

BOND OID – FACT SHEET
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Date of Incident: February 18, 2012
Time of Incident: 1445 Hours
Decedent: Danny James Bond
Location: 5652 Harold Street, Riverside

Officer(s) Involved: Sergeant Bill McCoy, #177
Sergeant Ron Whitt, #346

Officer Witnesses: Officer Dawson Smith, #1275
Officer Brett Stennett, #1374

Civilian Witnesses: Pedro Hernandez
Hugo E. Hernandez Ortega
Marco Palomera Ayon
Eliseo Salgado
Becky Zuniga

Suspect's Injuries:

Bond had (7) entry wounds, (1) exit wound, and (2) grazing wounds to his body. The entry wounds are as follows: (1) left chest, (1) left side of torso, (4) center of back and (1) to the left buttocks. The (2) grazing wounds are as follows: (1) to the left thigh and (1) to the left side of torso. The one exit wound was out his upper right chest. (6) expended projectiles were recovered from Bond's body. The Riverside County Coroner listed the cause of death as "multiple gunshot wounds." The County Coroner's report was redacted in the on-line public version due to confidentiality.

Gunshots Fired by Sergeants McCoy and Whitt:

The following evidence is based upon forensic analysis by the State of California – Department of Justice after examining all casings and projectiles recovered:

- Sergeant McCoy fired (8) of the expended casings found on Harold Street and (5) of the expended projectiles recovered from Bond's body.
- Sergeant Whitt fired (4) of the expended casings found on Harold Street and (1) expended projectile recovered from Bond's body.

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FACT SHEET

The fact sheet is numbered and designed to point you to important factual information located in the criminal casebook 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 – 14: Detective David Smith, Lead Investigator, provides an overview of the incident.

TAB 2 – Incident Recall Printouts, Pages 1 – 4: The initial crime report face page listing Sergeants McCoy and Whitt, and Officers Dawson Smith and Brett Stennett as the victims of an assault on a peace officer with a firearm, CPC 245(d)(1). Decedent Bond is listed as the suspect in the assault, RPD File #P12-024811.

TAB 4 – Supplemental Report: Lt. Leon Phillips responded to the scene of the shooting and identified the officers involved and obtained “public safety” statements from all four. He gave the involved personnel direction not to discuss the shooting amongst one another and had them separated. He requested that Sgt. Mason transport Sgts. McCoy and Whitt to the Magnolia Station pending further investigation. He later met with the two sergeants and placed them on paid administrative leave pending required counseling.

TAB 5 – Supplemental Report: Sgt. Mason responded to a "shots fired" call. Ensured Sgts. McCoy and Whitt were separated and informed them not to discuss the incident with one another.

TAB 8 – Supplemental Report: Officer Stennett conducted an initial interview with witness Pedro Hernandez. Witness said he saw Bond on a bicycle and officers in a patrol car following him. Bond opened up his jacket and reached into his waistband for something with his right hand. He then heard gunshots.

TAB 9 – Supplemental Report, Page 3, Lines 1 – 38: Officer Runstuck. He arrived on scene to canvass the neighborhood. He spoke to (6) residents. Witnesses Joe Wilson, Harbans Kang, (redacted name), (redacted name), Lori Zuniga, and Becky Zuniga were interviewed. None of the witnesses saw the shooting. One of the six did not see or hear anything. All others heard gunshots only except for one who heard someone say “drop it” and then heard gunshots.

TAB 10 – Supplemental Report, Page 3, Lines 5 – 43: Officer G. Linhart arrived on scene to canvass the neighborhood for witnesses. Witnesses Maria Ceja, Eliana Gallegos, Nancy Marquez, Damien Moreno, Glenda Wilson, and Abigail Cendejas were interviewed. None of the witnesses saw anything, but heard gunshots.

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TAB 11 – Supplemental Report, Page 1, Line 62, & Page 3, Paragraphs 1 & 2: Officer Van Gorder. He arrived on scene to canvass the neighborhood for witnesses. Witnesses Juan Trujillo, (redacted name), and Rene Mora were interviewed. They heard gunshots, but did not witness the shooting.

