

**SUMMARY REPORT****CASE: A09098****Type of Incident:** Death in Custody**Deceased:** Inmate [REDACTED] [REDACTED]

**Subject(s):** Lt. John Casey #339 DOH: 04/06/1974  
SD Matthew Wong #1360 DOH: 03/04/1996  
SD Kevin Macksoud #1698 DOH: 09/05/2000  
Dep. Melvin Song #1269 DOH: 02/13/1995  
Dep. Tonyette Smith Al-Ghani #1576 DOH: 07/10/1999  
Dep. Edward Gutierrez #1928 DOH: 09/05/2006  
Dep. Juan Guitron #1894 DOH: 09/12/2005  
Dep. Daniel White #2115 DOH: 12/15/2008  
Dep. Kenneth Lomba #2074 DOH: 08/25/2008

**Witnesses:** SD Kenny Lewis #1466 DOH: 03/16/1998  
Dep. Jimmy Bui #1853 DOH: 04/01/2002

JMS/JPS



SFFD



INMATES





Date of Incident(s): September 7<sup>th</sup>, 2009

Location: County Jail #3 (Formally known as CJ#1) Safety Cell #2

Date of Report: 06/22/2011

Investigator: Sergeant J. Quanico #1429

**Introduction:** On Monday, September 7, 2009, at 1925 Hrs, Lt. Flewellen OIC/ISU instructed me to respond to County Jail #3 (Formally known as CJ#1) as the primary investigator for a Death in Custody. Inmate [REDACTED] J# 2409303 was declared dead by SFFD Paramedics at 1833 Hrs. Inmate [REDACTED] stopped breathing during a Safety Cell Placement at County Jail #1.

**Administrative case review and approval for closure or forwarding:**

This report of 47 pages has been reviewed and approved for:

- ☒ A. Forwarding to the Undersheriff for review and finding/or action as deemed appropriate by the Sheriff's Department Administration or;
- ☐ B. Case closed without further administrative review as there is no further basis for administrative investigation or action or;
- ☐ C. Case closed as case was opened for documentation only

OIC/ISU [REDACTED]

Date: 6/30/11

### Summary:

The following summary is based on a review of records, documents, incident reports and taped interviews.

**Background:**

§ 87(2)(b) was a thirty-one year old, Black Male Adult. § 87(2)(b) was listed at 6'1" tall and weighed three hundred and seven pounds. § 87(2)(b) was in the custody of the San Francisco Sheriff's Department since March 8, 2009 on the following charges: § 87(2)(b)

### Overview:

On Monday, September 7<sup>th</sup>, 2009, Inmate [REDACTED] was housed in 1M-13, [REDACTED] Housing at County Jail #3 (Formally known as CJ#1). According to inmate witnesses, at approximately 1700 Hrs, Inmate [REDACTED] was engaged in an argument with Deputy Smith-AI Ghani over the volume of the televisions. Due to Inmate [REDACTED] argumentative behavior which could incite other inmates, SD Matthew Wong #1360 decided to re-house [REDACTED] to Administrative Segregation Housing (K-02).

According to Deputy Edward Gutierrez's #1928 Incident Report, Gutierrez fictitiously told [REDACTED] that he was going to General Population as a means to persuade [REDACTED] to leave 1M-13. Inmate [REDACTED] thinking he was leaving [REDACTED] housing and returning to General Population agreed to the move. [REDACTED] was then escorted to K-Tank by SD Matthew Wong, Deputy Gutierrez, and Deputy Juan Guitron #1894.

Once [REDACTED] arrived to K-Tank, he realized that he was being placed into Administrative Segregation and immediately became irate refusing to enter cell K-02.

According to Deputy Gutierrez, SD Wong gave Inmate [REDACTED] the ultimatum, AD/SEG or the Safety Cell? Inmate [REDACTED] chose the Safety Cell. As Inmate [REDACTED] was being escorted out of K-Tank, he became combative once he reached the mainline. [REDACTED] was then taken to the ground by deputized staff. As [REDACTED] struggled on the floor, Deputy Kenneth Lomba #2074 and Deputy Daniel White #2115 responded and assisted by placing leg shackles on [REDACTED]. Subsequently, [REDACTED] was lifted off the ground and was taken to Safety Cell #2.

Upon arrival to the Safety Cell, [REDACTED] was placed face down onto the Safety Cell floor. SD Wong was the supervisor in charge of the Safety Cell Placement. Deputy E. Gutierrez, Deputy J. Guitron, Deputy D. White, Deputy K. Lomba, and Deputy K. Macksoud were in the Safety Cell with Inmate [REDACTED]. According to staff, [REDACTED] continued to struggle as they attempted to remove his shoes, socks, and sweater. Staff placed [REDACTED] in a figure four leg lock during the process of removing his clothing. As they removed [REDACTED] sweater, Deputy Kevin Macksoud, observed that [REDACTED] went "limp." Deputy Macksoud attempted to verbally arouse [REDACTED] but he did not respond. [REDACTED] was then placed into a "Position of Recovery." Deputy Lomba said he was able to find a pulse on Inmate [REDACTED]. At this time, SD Wong left the Safety Cell to summon Jail Medical. Jail Medical staff arrived immediately and attached the Automated External Defibrillator (AED) and administered Cardiopulmonary Resuscitation (CPR). Jail medical called 911 and paramedics arrived at 1800 Hrs according to SD Wong's incident report. Paramedics worked on [REDACTED] until they declared him dead at 1833 Hrs.

## **INTERVIEWS:**

### **Jail Medical Staff**

[REDACTED] **09/07/2009 @ 2241 Hrs.** Recorded interview with **RN** [REDACTED]. Paraphrased: [REDACTED] has been employed with the City and County for twenty one years. [REDACTED] had been assigned to County Jail #1 for his entire career. [REDACTED] was assigned to work from 0630 Hrs to 1830 Hrs, on 09/07/09. At 1745 Hrs, SD Wong told [REDACTED] that an inmate was not responding in Safety Cell #2. [REDACTED] responded with his medical team that was comprised of the following nurses: [REDACTED], [REDACTED], and [REDACTED]. [REDACTED] said upon their arrival, Inmate [REDACTED] was laying face down on his stomach. [REDACTED] did not recall if the inmate was handcuffed or leg shackled. [REDACTED] said the inmate was wearing Jail issued pants and a T-Shirt.

█████ said his team conducted a medical assessment. █████ only recalled seeing Deputy Gutierrez and SD Wong at the scene initially. █████ said he left the Safety Cell to retrieve the inmate's medical information.

█████  
█████ Hayo said at 1747 Hrs, █████ told him to call 911. █████ said he remained on the phone with the 911 dispatcher. █████ told the dispatcher that the patient was not responding and not breathing. █████ said the AED was activated, but the AED prompted "No shock needed." █████ said he placed the dispatcher on hold and returned to the Safety Cell. █████ said his staff were performing CPR. █████ said he returned to the Medical Office and remained on the phone with the dispatcher until the paramedics arrived at approximately 1759 Hrs. █████ said one paramedic asked for █████ information and he █████ prepared the medical paperwork.

█████ said when the paramedics took over, his staff returned to the medical office. █████ did not know when █████ was declared dead. █████ did not know if one of his nurses was able to find a pulse on Inmate █████. █████ said one of his nurses later mentioned that █████ possibly died of Positional Asphyxia. However, █████ did not know where that nurse obtained that information. █████ did not observe any injuries to Inmate █████. █████ did not see any blood on the Inmate or in the Safety Cell. █████ told █████ that █████ was wet while she was performing CPR, suggesting that he urinated on himself.

█████  
**09/07/2009 @ 2329** Hrs. Recorded interview with █████  
█████ **Paraphrased:** █████ was on duty on 09/07/09 and was assigned to the 0600 to 1830 Hrs. watch at CJ#1. At approximately 1745 Hrs, SD Wong requested that her staff check on an Inmate that was not responding. █████ said █████ was the first to respond. █████ said she grabbed the oxygen bottle and the blood pressure machine.

█████ said upon arrival she saw an African American Male lying on his back in Safety Cell #2. █████ said the inmate's feet were by the door and his head was positioned toward the rear wall of the Safety Cell. █████ said █████ and █████ started CPR. █████ attached the blood pressure machine. █████ said she started an IV on the inmate's right hand. █████ said the inmate's eyes were open without movement. █████ did not see the inmate's chest rise. █████ did not see any blood or trauma to the inmate.

██████████ related that the inmate did not have a pulse when they arrived at the Safety Cell. When asked, ██████████ recalled that the inmate was just wearing his pants.

██████████ said she told ██████████ to call 911 at approximately 1747 Hrs. ██████████ said ██████████ and ██████████ attached the AED, but a shock was not advised.

At 1759 Hrs, the paramedics took over and worked on the patient until he was declared dead. According to ██████████ the paramedics worked on the inmate for approximately thirty minutes. ██████████ related that the inmate was taking ██████████.

██████████  
**09/07/2009 @ 2356 Hrs** Recorded interview with ██████████  
**Paraphrased:** ██████████ has been working as a P-103 ██████████ for JMS the last 16.5 Yrs. (Total years as a nurse 37 years.) At approximately 1745 Hrs, on 09/07/09, SD Wong knocked on the door of her office located directly across from the Safety Cells at CJ#1. SD Wong asked if she could check out an inmate that was not breathing.

██████████ told SD Wong to tell the ██████████. ██████████ said she responded with ██████████. Upon arrival, she saw a large male laying face down on the Safety Cell floor. ██████████ said the inmate's feet were near the entrance to the Safety Cell. ██████████ said the inmate was wearing jail issued orange pants and T-Shirt. ██████████ did not see any blood or signs of trauma on the inmate.

██████████ turned the inmate onto his right side. ██████████ said her and ██████████ could not find a pulse on the inmate. She added that it was difficult to find a pulse because he was so large. ██████████ said she attached the AED pads to the inmate. ██████████ and ██████████ then started CPR. ██████████ O2/ (compressions) The AED prompted, "No shock needed." ██████████ related that ██████████ attached an IV to the inmate. The Paramedics arrived less than fifteen minutes after ██████████ and ██████████ arrived at the Safety Cell.

██████████ said she later heard from an unknown source that ██████████ might have died from a seizure, but later found out that he did not have a history of seizures. ██████████ said she also heard someone mention positional asphyxia. After the initial interview, ██████████ added that while she was working in her office across from the Safety Cell, she heard moaning. She went outside of her office out of curiosity and saw several deputies "hovered" around the inmate.

She said she did not see any excessive force and the scene was not any different from what she had seen in the past.

However, [REDACTED] said she had the tendency to lose focus when she saw something traumatic. [REDACTED] said she has had this problem due to a childhood experience. [REDACTED] did not elaborate any further.

**09/08/2009 @ 0024Hrs.** Recorded interview with [REDACTED].  
**Paraphrased:** RN Bulatao has been a RN for fifteen years. He has been at CJ#1 since June 2008. When asked, [REDACTED] said he was familiar with Inmate [REDACTED]. [REDACTED] gave [REDACTED] his medication [REDACTED] at approximately 0700 Hrs on 09/07/09. [REDACTED] weighed Inmate [REDACTED] that day and recalled he weighed 294 Lbs. At 1740 Hrs, [REDACTED] was in the medical office when he heard what sounded like a routine

Safety Cell Placement commencing in the hallway. However, [REDACTED] said he heard loud moaning. [REDACTED] said he heard what sounded like an inmate talking, but did not recall what was said. [REDACTED] said the Safety Cell was only three to four steps away from the medical office. At 1742 Hrs, SD Wong knocked on the medical office door. Wong asked, "Can you assess the inmate?" "He is not breathing."

Upon arrival [REDACTED] saw four to five deputies in the Safety Cell. [REDACTED] saw Inmate [REDACTED] face down on his stomach. [REDACTED] recalled that [REDACTED] feet were near the Safety Cell door. [REDACTED] said [REDACTED] was wearing Jail issued orange pants and orange shirt. [REDACTED] said he shook [REDACTED] and used a sternum rub on him, but [REDACTED] did not respond. [REDACTED] attempted to feel for a pulse but could not find one.

[REDACTED] said [REDACTED] was still warm to the touch. When asked, [REDACTED] did not see any blood on [REDACTED] face but recalled clear saliva dripping out of his mouth. [REDACTED] said they placed [REDACTED] in a position of recovery, but he still did not respond. [REDACTED] was then placed on his back. [REDACTED] attached the AED, but "No shock" was advised. [REDACTED] checked [REDACTED] airway and gave him two breaths (ambubag), while [REDACTED] started compressions.

[REDACTED] said [REDACTED] told [REDACTED] to call 911 at approximately 1748 Hrs. The paramedics arrived five to six minutes later. [REDACTED] said they continued CPR until the Paramedics arrived. [REDACTED] remained in the Safety Cell to assist the paramedics with compressions. [REDACTED] said the paramedics worked on [REDACTED] for approximately 1 hour. [REDACTED] said he was never able to get a pulse when he worked on [REDACTED]

**09/08/2009 @ 0051 Hrs.** Recorded interview with [REDACTED].  
**Paraphrased:** [REDACTED] has been a [REDACTED] for thirteen years. All thirteen years have been at CJ#1.

