

# Culver CITY

## INTEROFFICE MEMORANDUM

DATE: March 22, 2017

TO: CAPTAIN JASON SIMS, Operations Bureau Commander

FROM: LIEUTENANT MANUEL CID, Office of the Chief of Police

SUBJECT: INVESTIGATION #C17-004

Officers M. Kutyllo, Gladden, Call, and McCormick

### SUMMARY OF ALLEGATIONS

- A. It is alleged that **Officers Michael Kutyllo, James Gladden, Thomas Call and Mason McCormick** utilized excessive and unreasonable force while detaining, and ultimately arresting, a subject ( ) while conducting a traffic enforcement stop on February 4, 2017, in violation of Culver City Police Department's Policy Manual Section 322.5.4 (b), ***Unreasonable and unwarranted force to a person encountered or under arrest***. Based on my investigation, the allegation that Officers M. Kutyllo, Gladden, Call and McCormick violated the above policy is **EXONERATED**.
- B. It is alleged that Officers Michael Kutyllo and James Gladden failed to properly activate their audio microphones, as a part of the Mobile Audio Video System (MAV), while conducting a traffic enforcement stop on February 4, 2017, in violation of Culver City Police Department's Policy Manual Section 437.4.1, ***Mobile Audio-Video System, Improper "Muting" of Microphone***. Based on my investigation, the allegation that Officers M. Kutyllo and Gladden violated the above policy is **SUSTAINED**.
- C. It is alleged that **Officers Michael Kutyllo, James Gladden, Thomas Call and Mason McCormick** misplaced or lost the property (\$300 dollars in cash) of a subject ( ) while detaining and arresting him during a field investigation on February 4, 2017, in violation of Culver City Police Department's Policy Manual Section 322.5.4 (i), ***Unauthorized possession of, loss of, or damage to the property of another***. Based on my investigation, the allegation that Officers M. Kutyllo, Gladden, Call and McCormick violated the above policy is **NOT-SUSTAINED**.

## INTRODUCTION AND SYNOPSIS

On 2/4/17, at approximately 1345 hours, Officer Michael Kutyllo (assigned as 1L51) was working uniformed patrol in full uniform driving a marked black and white police vehicle. While conducting routine patrol, Officer Kutyllo elected to conduct a traffic enforcement stop on a white 2003 Chrysler Town and Country, bearing paper license plates, a violation of CVC 5200(a) (display of license plates), in the area of Jefferson Blvd. and Overland Avenue. Moments later, Officer Gladden arrived on scene to assist.

During the traffic stop, the officers determined that the sole occupant, \_\_\_\_\_, was on probation for narcotics, driving with a suspended driver's license, and displaying objective symptoms and signs of stimulant usage. Officer Kutyllo elected to have \_\_\_\_\_ who is 7'00 tall and 280 pounds, exit the vehicle for further investigation, during which time Officer Gladden arrived to assist. Upon asking \_\_\_\_\_ to exit his vehicle, he immediately became agitated and hesitant to exit the vehicle.

After ultimately exiting his vehicle, Officer Kutyllo walked \_\_\_\_\_ towards the sidewalk and he attempted to place handcuffs on him, based on \_\_\_\_\_ agitated and uncooperative demeanor. As Officer Kutyllo dawned his handcuffs, \_\_\_\_\_ suddenly spun to his left, at which point Officers Kutyllo and Gladden both pushed \_\_\_\_\_ into the hood of their patrol vehicle. \_\_\_\_\_ continued to pull away from both officers' grasps and began actively physically resisting. Officer Gladden then attempted to place \_\_\_\_\_ in an upper body restraint, before both \_\_\_\_\_ and the officers lost their balance and fell to the ground. Once on the ground, \_\_\_\_\_ continued struggling and resisting the officers by thrashing his body and kicking his legs. At this time, Officer Kutyllo punched \_\_\_\_\_ in the lower back area approximately ten times, while Officer Gladden began attempting to apply the carotid control hold on \_\_\_\_\_.

After about a one minute struggle between \_\_\_\_\_ and the officers, \_\_\_\_\_ is momentarily rendered unconscious, before regaining consciousness and continuing to resist the officers' efforts to place handcuffs on him.

Responding to an emergency request for assistance, Officers McCormick and Call arrived on scene and began assisting in attempting to handcuff \_\_\_\_\_ who was still actively resisting. During this time, Officer Call struck \_\_\_\_\_ two times in the upper back area trying to gain compliance in handcuffing him. Moments later, Officer Gladden successfully applied the carotid control hold and he once again was able to render unconscious. At this point, \_\_\_\_\_ was placed in handcuffs without any further force incident.

CCFD Rescue #3 was immediately summoned to the scene and they transported to Southern California Hospital. \_\_\_\_\_ was medically evaluated and cleared for booking at CCPD a few hours later. \_\_\_\_\_ was booked for PC 148(A)(1), delay, resist, or obstruct a peace officer.

The entirety of the incident was captured on Officer Gladden's vehicle's Mobile Audio-Video (MAV) system, as well as partially captured on Officer Kutyllo's vehicle's MAV system. However, both officers' MAV belt microphones were "muted" during almost the entire incident, making the majority of the MAV video footage of the incident absent sound.

Sgt. Bellante responded to the hospital that day and spoke with [redacted] regarding the incident. [redacted] stated that he did not have any issues with the officers and admitted that he had recently ingested methamphetamine prior to the incident. However, [redacted] provided several inconsistent statements regarding his actions, and the actions of the officers, during the incident.

A couple of days later, on 2/7/17, [redacted] walked into the CCPD station lobby and asked to speak with the Watch Commander regarding concerns he had related to the incident. Lt. Kellum spoke with [redacted], whose eyes were blood shot and he spoke with a low semi-raspy tone.

[redacted] provided Lt. Kellum his version of the incident, highlighting the fact that he felt the force was unwarranted during his contact with the officers that day. [redacted] added that doctors had since diagnosed him with a crushed larynx and that he was experiencing pain to different areas of his head. [redacted] account of his actions during the incident differed from the officers' account, as well as from the MAV video footage from the incident.

[redacted] returned to the police station once again a few days later, on 2/10/17, and once again requested to speak with the Watch Commander. I spoke with [redacted] on this day, along with his [redacted]

[redacted] began to explain the incident once again, stating a few Culver City Police Officers had "choked" and "excessively beat" him for no reason. In addition, [redacted] stated he did not know where his vehicle and property (cell phone and wallet) were left on the day of the incident. I assisted [redacted] with locating his vehicle, which was secured and left at the scene on the day of the incident, and advised him that his wallet and cell phone was left inside of his vehicle. I also explained the complaint process to [redacted] in detail and provided him with a complaint form, which he stated he would return to the department at a later date.

A short time later, I received a phone call from [redacted] who was upset and claiming that her brother's vehicle had been "ransacked." [redacted] explained that they had located her brother's cell phone and wallet, but that \$300 dollars was missing from inside of his wallet and they intended to include this lost money as a part of their formal complaint.

On 2/10/17, I was assigned, by then Captain Shank, to investigate any possible violations of policy on the part of Officers Kutyllo, Gladden, Call and McCormick related to this incident.

## INVESTIGATION

### REVIEW OF SUPERVISOR'S CONFIDENTIAL LOGS/ RECORDINGS

On February 20, 2017, I read and reviewed the following patrol supervisor confidential logs and respective audio recordings:

Sergeant Bellante's Confidential Log detailed an incident, which occurred on the afternoon of February 4, 2017, involving a traffic stop that Officer M. Kutyllo conducted in the area of Jefferson Blvd. and Overland Ave. During the traffic stop, Officer M. Kutyllo asked for assistance and Officer Gladden responded to assist. The officers ultimately asked the sole occupant of the vehicle, \_\_\_\_\_, to exit his vehicle based on his probation status. \_\_\_\_\_ reluctantly complied and exited the vehicle. However, moments later, \_\_\_\_\_ began physically resisting Officer Kutyllo's attempts to place him in handcuffs during the detention, which ultimately resulted in a use of force between the officers and \_\_\_\_\_. During the use of force, Officer Kutyllo struck approximately 10-12 times in his back and Officer Gladden applied the carotid restraint on \_\_\_\_\_ rendering him unconscious. After Officers McCormick and Call arrived on scene to assist, the officers were eventually able to place \_\_\_\_\_ in handcuffs and subsequently arrested him for PC 148 (delaying, resisting or obstructing a peace officer). The Confidential Log details the fact that \_\_\_\_\_ was transported to Southern California Hospital to be medically cleared prior to booking. Sgt. Bellante's log, as well as the respective audio recording, details that in speaking with \_\_\_\_\_, he did not have any issues or "problems" with the officers, but that he \_\_\_\_\_ felt the officers should have told him what their intentions were from the beginning. \_\_\_\_\_ also admitted to ingesting methamphetamine prior to the incident.

In addition, Sgt. Bellante detailed the fact that the entire incident was captured on officer's Mobile Audi-Video (MAV) system. See ATTACHMENTS A for further.

Sergeant Vanscoy's Confidential Log, dated February 5, 2017, which provided a follow-up to Sergeant Bellante's original log. It detailed the fact that \_\_\_\_\_ was treated for minor injuries and cleared for booking by \_\_\_\_\_. \_\_\_\_\_ was then transported to CCPD and booked, before being cited and released a couple of hours later. Sergeant Vanscoy also detailed receiving a couple of phone inquiries in the Watch Commander's Office regarding the incident. One of the inquiries was from a media outlet, and the other was a subject identifying himself as '\_\_\_\_\_' (allegedly \_\_\_\_\_). In reviewing the audio recording of the conversation, \_\_\_\_\_ pressed concern regarding \_\_\_\_\_ arrest and contact with the police, alleging that the Culver City Police had "beat" his brother-in-law for no good reason. Although \_\_\_\_\_ was

not present during the incident, he claimed to have video of the incident. See **ATTACHMENT B** for further.

Lieutenant Kellum's Confidential Log, dated February 7, 2017, which detailed walking into the CCPD Lobby and desiring to speak with a supervisor regarding concerns he had in relation to his incident with the police. I spoke with Lt. Kellum regarding what he felt was an unprovoked "attack" by officers, stating he was fully cooperative with the officers during the entire incident in question. Lt. Kellum took photographs of injuries (bloodshot eyes and a bruise under his left eye), before eventually left the station without filing a formal written complaint against the officers. See **ATTACHMENT C** for further.

I, Lieutenant Cid, authored a Confidential Log, dated February 10, 2017, which detailed another instance of entering the police station wishing to speak with a supervisor. I spoke with , and his sister , and they once again expressed their concerns regarding the incident and desired to file a formal written complaint against the officers involved. I explained the complaint process to and provided him a complaint form, which he stated he would return in the near future. I also assisted in locating his vehicle. also told me on this date that she felt the officers were responsible for her brother's \$300 dollars that were missing from inside of his wallet from the day of the incident. See **ATTACHMENT D** for further.

All of the aforementioned conversations were captured on audio recording. I reviewed all the audio recordings and they are all consistent with the logs and statements obtained as a part of this investigation.

*\*It should be noted that as of the authoring of this written document, I have not been contacted by in any manner, nor has the Department received his formal written complaint of the incident.*

### **REVIEW OF RADIO CALL AND CAD REPORT**

I obtained a copy of all radio transmissions related to this call (DR#17-4307). The initial traffic stop broadcast, from Officer Kutyllo (1L51), was received by Communications Operator Jason Bradford, at approximately 1348 hours, and advised of a traffic stop on a white 2003 Chrysler Town and Country mini-van bearing paper plates. At approximately 1350 hours, Officer Gladden (1L53) arrived on scene, at Jefferson Blvd. and Overland Ave., to assist. At approximately 1354 hours, officers requested a "Code 3 Back." About a minute later, Officers McCormick and Call (1A52) arrived on scene to assist.

At approximately 1400 hours, a DMV check on vehicle was conducted, as well as a "Wants/Warrants/ID check" on his name. See **ATTACHMENT E** and the attached CD for further.

### **REVIEW OF POLICE REPORTS DR#17-4307**

I reviewed the initial arrest report related to this incident. All of the statements that I obtained as part of this investigative process were consistent with all the reports I reviewed. See ATTACHMENT F for further.

### **REVIEW OF HOSPITAL DISCHARGE REPORT**

I reviewed all the medical discharge documents provided by Southern California Hospital, which all detailed no serious injuries to [REDACTED] was discharged and cleared for the booking process at 2100 hours on February 4, 2017. [REDACTED] blood analysis returned **positive for amphetamines and marijuana**. See ATTACHMENT F for further.

### **REVIEW OF MOBILE AUDIO-VIDEO (MAV) RECORDINGS**

I reviewed all the Mobile Audio-Video (MAV) recordings related to this incident. All of the statements that I obtained as part of this investigative process were consistent with all the (MAV) recordings related to this incident:

**Officer Kutyllo-** Officer Kutyllo's vehicle's MAV system began recording at **13:46:18 hours (2/4/17)**. Upon activation of the MAV, the footage indicates that Officer Kutyllo's MAV body microphone is "*muted*" and remained "*muted*" throughout the entire incident. It depicts Officer Kutyllo activating his vehicle's lights and initiating a traffic stop, **1:44** into the video footage, in the area of Jefferson Blvd. and Overland Ave., on [REDACTED] white 2003 Chrysler Town and Country mini-van. The video clearly depicts that [REDACTED] vehicle did not have license plates (bearing paper plates). Officer Kutyllo approached [REDACTED] vehicle and contacts [REDACTED] through the passenger side front window. Officer Kutyllo spent the proceeding two minutes conversing with [REDACTED] from the passenger side window, before Officer Gladden arrived on scene and approached [REDACTED] vehicle from the driver's side. At the **5:01** mark of the video, Officer Kutyllo joined Officer Gladden on the driver's side of vehicle and they proceeded to verbally instruct [REDACTED] out of his vehicle and walk him to the curb. However, as Officer Kutyllo attempted to take hold of [REDACTED] left arm while he was still seated in his vehicle, [REDACTED] pulled his arm away from Officer Kutyllo's grasp and remained seated in his vehicle. The officers spent the next 67 seconds conversing with [REDACTED] at his vehicle's driver's door, attempting to gain [REDACTED] compliance in having him exit the vehicle (No force is used at this time). At the **6:08** mark of the video, [REDACTED] finally exited his vehicle. Officer Kutyllo immediately took a hold of [REDACTED], placed hands behind his back, and walked him to the rear of the mini-van and towards the north curb line/ sidewalk. The video clearly depicts an extreme size disparity between [REDACTED] and the officers, as well as what appeared to be an agitated [REDACTED]. Once at the curb line, Officer Kutyllo immediately removed his handcuffs and attempted to place them on [REDACTED] wrists (**6:35**). However, [REDACTED] suddenly, and aggressively, pulled away from Officer Kutyllo's grasp and spun toward Officer Kutyllo with his right closed fist raised above his head. At that point, both the officers grabbed a hold of [REDACTED] and forced him

toward the hood of Officer Kutyllo's police vehicle, just a couple feet away. The remainder of the incident occurred just outside the view of Officer Kutyllo's MAV camera.

It should be noted, this MAV footage does not depict, or provide any evidence, to the location or whereabouts of any of \_\_\_\_\_ property or money. See the attached DVD for further, ATTACHMENT M.

**Officer Gladden-** Officer Gladden's vehicle's MAV system began recording at 13:50:01 hours (2/4/17). Upon activation of the MAV, the footage indicates that Officer Gladden's MAV body microphone is "muted" and remained "muted" throughout a portion of the incident. It begins with the depiction of Officer Gladden arriving at the scene of Officer Kutyllo's traffic stop, in the area of Jefferson Blvd. and Overland Ave. Upon arriving on scene, Officer Gladden approached \_\_\_\_\_ vehicle from the driver's side, while Officer Kutyllo was still conversing with \_\_\_\_\_ through his front passenger window. After just a few moments, Officer Kutyllo repositioned himself, joining Officer Gladden on the driver's side of the vehicle. At the 2:45 mark of the video, Officer Kutyllo and Officer Gladden attempted to verbally instruct \_\_\_\_\_ to exit his vehicle, in order to walk him to the curb. However, as Officer Kutyllo attempted to take hold of \_\_\_\_\_'s left arm while he was still seated in his vehicle, \_\_\_\_\_ pulled his arm away from Officer Kutyllo's grasp and remained seated in his vehicle. The officers spent the next 67 seconds conversing with \_\_\_\_\_ at his vehicle's driver's door, attempting to gain \_\_\_\_\_'s compliance in having him exit the vehicle (No force is used at this time). At the 6:08 mark of the video, \_\_\_\_\_ finally exited his vehicle. Officer Kutyllo immediately took a hold of \_\_\_\_\_, placed \_\_\_\_\_ hands behind his back, and walked him to the rear of the mini-van and towards the north curb line/ sidewalk. The video clearly depicts an extreme size disparity between \_\_\_\_\_ and the officers, as well as what appeared to be an agitated \_\_\_\_\_. Once at the curb line, Officer Kutyllo immediately removed his handcuffs and attempted to place them on \_\_\_\_\_ wrists (2:57). However, \_\_\_\_\_ suddenly, and aggressively, pulled away from Officer Kutyllo's grasp and spun toward Officer Kutyllo with his right closed fist raised above his head. At that point, both the officers grabbed a hold of \_\_\_\_\_ and forced him toward the hood of Officer Kutyllo's police vehicle, just a couple feet away.

During that time, \_\_\_\_\_ is clearly seen resisting, struggling, and attempting to pull away from the officers as they appeared to be trying to gain control of \_\_\_\_\_ arms and upper body. A few seconds into the struggle, Officer Gladden jumped onto \_\_\_\_\_ upper back, while Officer Kutyllo appeared to be trying to gain control of \_\_\_\_\_ right arm. Moments later, \_\_\_\_\_ and both of the officers go falling to the ground (grass) along the north sidewalk.

Once on the ground, \_\_\_\_\_ appeared to continue struggling and resisting the officers by thrashing his body and kicking his legs, as the officers forced \_\_\_\_\_ face down on the ground. At the 3:49 mark of the video, Officer Kutyllo (while mounted on \_\_\_\_\_ hips) punched (closed fist) \_\_\_\_\_ in the lower back area approximately ten times, while

Officer Gladden appeared to begin attempting to apply the carotid control hold on [REDACTED]. During that time, Officer Gladden's MAV body microphone becomes "unmuted" and the officers are heard giving [REDACTED] verbal commands to "Stop fighting!"

After about a one minute struggle on the ground between [REDACTED] and the officers, [REDACTED] appeared to momentarily (4:16 mark, for about two seconds) be rendered unconscious, before regaining consciousness and continuing to resist the officers' efforts to place handcuffs on him.

