



# MEMO

## Police Department

**DATE:** December 6<sup>th</sup>, 2013  
**TO:** SERGEANT DAN RUSSELL  
**FROM:** Detective Ron Sanfilippo  
**CC:**  
**RE:** SUMMARY-OFFICER INVOLVED SHOOTING - P13133894

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**DATE OF INCIDENT:** September 13, 2013  
**TIME OF INCIDENT:** 2108 hours  
**LOCATION OF INCIDENT:** 2395 10th St.  
Riverside California

**INVOLVED OFFICERS:**

- Officer Kevin Kauk #1326  
Unit Designator C230  
Field Operations/ Watch C
- Officer Nick Larkin #1721  
Unit Designator C220  
Field Operations / Watch C
- Officer Trevor Childers #1745  
Unit Designator C218  
Field Operations / Watch C
- Officer William Outlaw #1754  
Unit Designator C236  
Field Operations / Watch C

**WITNESS OFFICERS:**

- Sergeant Gary Toussaint #471  
Unit Designator S79  
Field Operations / Watch C
- Officer Kevin Feimer #1001  
Unit Designator K93  
Field Operations / K9 Unit
- Officer Jared O'Farrell #1749  
Unit Designator C210

Field Operations / Watch C

Officer Stephen Quinn #1535  
Unit Designator C236 (Training Officer)  
Field Operation / Watch C

**OFFICER INJURIES:** None

**CIVILIAN WITNESSES:** Steven Johnson      DOB: [REDACTED]

Steven Johnson was a civilian ride-a-long riding with Officer Childers.

**SUSPECT:** Jimenez, Hector, Enrique      DOB: 5/11/1963  
M/H/ 5'6"/220/BLK/BRN  
2395 10th St. Riverside, Ca. 92507

**SUSPECT'S INJURIES:** Numerous gunshot wounds. (Deceased)

**SUMMARY:**

On Friday, September 13, 2013, at approximately 2108 hours, the Riverside Communications Bureau received a 911 call regarding a possible suicidal subject at 10<sup>th</sup> St. and Sedgwick Ave. The caller (Thalia Jimenez) was this subject's daughter and she advised that her father (Hector Jimenez) had a knife and was attempting to kill himself. Thalia Jimenez said her father was out near the corner of 10<sup>th</sup> St. and Sedgwick Ave. Thalia Jimenez stated her father had medical issues and had attempted suicide in the past. Thalia Jimenez added her father already cut his face and legs and was bleeding. Maria Jimenez took the phone from her daughter (Thalia) and told dispatch that her husband (Hector Jimenez) swung the knife at her and told her to get away. All this information was provided to RPD police units prior to their arrival.

Officers Kauk, Larkin, Quinn, Outlaw and Sergeant Toussaint arrived at approximately 2114 hours. Officer Quinn is Officer Outlaw's Field Training Officer and they were riding together. They drove south on Sedgwick Ave. and parked north of the location. Officer Kauk pulled in behind them. Due to the nature of the call it was determined Officer Outlaw would utilize the less lethal shotgun, so he removed it from the trunk of his police vehicle. Both Officer Quinn and Officer Kauk verified Officer Outlaw loading the less lethal shotgun and all three walked toward the intersection of Sedgwick Ave. and 10<sup>th</sup> St. Officer Quinn stopped to speak to a female in a vehicle prior to joining Officer Kauk and Officer Outlaw towards the north/east corner of Sedgwick Ave. and 10<sup>th</sup> St. These officers observed Hector Jimenez sitting on a bench along the side of the house at 2395 10<sup>th</sup> St. Officers Quinn, Kauk and Outlaw then jumped the chain link perimeter fence on the west side and entered the yard which is located on the south side of the residence.

Officer Larkin and Sgt. Toussaint arrived on scene and also entered the yard by jumping the chain link fence. Officers O'Farrell and Childers responded and walked down 10<sup>th</sup> St. to Sedgwick Ave. and entered the property through the open chain link fence/driveway area. Officer O'Farrell parked on the southeast corner of 10<sup>th</sup> St. and Sedgwick Ave. and positioned himself across 10th St. along the south fence providing crowd control. Officers were positioned in a semi-circle in the side yard. Officer Childers (handgun) was to the left and closest to the house (near the front door of the residence). Officer Kauk (handgun) was standing to Officer Childers right followed by Officer Outlaw (Less Lethal Shotgun), Officer Larkin (handgun), Sergeant Toussaint (verbal commands), and Officer Quinn (handgun). At one point, Officer Kauk moved to the front door and assisted to get a female (Thalia Jimenez) and her small child out of the residence. Officer Kauk had them walk off to the north away from the residence. Officer Kauk then returned to his position as lethal cover.

