



MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY

DATE: September 12, 2017

TO: Assistant Chief Deputy District Attorney Michael Blazina

FROM: Criminal Investigators Scott Maldonado, Butah Uppal and Diane Hall

SUBJECT: Officer involved shooting (SSD 17-289964)
Little Cloud, Thomas Daniel (XREF: 5154268) Deceased

NOTIFICATION:

All times are approximate.

08-30-2017, 1230 hours, Wednesday: CI Uppal received a call from the Sacramento Sheriff's dispatch center advising him of an Officer Involved Shooting at the Ramada Inn on Auburn Blvd, Sacramento. CI Uppal received the following information:

Three officers had been shot: A Sacramento County Sheriff's Deputy did not survive and two CHP officers were injured.

The suspect was also shot.

CI Uppal notified Lt. Joe and Criminal Investigator Maldonado of the call out.

1338 hours: CI Maldonado and CI Uppal arrived at the Command Post located at [REDACTED] Fulton Ave in Sacramento, CA, Haggin Oaks Golf Course. CI's met with Assistant Chief Sullivan and CI Wagstaff.

CI Maldonado and CI Uppal were directed to respond to the Sacramento Sheriff's Central Investigations Division (CID) located at [REDACTED] Orange Grove Ave, Sacramento, CA, to monitor the officer interviews. CI Wagstaff remained on scene to do the walk through at a later time when the scene was clear.

1421 hours: CI Maldonado and CI Uppal arrived at SSD CID. Upon arrival, CI's met CI Hall, who was present to assist with monitoring the interviews.

SUMMARY:

8-30-2017, 1000 hours, Sacramento County Auto Theft Task Force (SACCATS) located a stolen BMW at the Ramada Inn located at 2600 Auburn Blvd, Sacramento, CA. SACCATS observed two females enter the stolen vehicle and drive away. Law Enforcement attempted to make a vehicle stop on the stolen BMW but the vehicle failed to yield and a vehicle pursuit ensued. The stolen BMW was eventually stopped at Harbor Pointe Dr. and Laguna Blvd. in Elk Grove, CA, with two female occupants.

SACCATS developed information that weapons were associated with a hotel room at the Ramada Inn where the vehicle was originally located. SACCATS requested Sacramento County Sheriff's Deputies Alex Lopez and Benjamin Miller to conduct follow up on the hotel room. Deputy Lopez and Miller developed information on the occupants of room #234 from the hotel manager. The hotel manager provided the Deputies a passkey to the hotel room. The deputies conducted computer follow up on the occupants and found one of the occupants to be on formal searchable probation. During this follow up, Deputy Lopez recognized one of the individuals associated as being an individual he had arrested for weapons violations.

Sacramento County Sheriff Deputies Lopez and Green along with Sacramento County Sheriff Deputy Lynn, California Highway Patrol Officer Wilson, California Highway Patrol Officer Woodruff and California Highway Patrol Officer Corralejo responded to room #234 to conduct a probation search and follow up. Sacramento County Sheriff's Deputy Green covered the rear of room #234 where the balcony was located.

Upon arriving at the door, knock notice was announced. Deputy Lopez used the pass key to unlock the door. When Deputy Lopez attempted to open the door he met resistance from someone inside. The officers attempted to gain entry but continued to meet resistance from the occupant inside. Deputy Lopez advised the person inside to move out of the way or he would put rounds through the door. Within seconds of saying this multiple shots were fired at the officers from inside the hotel room through the hotel door. Deputy Lopez returned fire and CHP Officer Wilson returned fire. Two CHP Officers were shot during this incident.

Sacramento County Sheriff's Deputy Benjamin Green after hearing shots fired observed a Male Hispanic or White adult, later identified as Thomas Daniel Little Cloud, wearing a red flannel shirt armed with an AK-47 attempting to flee from the balcony of room #234. Little Cloud pointed the rifle at Deputy Green and fired. Deputy Green returned fire. Little Cloud continued to shoot at Deputy Green and Green returned fire at Little Cloud.

Little Cloud jumped off the balcony and ran east. He ran north along the east side of the hotel and northwest towards a parking lot area. Little Cloud fired his weapon at responding deputies before entering into a gray Dodge Charger that was parked in the hotel parking lot. The gray Dodge Charger drove at a high rate of speed through the parking lot passing the front entrance to the Ramada Inn. Sacramento County Sheriff's Deputies fired their weapons at vehicle near this location. The gray Charger drove south onto Fulton Ave in the Northbound lanes and a vehicle pursuit ensued. During this incident, Deputy Bob French was shot.

The gray Charger evaded law enforcement by driving at high speeds, driving erratic and driving on the wrong side of the road. The gray Charger came to a stop southbound Watt Ave in the eastbound turn lanes onto El Camino Ave. A Sacramento County Sheriff's Deputy fired at the suspect inside the vehicle after seeing the rifle barrel being pointed out the driver's side window. The gray Charger continued to evade officers before eventually colliding with a power pole near El Camino Ave and Millrace Road.

The suspect Thomas Daniel Little Cloud was taken into custody without incident.

