



MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY

DATE: March 19, 2018

TO: Supervising Deputy District Attorney Tan Think

FROM: Criminal Investigators Keith Burgoon #20 and Steve Glen #31

SUBJECT: Officer involved shooting (SPD 18-82449)
Stephen CLARK, 8/10/1995, (Xref: 3643025) Deceased

NOTIFICATION

On 03/18/2018 (SUNDAY) at approx. 10:49 PM I received a phone call from Sacramento Police Department Dispatch notifying me of an officer involved shooting that had occurred near the 7500 block of 29th Street in Sacramento. I responded from home and met Investigator Keith Burgoon at the command post located near the intersection of 29th Street and Ellwood Avenue.

BRIEFING

At approximately 2351 hours, SPD Lt. Hanson gave a briefing surrounding the circumstances of the officer involved shooting:

At approximately 2110 hours dispatched received a call regarding a male black, 20-22 years old, in a black hoodie breaking car windows. The complainant advised this was occurring near 7566 29th Street.

At approximately 2113 hours, officers were dispatched to 7566 29th Street. Officers Mercadal #752 unit identifier [REDACTED] and Robinet #520 unit identifier [REDACTED] responded to the call.

At approximately 2118 hours, both officers arrived at the same time. Also an SSD helicopter arrived on the scene. SSD Deputy Gomez #151 was the observer.

Officers made contact with the complainant near 7566 29th Street. The complainant was identified as David R [REDACTED] who saw the suspect breaking the car windows. R [REDACTED] pointed to the backyard where the suspect was last seen. Officers heard SSD helicopter broadcast that the suspect was running southbound through the backyards going over fences. Officers confronted the suspect in the backyard of 7572 29th Street. Both officers fired their handguns striking the suspect. The suspect was pronounced deceased at 2142 hours by Sacramento Fire.

WALKTHROUGH

At approximately 0117 hours, SPD Sgt. Start conducted a walk through. Sgt. Start showed the path the officers took when they confronted the suspect in the backyard of 7572 29th Street. Officers chased the suspect westbound on the north side of 7572 29th Street. The fence leading to the backyard was already down. There were two cones on the ground (Northwest corner) of 7572 29th Street which indicated where the officers were located when the shots were fired.

Suspect was laying on his back approximately 3-4 feet west of the residence. The scene had not yet been processed to determine any evidence in the backyard.

INTERVIEW(S)

Shortly after the walkthrough of the scene we responded to the Sacramento Police Department to monitor the interviews of the involved officers. Below are brief summaries of the interviews that we monitored.

OFFICER Jared Robinet Badge #520:

Officer Robinet has been a police officer with the Sacramento Police Department for approximately four years. Prior to that Officer Robinet was a sworn Border Patrol Agent for approximately 5 years.

Officer Robinet arrived on scene at the same time as Officer Terrance Mercadal's arrival. Officer Robinet said he activated his Body Cam and then spoke to the Complainant who told him he saw the subject climbing the fence on the north side of 7566 29th Street.

Officer Robinet said that STAR arrived overhead and advised them over the radio they could see an individual in a parked car to the west of their location in a parking lot. Officer Robinet said STAR then updated them advising they could see a subject in a backyard approximately two houses south of where he and officer Mercadal were at.

Officer Robinet said he walked south and Officer Mercadal stayed to the north. STAR updated that the subject was running southbound and then was coming out to 29th Street. Officer Robinet said he heard Officer Mercadal yelling and followed after him to the backyard. Officer Robinet said the first time he saw the subject the subject had his hands "punched out" in a shooting position. Officer Robinet said he could see the reflection of something metallic in the subject's hands and heard Officer Mercadal yell "gun".

Officer Robinet said he fired to protect Officer Mercadal and himself. Officer Robinet said he felt scared that the subject was going to shoot.

OFFICER Terrence Mercadal #752:

Officer Mercadal has been a police officer with the Sacramento Police Department for approximately four years.

Officer Mercadal said he arrived on scene with Officer Robinet. Shortly after arriving STAR was overhead. STAR advised of a suspicious vehicle to the west. Officer Mercadal said STAR a short time later advised there was a subject in the backyard approximately two houses south of their location. Officer Mercadal said he approached the residence on the north side. Officer Mercadal said he observed a male black with a hood on the north side of the residence. Officer Mercadal said he gave verbal commands and the subject ran to the back of the yard. Officer Mercadal said he went into the backyard and as he came around the corner (North West) of the building he observed the subject with his arms extended out in front of him and what appeared to be a metallic object in the subject's hands. Officer Mercadal said he yelled gun as Officer Robinet arrived. Officer Mercadal said the subject was approaching them and thought the subject was shooting at them. Officer Mercadal said he kneeled and fired what he thought was approximately 10 rounds and observed the subject go down.

Officer Mercadal said he and Officer Robinet remained behind cover at the corner of the building and waited for other officers before approaching the subject.

Officer Mercadal said he was in fear for his life and thought the subject was shooting at them.

Officer Mercadal said his Body Cam was on and activated

ADDITIONAL INFORMATION:

SPD Sgt. Brad Werner advised that both officers fired 10 rounds each.

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