At the 4:47 mark of the video, Officers McCormick and Call arrived on scene and began assisting in attempting to handcuff [REDACTED] who was still actively resisting (thrashing his body and kicking). During that time, officers were heard communicating amongst themselves about getting control of [REDACTED]'s hands, as well as giving [REDACTED] verbal commands to "Stop fighting!" Officer McCormick appeared to be gaining control of [REDACTED] right arm, while Officers Kutyllo and Call struggle to gain control of [REDACTED] left arm. At the 5:10 mark, Officer Call appeared to punch (closed fist) [REDACTED] twice in the mid-back area. Verbal commands to "Stop fighting" are once again heard.

Moments later, at about the 5:16 mark, Officer Gladden appeared to successfully apply the carotid control hold as [REDACTED]'s body appeared to go limp and [REDACTED] can be heard "snoring" (a common response by individuals rendered unconscious). During that time, Officers McCormick, Call and Kutyllo were finally successful in placing [REDACTED] in handcuffs without any further force incident.

In the seconds that followed, [REDACTED] was heard and seen regaining consciousness [REDACTED] appeared unconscious for about 10-15 seconds), the officers immediately sat [REDACTED] upright, and were heard requesting paramedics/ fire (5:40 mark).

It should be noted, this MAV footage does not depict, or provide any evidence, to the location or whereabouts of any of [REDACTED]'s property or money. See the attached DVD for further, ATTACHMENT N.

**Officers McCormick and Call-** Officer McCormick's and Call's vehicle's MAV system began recording at 13:53:21 hours (2/4/17). However, due to unknown technical difficulties, out of the control of the officers, the video for the entire incident is blacked-out. Nevertheless, Officers McCormick's and Call's MAV microphones did capture audio recording during their involvement in the incident. At the 1:27 mark of their audio recording, the officers were heard arriving on scene. Over the following minute, officers are heard giving verbal commands to [REDACTED] to "stop fighting" and to "give us your hands." At the 2:20 mark, officers were heard stating the suspect [REDACTED] was in custody and heard requesting paramedics. See the attached DVD for further, ATTACHMENT O.



**SPECIAL NOTE:** After reviewing the previous MAV system activations for Officer Kutyllo and Officer Gladden, I found that both officers responded to a call for service on Kinston Ave., at approximately 1320 hours on 2/4/2017 (approximately 20 minutes prior to this incident in question). While handling that call for service on Kinston Ave., both officers properly activated their MAV systems during the incident. However, after handling that call for service, both Officers Gladden and Kutyllo returned to their parked vehicles (on Kinston Ave.), "mute" their MAV body microphones, and appeared to engage in a private conversation between the two of them. After conversing for a few minutes, both the officers leave the scene and deactivated their MAV system, still leaving the "mute" function activated on both their respective body microphones. See the attached DVD for further, **ATTACHMENT P**.

## **INTERVIEWS**

### **Officer Michael Kutyllo**

I created a Notice of Intent to Interview Memorandum (**ATTACHMENT G**) and served Officer Kutyllo with the form, via email, on February 21, 2017, at approximately 1655 hours. On February 24, 2017, Officer Kutyllo confirmed receipt of the notice (**ATTACHMENT G**).

On February 27, 2017, at approximately 0900 hours, I conducted my interview with Officer Kutyllo in the Detective Conference room of the police station. I began the interview by completing the Investigation Checklist Form with Officer Kutyllo, which he signed (**ATTACHMENT G**). In addition, I also presented Officer Kutyllo with a copy of the Intent to Interview Memorandum I had previously sent him via email, which he reviewed and signed (**ATTACHMENT G**). Officer Kutyllo was on-duty and elected to continue with the interview without the presence of an attorney or representative. The interview was recorded and the following is a summary of what Officer Kutyllo said:

Officer Kutyllo told me that on February 4, 2017, he was working uniformed patrol, assigned as 1L51, driving a marked black and white police vehicle, properly equipped with a functioning Mobile Audio-Video (MAV) System. At about 1345 hours, Officer Kutyllo was patrolling the area of Jefferson Blvd. and Holdridge Ave., when he observed a white 2003 Chrysler Town and Country traveling at a high rate of speed and bearing paper plates. Officer Kutyllo attempted to catch up with the vehicle and ultimately initiated a traffic stop on Jefferson Blvd., just west of Overland Ave., due to the fact the vehicle had paper plates, a violation of CVC 5200(a). Officer Kutyllo approached the vehicle and contacted the driver (sole occupant) through the front passenger side window. While speaking with , Officer Kutyllo learned that was on probation for narcotics possession. While conversing with Officer Kutyllo also began to notice objective signs and symptoms was displaying consistent with stimulant use. Based on his observations, coupled with probation status, Officer Kutyllo elected to further his investigation by having exit the vehicle. Officer Kutyllo requested an additional unit to assist.

Moments later, Officer Gladden arrived on scene to assist. Officer Kutyllo repositioned himself and both officers approached [redacted] driver's side door. Upon opening [redacted] driver's door and asking [redacted] to exit his vehicle, he immediately became agitated. Officer Kutyllo verbally instructed [redacted] out of his vehicle, in order to walk him to the curb. However, as Officer Kutyllo attempted to take hold of [redacted] left arm while he was still seated in his vehicle, [redacted] pulled his arm away from Officer Kutyllo's grasp and remained seated in his vehicle. The officers spent the next 67 seconds conversing with [redacted] at his vehicle's driver's door, attempting to gain his compliance in having him exit the vehicle (No force is used at this time). After patiently explaining their concerns and intentions, [redacted] ultimately and reluctantly exited the vehicle. Officer Kutyllo immediately took a hold of [redacted] hands, placed them behind his back, and walked [redacted] towards the north curb line to the rear of [redacted] vehicle, during which time Officer Kutyllo realized how large [redacted] is.

Due to the fact [redacted] was on probation and subject to search, displaying objective signs of being under the influence, coupled with the fact he was agitated and being uncooperative, Officer Kutyllo elected to place handcuffs on [redacted] pending further investigation. As Officer Kutyllo began placing handcuffs on [redacted] wrist, [redacted] suddenly pulled away from Officer Kutyllo's grasp and spun toward Officer Kutyllo with his right closed fist raised above his head. Fearing [redacted] was preparing to strike him, Officer Kutyllo grabbed hold of [redacted], and with Officer Gladden's help, forced him toward the hood of Officer Kutyllo's police vehicle. Officer Kutyllo immediately requested a "Code-3 back."

During this time, [redacted] was continually resisting and attempting to pull away from the officers as they tried to gain control of [redacted] arms and upper body. A few seconds into the struggle, Officer Gladden jumped onto [redacted] upper back, while Officer Kutyllo continued to try to gain control of [redacted] right arm. Moments later, Officers Kutyllo and Gladden, along with [redacted], all fell to the ground (grass) along the north sidewalk.

Once on the ground, [redacted] continued struggling and resisting the officers by thrashing his body and kicking his legs, as the officers forced [redacted] face down on the ground in an attempt to place his hands behind his back. However, [redacted] buried his hands under his body in the area of his waistband. Fearing [redacted] may be reaching for a weapon, as well as in an effort to gain [redacted] compliance, Officer Kutyllo (while mounted on [redacted] hips) struck [redacted] with a closed fist in the lower back area four times. Officer Kutyllo ordered [redacted] to "stop fighting" and "give me your hands." Nevertheless, [redacted] continued to resist Officer Kutyllo's efforts to pull his hands behind his back, while continuing to thrash about on the ground. Officer Kutyllo once again struck [redacted] with a closed fist approximately six more times in the lower back, while ordering him to "stop fighting."

At this point, Officer Kutyllo felt [redacted] body go limp momentarily, allowing him (Officer Kutyllo) to get [redacted] left hand behind his back. However, after a couple

seconds, [redacted] once again began struggling with the officers and trying to pull his hands away. Moments later, Officer Kutyllo recalls Officers McCormick and Call arrived on scene and began to assist in attempting to handcuff [redacted] who was still actively resisting (thrashing his body and kicking). Officer McCormick began helping Officer Kutyllo in trying to gain control of [redacted] hands. Suddenly, Officer Kutyllo felt [redacted] body go completely limp and he began to "snore," at which point Officer Kutyllo realized [redacted] had been rendered unconscious by Officer Gladden's application of the carotid control hold. At this point, Officers Kutyllo, McCormick and Call were able to successfully place [redacted] in handcuffs without any further force incident.

[redacted] was unconscious approximately 15 seconds, before regaining consciousness moments after being placed in handcuffs. [redacted] awoke confused, but still initially agitated with the officers. Officer Gladden immediately rolled [redacted] onto his side and then sat him upright, as well as requesting CCFD to the scene. While awaiting CCFD's arrival, Officer McCormick conducted a brief search of [redacted] person, which yielded a cellphone, wallet, loose change (described as a "few dollar bills"), and a few small miscellaneous items all found in his pockets.

CCFD arrived on scene and transported [redacted] to Southern California Hospital for pre-booking medical treatment. [redacted] was accompanied in the ambulance by Officer McCormick to Southern California Hospital, before later being transported to CCPD and booked for PC 148(A)(1), delay, resist, or obstruct a peace officer.

Officer Kutyllo and Gladden searched [redacted] vehicle and did not find anything illegal or of note. Officer Kutyllo described the inside of [redacted] vehicle as "a mess!" After completing their search, Officer Kutyllo collected the aforementioned items (cellphone, wallet, loose change, miscellaneous items) recovered from [redacted] person and placed them inside of [redacted] vehicle. [redacted] vehicle was subsequently legally parked, secured, and left at the scene. Officer Kutyllo explained that there was not \$300 dollars, or any amount of currency close to that, recovered from [redacted] person or found in his vehicle during the entire incident.

Prior to authoring the arrest report for this incident, Officer Kutyllo viewed his respective MAV footage of the incident. It was at this time that Officer Kutyllo realized that his MAV body microphone was in fact "muted" from the onset of its' activation for this incident. Officer Kutyllo explained that concluded that he must have "muted" his MAV microphone on a previous activation, but he did not have any particular recollection of why he had done this. Officer Kutyllo stated he is familiar with the Department's MAV policy governing the required activation of the system, as well as the guidelines governing when it may be "muted." Officer Kutyllo explained it is not his practice to purposely "mute" his MAV microphone and that in this case it was an error on his part to not remember to "unmute" his MAV microphone prior to this incident.

At this time, I concluded my interview with Officer Kutyllo. For further, see **ATTACHMENT K.**

**Officer James Gladden**

I created a Notice of Intent to Interview Memorandum (ATTACHMENT H) and served Officer Gladden with the form, via email, on February 21, 2017, at approximately 1655 hours. On February 25, 2017, Officer Gladden confirmed receipt of the notice (ATTACHMENT H).

On February 27, 2017, at approximately 1100 hours, I conducted my interview with Officer Gladden in the Detective Conference room of the police station. The interview was recorded and the following is a summary of what was said:

I began the interview by completing the Investigation Checklist Form with Officer Gladden, which he signed (ATTACHMENT H). In addition, I also presented Officer Gladden with a copy of the Intent to Interview Memorandum I had previously sent him via email, which he reviewed and signed (ATTACHMENT H). Officer Gladden was on-duty and elected to continue with the interview without the presence of an attorney or representative.

Officer Gladden told me that on February 4, 2017, he was working uniformed patrol, assigned as 1L53, driving a marked black and white police vehicle, properly equipped with a functioning Mobile Audio-Video (MAV) System. At about 1350 hours, Officer Gladden received a request for "an additional unit," at Jefferson Blvd. and Overland Ave., to assist Officer Kutyllo on a traffic stop. Upon arrival, Officer Gladden approached vehicle from the driver's side, while Officer Kutyllo was still conversing with through his front passenger window. After just a few moments, Officer Kutyllo repositioned himself, joining Officer Gladden on the driver's side of the vehicle. Officer Kutyllo told Officer Gladden that was on probation and that he would be having exit his vehicle for further investigation.

Upon opening the driver's door to vehicle and asking him to exit the vehicle, immediately became agitated. Officer Kutyllo verbally instructed out of his vehicle, in order to walk him to the curb. However, as Officer Kutyllo attempted to take hold of left arm while he was still seated in his vehicle, pulled his arm away from Officer Kutyllo's grasp and remained seated in his vehicle. After patiently explaining their concerns and intentions, ultimately and reluctantly exited the vehicle. Officer Kutyllo immediately took a hold of hands, placed them behind his back, and walked towards the north curb line to the rear of vehicle. Once at the curb line, Officer Kutyllo attempted to place handcuffs on, but suddenly, and aggressively, pulled away from Officer Kutyllo's grasp and spun toward Officer Kutyllo with his right closed fist raised above his head. Fearing was about to assault Officer Kutyllo, Officer Gladden immediately grabbed a hold of. Both the officers then used their combined strength and forced toward the hood of Officer Kutyllo's police vehicle, just a couple feet away. Officer Kutyllo immediately requested a "Code-3 back."

During this time, [redacted] was continually resisting and attempting to pull away from the officers as they tried to gain control of [redacted]'s arms and upper body. Due to [redacted]'s immense size and strength, Officer Gladden jumped onto [redacted]'s upper back in an attempt to control his upper body. After a few moments, Officers Kutyllo and Gladden and [redacted] all fell to the ground (grass) along the sidewalk.

Once on the ground, [redacted] continued struggling and resisting the officers by thrashing his body and kicking his legs. Using their combined strengths, the officers forced [redacted] face down on the ground and ordered him to "Stop fighting!" and to "Put his hands behind his back!" However, [redacted] buried his hands under his body in the area of his waistband. Fearing [redacted] maybe reaching for a weapon, coupled with the fact he was physically resisting the officers, Officer Gladden began applying the carotid control hold on [redacted]. After a few seconds, Officer Gladden felt [redacted]'s body go momentarily limp and stop resisting. Officer Gladden briefly noticed Officer Kutyllo, who was mounted on [redacted]'s hips; appear to start getting control of [redacted]'s left arm. However, after a couple seconds, [redacted] once again began thrashing about and resisting. At this time, Officer Gladden noticed Officers McCormick and Call arrived on scene and began to assist in attempting to handcuff [redacted], who was still actively resisting (thrashing his body and kicking). With all the officers giving [redacted] verbal commands to comply to no avail, Officer Gladden once again began applying the carotid control hold to [redacted]. Moments later, Officer Gladden felt [redacted]'s body go completely limp and motionless. With [redacted] being rendered unconscious by Officer Gladden's application of the carotid control hold, Officers Kutyllo, McCormick and Call were able to successfully place [redacted] in handcuffs without any further force incident.

[redacted] was unconscious approximately 10-15 seconds, before regaining consciousness moments after being placed in handcuffs. [redacted] awoke still appearing to be agitated with the officers. Officer Gladden immediately rolled [redacted] onto his side and then sat him upright. Officer Gladden also requested CCFD to the scene.

CCFD arrived on scene and transported [redacted] to Southern California Hospital for pre-booked medical treatment. [redacted] was accompanied in the ambulance by Officer McCormick to Southern California Hospital, before later being transported to CCPD and booked for PC 148(A)(1), delay, resist, or obstruct a peace officer.

Officer Gladden did not have any recollection of who had searched [redacted]'s person at the scene, nor did he ever see any of the property that was removed from [redacted] person. Officer Gladden assisted Officer Kutyllo in searching [redacted] vehicle and did not find anything illegal or noteworthy. Officer [redacted] did notice that [redacted] vehicle was very disorganized and contained various miscellaneous items throughout the passenger compartment. [redacted] vehicle was subsequently legally parked, secured, and left at the scene.

Once at CCPD, Officer Gladden viewed his respective MAV footage of the incident. It was at this time that Officer Gladden took note of the fact that his MAV body

microphone was in fact “muted” from the onset of its’ activation for this incident. Officer Gladden believed he had accidentally left the MAV microphone “muted” from a previous activation, stating he did not have any particular recollection of why he had done this. Officer Gladden explained he is familiar with the Department’s MAV policy governing the required activation of the system, as well as the guidelines governing when it may be “muted.” Officer Gladden explained it is not his practice to purposely “mute” his MAV microphone and that in this case it was an accident on his part to not remember to “unmute” his MAV microphone prior to this incident.

At this time, I concluded my interview with Officer Gladden. For further, see **ATTACHMENT K.**

### **Officer Thomas Call**

I created a Notice of Intent to Interview Memorandum (**ATTACHMENT L**) and served Officer Call with the form, via email, on February 23, 2017, at approximately 1025 hours. On February 23, 2017, Officer Call confirmed receipt of the notice (**ATTACHMENT L**).

On February 28, 2017, at approximately 0900 hours, I conducted my interview with Officer Call in the Detective Conference room of the police station. The interview was recorded and the following is a summary of what was said:

I began the interview by completing the Investigation Checklist Form with Officer Call, which he signed (**ATTACHMENT L**). In addition, I also presented Officer Call with a copy of the Intent to Interview Memorandum I had previously sent him via email, which he reviewed and signed (**ATTACHMENT L**). Officer Call was on-duty and elected to continue with the interview without the presence of an attorney or representative.

Officer Call told me that on February 4, 2017, he was working uniformed patrol with his partner Officer McCormick, assigned as 1A52, and they were driving a marked black and white police vehicle, properly equipped with a functioning Mobile Audio-Video (MAV) System. At about 1353 hours, Officer Call and Officer McCormick received a radio transmission of a “Code-3 back” from Officer Kutylo, who was believed to be conducting a traffic stop in the area of Jefferson Blvd. and Overland Ave. Officers Call and McCormick began responding to the area in a “Code-3” manner. While responding, Officers Call and McCormick commented to each other about the fact that the request for emergency assistance sounded urgent, based on Officer Kutylo’s tone of voice and the fact the radio transmission contained a lot of background noise consistent with an officer being involved in a struggle.

Upon their arrival on scene, Officer Call noticed Officers Kutylo and Gladden on the ground struggling with a subject ( ) who was considerably bigger than both the officers. As Officers Call and McCormick exited their vehicles and ran over to assist, Officer Call noticed : actively resisting (thrashing his body and kicking) the

officers. Officer Call immediately began to assist Officer Kutyllo in attempting to gain control of [redacted] left arm, which [redacted] was pulling away from Officer Kutyllo. In an attempt to gain compliance from [redacted] and overcome his resistance to placing his hands behind his back, Officer Call punched (closed fist) [redacted] twice in the mid-back area and verbally commanded him to "Stop fighting." The two strikes were unsuccessful, as Officer Call recalled [redacted] attempting to bury his hands under his body around his waistband area.

Moments later, Officer Call observed and felt [redacted] body go limp and motionless. During this time, Officers McCormick, Call and Kutyllo were able to successfully place handcuffs on [redacted] wrist without any further force incident. In the seconds that followed, Officer Call recalls [redacted] "snoring," before he suddenly regained consciousness ([redacted] appeared unconscious for about 10-15 seconds). Officer Gladden immediately sat [redacted] upright and requested paramedics.

Officer Call did not have any recollection of who had searched [redacted] person or vehicle at the scene, nor did he ever see any of the property that was removed from [redacted] person. Due to calls for service that were holding, Officer Call was instructed to go back into service shortly after [redacted] was taken into custody.

At this time, I concluded my interview with Officer Call. For further, see ATTACHMENT L.