OFFICERS INVOLVED IN THE SHOOTING:

Sacramento County Sheriff's Deputy Alex Lopez #1171
Sacramento County Sheriff's Deputy Benjamin Green #1437
Sacramento County Sheriff's Deputy Antonio "Tony" Montalvo III #619
Sacramento County Sheriff's Deputy Michael Heller #268
Sacramento County Sheriff's Deputy Ken Crouch #641
Sacramento County Sheriff's Deputy Allen Miller #779
California Highway Patrol Officer John Wilson #17103

OFFICER WITNESSES:

Sacramento County Sheriff's Deputy Rob Tracy #1280
Sacramento County Sheriff's Deputy Michelle Mondo #877
Sacramento County Sheriff's Deputy Michael Pendley #1486
California Highway Patrol Officer David Woodruff #18093
California Highway Patrol Officer Joel Corralejo #16001

SACRAMENTO COUNTY SHERIFF'S DETECTIVES ASSIGNED:

Det. Christopher Britton
Det. Rob Peters

SUSPECT:

Little Cloud, Thomas Daniel (D.O.B. 05/31/1985), Xref 5154268

SCENE:

Ramada Inn, 2600 Auburn Blvd, Sacramento, CA

The Ramada Inn is located on the southeast corner of Auburn Blvd and Fulton Ave. The Ramada Inn is a multi-level hotel. The front of the Ramada Inn faces north onto Auburn Blvd and the rear faces south. The entrance and lobby area is located along the north side of the hotel. To the east and south of the entrance are numerous hotel rooms. There is a large parking lot east of the entrance to the hotel as well as parking spaces north, south and west of the entrance. *(See attached Google Map Satellite view)*

Hotel Room #234 is located southeast of the entrance and lobby area. Room #234 is located on the second floor. The front door to #234 is metal and faces in a generally northbound direction. Room #234 has a balcony that faces southbound onto the rear of the hotel. *(See attached interior hotel room diagram)*

On 08/31/2017, at approximately 1120 hours, CI Uppal and CI Maldonado arrived at the Ramada Inn to conduct a walk thru of room #234. CI's met with Sacramento County Sheriff's Detective's and observed the following:

The metal door to room #234 had damage from numerous bullet holes. The metal door directly across from room #234 and the metal door northwest of room #234 had damage from bullet holes and debris.

Upon entering room #234 there was a small entry way, a bathroom to the east, and two beds to the south. South of the beds was a glass slider which led to a small balcony. The balcony was located on the south side of the hotel.

Inside room #234, CI Uppal and CI Maldonado observed several spent rifle casings on the floor as well as small handgun casings.

In the interior hallway outside room #234 bullet holes were observed on the hallway wall. The bullet holes were mid-level and east of the door to room #234. Debris was observed on the hallway floor in front of room #234.

Intersection of Watt Ave and El Camino Ave, Sacramento, CA

Watt Ave at El Camino Ave is a north and south roadway. On Watt Ave north of El Camino Ave there are six southbound traffic lanes. Two left turn lanes for traveling east onto El Camino Ave, three lanes to continue south on Watt Ave thru El Camino Ave and one lane to turn west onto El Camino Ave. The north and south bound traffic lanes on Watt Ave north of El Camino are separated by a concrete median.

El Camino Ave is an east and west roadway. There are multiple lanes that allow for travel onto the north and southbound lanes of Watt Ave as well as east and west travel on El Camino Ave.

Surrounding this intersection are business such as Wal Mart, southwest of the intersection, U.S Bank, southeast of the intersection, Popeye's Louisiana Kitchen, northeast of the intersection and a gas station, northwest of the intersection. *(See attached Google Map Satellite view)*

INTERVIEWS:

CI Maldonado, CI Uppal, and CI Hall observed the following interviews from the monitoring room at Sacramento Sheriff's Department CID.

INTERVIEW OF DEPUTY ROB TRACY #1280 (Witness):

Observed by CI Uppal #28

08-30-2017, 1455 hours, Wednesday: Deputy Tracy started his shift at 0600 hours. He has been employed by the Sacramento County Sheriff's department since 1999. He was driving marked patrol unit # 531 which has an ICC. Deputy Tracy was in full uniform.

He was on his lunch break when he heard radio traffic from District 1 dispatch advising of shots fired at the Ramada Inn hotel. He also heard officers were in a pursuit of a Dodge Charger, and an officer had been shot. He chose to respond to the hotel.

He arrived in the hotel parking lot with ICC in operation. He observed CHP Officer Corralejo, and then observed Deputy French laying on the ground next to his patrol vehicle. He immediately went to check on Deputy French.

He determined Deputy French had a wound in his left shoulder. He observed Deputy French's handgun was in his holster.

Deputy Tracy did not see Deputy French fire his weapon, nor did he see the suspect. (Deputy Tracy arrived after the shooting.)

The interview was concluded at 1537 hours.

INTERVIEW OF SSD DEPUTY MICHAEL PENDLEY #1486 (Witness):

Observed by CI Maldonado #48

8-30-2017, 1620 hours: SSD Detectives interviewed Deputy Pendley who related the following in summary:

I was on a call on Wyda Way near Fulton Ave. Deputy Allen Miller was my trainee. I heard over the radio a call of shots fired at the Ramada Inn. We responded Code 3. As we were responding, I heard an update from the radio of a subject armed with an AK47 and wearing a red shirt with a bag running. As we got closer to the scene, I heard the suspect fled in a gray vehicle and the vehicle was going southbound in northbound traffic. The vehicle was a gray Challenger.