Initially several officers were commanding Hector Jimenez to drop the knife but he refused while making comments about wanting to die. Sergeant Toussaint then became the primary negotiator with Hector Jimenez. Sergeant Toussaint continually asked Hector Jimenez to drop the knife but he refused to cooperate. Hector Jimenez at times during these negotiations ran the blade of the knife over his face and arms. At one point Hector Jimenez threw the knife down to the ground in front of him but immediately picked it back up. During this contact Hector Jimenez made several comments about wanting the officers to shoot him.

When Officer Feimer arrived in the side yard he immediately sought out the location of the less lethal officer. Officer Outlaw responded to Officer Feimer that he was in possession of the less lethal shotgun. Officer Feimer told Officer Outlaw to deploy less lethal if Hector Jimenez attempted to get back inside the house. Officer Feimer said he would then deploy his K9 partner. Officer Feimer stayed in this area behind Officer Outlaw and Officer Kauk.

As Sergeant Toussaint continued negotiations he asked Officer Quinn if he was in possession of a Taser. Officer Quinn advised he did not have one so Sergeant Toussaint asked Officer O'Farrell who was standing on the other side of the south perimeter chain link fence. Officer O'Farrell stated that he did possess a Taser so he jumped the fence and positioned himself between Sergeant Toussaint and Officer Quinn. Officer O'Farrell removed his Taser from the holster and transferred the Taser from his left hand to his right hand to fire it if necessary. While Officer O'Farrell was in the process of doing this Hector Jimenez stood up with the knife in his right hand and made a lunging movement towards Officers Childers and Kauk. Officers Childers, Kauk, and Larkin fired their handguns at Hector Jimenez fearing he was going to stab an officer. Officer Outlaw also discharged his less lethal shotgun at Hector Jimenez citing the same fear. Hector Jimenez fell to the ground about six feet from the bench he had been sitting on. Officer Kauk approached Hector Jimenez and kicked the knife away from him then handcuffed Jimenez.

Negotiating with Jimenez lasted approximately 3-5 minutes prior to the shooting. All officers estimated the distance from them to Jimenez was 10-20 feet, with most officers estimating 15 feet.

Crime Scene:

Detective Greg Rowe and Forensic Technicians Selena McKay Davis, Sue Lane and Forensic Supervisor Carlton Fuller investigated the crime scene. Sergeant Jeff Spencer was the crime scene supervisor.

Fifteen .40 caliber expended shell casings were located in the side yard of 2395 10<sup>th</sup> St. Street. These rounds were fired from Officer Kauk, Childers and Larkin's handguns.

Four 12 gauge less lethal rounds were located in the middle portion of the side yard at 2395 10<sup>th</sup> St. Street. These were fired from Officer Outlaw's less lethal shotgun.

1 steak/kitchen knife was found on the north side of the yard near the southwest corner of the residence.

Pill bottles, hospital ID bracelets and miscellaneous amounts of US currency were found next to the deceased. These items were in the possession of Hector Jimenez.

Video/Audio/Recordings:

There was no Coban video of the actual shooting from any of the units on scene. Officer Outlaw's unit #3148 captured audio of the incident.

There were no Puma Olympus audio recordings of this incident by officers that were involved in this incident.

Weapons Charting:

Weapon Charting Officer Kauk:

Officer Kauk was photographed in his police uniform and had his assigned duty weapon charted. The pistol had one live round chambered and the magazine held 7 live rounds. His additional three magazines were each loaded to capacity with 15 live rounds. The charting confirmed that eight rounds were fired.

Weapon Charting Officer Larkin:

Officer Larkin was photographed in his police uniform and had his assigned duty weapon charted. The pistol had one live round chambered and the magazine held 12 live rounds. His additional two magazines were each loaded to capacity with 15 live rounds. The charting confirmed that three rounds were fired.

Weapon Charting Officer Childers:

Officer Childers was photographed in his police uniform and had his assigned duty weapon charted. The pistol had one live round chambered and the magazine held 11 live

rounds. His additional two magazines were each loaded to capacity with 15 live rounds. The charting confirmed that four rounds were fired.

Officer Childers carries a Smith and Wesson Airweight 38 special revolver as a backup weapon. This weapon was charted and showed to have five live rounds in the cylinder. This weapons capacity is five rounds. Charting confirmed no rounds were fired from this weapon.

**Weapon Charting Officer Outlaw:**

Officer Outlaw was photographed in his police uniform and had his assigned duty weapon charted. The pistol had one live round chambered and the magazine held 15 live rounds. His additional two magazines were each loaded to capacity with 15 live rounds. The charting confirmed that no rounds were fired. Officer Outlaw fired his assigned less lethal shotgun at the scene.

**Witness Officer Charting:**

Although not involved in the shooting, Sergeant Toussaint, Officer O Farrell, Officer Quinn, and Officer Feimer were in the side yard with the involved officers. Sergeant Toussaint, Officer O'Farrell, Officer Quinn, and Officer Feimer were photographed in their police uniforms and had their duty weapons charted. All four had one live round in the chamber of their respective weapons and the magazine was loaded to capacity with fifteen rounds. Each officer had two additional magazines that were loaded to capacity with 15 live rounds. The charting confirmed Sergeant Toussaint, Officer O Farrell, and Officer Feimer did not fire their duty weapons.

