



MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY

DATE: January 13, 2017

TO: Supervising Deputy District Attorney T. Thinh

FROM: Criminal Investigators P. Martinson, J. Thorgrimson and M. Poroli

SUBJECT: Officer Involved Shooting (SSD 17-13931)

On Friday, January 13, 2017 at 1520 Hrs Criminal Investigator B. Uppal notified me (C.I. J Thorgrimson) of a request from the Sacramento Sheriff's Department to respond to an Officer Involved Shooting. I contacted Sgt. Ashcraft (874-6782) who advised that an Officer Involved Shooting had taken place at the storage facility at the S/W corner of Sunrise Blvd and Folsom Blvd. I was told that the suspect had been transported to the hospital with a wound to his head, and that no officers were injured. I contacted C.I. P. Martinson and C.I. M. Poroli and requested that they respond.

At approximately 1625 Hours I met with C.I. Martinson and C.I. Poroli at the scene, identified as the Public Storage, 2656 Sunrise Blvd., Rancho Cordova, in the County of Sacramento. It was decided that C.I. Poroli would document the scene interviews; C.I. Martinson would document the scene; and I would document the interview of the shooting officer.

At approximately 1908 Hours I observed the interview with Deputy Nate Burnett, the deputy identified as having fired shots at the scene. The interview took place at the Sacramento Sheriff's Department Major Crimes Bureau, and was video recorded by the Sacramento Sheriff's Department. (See video for complete details of the statement). During the interview, Deputy Burnett advised that he was carrying a Glock 9mm. A round count was completed by the interviewing Deputies, and the following noted:

Weapon: 1 round in the chamber, 7 rounds in the magazine.

Magazine 2: 17 rounds

Magazine 3: 16 rounds

Deputy Burnett stated the following, in summary:

My team was advised of a case involving a Michael Marcum. Marcum was wanted for a burglary and also for a PRCS violation. During the burglary there were numerous weapons and body armor stolen. One of the Detectives conducted a ping on Marcum's phone and found that it was showing active in the area of Folsom Blvd and Sunrise Blvd.

I was aware that Marcum had prior arrests for resisting arrest, pursuits, and for possession of firearms.

Sgt. Puffer arrived on scene first and checked with the manager of the storage facility. Sgt. Puffer advised that Marcum was positively identified by the manager and that Marcum was still on scene with a female. Sgt. Puffer advised that his Department issued Ford van was in the driveway, blocking the exit, and that he could see Marcum's vehicle, which was a white Lexus, parked midway down the storage unit.

I arrived on scene with my partner, Deputy Pfeiffer, who was driving our vehicle. Deputy Johnson and Murphy had also responded to assist. We drove to the north side of the storage units that were located directly north of where Marcum was located. We decided that Deputy Johnson and Murphy would approach Marcum from the West side, and Deputy Pfeiffer and I would approach from the East side.

Deputy Pfeiffer and I drove in from east of the suspect vehicle. I saw that both the passenger door and the driver's door were open. The rear of the vehicle was facing our vehicle. I observed Marcum standing in front of the Lexus, on the driver's side. He had a black bag around his neck. As we approached, Marcum moved to the passenger side and dove in through the open door of the vehicle. He immediately came back out with what appeared to be a semi-auto handgun.

I yelled that Marcum had a gun. I saw him run to the front of his vehicle, and as he did so I saw him raise his hand up. I knew that Deputy Pfeiffer was exposed at that point. I got partially out of the vehicle and shot over the top of our van. I fired between 8 – 10 rounds. I was focusing on my front site as I was shooting. I saw Marcum run to the open storage unit as I was firing.

I couldn't tell if Marcum was returning fire or not. I didn't see any muzzle flash, but I couldn't tell if the sound was only from my firearm, from his or from other officers.

Marcum entered the storage unit, and Pfeiffer and I followed. I observed Marcum on the ground. He had dropped the firearm and was crawling. He was ordered to show his hands and then detained. I observed that the duffel bag he had around his neck was open and that there was at least one firearm inside.

End of statement.



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DATE: January 17, 2017

TO: Supervising Deputy District Attorney T. Trinh

FROM: Criminal Investigators M. Poroli, J. Thorgrimson, P. Martinson

SUBJECT: Officer Involved Shooting (SSD Case #17-13931)

Criminal Investigator M. Poroli

On 1/13/17, at approximately 1533 Hrs., I was contacted by Criminal Investigator Joyce Thorgrimson and advised of an officer involved shooting involving Sacramento County Sheriff's Deputies. I was advised that the command post was at the intersection of Sunrise Blvd/Folsom Blvd.