TAB 23 – Supplemental Report: Detective David Smith. Interview synopsis of Sergeant McCoy's statement and transcript of his interview.

(Page 4, Paragraph 2) Sgt. McCoy was in full police uniform.

(Page 4, Paragraph 4) Sgt. McCoy was briefed on violent domestic violence case involving Bond. He was informed that a felony arrest warrant was issued; was provided with a copy of the arrest warrant; saw a photograph and criminal history of Bond that included gun possession charges; Bond knew he was wanted.

(Page 4, Paragraph 6) Sgt. McCoy was assigned as a "take down" unit with Sgt. Whitt.

(Page 4, Paragraph 7) Sgt. McCoy was on a moving surveillance team that followed Bond's mother from San Bernardino to the Gramercy Place residence.

(Page 4, Paragraph 8) Sgt. McCoy learned that Bond was at the Gramercy Place residence.

(Page 5, Paragraph 1) Sgt. McCoy learned from the surveillance team that Bond exited the Gramercy Street residence. He saw Bond look at him and Whitt.

(Page 5, Paragraph 2) Sgt. McCoy described his approach and that Bond was running away from him and Whitt. Fired his weapon at Bond until it was empty.

(Page 6, Last Paragraph) Charting of Sgt. McCoy's duty weapon, a Springfield Model 1911 .45 cal semi-auto with (8) rounds fired.

(Pages 7 – 38) Transcript of interview with Sgt. William McCoy.

TAB 24 – Supplemental Report: Detective Rick Cobb.

(Page 2, Paragraph 1) Reported the charting of Sgt. McCoy's service weapon.

(Page 2, Paragraph 4) Sgt. McCoy's service weapon is a Springfield .45 cal semi-auto handgun with a magazine that included (6) Winchester .45 cal bullets with (1) in the chamber.

(Page 2, Paragraph 6) (3) extra magazines each containing (7) bullets.

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TAB 25 – Supplemental Report: Detective Rowe. He conducted the interview with Sgt. Whitt and prepared a synopsis.

(Page 2, Paragraph 3) Sgt. Whitt said he was part of the surveillance team to locate Bond. During a briefing prior to the surveillance, he learned of Bond's identifying information, that Bond was a suspect in a felony domestic violence incident, that Bond carries a gun when he is out in public, he is a meth user, paranoid, and said he was not going back to prison. Sgt. Whitt saw a photograph of Bond on the wanted person poster.

(Page 2, Paragraph 4) Sgt. Whitt said he was a METRO team member assigned to assist in a surveillance to locate Bond on February 18, 2012, and was in full police uniform.

(Page 3, Paragraph 2) During the surveillance he was informed via police radio that a subject matching the description of Bond was leaving the Gramercy Place residence riding a bicycle.

(Page 3, Paragraph 6) Sgt. Whitt said as he arrived on Harold Street he saw the subject that was described as the person leaving the residence (Bond) stopped on a bicycle in the middle of the road. Bond turned and looked at him and his partner (McCoy). Whitt said he drove up to Bond and stopped, exited his vehicle, and pointed his sidearm at Bond. He immediately recognized the subject as Bond and ordered him to get off of the bicycle and lay on the ground.

(Page 3, Paragraph 6) Bond peddled his bicycle north on Harold away from Whitt. Whitt then got back into his vehicle, drove past Bond and stopped in a driveway to cut off Bond's path.

(Page 3, Paragraph 7) Sgt. Whitt exited his vehicle and yelled at Bond to get on the ground. Bond jumped off of his bicycle and stumbled as he ran. Whitt said Bond turned toward him with a very deliberate and committed look on his face. Bond then made a deliberate move with his hand toward his waistband. This motion by Bond made Whitt fear for his and McCoy's lives. Whitt drew his service weapon. He was approximately 8' away from Bond. When he saw Bond reach into his waistband, he feared Bond was retrieving a handgun. McCoy then fired his weapon at Bond and Whitt did the same. Whitt said he fired his weapon four times before Bond fell to the ground.

(Pages 5 – 30) Transcript of interview with Sgt. Ron Whitt.

TAB 26 – Supplemental Report: Detective Rowe.

