



MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY

DATE: February 22, 2017

TO: Supervising Deputy District Attorney Tan Think

FROM: Criminal Investigators Tom Curtin and Thomas Little

SUBJECT: Officer Involved Shooting (SPD #17-40177)
Armani Lee (DOB: 01/20/1989)

Notification and Briefing:

Friday 2/10/2017 at approx. 1509 hours, I, T. Curtin, received a telephone call from SPD Dispatch informing me that there had been an officer involved shooting in the North area of Sacramento. One suspect had been shot and transported to UCDMC. Officers were still on scene looking for possible outstanding suspects. A command post was set at Marysville Blvd and Del Paso Blvd for a briefing, as soon as the scene was secure.

At 1629 hours, CI Little and I attended a briefing by SPD Lieutenant Harrington located near the shooting scene at Del Paso Blvd and Land Ave. Lt Harrington presented the facts known to him at the time of the briefing:

The Post Release Community Supervision (PRCS) team opened up a Surveillance Game Plan, call 17-40177 at 1259 hours. The subject of the surveillance was Armani Lee. Lee was wanted for PC 245 and a parole violation, related to a shooting on Saturday 2-4-2017. The shooting occurred at [REDACTED] Plaza Ave in Sacramento, SPD case 17-34216. During the shooting case Lee got into an altercation with a female, left the scene, returned a short time later and fired three rounds into an occupied apartment. Three .40 caliber casings were later recovered at the scene. Lee was identified as the shooter by two witnesses and also captured on surveillance video.

The PRCS team was familiar with Lee from previous contacts and arrests. They were also aware of Lee's history of robbery arrests, parole violations and Lee being a Strawberry Blood gang member. The PRCS team began actively looking for Lee after an arrest bulletin for Lee was put out.

The surveillance game plan was initiated after the PRCS team got information from a Confidential Informant (CI) that Lee was currently at [REDACTED] Del Paso Blvd. The CI also stated that Lee was armed with a Colt .45 handgun. The PRCS team had also been monitoring several cell phones and the cell phone that they believed Lee to be using, was pinging in the area of [REDACTED] Del Paso Blvd.

The surveillance was conducted by members of the SPD, PRCS team, North Gang Enforcement Team (NGET) and SPD gang detectives. A few minutes after 1400 hours, Lee exited [REDACTED] Del

Paso Blvd. A gang detective put out over the radio that Lee was on Del Paso Blvd walking towards Marysville Blvd. PRCS officers Goggin and Walther responded in a Gold Ford Explorer, stopping just in front of Lee. Sgt. Van Dusen also responded in a White Ford Pick-Up truck. Lee immediately turned around and began running back towards [REDACTED] Del Paso Blvd. K-9 Sgt. Dobson responded in his marked police vehicle Northbound on Land Ave. Lee saw Sgt. Dobson's vehicle and began firing at Sgt. Dobson. Sgt. Dobson exited his vehicle and returned fire at Lee. Lee started to flee across Del Paso Blvd, northbound. While fleeing, Lee was firing at officer Goggin, deputy Walther and Sgt. Van Dusen. All three officers returned fire at Lee. Lee was struck in the chin, the neck, the shoulder and buttocks. Lee went down in the front yard of [REDACTED] Del Paso Blvd, near the street. Officers recovered a semi-automatic hand gun, in slide lock, next to Lee. Deputy Walther secured the gun. Lee was handcuffed and medical aid was immediately requested. Sacramento Fire Department Engine 20 responded and transported Lee to the UC Davis medical center.

At the time of the briefing, Lee was listed in surgery and in stable condition.

Criminal Investigator Thomas Little

Involved Officers:

SPD Officer William Goggin #758
SPD Sergeant Joshua Dobson #3001
SPD Sergeant Randy Van Dusen #3077
SSD Deputy Walther #61

All times referred to herein are approximate.

Scene Viewing and Walk Through:

02/10/17, 1629 hours, Friday: CI Curtin and I arrived at the scene located at Del Paso Blvd. / Land Ave. Sacramento PD detectives did a complete walk through of the scene with the involved officers and deputy. CI Curtin and I were present for a secondary walk through of the scene with Sacramento PD Detective Sergeant Jason Start and representatives from the Sacramento City Office of Public Safety Accountability and the Sacramento City Attorney's Office. My observations of the scene are described and summarized as follows:

Sergeant Start pointed out the house that Lee exited from, [REDACTED] Del Paso Blvd. [REDACTED] Del Paso Blvd. is located on the southeast corner of Del Paso Blvd. and Land Ave. The residence has a front and rear house on the property. The surrounding area consists of other residential properties. Land Ave. is a two lane street that runs east from the intersection of Del Paso Blvd. Del Paso Blvd. is a four lane street that runs north and south at the intersection with Land Ave. Sergeant Start indicated that Lee came from the rear house at [REDACTED] Del Paso Blvd. The rear house is two stories and can be accessed from Land Ave. The rear house of [REDACTED] Del Paso Blvd. is east of the front residence.