At 1625 Hrs., I arrived on scene and was redirected to the Public Storage facility located at 2656 Sunrise Blvd. The scene was secured with yellow crime scene tape. As I entered in I met with Criminal Investigators Thorgrimson and Martinson.

Briefing:

At approximately 1640 Hrs., I was present for the briefing. The briefing was conducted by Sacramento Sheriff Investigators and consisted of all involved witnessing officers providing their own account of what had occurred. The involved witnessing officers included Sergeant Puffer #31, Deputy Murphy #391, Deputy Johnson #74, Deputy Lemus #6049 and Deputy Pfeifer #1398. All officers' accounts were very consistent and provided the following synopsis:

Deputy Lemus was monitoring the cell phone believed to be in the possession of suspect Michael Marcum x3340285 wanted on an outstanding warrant for a residential burglary where numerous firearms were taken. Sergeant Puffer responded to the Public Storage location where the phone's last location was known. Sergeant Puffer contacted the manager and showed her a photo of the wanted suspect. She identified Marcum and advised that he rents a storage unit there. She further advised that Marcum was currently on the property driving a white Lexus and in the company of a female. Sergeant Puffer was able to look out a window from the office to the west and observed the suspect and female going back and forth between their vehicle and storage unit. Sergeant Puffer maintained visual observation of Marcum while coordinating with responding units.

Deputies Murphy and Johnson arrived first driving an unmarked silver Suburban. They entered the facility and positioned themselves in the aisle north of where the suspect was as they waited for additional units. Deputies Pfeifer and Burnett arrived second in an unmarked white minivan. Upon their arrival the plan was for Murphy and Johnson to continue west on the north side of the building and circle around behind the suspect. Pfeifer and Burnett would come in from the front and box him in.

The officers executed their plan and made their approach in their vehicles. Upon pulling up from either side, officers observed suspect standing next to his vehicle. Suspect was observed with a handgun in his hand and a blue duffel bag over his shoulder. Officers heard 4-6 gunshots as Deputy Burnett engaged the suspect. Deputy Burnett was identified as the only shooter. After shots were fired, suspect was able to crawl into an open doorway leading into the storage unit. He was later separated from the handgun and handcuffed. The blue duffel bag was taken from Marcum's person and contained a loaded "AR Type" rifle.



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SUBJECT: Officer Involved Shooting (SSD 17-13931)

CRIME SCENE

Date: 01/13/2017

Time: 1437 hrs.

Location: Public Storage
2656 Sunrise Blvd, Rancho Cordova

The scene is located on the business property of Public Storage, 2656 Sunrise Blvd, Rancho Cordova. The business consists of an office building and eleven building containing storage units of various dimensions. The incident occurred near the building immediately west of the office building.

