



MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY

DATE: November 4, 2020

TO: Supervising Deputy District Attorney Charles Gonzalez

FROM: Criminal Investigators Steve McCarthy and Derek Stigerts

SUBJECT: Officer Involved Shooting Incident (CHPD #20-08817)
BRUCE Allan SHUMAKER, DOB: 07/09/1956 (XREF #1342246)

NOTIFICATION:

On October 26, 2020, at 18:00 hours (Monday); Investigators Steve McCarthy and Derek Stigerts were notified of an officer involved shooting that occurred at [REDACTED] Twin Oaks Avenue in Citrus Heights within the County of Sacramento. Investigator Stigerts and I (McCarthy) responded to the shooting scene and monitored the police department's investigation. We arrived at approximately 19:00 hours.

BRIEFING:

At 19:14 hours, a briefing was given by Detective Justin Stevenson. Detective Stevenson gave an overview of the incident and identified Daniel Tsverov and Cody Mason as the officers that discharged their weapons. The subject being investigated was BRUCE ALLAN SHUMAKER, DOB: 07/09/1956 (XREF #1342246). SHUMAKER had been in a standoff with officers when two separate shootings occurred.

On October 26, 2020, at 13:27 hours, the Citrus Heights Police Department received a call from [REDACTED] of [REDACTED] Twin Oaks Avenue regarding a disturbance with his neighbor BRUCE ALLAN SHUMAKER. SHUMAKER's was known to officers as having mental issues and access to firearms. (Refer to the most recent Citrus Heights Police Report 20-08801 from October 25, 2020).

[REDACTED] advised SHUMAKER had been throwing things into his backyard. Because of SHUMAKER's unstable behavior and access to firearms, officers did not respond to [REDACTED] call for service. Instead, they telephoned [REDACTED] from a nearby location to obtain clarification as to what exactly SHUMAKER was doing. Due to the minor nature of the offense, officers did not respond and advised [REDACTED] to callback if things escalated.

A few minutes later, [REDACTED] called again. This time, [REDACTED] advised SHUMAKER was exposing himself in [REDACTED] driveway. When officers arrived, SHUMAKER had already gone inside his residence. Officers attempted verbal contact but were unsuccessful. Because of the minor nature of the complaint, it was again decided not to pursue the matter and officers left.

While discussing SHUMAKER's behavior from a nearby location, officers were approached by a citizen that informed them SHUMAKER was now standing in front of his residence and armed with a gun. When officers responded, SHUMAKER went inside his residence and refused to come out. Because of SHUMAKER's unstable mental status, it was decided that Sergeant Dunning, Officer Tsverov, and Officer Kalenyuk monitor SHUMAKER's residence from a safe distance.

A few minutes later, SHUMAKER was observed leaving his residence in his White Toyota Sequoia SUV [REDACTED]. Other nearby officers attempted to follow SHUMAKER but were unsuccessful. When SHUMAKER was observed coming back home, Officer Tsverov discharged his weapon. (Refer to Officer Tsverov's Statement for further details).

