming hostages or others with police present (27).
9. Forces confrontation with police (2,3).
10. Advances on police when told to stop (5).
11. Suspect calls the police him/herself to report crime in progress (28).
12. Continues hopeless acts of aggression even after incapacitation by gunfire (28).
13. Self-mutilation with police present (5).
14. Pointing weapon at self with police present (5).
15. Refuses to negotiate (9).
16. No escape demands (27).
17. No demands (9).
18. Getting intoxicated with "chemical courage" (27).

rent state of the research does not allow for any predictive equations to express probabilities or degrees of certainty. Therefore, each situation must be assessed by its own unique elements, taking into account these guidelines for identification. Verbal clues are presented in Table 4 and behavioral clues are presented in Table 5.

#### Suicide by Cop Risk Factors

From our review of the research and actual case experience, it is apparent that there are risk factors in the recent history or circumstances of the subject, and other key life events that are indicative of suicide by cop. Behavior of the subject in recent history, the presence of unusual circumstances, and certain key life events from the more distant past, may contribute to understanding the subject's motivation and intent. (See Table 6 for the historical and situational indicators of suicide by cop risk and Table 7 for key life events noted in suicide by cop cases.)

#### Type of Call for Police Service

From our review of the literature and experience, certain types of calls for police service appear to have an elevated risk for escalating into suicide by cop situations. The presence of these specific circumstances may increase the likelihood that a given situation is a suicide by cop situation. These types of calls are presented in Table 8.

TABLE 6—Historical or situational indicators of suicide-by-cop risk.

1. Has killed a significant person in their life (9).
2. Has killed a prized pet or destroyed valued possessions (27).
3. Has recently disposed of money/property (3,9).
4. Faces an arrest or criminal justice situation perceived as serious (27).
5. Faces a life situation perceived as embarrassing or shameful (27).
6. Has left a suicide note (23).
7. Clinical depression (27).
8. Terminal diagnosis (9).
9. Two or more traumatic losses (9).
10. Previous police contact around suicide or violence risk issues (27).

TABLE 7—Key life events noted in suicide-by-cop cases.

1. Poor socioeconomic background (9).
2. Criminal record that includes assaultive behavior (9).
3. Family member killed in shootout with police (27).
4. Seeking attention for an issue (27).
5. Past and/or unsuccessful treatment for clinical depression and other mental health issues involving self-destructive and violent impulses (27).
6. Previous psychiatric hospitalization for danger to self and/or others (27).
7. Identification with others who have committed suicide by cop (27).
8. Religious beliefs and rationalization that makes it wrong to commit suicide but okay if someone does it for them (27).

TABLE 8—Police service calls associated with elevated suicide-by-cop risk.

1. Domestic violence or domestic disturbance calls (18).
2. Armed robbery (2).
3. Person with a gun (2).
4. General disturbance (2).
5. Mentally disturbed citizen (27).
6. Suicidal citizen (27).
7. Barricaded suspect, hostage, or "jumper" situations (27).
8. "Three strikes" criminal facing apprehension (18).
9. Police pursuit of wanted criminal (17).
10. Shots fired (27).

**Conclusions**

Suicide by cop is an important contemporary criminal justice issue. Research indicates that it is apparent in many violent confrontations between citizens and police. There are multiple motivations for those who attempt or complete suicide by cop, and degrees of intent and lethality include "cry for help" or attention, suicide only, and homicide-suicide. Research and the authors' experience indicate that it is a frequently considered alternative among suspects encountered by law enforcement.

We have identified the verbal and behavioral clues, recent history and circumstances, key life events, and type of police service calls indicative of suicide by cop situations. However, there are currently no correlational, comparative, or predictive studies available to assist in determining the degree and intent that suicide by cop may be a factor in any given situation. Similarly, these indicators are not meant to be counted to arrive at a quantitative index of risk or a probability statement; rather, degree and intent must be defined by behavior and individual circumstances. One variable in a particular case may be more significant and therefore weighed more heavily than another. At present, these variables have not been subjected to any tests of validity or reliability, but do appear to have strong face validity.

Research efforts in the future should examine the relative significance of these indicators, and determine the weighting of factors

which are comparably more relevant to identify suicide-by-cop situations. Law enforcement organizations need to continue and expand their documentation related to this phenomenon. Prevention and intervention models are dependent upon such data collection, so that additional approaches to safely resolve these destructive situations may be further developed, implemented, and assessed for efficacy.

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# Suicide By Cop: Victims from BOTH sides of the Badge



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## Biographical

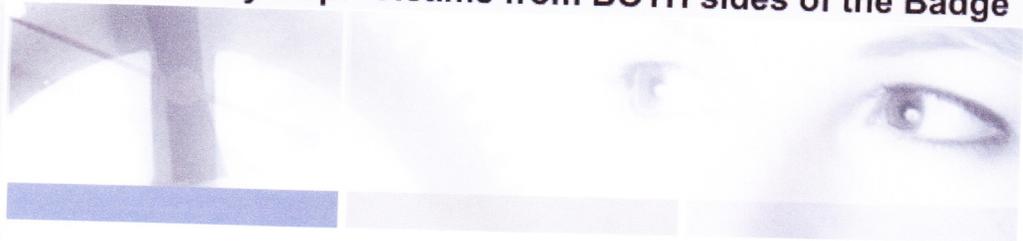
Rebecca Stincelli is a recognized expert in the area of Suicide By Cop. She began researching "suicide by cop" in 1986 while working with the deputies of the Sacramento County (CA) Sheriff's Department as a crisis interventionist and post trauma liaison for victims of violent crimes. During the next decade, Rebecca became a law enforcement instructor where she was given the opportunity to present the perspectives of both the loved ones of the decedent and the officers involved.



Rebecca is a national award recipient and published author of articles and training manuals on victim trauma and law enforcement contacts with victims of violent crimes. She is a former field advocate with the Sacramento County Sheriff's Department with over 20 years of front-line experience. She currently holds a Bachelor of Science Degree in Criminal Justice from the California State University in Sacramento (CA) and an Associate Degree in the Behavioral Sciences. She is a retired member of the adjunct faculty for the Los Rios Community College District and held membership in the American Academy of Experts in Traumatic Stress, a part of the National Center for Crisis Management.

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## Suicide By Cop Defined

After a long battle with ridiculous euphemisms, I have come to define and classify suicide by cop as clearly and distinctly as that written below. I must have hit the mark since editors of Black's Law Dictionary contacted me requesting permission to use these definitions in their next updated edition. Of course I was honored to oblige.

**Suicide-by-cop:** A colloquial term used to describe a suicidal incident whereby the suicidal subject engages in a consciously, life-threatening behavior to the degree that it compels a police officer to respond with deadly force.

**Police-assisted suicide:** A term used by some researchers to describe a suicide whereby the suicidal subject completes the act with the assistance of a police officer.

**Victim-precipitated homicide:** A term which implies a shared responsibility between two (or more parties) whereby a suicidal subject provokes his or her own death by means of another.

## Classification Criteria.

Although simplified, the criteria below may be used to qualify the suicide

- The suicidal subject must demonstrate the intent to die
- The suicidal subject must have a clear understanding of the finality of the act.
- The suicidal subject must confront a law enforcement official to the degree that it compels that officer to act with deadly force.
- The suicidal subject actually dies - otherwise it is an attempted suicide by cop.

The ongoing debate centers around the argument that suicidal subjects may not be in a "knowing" state of mind during the event to understand the outcome. Since most who choose this method of suicide are generally "under the influence," I can understand that. However, interviews I've conducted indicate that while these individuals are in a high emotional state, the majority consciously chose this method due to their belief that the officer will indeed act with deadly force.

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## Suicide By Cop

Suicide by cop, also known as death by cop, is a phenomenon where a person who wants to commit suicide decides to create a scenario or situation which forces the police officer to use lethal force.

The general public is very aware that Police are trained to use force to stop a threat, and are even authorized to use deadly force if the situation warrants it.

People wanting to commit suicide by cop take advantage of this trained response to meet their own needs.

The police officer, in essence, becomes a tool for the suicide.

Clearly, this is a no win situation for the officer involved in the incident.

If the suspect has decided that they want to commit death by cop, and takes the necessary steps to force the hands of the officers, the officer will have very little choice. The officer must protect him/herself as well as nearby civilians, and discharging their firearm may be their only option.

Its uncertain why an individual would choose this method of suicide, although there are some theories.

One belief is that the individual is unwilling or unable to take the violent act to end their own life, and thus create a deadly situation thereby relying on the police.

Another possibility is that a person may want some kind of media attention or record of their demise. By carrying out a suicide by cop scenario in the public eye, they may feel they are getting some form of recognition prior to their death.

Police departments recognize this phenomenon as legitimate, and even incorporate it into their officer training.

It is important to note, however, that regardless of the scenario - whether the subject intends to use the police to die or not- that there should not be any real change in how the officers deal with the subject.

Of paramount importance is YOU! The officer`s safety! If your safety is compromised and you witness a violent act which may result in serious harm or death, whether it be you or a civilian, take action! If the situation dictates using lethal force, do what you have been trained to do. You have not failed, and you have done your job in good faith.

Will the entire ordeal be difficult? Absolutely. But this is another reality that as police officers, we may one day have to face.

Have a look at the video below...



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# Study Finds Suicide by Cop in Over Third of Police Shootings



[Christine Bude Nyholm](#), Yahoo! Contributor Network  
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Suicide by Cop, called SBC, is an engagement of a person who apparently wants to die at the hands of a policeman. Suicide by Cop is the attempt to force law enforcement to kill or injure a person. This

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practice poses a danger to perpetrators, police officers and to innocent onlookers.

The Journal of Forensic Sciences has examined the phenomenon of SCG in a sample of shootings that involved police officers.

According to a press release on Wiley-Blackwell, dated February 18, 2009, over a third of the shootings in North America that involve police are "Suicide by Cop."

A study led by Kris Mohandie, Ph.D., who is a noted forensic and police psychologist; showed

that 36 percent of police shootings are "Suicide by Cop." SBC cases result in the injury or death of the perpetrator in fifty percent of the cases.

Dr. Mohandie, who is experienced in the management and assessment of violent behavior, has appeared on several fact based news programs, such as MSNBC, CNN, Discovery Channel, History Channel and A&E. Famous cases that Dr. Mohandie has been involved in include being on the scene

in the O.J. Simpson barricade and in assisting the prosecution of Steven Spielberg's stalker in Los Angeles.

Researchers examined 707 cases that involved shootings that involved police officers between 1998 and 2006. The researchers reviewed evidence such as witness statements, police reports, subject's criminal histories, photographs and videotapes.

36 percent of all the police shootings in the study sample were determined to be "Suicide by Cop," a momentous amount. The high percentage of SBC in the sample studied shows how significant suicidal impulses are among people who become involved in shootings with the police.

According to the Medicinenet website, some people commit suicide by behaving in a manner that is threatening to police officers. **The perpetrator may use a gun, which may or may not be real**, to force the police to respond to a threat by shooting.

Suicide by Cop is not only hazardous to the perpetrator. Behavior that induces police to talk strong action, such as shooting, has the potential to cause injury to other people. Individuals who instigate "Suicide by Cop" are not only lethal to themselves, they pose a risk to onlookers or other people who happen to be in the vicinity. According to the study, the chance of harm to others was one in three.

