

**MEMORANDUM**

**Riverside Police Department**

**Investigations**

**DATE:** February 29, 2012  
**TO:** Sergeant Dan Russell  
**FROM:** Detective David Smith  
**SUBJECT:** SUMMARY - 245(d)(1) PC / OFFICER INVOLVED SHOOTING

**CASE NUMBER:** P12024811  
**DATE OF INCIDENT:** Saturday – February 18, 2012  
**TIME OF INCIDENT:** 1445 hours  
**LOCATION:** 5652 Harold Street, Riverside CA

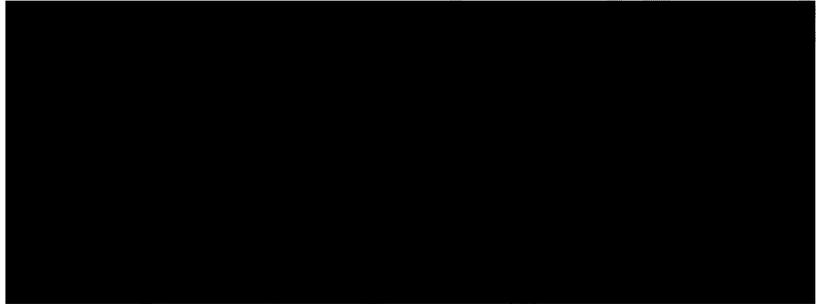
**INVOLVED OFFICERS:** Sergeant Bill McCoy # 177  
Special Operations / METRO / S63  
Sergeant Ron Whitt # 346  
Special Operations / METRO / S45

**WITNESS OFFICERS:** Officer Dawson Smith #1275  
Special Operations / METRO / M3  
Officer Bret Stennett #1374  
Special Operations / METRO / M5

**OFFICER INJURIES:** None

**SUSPECT:** Bond, Danny James DOB: 07-27-1973  
Filipino Male 508 185 Brown Hazel  
7680 Gramercy, Riverside CA  
[REDACTED]  
Deceased

**SUSPECT BOND'S  
CRIMINAL HISTORY:**



**CIVILIAN WITNESSES:**

Hernandez, Pedro DOB: [REDACTED]  
5664 Harold Street  
Riverside, CA 92503  
[REDACTED]

Ortega, Hugo E Hernandez DOB: [REDACTED]  
5664 Harold Street  
Riverside, CA 92503  
[REDACTED]

Palomera-Ayon, Marco DOB: [REDACTED]  
5665 Harold Street  
Riverside, CA 92503  
[REDACTED]

Salgado, Eliseo DOB: [REDACTED]  
7630 Philbin Street  
Riverside, CA 92503  
[REDACTED]

Zuniga, Becky DOB: [REDACTED]  
5653 Harold Street  
Riverside CA 92501  
[REDACTED]

## SUMMARY

On 11-07-11, uniformed officers of the Riverside Police Department (RPD) responded to the Kaiser Hospital in Riverside in response to a call from hospital staff of a female patient refusing to disclose how she received numerous injuries to her face and body. The staff suspected abuse and called police.

Officer Michelle Tryon #1416 arrived at the hospital and identified the injured female as 39 year old Elizabeth Gutierrez of Riverside. Mrs. Gutierrez had two black eyes, numerous bruises to her face, arms and legs and had a long laceration on her lower left leg. She refused to tell Officer Tryon what happened to her or who was responsible and would not consent to photos being taken of the injuries.

Officer Tryon then spoke to Elizabeth Gutierrez's sister, Rosemary Chacon, who was seated in the hospital lobby. Rosemary told her that Elizabeth is a drug addict who had recently begun dating a man named Danny Bond (S-Bond). Since Elizabeth started dating S-Bond Rosemary has noticed bruises on her body and suspected he was abusing her. Rosemary told Officer Tryon that she found out via the internet that S-Bond is a registered sex offender. Officer Tryon documented what was told to her in an Initial Police Report under file # P11165403.

