

Office of the Sheriff, Santa Clara County

55 W. Younger Avenue, San Jose, CA 95110

- INJURY
- BOOKING
- CITE RELEASE

CASE NO.

**17-320-0423J**

BEAT **J1**

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

**INCIDENT REPORT**

REPORT TYPE **69(a) PC [F] Violently Resist an Executive Officer <-> 243(b) PC [M] Battery on a Peace Officer**

| OCURRED    | DATE     | TIME  | DAY |
|------------|----------|-------|-----|
| ON OR FROM | 11/17/17 | 21:04 | Fri |
| TO         |          |       |     |
| REPORTED   | 11/17/17 | 21:04 | Fri |

LOCATION OF INCIDENT **150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3**

**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**

**Vorpahl #10888**

INTERPRETER NEEDED:  SPANISH  VIETNAMESE  
 OTHER

**RECORDS ROUTING**

VICTIM ADVISED:  SEXUAL ASSAULT  VICWIT ASSIST.  DOMESTIC VIOLENCE

**ABC**

ADDRESS CITY/STATE ZIP PHONE DL NUMBER STATE

**Main Jail**

**Acctng**

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

**150 W. Hedding Street San Jose/CA 95110 (408) 808-4500**

**CCAP/CIVU**

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

**CLERY**

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

**V02**

INTERPRETER NEEDED:  SPANISH  VIETNAMESE  
 OTHER

**DET. DIV.**

VICTIM ADVISED:  SEXUAL ASSAULT  VICWIT ASSIST.  DOMESTIC VIOLENCE

**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

**JCR**

**PROPERTY (NOT FOR EVIDENCE) / COMPLETE SYNOPSIS OF INCIDENT**

| ITEM# | QTY | BRAND | MODEL | DESCRIPTION OF PROPERTY | SERIAL NO. | VALUE  |
|-------|-----|-------|-------|-------------------------|------------|--------|
| 1     | 0   |       |       |                         |            | \$0.00 |

**DOMESTIC VIOLENCE**

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

**HATE**

Synopsis: **On the above date and time, S01 attacked a uniformed Correctional Deputy(V01) with multiple punches, as he conducted a welfare check of Module 4B, Pod 3, at Main Jail North. S01 was then restrained and secured by V01 and assisting Correctional Deputies. V01 sustained swelling and redness to the back of his head as result of S01's punches. S01 remains in-custody.**

**ELDER**

**CHILD**

**X**

**Where Occurred**

**Property Attacked**

**Method of Entry**

**Suspect Actions**

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

MO Continued in Narrative

**EVIDENCE**

OTHER MO INFORMATION

**DIAGRAM**

ASSOCIATED CASE NUMBERS: OTHER ROUTING:

**CCTV**

OFFICER'S NAME ID NUMBER DATE SHIFT/DAYS OFF SUPERVISORS REVIEW ID NUMBER DATE PAGE OF

**Barrera, Edwar 2002 11/18/17 025 D SMT Quinonez, Julian 1644 11/27/17 1207 1 11**

|   |   |  |   |   |  |   |  |   |   |  |   |
|---|---|--|---|---|--|---|--|---|---|--|---|
| REPORT TYPE <input type="checkbox"/> SUPPLEMENTAL<br><b>69(a) PC [F] Violently Resist an Executive Officer &lt;-&gt;</b><br><b>243(b) PC [M] Battery on a Peace Officer</b>   |   | Office of the Sheriff<br>Santa Clara County<br><b>SUSPECT PAGE</b>   |   | CASE NO. <b>17-320-0423J</b>  |  |   |  |   |   |  |   |
| <input type="checkbox"/> BOOKED <input type="checkbox"/> CITED <input type="checkbox"/> 849(B) PC <input checked="" type="checkbox"/> COMPLAINT REVIEW <input type="checkbox"/> INFO ONLY <input type="checkbox"/> AT LARGE <input type="checkbox"/> VMC <input type="checkbox"/> SEE JCR   |   |  |   |   |  |   |  |   |   |  |   |
| <b>S# 01</b> LAST, FIRST, MIDDLE (FIRM, IF BUSINESS)<br><b>Simmons Patrick Leo</b>  |   | RACE<br><b>Black</b>   | M <input checked="" type="checkbox"/> F <input type="checkbox"/>  | DOB   | AGE    HT    WT    HAIR    EYES  |   |  |   |   |  |   |
| AKA/MONIKER   |   | RELATIONSHIP TO VICTIM   |   | INTERPRETER NEEDED: <input type="checkbox"/> SPANISH <input type="checkbox"/> VIETNAMESE<br><input type="checkbox"/> OTHER  |  |   |  |   |   |  |   |
| ADDRESS   |   | CITY/STATE   |   | ZIP   | PHONE    PFN   |   |  |   |   |  |   |
| BUSINESS NAME/SCHOOL NAME AND ADDRESS<br><b>Unknown</b>   |   | CITY/STATE   |   | ZIP   | PHONE    PHOTO ID#   |   |  |   |   |  |   |
| DL NUMBER   | STATE   | SSN  | CITE#   |   | CEN  |   |  |   |   |  |   |
| CLOTHING<br><b>Jail Attire</b>  |   |  |   |   | UNIQUE IDENTIFIERS (CII#)  |   |  |   |   |  |   |
| <table border="0" style="width:100%;"> <tr> <td style="width:15%;"> <b>HAIR STYLE</b><br/> <input checked="" type="checkbox"/> AFRO<br/> <input type="checkbox"/> BALD/SHAVED<br/> <input type="checkbox"/> BRAIDED<br/> <input type="checkbox"/> COLLAR<br/> <input type="checkbox"/> CREW CUT<br/> <input type="checkbox"/> LONG<br/> <input type="checkbox"/> PONY TAIL<br/> <input type="checkbox"/> PUNK<br/> <input type="checkbox"/> SHORT<br/> <input type="checkbox"/> GLASSES<br/> <input type="checkbox"/> GLASSES<br/> <input type="checkbox"/> SUNGLASSES         </td> <td style="width:15%;"> <b>HAIR TYPE</b><br/> <input type="checkbox"/> RECEDING<br/> <input type="checkbox"/> STRAIGHT<br/> <input checked="" type="checkbox"/> WAVY/CURLY<br/> <input type="checkbox"/> WIG/TOUPEE<br/> <br/> <input type="checkbox"/> ACCENT<br/> <input type="checkbox"/> LISP<br/> <input type="checkbox"/> STUTTER<br/> <br/> <input type="checkbox"/> HANDED<br/> <input type="checkbox"/> LEFT<br/> <input type="checkbox"/> RIGHT         </td> <td style="width:15%;"> <b>FACIAL HAIR</b><br/> <input checked="" type="checkbox"/> BEARD<br/> <input type="checkbox"/> CLEAN SHAVEN<br/> <input type="checkbox"/> FU MAN<br/> <input type="checkbox"/> GOATEE<br/> <input type="checkbox"/> LOWER LIP<br/> <input type="checkbox"/> MUSTACHE<br/> <input type="checkbox"/> SIDE BURNS<br/> <input type="checkbox"/> UNSHAVEN<br/> <input type="checkbox"/> CLOTHING<br/> <input type="checkbox"/> CAP/HAT<br/> <input type="checkbox"/> GLOVES<br/> <input type="checkbox"/> MASK         </td> <td style="width:15%;"> <b>BUILD</b><br/> <input checked="" type="checkbox"/> HEAVY<br/> <input type="checkbox"/> MEDIUM<br/> <input type="checkbox"/> MUSCULAR<br/> <input type="checkbox"/> POT BELLY<br/> <input type="checkbox"/> SMALL<br/> <input type="checkbox"/> THIN<br/> <br/> <input type="checkbox"/> TEETH<br/> <input type="checkbox"/> GOLD<br/> <input type="checkbox"/> MISSING<br/> <input type="checkbox"/> ROTTEN<br/> <input type="checkbox"/> SILVER         </td> <td style="width:15%;"> <b>COMPLEXION</b><br/> <input type="checkbox"/> ACNE/POCKED<br/> <input checked="" type="checkbox"/> DARK<br/> <input type="checkbox"/> FRECKLED<br/> <input type="checkbox"/> LIGHT<br/> <input type="checkbox"/> MEDIUM<br/> <br/> <b>APPEARANCE</b><br/> <input type="checkbox"/> BODY ODOR<br/> <input type="checkbox"/> DISGUISE<br/> <input type="checkbox"/> UNKEMPT/DIRTY<br/> <input type="checkbox"/> WELL GROOMED<br/> <input type="checkbox"/> ADD'L, SEE NARRATIVE         </td> <td style="width:15%;"> <b>WEAPONS</b><br/> <input type="checkbox"/> CUTTING INST.