



**TUSTIN POLICE DEPARTMENT**  
**300 CENTENNIAL WAY**  
**TUSTIN, CA 92780**

**CRIME/INCIDENT REPORT**

TPD #100 (REV 07/10)

2  ACTIVE  
 SUSPENDED  
 RECORDS  
 COURTESY

4 CR#  
**13-6410**

3  FEL.  
 MISD.

5 REFER OTHER REPORTS

<b>CRIME</b>	6 CODE SECTION <b>CPC 69</b>	7 CRIME/INCIDENT TYPE <b>Resisting or Deterring Peace Officer</b>	8 PRIMARY-COUNTS <b>260502</b>	9 SECONDARY-COUNTS <b>040401</b>	10 OTHER-COUNTS <b>260700</b>	11 OTHER-COUNTS <b>421500</b>
	12 SPECIFIC LOCATION OF CRIME <b>15742 Williams Street Tustin, CA. 92780</b>		13 OCCURRED ON OR BETWEEN	14 DATE <b>11/07/2013</b>	15 DAY <b>Thursday</b>	16 TIME <b>1900</b>
	17 FIRM NAME (at location) <b>Estrellas Apartments</b>		18 DATE RPT'D <b>11/07/13</b>	19 TIME RPT'D <b>1900</b>	20 AND	21 DATE <b>11/07/2013</b>

421500

<b>VICTIM</b>	24 NAME (LAST, FIRST, MIDDLE) <b>Gonzalez, Gustavo</b>	25 OCCUPATION <b>Peace Officer</b>	26 D.O.B. <b>34 yrs. old</b>	27 SEX <input type="checkbox"/> M <input type="checkbox"/> F	28 RACE <input type="checkbox"/> 1 WHT <input type="checkbox"/> 2 HISP <input type="checkbox"/> 3 BLK <input type="checkbox"/> 4 IND <input type="checkbox"/> 5 CHI <input type="checkbox"/> 6 JAPN <input type="checkbox"/> 7 FIL <input type="checkbox"/> 8 PISL <input type="checkbox"/> 9 VIET <input type="checkbox"/> 10 OTH
	29 RESIDENCE ADDRESS <b>300 Centennial Way</b>	30 CITY <b>Tustin</b>	STATE <b>CA</b>	ZIP CODE <b>92780</b>	31 RES. PHONE <b>(714) 573-3200</b>
	33 BUSINESS NAME & ADDRESS <b>300 Centennial Way</b>	34 CITY <b>Tustin</b>	STATE <b>CA</b>	ZIP CODE <b>92780</b>	35 BUS. PHONE <b>(714) 573-3200</b>
	37 E-MAIL <b>ggonzalez@tustinca.org</b>	36 CELL PHONE <b>(714) 573-3200</b>			

<b>VICTIM(S) / WITNESS / RP / SUBJECTS</b>	38 CODE	39 NAME (LAST, FIRST, MIDDLE)	40 OCCUPATION	41 D.O.B.	42 SEX <input type="checkbox"/> M <input type="checkbox"/> F	43 RACE <input type="checkbox"/> 1 WHT <input type="checkbox"/> 2 HISP <input type="checkbox"/> 3 BLK <input type="checkbox"/> 4 IND <input type="checkbox"/> 5 CHI <input type="checkbox"/> 6 JAPN <input type="checkbox"/> 7 FIL <input type="checkbox"/> 8 PISL <input type="checkbox"/> 9 VIET <input type="checkbox"/> 10 OTH	
	45 RESIDENCE ADDRESS		46 CITY	STATE	ZIP CODE	47 RES. PHONE	48 HT.
	49 BUSINESS NAME & ADDRESS		50 CITY	STATE	ZIP CODE	51 BUS. PHONE	52 WT.
	53 E-MAIL						54 CELL PHONE
	55 CODE	56 NAME (LAST, FIRST, MIDDLE)	57 OCCUPATION	58 D.O.B.	59 SEX <input type="checkbox"/> M <input type="checkbox"/> F	60 RACE <input type="checkbox"/> 1 WHT <input type="checkbox"/> 2 HISP <input type="checkbox"/> 3 BLK <input type="checkbox"/> 4 IND <input type="checkbox"/> 5 CHI <input type="checkbox"/> 6 JAPN <input type="checkbox"/> 7 FIL <input type="checkbox"/> 8 PISL <input type="checkbox"/> 9 VIET <input type="checkbox"/> 10 OTH	
	61 RESIDENCE ADDRESS		62 CITY	STATE	ZIP CODE	63 RES. PHONE	64 HT.
	65 BUSINESS NAME & ADDRESS		66 CITY	STATE	ZIP CODE	67 BUS. PHONE	68 WT.
	69 E-MAIL						70 CELL PHONE
	71 CODE	72 NAME (LAST, FIRST, MIDDLE)	73 OCCUPATION	74 D.O.B.	75 SEX <input type="checkbox"/> M <input type="checkbox"/> F	76 RACE <input type="checkbox"/> 1 WHT <input type="checkbox"/> 2 HISP <input type="checkbox"/> 3 BLK <input type="checkbox"/> 4 IND <input type="checkbox"/> 5 CHI <input type="checkbox"/> 6 JAPN <input type="checkbox"/> 7 FIL <input type="checkbox"/> 8 PISL <input type="checkbox"/> 9 VIET <input type="checkbox"/> 10 OTH	
	77 RESIDENCE ADDRESS		78 CITY	STATE	ZIP CODE	79 RES. PHONE	80 HT.
	81 BUSINESS NAME & ADDRESS		82 CITY	STATE	ZIP CODE	83 BUS. PHONE	84 WT.
	85 E-MAIL						86 CELL PHONE

<b>VIC VEH</b>	87 LICENSE #	88 STATE	89 YEAR	90 MAKE	91 MODEL	92 BODY STYLE <input type="checkbox"/> UNK <input type="checkbox"/> 2-DR <input type="checkbox"/> 3-DR <input type="checkbox"/> 4-DR <input type="checkbox"/> P/U <input type="checkbox"/> VAN <input type="checkbox"/> RV <input type="checkbox"/> OTHER
	93 COLOR/COLOR		94 OTHER CHARACTERISTICS			95 DISPOSITION OF VEHICLE

<b>MAVS</b>	MAVS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	BOOK MARKED AS EVIDENCE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	RETENTION PERIOD <input type="checkbox"/> 5 YEARS <input type="checkbox"/> PERMANENT
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<b>FACTORS</b>	96 <input type="checkbox"/> 1 THERE IS A WITNESS TO THE CRIME <input checked="" type="checkbox"/> 2 A SUSPECT WAS ARRESTED <input checked="" type="checkbox"/> 3 A SUSPECT WAS NAMED <input checked="" type="checkbox"/> 4 A SUSPECT CAN BE LOCATED <input checked="" type="checkbox"/> 5 A SUSPECT CAN BE DESCRIBED <input checked="" type="checkbox"/> 6 A SUSPECT CAN BE IDENTIFIED <input checked="" type="checkbox"/> 7 A SUSPECT VEHICLE CAN BE IDENTIFIED <input type="checkbox"/> 8 THERE IS IDENTIFIABLE STOLEN PROPERTY <input type="checkbox"/> 9 THERE IS A SIGNIFICANT M.O. <input type="checkbox"/> 10 SIGNIFICANT PHYSICAL EVIDENCE IS PRESENT <input type="checkbox"/> 11 THERE IS A MAJOR INJURY/SEX CRIME INVOLVED <input type="checkbox"/> 12 THERE IS A GOOD POSSIBILITY OF A SOLUTION <input type="checkbox"/> 13 FURTHER INVESTIGATION NEEDED <input checked="" type="checkbox"/> 14 CRIME IS GANG RELATED <input type="checkbox"/> 15 HATE CRIME RELATED <input type="checkbox"/> 16 REPRODUCTIVE HEALTH CRIME	<b>EVIDENCE</b>	97 <input type="checkbox"/> 1 FINGERPRINTS <input type="checkbox"/> 2 TOOLS <input type="checkbox"/> 3 TOOL MARKINGS <input type="checkbox"/> 4 GLASS <input type="checkbox"/> 5 PAINT <input type="checkbox"/> 6 BULLET CASING <input type="checkbox"/> 7 BULLET <input type="checkbox"/> 8 RAPE KIT <input type="checkbox"/> 9 SEMEN <input type="checkbox"/> 10 BLOOD <input type="checkbox"/> 11 URINE <input type="checkbox"/> 12 HAIR <input type="checkbox"/> 13 FIREARMS <input checked="" type="checkbox"/> 14 PHOTOGRAPHS <input type="checkbox"/> 15 OTHER (DESCRIBE)	<b>DOMESTIC VIOLENCE</b>	99 1. ORDER SERVED AT SCENE BY: P# _____ 2. ENTRY MADE BY: P# _____ 3. NAME OF PERSON SERVED: N/A 4. RESPONDENT SIGNATURE: _____
	100 CSI PERFORMED BY: NAME & P# <b>PSO J. Garzone #1193</b> NOTES: <b>Took Photographs</b>				

101 SUPERVISOR AT SCENE (RANK, NAME & ID NO.) <b>Sgt. Taylor #1062</b>	102 MARBY'S LAW NOTIFICATION <input type="checkbox"/> YES	103 UNIT NUMBER <b>819</b>
104 REPORTING OFFICER / ID NO. <b>R. Del Merari #1227</b>	105 DATE <b>11/07/2013</b>	107 DATE <b>11/10/13</b>

