



MEMORANDUM

SACRAMENTO COUNTY DISTRICT ATTORNEY'S OFFICE

ANNE MARIE SCHUBERT
DISTRICT ATTORNEY

DATE: July 7th, 2022

TO: Supervising Deputy District Attorney C. Gonzalez

FROM: Criminal Investigators S. MacLafferty #17 and C. Vang #36

SUBJECT: Sacramento PD Officer Involved Shooting (SPD 22-183665)

NOTIFICATION:

On 07-02-2022, at approximately 0208 hours, CI Vang and CI MacLafferty were notified of a Sacramento Police Department officer involved shooting that occurred at [REDACTED] in the City/County of Sacramento. CI Vang and MacLafferty responded to that location arriving at approximately 0300 hours.

BRIEFING:

On 07-02-22, at approximately 0317 hours a briefing was conducted by SPD Lieutenant McCauley (Watch Commander) and Sergeant Coughran (Field Supervisor). They advised SPD Communications received a call regarding a man threatening to kill his wife and the wife was barricaded in the bathroom. A second related call to SPD by the daughter of the wife said that the husband now was armed with a knife. Patrol units were dispatched at 0016 hours and Officer Wagstaff #922 (K9-2) arrived at 0023 hours. Additional Officers arrived shortly thereafter. They were Officer Hurtado #280 (1C46), Officer Khang #272 (1AL69), Officer Russell #483 (1AL45), and Officer Ralieg (1AL13.) Sgt. Coughran (1SM4) arrived just prior to the shooting.

Upon arrival, Officer Wagstaff saw the subject at the open front door holding a knife. Two civilian witnesses (daughter and her husband) were onscene out in the street. Officer Wagstaff engaged the suspect in de-escalation communication for approximately (10) minutes. The suspect threw objects at the officers in the front yard during the de-escalation attempt. At some point, the suspect re-enters the house and goes to the bathroom where the wife was barricaded. Officers formed a contact team including less lethal options (Tazer and bean bag shotgun). They entered the house where the suspect and victim were and shots were fired by Officer Wagstaff. Officer Khang also fired one bean bag shotgun round and Officer Ralieg deployed a CED tazer cartridge. Immediate medical aid was rendered by the officers and he was transported to the hospital where Dr. London pronounced him as deceased at 0109 hours. Officer Wagstaff was able to get the elderly female out of the bathroom and to safety. The suspect was identified as Michael

Moore 06/29/47 (72 years old). The wife (victim) was identified as [REDACTED]. Information from the victim and family members indicated tht Mr. Moore was suffering from hallucinations and threatened to kill [REDACTED] because she had killed his friends. Additional information from family members was that Mr. Moore was suffering from dementia and had been voluntarily committed to the hospital on 06/27/22 after he broke out the slider of the residence.

WALKTHROUGH:

07/02/2022 at approximately 0055 hours, we participated in a scene walkthrough, which was conducted by SPD investigations personnel. We were lead inside the residence of [REDACTED] and to the hallway bathroom where the shooting took place. There was blood and medical waste in the immediate area as well as shell casings, shotgun shell, CED wires, and a knife. In the front yard, a broken beer bottle was seen on the walkway as well as an intact empty wine bottle. All associated patrol vehicles were left in place.

SCENE:

[REDACTED] is a single story residence in a residential neighborhood off of Fruitridge Road in the Land Park neighborhood within the City of Sacramento. There was a walkway leading to the front door and a grassy area out front. The area appeared to be well lit with street lights and exterior lighting from houses. The shooting took place in a small hallway bathroom just north of the front door.

ROUND COUNT:

A round count was reported to have been conducted of Officer Alexander Wagstaff's person at the Sacramento Police Department the night of the incident. The round count was conducted by Homicide Sergeant Joseph Ellis and documented by CSI. The count revealed there was one round chambered and (17) rounds rounds remaining in Officer Wagstaff's Glock 17 gun magazine, which has a capacity of 22 rounds, deficit of (5) rounds. (Four rounds fired). Two reserve magazines were found at full capacity with 17 rounds. Round counts with Officer Raleigh, Russell, Khang, and Hurtado were conducted and all were fully loaded.

IN-CAR CAMERA/BODY CAMERAS:

Sacramento Police Department Patrol vehicles are equipped with an Axon In-car camera system.