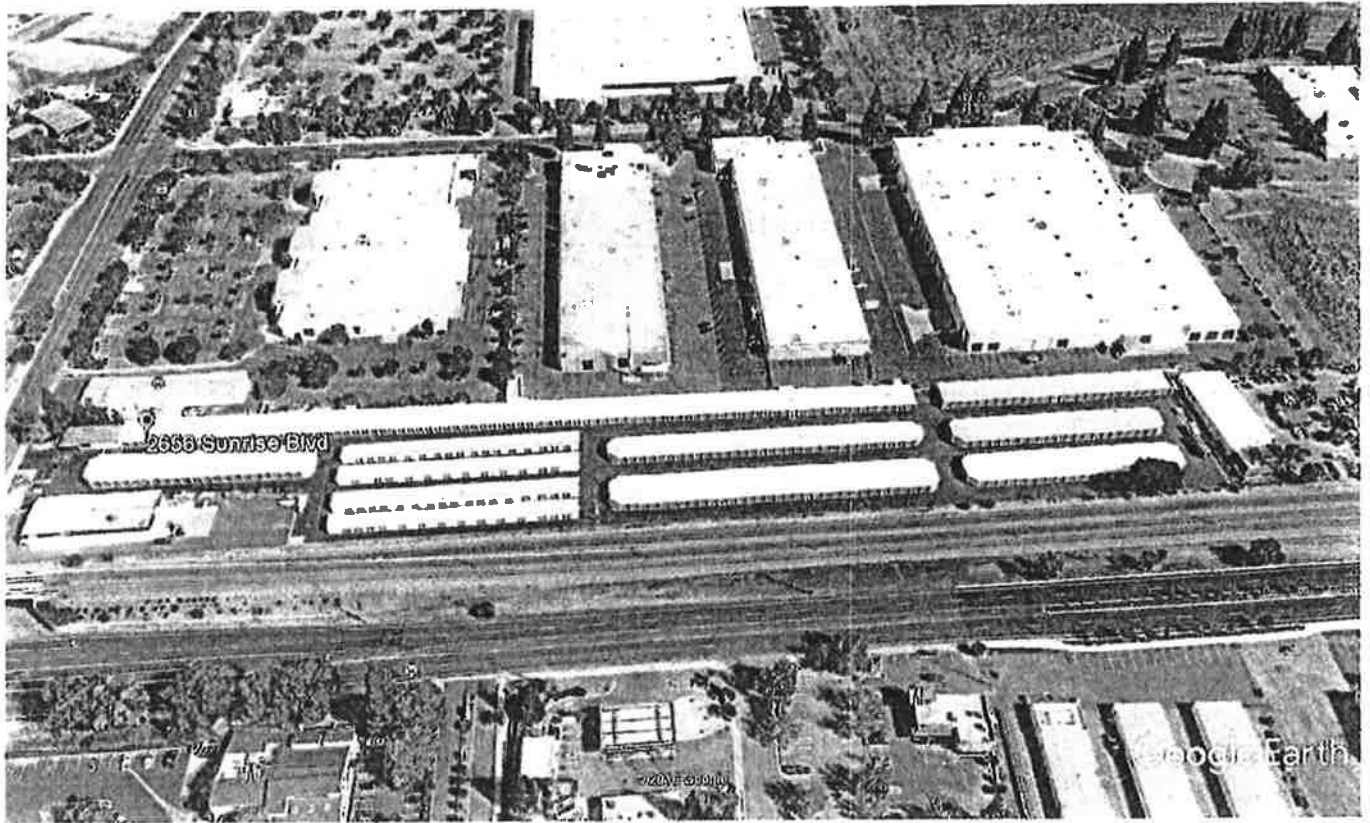
This building has approximately 83 north facing storage units with a rollup type doors. There is also a hinged swing type door on the north side of the building approximately 13 units east of the west end of the building. This door leads to a hallway containing storage closets.

The incident occurred adjacent to the swinging door. The door was opened at the time of incident.

There were four vehicles parked within the crime scene.

- 1) White Lexus crossover. This car was parked north of and adjacent to the hinged doorway. This vehicle was under the control of the suspect.