(Page 2) Sgt. Whitt contacted Detective Rowe and stated he wanted to clarify something from his initial interview. In his initial interview, Whitt said that Bond looked at him in a deliberate manner. He wanted to clarify this because he and Bond were both wearing sunglasses. Whitt said that it was Bond's facial expressions that made him (Whitt) feel it was a deliberate look.

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TAB 27 – Supplemental Report, Page 2, Paragraph 4: Officer Jim Simmons. Described the charting of Sgt. Whitt's duty weapon, a Springfield Model 1911 Operator .45 cal semi-auto handgun containing (1) magazine with (3) live rounds in it and 1 in the chamber. (5) additional magazines, each filled to capacity with (7) rounds.

TAB 28 – Supplemental Report: Detective David Smith. He conducted an interview of the incident with Officer Dawson Smith who was listed as a victim in the investigative report.

(Page 3, Paragraph 2) Smith is assigned full time to the METRO Team, but was on the surveillance team concerning Bond. He was dressed in plain clothes at the time of the incident; a black short-sleeved T-shirt and blue jeans. Armed with a .45 cal semi-auto pistol worn under his T-shirt.

(Page 3, Paragraph 3) He was briefed on Detective O'Boyle's domestic violence case where Bond assaulted his girlfriend at 7680 Gramercy Place. It was a felonious physical assault where the female suffered severe injuries. During the surveillance briefing, he was told that according to Bond's girlfriend, he (Bond) always carries a .45 cal semi-auto pistol and made statements he would rather die than go back to prison. Smith was also informed that there was a felony warrant out for Bond.

(Page 4, Paragraph 3) Smith said he was driving an unmarked undercover vehicle in the surveillance of Bond.

(Page 4, Paragraph 5) He described where he was parked during the surveillance of the Gramercy Place residence.

(Page 4, Paragraph 6) He said during the surveillance, he saw Bond exit the front door of the Gramercy Place residence dressed in a hat, sunglasses, and large jacket. Bond was seen looking up and down the street after exiting the residence.

(Page 4, Paragraph 7) Smith said he saw Bond exit the residence on Gramercy Place, get onto a bicycle and look up and down the street before proceeding. He provided this information to the surveillance team members that included McCoy and Whitt. He provided direction of travel and description. Once Bond left his sight, he heard Officer Stennett state on the radio that he saw Bond and then gave direction of travel.

(Page 4, Paragraph 8) Smith said he heard one of the surveillance team members state over the radio that Bond was running north on Harold Street. Smith proceeded to Harold Street where he saw Bond on his bicycle on the west side of the street. He saw Sergeants Whitt and McCoy in their marked police vehicle stop and cut off Bond's path. Bond jumped off of his bicycle and ran south on Harold. Smith said he then drove south of Bond and cut off his direction of travel with his police vehicle. Smith exited his vehicle and drew his sidearm, yelling at Bond "Police." Bond looked at him and turned away looking toward Sergeants Whitt and McCoy.

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(Page 5, Paragraph 2) Smith saw Bond run toward him and stumble. Bond then pulled up his jacket with his left hand and pulled out a .45 semi auto handgun from his waistband. Bond stopped and looked back and forth. Bond then ran toward Smith and twisted his body backward toward Whitt and McCoy, and pointed a handgun at them. Smith yelled to Whitt and McCoy, “gun, gun, gun” and moved to his right in order to get out of the line of fire. Whitt and McCoy were running after Bond at this time and were approximately 6’ away when Smith heard Whitt and McCoy fire their weapons at Bond. Bond then fell to the ground.

(Page 5, Paragraph 3) Smith said he ran to where Bond was lying on the ground. He rolled Bond over and saw a handgun underneath him.

(Page 5, Charting) The charting of Detective Smith’s sidearm, a Springfield Model 1911 .45 cal semi-auto handgun. Weapon was found loaded to capacity with no expended rounds.

(Pages 6 – 30) Transcript of interview with Officer Dawson Smith.

TAB 29 – Supplemental Report: Detective Rowe. Interview with Officer Brett Stennett.