On 11-09-11 Elizabeth Gutierrez called the police department and said she now wanted to report what had happened to her. Officer C. Arnold #1587 responded to her residence and spoke to her. Elizabeth told Officer Arnold that she was urged to report what had happened to her by a case worker at Child Protective Services (CPS), who also advised her to obtain a restraining order against the person that assaulted her. Elizabeth identified her boyfriend, Danny James Bond DOB: 07-23-73, as the person that assaulted her and identified his address as 7680 Gramercy in Riverside. She also told Officer Arnold that S-Bond owned a gun and had made numerous statements to her that he would kill himself rather than ever go back to jail.

Detective O'Boyle of the Riverside Police Department's Domestic Violence Unit received the case for follow-up. Detective O'Boyle interviewed Elizabeth Gutierrez and confirmed the information regarding the assault. He also learned that S-Bond had assaulted her in the past with a Taser, and as recently as two weeks ago she saw S-Bond armed with a loaded, black, semi-automatic handgun. She told Detective O'Boyle that whenever S-Bond leaves the house he is armed with that gun. She also said he was primarily staying at his mother's house in San Bernardino since he believed the police may be looking for him at the Gramercy address. Detective O'Boyle was able to determine that S-Bond's mother's address in San Bernardino was 920 Knoll Street.

Based on the listed facts, Detective O'Boyle obtained a felony arrest warrant for Assault with a Deadly Weapon (RIF1106012 - ADW 245(a)(1) PC) for S-Bond and authored a search warrant for the Knoll address. Since S-Bond was wanted for a violent felony and was supposed to be armed, Detective O'Boyle contacted the Riverside Police Department's METRO Team for assistance in apprehending him.

On 02-15-12, Det O'Boyle met with and briefed METRO Team Officer Dave Castaneda on the circumstances surrounding the investigation and provided him with a packet which included a copy of the arrest warrant, a copy of the search warrant for the Knoll address and photos of S-Bond. Officer Castaneda in turn briefed the rest of the METRO Team on 02-17-12. During that briefing it was decided that they would start surveillance at 920 Knoll on San Bernardino for S-Bond on Friday, 02-17-12.

On Friday, 02-17-12, a day-long surveillance was conducted at the Knoll address and S-Bond was not seen. That surveillance was terminated and they decided to conduct another the next day on Saturday, 02-18-12.

On Saturday, 02-18-12, at about 1030 hours the following METRO Team members set up on the Knoll address; Sergeant McCoy and Sergeant Whitt in uniform and riding together and in a marked police unit (#3616), Officer Elliott in uniform in a marked police unit, Officer Castaneda, Officer Stennett and Officer Park in uniform in a white undercover van, Officer Angulo in plain clothes in an undercover car and Officer Smith in plain clothes in an undercover car.

At about 1300 hours, S-Bond's mother was seen leaving the Knoll residence by herself in a white van. The team decided to split up. Four of them would follow her to see if she met up with S-Bond somewhere and the others would stay on Knoll. Officer Stennett got out of the van and into his undercover [REDACTED] and Officer Smith (in an undercover [REDACTED]) and he followed S-Bond's mother from the San Bernardino address to 7680 Gramercy in the City of Riverside. Sergeant Whitt (who was driving) and Sergeant McCoy followed at a distance in their marked police car as the arrest vehicle.

The officers recognized the house on Gramercy as a house they had watched recently for the West County Narcotics Task Force. Information had come from an informant who had purchased drugs there from an unknown male subject whom they described as paranoid and armed with a gun. No one was ever contacted and the house was never searched because the team didn't observe any activity indicative of drug sales while they watched it, so the male drug dealer was never identified.

Officer Stennett parked in the area of Gramercy and Harold and Officer Smith in the area of Montgomery and Gramercy. Officer Smith could see the front door of S-Bond's house. Sergeant Whitt and Sergeant McCoy stayed out of the immediate area in the marked unit.

At approximately 1400 hours, Officer Smith saw S-Bond come out onto the porch dressed in a hat, sunglasses and a large jacket. S-Bond looked up and down the street and then went back inside. Office Smith relayed this information to the other units and asked Sergeant Whitt and Sergeant McCoy to get closer to the area.

A few minutes later S-Bond came back out of the house and got on a red bicycle. He looked up and down the street a few times and began to ride eastbound on Gramercy towards Harold. S-Bond was now in Officer Stennett's view and he reported that S-Bond had stopped at the corner of Gramercy and Harold.