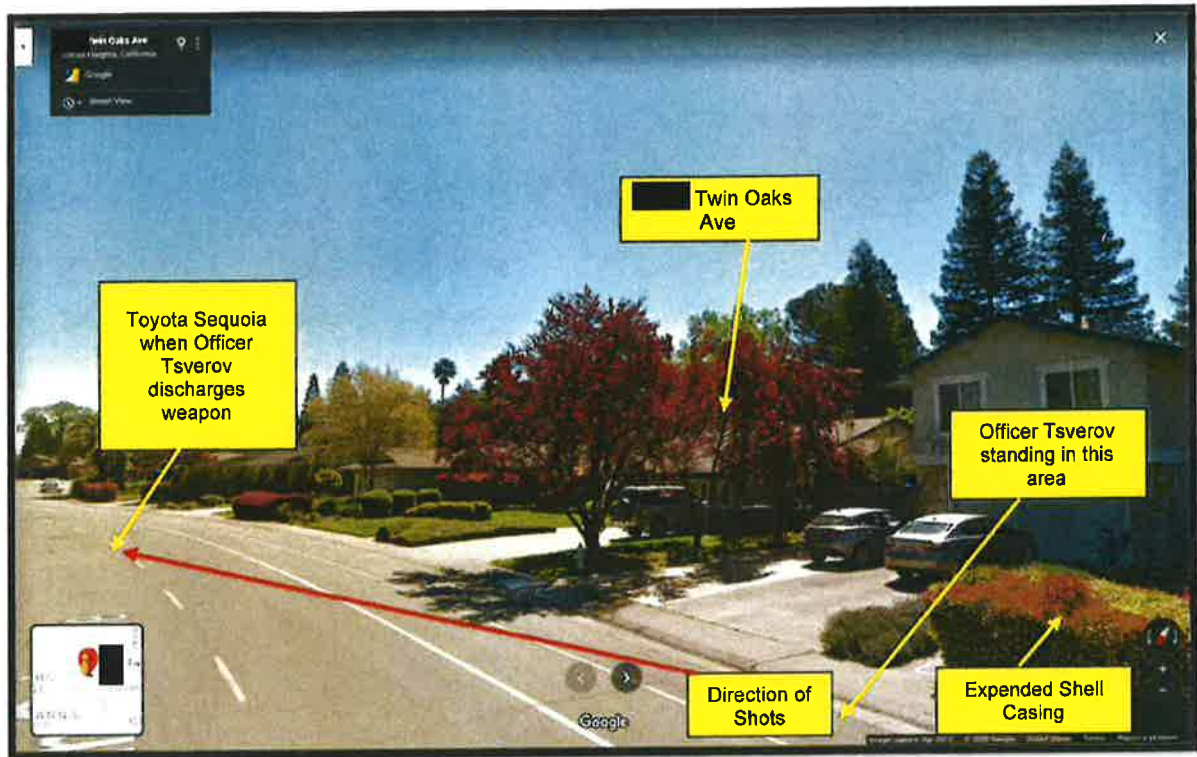
SCENES:

The location of occurrence is [REDACTED] Twin Oaks Avenue, Citrus Heights. Two separate shooting incidents occurred here. The initial shooting involved Officer Daniel Tsverov and occurred in the front of [REDACTED] Twin Oaks Avenue. The second shooting involved Officer Cody Mason and occurred in the rear of the residence. (Refer to the below photographs).

[REDACTED] Twin Oaks Avenue, Citrus Heights (Front of Residence)



