

Office of the Sheriff, Santa Clara County

55 W. Younger Avenue, San Jose, CA 95110

- INJURY
- BOOKING
- CITE RELEASE

CASE NO.

**13-247-02451**

**INCIDENT REPORT**

BEAT **13**

TYPE OF FORCE:  HANDS/FEET  KNIFE/CUTTING INSTR.  
 FIREARM  OTHER

REPORT TYPE **Informational [O] Officer Involved Shooting - Outside Service Agency Assist**

OCURRED	DATE	TIME	DAY
ON OR FROM	<b>9/4/13</b>	<b>14:45</b>	<b>Wed</b>
TO			
REPORTED	<b>9/4/13</b>	<b>22:00</b>	<b>Wed</b>

LOCATION OF INCIDENT **W Ahwanee Avenue @ Mathilda Avenue / Sunnyvale / 94085 / Hobee's Restaurant**

CASE "V" = VICTIM "R" = REPORTING PARTY "W" = WITNESS "O" = OTHER

ASSIGNED **V01** LAST, FIRST, MIDDLE (FIRM, IF BUSINESS) STATE OF CA. RACE M  F  DOB AGE HT WT

NOT ASSIG RECD RECORDS ROUTING VICTIM ADVISED:  SEXUAL ASSAULT  VICWIT ASSIST.  DOMESTIC VIOLENCE INTERPRETER NEEDED:  SPANISH  VIETNAMESE  OTHER

ABC ADDRESS CITY/STATE ZIP PHONE DL NUMBER STATE

Acctng BUSINESS NAME/SCHOOL NAME AND ADDRESS CITY/STATE ZIP PHONE SSN

CCAP/CIVU VICTIM INFORMATION:  NON DISCLOSURE (WHERE APPLICABLE)  INJURY  SART  BLOOD  URINE  PHOTOGRAPH  STUDENT

CLERY **W01** LAST, FIRST, MIDDLE (FIRM, IF BUSINESS) RACE M  F  DOB AGE HT WT

DET. DIV. VICTIM ADVISED:  SEXUAL ASSAULT  VICWIT ASSIST.  DOMESTIC VIOLENCE INTERPRETER NEEDED:  SPANISH  VIETNAMESE  OTHER

POSTAL ADDRESS CITY/STATE ZIP PHONE DL NUMBER STATE

TRAFFIC BUSINESS NAME/SCHOOL NAME AND ADDRESS CITY/STATE ZIP PHONE SSN

TRANSIT VICTIM INFORMATION:  NON DISCLOSURE (WHERE APPLICABLE)  INJURY  SART  BLOOD  URINE  PHOTOGRAPH  STUDENT

OTHER VICTIM VEHICLE YEAR MAKE MODEL BODY TYPE COLOR LICENSE/VIN STATE  
 VICTIM # **1**

CLASS EVIDENCE R/O'S NAME (LAST, FIRST, MIDDLE)  SAME AS VICTIM # ADDRESS CITY/STATE ZIP DAMAGE TO VEHICLE

RURAL CRIME VICTIM VEHICLE WAS:  STOLEN  IMPOUNDED  STORED  LEFT AT SCENE  RELEASED AT SCENE  HELD F/PRINTS  PRINTED

PROPERTY (NOT FOR EVIDENCE) / COMPLETE SYNOPSIS OF INCIDENT						
ITEM#	QTY	BRAND	MODEL	DESCRIPTION OF PROPERTY	SERIAL NO.	VALUE
1	0					\$0.00

THIS REPORT IS FOR INSURANCE PURPOSES AND TO ALERT THE SHERIFF'S OFFICE OF THE CRIME.