BODY-WORN CAMERAS:

On 07/05/2022, at approximately 0800 Hours, CI Vang and I reviewed body-worn camera (BWC) recordings from several of the involved Officers at the Sacramento Police Department. It should be noted that the audio portion of the recordings start after approximately 30 seconds. The primary BWC is from Officer Wagstaff which begins with him arriving and interacting with the suspect on 07/02/22 at 0023 hours.

Officer Wagstaff engages the suspect in verbal de-escalation techniques for approximately ten minutes. He introduces himself to the suspect, asks him to put down the knife several times and tells him he is not there to hurt him. The suspect is dressed in boxer shorts and a coat and remains in the threshold of the open front door most of the time. During this interaction the suspect throws a couple of glass bottles toward the officers. He can also be heard saying things like, "come in here and get it over with", and "she lied to me". (muted due to wind). Officer Wagstaff also has a brief conversation with the victim's daughter (██████████) who tells him that her mom is locked in the bathroom.

At 00:34:03, the suspect is holding the knife and pointing it at the officers in a threatening manner.

The suspect then enters the residence for a brief time and re-appears at the front door with two knives, one in each hand, and begins to bang them together.

At 00:35:06 the suspect goes back in and disappears down the hallway toward the bathroom. A female is screaming in the background.

Sgt. Coughran had arrived and Officer Wagstaff quickly briefs him and asks him what his plan is.

The Officers form a contact team and enter the front door of the residence. They turn right down the hallway. Officer Ralieggh is first with a shield and CED and ended up on the left side as facing the open bathroom door. Officer Wagstaff was in the middle with a handgun. Officer Khang was third in the stack and had the less lethal shotgun. Officer Hurtado trailed the contact team.

At 00:35:15 (frame by frame mode) the suspect is almost standing next to the female victim with a knife in hand pointed next to her chest area. The victim has her hand wrapped around the suspect's hand.

Four shots are fired by Officer Wagstaff. The suspect goes down on the floor and Officer Wagstaff removes the female from the bathroom and takes her outside. He grabs his med kit and runs back inside.

Additional BWC from Officer Khang shows him discharging one bean bag round from his less lethal shotgun.

BWC from Officer Ralieggh shows him holding shield and discharging one CED cartridge toward the suspect.

All hand gun rounds, bean bag round, and CED deployment were fairly contemporaneous in time sequence.

ADDITIONAL VIDEO AND PHOTOS:

I (CI MacLafferty) later viewed a still photographs of a black handle knife with approximate six inch blade located in the bathroom and a large butcher style black handled knife located in the hallway.

OFFICER WAGSTAFF #922 STATEMENT: Sworn Officer for seven years, assigned to K-9 unit.

On 07-05-2022, at approximately 1016 hours, I (CI MacLafferty) observed and monitored the interview of Officer Wagstaff via remote feed. This interview took place at the Sacramento Police Department, Hall of Justice. This interview was conducted by SPD Homicide Detective Scot Krutz. Also present in the interview was Officer Wagstaff's legal representative, [REDACTED]. This interview was audio recorded. Officer Wagstaff said the following in summary:

Officer Wagstaff has seven years of sworn experience with the Sacramento Police Department. He is currently to assigned to patrol, working as a K-9 handler.

On the night of the incident, Officer Wagstaff was wearing his full SPD patrol uniform, driving his marked SPD patrol vehicle, with his K-9 partner; he was armed with his department-approved, 9mm Glock handgun. He was dispatched to [REDACTED] for a weapons call with a man threatening a woman. As he was enroute, updates on the call came in that the man was armed with a knife and the daughter of the woman was afraid that the father was going to kill her mom (wife of suspect), and there was a gun in the house. Upon arrival, he saw a male (Moore) standing in the entry way to the front door holding a kitchen knife. He told (Moore) to put the knife down and introduced himself. He tried to de-escalate and talk to (Moore) who was agitated. (Moore) was talking back at him and told him to back up, which he did. Other officers began to arrive and as the senior officer onscene he began to give them direction regarding placement, less-lethal options and established a line of demarcation. Officer Wagstaff said at one point (Moore) threw glass bottles at their direction and said something like, "let's get this over with". He was able to debrief the daughter ([REDACTED]) who was on the phone with the mom in the bathroom. He asked ([REDACTED]) if her mom was able to barricade the bathroom door and the answer was no.

(Moore) went back inside and made yelling sounds. He reappeared at the front door with two knives clanking them together.