Sergeant McCoy and Sergeant Whitt were now in the area and as they approached the corner of Gramercy and Harold they saw S-Bond. He was standing up, straddling the bike, in the gutter next to the curb and was adjusting something in the waistband of his pants. They pulled up to the corner, stopped the police car, and started to get out when S-Bond looked up and saw them. S-Bond fled northbound on Harold from the officers on his bicycle before they could issue any verbal commands.

S-Bond was thirty to forty yards ahead of them by the time Sergeant Whitt and Sergeant McCoy got back into their car to pursue him. S-Bond started off in the street and then rode up onto the west sidewalk of Harold looking back at the marked unit as he rode. Sergeant Whitt drove the police car past S-Bond and pulled into a driveway ahead of him. S-Bond came to a skidding stop, jumped off the bike and started to run back southbound on Harold.

Officer Smith and Officer Stennett were following behind and they pulled up south of S-Bond in their undercover vehicles to block him. S-Bond apparently saw them, began to stumble and then stopped. S-Bond pulled up the front of his jacket with his left hand and with his right hand he pulled a large, black, semi-automatic handgun out of the waistband of his pants. S-Bond turned toward Sergeant Whitt and Sergeant McCoy and began to point the gun at them. Officer Smith had exited his vehicle and saw the gun. He yelled, "Gun-gun-gun", and moved to his right so Sergeants Whitt and McCoy, who were running towards S-Bond and were approximately five or six feet away from him, would not be in his field of fire. Almost instantly he heard Sergeant McCoy and Sergeant Whitt firing at S-Bond. Sergeant Whitt fired four times and Sergeant McCoy fired eight. Officer Smith and Officer Stennett did not fire. Officer Stennett said everything happened so fast he was still in his car when the shooting occurred.

S-Bond had fallen to the ground face down with both of his hands were underneath his torso. Officer Smith provided cover and Officer Stennett pulled S-Bond's hands out from underneath him one at a time and handcuffed him. Officer Smith rolled S-Bond onto his side to look for the gun and they saw it on the ground underneath him. The gun was a .45 caliber semi-automatic Colt pistol. It was later found to be loaded with a live round in the chamber and six live rounds in the magazine. The hammer was cocked back and the safety was on. The gun had been reported stolen in 1998 and was entered into AFS by the Los Angeles County Sheriff's Department.

#### **CIVILIAN WITNESS STATEMENTS**

Five witnesses were located that saw or heard something other than just hearing the gunshots. Four witnesses were located at 5664 Harold and one at 5653 Harold.

5664 Harold is next door and on the same side of the street as the house the incident occurred in front of. The witnesses at this address were in the open garage preparing for a party. The following is a synopsis of their statements:

#### **Pedro Hernandez**

Pedro Hernandez lives at 5664 Harold. He was sitting in his garage with his brother-in-law Hugo Ortega and his neighbors Marco Palomera and Eliseo Salgado when he saw

S-Bond riding his bicycle northbound on the west sidewalk towards his house. A marked police car pulled onto the sidewalk in front of S-Bond and two uniformed police officers got out. S-Bond jumped off the bicycle and walked backwards about five or six steps. The officers yelled at him to "Stop" several times, and then Pedro heard one of the officers yell, "Gun". As he heard this he saw S-Bond open his jacket with both hands and grab something with his right hand from his waistband. Hernandez heard one of the officers yell "Gun, gun, gun" again. Hernandez said he was "Scared like hell" because even though he didn't see what S-Bond was grabbing, he knew it had to be a gun. The uniformed officers then began firing at S-Bond, striking him, and he fell to the ground. Hernandez then ran into the garage.

### **Eliseo Salgado**

Eliseo Salgado lives on Philbin, but was visiting at 5664 Harold. He said he was sitting in the driveway near the garage when he saw a marked police car park in the driveway of the house he was at. Two uniformed officers got out and were looking to the south. He then saw S-Bond, who was on a bicycle on the sidewalk where the officers were looking. S-Bond dropped the bicycle and started running southbound away from the officers. One of the officers yelled at S-Bond to "Stop" three times. Salgado then saw a [REDACTED] pull up south of S-Bond and a police officer got out of it. S-Bond stopped and turned to face the uniformed officers. He lifted up the front of his shirt with his left hand and grabbed something out of his waistband with his right. Salgado couldn't see what it was but he believed it was a gun. The uniformed officers then shot at S-Bond eight or nine times and he fell to the ground. Salgado then ran into the garage.

