



MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY

DATE: September 11, 2015

TO: Supervising Deputy District Attorney T. Think

FROM: Criminal Investigators S. Waterman #54 and J. Thorgrimson #17

SUBJECT: Officer Involved Shooting (SSD 232203)

Criminal Investigator J. Thorgrimson

On 09/10/2015 @ approximately 1656 Hours, I was notified by Assistant Chief Deputy District Attorney Rod Norgaard of a request from the Sacramento Sheriff's Department for Investigators to respond to an Officer Involved Shooting. I was advised to contact Michelle Hendricks for the Command Post location. I contacted Hendricks, who advised that an Officer Involved shooting (OIS) had occurred at [REDACTED] Negrara Way, Rancho Cordova. Hendricks advised that the CAD event number was 15-232203. Additionally, she informed me that no officers were injured in the shooting, and that the victim of the shooting was in stable condition and en route to the U.C. Davis Medical Center. Hendricks later advised that the location of the Command Post was 10497 Coloma Rd, Rancho Cordova, and she requested that our Investigators respond to that location.

At 1704 Hours, I emailed Criminal Investigator Scott Waterman, Lt. Dale Joe, Chief Criminal Investigator Jeff Schiele, and Supervising Deputy District Attorney Tan Think and advised of the request for a call-out to [REDACTED] Negrara Way for an Officer Involved Shooting. C.I. Waterman was advised of the briefing location.

At 1755 Hours, I arrived at 10497 Coloma Rd. The briefing began at approximately 1820 Hours. C.I. Waterman was not present at this briefing, but was briefed separately. (See below).

SSD BRIEFING

Sacramento Sheriff's Department Lieutenant Brendon Hom began the briefing, which he indicated involved officers from both the Sheriff's Department and the Rancho Cordova Police Department. The briefing was attended by both Detectives conducting the investigations, as well as members of the Sacramento Sheriff's Department and Rancho Cordova Police Department who had been deployed to the North end of the scene on Negrara Way. Lt. Hom indicated that a subject identified as Ben Ledford admitted to firing off rounds, and that this subject had been transported to the [REDACTED] center due to a complaint of chest pain. Lt. Hom indicated that [REDACTED] had not been shot. Additionally, Hom stated that 2 officers on the scene had fired rounds at an additional suspect, and that this suspect sustained a gunshot wound to his leg. Hom

advised that the scene was still active and currently unavailable for further investigation due to a gas leak that was believed to be intentionally caused. Hom said that officers were attempting to check for explosives.

The initial responding Officers, Deputy G. Petree #681 and Deputy Deaux #1369, reported responding to a 245 in progress, and that upon their arrival north of [REDACTED] Negrara Way they heard what they believed were rounds from a rifle. Deputy Petrie estimated he heard between 20 – 30 rounds, that they were coming from the West side of Negrara Way, and that he could see debris from the rounds hitting a residence on the east side of Negrara Way.

Deputy Deaux reported he heard sounds of the suspect reloading, and then there was a 2nd round of gunfire.

Deputy Petree advised that a subject did come out of a residence on the West side of Negrara Way, and that the subject was carrying a rifle. The subject dropped the rifle on the ground, but he then had difficulty in following directions of the officers. Per Deputy Petree, the subject was claiming to be injured. The deputies advised that it was unknown if the subject was shot or injured in some other way, or if the injuries were self-inflicted or caused by another subject.

Sgt. Scott Wall #239 related that he was positioned on the north end of Negrara Way during the event, which he described as “chaotic”. He indicated that he observed a male subject exit a residence with a rifle in his hand. The subject threw the rifle down and stated that he was the shooter. Sgt. Wall said that a short time later there was a 2nd volley of shots, and that these shots sounded like they were fired from a garage on the West side of Negrara.

It was related that the suspect, identified as [REDACTED], was detained and briefly interviewed. The information provided was that Ledford was upset with a neighbor and that he was shooting at her residence.

Officers who spoke at the debrief indicated that there were no shots fired from the north end of Negrara Way. None of the officers positioned south of [REDACTED] Negrara spoke at the briefing.

