



# MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

**ANNE MARIE SCHUBERT**  
DISTRICT ATTORNEY

**DATE:** February 19, 2016

**TO:** Supervising Deputy District Attorney Tan Thinh

**FROM:** Criminal Investigators Daniel Garbutt and Paul Martinson

**SUBJECT:** In-custody death (SPD 16-50377 / SSD 16-50761)

Criminal Investigator Daniel Garbutt

On 2/20/2016 at 2352 hours, I received a call from the Sacramento Police Department's (SPD) Dispatch Center requesting that I respond to an in-custody death incident involving their agency. I later learned that SPD Officers had contacted an individual named Edward Shabazz CURRIE (DOB: 4/12/1984) in the area of [REDACTED] Northgate Drive within the City of Sacramento. CURRIE was taken into custody, transported to the Sacramento County Main Jail, had a medical emergency during the medical portion of the booking process, and was transported by ambulance to Sutter General Hospital where he later died. The SPD Dispatch Center told me to meet at 6th and H Streets where a briefing about the incident would be held.

I contacted Criminal Investigator Paul Martinson and told him to meet me at the briefing location. I also advised Lt. Rich Allen and Chief Investigator Jeff Schiele that Criminal Investigator Martinson and I would be responding to this incident.

On 2/21/2016 at 0050 hours, I arrived at 6th and H Streets.

SPD Briefing

On 2/21/2016 at 0200 hours, SPD Patrol Sergeant Greg Galliano #3084 provided a briefing in front of [REDACTED] 6th Street regarding the in-custody death of Edward CURRIE. The briefing was attended by Investigator Martinson and I, SPD Homicide Detectives and Internal Affairs Detectives, and SPD Command Staff.

Sgt. Galliano was the Supervisor for Patrol Districts 1 and 2. He provided the SPD and Sacramento Sheriff's Department (SSD) Case Numbers related to this incident. SPD Officers Hoffman (412) and Scarria (526) were in the same patrol car with a call sign of [REDACTED]. Other Gang Officers who were part of the North Gang Enforcement Team (GET) were also present in the area of [REDACTED] Northgate Drive.

Officers Hoffman and Scarria made contact with Edward CURRIE after he looked at them and then walked toward a 2004 Silver Mercedes with a California License Plate of [REDACTED] (Registered Owner: [REDACTED], [REDACTED], [REDACTED], [REDACTED]) and get into the car.

The Officers heard something hit the ground that sounded like a metal object and feared that CURRIE was armed and might have dropped a gun, although it later turned out to be a scale that CURRIE had dropped. Officer Scarria patted down CURRIE for weapons and located a bundle containing about one gram of cocaine. The car was also searched, and a scale and about \$2600 in cash was also located.

CURRIE was handcuffed and detained in the back seat of the slick top (no light bar on top) patrol car that Officers Hoffman and Scarria were driving. Officers Hoffman and Scarria assisted other Officers on scene in contacting three other cars in the immediate area and several other persons who were present at the scene.

Officers Hoffman and Scarria transported CURRIE to the Sacramento County Main Jail. While en route, the Officers noted several fidgets and movements coming from CURRIE and the back seat of the patrol car. When they arrived at the sally port of the Main Jail and got CURRIE out of the back seat of the patrol car, the Officers noticed white powder cocaine on the rear plastic seat where CURRIE had been sitting. Officers later took a statement from CURRIE after he waived his rights pursuant to Miranda, and he admitted to trying to destroy dope since he knew he was going to jail.

Officers completed the pre-booking process and paperwork at the Main Jail and then took him into the nurse's area for medical clearance. The nurse passed CURRIE on the medical exam and toward the end of the process, CURRIE tensed up and acted strange and began to have seizure like symptoms and a medical emergency. Nurses began CPR and were relieved by responding medical personnel who later transported CURRIE to Sutter General Hospital where he was pronounced dead at 2309 hours.

#### SSD Main Jail Walk-through and Sally Port Walk-through

On 2/21/2016 at 0220 hours, Investigator Martinson and I along with SPD Homicide Detectives walked through the Main Jail Sally Port. The crime scene area in the medical area of booking had already been processed by the SPD Crime Scene Investigation (CSI) Unit.