My partner and I were involved in the pursuit of the vehicle. We were third in the pursuit. The suspect vehicle was going the wrong way in traffic and almost wrecked a couple of times. The suspect vehicle took a side street and we picked it up southbound Watt Ave. We were now number two in the pursuit. The vehicle was driving erratic, speeding, running red lights and driving on the wrong side of the road.

At southbound Watt Ave and El Camino Ave the vehicle hit a median near the eastbound turn lane onto El Camino Ave. Deputy Allen and I exited our patrol vehicle with our firearms drawn. The suspect vehicle revved its engine and started to take off. I saw Deputy Allen deliver two rounds toward the suspect vehicle. I saw one and heard the other. I yelled stop.

We ran back to our patrol vehicle to pursue the suspect vehicle. When we got back inside our vehicle, Deputy Allen told me he saw the tip of the AK47 coming out the window.

We pursued the suspect vehicle until it ended up hitting a concrete median on the south side of El Camino Ave.

The suspect was not initially moving but knew we were the police. The suspect was eventually talked out of the vehicle and taken into custody by SED.

I did not see a gun and I did not fire my weapon. I was not injured.

The suspect vehicle was a gray Dodge Charger.

Initially, I was in fear of my safety but more in fear of the safety of citizens.

END OF STATEMENT.

INTERVIEW OF SSD DEPUTY ANTONIO MONTALVO, III #619:

Observed by CID. Hall #57

8-30-2017, 1623 hours: SSD Homicide Detectives interviewed Deputy MONTALVO who related the following in summary:

I am currently assigned North Patrol and am a Field Training Officer (FTO). I had SSD Deputy Trainee Crouch working with me today. I was wearing a marked uniform and we were driving a marked patrol vehicle. Deputy Crouch was driving.

I remember we had handled some calls for service. Sometime after 11am, we were driving eastbound El Camino and had just passed Fulton, when we heard over the radio, "shots fired." We made a u-turn and responded Code 3 to Auburn Blvd and Fulton Ave – the Ramada Inn.

As we responded, I think I remember hearing an officer was down. We could hear gunshots in the background of the radio traffic as updates were being broadcasted. I remember hearing the suspect was shooting an assault rifle.

As we arrived at the Ramada, I deployed my rifle and "charged it."

We had made a right onto Auburn Blvd from Fulton Ave, passing the Ramada Inn. We entered the Ramada Inn's parking lot off of Auburn Blvd. I remember seeing a patrol vehicle parked by itself just west of the lobby and the lights were activated.

As we pulled in, we parked near the carport/lobby area of the motel. I got out of the car and made cover next to one of the pillars. I knew the suspect was still actively shooting at officers as we were exiting our vehicle.

I remember I saw Deputy (Robert) French standing to the rear of his marked patrol vehicle. The front of his vehicle was facing east. I heard bullets/rounds "skipping" off the ground. As I was running towards the pillar for cover, I saw Deputy French duck a little bit and glass breaking behind and around him. I heard him yelling something about a car.

I then saw a dark colored (Dodge) Charger coming at us at a high rate of speed through the parking lot. He was accelerating towards us and he wasn't stopping. Deputy French started pointing and was yelling, "Him! Him! Him!"

Before the Charger came at us, I heard shots being fired. The rounds sounded like they were a "high-caliber" round and were much louder. It did not sound like a handgun.

As the Charger passed me, using my rifle, I shot rounds at the driver. The Charger continued pass me towards Fulton Ave. I remember seeing Deputy Heller also shoot at the Charger as it passed us. Deputy Crouch was in the area to my left. As the Charger drove onto Fulton Ave, I voiced over the radio the vehicle description and direction of travel.

Deputy Crouch and I got back into our patrol vehicle and followed the Charger southbound onto Fulton Ave. As we got back into our patrol vehicle, I think I remember seeing Deputy French still standing next to his vehicle.

As we approached the intersection at El Camino/Watt Ave, the suspect's vehicle had stopped. As we stopped, I jumped out and started running towards the Charger. I heard two gun shots and then saw the Charger continue eastbound El Camino. I got back into our patrol vehicle and we continued to follow the Charger.

I remember as we passed Eastern (Ave), the suspect's vehicle crashed head-on into a pole.

At the end of the pursuit, I asked my trainee if he had fired his weapon. Deputy Crouch responded in the affirmative. I did not know Deputy Crouch had fired his weapon until I had asked him. I also saw Deputy Miller and asked him the same question. Deputy Miller responded he had fired his weapon, too. I updated the Sergeant and we all waited separately for further instruction.

I did not fire the rifle during the vehicle pursuit. I only shot the rifle at the parking lot of the Ramada Inn. I never fired my handgun.

When I first heard the radio call that shots had been fired/officer(s) were down, my first thoughts were, "Oh shit! We need to get there now!", because they were in a fire fight. The pitch/tone of the voices of the officers on the radio were higher than normal and that they were under a high amount of stress.

As the suspect/Charger drove at us in the parking lot, I immediately thought he was going to run me over and that my children were going to have to bury me.

END OF STATEMENT.