Officer O'Farrell also carries a Ruger LCP .380 caliber handgun as a backup weapon. This weapon was charted and showed to have one live round in the chamber and six live rounds in the magazine. The magazine capacity for this weapon is six. Charting confirmed that no rounds were fired from this weapon.

**Interviews:**

**Witness Steve Johnson:**

Johnson was interviewed at Magnolia Station by Detective Dave Smith. Johnson was on a ride-a-long with Officer Childers when he heard a call on the radio about a suicidal subject. Steve Johnson said Officer Childers determined they would go to the call. Steve Johnson said when they arrived he saw two other police vehicles were already on-scene and he saw one officer shining his light on a subject in the front yard of a residence and another officer near the front door of the residence. Steve Johnson advised that he exited the police vehicle and stood near the passenger door as Officer Childers walked over to assist with the call.

Steve Johnson said he saw Hector Jimenez sitting in a chair in the yard armed with an approximate 8" knife. Steve Johnson added Hector Jimenez was moving the knife from hand to hand and appeared to be cutting his arms and waving the knife around. Steve Johnson stated he could hear there was dialogue between officers and the subject, but could not hear what was being said. Steve Johnson said additional officers arrived and

joined the officers already on-scene. Steve Johnson added a short time after this he saw Hector Jimenez stand up with the knife in his hand and lunge at officers to the subject's right. Steve Johnson advised he then heard 7-10 gunshots and saw Hector Jimenez fall to the ground. Steve Johnson stated he observed several officers walked up on the subject and handcuffed him. Steve Johnson said he then sat back down in the police vehicle to stay out of the way. Steve Johnson estimated he was about 25 feet from the incident and he had an unobstructed view. Steve Johnson said the lighting was dim, but he could see the subject and his actions with the light from the officer's flashlights.

**Witness Thalia Jimenez:**

Thalia is the daughter of Hector Jimenez and the original reporting party for this incident. Thalia Jimenez advised that Hector Jimenez is her father and he had been released from Parkview Hospital at 1400 hours on this date for an undisclosed medical condition. Thalia Jimenez said after being released her father came home and started drinking beer and taking medication. Thalia Jimenez said her father was inside the house and started going crazy, cutting himself with a knife. Thalia Jimenez stated when her father went outside she called the police. Thalia Jimenez said she could not see what happened in the side yard at the time her father was shot.

**Witness Sergeant G. Toussaint:**

Sergeant Toussaint was working Watch C supervision. Sergeant Toussaint was clearing from Riverside Community Hospital when this call was dispatched therefore he responded. Sergeant Toussaint approached the location north on Sedgwick Ave. and parked near the intersection of Sedgwick Ave. and 10<sup>th</sup> St. Sergeant Toussaint stated when he approached he observed Hector Jimenez sitting on a bench against the south wall of the residence with a knife in his right hand. Sergeant Toussaint advised he jumped the south perimeter chain link fence into the side yard (faces 10<sup>th</sup> St.). Sergeant Toussaint said he immediately began speaking with Hector Jimenez and advised that Officer Quinn was to his right and Officers Childers, Kauk, Outlaw and Feimer were all on his left side. Sergeant Toussaint continued to talk with Hector Jimenez, asking him to drop the knife numerous times. Sergeant Toussaint said Hector Jimenez refused to comply with the commands. Sergeant Toussaint stated at one point Hector Jimenez threw the knife down to the ground, but immediately picked it back up.

Sergeant Toussaint said he did not remove his handgun from his holster because he was negotiating with Hector Jimenez and there was plenty of lethal and less lethal cover on scene. Sergeant Toussaint said during the negotiating he found out that Officer Quinn was not in possession of a Taser therefore he asked Officer O'Farrell who did possess a Taser. Sergeant Toussaint had Officer O'Farrell stand on his right side and requested he ready his Taser. Sergeant Toussaint advised that he observed the red dot from the Taser on Hector Jimenez's body as he (Hector Jimenez) stood up and moved toward Officer Kauk. Sergeant Toussaint stated Hector Jimenez failed to comply with commands given to him to "stop" and "put down the knife" therefore officers fired their handguns at Hector Jimenez. Sergeant Toussaint said Hector Jimenez took two to three steps towards officers prior to the shooting.

