



MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY

DATE: January 2, 2018
TO: Supervising Deputy District Attorney Tan Think
FROM: Criminal Investigators Diane Hall and Thomas Little
SUBJECT: Officer Involved Shooting (SSD #17-421177)
Steven Davis, DOB: 08/16/95/SSD Deputy Craig EVANS #1257

All times referred to herein are approximate and report is in summary.

Notification:

12/19/2017, approximately 1700 hours, CI T. Little and I were advised of a Sacramento County Sheriff's Department (SSD) Officer Involved Shooting (OIS) near the Carl's Jr. restaurant located at 9631 Micron Ave (95827) in the County of Sacramento. We were instructed to meet at 9616 Micron Ave.

SSD Briefing:

12/19/2017, approximately 1825 hours, SSD conducted their briefing consisting of witnessing officer statements and multiple officer gathered-witness statements. No walk-thru was done of the scene.

On 12/19/2017, approximately 1633 hours, SSD communications received a call for a welfare check and/or possible subject under the influence at the Carl's Jr. restaurant off of Micron Ave. Solo Unit Deputy Craig Evans (#1257) broadcasted he had arrived and shortly thereafter broadcasted "shots fired."

Statement – SSD Deputy Steve LeCouve #1014

I was driving a solo-unit and my In-Car Camera (ICC) was initiated. I heard the call broadcasted of a welfare check of a possible under the influence subject at the Carl's Jr. off Micron Ave. While responding to the call, I heard Deputy Evans, who was in a separate solo-unit, broadcast he had made contact with the subject and the subject was not cooperating. Then, I heard Deputy Evans broadcast, "Shots fired."

I was turning on to Micron from Bradshaw Blvd. As I was turning westbound onto Micron, I saw a box van traveling towards and pass me on Micron. I could see Deputy Evans right behind the box van. I made a "u-turn." The box van had stopped and I could see a solo occupant in the driver's seat. Deputy Evans and I made demands for the subject to turn off the van, but he was not responding. As we approached, I turned off the van and took the keys out of the ignition.

Deputy Forsythe arrived on scene. Deputy Forsythe and I opened the driver's side door and assisted the subject to the ground. The subject was not responding, and we began life saving procedures. The subject started breathing and gained consciousness. We noticed he was bleeding heavily from his right upper arm side. Deputy Huffman who had arrived helped stop the bleeding by applying a tourniquet on his arm. The subject then stopped breathing and we could not find a pulse. So, we again began life saving procedures. The subject started breathing, re-gained consciousness and became verbally combative. We continued to check for any additional wounds on the subject to medically aid him. Fire arrived and he was transported to the hospital. I noticed the subject had a strong odor of alcohol coming from him.

Witness Statement – SSD Deputy Jeff Wall #929

I made contact with a civilian witness: [REDACTED] indicated he had cellphone-videoed part of the incident, voluntarily provided his cellphone and was cooperative.

Witness Statement – SSD Deputy Bachman

I made contact with a civilian witness: [REDACTED] was walking through the Carl's Jr. parking lot with her three children and witnessed part of Deputy Evans' contact with the subject.

Witness Statement – SSD Deputy Ken Becker

I made contact with a civilian witness: [REDACTED] is the Carl's Jr. Evening Shift Manager and was working when the incident occurred. [REDACTED] contacted Carl's Jr. General Manager [REDACTED] who responded to the scene and provided secured security video footage of the incident.

Witness Statement – SSD Kelly Hodges #1238

I made contact with a civilian witness: [REDACTED] is an employee of Carl's Jr. and had contact with the subject (Steven Davis) prior to the incident. [REDACTED] also witnessed part of incident involving Deputy Evans and the subject in the Carl's Jr. parking lot.

Witness Statement – SSD Deputy Matranga

I made contact with a civilian witness: [REDACTED] is the Travelodge's Manager and lives on-site at the hotel.

Statement – [REDACTED] (suspect Evan's mother)

On 12/19/17, at approximately 2128 hours, [REDACTED] was interviewed by SSD Homicide Detective Garcia in an interview room at SSD CID, 4510 Orange Grove Ave. in Sacramento. [REDACTED] stated the following in summary:

I am Steven's mom. He lives with me at the apartments I manage. Steven has a prior DUI and he did get in trouble before in Washington. Steven has always cooperated with law enforcement.

I don't know why he wouldn't cooperate. I haven't seen him have a drink since he got his new driving job. He works off of Micron. That's where he picks up his delivery van. A resident at the apartments we live at told me they saw Steven today at lunch and he was not drinking then. If he does drink, it is only beer on the weekends.

End of statement.

Statement - SSD Deputy Craig Evans #1257

On 12/19/17, at approximately 2200 hours, SSD Deputy Craig Evans was interviewed by SSD Homicide Detective Persson in an interview room at SSD CID, 4510 Orange Grove Ave. in Sacramento. Evans was represented by legal counsel from the Mastagni & Holsedt Law Firm. Evans stated the following in summary:

I am 44 years old and have been a deputy with SSD for approximately 19 years. Today I working patrol on the 1400 hours to midnight shift. I was wearing my black SSD uniform. I received a dispatch call of a drunk male White that had driven a white cargo van to the Carl Jr. on Micron west of Bradshaw. The call indicated the male was inside the Carl's Jr. and he was stumbling. There was a concern he would try to drive away. I drove to the scene and saw the white cargo van stopped facing eastbound on the south side of Carl's Jr. I parked my patrol car behind the van and walked up the sidewalk to the driver's side of the van. I contacted the driver at the driver's door. The window was down and the van was running. I told the driver to turn off the van. He turned off the van leaving the key in the ignition. I noted that the driver appeared to be intoxicated or to be having some type of medical emergency. I asked if he was okay, and he said he needed to leave for work. I could see several silver cans of beer inside the van. The driver had slurred speech and was glassy eyed. The driver moved his hand towards the key in the ignition. I asked him to step out of the vehicle. He refused. I asked him three times to get out of the vehicle, but he continued to refuse my commands. I got on the radio and advised that the driver was refusing my commands. I was thinking that the driver was an immediate hazard and I needed to get him out of the vehicle. If he drove off, he would be a threat to everyone on the road. I opened the driver's door to get him out. The driver said I needed a warrant and asked what my authority was. He knew I was law enforcement. I got on the radio and asked to clear the air. I continued telling the driver to get out of the van. The driver reached for the key in the ignition and turned on the van. I reached in with both hands to try and prevent him from putting the truck in gear. The driver grabbed my left hand wrist area by my watch as I reached in. I was stuck. I continued giving him commands. I said, "Don't do it! Don't drive away!" I pulled out my gun and pointed it the driver as I continued to give him commands. The driver put the van in gear and started to roll forward. He was still grabbed on to my left hand. I stepped off the sidewalk curb next to the van and tried to sidestep to keep up as the van rolled away. I was afraid I was going to get dragged or run over by the van because the driver still had my hand. I pulled my gun in close to my body and fired it at the driver until my hand was free. I think I fired three times. I tried to catch my balance as he let go and had to put my hand down on the ground to keep from falling on my face. The van drove off and stopped in traffic on Micron. I went back to my car and drove it ahead of the van to block its path. I continued to give the driver commands to get out of the vehicle. Deputy LeCouve arrived. We could see the driver slumped over by the driver's side. LeCouve went to the passenger side of the van and put the van in park. LeCouve got the driver out of the driver's door and started first aid.

End of statement.