Officer Tsverov's View of [REDACTED] Twin Oaks Avenue, Citrus Heights



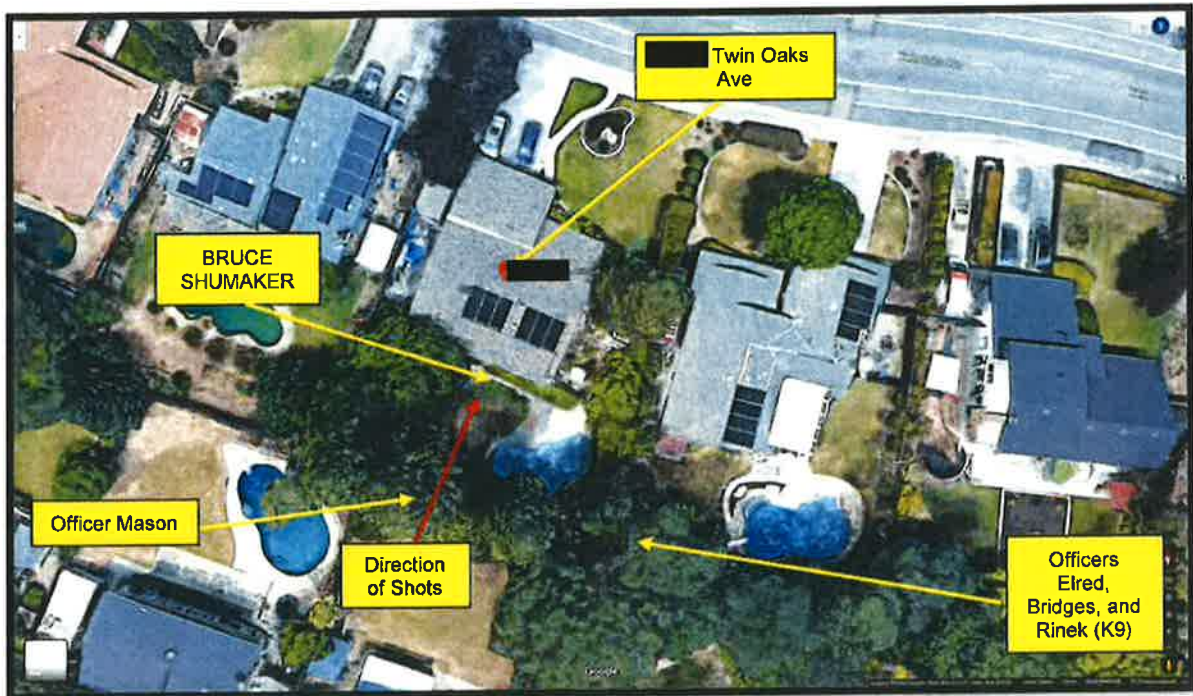
SHOOTING INCIDENT – OFFICER DANIEL TSVEROV

Officer Daniel Tsverov and Sergeant William Dunning were outside of their patrol vehicles watching [REDACTED] Twin Oaks while standing in front neighbor [REDACTED] residence. As Officer Tsverov observed the White Toyota Sequoia [REDACTED] approach, he was standing next to the passenger side of his patrol vehicle.

When Investigator Stigerts and I arrived to the scene, SHUMAKER's Toyota Sequoia SUV [REDACTED] was parked in the driveway of [REDACTED] Twin Oaks Avenue. Two strike marks were found in the vehicle. One was located near the rear (*passenger-side*) taillight and the other was found near the (*passenger-side*) front door just below the mirror. A third strike mark was found in the (*passenger-side*) pillar of Officer Tsverov's patrol vehicle. An expended shell casing presumably from Officer Tsverov's weapon was found on top of a hedge located in front of [REDACTED] Twin Oaks Avenue directly next to his patrol vehicle.

Detective Stevenson later advised during the round count, Officer Tsverov was missing four (4) rounds from his pistol, but they only found three (3) expended shell casings in the area where he had been standing.

Twin Oaks Avenue, Citrus Heights (Overhead View)



SHOOTING INCIDENT – OFFICER CODY MASON

Officer Cody Mason was in the backyard of [REDACTED] Holm Oak Way and position himself at the North fence line to view the rear of [REDACTED] Twin Oaks Avenue. From this position, Officer Mason had a clear view of the rear backyard and living room. Officers Elred, Bridges, and Rinek were in the backyard of [REDACTED] Holm Oak Way. They had positioned themselves at the North / West corner of the yard.

Six (6) expended rifle rounds were observed on the ground near a chair in the backyard of [REDACTED] Holm Oak Way where Officer Cody Mason had been standing.

BRUCE SHUMAKER's body was in the backyard of [REDACTED] Twin Oaks Avenue near the rear sliding glass door. SHUMAKER was wearing gray pants, white socks and brown shoes. Two (2) expended shotgun shells were observed near his body. One (1) expended .45 caliber shell casing was near his left shin. A Glock handgun and ejected magazine were on a chair next to a table. Three (3) apparent strike marks were observed in the stucco near the sliding glass door. At least four (4) additional marks were found in the living room window, but it was unclear if these were strike marks from Officer Mason's rifle.

Detective Stevenson later advised during the round count, they had determined Officer Mason fired eight (8) times and later located eight (8) expended rifle shell casings in the area where he had been standing.

AUDIO / VIDEO RECORDINGS

The Citrus Heights Police Department had deployed a drone device during a portion of the event. The Sacramento Sheriff's "Star" helicopter had also been overhead, but it was unclear what either of these captured. Officers Cody Mason and Daniel Tsverov also activated audio recording devices carried on their person. However, Investigator Stigerts and I did not view or listen to any of the recordings.