<br/> <input checked="" type="checkbox"/> HANDS / FEET<br/> <input type="checkbox"/> REVOLVER<br/> <input type="checkbox"/> RIFLE<br/> <input type="checkbox"/> SEMI-AUTO<br/> <input type="checkbox"/> SHOTGUN<br/> <input type="checkbox"/> SIMULATED<br/> <input type="checkbox"/> UNKNOWN<br/> <input type="checkbox"/> OTHER:         </td> </tr> </table> |   |  |   |   | 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| <b>HAIR STYLE</b><br><input checked="" type="checkbox"/> AFRO<br><input type="checkbox"/> BALD/SHAVED<br><input type="checkbox"/> BRAIDED<br><input type="checkbox"/> COLLAR<br><input type="checkbox"/> CREW CUT<br><input type="checkbox"/> LONG<br><input type="checkbox"/> PONY TAIL<br><input type="checkbox"/> PUNK<br><input type="checkbox"/> SHORT<br><input type="checkbox"/> GLASSES<br><input type="checkbox"/> GLASSES<br><input type="checkbox"/> SUNGLASSES  | <b>HAIR TYPE</b><br><input type="checkbox"/> RECEDING<br><input type="checkbox"/> STRAIGHT<br><input checked="" type="checkbox"/> WAVY/CURLY<br><input type="checkbox"/> WIG/TOUPEE<br><br><input type="checkbox"/> ACCENT<br><input type="checkbox"/> LISP<br><input type="checkbox"/> STUTTER<br><br><input type="checkbox"/> HANDED<br><input type="checkbox"/> LEFT<br><input type="checkbox"/> RIGHT | <b>FACIAL HAIR</b><br><input checked="" type="checkbox"/> BEARD<br><input type="checkbox"/> CLEAN SHAVEN<br><input type="checkbox"/> FU MAN<br><input type="checkbox"/> GOATEE<br><input type="checkbox"/> LOWER LIP<br><input type="checkbox"/> MUSTACHE<br><input type="checkbox"/> SIDE BURNS<br><input type="checkbox"/> UNSHAVEN<br><input type="checkbox"/> CLOTHING<br><input type="checkbox"/> CAP/HAT<br><input type="checkbox"/> GLOVES<br><input type="checkbox"/> MASK | <b>BUILD</b><br><input checked="" type="checkbox"/> HEAVY<br><input type="checkbox"/> MEDIUM<br><input type="checkbox"/> MUSCULAR<br><input type="checkbox"/> POT BELLY<br><input type="checkbox"/> SMALL<br><input type="checkbox"/> THIN<br><br><input type="checkbox"/> TEETH<br><input type="checkbox"/> GOLD<br><input type="checkbox"/> MISSING<br><input type="checkbox"/> ROTTEN<br><input type="checkbox"/> SILVER | <b>COMPLEXION</b><br><input type="checkbox"/> ACNE/POCKED<br><input checked="" type="checkbox"/> DARK<br><input type="checkbox"/> FRECKLED<br><input type="checkbox"/> LIGHT<br><input type="checkbox"/> MEDIUM<br><br><b>APPEARANCE</b><br><input type="checkbox"/> BODY ODOR<br><input type="checkbox"/> DISGUISE<br><input type="checkbox"/> UNKEMPT/DIRTY<br><input type="checkbox"/> WELL GROOMED<br><input type="checkbox"/> ADD'L, SEE NARRATIVE | <b>WEAPONS</b><br><input type="checkbox"/> CUTTING INST.<br><input checked="" type="checkbox"/> HANDS / FEET<br><input type="checkbox"/> REVOLVER<br><input type="checkbox"/> RIFLE<br><input type="checkbox"/> SEMI-AUTO<br><input type="checkbox"/> SHOTGUN<br><input type="checkbox"/> SIMULATED<br><input type="checkbox"/> UNKNOWN<br><input type="checkbox"/> OTHER:   |   |  |   |   |  |   |
| <b>UNDER THE INFLUENCE</b><br><input type="checkbox"/> Alcohol<br><input type="checkbox"/> Stimulant (Cocaine, Methamphetamines, etc)<br><input type="checkbox"/> Depressant (Heroin, etc.)<br><input type="checkbox"/> Other:  |   |  |   |   | Student: <input type="checkbox"/>  |   |  |   |   |  |   |