*JT1062*

PREMISES 7	POINT OF ENTRY 8	PROPERTY/ATTACKED 11	TRADEMARKS	
<b>BUSINESS</b> <span style="float:right">Q03</span> <input type="checkbox"/> 1 BANK/SAV LOAN FINANCE/CREDIT UN <input type="checkbox"/> 2 BAR <input type="checkbox"/> 3 CLEANERS/LAUNDRY <input type="checkbox"/> 4 CONSTRUCTION SITE <input type="checkbox"/> 5 THEATER <input type="checkbox"/> 6 FAST FOODS <input type="checkbox"/> 7 GAS STATION <input type="checkbox"/> 8 HOTEL/MOTEL <input type="checkbox"/> 9 DEPT./DISCOUNT STORE <input type="checkbox"/> 10 GUN/SPORT GOODS <input type="checkbox"/> 11 JEWELRY STORE <input type="checkbox"/> 12 LIQUOR STORE <input type="checkbox"/> 13 PHOTO STAND <input type="checkbox"/> 14 CONVENIENCE STORE <input type="checkbox"/> 15 RESTAURANT <input type="checkbox"/> 16 SUPERMARKET <input type="checkbox"/> 17 TV/RADIO <input type="checkbox"/> 18 AUTO PARTS <input type="checkbox"/> 19 BICYCLE SALES <input type="checkbox"/> 20 CAR/MOTORCYCLE SALES <input type="checkbox"/> 21 CLOTHING STORE <input type="checkbox"/> 22 HARDWARE <input type="checkbox"/> 23 MEDICAL <input type="checkbox"/> 24 OFFICE BUILDING <input type="checkbox"/> 25 SHOE STORE <input type="checkbox"/> 26 WAREHOUSE <input checked="" type="checkbox"/> 27 OTHER <small>N/A</small> <hr/> <b>RESIDENCE</b> <input checked="" type="checkbox"/> 28 APARTMENT <span style="float:right">Q03</span> <input type="checkbox"/> 29 CONDOMINIUM <input type="checkbox"/> 30 DUPLEX/FOURPLEX <input type="checkbox"/> 31 GARAGE ATTACHED <input type="checkbox"/> 32 GARAGE DETACHED <input type="checkbox"/> 33 HOUSE <input type="checkbox"/> 34 MOBILE HOME <input type="checkbox"/> 35 OTHER <hr/> <b>PUBLIC</b> <input type="checkbox"/> 36 CHURCH <span style="float:right">Q03</span> <input type="checkbox"/> 37 HOSPITAL <input type="checkbox"/> 38 PARK/PLAYGROUND <input type="checkbox"/> 39 PARKING LOT <input type="checkbox"/> 40 PUBLIC BUILDING <input type="checkbox"/> 41 SCHOOL <input type="checkbox"/> 42 SHOPPING MALL <input type="checkbox"/> 43 STREET/HWY/ALLEY <input checked="" type="checkbox"/> 44 OTHER <small>N/A</small> <hr/> <b>VEHICLE</b> <input type="checkbox"/> 45 CAMPER <span style="float:right">Q03</span> <input type="checkbox"/> 46 MOTOR HOME <input type="checkbox"/> 47 PASSENGER CAR <input type="checkbox"/> 48 PICK-UP <input type="checkbox"/> 49 TRAILER <input type="checkbox"/> 50 TRUCK <input type="checkbox"/> 51 VAN <input checked="" type="checkbox"/> 52 OTHER <small>N/A</small>	<span style="float:right">Q04</span> <input type="checkbox"/> 1 FRONT <input type="checkbox"/> 2 REAR <input type="checkbox"/> 3 SIDE <input type="checkbox"/> 4 DOOR <input type="checkbox"/> 5 WINDOW <input type="checkbox"/> 6 SLIDING GLASS DOOR <input type="checkbox"/> 7 BASEMENT <input type="checkbox"/> 8 ROOF <input type="checkbox"/> 9 FLOOR <input type="checkbox"/> 10 WALL <input type="checkbox"/> 11 DUCT/VENT <input type="checkbox"/> 12 GARAGE <input type="checkbox"/> 13 ADJ. BUILDING <input type="checkbox"/> 14 GROUND LEVEL <input type="checkbox"/> 15 UPPER LEVEL <input type="checkbox"/> 16 UNKNOWN <input checked="" type="checkbox"/> 17 OTHER <small>N/A</small> <hr/> <b>METHOD OF ENTRY</b> <span style="float:right">Q05</span> <input type="checkbox"/> 1 NO FORCE USED <input type="checkbox"/> 2 WINDOW SMASHED <input type="checkbox"/> 3 ATTEMPT ONLY <input type="checkbox"/> 4 BODILY FORCE <input type="checkbox"/> 5 BOLT CUT / PLIERS <input type="checkbox"/> 6 CHANNEL LOCK/PIPE WRENCH/VICE GRIPS <input type="checkbox"/> 7 SAW/DRILL/BURN <input type="checkbox"/> 8 SCREWDRIVER <input type="checkbox"/> 9 TIRE IRON <input type="checkbox"/> 10 UNK PRY BAR <input type="checkbox"/> 11 COAT HANGER WIRE <input type="checkbox"/> 12 KEY SLIP SHIM <input type="checkbox"/> 13 PUNCH <input type="checkbox"/> 14 REMOVE LOUVERS <input type="checkbox"/> 15 BRICK/ROCK <input type="checkbox"/> 16 HID IN BUILDING <input type="checkbox"/> 17 WALKED IN <input type="checkbox"/> 18 UNKNOWN <input checked="" type="checkbox"/> 19 OTHER <hr/> <b>VEHICLE ENTRY</b> <span style="float:right">Q06</span> <input type="checkbox"/> 1 DOOR/LOCK FORCED <input type="checkbox"/> 2 TRUNK FORCED <input type="checkbox"/> 3 WINDOW BROKEN <input type="checkbox"/> 4 WINDOW FORCED <input type="checkbox"/> 5 WINDOW OPEN <input type="checkbox"/> 6 UNLOCKED <input type="checkbox"/> 7 UNKNOWN <input checked="" type="checkbox"/> 8 OTHER <small>N/A</small>	<span style="float:right">Q07</span> <input type="checkbox"/> 1 CASH NOTES <input type="checkbox"/> 2 CLOTHES/FUR <input type="checkbox"/> 3 CONSUMABLE GOODS <input type="checkbox"/> 4 FIREARMS <input type="checkbox"/> 5 HOUSEHOLD GOODS <input type="checkbox"/> 6 JEWELRY METALS <input type="checkbox"/> 7 LIVESTOCK <input type="checkbox"/> 8 OFFICE EQUIPMENT <input type="checkbox"/> 9 TV/RADIO/CAMERA <input type="checkbox"/> 10 MISCELLANEOUS <input type="checkbox"/> 11 UNKNOWN <input checked="" type="checkbox"/> 12 OTHER <small>N/A</small> <hr/> <b>SEX CRIMES ONLY</b> <span style="float:right">Q08</span> <input type="checkbox"/> 1 SUSPECT CLIMAXED <input type="checkbox"/> 2 UNKNOWN IF CLIMAXED <input type="checkbox"/> 3 VICTIM BOUND/TIED <input type="checkbox"/> 4 VICTIM INJURED <input type="checkbox"/> 5 COVERED VICTIM FACE <input type="checkbox"/> 6 PHOTOGRAPHED VICTIM <input type="checkbox"/> 7 VIC ORALLY COPULATED SUSP <input type="checkbox"/> 8 SUSP ORALLY COPULATED VIC <input type="checkbox"/> 9 RAPE BY INSTRUMENT (FOREIGN OBJECTS) <input type="checkbox"/> 10 SODOMY <input type="checkbox"/> 11 SUGGESTED VIC COMMIT LEWD PERVERTED ACT <input type="checkbox"/> 12 INSERTED FINGER INTO VAGINA <input type="checkbox"/> 13 FORCED VIC TO FONDLE SUSP <input type="checkbox"/> 14 SUSP FONDLED VICTIM <input type="checkbox"/> 15 MASTURBATED SELF <input checked="" type="checkbox"/> 16 OTHER <small>N/A</small> <hr/> <b>BURGLARY ONLY</b> <span style="float:right">Q09</span> IS MEMBER OF NEIGH WATCH? <span style="float:right">Q09</span> 01 <input type="checkbox"/> YES    02 <input type="checkbox"/> NO IS MEMBER OF OPERATION IDENT? 03 <input type="checkbox"/> YES    04 <input type="checkbox"/> NO INTERESTED IN NEIGH WATCH? 05 <input type="checkbox"/> YES    06 <input type="checkbox"/> NO HAD HOME BUSINESS INSPECTION? 07 <input type="checkbox"/> YES    08 <input type="checkbox"/> NO WHEN? _____ <hr/> <b>PHYSICAL CONDITION</b> <span style="float:right">Q13</span> <input type="checkbox"/> 1 UNDER INFL. ALCOHOL/ DRUGS <input type="checkbox"/> 2 SICK/INJURED <input type="checkbox"/> 3 SENIOR CITIZEN <input type="checkbox"/> 4 BLIND <input type="checkbox"/> 5 HANDICAPPED <input type="checkbox"/> 6 DEAF <input type="checkbox"/> 7 MUTE <input type="checkbox"/> 8 MENTALLY/EMOTIONALLY IMPAIRED <input checked="" type="checkbox"/> 9 OTHER <small>N/A</small>	<b>SUSPECT(S) ACTIONS</b> <span style="float:right">Q10</span> <input type="checkbox"/> 1 DEMANDED MONEY <input checked="" type="checkbox"/> 2 INFLECTED INJURIES <input type="checkbox"/> 3 SELECTIVE IN LOOT <input checked="" type="checkbox"/> 4 STRUCK VICTIM <input type="checkbox"/> 5 ALARM DISABLED <input type="checkbox"/> 6 ARSON <input type="checkbox"/> 7 ATE/DRANK ON PREMISES <input type="checkbox"/> 8 BLINDFOLDED VICTIM BOUND/GAGGED <input type="checkbox"/> 9 CAT BURGLAR <input type="checkbox"/> 10 DEFECCATED/URINATED <input type="checkbox"/> 11 DISROBED VICTIM FULLY <input type="checkbox"/> 12 DISROBED VICTIM PARTIALLY <input type="checkbox"/> 13 FIRED WEAPON <input type="checkbox"/> 14 FORCED VIC TO MOVE <input type="checkbox"/> 15 FORCED VIC INTO VEHICLE <input type="checkbox"/> 16 HAD BEEN DRINKING <input type="checkbox"/> 17 INDICATION MULTI SUSPECTS <input type="checkbox"/> 18 KNEW LOC. OF HIDDEN ITEMS <input checked="" type="checkbox"/> 19 MADE THREATS <input type="checkbox"/> 20 PLACED PROPERTY IN SACK/POCKET <input type="checkbox"/> 21 PREPARED EXIT <input type="checkbox"/> 22 RANSACKED <input type="checkbox"/> 23 RIPPED/CUT CLOTHING <input type="checkbox"/> 24 SHUT OFF POWER <input type="checkbox"/> 25 SMOKED ON PREMISES <input type="checkbox"/> 26 SEARCHED VICTIM <input type="checkbox"/> 27 SUSPECT ARMED <input type="checkbox"/> 28 THREATENED RETALIATION <input type="checkbox"/> 29 TOOK ONLY CONSUMABLES <input type="checkbox"/> 30 TOOK VICTIM/S VEHICLE <input type="checkbox"/> 31 TORTURED <input type="checkbox"/> 32 UNDER INFLUENCE DRUGS <input type="checkbox"/> 33 USED DEMAND NOTE <input type="checkbox"/> 34 USED LOOKOUT <input type="checkbox"/> 35 USED DRIVER <input type="checkbox"/> 36 USED MATCH/CANDLE <input type="checkbox"/> 37 USED VICTIM'S NAME <input type="checkbox"/> 38 USED VICTIM'S SUITCASE/PILLOWCASE <input type="checkbox"/> 39 USED VICTIM'S TOOLS <input type="checkbox"/> 40 VEH NEEDED TO REMOVE PROPERTY <input type="checkbox"/> 41 CUT/DISCONNECTED PHONE <input type="checkbox"/> 42 CASED LOCATION BEFORE CRIME <input type="checkbox"/> 43 FOLLOWED/STALKED VICTIM <input type="checkbox"/> 44 OTHER <small>N/A</small> <hr/> <b>PHYSICAL SECURITY</b> <span style="float:right">Q12</span> <input type="checkbox"/> 1 AUDIBLE ALARM <input type="checkbox"/> 2 SILENT ALARM <input type="checkbox"/> 3 PRIVATE SECURITY PATROL <input type="checkbox"/> 4 DOG <input type="checkbox"/> 5 STANDARD LOCKS <input type="checkbox"/> 6 AUXILIARY LOCKS (DEADBOLT, WINDOWS, ETC) <input type="checkbox"/> 7 WINDOW BARS/GRILLS <input type="checkbox"/> 8 OUTSIDE LIGHTING ON <input type="checkbox"/> 9 INSIDE LIGHTING ON <input type="checkbox"/> 10 GARAGE DOOR LOCKED <input type="checkbox"/> 11 OBSCURED INTERIOR VIEW (COMMERCIAL/BUSINESS) <input type="checkbox"/> 12 SECURITY SIGNING (N.W. ALARM ETC.) <input type="checkbox"/> 13 UNKNOWN <input checked="" type="checkbox"/> 14 OTHER <small>N/A</small> <hr/> <b>RELATIONSHIP TO SUSPECT</b> <span style="float:right">Q14</span> <input type="checkbox"/> 1 HUSBAND <input type="checkbox"/> 2 WIFE <input type="checkbox"/> 3 MOTHER <input type="checkbox"/> 4 FATHER <input type="checkbox"/> 5 DAUGHTER <input type="checkbox"/> 6 SON <input type="checkbox"/> 7 BROTHER <input type="checkbox"/> 8 SISTER <input type="checkbox"/> 9 OTHER FAMILY <input type="checkbox"/> 10 ACQUAINTANCE <input type="checkbox"/> 11 FRIEND <input type="checkbox"/> 12 BOYFRIEND <input type="checkbox"/> 13 GIRLFRIEND <input type="checkbox"/> 14 NEIGHBOR <input type="checkbox"/> 15 BUSINESS ASSOCIATE <input type="checkbox"/> 16 STRANGER <input type="checkbox"/> 17 UNKNOWN	<b>SUSP. PRET. TO BE</b> <span style="float:right">Q11</span> <input type="checkbox"/> 1 CONDUCTING SURVEY <input type="checkbox"/> 2 CUST./CLIENT <input type="checkbox"/> 3 DELIVERY PERSON <input type="checkbox"/> 4 DISABLED MOTORIST <input type="checkbox"/> 5 DRUNK <input type="checkbox"/> 6 EMPLOYEE/EMPLOYER <input type="checkbox"/> 7 FRIEND/RELATIVE <input type="checkbox"/> 8 ILL/INJURED <input type="checkbox"/> 9 NEED PHONE <input type="checkbox"/> 10 POLICE/LAW <input type="checkbox"/> 11 RENTER <input type="checkbox"/> 12 REPAIRMAN <input type="checkbox"/> 13 SALE OF ILLICIT GOODS <input type="checkbox"/> 14 SALES PERSON <input type="checkbox"/> 15 SEEK ASSISTANCE <input type="checkbox"/> 16 SEEK DIRECTIONS <input type="checkbox"/> 17 SEEKING SOMEONE <input type="checkbox"/> 18 SOLICIT FUNDS <input checked="" type="checkbox"/> 19 OTHER <small>N/A</small> <hr/> <b>MARITAL STATUS</b> <span style="float:right">Q15</span> <input type="checkbox"/> 1 SINGLE <input type="checkbox"/> 2 MARRIED <input type="checkbox"/> 3 DIVORCED <input type="checkbox"/> 4 SEPARATED <input type="checkbox"/> 5 ANNULLED <input type="checkbox"/> 6 COMMON LAW <input type="checkbox"/> 7 WIDOW(ER) <input type="checkbox"/> 8 UNKNOWN <input checked="" type="checkbox"/> 9 OTHER <small>N/A</small>

<input checked="" type="checkbox"/> GANG RELATED <input checked="" type="checkbox"/> ADULT ARREST <input type="checkbox"/> SUSPECT ONLY <input type="checkbox"/> JUVENILE ARREST <input type="checkbox"/> SUPPLEMENT TO ORG RPT		<b>TUSTIN POLICE DEPARTMENT</b> <b>300 CENTENNIAL WAY</b> <b>TUSTIN, CA 92780</b>				2 A <input checked="" type="checkbox"/> ACTIVE S <input type="checkbox"/> SUSPENDED R <input type="checkbox"/> RECORDS K <input type="checkbox"/> COURTESY		4 CR# <b>13-6410</b>						
		3 <input checked="" type="checkbox"/> FEL. <input type="checkbox"/> MISD.		5 REFER OTHER RPT#		6 PAGE <b>3</b>								
<b>CRIME</b>	7 CODE SECTION	8 CRIME / INCIDENT TYPE			9 PRIMARY COUNTS		10 SECONDARY COUNTS		11 OTHER-COUNTS	12 OTHER-COUNTS				
	<b>CPC 69</b>	<b>Resisting or Deterring Peace Officer</b>												
<b>VEHICLE</b>	13 LOCATION OF CRIME/ARREST				14 DATE OF CRIME / ARREST		15 TIME OF CRIME / ARREST							
	<b>15742 Williams Street Tustin, CA. 92780</b>				<b>11/07/2013</b>		<b>1900 / 2118</b>							
<b>SUSPECT / JUVENILE</b>	16 LICENSE #	17 STATE	18 VEHYR	19 MAKE	20 MODEL	21 BODY	0 <input type="checkbox"/> UNK	1 <input type="checkbox"/> 2-DR	2 <input type="checkbox"/> 4-DR	3 <input type="checkbox"/> CONV	4 <input type="checkbox"/> P/U	5 <input type="checkbox"/> TRUCK		
	<b>PED.</b>							6 <input type="checkbox"/> VAN	7 <input type="checkbox"/> 8W	8 <input type="checkbox"/> RV	9 <input type="checkbox"/> M/C	10 <input type="checkbox"/> OTHER		
<b>SUSPECT / JUVENILE</b>	22 COLOR/COLOR	23 OTHER CHARACTERISTICS (i.e. T/O Damage, Unique Marks or Paint, etc.)					24 DISPOSITION OF VEH							
<b>SUSPECT / JUVENILE</b>	25 REGISTERED OWNER													
<b>SUSPECT / JUVENILE</b>	26 NAME (LAST, FIRST, MIDDLE)				27 SEX		DOB		28 RACE		1 <input type="checkbox"/> WHT		2 <input checked="" type="checkbox"/> HISP	3 <input type="checkbox"/> BLK
	<b>DiazLopez, Jose Lucio</b>				<input checked="" type="checkbox"/> M				<input type="checkbox"/> 4 IND		<input type="checkbox"/> 5 CHI	<input type="checkbox"/> 6 JAPN	<input type="checkbox"/> 7 FIL	<input type="checkbox"/> 8 RIBL
<b>SUSPECT / JUVENILE</b>	30 AKA	31 POB		32 HGT	33 WGT	34 BUILD	<input type="checkbox"/> 1 THIN	2 <input checked="" type="checkbox"/> MED	<input type="checkbox"/> 3 UNK	<input type="checkbox"/> 4 HEAVY	<input type="checkbox"/> 5 MUSCLR			
	<b>"Tiny"</b>	<b>Mexico</b>		<b>5'8"</b>	<b>160</b>									
<b>SUSPECT / JUVENILE</b>	35 HAIR	<input type="checkbox"/> 0 UNK	<input checked="" type="checkbox"/> 1 BRO	<input type="checkbox"/> 2 BLK	<input type="checkbox"/> 3 BLN	<input type="checkbox"/> 4 RED	36 EYES	<input type="checkbox"/> 0 UNK	<input checked="" type="checkbox"/> 1 BRO	<input type="checkbox"/> 2 BLK	<input type="checkbox"/> 3 BLU	37 DL #	38 STATE	
												<b>None</b>	<b>-</b>	
<b>SUSPECT / JUVENILE</b>	39 RESIDENCE ADDRESS	40 ZIP CODE	41 RES. PHONE	42 CRI 1 PHONE	43 BUSINESS OR SCHOOL NAME AND ADDRESS	44 ZIP CODE	45 GRADE	46 BUS. PHONE						
					<b>None</b>									
<b>SUSPECT / JUVENILE</b>	47 SSN #	48 OCCUPATION(S)	49 STATUS	1 <input type="checkbox"/> DRIVER	2 <input checked="" type="checkbox"/> 3 PED	2 <input type="checkbox"/> PASS	80 BOOKING #							
	<b>None</b>	<b>None</b>					<b>AR#13-3051</b>							
<b>SUSPECT / JUVENILE</b>	51 CLOTHING	52 GANG AFFILIATION	HOW KNOWN	Tustin Manicks	1 <input checked="" type="checkbox"/> KNOWN	2 <input type="checkbox"/> SUSPECTED								
	<b>Grey Long Sleeve Shirt / Grey Sweatpants / Black Shoes</b>													
<b>SUSPECT / JUVENILE</b>	53 AMOUNT OF HAIR	Q21	56 HAIR STYLE	Q24	57 FACIAL HAIR	Q25	60 COMPLEXION	Q27						
	<input checked="" type="checkbox"/> 01 FULL HEAD OF HAIR <input type="checkbox"/> 02 THINNING <input type="checkbox"/> 03 RECEDING <input type="checkbox"/> 04 BALD <input type="checkbox"/> 05 UNKNOWN <input type="checkbox"/> 06 OTHER		<input checked="" type="checkbox"/> 01 REGULAR <input type="checkbox"/> 02 PART RIGHT <input type="checkbox"/> 03 PART LEFT <input type="checkbox"/> 04 PART CENTER <input type="checkbox"/> 05 STRAIGHT BACK <input type="checkbox"/> 06 COMBED FORWARD <input type="checkbox"/> 07 BUZZ JOB <input type="checkbox"/> 08 FLAT TOP <input type="checkbox"/> 09 STRAIGHT <input type="checkbox"/> 10 CURLY OR PERMED <input type="checkbox"/> 11 WAVY <input type="checkbox"/> 12 AFRO CLOSE <input type="checkbox"/> 13 AFRO FULL (1 INCH) <input type="checkbox"/> 14 PROCESSED (BLK ONLY) <input type="checkbox"/> 15 IN CORN ROWS <input type="checkbox"/> 16 WITH PONY TAIL <input type="checkbox"/> 17 WITH TAIL <input type="checkbox"/> 18 IN BRAIDS <input type="checkbox"/> 19 NEW WAVE <input type="checkbox"/> 20 PUNK <input type="checkbox"/> 21 UNKNOWN <input type="checkbox"/> 22 OTHER <input type="checkbox"/> 23 SHAVED <input type="checkbox"/> 24 FADE <input type="checkbox"/> 25 MULLET		<input type="checkbox"/> 01 CLEAN SHAVEN <input type="checkbox"/> 02 MUSTACHE-THIN <input type="checkbox"/> 03 MUSTACHE-THICK <input type="checkbox"/> 04 UNSHAVEN <input type="checkbox"/> 05 FEW DAYS GROWTH <input type="checkbox"/> 06 SHORT BEARD <input type="checkbox"/> 07 LONG BEARD <input type="checkbox"/> 08 UNKEMPT BEARD <input type="checkbox"/> 09 SIDEBURNS <input type="checkbox"/> 10 FUMANCHU <input type="checkbox"/> 11 GOATEE <input type="checkbox"/> 12 UNKNOWN <input type="checkbox"/> 13 OTHER <input type="checkbox"/> 14 VAN DYKE		<input checked="" type="checkbox"/> 01 LIGHT / FAIR <input type="checkbox"/> 02 MEDIUM <input type="checkbox"/> 03 DARK <input type="checkbox"/> 04 TAN <input type="checkbox"/> 05 SUNBURNED <input type="checkbox"/> 06 FRECKLED <input type="checkbox"/> 07 OLIVE <input type="checkbox"/> 08 RUDDY <input type="checkbox"/> 09 ACNE/POCKED <input type="checkbox"/> 10 WEATHERED <input type="checkbox"/> 11 WRINKLED <input type="checkbox"/> 12 ALBINO <input type="checkbox"/> 13 UNKNOWN <input type="checkbox"/> 14 OTHER							
<b>SUSPECT / JUVENILE</b>	54 HAIR LENGTH	Q22	58 R/L HANDED	Q26	59 MIRANDA ADVISEMENT	Q28	GLASSES	Q28						
	<input type="checkbox"/> 01 VERY SHORT <input type="checkbox"/> 02 SHORT <input checked="" type="checkbox"/> 03 REGULAR <input type="checkbox"/> 04 OVER COLLAR <input type="checkbox"/> 05 OVER SHOULDERS <input type="checkbox"/> 06 LONG <input type="checkbox"/> 07 UNKNOWN <input type="checkbox"/> 08 OTHER		<input type="checkbox"/> 01 RIGHT HANDED <input type="checkbox"/> 02 LEFT HANDED <input checked="" type="checkbox"/> 03 UNKNOWN		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO DATE/TIME: 11/07/13 2142		<input type="checkbox"/> 01 YES BUT NO DESCR. <input type="checkbox"/> 02 PRESCRIPTION <input type="checkbox"/> 03 SUN GLASSES <input type="checkbox"/> 04 PLASTIC FRAME - COLOR <input type="checkbox"/> 05 WIRE FRAME <input type="checkbox"/> 06 CONTACTS <input checked="" type="checkbox"/> 07 NONE <input type="checkbox"/> 08 UNKNOWN <input type="checkbox"/> 09 OTHER							
<b>SUSPECT / JUVENILE</b>	55 HAIR CONDITION	Q23	62 DISPOSITION: ADULT ARRESTEE	<input type="checkbox"/> DETOX	<input type="checkbox"/> RELSD O.R.	<input checked="" type="checkbox"/> BOOKED OCJ	63 <input type="checkbox"/> MISD. ARR / CITE / RELEASE							
	<input type="checkbox"/> 01 CLEAN <input checked="" type="checkbox"/> 02 DIRTY <input type="checkbox"/> 03 GREASY <input type="checkbox"/> 04 MATTED <input type="checkbox"/> 05 ODOR <input type="checkbox"/> 06 OTHER		<input type="checkbox"/> 849b1 <input type="checkbox"/> BOOKED OTHER											
<b>SUSPECT / JUVENILE</b>	64 TRANSPORTED BY:	65 DATE/TIME	66 <input checked="" type="checkbox"/> FINGERPRINTED	67 <input checked="" type="checkbox"/> PHOTOGRAPHED										
	<b>#68</b>	<b>#69</b>												
<b>SUSPECT / JUVENILE</b>	68 REPORTING OFFICER / ID NO.	69 DATE	70 APPROVED BY / ID NO.	71 DATE										
	<b>R. Del Merari #1227</b>	<b>11/07/2013</b>												