HATE Synopsis: **On the above date and time, the Sunnyvale Department of Public Safety requested a Leica Geosystems 3D laser scan of an Officer Involved Shooting. The Santa Clara County Sheriff's Office responded and assisted the Sunnyvale Department of Public Safety with a Leica Geosystems 3D scan of the scene.**

Where Occurred	Property Attacked	Method of Entry	Suspect Actions
<input type="checkbox"/> Apartment/Condo <input type="checkbox"/> Hospital <input type="checkbox"/> Assembly Plant <input type="checkbox"/> Hotel/Motel <input type="checkbox"/> Bar or Lounge <input type="checkbox"/> Jewelry Store <input type="checkbox"/> Bank/Finance Co. <input type="checkbox"/> Liquor Store <input type="checkbox"/> Bus/Rail Stop <input type="checkbox"/> Parking Lot <input type="checkbox"/> Bus/Rail Vehicle <input type="checkbox"/> Other Retail <input type="checkbox"/> Construction Site <input type="checkbox"/> Park (All Types) <input type="checkbox"/> Convenience Store <input type="checkbox"/> Public Building <input type="checkbox"/> Driveway <input type="checkbox"/> Residence <input type="checkbox"/> Dr.'s/Dentist Office <input checked="" type="checkbox"/> Restaurant (All) <input type="checkbox"/> Farm/Ranch <input type="checkbox"/> Rural/Mount Area <input type="checkbox"/> Field/Pasture <input type="checkbox"/> School <input type="checkbox"/> Garage <input checked="" type="checkbox"/> Sidewalk <input type="checkbox"/> Gas Station <input checked="" type="checkbox"/> Shopping Center <input type="checkbox"/> Grocery/Market <input checked="" type="checkbox"/> Street/Highway	<input type="checkbox"/> Agriculture/Crops <input type="checkbox"/> Jewelry/Metals <input type="checkbox"/> Alcohol/Beer/Wine <input type="checkbox"/> Livestock <input type="checkbox"/> Auto Parts/Access <input type="checkbox"/> Not Applicable <input type="checkbox"/> Bicycle <input checked="" type="checkbox"/> Narcotics/Drugs <input type="checkbox"/> Bldg Materials <input type="checkbox"/> Other Property <input type="checkbox"/> Cameras/Video Equip <input type="checkbox"/> Phone(s) <input type="checkbox"/> Clothing <input type="checkbox"/> Power Tools <input type="checkbox"/> Computer/Elec Equip <input type="checkbox"/> Purse/Wallet <input type="checkbox"/> Checks (All Types) <input type="checkbox"/> Radio/Stereo Equip <input type="checkbox"/> Credit Card <input type="checkbox"/> Sporting Goods <input type="checkbox"/> Curr/Money/Coins <input type="checkbox"/> Television <input type="checkbox"/> Farm/Ranch Equip <input type="checkbox"/> Tools <input type="checkbox"/> Firearm(s) <input type="checkbox"/> Tractor/Hvy Equi <input type="checkbox"/> Furniture <input type="checkbox"/> Transit Equip/Facil <input type="checkbox"/> Household Appliance <input type="checkbox"/> Vehicle or Boat	<input type="checkbox"/> Attempt Only <input type="checkbox"/> Body Force <input type="checkbox"/> Broke Glass <input type="checkbox"/> Cut Lock/Screen <input type="checkbox"/> Key/Pass Key <input type="checkbox"/> Lock Punch <input type="checkbox"/> Pried <input type="checkbox"/> Removed <input type="checkbox"/> Point of Entry <input type="checkbox"/> On Premise <input type="checkbox"/> Door <input type="checkbox"/> Garage Door <input type="checkbox"/> Sliding Door <input type="checkbox"/> Roof <input type="checkbox"/> Window	<input type="checkbox"/> Approach From Front <input type="checkbox"/> Suspect Armed <input type="checkbox"/> Approach From Rear <input type="checkbox"/> Searched <input type="checkbox"/> Demand Money <input type="checkbox"/> Selective Theft <input type="checkbox"/> Force Victim to Move <input type="checkbox"/> Sex Act <input type="checkbox"/> Fought With Victim <input type="checkbox"/> Shot/Stabbed Vic <input type="checkbox"/> Injury Inflicted <input type="checkbox"/> Struck Victim <input type="checkbox"/> Knew Location Cash <input type="checkbox"/> Took Firearm <input type="checkbox"/> Multiple Suspects <input type="checkbox"/> Took Money/Coins <input type="checkbox"/> Molested Victim <input type="checkbox"/> Took Stereo/TV <input type="checkbox"/> Masturbated <input type="checkbox"/> Used Trick/Ruse <input type="checkbox"/> Made Threats <input type="checkbox"/> Used Demand Note <input type="checkbox"/> Pt Prop in Bag <input type="checkbox"/> Unknown <input type="checkbox"/> Ransacked <input type="checkbox"/> Vandalized/Tagged