(Page 3, Paragraph 3) Detective Rowe conducted a tape-recorded interview with Officer Brett Stennett at the Magnolia Station and informed him that he was considered a victim of an assault against a peace officer with a firearm as a result of this incident. Stennett said that he did not fire his weapon. His weapon was charted and it was confirmed that all rounds carried were accounted for.

(Page 3, Paragraph 4) Officer Stennett said he was assigned to the RPD METRO Unit and gave details as to what he does in this assignment which includes serving search warrants and arrest warrants.

(Page 3, Paragraph 5) Prior to the surveillance, Officer Stennett was informed that Bond had a felony warrant out on him for domestic violence. Smith was provided with a wanted person poster that included a description and photographs of Bond. Stennett was told that information obtained in the domestic violence case indicated that Bond was always armed with a gun and that he was not going to let police arrest him again. He and the METRO Team members were given an address in San Bernardino on February 17, 2012 where Bond’s mother apparently resided and requested to begin surveillance at that location to locate Bond. Bond was not found on that date and the surveillance concluded.

(Page 4, Paragraph 1) On February 18, 2012, Stennett and his METRO Team members set up surveillance on Bond’s mother’s residence in San Bernardino. Bond’s mother left the location in a vehicle and the METRO Team followed her until she arrived at the Gramercy Place residence. Stennett and his team members then established a surveillance of the Gramercy Place residence.

(Page 4, Paragraph 2) Stennett said that while on the surveillance he and the other METRO Team members were informed over the police radio that Bond just left the Gramercy Place

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residence riding a bicycle and that Bond was looking up and down the street. Stennett was seated in his vehicle at a stationary post when he saw Bond ride his bicycle past him. Stennett recognized the subject on the bicycle as Bond based upon the photos he saw of him. Stennett described to the others what Bond was wearing. Stennett said when Bond rode past him he (Stennett) had a very intense and serious look on his face.

(Page 4, Paragraph 3) Stennett said Bond rode approximately 20' - 30' past his vehicle and stopped to adjust his pants and jacket. Stennett said, in retrospect, he believed Bond was adjusting the gun in his waistband so that it would not fall out. Stennett saw McCoy and Whitt enter Harold Street in their marked police vehicle. Bond looked at the unit and fled northbound on his bicycle. He saw McCoy and Whitt drive after Bond, north on Harold Street.

(Page 4, Paragraph 4) Stennett saw McCoy and Whitt drive past Bond and pull into a driveway to cut off his escape path. Stennett drove toward McCoy and Whitt at which time he saw Bond pull his jacket away from his waistband and remove a black colored handgun with his right hand. Bond looked to his left with the gun in his hand at chest level. It looked like Bond was going to engage McCoy and Whitt. He saw McCoy and Whitt exit their police vehicle and giving commands to Bond. Stennett could not hear exactly what was being said. Bond turned left with his gun in hand and McCoy and Whitt "engaged him." He does not believe that Bond ever fired his gun at McCoy and Whitt. Stennett said the shooting occurred so quickly that he never had the opportunity to exit his unit.

(Page 5, Paragraph 1) Stennett saw Bond fall to the ground and then Smith approached him (Bond). He saw Bond's hands underneath him as he was lying on the ground. He assisted Smith in handcuffing Bond and when pulling Bond's right hand to put it behind his back he felt something heavy and noticed the metal of the gun in Bond's hand scrape against the concrete.

(Page 5, Paragraph 2) When Stennett rolled Bond over, he noticed that he (Bond) had injuries on his back and side.

(Page 6) Copy of wanted person poster depicting Bond. This poster was distributed to all surveillance team members.

(Pages 7 – 33) Transcript of interview with Officer Brett Stennett.

TAB 30 – Supplemental Report: Detective Jim Simons. He conducted witness interviews.

(Page 2, Paragraph 3) Interview of Harold Street resident, Pedro Hernandez. He was sitting in his garage with his brother-in-law, Hugo Ortega, neighbor Marco Palomera, and Eliseo Salgado. Preparing for a party when he saw a male subject riding a bicycle north on Harold Street from Gramercy Place. The subject was on the west side of the street wearing a beige jacket.