#### Officer Mason McCormick

I created a Notice of Intent to Interview Memorandum (ATTACHMENT J) and served Officer McCormick with the form, via email, on February 23, 2017, at approximately 1025 hours. On February 23, 2017, Officer McCormick confirmed receipt of the notice (ATTACHMENT J).

On February 28, 2017, at approximately 1100 hours, I conducted my interview with Officer McCormick in the Detective Conference room of the police station. The interview was recorded and the following is a summary of what was said:

I began the interview by completing the Investigation Checklist Form with Officer McCormick, which he signed (ATTACHMENT J). In addition, I also presented Officer McCormick with a copy of the Intent to Interview Memorandum I had previously sent him via email, which he reviewed and signed (ATTACHMENT J). Officer McCormick was on-duty and elected to continue with the interview without the presence of an attorney or representative.

Officer McCormick told me that on February 4, 2017, he was working uniformed patrol with his partner Officer Call, assigned as 1A52, and they were driving a marked black and white police vehicle, properly equipped with a functioning Mobile Audio-Video (MAV) System. At about 1353 hours, Officer Call and Officer McCormick received a

radio transmission of a "Code-3 back" from Officer Kutyllo, who was believed to be conducting a traffic stop in the area of Jefferson Blvd. and Overland Ave. Officers Call and McCormick began responding to the area in a "Code-3" manner. While responding, Officer McCormick recalled commenting to Officer Call that Officer Kutyllo sounded in distress when he requested the emergency assistance via the radio, as if he was involved in some sort of struggle.

Upon their arrival on scene, Officer McCormick observed Officers Kutyllo and Gladden on the ground struggling with a subject who was considerably bigger than both the officers. Officer McCormick noticed actively resisting (thrashing his body and kicking) the officers. Officer McCormick ran over to the officers and immediately began to assist Officer Kutyllo in trying to gain control of arms, which was pulling away from Officer Kutyllo. Officer McCormick recalled the officers giving numerous commands to "Stop fighting!"

After about 30 seconds of struggling with trying to get his hands behind his back, Officer McCormick noticed body go limp and motionless. During that time, Officers McCormick, Call and Kutyllo were able to successfully get hands behind his back and place handcuffs on wrists without any further force incident.

In the moments that followed, Officer Call recalled "snoring," before he suddenly regained consciousness ( appeared unconscious for about 10-15 seconds). Officer Gladden immediately sat upright and requested paramedics.

While awaiting CCFD's arrival, Officer McCormick conducted a brief search of person, which he remembered yielding a cellphone and wallet, as well as a few small miscellaneous items all found in his pockets. Officer McCormick explained that he did not recall recovering any currency from person, and certainly did not recall seeing \$300 dollars, or any amount of currency close to that, recovered from person.

Shortly after searching person, and after CCFD's arrival on scene, Officer McCormick was ordered by Sgt. Bellante to remain with as he was transported by ambulance to Southern California Hospital. Officer McCormick accompanied to the hospital and remained with him until he was later transported to CCPD and booked.

At this time, I concluded my interview with Officer McCormick. For further, see ATTACHMENT L.

### Terry Walton

I made several unsuccessful attempts to contact for a follow-up interview regarding the incident, including:



- Attempted several times, between February 20 through March 20 of 2017, to contact [redacted] using the phone number he provided at the time of his arrest and last contact [redacted]. I left several voicemails, including on my last two attempts on 3/13/2017 at 1400 hours and 3/20/2017 at 1500 hours.
- Attempted several times, between February 20 through March 20 of 2017, to contact [redacted] at an alternate phone number, which I located via departmental resources. I left several voicemails at [redacted], including on my last two attempts on 3/13/2017 at 1420 hours and 3/20/2017 at 1500 hours.
- Attempted to contact [redacted] via certified mail at the address he provided at the time of his last contact with CCPD, which was the only address I could confirm via departmental resources. I sent [redacted] a letter advising him of my intentions to contact him for purposes of interview, which I received a record of delivery on March 15<sup>th</sup> 2017. The letter was sent certified mail via the U.S. Postal Service to [redacted]. For further, see

#### ATTACHMENT Q.

*\*It should be noted that as of the authoring of this written document, I have not been contacted by [redacted] in any manner, nor has the Department received his formal written complaint of the incident.*

## CONCLUSIONS

A.) Based on this investigation, no evidence exists to establish that on February 4, 2017 Officers Michael Kutyllo, James Gladden, Thomas Call and Mason McCormick utilized excessive or unreasonable force while detaining, and ultimately arresting, [redacted] during a traffic enforcement stop based on the following reasons:

- Based on the MAV footage of the incident, the involved officers' MAV system captured the entire incident and it clearly depicted [redacted] being uncooperative and physically resistive with the officers. The officers clearly used reasonable and justifiable force in detaining, restraining, overcoming resistance, and ultimately placing [redacted] under arrest.
- Based on Penal Code 835(a), as well as Department Policy Section 300.3.1, peace officers may use reasonable force to effect an arrest, to prevent escape, or to overcome resistance.
- Based on the fact the officers utilized Department approved force techniques, including pain compliance techniques and the carotid control hold. All these force applications were used appropriately and applied with reasonable justification.
- Based on the all the involved officer's statements, which articulated each of their individual perspectives during the incident, namely the perceived threat presented throughout the incident in question.
- Based on the following objective factors and circumstances:  
overwhelming size, [redacted] conduct during the incident, as well as

altered mental and physical state was under the influence of amphetamines).

- Based on inconsistent statements regarding his actions and intentions during the incident.

Considering all of the facts of this investigation, the details clearly constitute an **EXONERATED** allegation of Culver City Police Department Policy Manual Section 322.5.4 (b), Unreasonable and unwarranted force to a person encountered or under arrest.

**B.)** Based on this investigation, a preponderance of the evidence exists to establish that on February 4, 2017 Officers Michael Kutyllo and James Gladden failed to properly activate their audio microphones, as a part of the Mobile Audio Video System (MAV), while conducting a traffic enforcement stop based on the following reasons:

- Based on a review of both Officer Gladden's and Officer Kutyllo's vehicles' MAV system recording of the incident, which each indicated that the officers' MAV body microphones were already "muted" at the beginning of the footage, as well as remained "muted" throughout most of the incident.
- Based on Officers Kutyllo's and Gladden's statements regarding their admission in forgetting to "unmute" their MAV body microphones prior to becoming involved in the incident, as well as the officers' acknowledgment that this incident required activation of both their audio and video MAV systems.

Considering all of the facts of this investigation, the details clearly constitute a **SUSTAINED** allegation of Culver City Police Department Policy Manual Section 437.4.1, Mobile Audio-Video System, Improper "Muting" of Microphone.

**C.)** Based on this investigation, I am unable to establish whether, or not, Officers Michael Kutyllo, James Gladden, Thomas Call and Officer Mason McCormick misplaced, or lost, the property (\$300 dollars in cash) of while detaining and arresting him during a field investigation on February 4, 2017, based on the following:

- Based on the fact that adamantly maintains that he was in possession of \$300 dollars in currency (inside his wallet) when he was detained and arrested by Culver City Police Officers on the day in question.
- Based on all the involved officer's statements, all stating they did not observe, or remove, \$300 dollars in currency from person or wallet at any time during the incident.
- Based on the fact that the MAV footage of the incident does not clearly capture any specific property ever being removed from person, wallet, or vehicle.

Considering all of the facts of this investigation, the details clearly constitute a **NOT-SUSTAINED** allegation of Culver City Police Department Policy Manual Section 322.5.4 (i), Unauthorized possession of, loss of, or damage to the property of another.

## ATTACHMENTS

- A. Sergeant Bellante's Confidential Log and CD.
- B. Sergeant Vanscoy's Confidential Log and CD.
- C. Lieutenant Kellum's Confidential Log and CD.
- D. Lieutenant Cid's Confidential Log and CD.
- E. CAD Report, Operations Bureau Daily Line-Up, and CD of Radio Transmissions.
- F. Copy of all associated Police Reports, Booking Information, Hospital/ Medical Clearance Documents and CD of Photographs (DR #17-4307).
- G. Intent to Interview and Personnel Investigation Checklist- Officer M. Kutyllo.
- H. Intent to Interview and Personnel Investigation Checklist- Officer J. Gladden.
- I. Intent to Interview and Personnel Investigation Checklist- Officer T. Call.
- J. Intent to Interview and Personnel Investigation Checklist-Officer M. McCormick.
- K. CD containing Interviews with Officer M. Kutyllo and Officer J. Gladden.
- L. CD containing Interviews with Officer T. Call and Officer M. McCormick.
- M. DVD containing Officer M. Kutyllo's MAV footage.
- N. DVD containing Officer J. Gladden's MAV footage.
- O. DVD containing Officers T. Call's and M. McCormick's MAV footage.
- P. DVD containing Officers M. Kutyllo's and J. Gladden's MAV footage (previous radio call).
- Q. Copy of letter sent to \_\_\_\_\_, via certified U.S. Postal Service.

Cc: Dunlap, Troy; Kellum, Aubrey; Cid, Manuel; Dominguez, Chuck; Ferrier, Cris; Hernandez, Peter; Irwin, Gary; Zerbey, Jeff; Bellante, Andrew

Subject: Confidential Log 2-4-17

Confidential Log

02/04/17

Traffic stop results in use of force/Carotid control hold applied

At 1348 hours, Officer M. Kutylko conducted a traffic stop of a van bearing paper license plates at Jefferson Blvd just west of Overland Avenue. Officer Gladden arrived on scene to assist. During the stop it was determined that the sole occupant, [redacted] was on probation for narcotics, driving a suspended driver's license and displaying objective symptoms signs of stimulant usage. Officer Kutylko had [redacted] who was [redacted] and [redacted] exit the vehicle for further investigation. While conducting their investigation the officers radioed for a "Code 3" back.

I arrived on scene within two minutes and saw that [redacted] was handcuffed and lying upright on the north curb of Overland Avenue. Upon my arrival, Officer Gladden advised me that he applied the carotid control hold on [redacted] during the altercation and that he had lost consciousness. I did not see any visible injuries to [redacted]. CCFD Rescue #3 arrived on scene and Officer McCormick rode with them to Brotman Medical Center so [redacted] could be medically evaluated.

I canvassed the area for witnesses and spoke to [redacted] who told me essentially the following.

[redacted] stated that he was across the street when he observed the officers get [redacted] out of the car. When [redacted] was on the hood of the police car Hill said that [redacted] turned away from the officers at which point the officers replaced him against the hood. At this time, [redacted] turned away from the officers again clearly not doing what the officers were instructing him to do. Hill added that Walton was significantly bigger than the officers.

Hill said that one of the officers got on [redacted] back and the other officer took [redacted] lower body and they all fell to the ground. Once on the ground, Hill stated that one the officers applied a choke hold for about twenty seconds. Hill said that the struggle lasted about one minute and that the officers were not able to get [redacted] into handcuffs until a third officer arrived. Hill stated that he observed one officer apply several kidney punches to [redacted]. When asked how many punches he saw thrown, Hill replied, "Not many and they did not look particularly hard." Hill said that the officers acted reasonable considering the set of circumstances.

I canvassed the area for any additional witnesses or video surveillance cameras that may have captured the incident and did not locate any.

At Brotman hospital I spoke with [redacted] who told me essentially the following.

[redacted] said that the officers stopped him and during the traffic stop asked him to exit the car. [redacted] stated it is hard for him to exit vehicles because he is 7'00 tall and is 280 pounds. [redacted] said that at some point one of the officers attempted to put handcuffs on him to which he said, "Hold up wait a minute." [redacted] felt he did not have to be handcuffed because he was cooperating. [redacted] claimed that the "little guy" jumped on his back and began to choke him for no reason. [redacted] denied ever pulling away from the officers during the contact and said the officer was on his back as he was standing.

stated that during the contact he was put in a "sleeper hold" at which point he blacked out. [redacted] said that he woke up from the "sleeper hold" and he was in handcuffs. I asked [redacted] if he was suffering from any pain to which he replied that he could barely speak and may have bitten his tongue during the incident. [redacted] said that his right shoulder also hurt but he believed that was a result from him sitting in the gurney not from the use of force.

I asked [redacted] if he had any problems or issues with the officer's actions and he said that he did not. [redacted] added that he felt the officers should have told him they were going to put handcuffs on him and didn't remember what he said when the officers attempted to place him in handcuffs. Further, [redacted] admitted to ingesting methamphetamine two days prior to the incident.

While speaking with [redacted] I did not see any visible injuries to his body, face or neck. I took pictures of [redacted] and his body.

At the station I reviewed Officer Gladden and Kutlyo's MAV footage which depicted the following.

As Officer Kutlyo walked [redacted] towards the sidewalk, he attempted to place handcuffs on him. As Officer Kutlyo removed his handcuffs, [redacted] spun to his left at which point Officers Kutlyo and Gladden both pushed Walton into the hood of their patrol vehicle. [redacted] continued to pull away from both officers grasps and is observed actively physically resisting. Officer Gladden then jumps onto [redacted] back and places him in an upper body restraint. After about ten seconds, both [redacted] and Officer Gladden lose their balance fall on to the pavement. Once on the pavement, [redacted] is still actively resisting for about one minute by flailing his body and kicking his legs. During this timeframe, Officer Kutlyo punches [redacted] in the lower back area approximately ten to twelve times while Officer Gladden is attempting to apply the carotid control hold on Watson.

After about a one minute struggle, it appears that [redacted] legs go limp and that he may have been rendered unconscious. After a few seconds it appears [redacted] regains consciousness and begins to once again resist the officer's efforts to handcuff him. Additional officers (McCormick and Call) arrive on scene and assist in attempting to handcuff [redacted] who is still actively resisting. Officer Call punches [redacted] two times in the upper back area. Shortly after that Officer Gladden reapplies the carotid control hold and it appears [redacted] legs go limp as he is once again rendered unconscious. Further, [redacted] is heard snoring on the audio portion of the MAV, indicating he had been rendered unconscious. At this point [redacted] is placed in handcuffs and no additional force was used by any officers.

At the hospital [redacted] was treated by Doctor [redacted] who stated that he had no injuries.

At the time of writing this log Officer McCormick was still standing by with [redacted] at the hospital waiting to receive an "Okay to book" from the doctor pending the results of a urine test obtained from [redacted]

Officer Kutlyo documented the arrest and use of force under DR #17-4307.

I burned my interviews with [redacted] and [redacted] along with pictures of [redacted] onto a disk and forwarded them to the Bureau Commander.

Sergeant Andrew Bellante  
Culver City Police Department  
Day Watch Patrol Supervisor



**B.****B**

020417.mw.bv.wc.cl

VB

Vanscoy, Brandon

Sun 2/5, 7:26 AM

Bixby, Scott; Iizuka, Ronald; Shank, Michael; Sims, Jason; Kellum, Aubri+9 more

Reply all

020417.mw.bv.wc.cl.docx

27 KB

Download Save to OneDrive - City of Culver City

**Confidential Log****Follow up to Sgt. Bellante's Confidential Log 2/4/17**

On today's date at approximately 2100 hours, [redacted] was medically cleared for booking by [redacted] Officer Campos responded to Southern California Hospital and transported Officer McCormick and [redacted] to the CCPD jail where [redacted] was booked for PC 148. Upon being booked and confirming [redacted] identification via Live Scan, he was cited and released.

At approximately 2200 hours, I received two phone calls from the media regarding the arrest of [redacted] Both media outlets stated that the family of [redacted] had contacted them and indicated that he was contacted by police and ended up in the hospital with major injuries. I advised the media that [redacted] was in fact contacted and arrested; however, he was medically treated for minor injuries and cleared for booking. He was no longer in the hospital. Both media outlets thank me for the clarification.

At approximately 0630 hours, I received a phone call from a subject who identified himself as [redacted] brother-in-law. [redacted] proceeded to claim that the police (Culver City) handcuffed and "beat" [redacted] who was unable to see out of his eyes and could hardly speak. [redacted] also claimed that he was going to call the Channel 2 News, he was going to call a lawyer, and that he saw a recorded video. [redacted] also linked the beating of black people to the election of President Trump. I asked [redacted] if he would provide us the video he saw and he declined. I asked if [redacted] was present during the incident and he claimed that he didn't need to be present because he saw the footage. (It should be noted that [redacted] was by himself during the traffic stop) [redacted] then hung up.

At approximately 0700, [redacted] ( [redacted] sister) called the station and spoke to Sgt. Ferrier. She stated that she wanted to file a complaint against the two officers that

"attacked my brother while handcuffed." also stated that she has video footage and stated that we will be able to get the recording after their lawyer reviews it. Sgt. Ferrier asked if he could mail a complaint form to her and she refused. I stated that she will come to the police station to obtain the involved officer's badge numbers and a complaint form. During one point in the conversation, also linked the incident to the newly elected President Trump.

At the onset of both phone calls, we were able to activate the recorder to capture most of the conversations. I downloaded the recordings to CD and forwarded it to the Operations Bureau Commander.

Notifications: Chief Bixby, Asst. Chief Ilzuka (message left), Capt. Shank, Lt. Agaiby,

Sergeant Brandon VanScoy  
Culver City Police Department - Operations Bureau



## FW: Confidential Log 2-4-17

KA

Kellum, Aubrey

Yesterday, 7:00 PM

Bixby, Scott; Iizuka, Ronald; Shank, Michael; Sims, Jason; Cid, Manuel; +2 more

Reply all |

Inbox

You forwarded this message on 2/7/2017 7:26 PM

20417.ab.cl.doc

37 KB

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## Summary of account

This morning entered the station and asked to speak with the watch commander so to address concerns he had about his recent arrest. I greeted in lobby and led him (along with a companion) to the watch office. I had been told that companion was his attorney. However, when I inquired the companion mentioned that he was neighbor and not an attorney; but did wish to provide a statement. The companion was directed back to the lobby as I wanted to interview Mr. separately. I used a digital recorder to memorialize my entire encounter with

provided his version of the events and stated directly that he did nothing to warrant the officers using force to effect his arrest. He added that doctors have said that he has crushed larynx and a complaint of pain to different areas on his head.

explained that he was employed by CBS Studios and was driving to Playa Del Rey to meet with a film director. While on Jefferson he noticed a police officer behind him and knew that he was going to be stopped, so he voluntarily stopped along the curb. The presence of the officer at the passenger side window initially startled as he also noted that the officer was holding an un-holstered firearm. After brief exchange, the officer explained that he was waiting for a second officer to arrive and continued conversation with. Shortly thereafter was again surprised by the presence of the second officer who he suddenly noticed standing at the driver side window.

During the contact, officers instructed [redacted] to exit the vehicle and directed him to stand in front of the police unit near the curb. [redacted] explained that "the officer" was holding hands when the second officer, who he believes was Officer McCormick, jumped on his back and caused him to fall unconscious by choking him around the neck. He went on to say that he had done nothing to provoke the officers to use force against him; explaining that he was fully cooperative with the officers.