72 CR# 13-6410

<p><b>73 SPEECH Q29</b></p> <p><input checked="" type="checkbox"/> 01 NORMAL  <input type="checkbox"/> 02 LISB  <input type="checkbox"/> 03 BLURRED  <input type="checkbox"/> 04 STUTTER  <input type="checkbox"/> 05 DEEP  <input type="checkbox"/> 06 HIGH PITCHED  <input type="checkbox"/> 07 SOFT  <input type="checkbox"/> 08 UNKNOWN OR NOT HEARD  <input type="checkbox"/> 09 OTHER _____</p>	<p><b>75 TEETH Q31</b></p> <p><input type="checkbox"/> 01 BRACES  <input type="checkbox"/> 02 BUCKED  <input type="checkbox"/> 03 CHIPPED  <input type="checkbox"/> 04 MISSING  <input type="checkbox"/> 05 CROOKED  <input type="checkbox"/> 06 GOLD / SILVER CAPPED  <input checked="" type="checkbox"/> 07 STAINED  <input checked="" type="checkbox"/> 08 NORMAL TEETH  <input type="checkbox"/> 09 UNKNOWN  <input type="checkbox"/> 10 OTHER _____</p>	<p><b>77 UNIQUE CLOTHING Q33</b></p> <p><input type="checkbox"/> 01 BEACH CLOTHES  <input type="checkbox"/> 02 TRANSIENT  <input type="checkbox"/> 03 CONSTRUCTION  <input checked="" type="checkbox"/> 04 GANG STYLE  <input type="checkbox"/> 05 PUNK  <input type="checkbox"/> 06 MILITARY  <input type="checkbox"/> 07 OTHER UNIFORM  <input type="checkbox"/> 08 WELL DRESSED  <input type="checkbox"/> 09 NORMAL DAY CLOTHES  <input type="checkbox"/> 10 HAT  <input type="checkbox"/> 11 SKI MASK  <input type="checkbox"/> 12 STOCKING MASK  <input type="checkbox"/> 13 UNKNOWN  <input type="checkbox"/> 14 OTHER _____</p>	<p><b>76 WEAPON TYPE Q34</b></p> <p><input checked="" type="checkbox"/> 01 HANDS  <input type="checkbox"/> 02 FEET  <input type="checkbox"/> 03 CLUB  <input type="checkbox"/> 04 MARTIAL ARTS  <input type="checkbox"/> 05 BASEBALL BAT  <input type="checkbox"/> 06 NUNCHUKU  <input type="checkbox"/> 07 OTHER STRIKING OBJECT  <input type="checkbox"/> 08 KNIFE  <input type="checkbox"/> 09 BOTTLE  <input type="checkbox"/> 10 SIMULATED FIREARM  <input type="checkbox"/> 11 TOY GUN  <input type="checkbox"/> 12 HANDGUN  <input type="checkbox"/> 13 RIFLE / SHOTGUN  <input type="checkbox"/> 14 NONE  <input type="checkbox"/> 15 UNKNOWN  <input type="checkbox"/> 16 OTHER _____</p>
<p><b>74 ACCENT Q30</b></p> <p><input checked="" type="checkbox"/> 01 US NORMAL  <input type="checkbox"/> 02 US SOUTHERN  <input type="checkbox"/> 03 US EAST COAST  <input type="checkbox"/> 04 BLACK SLANG  <input checked="" type="checkbox"/> 05 SPANISH  <input type="checkbox"/> 06 ASIAN  <input type="checkbox"/> 07 EUROPEAN  <input type="checkbox"/> 08 MIDDLE EAST  <input type="checkbox"/> 09 JAMAICAN  <input type="checkbox"/> 10 UNKNOWN OR NOT HEARD  <input type="checkbox"/> 11 OTHER _____</p>	<p><b>76 SCARS, MARKS, OR TATTOOS Q32</b></p> <p><input type="checkbox"/> 01 FACE _____  <input type="checkbox"/> 02 TEETH _____  <input type="checkbox"/> 03 NECK _____  <input checked="" type="checkbox"/> 04 RIGHT ARM "Tuski Marika"  <input type="checkbox"/> 05 LEFT ARM _____  <input type="checkbox"/> 06 RIGHT HAND _____  <input type="checkbox"/> 07 LEFT HAND _____  <input type="checkbox"/> 08 RIGHT LEG _____  <input type="checkbox"/> 09 LEFT LEG _____</p> <p><input type="checkbox"/> 10 RIGHT SHOULDER _____  <input type="checkbox"/> 11 LEFT SHOULDER _____  <input type="checkbox"/> 12 FRONT TORSO _____  <input type="checkbox"/> 13 BACK TORSO _____  <input type="checkbox"/> 14 MISSING FINGERS _____  <input type="checkbox"/> 15 MISSING LIMBS _____  <input type="checkbox"/> 16 UNKNOWN _____  <input type="checkbox"/> 17 OTHER _____</p>		<p><b>79 FIREARM DETAIL Q35</b></p> <p><input type="checkbox"/> 01 BLUE STEEL  <input type="checkbox"/> 02 CHROME / NICKEL  <input type="checkbox"/> 03 REVOLVER  <input type="checkbox"/> 04 AUTOMATIC  <input type="checkbox"/> 05 DERRINGER  <input type="checkbox"/> 06 PUMP  <input type="checkbox"/> 07 BOLT ACTION  <input type="checkbox"/> 08 DOUBLE BARREL  <input type="checkbox"/> 09 OVER-UNDER  <input type="checkbox"/> 10 DISGUISED FIREARM  <input type="checkbox"/> 11 SAWED OFF  <input type="checkbox"/> 12 ALTERED STOCK  <input checked="" type="checkbox"/> 13 NONE  <input type="checkbox"/> 14 UNKNOWN  <input type="checkbox"/> 15 OTHER _____</p>

**- JUVENILES ONLY -**

80 FATHER (LAST, FIRST, MIDDLE)	81 OCCUPATION	82 D.O.B.	83 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	84 DATE	85 TIME
86 RESIDENCE ADDRESS	87 CITY	88 ZIP CODE	89 RES. PHONE ( )	90 CELL PHONE ( )	
91 BUSINESS ADDRESS	92 CITY	93 ZIP CODE	94 BUS. PHONE ( )		
95 MOTHER (LAST, FIRST, MIDDLE)	96 OCCUPATION	97 D.O.B.	98 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	99 DATE	100 TIME
101 RESIDENCE ADDRESS	102 CITY	103 ZIP CODE	104 RES. PHONE ( )	105 CELL PHONE ( )	
106 BUSINESS ADDRESS	107 CITY	108 ZIP CODE	109 BUS. PHONE ( )		
110 STEP FATHER (LAST, FIRST, MIDDLE)	111 OCCUPATION	112 D.O.B.	113 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	114 DATE	115 TIME
116 RESIDENCE ADDRESS	117 CITY	118 ZIP CODE	119 RES. PHONE ( )	120 CELL PHONE ( )	
121 BUSINESS ADDRESS	122 CITY	123 ZIP CODE	124 BUS. PHONE ( )		
125 STEP MOTHER (LAST, FIRST, MIDDLE)	126 OCCUPATION	127 D.O.B.	128 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	129 DATE	130 TIME
131 RESIDENCE ADDRESS	132 CITY	133 ZIP CODE	134 RES. PHONE ( )	135 CELL PHONE ( )	
136 BUSINESS ADDRESS	137 CITY	138 ZIP CODE	139 BUS. PHONE ( )		
140 LEGAL GUARDIAN (LAST, FIRST, MIDDLE)	141 OCCUPATION	142 D.O.B.	143 NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO	144 DATE	145 TIME
146 RESIDENCE ADDRESS	147 CITY	148 ZIP CODE	149 RES. PHONE ( )	150 CELL PHONE ( )	
151 BUSINESS ADDRESS	152 CITY	153 ZIP CODE	154 BUS. PHONE ( )		
155 DISPOSITION: JUVENILE (MUST BE COMPLETED)					
<input type="checkbox"/> RELEASED TO PARENT <input type="checkbox"/> DETAINED JUVENILE HALL-PARENT NOTIFIED <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YOUTH SHELTER HOME <input type="checkbox"/> UNABLE TO LOCATE PARENT <input type="checkbox"/> PARENT REFUSED CUSTODY					
156 FOLLOW UP: (MUST BE COMPLETED)					
<input type="checkbox"/> NO FOLLOW UP REQUIRED <input type="checkbox"/> FOLLOW UP REQUIRED <input type="checkbox"/> DIVERSION <input type="checkbox"/> PETITION <input type="checkbox"/> INFORMAL COUNSEL					
157 REPORTING OFFICER / ID NO. R. Del Merari #1227		158 DATE 11/07/2013		159 APPROVED BY / ID NO.	
				160 DATE	

**Tustin Police Department  
Report Narrative  
CR# 13-6410**

**SYNOPSIS**

Male suspect assaulted Tustin Police Officer causing great bodily injury. Suspect fled the scene and was later located and arrested. He was transported and booked at Orange County Jail for PC 245(c) – Assault with a deadly weapon on a Peace Officer, PC 69 – Resisting or deterring Officer, and PC 148(a)(1) - Resisting or obstructing Public Officer.

**NARRATIVE**

On 11/07/13 at approximately 1900 hours, I was working uniformed patrol in a marked police vehicle (814). I responded Code 3 (full lights and siren) to a call for assistance by Officer Gonzalez #1231. Officer Gonzalez advised over the police radio that he had been assaulted by Jose Diaz (DOB [REDACTED]) and that Diaz was last seen fleeing southbound through Chatham Village Apartments. I arrived on scene and spoke to Officer Gonzalez.

Officer Gonzalez parked in front of the Estrella Apartments, located at 15742 Williams St, Tustin while waiting for me to arrive on scene to conduct a foot patrol of the complex. When he exited his vehicle he saw a male subject standing at the front lobby doors of the complex. He immediately recognized the subject as Jose Diaz (DOB [REDACTED]). Diaz is a known probationer and Officer Gonzalez had knowledge Diaz had two outstanding arrest warrants. Diaz saw Officer Gonzalez and ran into the breezeway of the apartment building. Officer Gonzalez gave chase through the open lobby door and ordered Diaz to stop. He attempted to notify Dispatch of his activity but was unable to transmit over the radio due to unknown reasons.

As Officer Gonzalez entered the hallway he ran into Diaz who appeared to double back in an attempt to surprise Officer Gonzalez or escape out the lobby doors. Officer Gonzalez tried to take him into custody. Diaz began resisting Officer Gonzalez and a fight ensued. Diaz began pushing and hitting Officer Gonzalez with a closed fist in the chest as he tried to escape. Officer Gonzalez punched Diaz in the front torso three times in an effort to deter his escape. He hit him twice in the left ribs and once in the right ribs. He then hit Diaz in the right cheek in an attempt to take him into custody.

Diaz continued to fight by swinging at Officer Gonzalez and began pulling off his jacket. Officer Gonzalez fell to the ground and Diaz ran toward the front lobby door. During this portion of the assault Officer Gonzalez was able to transmit briefly over Green 1, requesting a code 3 follow. Officer Gonzalez caught up to Diaz again and attempted to take him into custody but was unsuccessful. Officer Gonzalez punched Diaz in the right

**Tustin Police Department**  
**Report Narrative**  
**CR# 13-6410**

ribs three more times, but the punches were ineffective. He then punched Diaz in the left ribs twice, but there was still little to no effect on Diaz.