(Page 2, Paragraph 4) Pedro Hernandez saw a black and white police vehicle pull in front of the subject on the bicycle, blocking his path. Two police officers exited their vehicle and Bond then

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jumped off of his bicycle allowing it to fall to the ground. Bond took 5 - 6 steps backward and continued to face the officers.

(Page 2, Paragraph 5) Pedro Hernandez saw Bond step behind a neighbor's tree. He could still see most of his (Bond's) body, but not his face. He heard officers yelling, "stop, stop," several times. He saw Bond open up his jacket with both hands and reach into his front waistband. Hernandez said he got scared because he believed the subject was going to pull a weapon out. He never saw what it was. He heard another officer yell, "gun!"

(Page 2, Paragraph 6) Pedro Hernandez said that the two officers that exited the black and white police vehicle began firing their guns at the subject who then fell to the ground. When this occurred, Hernandez, his family and friends left the garage and went inside their residence.

(Page 2, Paragraph 7) The officers who fired their weapons at the subject were wearing police uniforms.

(Page 3, Paragraph 1) Interview with Witness Hugo Ortega. He was sitting in the garage facing Harold Street. *(Page 3, Paragraph 2)* Ortega heard someone yelling "Stop...Stop" numerous times. He turned around and saw police officers stepping out of a black and white police vehicle. The officers were wearing uniforms. His view of the subject (Bond) was initially obstructed because of a neighbor's trees. He saw the subject drop a bicycle and run south on the sidewalk of Harold Street. He then lost sight of the subject because of the trees obstructing his view.

(Page 3, Paragraph 3) Hugo Ortega saw the two officers that exited the police vehicle walk in the direction of the subject. He heard the officers yelling "Stop!" several times. He heard (6) gunshots fired by the officers.

(Page 3, Paragraph 4) Ortega did not see the subject at the time of the shooting because his view was blocked by the trees.

(Page 3, Paragraph 8) Interview with Witness Marco Palomera. He said he was sitting in the driveway of Hernandez' residence, just outside the open garage. His back was turned to Harold Street. He first heard 5 - 6 gunshots coming from the front of Hernandez' residence. He said while the shots were being fired, he saw a black and white police vehicle and two uniformed officers with pistols in their hands. He could not see the subject due to trees that blocked his view.

TAB 31 – Supplemental Report: Detective Rick Cobb. Interview with Witness Eliseo Salgado.

(Page 2, Paragraph 2) Salgado was sitting in Hernandez' garage at 5664 Harold Street when he saw the officers shoot the subject (Bond).

(Page 2, Paragraph 3) Salgado saw a black and white police vehicle drive up into the driveway where he was sitting. Two uniformed police officers exited the police vehicle and looked in a southern direction on Harold Street. He saw Bond on a bicycle. Bond dropped the bicycle and

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started running away from the two officers. He heard the officers yelling for Bond to “Stop” three times. He saw when Bond started to run. A plain color vehicle stopped in front of Bond, blocking his path. An officer exited the plain color vehicle and Bond stopped, then lifted up his shirt and reached into his waistband with his right hand. He saw Bond pull something out of his waistband. The officers then fired their guns 8 - 9 times.

(Page 2, Paragraph 4) Salgado described where the officers were when the shooting occurred. He said the officers fired their weapons in self-defense. Also, that Bond did not want to listen to anyone and could very well have shot anyone.

TAB 32 – Supplemental Report: Detective Rick Cobb. Interview with John Hicks who is friends with Bond and has known him since they were “kids.”

(Page 2, Paragraph 3) Hicks spoke to Bond (2) days prior to the shooting. He said Bond’s girlfriend climbed out a window of the Gramercy Place residence in order to get away from Bond after he beat her. Hicks saw she had a bruised face and black eye. Bond said he beat her while interrogating her about cheating on him.

(Page 2, Paragraph 4) Bond told Hicks he was wanted by the police but that he did not know why. Hicks felt Bond did in fact no why. Bond told Hicks he would take a bullet before going back to jail. Hicks knew that Bond carried a .45 cal semi-automatic handgun. He did not know Bond had it the day of the shooting.

(Page 2, Paragraph 5) Hicks said he would never “fuck with Bond because he was a bad motherfucker.”

