



# MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

**ANNE MARIE SCHUBERT**  
DISTRICT ATTORNEY

**DATE:** May 23, 2016  
**TO:** Deputy District Attorney Tan Think  
**FROM:** Criminal Investigators James Anderson #18 and Daniel Garbutt #19  
**SUBJECT:** Officer involved shooting (CHPD 16-4363)  
Jaime Ide (Xref: 5052649) Deceased

**Criminal Investigator J. Anderson:**

## NOTIFICATION

On 5-19-16 (Thursday) at 10:45 PM, I received a call from the Sacramento County operator who notified me of an officer involved shooting and related that she had Detective Shaun Gualco from Citrus Heights Police Department on the line. Detective Gualco related that he was in route to an officer involved shooting that had occurred at 6005 Birdcage Street and requested a Criminal Investigator respond. I notified Criminal Investigator Daniel Garbutt of the callout at 10:55 PM. I responded to the command post located on Birdcage Street behind Best Buy. I arrived on scene on May 24, 2016 at approximately 00:20 AM.

## BRIEFING

Upon arrival at the command post, Lieutenant Ryan Kinnan of the Citrus Heights Police Department provided the following information:

On 5-19-16 at approximately 3:54 PM Citrus Heights Police Officers responded to a domestic violence call at 6005 Birdcage Street apartment [REDACTED]. Upon arrival the responding officers were met at the front door by the female victim ([REDACTED] [REDACTED]) who was bleeding from a substantial head wound. As [REDACTED] exited the front door, the door closed behind her. [REDACTED] related to responding officers that she had been assaulted by her husband Jaime Ide and during the assault she was struck in the head with a baseball bat.

Officers attempted to contact and negotiate with Ide via telephone and a public address system numerous times during the six hour standoff. All efforts to convince Ide to exit the apartment and end the standoff peacefully were met with resistance. On two different occasions officers reported hearing gunfire coming from the apartment. A warrant for Ide's arrest had been signed and patrol officers were approaching the apartment when they heard gunfire coming from Ide's apartment. At this point a decision was made to initiate a SWAT callout.

Members of the Special Weapons and Tactics (SWAT) team responded to the command post. Two teams which consisted of an over watch team and an Immediate Reaction Team were deployed to the apartment occupied by J. Ide. As the Immediate Reaction Team, which consisted of Sergeant Ken Lewis, Officer Ken Spencer, and Officer Nathan Hudson were monitoring the front door of apartment [REDACTED], Jaime Ide exited the apartment and walked towards the location of the I.R. team. The I.R. team approached Jaime Ide who reached behind his back and produced a knife. Officer Nathan Hudson fired three rounds striking J. Ide. J. Ide was pronounced deceased at the scene by medics.

### WALKTHROUGH

Investigator Garbutt and I participated in a walkthrough of the scene on 05-20-16 at approximately 1:00 am. 6005 Birdcage Street is a multi-unit apartment complex located on the west side of Birdcage Street. Apartment number [REDACTED] is a downstairs apartment with its front door on the west side of this apartment and entering into a breezeway. There is a sliding glass door on the south side which exits onto an enclosed patio.

As Investigator Garbutt and I approached apartment number [REDACTED] I observed the following. The walkway leading to apartment [REDACTED] was closed off to pedestrian traffic by use of crime scene tape. My observations were made from the exterior of this crime scene. I noticed a large pool of blood near the front door of apartment [REDACTED]. There appeared to be a smaller pool of blood near the south/west corner of this apartment. There was smeared blood between the two pools. I noticed two rifle casings on the sidewalk near the south/west corner of this apartment.

### INTERVIEW(S)

On 05/23/2016 at approximately 1:15 AM Investigator Garbutt and I responded to the Citrus Heights Police Department to monitor the interviews of Officer Nathan Hudson, Sergeant Ken Lewis, Officer Ken Spencer, Sergeant James Evans, and Officer James Garing.

At approximately 2:38 am Sergeant Jeremy Garrison and Lieutenant Ryan Kinnan started to interview Sergeant Ken Lewis. After approximately 20 minutes, it was decided to discontinue the interview due to Sergeant Lewis appearing to be fatigued and when asked, Sergeant Lewis stated that he had not slept in the last 22 hours. Lieutenant Kinnan related that they would continue the interviews on 05-24-16 at 2:00 pm.