In the beginning of the interview, a round count was conducted of Deputy MONTALVO's duty issued hand gun (Glock 17), rifle (AR-15) and all corresponding magazines. Deputy MONTALVO's hand gun was fully loaded with one round in the chamber for a total of 18 rounds, and his two extra magazines were full with 17 rounds in each. Deputy MONTALVO's rifle had one round in the chamber with 22 rounds in the 30 round capacity magazine. Deputy MONTALVO's extra rifle magazine was full with 30 rounds. Deputy MONTALVO's rifle, rifle rounds and corresponding magazines were collected and marked as evidence.

INTERVIEW OF SSD DEPUTY MICHELLE MONDO #877 (Witness):

Observed by CI Maldonado #48

8-30-2017, 1700 hours: SSD Detectives interviewed Deputy Mondo #877. CI Maldonado monitored a portion of the interview as it was already in progress. Deputy Mondo related the following in summary:

I was working North Patrol in full uniform and in a marked Sacramento County Sheriff's patrol SUV. I was having lunch with Deputy Rob Tracy at our Sheriff's Department annex on Arnold Ave when I heard a shot fired call at the Ramada Inn over the radio. We both responded Code 3 to the Ramada Inn.

I knew prior to this that SACCAT was working an operation there.

Deputy Tracy and I arrived at the Ramada Inn. I stopped near the driveway entrance and Deputy Tracy pulled into the parking lot. My ICC was on and my patrol vehicle was facing west onto Fulton Ave. I saw broken glass on the ground. I saw an officer on the ground and went to help. It was Deputy Bob French. Deputy Rob Tracy was there assisting him. Deputy French was breathing. I helped take off his vest and didn't see any wounds in his abdomen area. He was coughing and I saw blood coming from his nose and mouth. He said my shoulder. I saw a small entry wound near his shoulder. I assisted until fire showed up.

I heard an update that another officer was down. I left that scene and ran to the second floor of the hotel. I assisted in holding the second floor. I saw spent rounds that looked like handgun rounds and magazines. I never saw the other injured officer from the second floor.

I never encounter the suspect.

The suspect vehicle was a gray or black Charger.

I was not injured.

END OF STATEMENT.

INTERVIEW OF SSD DEPUTY BENJAMIN GREEN #1437:

Observed by CI Maldonado #48

08-30-2017, 1722 hours: SSD Homicide Detectives interviewed Deputy Green (with his attorney present) which included conducting a round count of Deputy Green's handgun, a department issued Glock 17, 9mm which had a (17) round capacity magazine. In the weapon, (1) round was located inside the chamber and (17) rounds in the magazine. One spare magazine was loaded with (17) rounds and another was loaded with (5) rounds.

Deputy Green stated the following in summary:

I am assigned to patrol and have been a Sacramento County Sheriff's Deputy since 2001. I have had my department issued Glock 17 for about four years. I qualified with my weapon within the last two months. Today, I was in full uniform and in a marked Sacramento County Sheriff's Department patrol vehicle. Deputy Lopez was my partner.

Today, Deputy Lopez received a call from a SACCAT unit requesting assistance at the Ramada Inn located at Auburn Blvd and Fulton Ave. When responding, I was told two females fled in a stolen vehicle. I was involved in the pursuit of the vehicle which ended up being stopped at Laguna Blvd and Harbour Pointe Dr. in Elk Grove.

SACCAT advised us to respond back to the Ramada Inn. I went to the Ramada Inn and contacted the manager to obtain information about room #234. An occupant () in the stolen vehicle was associated with the room. In talking to the manager and security they advised the occupant had been seen with two males, a male Hispanic adult and male White adult with a red hat the day before. The manager provided me with information about those subjects who were associated with room #224 the previous day. He also gave me a registration receipt with () and a print out of all the residents at the hotel.

I did computer checks and located () and a second subject named () that had a felony warrant for a firearm violation. Deputy Lopez recognized () as a subject he had arrested before with a firearm.

We responded to room #234 to do a probation search and because we had Intel the room was related to the females and guns were involved.

I went to the back of hotel and took a position. Deputy Lopez was making contact when I heard gun shots. I heard on the radio shot fired and officer down.

I saw the balcony door open and saw a subject come out attempting to jump over the rail. I yelled Sheriff's Department go back inside. He pointed a long gun at me and started firing. It was an AK47. I returned fire because he was an active threat and he was trying to kill me. I went to a cover position and he went back inside. He came back out and I knew if he made it to the ground he would be a threat not only to me but other people. I shot at him again and he shot at me. I could hear the rounds going past my head. I knew if he made it to the ground he would be a mobile threat. He fired at me and then made it to the ground by jumping off the balcony. He was still

armed with the AK47 at the time and had a black bag slung over his shoulder. He was about 45 to 50 yards away from me when I fired two shots at him as he took off east. The suspect looked like he was limping on his right side. I voiced on the radio a male Hispanic or male White with a red checkered shirt carrying a black bag.

As I responded to the second floor, I heard more shots being fired. I saw Deputy Lynn and more law enforcement rendering aid to the officer with the leg wound.

I then responded to the front of the building and took cover. I learned the suspect fled in a vehicle and units were in pursuit of the suspect.

I was taken to the Command Post by Deputy Cabrera.

I fired about 13 rounds at the suspect. He fired at least the same or more at me. I did a tactical reload during the incident.

I have an injury to my right forearm, possibly from the stucco and asphalt being kicked up from the shots being fired at me.

END OF STATEMENT.

INTERVIEW OF SSD DEPUTY MICHAEL HELLER #268:

Observed by CID. Hall #57

8-30-2017, 1759 hours: SSD Homicide Detectives interviewed Deputy HELLER who related the following in summary.