The research indicates that "Suicide by Cop" is a common occurrence in shootings that involve police officers. The phenomenon must be a consideration when investigating police shootings, according to the study authors.

Resources:

Wiley-Blackwell: "Suicide by Cop" Phenomenon Occurring in Over a Third of American Shottings Involving Police. Press release dated February 18, 2009. EurekAlert.

Medicine Net: What are the risk factors and protective facotrs for suicide?

Related Articles:

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Published by Christine Bude Nyholm

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### The Nation's Law Enforcement Community

# Suicide by Cop

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They call it “suicide by cop”, or “police assisted suicide.” I prefer the former term because the “cop” is the instrument of suicide. He or she might as well be a bottle of sleeping pills, carbon monoxide or a gun in the hand of the suicide. “Police assisted suicide” to me suggests “doctor assisted suicide” which is an entirely different kind of suicide. The police do not “assist” in suicide by cop. They are merely the methodology the person employed.

Current estimates suggest that as many as of 10% of those killed by police officers intended that this was an inevitable or a likely outcome of actions they took.

There’s almost always police stress as a result of a suicide by cop. Except in those cases where the perpetrator of suicide by cop attempted to harm or actually did harm an officer or civilian, I would say that some degree of lingering post-incident stress is inevitable. At times this can even develop into chronic post-traumatic stress disorder (PTSD).

There are different kinds of suicide.

Suicide by cop is too simple a phrase, too all inclusive. It’s as if there’s regular suicide, which is every other kind, and suicide by cop. From the cop’s point of view, unless he or she is the lethal method of choice, suicide is suicide, right?

Wrong. Suicide comes in many shapes and sizes. There are a variety of factors that lead to suicide, most frequently depression and sometimes rage as well. The method of any suicide is determined by both availability of a means, and the personality of the individual.

The former is obvious. If a gun isn't available, one won't be used. An available gun won't be used if the person can't stand the thought of blowing away part of his body, or doesn't want to leave a mess for others to find and clean up.

Some people seem to be "pill people", destined to take their lives by overdosing. Others seem to be carbon monoxide, or bag-over-the-head people. Alcoholics and nondrinkers alike often augment their lethal choices by drinking. Dramatic types jump off buildings and bridges after creating a spectacle. Those who make a rational decision to end their lives because of a terminal illness may show amazing consideration for those who find them. People who want to hide the cause of death for insurance or other reasons sometimes deliberately crash their cars, although airbags have had an effect on the lethality of some of the most dramatic single car accidents.

People who are very angry in addition to being depressed are more likely to involve others in their suicide. When a person ends his life in front of the news cameras, they want to send the message "I'll show you", to a lover who jilted them, a company that fired them, or a society that they believe never gave them a chance. Some people stage elaborate suicides solely for the benefit of the one person they set up to find them.

All of these are different kinds of suicide.

There are different kinds of suicide by cop, too.

One thing that all of these people have in common, and this is vital for every police officer involved in one to understand, is that the person who commits suicide by cop has by definition gone from being a victim to being a perpetrator. Obviously somebody who decides to stab or shoot a police officer in order to provoke a lethal response has committed a major criminal act. But threatening a police officer or a civilian for that matter with a weapon, whether it is loaded, unloaded or fake, is a crime too.

Somebody who simply commits suicide is a victim. Somebody who forces a police officer to kill him is a perpetrator. It is not only misleading, but can cause unnecessary guilt in officers forced to take a suicidal person's life, to call that person a "victim of suicide by cop" as if the officers had a choice in a "kill or risk being killed" situation. The decedent is a "perpetrator of suicide by cop."

Any police stress course in the police academy should have at least one or two classroom segments informing recruits about suicide by cop, and its after effects on the officer involved. I recommend if possible attending a full-day seminar on the subject, such as the ones offered by Chic Daniel or by Warrior Communications.

Unfortunately, most officers don't get this instruction and learn the hard way.

Knowing the tactical methods of dealing with someone who turns out to be a potential suicide by cop is of paramount importance, and I will only touch on that because I am not a law enforcement professional with expertise in that area. But understanding the psychology of people who may use suicide by cop as a means to end their own life is also very important. The more officers know about the mind of a suicidal subject, the better equipped they are to deal with these life or death confrontations.

### Why people choose suicide by cop

Some suicidal people choose suicide by cop because it is the only method they seem capable of. These pathetic folks really harbor no anger towards the police. In fact, they may like the police and view them as providing one final service for them. My hunch is that these tend to be the elderly, and not to let any officer assume too much and get killed themselves, when an elderly man or woman points a gun at you and dares you to shoot them, they

probably aren't going to actually shoot you. For one thing, if you're alone, then who is going to finish the job on them? Most officers won't shoot, if only because it's hard to "blow away" someone who is not only so pathetic, but may remind you of your mom or dad. I'd advise you to very carefully take cover and keep them talking until back-up arrives. Of course, watch the trigger finger. If you can't convince them to put the gun down, try asking them to do you a favor and not point the gun at you. If they have a revolver, see if you can discern whether it's loaded. If you have to shoot, so be it. I will repeat this several times here: if you have to be the "cop" in "suicide by..." it isn't your fault. Most victims will leave you little if any choice.

Another type of person who chooses suicide by cop, who may not be particularly angry either, is someone who is legitimately mentally ill. There's a good chance someone like this has had numerous dealings with the police, and has, if anything, a love-hate relationship with them. They may hate you because you hospitalized them against their will when they went off their medication, but love you afterwards when they are restabilized.

In rural areas where hunting rifles are ubiquitous, mentally ill people often have easy access to, and familiarity with, these weapons. They aren't particularly easy to kill oneself with, not like a handgun at least, but are certainly a deadly threat when seriously aimed at you. As with the previous example, if you're alone, someone like this probably wouldn't shoot you, since then there wouldn't be anyone there to take him out. That's not to say they won't fire a few rounds in your direction. Take cover and keep him talking. Since it really isn't you personally they are angry at, sometimes it is surprisingly easy to convince suicidal people who initially seem bent on having you kill them, to at least point a weapon away from you just to make you feel more comfortable.

Still another type of person who may not be enraged, or even deeply depressed, but still commits suicide by cop, is the guy at the end of his rope. He's the fringe criminal who takes ever increasing chances, daring law enforcement to take him out, for example by committing outrageously risky, poorly planned, daylight armed robberies. They think along the lines of "if I can't make the big score, I might as well go down trying – and take a few cops with me along the way." Their crimes may seem suicidal, indeed, they often are. Tragically, innocent lives are sometimes lost as a result. There's little debate in law enforcement that in these cases, cops should shoot first and leave the talking for the locker room, critical incident stress debriefing (CISD), and the police stress shrink's office if necessary.

Even if you know, in your head, it wasn't your fault and you had absolutely no choice, you may find you are feeling irrationally guilty for taking the life of a criminal. Again, it is not your fault. Guilt in these cases is an entirely normal feeling. You didn't hire on to be the executioner of some pin-brained low-life robber. Sure, you know he may be better off dead, and without a doubt better him than you. But you may still feel guilty. In this age of Prozac for everything, irrational guilt feelings are still best resolved by good old fashioned talk therapy.

Some people attempt suicide by cop because they want to leave the ultimate decision up to someone else, and who better than a police officer. They may think thoughts like "I'm not sure I really want to die, so I'll pull a gun on a cop and leave it up to him or her whether I live or die." They may be ambivalent about dying and either consciously or unconsciously are hoping you can talk them out of it – even if they are holding a lethal weapon.

My hunch is that a significant number of suicides by cop fall into this category. It gives a new meaning to the expression "copping out" doesn't it? These people probably won't fire on you, but once again, you can never be sure.

If you ever face the business end of a gun or the blade of a knife in the hand of one of these folks, you'll earn your pay that day. Your job is to protect and serve the good people and bust the bad. But how do you categorize some pathetic suicidal mentally ill person who wants you to take his life and is a trigger pull or a lunge away

from taking yours? A good, if mentally ill or deeply depressed, citizen? Or a bad guy about to blow you away?

Suicides by cop aren't necessarily planned in advance. They can happen at the spur of the moment, especially if guns are available. A person who is depressed may be pushed "over the edge" by the break-up of a relationship, losing a job or some other setback in life. They may have no intention of killing themselves until for some reason the police are called to intervene. Then the thought may occur to them, either as a plan or a barely conceived notion, that they might engage the police in an armed confrontation without really thinking through the consequences until they find themselves a split second away from forcing the police to shoot them. If the person is intoxicated, he may not be fully cognizant of the fact that that every threatening word and gesture he makes can bring him that much closer to being killed.

One of the worst suicides by cop is fortunately quite rare. But it does happen. That's when cops, usually on suspension or recently retired, for reasons having to do with deep resentment, loss, rage, and what can be best described as a kind of temporary insanity, decide to set up colleagues on the job to take them out. There is a strong element of the "I'll show those bastards" attitude when this happens. No matter how much police stress counseling you get after being the instrument of death in an instance like this, no matter how much of your own anger at being put in a "your life or theirs" situation, you are probably going to be carrying guilt feelings for a long time. More frequently cops who commit suicide do so in ways to spare their colleagues, and do so with a degree of dignity. Cops to the end, they want their friends to think well of them in death.

Sometimes police officers are too well meaning, too eager to do what they in the moment perceive as the right thing for somebody they don't think fits the profile of a criminal. Television police dramas sometimes depict police officers doing exactly the wrong thing with armed suicidal people. How often have you seen the caring officer on television talk someone who is suicidal into handing over his knife or gun? It makes good drama, but in real life this is an exceedingly risky tactic because that person may turn on the officer to force him or her to take his life.

These are the most common cases. Many confrontations with suicidal people with weapons won't end in anyone's death because of your professionalism and the simple fact that you really don't want the person to die unless he or she absolutely has to in order to save innocent life. But some will, and some may die holding a toy gun that you will swear looked real, and no matter what you'll feel lousy.

It is normal to second guess your actions. It is normal to wonder if you could have said or done something different. But you need to understand that if a person is bent on suicide by cop, he will make it happen. Unless the police and all others can be absolutely protected from someone who decides to open fire, there is no scenario that can assure keeping this person alive. Some well meaning people have suggested that police use non-lethal weapons to subdue such people, but there are no such weapons that guarantee an individual with a firearm will be rendered unable to shoot an officer. So until officers can administer non-lethal force from the safety of armored personnel carriers, the police have little choice but to use lethal force. Otherwise, the use of non-lethal force can actually lead the person to try to shoot back at the police.

No matter how sure you were that had you waited another moment, you'd be the one in the morgue, the fact remains that except for the legal technicality, you didn't really kill a criminal. You were the instrument of death for the perpetrator of suicide by cop. Remember, it wasn't your fault.

One other point to consider is if the person has a knife instead of a gun. As you already know, you must be very wary of people with edged instruments. The basics are obvious to every law enforcement officer. (Never have them hand the knife to you. Always get at least twenty feet away and talk them into putting the knife down and getting away from it.)

As a therapist I can add that in a suicide by cop, a knife is more likely to be an instrument used against you than against the subject because aside from cutting one's wrist, usually done alone and by females, knives aren't commonly used for suicide in the western world. People may threaten to cut their own throat or stab themselves, but this isn't likely.