On 05-24-16 Investigator Garbutt and I responded to the Citrus Heights Police Department to monitor interviews. Investigator Garbutt monitored the interviews of Officer Ken Spencer and Officer James Garing (see interviews below). I monitored the interviews of Sergeant Ken Lewis and Sergeant James Evans (see interviews below). On 05-22-16 Investigator Garbutt returned to the Citrus Heights Police Department to monitor the interview of Nathan Hudson (see interview below).

**Criminal Investigator James Anderson:**

SGT. Ken Lewis (Police Sergeant -20 yrs. law enforcement experience 9 yrs. w/CHPD)

On 05-20-16 at approximately 1818 hours Sergeant Jeremy Garrison and Lieutenant Ryan Kinnan interviewed Sergeant Ken Lewis. I monitored this interview from a remote location. Sergeant Lewis related the following in summary:

Sergeant Lewis has over 20 years of law enforcement experience and for the last 9 years he has worked at the Citrus Heights Police Department. Sergeant Lewis has 14 years of SWAT experience, is currently a patrol sergeant, and has ancillary duties including being a SWAT sergeant.

Sergeant Lewis first learned of this call on his way into work via the scanner and several police pages that came over his cell phone. Sergeant Lewis responded to the Police Department and then to the command post. Sergeant Lewis learned that patrol was handling the incident at this point. While at the command post Sergeant Lewis was informed that a warrant for Jaime Ide's arrest had been signed and patrol officers were moving to the front door of apartment [REDACTED] to serve the arrest warrant. While moving to the front door, patrol officers heard gun fire coming from the interior of apartment [REDACTED]. The officers backed away from the front of the apartment and Lieutenant Turcotte initiated a SWAT callout. Sergeant Lewis started calling in members of the SWAT team.

Once members of the SWAT team were on scene a briefing was conducted. Sergeant Lewis headed up the Immediate Reaction Team with Officer Dunning, Officer Spencer, Officer Hudson, Sergeant Evans, and Officer Garing. When Immediate Reaction Team moved in to relieve patrol personnel, [REDACTED] [REDACTED] [REDACTED] [REDACTED]. Sergeant Lewis, Officer Spencer, and Officer Hudson took a position to the south/west of the front door of apartment number [REDACTED] behind a hedge. Sergeant Lewis sent Officer Dunning back to the command post to retrieve equipment.

At approximately 10:00 pm the front door of apartment number [REDACTED] opened and Jaime Ide exited the front door turning left towards the Immediate Reaction Team. Ide walked towards the Immediate Reaction Team with an intense look on his face. Sergeant Lewis told J. Ide to stop. J. Ide continued to advance. When J. Ide was approximately 10 feet from the Immediate Reaction Team, Sergeant Lewis, Officer Spencer, and Officer Hudson came out from behind their cover (the hedge) and approached J. Ide. Sergeant Lewis and Officer Hudson were telling J. Ide to stop. Sergeant Lewis told J. Ide in Spanish to put his hands up. When the Immediate Reaction team was approximately 5 to 6 feet from J. Ide, J. Ide took a step back into a bladed stance and placed his right hand behind his back. J. Ide quickly removed his hand from behind his back and produced a silver and white knife. At first Sergeant Lewis thought it was a gun. Sergeant Lewis stated that they were 6 to 8 feet from J. Ide when he pulled the knife and that he felt that his life and his teammates' lives were in danger. Sergeant Lewis heard three gunshots and J. Ide fell to the ground in front of the front door of apartment [REDACTED].

Members of the team cuffed J. Ide and pulled him back towards the south/west corner of the apartment. Sergeant Lewis checked for a pulse and respirations but could not locate either. Sergeant Lewis had medics respond. They took the cuffs off J. Ide, placed him on a backboard

and the medics removed him from the area. Sergeant Lewis and his team entered apartment #125 and cleared it of any other persons or hazards.