██████████ was assigned to the 1400-2230 Hrs shift on 09/07/09. ██████████ said he recalled giving Inmate ██████████ his medication ██████████ at approximately 1630 Hrs. ██████████ did not observe anything out of the ordinary at Post 11.

██████████ described ██████████ as an obese, Black/Samoan male in his thirties. ██████████ said he was not part of the medical emergency response because he was at lunch from 1730 Hrs to 1800 Hrs. When ██████████ returned from lunch, he noticed that the paramedics were at the Safety Cell. When ██████████ walked past the Safety Cell, he noticed that Inmate ██████████ was in a supine position.

**09/08/10 @ 0111 Hrs.** Recorded interview with ██████████. ██████████\_Paraphrased: ██████████ has been a ██████████ for fifteen years and has been a City and County employee for two years. At approximately 1745 Hrs, SD Wong knocked on the medical office door requesting that someone check on an inmate in the Safety Cell. Upon arrival ██████████ said she saw ██████████ and ██████████ in front of the Safety Cell door. ██████████ said she saw what appeared to

be a large African American or Pacific Islander male laying on his right side facing the left side of the Safety Cell. ██████████ did not see any movement or indication that the inmate was breathing.

██████████ said ██████████ and ██████████ administered CPR to the inmate. ██████████ gave breaths, while ██████████ gave compressions. ██████████ said she prepared the oxygen line, pulse machine, and retrieved an IV. When asked, ██████████ did find a pulse with the pulse machine.

██████████ recalled that ██████████ called 911 and the paramedics responded ten to fifteen minutes later. The paramedics instructed all jail personnel to exit so they could take over.

██████████ knew that Inmate ██████████ was taking ██████████ which has multiple uses. ██████████ did not observe any trauma to Inmate ██████████. However, ██████████ saw some blood in the Safety Cell after ██████████ was removed. When asked, ██████████ recalled that ██████████ was just wearing jail issued pants. ██████████ did not hear anything out of the ordinary from the Safety Cell prior to being summoned by SD Wong.

**09/24/2009 @ 0922 Hrs.** Recorded interview with ██████████. ██████████\_Paraphrased: ██████████ has been with JPS just over three years. ██████████ worked from 1200-1600 Hrs on 09/07/09. ██████████ said she was assigned to the ██████████ Inmates housed at Post 11.

When asked, at no time did [REDACTED] recommend that [REDACTED] be returned to general population. [REDACTED] said [REDACTED] was not suitable for general population. [REDACTED] was not contacted by SFSD staff regarding [REDACTED] on 09/07/09 before 1600 Hrs.

However, [REDACTED] was aware that SD Wong wanted to move [REDACTED] to AD/SEG at 1730 Hrs on 09/07/09 based on an E-Mail that she received from SD Wong. When asked, [REDACTED] did not know that deputized staff told [REDACTED] that she gave the authorization to re-house [REDACTED] back into General Population.

**INMATES:**                      **POST 11 Cell 1M-13, 1M-14, 1M-4, and K-Tank**

This [REDACTED] Interview conducted by SD Vince Chew #809

**09/08/2009 @ 0057 Hrs Interview** [REDACTED]

[REDACTED] audio recorded. Paraphrased: The incident started after dinner. Dep. Smith-Al-Ghani #1576 turned off the TV in cell 13 because it was too loud. [REDACTED] was upset and started yelling down the corridor to get the deputies attention. Dep. Smith-Al-Ghani went back and turned the volume down on all the televisions, except tank 13. [REDACTED] became increasingly upset, paced around the tank and continued to yell. [REDACTED] paced around the tank. A short time later several deputies that [REDACTED] could not identify arrived and spoke to [REDACTED]

[REDACTED] said he was unable to see from his position, but it sounded like [REDACTED] agreed to leave tank 13. It appeared the deputy told him that he was going to the mainline, something he recalled [REDACTED] requested.

[REDACTED] did not hear any struggles or disruptions when [REDACTED] left the tank. [REDACTED] had nothing more to add.

**09/10/2009 @ 1211 Hrs** Recorded interview with [REDACTED]

[REDACTED] \_Housed in **1M13** at the time of the incident. Paraphrased: [REDACTED] recalled that two days before [REDACTED] was removed from cell 1M-13, he spoke to [REDACTED] about moving to the Mainline. On Monday, (09/07/09) [REDACTED] was ordered to roll up. [REDACTED] said he bagged his property and was removed from Cell 1M-13. Prior to being removed, [REDACTED] recalled that there was an incident with the televisions. [REDACTED] recalled that there was an argument between [REDACTED] and Deputy Smith Al-Ghani. [REDACTED] recalled [REDACTED] telling her "Blame it on me." [REDACTED] recalled that [REDACTED] was working out prior to being removed from cell 1M-13.

[REDACTED] **09/10/2009 @ 1227 Hrs.** Recorded interview with [REDACTED] [REDACTED] housed in **1M13** at the time of the incident. Paraphrased: [REDACTED] said he was asleep during the television incident. He said he was weary of [REDACTED] ever since he overheard [REDACTED] waking-up in the middle of the night accusing someone of sexually touching him. [REDACTED] said [REDACTED] appeared to be violent and had threatened roommates in the past. [REDACTED] said [REDACTED] gambled and lost some items. He then threatened an Inmate to take his wager back.

[REDACTED] **09/10/2009 @ 1238 Hrs** Recorded interview with [REDACTED] [REDACTED] housed in **1M13** at the time of the incident. Paraphrased: [REDACTED] recalled that three deputies arrived and told [REDACTED] to "roll up." [REDACTED] said [REDACTED] was happy. Prior to the deputies arriving, [REDACTED] said he [REDACTED] was sleeping. Earlier in the day, [REDACTED] told Deputy Kincade [REDACTED], but told her he was kidding.

[REDACTED] **09/10/2009 @ 1245 Hrs.** Second Recorded interview with [REDACTED] [REDACTED] housed in **1M13** at the time of the incident. Paraphrased: Inmate [REDACTED] said he had been housed with [REDACTED] for the past two to three weeks. On Monday [REDACTED] said Deputy Smith Al-Ghani turned off the TV's because they were too loud. [REDACTED] then became upset. Eventually, the TV's were turned back on except Dorm 13. When the Deputies escorted him out of his cell, [REDACTED] complied. [REDACTED] said [REDACTED] complained about back pain.


[REDACTED] **09/10/2009 @ 1300 Hrs** Recorded interview with [REDACTED] [REDACTED] housed in **1M13** at the time of the incident. Paraphrased: [REDACTED] said he recalled that the TV's were turned off. He only recalled that the deputies took [REDACTED] away.

[REDACTED] **09/10/2009 @ 1310 Hrs.** Recorded interview with [REDACTED] [REDACTED] housed in **1M14** at the time of the incident. Paraphrased: [REDACTED] flagged me (Sgt. Quanico) down while I was conducting interviews at Post 11. He wanted to share a note he received from Inmate [REDACTED] that indicated [REDACTED] was complaining about back pain and that he had difficulty breathing.



████████████████████ Housed in 1M13 at the time of the incident. Paraphrased: Inmate ██████████ said he recalled the incident on Labor Day. Deputy Smith Al-Ghani turned off the TV's because they were too loud. ██████████ pleaded with Smith Al-Ghani not to punish anyone else, explaining that it was his fault for raising the volume. ██████████ told Smith Al-Ghani it

\_\_\_\_\_ said \_\_\_\_\_  
breathing. \_\_\_\_\_  
Kincade and Smi  
them that he had  
told Dep. Kincade  
to go to the Safe  
wanted to see a c  
Wong told \_\_\_\_\_  
\_\_\_\_\_ (JPS



11

██████ recalled that the inmate was taken to the ground by Deputy Lomba, Deputy Song, and possibly Deputy Espiritu. ██████ said the inmate landed on his face. ██████ said one of the deputies had a knee on his back. ██████ said he was approximately 8 to 10 feet away from the incident. ██████ did not see anyone punch or kick the inmate. ██████ said Lt. Casey arrived after the inmate was taken to the floor. ██████ said the inmate was not combative.

**09/11/2009 @ 1551 Hrs.** ██████

Paraphrased: Confirmed he was housed in K4 on 09/07/2009. ██████ refused to enter the cell when he was brought to K-Tank by several deputies. ██████ said an unknown Asian Sr. Dep. grabbed ██████ by the shirt, by his neck and his arm and moved ██████ outside. The slider door was kept open, so ██████ said he was able to view what was happening outside of K tank. ██████ heard someone mentioned safety cell while ██████ was still inside of K

tank. When ██████ was walked outside he was thrown to the ground by deputies. While he was on the ground ██████ was maced by an unknown deputy. ██████ was able to see one deputy kneel between ██████ shoulder blades.

██████ physically resisted entering the cell by pushing back into the deputy who attempted to pull him inside the cell. ██████ was picked up and walked backwards out of view.

**09/11/2009 @ 1601 Hrs** Recorded interview with ██████

██████: Paraphrased: ██████ said he was on his bunk when he saw an inmate bent over and handcuffed being escorted down the mainline. ██████ said he was about 25 feet away from his bunk. ██████ said he did not see the inmate on the ground.

**09/11/2009 @ 1615 Hrs.** Non-recorded interview with ██████

██████ Paraphrased: ██████ said he would not give a recorded interview until he spoke to his attorney. ██████ recalled that Deputy Song was the main instigator. ██████ said that Song and the inmate had a verbal altercation. ██████ recalled that the Inmate was handcuffed in front. ██████ said the Inmate was either African American or Samoan. He recalled that he was at least 6'00" tall and large.

██████ recalled that the Inmate said, "I can't breathe as he was escorted out into the hallway. ██████ said the Inmate was taken to the ground and was punched. ██████ recalled seeing Deputy Song, Deputy Gutierrez, Lt. Casey, and Deputy Bui show up later. ██████ said the inmate did not say or do anything. ██████ said the inmate had a bloody nose and there was blood on the floor in front of K-Tank.

**09/11/2009 @ 1617 Hrs.** Recorded interview with ██████. Paraphrased: ██████ confirmed he was housed in K6 on 05/24/2009. ██████ was brought over by several deputies that he cannot recall at this time. ██████ said he was lying on the bottom bunk. The deputies attempted to verbally get ██████ into the cell, but ██████ refused. ██████ said ██████ put up a little resistance to enter the cell. There were 2 deputies

holding each arm when ██████ was removed from K tank. ██████ said he felt it was strange how ██████ fell to the floor forward, but did not see anyone push or throw him down. The tank slider door was then closed and he didn't see or hear anything else.

**09/11/2009 @ 1632 Hrs.** Recorded interview with ██████. Paraphrased: ██████ stated that he was in **1M4** at CJ#1 since September 4th. Two officers escorted an inmate out of K-Tank. ██████ said he is near sighted so he could not see deputies' name tags. There was another deputy waiting in the hallway. The inmate was taken to the ground fast and hard. At that time ██████ moved to the window and saw that there was blood on the floor. A fourth

deputy arrived while three deputies were on the ground with the inmate. ██████ heard second hand that the inmate said, "I can't breathe!" ██████ said he heard something similar to that. The Inmate was then carried down the mainline.

When asked ██████ said Lt. Casey was not at the scene. ██████ said there was blood below the K-Tank key box. ██████ believed the inmate hit his head when he was taken down. ██████ said that there was a report on the news that the inmate had died.

**09/11/2009 @ 1638 Hrs.** Recorded interview with **Inmate** ██████. Inmate ██████ stated that after dinner he took a nap and did not hear anything. His bunk was near the toilet.

**09/11/2009 @ 1642 Hrs.** Recorded interview with [REDACTED]. Paraphrased: [REDACTED] confirmed he was housed in K8 on 09/07/2009. [REDACTED] remembered [REDACTED] coming to K tank to be housed, but refused. [REDACTED] only remembered an Asian Deputy, possibly Sr. Dep. Wong.

[REDACTED] was handcuffed to the rear, and the Asian deputy verbally attempted several times to get [REDACTED] to comply and enter the cell. Downs verbally refused. When the deputy attempted to walk [REDACTED] inside the cell, [REDACTED] became aggressive and pushed back, forcing the deputy back.

Downs was then removed from K tank, and brought back to the main line. [REDACTED] said his view was obstructed and only heard a thud. Several voices yelled out stop resisting [REDACTED] was unable to hear anything else.

**09/11/2009 @ 1645 Hrs.** Recorded interview with [REDACTED]. Paraphrased: [REDACTED] recollection was based on what he heard. The Inmate was ordered to come out. The Inmate said, "I can't breathe." The officers said "Don't resist." The inmate said, "I can't breathe." "I can't bend." "I need my medication." At this time the deputies ordered the other inmates to step away from the 1M4

window.