**Witness Officer Jared O'Farrell:**

Officer O'Farrell was working Watch C Patrol, Unit C210. Officer O'Farrell said he was responding to another call when this one was dispatched. Officer O'Farrell said while en route to the other call he decided to re-route to 10<sup>th</sup> St. and Sedgwick Ave. and assist officers there. Officer O'Farrell advised when he arrived at the location he parked his police vehicle near the southwest corner of 10<sup>th</sup> St. and Sedgwick Ave. Officer O'Farrell stated as he exited his unit he could hear officers talking to Hector Jimenez in the yard across the street from where he had parked. Officer O'Farrell crossed 10th St. and positioned himself on the north sidewalk outside the perimeter fence surrounding 2395 10th St. and started dealing with a bystander who was trying to get into the yard. Officer O'Farrell saw Hector Jimenez and described him as a male Hispanic in his fifties. He said Hector Jimenez was armed with a knife and was dragging the knife over his face and arms as he sat on the bench talking with the officers. He said Hector Jimenez moved the knife between hands and spoke in a low voice so he could not hear what he was saying.

Officer O'Farrell said Sergeant Toussaint was trying to calm Hector Jimenez while giving him commands, but felt something was wrong because Hector Jimenez was not complying. Officer O'Farrell advised that Sergeant Toussaint asked him if he had a Taser and when he advised that he did was requested to move up to their location. Officer O'Farrell said he stood next to Sergeant Toussaint (right side). Officer O'Farrell said he was positioned between Sergeant Toussaint and Officer Quinn and was approximately fifteen feet from where Hector Jimenez was sitting. Officer O'Farrell removed the Taser from his belt holster and began transferring it from his left hand to his right hand when Hector Jimenez stood up with the knife in his hand. Officer O'Farrell stated Hector Jimenez then lunged towards Officers Larkin and Kauk. Officer O'Farrell said he then heard shots being fired and observed Hector Jimenez go to the ground. Officer O'Farrell said he did not fire his duty weapon or Taser while at the scene.

**Witness Officer Kevin Feimer:**

Officer Feimer was working Watch C, late swing shift, unit K93 with partner "Sando." Officer Feimer heard the call of a suicidal subject armed with a knife dispatched and responded to the intersection of 10<sup>th</sup> St. and Sedgwick Ave. Upon arrival Officer Feimer said he saw Officers Kauk, Outlaw, and Larkin were in the side yard of 2395 10<sup>th</sup> St. with additional officers he could not recall. Officer Feimer said he observed Hector Jimenez sitting on a bench against the residence holding a knife in his right hand and what appeared to be bloody paper towels in his left. Officer Feimer said the officers were positioned in a half circle around Hector Jimenez and estimated the officers' distance to be 15-20 feet from Hector Jimenez. Officer Feimer stated as he was approaching the yard, he could hear officers yelling commands at Hector Jimenez to drop the knife. Officer Feimer advised Hector Jimenez was talking, but he could not here what he was saying. Officer Feimer and his partner "Sando" entered the yard off Sedgewick near the driveway and walked up behind the officers.

Officer Feimer stated he asked if any of the officers had less lethal, and Officer Outlaw confirmed he did. Officer Feimer said he walked up behind Officer Outlaw and told him if Hector Jimenez tried to get back into the house with the knife he would deploy less lethal and he would then deploy his K-9. Officer Feimer stated he had planned on working his way down to each officer and provide a plan but as he moved towards Officer Kauk, Hector Jimenez quickly stood up. Officer Feimer added Hector Jimenez then moved to his right towards Officers Kauk and Outlaw. Officer Feimer advised that he could see Officer Outlaw firing his less lethal shotgun, Officer Kauk firing his handgun and heard at least four other shots. Officer Feimer said Hector Jimenez went down to the ground immediately and did not move. Officer Feimer said Officer Kauk approached Hector Jimenez, kicked the knife away, and then Officers Kauk and Larkin handcuffed Hector Jimenez. Officer Feimer stated he did not draw his weapon because he was controlling his K9 and was behind officers who had their weapons drawn. Officer Feimer estimated that the time he entered the yard to the shooting occurring was approximately one minute.

Witness Officer Steve Quinn:

Officer Quinn was working Watch C, Unit C236, as a Field Training Officer with his trainee Officer Outlaw. Officer Quinn said he was dispatched to a suicidal subject with a knife call at 10<sup>th</sup> St. and Sedgwick Ave. Officer Quinn advised that upon arrival dispatch advised that the RP (Thalia Jimenez-suspect's daughter) stated that her father (Hector Jimenez) was currently seated in the side yard of the residence. Officer Quinn said he and Officer Outlaw were first on scene with Officer Kauk pulling in behind them. Officer Quinn advised it was determined upon arrival that Officer Outlaw would carry the less lethal shotgun. Officer Quinn advised after retrieving this weapon from the police unit trunk they approached on foot.

Officer Quinn said as they were approaching, a Hispanic female driving a tan car was driving into the driveway of 2395 10<sup>th</sup> St. Officer Quinn advised that the female was uncooperative and told him that she lived at that location and could go into the house if she wanted. Officer Quinn stated while dealing with the female he saw additional officers arrive and then heard officers yelling and running. Officer Quinn stated he observed Hector Jimenez seated on a wooden bench in the side yard against the residence. Officer Quinn advised that Officers Kauk and Outlaw were yelling commands for Hector Jimenez to drop the knife. Officer Quinn estimated they were 20 feet away from Hector Jimenez and did not get any closer because Hector Jimenez was in possession of a knife in his right hand. Officer Quinn said Hector Jimenez was running the blade of the knife across his face and arms.