Eliseo Salgado told investigators, "The officers fired in self-defense". He claimed that the officers gave S-Bond a chance, but he wouldn't listen, so they had to defend themselves.

### **Hugo Ortega**

Hugo Ortega lives at 5664 Harold. He was sitting in the driveway near the garage with his back to the street when he heard someone yelling, "Stop" several times from the street area. He turned and saw two uniformed police officers that he believed had just exited a marked police car now parked in front of his house. He then noticed someone on the sidewalk south of the officers drop a bicycle and started to run southbound. Due to some trees partially blocking his view, Ortega said could not see what the person who dropped the bike looked like, but he saw the officers start to run in the same direction. A few seconds after that he heard gunshots, but did not see what happened. He then ran into the garage.

### **Marco Palomera**

Marco Palomera lives across the street, but was visiting at 5664 Harold. He was sitting in the driveway near the garage with his back to the street when he heard five or six gunshots coming from the area of the street. He turned to look and saw two uniformed police officers with pistols in their hands. He could not see what they had shot at because of some trees blocking his view. Palomera said he didn't hear anything prior to the gunshots and he ran into the garage.

## **Becky Zuniga**

Becky Zuniga lives across the street from where the incident occurred at 5653 Harold. She was inside her house when she heard someone yell, "Drop it". She then heard five gunshots. She ran to her window and saw S-Bond on the ground in front of 5652 Harold.

## **WITNESS OFFICER AND INVOLVED OFFICER STATEMENTS**

### **Witness Officer Dawson Smith**

Officer Smith is assigned to the full time RPD METRO Team. During this incident he was acting in an undercover capacity and was dressed in a black, short sleeve t-shirt and jeans. He was armed with a department issued .45 caliber semi-automatic pistol, which he concealed under his shirt, and was driving an unmarked [REDACTED].

During the surveillance on Gramercy, Officer Smith parked in the area of Montgomery and Gramercy and Officer Stennett parked in the area of Harold and Gramercy. Officer Smith could see the front door to the house. Sergeant Whitt and Sergeant McCoy stayed out of the immediate area in the marked unit.

At approximately 1400 hours Officer Smith saw S-Bond come out onto the porch wearing a baseball hat, sunglasses and a large jacket. Officer Smith said he thought it was odd that S-Bond had a thick jacket on since it was pretty warm at the time. S-Bond appeared to be looking up and down the street, and then he went back inside. Officer Smith relayed this information to the other units and asked Sergeant Whitt and Sergeant McCoy to get closer to the area.

A few minutes later S-Bond came back out, got on a red bicycle and looked up and down the street a few times. Officer Smith told Sergeant Whitt and Sergeant McCoy to head in to contact S-Bond. S-Bond began to ride eastbound on Gramercy towards Harold and was going in that direction when Sergeant Whitt and Sergeant McCoy came off of Montgomery onto Gramercy. S-Bond left Officer Smith's sight but he heard Officer Stennett say that S-Bond was now at Gramercy and Harold.

Officer Smith said he was originally going to keep his position on Montgomery to watch the house but he heard someone put out that S-Bond was running northbound on Harold. Officer Smith said he left his position and drove east on Gramercy then northbound on Harold. He could see Sergeant Whitt and Sergeant McCoy in the marked unit ahead of him and S-Bond on the bike northbound on the west sidewalk. As they approached mid-block Officer Smith saw Sergeant Whitt and Sergeant McCoy pull their police unit into a driveway ahead of S-Bond to cut him off. Officer Smith saw S-Bond jump off of the bike and begin to run back southbound. Officer Smith pulled his [REDACTED] into a driveway about twenty yards south of S-Bond to cut off his escape and Officer Stennett parked right next to Officer Smith.

Officer Smith said that as he exited his vehicle he drew his gun and yelled "Police". S-Bond looked at him, and then turned his head around to look at Sergeant Whitt and Sergeant McCoy, who had exited their police car. Officer Smith said at that point he thought about tackling S-Bond if he got close to him.