OFFICER CODY MASON's STATEMENT

At approximately 1620 hours on 10/28/2020, I, Criminal Investigator (CI) Derek Stigerts and CI Steve McCarthy, monitored the interview of Citrus Heights Police Officer Cody Mason #445 via speakerphone. The interview took place at the Citrus Heights Police Department (CHPD) located at 6315 Fountain Square Drive Citrus Heights, CA 95621. Officer Mason stated the following in summary:

Officer Mason has been a CHPD officer since January 2017. He worked for Willits Police Department starting in July 2014 until he transferred to CHPD. He works swing shift which is 1330 hours to 0200 hours. Officer Mason carries a Glock 45 as his duty weapon and is also assigned an Smith and Wesson M&P 15 rifle.

During briefing at the beginning of his shift on October 26, 2020, officers were discussing a call for service which was occurring on Twin Oaks Ave. The call was regarding a male subject who was having mental health issues and was a risk to the public. Officer Mason was aware the subjects name was BRUCE SHUMAKER.

On October 25th, 2020 Officer Mason had been on a call at the same location. It was discussed that SHUMAKER had made threats about killing officers and neighbors. Officer Mason learned that SHUMAKER had access to firearms. The call was cleared with SHUMAKER still at his residence.

On October 26th, Officer Mason left the briefing and responded to the scene. After meeting with other officers, it was decided to clear the call due to the prior threats made by the subject. A decision was made to have two officers to stay down the street. Officer Mason left the area and responded to another call.

Officer Sisson was tasked with completing a gun violence restraining order for SHUMAKER at the CHPD station and Officer Mason assisted him. While conducting research, Officer Mason heard over the radio that shots had been fired at the location. He heard another officer state it was an officer involved shooting and that there were bullet holes in a car.

Officer Mason responded to the Command Post (CP) and was assigned with Officer Klockenbrink to [REDACTED] Holm Oak Way, which was directly behind (south) [REDACTED] Twin Oaks Ave which was the location where SHUMAKER lived. Officer Mason had been at the same location during the call the night before and was familiar with the location. He went into the backyard and found a chair and placed it against the fence at the N/W corner of the yard. When standing on the chair, he could see directly into SHUMAKER's yard and the rear of his residence. He was armed with his Smith and Wesson M&P rifle. He continually gave updates over the radio of SHUMAKER's actions. He had his rifle resting on top of the fence and pointed into SHUMAKER's yard. Officer Mason knew that SHUMAKER did not see him.

There were two officers in the yard to the west and three officers in the yard to the east of Officer Mason.

When SHUMAKER was in the residence, Officer Mason heard him say, "They shot at me and I'm going to kill them".

At some point after making the statement, SHUMAKER came outside and sat in a lawn chair which was facing Officer Mason. At no point up until then did Officer Mason see SHUMAKER with a firearm or one in the area. There was a glass table in front of the lawn chair and SHUMAKER reached down under the table and grabbed an object. He brought his hand up and Officer Mason saw a black firearm in his hand. Officer Mason communicated that SHUMAKER had a gun. SHUMAKER stood up, walked away from the table,

had the gun to his side, then raised the gun up, pointed it to the southwest direction of his property, and fired once towards the area where the three officers were positioned.

Officer Mason immediately decided he had to react. He did not know if one of the officers was shot but he knew he had to stop the threat and prevent anyone else from being harmed.

Officer Mason fired rounds at SHUMAKER. SHUMAKER backed up and raised his arm back up and Officer Mason fired another round at SHUMAKER's center mass. Officer Mason's state of mind was that he had to stop the threat before SHUMAKER decided to shoot or kill somebody. SHUMAKER fell to the ground and over the lawn chair. Officer Mason stopped firing.

Officer Mason was giving commands to SHUMAKER to show his hands. Officer Mason put out on the radio that the subject was down, and the firearm was under him. Officer Mason continued to give updates and provide cover until other officers made their approach to SHUMAKER, fired two less lethal rounds, and secured the firearm.

Officer Mason believed he shot five rounds.

