



MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY

DATE: November 28, 2016

TO: Supervising DDA Tan Think

FROM: CI Tiffany King
CI Dan Schiele

SUBJECT: Officer Involved Shooting
Sacramento County Sheriff's Department #16-354725

Involved Parties:

Deputy: Sergeant Jim Schaefer #249

Suspect: Logan Augustine, MWJ, DOB: 11/25/1998, XREF: 4834061

NOTIFICATION:

On 11/24/2016 at approx. 1500 hrs., I was notified by SSD Dispatch, Sgt. Johnson, that SSD had an officer involved shooting incident that occurred at 5101 Marconi Ave. DA Investigator Dan Schiele and I responded and arrived on scene at approx. 1600 hrs. All involved officers (with the exception of Sergeant Jim Schaefer) were gathered in the parking lot on the Northwest corner of Marconi Ave. and Walnut Ave. (across the street from the OIS location).

SCENE:

5101 Marconi Ave. is a "7-11" convenience store. It is located on the Northeast corner of Marconi Ave. and Walnut Ave. At approx. 1735 hrs., CI Schiele and I were led on a walk-through of the crime scene by Detective Chris Britton. The store was generally clean and tidy and laid out as follows: to the immediate south (right) of the front doors was a Slurpee bar. Adjacent (east of) the Slurpee bar were the cash registers. The area to the North (left) of the front doors and going east (towards the back) were aisles of products for sale. At the eastern most end of the store (back wall) there were cold beverage/perishable food refrigerators with a coffee bar counter just to the west of (in front of) the refrigerators. During the walk-through I observed the following items of evidence: a black hand gun (unknown make/model/caliber or authenticity) located on the floor at the end cap of the second food aisle (north end of aisle), one cartridge casing (unknown make/caliber) in the walkway along the north end of store, large pool of blood coming from area behind (east of) the coffee bar and blood splatter on refrigerator/ice storage doors in north east corner of store. At the south end of the coffee bar I observed a silver folding knife (partially open) with an approx. 2 ½ inch blade covered in apparent blood. In the

same general area as the knife lay Deputy Campoy's 40mm less-lethal weapon. I was advised that the suspect was lying between the coffee bar and refrigerator section although I did not observe his body.

STATEMENTS:

Deputy Bakarich (Badge #255) gave a statement at the scene. Bakarich related that she and her trainee, Deputy Saelee responded to a request for additional officers from Sgt. Schaefer's who was responding to a welfare check at the 7-11 store. Bakarich recalled the caller stating the suspect stated "You better bring a big cop." They responded to the 7-11 store and met Sgt. Schaefer's in the parking lot. Deputy Campoy #1305 also responded to the scene per Sgt. Schaefer's request for an officer with a less-lethal weapon. Deputy Bakarich stated that she observed an individual inside the 7-11 store, talking on his cell phone, who seemed agitated. She assumed this individual was the reason for the requested response. Deputy Bakarich, Deputy Saelee, Deputy Campoy, Deputy Hall, and Sgt. Schaefer's briefly talked about each officer's role (Deputy Saelee volunteered to speak to the subject) and then they all entered the store. Deputy Bakarich related that upon entering the store, the subject yelled out, "You better get back right now, I have a gun!" While announcing this, the suspect began quickly reaching into his front pockets (Bakarich could not see exactly where he reached as the food aisles obstructed her view) and then he quickly ran to the back (northeast corner) of the store. The suspect then began making rapid slashing motions on his neck. Initially, the suspect's neck became red and scratched but there was no blood coming from his neck area. He continued making feverish cutting motions on his neck, producing superficial wounds. Bakarich stated that deputies were fanned out in the store, around the suspect, giving various orders to stop and drop the knife. Bakarich said the suspect then stuck the knife deep in his neck and ripped a large section of his neck open at which point blood began spurting out. Bakarich then heard the "pop" of a gun and observed the suspect bend over at the waist. After the gunshot, the suspect was still standing, while blood is gushing out of his neck. Bakarich indicated that the suspect's vertebra were visible through the wound he caused on his neck. The suspect fell to the floor, then tried to get up but slipped in his own blood and eventually collapsed. Bakarich went to her car to get towels to render aid to the suspect but when she returned to the store it was apparent to her that he had expired.