Diaz slipped out of his jacket and t-shirt during this assault on Officer Gonzalez and the two ended up outside the lobby doors. Officer Gonzalez was not gaining control of Diaz and decided to deploy his taser in an effort to take Diaz into custody. He created distance between himself and Diaz, unholstered his taser, and pointed it at Diaz. As Officer Gonzalez deployed his taser, Diaz managed to evade being struck by both prongs.

Diaz ran westbound across Williams St and into the Chatham Village Apartment Complex. Officer Gonzalez gave chase but was unable to catch Diaz. He last saw Diaz running southbound through the complex toward McFadden Ave.

During the foot pursuit Officer Gonzalez attempted to notify Dispatch and other Officers of what was occurring, but his pacset radio was set to Green 2 inadvertently and was most likely switched to Green 2 during the altercation with Diaz. Dispatch notified Officer Gonzalez he was on Green 2 and he immediately switched back to Green 1 and began giving patrol personnel a description and last known direction of travel for Diaz.

All responding patrol personnel set up a perimeter. Diaz was not immediately located in the area and the perimeter was broken down after our search yielded negative results.

Officer Gonzalez suffered two broken fingers as a result of his contact with Diaz. Sergeant Havourd #710 drove Officer Gonzalez to Santa Ana Western Medical Center for treatment of his injuries.

Sergeant Brabeck #1015 and the Gang Unit patrolled several areas Diaz was known to frequent in an attempt to locate him. At approximately 2045 hours they decided to check the Tustin Village Townhomes, located at 15500 Tustin Village Way, Tustin to look for Diaz. During their check of the complex, they located Diaz and took him into custody. Refer to Sergeant Brabeck's supplemental report for further details.

Diaz was transported to TPD for processing.

At the station, I read Diaz his Miranda rights from my issued card. He stated, "Yes" he understood all his rights. I began questioning Diaz about the incident. He sat in silence and refused to answer any of my questions. Orange County Fire Authority Paramedics responded to TPD to look at Diaz. He had a complaint of pain to both areas. Paramedics advised he had minor bruising and no emergency medical treatment was necessary.

**Tustin Police Department**  
**Report Narrative**  
**CR# 13-6410**

Diaz was transported to Santa Ana Western Medical Center for complaint of pain in his right leg, arms, and entire body for medical clearance prior to booking. At the hospital, medical staff took x-rays, completed a CT scan, and took blood panels of Diaz. The staff advised me Diaz had minor bruising to his left and right rib areas, bruising to his right knee, and a small fracture on the bridge of his nose. There was no redness, swelling, or complaint of pain for his nose. Dr. Nguyen Khuu stated the nose fracture may not have occurred during the altercation with Officer Gonzalez, because of the lack of redness, swelling, and lack of pain to the nose area. Dr. Nguyen Khuu implied the injury to the nose may have occurred at an earlier date in time. I attempted to ask Diaz about the injury to his nose but he would not answer my questions. He had several small scratches and red marks on his front torso, back torso, face, and legs.

I photographed the areas and later uploaded the photographs into the TPD system.

Diaz was medically cleared by Santa Ana Western Medical staff and released back into my care.

I transported Diaz to Orange County jail where he was booked for PC 245(c) – Assault with a deadly weapon on a Peace Officer, PC 69 – Resisting or deterring Officer, and PC 148(a)(1) - Resisting or obstructing Public Officer.

I request a copy of this report be forwarded to the Orange County District Attorney's Office for review and filing of the following charges;

PC 69 – Resisting or deterring Officer

PC 243(b) – Assault on a Peace Officer

PC 148(a)(1) – Resisting or obstructing Public Officer.

**TUSTIN POLICE DEPARTMENT  
SUPPLEMENTAL REPORT NARRATIVE  
CR# 13-6410**

**Narrative:**

I am a police sergeant with the Tustin Police Department currently assigned as the Gang Unit supervisor. My responsibilities include the direct supervision of gang detectives and Orange County Probation officers. The Unit's mission is the investigation and enforcement of gang related crimes in the City of Tustin and neighboring communities.

On 11/7/2013 I was working in full Gang Unit uniform with Detective Gomez and we were driving a marked TPD police car, patrolling high crime areas within the city of Tustin. At approximately 19:00 hours we responded with lights and siren to a call for assistance by Officer Gonzalez. Officer Gonzalez advised over the police radio that he had been assaulted by Jose Diaz and that Diaz was last seen fleeing southbound through the Chatham Village Apartments complex. Diaz was not immediately located in the area and after approximately 20 minutes of searching inside a perimeter established by Patrol personnel, the perimeter was broken down and Patrol resumed normal operations.

At some point after the perimeter was broken down, I learned that Officer Gonzalez had suffered two broken fingers as a result of his contact with Diaz. See Officer Del Merari's original report for details of the initial TPD response and Officer Gonzalez' injuries.

For the next two hours, Detective Gomez and I patrolled several areas that Diaz was known to frequent. At approximately 20:45 Gomez and I decided to check the Tustin Village Townhomes located at 15500 Tustin Village Way for Diaz or anyone that had possibly seen him. Tustin Village Townhomes is a large condominium complex with numerous four-plex type buildings. At approximately 20:55 hours I got out of the patrol car in the southeast alley of the property and began walking through the large complex as Detective Gomez continued driving through the alleys. There were other officers also performing foot patrols within the complex and at approximately 20:59 hours, one officer advised over the police radio that he saw Diaz running southbound through the complex.

I ran toward where I thought Diaz may be going and saw him running southbound through the complex on concrete pathways. I pursued him through the complex and exited out the front near a vehicle roundabout. I lost sight of him as he possibly turned

**TUSTIN POLICE DEPARTMENT  
SUPPLEMENTAL REPORT NARRATIVE  
CR# 13-6410**

eastbound through the south alley of the complex. I saw Sgt. Taylor at about that time and told him to check east and I would continue south.

Approximately 20 seconds later I heard Sgt. Taylor shouting orders to someone. I could not make out what he was saying but Sgt. Taylor advised over the police radio that he had a subject at gunpoint. I then ran towards where I heard Sgt. Taylor shouting and saw him crouched down between two cars that were parked along the north curb of the south alley of the complex. I ran up to him and Diaz was lying on his stomach, with his upper torso under the front end of one of the parked cars. Sgt. Taylor was attempting to control Diaz by grasping Diaz' wrist with his left hand while directing his service weapon at Diaz with his right hand.

I reached down and grabbed ahold of Diaz' legs, near his ankles, in an attempt to pull him out from under the car and assist Sgt. Taylor in taking him into custody. He began to scream unintelligibly and began to kick wildly at me with both legs. In immediate defense of my partner officer and me, I drew my collapsible baton with my right hand and struck Diaz in the knee area 3-6 times while I shouted for him to stop resisting. When I noticed his resistance becoming weaker, I grabbed his legs, crossed his ankles over one another and folded his lower legs up toward his upper legs. Approximately 10 seconds later, additional officers arrived at the scene and handcuffed Diaz.

Diaz complained of pain in his legs, face, arms and "all over" at the time of his arrest. Detective Gomez requested OCFA paramedics meet us at TPD to evaluate Diaz. At TPD, their initial assessment was that he suffered bruising and abrasions. Diaz was later transported to Santa Ana Western Medical Center for further evaluation prior to booking.

I request this report be joined with Officer Del Merari's original report.

**Sergeant James Brabeck #1015**

## Tustin Police Department Supplemental Evidence Report

<b>Offense:</b> PC 245(c) Assault with great bodily injury on a Peace Officer	<b>Date:</b> 11-07-13	<b>Time:</b> 1950
<b>Location of Incident:</b> 1001 North Tustin Avenue, Santa Ana, CA 92705		
<b>Where Performed:</b> 1001 North Tustin Avenue, Santa Ana, CA 92705	<b>Requested by:</b> Sgt. D. HAVOURD #710	
<b>Victim:</b> Officer G. GONZALEZ #1231	<b>Suspect:</b> Jose Lucio DIAZ	

### NARRATIVE

On 11-07-13 at approximately 1950 hours, I was dispatched to Western Medical Center located at 1001 North Tustin Avenue to take photographs at the request of Sergeant D. HAVOURD #710. Upon my arrival I made contact with Sergeant HAVOURD and Officer G. GONZALEZ #1231 in the ER. I was instructed to take photographs of any visible injuries on Officer GONZALEZ.

I observed the following injuries on Officer GONZALEZ:

- Swollen middle finger on right hand
- Swollen index finger with bruising on right hand
- Abrasion on knuckle to middle finger on left hand
- Abrasion on left elbow
- Abrasion on left knee cap
- Abrasion on left shin

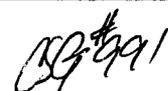
I began by taking an identification photograph of Officer GONZALEZ. I then took overall photographs of him to include his facial profile, arms and legs. I then took overall, intermediate, and close-up photographs, with and without a scale, of the visible injuries.

Police Services Officer: J. Garzone



ID Number: 1193

Approved by:



# **Tustin Police Department**

## **Supplemental Evidence Report**

I returned to TPD and placed the photographs I had taken at the scene onto a CD and booked it into Property as evidence. I made a copy of the photographs onto an additional CD and gave it to Sergeant HAVOURD.

PROPERTY REPORT

TUSTIN  
POLICE DEPARTMENT

1 CR# 13-6710  
2 REFER OTHER REPORTS

ORIG  
 SUPP

SOURCE CODE: \*F\*=FINDER \*O\*=OWNER \*S\*=SUSPECT \*V\*=VICTIM \*W\*=WITNESS

SOURCE	LAST, FIRST, MIDDLE (FIRM, IF BUSINESS)	SOURCE	LAST, FIRST, MIDDLE (FIRM, IF BUSINESS)
SB	OFFICER CAR CONZALEZ		

<input type="checkbox"/> D-DISPOSAL REQ <input type="checkbox"/> E-EVIDENCE <input type="checkbox"/> F-FOUND	<input type="checkbox"/> BK-SAFEKEEPING <input type="checkbox"/> L-LOST	<input type="checkbox"/> R-RECOVERED <input type="checkbox"/> S-STOLEN <input type="checkbox"/> SR-STOLEN/RECON	<input type="checkbox"/> SEARCH WARRANT <input type="checkbox"/> S100 / S102 USE 1	<input type="checkbox"/> FINDER'S CLAIM <input type="checkbox"/> DV/1022& PC	<input type="checkbox"/> C-CAGE <input type="checkbox"/> F-FREEZER <input type="checkbox"/> L-LOCKER #	<input type="checkbox"/> R-REFRIGERATOR <input type="checkbox"/> H-HAZMAT <input type="checkbox"/> V-VICTIM RETAINED
--	--	---	---	---	--	--

ITEM NO.	3 TYPE	4 QTY	5 ARTICLE	6 BRAND	7 MODEL	8 SERIAL NO./OAN	9 VALUE
1	E	1	CD WITH PHOTOGRAPHS				
	10 COLOR(S)	11 DESCRIPTION					
		PHOTOGRAPHS OF OFFER. CONZALEZ					

GUN TYPE	<input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other	CATEGORY	<input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Rifle <input type="checkbox"/> Combo <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other	CALIBER: BARREL LENGTH:
12 PREMISE / AREA / ROOM TAKEN FROM	13 SOURCE:	14 CURRENT LOCATION	15 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM	
WESTERN MED	SB	LOCAL 22		

ITEM NO.	16 TYPE	17 QTY	18 ARTICLE	19 BRAND	20 MODEL	21 SERIAL NO./OAN	22 VALUE
	23 COLOR(S)	24 DESCRIPTION					

GUN TYPE	<input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other	CATEGORY	<input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Rifle <input type="checkbox"/> Combo <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other	CALIBER: BARREL LENGTH:
25 PREMISE / AREA / ROOM TAKEN FROM	26 SOURCE:	27 CURRENT LOCATION	28 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM	

ITEM NO.	29 TYPE	30 QTY	31 ARTICLE	32 BRAND	33 MODEL	34 SERIAL NO./OAN	35 VALUE
	36 COLOR(S)	37 DESCRIPTION					

GUN TYPE	<input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other	CATEGORY	<input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Rifle <input type="checkbox"/> Combo <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other	CALIBER: BARREL LENGTH:
38 PREMISE / AREA / ROOM TAKEN FROM	39 SOURCE:	40 CURRENT LOCATION	41 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM	

ITEM NO.	42 TYPE	43 QTY	44 ARTICLE	45 BRAND	46 MODEL	47 SERIAL NO./OAN	48 VALUE
	49 COLOR(S)	50 DESCRIPTION					

GUN TYPE	<input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other	CATEGORY	<input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Rifle <input type="checkbox"/> Combo <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other	CALIBER: BARREL LENGTH:
51 PREMISE / AREA / ROOM TAKEN FROM	52 SOURCE:	53 CURRENT LOCATION	54 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM	

ITEM NO.	55 TYPE	56 QTY	57 ARTICLE	58 BRAND	59 MODEL	60 SERIAL NO./OAN	61 VALUE
	62 COLOR(S)	63 DESCRIPTION					

GUN TYPE	<input type="checkbox"/> Pistol <input type="checkbox"/> Shotgun <input type="checkbox"/> Other	CATEGORY	<input type="checkbox"/> Auto <input type="checkbox"/> Pump <input type="checkbox"/> Revolver <input type="checkbox"/> Rifle <input type="checkbox"/> Combo <input type="checkbox"/> Semi Auto <input type="checkbox"/> Over / Under <input type="checkbox"/> Other	CALIBER: BARREL LENGTH:
64 PREMISE / AREA / ROOM TAKEN FROM	65 SOURCE:	66 CURRENT LOCATION	67 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM	

ALL SERIALIZED ITEMS (WITH THE EXCEPTION OF ITEMS FOR IMMEDIATE DESTRUCTION) MUST BE ENTERED INTO DOJ

COMMENTS

PROPERTY RELEASED BY APPOINTMENT ONLY: Please refer to the back of your property receipt for property release information and instructions.

