



Sacramento County District Attorney's Office

THIEN HO
District Attorney

DATE: August 16, 2024

TO: Sheriff Jim Cooper
Sacramento County Sheriff's Office
4500 Orange Grove Avenue
Sacramento, CA 95841

FROM: Sacramento County District Attorney's Office

SUBJECT: Officer-Involved Shooting Case No. SSO 22-289250

Shooting Officer: Deputy Andrew Seidel #1170

Person Shot: Jaime Bautista Naranjo (DOB 06/22/1967)

The District Attorney's Office, as an independent agency, has completed its investigation and review of the above-referenced officer-involved shooting. We only address whether there is sufficient evidence to support the filing of a criminal action in connection with the shooting of Jaime Naranjo. For the reasons set forth, we conclude that the shooting was lawful.

The District Attorney's Office received and reviewed written reports and other documentary items. These items include Sacramento County Sheriff's Office report 22-289250, video and audio recordings, dispatch calls, witness interviews, photographs, diagrams, evidence logs, Sacramento County District Attorney's Office Laboratory of Forensic Services reports, and Sacramento County Coroner's Final Report of Investigation.

FACTUAL SUMMARY

At approximately 8:39 a.m. on September 28, 2022, Jamie Naranjo's wife called 9-1-1 indicating Naranjo made suicidal statements and had a machete in his hand. Naranjo was inside their residence on Enrico Boulevard in Sacramento. His wife stated Naranjo was paranoid and had not been sleeping.

Sacramento Sheriff's Office Deputy Andrew Seidel heard the dispatch call and responded to the scene. The dispatcher indicated Naranjo had a machete and threatened to harm himself. The dispatcher also stated that deputies previously conducted a welfare check at the same residence because Naranjo was hallucinating and thinking his wife was poisoning him.¹ Deputy Seidel

¹ On September 11, 2022, Naranjo's employer requested a welfare check on Naranjo at his residence. The caller reported Naranjo had mental health issues and lost an unhealthy amount of weight. Deputies spoke to Naranjo, who claimed his wife was poisoning him by blowing smoke in his face while he napped. He believed his entire family was

arrived at Naranjo's residence at 8:44 a.m. He was driving a marked patrol vehicle and dressed in full uniform, with visible badges and department patches on his sleeve.

Deputy Seidel observed Naranjo's wife in the front yard. He entered through the gate and saw Naranjo at the front door of the residence holding a machete in his right hand. Deputy Seidel ordered Naranjo to drop the machete five times, but Naranjo stated, "No" and did not comply. Instead, he approached his wife and Deputy Seidel. Naranjo's wife was standing between Deputy Seidel and Naranjo. As Naranjo approached, he made an up-and-down slashing motion with the machete and covered his face with his left forearm while walking forward. His wife screamed and fell to the ground. As Naranjo got within striking distance of his wife, Deputy Seidel yelled, "Don't do it," and fired multiple rounds at Naranjo, striking him. Deputy Seidel handcuffed Naranjo and began lifesaving measures. Deputy Seidel cut Naranjo's clothing and recognized Naranjo had a gaping chest wound. Deputy Seidel began applying a chest seal when other officers arrived to continue life-saving measures.

Naranjo was transported to UC Davis Medical Center. He was pronounced deceased at approximately 9:13 a.m.

A round count and examination of casings recovered at the scene indicate that Deputy Seidel fired five rounds during the incident.

A Sheriff's deputy interviewed Naranjo's wife. She stated before she called law enforcement, Naranjo was sleep deprived and experiencing paranoia. She stated that earlier in the morning, Naranjo had the machete and told her that he wanted to harm himself. His wife attempted to take the machete from Naranjo, and a brief struggle ensued. When his wife told Naranjo that she was going to contact law enforcement, Naranjo replied, "Go ahead. I'm going to come out with the machete in my hand and they can kill me because I am done."

Deputy Seidel's body-worn camera video was reviewed. The video depicts the events as described above.

An autopsy was conducted by Dr. Jason Tovar, Chief Forensic Pathologist with the Sacramento County Coroner's Office.² Dr. Tovar concluded the cause of death to be multiple gunshot wounds. One gunshot had entered Naranjo's chest, and other gunshots entered along Naranjo's back.