#### Recollection

As [redacted] provided his account, I noticed that he appeared to have a clear recollection of the events up and until his hands were behind his back while standing in front of the police unit. During the altercation he recalls "the officer" choking him and not being able to move, and then has full recollection after the being at Southern California Hospital.

#### Injuries

I could see that [redacted] eyes were blood shot; with a bruise under his left eye. He spoke in a low semi-raspy tone that he attributed to an injured larynx (as he stated was diagnosed by Southern California Hospital). He complained of pain to his head and tenderness on both wrist.

Forensic Supervisor T. Mendoza photographed [redacted]

[redacted] companion left and was expected to return. Neither [redacted] nor his companion returned to the station.

The conversation and photos were downloaded and forwarded to the Operations Bureau Commander.

*Lieutenant A. Kellum*

**Culver City Police Department**

Operations Bureau - Watch Commander



**From:** Bellante, Andrew

**Sent:** Saturday, February 04, 2017 7:48 PM

**To:** Bixby, Scott; Ronald Iizuka; Shank, Michael; Sims, Jason

 Cid, Manuel 

---

**From:** Cid, Manuel  
**Sent:** Friday, February 10, 2017 7:10 PM  
**To:** Bixby, Scott; Iizuka, Ronald; Shank, Michael  
**Cc:** Agaiby, Osama; Sims, Jason; Dunlap, Troy; Kellum, Aubrey; Cid, Manuel  
**Subject:** Watch Commander's Log- CONFIDENTIAL LOG- 021017.dw.mc  
**Attachments:** 021017.dw.ph.xlsx; Watch Commander Log -021017.dw.mc.docx

### **CONFIDENTIAL LOG**

**ROLL CALL TRAINING: DNA/ Evidence Collection** – This morning Forensic Techs Nicole Muller and Evelyn Gonzalez attended briefing and explained the procedures for collecting DNA evidence.

#### **Follow-Up to Lt. Kellum's Log Regarding the Terry Walton Incident #17-4307**

This morning, [redacted] entered the station and asked to speak with the Watch Commander regarding the recent incident he was involved in (on 2/4/17) with the Culver City Police, which involved a use of force and subsequent arrest for PC 148. I spoke with [redacted] in the lobby of the station, along with his sister [redacted] and another unidentified male subject (not an attorney).

[redacted] began to explain the incident that had occurred this past Saturday (2/4/17), involving a few Culver City Police Officers, in which he claims he was "choked" and "excessively beat for no reason." [redacted] also explained that he had recently responded to the station and spoken with Lt. Kellum regarding submitting a formal complaint. I explained to [redacted] that I was aware of the aforementioned incident, as well as that he had previously met with Lt. Kellum regarding his concerns related to the incident.

[redacted] explained that he had responded to the station on this day in order to receive a copy of the arrest report related to the incident, as well as a copy of the "complaint" he had submitted with Lt. Kellum. [redacted] stated he responded to the department's records section and was directed to speak with the Watch Commander regarding his request. I explained to [redacted] the process for receiving a copy of the arrest report for a case still pending criminal adjudication, to which he stated he understood. In regards to receiving a copy of the "complaint" he had submitted with Lt. Kellum, I explained to him that it was my understanding that he had not actually followed through with submitting the complaint on his previous visit with Lt. Kellum. Nevertheless, I explained the complaint process to [redacted] in detail and provided him with a complaint form, which he stated he would return to the department at a later date. I assured [redacted], and his companions, that the entire incident would be fully investigated and that he [redacted] would be contacted in the near future by a member of the department regarding the incident.

Lastly, I assisted [redacted] with locating his vehicle, which was secured and left at the scene on the day of the incident. [redacted] and his companions thanked me for my assistance and left the station to go retrieve his vehicle from the area of Jefferson Blvd. and Overland Ave.

It should be noted that I could see that [redacted] eyes were still very blood shot and he was still speaking with a low semi-raspy tone, which he still attributed to an injured larynx suffered during the incident.

Approximately fifteen minutes later, I received a phone call in the Watch Commander's Office from sister [redacted] was very upset, explaining that they had located her brother's vehicle and that the inside of the vehicle appeared to be "ransacked." In addition, [redacted] stated that they had located her brother's personal property (wallet and cell phone) inside of his vehicle, but that her brother's \$300 dollars were

missing from his wallet. I explained to [redacted] that her brother's vehicle was likely thoroughly searched as a part of the incident that day. Nevertheless, [redacted] felt the search to her brother's vehicle was excessive and unneeded. In addition, she believed that officers were responsible for the loss of her brother's \$300 dollars and stated that this would also be addressed in their complaint to the department. The [redacted] stated we should expect their official complaint form in the days to come.

All my aforementioned conversations with the [redacted] were audio recorded, which were later copied to a CD and forwarded to the Bureau Commander.

**Field Activities:**

See Sgt. Hernandez' supervisor log.

**Administrative Duties:**

I spent a portion of my shift reviewing an administrative investigation.

**Repressible Crime:**

Crime:

Date/ Time:

Location:

Property: Various tools (approx. \$2,100 loss)

DR: #17-5034

**Extra Patrols:**

Veteran's Park

Tellefson Park

King Fahad Mosque

Media Park

**Lieutenant Manuel Cid**

*Culver City Police Department*

*Watch Commander - Operations Bureau*



## Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455  
To CFS: 455  
Layer: All

From Date: 02/04/2017 13:48  
To Date: 02/04/2017 13:48  
Areas: All

CFS Type: All  
Agency Type:

CFS Number: 455 Call Date/Time: 02/04/2017 13:48:54 Primary Incident: 2017-00004307

Location: JEFFERSON BLVD / KINSTON AVE Culver City, CA 90230 , Culver City

Additnl Loc Info:

Common Name:

Phone:

Call Type: T

Status: INV

Police ORI: CA0191800

Nature Of Call:

Report Required: No

Priority: 4

EMS ORI:

Dispatch Time: 02/04/2017 13:48:54

Arrive Time: 02/04/2017 13:48:54

Clear Date/Time: 02/04/2017 21:56:44

Created By: Jason Bradford

Canceled: No

Source: OFFICER

Fire ORI: 19050

### Person Information

Name	Person Type	Address	Phone	Race	Sex	DOB	Age	SSN
	INQUIRY ONLY				MALE			

### Vehicle Information

Vehicle Type:	VEHICLE	Make:	Model:	Year:
Style:		VIN:	Condition:	Color:
Plate Type:		Plate:	Plate State:	Reg.Year:

Description:

### Narrative, Questionnaire Responses, TDD Text

Create Time	Created By	Narrative
02/04/2017 13:48:54	Jason Bradford	WHITE CHRYSLER TOWN AND COUNTRY MINI VAN WITH PPR PLATES
02/04/2017 13:48:56	Michael Kutyllo	Dispatch received by unit 1L51
02/04/2017 13:49:03	James Gladden	Dispatch received by unit 1L53
02/04/2017 13:53:22	Mason McCormick	Dispatch received by unit 1A52
02/04/2017 13:53:31	Jason Bradford	CODE 3 BACK
02/04/2017 13:54:42	Jeffrey Park	Dispatch received by unit 1L54
02/04/2017 13:54:45	William Kakuk	Dispatch received by unit K92
02/04/2017 13:55:57	Enrique Hernandez	Dispatch received by unit 3C34
02/04/2017 13:56:19	Andrew Bellante	Dispatch received by unit 5L40
02/04/2017 20:32:46	Juan Hernandez	Dispatch received by unit 1A71
02/04/2017 20:32:56	William Kakuk	Dispatch received by unit K92

### Dispositions

Disposition	Disposition Count
7A	1



# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455 From Date: 02/04/2017 13:48 CFS Type: All  
To CFS: 455 To Date: 02/04/2017 13:48 Agency Type:  
Layer: All Areas: All

CFS Number: 455 Call Date/Time: 02/04/2017 13:48:54 Primary Incident: 2017-00004307

## Associated Areas

Area Type Code	Description
Quadrant	33
Station	
Beat	3 District 3
District	2-4
Police ORI	CA0191800
EMS ORI	
Fire ORI	19050

## Incident Number(s)

Incident Number	ORI Number	Primary Unit	Department Name	Agency Type
2017-00004307	CA0191800	Yes	Culver City Police Department	Police

## Unit(s)

Unit	Primary Unit	Radio Number	Personnel
3C34	No	3C34	1110 Umutyan 852 Hernandez
3C30	No	3C30	814 Benjamin
K92	No	K92	1138 Kakuk
2P6	No	2P6	1105 Garner
2P3	No	2P3	1100 Witt
1XL52	No	1XL52	1142 McCormick
1A71	No	1A71	1135 Hernandez 1107 Ogden
5L40	No	5L40	886 Bellante
1L54	No	1L54	1146 Park
1L53	No	1L53	1117 Gladden
1L51	Yes	1L51	1143 Kutylo
1A52	No	399	1142 McCormick 1136 Call

## Call Log

Log Date/Time	Entered By	Action	Description
02/04/2017 13:48:54	Jason Bradford	Call Created	New call created. Call Type: T, Location: , Phone Number: , Name:
02/04/2017 13:48:54	Jason Bradford	Narrative Added	WHITE CHRYSLER TOWN AND COUNTRY MINI VAN WITH PPR PLATES
02/04/2017 13:48:54	Jason Bradford	Incident Created	Added Incident Number, ORI: CA0191800, Number: 2017-00004307
02/04/2017 13:48:54	Jason Bradford	Unit Status Action	Unit 1L51 ONS
02/04/2017 13:48:56	Michael Kutylo	Narrative Added	Dispatch received by unit 1L51
02/04/2017 13:49:00	Jason Bradford	Unit Status Action	Unit 1L53 ENR
02/04/2017 13:49:03	James Gladden	Narrative Added	Dispatch received by unit 1L53
02/04/2017 13:50:40	Jason Bradford	Unit Status Action	Unit 1L53 ONS



# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS:  
To CFS:  
Layer: All

455  
455

From Date: 02/04/2017 13:48  
To Date: 02/04/2017 13:48  
Areas: All

CFS Type: All  
Agency Type:

CFS Number: 455 Call Date/Time: 02/04/2017 13:48:54 Primary Incident: 2017-00004307

## Call Log

Log Date/Time	Entered By	Action	Description
02/04/2017 13:53:21	Jason Bradford	Unit Status Action	Unit 1A52 ENR
02/04/2017 13:53:22	Mason McCormick	Narrative Added	Dispatch received by unit 1A52
02/04/2017 13:53:31	Jason Bradford	Narrative Added	CODE 3 BACK
02/04/2017 13:54:41	Jason Bradford	Unit Status Action	Unit 1L54 ENR
02/04/2017 13:54:42	Jeffrey Park	Narrative Added	Dispatch received by unit 1L54
02/04/2017 13:54:44	Jason Bradford	Unit Status Action	Unit K92 ENR
02/04/2017 13:54:45	William Kakuk	Narrative Added	Dispatch received by unit K92
02/04/2017 13:55:56	Jason Bradford	Unit Status Action	Unit 3C34 ONS
02/04/2017 13:55:57	Enrique Hernandez	Narrative Added	Dispatch received by unit 3C34
02/04/2017 13:56:18	Jason Bradford	Unit Status Action	Unit 5L40 ONS
02/04/2017 13:56:19	Andrew Bellante	Narrative Added	Dispatch received by unit 5L40
02/04/2017 13:58:54		Unit Timer Expired	Unit 1L51;ONS
02/04/2017 13:59:04	Jason Bradford	Vehicle Added	Role: PLATE ENTRY, Type: VEHICLE, Plate No.:
02/04/2017 14:00:38	Jason Bradford	Unit Status Action	Unit 2P6 ONS
02/04/2017 14:00:40		Unit Timer Expired	Unit 1L53;ONS
02/04/2017 14:02:55	Jason Bradford	Person Added	Name: "
02/04/2017 14:02:59	Jason Bradford	Unit Status Action	Unit 1A52 ONS
02/04/2017 14:03:01	Jason Bradford	Unit Status Action	Unit 1L54 ONS
02/04/2017 14:03:03	Jason Bradford	Unit Status Action	Unit K92 ONS
02/04/2017 14:04:24	Jason Bradford	Unit Status Action	Unit 2P3 ONS
02/04/2017 14:04:33	Jason Bradford	Unit Status Action	Unit 3C30 ONS
02/04/2017 14:06:18		Unit Timer Expired	Unit 5L40;ONS
02/04/2017 14:10:39	Jason Bradford	Unit Status Action	Unit 1L54 cleared from call
02/04/2017 14:10:48	Jason Bradford	Unit Status Action	Unit K92 cleared from call
02/04/2017 14:10:56		Unit Timer Expired	Unit 3C34;ONS
02/04/2017 14:12:59		Unit Timer Expired	Unit 1A52;ONS
02/04/2017 14:20:38		Unit Timer Expired	Unit 2P6;ONS
02/04/2017 14:32:15	Jason Bradford	Unit Status Action	Unit 2P3 cleared from call
02/04/2017 14:32:20	Jason Bradford	Unit Status Action	Unit 2P6 cleared from call
02/04/2017 14:38:27	Jason Bradford	Unit Status Action	Unit 1L51 cleared from call
02/04/2017 14:48:59	Jason Bradford	Unit Status Action	Unit 1L53 cleared from call
02/04/2017 14:51:56	Jason Bradford	Unit Status Action	Unit 3C30 cleared from call
02/04/2017 14:51:58	Jason Bradford	Unit Status Action	Unit 3C34 cleared from call
02/04/2017 14:52:00	Jason Bradford	Unit Status Action	Unit 5L40 cleared from call
02/04/2017 14:52:07	Jason Bradford	Unit Status Action	Unit 1A52 LEF
02/04/2017 14:52:10	Jason Bradford	Unit Status Action	Unit 1A52 ARR
02/04/2017 18:55:29	Jason Bradford	Unit Status Action	Unit 1A52 cleared from call



# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455 From Date: 02/04/2017 13:48 CFS Type: All  
To CFS: 455 To Date: 02/04/2017 13:48 Agency Type:  
Layer: All Areas: All

CFS Number: 455 Call Date/Time: 02/04/2017 13:48:54 Primary Incident: 2017-00004307

## Call Log

Log Date/Time	Entered By	Action	Description
02/04/2017 18:56:03	Jason Bradford	Unit Status Action	Unit 1XL52 ONS
02/04/2017 18:56:11	Jason Bradford	Unit Status Action	Unit 1XL52 ARR
02/04/2017 20:32:44	Danielle Bell	Unit Status Action	Unit 1A71 ENR
02/04/2017 20:32:46	Juan Hernandez	Narrative Added	Dispatch received by unit 1A71
02/04/2017 20:32:55	Danielle Bell	Unit Status Action	Unit K92 ENR
02/04/2017 20:32:56	William Kakuk	Narrative Added	Dispatch received by unit K92
02/04/2017 20:36:42	Danielle Bell	Unit Status Action	Unit 1A71 ONS
02/04/2017 20:36:44	Danielle Bell	Unit Status Action	Unit K92 ONS
02/04/2017 20:42:02	Danielle Bell	Unit Status Action	Unit 1A71 cleared from call
02/04/2017 20:42:04	Danielle Bell	Unit Status Action	Unit K92 cleared from call
02/04/2017 21:56:43	Danielle Bell	Call Updated	Dispositions Changed
02/04/2017 21:56:44	Danielle Bell	Unit Status Action	Unit 1XL52 cleared from call
02/04/2017 21:56:44	Danielle Bell	Call Cleared	

## Unit Log

Log Date/Time	Entered By	Unit	Status	Action	Description	Location
02/04/2017 13:48:54	Jason Bradford	1L51	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:48:54	Jason Bradford	1L51	ONS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:49:00	Jason Bradford	1L53	ENR	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:49:00	Jason Bradford	1L53	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:50:40	Jason Bradford	1L53	ONS	Unit Status Change		
02/04/2017 13:53:21	Jason Bradford	1A52	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:53:21	Jason Bradford	1A52	ENR	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City





# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS:

455

From Date:

02/04/2017 13:48

CFS Type:

All

To CFS:

455

To Date:

02/04/2017 13:48

Agency Type:

Layer: All

Areas:

All

CFS Number:

455

Call Date/Time: 02/04/2017 13:48:54

Primary Incident: 2017-00004307

## Unit Log

Log Date/Time	Entered By	Unit	Status	Action	Description	Location
02/04/2017 13:54:41	Jason Bradford	1L54	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:54:41	Jason Bradford	1L54	ENR	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:54:44	Jason Bradford	K92	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:54:44	Jason Bradford	K92	ENR	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:55:56	Jason Bradford	3C34	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:55:56	Jason Bradford	3C34	ONS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:56:18	Jason Bradford	5L40	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:56:18	Jason Bradford	5L40	ONS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 13:58:54	default_nws	1L51	ONS	Unit Timer Expired		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:00:38	Jason Bradford	2P6	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:00:38	Jason Bradford	2P6	ONS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City



# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455 From Date: 02/04/2017 13:48 CFS Type: All  
To CFS: 455 To Date: 02/04/2017 13:48 Agency Type:  
Layer: All Areas: All

CFS Number: 455 Call Date/Time: 02/04/2017 13:48:54 Primary Incident: 2017-00004307

## Unit Log

Log Date/Time	Entered By	Unit	Status	Action	Description	Location
02/04/2017 14:00:40	default_nws	1L53	ONS	Unit Timer Expired		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:02:59	Jason Bradford	1A52	ONS	Unit Status Change		
02/04/2017 14:03:01	Jason Bradford	1L54	ONS	Unit Status Change		
02/04/2017 14:03:03	Jason Bradford	K92	ONS	Unit Status Change		
02/04/2017 14:04:24	Jason Bradford	2P3	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:04:24	Jason Bradford	2P3	ONS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:04:33	Jason Bradford	3C30	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:04:33	Jason Bradford	3C30	ONS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:06:18	default_nws	5L40	ONS	Unit Timer Expired		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:10:39	Jason Bradford	1L54	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 14:10:39	Jason Bradford	1L54	TN8	Unit Status Change		
02/04/2017 14:10:48	Jason Bradford	K92	TN8	Unit Status Change		
02/04/2017 14:10:48	Jason Bradford	K92	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 14:10:56	default_nws	3C34	ONS	Unit Timer Expired		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:12:59	default_nws	1A52	ONS	Unit Timer Expired		JEFFERSON BLVD / KINSTON AVE, Culver City



# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455 From Date: 02/04/2017 13:48 CFS Type: All  
To CFS: 455 To Date: 02/04/2017 13:48 Agency Type:  
Layer: All Areas: All

CFS Number: 455 Call Date/Time: 02/04/2017 13:48:54 Primary Incident: 2017-00004307