### Police stress and suicide by cop

After an incident, however reassuring your colleagues and chief are, I strongly recommend you see a police stress counselor. A suicide by cop is always a critical incident and requires debriefing. Do this even if you feel you have it all together afterwards. Do it even if it doesn't seem like the macho thing to do. A killing like this can haunt an officer for a long time, and a lot of your own guilt can linger beneath the surface and cause you problems later on.

The culture of your department can make a big difference. Some police departments develop a macho culture where feelings aren't expressed because to do so would be viewed as a sign of weakness. Other departments, often those with a good mix of older, seasoned officers and younger, often unmarried "gung ho" officers, tend to foster more openness about feelings.

In the first kind of department someone may ask you "how 'ya doing" after such an incident as they are walking by you. They aren't really conveying the message that they want to truly hear the answer unless it's "no problem."

In the second department, if someone makes eye contact and asks "how are you feeling," the ball is in your court. I would suggest you try to answer them honestly. You may be surprised at the amount of real understanding and support you will get.

At home some officers try to "spare" their significant other from their job related troubles. They may come home distressed over incidents at work and gloss over them. This is not healthy for the officer and generally not good for the relationship. If you are involved in a suicide by cop you should talk to your significant other about how you feel.

Remember that you may find you are having disturbing thoughts, feelings and even vivid dreams about the incident starting shortly afterwards, or these may be delayed for a period of weeks or months and then emerge rapidly or gradually. You also may develop other symptoms of post-traumatic stress that are less obvious and you may be tempted to ignore them or attribute them to other causes.

Feeling restless, irritable, having difficulty sleeping or being unusually tired when you wake up or during your usual waking time are common symptoms. You may have a heightened startle response. You also may get headaches and intestinal problems. It is often easier to write such things off as coincidental than to admit they are related to the incident. Sometimes the best person to ask how you are doing is the person closest to you.

If you even suspect you haven't resolved the incident, it is better to be safe than sorry and to see a therapist who is used to working with police officers.

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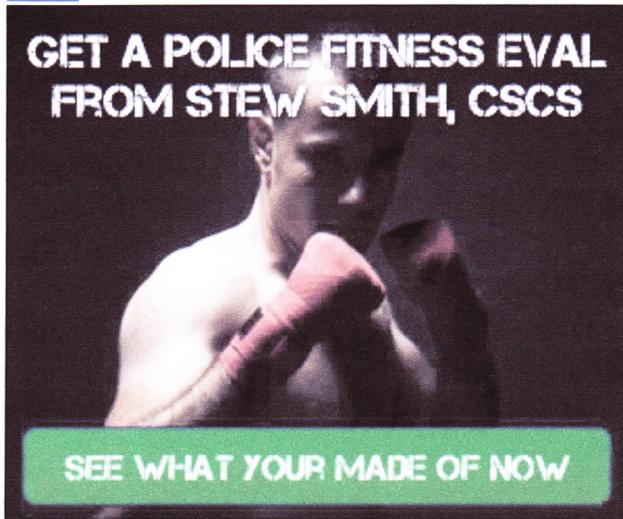
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## Suicide by Cop

From the Department of Emergency Medicine, Brigham and Women's Hospital,\* Harvard Medical School, Boston, MA; the Department of Emergency Medicine, Los Angeles County—University of Southern California Medical Center,† Homicide Bureau, Los Angeles County Sheriff's Department,‡ Los Angeles, CA; §Harvard Medical School,|| Boston, MA; New York Medical College,¶ Valhalla, NY; and Park Dietz & Associates,‡‡ Newport Beach, CA.

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**Address for reprints:** H Range Hutson, MD, Department of Emergency Medicine, Brigham and Women's Hospital, Harvard Medical School, 75 Francis Street, Boston, MA 02115; 617-732-5640, fax 617-264-6848; E-mail rhhutson@bics.bwh.harvard.edu.

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**H Range Hutson, MD\***  
**Deirdre Anglin, MD, MPH†**  
**Sgt John Yarbrough‡**  
**Kimberly Hardaway‡**  
**Marie Russell, MD‡**  
**Jared Strote, BS||**  
**Michael Canter, BS¶**  
**Bennett Blum, MD‡‡**

**Study objective:** "Suicide by cop" is a term used by law enforcement officers to describe an incident in which a suicidal individual intentionally engages in life-threatening and criminal behavior with a lethal weapon or what appears to be a lethal weapon toward law enforcement officers or civilians to specifically provoke officers to shoot the suicidal individual in self-defense or to protect civilians. The objective of this study was to investigate the phenomenon that some individuals attempt or commit suicide by intentionally provoking law enforcement officers to shoot them.

**Methods:** We reviewed all files of officer-involved shootings investigated by the Los Angeles County Sheriff's Department from 1987 to 1997. Cases met the following criteria: (1) evidence of the individual's suicidal intent, (2) evidence they specifically wanted officers to shoot them, (3) evidence they possessed a lethal weapon or what appeared to be a lethal weapon, and (4) evidence they intentionally escalated the encounter and provoked officers to shoot them.

**Results:** Suicide by cop accounted for 11% (n=46) of all officer-involved shootings and 13% of all officer-involved justifiable homicides. Ages of suicidal individuals ranged from 18 to 54 years; 98% were male. Forty-eight percent of weapons possessed by suicidal individuals were firearms, 17% replica firearms. The median time from arrival of officers at the scene to the time of the shooting was 15 minutes with 70% of shootings occurring within 30 minutes of arrival of officers. Thirty-nine percent of cases involved domestic violence. Fifty-four percent of suicidal individuals sustained fatal gunshot wounds. All deaths were classified by the coroner as homicides, as opposed to suicides.

**Conclusion:** Suicide by cop is an actual form of suicide. The most appropriate term for this phenomenon is law enforcement–forced-assisted suicide. Law enforcement agencies may be able to develop strategies for early recognition and handling of law enforcement–forced-assisted suicide (suicide by cop). Health care providers involved in the evaluation of potentially

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suicidal individuals and in the resuscitation of officer-involved shootings should be aware of law enforcement–forced-assisted suicide as a form of suicide.

[Hutson HR, Anglin D, Yarbrough J, Hardaway K, Russell M, Strote J, Canter M, Blum B: *Suicide by cop. Ann Emerg Med* December 1998;32:665-669.]

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## INTRODUCTION

Throughout the United States, on average 1 person per day is killed by law enforcement officers.<sup>1</sup> Some individuals who are shot or killed by law enforcement officers during an officer-involved shooting are actually attempting or committing suicide.<sup>1,2</sup> Initially, these suicidal individuals, in an attempt to achieve their suicidal goal, intentionally engage in life-threatening and criminal behavior with a lethal weapon or what appears to be a lethal weapon to gain the attention of law enforcement officers (ie, committing a robbery, a high-speed car chase, or committing a domestic assault). Once officers arrive to the scene, the suicidal individual purposely disobeys the commands by officers to lay down their weapon. These suicidal individuals then intentionally escalate the potential for a lethal encounter by threatening officers or members of the civilian population with a deadly weapon, commonly a firearm. This forces officers to use deadly force by shooting the suicidal individual in self-defense or to protect civilians.

The term used by law enforcement officers for this phenomenon is "suicide by cop."<sup>2,3</sup> In many instances officers are unaware they have participated in a suicide by cop phenomenon until after the encounter has been resolved by deadly force or during the departmental investigation of the officer-involved shooting. Law enforcement officers are likely selected and forced to participate in a suicide by cop phenomenon because the suicidal individual is imminently intent on dying and it is common knowledge that officers are trained in the use of deadly force; they consistently carry firearms and will deploy deadly force with reasonable certainty when confronted by a life-threatening situation.<sup>2</sup> The purpose of this study is to investigate the phenomenon that some individuals attempt or commit suicide by provoking law enforcement officers to shoot them.

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## MATERIALS AND METHODS

This was a retrospective review of files of all officer-involved shootings investigated by the Los Angeles County Sheriff's Department (LASD) Homicide Bureau from January 1, 1987, through December 31, 1997. LASD, which is the largest

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sheriff's department in the nation with approximately 12,000 law enforcement officers, investigates officer-involved shootings in areas of Los Angeles County populated by 47% (4.1 million) of the county's population (includes 35 municipalities and unincorporated areas of Los Angeles County).<sup>4</sup> An officer-involved shooting was defined as a shooting in which an individual was shot by law enforcement officers resulting in a firearm injury or death to the individual.

Files were reviewed to determine whether they met the definition of a suicide by cop phenomenon. To be included in the study, all cases met the following criteria: (1) evidence of suicidal intent, (2) evidence the individuals specifically wanted officers to shoot them, (3) evidence they all possessed a lethal weapon or what appeared to be a lethal weapon, and (4) evidence they intentionally escalated the encounter and provoked officers to shoot them in self-defense or to protect civilians. Cases not meeting the 4 criteria were excluded. An attempted suicide by cop phenomenon is one in which the suicidal individual sustained a nonlethal firearm injury during the officer-involved shooting. The term suicide by cop was not mentioned in any of the LASD files reviewed.

Suicidal intent was determined by a written note stating a wish to die, recent verbal communication of a desire to die to friends or family and at times to officers, or exhibiting suicidal characteristics or behavior indicative of suicidal intent (ie, holding a firearm to one's head). Evidence that suicidal individuals specifically wanted officers to shoot them was determined by the individuals stating outright they wanted officers to shoot them, written or verbal communication to family or friends stating they wanted officers to shoot them, or not dropping their weapon when advised by officers to do so and then aiming their weapon at officers or civilians.

All files were independently reviewed and agreed on by the primary investigators that included: 2 emergency physicians, a forensic psychiatrist, and a homicide detective with 30 years' experience in law enforcement. Reviewers used a standard abstract form. All reviewers were coinvestigators and were trained in completing the forms. Missing data were coded as "unknown." All files and abstracted data were independently reviewed by 3 reviewers to ensure consistency of coding.

Files of officer-involved shootings were reviewed for demographics of the suicidal individual, past psychiatric illness or suicide attempts, history of alcohol or drug abuse, type of weapon used to threaten officers, whether firearms used to threaten officers were operative and loaded, whether less lethal uses of force were attempted before the officer-involved shooting (ie, Taser, chemical irritant spray [Mace], bean bag gun), the duration of incident from time of arrival

of the officers until the officer-involved shooting, and if the firearm injury was fatal. All deceased individuals were autopsied by the Los Angeles County Department of the Coroner and these reports were reviewed for mode of death and toxicologic findings. The sum of the percentages for evidence of suicidal intent is greater than 100% because some individuals demonstrated suicidal intent by more than 1 method. This study received institutional review board approval. Data were compiled and analysis performed with the Epi Info (version 5) software program.<sup>5</sup>

RESULTS

From January 1, 1987, through December 31, 1997, there were a total of 437 officer-involved shootings investigated by LASD; 237 (54.2%) individuals sustained nonfatal gunshot wounds and 200 (45.8%) had fatal gunshot wounds. Of the 437 officer-involved shootings, 46 (10.5%) met the case definition of suicide by cop. Twenty-five (54.3%) suicidal individuals sustained fatal gunshot wounds, and 21 (45.7%) sustained nonfatal gunshot wounds. All cases were separate incidents. A suicide by cop phenomenon accounted for 25 (12.5%) of the 200 officer-involved justifiable homicides. There was a mean of 4.2 cases of suicide by cop or attempted suicide by cop each year. The largest number of cases (n=13, 28.3%) occurred in 1997. Ages of suicidal individuals ranged from 18 to 54 years (median age 34 years; mean age 35 years). The race of suicidal individuals was white (n=24, 52.2%), Hispanic (n=17, 37.0%), and black (n=5, 10.9%). There were 45 (97.8%) males and 1 (2.2%) female involved in a suicide by cop or attempted suicide by cop phenomenon.