OTHER MO INFORMATION  MO Continued in Narrative

DIAGRAM ASSOCIATED CASE NUMBERS: **CR13-7084** OTHER ROUTING: **Sunnyvale DPS**

CCTV OFFICER'S NAME **Mah** ID NUMBER **2055** DATE **09/05/13 732** SHIFT/DAYS OFF **DET FSS** SUPERVISORS REVIEW **Urena, Ricardo** ID NUMBER **1815** DATE **09/05/13 1107** PAGE **1** OF **3**

REPORT TYPE Informational [O] Officer Involved Shooting - Outside Service Agency Assist	<input type="checkbox"/> SUPPLEMENTAL	Office of the Sheriff Santa Clara County NARRATIVE FORM	CASE NO. <b>13-247-02451</b>					
LOCATION OF ORIGINAL EVENT (IF KNOWN) W Ahwanee Avenue @ Mathilda Avenue / Sunnyvale / 94085 / Hobee's Restaurant		VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))						
1 INVESTIGATION:								
2								
3 On 09-04-13, I was assigned as a Detective in the Sexual Assault								
4 Felony Enforcement (S.A.F.E.) Task Force. I was also a member of the								
5 Sheriff's Crime Scene Investigation (CSI) unit. I am certified by								
6 Leica Geosystems to operate a Leica Geosystems C10 Laser Scanner.								
7								
8 On 09-04-13 at approximately 1445 hours, I was contacted by Captain								
9 Rodriguez. He advised me Sunnyvale Department of Public Safety was								
10 requesting assistance with an Officer Involved Shooting (OIS)								
11 incident located near the intersection of Mathilda Avenue and Highway								
12 101 in Sunnyvale. The Sunnyvale Department of Public Safety requested								
13 the Sheriff's Office to assist with conducting a 3D Leica Geosystems								
14 scan of the scene. (SVDPS report number: 13-7084).								
15								
16 Detective Allen was my assigned partner. Detective Allen is also								
17 certified by Leica Geosystems to operate a Leica Geosystems C10 Laser								
18 Scanner.								
19								
20 On 09-04-13 at approximately 1525 hours, Detective Allen and I left								
21 Sheriff's Office Headquarters.								
22								
23 On 09-04-13 at approximately 1550 hours, Detective Allen and I arrived								
24 at the intersection of West Ahwanee Avenue and Mathilda Avenue in								
25 Sunnyvale, which is south of Highway 101. This location was in front								
26 of the Hobee's Restaurant. We met with Sunnyvale Officer Meinhardt								
27 and Sunnyvale Lieutenant Kim, who gave us a brief description of the								
28 incident.								
29								
30 On 09-04-13 at approximately 1610 hours, Detective Allen and I began								
OFFICER'S NAME Mah	ID NUMBER 2055	DATE 09/05/13 732	SHIFT/DAYS OFF DET FSS	SUPERVISORS REVIEW Urena, Ricardo	ID NUMBER 1815	DATE 09/05/13 1107	PAGE 2	OF 3