Officer Quinn stated that Sergeant Toussaint was on scene and was trying to negotiate with Hector Jimenez. Officer Quinn said he heard Hector Jimenez say that he had terminal cancer and had nothing to live for. Officer Quinn advised that at one point during the talks, Hector Jimenez threw the knife to the ground in front of him, but quickly picked it up. Officer Quinn stated he noticed that Hector Jimenez looked up towards the officers and began looking around to where all the officers were positioned. Officer Quinn said within a minute of looking around Hector Jimenez stood up and lunged in the direction of Officers Outlaw and Kauk. Officer Quinn described the lunge

as a running step. Officer Quinn heard 10-12 gunshots and observed Hector Jimenez going to the ground. Officer Quinn stated that he did not see who fired their weapons. Officer Quinn advised that he had his handgun out of his holster but didn't fire. Officer Quinn said this was because his background was a residential window and wasn't sure if anybody was inside the residence.

**Officer Larkin:**

Officer Larkin said on 09/13/13, at approximately 2100 hours, he was on duty working patrol with a call sign of C220. He was clearing a traffic stop at the Skylark Motel when a call of a subject with a knife was dispatched over the radio. Officer Larkin cleared his traffic stop and put himself in route to 10<sup>th</sup> St. and Sedgwick Ave. where the incident was occurring. He drove westbound on 10<sup>th</sup> St. and then turned right onto Sedgwick Ave. parking his marked patrol unit near the front driveway of 2395 10<sup>th</sup> St.

Officer Larkin said assisting officers were arriving on scene at the same time. Officer Larkin and several other assisting uniformed officers approached the residence on foot. Officer Larkin stated he heard one of the assisting officers telling a woman who had just pulled into the driveway that she had to move her car and leave. Officer Larkin stated at about this time he heard an officer say, "There he is".

Officer Larkin looked and saw Hector Jimenez standing in the middle of the fenced in yard on the south side of the residence. Officer Larkin advised that Hector Jimenez was walking around so he jumped the fence into the side yard. Officer Larkin said he noticed Hector Jimenez was holding a knife in his right hand. Officer Larkin drew his duty weapon and he gave Hector Jimenez repeated verbal commands to, "Drop the knife!" Officer Larkin had a tactical light on his handgun and he recalled seeing other officers with flashlights on scene. Officer Larkin said Hector Jimenez continued to walk around on the south side of the house until he ultimately sat down on a bench near the south wall of the residence.

Officer Larkin advised that several assisting officers were in the fenced yard along with Officer Larkin. Officer Larkin added that Sergeant Gary Toussaint was there negotiating with Hector Jimenez trying to get him to drop the knife. Officer Larkin stated the negotiation went on for approximately 5 minutes. Officer Larkin said during that time Hector Jimenez made several statements that he wanted the officers to kill him. Officer Larkin said Sergeant Toussaint continued to talk with Hector Jimenez repeatedly asking him to drop the knife. Officer Larkin saw Hector Jimenez rubbing the knife along his own hand, face, and arms as if he was cutting himself. Officer Larkin stated at one point Hector Jimenez threw the knife straight down in front of him causing the point of it to stick into the ground. Officer Larkin advised Hector Jimenez immediately picked it up and again held it in his right hand while sitting on the bench.

Officer Larkin said Hector Jimenez told the officers that he was going to walk in the direction of Officers Kauk and Officer Childers. Officer Larkin said he observed a red laser dot from a Taser appear on Hector Jimenez's torso but to his knowledge a Taser was not deployed. Officer Larkin said Hector Jimenez abruptly stood up with the knife still in his right hand. At that moment Officer Larkin heard the first, "two pops."

Officer Larkin said he was standing in between Sergeant Toussaint and Officer Outlaw who was holding a less lethal shotgun. Officer Larkin said he feared that Hector Jimenez was going to harm one or more of his partner officers or he could possibly harm a family member living in the residence that he was walking towards. Officer Larkin said he fired what he believes was three rounds from his duty weapon towards Hector Jimenez. Officer Larkin stated after he fired his weapon Hector Jimenez fell down to the ground. At that point Officer Kauk and another unknown officer kicked the knife away from Hector Jimenez and then placed him in handcuffs. Officer Larkin said when Hector Jimenez was secured medical aid responded to treat Hector Jimenez.