Evidence of suicidal intent for all suicide by cop individuals consisted of verbal communication to family or

friends in 30 (65.2%) cases, exhibiting suicidal characteristics or behavior in 20 (43.5%) cases, verbal communication to officers in 10 (21.7%) cases, and written communication in 2 (4.3%) cases. All cases demonstrated suicidal intent by 1 or more of the above listed methods. In all 46 suicide by cop cases, there was evidence that suicidal individuals specifically wanted law enforcement officers to shoot them (Table 1).

All 46 suicidal individuals displayed a lethal weapon or what appeared to be a lethal weapon during their confrontation with law enforcement officers; weapons consisted of firearms in 22 (47.8%) cases, firearm replicas in 8 (17.4%), knives in 15 (32.6%), and blunt objects in 1 (2.2%). During the investigation of the officer-involved shooting, 21 (95.5%) firearms were operative, with 17 (77.3%) operative and loaded and 4 (18.2%) operative and unloaded. The 8 firearm replicas used by suicidal individuals to simulate a firearm were nonpowdered firearms (BB/pellet guns) in 3 cases, toy gun, pliers, a pager, metal pipe, and a hammer. Thirteen of the 22 firearms (59.1%) were semiautomatic or automatic weapons.

The locations of the officer-involved shootings for the suicide by cop scenarios varied, with 23 (50.0%) occurring at the suicidal individual's place of residence, 10 (21.7%) occurring at a residence other than their own, and 13 (28.3%) occurring at large in the community (ie, street, schoolyard, workplace). Twenty-six (56.5%) cases occurred out in the open (ie, in full public view).

Of the 46 suicide by cop cases, 30 (65.2%) involved threats with a lethal weapon or what appeared to be a lethal weapon toward law enforcement officers only, 2 (4.3%) involved threats with a lethal weapon toward civilians only, and 14 (30.4%) involved threats to both officers and civilians with a lethal weapon or what appeared to be a lethal weapon.

Table 1.

Evidence that suicidal individuals specifically wanted law enforcement officers to shoot them during the suicide by cop phenomenon.

| Types of Evidence                                                                                                                    | Individuals No. (%) |
|--------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| Total cases                                                                                                                          | 46 (100)            |
| Asked officers to shoot/kill them                                                                                                    | 27 (58.7)           |
| Continued to point firearm or apparent firearm at officers after being told they would be shot if they did not put down their weapon | 7 (15.2)            |
| Told family/friends they would have officers kill them                                                                               | 3 (6.5)             |
| Lunged at officers with knife knowing they would be shot                                                                             | 3 (6.5)             |
| Told officers they intentionally pointed a firearm at them knowing officers would shoot (survivors of suicide by cop phenomenon)     | 3 (6.5)             |
| Thanked officers for shooting them                                                                                                   | 1 (2.2)             |
| Written note stating they specifically wanted officers to kill them                                                                  | 1 (2.2)             |
| Called law enforcement officers stating they wanted to commit suicide                                                                | 1 (2.2)             |

Verbal dissuasion, consisting of demands to lay down their weapon, was used by officers in 44 (95.7%) cases of suicide by cop with no effect. In the other 2 (4.3%) cases, the lethal confrontation was so immediate that verbal dissuasion was not possible. In 11 (23.9%) cases officers initially used less lethal uses of force in an attempt to subdue and apprehend the armed suicidal individual. These less lethal uses of force included Arwen rifle (rubber bullets), bean bag gun, pepper spray, police dogs, Taser, tear gas, and in 1 case officers attempted to physically disarm the suicidal individual. In all 11 cases, less lethal uses of force were unsuccessful.

To provoke officers to shoot them, all suicidal individuals intentionally escalated the potential for a lethal encounter in the following ways: pointing a firearm or what appeared to be a firearm at officers in 23 (50%) cases, lunging at officers with a knife or cutting instrument in 12 (26.1%) cases, shooting at officers in 7 (15.2%) cases, throwing a knife at officers in 2 (4.3%) cases, or continuing to assault civilians with a lethal weapon after being ordered to drop the weapon in 2 (4.3%) cases. Because of life-threatening behavior toward officers or civilians, all 46 suicidal individuals were shot by officers. No officer fatalities occurred; however, 3 officers sustained gunshot wounds from suicidal individuals in separate incidents.

The time from arrival of officers at the scene to the time of the officer-involved shooting ranged from 1 minute (n=4)

to 6 hours 25 minutes (n=1), with a median time of 15 minutes. Sixteen (37.2%) shootings occurred within 5 minutes of arrival of officers at the scene, and 30 (69.8%) occurred within 30 minutes of arrival of officers at the scene. After the officer-involved shooting, 11 (23.9%) suicidal individuals were pronounced dead at the scene, 35 (76.1%) were transported to emergency departments for resuscitation. Fifteen (30.4%) individuals died during ED resuscitation or during the course of hospitalization. All 25 deaths from suicide by cop phenomena were classified by the coroner as homicides as opposed to suicides.

Other associated characteristics of individuals involved in suicide by cop phenomena are listed in Table 2. Etiologic factors precipitating the suicide by cop phenomena included: domestic violence in 18 (39.1%) cases, despondence over a relationship breakup in 9 (19.6%), imminent incarceration for third felony conviction ("3 strikes" law in California) in 4 (8.7%), loss of employment in 2 (4.3%), and unknown reasons in 13 (28.3%) cases.

DISCUSSION

This study shows that suicide by cop is an actual form of suicide and makes up a larger proportion of officer-involved shootings and officer-involved justifiable homicides than was previously recognized. The phenomenon of committing suicide through another person was characterized by Wolfgang<sup>6</sup> as a victim-precipitated homicide. Wolfgang defined a victim-precipitated homicide as a "criminal homicide in which the victim is a direct positive precipitator in the crime. The role of the victim is characterized by his having been the first in the homicide drama to use physical force directed against his subsequent slayer."<sup>6</sup> Wolfgang further stated that "these are cases in which the victim was the first to show and to use a deadly weapon to strike a blow in an altercation to commence the interplay or resort to physical violence."<sup>6</sup> Although not all victim-precipitated homicides are suicides, all suicide by cop phenomena meet Wolfgang's definition of a victim-precipitated homicide.

Individuals who commit suicide by means of a suicide by cop phenomenon may not be included in the number of suicides or the number of suicide attempts that occur annually in the United States. This is exemplified in this study where all 25 deaths related to a suicide by cop phenomenon were classified as homicides by the coroner. The actual number of cases of suicide by cop in the area of Los Angeles County patrolled or investigated by LASD is likely higher. Some individuals attempting suicide by means of suicide by cop may have surrendered before an officer-involved shooting occurred and therefore would not have been included in this study.

**Table 2.** Characteristics of suicidal individuals involved in a suicide by cop phenomenon (N=46).

| Characteristics                           | Individuals No. (%) |
|-------------------------------------------|---------------------|
| <b>Homeless/transient</b>                 |                     |
| Yes                                       | 2 (4.3)             |
| No                                        | 41 (89.1)           |
| Unknown                                   | 3 (6.5)             |
| <b>Prior arrest/conviction</b>            |                     |
| Yes                                       | 32 (69.6)           |
| No                                        | 8 (17.4)            |
| Unknown                                   | 6 (13.0)            |
| <b>Alcohol/drug abuse</b>                 |                     |
| Yes                                       | 30 (65.2)           |
| No                                        | 9 (19.6)            |
| Unknown                                   | 7 (15.2)            |
| <b>Domestic violence/domestic dispute</b> |                     |
| Yes                                       | 18 (39.1)           |
| No                                        | 16 (34.8)           |
| Unknown                                   | 12 (26.1)           |
| <b>Psychiatric history</b>                |                     |
| Yes                                       | 29 (63.0)           |
| No                                        | 3 (6.5)             |
| Unknown                                   | 14 (30.4)           |

Although suicide by cop accounted for 2% of suicides in the region of Los Angeles County patrolled or investigated by LASD in 1997, suicide by cop phenomena accounted for 25% of all officer-involved shootings and 27% of all officer-involved justifiable homicides in 1997. Why suicide by cop was more frequent in 1997 than previous years is unknown. It could represent a trend toward an increase in this phenomenon as a means of suicide, or improved documentation by officers.

Suicide by cop is a rapidly evolving phenomenon—70% of cases occurred within 30 minutes following officers' arrival at the scene. This clearly offers minimal time for prevention or interventions, such as less lethal use of force methods or the involvement of law enforcement crisis negotiating teams.

Thirty-nine percent of suicide by cop phenomena involved domestic violence incidents. In 15 anecdotal cases by Wilson et al,<sup>7</sup> 33% involved domestic violence. A stressed intimate relationship leading to separation, divorce, or family violence is known to be a significant risk factor for suicide.<sup>8</sup> The threat of incarceration may also be associated with suicide. In fact, 10% of individuals in this study who committed suicide were facing the possibility of 25 years to life in prison ("third strike"). A substantial proportion of cases involved a history of alcohol or drug abuse, as well as past psychiatric histories or suicide attempts, all of which have been associated with suicide.<sup>7-9</sup>

Law enforcement officers are at high risk for occupational homicide.<sup>10</sup> Every third day an officer is killed in the line of duty, in some instances with the officer's own firearm.<sup>10</sup> Contrary to popular belief, officers are not trained to shoot to wound an individual. Those suicidal individuals who survived their suicide by cop phenomenon did so inadvertently because of a nonlethal firearm injury. Nearly half of suicidal individuals in this study survived their officer-involved shooting, which is similar to the overall survival rate of officer-involved shootings during the study period. In fact, the majority of individuals shot in officer-involved shootings nationwide do not succumb to their firearm injuries. Even if law enforcement officers recognize a situation as being a suicide by cop phenomenon, in this study 3 officers sustained nonfatal gunshot wounds and the majority of firearms used by suicidal individuals were operative and loaded. Therefore a life-threatening situation to officers continues to exist. The psychological sequelae of an officer forced to shoot in a suicide by cop phenomenon may be profound.<sup>2</sup> Many officers second-guess their response to shoot in such incidents.<sup>2</sup> The officer is often regarded as the "perpetrator," while the suicidal individual is seen as the "victim".<sup>6</sup>

As with any retrospective study analyzing previously compiled information, inherent biases may exist. An

additional 15 officer-involved shootings had the potential to be suicide by cop phenomena but lacked documented evidence of suicidal intent or a specific desire for officers to shoot them.

Although the colloquial term for these suicide attempts and suicides is suicide by cop, the most appropriate term for these events is law enforcement–forced–assisted suicide, because law enforcement officers are "forced" to "assist" these suicidal individuals in attempting or committing suicide. Criteria for the determination of suicide should be expanded to include law enforcement–forced–assisted suicide. All officer-involved shootings should be examined to determine whether they are actually a law enforcement–forced–assisted suicide, and deaths related to this phenomenon should be recorded as suicide by coroners and medical examiners.