A sample of Naranjo's femoral blood was tested by the Sacramento County District Attorney's Office Laboratory of Forensic Services. The laboratory determined that neither alcohol nor drugs were detected.

LEGAL ANALYSIS

An officer who has reasonable cause to believe a person has committed a public offense or is a danger to others may use reasonable force to affect arrest or detention, to prevent escape, or to

against him. At that time, Naranjo's wife stated that Naranjo's mental health was declining, and he was prescribed Trazadone by his doctor to help sleep.

² The coroner's report states that Mr. Naranjo's last name is Bautista, when in fact that is his middle name.

overcome resistance. (*Tennessee v. Garner* (1985) 471 U.S. 1, 11; *Graham v. Connor* (1989) 490 U.S. 386, 396; *Kortum v. Alkire* (1977) 69 Cal.App.3d 325; California Penal Code section 835a(b); CALCRIM 2670.) The person being detained or arrested may be subjected to such restraint as is reasonably necessary for his arrest and detention and has a concomitant duty to permit himself to be detained. (*People v. Allen* (1980) 109 Cal.App.3d 981, 985; CALCRIM 2670, 2671, 2672.) Officers do not need to retreat or desist their efforts if the person they are arresting or detaining resists or threatens resistance; nor shall the officer be deemed an aggressor or lose the right to self-defense by use of reasonable force. (California Penal Code section 835a(d).)

In the present matter, dispatch reported that Naranjo had a machete and was threatening to harm himself. After entering the front yard and within 10 seconds, Deputy Seidel was confronted by Naranjo who appeared from the house swinging a machete while covering his face as he quickly approached his wife and Deputy Seidel. At that point, Deputy Seidel was justified in attempting to detain Naranjo and Naranjo had a duty to permit himself to be detained. Naranjo ignored multiple commands to drop the machete and continued to walk towards his wife and Deputy Seidel, while swinging the machete.

A peace officer may use deadly force under circumstances where it is reasonably necessary for self-defense or defense of another. California law permits the use of deadly force if the officer actually and reasonably believed he or someone else was in imminent danger of death or great bodily injury. (CALCRIM 505, 507, 3470; California Penal Code section 835a(c)(1)(A).) An officer who uses deadly force must actually believe that force is necessary. The appearance of danger is all that is necessary; actual danger is not. (*People v. Toledo* (1948) 85 Cal.App.2d 577; *People v. Jackson* (1965) 233 Cal.App.2d 639.) Thus, the officer may employ all force reasonably believed necessary. (CALCRIM 3470.) The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with 20/20 hindsight. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly evolving – about the amount of force that is necessary in a particular situation. (California Penal Code section 835a(a)(4); *Graham v. Connor* (1989) 490 U.S. 386.)

Here, Deputy Seidel was confronted with Naranjo holding a machete in his right hand while walking directly at him and Naranjo's wife. Significantly, Naranjo was covering his own line of sight with his forearm while swinging the machete, which displayed a disregard for the life and wellbeing of his wife and Deputy Seidel. Additionally, Naranjo ignored the continuous commands of Deputy Seidel to drop the machete. Deputy Seidel told Naranjo to drop the machete five times, and when Naranjo came within a foot of his wife, Deputy Seidel yelled, "Don't do it" before firing his service weapon. Deputy Seidel reasonably believed that Naranjo intended to use the machete to immediately inflict death or seriously bodily injury on him or Naranjo's wife.

CONCLUSION

Naranjo presented an immediate danger of death or serious bodily injury to his wife and Deputy Seidel. Naranjo quickly approached both individuals while swinging a machete, covering his own vision, and ignoring the commands of Deputy Seidel to put down the weapon and not swing it. Naranjo came within a foot of his wife before Deputy Seidel fired his service weapon. His actions

caused Deputy Seidel to reasonably believe their lives were in immediate danger, necessitating an immediate and lethal response.

Accordingly, we will take no further action in this matter.

cc: Deputy Andrew Seidel, Sacramento County Sheriff's Office
Detective Alexander Zakrzewski, Sacramento County Sheriff's Office
Kevin Gardner, Office of the Inspector General
Rosa A. Vega, Sacramento County Coroner's Office