As S-Bond was running towards Officer Smith he began to stumble. Officer Smith saw him pull up the front of his jacket with his left hand and with his right hand he started to pull a large, black, semi-automatic handgun out of his waistband. Officer Smith said that S-Bond stopped on the sidewalk about 30 feet away from him and began to look back and forth between Sergeants Whitt and McCoy and him. He then started to move again in the direction of Officer Smith, but he twisted his body back towards Sergeant Whitt and Sergeant McCoy and began to point the gun at them. Officer Smith yelled, "Gun-gun-gun" and moved to his right so Sergeants Whitt and McCoy would not be in his field of fire. Sergeant Whitt and Sergeant McCoy were chasing S-Bond and were about five or six feet away from him when S-Bond drew the gun. Almost instantly Sergeant McCoy and Sergeant Whitt began firing at S-Bond. Officer Smith said that S-Bond went down immediately, so he did not see any need to fire as well.

S-Bond had fallen to the ground face down and both of his hands were underneath his torso, so Officer Smith provided cover and Officer Stennett pulled his hands out from underneath him one at a time and handcuffed him. Officer Smith rolled S-Bond onto his side to look for the gun they saw it on the ground underneath him.

#### **Witness Officer Bret Stennett**

Officer Stennett is assigned to the full time METRO Team. During this surveillance he was in a [REDACTED] set up at Gramercy and Harold.

Officer Stennett said he heard Officer Smith say that he saw S-Bond walk out of the house, but Officer Stennett could not see him due to his positioning. Officer Smith then radioed that S-Bond had gone back into the house.

A few minutes later Officer Smith said S-Bond was out again and had gotten on a red bicycle. Officer Smith told them he could see S-Bond was looking up and down the street and then he took off on the bike eastbound on Gramercy. Officer Stennett saw S-Bond as he approached his position and then saw him ride right past his driver's window. He said S-Bond had a very intense and serious look on his face.

Officer Stennett said he saw S-Bond stop his bike about 20-30 feet behind his car. He was adjusting his pants and jacket while sitting on the bike and looking up and down the street. Officer Stennett said in retrospect it appeared that he was adjusting the gun in his pants and that it was possibly falling out.

It was at about this time that Sergeants Whitt and McCoy made a northbound turn on Harold from Gramercy in the marked unit. S-Bond looked back at the unit and immediately took off northbound on Harold on his bike. S-Bond was initially riding in the street, but at about midblock he cut over onto the west sidewalk. Officer Stennett could see Sergeant Whitt and Sergeant McCoy follow S-Bond northbound on Harold. Officer Stennett made a U-turn and ended up behind Sergeants Whitt and McCoy's unit. Officer Stennett said he thought Officer Smith was behind him.

Officer Stennett saw Sergeant Whitt and Sergeant McCoy pull into a driveway in front of S-Bond and block the sidewalk. S-Bond stopped and got off his bike. Officer Stennett said he pulled his vehicle into the driveway just south of S-Bond to block him in. S-Bond turned away from Sergeant Whitt and Sergeant McCoy and pulled his jacket away from waist area. Officer Stennett saw him remove a black colored hand gun with his right hand from the front of his waistband and look over his left shoulder while holding the gun at about chest level. Officer Stennett said it looked to him like S-Bond was about to engage Sergeant Whitt and McCoy in a gunfight. Sergeants Whitt and McCoy had exited their unit and were approaching S-Bond on foot while giving him verbal commands (Officer Stennett could not recall what commands they were giving though). Officer Stennett said S-Bond then turned to his left to face the sergeants with the gun in his hand so both sergeants "engaged him" (fired at him). S-Bond immediately fell to the ground. Officer Stennett said he didn't believe S-Bond fired his weapon.

Officer Stennett said the whole thing happened so fast that he never had a chance to exit his vehicle and he observed and heard all of this while he was still inside.

Officer Stennett said that after they saw S-Bond was down Officer Smith and he approached him. Officer Smith covered him while he handcuffed S-Bond's hands behind his back. Officer Stennett said when he pulled S-Bond's right hand from underneath him it felt like something heavy was in it, and he heard the sound of metal scraping on the concrete. When they rolled S-Bond over he saw it was the gun.

Officer Stennett said that after S-Bond was secured he got back into [REDACTED] and parked it south of the location on Harold to block traffic.