TAB 33 – Supplemental Report: Detective Rick Cobb. Interview with Lorie Rivera, suspect Bond’s mother.

(Page 2, Paragraph 2) She was informed that Bond was shot and killed by police. She was upset, but agreed to talk with detectives.

(Page 2, Paragraph 3) She said that Bond was in the residence prior to the shooting incident and that there was nothing wrong with him. She knew he was wanted by the police but, did not know the reason. Bond left to buy cigarettes at the store. After he left, she heard gunshots.

(Page 2, Paragraph 4) Rivera said Bond was having problems with his girlfriend and did not appear to want to talk about anything else.

(Page 2, Paragraph 5) Rivera said she never saw Bond with a gun and that he never had one. She has never had a gun in her home.

(Page 2, Paragraph 6) Rivera was told that Bond had a gun with him when he was shot. Rivera got upset with the interviewing detective and said that Bond should not have been shot so many times. The interview was then concluded.

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TAB 34 – Supplemental Report, Crime Scene Investigation Report: Detective Medici.

(Page 2, Paragraphs 4 & 5) A brief description of the scene including the street, weather, time of day, etc. Condition of scene upon arrival of CSI team including crime scene tape placement and barrier placed in a position around Bond's body to prevent onlookers from seeing the body.

(Page 3, Paragraph 1) Provides a description of the position Bond's body was in on the sidewalk, a clothing description, the condition and location of his weapon, and where blood was located.

(Page 3, Paragraph 2) Described the location of the police unit driven by McCoy and Whitt and the location of the bicycle that Bond was riding.

(Page 3, Paragraph 3) Location of .45 cal shell casings and Bond's weapon. Items were photographed and retained as evidence. Bond's handgun was identified as a stolen weapon from 1998.

(Page 3, Paragraph 4) Processing of Bond's body at the scene by a Deputy Coroner. The detective described wounds on Bond's body while at the scene. The description is continued on Page 4, Paragraph 1.

TAB 35 – Supplemental Report, Pages 1 – 12: CSI Officer T. Ellis. A photo log for all photographs taken at the scene.

TAB 36 – Supplemental Report: Detective Medici and CSI Officer T. Ellis. Retrieved the weapon that Bond was in possession of. Identified as a stolen firearm out of Pico Rivera reported by the Los Angeles County Sheriff's Department. A Colt Model M19991A1 Series 80 .45 Cal semi-auto.

TAB 37 – Supplemental Report, Pages 1 – 11: CSI Officer S. Lane. Charting of Sgt. McCoy's and Sgt. Whitt's weapons, as well as Officer Smith's and Officer Stennett's.

TAB 38 – Supplemental Report, Pages 1 – 4: CSI Officer S. Lane. Took blood swabs from the handgun used by Bond.

TAB 39 – Physical Evidence Examination Report: Report submitted by Brian L. Rienarz, California Department of Justice, Forensic Sciences Unit. Conducted the forensic analysis of Sgt. McCoy's and Sgt. Whitt's weapons. Provided a report of the results of the analysis.

TAB 40 – Supplemental Report: Detective Medici. Medici attended the autopsy of Bond and reported information obtained from the pathologist as the exam was underway. Took place on February 22, 2012.

(Page 3 narrative, Paragraph 1) Describes the clothing worn by Bond and tattoos on his body.

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(Page 3, Paragraph 2) Described the examination of Bond's outer body by the pathologist. (10) gunshot wounds were identified. (7) entry wounds and (1) exit wound. The location of all gunshot wounds were described.

(Page 3, Paragraph 4) Describes the internal examination of Bond's body that identifies organs that were struck with bullet projectiles. (1) bullet struck his kidney, both lungs were hit, and 2 - 3 hit his heart.

TAB 41 – Supplemental Report, Pages 1 – 10: CSI Photographer SM Kay-Davis. Photo logs of all autopsy photographs.

TAB 45 Wanted poster on Bond that was used by the surveillance team.

TAB 48 – DA's Letters: Letters from the Riverside County District Attorney's Office concerning their review of the shooting. Assistant DA Craig Datig found there was no criminal culpability on behalf of Sgts. McCoy and Whitt.