## Unit Log

Log Date/Time	Entered By	Unit	Status	Action	Description	Location
02/04/2017 14:20:38	default_nws	2P6	ONS	Unit Timer Expired		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 14:32:15	Jason Bradford	2P3	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 14:32:15	Jason Bradford	2P3	TN8	Unit Status Change		
02/04/2017 14:32:20	Jason Bradford	2P6	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 14:32:20	Jason Bradford	2P6	TN8	Unit Status Change		
02/04/2017 14:38:27	Jason Bradford	1L51	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 14:38:27	Jason Bradford	1L51	TN8	Unit Status Change		
02/04/2017 14:48:59	Jason Bradford	1L53	TN8	Unit Status Change		
02/04/2017 14:48:59	Jason Bradford	1L53	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 14:51:56	Jason Bradford	3C30	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 14:51:56	Jason Bradford	3C30	TN8	Unit Status Change		
02/04/2017 14:51:58	Jason Bradford	3C34	TN8	Unit Status Change		
02/04/2017 14:51:58	Jason Bradford	3C34	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 14:52:00	Jason Bradford	5L40	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 14:52:00	Jason Bradford	5L40	TN8	Unit Status Change		
02/04/2017 14:52:07	Jason Bradford	1A52	LEF	Unit Status Change		BROTMAN
02/04/2017 14:52:10	Jason Bradford	1A52	ARR	Unit Status Change		
02/04/2017 18:55:29	Jason Bradford	1A52	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 18:55:29	Jason Bradford	1A52	TN8	Unit Status Change		
02/04/2017 18:56:03	Jason Bradford	1XL52	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 18:56:03	Jason Bradford	1XL52	ONS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 18:56:11	Jason Bradford	1XL52	ARR	Unit Status Change		BROTMAN



# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455 From Date: 02/04/2017 13:48 CFS Type: All  
To CFS: 455 To Date: 02/04/2017 13:48 Agency Type:  
Layer: All Areas: All

CFS Number: 455 Call Date/Time: 02/04/2017 13:48:54 Primary Incident: 2017-00004307

## Unit Log

Log Date/Time	Entered By	Unit	Status	Action	Description	Location
02/04/2017 20:32:44	Danielle Bell	1A71	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 20:32:44	Danielle Bell	1A71	ENR	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 20:32:55	Danielle Bell	K92	DIS	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 20:32:55	Danielle Bell	K92	ENR	Unit Status Change		JEFFERSON BLVD / KINSTON AVE, Culver City
02/04/2017 20:36:42	Danielle Bell	1A71	ONS	Unit Status Change		
02/04/2017 20:36:44	Danielle Bell	K92	ONS	Unit Status Change		
02/04/2017 20:42:02	Danielle Bell	1A71	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 20:42:02	Danielle Bell	1A71	TN8	Unit Status Change		
02/04/2017 20:42:04	Danielle Bell	K92	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 20:42:04	Danielle Bell	K92	TN8	Unit Status Change		
02/04/2017 21:56:44	Danielle Bell	1XL52	TN8	Unit Cleared	Unit cleared from call	
02/04/2017 21:56:44	Danielle Bell	1XL52	TN8	Unit Status Change		

## NCIC Messages

NCIC Message Time	NCIC Message
02/04/2017 13:59	JC32CUC0ISTPSCTJ* * IW *INFO* - VLN# 6RYK767 CA NO HIT



# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS:  
To CFS:  
Layer: All

455  
455

From Date: 02/04/2017 13:48  
To Date: 02/04/2017 13:48  
Areas: All

CFS Type: All  
Agency Type:

CFS Number: 455 Call Date/Time: 02/04/2017 13:48:54 Primary Incident: 2017-00004307

02/04/2017 13:59

CL33CUC04IV

DATE: 02/04/17 TIME: 13:58  
PENDING RECORD INS  
POSSIBLE FILE CODES  
REG VALID FROM: 07/10/16  
LIC#  
R/O  
C.C.:19 ZIP#  
RCID:09/14/15

REMOVE  
SHEET ?

TYPE:11 POWR:G VEH:1  
REC STATUS:  
04/12/2016 RENEWAL N  
08/18/14 SMOG DUE 07/0

RIP OFC:510 D:06/29/16 ID/S:010021 T.F00  
V:0000000 R:14 RT:  
06/14/11 PREV LIC

PARKING VIOLATIONS ON FILE

RELEASE OF LIABILITY (REG. 138)

## CLEARANCE INFORMATION RECORDS:

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
		47	7244	00117.00	05/17/10	POT
D36		A3	0054	00034.00	00/00/00	F00
		41	7109	00103.00	07/13/11	POT
		20	0010	00508.00	06/26/12	F00
		24	0022	00422.00	08/03/13	H00
		45				
		0				
		40				

06/29/2001-ODOMETER: 30,012 MILES ACTUAL MILEAGE

MORE

DATE: 02/04/17 TIME: 13:58  
PENDING MASTER FILE RECORD  
LIC#: YRMD:99 MAKE:CHRY BTM :SV VIN :1C4GP64L0XB696312  
R/O :WALTON TERRY WAYNE/, RUSSELL JENNIFER LYNN, 12222 MEADOWBROOK AVE  
CITY:LOS ANGELES C.C.:19 ZIP#:90019  
RCID:08/29/16 LOCD:0

TYPE:11 POWR:G VEH :17 BODY:S CLAS:AC \*-YR:16

END

# Operations Bureau Daily Line-Up

DATE:  
**2/4/2017**

DAY:  
**Saturday**

WEEK 4

DAY  
WATCH

RDO

Watch Commander  
Field Supervisor

5L30

Sgt. P. Hernandez

5L40

Sgt. A. Bellante

Supervisors

Lt. A. Kellum

Lt. M. Cid

Sgt. J. Zerbey

Station Officer  
Jailer  
CSO

J. Flores

G. Pena

N/A

Officers

E. Shimabukuro

J. Thomas

J. Martin

D. Hernandez

J. Cendrowski

G. Lopez (FTO)

C. Aubrey (T)

T. Irwin

Patrol

1L51

M. Kutyllo

1A52

T. Call

M. McCormick

1L53

J. Gladden

1L54

J. Park

K9-2

S. Kakuk

PAYBACK:  
HIREBACK:

K9

A. Bass

SICK

SDO

J. Misevicius

Support

E. O'Neal

D. Kellum

OTHER

VACATION



# Culver City Police Department



## Radio/Video/Audio Request

Request Date: 2/8/2017

Associated DR#: 17-04307

Person Requesting: Lt. Cid #1019

Employee/Ser#

Ext: 6202

Incident Date: 2/4/2017

Incident Time: 1345 hours (approx.)

☒ Radio/Dispatch

☐ Station Camera

☐ Vehicle Camera

☐ Jail Telephone

Supervisor Reviewing: \_\_\_\_\_

Signature/Ser#

Date: \_\_\_\_\_

**Subject of Media:** - Information related to the topic of what you want to hear/see and why it's needed

**Internal/ Administrative Investigation**

**Information provided to:** - if provided to outside entity

Reason: ☐ Criminal Investigation

☐ Public Records Request

☐ IA

☐ Other: \_\_\_\_\_

Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Other: \_\_\_\_\_

**Results:**

☒ Data Found

☐ No Data Found

Date Completed: 2-8-17

Completed by: ES 816

Employee/Ser#

**Summary of Search** - info on found data / why unable to find data

1 CAD RPT  
1 AUDIO DVD



# CULVER CITY POLICE DEPARTMENT

ARREST REPORT  
4040 Duquesne Ave  
Culver City CA 90232

CASE # 2017-00004307

## ARRESTEE

Name (Last, Title, First, Middle)  DOB  Sex  Race  Eye Color

Height  Weight  Statement Type  Hair Color

Alias (Last, Title, First, Middle)  Alias DOB  IDL Number  ID State

Jacket Type  Adult  NickName  Nickname Type

Street Address  SSN

City  State  Zip  Phone Number  Type

Scars/Marks/Tattoos

## JUVENILE INFORMATION

NOTIFIED RELATIONSHIP  NOTIFIED DATE/TIME

NOTIFYING OFFICER  NOTIFIED NAME/AGENCY

DATE/TIME RELEASED  RELEASED TO

## CHARGES

COUNTS	OFFENSE CODE	RESIST, DELAYS OR OBSTRUCTS ANY PUBLIC OFFICER, PEACE OFFICER OR EMERGENCY MEDICAL TECHNICIA	Attempted
1	148(A)(1) PC-M		Attempted
COUNTS	OFFENSE CODE		Attempted
COUNTS	OFFENSE CODE		Attempted
COUNTS	OFFENSE CODE		Attempted
COUNTS	OFFENSE CODE		Attempted
COUNTS	OFFENSE CODE		Attempted
COUNTS	OFFENSE CODE		Attempted
COUNTS	OFFENSE CODE		Attempted

ARREST STATUS  BOOKED  ARREST STATUS DATE  02/04/2017

Employer / School

Street Address  Apt #  Phone Number

City  State  Zip  Phone Number Type

## BOND INFO

Bond Amt.  Bond No.

Bonded Date and Time  Court Date and Time

Bonding Officer

## REPORTING OFFICER

Report Date  2/4/2017  ID Number  1143  Approved By Date

Reporting Officer  Michael  Kutylko  Approved By  ab886jBellante, Andrew/2/5/2017/15:37





# CULVER CITY POLICE DEPARTMENT

CASE # 2017-00004307

CASE REPORT  
4040 Duquesne Ave  
Culver City CA 90232

ASSOCIATED CASES:

EVENT	REPORTED DATE/TIME 02/04/2017 13:48	OCCURRED INCIDENT TYPE OTHER	CASE STATUS AT TIME OF REPORT UNASSIGNED
	OCCURRED FROM DATE/TIME 2/4/2017 13:48	OCCURRED TO DATE/TIME 02/04/2017 13:48	LOCATION OF OCCURRENCE JEFFERSON Blvd OVERLAND Ave Culver City, CA 90230

OFFENSES	ATTEMPT COMMIT	STATUTE ID DESCRIPTION
	C	148(A)(1) PC-M RESIST, DELAYS OR OBSTRUCTS ANY PUBLIC OFFICER, PEACE OFFICER OR EMERGENCY MEDICAL TECHNICIAN

SUBJECT	SUBJECT TYPE SUSPECT		NAME (LAST, FIRST, MIDDLE)					PRIMARY PHONE	
	ADDRESS							PRIMARY PHONE TYPE	
	DOB	AGE	SEX	RACE	HEIGHT or RANGE	WEIGHT or RANGE	EYES	HAIR	GANG RELATED
	DL NUMBER/STATE			SSN		DISTINCTIVE CHARACTERISTICS			
	CLOTHING DESCRIPTION				SCAR MARKS OR TATTOOS				

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE)					PRIMARY PHONE	
	ADDRESS							PRIMARY PHONE TYPE	
	DOB	AGE	SEX	RACE	HEIGHT or RANGE	WEIGHT or RANGE	EYES	HAIR	GANG RELATED
	DL NUMBER/STATE			SSN		DISTINCTIVE CHARACTERISTICS			
	CLOTHING DESCRIPTION				SCAR MARKS OR TATTOOS				

SUBJECT	SUBJECT TYPE		NAME (LAST, FIRST, MIDDLE)					PRIMARY PHONE	
	ADDRESS							PRIMARY PHONE TYPE	
	DOB	AGE	SEX	RACE	HEIGHT or RANGE	WEIGHT or RANGE	EYES	HAIR	GANG RELATED
	DL NUMBER/STATE			SSN		DISTINCTIVE CHARACTERISTICS			
	CLOTHING DESCRIPTION				SCAR MARKS OR TATTOOS				

REPORTING OFFICER Michael Kutyllo	DATE 02/04/2017	REVIEWED BY Bellante, Andrew
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# CULVER CITY POLICE DEPARTMENT

CASE REPORT  
4040 Duquesne Ave  
Culver City CA 90232

CASE # 2017-00004307

## NARRATIVE

On 02/04/2017, I (Officer M. Kutyllo #1143) was working uniformed patrol in a marked black and white police vehicle assigned as 1L51.

At approximately 1346 hours, while traveling eastbound on Jefferson Blvd. approaching Holdrege Ave., I observed a white Chrysler Town and Country with Honda paper plates traveling eastbound on Jefferson Blvd. a violation of CVC 5200(a), Display of license plates.

Based on the aforementioned violation, I initiated a U-turn and attempted to catch up to the vehicle to conduct and enforcement stop. I was able to catch up the vehicle in the area of Jefferson Blvd. and Overland Ave. and conducted an enforcement stop on Jefferson Blvd. west of Overland Ave.

Officer Gladden #1117 responded to assist.

I contacted the driver and sole occupant of the vehicle, later identified as [redacted] from the passenger side and advised him of the reason for the stop. While speaking with [redacted] I asked him if he was on probation or parole and he stated, "Yeah, I'm on probation for possession." I asked [redacted] what "possession" he was on probation for and he stated, "Drugs."

While speaking to [redacted] I noticed he had trouble focusing on our conversation and was sweating heavily even though it was a cool afternoon. [redacted] speech was also very rapid to the point I had to ask him to slow down so I could understand what he was saying. Furthermore, [redacted] was unable to sit still and was repeatedly licking his lips while he spoke. Based on my training and experience, I recognized [redacted] was displaying some of the objective signs and symptoms of being under the influence of a CNS stimulant.

Based on the fact that [redacted] stated he was on active probation for possession of drugs, (later identified as active felony probation for HS 11377(a) and PC 4573), coupled with the fact [redacted] was displaying objective symptoms of being under the influence of a stimulant, I approached the driver's side of the vehicle and asked [redacted] to exit the vehicle pending further investigation.

As [redacted] was stepping out of the vehicle I grabbed his left wrist with my left hand to safely escort him out of the vehicle. When I grabbed [redacted] wrist, he became resistant to stepping out of the vehicle by tensing his left arm and attempting to pull it back inside of the vehicle. I again asked [redacted] to step out of the vehicle and he raised his voice stating, "I need to hold onto the door to get out." Based on the fact [redacted] had not been patted down for weapons, I elected to maintain my grasp on [redacted] left wrist. I informed [redacted] that I was not going to let go of his wrist for my safety and his, and ordered him to step out of the vehicle.

After repeatedly ordering [redacted] to step out of the vehicle, he complied and placed his hands behind his back. While grasping [redacted] hands, I escorted him behind his vehicle and to the sidewalk. Based on the fact that [redacted] admitted to being on active probation, had become verbally aggressive and physically resistive to stepping out of the vehicle, coupled with the fact he was [redacted] "tall and weighed [redacted], and was displaying signs of stimulant usage, I elected to place [redacted] in handcuffs for officer safety purposes. As I attempted to place a handcuff on [redacted] left wrist, he quickly pulled his right arm away from my grasp, raised it above his head and stated, "Fuck that, no way you putting

REPORTING OFFICER

Michael

DATE

02/04/2017

REVIEWED BY

Bellante, Andrew



# CULVER CITY POLICE DEPARTMENT

CASE REPORT  
4040 Duquesne Ave  
Culver City CA 90232

CASE # 2017-00004307

## NARRATIVE CONTINUATION

those on me." I was able to maintain a grasp on [redacted] left wrist, at which time [redacted] spun to his left and pulled away from my grasp.

At this time, Officer Gladden and I grabbed [redacted] torso and used our combined strength and body weight to force [redacted] against the hood of my police vehicle. [redacted] then dropped his bodyweight forward and attempted to move both of his hands towards his waistband. It should be noted that [redacted] was wearing a baggy T-shirt that concealed his waistband.

At this time, Officer Gladden and I called for emergency assistance and a Code 3 response.

Based on the fact [redacted] was forcefully resisting Officer Gladden and I, coupled with the fact he repeatedly attempted to pull his hands towards his waistband, Officer Gladden and I feared [redacted] was attempting to arm himself with a weapon. Subsequently, Officer Gladden mounted [redacted] back and applied a hold to his upper body and head area. Officer Gladden applied this hold for approximately ten seconds, at which point, Officer Gladden, [redacted] and I lost our footing and fell onto the grass adjacent to the sidewalk. [redacted] landed on his right side and Officer Gladden was still able to maintain a mount on his back. I then grasped [redacted] hips and used my body weight to prevent Walton from attempting to stand up. Officer Gladden and I were able to roll [redacted] onto his stomach where I attempted to handcuff him. I grabbed [redacted] left arm and placed it behind his back. At this time, [redacted] pulled his left arm back towards his waistband, while his right arm was still underneath him. [redacted] continually kicked his legs and moved his body in an attempt to resist our efforts to handcuff him.

Officer Gladden and I repeatedly ordered [redacted] to stop fighting and to give us his hands. [redacted] continued to pull his left arm towards his waistband and I subsequently punched him with a closed fist in the lower back four times in an attempt to gain his compliance. [redacted] refused to comply with our commands and was attempting to regain his footing to stand up. At this time, Officer Gladden applied the carotid control hold in an attempt to overcome resistance. [redacted] continued to resist and refused to remove his hands from his waistband, so I subsequently delivered four to six additional closed fist punches to [redacted] back. At this time, Officer Gladden's carotid control hold proved to be effective as [redacted] legs and body went limp. Seconds later while attempting to handcuff [redacted] he regained consciousness and began to flail his arms and kick his legs.

Officers Call #1136 and McCormick #1142 arrived on scene to assist.

Officer McCormick grabbed [redacted] right arm and placed it behind [redacted] back. Officer McCormick repeatedly ordered [redacted] to stop fighting and to give us his arms. [redacted] continued to actively resist and refused to place his hands behind his back, at which point Officer Call delivered two closed fist punches to [redacted] back in order to gain compliance. Officer Gladden then reapplied the carotid control hold which proved to be effective as [redacted] began to snore and his body went limp indicating he was rendered unconscious, allowing us to handcuff him without further incident. [redacted] was heavily snoring and was unconscious for approximately 10-15 seconds.

Sergeant Bellante #886 and Benjamin #814, Detective E. Hernandez #852 and Umutyuan #1110, and Officers Kakuk #1138 and Park #1146 arrived on scene to assist.

REPORTING OFFICER

Michael

Kutylo

DATE

02/04/2017

REVIEWED BY

Bellante, Andrew



## CULVER CITY POLICE DEPARTMENT

CASE REPORT  
4040 Duquesne Ave  
Culver City CA 90232

CASE # 2017-00004307

### NARRATIVE CONTINUATION

Based on the fact that \_\_\_\_\_ resisted Officer Gladden and I during the performance of our duty, he was placed under arrest for P.C. 148(a)(1).

CCFD Engine 2 and Rescue 3 responded to medically evaluate \_\_\_\_\_ was subsequently transported to Southern California Hospital by CCFD Rescue 3, with Officer McCormick riding along. \_\_\_\_\_ treated who was found to have no injuries. \_\_\_\_\_ was medically cleared for booking and transported to CCPD where he was booked for PC 148(a)(1).

\_\_\_\_\_ vehicle was legally parked and left at the scene.

The incident in its entirety was captured on Officer Gladden's Mobile Audio Visual System. Only a portion of the incident is captured on my Mobile Audio Visual System due to the fact the majority of the struggle occurred out of camera view due to the the angle my police vehicle was positioned.