- 2) White van parked facing west. This vehicle was parked north of the Lexus. This is a police vehicle that was driven by Deputy Pfeiffer. Deputy Burnette was the passenger in this vehicle.

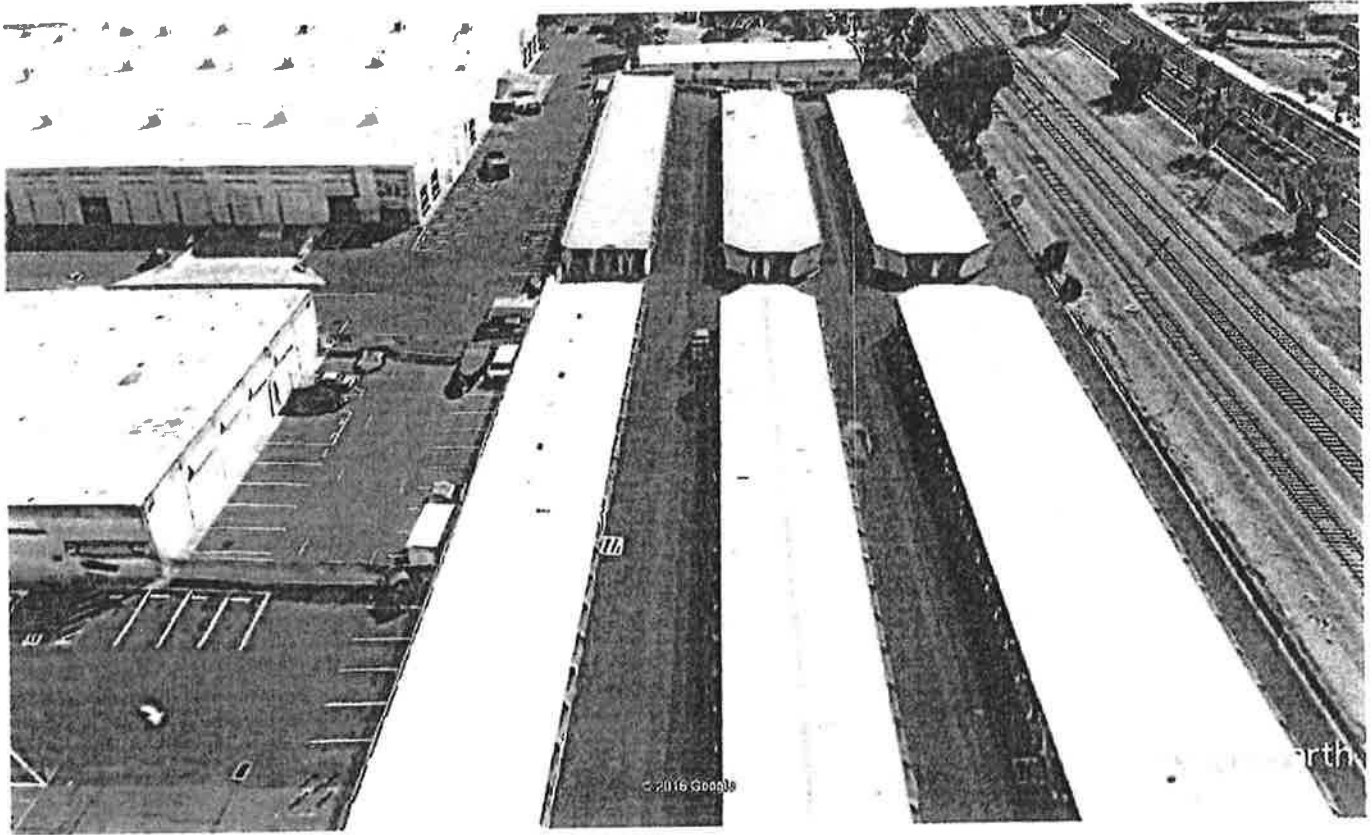
- 3) Vehicle driven and occupied by Deputies French and Limus. This is a police vehicle and was parked behind the white van, facing west.
- 4) Van occupied by Deputies Murphy and Johnson. This vehicle was parked west of the Lexus, facing east.