On the basis of this study, law enforcement agencies may be able to develop strategies for early recognition of law enforcement–forced–assisted suicide (suicide by cop). Health care providers involved in the evaluation of potentially suicidal individuals should be aware of law enforcement–forced–assisted suicide as a form of suicide. When individuals who have been shot in an officer-involved shooting are brought to the ED for medical care, both the officer and the patient should be questioned about the circumstances of the incident to determine whether the patient exhibited suicidal characteristics or behavior indicative of suicidal intent. More research should be undertaken to further assess officer-involved shootings involving law enforcement–forced–assisted suicide, in particular with individuals who survived this phenomenon.

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# Section C

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## Fact Sheet



**SHERRON OID – FACT SHEET**  
**12-027 / P12-149530**

**Date Occurred:** October 14, 2012  
**Time of Occurrence:** 2246 Hours  
**Decedent:** Chaz Isaiah Sherron  
**Location:** 3750 Myers Street, Apt. 55, Riverside

**Officer(s) Involved:** Officer Mike Gomez #1666  
Officer David Lim #1605  
Officer Chamroeun Ouk #1615  
Officer Rogelio Serrato #1569

**Officer Witness(s):** Officer Bettsey Velasquez #1699  
Sergeant Keenan Lambert #627  
Sergeant Russell Stump #133  
Sergeant Matthew Cash #1200

**Civilian Witnesses:** Cesar and Teresa Macias

**Officer Injuries:** Injuries occurred when the officers moved away from gunfire.  
  
Officer Bettsey Velasquez – Small scrapes to her left elbow  
Officer Mike Gomez – Scrapes to his knuckles  
Sergeant Russell Stump – Small scrapes to his left elbow

**Suspect's Injuries:**

Decedent Sherron sustained three (3) gunshot wounds to the upper torso. Cause of death was listed in the investigative report as "Pending Coroner's Review." The County Coroner's report was redacted in the online public version due to confidentiality.

**Gunshots Fired by Officers Lim, Gomez, Serrato and Ouk:**

The duty weapons of each officer were examined by a forensic specialist at the California State Department of Justice. The examiner found that all handguns functioned properly during the examination. The following evidence is based upon the charting of each officer's duty weapon.  
Officer David Lim fired (6) rounds  
Officer Mike Gomez fired (4) rounds  
Officer Rogelio Serrato fired (2) rounds  
Officer Chamroeun Ouk fired (1) round

# SHERRON OID – FACT SHEET

## 12-027 / P12-149530

### FACT SHEET

The fact sheet is numbered and designed to point you to important factual information located in the criminal case book that will help guide you in your review process. It is not designed to take the place of a cover to cover review. It is up to you to review the “fact sheet” data before or after a cover to cover review. Each point of reference is preceded by a TAB number followed by a page number and paragraph number.

**TAB 1 – OID Summary, Pages 1 – 15:** Detective Rick Cobb, Lead Investigator, provides an overview of the incident.

**TAB 3 – Original Report, Page 1 of 1:** The initial crime report face page listing Officer Gomez as the victim of an assault on a peace officer with a firearm, CPC 245(d)(1). Decedent Sherron is listed as the suspect in the assault. File #P12-149530.

**TAB 4 – Supplemental Report, Pages 1 & 2:** Sgt. C. Flores responded to 3750 Myers Street, #55, to assist on the call of a suicidal subject at that location. Flores arrived on the scene and stood below Apt. #55. He then heard gunshots being fired. He looked up to the landing and saw officers handcuffing a male subject. Responded to Apt. #55 and assisted in clearing the apartment for any possible victims or suspects. He then escorted the officers involved in the shooting to the complex parking lot and ensured that none of them were injured. Flores separated the officers and ensured they did not speak to one another and obtained general “public safety” information from them concerning the shots they fired. On Page 2, Flores reported each officer’s response. Officer Gomez said he fired (3) times. Officer Lim said he fired twice. Officer Ouk said he fired once and Officer Serrato said he fired twice.

**TAB 5 – Supplemental Report Narrative, Page 1:** Sgt. Foy responded to 3750 Myers Street, Apt. #55, to assist Sgt. Lambert on a suicidal subject call. Upon arrival, she was looking for the officers involved in the call when she heard gunshots. She was then asked to set up an inner and outer crime scene perimeter.

**TAB 7 – Supplemental Report Narrative, Pages 2 & 3:** Officer S. Cruz responded to the scene of the shooting and was asked to locate and interview possible witnesses. Located Witness #1, Teresa Macias, in Apt. #30. She was in her bedroom fixing a fan when she heard what sounded like arguing. She looked up and saw a man walking out of the apartment. She could not see if the man was holding anything. The officers then shot at him. Teresa said she called RPD two weeks earlier in regard to the male subject in the apartment beating up on his mother. Teresa’s husband only heard gunshots. Their daughter only heard gunshots. Several other tenants from the apartment were interviewed, but no one saw the shooting. They only heard gunshots. One tenant reported hearing someone say, “We are here to help you,” before the actual shooting occurred.

**TAB 8 – Supplemental Report, Pages 1 & 2:** Officer J. Barney arrived on the scene to assist officers on the call. Walked up stairs on the north side of the complex and onto the stair landing when he saw officers “stacked” south of Apt. #55. He was approximately 30’ away when he saw

**SHERRON OID – FACT SHEET**  
**12-027 / P12-149530**

a male subject step out of the apartment toward the officers. He then heard (5) gunshots. Saw the subject fall to the ground. Checked the apartments directly across from #55 to make sure none of the occupants were injured from gunfire. He spoke to (6) residents, none of which saw the shooting. They only heard gunshots.

**TAB 11 – Supplemental Report:** Officer Scott Levesque. He accompanied the deputy coroner to the decedent’s mother’s home to notify her of the death of her son. While the Deputy Coroner spoke with the decedent’s mother, sister, and brother-in-law, Levesque recorded the dialogue. The decedent’s mother, sister, and brother-in-law all stated that the decedent had made previous comments about committing suicide. The coroner wrote down this information.

**TAB 12 – Supplemental Report, Page 2:** Officer Casey Reid. Responded to the scene to assist officers on the call. She was tasked to cover the rear second floor window of the decedent’s apartment. While doing so, she heard a single gunshot coming from the front of the apartment, followed by sequence of (5) additional gunshots. She conducted a safety sweep of the decedent’s apartment to see if there was anyone else inside.

**TAB 13 – Supplemental Report:** Officer Brad Smith. Arrived on the scene and was directed by Sgt. Stump to secure the inner perimeter of the apartment complex. In doing so, he located (2) shell casings and a gun lying on the lawn below Apt. #55. The gun was pointed out to him by Sgt. Stump. Smith maintained security of the evidence items until they could be collected by the CSI team.

**TAB 23 – Supplemental Report:** Detective Jim Simons. Simons was directed to interview the occupants of Apt. #30, Witnesses Cesar and Teresa Macias.

*(Page 2, Paragraphs 5 – 7)* Cesar was awakened by his wife, Teresa, who said there were police officers outside Apt. #55. He knew a male black subject lived there and that the subject had attacked his mother the previous week. He and Teresa watched the activities through a fan in the window. The moving blades of the fan caused a slight obstruction to his view. He noticed the door to #55 was partially open. The officers were standing to the left and right of the apartment door. The black male subject suddenly rushed out of the door toward the officers. Cesar then heard gunshots and saw the subject fall to the ground. Cesar could not see who fired the guns.

*(Page 2, Last Paragraph and all of Page 3)* Teresa Macias was in the living room watching television when she saw officers walking in the courtyard. She suspected they were going to Apt. #55 due to recent problems at that location. She went into her bedroom and woke up her husband, Cesar, to alert him of the police presence.

She and Cesar watched the officers through a box fan in the window of their bedroom. She saw four (4) officers standing to the right of the front door of Apt. #55 and three (3) officers to the left of it. She heard an officer say, “Riverside police. Come out with your hands up. If you have weapons, throw them down.” All of a sudden, the suspect came running out of the front door

**SHERRON OID – FACT SHEET**  
**12-027 / P12-149530**

toward the officers holding something in one of his hands. She could not tell what it was. She then saw muzzle flashes and heard 5 – 6 gunshots. The subject fell to the ground. Teresa could not tell who fired the gunshots. She said that police officers had been to Apt. #55 three separate times in the past three weeks due to problems with the subject who resides there. Approximately two weeks prior to the shooting, Teresa said the subject was physically assaulting and kicking his mother outside the front door. Officers responded to that event and knocked at the door, but no one had answered.

**TAB 24 – Supplemental Report, Pages 2 – 5:** Detective David Smith. Conducted tape recorded interviews with Officer Velasquez and Sgt. Stump. Velasquez and Stump were present on the 2<sup>nd</sup> floor landing when the shooting occurred. Neither of them fired their weapons. Velasquez said she was assigned the task of “less lethal” while standing with the officers next to the front door. There is a synopsis of the interviews in this supplemental report and both should be read.

**TAB 25 – Supplemental Report, Pages 2 & 3:** Detective Jim Brandt. Conducted an audio-recorded interview with Sergeant Lambert. Sgt. Lambert arrived on the scene and assisted in setting up the officers in a safe manner. He noticed a potential cross fire situation and while preparing to move a couple of officers, he saw a hand with a gun in it exiting the apartment. He then heard gunfire and moved to an alcove behind him in order to prevent a crossfire situation. The suspect went down and Lambert assisted in taking him into custody. Lambert heard one of the officers say something about a knife. Lambert saw a large kitchen knife lying on the landing. He also saw a handgun lying on the ground below Apt #55.

**TAB 26 – Supplemental Report, Pages 2 & 3:** Detective Jim Brandt. He conducted an interview of the incident with Sgt. Cash who was on the scene at the time of the shooting. Cash took up a position to the left of the door with Officers Serrato, Ouk, Velasquez, and Lim. He saw Officer Gomez on the other side of the door with Sgts. Stump and Lambert. Cash directed Velasquez to arm herself with a “less lethal” weapon which was her Taser. Cash was uncomfortable with the formation of the officers and as he turned back to consider moving, he suddenly heard a gunshot and saw officers backing away from the door. At the same time, he saw someone exiting the apartment then heard more gunshots and the suspect fall to the ground on his back. He heard an officer say “watch the gun ... secure the gun.” Cash did not see the gun at this time, but saw the suspect clutching a butcher knife in his left hand. Cash assisted officers in securing the suspect and conducted a safety sweep of the apartment. Cash saw what looked like a black semi-auto pistol lying on the ground below Apt. #55.