Deputy Campoy #1305 was interviewed at SSD CID. Campoy related that he responded (Code-3) to 5101 Marconi Ave. in response to Sgt. Schaefer's request for an officer with a less-lethal weapon. Campoy carries a 40mm single-shot, rubber bullet weapon. Campoy stated that he heard Sgt. Schaefer's voice on the radio that he would handle a call at the 7-11 store. Campoy recalls an update to the call that stated the suspect wanted to fight the cops and that the responding cop had better be a big one. Campoy arrived on scene and observed a male white through the window of the store on his cell phone. His body language suggested that he was the reason for the call. The deputies entered the 7-11 and Campoy ordered the customers and clerks to get out of the store. The suspect began screaming something about a gun and immediately ran to the back of the store. The suspect began cutting his neck with a knife that he was holding in his right hand. The suspect turned towards Sgt. Schaefer's. Campoy thought the suspect was going to go after one of them (he or Schaefer's) so he fired one round from his less-lethal weapon. Campoy thought he hit the suspect in the lower abdomen. At about the same time as Campoy fired, he heard Sgt. Schaefer's firearm go off. The suspect did not go down immediately. Campoy noticed that the suspect's neck was cut wide open. The suspect fell to the ground but tried to pull himself up on the coffee counter. He finally fell back on his back and was trying to pull something out of his pocket. Because he had earlier said something about a gun, Campoy believed the suspect still could've had a gun in his possession. The suspect eventually pulled out what looked like a wallet or a cell phone.

Sgt. Jim Schaefer #249 was interviewed at SSD CID by Detective Britton. Sgt. Schaefer surrendered his firearm and 2 spare magazines to Detective Britton who then counted the number of rounds in each. The firearm contained one round in the chamber and 16 rounds in the magazine. The other two magazines contained 17 rounds each. Sgt. Schaefer stated that he volunteered to respond to a "911 hang-up/welfare check" call that was pending at the 7-11 store. The call was a 911 hang-up in which an argument could be heard in the background and someone saying "Bring a big ass cop." Sgt. Schaefer said that there was some information about a knife being involved. Sgt. Schaefer requested additional units to respond with him as he believed from the text of the call that it could be an ambush situation. Sgt. Schaefer arrived at the store and observed a male, white individual inside the store on his cell phone, looking out the window, who appeared to be agitated. A MWA approached Sgt. Schaefer in the parking lot and identified himself as the father of the subject inside the store. The father advised Sgt. Schaefer that his son had bipolar disorder and denied that his son had any weapons. Sgt. Schaefer and the other responding officers entered the 7-11 to contact the suspect. As soon as the officers entered the suspect yelled, twice, "I got a gun!" and started moving toward the back of the store. Deputies ordered the customers (2-3 of them) and the two cashiers out of the store. The suspect was sticking his hands in his pockets as he moved to the back of the store. He got back to the refrigerated section of the store and started making quick cutting motions on his neck, cutting his skin. The suspect looked at Deputy Campoy and then back at Sgt. Schaefer and Schaefer thought the suspect was "sizing them up." Schaefer said the suspect look at Deputy Campoy then turned and took a half step toward him with the knife in his hand at about his chest level. Sgt. Schaefer thought the suspect was going to stick him with the knife. Schaefer said he feared for his life and being so, he fired one round from his firearm center mass on the suspect. Schaefer heard one single "pop" just before he fired his weapon. Sgt. Schaefer said that at the time he fired his firearm at the suspect he was within five feet of him. The suspect fell to the ground but attempted to get back to his feet a few times before finally collapsing on the floor.