**Officer Kauk:**

Officer Kauk advised he was dispatched to Sedgwick Ave. and 10<sup>th</sup> St. reference a suicidal subject (Hector Jimenez) armed with a knife. Officer Kauk stated he arrived at the location at the same time as Officers Outlaw and Quinn (C236 - unit #3148). Officer Kauk said he parked behind Officers Outlaw and Quinn's police unit on Sedgwick Ave. (west side of street, facing south, north of 2395 10<sup>th</sup> St.). Officer Kauk advised the last update he heard was that the suicidal subject (S-1) was near the corner of Sedgwick Ave. and 10th St. Officer Kauk stated as he exited his police unit he went to the trunk of Officer Outlaw and Quinn's police unit and observed Officer Outlaw loading of the less lethal shotgun (per department policy).

Officer Kauk advised Officer Larkin, Sgt. Toussaint arrived on scene and they began to search the vicinity for S-1. Officer Kauk said he first observed Hector Jimenez in possession of a knife in the south side yard of the 2395 10<sup>th</sup> St. residence. Officer Kauk advised he then moved in the direction of Hector Jimenez (east) and entered the south yard by jumping the small chain link fence. Officer Kauk said he jumped the chain-link fence on the west side of the property. Officer Kauk said he did observe a female with a small child standing in the doorway of the residence on the south portion of the dwelling (duplex). Officer Kauk stated he told the female to go back into the residence as he lost visual on Hector Jimenez for a few seconds. Officer Kauk said he didn't want a hostage situation if Hector Jimenez got back into the residence.

Officer Kauk said he then observed Hector Jimenez seated on a bench with his back up against the south wall of the residence. Officer Kauk advised Hector Jimenez was armed with a large knife. Officer Kauk stated Hector Jimenez wasn't complying with the commands given to him by Sgt. Toussaint to drop the knife. Officer Kauk added Sgt. Toussaint was communicating with Hector Jimenez and asked him numerous times to put down the knife. Officer Kauk stated Hector Jimenez told officers he was sick and didn't want to live anymore. Officer Kauk advised that Hector Jimenez stated he was going to charge at the officers as he shifted the knife back and forth in his hands. Officer Kauk did observe Hector Jimenez reach into his pants pocket and pull out some papers while mentioning he had been at the doctors and was going to die. Officer Kauk said Hector Jimenez threw the knife down into the ground in front of him at one point but immediately picked it up. Officer Kauk stated S-1's arms and legs appeared to be bloody. Officer Kauk advised that Hector Jimenez was rubbing the tip of the knife against his own arms and face. Officer Kauk stated Hector Jimenez told the officers several times

"I'm gonna go that way" pointing north/west (to Jimenez's right) towards the residence front door.

Officer Kauk said he observed Officers Childers and Feimer arrive in the south yard of the residence. Officer Kauk stated Officer Childers stood to his left (near south/west corner of residence) and Officer Feimer stood behind him (Kauk) with his K9. Officer Kauk advised that Officer Feimer formulated a plan of releasing his K9 if less lethal was an option and used on Hector Jimenez. Officer Kauk stated Hector Jimenez all of a sudden stood up and "charged toward my direction" in an aggressive manner with the knife up extended out in his hand (unknown hand). Officer Kauk said at this point he fired his duty weapon 7-8 times for his own safety. Officer Kauk said he felt Hector Jimenez's intention was to kill the officers or have the officers kill him. Officer Kauk stated he stopped shooting when Hector Jimenez went to the ground. Officer Kauk stated when Hector Jimenez went to the ground the knife landed next to Hector Jimenez's hand. Officer Kauk said a plan was then formulated at the scene for him and Officer Childers to approach Hector Jimenez to secure the weapon and Hector Jimenez. Officer Kauk said this was done under lethal cover. Officer Kauk advised Officer Childers kicked the knife away from Hector Jimenez's reach and he was handcuffed for their safety. Officer Kauk stated he requested medical aid immediately over the radio.

Officer Kauk was unsure how far he was from Hector Jimenez when he was seated on the bench. Officer Kauk said originally that he believed he was 35 feet from Hector Jimenez but then suggested it was possibly 20-25 feet. Officer Kauk advised that Officer Childers was to his left and Officer Outlaw was 2-3 feet to the right of him armed with less lethal. Officer Kauk went on to say that Officer Larkin was to the right of Officer Outlaw with Sergeant Toussaint to the right of Officer Larkin. Officer Kauk said Officer Quinn was to the right of Sergeant Toussaint and all of them formed a semi-circle facing Hector Jimenez. Officer Kauk said he wasn't sure who fired first but due to the casings he observed after the shooting he realized that less lethal was also fired. Officer Kauk was unaware if any of the officers present were in possession of a Taser. Officer Kauk said he has never been to that residence before and has had no prior contact with Hector Jimenez.

Officer Childers:

Officer Childers stated that on 09/13/13, at approximately 2100 hours, he was on duty working patrol driving Unit #3917. Officer Childers had a ride along with him (Steve Johnson) who is a current applicant with the Riverside Police Department. Johnson was later interviewed by Detective Dave Smith.