REPORTING OFFICER

Michael

Kutylo

DATE

02/04/2017

REVIEWED BY

Bellante, Andrew

(F)

(F)

LOS ANGELES COUNTY  
BOOKING AND PROPERTY RECORD



BOOKING No.		LOCAL AGENCY No.						FBI No.		ARN No.		DL LIC No. / STATE CA		
MAIN No.		SID. / CIL. No.												
ARRESTEE'S NAME (LAST, FIRST, MIDDLE)								HOME PHONE		DNA STATUS				
ADDRESS, CITY, STATE, ZIP										DNA COLLECTED BY:				
SEX	DESCENT	HAIR	EYES	HEIGHT	WEIGHT	BIRTHDATE	AGE	DATE DNA COLLECTED:						
VEH. LIC. No. ST.		RPT DIST		AKA/NICKNAME										
BIRTHPLACE		CITIZENSHIP		ARR. AGY. / DETAIL		MONIKER					AD CHG N		LIVESCAN OPERATOR(S)	
FILE No.			DATE & TIME ARRESTED 02-04-2017 1500				TIME BKD 2152							
LOCATION OF ARREST JEFFERSON BLVD KINSTON AVE						TOTAL BAIL 10000.00								
CHARGE						WARR./COMM. No.								
JAIL LOC. 1918		ARRAIGNMENT DATE		TIME		COURT								
SOC. SEC. No.		OBSERVABLE PHYSICAL ODDITIES												
EMPLOYER (FIRM OR PERSON'S NAME, CITY & PHONE No.)										SPECIAL MEDICAL PROBLEMS				
CLOTHING WORN						LOCATION OR DISPOSITION OF VEHICLE								
IN CASE OF EMERGENCY NOTIFY (NAME, RELATIONSHIP, ADDRESS, CITY & PHONE)														
ARRESTING OFFICER KUTYLO 1143			BOOKING EMPLOYEE CAMPOS 1129			SEARCHING OFFICER			TRANSPORTING OFFICER					
CASH RETAINED		PROPERTY												
PROPERTY														
CASH DEPOSITED		PROPERTY												
PRISONER'S SIGNATURE FOR RECEIPT OF PERSONAL PROPERTY														

LACRISPDCUC-D01

20170204

22:10:19

RIGHT FOUR IN

RIGHT THUMB IN





# Culver CITY



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## INTEROFFICE MEMORANDUM

---

**DATE:** February 21, 2017

**TO:** OFFICER MICHAEL KUTYLO

**FROM:** LIEUTENANT MANUEL CID

**SUBJECT:** NOTICE OF INTERVIEW-Administrative Investigation

This Memorandum serves as formal notice that you are the subject of a confidential administrative investigation. The nature of the investigation is related to an incident that occurred on Saturday, February 4<sup>th</sup>, 2017, at approximately 1345 hours, wherein you conducted a traffic enforcement stop in the area of Jefferson Blvd. and Overland Ave., and all of your actions prior to the aforementioned traffic stop, during the traffic stop and subsequent field investigation, as well as any other actions related to this incident including, but not limited to, your operation of the Mobile Audio Video system. Allegations such as these, if sustained, may constitute violations of the policies and procedures of the Culver City Police Department. Any finding of misconduct may result in disciplinary action, up to and including termination.

As part of this investigation, I will need to conduct an administrative interview with you. Your interview is currently scheduled for **Monday, February 27<sup>th</sup>, 2017, at 0930 hours, at the Culver City Police Department.** You are ordered to report for your interview in this confidential investigation at the scheduled date and time. You have the right to be represented by a representative of your choice who may be present at all times during the investigative interview. This representative shall not be a person subject to the same investigation. Please note that the Public Safety Officers Procedural Bill of Rights Act provides the subject of an investigation with certain statutory rights during an administrative interview. See Government Code § 3303 for a detailed list of those rights.

Effective immediately, and during the pendency of the investigation and until the rescission by me in writing, the following orders are applicable. Violation of any of the following orders shall, in and of itself, be a disciplinable act of insubordination. The orders are:

1. You will be notified of the date, time, and location of any future interviews. You shall present yourself at any future interviews on the specified date and time. Absent a showing of good cause, the designated date, time and location of the interview shall not be modified.

2. You are ordered to fully and truthfully answer any and all questions asked of you by me (Lieutenant Cid).
3. You shall be prohibited from discussing any aspect of this administrative investigation, including the fact that it has been undertaken, with any individual, City employee or otherwise, subject to the singular exception of the one individual that may be properly designated by you as a representative pursuant to Government Code § 3303(i).
4. You are prohibited from utilizing City/Department electronic or other means of communication (email, internet, telephones, and photocopier, as a non-inclusive list of examples only) in connection by either you or your representative, with any investigation of and preparation for the interview process.
5. You are prohibited from accessing, photocopying or otherwise examining City created, owned or maintained documentation, memorialized in any format - electronic, hard copy or otherwise, as regards preparation by you or your representative for use in this administrative investigation. This order non-inclusively applies to documents created by you in the course and scope of your employment.

The above orders shall be reassessed following completion of the investigative process in order that any due process rights that may arise at a future point in time can be properly addressed.

A copy of this Memorandum shall be included with the documentation related to this investigation.

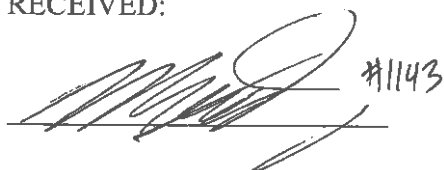
SIGNED:

 #1019

DATE:

2/27/17

RECEIVED:

 #1143

DATE:

2-27-2017



Cid, Manuel

---

**From:** Kutylo, Michael  
**Sent:** Friday, February 24, 2017 3:12 PM  
**To:** Cid, Manuel  
**Subject:** Re: Notice of Intent to Interview

Sir,

I have received the email and will be in attendance at the scheduled interview at CCPD this Monday, February 27th, at 0930 hours.

Mike Kutylo

On Feb 21, 2017, at 4:54 PM, Cid, Manuel <cidmanuel@ccpd.org> wrote:

Michael,

Please see the attached notice. Upon receiving this document, please respond advising you have received the email and will be in attendance at the scheduled interview. A hard copy of the document will be provided to you on the day your interview.

Thanks

**Lieutenant Manuel Cid**  
*Office of the Chief of Police*  
*Culver City Police Department*

<Notice of Interview Kutylo.doc>





**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of employee: Michael Kutyla

Complaint #: C17-004

Employee's Representative: N/A

**INTERVIEW ADMONITION**

1) My name is Manuel Cid and my rank is Lieutenant.

I am employed in such capacity by the City of Culver City Police Department and I am in charge of this investigation. Conducting the interview with me is N/A and their rank is N/A.

2) Pursuant to Government Code 3303 (g), I am recording this interview. A copy of this recording will be provided to you upon your request. You have the right to use your own recording device and record any and all aspects of this interview.

3) You have the right to have representation of your choice during this interview. Do you wish to have legal representation at this time? Yes        No X

5) Today's date is 2/27/17 and the time is 1010 HRS

6) The nature of this investigation is: (Date of actions under investigation, factual allegations of misconduct) On Saturday, February 4th, 2017, at about 1345 hours, you participated

in conducting a traffic stop in the area of Jefferson Blvd. and Overland Ave.

involving a subject by the name of        " Ultimately the contact

resulted in a Use of Force and subsequent arrest of        has since

alleged excessive use of force and theft on the behalf of members of the Culver

City Police Department members, including you.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of employee: Michael Kutyllo

Complaint #: C17-00

**If Applicable:**

7) The nature of this investigation is such that the Department deems that you may be charged with a criminal offense. Therefore, I will now advise you of your Constitutional Rights.

**Miranda Warning**

- You have the right to remain silent and refuse to answer questions. Do you understand? ✓
- Anything you say may be used against you in a court of law. Do you understand? ✓
- You have the right to consult with an attorney before speaking to me/us and to have an attorney present during questioning now or in the future. ✓
- If you cannot afford an attorney, one will be appointed for you before any questioning if you wish. ✓
- If you decide to answer questions now without an attorney present, you will still have the right to stop answering at any time until you talk to an attorney. ✓
- Knowing and understanding your rights as I have explained them to you, Do you wish to waive these rights in order to be interviewed by me? Yes \_\_\_\_\_ No ✓

8) If subject waives Constitutional Rights, go to #9. If subject does not waive Constitutional Rights then read **Lybarger Warning**.

**Lybarger Warning**

Although you have refused to waive your Constitutional rights, be advised that I will now proceed with the administrative aspect of this interview. Therefore, you are now ordered to fully and truthfully answer all questions asked of you during this interview. Your failure to do so will, in and of itself, constitute a disciplinable act of insubordination and will result in a recommendation of disciplinary action against you, up to and including dismissal per **Culver City Police Department Policy Manual Section 340.3.5 (e) "Disobedience or insubordination to constituted authorities, including refusal or deliberate failure to carry out or follow lawful directives and orders from any supervisor or person in a position of authority."**

Statements made by you in response to this order cannot be used against you in a criminal proceeding.

**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of Employee: Michael Kutyllo

Complaint #: C17-00

- 9) Prior to proceeding with the interview, do you have any questions regarding the admonitions that I have read to you? (If so, respond to those questions that are appropriate) No ✓
- 10) No more than two (2) interviewers may ask questions at one time. ✓
- 11) This interview session shall not exceed beyond a reasonable time considering the gravity of the issue(s). ✓
- 12) You will be permitted to attend your personal physical necessities, but may be required to finish answering a pending question before taking a break. ✓
- 13) Are you taking any medication, that you have been told or you believe may cause you to be unable to understand and respond truthfully to the questions that will be asked of you or in the alternative, have you failed to take any prescription or other medication, that you have been told or you believe may assist you to understand and respond truthfully to the questions that will be asked of you? Yes \_\_\_\_\_ No ✓
- 14) Are you suffering from any physical or mental condition that will cause you to be unable to understand and respond truthfully to the questions that will be asked of you? Yes \_\_\_\_\_ No ✓  
(If the answer is yes, indicate so and continue with interview.)
- 15) You are to answer all questions truthfully and completely. ✓
- 16) You are directed to keep the facts of this investigation confidential and not discuss the circumstances of this investigation with anyone other than your representative. ✓

**This interview admonition was read to me, I have reviewed it and by my signature herein, I acknowledge my understanding of my rights and duties.**

Employee Signature 

Date 2-27-17

Employee Representative \_\_\_\_\_

Date \_\_\_\_\_

Interviewer Signature  2/27/17

Date 2/27/17

Interviewer Signature \_\_\_\_\_

Date \_\_\_\_\_



# Culver CITY



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## INTEROFFICE MEMORANDUM

---

**DATE:** February 21, 2017

**TO:** OFFICER JAMES GLADDEN

**FROM:** LIEUTENANT MANUEL CID

**SUBJECT:** NOTICE OF INTERVIEW-Administrative Investigation

This Memorandum serves as formal notice that you are the subject of a confidential administrative investigation. The nature of the investigation is related to an incident that occurred on Saturday, February 4<sup>th</sup>, 2017, at approximately 1345 hours, wherein you participated in conducting a traffic enforcement stop in the area of Jefferson Blvd. and Overland Ave., and all of your actions prior to the aforementioned traffic stop, during the traffic stop and subsequent field investigation, as well as any other actions related to this incident including, but not limited to, your operation of the Mobile Audio Video system. Allegations such as these, if sustained, may constitute violations of the policies and procedures of the Culver City Police Department. Any finding of misconduct may result in disciplinary action, up to and including termination.

As part of this investigation, I will need to conduct an administrative interview with you. Your interview is currently scheduled for **Monday, February 27<sup>th</sup>, 2017, at 1100 hours, at the Culver City Police Department.** You are ordered to report for your interview in this confidential investigation at the scheduled date and time. You have the right to be represented by a representative of your choice who may be present at all times during the investigative interview. This representative shall not be a person subject to the same investigation. Please note that the Public Safety Officers Procedural Bill of Rights Act provides the subject of an investigation with certain statutory rights during an administrative interview. See Government Code § 3303 for a detailed list of those rights.

Effective immediately, and during the pendency of the investigation and until the rescission by me in writing, the following orders are applicable. Violation of any of the following orders shall, in and of itself, be a disciplinable act of insubordination. The orders are:

1. You will be notified of the date, time, and location of any future interviews. You shall present yourself at any future interviews on the specified date and time. Absent a showing of good cause, the designated date, time and location of the interview shall not be modified.

2. You are ordered to fully and truthfully answer any and all questions asked of you by me (Lieutenant Cid).
3. You shall be prohibited from discussing any aspect of this administrative investigation, including the fact that it has been undertaken, with any individual, City employee or otherwise, subject to the singular exception of the one individual that may be properly designated by you as a representative pursuant to Government Code § 3303(i).
4. You are prohibited from utilizing City/Department electronic or other means of communication (email, internet, telephones, and photocopier, as a non-inclusive list of examples only) in connection by either you or your representative, with any investigation of and preparation for the interview process.
5. You are prohibited from accessing, photocopying or otherwise examining City created, owned or maintained documentation, memorialized in any format - electronic, hard copy or otherwise, as regards preparation by you or your representative for use in this administrative investigation. This order non-inclusively applies to documents created by you in the course and scope of your employment.

The above orders shall be reassessed following completion of the investigative process in order that any due process rights that may arise at a future point in time can be properly addressed.

A copy of this Memorandum shall be included with the documentation related to this investigation.

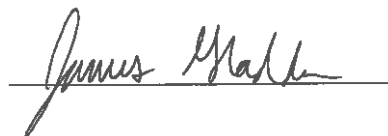
SIGNED:



DATE:

2/27/17

RECEIVED:



DATE:

2-27-17



**Cid, Manuel**

---

**From:** Gladden, James  
**Sent:** Saturday, February 25, 2017 12:01 PM  
**To:** Cid, Manuel  
**Subject:** Re: Notice of Intent to Interview

Lt. Cid,

I have read the attached document. I will be in attendance on the specified date and time.

Officer Gladden #1117

**From:** Cid, Manuel  
**Sent:** Tuesday, February 21, 2017 4:53:19 PM  
**To:** Gladden, James  
**Subject:** Notice of Intent to Interview

James,

Please see the attached notice. Upon receiving this document, please respond advising you have received the email and will be in attendance at the scheduled interview. A hard copy of the document will be provided to you on the day your interview.

Thanks

**Lieutenant Manuel Cid**  
*Office of the Chief of Police*  
*Culver City Police Department*

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**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of employee: James Gladden

Complaint #: C17-004

**If Applicable:**

7) The nature of this investigation is such that the Department deems that you may be charged with a criminal offense. Therefore, I will now advise you of your Constitutional Rights.

**Miranda Warning**

- You have the right to remain silent and refuse to answer questions. Do you understand? ☒
- Anything you say may be used against you in a court of law. Do you understand? ☒
- You have the right to consult with an attorney before speaking to me/us and to have an attorney present during questioning now or in the future. ☒
- If you cannot afford an attorney, one will be appointed for you before any questioning if you wish. ☒
- If you decide to answer questions now without an attorney present, you will still have the right to stop answering at any time until you talk to an attorney. ☒
- Knowing and understanding your rights as I have explained them to you, Do you wish to waive these rights in order to be interviewed by me? Yes ☐ No ☒

8) If subject waives Constitutional Rights, go to #9. If subject does not waive Constitutional Rights then read **Lybarger Warning**.

**Lybarger Warning**

Although you have refused to waive your Constitutional rights, be advised that I will now proceed with the administrative aspect of this interview. Therefore, you are now ordered to fully and truthfully answer all questions asked of you during this interview. Your failure to do so will, in and of itself, constitute a disciplinable act of insubordination and will result in a recommendation of disciplinary action against you, up to and including dismissal per **Culver City Police Department Policy Manual Section 340.3.5 (e) "Disobedience or insubordination to constituted authorities, including refusal or deliberate failure to carry out or follow lawful directives and orders from any supervisor or person in a position of authority."**

Statements made by you in response to this order cannot be used against you in a criminal proceeding.



**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of Employee: James Gladden

Complaint #: C17-004

9) Prior to proceeding with the interview, do you have any questions regarding the admonitions that I have read to you? (If so, respond to those questions that are appropriate) No

10) No more than two (2) interviewers may ask questions at one time.

11) This interview session shall not exceed beyond a reasonable time considering the gravity of the issue(s).

12) You will be permitted to attend your personal physical necessities, but may be required to finish answering a pending question before taking a break.

13) Are you taking any medication, that you have been told or you believe may cause you to be unable to understand and respond truthfully to the questions that will be asked of you or in the alternative, have you failed to take any prescription or other medication, that you have been told or you believe may assist you to understand and respond truthfully to the questions that will be asked of you? Yes \_\_\_\_\_ No X

14) Are you suffering from any physical or mental condition that will cause you to be unable to understand and respond truthfully to the questions that will be asked of you? Yes \_\_\_\_\_ No X  
(If the answer is yes, indicate so and continue with interview.)

15) You are to answer all questions truthfully and completely.

16) You are directed to keep the facts of this investigation confidential and not discuss the circumstances of this investigation with anyone other than your representative.

**This interview admonition was read to me, I have reviewed it and by my signature herein, I acknowledge my understanding of my rights and duties.**

Employee Signature James Gladden #1117

Date 2-27-17

Employee Representative \_\_\_\_\_

Date \_\_\_\_\_

Interviewer Signature [Signature] #1012

Date 2/27/17

Interviewer Signature \_\_\_\_\_

Date \_\_\_\_\_

I

I

Cid, Manuel

---

**From:** Call, Thomas  
**Sent:** Thursday, February 23, 2017 3:54 PM  
**To:** Cid, Manuel  
**Subject:** Re: Notice of Intent to Interview

Got it, Sir.

---

**From:** Cid, Manuel  
**Sent:** Thursday, February 23, 2017 10:25:09 AM  
**To:** Call, Thomas  
**Subject:** Notice of Intent to Interview

Tom,

Please see the attached notice. Upon receiving this document, please respond advising you have received the email and will be in attendance at the scheduled interview. A hard copy of the document will be provided to you on the day of your interview.

Thanks

**Lieutenant Manuel Cid**  
*Office of the Chief of Police*  
*Culver City Police Department*



# Culver CITY



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## INTEROFFICE MEMORANDUM

---

**DATE:** February 21, 2017

**TO:** OFFICER THOMAS CALL

**FROM:** LIEUTENANT MANUEL CID

**SUBJECT:** NOTICE OF INTERVIEW-Administrative Investigation

This Memorandum serves as formal notice that you are the subject of a confidential administrative investigation. The nature of the investigation is related to an incident that occurred on Saturday, February 4<sup>th</sup>, 2017, at approximately 1345 hours, wherein you responded to assist with a traffic enforcement stop in the area of Jefferson Blvd. and Overland Ave., and all of your actions prior to the aforementioned traffic stop, during the traffic stop and subsequent field investigation, as well as any other actions related to this incident including, but not limited to, your operation of the Mobile Audio Video system. Allegations such as these, if sustained, may constitute violations of the policies and procedures of the Culver City Police Department. Any finding of misconduct may result in disciplinary action, up to and including termination.

