

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

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

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

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

Civilian Witnesses: Cesar and Teresa Macias

Officer Injuries: Injuries occurred when the officers moved away from gunfire.

Officer Bettsey Velasquez – Small scrapes to her left elbow
Officer Mike Gomez – Scrapes to his knuckles
Sergeant Russell Stump – Small scrapes to his left elbow

Suspect's Injuries:

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

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

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

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FACT SHEET

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Charting Involved Officers' Weapons:

Officer Bettsey Velasquez:

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

Officer David Lim:

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

Officer Michael Gomez:

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

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Officer Rogelio Serrato:

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

Officer Chamroeun Ouk:

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

Sergeant Matthew Cash:

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

Sergeant Rusty Stump:

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

Sergeant Keenan Lambert:

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

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

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

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

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

By Frank Hauptmann