**TAB 27 – Supplemental Report, Pages 2 & 3:** Detective Rick Cobb. Conducted an audio-recorded interview with Officer Gomez (see Interview Transcript, Pages 1 – 17, following the Supplemental Report Narrative). Gomez said he was in the Magnolia Street Station with Officer Velasquez when he heard the call of a suicidal subject with a gun broadcast over the police radio. Gomez arrived on the scene with Officer Velasquez. Officers Ouk, Lim, and Serrato also arrived. Gomez took up a position outside the door to Apt. #55. Officers Lim, Ouk, and Velasquez were standing on the other side of the apartment door. The front door was slightly

## SHERRON OID – FACT SHEET 12-027 / P12-149530

ajar by an inch. Gomez pushed it approximately half way open. He could not see anyone inside and called out into the apartment informing the occupant(s) that he was from RPD and there to help. Shortly after, he saw a black semi-auto pistol at the door. It was Sherron holding the pistol, pointing it at Officer Lim and the officers standing behind him. Gomez thought Sherron was going to shoot the officers and fired his weapon at him, striking him in the upper torso. Gomez said he fired (3) rounds in succession at Sherron and that he (Sherron) fell to the ground. Gomez did not know whether or not he fired first.

**TAB 28 – Supplemental Report, Pages 2 & 3:** Detective Rick Cobb. Conducted an audio-recorded interview with Officer Lim (see Interview Transcript, Pages 1 – 15, following the Supplemental Report Narrative). Lim said he was on routine patrol when he heard a dispatched call go out over the police radio that there was a suicidal subject with a gun at 3750 Myers, #55. He arrived on the scene along with officers Ouk, Serrato, Gomez, and Velasquez. He and the other officers located Apt. #55 and were told by police dispatch that they still had the calling party on the line and that he (Sherron) said he put the gun down on a table. Officer Lim took up a position on the left side of the door with Officers Ouk, Serrato, and Velasquez. Lim said he called out to the occupant(s) inside the apartment informing them that he was with RPD and for him to come out. He saw Gomez push the door open which allowed him to see the living room area. Lim saw Sherron exit the apartment with a handgun pointed at him and the officers behind him. Lim got scared and fired his weapon at Sherron until he (Sherron) was no longer a threat. When Sherron fell to the ground, Lim saw him clutching a butcher knife in his left hand.

**TAB 29 – Supplemental Report:** Detective R. Wheeler. He conducted audio-recorded interviews with Officers Serrato and Ouk. Wheeler wrote a synopsis of both interviews. The synopsis is followed by transcripts of both interviews. Officers Serrato and Ouk were riding as partners in the same police vehicle when they heard the call of a suicidal subject with a gun over the police radio. They responded to assist and met up with Officers Gomez, Lim, and Velasquez who were already near the front door of Apt. #55. The officers flanked both sides of the door. Sgt. Cash arrived a short time later and designated Officers Serrato and Lim as the arrest team. Serrato was situated behind Lim and had his firearm out in a “low ready position.” Officers Gomez and Lim attempted to talk the subject into coming out of the apartment, but got no response.

The apartment door was slightly ajar and Serrato looked in, but could not see anyone. All of a sudden “out of nowhere,” Serrato saw a black male (Sherron) exit the apartment with his arm extended outward as though he had a gun. Serrato could not see a gun at that moment, but at the same time as Sherron exited, Serrato heard gunfire. He said it was so loud that it hurt his ears, which caused him to think he was shot in the head. Serrato feared he was being shot at and backed away from the door and fired at the subject. As Serrato backed up, he tripped backwards and fell to the ground, discovering that his firearm was jammed and inoperable. He then saw Sherron fall to the ground in front of him. Serrato cleared his weapon as Sherron fell to the ground. He then assisted in handcuffing Sherron. Serrato said that he fired his weapon at Sherron because he feared for his life and the lives of his fellow officers.

# SHERRON OID – FACT SHEET

## 12-027 / P12-149530

Officer Ouk said he was riding a two-man car with Officer Serrato when they heard the radio call of a suicidal man with a gun. Upon arrival, they met with Officers Gomez, Velasquez, and Lim inside the complex. The officers took up positions on opposite sides of the door. Officers tried to establish contact with the occupant(s), but there was no answer. Ouk said he suddenly heard a loud “pop,” but was uncertain if it was gunfire. At the same time, Ouk saw a black male exit the apartment with a knife in his right hand. The man appeared to turn toward Ouk and the other RPD officers. Fearing the man might try to harm the officers, Ouk fired one (1) round from his weapon toward the man before his gun jammed. Ouk cleared his gun as the male subject fell to the ground. Ouk assisted in placing handcuffs on the subject and clearing the apartment for other people.

**TAB 32 – Supplemental Report, Pages 2 & 3:** Detective Medici. Provided a Crime Scene description, evidence, and initial inspection of Sherron’s body by Deputy Coroner Escobar. Escobar checked for external injuries and located (3) possible gunshot wounds on the left side of Sherron’s body, (1) to the left rib cage, (1) to the left chest, and (1) to the collar bone.

**TAB 33 – Supplemental Report, Page 2:** Officer C. Fuller. Took photographs of the scene from the vantage point that both Cesar and Teresa Macias had from Apt #30. Also assisted in searching the crime scene for evidence and taking measurements.

**TAB 34 – Supplemental Report, Page 2:** Forensic Tech. S. Lane. Collected evidence (shell casings) and took photographs.

*(Page 14)* Completed crime scene diagram listing where all items were found.

**TAB 37 – Supplemental Report, Page 2 – 6:** Detective Jim Simons and Evidence Technician Selena McKay-Davis.

### **Charting Involved Officers' Weapons:**

#### Officer Bettsey Velasquez:

Glock Model 22 .40 Cal. Had three (3) magazines with (15) rounds in each. She had no missing rounds, thus she did not fire her weapon.

#### Officer David Lim:

Glock Model 22 .40 Cal. One (1) magazine with nine (9) live rounds and one (1) in the chamber. Two (2) additional magazines with (15) rounds each. Lim had six (6) missing rounds indicating he fired six (6) rounds.

#### Officer Michael Gomez:

Glock Model 22 .40 Cal. One (1) magazine with (11) rounds and one (1) in the chamber. Two (2) magazines with (15) rounds. Gomez had four (4) missing rounds indicating he fired four (4) rounds.

**SHERRON OID – FACT SHEET**  
**12-027 / P12-149530**

Officer Rogelio Serrato:

Glock Model 22 .40 Cal. One(1) magazine with (13) rounds and one in the chamber. (2) additional magazines with (15) rounds each. Gomez was missing (2) rounds indicating he fired two rounds.

Officer Chamroeun Ouk:

Glock Model 22 .40 Cal. Three (3) magazines with (15) rounds each. Ouk was missing one (1) round indicating he fired one (1) round.

Sergeant Matthew Cash:

Glock Model 22 .40 Cal. Three (3) fully loaded magazines indicating he did not fire any rounds.

Sergeant Rusty Stump:

Glock Model 22 .40 Cal. Three (3) fully loaded magazines indicating he did not fire any rounds.

Sergeant Keenan Lambert:

Glock Model 22 .40 Cal. Three (3) fully loaded magazines indicating he did not fire any rounds.

**TAB 39 – Physical Evidence Examination Report:** Report submitted by Brian L. Rienarz, California Department of Justice, Forensic Sciences Unit. He conducted the forensic analysis of the weapons belonging to the four shooting officers. Reinarz provided a report of the results of the analysis. All four handguns functioned properly when test fired.

**TAB 40 – Supplemental Report:** Detective R. Wheeler attended the autopsy of Sherron and reported information obtained from the pathologist as the exam was underway. The autopsy was performed by Dr. Park. The autopsy began with the collection of Sherron's clothing, the bags that were placed around his hands at the scene and blood. Clothing worn by Sherron was reported as follows: black t/shirt with logo, black plaid shorts, and brown shoes. There were three bullet wounds to Sherron's upper torso. (1) in the left abdomen, (1) in the heart and (1) near the neck and left shoulder. A bruise was located outside of the right chest below the armpit. The internal examination of Sherron's body demonstrated that the bullet trajectory was from his left to the right.

**TAB 44 – Supplemental Report, Pages 1 – 39:** Photo log and photos of the scene and evidence.

**TAB 55 – DA's Letters:** Letters from the Riverside County DA's Office to Chief Diaz stating that there is no evidence of criminal culpability against any of the officers in regard to their use of deadly force in this incident.

By Frank Hauptmann



# Section D

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RPD Policy 4.8  
(Rev. 6, 5/26/11)

Investigations of  
Officer-Involved Shootings  
& Incidents Where Death  
or Serious Likelihood of  
Death Results



Effective Date: 10/84  
Revision 1 Date: 10/06/97  
Revision 2 Date: 01/30/02  
Revision 3 Date: 04/05/02  
Revision 4 Date: 05/09/05  
Revision 5 Date: 10/20/08  
Revision 6 Date: 05/26/11  
Approval:

  
Sergio G. Diaz  
Chief of Police

**4.8 INVESTIGATIONS OF OFFICER INVOLVED SHOOTINGS AND INCIDENTS WHERE DEATH OR SERIOUS LIKELIHOOD OF DEATH RESULTS:**

**A. POLICY:**

The following procedures shall be followed when a member of this Department, whether on or off duty, or any member of any law enforcement agency, uses, or attempts to use, deadly force through the intentional or accidental use of a firearm or any other instrument in the performance of his/her duties or is otherwise involved as a principal in an incident where death or serious likelihood of death results. A member is considered a principal for the purposes of this policy if he/she participates in and/or is otherwise physically involved in the incident. Such incidents include, but are not limited to:

1. Intentional and accidental shootings;
2. Intentional and accidental use of any other deadly or dangerous weapon;
3. Attempts to affect an arrest or otherwise gain physical control over a person for a law enforcement purpose; and,
4. Deaths of persons while in police custody or under police control following a use of force.

**B. PROCEDURES:**

1. Whenever an employee of this Department uses, or attempts to use, deadly force through the intentional or accidental use of a firearm or any other instrument in the performance of his/her duties, or is otherwise involved in an incident where death or serious likelihood of death results as defined above, he/she shall immediately notify his/her supervising officer.
2. The supervisor shall notify the Watch Commander without unreasonable delay.
3. The Watch Commander shall notify the on-call Centralized Investigations Sergeant. The on-call Centralized Investigations Sergeant shall notify the Centralized Investigations Lieutenant (or Captain in his/her absence). The Centralized Investigations Lieutenant will determine if a response by the Officer Involved Shooting Team (OIS Team) is necessary. If so, the Centralized Investigations Lieutenant will notify the Robbery/Homicide Sergeant who will respond the OIS Team.
4. If an employee discharges a firearm, or uses other deadly force, or is otherwise involved in an incident where death or serious likelihood of death results outside the Riverside City limits, the employee shall immediately notify the local law enforcement agency having jurisdiction where the incident occurred. As soon as

possible, the employee shall notify the Riverside Police Department Watch Commander. The Watch Commander will notify the on-call Centralized Investigations Sergeant and other personnel as designated in this policy. The on-call Centralized Investigations Sergeant shall make the notification as above in B3. If the incident occurs within Riverside County, the use of deadly force shall be investigated pursuant to the Riverside County Law Enforcement Administrator's protocol. In those cases outside the City of Riverside, the involved employee shall notify the Riverside Police Department Watch Commander as soon as possible and a written memorandum shall be filed with the Watch Commander without delay.

## **C. ROLES AND RESPONSIBILITIES**

Personnel responding to an officer involved shooting or other deadly use of force incident or officer involved incident where death or serious likelihood of death results should recognize and adhere to the roles and responsibilities as listed below.