As part of this investigation, I will need to conduct an administrative interview with you. Your interview is currently scheduled for **Tuesday, February 28<sup>th</sup>, 2017, at 0930 hours, at the Culver City Police Department.** You are ordered to report for your interview in this confidential investigation at the scheduled date and time. You have the right to be represented by a representative of your choice who may be present at all times during the investigative interview. This representative shall not be a person subject to the same investigation. Please note that the Public Safety Officers Procedural Bill of Rights Act provides the subject of an investigation with certain statutory rights during an administrative interview. See Government Code § 3303 for a detailed list of those rights.

Effective immediately, and during the pendency of the investigation and until the rescission by me in writing, the following orders are applicable. Violation of any of the following orders shall, in and of itself, be a disciplinable act of insubordination. The orders are:

1. You will be notified of the date, time, and location of any future interviews. You shall present yourself at any future interviews on the specified date and time. Absent a showing of good cause, the designated date, time and location of the interview shall not be modified.

2. You are ordered to fully and truthfully answer any and all questions asked of you by me (Lieutenant Cid).
3. You shall be prohibited from discussing any aspect of this administrative investigation, including the fact that it has been undertaken, with any individual, City employee or otherwise, subject to the singular exception of the one individual that may be properly designated by you as a representative pursuant to Government Code § 3303(i).
4. You are prohibited from utilizing City/Department electronic or other means of communication (email, internet, telephones, and photocopier, as a non-inclusive list of examples only) in connection by either you or your representative, with any investigation of and preparation for the interview process.
5. You are prohibited from accessing, photocopying or otherwise examining City created, owned or maintained documentation, memorialized in any format - electronic, hard copy or otherwise, as regards preparation by you or your representative for use in this administrative investigation. This order non-inclusively applies to documents created by you in the course and scope of your employment.

The above orders shall be reassessed following completion of the investigative process in order that any due process rights that may arise at a future point in time can be properly addressed.

A copy of this Memorandum shall be included with the documentation related to this investigation.

SIGNED:

 #1012

DATE:

2/23/17

RECEIVED:



DATE:

02/28/17



**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of employee: Thomas Call

Complaint #: C17-004

Employee's Representative: \_\_\_\_\_

N/A

**INTERVIEW ADMONITION**

1) My name is Manuel Cid and my rank is Lieutenant.

I am employed in such capacity by the City of Culver City Police Department and I am in charge of this investigation. Conducting the interview with me is N/A and their rank is N/A.

2) Pursuant to Government Code 3303 (g), I am recording this interview. A copy of this recording will be provided to you upon your request. You have the right to use your own recording device and record any and all aspects of this interview.

3) You have the right to have representation of your choice during this interview. Do you wish to have legal representation at this time? Yes \_\_\_\_\_ No X

5) Today's date is 2/28/17 and the time is 0950 HRS

6) The nature of this investigation is: (Date of actions under investigation, factual allegations of misconduct) On Saturday, February 4th, 2017, at about 1345 hours, you participated

in responding to a call for emergency assistance on a traffic stop in the area of

Jefferson Blvd. and Overland Ave., involving a subject by the name of "Ultimately"

Ultimately, the contact resulted in a Use of Force and subsequent arrest of

has since alleged excessive use of force and theft on the behalf of members of the

Culver City Police Department members, including you.

**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of employee: Thomas Call

Complaint #: C17-004

**If Applicable:**

7) The nature of this investigation is such that the Department deems that you may be charged with a criminal offense. Therefore, I will now advise you of your Constitutional Rights.

**Miranda Warning**

- You have the right to remain silent and refuse to answer questions. Do you understand? ✓
- Anything you say may be used against you in a court of law. Do you understand? ✓
- You have the right to consult with an attorney before speaking to me/us and to have an attorney present during questioning now or in the future. ✓
- If you cannot afford an attorney, one will be appointed for you before any questioning if you wish. ✓
- If you decide to answer questions now without an attorney present, you will still have the right to stop answering at any time until you talk to an attorney. ✓
- Knowing and understanding your rights as I have explained them to you, Do you wish to waive these rights in order to be interviewed by me? Yes \_\_\_\_\_ No X

8) If subject waives Constitutional Rights, go to #9. If subject does not waive Constitutional Rights then read **Lybarger Warning**.

**Lybarger Warning**

Although you have refused to waive your Constitutional rights, be advised that I will now proceed with the administrative aspect of this interview. Therefore, you are now ordered to fully and truthfully answer all questions asked of you during this interview. Your failure to do so will, in and of itself, constitute a disciplinable act of insubordination and will result in a recommendation of disciplinary action against you, up to and including dismissal per **Culver City Police Department Policy Manual Section 340.3.5 (e) "Disobedience or insubordination to constituted authorities, including refusal or deliberate failure to carry out or follow lawful directives and orders from any supervisor or person in a position of authority."**

Statements made by you in response to this order cannot be used against you in a criminal proceeding.

**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of Employee: Thomas Call

Complaint #: C17-004

9) Prior to proceeding with the interview, do you have any questions regarding the admonitions that I have read to you? (If so, respond to those questions that are appropriate) No ✓

10) No more than two (2) interviewers may ask questions at one time.

11) This interview session shall not exceed beyond a reasonable time considering the gravity of the issue(s). ✓

12) You will be permitted to attend your personal physical necessities, but may be required to finish answering a pending question before taking a break. ✓

13) Are you taking any medication, that you have been told or you believe may cause you to be unable to understand and respond truthfully to the questions that will be asked of you or in the alternative, have you failed to take any prescription or other medication, that you have been told or you believe may assist you to understand and respond truthfully to the questions that will be asked of you? Yes \_\_\_\_\_ No X

14) Are you suffering from any physical or mental condition that will cause you to be unable to understand and respond truthfully to the questions that will be asked of you? Yes \_\_\_\_\_ No X  
(If the answer is yes, indicate so and continue with interview.)

15) You are to answer all questions truthfully and completely.

16) You are directed to keep the facts of this investigation confidential and not discuss the circumstances of this investigation with anyone other than your representative.

This interview admonition was read to me, I have reviewed it and by my signature herein, I acknowledge my understanding of my rights and duties.

Employee Signature Tom Call

Date 02/28/17

Employee Representative \_\_\_\_\_

Date \_\_\_\_\_

Interviewer Signature M. [Signature] #102

Date 2/28/17

Interviewer Signature \_\_\_\_\_

Date \_\_\_\_\_



# Culver CITY



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## INTEROFFICE MEMORANDUM

---

**DATE:** February 21, 2017

**TO:** OFFICER MASON MCCORMICK

**FROM:** LIEUTENANT MANUEL CID

**SUBJECT:** NOTICE OF INTERVIEW-Administrative Investigation

This Memorandum serves as formal notice that you are the subject of a confidential administrative investigation. The nature of the investigation is related to an incident that occurred on Saturday, February 4<sup>th</sup>, 2017, at approximately 1345 hours, wherein you responded to assist with a traffic enforcement stop in the area of Jefferson Blvd. and Overland Ave., and all of your actions prior to the aforementioned traffic stop, during the traffic stop and subsequent field investigation, as well as any other actions related to this incident including, but not limited to, your operation of the Mobile Audio Video system. Allegations such as these, if sustained, may constitute violations of the policies and procedures of the Culver City Police Department. Any finding of misconduct may result in disciplinary action, up to and including termination.

As part of this investigation, I will need to conduct an administrative interview with you. Your interview is currently scheduled for **Tuesday, February 28<sup>th</sup>, 2017, at 1100 hours, at the Culver City Police Department.** You are ordered to report for your interview in this confidential investigation at the scheduled date and time. You have the right to be represented by a representative of your choice who may be present at all times during the investigative interview. This representative shall not be a person subject to the same investigation. Please note that the Public Safety Officers Procedural Bill of Rights Act provides the subject of an investigation with certain statutory rights during an administrative interview. See Government Code § 3303 for a detailed list of those rights.

Effective immediately, and during the pendency of the investigation and until the rescission by me in writing, the following orders are applicable. Violation of any of the following orders shall, in and of itself, be a disciplinable act of insubordination. The orders are:

1. You will be notified of the date, time, and location of any future interviews. You shall present yourself at any future interviews on the specified date and time. Absent a showing of good cause, the designated date, time and location of the interview shall not be modified.



2. You are ordered to fully and truthfully answer any and all questions asked of you by me (Lieutenant Cid).
3. You shall be prohibited from discussing any aspect of this administrative investigation, including the fact that it has been undertaken, with any individual, City employee or otherwise, subject to the singular exception of the one individual that may be properly designated by you as a representative pursuant to Government Code § 3303(i).
4. You are prohibited from utilizing City/Department electronic or other means of communication (email, internet, telephones, and photocopier, as a non-inclusive list of examples only) in connection by either you or your representative, with any investigation of and preparation for the interview process.
5. You are prohibited from accessing, photocopying or otherwise examining City created, owned or maintained documentation, memorialized in any format - electronic, hard copy or otherwise, as regards preparation by you or your representative for use in this administrative investigation. This order non-inclusively applies to documents created by you in the course and scope of your employment.

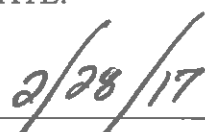
The above orders shall be reassessed following completion of the investigative process in order that any due process rights that may arise at a future point in time can be properly addressed.

A copy of this Memorandum shall be included with the documentation related to this investigation.

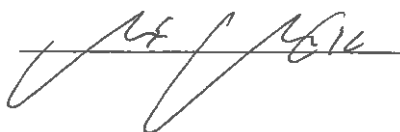
SIGNED:

 #019

DATE:



RECEIVED:



DATE:



(J)

Cid, Manuel

(J)

**From:** McCormick, Mason  
**Sent:** Thursday, February 23, 2017 10:24 AM  
**To:** Cid, Manuel  
**Subject:** Re: Notice of Intent to Interview

---

Got it sir.

On Feb 23, 2017, at 10:23, Cid, Manuel < > wrote:

Mason,

Please see the attached notice. Upon receiving this document, please respond advising you have received the email and will be in attendance at the scheduled interview. A hard copy of the document will be provided to you on the day of your interview.

Thanks

**Lieutenant Manuel Cid**  
*Office of the Chief of Police*  
*Culver City Police Department*

<Notice of Interview McCormick.doc>

**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of employee: Mason McCormick Complaint #: C17-004

Employee's Representative: N/A

**INTERVIEW ADMONITION**

1) My name is Manuel Cid and my rank is Lieutenant.

I am employed in such capacity by the City of Culver City Police Department and I am in charge of this investigation. Conducting the interview with me is N/A and their rank is N/A.

2) Pursuant to Government Code 3303 (g), I am recording this interview. A copy of this recording will be provided to you upon your request. You have the right to use your own recording device and record any and all aspects of this interview.

3) You have the right to have representation of your choice during this interview. Do you wish to have legal representation at this time? Yes \_\_\_\_\_ No X

5) Today's date is 2/28/17 and the time is 1100 HRS

6) The nature of this investigation is: (Date of actions under investigation, factual allegations of misconduct) On Saturday, February 4th, 2017, at about 1345 hours, you participated

in responding to a call for emergency assistance on a traffic stop in the area of

Jefferson Blvd. and Overland Ave., involving a subject by the name of "Terry Walton." Ultimately,

Ultimately, the contact resulted in a Use of Force and subsequent arrest of Walton. Walton

has since alleged excessive use of force and theft on the behalf of members of the

Culver City Police Department members, including you.

**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of employee: Mason McCormick

Complaint #: C17-004

**If Applicable:**

7) The nature of this investigation is such that the Department deems that you may be charged with a criminal offense. Therefore, I will now advise you of your Constitutional Rights.

**Miranda Warning**

- You have the right to remain silent and refuse to answer questions. Do you understand? ✓
- Anything you say may be used against you in a court of law. Do you understand? ✓
- You have the right to consult with an attorney before speaking to me/us and to have an attorney present during questioning now or in the future. ✓
- If you cannot afford an attorney, one will be appointed for you before any questioning if you wish. ✓
- If you decide to answer questions now without an attorney present, you will still have the right to stop answering at any time until you talk to an attorney. ✓
- Knowing and understanding your rights as I have explained them to you, Do you wish to waive these rights in order to be interviewed by me? Yes \_\_\_\_\_ No X

8) If subject waives Constitutional Rights, go to #9. If subject does not waive Constitutional Rights then read **Lybarger Warning**.

**Lybarger Warning**

Although you have refused to waive your Constitutional rights, be advised that I will now proceed with the administrative aspect of this interview. Therefore, you are now ordered to fully and truthfully answer all questions asked of you during this interview. Your failure to do so will, in and of itself, constitute a disciplinable act of insubordination and will result in a recommendation of disciplinary action against you, up to and including dismissal per Culver City Police Department Policy Manual Section 340.3.5 (e) "Disobedience or insubordination to constituted authorities, including refusal or deliberate failure to carry out or follow lawful directives and orders from any supervisor or person in a position of authority."

Statements made by you in response to this order cannot be used against you in a criminal proceeding.

**CULVER CITY POLICE DEPARTMENT  
SUBJECT INVESTIGATION CHECKLIST**

Name of Employee: Mason McCormick

Complaint #: C17-004

9) Prior to proceeding with the interview, do you have any questions regarding the admonitions that I have read to you? (If so, respond to those questions that are appropriate) No ✓

10) No more than two (2) interviewers may ask questions at one time. ✓

11) This interview session shall not exceed beyond a reasonable time considering the gravity of the issue(s). ✓

12) You will be permitted to attend your personal physical necessities, but may be required to finish answering a pending question before taking a break. ✓

13) Are you taking any medication, that you have been told or you believe may cause you to be unable to understand and respond truthfully to the questions that will be asked of you or in the alternative, have you failed to take any prescription or other medication, that you have been told or you believe may assist you to understand and respond truthfully to the questions that will be asked of you? Yes \_\_\_\_\_ No X

14) Are you suffering from any physical or mental condition that will cause you to be unable to understand and respond truthfully to the questions that will be asked of you? Yes \_\_\_\_\_ No X  
(If the answer is yes, indicate so and continue with interview.)

15) You are to answer all questions truthfully and completely.

16) You are directed to keep the facts of this investigation confidential and not discuss the circumstances of this investigation with anyone other than your representative.

**This interview admonition was read to me, I have reviewed it and by my signature herein, I acknowledge my understanding of my rights and duties.**

Employee Signature [Signature]

Date 2/28/17

Employee Representative \_\_\_\_\_

Date \_\_\_\_\_

Interviewer Signature [Signature]

Date 2/28/17

Interviewer Signature \_\_\_\_\_

Date \_\_\_\_\_



SCOTT BIXBY  
Chief of Police



POLICE DEPARTMENT  
CITY OF CULVER



**U.S. Postal Service<sup>™</sup>**  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com).

**Postmark Here**

*Attn: ccps*

Certified Mail Fee	\$
Extra Services & Fees (check box; add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
<b>Total Postage and Fees</b>	\$

March 13, 2017

RE: Complaint against Officers Kutyllo, Gladden, Callan

I have been assigned to investigate your complaint regarding the officers involved in on February 4, 2017, in the City of Culver City. I will conduct a thorough and non-biased investigation. I would like to conduct an interview with you.

typically  
8am-5pm

Sincerely,

Lieutenant  
Office  
4040 Duquesne  
Culver City  
310-251-1111  
manuela

USPS TRACKING#



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4<sup>®</sup> in this box •

CULVER CITY POLICE DEPT.  
4040 DUQUESNE AVE.  
CULVER CITY, CA 90232

*Attn: ccps*

*cf. cid*



SCOTT BIXBY  
Chief of Police

POLICE DEPARTMENT  
**CITY OF CULVER CITY**

OFFICE OF THE  
CHIEF OF POLICE

(310) 253-6100  
FAX (310) 253-6127

March 13, 2017

RE: Complaint against Officers Kutylo, Gladden, Call and McCormick

I have been assigned to investigate your complaint regarding the incident you were involved in on February 4, 2017, in the City of Culver City. In an effort to conduct a thorough and non-biased investigation, I would like to conduct an interview with you. I typically work Monday through Thursday and I can be reached between the hours of 8am-5pm. Please contact me at your earliest convenience to schedule your interview.