Sgt. Coughran arrived and he asked him what his plan was.

(Moore) walked out of view and toward the bathroom. He heard a loud shrieking sound of the female and thought that the female was getting stabbed.

The officers formed a contact team with a shield in front. As they got to the bathroom door he saw (Moore) standing next to the victim and he saw the suspect stabbing the victim. He fired his handgun at (Moore) who fell to the ground. Officer Wagstaff grabbed the victim and took her out front to safety. He grabbed his med kit and went back inside but medical aid was being

rendered by other officers. Officer Wagstaff said that if he did not act he believed (Moore) would have killed the victim and he shot (Moore) to try and save the female victim's life.

OFFICER KHANG #272 STATEMENT: Sworn Officer for 1.5 years, assigned to patrol.

On 07-05-2022, at approximately 1244 hours, I (CI MacLafferty) observed and monitored the interview of Officer Khang via remote feed. This interview took place at the Sacramento Police Department, Hall of Justice. This interview was conducted by SPD Homicide Detective Brendan Schulte. Also present in the interview was Officer Khang's legal representative, [REDACTED]. This interview was audio recorded. Officer Khang said the following in summary:

Officer Khang has approximately 1.5 years of sworn experience with the Sacramento Police Department. He is assigned to patrol.

Officer Khang was dispatched to a 5150 WI call at [REDACTED] in Sacramento. He was in full uniform and driving a marked SPD patrol vehicle. He was aware that the original call had been pending for about an hour and was upgraded with updates. The information he knew was that the caller was locked in the bathroom and the husband was threatening to kill her. An update from the daughter was that the subject was now armed with a knife and there was a mention that there was a gun in the house. He responded to the scene with Officer Hurtado and Officer Wagstaff. While enroute, he noticed from a computer check that the subject had been voluntarily committed to hospital from a prior call for service to the location.

Upon arrival, he saw the subject (Michael Moore) standing in the doorway with a black handled knife in his hand. Officer Wagstaff was talking to him and asking him to drop the knife. Officer Wagstaff asked Officer Khang to get a less lethal shotgun which he did. Officer Hurtado arrived. Officer Wagstaff continued to talk with the suspect from the front yard. At one point, (Moore) threw a glass bottle at the officers that broke on the sidewalk. He said the victim's daughter told them that her mom was in the bathroom next to the front door.

(Moore) went inside the house and out of view. He then came back to the front door with a knife in his right hand and another object in his left hand. He began banging the two silver metallic objects (knives) together.

(Moore) then went back inside toward the bathroom and Officer Khang heard a loud scream from the female. Sgt. Coughran arrived onscene and they formed a contact team with less lethal force options. The officers went inside the house with Officer Wagstaff on the left with the shield, Officer Hurtado in the middle, and he was on the right with the less lethal bean bag shotgun.

He heard more screaming and saw (Moore's) right arm raised up and he was struggling with someone in the bathroom. He heard the sound of a tazer and the (Moore) turned toward the officers with an angry face. Officer Khang said that he fired one round from bean bag shotgun from approx. 4-5 feet away. He heard gunshots and saw (Moore) fall back and a knife drop to the floor. Officer Wagstaff grabbed the female and took her outside. He handcuffed the suspect and officers rendered medical aid. He started CPR and kicked the knife behind them.

Officer Khang thought the female was getting harmed when he heard her scream and he was in fear when the suspect turned toward the officers.

SERGEANT CHAD COUGHRAN #3136 STATEMENT: Sworn Officer for 17 years, assigned as a patrol supervisor.

On 07-05-2022, at approximately 1403 hours, I (CI MacLafferty) observed and monitored the interview of Sergeant Coughran via remote feed. This interview took place at the Sacramento Police Department, Hall of Justice. This interview was conducted by SPD Homicide Detective Patrick Klutz. Also present in the interview was Sergeant Coughran's legal representative, [REDACTED]. This interview was audio recorded and Sergeant Coughran said the following in summary:

Sergeant Coughran has approximately fifteen years of sworn experience with the Sacramento Police Department and two years with the Sacramento County Sheriff's Department. He is assigned as the field supervisor for District 4 in the City of Sacramento.

He was on duty in full uniform and driving a marked SPD patrol vehicle. Prior to this incident, he was managing additional priority service calls which included a foot pursuit and a shooting. He heard the call at [REDACTED] update with a person armed with a knife and someone in the house with him. Sergeant Coughran started to head to the call and the Watch Commander, Lieutenant McCauley, called him and told him to make sure the officers had a plan and attempt to de-escalate. He made a radio broadcast to form a plan and de-escalate.