The incident took place after dinner according to [REDACTED]. At a later time he heard that the inmate went to the Toper Cell. [REDACTED] heard he died on the following day. [REDACTED] said that an Asian Deputy that wore glasses was the main instigator.

**09/11/2009 @ 1651 Hrs** Recorded interview with [REDACTED]. Inmate [REDACTED] stated the following, "My attorney's name is [REDACTED] if you have questions please talk to him. I have nothing to say."

**09/11/2009 @ 1658 Hrs.** Recorded interview with [REDACTED]. [REDACTED] stated that he observed Dep. Song escort an inmate into K tank. The inmate was handcuffed in the front. Inmate [REDACTED] described the inmate as a 6'1 ft, 250 lbs, dark brown hair, Samoan male with no facial hair.

The inmate looked at Dep. Song and apparently refused to enter the cell. Dep. Song then pushed the inmate's head down. The inmate repeatedly stated that he could not breathe. The inmate was subsequently taken down by several deputies.

Inmate [REDACTED] stated Dep. Song placed his knee behind the inmate's neck, while on the ground. The inmate was then lifted to his feet and escorted away. Inmate [REDACTED] recalled Dep. Ho, Dep. White, Lt. Casey, an unknown deputy, and Dep. Song were present. Inmate [REDACTED] described Dep. Song as 5'6 ft, 140 lbs, salt & pepper hair, with a thin mustache.

[REDACTED] **09/11/2009 @ 1700 Hrs.** Recorded interview with [REDACTED]. Paraphrased: [REDACTED] confirmed he was housed in K3 on 09/07/2009. [REDACTED] said 3 deputies brought [REDACTED] to K tank to be housed. [REDACTED] remembered that Dep. Song #1269 and Dep. Guiterrez #1928, but could not remember the third deputy. [REDACTED] said [REDACTED] refused to enter the tank.

Dep. Song tried to put [REDACTED] inside by grabbing his arm and pushed him toward the cell, but [REDACTED] refused to move. [REDACTED] said, "I'm not going in, take me to the box". [REDACTED] said he heard Dep. Song reply, "Fuck it, let's take him to the box".

[REDACTED] said [REDACTED] was then taken outside of K tank, and he was unable to see the Deputies or [REDACTED]. [REDACTED] said he did hear [REDACTED] yell out "What are you doing", but did not see what happened.

[REDACTED] **09/11/2009 @ 1705 Hrs.** Recorded interview with [REDACTED]. Paraphrased: [REDACTED] said he had been housed in **1M-4** Since February 2009. [REDACTED] said he was playing Dominoes when he saw two deputies open the door to K-Tank. [REDACTED] said he was approximately ten feet away from K-Tank. [REDACTED] recalled that a heavy-set African American male wanted to move to another tank. [REDACTED]

recalled that Deputy Song and a white deputy was present. The inmate was handcuffed from behind and was bent over while he was escorted out of K-Tank.

[REDACTED] said the deputies forced him to the ground. At that time, other deputies responded to assist. The Inmate was then escorted backwards down the mainline. [REDACTED] said the inmate landed face first when he was taken to the ground. [REDACTED] said the inmate had a bloody face, specifically the temple area. [REDACTED] also recalled that the deputies placed their knees on his legs.

**09/11/2009 @ 1731 Hrs.** [REDACTED]

Refused to be interviewed. Housed in 1M4 since September 4<sup>th</sup>.

**09/11/2009 @ 1735 Hrs.** Recorded interview with [REDACTED]

[REDACTED] Inmate [REDACTED] stated that after dinner, he went to sleep on his bunk which was located near the bathroom. Inmate [REDACTED] said he was sound asleep until 8 PM.

**09/11/2009 @ 1735 Hrs.** Recorded interview with [REDACTED]

[REDACTED] **Paraphrased:** [REDACTED] said he saw four deputies on top of an Inmate. [REDACTED] said he was approximately ten feet away from the incident. [REDACTED] said the inmate was handcuffed from behind and was positioned face-down. Two deputies had their knees on his back.

Another deputy grabbed his ankles. An Asian deputy with glasses directed the other inmates to return to their bunks. When asked, [REDACTED] said he recalled seeing Deputy Gutierrez. When asked, [REDACTED] did not see any injuries on the inmate or blood in the immediate area. [REDACTED] said the inmate was taken down hard. On a scale of 1 to 5, [REDACTED] said he rated the landing a four.

[REDACTED] said the deputies were rough with the inmate. [REDACTED] said the inmate landed on his face when he was taken down. [REDACTED] said the inmate said, "I can't breathe."

**09/11/2009 @ 1748 Hrs. Recorded Translated interview**

[REDACTED] Inmate [REDACTED] is a Spanish only speaker. Inmate [REDACTED] stated that he went to bed after dinner. Inmate [REDACTED] stated his bunk was near the entrance and that he did not hear anything.

**09/11/2009 @ 1750 Hrs.** [REDACTED]

Declined to give a statement before speaking with his attorney.

**09/11/2009 @ 1755 Hrs.** [REDACTED]

Declined to give a statement before speaking with his attorney

**09/11/2009 @ 1758 Hrs.** [REDACTED]

Inmate [REDACTED] declined to give a statement.

**09/11/2009 @ 1815 Hrs** Non-recorded interview with [REDACTED]

[REDACTED] said he just heard a commotion.

**09/28/2009 @ 1204 Hrs.** Recorded interview with [REDACTED]

[REDACTED] Inmate [REDACTED] stated that he has been housed at CJ#2, K2 cell, since early September 2009. Inmate [REDACTED] did not recall anything significant or unusual on or about Monday, 09/07/09. After subsequent questioning, inmate [REDACTED] recalled an incident that dealt with an unknown

inmate described by inmate [REDACTED] as a black male, 155 lbs, with black afro hair. Inmate [REDACTED] stated this inmate was handcuffed behind the back and was escorted calmly out of his cell by four unknown male deputies to the mainline. Inmate [REDACTED] stated he did not witness any forceful actions or comments made by the inmate or deputies. Inmate [REDACTED] could not positively identify this inmate as [REDACTED]

**Sworn Staff Interviews:**

**09/08/2009 @ 2046 Hrs.** Recorded interview with **S/D**

**Matthew Wong #1360** Paraphrased: SD Wong was on duty on 09/07/09 working overtime on the 1500-2300 Watch. SD Wong said he was assigned as Assistant Watch Commander.

At approximately 1630-1645 Hrs, SD Wong received a phone call from Deputy Smith Al-Ghani.

She told SD Wong that Inmate [REDACTED] was inciting other inmates at Post 11. Smith Al-ghani told SD Wong that [REDACTED] refused to turn down the television in Tank 13. SD Wong decided to place Inmate [REDACTED] in ADSEG.

SD Wong called for Deputy Gutierrez and Deputy Guitron to help escort Inmate [REDACTED] to 1MK-02. Inmate [REDACTED] was handcuffed and escorted to K-Tank via the Mainline.

Upon arrival to K-Tank, Inmate [REDACTED] refused to enter K-02 (ADSEG) thinking that he was being rehoused in General Population. According to SD Wong he told Inmate [REDACTED] if he refused to enter K-02 he would end up in the Safety Cell. SD Wong said it was his decision to place Inmate [REDACTED] in the Safety Cell. SD Wong said his decision was not punishment. However, Inmate [REDACTED] did not display a "danger to others" until he was escorted to K-Tank.

SD Wong said Inmate [REDACTED] became combative by kicking and refusing to walk backwards. At that time SD Wong called for backup. SD Wong instructed Deputy Gutierrez and Deputy Guitron to take Inmate [REDACTED] to the ground. Deputy White and Deputy Lomba arrived and assisted with the combative [REDACTED] was proned and leg shackled. [REDACTED] was raised to his feet and was taken backwards to the Safety Cell. SD Wong said [REDACTED] passively resisted on the way to the Safety Cell.

Upon their arrival to Safety Cell #2 at approximately 1745 Hrs, [REDACTED] was proned out on the floor. SD Wong supervised as Deputy Guitron, Deputy Gutierrez, Deputy Lomba, Deputy White, and Deputy Macksoud commenced with the Safety Cell Placement. SD Wong ordered his staff to remove Inmate [REDACTED] shoes, socks, and sweatshirt. As they removed Inmate [REDACTED] sweatshirt, Deputy Macksoud told SD Wong that [REDACTED] was not responding. SD Wong ordered his staff to place [REDACTED] in a position of recovery. SD Wong recalled that Deputy Lomba was able to find a pulse, but [REDACTED] was not responding as they shook him. SD Wong then called for medical.

Jail Medical staff arrived and started CPR. [REDACTED] asked another nurse to call 911. SD Wong recalled that the AED was activated, but no shock was advised. At 1800 Hrs, paramedics arrived and took over. SD Wong recalled that the paramedics inadvertently went to 425 7th Street, (CJ#1/CJ#2) first.

SD Wong said he went to the front office to brief Lt. Casey. According to SD Wong, Lt. Casey was not present for the Safety Cell Placement nor was he present for the incident at K-Tank.

At one point, SD Wong recalled that the paramedics found an irregular heart rhythm and he (Wong) made arrangements for a Deputy escort to the hospital. However, thirty seconds later the paramedics declared [REDACTED] dead at 1833 Hrs.

When asked, SD Wong was not aware that Deputy Gutierrez told Inmate [REDACTED] that he was going to the Mainline rather than telling him he was going to AD/SEG. SD Wong later reviewed Deputy Gutierrez' report. SD Wong did not recall [REDACTED] agreeing to the safety cell when he was given the choice of ADSEG or the Safety Cell (According to Gutierrez' report). At the Safety Cell, SD Wong recalled that Deputy Lomba used a figure four on [REDACTED] legs. SD Wong did recall that [REDACTED] was struggling in the Safety Cell and he was verbally abusive.

According to SD Wong, [REDACTED] did not complain of any injuries or appeared to be in discomfort. The only thing he recalled [REDACTED] say was that he wanted to talk to [REDACTED] (JPS). He also said he did not want to go into the Safety Cell.

After [REDACTED] lost consciousness, SD Wong recalled that [REDACTED] took three deep breaths but they were not consecutive. When asked, SD Wong recalled that the paramedics worked on [REDACTED] for approximately thirty minutes. SD Wong recalled that someone (JMS, Paramedics, Medical Examiner) mentioned a possible seizure. Wong did not see [REDACTED] go into a seizure, but recalled that [REDACTED] urinated on himself when they placed him in a position of recovery. SD Wong recalled that someone from the Medical Examiner's Office mentioned possible asphyxiation. SD Wong said [REDACTED] never landed on his head when he was taken to the ground. SD Wong said none of his staff kneed or landed on [REDACTED] back. SD Wong said in retrospect, he wouldn't have done anything different.

**09/09/2009 @ 1611 Hrs.** Recorded interview with **Deputy Edward Gutierrez #1928** Paraphrased: Deputy Gutierrez was working overtime on 09/07/09 assigned to the 1500-2300 Watch. Gutierrez was assigned to Post 10 with Deputy Melvin Song #1269. Deputy Gutierrez received a call from Deputy Smith Al-Ghani who was assigned to Post 11. Gutierrez was briefed by SD Wong that they were going to

escort Inmate [REDACTED] to AD/SEG.

Deputy Gutierrez related that he had a good relationship with [REDACTED] so he asked [REDACTED] "You want to go to the Mainline?" [REDACTED] agreed to the move thinking that he was going to general population. Gutierrez said they used two pairs of cuffs due to [REDACTED] size (300+lbs.). [REDACTED] walked to the Mainline without incident until he arrived to cell K-02. [REDACTED] told SD Wong and his staff that he was not going into K-02. SD Wong gave [REDACTED] the ultimatum, K-02 or the Safety Cell.

█████ said, "Take me to the box" (Safety Cell). Once they exited K-Tank, █████ began to struggle by wiggling and thrashing his shoulders. Deputy Guitron had hold of █████ left arm and Gutierrez was on the right. During the struggle, a takedown maneuver was not used. Gutierrez said they all fell to the ground.

At that time, Deputy Lomba and Deputy White arrived to assist. █████ was leg-shackled and then taken to the Safety Cell. Gutierrez said █████ was escorted backwards and at one time purposely fell to the ground near the Post 9 metal detector.

There were five deputies present for the Safety Cell placement. Deputies: Guitron, Gutierrez, Lomba, White, Macksoud, and SD Wong as the supervisor. █████ was prone out, face down on the SC floor. Guitron had █████ left arm, Gutierrez had the right, and Deputy White was at the legs. █████ continued to struggle and at one time, Deputy White lost control of █████ legs so Deputy Lomba and Deputy Macksoud had to assist with a figure four leg lock. As █████ shoes, socks, and sweatshirt were removed, Dep. Macksoud noticed that █████ was nonresponsive after his sweater was removed.