OFFICER'S NAME	ID NUMBER	DATE	SIGNATURE FOR RECEIPT	<input type="checkbox"/> RECEIPT MAILED	<input type="checkbox"/> REFUSED	PG
GARRIN	1193	11-08-13				03

**ADDITIONAL NAMES / LAW ENFORCEMENT PERSONNEL ONLY**

A- ASSISTED AT SCENE    C- CRIME SCENE INVESTIGATION    F- ASSIGNED FOLLOW-UP OFFICER  
 P- PERIMETER ASSIST    W- WITNESS

136 CR# **13-6410**

137 CODE <b>A</b>	138 NAME (LAST, FIRST NAME) <b>TAYLOR</b>	139 ID NO. <b>1062</b>	140 AGENCY NAME <b>TUSTIN POLICE DEPARTMENT</b>		
141 AGENCY ADDRESS <b>300 CENTENNIAL WAY</b>		CITY <b>TUSTIN</b>	STATE <b>CA</b>	ZIP <b>92780</b>	142 AGENCY PHONE <b>( 714 ) 573-3200</b>
143 CAN TESTIFY TO: <b>ASSISTED</b>					
144 CODE <b>A</b>	145 NAME (LAST, FIRST NAME) <b>GARCIA</b>	146 ID NO. <b>1085</b>	147 AGENCY NAME <b>TUSTIN POLICE DEPARTMENT</b>		
148 AGENCY ADDRESS <b>300 CENTENNIAL WAY</b>		CITY <b>TUSTIN</b>	STATE <b>CA</b>	ZIP <b>92780</b>	149 AGENCY PHONE <b>( 714 ) 573-3200</b>
150 CAN TESTIFY TO: <b>ASSISTED</b>					
151 CODE <b>A</b>	152 NAME (LAST, FIRST NAME) <b>BRABECK</b>	153 ID NO. <b>1015</b>	154 AGENCY NAME <b>TUSTIN POLICE DEPARTMENT</b>		
155 AGENCY ADDRESS <b>300 CENTENNIAL WAY</b>		CITY <b>TUSTIN</b>	STATE <b>CA</b>	ZIP <b>92780</b>	156 AGENCY PHONE <b>( 714 ) 573-3200</b>
157 CAN TESTIFY TO: <b>ASSISTED</b>					
158 CODE <b>A</b>	159 NAME (LAST, FIRST NAME) <b>VAN CLEVE</b>	160 ID NO. <b>1054</b>	161 AGENCY NAME <b>TUSTIN POLICE DEPARTMENT</b>		
162 AGENCY ADDRESS <b>300 CENTENNIAL WAY</b>		CITY <b>TUSTIN</b>	STATE <b>CA</b>	ZIP <b>92780</b>	163 AGENCY PHONE <b>( 714 ) 573-3200</b>
164 CAN TESTIFY TO: <b>ASSISTED</b>					
165 CODE <b>A</b>	166 NAME (LAST, FIRST NAME) <b>GOMEZ</b>	167 ID NO. <b>1186</b>	168 AGENCY NAME <b>TUSTIN POLICE DEPARTMENT</b>		
169 AGENCY ADDRESS <b>300 CENTENNIAL WAY</b>		CITY <b>TUSTIN</b>	STATE <b>CA</b>	ZIP <b>92780</b>	170 AGENCY PHONE <b>( 714 ) 573-3200</b>
171 CAN TESTIFY TO: <b>ASSISTED</b>					
172 CODE <b>A</b>	173 NAME (LAST, FIRST NAME) <b>POLINA</b>	174 ID NO. <b>1130</b>	175 AGENCY NAME <b>TUSTIN POLICE DEPARTMENT</b>		
176 AGENCY ADDRESS <b>300 CENTENNIAL WAY</b>		CITY <b>TUSTIN</b>	STATE <b>CA</b>	ZIP <b>92780</b>	177 AGENCY PHONE <b>( 714 ) 573-3200</b>
178 CAN TESTIFY TO: <b>ASSISTED</b>					
179 CODE <b>A</b>	180 NAME (LAST, FIRST INITIAL) <b>KENT</b>	181 ID NO. <b>1192</b>	182 AGENCY NAME <b>TUSTIN PD</b>		
183 AGENCY ADDRESS <b>#148</b>		CITY	STATE	ZIP	184 AGENCY PHONE <b># 149</b>
185 CAN TESTIFY TO: <b>ASSISTED</b>					
186 CODE <b>A</b>	187 NAME (LAST, FIRST NAME) <b>WARD</b>	188 ID NO. <b>1243</b>	189 AGENCY NAME <b>TUSTIN PD</b>		
190 AGENCY ADDRESS <b>#148</b>		CITY	STATE	ZIP	191 AGENCY PHONE <b># 149</b>
192 CAN TESTIFY TO: <b>ASSISTED</b>					
193 CODE <b>A</b>	194 NAME (LAST, FIRST NAME) <b>LAWRICH</b>	195 ID NO. <b>1077</b>	196 AGENCY NAME <b>TUSTIN PD</b>		
197 AGENCY ADDRESS <b>#148</b>		CITY	STATE	ZIP	198 AGENCY PHONE <b>#149</b>
199 CAN TESTIFY TO: <b>ASSISTED</b>					
200 CODE <b>A</b>	201 NAME (LAST, FIRST NAME) <b>BREEZE</b>	202 ID NO. <b>1089</b>	203 AGENCY NAME <b>TUSTIN PD</b>		
204 AGENCY ADDRESS <b>#148</b>		CITY	STATE	ZIP	205 AGENCY PHONE <b>#149</b>
206 CAN TESTIFY TO: <b>ASSISTED</b>					
207 REPORTING OFFICER / ID NO. <b>DEL MERARI 1227</b>		208 DATE <b>11 07 13</b>	209 APPROVED BY / ID NO.		210 DATE

## ADDITIONAL NAMES / LAW ENFORCEMENT PERSONNEL ONLY

A- ASSISTED AT SCENE    C- CRIME SCENE INVESTIGATION    F- ASSIGNED FOLLOW-UP OFFICER  
P- PERIMETER ASSIST    W- WITNESS

PAGE \_\_\_\_\_

136 CR# 13-6410

137 CODE A	138 NAME (LAST, FIRST NAME) CHUPP	139 ID NO. 1069	140 AGENCY NAME TUSTIN POLICE DEPARTMENT		
141 AGENCY ADDRESS 300 CENTENNIAL WAY		CITY TUSTIN	STATE CA	ZIP 92780	142 AGENCY PHONE ( 714 ) 573-3200
143 CAN TESTIFY TO: ASSISTED					
144 CODE A	145 NAME (LAST, FIRST NAME) JENSEN	146 ID NO. 1143	147 AGENCY NAME TUSTIN POLICE DEPARTMENT		
148 AGENCY ADDRESS 300 CENTENNIAL WAY		CITY TUSTIN	STATE CA	ZIP 92780	149 AGENCY PHONE ( 714 ) 573-3200
150 CAN TESTIFY TO: ASSISTED					
151 CODE A	152 NAME (LAST, FIRST NAME) GIRGENTI	153 ID NO. 1194	154 AGENCY NAME TUSTIN POLICE DEPARTMENT		
155 AGENCY ADDRESS 300 CENTENNIAL WAY		CITY TUSTIN	STATE CA	ZIP 92780	156 AGENCY PHONE ( 714 ) 573-3200
157 CAN TESTIFY TO: ASSISTED					
158 CODE A	159 NAME (LAST, FIRST NAME) FETTERLINGA	160 ID NO. 1196	161 AGENCY NAME TUSTIN POLICE DEPARTMENT		
162 AGENCY ADDRESS 300 CENTENNIAL WAY		CITY TUSTIN	STATE CA	ZIP 92780	163 AGENCY PHONE ( 714 ) 573-3200
164 CAN TESTIFY TO: ASSISTED					
165 CODE A	166 NAME (LAST, FIRST NAME) COSSACK	167 ID NO. 1247	168 AGENCY NAME TUSTIN POLICE DEPARTMENT		
169 AGENCY ADDRESS 300 CENTENNIAL WAY		CITY TUSTIN	STATE CA	ZIP 92780	170 AGENCY PHONE ( 714 ) 573-3200
171 CAN TESTIFY TO: ASSISTED					
172 CODE A	173 NAME (LAST, FIRST NAME) MURRO	174 ID NO. 1156	175 AGENCY NAME TUSTIN POLICE DEPARTMENT		
176 AGENCY ADDRESS 300 CENTENNIAL WAY		CITY TUSTIN	STATE CA	ZIP 92780	177 AGENCY PHONE ( 714 ) 573-3200
178 CAN TESTIFY TO: ASSISTED					
179 CODE	180 NAME (LAST, FIRST INITIAL)	181 ID NO.	182 AGENCY NAME		
183 AGENCY ADDRESS		CITY	STATE	ZIP	184 AGENCY PHONE
185 CAN TESTIFY TO:					
186 CODE	187 NAME (LAST, FIRST NAME)	188 ID NO.	189 AGENCY NAME		
190 AGENCY ADDRESS		CITY	STATE	ZIP	191 AGENCY PHONE
192 CAN TESTIFY TO:					
193 CODE	194 NAME (LAST, FIRST NAME)	195 ID NO.	196 AGENCY NAME		
197 AGENCY ADDRESS		CITY	STATE	ZIP	198 AGENCY PHONE
199 CAN TESTIFY TO:					
200 CODE	201 NAME (LAST, FIRST NAME)	202 ID NO.	203 AGENCY NAME		
204 AGENCY ADDRESS		CITY	STATE	ZIP	205 AGENCY PHONE
206 CAN TESTIFY TO:					
207 REPORTING OFFICER / ID NO. DEL MERARI 1227		208 DATE 11 07 13	209 APPROVED BY / ID NO.		210 DATE

Msg: 39127404 For: 1200

Time: 131107 21:14:30

\*,03556502,,DIAZLOPEZ,JOSE,LUCIO,TUS,12

\*\*\*\*\* ORANGE COUNTY AUTOMATED WARRANT \*\*\*\*\*

\* NAM..DIAZLOPEZ JOSE LUCIO KEY NO.. 03484564 \*

\* ADR. [REDACTED] \*

\* DOB. [REDACTED] SEX..M RACE..H AGE.. / HGT..506 WGT..195 HAIR..BLK EYES..BRO\*

\* OLN [REDACTED] CA WPS..3731330700045 ODDITY.. DESC.. \*

\* SSN.. OCN.. CII..A31687423 FBI.. POB..MX\*

\* WRNT FILE NO..03556502 COUNTY..ORAN COI..COC WRNT TYPE..BW DEGREE..M \*

\* COURT WAR NO.13CM08642 TRACKING NO.2887318 CASE/CITE# \*

\* CHARGES 1. PC 381B POSS OF TOLUENE \*

\* 2. PC 853.7 FTA WRITTEN PROMISE \*

\*\*\*\*\*

\* MESSAGE..NO \*\*

\*\*\*\*\*

\* JUDGE..SHADE J RELEASE CONDITIONS..MAND NIGHT.. \*

\* BAIL AMT. \$10000.00 ISSUE DATE.102813 WRNT REASON.FTA/SIGN EXP.\*

\* PSA..OCS ORIG AGY..TU ASSIGN DATE..110313 ASSIGNED TO..UMAIL \*

\* REVIEW DATE.. REASON..CWR MAILER-CID \*

\* SERVICE D/T..110713/2114 AGENCY..TUS BY..1200 DISPO..BOOK \*

\* >>USE THIS WARRANT TO ACCEPT BAIL OR TO BOOK IN AN ORANGE COUNTY JAIL<< \*

\* RETURN THIS WARRANT WITH THE BAIL OR THE SUBJECT TO THE COURT OF ISSUE \*

\*\*\*\*\*

*Copy*



Medical Temp. No: T185586J

ORANGE COUNTY JAIL  
Santa Ana, California

0963

- EXPEDITE BOOKING
  - MEDICAL BOOKING
  - NORMAL BOOKING
- PRE-BOOKING RECORD

FOR JAIL USE ONLY

PLEASE PRINT OR TYPE

BOOKING NUMBER <u>2195203</u>	RECEIVING OFFICER <u>Laupium #361</u>	DATE <u>11-8-13/0235</u>	SUPPLEMENTAL WARRANTS <u>YES</u>	HOW MANY <u>(2)</u>
BKG STATUS: <input checked="" type="checkbox"/> STREET BOOKING <u>(F)</u> <input type="checkbox"/> WARRANT <input type="checkbox"/> COURT ORDER <input type="checkbox"/> OTHER (SPECIFY)				
<input type="checkbox"/> COMMITMENT				

**TO BE COMPLETED BY ARRESTING OR TRANSPORTING OFFICER**

PLEASE FILL IN ALL OF THE BOXES BELOW THIS LINE PRIOR TO SUBMITTING TO THE RECEIVING GUARD STATION

ARRESTING AGENCY <u>TUSTIN</u>	OCSD AREA OR CONTRACT CITY	AGENCY CASE <u>13-6410</u>	DATE & TIME ARRESTED <u>110713 @ 2102</u>
NAME: LAST <u>DIAZ-LOPEZ,</u>		FIRST <u>JOSE</u>	
MIDDLE <u>LUPE</u>			
BI	SEX <u>M</u>	RACE <u>Hisp</u>	HEIGHT <u>506</u>
	WEIGHT <u>195</u>	HAIR <u>BLK</u>	EYES <u>BRN</u>
STATE & COUNTRY OF BIRTH <u>CA</u>			CITIZENSHIP <u>US</u>

AKA \_\_\_\_\_ DR \_\_\_\_\_

JURISDICTION COC      WARRANT OR CASE NUMBER \_\_\_\_\_      BAIL 50,000

CHARGE 1 <u>CPC 245(c)</u>	CHARGE 4
CHARGE 2 <u>PC 69</u>	CHARGE 5
CHARGE 3 <u>CPC 148a(1)</u>	CHARGE 6

**DNA**     DNA COLLECTED BY OFFICER \_\_\_\_\_     PREVIOUSLY COLLECTED     NOT COLLECTED (EXPLAIN BELOW)

EXPLAIN WHY DNA WAS NOT COLLECTED \_\_\_\_\_

OCCUPATION NONE    MARITAL STATUS SINGLE    SOCIAL SECURITY NUMBER NA    TELEPHONE NO. UNK

SCARS/MARKS, TATTOOS, AMPS  
R/ARM TUSTIN MANIACS

STATE \_\_\_\_\_ ZIP \_\_\_\_\_

NEXT OF KIN: NAME REFUSED    RELATIONSHIP \_\_\_\_\_    TELEPHONE NO. \_\_\_\_\_

ADDRESS \_\_\_\_\_    CITY \_\_\_\_\_    STATE \_\_\_\_\_    ZIP \_\_\_\_\_

ARRESTEE EMPLOYER NAME \_\_\_\_\_    BUSINESS ADDRESS \_\_\_\_\_

OFFICER'S ADDITIONAL INFORMATION - CHECK BOS IF YOU BELIEVE THE ARRESTEE WILL REQUIRE MEDICAL ATTENTION OR SPECIAL MANAGEMENT.

MEDICAL (ILL OR INJURED)     MENTAL     INTOXICATED     PROTECTIVE CUSTODY     HIGH SECURITY

EXPLAIN \_\_\_\_\_

ARRESTING OFFICER GOMEZ    ID # 1186    MANDATORY FOREIGN CONSULAR NOTIFICATION MADE PER CPC 834c

YES     NO     N/A

**PERMISSION TO USE TELEPHONE AFTER ARREST** (Pursuant to Penal code Section 851.5)

I have been given the opportunity to make three (3) FREE telephone calls within the LOCAL DIALING area, or at MY OWN EXPENSE IF OUTSIDE the Local dialing area. If I am a custodial parent with responsibility for a minor child, I have been given the opportunity to make two (2) additional FREE telephone calls within the local dialing area, or at MY OWN EXPENSE IF OUTSIDE the local dialing area, for the purpose of arranging for the care of my minor child(ren) in my absence.