OFFICER DANIEL TSVEROV's STATEMENT

At approximately 1440 hours on 10/29/2020, I, Criminal Investigator (CI) Derek Stigerts and CI Steve McCarthy, monitored the interview of Citrus Heights Police Officer Daniel Tsverov #411 via speakerphone. The interview took place at the Citrus Heights Police Department (CHPD) located at 6315 Fountain Square Drive Citrus Heights, CA 95621. Officer Tsverov stated the following in summary:

Officer Tsverov has been a CHPD officer since January 2018. He works day shift which is 0600 hours to 1830 hours. Officer Tsverov carries a Glock 45 as his duty weapon and is also assigned an M4 rifle.

On October 29th, 2020 at approximately 1330 hours, Officer Tsverov was dispatched to [REDACTED] Twin Oaks Drive regarding a male subject throwing objects over the fence into a neighbor's yard. The subject was known to Officer Tsverov as BRUCE SHUMAKER. He was told in briefing that officers had confirmed that SHUMAKER had access to firearms. The call was flagged as officer safety due to SHUMAKER making statements of suicide by cop. Due to the circumstances, officers met in the area to come up with a plan prior to responding to the location.

While meeting with officers, Officer Tsverov called the reporting party (RP) to gather more information. Their supervisor, Sgt Dunning, wanted at least a crime before they responded due to the history. After speaking to the reporting party, it was determined no crime had been committed so Sgt Dunning did not want officers to respond.

Soon after, the RP called Officer Tsverov back and advised that SHUMAKER was on the RP's property exposing himself. The RP sounded scared and asked for help. Officer Tsverov told the RP to call 911 and that he would respond.

Officer Tsverov arrived with Officer Kalenyuk and they parked near the RP's house. SHUMAKER came out of his residence but went back inside. Officers called SHUMAKER but he refused to come outside. When speaking to SHUMAKER on the phone, he was not making any sense and said something about having a gun.

Sgt Dunning asked what the crime was and Officer Tsverov advised it was an indecent exposure. Due the minor nature of the crime, they were advised to leave the scene and to debrief the call. Due to prior threats

that SHUMAKER wanted to kill officers and that the night before officers confirmed he had access to firearms, the call was cancelled.

While debriefing, a car pulled up and advised that SHUMAKER was back outside waving a handgun around. Dispatch also advised they received a call from another RP that SHUMAKER was out front waving a gun around. The officers responded back to the scene and SHUMAKER was no longer outside. One officer deployed a drone. The second RP was contacted, and he confirmed there was a brandishing of a firearm.

Sgt Dunning again advised officers to leave the scene but directed two units to complete a gun violence restraining order and three officers to stay in the area until the restraining order was completed and if neighbors called again regarding SHUMAKER.

Approximately 30 minutes later, SHUMAKER was observed getting into his vehicle and driving away. Officer Tsverov attempted to catch SHUMAKER but was unable to. Sgt Dunning directed Officer Tsverov to contact SHUMAKER's wife and obtain consent to enter the residence to gather the firearms. She gave consent and agreed to come to the residence.

As they were waiting for the wife to arrive, officers put out on the radio that SHUMAKER was back in the neighborhood and driving toward Twin Oaks Drive. A short time later, another officer advised over the radio that SHUMAKER just pointed a gun at officers.

Approximately 30 seconds later, Officer Tsverov observed SHUMAKER's vehicle driving toward him and Sgt Dunning who were near the residence. Officer Tsverov was parked one house west of SHUMAKER's residence. Both Officer Tsverov and Sgt Dunning were standing next to Officer Tsverov's vehicle. SHUMAKER stopped his vehicle in the middle of the roadway at the east side of his property and pointed a handgun in the direction of where Sgt. Dunning was last seen then he pointed the handgun at Officer Tsverov. SHUMAKER was pointing the handgun through the windshield. Officer Tsverov fired approximately three rounds from his handgun at SHUMAKER. SHUMAKER then pulled into his driveway and ran into his garage.

SHUMAKER came out of the garage briefly then went back into the house. About two hours later he came out and closed his garage.

Officer Tsverov stayed at his position for approximately two hours until the second shooting occurred. He was picked up by another officer and taken to the CHPD station.