SGT. James Evans (Police Sergeant -20 yrs. law enforcement experience 6 yrs. w/CHPD)

On 05-20-16 at approximately 2033 hours Sergeant Jeremy Garrison and Lieutenant Ryan Kinnan interviewed Sergeant James Evans. I monitored this interview from a remote location. Sergeant Evans related the following in summary:

Sergeant Evans has over 20 years of law enforcement experience and for the last 6 years he has worked at the Citrus Heights Police Department. Sergeant Evans has been a patrol sergeant for 2 years and is a SWAT team leader.

Sergeant Evans first learned about this incident when he received a phone call advising him of a SWAT callout. Sergeant Evans responded to the command post, checked in, and was briefed of the circumstances. Sergeant Evans was given an assignment of over watch (sniper). Sergeant Evans and Officer Garing moved to the area of apartment [REDACTED] and took a position on the patio of apartment [REDACTED]. This apartment was to the south of apartment [REDACTED].

Sergeant Evans was watching the back patio when he heard the front door open. Sergeant Evans saw Jaime Ide exit apartment [REDACTED]. Sergeant Evans recognized J. Ide from a photo that he received during briefing. After J. Ide exited apartment [REDACTED] he walked fast towards the Immediate Reaction Team. The Immediate Reaction Team was giving J. Ide commands to get on the ground. J. Ide was not complying with the commands. J. Ide was 8 to 10 feet from the Immediate Reaction Team at this point as team was advancing. J. Ide stopped, stood up tall, and looked angry. J. Ide stepped back with his right foot into a crouching position. J. Ide placed his right hand behind his back. At this point the Immediate Reaction Team was approximately 5 to 6 feet from J. Ide. J. Ide pulled his right hand from behind his back and has a silver object in his hand. Sergeant Evans heard three shots and J. Ide went to the ground.

Medics approached and took J. Ide from the area. The Immediate Reaction Team entered and cleared the apartment.

### Criminal Investigator Daniel Garbutt

On 5/19/2016 at 2300 hours, I received a call from Sacramento District Attorney's (SDA) Office Criminal Investigator Jim Anderson regarding an Officer Involved Shooting that had taken place involving the Citrus Heights Police Department (CHPD). The shooting took place outside of an apartment at [REDACTED] Birdcage Drive, Apartment [REDACTED] and CHPD had set up a command post behind the Best Buy in the area of Birdcage Drive and Greenback Lane.

On 5/20/2016 at 0030 hours, I arrived at the Best Buy where I met with Investigator Anderson and members of CHPD.

### CHPD Briefing

Lt. Ryan Kinnan of CHPD advised that CHPD Det. Shawn Gualco was the lead Detective on this incident. The SDA Crime Lab had been requested and responded to the scene to assist CHPD with the crime scene investigation.

One Officer identified as Nathan (Nate) Hudson had fired three shots from a rifle while on a Special Weapons and Tactics (SWAT) Operation after the suspect, later identified as Jaime IDE, came out of the apartment with a knife. No other officers fired their weapons, and IDE was pronounced deceased at the scene by paramedics.

Further details of the briefing were documented by Investigator Anderson.

### Officer Interviews at CHPD

The interviews with CHPD Officer James Garing, Kenneth Spencer, and Nathan Hudson are documented herein and are brief summaries of their statements to CHPD Detectives. Each of these interviews were given voluntarily by each Officer.

### Officer James Garing

On 5/20/2016 at 1420 hours, Officer Garing was interviewed by CHPD Detectives Shawn Gualco and Deborah Bayer-Evans.

Officer Garing is currently assigned as a Problem Oriented Policing (POP) Officer with 8 years of law enforcement experience. He has been a SWAT Operator for the past three years. He was assigned to work at the Sunrise Mall from 1100 hours until 2100 hours and was working when he learned of this incident. Officer Garing learned that this call was dispatched as a domestic violence incident and that the suspect was still on scene. Officer Garing responded directly to the Best Buy upon learning of this incident.

Officer Garing learned the suspect's name was Jaime, and Officer Garing began to negotiate with Jaime on the phone. Officer Garing spoke limited Spanish, and Jaime spoke limited English. Officer Garing asked Jaime to come out of the residence, and Jaime refused to come out. Jaime's speech was garbled, and Officer Garing learned through his conversation that Jaime had consumed at least six or more beers that day.