Dep. Macksoud told SD Wong to call medical. Dep. Gutierrez said Deputy Lomba found a pulse on one of █████ wrists. Dep. Lomba also said █████ was breathing.

█████ was placed in a position of recovery on his right side. JMS called 911. They were delayed in arriving because they went to 425-7<sup>th</sup> Street (CJ#1/CJ#2) first. Dep. Gutierrez said what takes took five minutes took ten minutes.

Gutierrez recalled that Jail medical used the AED, but no shock was advised. Gutierrez said Lt. Casey was now at the Safety cell and ordered Gutierrez to prepare for a hospital run. Gutierrez said the Hospital run was canceled once the paramedics declared █████ dead.

Deputy Gutierrez did not know how Inmate █████ became disruptive at Post 11. When asked, Gutierrez did not tell SD Wong that he was going to tell █████ he was going to the Mainline rather than ADSEG. Gutierrez said he did not want █████ to act up at Post 11.

Deputy Gutierrez said he was not aware if Casey knew about the ADSEG Placement. Gutierrez said he saw Lt. Casey on the Mainline, but did not know if Casey knew what was going on. Gutierrez said it was SD Wong's decision to place Inmate █████ in the Safety Cell for being "a danger to others." Deputy Gutierrez recalled that Deputy Song was at K-Tank, but did not recall if Song went hands on with █████. When asked, Gutierrez said SD Wong did not order a takedown in front of K-Tank. It was more like an accidental fall. When they fell, Gutierrez said █████ fell to his knees first and then his stomach.

Gutierrez said [REDACTED] did not complain of any injuries, nor did Gutierrez observe any injuries to [REDACTED] at K-Tank or the Safety Cell.

Gutierrez said [REDACTED] agreed to go to the Safety Cell, but became combative on the way. At the Safety Cell, Gutierrez said no one fell on Inmate [REDACTED]. Gutierrez said it took three people, Lomba, White, and Macksoud to help out with positioning [REDACTED] in a figure four.

When asked, Gutierrez said SD Wong did not give staff direction in the Safety Cell. Gutierrez said he let the deputies do their job. Gutierrez said Inmate [REDACTED] struggled in the Safety Cell, but he did not yell or moan.

From the time of arrival at the Safety Cell until Macksoud recognized something was wrong, [REDACTED] was on his stomach no longer than five minutes.

**09/09/2009 @ 1743 Hrs.** Recorded interview with **Deputy Kenneth Lomba # 2074** Paraphrased: Deputy Lomba was working overtime at CJ#1 on the 1500-2300 Watch. Lomba was assigned to Post Nine with Deputy Dan White and Deputy Kenny Lewis.

At approximately 1735 Hrs, Lomba heard a back-up call on the radio to Post 10. As Lomba ran down the Mainline, he saw deputies on the ground near K-Tank. Upon arrival, he saw Inmate [REDACTED] on the ground and noticed that his legs were not secure. Lomba did not see the takedown used on [REDACTED]. Lomba held [REDACTED] left calf and placed leg shackles on Inmate [REDACTED]. Lomba recalled that [REDACTED] was assisted up off the ground. Deputy Gutierrez had [REDACTED] right arm and Deputy Guitron was on the left. Deputy White held [REDACTED] head down as he was escorted backwards to the Safety Cell. Lomba did not see any blood or urine near K-Tank. Lomba did not hear [REDACTED] complain of injuries, nor did [REDACTED] complain of any injuries. When asked, Lomba did not see Deputy Song, Deputy Lewis, or Lt. Casey at K-Tank. Lomba assumed that SD Wong was the scene supervisor. Lomba did not hear SD Wong give [REDACTED] the ultimatum, K-02 or Safety Cell.

Deputy Lomba said he followed the deputies down the mainline. Lomba recalled that [REDACTED] asked, "Where are we going?" Lomba recalled that someone mentioned Safety Cell, but he did not recall by whom. Lomba assumed that it was SD Wong's decision. When asked, Lomba did not recall seeing Lt. Casey at the scene.

Lomba said [REDACTED] was taken into the Safety Cell. When Lomba arrived to the Safety Cell, Lomba said [REDACTED] was in a prone position for one to two minutes.

Lomba did not see how he was placed down, but upon his arrival [REDACTED] was face down. Lomba said he helped position [REDACTED] in the figure four leg lock. Lomba recalled that [REDACTED] attempted to pull away two times.

Once he was secured, Deputy White took over with a figure four. Lomba said [REDACTED] shoes and socks were removed. Lomba said [REDACTED] sweatshirt was cut and removed. At that time, Lomba did not recall [REDACTED] making a lot of noise. Lomba did not recall yelling or moaning. While still handcuffed to the rear and while deputies were taking [REDACTED] sweatshirt off, Deputy Macksoud noticed that [REDACTED] was non responsive. When asked, Lomba did not see any injuries to [REDACTED] in the Safety Cell. At no time did Lomba observe deputies place their weight on Inmate [REDACTED]

At that time [REDACTED] was uncuffed and placed in a position of recovery. Lomba recalled that [REDACTED] eyes were open when he was placed in a position of recovery. Lomba said he checked [REDACTED] radial pulse. Lomba said he felt a slow consistent pulse. Lomba only checked a radial pulse not a carotid. At that time medical was called and [REDACTED] (JMS) arrived. Lomba recalled that [REDACTED] shook [REDACTED] head and he saw what appeared to be [REDACTED] shaking his head left to right. Lomba said he heard [REDACTED] cough twice.

[REDACTED] yelled out, "He's having a seizure!" [REDACTED] arrived and checked for a pulse. The AED was activated, but no shock was advised. Lomba said 911 was called at 1747 Hrs. (Paramedic gave Lomba this time after the incident) While waiting for the paramedics, [REDACTED] and [REDACTED] performed CPR on [REDACTED]

Lomba recalled that JMS worked on [REDACTED] for five minutes until the paramedics arrived. Paramedics arrived and worked on [REDACTED] At one point they found a heartbeat. The paramedics worked on [REDACTED] for ten to twenty minutes. While the Paramedics were working on [REDACTED] Lt. Casey instructed Lomba to suit up for a hospital run, but was quickly told to cancel once the paramedics declared [REDACTED] dead at 1833 Hrs.

**09/10/2009 @ 1556 Hrs.** Recorded interview with **Deputy Dan White #2115** Paraphrased: Deputy White was working overtime on 09/07/09 on the 1500-2300 Watch. Deputy White was assigned to "Centerline/Trustee Boss." White recalled that Deputy Lomba was assigned to Post 9 and was his partner. White recalled that there was an assistance call at Post 10. Deputy White ran to the front of K-Tank with Deputy Lomba.

Upon arrival, White saw Inmate [REDACTED] on the ground in a prone position. Deputy White recalled that SD Wong said "Safety Cell."

White recalled that Deputy Gutierrez had control of [REDACTED] right arm and Deputy Guitron had control of [REDACTED] left arm. Deputy White held [REDACTED] head down as he was escorted backwards to the Safety Cell. White recalled that [REDACTED] dropped to one knee near the Post 9 metal detector and said, "I don't want to go in there." (In reference to the Safety Cell)

Dep. White said [REDACTED] was lifted off the ground and taken into the Safety Cell where he was prone out onto the Safety Cell floor. White recalled that he had control of [REDACTED] legs. At one point Deputy Macksoud and Deputy Lomba had to assist him because [REDACTED] was resisting by moving his legs. White recalled that they removed [REDACTED] shoes, socks, and sweatshirt, while White maintained a "Figure Four leg lock." Deputy Gutierrez had control of [REDACTED] right arm and Deputy Guitron had control of [REDACTED] left arm.

Deputy Macksoud noticed that there was something wrong with [REDACTED] When the handcuffs were removed, Inmate [REDACTED] went limp. Macksoud told SD Wong to call medical.

Inmate [REDACTED] was placed in a position of recovery. Deputy Lomba was able to feel a pulse before medical arrived. When medical arrived, they placed [REDACTED] on his back. The AED was activated and other medical equipment was brought into the Safety Cell.

Deputy White related that he noticed that [REDACTED] urinated on himself when he was placed in a position of recovery. Deputy White remained in the Safety Cell to assist medical with CPR until the paramedics arrived.

~~At this time,~~ Deputy White saw Lt. Casey near the Safety Cells and he instructed Deputy White to suit up for the hospital run because the paramedics found a slight pulse. However, the paramedics declared [REDACTED] dead at 1833 Hrs.

Deputy White reported back to the Safety Cell and started a Crime Scene Log. On that day, Deputy White did not know the reason why [REDACTED] was taken to K-Tank, but found out later. Deputy White did not see the takedown of [REDACTED] at K-Tank. Deputy White assisted in front of K-Tank by grabbing [REDACTED] left arm. Deputy White did not see any injuries or blood on Inmate [REDACTED] in front of K-Tank. Deputy White did not see Lt. Casey or Deputy Song at K-Tank.

When asked, Deputy White did not hear SD Wong's ultimatum, "K-Tank or the Safety Cell." Deputy White did not see any of his co-workers place their weight on top of Inmate [REDACTED] Deputy White did not see any injuries nor did [REDACTED] complain of any injuries in the Safety Cell. Deputy White said [REDACTED] resisted and cussed at staff. When asked, White was not sure if Lt. Casey was aware of the incident at K-Tank.

09/10/2009 @ 1810 Hrs. Recorded interview with Deputy Juan Guitron #1894 Paraphrased: Deputy Guitron was working overtime on day watch 0700-1500 Hrs. and Swings 1500-2300 Hrs, on 09/07/09 (Labor Day Holiday). Deputy Guitron was assigned to Front Office/Post 5. Deputy Guitron recalled he heard radio traffic from Deputy Smith Al-Ghani for Deputy Gutierrez to respond to Post 11. Deputy Guitron also responded to Post 11 to assist.

Deputy Guitron responded to Dorm 13 where he saw SD Wong and Deputy Gutierrez in front of Dorm 13 talking to Inmate [REDACTED] Dep. Guitron found out later that [REDACTED] was "strong arming" his roommates and was being moved to AD/SEG.

Dep. Guitron heard Deputy Gutierrez tell [REDACTED] that [REDACTED] (JPS) said he could be housed on the Mainline. [REDACTED] was happy with that move. [REDACTED] was handcuffed with two pairs of cuffs and SD Wong, Deputy Guitron, and Deputy Gutierrez escorted [REDACTED] to Post 10 K-Tank (AD/SEG).

When they arrived to cell K-02, [REDACTED] refused to go into K-02. Deputy Guitron and Deputy Song attempted to place [REDACTED] into the cell, but he resisted. Deputy Guitron heard someone say "He's going to the Safety Cell," [REDACTED] complied. When asked, Dep. Guitron stated that [REDACTED] did not meet any criteria for a Safety Cell Placement at that time. Deputy Guitron recalled that SD Wong was present, but did not recall if SD Wong ordered the Safety Cell Placement of [REDACTED]

[REDACTED] was escorted backwards to the Safety Cell. [REDACTED] became mouthy and stopped walking. Someone said, "Take him to the ground." Guitron did not recall who gave the order, "Take him to the ground." Guitron said he had hold of [REDACTED] left wrist. [REDACTED] was taken to the ground chest first. [REDACTED] resisted and had to be leg shackled. Deputy Guitron said [REDACTED] was helped off the ground and they continued down the Mainline. When asked, Guitron recalled that Lt. Casey was near K-Tank, but it appeared that SD Wong was in charge.

When they reached the metal detector near Post 9, [REDACTED] went down to one knee and said, "I'm tired." When they reached Safety Cell #2 [REDACTED] was taken to the ground. Guitron said he still had control of [REDACTED] left arm. Deputy Gutierrez was on the right side, while Deputy White was at [REDACTED] legs. Guitron said Deputies Lomba and Macksoud were also present. Guitron recalled that [REDACTED] shoes, socks and sweatshirt were removed. Guitron said the sweatshirt had to be cut off. Once the sweatshirt was removed someone (Possibly Macksoud) said, "Hey, is he OK?" "Call a nurse!" Guitron said he called out [REDACTED] name, but he did not respond. When asked, Guitron said the handcuffs were still on, but he could not recall if the leg shackles were on.

When the handcuffs were removed, [REDACTED] was not responsive. [REDACTED] was then placed in a position of recovery.

Dep. Guitron said he checked for a pulse on his left arm and felt a slight pulse. Deputy Lomba was also able to find a pulse. JMS responded [REDACTED] and [REDACTED]) and they started rescue breathing and activated the AED. Guitron said he helped with two cycles of CPR, meanwhile an ambulance was summoned.

At that time, Guitron exited the Safety Cell and returned to the Front Office to help Lt. Casey with notifications. Guitron recalled that the paramedics found a heartbeat at one point, but the paramedics later declare [REDACTED] dead.