I started with the Sheriff's department in 2000. My current assignment is north patrol. The last time I qualified with my handgun was about a month ago.

I was wearing a marked uniform and was driving a marked patrol vehicle.

SSD Deputy Waggnor and I were at Watt Ave/Auburn Blvd just clearing a call with CHP. We heard that there had been shots fired at the Ramada Inn. We responded Code 3 down Auburn Blvd to the Ramada Inn.

My window was rolled down and as we arrived, I could hear, "Pop, pop, pop!" It sounded like rounds from a high caliber weapon. It was a much louder sound and I thought it was a rifle.

We parked to the west of the lobby. I remember seeing a parked patrol vehicle in the southeast area of the parking lot. I heard over the radio, "He's running northbound." As I got out of the car, I ran up to two other officers that were standing.

I then heard a car engine rev and saw the suspect's vehicle coming towards us. I had my handgun out. I knew an officer had been shot. As the suspect drove towards us, I could see the barrel of a rifle pointed towards me. The suspect's window was rolled up. I could see his left hand was on

the steering wheel and his right hand had the weapon in it. The rifle barrel was resting on the suspect's left arm pointed out towards the window.

As he passed, I shot 3 or 4 times at the suspect. It was the only time I fired my weapon. I think I might have shot out the suspect's driver window. I think the suspect may have fired too because I heard a fast succession of rounds.

After the suspect passed us, he drove out onto Fulton Avenue.

The suspect's vehicle was a dark colored Charger. I didn't notice anything unusual about the Charger.

END OF STATEMENT.

In the beginning of the interview, a round count was conducted of Deputy HELLER's duty issued handgun (Glock 17) and all corresponding magazines. Deputy HELLER's handgun had one round in the chamber with 12 rounds in the 17 round capacity magazine. Deputy HELLER's 3 extra magazines each had a total of 17 rounds in each. Deputy HELLER's handgun, along with all the rounds and magazines, were collected and marked as evidence.

INTERVIEW OF SSD DEPUTY ALEX LOPEZ #1171:

Observed by CI Uppal #28

08/30/2017, 1847 hours, Wednesday: Deputy Lopez began his shift at 0800 hours. He has been employed by the Sacramento County Sheriff's Department since 1998. He and Deputy Green were in the same car and he (Lopez) was the driver.

The following was the round count conducted at the beginning of the interview of his department issued Glock 17, Gen 4, 9mm handgun:

- 1 round in chamber and a 1 full magazine in gun (17 rounds)
- 1 mag from back pocket, containing 10 rounds
- 1 mag from pouch on belt – full with 17 rounds

In addition to the round count, Deputy Lopez stated there are no modifications to his handgun, which he qualified with at their last qualification shoot.

Deputy Lopez heard Detective Glen was "Code-5" (conducting surveillance) on a stolen vehicle. He was requested to assist "SAC CATS" and CHP in a pursuit of a stolen vehicle. As he entered the pursuit it had terminated in the area of Laguna Blvd, Elk Grove. At this point they were requested to return to the Ramada Inn hotel. Apparently there was information that a "snitch" said there was a bag of guns in the hotel room.

During the meeting with the Ramada Inn hotel manager, they learned a subject by the last name of [REDACTED] and a subject by the last name of [REDACTED] had been at the rooms. (Apparently [REDACTED] had

rented several rooms.) Deputy Lopez recognized [REDACTED] from a prior contact where he arrested [REDACTED] on weapons charges.

He and his partner (Deputy Green) met with Detective Lynn in the hotel lobby. Deputy Lopez obtained a pass key for the room. Detective Lynn, himself and other officers went up to the second floor room #234. Deputy Green went outside to the rear, south side, to cover the balcony.

When they arrived at the door, knock and notice was made. (Deputy Lopez did not say who made notice). He used the pass key and opened the door. The door was stopped by the interior latch indicating someone was inside. Then someone pushed the door closed. Deputy Lopez kicked the door. Knowing the person inside may be armed, he yelled, "open the door or I'll put rounds through it." Immediately the suspect began firing rounds through the door at officers.

Deputy Lopez stated he was scared for his life and returned fire through the wall into the suspect's room. There was no cover as he fled to his left. He reached the stairwell and conducted a tactical reload. He placed the partial magazine from his handgun into his back pocket. He could still hear gunfire.

Deputy Lopez heard Deputy Green say there was one suspect on the balcony and shots fired. Then he heard one of the SAC CAT officers say he was hit in the shoulder. Deputy Lopez escorted him down and out the front door, where he saw Deputy French drive up. He told Deputy French to "get out of here". Deputy Lopez then drove the injured officer to Mercy San Juan Hospital, until which time he returned to this office.

The interview was concluded at 1915 hours.

INTERVIEW OF SSD DEPUTY ALLEN MILLER #779:

Observed by CI Hall #57

8-30-2017, 1929 hours: SSD Homicide Detectives interviewed Deputy MILLER who related the following in summary.

I started with the Sheriff's Department in June 2014 and am currently a trainee assigned to North Patrol. Last time I qualified was July 2017.

I was with FTO Deputy PENDLEY. We were handling a call at Fulton Ave and Wyda, when we heard "shots fired/officer down" broadcasted over the radio. When I heard the broadcast, I thought we needed to get to the scene to assist. We responded Code 3 north on Fulton Ave.