### **Involved Officer Sergeant William McCoy**

Sergeant McCoy is a supervisor for the Riverside Police Department's full time METRO Team. He has been on the METRO Team for eleven years and has been a supervisor on the team for the last three years.

On the date in question Sergeant McCoy was in full uniform and riding passenger in marked police unit #3616 with Sergeant Whitt. They were in the area of S-Bond's address at 7680 Gramercy on surveillance with Officers Smith and Stennett.

At approximately 1450 hours Officer Smith put out that he believed he saw S-Bond on the porch of the residence, but he had gone back inside. Sergeant McCoy said he and Sergeant Whitt drove a little closer to the area in the event that S-Bond left the property.

Officer Smith told them S-Bond was back out and was leaving the property on a bicycle eastbound on Gramercy. Officer Stennett told them that S-Bond had just passed him and stopped at the corner of Gramercy and Harold. He appeared to be looking around. Sergeant Whitt and Sergeant McCoy were northbound on Montgomery at this point and they turned east onto Gramercy to catch up to S-Bond. Sergeant McCoy said as they approached the corner of Gramercy and Harold he saw S-Bond. He was standing up, straddling the bike, in the street next to the curb, and was looking down at the ground or his waist area. Sergeant McCoy said they pulled up to the corner, stopped the car and started to get out when S-Bond looked up and saw them. S-Bond got back on his bike and fled northbound on Harold, "Peddling as fast as he could". I asked Sergeant McCoy

if Sergeant Whitt or he said anything to S-Bond at this point. He told us that *he* didn't, and didn't think that Sergeant Whitt did either. They did not activate any lights or sirens.

Sergeant McCoy estimated that S-Bond was about 40 yards ahead of them by the time Sergeant Whitt and he got back into the car to pursue him. S-Bond was riding on the west sidewalk of Harold looking back at them the whole time. Sergeant McCoy said S-Bond seemed "kind of frantic". Sergeant Whitt drove the police car past S-Bond and pulled into a driveway ahead of him. S-Bond came to a skidding stop, jumped off the bike and started to run back southbound on Harold.

Sergeant McCoy said that everything he heard about S-Bond prior to this instance was that he always carried a gun in his waistband, and he was pretty sure that he had one now. He saw S-Bond running and he exited the police car. He yelled "stop" one time and drew his pistol. As he ran around the back of the police car he saw S-Bond looking back at him over his left shoulder. Sergeant McCoy said that he started to catch up to S-Bond quickly. S-Bond then rotated his body to the right to look back at Sergeant Whitt, who was chasing behind him on the sidewalk. Sergeant McCoy said he got within ten or fifteen feet of S-Bond when he saw him grab a large, black, semi-automatic handgun from the right side of his waistband with his right hand. Because of what he had heard regarding S-Bond, and what was happening now, Sergeant McCoy said he believed that S-Bond was going to shoot them to prevent his arrest. Afraid for the other officer's lives and his own, Sergeant McCoy said he fired at S-Bond, and kept firing until his gun was empty. He then ejected the empty magazine out of his pistol and inserted a full one. He did not fire again and he never picked up his empty magazine.

Sergeant McCoy said he could see that S-Bond was struck by the gunfire and had fallen down onto the sidewalk. Officer Smith and Officer Stennett then approached S-Bond and handcuffed him. Sergeant McCoy said he immediately reported the shooting to dispatch and asked for medical aid for S-Bond. He then coordinated responding units to secure the scene.

I asked Sergeant McCoy if he ever heard or saw Sergeant Whitt firing his weapon. He told me that he believed he heard three or four shots, but he didn't see him, even though he was only two or three feet off to his right side. I asked him if he heard Sergeant Whitt yell or say anything to the suspect and he said he didn't.

#### **Involved Officer Sergeant Ronald Whitt**

Sergeant Whitt is a supervisor for the Riverside Police Department's full time METRO Team. He has been on the METRO Team for six years and has been a supervisor on the team for three years.

On the date in question Sergeant Whitt was in full uniform and driving a marked police car, unit #3616. Sergeant McCoy was his passenger. They were in the area of S-Bond's address at 7680 Gramercy on surveillance with Officers Smith and Stennett.