Deputy Guitron said he was not aware that [REDACTED] was going to ADSEG until they reached K-Tank. Guitron said he did not hear SD Wong tell [REDACTED] that he was going to K-Tank or the Safety Cell when they were standing at K-02.

When asked, Deputy Guitron did not see any injuries, nor did [REDACTED] complain of any in front of K-Tank. Deputy Guitron did not see Lt. Casey at the Safety Cell. Guitron said [REDACTED] was taken down in the Safety Cell using minimal force.

When asked, Guitron said there was a lot of noise from [REDACTED] in the Safety Cell. [REDACTED] was talking in the Safety Cell at one time. When asked, Guitron said the deputies did not place any weight on [REDACTED] back or legs when they were in the Safety Cell. Deputy Guitron did not see any injuries nor did [REDACTED] complain of any injuries in the Safety Cell. Guitron did not recall hearing [REDACTED] scream or moan in the Safety Cell.

When asked, Guitron did not recall seeing Deputy Song go "Hands on" with [REDACTED]. When asked, Guitron said Lt. Casey let SD Wong do everything. SD Wong appeared to be in charge.

**09/13/2009 @ 2106 Hrs.** Recorded interview with **Deputy Harry Macksoud #1698** Paraphrased: Deputy Macksoud was working overtime on 09/07/09 on the 1500-2300 Watch. Deputy Macksoud was assigned to Post 3/5. Deputy Macksoud recalled that Deputy Smith Al-Ghani called Deputy Gutierrez to respond to Post 11. Deputy Guitron responded shortly after.

While assigned to Post 5, Macksoud recalled that Inmate [REDACTED] was escorted from Post 11 to the Mainline. Macksoud said [REDACTED] was escorted by Deputy Gutierrez, Deputy Guitron, and SD Wong. Inmate [REDACTED] was handcuffed and walked on his own.

Macksoud said he heard a back-up call to Post 10, but Macksoud could not see what was going on. Macksoud recalled that Deputy Gutierrez, Deputy Guitron, and Deputy White were escorting [REDACTED] backwards toward Post 9. Macksoud recalled that he saw [REDACTED] fall to the ground and possibly heard [REDACTED] say, "I'm not going in there!" Deputy Macksoud handed the Post 5 keys to Deputy Smith Al-Ghani so he could assist with the Safety Cell Placement.

Upon arrival to Safety Cell #2, Deputy Macksoud said [REDACTED] was prone out on the Safety Cell floor. Deputy Guitron had [REDACTED] left arm, Gutierrez had the right, and Deputy White was at [REDACTED] legs. Macksoud said [REDACTED] was yelling and cussing.

At one point, [REDACTED] was kicking his legs, so Macksoud helped White with the figure four leg lock. Macksoud said [REDACTED] shoes, socks, and sweatshirt were removed by staff.

When asked, Macksoud said SD Wong was present, but he did not see Lt. Casey. Macksoud recalled that he and White had to put pressure on [REDACTED] legs in the figure four because [REDACTED] was resisting. When [REDACTED] sweatshirt was removed, Deputy Macksoud noticed that Inmate [REDACTED] breathing was different. Macksoud attempted to arouse [REDACTED] but he did not respond. Macksoud said he told SD Wong to call medical.

Medical staff arrived and Macksoud said he stepped out of the Safety Cell. Lt. Casey instructed Macksoud to wait for the ambulance on the first floor. Macksoud said the ambulance arrived three to four minutes later, after he responded to the first floor. Macksoud said he escorted the paramedics to the Safety Cell and then he reported back to Post 5.

Macksoud recalled that Deputy Lomba and Deputy White prepared for a possible hospital run, but that was canceled five minutes later when the paramedics declared [REDACTED] dead. Deputy Macksoud did not know the reason for the Safety Cell placement until later.

When asked, Deputy Macksoud did not see Deputy Song during the incident. When asked, Macksoud did not see any injuries to Inmate [REDACTED] at any time. Macksoud did not see Lt. Casey until medical responded to the Safety Cell.

**09/16/2009 @ 1607 Hrs.** Recorded interview with  
**Deputy Jimmy Bui #1853** Paraphrased: Deputy Bui was  
working overtime on 09/07/09 on the 1500-2300 Watch.  
Deputy Bui said he was assigned to the Gym with Deputy K.  
Ho #776

After inmate dinner was served, Deputy Bui recalled gathering the "Drop out" inmates that were housed at Post 11 at approximately 1630-1640 Hrs. Deputy Bui did not observe anything out of the ordinary as he gathered the "gang drop out" Inmates at Post 11.

Deputy Bui said he returned the inmates from the gym at approximately 1800 Hrs. Deputy Bui was aware that there was a medical crisis in the Safety Cell, so he volunteered to assist Deputy Lewis at Post 9. Deputy Bui said Deputy Song later told him that [REDACTED] refused to go to ADSEG and was taken to the Safety Cell.

**09/17/2009 @ 1601 Hrs.** Recorded interview with **Deputy Melvin Song #1269** Paraphrased: Deputy Song worked overtime on 09/07/09 on the 1500-2300 Watch. Deputy Song said he was assigned to Post 10 with Deputy Gutierrez. Deputy Song recalled that Gutierrez received a phone call from Post 11 to help escort [REDACTED] to ADSEG. Deputy Song prepared for their arrival. Song recalled that [REDACTED] was taken to K-Tank by Deputy Guitron, Deputy Gutierrez and SD Wong.

Upon their arrival to K-02, Inmate [REDACTED] said, "I'm not going in there!" "Take me to the box!" (Safety Cell). Song said he (Song) was standing in front of K-01 (which is directly across from K-02) when Guitron and Gutierrez escorted [REDACTED] into K-Tank. Song said he did not go hands on with [REDACTED] in K-Tank.

Song said when [REDACTED] was taken out of K-Tank, he grabbed [REDACTED] property and placed it in front of 1M-04. At that time, SD Wong told [REDACTED] he was going to the Safety Cell. Song said he had his hands behind [REDACTED] head as Guitron and Gutierrez walked [REDACTED] backwards. [REDACTED] struggled and resisted and was taken to the ground. Song said he stepped out of the way. A struggle ensued in front of K-Tank until Deputy White and Lomba responded to assist.

Dep. Song said [REDACTED] was leg-shackled and stood up. [REDACTED] was escorted to the Safety Cell. Dep. Song remained at Post 10.

When asked, Song said SD Wong was in charge, but Lt. Casey was on the line taking care of something else. Deputy Song said he did not hear SD Wong tell [REDACTED] "K-Tank or the Safety Cell." Initially, Song believed it was [REDACTED] choice to go to the Safety Cell. When [REDACTED] was taken to the ground, Song did not see any injuries to [REDACTED] nor did he complain of any. When asked, Dep. Song said he might have heard someone say, "Take him down!" Song said when [REDACTED] was taken down, he landed on his stomach. Song did not hear [REDACTED] say, "I can't breathe," but he did hear [REDACTED] say, "She lied to me." When asked, Song did not know who [REDACTED] was referring to when [REDACTED] said, "She lied to me!"

Song did not recall if [REDACTED] hit the wall or key box as he fell to the ground in front of K-Tank. Song said Lt. Casey on-viewed the incident in front of K-Tank. When asked, Song did not know why he (Song) was not mentioned in any of the incident reports.

Song did say he made eye contact with Guitron when [REDACTED] started to get angry. At that time, Guitron and Gutierrez escorted [REDACTED] outside of the tank. Deputy Song was not part of the Safety Cell Placement team.

**09/21/2009 @ 0958 Hrs.** Recorded interview with **Deputy Kenny Lewis #1187** Paraphrased: Deputy Lewis was on duty on 09/07/09 and was working overtime on the Swing Watch 1500-2300 Hrs. Deputy Lewis said he was assigned to Post 9. Deputy Lewis said he was originally scheduled for lunch at 1800 Hrs, but decided to go early. As Lewis exited the mainline to Post 5 he saw Inmate [REDACTED] walking past

Post 5 handcuffed and dragging his property behind him. Lewis recalled that [REDACTED] was trailed by three deputies, but [REDACTED] walked on his own. Lewis did not recall which deputies escorted [REDACTED]

Dep. Lewis did not hear radio traffic for assistance at K-Tank or the Safety Cell Placement. Lewis said he left the ODR to check the overtime book in the front office. This is when Deputy Smith Al-Ghani, who was assigned to Post 5, told Lewis that there was a problem with an Inmate at the Safety Cell.

Dep. Lewis said he walked toward the Law Enforcement interview room where he spoke briefly to Deputy Gutierrez. Gutierrez told him an Inmate had died. Lewis walked over to the Safety Cell where he saw SD Wong, Deputy White, [REDACTED], a female RN, and possibly Deputy Lomba. Lewis said SD Wong asked him to help with CPR.

When Lewis entered the Safety Cell, he saw paramedics in the cell and Inmate [REDACTED] face up with his legs toward the Safety Cell door. Lewis did not see any injuries to [REDACTED] or any blood in the area. However, it appeared that [REDACTED] urinated on himself. Lewis recalled helping with compressions for approximately four minutes.

At one time, the paramedics found a pulse, but [REDACTED] was eventually declared dead.

Lewis related that after helping with compressions, he returned to Post 9. Lewis said he recalled that either a female paramedic or Medical Examiner Staff mentioned that [REDACTED] might have died of Positional Asphyxia.

09/22/2009 @ 1129 Hrs. Recorded interview with Deputy Tonyette Smith Al-Ghani #1576 Paraphrased: Deputy Smith Al-Ghani was working overtime on 09/07/09 on the 1500-2300 Hr. shift. Smith Al-Ghani was assigned to Post 11 with Deputy Kincade. After dinner, Smith Al-Ghani turned on the TV's for the Inmates. Smith Al-Ghani realized that the TV's were too loud so she walked over to the middle corridor and confronted Inmate [REDACTED] who was housed in 1M-13.

Smith Al-Ghani said that [REDACTED] proceeded to argue with her, so she turned off the TV's in cells 11 through 13. [REDACTED] then incited the other Inmates to chant, "Turn up the music!" Smith Al-Ghani recognized that [REDACTED] was going to be a problem, so she spoke to SD Wong and they both agreed that [REDACTED] needed to be placed in ADSEG.

Deputy Smith Al-Ghani pointed out that [REDACTED] was a rather large [REDACTED] Inmate, so she contacted Deputy Gutierrez at Post 10 because she believed it was necessary to have a larger deputy escort [REDACTED] Smith Al-Ghani recalled that SD Wong, Deputy Gutierrez, and Deputy Guitron responded to escort [REDACTED] appeared to be happy about the move. When asked, Smith Al-Ghani was not able to hear any of the deputies talking to [REDACTED] because she was standing too far away.

When asked, Deputy Smith Al-Ghani did not know that Deputy Gutierrez told [REDACTED] he was going to the Mainline. She was not aware if [REDACTED] (JPS) had given authorization to house Inmate [REDACTED] in General Population.

At that time, Smith Al-Ghani said she took over Post 5. Smith Al-Ghani did hear the 10-25 (Back-up call) and saw deputies respond to Post 10.

Smith Al-Ghani did not recall if [REDACTED] had difficulty breathing when he was in Tank 13. Smith Al-Ghani did not recall receiving a medical care request from Inmate [REDACTED] that day. Smith Al-Ghani said SD Wong supervised the incident at Post 11, not Lt. Casey. Smith Al-Ghani did not respond to the 10-25, nor did she assist with the Safety Cell Placement.

09/22/2009 @ 1602 Hrs. Recorded interview with Lt. John Casey #339 Paraphrased: Lt. Casey was on duty as the Watch Commander on 09/07/09 working overtime on the 1500-2300 Watch. Lt. Casey did not write an incident report. However, Lt. Casey approved the three reports generated regarding the Death in Custody of [REDACTED]

Lt. Casey recalled that he was in F-Tank on the Mainline taking care of a grievance at the time of the incident in front of K-Tank.

As Lt. Casey exited F-Tank, he saw an unknown deputy run past him toward Post 10. When Lt. Casey looked down the Mainline, he saw SD M. Wong in front of K-Tank talking to a large Inmate. Lt. Casey said the inmate was yelling and screaming at SD Wong.

Casey recalled that the Inmate was handcuffed with two pairs of cuffs from behind. As Casey walked toward K-Tank, he saw that the Inmate was taken to the ground and was struggling with deputies as they placed leg shackles on him. Lt. Casey recalled seeing SD Wong, Deputy Song, Deputy Gutierrez, Deputy Guitron, Deputy White, and Deputy Lomba. Lt. Casey said he ordered the deputies to lift [REDACTED] from off the ground.

Casey said [REDACTED] face was red and he appeared to be out of breath. Casey told his staff to calm down. At this time, Casey said he asked SD Wong what happened. SD Wong gave Lt. Casey a briefing as Inmate [REDACTED] was held by two deputies. SD Wong told Casey that [REDACTED] was "Running" his tank at Post 11 and there was an issue regarding the televisions. Casey said he assessed the situation and he came to the conclusion that [REDACTED] needed to be placed in the Safety Cell.