En route, I remember hearing the radio broadcast that the suspect had fled armed with an "AK-47" and was heading westbound Auburn (blvd) in a grey Charger.

As we were approaching the Ramada Inn, I saw a grey Charger coming towards us. The suspect vehicle had turned onto the southbound lanes of Fulton. We made a u-turn and followed in pursuit.

The suspect was driving erratically. He was traveling at high rates of speed, cutting through traffic, going the wrong way of travel, going over curbs and not stopping. He was definitely a danger to

the public. I thought there was a high probability that he was going to hurt someone. Yes, I thought he was trying to get away from us.

We pursued the suspect southbound Fulton Ave to Marconi. The suspect then went eastbound Marconi to southbound Watt Avenue. At the intersection of Watt Ave and El Camino, the suspect started to turn eastbound, but because of heavy traffic, he had to stop in the middle of the intersection.

We stopped and I got out my patrol vehicle. I approached the suspect's vehicle at about a 45 degree angle on the suspect's driver's side from the rear of the suspect's car.

I could see the driver's window was either not there or rolled down. I could see the outline of the driver's face with the barrel of the rifle coming up. I saw the barrel of the suspect's rifle starting to raise and come out of the driver's side window. As I saw this, I fired 3 rounds into the driver's side. I did not wait for the barrel to completely come outside the driver's side window.

After I fired, the suspect drove off eastbound El Camino. I got back into the patrol vehicle and we continued to pursue the suspect.

When we got just east of El Camino High School, the suspect crashed into the power pole. I saw dust and parts flying in the air.

END OF STATEMENT.

In the beginning of the interview, a round count was conducted of Deputy MILLER's duty issued handgun (Glock 17) and all corresponding magazines. Deputy MILLER's handgun had one round in the chamber with 14 rounds in the 17 round capacity magazine. Deputy MILLER's two extra magazines each had a total of 17 rounds in each magazine. Deputy MILLER's handgun, along with all the rounds and magazines, were collected and marked as evidence.

It should be noted that the first few minutes of the interview may not have been video recorded due to technical difficulties. As soon as the issue was discovered and corrected, the interview was immediately video recorded.

On 09/08/2017, CI Maldonado obtained and reviewed the audio files from interviews of the following:

CHP ISU Investigator John Wilson (OIS)
CHP SACCATS Investigator Joel Corralejo (Witness)
CHP ISU Investigator David Woodruff (Witness)

INTERVIEW OF CHP INVESTIGATOR JOHN WILSON #17103:

9-05-2017, 1405 hours: SSD Homicide Detectives interviewed CHP Officer John Wilson who related the following in summary:

My rank is an Officer and I have been with the California Highway Patrol since August 30, 2002. I have worked numerous assignments during my career and have a second job teaching Tactical Bio Psychology throughout the United States.

The day of the incident, I was driving a State of California issued 2016 Dodge Caravan. I was wearing plainclothes and had a tactical vest on issued by CHP. The vest has a cloth police badge and a large patch that displays Police and CHP Investigator on it.

I have not done a round count with an Investigator because I have been in the hospital and just got home a day and a half ago. *(CHP advised a round count had been conducted by CHP ISU and was video recorded).*

I qualified with my weapon on Tuesday, August 29, 2017. My weapon is a Smith & Wesson, M & P, 40 caliber, non-compact. It is department issued and I have had the weapon for about a month. It is my primary weapon. The magazine capacity is 15 rounds plus one in the chamber is 16 rounds.

I started my shift around 7:00 to 7:30 AM. I saw Sgt. Granrud and spoke to him about a pursuit that SACCATS was involved in.

It was about 10:30 AM when I went to Subway and came back to the office to eat my lunch. Sgt. Granrud or someone said there was something happening at the Ramada and our help was needed. Terry Whitney, Dave Woodruff, and I went to assist. I spoke to Sgt. Nelson and decided to respond to the hotel but really didn't understand what was going on yet.

I called Dave Woodruff who was at the scene parked. He told me Tom Lynn was in the parking lot and they were watching some gray cars that were possibly stolen. He told me Joel Corralejo was also in the area. I arrived and parked near Dave Woodruff. Joel Corralejo came over to our location and advised us that Tom Lynn and someone else was going into the hotel to conduct follow up on room #234 from the pursuit. He said there was a female associated with the room.

Joel Corralejo talked to one of the persons that was conducting the follow up and told us a female and a guy were on probation from the Bay area. I think the thought was they were not there because they were involved in the pursuit. We were going to do a low key probation search of room #234.

We went to the parking lot of the Ramada Inn near the Enterprise Rent a Car. We were in plainclothes so we suited up into our gear. I saw three Deputies in full uniform. We went into the lobby and one of the Deputies was getting a key card and another Deputy advised he would handle the perimeter.

As we were walking from the first floor towards the stairwell and elevator, I saw a female white 5'-4" with dark curly short hair glance at us. She put her head down and immediately start texting. I remember telling Dave she knows what's up and thought she was involved. She got in the elevator and we walked up the stairs.

When we got to the second floor, I looked for the girl but she was gone.