### **1. Roles:**

- a. The Centralized Investigations Bureau will focus on all criminal aspects of the incident.
- b. The Riverside County District Attorney may be present to oversee the focus on all criminal aspects of the investigation and may conduct a parallel investigation.
- c. The Riverside Police Office of Internal Affairs may be present to review training, procedural, and policy matters connected with the incident.
- d. The Riverside City Attorney may respond to the scene to review the case with regard to any potential civil liability to the City of Riverside and its officers.
- e. Peer Support Officers shall be called to provide employee(s) support and assistance in understanding the investigative process and to attend to the officer(s)' personal needs. The Watch Commander or Centralized Investigations Lieutenant will determine the appropriate time and place for peer support to respond. Although confidentiality within the Peer Support Program is provided under the Evidence Code, and the Riverside Police Department will not require Peer Support Officers to reveal confidential conversations with involved employees, Peer Support Officers are cautioned that a court may determine no privilege exists regarding immunity or communication between the Peer Support Counselor and the involved employee(s).
- f. Psychological Services shall be called to assist the employee(s) involved with information on coping with psychological changes which can occur as a result of being involved in a critical incident. A licensed mental health professional afforded psychotherapist-patient privilege under the Evidence Code shall interview the officers involved. The Watch Commander or Centralized Investigations Lieutenant will determine the appropriate time and place for post-incident psychological counseling.

Involved employees may decline to discuss the specific facts of the critical incident with the psychological counselor.

- g.** The Press Information Officer shall be summoned to the scene if necessary to act as a single source of information to the news media. The Investigations Lieutenant or his/her designee will brief the PIO as to information deemed appropriate for release. The PIO shall provide regular updates and a written press release to the news media when appropriate.
- h.** The Riverside Police Officers Association (RPOA) shall be notified of the critical incident whenever the ensuing investigation is handled by this department and the incident involves a member of the RPOA. In such cases, notification will be made by the Centralized Investigations Sergeant at the following RPOA telephone number: (951) 403-4657. Representative(s) of the RPOA will be permitted access to the involved officers at the scene and at the Centralized Investigations Bureau. RPOA will designate which representative(s) will respond. RPOA Representatives on duty shall be relieved of further duty with pay unless they are witnesses to or directly involved in the critical incident. RPOA Representatives will not unreasonably be denied access to the officers they are representing. No report will be required of RPOA Representatives. While the Police Department will not require RPOA Representatives to reveal communications with member officers they are representing, a court may determine that no privilege exists in criminal matters. Accordingly, officers are encouraged to obtain legal representation.

**2. Responsibilities:**

**a. Involved/Witnessing Employee Shall:**

- 1.** Provide care for all injured persons.
- 2.** Request supervision and suitable assistance.
- 3.** Secure the scene of the incident and protect it from alteration and contamination.
- 4.** Apprehend offenders.
- 5.** Brief the responding supervisor, providing a public safety statement to assist in identifying and/or locating the suspect, number of rounds fired, trajectory of rounds fired, information necessary to protect the crime scene, or information to protect the public and other officers from continuing harm of a fleeing suspect.
- 6.** Ensure witnesses and/or other involved persons (including police personnel) do not discuss the incident prior to being interviewed by the OIS Team.

7. Prepare an accurate and complete police report of the incident and have it approved by a supervisor. The report may be prepared by the involved employee(s) by dictating the report for transcription, furnishing a complete and accurate statement to police investigators, or by submitting a complete and accurate written report. Such report should be prepared as soon as possible after the incident unless the employee is injured or emotionally unable to promptly make a police report. The Investigations Lieutenant will determine when the report will be prepared or the employee interviewed. When making their reports, involved officers shall not be considered as having waived their rights under the Public Safety Officers Procedural Bill of Rights Act, the federal and California Constitutions, and other relevant statutory protections.
8. Unless approval is granted by the Chief of Police or his/her designee, the involved employee(s) shall not talk to the news media or anyone else regarding the incident or investigation until the entire criminal investigation is completed. Exceptions are: the interviewing detective and/or supervision from the OIS Team, legal representatives, RPOA representative, Peer Counselor, a member of the clergy, or a psychological services provider.
9. Involved employee(s) will provide a blood sample, when in accordance with law, when administratively compelled, or when in compliance with the department's alcohol and drug testing policy.

**b. Field Supervision Shall:**

1. Provide medical aid to any injured parties.
2. Take immediate charge of the scene. Establish a crime scene perimeter with a single point of entry and exit. Assign an officer to restrict access only to necessary police and/or medical personnel and to maintain a log of persons entering and exiting the crime scene.
3. Ensure preservation of the scene for investigators. Supervise Field Operations personnel and ensure they carry out assigned duties.
4. Make immediate inquiry into issues of public safety and scene security, i.e., including number of rounds fired, trajectories of rounds after discharge, and the description, location, or direction of travel of any outstanding suspects. No further questions will be asked of the involved employee(s).
5. Ensure that no items of evidence are handled or moved unless contamination or loss of evidence is imminent. If contamination or loss of evidence is likely, notation (or preferably a photograph) must be made of its location and condition before it is moved. Photographs will only be taken upon the express direction of a member of the shooting team or the Field Supervisor.

6. Assign an officer to accompany any injured persons to the hospital to:
  - a. Recover and secure any item of physical evidence.
  - b. Place suspect in custody if appropriate.
  - c. Record any spontaneous or other unsolicited statements.
  - d. Record information regarding medical condition and personnel treating the injured person.
7. Notify the Watch Commander.
8. Establish an appropriate command post.
9. Ensure that the weapons used are not handled by anyone at the scene. Safety should be paramount. Weapons in possession of the involved employee(s) should be left with the employee(s) until requested by the OIS Team.
10. Transportation of the involved employee(s) from the scene to the Investigations station shall be arranged using uninvolved, on-duty personnel or peer counselors.
11. Assign an on-duty, non-involved officer to accompany the involved and/or witness employee(s) to the station to ensure that they are not allowed to discuss the incident with other officers or employees. Involved officer(s) shall be sequestered until such time as they meet with the assigned detectives and/or supervisors assigned to the OIS Team for the purposes of providing an interview. Exceptions are: legal representatives, RPOA representative, Peer Counselor, a member of the clergy, or a psychological services provider.
12. All witnesses should be located and documented, including hostile witnesses.
13. Ensure that each employee present, excluding those directly involved in the incident, peer officers and RPOA representatives, completes a supplemental report before the end of shift. The report should include the employee's name, identification number, unit number, and specific actions at the scene. The completed report is to be submitted directly to the Officer Involved Shooting Team Supervisor.
14. Brief the responding OIS Team.
15. Notify the Press Information Officer if necessary. Provide an initial press release to the news media present if necessary. The information released shall be brief and generalized with absolutely no names released or confirmed. The PIO shall also prepare a written press release covering the same information previously

released. Any subsequent media contact shall be the responsibility of the PIO or Investigations Lieutenant or his/her designee.

**c. Watch Commander Shall:**

1. Notify the Centralized Investigations on-call Sergeant.
2. Notify the employee's Division Commander.
3. Notify the Deputy Chief of Operations
4. Notify on-call Peer Support personnel and RPOA representative, and coordinate the response of the Psychological Services provider with the Centralized Investigations Lieutenant.
5. Ensure the presence of sufficient personnel to control the scene and to allow adequate police services for the remainder of the city.
6. Maintain or cause to be maintained an accurate account of police personnel involved in the incident and any employee(s) called to assist in providing basic police services.
7. Unless directed otherwise, conduct a debriefing of the incident and prepare the after action report as required by Riverside Police Department Manual of Policy and Procedures Section 4.58, Debriefing of Critical Incidents.
8. Ensure that the necessary reports are completed in compliance with Riverside Police Department Manual of Policy and Procedures Section 4.30, Use of Force.

**d. Centralized Investigations Lieutenant Shall:**

1. Notify and assign Robbery/Homicide Sergeant(s) to the investigation.
2. Notify the Investigations Division Commander of the investigation.
3. Notify the City Attorney.
4. Notify the Internal Affairs Lieutenant or appropriate Internal Affairs Sergeant in his/her absence.
5. Respond to the scene to assume command of the investigation and serve as liaison with Area Commanders, Division Commanders, Office of Internal Affairs, City Attorney, and the District Attorney's Office.
6. Provide the Press Information Officer with updated information that can be released to the media. In the absence of the PIO, the Investigations Lieutenant or his/her designee shall be the single

release point for all press information and be responsible for preparing and distributing the written press release.

7. Ensure that public information concerning the findings and conclusions of the criminal investigation are not disclosed until the involved employee(s) have been first notified.
8. Schedule a debriefing at the conclusion of the initial investigation to ensure all aspects have been covered and to discuss considerations for improvement.
9. Submit the completed investigation to the District Attorney's Office and attend the DA staffing of the investigation with the OIS Sergeant and the case agent.
10. Ensure that the involved employee(s) meets with the Psychological Services provider.
11. Ensure that the OIS Team, including supervisors, complies with this Policy and that involved officers are afforded their procedural rights under the Public Safety Officers Procedural Bill of Rights and related laws.

**e. Officer Involved Shooting Team Shall:**

1. Conduct a thorough and accurate criminal investigation of the incident, including:
  - a. Documenting, photographing, and collecting all evidence at the scene. Photographs taken after the arrival of the shooting team will be at their direction only.
  - b. Interviewing all victims, witnesses, suspects, or other involved persons. All interviews will be tape recorded unless impractical or the circumstances prevent it.
  - c. Advise the involved employee(s) of their Constitutional rights if there is a possibility of a criminal violation on the part of the employee(s) and when it is anticipated the case will be submitted to the District Attorney's Office for filing. Rights advisals are not required for employees who are solely witnesses and criminal prosecution will not occur.
  - d. If the involved employee(s) is advised of his/her Constitutional rights prior to writing or dictating a report or being questioned, and the employee declines to waive those rights, no further questioning will occur.
  - e. Advise the involved or witness employee(s) that they may consult with a department representative or attorney prior to the interview taking place, and this department representative or attorney may be present during the interview.

- f.** No administratively compelled statement(s) will be provided to any criminal investigators.
- g.** Involved employee(s) may be ordered to provide samples of blood when objective symptoms consistent with the use of alcohol, a drug or narcotic are exhibited by the involved employee(s), or when reasonable suspicion exists to believe an employee(s) is under the influence of alcohol, a drug or narcotic. All blood samples will be retained by the Riverside Police Department. All blood results will be sent directly to the Centralized Investigations Sergeant overseeing the OIS Team. Blood results will then be forwarded to the OIS case agent.
- h.** Interviews or questioning of involved officers shall whenever possible take place in an office or room not regularly used to interview suspects or civilian witnesses. Officers shall not be interviewed in a suspect interview room or a room equipped to remotely monitor (audio and/or video) interviews. Injured officers shall not be interviewed at a hospital or medical care center unless circumstances require an emergency interview before the officer is released.
- i.** Notify and consult with the Deputy District Attorney concerning legal issues connected to the investigation.
- j.** Ensure all reports have been written and submitted in a timely manner.
- k.** Take custody of involved employee's weapon(s) for submission to DOJ and range inspection.
- l.** Ensure involved employee(s) have replacement weapons.
- m.** The Officer Involved Shooting Team Sergeant will complete a synopsis of the incident, forwarding a copy to the affected Division Commander and Chief of Police within twenty-four hours of the incident.
- n.** Ensure the investigation is completed in a timely manner and submitted to the Centralized Investigations Lieutenant for review.
- o.** Attend the District Attorney's Office staffing of the investigation with the OIS Sergeant and Centralized Investigations Lieutenant. Staffing to be arranged by the Lieutenant.
- p.** The OIS case agent and investigations supervisor will be responsible for the collection of all police reports and related documents. These documents will remain under

their control until the investigation concludes and is submitted to the Centralized Investigations Lieutenant.

q. Prior to the conclusion of the investigation, police reports, photographs, and other related documents will be released only with the approval of the Centralized Investigations Lieutenant.