According to Casey, he did not know that SD Wong had already determined that [REDACTED] was going to the Safety Cell. According to Casey he did not know about the incident (Inciting inmates) at Post 11 regarding Deputy Smith Al-Ghani or that [REDACTED] refused to enter K-02. Casey only became aware of these issues when SD Wong briefed him in front of K-Tank. Lt. Casey said he had an urgent issue to settle in K-Tank regarding Transgender inmates. He told SD Wong to place [REDACTED] in the Safety Cell and he would be there shortly. Less than a minute later, Lt. Casey jogged down to the Safety Cell. Upon arrival, SD Wong told Lt. Casey, "The guy went limp." Casey said one of the deputies was able to find a pulse.

Casey said he saw Inmate [REDACTED] lying on the floor of the Safety Cell as nurse [REDACTED] was giving him chest compressions. Casey said JMS had called 911. Casey said the paramedics arrived approximately ten minutes later. Casey said he later learned that the paramedics went to 425-7th Street (CJ#1/CJ#2) first.

Casey said the paramedics found a heart rhythm, so he (Casey) prepared for a hospital run. Shortly after, the paramedics declared [REDACTED] deceased at 1833 Hrs.

Lt. Casey said he made all the necessary notifications and preserved the Safety Cell as a crime scene.

When asked, Lt. Casey said the minimum on a Holiday was one supervisor and thirteen deputies. Lt. Casey said he eliminated the rebooking post and placed SD Wong as the assistant watch commander. If SD Wong had been assigned to a deputy post, he would have been assigned to Post 9/10.

When asked, Casey said he did not agree with Deputy Gutierrez' method to lure [REDACTED] to K-Tank by saying he was going to the Mainline. Casey was not aware of this ploy.

When Lt. Casey reviewed the incident reports generated on this incident, he said that he did not know why he was not mentioned in any of the reports. He assumed it was because it was the deputies' perspective of the incident. Lt. Casey said he just corrected the reports for grammatical errors and sentence structure. Casey did not want to compel the deputies to change their reports if he saw something that was inaccurate.

Lt. Casey said he did not observe any injuries to [REDACTED] when he was in front of K-Tank. Casey did not see any blood on [REDACTED] or on the floor in front of K-Tank.

**09/24/2009 @ 0922 Hrs.** Recorded interview with [REDACTED] **JPS** [REDACTED] has been with JPS just over three years. [REDACTED] worked from 1200-1600 Hrs on 09/07/09. [REDACTED] said she was assigned to the [REDACTED] Inmates housed at Post 11. At no time did [REDACTED] recommend that [REDACTED] was able to return to general population. [REDACTED] said [REDACTED] was not suitable for general population. [REDACTED] was not contacted by SFSD

staff regarding [REDACTED] on 09/07/09. However, [REDACTED] became aware that SD Wong wanted to move [REDACTED] to ADSEG at 1730 Hrs on 09/07/09 from an E-Mail that she received from SD Wong. [REDACTED] did not know that deputized staff used her name when telling [REDACTED] that he was being moved to General Population.

**10/28/2009 @ 1606 Hrs** Recorded follow-up interview with **Lt. John Casey #339** Paraphrased: Follow-up questions to determine if Lt. Casey ordered the [REDACTED] Safety Cell Placement. When asked, Lt. Casey said he was present in front of K-Tank when the deputies were placing leg-shackles on [REDACTED] ankles. Casey stated that SD Wong and he both ordered the deputies to raise [REDACTED] from the ground simultaneously. Lt. Casey was sure that he received

a briefing from SD Wong in front of K-Tank. SD Wong told Casey about the incident at Post 11 as well as the events that lead to the takedown in front of K-Tank.

Casey said SD Wong did mention in his briefing that he recommended the Safety Cell. However, Lt. Casey was sure that he (Casey) gave the final instruction to place [REDACTED] in the Safety Cell. SD Wong mentioned that [REDACTED] wanted to be housed on the Mainline, but SD Wong said he was going to the Safety Cell.

When asked, Lt. Casey said the briefing with SD Wong in front of K-Tank took three to five minutes as the deputies held [REDACTED]. When asked, Lt. Casey said [REDACTED] did not mention that he had problems breathing. Lt. Casey described [REDACTED] to be exhausted as he was held by his staff.

Lt. Casey was asked if he recalled who he instructed to prepare for the "hospital run." Lt. Casey could not recall because he was under a lot of stress at the time of the incident.

**11/13/2009 @ 1440 Hrs.** Recorded Follow-up interview with **Deputy Kenneth Lomba #2074** Paraphrased: Follow-up questions to determine if Lt. Casey ordered the [REDACTED] Safety Cell Placement. Deputy Lomba did not recollect seeing Lt. Casey in front of K-Tank when [REDACTED] was taken to the ground. There were several people that were present in front of K-Tank, but he could not recall everyone that was there. Lomba said he would have

remembered a five minute briefing from SD Wong to Lt. Casey in front of K-Tank if it happened, but Lomba did not recall that occurring.

**11/18/09 @ 0917 Hrs.** Recorded Follow-up interview with **Deputy Edward Gutierrez #1928** Paraphrased: Follow-up questions to determine if Lt. Casey ordered the [REDACTED] Safety Cell Placement. Deputy Gutierrez did not recall if Lt. Casey was present at K-Tank. Deputy Gutierrez did not recall a briefing from SD Wong to Lt. Casey in front of K-Tank. Deputy Gutierrez stated that he was so focused on [REDACTED] he did not recall a briefing.

According to Gutierrez, SD Wong made the decision to place [REDACTED] into the Safety Cell. Deputy Gutierrez did not recall Lt. Casey telling SD Wong that [REDACTED] needed to go to the Safety Cell when they were in front of K-Tank. Gutierrez said Guitron and he attempted to place [REDACTED] into K-02, Song was not involved. Gutierrez said Song opened the K-Tank gate and cell K-02. Deputy Gutierrez did not recall Song holding [REDACTED] head down as they exited K-Tank.

**11/18/09 @ 0959 Hrs.** Recorded Follow-up interview with **SD Matthew Wong #1360** Paraphrased: Follow-up questions to determine if Lt. Casey ordered the [REDACTED] Safety Cell Placement. SD Wong was told what Lt. Casey said about a briefing in front of K-Tank.

SD Wong does not recall any of the events that Casey said took place in front of K-Tank. SD Wong did not recall Casey ordering the Deputies to lift [REDACTED] off the ground in front of K-Tank.

SD Wong said he did not give Lt. Casey a briefing. Lt. Casey did not order SD Wong to place [REDACTED] in the Safety Cell. However, SD Wong said he gave Lt. Casey a briefing in the Front Office at a later time. SD Wong does not recall Lt. Casey telling staff in front of K-Tank that he would meet them at the Safety Cell because he (Casey) had something important to attend to in K-Tank. SD Wong said he did see Lt. Casey as they were walking to the Safety Cell.

According to SD Wong, Song opened the K-Tank gate. Song did not go hands on with [REDACTED]. SD Wong and Deputy Gutierrez attempted to place [REDACTED] into K-02 while Deputy Song remained at the gate. SD Wong did not place his knee on [REDACTED] in front of K-Tank, nor did he see any of his co-workers place their knee on Inmate [REDACTED] in front of K-Tank.

**11/24/2009 @ 1541 Hrs.** Recorded Follow-up interview with **Deputy Juan Guitron # 1894** Paraphrased: Follow-up questions to determine if Lt. Casey ordered the [REDACTED] Safety Cell Placement. Deputy Guitron said he did not recall a briefing from SD Wong to Lt. Casey. Deputy Guitron said he did not recall Casey giving the order for [REDACTED] Safety Cell Placement. Deputy Guitron did not recall hearing [REDACTED] say that he had difficulty breathing in front of K-Tank prior to the Safety Cell Placement.

Deputy Guitron said he was certain that Deputy Song assisted him in an attempt to place Inmate [REDACTED] into K-02. However, Guitron was not certain if Song had a grasp of [REDACTED] arm. Deputy Guitron does not recall who pushed down on [REDACTED] head as he was escorted out of K-Tank. Deputy Guitron does not recall Lt. Casey saying that he would meet SD Wong at the Safety Cell because he had to take care of an urgent matter in K-Tank.

When asked, Deputy Guitron did not place a knee on Inmate [REDACTED] back in front of K-Tank, nor did he see any of his co-workers place their knee on [REDACTED] back or any part of his body.

**11/24/2009 # 1617 Hrs.** Recorded Follow-up interview with **Deputy Melvin Song #1269** Paraphrased: Follow-up questions to determine if Lt. Casey ordered the [REDACTED] Safety Cell Placement. In Deputy Song's initial interview, he stated that he saw Lt. Casey on the Mainline at CJ#1 and it appeared that he was occupied with something else. When asked today, Song said Lt. Casey had some paperwork in his hands and he was standing in front of H-Tank.

Deputy Song said he saw Lt. Casey as [REDACTED] was being escorted to the Safety Cell. However, Song said he was not certain if he saw Lt. Casey when [REDACTED] was picked up from off the ground in front of K-Tank.

Deputy Song did not recall a briefing from SD Wong to Lt. Casey. Deputy Song said there was so much going on, he did not remember a briefing. Deputy Song did not hear Lt. Casey tell SD Wong to place Inmate [REDACTED] into the Safety Cell when they were in front of K-Tank.

When asked, Deputy Song did not recall hearing [REDACTED] say he could not breathe. When asked, Deputy Song said he did not attempt to place Inmate [REDACTED] into K-02 with Deputy Guitron.

Deputy Song said he held Inmate [REDACTED] head when they were en-route to the Safety Cell. Song said [REDACTED] took one or two steps then SD Wong said take him to the ground. Deputy Song said he did not place a knee on Inmate [REDACTED] back or any part of his body. When asked, Song said he did not see any of his co-workers place a knee on any part of [REDACTED] body.

**11/24/2009 @ 1653 Hrs.** Recorded Follow-up interview with **Deputy Daniel White #2115** Paraphrased: Follow-up questions to determine if Lt. Casey ordered the [REDACTED] Safety Cell Placement. Deputy White did not recall seeing Lt. Casey in front of K-Tank. Deputy White said there was no briefing from SD Wong to Lt. Casey in front of K-Tank. Deputy White does not recall Casey making the final decision to place [REDACTED] into the Safety Cell. Deputy White did not recall [REDACTED] say "I can't breathe" in front of K-Tank. Deputy White did not place a knee on [REDACTED] back or any part of his body at any time. Deputy White did not see any of his co-workers place a knee on [REDACTED] back or on any part of his body.

**09/29/2010** Recorded Interview with **Deputy Olga Kincade #293** Conducted by the San Francisco Police Dept. Homicide Detail. Paraphrased: Deputy Kincade was working overtime at CJ#1. She was assigned to Post 11 which was [REDACTED] Housing. Kincade recalled that the TV's were too loud so Deputy Smith Al Ghani turned off the televisions. Inmate [REDACTED] was upset with Smith Al-Ghani for turning the TV's off. Kincade recalled that Smith Al-Ghani wanted to move [REDACTED] because he was being disruptive. Kincade said Smith Al-Ghani called SD Wong to brief him on what was going on. Kincade recalled that SD Wong and Deputy Gutierrez responded to move Inmate [REDACTED] Kincade said [REDACTED] was handcuffed to the rear and he exited the side door to be relocated to ADSEG Housing (K-Tank). Kincade did not assist with the move. She remained at Post 11.

**Interviews of San Francisco Fire Department Personnel were conducted by the San Francisco Police Department Homicide Unit and San Francisco District Attorney's Office.**

**09/15/2009 @ 1505 Hrs. [REDACTED], EMT**

EMT [REDACTED] was dispatched to the jail at 425 7<sup>th</sup> St on a code 3 emergency. When his truck arrived at the jail they determined it was the wrong location and responded to 850 Bryant. The SFFD personnel went to the jail and found the patient in a padded cell. Deputies were performing CPR on the patient while two female nurses were monitoring an AED that was attached to the patient.

The AED advised not to shock. The deputies and the nurses backed away from the patient so that the paramedics could attend to him. [REDACTED] checked the patient for breathing and pulse. There were none. The paramedics began CPR and a bag valve mask was attached to the patient. CPR was performed on the patient for 2 minutes. IV lines were attached to the patient and a tube was placed in his airway for breathing. This was difficult because of his large size.

There was no electric activity detected in the patient. The patient's heart rate briefly returned in response to medication that was given, but it did not stay long. The heart rate stopped again and the monitor showed a flat line. There was no response to further medications.

The paramedics called Dr Rodriguez at SFGH and he gave the authority to cease treatment at 1833 hours.