Officer Garing was assigned to the over watch element of SWAT and was watching the front door of Apartment ■■■ where Jaime was in from the rear patio of Apartment ■■■ which was across from Apartment ■■■. During this time, Officer Garing heard popping sounds come from inside of the apartment that sounded weird. These sounds appeared to possibly be gunshots, but Officer Garing couldn't be sure. Officer Garing sat, watched, and waited with other Officers as SWAT Operators Sgt. Ken Lewis and Officers Kenneth Spencer and Nathan Hudson were stationed outside of Apartment ■■■ as the Immediate Reaction Team (IRT) element of SWAT in order to react to the suspect and take him into custody if he exited the apartment.

During the encounter, the front door of the apartment opened, and a male who looked like Jaime came out of the apartment and walked toward the officers. Verbal commands were given by the IRT Officers, and Jaime squared up toward the Officers and reached behind his back with his right hand. Officer Garing heard three to four gunshots and saw the suspect fall to the ground. The IRT then took Jaime into custody.

Officer Garing could see the light reflect off of the knife that Jaime IDE produced after reaching behind his back. IDE had the knife in his hand in an aggressive manner with the blade extended toward the Officers. IDE appeared to not care and have an arrogant attitude and demeanor throughout the prior negotiations and when he exited the apartment and moved toward the Officers with the knife.

Officer Garing said he would have shot IDE when he moved toward the Officers but did not have a clear shot since IRT Officers were in the way between Officer Garing and IDE. IDE appeared to only be a few feet away from the Officers when he was shot, but Officer Garing did not have a clear and unobstructed vantage point.

#### Officer Kenneth Spencer

On 5/20/2016 at 1624 hours, Officer Spencer interviewed Detectives Gualco and Bayer-Evans.

Officer Spencer has three total years of law enforcement experience, all with CHPD. He is assigned to Patrol and has been a SWAT Operator for one year along with an ancillary duty of Honor Guard Detail.

Officer Spencer was not on duty and was paged for a SWAT callout related to this incident. He responded to the Best Buy to the incident command post and was assigned as IRT to hold down the front of the apartment and to arrest the suspect if he exited the apartment. Officer Spencer was behind Sgt. Lewis and was the third person in the stack (tactical officer formation) outside of the apartment. The suspect (IDE) exited the apartment, and commands were given in both English and Spanish. Officer Spencer saw IDE reach behind his back and pull something out, and Officer Spencer was certain it was a gun or weapon since he heard popping sounds coming from inside of the apartment earlier in the encounter. Officer Spencer then lost his view of IDE, and Officer Hudson fired two shots. Officers Spencer, Hudson, and Sgt. Lewis handcuffed IDE and checked for vital signs. Officer Spencer then locked down (secured with visual presence) the doorway of the apartment since it was an uncleared area, and it was not known if anyone else was inside of the apartment IDE had exited.

As Officers were taking IDE into custody, Officer Spencer noticed a large kitchen knife on the ground near IDE that he described as having a white handle with a 4-5 inch long silver blade.

Officer Spencer had been previously directed by Sgt. Lewis to arrest IDE if he exited the apartment. When IDE produced the knife, Officer Spencer did not fire his weapon because other officers were in the way.

Officer Spencer further described the door flying open and IDE exiting the apartment. His knee was bent, and his left arm came forward as his right arm reached behind his back. Officer Spencer said he was sure IDE had a weapon and was retrieving it. Officer Spencer estimated he was within seven feet of IDE, and Officer Hudson was within five feet of IDE when IDE was shot.

#### Officer Nathan Hudson

On 5/22/2016 at 1740 hours, I accompanied CHPD personnel to the scene of the shooting at [REDACTED] Birdcage St., Apartment [REDACTED]. Officer Hudson was accompanied by his Legal Representative. No statements were taken during the walkthrough and no questions were asked. The purpose of the walkthrough was for Officer Hudson to view the scene and refresh his recollection regarding the details of the incident and for Investigators to view it in order to gain perspective and understand the scene prior to interviewing Officer Hudson.

Officer Hudson also reviewed the computer aided dispatch (CAD) printout of the scene prior to the interview.