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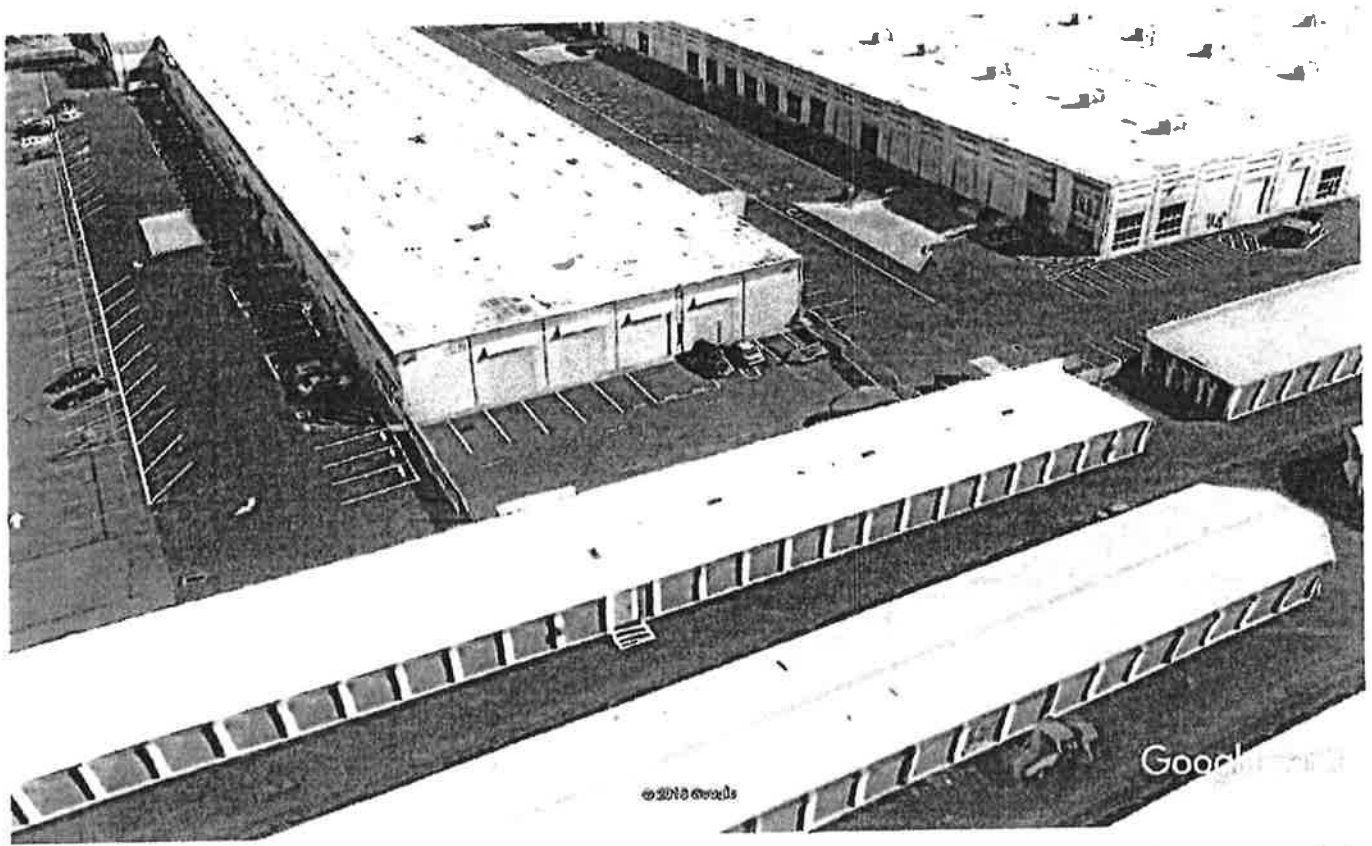
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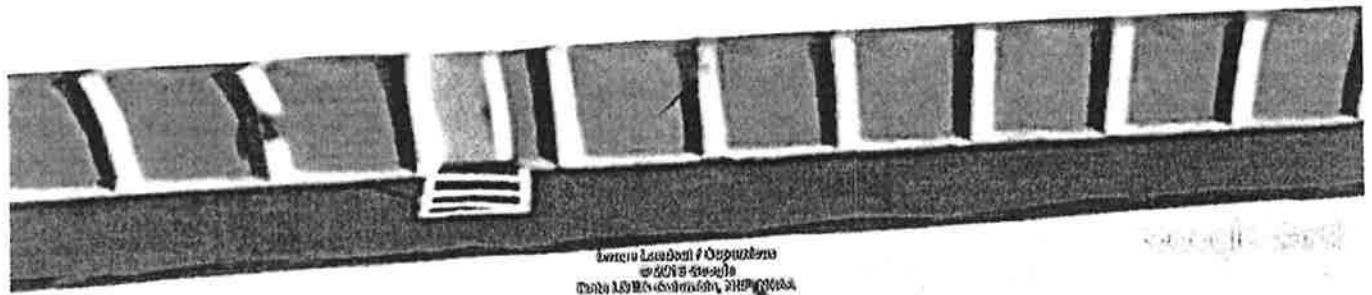
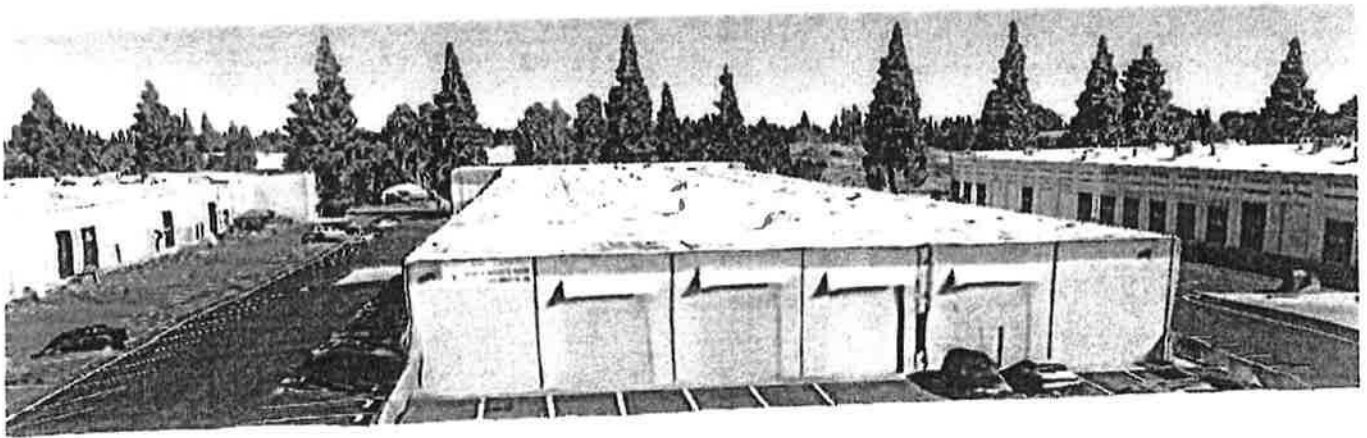
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