Criminal Investigator S. Waterman:

At approximately 5:03PM, I was notified by Criminal Investigator J.Thorgrimson, that Sacramento Sheriff's Department (SSD) investigators had requested a District Attorney Investigator call-out for an officer involved shooting (OIS) that occurred in the 2400 block of Negrara Way, Rancho Cordova. At approximately 5:27PM, I was advised by CI Thorgrimson to meet at the Command Post (CP), St John Vianney Catholic Church, located at 10497 Coloma Rd, Rancho Cordova. The briefing was in the main gymnasium.

BRIEFING

At approximately 6:45PM, I arrived at the CP and was met by SSD Lt Brendon Hom and received a private briefing from him which follows in summary: The initial dispatch reported a man with a gun and shots fired from [REDACTED] Negrara Way. Officers responded to the scene and contacted

Mr. [REDACTED] Officers reported Mr. [REDACTED] admitted to firing a weapon at the house across the street ([REDACTED] Negrara Way). Officers arrested Mr. [REDACTED] who then complained of chest pains and was taken to UCD Medical Center for treatment. Mr. [REDACTED] was cleared for release and taken 4510 Orange Grove Ave to be interviewed.

SSD Sgt Randall Winn and Deputy Gabriel Maggini responded to the scene and took positions south of [REDACTED] Negrara Way where a possible second suspect, Daniel Sanchez, was located. Both officers were armed with long rifles. Mr. D. Sanchez received a GSW wound to his leg and retreated into [REDACTED] Negrara Way, where his father [REDACTED] was located. The SSD Crisis Intervention Team was able to talk Mr. D. Sanchez out of the residence. Mr. D. Sanchez was taken for medical treatment. Mr. [REDACTED] was not injured.

WALKTHROUGH

After the briefing CI Thorgrimson and I participated in a walk through of the 2400 block of Negrara Way from [REDACTED] Negrara Way to [REDACTED] Negrara Way. It is a residential street lined with single story, ranch style houses. The front doors and garages face the street. I noticed numerous, what appeared to be bullet holes, in the front of [REDACTED] Negrara Way. I also observed a Chevrolet Silverado pick-up truck located in the driveway of [REDACTED] Negrara Way. This is where Sgt Winn and Deputy Maggini were observing Mr. D. Sanchez and fired at him as they believed he was armed and posed a danger to themselves and others at the scene.

Also at the scene I observed the front of [REDACTED] Negrara Way where Mr. [REDACTED] was arrested and a weapon was recovered.

CONTINUATION OF INVESTIGATOR THORGRIMSON'S OBSERVATIONS:

SSD SERGEANT RANDY WINN - INTERVIEW:

On 09/10/2015 at approximately 2117 Hrs., Criminal Investigator S. Waterman and I observed the interview of Sgt. Randy Winn #145. The interview took place at 4510 Orange Grove Avenue and was observed by us via a remote monitoring room. The interview was conducted by SSD Det. Rob Peters #701 and SSD Det. Chris Baker #324. Present in the interview room was Attorney [REDACTED]

Sgt. Winn indicated that he is 47 years of age, and has been employed by the Sacramento County Sheriff's Department since June 10, 1988. Sgt. Winn said that his current assignment is in the Air Operations center.

Sgt. Winn advised that at 1420 Hours he was at the Mather hanger when he heard a 245 shooting in progress call. The information indicated that the shooter was firing an AK-47. Sgt. Winn said that he responded, and that during his response he could hear shots during the broadcasts by officers on scene, and that these officers verified that the weapon was high caliber.

Sgt. Winn advised he arrived on Negrara Way and that he met up with three other officers. Sgt. Winn indicated that his position was south of the suspect location. Sgt. Winn said that at this

point in time, no shots were being fired. Sgt. Winn stated that he and the other officers, including Officer Gabriel Maggini, believed the suspect house was [REDACTED] Negrara Way. Sgt. Winn indicated that officers located at the north end of Negrara radioed that a suspect was coming out of the N/W corner between [REDACTED] and [REDACTED] Negrara. Sgt. Winn said that this subject was in his view for a brief moment before being blocked by a truck. Winn stated that he could hear the north officers giving commands to the subject, but that the suspect was yelling that he could not walk. Sgt. Winn indicated that he believed that this subject might have been shot during the previous gunfire.