All personnel returned to CHPD, and Officer Hudson was present with his Legal Representative (Attorney). Det. Bayer-Evans and Det. Sgt. Jeremy Garrison interviewed Officer Hudson, and Officer Hudson and his attorney agreed to give this statement freely and voluntarily.

Officer Hudson had prior service with the Sacramento Sheriff's Department (SSD) and the Nevada County Sheriff's Department (NCSD) prior to coming to CHPD. He is currently assigned to Patrol. His prior tactical experience includes over six years as a Special Enforcement Detail (SED- another name for SWAT used by some law enforcement agencies) Operator with NCSD and one year as a SWAT Operator with CHPD. He has been part of nearly 100 tactical operations including pre-planned operations and call-outs as a member of SED/SWAT. He also has prior military experience with the United States Army with the 101<sup>st</sup> Airborne and was a member of an entry team.

On the day of this particular incident on 5/19/2016, Officer Hudson ended his shift at 0630 hours and got home at 0700 hours. He went to bed at 0800 hours and got about 7 hours of sleep. His current shift is the graveyard shift, Monday through Wednesday, from 1800hours until 0630 hours.

Officer Hudson was equipped with his SWAT uniform, his M4 rifle, and his Glock Model 35 handgun.

Officer Hudson was called out for a SWAT call-out and was aware that there was a search warrant being prepared for the residence for an attempted murder domestic violence incident. Officer Hudson was near the front door of the apartment in order to contain the suspect to the apartment and arrest him if he exited the apartment.

Officer Hudson saw IDE (the suspect), walk out of the apartment aggressively, and he looked angry. He was stomping and acting animalistic and attempting to show dominance. He walked toward the officers and made it nearly to the bottom of the staircase as he held a beer in his left hand. Officer Hudson was yelling commands at the suspect. Although he didn't recall specifically what those commands were, Officer Hudson normally tells suspects to put their hands up and get on the ground.

IDE had closed the door of the apartment behind him when he exited. When IDE realized Officers were near him, Officer Hudson approached IDE. IDE threw down the beer can in an aggressive manner. Officer Hudson continued to move toward IDE as IDE walked backwards and back toward his apartment door. Officer Hudson's thought process at that point was to take IDE into custody and force him back toward a 6-8 foot solid wall and pin him up against it to make the arrest if necessary.

Officer Hudson used what he described as a fast tactical walk toward IDE in order to arrest him. At that point, IDE stopped and reached behind his back with his right hand. Officer Hudson immediately thought IDE was reaching for a firearm. Officer Hudson repeatedly yelled for IDE not to do it. IDE then brought out a giant 14 inch knife. Officer Hudson's gun was in a low ready position at this point. IDE then brought the knife upward and swung it as he did so. IDE then took a step forward with the knife and was about six feet away from Officer Hudson. Officer Hudson went to fire his weapon and fired three times, and the suspect hit the ground. Nothing happened when Officer Hudson fired the first two rounds, but IDE crumbled after the third round and fell on the ground onto his stomach. The knife fell away from IDE at the base of the stairs (leading up to second floor apartments).

Officer Hudson did not want IDE to get back into the apartment since there was a potential he could obtain a weapon. When IDE exited the apartment, Sgt. Lewis said to go, which meant to approach IDE and arrest him and take him down if necessary.

When IDE reached behind his back, Officer Hudson was sure he was going to pull a gun after previously hearing what sounded like gunshots coming from inside of the apartment earlier in this incident. Officer Hudson saw the white handle of the knife and stated the blade was a stainless steel blade 12-14 inches in length. That is when Officer Hudson deployed lethal force and fired when IDE stepped toward him with the knife. As Officer Hudson demonstrated this in the interview, he realized IDE had actually been closer to him than six feet away.

Officer Hudson thought IDE was going to stab him and that he would have been stabbed and killed had he not shot IDE. Officer Hudson was scared. The entire encounter from the time IDE left the apartment until when Officer Hudson shot IDE was a maximum of 10 seconds.

Officer Hudson previously gave a public safety statement immediately after the incident and told CHPD that he fired two rounds, but he's now pretty sure he fired three rounds. Officer Hudson stopped shooting once he realized the suspect was on the ground and the knife was away from the suspect which meant IDE was no longer a threat.