**09/17/2009 @ 1552 Hrs. [REDACTED] SFFD EMT**

We spoke with [REDACTED] at Fire Station #8, 36 Bluxome Street. [REDACTED] said he'd been an Emergency Medical Technician with SFFD for 8 ½ years. On the evening of September 7, 2009, [REDACTED] recalled, they were initially dispatched to the jail on 7<sup>th</sup> Street. Eventually, they realized they needed to enter from 850 Bryant, where the engine company and the paramedics who arrived in the ambulance all ascended in the elevator together.

They encountered [REDACTED] on his back in a cell, surrounded by "a bunch of people." SFFD took over CPR. [REDACTED] set up the bag for delivery of oxygen and took turns performing compressions. They moved [REDACTED] towards the cell entrance to get his head further away from the corner and give the team room to work.

[REDACTED] noted no injuries to [REDACTED] and saw no blood or other fluids. [REDACTED] did not view [REDACTED] airway or his back. He heard no cracking sounds during the compressions, and never saw anyone put his full weight on [REDACTED]

██████ recalled that the paramedics had difficulty intubating ██████ CPR continued until ██████ was pronounced dead following a consultation with the hospital.

██████ said that after lifesaving efforts ceased, the SFFD personnel gathered their belongings, gave their names to a deputy, and left. ██████ did not remember anyone discussing what happened to ██████

**09/17/2009 @ 1625 Hrs. ██████ SFFD Firefighter/Driver**

We spoke with ██████ at about 1625 hours, also at Station #8. ██████ said he stayed in or beside the fire engine the entire time and never entered the jail. He did not recall any conversation about the incident when the rest of the team returned to the vehicle at the end of the call.

**09/17/2009 @ 1700 Hrs. ██████ SFFD Firefighter/Paramedic**

Inspectors Jones and Inspector Lynch and Matt Irvin, (DAI), spoke with ██████ at Fire Station #41, 1325 Leavenworth, at about 1700 hours on September 17, 2009. ██████ said he'd been a firefighter for nineteen years. Nine with Hayward, and ten with San Francisco. He recalled that on September 7, 2009, they were initially dispatched to 7<sup>th</sup> Street, and then had to drive around the block to 850 Bryant. They were escorted to a cell where ██████ saw jail medical staff and deputies performing CPR. ██████ saw ██████ was on his back. His feet were towards the door and his head near the right rear corner of the cell. An AED, an IV, and a bag valve mask had been attached to him. ██████ noted the CPR, AED, IV (in ██████ right hand) and bag valve mask were all applied correctly.

██████ said SFFD took over rescue efforts according to the advanced cardiac life support protocols, including administering medications and continuing CPR. They moved ██████ down about a foot to gain better access to his head and airway. Paramedic ██████ tried three different kinds of endo-tracheal tubes on ██████. He was unable to get him intubated. They lifted ██████ shoulders. ██████ then was able to successfully intubate ██████. ██████ said that he saw no blood or foam in ██████ mouth or throat. Suction had been applied to his airway prior to ██████ attempts to intubate him.

██████ said that one of the women told the responding SFFD personnel that ██████ was placed into the safety cell and collapsed. ██████ asked a series of questions regarding whether ██████ had fallen, struck his head, or been attacked. The woman answered "no" to each. There was no discussion with or among the deputies, except in rotating CPR responsibilities.

██████ said that ██████ never displayed a viable cardiac rhythm. Eventually, CPR was terminated and ██████ was pronounced dead.

█████ said he saw no injuries or blood on █████. He smelled but did not see urine. █████ said he did see █████ back when they briefly rolled him over to check for trauma. █████ said that in his experience, even an easy intubation can cause bleeding and trauma to the throat. However, he did not notice bleeding in this case.

**09/17/2009 @ 1805 Hrs. █████, SFFD Acting Rescue Captain**

At about 1805 hours, Inspector Jones and Matt Irvine, (DAI), spoke with firefighter/paramedic and Acting Rescue Captain █████ at Fire Station #31, 441 12<sup>th</sup> Avenue. █████ said he'd been a paramedic since 1981. He recalled that on September 7, he and the rest of the SFFD Team were initially dispatched to 7<sup>th</sup> Street, but quickly found their way to the correct location. Once upstairs in the jail, they saw CPR being performed on █████. SFFD took over CPR and began administering medications. SFFD's own monitor showed very little electrical activity from █████. █████ explained that "a fresh heart," even if not beating, will show electrical activity in response to CPR, but even the "energetic" CPR performed on █████ failed to provoke much electrical activity. █████ showed only brief periods of "pulseless electrical activity." He also had a very low CO2 reading.

█████ said █████ was pulled forward, out of a corner, and a blanket was put under his shoulders to enhance the team's access to his body. █████ was able to secure an airway. After about thirty minutes, the team ceased resuscitative efforts.

█████ said that upon first encounter, █████ head was close to a wall. He was not in restraints. His body felt neither unusually hot nor cold. █████ saw no trauma to █████. He said that the team used their body weight in performing CPR, but no one put a knee or forearm onto █████.

█████ said he tried to get a history from the deputies and medical staff. He remembered asking typical questions like when █████ had last been standing or speaking. █████ said he never received a clear answer. The SFFD personnel seemed confused, he said, rather than trying to hide anything.

**09/22/2009 @ 1130 Hrs. LT █████ SFFD EMT**

█████ said he'd been a firefighter and EMT with SFFD for sixteen years. He recalled that on the evening of September 7, 2009, he was working with Engine Company #8 when they were dispatched initially to County Jail #9 at 425 7<sup>th</sup> Street. They then learned the correct address was 850 Bryant. The entire SFFD team, including the engine company and the ambulance crew, went up to CJ #1 together. █████ said that when he first saw █████ he was supine, with his head near the far wall of the cell.

There were about four other persons in the cell with [REDACTED] performing CPR. There were also Sheriff's deputies outside the cell. Yonts said that the only time he saw anyone put his weight on [REDACTED] was during the administration of CPR.

Yonts described [REDACTED] as completely unresponsive. He'd urinated, Yonts said, and had poor color. Yonts saw no blood. He could not recall if he ever saw [REDACTED] back. [REDACTED] was not cold or rigid, and appeared to be "typical of someone who could have gone down shortly before we got there."

[REDACTED] told us that upon their arrival, SFFD relieved the SFSD personnel. SFFD took over CPR, with continued assistance in the compressions rotation from the deputies. SFFD attached their defibrillator and began administering medications. The defibrillator indicated flatline immediately or shortly after it was attached.

[REDACTED] told us that the SFFD personnel pulled [REDACTED] down so that his head was away from the wall, in order to get a better angle to intubate. Because of his size, [REDACTED] ended up with one foot protruding from the cell. [REDACTED] recalled that after a long period of medications and compressions, [REDACTED] briefly regained a weak pulse, but did not sustain it. Eventually, one of the SFFD personnel called a doctor at SFGH, who authorized the cessation of resuscitative efforts and the pronouncement of death.

[REDACTED] said that he believed at least one nurse and one deputy spoke to SFFD personnel about what had happened. He didn't recall any details of [REDACTED] immediate history. He did recall that in the course of discussion that occurred during the long period of care administered to [REDACTED] during which time [REDACTED] and others found themselves sidelined waiting to rotate back in for compressions, he learned that [REDACTED] [REDACTED] [REDACTED] said he also learned that [REDACTED] became non-responsive about ten minutes before SFFD arrived on scene.

**09/16/2009 @ 1000 Hrs [REDACTED], SFFD Paramedic**

[REDACTED] has been a paramedic for 9 years. He has been with the SFFD for 3 ½ years. He has worked for AMR, Bodega Bay FD, Redwood Empire Life Support, Ross Fire Department and Pro Transport.

He is currently assigned to Station #49 located at 1415 Evans.

He prepared the Patient Care Report for this incident. The PCR was completed as an electronic document. On 09/07/2009, he was working with EMT [REDACTED] [REDACTED] They were assigned to an ambulance, Medic #83.

They were initially dispatched to the County Jail located on 7<sup>th</sup> Street. They entered the lobby and responded to the command center. They were told that nothing had occurred at this jail. They contacted their dispatch and learned that the correct location was the County Jail located at 850 Bryant Street.

He said that it took approx 5 minutes to move the ambulance from 7<sup>th</sup> Street to the front of the Hall of Justice. They responded to the County Jail located on the 6<sup>th</sup> Floor. They were directed to a safety cell close to jail medical services.

██████ observed multiple deputies and a nurse inside the room. They were performing CPR on the patient laying supine on the floor. The patient's head was within a few inches of the wall. He never saw the patient's back. He said that the patient was moist and still warm to the touch. ██████ did not observe any injuries on the patient. They received information regarding the incident from the deputies as they worked on the patient. They were providing bag valve mask respiration with oxygen. They had an external automated defibrillator on the patient, but it was announcing not to shock. An IV was already placed on the patient. ██████ his partner and the engine company took over care of the patient. They took over CPR. They put the patient on their heart monitor and the patient was flat line. The patient was asystolic when they arrived. They placed an oral airway (a device to move the patient's tongue) into the patient. They continued CPR. ██████ said he had a difficult time intubating the patient. They gave him several doses of medication. ██████ said that because they didn't know the patient's history, the patient also received a dose of Narcan. ██████ did not see anyone put their full body weight on the patient.

The paramedic from the engine listened to the patient's heart. They did not feel a pulse. They were able to get an organized cardiac rhythm, but no pulse. They worked on him for about 30-35 minutes before consulting with the Dr. Rodriguez at the base hospital, they discussed the patient's condition and death was pronounced at 1833 hours.

██████ explained procedures and protocols regarding the above.

The nurse on the scene said she would contact the Medical Examiner and the deputies maintained the scene.

██████ was advised that the patient struggled on his way to the safety cell. He was advised that the patient had a ██████ ██████

██████ said he received the information from a deputy in the safety cell. ██████ said that there were medical personnel in the cell while he was receiving the above information. ██████ said that they stayed at the scene for an additional 45 minutes completing his paperwork and to receive additional medical information regarding the patient. ██████ drew a diagram showing the placement of the deputies and nurses in the safety cell.

## **INVESTIGATION:**

Inmate [REDACTED] was in San Francisco Sheriff's Department custody from March 8, 2009 to the day he was declared dead on September 7, 2009. Inmate [REDACTED] was housed in Cell 1M-13 ([REDACTED] Housing) from 08/13/09 until the day he was taken to Administrative Segregation and subsequently to the Safety Cell on September 7<sup>th</sup>, 2009.

On 09/07/09, Labor Day, Lt. Casey was the Watch Commander and SD Wong was listed as the Assistant Watch Commander. The holiday minimum at CJ#1 at the time was one supervisor and thirteen deputies. SD Matthew Wong was listed as the assistant watch commander instead of being assigned to a post. This change in the Daily Line-up was out of the ordinary since the supervisory minimum was one. Lt. Casey said it was busy that day, so he needed SD Wong's assistance. Lt. Casey related that he had several grievances to review and Notice of Rule Violations to adjudicate that day.

### **POST 11**

According to Deputy Smith Al-Ghani and inmates housed in 1M-13, [REDACTED] was involved in an argument with Deputy Smith Al-Ghani over the televisions being too loud. Smith Al-Ghani went directly to SD Wong to request that [REDACTED] be moved. SD Wong subsequently made the decision to house Inmate [REDACTED] in Administrative Segregation.

Watch Commander Lt. Casey, was not aware of this housing move. According to records (ADSEG Paperwork/Field Arrest Card), the reason for the ADSEG placement was because [REDACTED] was "argumentative with staff" and "inciting Inmates."

Inmate [REDACTED] stated that [REDACTED] had threatened his roommates in 1-M13 in the past. [REDACTED] also described [REDACTED] as violent. Deputy Guitron stated in his interview that he heard [REDACTED] was strong arming his roommates.

Inmates that were housed in 1M-13 recalled that [REDACTED] complained about back pain and difficulty breathing prior to being moved to Administrative Segregation on 09/07/09. Deputy Smith Al Ghani and [REDACTED], who were both assigned to the [REDACTED] side of the jail, did not recall any complaints from Inmate [REDACTED]. Sworn and non-sworn witnesses recalled that [REDACTED] was physically exercising prior to moving to ADSEG.

Inmates housed in 1M-13 also related that [REDACTED] told Deputy Kincade that he was [REDACTED] that day, but later told Kincade that he was just kidding.

SD Matt Wong, Deputy Edward Gutierrez, and Deputy Juan Guitron escorted [REDACTED] to K-02, which is located near Post 10.

Post 10 is approximately 425 feet from cell 1M-13. In order to entice Inmate [REDACTED] to move to ADSEG, Deputy E. Gutierrez told [REDACTED] that he was going to General Population per his [REDACTED] counselor, Pricilla Schlottman. Schlottman never authorized this move. In fact, Schlottman stated in her interview that [REDACTED] was not ready for General Population housing. Deputy Gutierrez admitted that he told [REDACTED] he was going to general population so he would not resist the move.