Upon arrival, he saw Officer Wagstaff in the front yard. Officer Khang was armed with a less lethal shotgun to his left and a third officer to Wagstaff's right. He asked the officer's if everyone was out of the house and they responded, "no". (Moore) was standing in the doorway holding a knife in each hand and was banging them together, like he was sharpening them.

Officer Wagstaff asked him what his plan was if he (Moore) went back inside the house. He formed the contact team to include less lethal options. The officers were attempting to talk to (Moore) and was responding by asking "why do you have all these people here". Sergeant Coughran asked for an officer to get a shield.

(Moore) disappeared toward the bathroom and he heard a woman scream. He told the officers to get in the house and they went. There was limited room in the hallway and Sergeant Coughran stayed outside. He heard four gunsots. He requested a fire/medic unit. He saw (Moore) handcuffed and the officers rendering first aid. He checked the rest of house to make sure there were not any additional threats.

OFFICER RALEIGH #779 STATEMENT: Sworn Officer for seven years, assigned to patrol.

On 07/05/2022, at approximately 1002 hours, I (CI Vang) monitored the interview of Officer Raleigh via remote feed. This interview, audio/video recorded, took place at the Sacramento Police Department, 5770 Freeport Blvd, Ste 200, Sacramento, CA. This interview was conducted

by SPD Detective Masee. Off. Raleigh's SPOA representative, Officer [REDACTED], was also present in the interview room. Off. Raleigh stated the following, summary:

On the night of the incident, Off. Raleigh was wearing his full SPD patrol uniform, driving his marked SPD patrol vehicle. He was handling another call when the call regarding this incident came out. Off. Raleigh heard the request for additional officers; he responded to the scene. Per dispatched information, he was aware that the decedent [Michael MOORE] was armed and had been throwing bottles at officers.

When Off. Raleigh arrived on scene, officers already there were talking to MOORE. He also heard that a victim was still inside the residence. Off. Raleigh saw MOORE in the doorway of the residence with two, large kitchen knives in his hands. He heard the request for a shield so he grabbed a ballistic shield and joined the officers, including K9 Officer Wagstaff, stacked in front of the residence. They were about five to ten yards from the front door.

Off. Raleigh heard the female screaming from inside the residence; he thought the female was getting stabbed. The officers made entry, with Off. Raleigh holding his shield and armed with his taser, out in front. As they got to the bathroom, Off. Raleigh saw MOORE and he deployed his taser at him. Off. Raleigh heard gunshots within a second of his taser deployment; he heard four gunshots and saw MOORE fall to the ground. Off. Raleigh was unsure whether or not his taser probes struck MOORE.

Off. Wagstaff rushed the female out of the bathroom. The officers provided medical aid to MOORE.

OFFICER HURTADO #280 STATEMENT: Sworn Officer for less than one year, assigned to patrol

On 07/05/2022, at approximately 1330 hours, I (CI Vang) observed and monitored the interview of Officer HURTADO via remote feed. This interview, audio/video recorded, took place at the Sacramento Police Department, 5770 Freeport Blvd, Ste 200, Sacramento, CA. This interview was conducted by SPD Detective Roberts. Off. Hurtado's SPOA representative, Officer [REDACTED], was also present in the interview room. Off. Hurtado stated the following, summary:

On the night of the incident, Off. Hurtado was wearing his full SPD patrol uniform, driving his marked SPD patrol vehicle. He was dispatched to this call. Off. Hurtado was aware of a prior 5150 (mental subject) call at this residence involving the decedent [Michael MOORE]. At the scene, he saw the MOORE in the doorway of the residence, with two knives in his hands. Off. Hurtado observed Off. Wagstaff attempt to de-escalate the situation with MOORE, but MOORE was not complying. Off. Hurtado was aware that MOORE's wife was in the residence, in a possible hostage situation.

Off. Hurtado saw MOORE go into the house and then heard a female screaming. The officers made entry into the residence, with Off. Hurtado being third or fourth through the door, into a narrow hallway. He heard three to four gunshots and smelled the gunpowder from those shots.

Off. Hurtado did not deploy any of his weapons. The female was escorted out of the house. Off. Hurtado started CPR on MOORE on the floor of the bathroom.