We were still waiting for the Deputy to get the key card. It was Dave Woodruff, myself, Tom Lynn, and Joel Corralejo. We went down the hall and Joel Corralejo and Dave Woodruff got on the east side of the door and Tom Lynn and I got on the west side of the door. I removed my weapon and we stood there quietly. Moments later, the Deputy came with the key card. He was more uniformed than us so he was going to do the knock and announce. He gave knock and announce and we waited a reasonable amount of time. He gave knock and announce again and put the key card in the door. The door opened and it had the bar lock on it. The Deputy kicked the door and instead of it hitting the wall it just stopped. Tom Lynn saw someone inside. Dave started going in the door and stopped because the person was fighting with him at the door. I yelled Police let me see your hands multiple times. As I went to help Dave, rounds started being fired from inside through the door. I shot back and looked down at my hand. I saw my finger was backwards. I heard Dave scream and go down. I fired back to stop the threat. Tom Lynn and I got away from the doorway.

We covered down on the door. The shooting did not stop. I heard shooting from outside the hotel and then shooting from the hallway. I couldn't tell where exactly because of the echo. The whole place erupted in gunfire. I was scared to death and was afraid they shot and killed Dave.

Tom Lynn and I covered the hallways. Two females came out while I was covering the hallway and I told them to go back in their rooms. I was hit in the hand and Tom put a tourniquet on my arm. Another Deputy came up the stairs and we yelled at him because we were in fear for his safety. I thought Dave was dead and this guy just tried to kill us. The Deputy told us he was on the outside perimeter, fired a whole magazine and did a tactical reload.

Then the cavalry started showing up and Tom and I left. I went downstairs and got medical aid. I ended up at UC Davis hospital.

I was scared and thought I was going to die.

The reason for going to the room was specifically for 530.5 P.C. We were going to go there and look for evidence of identity theft.

The gunfire sounded like it was from a large caliber semi-auto and about 15 rounds were fired.

The two injuries I sustained are a bullet to my left ring finger knuckle causing my knuckle to be blown apart. The bullet traveled to my left wrist causing a fracture before it exited. The other injury was a bullet fragment to my right upper gluteus.

If the suspect had come out of the hotel room I think he would have tried to kill us and he would have become an active shooter. This area was populated with civilians that's why we couldn't let him leave the room.

END OF STATEMENT

INTERVIEW OF CHP INVESTIGATOR DAVID WOODRUFF #18093:

8-31-2017, 1424 hours: SSD Homicide Detectives interviewed CHP Officer David Woodruff who related the following in summary:

My rank is an Officer and I have the title of an investigator. I was hired in August 2005. I am currently assigned to the CHP Valley Division, Investigative Services Unit (ISU). I went to the range on Tuesday (8/29/2017) and shot one hundred rounds with my weapon. I don't know if it was considered a qualification.

My weapon is a department issued M & P compact 40 caliber. I have had the weapon for about a year or more. I was not present for the round count but one has been done.

Yesterday, I was in plainclothes and wearing a CHP issued tactical vest. It has a cloth badge and has CHP and Police displayed on it. I was driving a State of California unmarked 2016 Dodge pick-up.

Prior to being requested to respond to the Ramada, I was at the Division Office. It was around 11:00 AM when Sgt. Nelson explained to me there was a pursuit that was still going on and there was going to be a search of some type at the Ramada Inn. He asked if I could go there and assist SACCATS. I was told Joel Corralejo was in the area and to contact him.

I left the office and made contact with Joel. He explained there was a pursuit with a possible stolen vehicle and they were attempting to locate a room associated with the stolen vehicle to do a search on it. He told me to come to the area of the Ramada Inn. I went there and Joel made contact with me. He told me Sheriff's Deputies were conducting follow up on the room and shortly after that he said we were going to go to room #234.

John, Joel and I went into the hotel lobby. I saw two deputies at the front counter. As we walked toward the elevator I saw a female that was around 5'-5", short, and had brown hair. She was on the phone and sitting when I saw her. She looked at us, got up real quick and walked off in a fast pace towards the elevators. I thought something was not right and she might be associated with #234. I last saw her in going into the stairwell.

We preceded to go to room #234 and did not see the girl. Later, I viewed a video from the Ramada Inn that showed the same female coming out of the stairwell and running down the hallway past room #234. We arrived at room #234 and I went to the left side of the door. Joel was behind me and Tom and John were on the other side of the door. A couple minutes later, a deputy in full uniform arrived with a key to the room. The deputy or Tom did knock and notice, knocking on the door and announcing police open the door. There was no answer or movement. The deputy opened the door with the key. The security latch was on and the deputy kicked the door. When he did this I attempted entry into the room and immediately felt resistance at the door. I was pushing on the door and Tom Lynn said I see him behind the door. Everyone started giving commands to come out behind the door and show us your hands.

I let go of the door and put my foot inside the door so it would not close. Then, within seconds I heard and saw gunshots. *(Woodruff became emotional and a break was taken)*.

I was pushing on the door and then let go of it. It was like everything slowed. I could hear and see the holes. The holes seemed huge and I felt something hit my right shoulder. I remember running down the hall to the east stairwell. I came down the stairs and could see blood covering the right side of my shirt. I made it out to the front of the hotel and saw Auburn Blvd. I saw a deputy near Auburn Blvd squatting near the driver's side of a civilian car. I was going towards him when I saw another deputy. I told him I needed to get to the hospital. He told me to get in his car and he drove me as fast as he could to the hospital.