Telephone calls DESIRED \_\_\_\_\_      RECORD OF TELEPHONE CALLS:      Telephone calls COMPLETED 1

CUSTODIAL PARENT Telephone calls DESIRED \_\_\_\_\_      CUSTODIAL PARENT Telephone calls COMPLETED \_\_\_\_\_

Location TPD      Date 110713      Time 2145

Witnessing Officer \_\_\_\_\_      ID # 1186      Agency TPD

SIGNATURE H/L



**CRIME SUMMARY INFORMATION,  
PROBABLE CAUSE DECLARATION AND BAIL SETTING INFORMATION**

STATUS: **APPROVED**

TRACKING NO.: 6963

IRC BOOKING NO.:

ARRESTEE (LAST, FIRST, MIDDLE) <b>DIAZ-LOPEZ, JOSE, LUCIO</b>		AGENCY BOOKING NO. <b>13-3051</b>	DR NO. <b>13-6410</b>
ADDRESS (RESIDENCE) [REDACTED]		D O B [REDACTED]	AGE <b>19</b> SEX <b>M</b>
BOOKING CHARGE(S) <b>PC 245(C) PC 69 PC 148(A)(1)</b>		SUPPLEMENTARY HOLDS <input type="checkbox"/> PAROLE HOLD <input type="checkbox"/> PROBATION HOLD <input type="checkbox"/> OUTSTANDING WARRANT <input type="checkbox"/> INS HOLD <input type="checkbox"/> OTHER	
DATE/TIME OF ARREST <b>2013-11-07 21:02:00</b>	EXPIRY <b>48 HR-EXP</b>	EXPIRY DATE/TIME <b>2013-11-09 21:02:00</b>	
ARRESTING AGENCY <b>TUPD</b>	STATION <b>34</b>	ARRESTING OFFICER(S) <b>DEL MERARI, R., 1227</b>	
FACTS ESTABLISHING ELEMENTS OF CRIME AND IDENTIFICATION OF ARRESTEE OFFICER GONZALEZ WAS CONDUCTING A PATROL CHECK IN THE AREA OF MCFADDEN AND WILLIAMS IN THE CITY OF TUSTIN, WHEN HE RECGONIZED JOSE LUCIO DIAZ. HE HAD PRIOR KNOWLEDGE THAT DIAZ HAS TWO OUTSTANDING FELONY WARRANTS. AS OFFICER GONZALEZ ATTEMPTED TO CONTACT DIAZ, DIAZ FLED ON FOOT INTO A NEARBY APARTMENT COMPLEX. OFFICER GONZALEZ GAVE CHASE AND WAS ABLE TO CATCH DIAZ. A FIGHT ENSUED AND DIAZ BROKE OFFICER GONZALEZ'S INDEX AND MIDDLE FINGERS ON HIS RIGHT HAND. DIAZ BROKE FREE AND RAN AGAIN. OFFICER GONZALEZ RADIOED FOR ASSISTANCE AND MULTIPLE OFFICERS ARRIVED TO ASSIST. OFFICER GONZALEZ WAS TAKEN TO WESTMED SANTA ANA FOR TREATMENT OF HIS INJURIES. DURING AN AREA CHECK DIAZ WAS LOCATED IN THE SOUTH ALLEY OF 15500 TUSTIN VILLAGE WAY. WHILE OFFICERS WERE ATTEMPTING TO APPREHEND DIAZ, DIAZ BECAME COMBATIVE AND BEGAN FIGHTING WITH OFFICERS AGAIN. HE WAS ARRESTED. DIAZ REFUSED TO ANSWER ANY QUESTIONS UNDER MIRANDA.			
<input type="checkbox"/> PAS/BREATH SCREEN	1) WEAPON DESCRIPTION <b>HANDS AND FISTS</b>		
2) VICTIM'S AGE <b>32</b>	VICTIM'S INJURIES <b>BROKEN INDEX AND MIDDLE FINGER.</b>		
3) VALUE OF PROPERTY LOSS \$	TYPE OF PROPERTY		
4) NARCOTIC TYPE AND QUANTITY	5) NARCOTIC WHOLESALE VALUE	NARCOTIC STREET VALUE	
6) PRESUMPTIVE TEST FOR: (POSITIVE Y/N)			
I DECLARE UNDER PENALTY OF PERJURY, UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY INFORMATION AND BELIEF.			
EXECUTED ON DATE/TIME <b>2013-11-07 21:53:48</b>	AT ORANGE COUNTY, CALIFORNIA BY <b>DEL MERARI, R</b>		BADGE # <b>1227</b>
ON THE BASIS OF <input checked="" type="checkbox"/> THE OFFICER'S DECLARATION <input type="checkbox"/> REPORTS REVIEWED, I HEREBY DETERMINE THAT THERE <input checked="" type="checkbox"/> IS <input type="checkbox"/> IS NOT PROBABLE CAUSE TO BELIEVE THIS ARRESTEE HAS COMITTED A CRIME			
DATE/TIME <b>2013-11-07 22:48:40</b>	SIGNATURE OF HEARING OFFICER <b>SHERMAN, RANDALL, J</b>		

# PROPERTY INVENTORY RECEIPT

THIS FORM MUST BE COMPLETED ON ALL ORANGE COUNTY JAIL BOOKINGS.

SHADED AREAS ARE FOR I.R.C. USE ONLY

I.R.C. BOOKING NUMBER: 2795203

DATE/TIME: 11-8-13/0235

NAME: DIAZ JOSE LUIS DOB: [REDACTED]  
LAST FIRST MIDDLE

ARRESTING AGENCY: TUSTIN COURT: CCC ARRESTING OFFICER: DEL MERRI

MONEY: \$ 0 RECEIVED: \$ 0 RECEIVED BY: [REDACTED]

This form is to be completed in the presence of the arrestee. List all items by amount and color. If property is not removed, indicate RETAINED in the appropriate box. List jewelry by either yellow or white metal, indicate color of stones only. Complete even if NO PROPERTY is received.

	VERIFIED/IRC	YELLOW METAL	WHITE METAL	VERIFIED/IRC
BELT				
KNIFE				
CHECKBOOK				
BILLFOLD				
GLASSES				
KEYS				
WATCH				
EARRINGS				
CHARMS				
CHECKS				
BRACELET				
RINGS				
NECK CHAIN				
LIGHTER				

MISCELLANEOUS PROPERTY (Bulk property will NOT be accepted):

[REDACTED]

PROPERTY RELEASED: \_\_\_\_\_

RELEASED TO: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
PRINT NAME/SIGNATURE

ITEMS RETAINED BY ARRESTING AGENCY, (EVIDENCE OR SAFEKEEPING): \_\_\_\_\_

INVENTORY OFFICER: C. PELING #1190 AGENCY: TUSTIN COURT: CCC  
PRINT NAME

SIGNATURE & BADGE #: C. PELING #1190 DATE/TIME: 11/7/10 09:2140

I HAVE REVIEWED THIS INVENTORY AND IT ACCURATELY REFLECTS THE PROPERTY IN MY POSSESSION AT THIS TIME.

ARRESTEE'S SIGNATURE: \_\_\_\_\_ VERIFIED BY: [REDACTED]

## MONEY/PROPERTY TRANSFER RECORD

TO BE COMPLETED ON ALL AGENCY-TO-AGENCY TRANSFERS/SIGNATURE INDICATES RECEIPT OF PROPERTY

RECEIVED BY: \_\_\_\_\_ AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
PRINT NAME/SIGNATURE

DISCREPANCIES (IF ANY): \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
PRINT NAME/SIGNATURE

DISCREPANCIES (IF ANY): \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ AGENCY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
PRINT NAME/SIGNATURE

DISCREPANCIES (IF ANY): \_\_\_\_\_

## TO BE COMPLETED AT TIME OF RELEASE

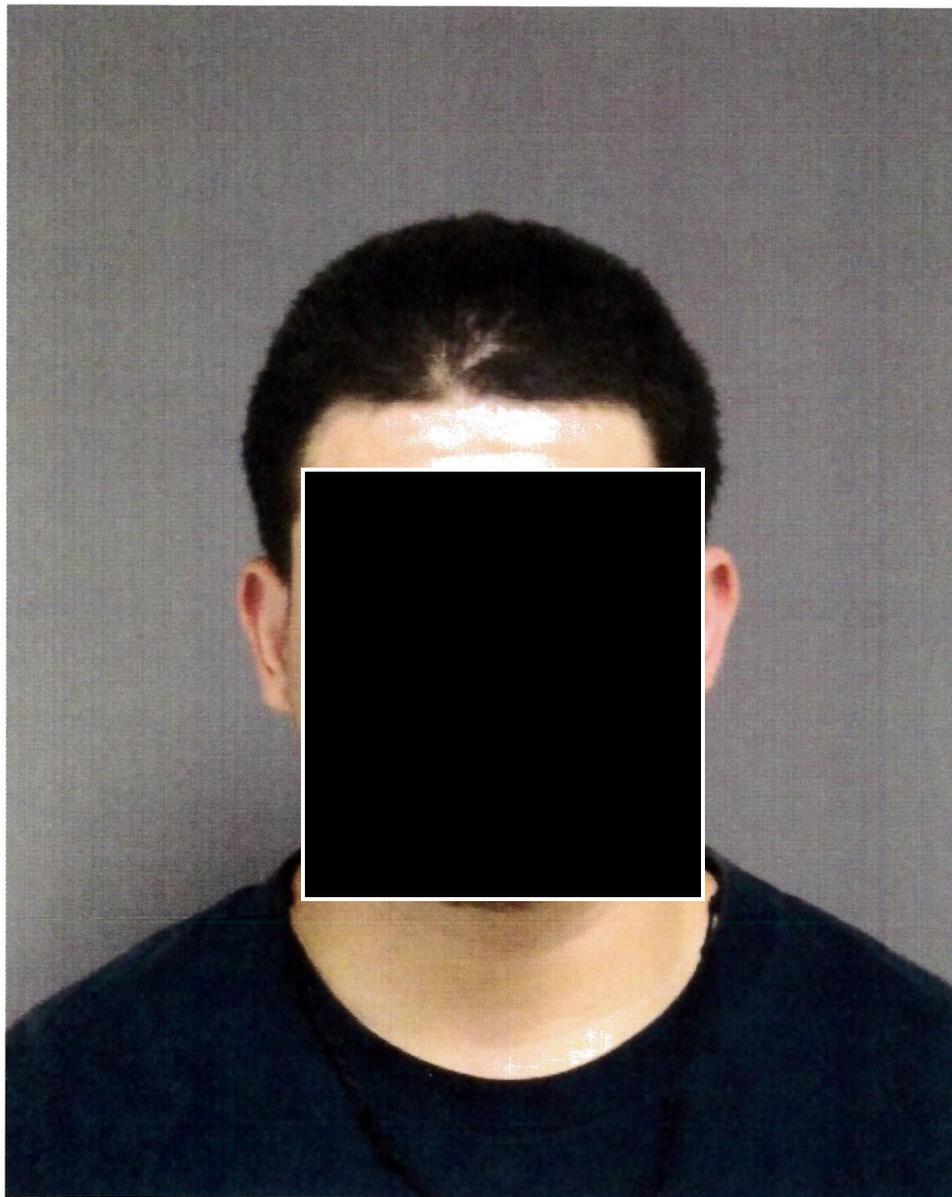
I HAVE REVIEWED MY PROPERTY AND I ACKNOWLEDGE RECEIPT OF ALL MONEY AND ARTICLES LISTED ABOVE EXCEPT THAT PORTION THEREOF PREVIOUSLY RELEASED BY ORDER.

SIGNATURE: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

RELEASED BY: \_\_\_\_\_ AGENCY/COURT: \_\_\_\_\_  
PRINT NAME/SIGNATURE

COMMENTS: \_\_\_\_\_

Original - File      Yellow - Property      Pink - Inmate      Gold - Agency



CR-13-6410  
AR-13-3051  
19:00/21:02

**TUSTIN  
POLICE DEPARTMENT**

**NARRATIVE/SUPPLEMENTAL REPORT**

**SUPPLEMENTAL**

**NOV 11 2013**

PAGE 1

1 CR # 13-6410	2 SUPPLEMENTAL <input checked="" type="checkbox"/>
-------------------	---

3 NAME (LAST, FIRST, MIDDLE) N/A		4 OCCUPATION N/A		5 D.O.B. N/A		6 SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F		7 RACE <input type="checkbox"/> 1 WHT <input type="checkbox"/> 4 IND <input type="checkbox"/> 6 PISL <input checked="" type="checkbox"/> 8 VIET		<input type="checkbox"/> 2 HISP <input type="checkbox"/> 5 CHI <input type="checkbox"/> 7 FIL <input type="checkbox"/> 9 OTK		<input type="checkbox"/> 3 BLK	
8 RESIDENCE ADDRESS N/A			9 CITY N/A		STATE N/A		ZIP CODE		10 RES. PHONE ( ) N/A				
11 CODE SECTION PC 245		12 CRIME ASSAULT		13 CLASSIFICATION FELONY			14 REFER OTHER REPORTS N/A						
15 LOCATION MCFADDEN / WILLIAMS				16 RD		17 DATE 11-08-2013		18 TIME 1900					
19 SYNOPSIS REQUIRED ON ORIGINAL REPORT ONLY. THE LISTED CRIMES INCLUDE ATTEMPTS.  SYNOPSIS = MAIN FACTS OF THE CRIME. INCLUDE M.O. TYPE SUSPECT STATEMENT.												<b>SYNOPSIS REQUIRED ON ALL PART 1 OFFENSES</b>	

20 TATTOO DESCRIPTION / SYNOPSIS:  
TT:

ATTN: DATA ENTRY CLERK - ENTER DESCRIPTIONS OF SCARS, MARKS, TATTOOS FROM SUSPECT PAGE.

21 NARRATIVE:  
SEE ATTACHED

22 REPORTING OFFICER / ID NO. J. TAYLOR # 1062	23 DATE 11-11-2013	24 APPROVED BY / ID NO. SGT R. COE #1140	25 DATE 11-11-2013
---	-----------------------	---	-----------------------

**TUSTIN POLICE DEPARTMENT**  
**Crime Report**  
**13-6410**

**Case Narrative:**

I am a patrol sergeant assigned to the South Area Command. On November 8, 2013 I completed a use of force investigation regarding the incident involving Ofc. Gonzalez and Sgt. Brabeck that occurred on November 7, 2013; case number 13-6410. During the course of my investigation I did not discover any additional information to that which was already reported by the personnel involved; I also did not discover any additional witnesses.

*Sergeant J. Taylor #1062*  
*Tustin Police Department*  
*South Area Command*  
*Patrol Division*



**Tustin Police Department  
Supplemental Report  
CR#13-6410**

---

**Arrested**

- *Jose Lucio Diaz-Lopez* [REDACTED]:
- **BKN:** 2795203 **FBI:** 519730KD0 **CII:** 31687423
1. *Crime- PC 69 – Resist a Police Officer by Violence*
  2. *Crime- PC 243 (c)(2) – Assault Likely to Produce Great Bodily Injury on a Police Officer*
  3. *Crime- PC 148 (a) (1) – Resist, Obstruct or Delay a Police Officer*
  4. *Crime- PC 186.22 (b) – Criminal Street Gang Crime*
- 

**Investigation**

I am a Detective assigned to the Tustin Police Department Gang Unit. My responsibilities include gang suppression, investigating gang related crimes, gathering gang intelligence and reviewing graffiti related offenses.

On 11/07/13, Officer Gonzalez observed Jose Lucio Diaz-Lopez in the area of 15742 Williams St. Tustin (Estrella Apartments). Officer Gonzalez had prior knowledge that Diaz-Lopez had an active warrant for his arrest as well as being on probation with search and seizure conditions. When Officer Gonzalez made contact with Diaz-Lopez a physical altercation ensued. During the physical altercation, Officer Gonzalez sustained two broken fingers and Diaz-Lopez was able to evade capture.

Based on numerous contacts with Diaz- Lopez, I personally know him to be a member of the Tustin's Hardest Criminals (THC) criminal street gang also known as Tustin Maniaks (TM). I know Diaz- Lopez has a gang specific tattoo "Tustin Maniaks" on his right forearm expressing his loyalty and commitment to the gang. I have contacted Diaz- Lopez numerous times in THC/ TM gang territory with members of the THC/ TM criminal street gang.

I am familiar with the Tustin's Hardest Criminals/ Tustin Maniaks criminal street gang as defined by PC 186.22. The THC/ TM criminal street gang has common names, signs and symbols such as; THC, TM, MSK, Maniak Krew, Tustin Maniaks, Maniaks, Maniacos (Spanish for maniacs) and Maniak Mobb.

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**Tustin Police Department  
Supplemental Report  
CR#13-6410**

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Based on my training and experience as a Tustin Police Department Gang Detective and in speaking with other Tustin Police Department Gang detectives I know THC/ TM criminal street gang has been engaging in a pattern of criminal activity.

Based on the totality of the circumstances, Diaz- Lopez's membership with the THC/ TM criminal street gang, gang specific tattoos which symbolize his allegiance to the gang, combative behavior with Police and him fleeing to THC/ TM territory for refuge, it is my opinion that Diaz- Lopez committed the crime to further promote the THC/ TM criminal street gang's violent reputation as well to gain his own respect within his gang.