LOCATION OF ORIGINAL EVENT (IF KNOWN)  
**W Ahwanee Avenue @ Mathilda Avenue / Sunnyvale / 94085 / Hobee's Restaurant**

VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))

1 scanning the scene with the Leica Geosystems C10 3D laser scanner.  
2 During the scans, Detective Allen and I introduced the twin target  
3 pole (Serial number 157) as a known measurement reference standard.  
4 The twin target pole is certified by the US Department of Commerce -  
5 National Institute of Standards and Technology (NIST) as having a  
6 measured distance of 1.70015m with an expanded uncertainty of 0.12mm  
7 between the lower and upper target centers. Reference NIST Test  
8 Number 683/282592-12 and LEICA Geosystems PN 838055 SN 157.  
9  
10 On 09-04-13 at approximately 2045 hours, we completed our Leica  
11 Geosystems 3D laser scans of the scene with imagery which consisted  
12 of fifteen scanner moves.  
13  
14 On 09-04-13 at approximately 2115 hours, Detective Allen and I left  
15 the scene.  
16  
17 On 09-04-13 at approximately 2130 hours, Detective Allen and I arrived  
18 at Sheriff's Office Headquarters. I began the data transfer from the  
19 Leica Geosystems C10 3D laser scanner onto a formatted USB drive.  
20  
21 On 09-04-13 at approximately 2200 hours, I went off duty.  
22  
23 P.L.E.O.  
24  
25 Detective Mah #2055 Original Report  
26 Detective Allen #1865 Assist, Supplemental Report

REPORT TYPE <b>Informational [O] Officer Involved Shooting - Outside Service Agency Assist</b>	<input checked="" type="checkbox"/> <b>SUPPLEMENTAL</b>	<b>PROPERTY</b>	CASE NO. <b>13-247-0245I</b>	<input type="checkbox"/> <b>HEALTH HAZARD</b>
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SOURCE CODE: "F" = FINDER "O" = OWNER "S" = SUSPECT "V" = VICTIM

SOURCE LAST, FIRST, MIDDLE (FIRM, IF BUSINESS) RESIDENCE ADDRESS and PHONE; BUSINESS PHONE and ADDRESS

Office of the Sheriff Santa Clara County  55 West Younger Avenue San Jose CA 95110 (408) 808-4500
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PROPERTY CODES D = DISPOSAL REQUEST E = EVIDENCE F = FOUND K = SAFEKEEPING O = UNDER OBSERVATION	<input type="checkbox"/> SEARCH WARRANT <input type="checkbox"/> FINDER'S CLAIM <input type="checkbox"/> 5150 / 8102 W and I <input type="checkbox"/> DV/120285	LOCATION CODES L# = LOCKER NUMBER F = FREEZER R = REFRIGERATOR V = VICTIM
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ITEM#	CODE	SOURCE	QTY	PROPERTY TYPE	BRAND / MAKE	MODEL	<b>LOCATION</b>  <b>BAR CODE</b>  Bar code
1	E		1	VEHICLE	DODGE	RAM 1500	
SERIAL NUMBER		LOCATION COLLECTED			VALUE	LOC CODE	
		MATHILDA AVE. AND HIGHWAY 101			0		<input type="checkbox"/>
DESCRIPTION <b>DODGE RAM 1500 WHITE PICKUP TRUCK</b>							

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FOLLOW UP OFFICER:	PIN#:	FOLLOW UP OFFICER'S SPECIAL INSTRUCTIONS:
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RELEASE TO:	<input type="checkbox"/> PERSON NAMED ABOVE      NAME      ADDRESS      CITY	<input type="checkbox"/> FOLLOWING NAMED PERSON
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WHO HAS BEEN NOTIFIED ON THE FOLLOING DAT	BY OFFICER	TO PICK UP THE FOLLOWING ITEM	AUTHORITY FOR RELEASE	CASE STATUS
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STAFF OFFICER'S APPROVAL	APPROVAL DATE	RELEASED BY	DATE/TIME RELEASED
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I ACKNOWLEDGE RECEIPT OF THE ABOVE SPECIFIED ITEMS	NAME	ADDRESS	CITY	DATE
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<input type="checkbox"/> DESTROY THE FOLLOWING ITEM(S)#	AUTHORITY FOR DESTRUCTION	WITNESSED BY	AND
---	---------------------------	--------------	-----