Sergeant Start pointed out a gold Ford Explorer that Officer Goggin was driving and that Deputy Walther was the rear passenger in. The Explorer was parked facing south in the #2 northbound lane of Del Paso Blvd., south of Land Ave. The Explorer was parked at an angle towards the east sidewalk of Del Paso Blvd. Sergeant Start indicated that Lee was initially contacted by Officer Goggin on the east sidewalk of Del Paso Blvd., adjacent to the right side of the Explorer.

There was a white Ford pick-up truck angled into the right rear door of the Explorer. Sergeant Start indicated that the white Ford pick-up was the vehicle Sergeant Van Dusen drove. The front bumper of the white Ford pick-up had collided with the right rear door of the Explorer and had bent the right rear door fully forward towards the front of the Explorer.

Sergeant Start pointed out a marked Sacramento PD K-9 utility vehicle parked in the westbound lane of Land Ave., just east of the painted limit line for the stop sign at Del Paso Blvd. Sergeant Start indicated that this marked unit was the vehicle Sergeant Dobson was driving. The marked unit had damage to the driver's side mirror. There were puddles of liquid below the engine.

There were multiple spent shell casings spread throughout the northbound lanes of Del Paso Blvd. at the intersection with Land Ave. There were also multiple blue markers spread throughout the intersection which approximated the different locations the officers and deputy were at when they fired at Lee.

Sergeant Start pointed out a dark grey Dodge Caravan minivan that was parked along the north curb line of Del Paso Blvd. near [REDACTED] Del Paso Blvd. Sergeant Start indicated that the Dodge Caravan was the vehicle Detective Sample was sitting in to get a point surveillance position on [REDACTED] Del Paso Blvd.

Sergeant Start pointed out an area in the front yard area of [REDACTED] Del Paso Blvd. adjacent to the west sidewalk of Del Paso Blvd. and just in front of the Dodge Caravan. Sergeant Start indicated this was the area where Lee collapsed and was taken into custody.

Sacramento PD's Crime Scene Investigation (CSI) Unit was beginning to process the scene. CI Curtin and I cleared the scene and responded to Sacramento PD headquarters to monitor the officer interviews.

Statement - SPD Officer William Goggin #758

On 02/10/17, at 1959 hours, Officer William Goggin was interviewed by SPD Homicide Detective Trimpey in an interview room at SPD Headquarters, 5770 Freeport Blvd. #100, Sacramento. Goggin was represented by legal counsel, private attorney [REDACTED] with the Mastagni & Holstedt Law Firm. Goggin stated the following in summary:

I have been a sworn police officer with the Sacramento Police Department for 11 years. I have been assigned to the PRCS (Post Release Community Supervision) team for 3 years. Today I was wearing a black t-shirt, khaki pants and a raid vest that has the word "Police" on the front and back in yellow lettering. Today we received information on the location of wanted suspect, Armani Lee. My team had actively been looking for Lee because he was a parolee-at-large and he was wanted for a recent shooting. The shooting he was wanted for occurred last Saturday. Lee had got in a fight and fired shots into an apartment. My team and I had arrested Lee in the past, so I would recognize him if I saw him (Det. Trimpey showed Goggin a photo of Lee, and Goggin positively identified the subject in the photo as Lee). At about 1300 hours today, I went into the field and met my partner, SSD Deputy Walther. We met at the Marconi Light Rail Station and paired up in the same car, a gold Ford Explorer. I was driving and Walther was in the backseat. The info we had received was that Lee was at [REDACTED] Del Paso Blvd. He had used the address in the past, and it was known to be his uncle's house. Our goal was to conduct