2. No employee shall ever threaten, coerce, intimidate, or harass an involved officer or his representative for: 1) exercising their rights under this Policy, the Public Safety Officers Procedural Bill of Rights Act, and any other protections afforded peace officers under the law; or 2) choosing to write or dictate a report rather than being interviewed. Violations of such rights or failing to comply with or afford the officer his rights and elections under this Policy shall be grounds for disciplinary action.

f. **Internal Affairs Shall:**

1. The Internal Affairs Lieutenant shall be responsible for conducting an independent administrative investigation.

2. Inform the Chief of Police or his/her designee with regard to the information obtained in the course of their investigation.

3. All Internal Affairs Investigations shall be separate from the investigation conducted by the Officer Involved Shooting Team. Information obtained from the Officer Involved Shooting Team will be used to aid the Internal Affairs investigation. No information obtained from a compelled interview will be disclosed to the Officer Involved Shooting Team.

4. Interviews with witnesses, suspect(s) or involved employee(s) will not be conducted until after they have been interviewed by the Officer Involved Shooting Team, or a determination made that the officer will not be interviewed, or the officer declines to make a voluntary statement.

g. **Public Information Officer and Press Releases:**

1. Refer to the Riverside Police Department Policy and Procedures Manual Section 5.4, News Release and Media Relations and Access Policy.

D. **RELIEF FROM DUTY**

1. In the best interest of the community, the Department and the involved employee(s), the employee(s) shall, as soon as practical, be relieved from active duty by the Watch or Division Commander. The involved employee(s) may be placed on paid Administrative Leave status for a minimum of one day, during which time he/she shall be provided full salary and benefits. The involved employee(s) shall not be returned to full duty until such time as the Personnel Services Bureau has received a "clearance for return to full duty" from the

department's contracted psychological services provider. Once the clearance notification is received, the Personnel Services Bureau Lieutenant shall communicate this information to the Bureau Commander overseeing the employee's bureau or assignment.

- 2.** At the discretion of the Chief of Police or his/her designee, those employees who witnessed the traumatic incident or otherwise assisted the involved employee(s) may also be placed on paid Administrative Leave status as described above.

# Section E

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RPD Policy 4.30  
(Rev. 9, 4/5/11)

Use of Force Policy



Effective Date: 8/93  
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Approval:

  
Sergio G. Diaz  
Chief of Police

#### **4.30 USE OF FORCE POLICY:**

##### **A. PURPOSE:**

The purpose of this policy is to provide officers of this department with guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, each officer is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

##### **B. PHILOSOPHY:**

The use of force by law enforcement personnel is a matter of critical concern both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied human encounters and when warranted, may use force that is objectively reasonable to defend themselves; defend others; effect an arrest or detention; prevent escape; or, overcome resistance in order to carry out their duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. It is also understood that vesting officers with the authority to use objectively reasonable force to protect the public welfare requires a careful balance of all interests.

##### **C. SERIOUS BODILY INJURY:**

For the purposes of this policy, the definition for serious bodily injury shall coincide with California Penal Code Section 243(f)(4) as including, but not limited to: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and, serious disfigurement.

##### **D. POLICY:**

It is the policy of this Department that officers shall use only that amount of force that is objectively reasonable, given the facts and circumstances perceived by the officer at the time of the event to defend themselves; defend others; effect an arrest or detention; prevent escape; or, overcome resistance. Objective reasonableness must be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any interpretation of reasonableness must allow for the fact that police officers are often forced to make split-second decisions about the amount of force that is necessary in a particular situation in circumstances that are tense, uncertain and rapidly evolving (Tennessee v. Garner, 471 U.S. 1 (1985); Graham v. Connor, 490 U.S. 386, 397 (1989); and, Scott v. Harris, 550 U.S. 372 (2007).

Given that no policy can realistically predict every possible situation an officer might encounter in the field, it is recognized that each officer must be entrusted with well-reasoned discretion in determining the appropriate use of force in each incident. While it is the ultimate objective of every law enforcement encounter to minimize injury to everyone involved,

nothing in this policy requires an officer to sustain or risk physical injury before applying reasonable force.

It is recognized that officers are expected to make split-second decisions and that the amount of time an officer has available to evaluate and respond to changing circumstances may impact his/her decision. While various degrees of force exist, each officer is expected to use only that degree of force reasonable under the circumstances to successfully accomplish the legitimate law enforcement purpose in accordance with this policy.

Circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the standard tools, weapons or methods provided by the Department. Officers may find it more effective or practical to improvise their response to rapidly unfolding conditions they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree reasonably necessary to accomplish a legitimate law enforcement purpose.

**E. FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE:**

When determining whether or not to apply force and/or evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration. These factors include, but are not limited to:

1. The conduct of the individual being confronted (as reasonably perceived by the officer at the time).
2. Officer/subject factors (age, size, relative strength, skill level, injury/exhaustion and number of officers vs. subjects).
3. Influence of drugs/alcohol (mental capacity).
4. Proximity of weapons.
5. The degree to which the subject has been effectively restrained and his/her ability to resist despite being restrained.
6. Time and circumstances permitting, the availability of other options (what resources are reasonably available to the officer under the circumstances).
7. Seriousness of the suspected offense or reason for contact with the individual.
8. Training and experience of the officer.
9. Potential for injury to citizens, officers and suspects.
10. Risk of escape.
11. Other exigent circumstances.

**F. USE OF FORCE TO EFFECT AN ARREST:**

Any peace officer that has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape, or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from his/her efforts by reason of resistance or threatened resistance of the person being arrested; nor shall such officer be deemed the aggressor or lose his/her right to self-defense by the use of reasonable force to effect the arrest or to prevent escape

or to overcome resistance (California Penal Code § 835a).

**G. COMPLIANCE TECHNIQUES:**

Compliance techniques may be very effective in controlling a passive or an actively resisting individual. Officers should only apply those compliance techniques for which they reasonably believe the use of such a technique appears necessary to further a legitimate law enforcement purpose. The application of any compliance technique shall be discontinued once the officer determines that compliance has been achieved.

**H. LESS LETHAL FORCE:**

Each officer is provided with equipment, training and skills to assist in the apprehension and control of suspects as well as protection of officers and the public. To do this, non-deadly force applications should be considered by officers. These may include, but are not limited to, chemical irritants, electronic control devices, less lethal munitions, and canine deployment as described in the Riverside Police Department Policy Manual §§ 3.23, 4.43, 4.49, and 8.1 respectively.

**I. CAROTID RESTRAINT:**

Only officers who have successfully completed Department approved training on the use of the carotid restraint hold and the Department Use of Force Policy are authorized to use this technique. After initial training, officers shall complete periodic training on the use of the carotid restraint hold as prescribed by the Training Unit. Newly hired police officers are restricted from the use of this technique until successfully completing this training.

After the application of any carotid restraint hold, the officer shall ensure the following steps occur:

1. Any individual who has had the carotid restraint hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel.
2. The officer shall inform any person receiving custody of, or any person placed in apposition of providing care for, that the individual has been subjected to the carotid restraint hold and whether the subject lost consciousness as a result.
3. Any officer applying the carotid restraint shall promptly notify a supervisor of the use or attempted use of such a hold.
4. The use or attempted use of the carotid restraint shall be thoroughly documented by the officer in the related criminal report.

**J. DEADLY FORCE:**

Officers are authorized the use of deadly force to: protect themselves or others from an immediate threat of death or serious bodily injury; or prevent a crime where the suspect's actions place persons in jeopardy of death or serious bodily injury; or, to apprehend a fleeing felon for a crime involving serious bodily injury or the use of deadly force where there is a substantial risk that the person whose arrest is sought will cause death or serious bodily injury to others if apprehension is delayed. Officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury.

1. Drawing or exhibiting Firearm: Officers shall only draw or exhibit a firearm when there is a reasonable likelihood of danger to the officer or other persons.

2. Discharge of Firearm: In addition to life-threatening situations as described, officers may discharge a firearm or use any other type of deadly force in the performance of their duties, under the following circumstances:
  - a. To kill a dangerous animal that is attacking the officer or another person(s), or which if allowed to escape, presents a danger to the public.
  - b. When humanity requires the destruction of an animal to save it from further suffering, and other disposition is not possible.
  - c. To give an alarm or call assistance for an important purpose when no other means are available.
  - d. Generally, a member of the Department shall not discharge a firearm as a warning shot.
  - e. Generally, a member of the Department should not discharge a firearm at or from a moving vehicle unless in the necessary defense of human life in accordance with this policy.

**K. REPORTING USE OF FORCE INCIDENTS:**

Any use of force shall be reported to a supervisor as soon as practical if any of the following conditions exist:

1. The application of force by the officer appears to have caused physical injury to the suspect or required medical assistance.
2. The application of force by the officer included a chemical irritant, electronic control device, carotid restraint, baton, or firearm.
3. The application of force by the officer appears to have rendered the suspect unconscious.

**L. EMPLOYEE RESPONSIBILITIES:**

Any member of the Department involved in reporting a use of force application shall:

1. Summon medical aid, as needed.
2. Immediately notify a supervisor.
3. Adhere to the provisions of section 4.8 of the Riverside Police Department Policy and Procedure Manual if the application of force caused serious bodily injury or death.
4. Report the full details of the application of force in the related Department criminal report.
5. If off duty, notify the on duty Watch Commander immediately.

**M. SUPERVISOR RESPONSIBILITIES:**

A supervisor shall respond to an incident in which there has been a reported application of force. The supervisor is expected to:

1. Ensure that any injured parties are examined and treated.

2. Obtain the basic facts from the involved officer(s). Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
3. Ensure proper documentation of statements made by the suspect(s) upon whom force was applied under the following guidelines:
  - a. Spontaneous statements by the suspect(s) should be incorporated into the related criminal report.
  - b. Supervisors may use their discretion when deciding whether or not to interview the suspect(s) or a witness.
  - c. If a Supervisor decides to interview the suspect(s), a voluntarily Miranda waiver must be obtained and the suspect(s) statement shall be included in the related criminal report.
4. Ensure that photographs have been taken of any areas involving visible injury and complaint of pain as well as overall photographs of uninjured areas.
5. Identify witnesses not already included in related criminal reports.
6. Review and/or approve all related criminal reports, video and audio recordings.
7. Complete and submit the Supervisor Administrative Review/Investigation Report and the related criminal reports within 5-days via the chain of command.

The Watch Commander, after reviewing all available information, shall make appropriate notification to the Internal Affairs Unit as soon as practical, if he or she believes an application of force has violated department policy.

The Internal Affairs Unit shall be responsible for conducting all administrative investigations involving the application of force.