<input type="checkbox"/> AUCTION THE FOLLOWING ITEM(S)#	AUTHORITY FOR AUCTION	CASE STATUS
---	-----------------------	-------------

<input type="checkbox"/> RELEASE TO:	NAME	ADDRESS	CITY
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OFFICER'S NAME	ID NUMBER	DATE	SHIFT/DAYS OFF	SUPERVISORS REVIEW	ID NUMBER	DATE	PAGE	OF
Miller, Robert	7192	09/17/13 754	SS	Rodriguez, Daniel	1659	09/18/13 1646	1	1

REPORT TYPE Informational [O] Officer Involved Shooting - Outside Service Agency Assist	<input checked="" type="checkbox"/> SUPPLEMENTAL	Office of the Sheriff Santa Clara County NARRATIVE FORM	CASE NO. <b>13-247-02451</b>					
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28 the incident based on the known facts at that time.								
29								
30 On 09-04-13 at approximately 1610 hours, Detective Mah and I began								
OFFICER'S NAME Allen, Steven	ID NUMBER 1865	DATE 09/13/13 1523	SHIFT/DAYS OFF II SSM	SUPERVISORS REVIEW Rodriguez, Daniel	ID NUMBER 1659	DATE 09/18/13 1646	PAGE 1	OF 3

REPORT TYPE Informational [O] Officer Involved Service Agency Assist	<input checked="" type="checkbox"/> SUPPLEMENTAL Shooting - Outside	Office of the Sheriff Santa Clara County NARRATIVE FORM	CASE NO. <b>13-247-02451</b>					
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18 at Sheriff's Office Headquarters. I began the data transfer from the								
19 Leica Geosystems C10 3D laser scanner onto a formatted USB drive.								
20								
21 On 09-04-13 at approximately 2200 hours, I went off duty.								
22								
23 CONTINUED:								
24 On 09-05-13, at approximately 1200 hours, I began the registration								
25 process of combining the scan data recovered by the Leica C10 Laser								
26 Scanner. I compiled all of the data onto a DVD and forwarded the disc								
27 to Sunnyvale Police Detective Phebea Klein for further review.								
28								
29 P.L.E.O.								
30								
OFFICER'S NAME Allen, Steven	ID NUMBER 1865	DATE 09/13/13 1523	SHIFT/DAYS OFF II SSM	SUPERVISORS REVIEW Rodriguez, Daniel	ID NUMBER 1659	DATE 09/18/13 1646	PAGE 2	OF 3

REPORT TYPE  
 SUPPLEMENTAL  
Informational [O] Officer Involved Shooting - Outside  
Service Agency Assist

Office of the Sheriff  
Santa Clara County  
NARRATIVE FORM

CASE NO. **13-247-02451**

LOCATION OF ORIGINAL EVENT (IF KNOWN)  
**W Ahwanee Avenue @ Mathilda Avenue / Sunnyvale / 94085 / Hobee's Restaurant**

VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))

1 **Detective Mah #2055 Original Report**

2 **Detective Allen #1865 Assist, Supplemental Report**

OFFICER'S NAME	ID NUMBER	DATE	SHIFT/DAYS OFF	SUPERVISORS REVIEW	ID NUMBER	DATE	PAGE	OF
<b>Allen, Steven</b>	<b>1865</b>	<b>09/13/13 1523</b>	<b>II SSM</b>	<b>Rodriguez, Daniel</b>	<b>1659</b>	<b>09/18/13 1646</b>	<b>3</b>	<b>3</b>