I request a copy of this report be forwarded to the Orange County District Attorney's Office for filing of the above mentioned charges including CPC 186.22 (b) – Criminal Street Gang Crime









TUSTIN POLICE DEPARTMENT  
SUPPLEMENTAL NARRATIVE  
CR 13-6410

1

**Narrative**

On Thursday, 11-07-13, I was working uniform patrol in a marked City of Tustin police vehicle. At about 1900 hours, I conducted a patrol check of 15742 Williams Street (Estrella Apartments). I am currently assigned as the Adopt-A-Complex officer for the Estrella Apartments. I conduct routine patrol checks of the complex and serve as a liaison for the Tustin Police Department (TPD) and the complex manager Heather Littleton.

During my patrol check, I saw a Hispanic male standing outside in front of the lobby. The subject was wearing a blue rain jacket and blue pants. I immediately recognized the male subject from previous law enforcement contacts as Jose Diaz [REDACTED]. From speaking to the TPD Gang Unit, I knew that Diaz had two outstanding warrants. I also know that Diaz is a member of the "Tustin Maniaks" criminal street gang. Diaz has "Tustin Maniaks" tattooed on his right forearm and he frequents the area of 15742 Williams Street and 15500 Tustin Village Way.

When Diaz saw me park my police vehicle in front of 15742 Williams Street he entered the Estrella Apartment complex on foot and attempted to conceal his identity by turning away from me and covering his head with his rain jacket. He then ran through the lobby and towards the southwest corner of the complex in an obvious attempt to avoid arrest. I entered the apartment complex on foot and momentarily lost sight of Diaz inside the complex.

This apartment complex is made up of individual buildings which have several apartment units. The southwest corner of the complex is poorly lit and enclosed by an approximately six foot high wrought iron fence. The westernmost building of the apartment complex has a hallway that runs north/south from the front lobby. As I continued my foot patrol in an effort to locate Diaz, I walked southbound along the outside of the building. As I reached the southwest corner of the building, I saw Diaz standing in the south doorway that leads into the hallway (on the south end of the building). When Diaz saw me, he yelled, "Oh shit!" and ran north, through the hallway, in an attempt to flee the area on foot. I entered the same hallway through the second door to cut off Diaz's escape route. In order for Diaz to continue running north in the hallway, Diaz was forced to run past me because I was positioned just north of him. I shouted at Diaz, "Stop!" At that point, I was standing approximately five feet from Diaz, as he continued running towards me.

Diaz did not stop or comply with my commands. Diaz then lowered his right shoulder as he continued running towards me. I believed Diaz had no intention of stopping and I

TUSTIN POLICE DEPARTMENT  
SUPPLEMENTAL NARRATIVE  
CR 13-6410

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feared he was going to attempt to assault me in order to further his escape. Diaz confirmed my fear and attempted to knock me down. As Diaz made contact with me, I struck Diaz approximately three times with a closed fist in the front torso in immediate self-defense. This appeared to have no effect on Diaz. As Diaz continued to try to knock me to the ground while pushing past me, I struck him once on the right cheek with a closed fist in an attempt to get him to stop assaulting. This additional strike appeared to have no effect on Diaz. At this point Diaz and I fell to the ground where Diaz continued to fight. During the ground fight, I was able to get behind Diaz and attempted to apply a Carotid restraint but was unsuccessful. Diaz was able to stand up and throw me off his back. I fell to the ground, landing on my back. At this point, it was apparent to me that Diaz was willing to assault me to prevent me from taking him into custody for his warrants. Diaz took this opportunity to run away from me and toward the lobby in an attempt to avoid arrest.

I stood up and immediately gave chase, catching Diaz before he entered the lobby. Upon catching Diaz, I tackled him, driving his body into the east wall of the hallway. Diaz began punching me with closed fists in the torso area. He struck me approximately three times. I punched Diaz approximately five more times in the body, in an attempt to subdue him and take him into custody. These blows appeared ineffective and Diaz slipped out of his jacket and shirt, running towards the lobby again. I again chased Diaz through the lobby. When Diaz reached the front double doors of the lobby, he used his right leg to kick open the tempered glass door, and exit the complex. As I followed Diaz outside of the complex, I retrieved my department issued Taser from my duty belt and deployed it at Diaz, who was running westbound towards Williams St. The Taser was also ineffective, as it appeared neither of the probes made contact with Diaz's body.

It should be noted that I was engaged in the violent physical altercation with Diaz for approximately 30 seconds. During this time I did not know if Diaz was armed with a weapon and feared that Diaz could easily grab my service weapon or any other weapon and use it against me.

Diaz continued running westbound, across Williams St., towards the Chatham Village apartment complex, located at 15751 Williams St. I attempted to follow him, but was unable to keep him in sight. I last saw Diaz running southbound through the breezeway of 15751 Williams St. A short time after several TPD officer responded to my location.

As a result of the physical altercation with Diaz I sustained two broken fingers and was transported to Western Medical Center where I received treatment. As I received

TUSTIN POLICE DEPARTMENT  
SUPPLEMENTAL NARRATIVE  
CR 13-6410

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medical treatment at the hospital, I gave Officer Del Merari an initial statement of what had occurred.

I request that a copy of this supplemental report be attached to Officer Del Merari's original report.

DEC 17 2013

TUSTIN POLICE DEPARTMENT

NARRATIVE/SUPPLEMENTAL REPORT

1 CR # 13-6410	2 SUPPLEMENTAL <input checked="" type="checkbox"/>
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3 NAME (LAST, FIRST, MIDDLE) DIAZ, JOSE		4 OCCUPATION —	5 D.O.B.	6 SEX <input checked="" type="checkbox"/> 1 M <input type="checkbox"/> 1 F	7 RACE <input type="checkbox"/> 4 IND <input type="checkbox"/> 8 PISL	<input type="checkbox"/> 1 WHI <input type="checkbox"/> 5 CHI <input type="checkbox"/> 9 VIET	<input checked="" type="checkbox"/> 2 HISP <input type="checkbox"/> 6 JAPN <input type="checkbox"/> 10 OTH	<input type="checkbox"/> 3 BLK <input type="checkbox"/> 7 FIL
8 RESIDENCE ADDRESS		9 CITY	STATE	ZIP CODE	10 RES. PHONE ( )			
11 CODE SECTION	12 CRIME	13 CLASSIFICATION			14 REFER OTHER REPORTS			
15 LOCATION			16 RD	17 DATE	18 TIME			

19 SYNOPSIS REQUIRED ON ORIGINAL REPORT ONLY. THE LISTED CRIMES INCLUDE ATTEMPTS.  
 SYNOPSIS = MAIN FACTS OF THE CRIME. INCLUDE M.O. TYPE SUSPECT STATEMENT.

**SYNOPSIS REQUIRED ON ALL PART 1 OFFENSES**

20 TATTOO DESCRIPTION / SYNOPSIS:  
 TT:

. ATTN: DATA ENTRY CLERK - ENTER DESCRIPTIONS OF SCARS, MARKS, TATTOOS FROM SUSPECT PAGE.

21 NARRATIVE:

SEE ATTACHED NARRATIVE

22 REPORTING OFFICER / ID NO. DEL MERAZI 1227	23 DATE 12 13 13	24 APPROVED BY / ID NO. JTT	25 DATE 121513
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**Tustin Police Department  
Supplemental Narrative  
CR# 13-6410**

**NARRATIVE**

On 11/07/13 at approximately 1900 hours, I collected and booked items #1 and #2 of the attached property report under CR# 13-6310. This is the incorrect CR#. The proper CR# is 13-6410. The purpose of this report is to correct the previously made error.

Refer to my original crime report for further information regarding my investigation.

No further details.

PROPERTY REPORT

TUSTIN  
POLICE DEPARTMENT

1 CR# 13-6310 13-6410  
2 REFER OTHER REPORTS

RIG  
 SUPP

SOURCE CODE: \*F\*=FINDER \*O\*=OWNER \*S\*=SUSPECT \*V\*=VICTIM \*W\*=WITNESS

SOURCE LAST, FIRST, MIDDLE (FIRM, IF BUSINESS) SOURCE LAST, FIRST, MIDDLE (FIRM, IF BUSINESS)  
S DIAZ, JOSE LUCIO

PROV. CODES: D-DISPOSAL REQ, E-EVIDENCE, F-FOUND, SK-SAFEKEEPING, L-LOST, R-RECOVERED, S-STOLEN, S/R-STOLEN/RECOV, SEARCH WARRANT, 5150 / B102 WA 1, FINDER'S CLAIM, D.V./12028.5 PC, LOC. CODES: C-CAGE, F-FREEZER, L-LOCKER #, R-REFRIGERATOR, H-HAZ MAT, V-VICTIM RETAINED

ITEM NO. 1  
3 TYPE E 4 QTY 1 5 ARTICLE CELL PHONE 6 BRAND SAMSUNG 7 MODEL 8 SERIAL NO./OAN 9 VALUE  
10 COLOR(S) BLU 11 DESCRIPTION SAMSUNG CELL PHONE

GUN TYPE  Pistol  Shotgun  Other  Rifle  Combo CATEGORY  Auto  Pump  Revolver  Semi Auto  Over / Under  Other CALIBER: BARREL LENGTH:  
12 PREMISE / AREA / ROOM TAKEN FROM STREET 13 SOURCE: S 14 CURRENT LOCATION L#22 15 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

ITEM NO. 2  
16 TYPE E 17 QTY 3 18 ARTICLE Misc. TASER PIECES 19 BRAND 20 MODEL 21 SERIAL NO./OAN 22 VALUE  
23 COLOR(S) GREEN/Pink 24 DESCRIPTION TASER CARTRIDGES DOOR, CONFETTI

GUN TYPE  Pistol  Shotgun  Other  Rifle  Combo CATEGORY  Auto  Pump  Revolver  Semi Auto  Over / Under  Other CALIBER: BARREL LENGTH:  
25 PREMISE / AREA / ROOM TAKEN FROM SIDEWALK 26 SOURCE: S 27 CURRENT LOCATION L#22 28 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

ITEM NO. 29 TYPE 30 QTY 31 ARTICLE 32 BRAND 33 MODEL 34 SERIAL NO./OAN 35 VALUE  
36 COLOR(S) 37 DESCRIPTION

GUN TYPE  Pistol  Shotgun  Other  Rifle  Combo CATEGORY  Auto  Pump  Revolver  Semi Auto  Over / Under  Other CALIBER: BARREL LENGTH:  
38 PREMISE / AREA / ROOM TAKEN FROM 39 SOURCE: 40 CURRENT LOCATION 41 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

ITEM NO. 42 TYPE 43 QTY 44 ARTICLE 45 BRAND 46 MODEL 47 SERIAL NO./OAN 48 VALUE  
49 COLOR(S) 50 DESCRIPTION

GUN TYPE  Pistol  Shotgun  Other  Rifle  Combo CATEGORY  Auto  Pump  Revolver  Semi Auto  Over / Under  Other CALIBER: BARREL LENGTH:  
51 PREMISE / AREA / ROOM TAKEN FROM 52 SOURCE: 53 CURRENT LOCATION 54 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

ITEM NO. 55 TYPE 56 QTY 57 ARTICLE 58 BRAND 59 MODEL 60 SERIAL NO./OAN 61 VALUE  
62 COLOR(S) 63 DESCRIPTION

GUN TYPE  Pistol  Shotgun  Other  Rifle  Combo CATEGORY  Auto  Pump  Revolver  Semi Auto  Over / Under  Other CALIBER: BARREL LENGTH:  
64 PREMISE / AREA / ROOM TAKEN FROM 65 SOURCE: 66 CURRENT LOCATION 67 ADDITIONAL NOTES / SIGNATURE FOR RELEASED ITEM

ALL SERIALIZED ITEMS (WITH THE EXCEPTION OF ITEMS FOR IMMEDIATE DESTRUCTION) MUST BE ENTERED INTO DOJ

COMMENTS

PROPERTY RELEASED BY APPOINTMENT ONLY: Please refer to the back of your property receipt for property release information and instructions.

OFFICER'S NAME DELMERARI ID NUMBER 1227 DATE 110713 SIGNATURE FOR RECEIPT  RECEIPT MAILED  REFUSED PG OF 11

**Use of force**      **IA No: UOF2013-001**      **Received: Nov 07, 2013 19:00**

Case No: 13-6410

Type of service being performed at time of incident: Arrest Warrant

Reason for use-of-force: Resisting Arrest

Officer assessment of citizen condition: Unknown

Citizen was injured: Yes

Citizen was taken to hospital: Yes

Citizen was charged/arrested in relation to the incident: Yes Officer was injured: Yes

Officer was taken to hospital: Yes

Distance Officer was from Involved Citizen:

Involved Citizen Build: Medium

Involved Citizen Height: 5'7" to 5'9"

**Involved citizen:**

**Jose Lucio Diaz-Lopez**

**Resistance(s):**

Punched  
Pushed

**Injuries/conditions:**

Broken Bone  
Minor Visible Injury

**Charges against citizen in relation to the incident:**

**Officers involved:**

**Police Officer Gustavo Gonzalez [1231]**

**Officer current info:**

Bureau: Community Policing  
Division: South Area Patrol  
Unit: Patrol

**Snapshot - officer information at time of incident:**

Badge/ID no:  
Bureau: Community Policing  
Division: South Area Patrol  
Unit: Patrol  
Squad: Squad Two  
Rank/title: Police Officer

██████ Years of employment: 2 Years with unit:  
Off duty: No Off duty employed: No

**Use(s) Of Force:**

EMDT: NOT effective

**Less-lethal/CED force-related**

Accidental discharge: No

Device was displayed only:

Arc display: No

Citizen painted with laser: No

**Direct/drive stun contact:**

# of drive stuns: 0

Injury caused: No

Location of injury:

**Projectile/probe contact: Yes**

# air cartridges used: 1

# cycles through probes: 1

# dart hits: 0

Total # darts fired: 0

Injury caused:

Darts penetrated subject's skin: No

Subject wearing heavy clothing: No

Location of projectile/probe contact:

Punched: Effective

Injuries/conditions:

Broken Bone

**Police Sergeant James E Brabeck [1015]**

**Officer current info:**

Bureau: Community Policing

Division: South Area Patrol

Unit: Patrol

**Use(s) Of Force:**

ASP: Effective

**Officer witnesses:**

**Police Sergeant Jeffrey Ardell Taylor [1062]**

**Officer current info:**

Bureau: Community Policing

Division: North Area Patrol

Unit: Patrol

**Summary:**

Officers attempted to contact known gang member for warrants. The subject fled on foot. Once officers contacted subject, a struggle ensued. Suspect punched Officer Gonzalez and Officer Gonzalez punched suspect back. Officer Gonzalez deployed his EMDT, however it was not successful. Sgt. Brabeck struck the suspect 3-6 times in the knee and the suspect was taken into custody.

Officer Gonzalez sustained a broken finger as a result of punching the suspect.