|  |                          |                             |                                |   |                          |                              |                  |                 |
|--|--------------------------|-----------------------------|--------------------------------|---|--------------------------|------------------------------|------------------|-----------------|
| OFFICER'S NAME<br><b>Barrera, Edward</b> | ID NUMBER<br><b>2002</b> | DATE<br><b>11/18/17 025</b> | SHIFT/DAYS OFF<br><b>D SMT</b> | SUPERVISORS REVIEW<br><b>Quinonez, Julian</b> | ID NUMBER<br><b>1644</b> | DATE<br><b>11/27/17 1207</b> | PAGE<br><b>2</b> | OF<br><b>11</b> |
|--|--------------------------|-----------------------------|--------------------------------|---|--------------------------|------------------------------|------------------|-----------------|

|  |  |
|--|--|
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br><b>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3</b> | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br><b>Vorpahl #10888</b> |
|--|--|

1 **ATTACHMENTS:**

2

3 **1 Inmate Housing List for Pod 4B3**

4

5 **2 CDs containing video footage, photos, and body worn camera footage**

6

7

8

9

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23

24 **INVESTIGATION:**

25

26 **On 11/16/2017, I was working as a Jail Detective assigned to the Santa**

27 **Clara County Sheriff's Office Investigations Division. At**

28 **approximately 2109 hours, I was notified by Sergeant Morales that an**

29 **inmate, later identified as Patrick Simmons (Suspect 01), attacked**

30 **Correctional Staff at Main Jail North, Module 4B, and Pod 3.**

|   |  |   |  |                                |   |                          |                              |                  |                 |
|---|--|---|--|--------------------------------|---|--------------------------|------------------------------|------------------|-----------------|
| REPORT TYPE <input type="checkbox"/> SUPPLEMENTAL<br><b>69(a) PC [F] Violently Resist an Executive Officer &lt;-&gt;</b><br><b>243(b) PC [M] Battery on a Peace Officer</b> |  | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM |  | CASE NO. <b>17-320-0423J</b>   |   |                          |                              |                  |                 |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br><b>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3</b>  |  |   | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br><b>Vorpahl #10888</b> |                                |   |                          |                              |                  |                 |
| 1   |  |   |  |                                |   |                          |                              |                  |                 |
| 2 At approximately 2125 hours, I arrived on scene. Upon arrival,  |  |   |  |                                |   |                          |                              |                  |                 |
| 3 Sergeant Morales was already on scene. Sergeant Morales stated that   |  |   |  |                                |   |                          |                              |                  |                 |
| 4 while Correctional Deputy Vorpahl (Victim 01) was conducting a  |  |   |  |                                |   |                          |                              |                  |                 |
| 5 welfare check of Pod 4B3 he was attacked by Inmate S01 Simmons.   |  |   |  |                                |   |                          |                              |                  |                 |
| 6 Sergeant Morales stated Vorpahl was currently on the 1st Floor of   |  |   |  |                                |   |                          |                              |                  |                 |
| 7 Main Jail North, pending his decision to go to the hospital for   |  |   |  |                                |   |                          |                              |                  |                 |
| 8 medical attention. S01 Simmons was on the 2nd Floor of Main Jail  |  |   |  |                                |   |                          |                              |                  |                 |
| 9 North, Holding Cell #4, and awaiting transportation to the  |  |   |  |                                |   |                          |                              |                  |                 |
| 10 hospital.  |  |   |  |                                |   |                          |                              |                  |                 |