At 0225 hours, Investigator Martinson and I walked through the Main Jail Sally Port and were directed to the slick top SPD marked patrol car with yellow crime scene tape around it. I shined a flashlight into the back seat of the patrol car and could see white powder on the driver's side rear seat where CURRIE had been sitting when he was transported to Jail.

#### Officer Interviews at SPD Hall of Justice (HOJ)

SPD determined that all officers involved directly in this incident would write supplemental reports regarding their actions and observations with the exception of Officers Scarria and Hoffman.

Investigator Martinson and I arrived at HOJ at 0300 hours. We viewed the In Car Camera (ICC) video footage from the patrol car driven by Officers Hoffman and Scarria along with SPD Homicide Detectives and Internal Affairs Detectives. We later viewed video footage from the Main Jail medical booking area as well. Further details are provided by Investigator Martinson below.

Investigator Martinson watched the interview with Officer Scarria, and I watched the interview with Officer Hoffman.

#### Interview with Officer Hoffman

Officer Hoffman was interviewed by an SPD Homicide Detective, and I watched the interview via closed circuit television from another office within the police department. The following is a summary of Officer Hoffman's statement.

Nothing appeared out of the ordinary throughout the entire encounter that Hoffman and Scarria had with CURRIE. They checked on him periodically while he was detained in the back seat of the patrol car. Officer Scarria searched CURRIE's vehicle on scene and found cocaine in the dollar bill. Other Officers on scene were busy with about 14 other people that they contacted in the same immediate area where they had contacted CURRIE. There were no issues during the ride to the Main Jail. When Officers Scarria and Hoffman had CURRIE step out of the back of the patrol car, they found cocaine powder on the rear plastic seat. CURRIE also admitted that there was cocaine in his jacket pocket that he was going to try to destroy. There was more cocaine found in his jacket/vest pocket.

During the booking process including the pre-screening medical questionnaire, CURRIE answered no to all of the questions, including the question inquiring if he had used any narcotics within the past 24 hours. Officer Hoffman watched the entire medical evaluation process with the Jail Nurse and never had any concerns about the health of CURRIE based on his interaction with him since he had been detained. The Jail Nurse mentioned that CURRIE's Blood Pressure (BP) was elevated. Small cups of water were provided to CURRIE in an attempt to lower his BP. CURRIE's conversation with the nurse was clear. The nurse asked CURRIE if he had taken any drugs during the last 24 hours, and CURRIE stated that he took ecstasy right before he was first contacted by the Officers on scene. Officer Hoffman thought this was strange. Shortly thereafter, Officer Hoffman saw CURRIE begin to have seizure like symptoms, and medical aid was rendered.

#### Criminal Investigator Paul Martinson

On 02/21/2016, at approximately 0500 hrs, I watched, a video monitor showing the live interview of Officer Scarria by a Sacramento Police detective. There appeared to be an attorney representing Ofc. Scarria in the room. By the time I was able to turn on the monitor and locate the proper channel, I missed the first few minutes of the interview. I did hear the following statement from Ofc. Scarria in summary:

Ofc. Scarria heard on the police radio that Ofc. Eaton was reporting a suspicious vehicle in the parking lot (Northgate/Northview). Ofc. Hoffman and Ofc. Scarria were in the same police car and Ofc. Hoffman driving. As they approached a Mercedes in a retail parking lot, Ofc. Scarria's attention was drawn to a man's movement while sitting in the passenger side of a Mercedes car in the lot.

Ofc. Scarria exited his car and approached the Mercedes. The subject, suspect Edward Currie, exited the Mercedes on his own without being asked. There was no conversation between Ofc. Scarria and Currie prior to him exiting the car.

As Currie got out of the car, Ofc Scarria heard a metal object hit the pavement near Currie. Ofc. Scarria saw that Currie had his hands in his pockets. Ofc. Scarria suspected Currie may be armed because of the metal object he heard dropping to the ground. Ofc. Scarria had Currie put his hands in the air and then approached him and placed him in handcuffs.

While conducting a cursory search of Currie, Ofc Scarria located a dollar bill folded into a bundle and containing cocaine. Ofc. Scarria also located keys to the Mercedes car in which Currie was originally located. Currie was escorted to the patrol car and placed in the back seat.