**When/where:**

Date/time occurred: Nov 07 2013 19:00

Incident location: 15742 Williams Street 155 Tustin CA 92780

Secondary Incident Location: 15500 Tustin Village Way Tustin CA 92780

County: South Area

**Status/assignment information:**

Status: Completed Priority: Low

Opened: 11/07/2013 Assigned: 11/07/2013 Due: Completed: 11/26/2013

Disposition: Within Policy

Unit assigned: Professional Standards

Handled at field/unit level: Yes

Outside/file investigator: Police Sergeant Jeffrey Ardell Taylor

Investigator assign: Police Sergeant Andrew Birozy

Supervisor assign: Police Lieutenant Robert Wright

Source of information:

**Organizational component(s):**

Bureau: Community Policing

Division: South Area Patrol

Unit: Patrol

Squad: Squad Two

**Entered by: Police Sergeant Andrew Birozy on Apr 29, 2014 at 15:25**

# ATTACHMENT 4

## EVIDENCE SYNC™ OFFLINE DEVICE REPORT

### ECD Information

Model #: X26

Serial #: X00-681718

Firmware version: USB: 06, SW: 22

### Offline Report Date:

10 Nov 2013 14:13:05

### Local Timezone:

Pacific Standard Time (UTC -8:00)

### Event Log

#	UTC Time	Local Time	Event	Duration	Temp	Battery
1	07/30/2012 17:21:12	07/30/2012 10:21:12	FIRE	254s	0°C	0%
2	07/30/2012 17:21:14	07/30/2012 10:21:14	SYNC	07/30/2012 17:21:14 to 07/30/2012 17:21:14		
3	07/30/2012 17:22:00	07/30/2012 10:22:00	FIRE	5s	25°C	99%
4	07/30/2012 17:22:06	07/30/2012 10:22:06	FIRE	5s	25°C	99%
5	07/30/2012 17:22:14	07/30/2012 10:22:14	FIRE	5s	25°C	99%
6	12/15/2012 17:40:24	12/15/2012 09:40:24	FIRE	5s	20°C	98%
7	12/15/2012 17:39:02	12/15/2012 09:39:02	SYNC	12/15/2012 17:41:58 to 12/15/2012 17:39:02		
8	12/20/2012 14:09:18	12/20/2012 06:09:18	FIRE	5s	15°C	97%
9	12/21/2012 14:09:07	12/21/2012 06:09:07	FIRE	1s	15°C	97%
10	12/23/2012 14:10:20	12/23/2012 06:10:20	FIRE	1s	18°C	97%
11	12/27/2012 14:56:23	12/27/2012 06:56:23	FIRE	1s	14°C	96%
12	12/28/2012 14:09:22	12/28/2012 06:09:22	FIRE	2s	16°C	96%
13	01/03/2013 14:09:41	01/03/2013 06:09:41	FIRE	2s	14°C	96%
14	01/04/2013 14:08:57	01/04/2013 06:08:57	FIRE	1s	16°C	96%
15	01/18/2013 14:13:09	01/18/2013 06:13:09	FIRE	2s	15°C	96%
16	01/25/2013 17:44:29	01/25/2013 09:44:29	FIRE	1s	17°C	96%
17	02/21/2013 14:07:19	02/21/2013 06:07:19	FIRE	1s	17°C	95%
18	02/26/2013 03:57:59	02/25/2013 19:57:59	FIRE	1s	15°C	95%
19	02/28/2013 08:11:05	02/26/2013 00:11:05	FIRE	1s	14°C	95%
20	03/09/2013 02:13:15	03/06/2013 18:13:15	FIRE	2s	17°C	95%
21	03/23/2013 05:45:42	03/22/2013 22:45:42	FIRE	1s	17°C	95%
22	03/24/2013 14:23:42	03/24/2013 07:23:42	FIRE	1s	14°C	94%
23	03/25/2013 01:44:47	03/24/2013 18:44:47	FIRE	1s	19°C	94%
24	03/30/2013 01:09:44	03/29/2013 18:09:44	FIRE	1s	19°C	94%
25	03/31/2013 07:09:08	03/31/2013 00:09:08	FIRE	1s	17°C	94%
26	04/06/2013 09:41:28	04/06/2013 02:41:28	FIRE	1s	20°C	94%
27	04/07/2013 01:10:37	04/06/2013 18:10:37	FIRE	2s	20°C	94%
28	04/08/2013 03:15:05	04/07/2013 20:15:05	FIRE	1s	20°C	93%
29	04/08/2013 04:43:04	04/07/2013 21:43:04	FIRE	1s	18°C	93%
30	04/20/2013 12:48:29	04/20/2013 05:48:29	FIRE	1s	15°C	93%
31	04/26/2013 05:21:27	04/25/2013 22:21:27	FIRE	1s	19°C	93%
32	04/29/2013 07:13:29	04/29/2013 00:13:29	FIRE	2s	20°C	93%
33	05/03/2013 22:17:55	05/03/2013 15:17:55	FIRE	1s	25°C	93%
34	05/03/2013 22:18:08	05/03/2013 15:18:08	FIRE	1s	25°C	93%
35	05/18/2013 07:55:14	05/18/2013 00:55:14	FIRE	1s	20°C	92%
36	06/08/2013 01:00:05	06/07/2013 18:00:05	FIRE	1s	21°C	92%
37	06/09/2013 00:47:39	06/08/2013 17:47:39	FIRE	1s	20°C	92%
38	06/10/2013 01:14:03	06/09/2013 18:14:03	FIRE	1s	22°C	92%
39	06/18/2013 08:55:58	06/16/2013 01:55:58	FIRE	1s	23°C	92%
40	06/17/2013 01:16:01	06/16/2013 18:16:01	FIRE	1s	21°C	92%
41	06/18/2013 01:10:06	06/17/2013 18:10:06	FIRE	1s	21°C	92%
42	07/07/2013 13:15:35	07/07/2013 06:15:35	FIRE	2s	24°C	91%

#	UTC Time	Local Time	Event	Duration	Temp	Battery
43	07/13/2013 00:51:47	07/12/2013 17:51:47	FIRE	1s	21°C	91%
44	07/20/2013 01:15:21	07/19/2013 18:15:21	FIRE	2s	22°C	91%
45	07/23/2013 00:56:06	07/22/2013 17:56:06	FIRE	1s	20°C	91%
46	07/29/2013 00:59:20	07/28/2013 17:59:20	FIRE	1s	21°C	91%
47	08/03/2013 01:13:27	08/02/2013 18:13:27	FIRE	2s	21°C	91%
48	08/19/2013 12:12:09	08/19/2013 05:12:09	FIRE	1s	23°C	90%
49	08/21/2013 22:43:35	08/21/2013 15:43:35	FIRE	1s	20°C	90%
50	08/21/2013 22:52:11	08/21/2013 15:52:11	FIRE	5s	25°C	90%
51	08/21/2013 22:52:25	08/21/2013 15:52:25	FIRE	5s	26°C	90%
52	08/26/2013 06:09:40	08/25/2013 23:09:40	FIRE	1s	24°C	89%
53	11/08/2013 03:06:58	11/07/2013 19:06:58	FIRE	5s	21°C	89%
54	11/10/2013 22:17:38	11/10/2013 14:17:38	FIRE	1s	18°C	87%
55	11/10/2013 22:12:38	11/10/2013 14:12:38	SYNC	11/10/2013 22:19:57 to 11/10/2013 22:12:38		

# Tustin Police Department

## Use of Force Administrative Review

This report is prepared as an internal administrative instrument for Tustin Police Department  
It shall not be released to persons or agencies outside the department without prior approval from the Chief of Police.

Date of Occurrence: Nov. 7, 2013 Time of Occurrence: 1900 TPD Report No.: 13-6410

Location of Incident: 15742 Williams (Estrella Apartments) & 15500 Tustin Village Way  
 **IN POLICY (No further action)**  **RECOMMEND ADMINISTRATIVE INVESTIGATION**

### SUSPECT INFORMATION

Name (Last, First, MI): Diaz-Lopez, Jose Lucio DOB: [REDACTED] Race: H Sex:  M  F Height: 5'8  
Weight: 160

Charges: PC 69

Nature of Initial Contact/Code Section if any (check one)

<input type="checkbox"/> Felony Arrest	<input type="checkbox"/> Car Check	<input type="checkbox"/> Call: Armed Person
<input type="checkbox"/> Felony Warrant	<input type="checkbox"/> Pedestrian Check	<input type="checkbox"/> Call: Domestic Violence
<input type="checkbox"/> Misdemeanor Arrest	<input type="checkbox"/> Search Warrant	<input type="checkbox"/> Occupied Stolen Vehicle
<input checked="" type="checkbox"/> Misdemeanor Warrant	<input type="checkbox"/> Call: Suspicious Person	<input type="checkbox"/> Consensual Encounter
<input type="checkbox"/> Traffic Violation	<input type="checkbox"/> Call: Disturbance	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Alcohol/Drug Related	<input type="checkbox"/> Call: 5150	

Force Used Against Officer(s) (Check all that apply)

Lethal Force or Threatened Lethal Force:

<input type="checkbox"/> Rifle	<input type="checkbox"/> Handgun	<input type="checkbox"/> Shotgun	<input type="checkbox"/> Knife	<input type="checkbox"/> Club	<input type="checkbox"/> Other _____
<input type="checkbox"/> Less Than Lethal	<input checked="" type="checkbox"/> Hands	<input checked="" type="checkbox"/> Feet	<input type="checkbox"/> Teeth	<input checked="" type="checkbox"/> Combative	<input type="checkbox"/> Other _____

Force Used by Officer(s) (Check all that apply)

<input type="checkbox"/> Handgun	<input type="checkbox"/> Shotgun	<input type="checkbox"/> Rifle	<input type="checkbox"/> Carotid Restraint
<input type="checkbox"/> Less Than Lethal Force:	<input checked="" type="checkbox"/> Physical Force (Hands)	<input checked="" type="checkbox"/> Baton/PR24	<input checked="" type="checkbox"/> EMDT - Cartridge Number <u>unk</u>
<input type="checkbox"/> Leg Restraints	<input type="checkbox"/> Capsicum or Chemical Agent	<input type="checkbox"/> Less Lethal Projectile	<input type="checkbox"/> Other: _____

Injuries to Suspect(s):

<input type="checkbox"/> Death	<input checked="" type="checkbox"/> Minor Visible Injury	<input type="checkbox"/> Serious Visible Injury	<input checked="" type="checkbox"/> Complaint of Injury	<input type="checkbox"/> No Injury Observed
<input type="checkbox"/> Loss of Consciousness	Description of Injuries: <u>Fractured nose and body soreness</u>			

Treatment:

<input type="checkbox"/> Admitted to Hospital	<input type="checkbox"/> No Treatment Required	<input checked="" type="checkbox"/> Treated and Released	<input type="checkbox"/> Refused Treatment
Location of Treatment or Hospitalization: <u>Santa Ana WestMed</u>		Physician: <u>[REDACTED]</u>	Other: _____
<input checked="" type="checkbox"/> Evaluated by OCFAs Paramedics on scene			
Were Injuries Photographed: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		By Whom: <u>Detective Poling</u>	

Injuries to Officer(s)

<input type="checkbox"/> Death	<input checked="" type="checkbox"/> Minor Visible Injury	<input type="checkbox"/> No Injury	<input type="checkbox"/> Complaint of Injury (No injury observed)
Description of injuries: <u>Gonzalez - (2) broken fingers</u>			

Treatment:

<input type="checkbox"/> Admitted to Hospital	<input type="checkbox"/> No Treatment Required	<input checked="" type="checkbox"/> Treated and Released	<input type="checkbox"/> Refused Treatment
Location of Treatment or Hospitalization: <u>Santa Ana WestMed</u>		Physician: <u>[REDACTED]</u>	
Were Injuries Photographed: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
By Whom: <u>PSO Garzone</u>			

Officers Involved:	Name/P#	Use of Force	Type of Force Used	Injured	Witness Only	MAVS
1.	<u>Gonzalez #1231</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>Hands/EMDT</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.	<u>Brabeck #1015</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<u>ASP</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3.	<u>Taylor #1062</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4.	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
5.	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
6.	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
7.	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

8.  Yes  No \_\_\_\_\_  Yes  No  \_\_\_\_\_  Yes  No \_\_\_\_\_
9.  Yes  No \_\_\_\_\_  Yes  No  \_\_\_\_\_  Yes  No \_\_\_\_\_
10.  Yes  No \_\_\_\_\_  Yes  No  \_\_\_\_\_  Yes  No \_\_\_\_\_

**Tustin Police Use of Force Statement Form**

**Witness Information**

Name: \_\_\_\_\_ DOB: \_\_\_\_\_ CDL: \_\_\_\_\_  
 Home Address/Telephone: \_\_\_\_\_  
 Work Address/Telephone: \_\_\_\_\_  
 Statement Summary: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_ CDL: \_\_\_\_\_  
 Home Address/Telephone: \_\_\_\_\_  
 Work Address/Telephone: \_\_\_\_\_  
 Statement Summary: \_\_\_\_\_

Name: \_\_\_\_\_ DOB: \_\_\_\_\_ CDL: \_\_\_\_\_  
 Home Address/Telephone: \_\_\_\_\_  
 Work Address/Telephone: \_\_\_\_\_  
 Statement Summary: \_\_\_\_\_

**Attachments:**

1. Police Report Narratives
2. Photos of Officer Gonzalez
3. Photos of Jose Diaz
4. Taser Device Report
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

**Brief Summary of Incident (Attach additional pages if necessary)**

Officer Gonzalez attempted to detain a known gang member who was wanted for two warrants. The subject ran from Officer Gonzalez and when Officer Gonzalez caught up to the subject, a physical fight ensued. During the fight, Officer Gonzalez was punched and pushed in the chest by the subject. Officer Gonzalez countered the assault with several punches of his own. Officer Gonzalez's punches landed on the subject's upper torso and cheek. During the fight, Officer Gonzalez attempted to subdue the subject by deploying his EMDT. The EMDT was not successful and the probes to the EMDT never penetrated the subject. The subject was able to elude Officer Gonzalez and perimeter units were unsuccessful in locating him. Officer Gonzalez is uncertain at which point during the assault his two fingers were broken and estimates the number of punches thrown by him to be 12.

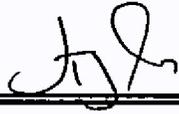
Approximately two hours later, Sergeant Brabeck and I found the subject running through the complex at 15500 Tustin Village Way. Another foot pursuit ensued and the subject was detained in the south alley of the complex as he attempted to conceal himself under a vehicle. During the arrest of the subject, he became combative and attempted to kick Sergeant Brabeck as Sergeant Brabeck tried pulling him out from under the vehicle. Sergeant Brabeck deployed his ASP and struck the subject 3-6 times in the knee area in an attempt to keep him and me safe. Control of the subject was then gained and he was taken into custody without further incident.

The EMDT cartridge used by Officer Gonzalez was discarded prior to me obtaining the cartridge number and the AFID tags were booked into property prior to documenting the cartridge number.

I attempted to interview Jose Diaz regarding the use of force but he refused to speak to me.

Supervisor Completing Report:

Name: J. Taylor



Date: Nov. 16, 2013

Review/Comments:

Lieutenant/Manager: I read Sgt. Taylor's Use of Force Review and examined all attachments. I agree this use of force is within policy and no further investigation is required.

Officer Gonzalez had a legal reason to arrest the suspect (warrants) and once the suspect fled, he gave chase. Once Gonzalez caught the suspect, the suspect physically resisted arrest and punched Gonzalez in the torso several times in order to escape capture. Gonzalez responded with a series of punches and eventually used his Taser which was not effective so the suspect was able to escape. Gonzalez sustained two broken fingers at some point during the attack. Based on the totality of the circumstances, Gonzalez's use of force was reasonable and in policy.

Sgt. Brabeck knew the suspect had feloniously assaulted Gonzalez a short time earlier so he too had a reason to arrest the suspect. When the suspect was located hiding underneath a car he refused verbal commands to surrender. When Brabeck tried to grab him by the legs and pull him out the suspect began kicking (assaulting) Brabeck. At that point Brabeck backed away, and delivered 3-6 baton strikes to the suspects mid leg area while continuing verbal commands to stop resisting. Once the suspect's resistance lessened, Brabeck was able to place handcuffs on him and take him into custody. Based on the totality of the circumstances, Brabeck's use of force was reasonable and in policy.

Additionally I did not discover any tactical, training or equipment concerns that need to be addressed. Although it would have been safer for Gonzalez to broadcast his actions prior to engaging the suspect, doing so could have caused enough of a delay for the suspect to escape. The contact quickly unfolded and was dynamic in nature so he broadcast his activity the first opportunity he had, which was after the suspect had assaulted him. The fact that the Taser was ineffective is something we receive regular training on and that is, the device will not work unless both barbs are engaged. Engaging both barbs into a moving target is difficult and it is one of the limitations of the Taser.

Name: Lt. Blair



Date: 11/20/13

I CONCUR WITH LT. BLAIR.

Bureau Commander:

Name:

Signature:



Date: 11-26-13

CONCUR: NO  
FURTHER ACTION  
CAPT. JEWIS  
ACTING CHIEF

11-26-13