The shots being fired at us were definitely from a rifle. I did not see the suspect nor hear anything from the suspect inside the room.

I did not discharge my firearm.

My injury was a fractured humerus. The round entered my shoulder area hitting the humerus.

END OF STATEMENT

INTERVIEW OF CHP INVESTIGATOR JOEL CORRALEJO #16001:

8-31-2017, 1520 hours: SSD Homicide Detectives interviewed CHP Officer Corralejo who related the following in summary:

My rank is Officer. I was hired as an officer in January of 2000. I am currently assigned to the Sacramento County Auto Theft Task Force (SACCATS). I have been with SACCATS since December 2010. Yesterday, I was wearing plainclothes with a black vest that had Police marked on the back and front. The vest had a cloth CHP badge and a SACCATS patch on it.

My weapon is a Smith and Wesson, M & P, 40 caliber. I was at the range on August 29, 2017. I did not fire my weapon during the incident.

On Wednesday the 30th, I was notified by Detective Tom Lynn with SSD that he observed a black BMV parked in the parking lot of the Ramada Inn. He said the license plates on the vehicle did not match the vehicle it was on. He thought it was stolen. Several members of SACCATS were in the area and we conducted surveillance on the vehicle.

The BMV eventually became mobile with two female occupants. We notified the air unit who observed the vehicle drive to a check cashing place and another business. The vehicle was eventually involved in a pursuit and the two females were detained in the Elk Grove area.

I responded to the Ramada Inn. Deputy Lynn obtained the name of the driver of the BMW and checked with the Probation Officer assigned to our team. He advised the driver was on probation. I contacted Dave Woodruff and John Wilson and advised them we would probably be doing a probation search on a room.

There were two Chargers or Challengers parked in the parking lot. One had no front plate and one had paper plates. We thought they might be stolen so we were watching them.

I eventually went into the Ramada Inn and asked the attendant if [REDACTED], the person driving the BMW had a room there. Deputy Lopez and Green came in and were also looking to see if the driver of the BMW rented a room there. I left and they spoke to the manager. Deputy Lynn advised me later they had information that she ([REDACTED]) rented room #234. Deputy Lynn had someone contact a male that was walking around the Challenger or Charger in the parking lot, but the contact was not long.

We decided to do a probation search. Five of us would go to the front and one would go to the rear. We went to room #234. I was on the east side of the door. Dave Woodruff was with me and on the other side was Tom Lynn and John Wilson. Deputy Lopez came up with the key card and Deputy Lynn gave the knock and announce. Deputy Lopez used the key card and found it was locked by the chain inside. Deputy Lopez kicked the door and I was not sure if there was a person or something behind the door. Officer Wilson and Woodruff pushed the door several times and Deputy Lynn said he saw someone inside. I tried to push on the door that's when I started to hear and saw gunshots coming through the door. It was about ten to fifteen gunshots coming through the door from a rifle. I ran east down the hallway. I think Deputy Lopez was with me. I ran out the exit on the east side down the stairwell.

I did not hear or see anyone inside the room.

When I reached the ground floor, I ran North through the parking lot and I heard Dave Woodruff say he was hit. Dave and I went toward my truck so I could take him to the hospital. Deputy Lopez pulled up in his vehicle and said he would take Dave.

After this, things were kind of a blur. I believe I heard more gunfire and saw a SSD SUV parked in the northern portion of the parking lot where the lobby was. I think that was Deputy French's vehicle. I ran to that vehicle for cover. We took fire while we were near the front portion of the vehicle but he may have already taken fire when I initially heard it and was running for cover. Deputy French reached for his AR-15 and pulled it out of his patrol vehicle. We both took a position of cover by the left front tire and took more rounds. I believe Deputy French returned fire. I took cover and asked where they were shooting from. I believe it was coming from the east portion of the hotel. We took rounds again and retreated back to the left rear tire area. Deputy French using his long rifle went back to the front and I was at the rear. Deputy French told me he thought he took some shrap metal. I looked at him and saw a little bit of blood on his left ear. Then the Charger started coming toward us and I said I think he might be in the Charger. As the Charger was coming towards us, I believe we took more rounds. Deputy French was at the left rear of the vehicle and stepped out as the car was passing us. He shot at the vehicle with his long rifle. Another Deputy was also shooting at the Charger. I think it was Deputy Heller. I saw the Charger pass us and go onto the road.

I turned around and saw Deputy French back at his vehicle. He looked like he was going to faint and eventually went down on his back. I ran over to him and asked if he was hit. I did a quick

assessment looking for wounds and didn't see anything. I didn't see any type of bullet wounds so I started some chest compressions. I don't remember how long or how many. I went to his car and used the radio to advise there was an officer down and to send medical.

I went back to Deputy French and unbuttoned his shirt looking for bullet wounds. At this point, I didn't know what was happening or if he was having a heart attack. I did more chest compressions and was worried that dispatch did not hear me because of all the radio traffic. I got back on the radio and advised there was a deputy down and needed medical.

I went back to Deputy French and started more compressions. Deputy Johnson, I think with SSD EOD ran up to me and said he was a paramedic and to stop compressions. I stopped and then told the Deputy he could not breathe and might have something in his mouth. Deputy Johnson took over.

I didn't see the suspect or the rifle but I saw rounds coming towards us. The Charger was gray.

END OF STATEMENT