Ofc. Scarria was informed by Ofc. Hoffman that Currie was on searchable probation. Ofc. Scarria searched the Mercedes. No narcotics were located in the car. The metal object heard falling to the ground was found to be a small scale. Money was located in the car.

Ofc. Scarria went into a nearby barbershop and made inquiries about other vehicles in the parking lot. One man came out and claimed to be the owner of a different Mercedes that was parked in the lot.

Ofc. Scarria noted that Currie appeared to be calm in the back seat of the patrol car. Currie was placed under arrest and transported to jail. At the jail, Currie was taken out of the back seat of the patrol car. Ofc. Scarria found what appeared to be cocaine powder on the back seat. Currie was taken into the jail booking area.

Ofc. Scarria was in the booking area when Currie was in the nurse's station room. Ofc. Scarria heard a commotion by the nurse's stations. Ofc. Scarria entered the room and saw Currie having a seizure.

## **JAIL INTERNAL SURVEILLANCE RECORDING**

Immediately after viewing the ICC camera recording, Det. Burke played a portion of the video recording from inside the jail at the time of the incident. I viewed the suspect being escorted by an officer from the patrol car into the jail booking area. The suspect was placed on a booking station seat for several minutes then escorted into the jail nurses room for medical clearance.

<b>Time</b>	<b>Description</b>
21:44:49	Suspect is sitting at the second nurse's station from the doorway. The nurse appears to be talking to him. There is nothing in the video to suggest the suspect is in any distress.
22:01:25	Suspect appears to stiffen in what appears to be a seizure. Two nurses appear to be moving to and around the suspect, rendering aid.
22:02:10	Suspect is placed on the floor. There are now three nurses attempting to render aid.
22:09:26	Fire Department personnel enter the nurse's stations room. Nurses begins CPR. Fire personnel assist in administering aid to the suspect. Additional Fire Department personnel arrive with a backboard. Suspect is moved onto the backboard and Fire Department personnel take over administering CPR.

Officer H. Merten, working Internal Affairs Unit and present at the video viewing, told me that the medical clearance forms from the nurses station indicated the suspect's heart rate at the time of the examination was 123 beats per minute. His systolic blood pressure reading was around 195. Ofc. Merten told me the cutoff for admittance into the jail is a heart rate of 125 and a systolic blood pressure reading of 230. Ofc. Merten stated the suspect's blood pressure was high both the first and second time the nurse measured it.

## ICC Tape

On 02/21/16, in the Homicide Unit briefing room of the Sacramento Police Department, SPD Det. D. Burke played the ICC recording from the patrol vehicle used to transport the suspect to the jail. The following is a summary of what I observed along with the approximate times as indicated by the recording.

<b>Time</b>	<b>Description</b>
20:40:12	Suspect is initially placed alone in patrol car.
20:41:20	Suspect removes object (presumed cocaine) from either the rear of his pants or the tail of his vest jacket. Drops object on patrol car seat. Suspect lays down on the seat and grabs object with his mouth and attempts to swallow.
20:42:12	Suspect starts to choke
20:42:50	Stops choking
20:44:25	Choking continues
20:44:50	Starts coughing
20:45:10	Suspect is able to talk to officers. Appears OK. A few minutes later, Suspect is removed from vehicle. Talks to officers
20:52:33	Suspect is returned to back seat of patrol car. Appears OK
21:00:00	Suspect taken out of car.
21:02:50	Suspect returned to car. Suspect attempting to reach something in the tail of his vest jacket.
21:16:00	Mirandized. Waives, "yes"
21:19:25	Mirandized again. Again waives, "yes". States he uses drugs on occasion. States money found is used for gambling when he plays Poker and Baccarat at Capitol Casino. States car not his, belongs to his cousin.
21:27:30	Enroute to jail
21:33:30	Arrives at jail
21:34:15	Suspect exits patrol car. Cocaine powder discovered on rear seat.
21:26:48	Officer Valtos tests powder. Presumptive positive for cocaine.
21:37:00	Officer collects cocaine powder from rear seat of patrol car.