surveillance to locate and apprehend Lee. Walther and I were not part of the surveillance. We were parked in a business parking lot east of the house, off of Land Ave. SPD gang detectives were doing surveillance on the house. Detective Sample could observe the front of the residence and could call out people coming and going. After waiting about 30 minutes, Detective Sample broadcast on the radio the description of Lee's uncle and Lee's friend exiting the house, going to the garage, and then returning inside the house. About 15 minutes later, Detective Sample broadcast on the radio that Lee had walked downstairs from the house alone and walked towards Del Paso Blvd. Detective Sample said Lee was wearing a black hooded sweatshirt with his hood up. My assignment was to contact Lee after he left. I drove in that direction westbound on Land Ave. towards Del Paso Blvd. Lee was southbound on Del Paso Blvd. I turned southbound on Del Paso Blvd. in the northbound lanes to contact Lee. I pulled at an angle to the curbside in front of Lee as he walked southbound. I was within two feet of Lee and he looked right at me. I recognized him from our previous contact. I believed Lee recognized me as the police. He immediately turned and ran northbound. I got out of my vehicle. As Lee fled, I saw him reach into his waistband and pull out a black handgun with his right hand. I yelled, "Gun!" Lee pointed the gun at the squad car (Sergeant Dobson's) and fired two rounds at it as he ran. I fired shots at Lee after he fired at the squad car. Lee ran in a north, northwest direction across Del Paso Blvd. His arm was extended with the gun in his hand pointed parallel to Del Paso Blvd. toward unmarked units that were responding southbound on Del Paso Blvd. Lee was shooting toward those units coming down Del Paso Blvd. as he continued to run. I continued to fire at Lee as he shot towards those units. I fired at Lee because I believed he was trying to kill one of my partners. I was in a stationary position about 15 – 20 yards from Lee when I shot. I could see Sergeant Van Dusen parallel to my left about 10 – 15 yards away also firing. I stopped shooting at Lee when he reached the sidewalk on the other side of the street. I think I shot about 5 times. Lee collapsed on the ground. Other units arrived and detained Lee. Lee said he was hurt and I could see he had blood on his lower back. I didn't see where the handgun was at that point. I transitioned to a perimeter spot on the house Lee came from and remained there until relieved.

End of statement.

During the interview, Det. Trimpey showed Goggin a Google map with an overview of the intersection of Del Paso Blvd. and Land Ave. and went over areas where the incident occurred.

Statement - SPD Sgt. Joshua Dobson #3001

On 02/10/17, at 2116 hours, Sergeant Joshua Dobson was interviewed by SPD Homicide Detective Alonso in an interview room at SPD Headquarters, 5770 Freeport Blvd. #100, Sacramento. Dobson was represented by legal counsel, private attorney [REDACTED] with the Mastagni & Holstedt Law Firm. Dobson stated the following in summary:

I have been a sworn police officer with the Sacramento Police Department for 19 years. I have been assigned as the K-9 sergeant for 3 years with my dog, Ace. Today I was wearing a standard police uniform and was driving a marked SPD utility vehicle. Lee was wanted for a prior shooting and he was a parolee-at-large. I had sat on surveillance the day before (Thursday) when the PRCS (Post Release Community Supervision) team was looking for Lee. I had read the IB regarding the shooting and had viewed a photo of Lee. They ran out of leads that night, and PRCS Sgt. Van Dusen said they were going to meet and brief today to look for Lee again. Today, Sgt. Van Dusen got ahold of me and told me to skip the briefing and go straight to the

area of [REDACTED] Del Paso Blvd. where Lee was supposed to be. The plan was to take him down if he left on foot or follow him if he left in a car. We were going to do a surround and call out if he did not leave the house. At about 1310 or 1315 hours, I staged on Land Ave. Unmarked units were in the area on point. About 40-45 minutes later, Lee's uncle was spotted at the house. We were planning to do the surround and call out at 1430 hours if Lee did not exit. At about 1400 hours, surveillance units saw Lee exit the house on to Land Ave. and walk towards Del Paso Blvd. Sergeant Van Dusen advised us to roll in and arrest him. I pulled out on to Land Ave. and drove towards Del Paso Blvd. I saw unmarked units in front of me, an Explorer and Sergeant Van Dusen's white Ford truck. They moved towards the corner Del Paso Blvd. and were making the corner. I heard someone broadcast that Lee was putting his hood up. As I got to the intersection, I rolled down my dog's window because I was thinking I was going to get my dog out. I saw the suspect cross in front of my path. I saw him holding a gun and he pointed it at me. I ducked down in my car in the front seat, and could hear shots. I could hear my car getting hit by the impact of multiple rounds. It felt like he fired 6 shots at me. There was a pause in the shots, so I decided I needed to get out of my car and move to a different location because my car was a target. I could see him still pointing the gun at me. I returned fire from the front quarter panel of my car. I was about 15 – 20 yards from him. My dog had jumped out, but I did not send him after the suspect. I saw the suspect running down Del Paso Blvd. with the gun still in his hand. I don't know if he was still shooting at me or shooting down the street. I feared that I was going to get shot, and he was an armed guy running down the street, so I continued to return fire. I think I shot about 8 times. He went down at the curb line. There were other resources there, so I went to get my dog back in the car. I saw that there was fluid leaking out of my car. I then turned my attention back to the house for a surround and call out.