Officer Childers said that before he responded to the call in question he was dispatched to an unrelated 5150 call with Officer O'Farrell. Officer O'Farrell was also on duty working patrol and he was driving a separate patrol car. As additional details about the man with a knife on 10<sup>th</sup> Street was updated and dispatched over the radio, Officer Childers said he and Officer O'Farrell made a decision to go to the 10<sup>th</sup> Street call instead to assist.

Officer Childers arrived in the area then drove westbound on 10<sup>th</sup> Street. He made a northbound turn on Sedgwick and he parked to the front of the house at 2395 10<sup>th</sup> Street. Officer Childers told Steve Johnson (civilian ride-a-long) to wait at the unit. Officer

Childers said he saw several other officers were already on scene. Officer Childers advised he saw the subject later identified as Hector Jimenez seated on a bench against the house on the south side. Officer Childers saw that officers had their handguns drawn and he saw Officer Outlaw in front of the suspect holding a less lethal shotgun.

Officer Childers said he entered the property through the driveway side and he walked up to the west side of the residence where he took a position next to Officer Kauk who was to his immediate right. Officer Childers said he was the last officer in the group of officers on scene and he was closest to the garage door as you're looking at the house from Sedgwick. Officer Childers described the positioning of the officers as being inside the south yard in a semi-circle facing Hector Jimenez.

Officer Childers said he heard an officer (unknown at the time) negotiating with Hector Jimenez. Officer Childers stated he was being commanded to drop the knife. Officer Childers said he observed the knife in Hector Jimenez's right hand. Officer Childers advised that K-9 Officer Feimer was present and a plan was formulated with Officer Outlaw. Officer Childers advised the plan was for Officer Outlaw to deploy less lethal prior to sending the K-9 if necessary.

Officer Childers said immediately after Officer Outlaw and Officer Feimer spoke about their plan, Hector Jimenez stood up from the bench. Officer Childers stated Hector Jimenez moved towards himself and Officer Kauk with the knife in his right hand. Officer Childers said he felt Hector Jimenez was going to stab him or Officer Kauk so he fired, "2-rounds" from his duty weapon towards Hector Jimenez. Officer Childers stated several other officers also fired simultaneously. Officer Childers said Hector Jimenez fell to the ground and dropped the knife. Officer Childers said he and Officer Kauk approached Hector Jimenez. Officer Childers said he kicked the knife away with his left foot then he and Officer Kauk rolled Hector Jimenez over, handcuffed him, and searched his pockets. Officer Childers said he found numerous hospital wrist bands and several medication vials in Hector Jimenez's right pants pocket. Officer Childers said he and assisting officers conducted a safety sweep of the residence because he noted the window on the south side of the house was broken. Officer Childers said no one was inside the house and he did not observe any evidence during the sweep.

**Officer Outlaw:**

Officer Outlaw advised he was dispatched to the area of Sedgwick Ave. and 10<sup>th</sup> St. reference a 5150 W.I.C. subject (Hector Jimenez) cutting himself with a knife. Officer Outlaw said RPD dispatch advised Hector Jimenez was possibly in the street area. Officer Outlaw stated upon arrival he parked north of the 2395 10<sup>th</sup> St. residence on the west side of the street. Officer Outlaw said Officer Kauk pulled up at the same time and parked behind him on Sedgwick Ave... Officer Outlaw advised he immediately went to the trunk of his patrol unit, retrieved the less lethal shotgun and loaded it in the presence of Officer Kauk. Officer Outlaw stated he then proceeded on foot south on Sedgwick along with Officer Kauk and Officer Quinn. Officer Outlaw advised while searching for Hector Jimenez a civilian vehicle pulled into the driveway at 2395 10<sup>th</sup> St. (driveway is actually off of Sedgwick Ave.). Officer Outlaw said Officer Quinn walked

over to the civilian vehicle while he and Officer Kauk continued to search for Hector Jimenez.

Officer Outlaw advised he first observed Hector Jimenez sitting on a bench in the middle of the south yard of 2395 10<sup>th</sup> St. Officer Outlaw said at this point he was 30-40 feet away and didn't see the knife at the time. Officer Outlaw stated when the officers shined their flashlights in Hector Jimenez's direction he stood up and walked n/e to the south wall of the residence. Officer Outlaw added that Hector Jimenez had picked up the bench and took it with him to the south wall of the residence. Officer Outlaw stated Hector Jimenez then sat down on the bench as he had his back up against the back south wall of the residence. Officer Outlaw said Officer Larkin was the first officer to jump the fence into the south yard. Officer Outlaw stated he then followed into the south yard by jumping the chain link fence on the west side of the south yard. Officer Outlaw said as he got closer to Hector Jimenez he observed that his arms and legs were bleeding. Officer Outlaw advised he was approximately 15 feet from Hector Jimenez at this point. Officer Outlaw said he (Outlaw) was not moving and remained stationary as Hector Jimenez was seated on the bench. Officer Outlaw said Sgt. Toussaint was communicating with Hector Jimenez in an attempt to have him drop the knife he had in his hand. Officer Outlaw advised Officer Larkin and Sgt. Toussaint were to his right and Officer Kauk to his left. Officer Outlaw believes that Officer Quinn may have been on the right side of Sgt. Toussaint. Officer Outlaw advised the officers were positioned in a semi-circle in front of Hector Jimenez. Officer Outlaw stated the officers never advanced on Hector Jimenez maintaining their ground the entire time. Officer Outlaw stated he also told Hector Jimenez to drop the knife several times but he didn't comply. Officer Outlaw added Hector Jimenez continually said "I want you guys to kill me".