Sincerely,

Lieutenant Manuel Cid  
Office of the Chief of Police  
4040 Duquesne Ave.  
Culver City, CA 90232



# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455 From Date: 02/04/2017 13:48 CFS Type: All  
 To CFS: 455 To Date: 02/04/2017 13:48 Agency Type:  
 Layer: All Areas: All

CFS Number: 455 Call Date/Time: 02/04/2017 13:48:54 Primary Incident: 2017-00004307

02/04/2017 13:59 CL33CUC04IV

DATE: 02/04/17 TIME: 13:58  
 PENDING RECORD INSURANCE STATUS NOT CHECKED  
 POSSIBLE FILE CODES: A  
 REG VALID FROM: 07/02/15 TO 07/02/16  
 LIC#  
 R/O  
 C.C.:19 ZIP#  
 RCID:09/14/15

TYPE:11 POWR:G VEH :17 BODY:S CLAS:BA \*-YR:12  
 REC STATUS:  
 04/12/2016 RENEWAL NOTICE EXTRACTED  
 08/18/14 SMOG DUE 07/02/16

RIP OFC:010 D:08/29/16 ID:010021 T.FOV  
 V:0000000 R:14 RT:  
 06/14/11 PREV LIC

PARKING VIOLATIONS ON FILE

RELEASE OF LIABILITY (REG. 138)

## CLEARANCE INFORMATION RECORDS:

OFFICE	WORK DATE	TECH/ID	SEQ #	VALUE	FICHE DATE	TTC
		47	7244	00117.00	05/17/10	POT
D36		A3	0054	00034.00	00/00/00	F00
		41	7109	00103.00	07/13/11	POT
			0010	00508.00	06/26/12	F00
		24	0022	00120.00	08/03/13	H00
		45				
		0				
		40				

06/29/2001-ODOMETER: 30,012 MILES ACTUAL MILEAGE

MORE

DATE: 02/04/17 TIME: 13:58  
 PENDING MASTER FILE RECORD  
 LIC#: YRMD: MAKE: BTM:SV VIN:  
 R/O:  
 CITY:LOS ANGELES C.C.:19 ZIP#  
 RCID:08/29/16 LOCD:0

TYPE:11 POWR:G VEH :17 BODY:S CLAS:AC \*-YR:16

END





# Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS:	455	From Date:	02/04/2017 13:48	CFS Type:	All
To CFS:	455	To Date:	02/04/2017 13:48	Agency Type:	
Layer:	All	Areas:	All		

CFS Number:	455	Call Date/Time:	02/04/2017 13:48:54	Primary Incident:	2017-00004307
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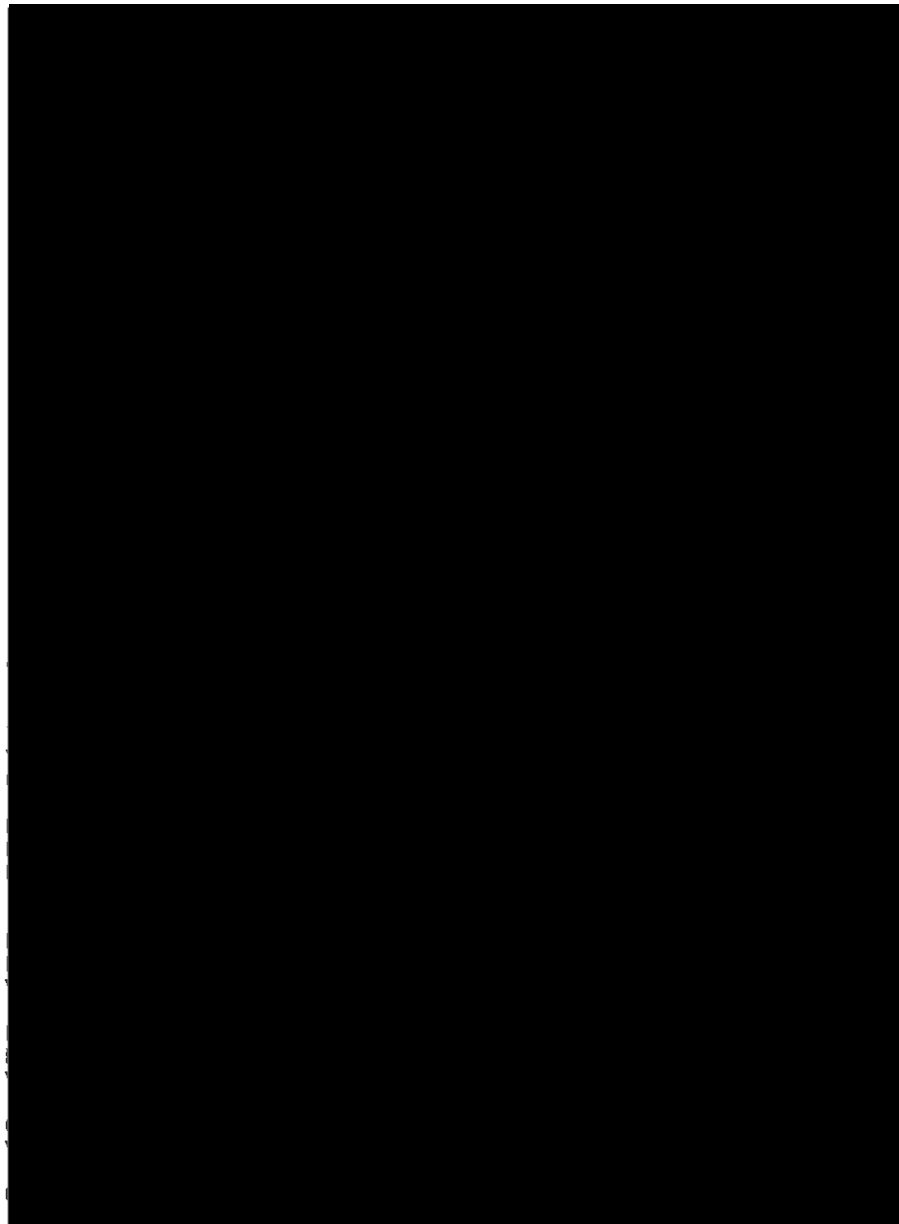
02/04/2017 13:59

NO HITS  
NO NEAR MISS

02/04/2017 14:02

DATE:02-04-17\*TIME:14:02\*

DMV RECORD FOR LAW ENFORCEMENT USE ONLY





## Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455  
To CFS: 455  
Layer: All

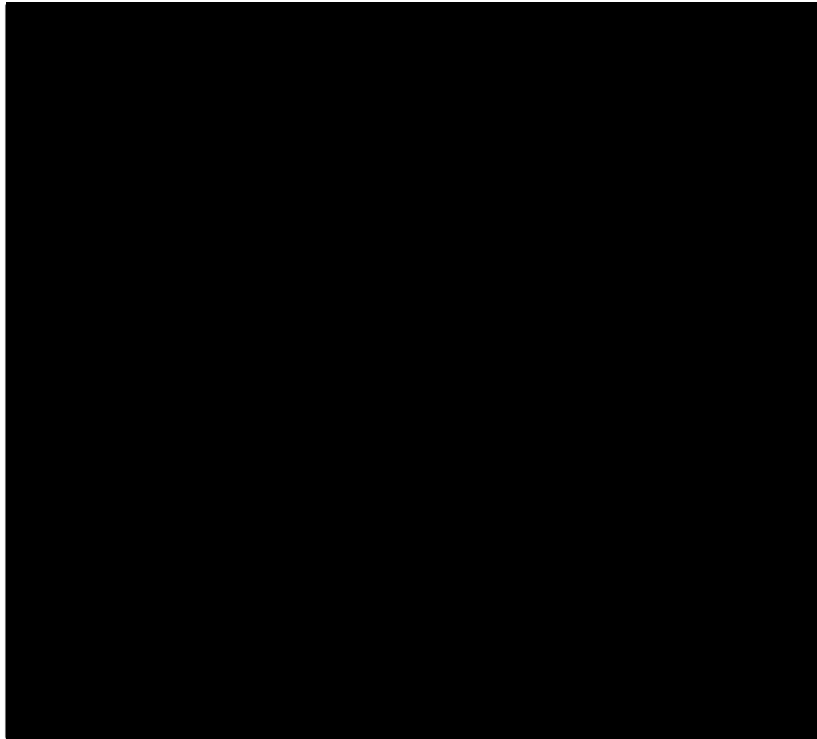
From Date: 02/04/2017 13:48  
To Date: 02/04/2017 13:48  
Areas: All

CFS Type: All  
Agency Type:

CFS Number: 455

Call Date/Time: 02/04/2017 13:48:54

Primary Incident: 2017-00004307



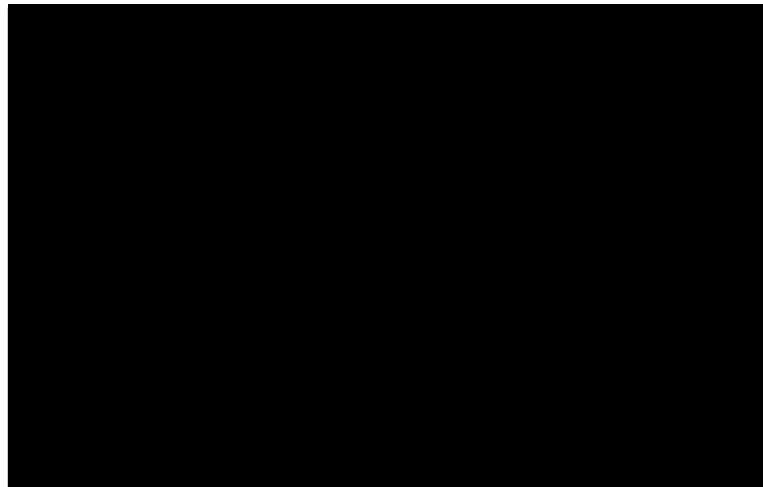
END

02/04/2017 14:02

DATE:02-04-17\*TIME:14:02\*

MATCHED ON:\*L/N\*F/N\*B/3

DMV RECORD FOR LAW ENFORCEMENT USE ONLY





## Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455  
To CFS: 455  
Layer: All

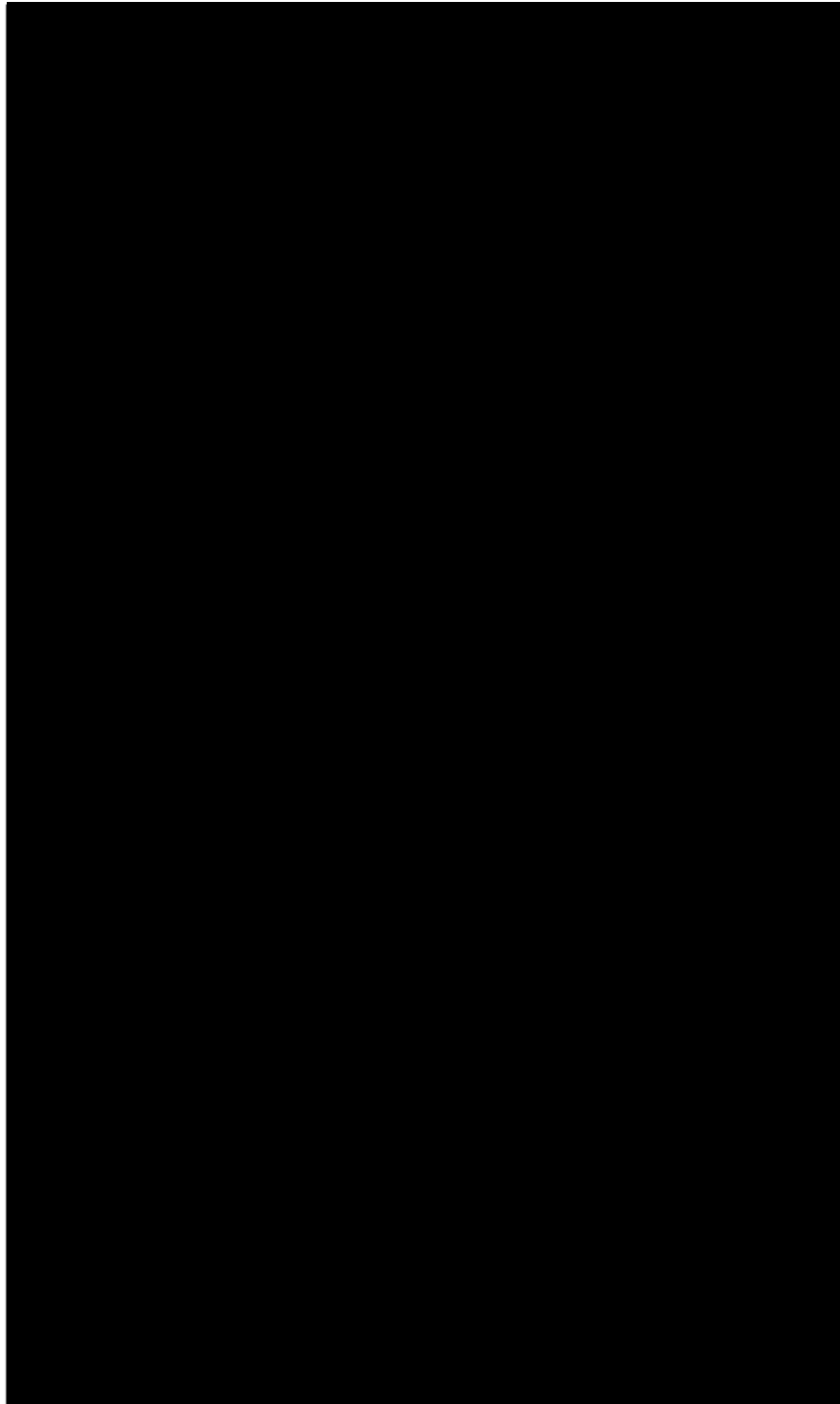
From Date: 02/04/2017 13:48  
To Date: 02/04/2017 13:48  
Areas: All

CFS Type: All  
Agency Type:

CFS Number: 455

Call Date/Time: 02/04/2017 13:48:54

Primary Incident: 2017-00004307



D:



## Detail Call For Service Report



Login ID: bn843

Print Date/Time: 02/08/2017 12:41

From CFS: 455  
To CFS: 455  
Layer: All

From Date: 02/04/2017 13:48  
To Date: 02/04/2017 13:48  
Areas: All

CFS Type: All  
Agency Type:

CFS Number: 455

Call Date/Time: 02/04/2017 13:48:54

Primary Incident: 2017-00004307

END

BOX # \_\_\_\_\_

BOOKING # \_\_\_\_\_

LAST, FIRST & MIDDLE: \_\_\_\_\_

D.O.B \_\_\_\_\_

DATE & TIME OF ARREST

2/4/17

LOCATION OF ARREST: JEFFERSON BLVD / KINSTON AVE

CHARGE: PC 148(A)(1)

DR# 17-4307

ARRESTING OFFICER: GLIDDEN / KATLYO

OSN#

1117 / 1143

TRANSPORTING OFFICER: CAMPOS

OSN#

1129

SEARCHING OFFICER: MCCORMICK

OSN#

1142

NOTES

**CULVER CITY POLICE**  
**ADDITIONAL DOCUMENTS FORM**

(Private Person Arrest Form, CHP 180's, EPO's, Case Documents, etc.)

McCORMICK  
**OFFICER NAME**

1142  
**OSN**

17-4307  
**DR#**

2/4/17  
**DATE**

1  
**# PAGES**

**SPECIAL INSTRUCTIONS/NOTES:**

- O.K. TO BOOK

**APPROVING SUPERVISOR:**

C. FERRIER #821  
**SIGNATURE**

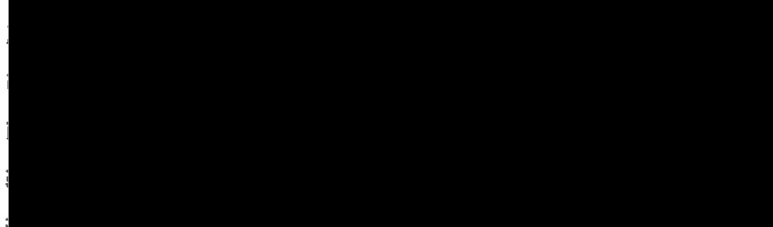
**OSN**

CITY OF CULVER CITY  
POLICE DEPARTMENT  
NOTICE TO APPEAR

☒ MISDEMEANOR

T800878

Date of Violation 2/4/17 Time 2234 ☐ AM ☒ PM Day of Week S ☐ M ☐ T ☐ W ☐ T ☐ F ☐ S Case No. 17-4307  
Name (First, Middle, Last) \_\_\_\_\_ ☐ Owner's Responsibility (Veh. Code, § 40001)



Vehicle Lic. No. or VIN \_\_\_\_\_ State \_\_\_\_\_  
Yr. of Veh. \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Body Style \_\_\_\_\_ Color \_\_\_\_\_  
☐ COMMERCIAL VEHICLE (Veh. Code, § 15210(b))  
Evidence of Financial Responsibility 2ED ☐ HAZARDOUS MATERIAL (Veh. Code, § 353)  
Registered Owner or Lessee \_\_\_\_\_ ☐ Same as Driver  
Address \_\_\_\_\_ ☐ Same as Driver  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

Correctable Violation (Veh. Code, § 40610) ☐ Booking Required (see reverse) Misdemeanor or Infraction (Circle)  
Yes No Code and Section Description M I  
☐ ☒ PC 148(A)(1) - OBST. POLICE OFFICER M I  
☐ ☐ \_\_\_\_\_ M I  
☐ ☐ \_\_\_\_\_ M I  
☐ ☐ \_\_\_\_\_ M I

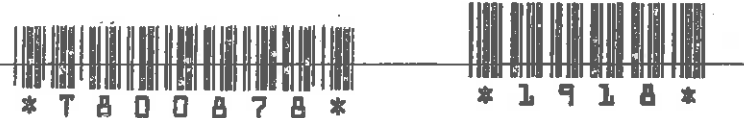
Speed Approx. \_\_\_\_\_ P.F./Max. Spd. \_\_\_\_\_ Veh. Lmt. \_\_\_\_\_ Safe \_\_\_\_\_ Radar/Laser \_\_\_\_\_ ☐ Continuation Form Issued \_\_\_\_\_ N \_\_\_\_\_  
Location of Violation(s) \_\_\_\_\_ City/County of Occurrence \_\_\_\_\_  
at JEFFERSON BLVD/KINSTON AVE, CC LAC W O E  
Comments (Weather, Road & Traffic Conditions) \_\_\_\_\_ ☐ Accident \_\_\_\_\_ S \_\_\_\_\_

☐ Violations not committed in my presence, declared on information and belief.  
I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.  
CAMPOS 1129 to \_\_\_\_\_  
Arresting or Citing Officer Serial No. Dates Off

Date \_\_\_\_\_ Name of Arresting Officer, if different from Citing Officer \_\_\_\_\_ Serial No. \_\_\_\_\_ Dates Off \_\_\_\_\_  
WITHOUT INDICATED X Signature \_\_\_\_\_ PLACE T800878

WHEN: ON OR \_\_\_\_\_ PM ☐ PM  
Time: \_\_\_\_\_ ☐ AM ☐ PM

WHAT TO DO: FOLLOW THE INSTRUCTIONS ON THE REVERSE.  
ADDITIONAL INFORMATION IS AVAILABLE AT [WWW.LASUPERIORCOURT.ORG](http://WWW.LASUPERIORCOURT.ORG)  
WHERE: ☐ LOS ANGELES SUPERIOR COURT, SANTA MONICA COURTHOUSE, 2ND FLOOR  
TRAFFIC, 1725 MAIN STREET, SANTA MONICA, CA 90401 (213) 742-6648  
☒ LOS ANGELES SUPERIOR COURT, AIRPORT COURT HOUSE  
11701 S. LA CIENEGA BLVD., DIV. 140, LOS ANGELES, CA 90045 (310) 727-6020  
☐ To be notified



**POLICE DEPARTMENT  
NOTICE TO APPEAR**

☒ MISDEMEANOR

☐ Traffic

☒ Non-Traffic

Date of Violation

2/4/17

Time

2234

☐ AM

☒ PM

Day of Week

S M T W T F S

Case No.

17-4307

Yr. of Veh. Make Model Body Style Color

☐ COMMERCIAL VEHICLE  
(Veh. Code, § 15210(b))

Evidence of Financial Responsibility

☐ HAZARDOUS MATERIAL  
(Veh. Code, § 353)

Registered Owner or Lessee

☐ Same as Driver

Address

☐ Same as Driver

City

State

ZIP Code

Correctable Violation (Veh. Code, § 40610)

☐ Booking Required (see reverse)

Misdemeanor or  
Infraction (Circle)

Yes No

Code and Section

Description

☐

☒

PC 148(A)(1)

DRIST. POLICE

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OFFICER

☐ M ☐ I

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☐

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Speed Approx.

P.F./Max. Spd.

Veh. Lmt.

Safe

Radar/Laser

☐ Continuation  
Form Issued

☒ N

Location of Violation(s)

City/Country of Occurrence

at JOSEF PERSON BLVD/KINSTON AVE, CC LACU

☐ Accident

☒ S

Comments (Weather, Road & Traffic Conditions)

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CAMPOS

Arresting or Citing Officer

1129

Serial No.

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11701 S. LA CIENEGA BLVD., DIV. 140, LOS ANGELES, CA 90045 (310) 727-8020

☐ To be notified



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\* 1 9 1 8 \*

Judicial Council of California Form

Rev. 09-20-05 (Veh. Code, §§ 40500(b), 40513(b), 40522, 40600; Pen. Code § 853.9)

SEE REVERSE

TR-130

COURT COPY