### **K-Tank**

Under the impression that he was going to General Population, [REDACTED] walked on his own to Post 10, while handcuffed to the rear. Due to his size, the deputies had to use two pairs of handcuffs. Upon arrival to K-Tank, [REDACTED] realized he was being rehoused in ADSEG and refused to enter cell K-02.

According to Deputy E. Gutierrez, SD M. Wong gave [REDACTED] the ultimatum, ADSEG or the Safety Cell, while they were inside K-Tank. [REDACTED] chose the Safety Cell according to Gutierrez. SD Wong admitted that he gave [REDACTED] the choice, but said he did not intend on using the Safety Cell as punishment. However, SD Wong and other witnesses said [REDACTED] did not show signs of being a "danger to others" until [REDACTED] exited K-Tank. Therefore, there was no justification for the placement when SD Wong gave his order. When asked, SD Wong said he was not going to take [REDACTED] back to 1M-13 or place him in a holding cell.

Four out of the seventeen inmates interviewed out of 1M-4 recalled that Deputy Melvin Song went hands-on with Inmate [REDACTED] and was deemed the instigator that set off [REDACTED]. Deputy Song said he (Song) stood near cell K-01 while Deputy Guitron and Deputy Gutierrez attempted to place Inmate [REDACTED] into K-02. Song said he (Song) never went hands on while in K-Tank.

Song said he placed his hands on [REDACTED] head as he was escorted backwards out of K-Tank. [REDACTED] resisted and was taken to the ground. Song said he stepped away while [REDACTED] was taken to the ground.

According to Deputy Juan Guitron, Deputy Song helped him (Guitron) in attempting to place [REDACTED] in K-02, not Deputy Gutierrez. There were three Incident reports generated for this incident. None of the reports memorialize Song's involvement at K-Tank. Sworn personnel that were interviewed in this case recall Song being in the Post 10 area, but did not recall seeing him go hands on with [REDACTED] with the exception of Deputy Guitron. Guitron said Deputy Song was the one that assisted him (Guitron) in attempting to place [REDACTED] in K-02 not Gutierrez.

### **Outside of K-Tank**

When Inmate [REDACTED] exited K-Tank, [REDACTED] resisted and was subsequently taken to the ground. According to SD M. Wong, he ordered Deputy Gutierrez and Deputy Guitron to take [REDACTED] to the ground.

Several Inmates that were housed in 1M-4 stated that [REDACTED] was taken down to the ground, "face first." Two inmates said they witnessed the deputies using excessive force. Some inmates said there was blood on the floor and on [REDACTED] face.

During the course of this investigation, there was no evidence of blood on the floor in front of K-Tank or on Inmate [REDACTED] face. All Sworn staff interviewed during this investigation deny any use of excessive force on Inmate [REDACTED]. The Medical Examiner's report does not mention any injuries/trauma to [REDACTED] face. Several Inmates housed in 1M-4 said they heard [REDACTED] say, "I can't breathe."

Deputies that were interviewed in this case did not recall [REDACTED] say he had problems breathing. Several Inmates said they either saw deputies on top of Inmate [REDACTED] or had placed their knees on his back or neck. Inmate [REDACTED] stated that he observed Deputy Song take [REDACTED] to the ground and then placed his knee behind [REDACTED] neck.

All Sworn staff members interviewed in this case deny placing their weight or their knees on Inmate [REDACTED] while in front of K-Tank or the Safety Cell. According to the deputies interviewed in this case, [REDACTED] was proned on the floor after the takedown in front of K-Tank. [REDACTED] struggled and leg shackles were placed on his legs.

### **Lt. J. Casey**

There was a gross disparity between SD Wong's recollection of what took place in front of K-tank compared to what Lt. Casey recalled.

Lt. Casey stated that he was present near K-Tank when the deputies were placing leg shackles on Inmate [REDACTED]. Lt. Casey said he ordered the deputies to raise Inmate [REDACTED] from off the ground.

Casey said he asked Wong what was happening. While [REDACTED] was being held by staff in front of K-Tank, SD Wong gave Lt Casey a three to five minute briefing of the incident that took place at Post 11 and the events leading to the takedown in front of K-Tank.

Lt. Casey said he gave the order to send Inmate [REDACTED] to the Safety Cell.

Lt. Casey also said he told SD Wong that he would meet the team **(SD Wong, Deputy Guitron, Deputy Gutierrez, Deputy Lomba, and Deputy White)** at the Safety Cell shortly, because he had another important matter to deal with in K-Tank. **(Transgender inmate housed in K-Tank was in danger of being assaulted.)**

#### **S/D M. Wong**

SD Wong stated that he did not recall Lt. Casey giving the deputies the order to lift [REDACTED] from off the ground in front of K-Tank. SD Wong did not give Lt. Casey a briefing while the deputies held Inmate [REDACTED] in front of K-Tank. Lastly, SD Wong said he (Wong) gave the order for the Safety Cell Placement, not Lt. Casey.

Deputy Gutierrez, Deputy White, Deputy Lomba, and SD Wong each said they did not recall seeing Lt. Casey in front of K-Tank when [REDACTED] was taken to the ground. Deputy Guitron said he saw Lt. Casey at POST 10, but SD Wong was in charge. The other deputies that were involved in this incident do not recall Lt. Casey giving the order for the Safety Cell Placement or receiving a briefing from SD Wong in front of K-Tank. Deputy Song saw Lt. Casey near K-Tank occupied with something else.

#### **Escort to the Safety Cell**

According to interviews, Deputies Guitron, Gutierrez, Lomba, White, and SD Wong escorted [REDACTED] to Safety Cell #2. Deputy Melvin Song remained at his Post which was Post 10. Lt. Casey said he had to deal with a separate issue inside of K-Tank.

[REDACTED] was then escorted backwards toward the Safety Cells. Deputy Guitron and Deputy Gutierrez each had an arm, while Deputy White kept [REDACTED] head down as they walked backwards.

A majority of those interviewed mentioned that they recalled [REDACTED] falling to one knee near the metal detector located at Post 9. Those interviewed described [REDACTED] to be tired as he fell to one knee. Some said he was passively resisting. Deputy White recalled hearing [REDACTED] say, "I don't want to go there" as he fell to one knee. [REDACTED] was subsequently helped from off the ground and was taken to Safety Cell #2. At that time, Deputy Macksoud, who was at Post 5, said he recognized that they were taking [REDACTED] to the Safety Cell, so he responded to assist.

#### **Safety Cell #2**

Upon arrival to the Safety Cell, those who were involved in the Safety Cell Placement said they placed Inmate [REDACTED] stomach first onto the Safety Cell Floor.

According to Deputy Macksoud, Deputy Guitron was positioned at [REDACTED] left arm, Deputy Gutierrez was controlling [REDACTED] right arm, and Deputy White was positioned at the legs. SD Wong was the only supervisor at the Safety Cell. Deputy Macksoud's recollection of the positioning of staff for the Safety Cell Placement was consistent with the other deputies that were interviewed. The only inconsistencies were the locations of Deputy Macksoud and SD Wong during the safety cell placement.

According to Deputy Gutierrez, SD Wong let the deputies conduct the Safety Cell Placement as Wong observed. Those interviewed indicated that Lt. Casey was clearly not present for the placement.

According to SD Wong, [REDACTED] remained upset during the Safety Cell Placement, asking to speak to [REDACTED] (JPS). Deputy Guitron stated that they removed [REDACTED] shoes and socks. When the leg shackles were removed, Deputy Gutierrez said [REDACTED] started to buck and kick. Deputy White said with the help of Deputy Macksoud they placed [REDACTED] legs in a figure four leg lock to prevent [REDACTED] from kicking.

Deputy Guitron said they had to cut off his sweatshirt because [REDACTED] was still handcuffed. While cutting the sweatshirt, Deputy Macksoud noticed that there was something wrong with [REDACTED]. Those interviewed described [REDACTED] going limp and/or unconscious. At that time, the deputies placed [REDACTED] in a position of recovery. SD Wong indicated that from the time [REDACTED] was placed into the Safety Cell to the time he apparently lost consciousness, approximately five minutes had elapsed. Deputy Lomba and Deputy Guitron said they were able to feel a pulse on Inmate [REDACTED]. Those interviewed said it appeared that [REDACTED] might have urinated on himself because his pants were wet. Deputy Guitron said [REDACTED] had a convulsion prior to becoming unresponsive.

SD Wong knocked on the Medical Room door directly across from Safety Cell #2. The nurse inside the room, [REDACTED], told SD Wong to contact the Charge Nurse. SD Wong said he walked over to the Jail Medical Office which was approximately fifteen feet away from Safety Cell #2. SD Wong said he told Nurse [REDACTED] to check on [REDACTED].

When [REDACTED] arrived, [REDACTED] said he observed [REDACTED] lying on his stomach, (not a position of recovery). [REDACTED] said he could not find a pulse on Inmate [REDACTED] when he arrived, but [REDACTED] was still warm to the touch. At that point [REDACTED] said, with the help of the deputies, they placed [REDACTED] in a position of recovery. [REDACTED] said [REDACTED] was present and they started CPR. [REDACTED] said they attached the AED, but "no shock" was recommended.

[REDACTED] was present. She recalled telling [REDACTED] to call 911.

██████████ recalled that ██████████ called 911 at approximately 1747 Hrs, and the Paramedics arrived at 1759 Hrs. JMS continued to work on ██████████ until the paramedics arrived.

SD Wong related that the paramedics worked on Inmate ██████████ for approximately 30 minutes. Apparently, the paramedics found a faint heartbeat and they were actually going to transport ██████████ to San Francisco General Hospital. Subsequently, the paramedics declared ██████████ dead at 1833 Hrs.

After reviewing the CAD recording and interviews in this case, it was determined that Medic 83 initially responded to 425 7<sup>th</sup> Street, instead of the Hall of Justice. Those interviewed indicated that there was a slight delay in their arrival to CJ#1.

██████████ and ██████████ said they heard moaning in the hallway while the deputies were placing ██████████ in the Safety Cell. The deputies that were interviewed in this case stated that ██████████ was yelling while in the Safety Cell. ██████████ said she looked into the hallway when she heard the moaning. She said she saw the deputies hovering over Inmate ██████████. She said she did not see any excessive force and the scene was not any different from S/C Placements she had seen in the past.

However, ██████████ said she had the tendency to lose focus when she saw something traumatic. ██████████ said she has had this problem due to a childhood experience. ██████████ did not elaborate any further.

SD Wong said he briefed Lt. Casey in the Front Office, and both Lt. Casey and SD Wong made emergency notifications per protocol. During the course of this investigation it appeared that Lt. Casey directed three separate deputies to suit up for the "possible" hospital transport/escort.

Lt. Casey was asked if he recalled who he instructed to prepare for the "hospital run." Lt. Casey could not recall. When Lt. Casey was told that he told Deputy Lomba, Deputy Gutierrez, and Deputy White, he said that was very possible because he was under a lot of stress at the time of the incident.

The San Francisco Fire Department personnel interviewed in this case all related that they were originally dispatched to 425 Seventh Street. Upon arrival to the CJ#8/9 Control Room, they realized that the patient was located at CJ#1 which was located at 850 Bryant Street. SFFD personnel interviewed said it took five to ten minutes to respond to 850 Bryant Street. The Patient Care Report (PCR) shows communication with dispatch at 1747 Hrs with an arrival time at CJ#1 at 1801 Hrs.

SFFD Personnel were consistent in their statements regarding the medical/physical state of Inmate ██████████ upon their arrival. They stated that ██████████ had no pulse and was not breathing.

SFFD personnel stated that upon arrival, a Sheriff Deputy was giving [REDACTED] chest compressions. SFFD Personnel also stated that the AED was attached to the Inmate, but no shock was recommended.

When the paramedics attached their monitoring equipment, they described [REDACTED] to be "Flatline" or asystolic. (No Pulse No Rhythm). Per protocol, SFFD personnel provided Advanced Life Support (ALS). When given ALS, the paramedics administer all pertinent medications to revive an asystolic patient.

At one point, the paramedics received pulseless electrical heart activity. However, [REDACTED] went quickly back to "Flatline." After approximately 45 minutes of Advanced Life Support, they contacted the on duty physician (Dr. Rodriguez) who declared [REDACTED] deceased at 1833 Hrs.

SFFD personnel interviewed related that it was very difficult to Intubate Inmate [REDACTED] (Provide an Airway). Paramedics attempted to use three different methods to Intubate before they were successful.

#### **MEDICAL EXAMINER'S REPORT**

Case # 2009-0899

**CAUSE OF DEATH:** Probable respiratory arrest during prone restraint with morbid obesity.

**OTHER CONDITIONS:** Hypertensive cardiovascular disease, schizoaffective/bipolar disorder.

**MANNER:** Homicide