Sgt. Winn related that he and the other south perimeter officers moved north to a location of cover closer to the suspect house, and at that time he observed an older subject inside the believed suspect residence. Deputy Maggini then related that there was a subject in the garage of this residence, and that this subject was walking toward the driveway. Sgt. Winn observed that the subject in the garage was crouched down and was in a low-crawl position. Sgt. Winn saw the subject take a kneeling position, and that the subject appeared to have his hand clasped together, with an unknown object in his hands. Sgt. Winn stated that he broadcast on the radio this information, and asked the helicopter unit, "Star", to attempt to determine the object in the subject's hands. Sgt. Winn related that he observed the subject in the garage peek around the corner and punch his hands outward, as if aiming a firearm. Sgt. Winn said that based on the deliberate movement of the subject, he fear that the subject had a gun and that the safety of the subject on the lawn and of the officers at the north end of the scene was jeopardized. Sgt. Winn also indicated that he heard Deputy Maggini stated, "It's a gun, it's a gun".

Sgt. Winn stated that he fired in rapid succession, and that he heard shots being fired from his left side, which he said was the position of Deputy Maggini. Sgt. Winn related that he did not identify himself to the subject prior to firing his weapon due to the fear of giving away his position. Sgt. Winn estimated he fired 6 – 8 rounds.

RANCHO CORDOVA POLICE DEPARTMENT DEPUTY GABRIEL MAGGINI - INTERVIEW:

On 09/10/2015 at approximately 2225 Hours, I observed the interview of Deputy Gabriel Maggini #183. The interview took place at 4510 Orange Grove Avenue, within the same room that Sgt. Winn had been interviewed. I viewed the interview from the video monitoring room. C.I. Waterman was not present during this interview. The interview was conducted by SSD Det. Rob Peters #701 and SSD Det. Chris Baker #324. Present in the interview room was Attorney [REDACTED]

Deputy Maggini advised that he is 40 years of age and that he has been a Deputy since 09/18/2005. Maggini said that his current assignment is with the Crime Suppression Unit.

Deputy Maggini related that he was the passenger in a marked unit, and was partnered with Deputy Stafford when a 245 shooting in progress call was broadcast over the air. Deputy Maggini said that Deputy Petrie arrived on scene and was broadcasting updates. Deputy Maggini said that he and Deputy Stafford arrived from the north end of Negrara Way, and upon their arrived Maggini heard a volley of 3 – 4 shots being fired. Deputy Maggini exited his vehicle and as he

was taking cover he heard approximately 12 – 15 rounds being fired. Maggini indicated that he believed these rifles rounds.

Deputy Maggini said that Sgt. Winn and Deputy Sutter arrived. After briefing Sgt. Winn, Sgt. Winn directed Maggini and the other Deputies to a position of cover. Deputy Maggini advised that from this position he observed officers north of the suspect house giving commands to a subject who appeared to be coming out of a residence. During this time, Maggini and the other officers moved further north, taking cover behind a pick-up truck. Maggini said that while the north officers were giving the suspect commands, the suspect fell down and said he couldn't move because he was hurt.

Maggini related that he had his rifled pointed toward an open garage, in which he saw a subject low crawling out of the garage with a large black object that appeared to be a gun in his hands. Maggini said that the subject appeared to roll over onto his shoulder, and that he was pointing the object in the direction of Deputy Petrie and Deputy Deaux. Maggini said that the helicopter observer was asked to view the subject in the garage. Maggini stated that he heard the helicopter deputy say that he had a visual on the subject, and that it was a verified firearm in his hand. Maggini stated that he then discharged his weapon.

Maggini said that the distance between himself and the suspect was approximately 50 yards, and that he fired due to the fear that the subject in the garage was going to ambush the deputies.