Officer Outlaw advised Hector Jimenez appeared to be cutting his face with the knife as he was seated on the bench. Officer Outlaw asked the officers several times "why don't you kill me". Officer Outlaw said he had his less lethal shotgun at the low ready and observed both Officers Kauk and Larkin with their weapons pointed at Hector Jimenez. Officer Outlaw said he didn't see Sgt. Toussaint with his weapon out of his holster. Officer Outlaw said in his mind at this point he thought of "suicide by cop" based on Hector Jimenez's behavior and statements. Officer Outlaw stated Officer Childers entered the south yard and yelled into the south residence (duplex) from the door for everyone inside to exit. Officer Outlaw said when Officer K. Feimer arrived in the south yard he positioned himself behind him (Outlaw) with his K9. Officer Outlaw stated Officer K. Feimer formulated a plan that he (Outlaw) would deploy less lethal if Hector Jimenez tried to run inside of the house. Officer Outlaw added that Officer K. Feimer would then send his K9 at Hector Jimenez. Officer Outlaw said it appeared to him that Hector Jimenez was "building up courage" while he sat on the bench based on his body movements. Officer Outlaw said Hector Jimenez was moving the knife from hand to hand and also kept looking around as Sgt. Toussaint spoke with him. Officer Outlaw said Hector Jimenez also pulled out several hospital wristbands from his pants pocket and threw them to the ground.

Officer Outlaw advised when Hector Jimenez stood up from the bench he "lunged" to the right in the direction of himself and other officers. Officer Outlaw said Hector Jimenez had the knife in his right hand and had it "pointed" toward the officers as he moved towards them. Officer Outlaw stated he (Outlaw) fired the less lethal weapon at Hector

Jimenez as he feared for the safety of himself and fellow officers. Officer Outlaw went on to say he thought he fired only two rounds but learned later after observing the spent cartridges at the scene that he had fired four rounds. Officer Outlaw said he heard other gunshots coming from the left and right of him. Officer Outlaw stated he did see a red Taser light on the subject just prior to the shooting. Officer Outlaw advised that he didn't know who was pointing the Taser at Hector Jimenez. Officer Outlaw said he observed Officer Kauk handcuff Hector Jimenez while he was lying on the ground. Officer Outlaw stated officers on scene provided cover for Officer Kauk

**Photographs of Officers:**

**Officer Kauk:**

Officer Kauk was photographed at Central Investigations and interviewed by Detectives Ron Sanfilippo and Mike Medici. Present during the interview was Attorney Russell Perry representing Officer Kauk. Deputy District Attorney Michelle Paradise was also present, but did not ask questions.

**Officer Larkin:**

Officer Larkin was photographed at Central Investigations and interviewed by Detectives Ron Sanfilippo and Mike Medici. Present during the interview was Attorney Russell Perry representing Officer Larkin. Deputy District Attorney Michelle Paradise was also present, but did not ask questions.

**Officer Childers:**

Officer Childers was photographed at Central Investigations and interviewed by Detectives Ron Sanfilippo and Mike Medici. Present during the interview was Attorney Russell Perry representing Officer Childers. Deputy District Attorney Michelle Paradise was also present, but did not ask questions.

**Officer Outlaw:**

Officer Outlaw was photographed at Central Investigations and interviewed by Detectives Ron Sanfilippo and Mike Medici. Present during the interview was Attorney Russell Perry representing Officer Outlaw. Deputy District Attorney Michelle Paradise was also present, but did not ask questions.

**Background information:**

Hector Enrique Jimenez, HM, 05-11-1963, 5'6, 220, grey hair, hazel eyes  
2395 10<sup>th</sup> St., Riverside; CDL # [REDACTED]

273.5 P.C. (P13062374) Hector Enrique Jimenez listed as suspect in this report. Hector Enrique Jimenez was booked (#201319785) for punching his [REDACTED] in the face twice on 05-04-2013. (tab 69).

**Autopsy:**

The autopsy of Hector Jimenez was performed by Dr. Park on 09-17-2013 at 0940 hours. Dr. Park noted nine gunshot wounds to the body of Hector Jimenez. There was also

evidence of less lethal injuries on his body. Dr. Park noted the cause of death to be "Pending Coroners Review". This section will be updated when I receive a copy of Dr. Park's Coroner's protocol report documenting the "Cause of Death".

RIVERSIDE POLICE DEPT - Restricted Information  
**Public Records Act Request**  
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