Sergeant Whitt said that during the surveillance on Gramercy he heard Officer Stennett say that he saw a guy that looked like S-Bond walk out of the residence. S-Bond went back into the house and then came back out wearing a grey jacket with a hoodie and sunglasses. Officer Smith then put out that the subject was leaving the residence on a bike eastbound on Gramercy.

Sergeant Whitt said he and Sergeant McCoy drove into the area in the marked unit. As they arrived Officer Smith advised that S-Bond had turned northbound on Harold. Sergeant Whitt said when they turned north on Harold they saw S-Bond stopped in the roadway. He saw S-Bond turn and look at them as they stopped the car, opened their doors and began exiting. Sergeant Whitt said he immediately recognized S-Bond. He began giving S-Bond directions to get off the bike and get on the ground, but S-Bond fled on the bike northbound in the street instead. Sergeant Whitt said that by the time he and Sergeant McCoy got back in their police car S-Bond was about 25-30 yards ahead of them on Harold. As they caught up to S-Bond he moved over onto the west sidewalk. Sergeant Whitt drove past him and pulled into a driveway to block his escape.

Sergeant Whitt said he and Sergeant McCoy exited the vehicle and he yelled at S-Bond to get on the ground. Instead, S-Bond jumped off the bike, stumbled and started running southbound on the sidewalk. Sergeant Whitt saw Officer Smith pull into a driveway south of S-Bond.

Sergeant Whitt said he was very close to S-Bond after he exited the unit. He thought about grabbing or pushing him, but he wasn't quite close enough. S-Bond had his back to him, but he turned and looked at him over his left shoulder. Sergeant Whitt said when S-Bond looked back he had a 'very deliberate and committed look on his face", and then he began grabbing for something with his right hand from his waistband. He could not see what S-Bond was grabbing, but he was sure in his mind that it was a gun. Sergeant Whitt said there was no doubt in his mind what was going to happen based on S-Bond's comments about not wanting going back to prison, and the fact that he usually carried a gun.

Sergeant Whitt said at this point he was in fear for Sergeant McCoy's and his life. He knew that Sergeant McCoy had run around the back of the unit and he was to his left in the street. Sergeant Whitt said he was approximately 8 feet behind S-Bond when he decided to fire. Sergeant Whitt thought he heard Sergeant McCoy fire one round before he began firing and he believed he personally fired four times. S-Bond was struck by the gunfire and fell to the ground. Sergeant Whitt said he held him at gunpoint along with Officer Smith and Sergeant McCoy until they were sure he was not moving. S-Bond ended up face down on the sidewalk with his right hand under his body. Officer Stennett approached and handcuffed S-Bond.

Sergeant McCoy got on the radio and advised that shots were fired and asked for medical aid. Officer Stennett rolled S-Bond over and Sergeant Whitt saw the gun fall from the area of his right hand or waistband. The gun was black and the hammer cocked back.

They did not touch anything and secured the scene. Sergeant Whitt said he gave a public safety statement to Lt. Phillips and then he was transported to the Magnolia Station to be interviewed.

Sergeant Whitt advised the police car they were in was assigned to him and he had a [REDACTED] in the gun rack inside the unit. Sergeant Whitt said neither one of those weapons were removed from the unit during the incident.

## **WEAPONS CHARTING**

### **Sergeant Whitt**

Sergeant Whitt was carrying a department issued Springfield Model 1911 .45 caliber semi-automatic pistol, serial number [REDACTED] and four spare magazines. The gun holds one round in the chamber and seven rounds in the magazine for a total of eight rounds. Sergeant Whitt's pistol was charted and found to be loaded with four live rounds. All of his spare magazines were loaded to capacity with seven live rounds. If his gun was loaded to capacity prior to the shooting Sergeant Whitt fired four rounds.

### **Sergeant McCoy**

Sergeant McCoy was carrying a department issued Springfield Model 1911 .45 caliber semi-automatic pistol, serial number [REDACTED] and three spare magazines. The gun holds one round in the chamber and seven rounds in the magazine for a total of eight rounds. Sergeant McCoy's pistol was charted and found to be loaded with seven live rounds. All of his spare magazines were loaded to capacity with seven live rounds.

Sergeant McCoy told investigators that he fired his weapon until it was empty and then reloaded. He left his empty magazine on the ground at the scene and it was recovered. If Sergeant McCoy's weapon, and spare magazines, were loaded to capacity prior to the shooting Sergeant McCoy fired eight rounds.