End of statement.

During the interview, Det. Alonso showed Dobson a Google map with an overview of the intersection of Del Paso Blvd. and Land Ave. and went over areas where the incident occurred.

Criminal Investigator Tom Curtin

Sacramento Police Department Sergeant Randy Van Dusen #3077 - Post Release Community Supervision (PRCS) team Sergeant- eighteen years of experience with prior assignments in Patrol, POP and K-9. Sgt. Van Dusen is also a department range master and EVOG instructor. No prior law enforcement or military service.

2/10/16 approx. 1959 hours: I am the PRCS team supervisor. The PRCS team is a multi-agency task force which monitors AB 109 parolees and probationers. There are three Sacramento Police Department Officers, two Sacramento Sheriff's Deputies and an Investigator from the Department of Human Assistance assigned to the team. Our usual PRCS uniform is raid gear with a black mesh vest that has Police marked on the front and back, black T-shirt and full duty belt. I was dressed in that uniform today. I carry a department issued Sig .40 P226 duty weapon.

Today at the North Sacramento Police sub-station, I held a briefing for a surveillance game plan for a wanted Suspect by the name of Armani Lee. Lee is on PRCS parole. Lee is also wanted for PC 245, shooting from February 4, 2017. I know Lee from his parole status, previous contacts and previous arrests. I am familiar with Lee's arrest history for robberies and home invasion. I have also seen Lee's posts on social media of Lee posing with handguns. At the

briefing, I disseminated a current booking photo of Lee from the county Known Persons Finder (KPF) system. Due to the familiarity between the PRCS team and Lee, Lee knows the PRCS team by sight and their vehicles as well. SPD gang detectives and NGET officers were brought in to assist. There were about twenty officers involved in the surveillance, due to Lee's history, reports that he was armed and familiarity with officers.

Since the arrest bulletin for Lee's PC 245 want has been disseminated, PRCS team members had been monitoring Lee's cell phones, social media, previous points of contact and associates. On the morning of 2/10/2017, information from a confidential informant (CI) had been received placing Lee inside a house located at [REDACTED] Del Paso Blvd. The CI stated Lee was with two other males and Lee was armed with a handgun. The information supplied by the CI coincided with the fact that the PRCS team was familiar with [REDACTED] Del Paso Blvd as belonging to Lee's Uncle and had done a parole search at that address for Lee in December of 2016. Additionally, a cell phone associated with Lee was pinging in that area.

I planned to get the area of [REDACTED] Del Paso Blvd surrounded with officers so that Lee could be arrested if he exited the residence. I wanted Lee arrested quickly to prevent the dangerous contingencies of Lee getting into a car and starting a pursuit, or Lee breaking into neighboring residences and taking hostages. The plan was to get a secure perimeter and wait. If Lee didn't exit by 1430 hours, I was planning to call into the residence and call Lee out.

Prior to 1430 hours, Lee exited the residence. Gang Detective Sample was on point, with eyes on the residence. Detective Sample broadcasted that Lee exited the residence and was walking on the sidewalk, wearing a dark hoodie. I called K-9 Sgt. Dobson and had him approach in his vehicle from Land Ave. PRCS officer Goggin and deputy Walther approached Lee in their Gold Ford Explorer. I was following in my White Ford P/U. Goggin and Walther stopped just in front of Lee. Lee was on the sidewalk and the Gold Explorer was in the street. I was next to the Explorer. Lee knew our vehicles and recognized us. I recognized Lee.

Lee began running in a S/W direction, back towards Land Ave and [REDACTED] Del Paso Blvd. I could see Lee reaching into his waist band with both hands. I saw Lee pull a black handgun out of his waistband. I immediately started yelling, "Gun, gun drop it." I didn't hear anything else.

I saw K-9 Sgt. Dobson pulling up on Land Ave. Lee started firing at Sgt. Dobson, he fired a lot of rounds. I could see the muzzle flash coming out of Lee's gun. I knew that there were officers to the East and Sgt. Dobson was behind Lee, so I could not fire at Lee when Lee was shooting at Sgt. Dobson.

Lee then began to run N/B across Del Paso Blvd. While Lee was running, he looked back and fired at me, Goggin and Walther and Lee also fired at Sgt. Dobson. I was standing in the middle of Del Paso Blvd when I got a shot at Lee, as Lee ran. I fired about ten rounds at Lee. I was thinking I needed to stop Lee from continuing to fire at me and other officers. I was also worried that Lee was going to hurt a civilian or take a hostage.

Lee went down in the front yard grass of a house on the North side of Del Paso Blvd. I saw the black handgun, with the slide locked back next to Lee. I stepped on the gun and had my officers handcuff Lee. I immediately called on the radio for medical aid for Lee. Lee was talking and yelling that he had been shot. The fire department was on scene very fast.

After medical aid arrived for Lee, I began to refocus on [REDACTED] Del Paso Blvd, which had not been cleared.

END STATEMENT

Sacramento Sheriff's Deputy James Walther # 61 – PRCS Regional Task Force – eleven years of experience with a prior assignment the North Patrol Division. No prior law enforcement experience or military background.

2/10/2017 approx. 1851 hours: I was called in today on my day off at 1230 hours, to assist on a surveillance for a wanted PRCS suspect named Armani Lee. I attended a briefing, during which it was discussed that Lee was wanted for assault with a deadly weapon case from Saturday 2-4-2017. In the assault with a deadly weapon case, Lee was armed with a .40 caliber pistol, shot at two people and into an apartment door. My PRCS team had actively been looking for Lee since the arrest bulletin from the 2-4-2017 shooting was released.

I was familiar with Lee from the PRCS team previously arresting him in December of 2016, monitoring Lee's Facebook posts/photos and Lee's booking photos in the County's Known Persons Finder program. I knew that Lee had a history of drug and gun arrests and was also Strawberry Manor Blood, gang member.

At the briefing, I was told that a Confidential Informant (CI) had reported that Lee was currently at [REDACTED] Del Paso Blvd, with his uncle. The CI stated that Lee was armed with a handgun. The CI also stated that Lee had his hair in red twisties.

I was teamed with SPD Officer Goggin, who is also on the PRCS Task Force. Officer Goggin and I were in an unmarked Gold Ford Explorer. I was wearing my usual PRCS uniform, which is raid gear with a black mesh vest that has Police marked on the front and back, black T-shirt and khaki pants. I was carrying my department issued 9mm Glock handgun.

We were told that a gang detective had eyes on the [REDACTED] Del Paso Blvd house, and would alert the responding officers if Lee left the residence. Officer Goggin and I set up in a business area North East of the target residence on Del Paso Blvd. Officer Goggin was driving and I was in the rear passenger's side seat.

The gang detective broadcasted over the radio that Lee had exited the house and was walking W/B on Del Paso Blvd towards Marysville Blvd. Officer Goggin and I responded and pulled in front of Lee's west bound progress, in the E/B lane. I immediately recognized Lee, who was walking on the sidewalk. As soon as we pulled up, Lee's eyes got big and he bolted in a S/W direction. Nothing was said to Lee prior to him running.

Officer Goggin exited the driver's door. As he got out of the car, I heard him yell gun. I was initially stuck in the back seat of the Explorer. When the Explorer was put in park the automatic door locks, locked the back seat doors. It took me three or four seconds to manually unlock the door and get out of the Explorer. While I was trying to get out of the Explorer, I heard a continuous volley of gunfire. I heard eight to nine gun shots and couldn't tell who was firing. During this time, Sgt. Van Dusen's car hit our Explorer.

When I got out of the Explorer and looked in the direction that Lee had fled, I could see Lee standing in the middle of the street firing a handgun at a marked police car. I could see the smoke coming out of Lee's gun. That is when I fired three or four shots at Lee. I was thinking, "Holy shit he's shooting at my partners." My intention was to stop him from shooting at my partners. I was firing at Lee's back from a distance of about fifteen yards for the first shot and about twenty yards when Lee went down. Lee was running W/B on Del Paso Blvd and continuing to fire his gun. I knew Officer Buno was coming towards Lee from that direction and Lee would be shooting at Buno and possibly at the gang detective. I stopped firing when Lee went down. I secured Lee's gun and helped handcuff Lee, at the time Sgt. Van Dusen was requesting medical aid for Lee. I could see blood coming from Lee's rear end. Lee was talking and said something like, I've been shot in the face, get me an ambulance.

END STATEMENT