### **Officer Smith and Officer Stennett**

Officers Smith and Officer Stennett both carried department issued Springfield Model 1911 .45 caliber semi-automatic pistols. These weapons and any spare magazines were charted and found to be fully loaded. There is no indication that either of these officers fired any weapons during this incident.

## **SCENES / EVIDENCE**

Detective Medici and Evidence Tech Tim Ellis processed the scene on Harold, which was primarily the front yard and the front sidewalk area of 5652 Harold.

Marked police unit #3616 was parked in the street just entering the driveway of 5664 Harold. An Operations Plan and packet was collected from the front passenger seat of this vehicle pertaining to S-Bond. The vehicle was located approximately 43 feet north of S-Bond's body (Sergeant Whitt and Sergeant McCoy's vehicle).

A [REDACTED] was parked in the driveway in front of 5638 Harold blocking the sidewalk approximately 37 feet south of S-Bond's body (Officer Smith's undercover vehicle).

A [REDACTED] was positioned at the intersection of Harold and Gramercy blocking traffic (Officer Stennett's undercover vehicle).

A red "Motiv" bicycle was lying on in the grass and partially on the sidewalk just south of unit #3616 in front of 5652 Harold.

S-Bond was pronounced deceased at the scene by AMR. He was located face up on the sidewalk to the front of that address. His hands were handcuffed behind his back and he was fully clothed in white and blue tennis shoes, blue jeans, red t-shirt, large tan jacket, dark sunglasses and a gray baseball cap. He appeared to be suffering from gunshot trauma to his upper body.

A black .45 caliber Colt semi-automatic handgun was located on the sidewalk just to the left side of S-Bond's body. The weapon was found to be loaded with a live .45 caliber round in the chamber and six live rounds in the magazine. The hammer on the weapon was cocked back and the safety was on.

One expended projectile was located inside the front of S-Bond's jacket at the scene upon its removal by the Deputy Coroner. One possible bullet strike was located on the sidewalk near S-Bond's body, but no other strikes were found. Six expended projectiles were later recovered from S-Bond's body at autopsy, leaving five projectiles unaccounted for. These were never located.

Twelve expended .45 Caliber casings were located in the front yard and front sidewalk area of 5652 Harold.

One empty semi-automatic magazine was located on the ground near S-bond's body. This magazine is believed to be Sergeant McCoy's.

#### **COBAN DIGITAL VIDEO / AUDIO RECORDINGS**

Sergeant Whitt and Sergeant McCoy were in marked police unit #3616 during this incident which is equipped with the COBAN video recording system; however, it was never turned on nor activated during this incident and there are no recordings.

There are no audio recordings associated with this incident other than those generated by the investigative follow-up (Victim and witness statements).

## **AUTOPSY**

The autopsy of S-Bond took place on 02-22-12 at the Riverside County Sheriff Coroner's Office and was conducted by Forensic Pathologist Dr. Fajardo. Dr. Fajardo concluded that S-Bond had (7) entry wounds, (1) exit wound and (2) grazing wounds to his body.

The entry wounds were as follows; (1) to his left chest, (1) to the left side of his torso, (4) to the center of his back and (1) to his left buttock. The (2) grazing wounds were to his left thigh and the left side of his torso. The exit wound was out his upper right chest.

Six expended projectiles were recovered from S-Bond's body. The Cause of Death was listed as "Multiple Gunshot Wounds".

## **DEPARTMENT OF JUSTICE**

Senior Criminalist Brian Reinarz of the Department of Justice examined the officer's and suspect's pistols along with the expended casings and projectiles recovered from the scene and S-Bond at autopsy.

Criminalist Reinarz concluded that Sergeant McCoy fired (8) of the expended casings found on Harold and (5) of the projectiles recovered from S-Bond's body.

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

None of the casings or projectiles recovered in this investigation came from S-Bond's pistol.

## **SUSPECT'S WEAPON SUMMARY**

S-Bond's weapon was a .45 caliber Colt semi-automatic pistol, serial # 2706138, loaded with seven live .45 caliber rounds. This gun was reported stolen and entered into AFS by the Los Angeles County Sheriff's Department on 02-05-1998.