| 11  |  |   |  |                                |   |                          |                              |                  |                 |
| 12 I reviewed and retrieved the video footage (Item #1) from the video  |  |   |  |                                |   |                          |                              |                  |                 |
| 13 surveillance system in Module 4B. The following is a summary of the  |  |   |  |                                |   |                          |                              |                  |                 |
| 14 video footage.   |  |   |  |                                |   |                          |                              |                  |                 |
| 15  |  |   |  |                                |   |                          |                              |                  |                 |
| 16 VIDEO SUMMARY:   |  |   |  |                                |   |                          |                              |                  |                 |
| 17  |  |   |  |                                |   |                          |                              |                  |                 |
| 18 (Time marked 2109 hours)   |  |   |  |                                |   |                          |                              |                  |                 |
| 19  |  |   |  |                                |   |                          |                              |                  |                 |
| 20 Correctional Deputy Vorpahl was on the bottom tier of Pod 4B3  |  |   |  |                                |   |                          |                              |                  |                 |
| 21 conducting a welfare check of each cell. S01 Simmons sat in the  |  |   |  |                                |   |                          |                              |                  |                 |
| 22 chair at the east end of the Pod and appeared to be watching   |  |   |  |                                |   |                          |                              |                  |                 |
| 23 television. Correctional Deputy Dundic was standing adjacent to the  |  |   |  |                                |   |                          |                              |                  |                 |
| 24 Module 4B Officer's desk. S01 Simmons suddenly stood up and charged  |  |   |  |                                |   |                          |                              |                  |                 |
| 25 toward Correctional Deputy Vorpahl. S01 Simmons attacked   |  |   |  |                                |   |                          |                              |                  |                 |
| 26 Correctional Deputy Vorpahl with approximately nine punches.   |  |   |  |                                |   |                          |                              |                  |                 |
| 27  |  |   |  |                                |   |                          |                              |                  |                 |
| 28 Correctional Deputy Vorpahl momentarily retreated backward and   |  |   |  |                                |   |                          |                              |                  |                 |
| 29 Correctional Deputy Dundic responded to assist. S01 Simmons turned   |  |   |  |                                |   |                          |                              |                  |                 |
| 30 away from Correctional Deputy Vorpahl. Correctional Deputy Vorpahl   |  |   |  |                                |   |                          |                              |                  |                 |
| OFFICER'S NAME<br><b>Barrera, Edward</b>  |  | ID NUMBER<br><b>2002</b>                                      | DATE<br><b>11/18/17 025</b>  | SHIFT/DAYS OFF<br><b>D SMT</b> | SUPERVISORS REVIEW<br><b>Quinonez, Julian</b> | ID NUMBER<br><b>1644</b> | DATE<br><b>11/27/17 1207</b> | PAGE<br><b>4</b> | OF<br><b>11</b> |

|   |  |   |  |                                |   |                          |                              |                  |                 |
|---|--|---|--|--------------------------------|---|--------------------------|------------------------------|------------------|-----------------|
| REPORT TYPE <input type="checkbox"/> SUPPLEMENTAL<br><b>69(a) PC [F] Violently Resist an Executive Officer &lt;&gt;</b><br><b>243(b) PC [M] Battery on a Peace Officer</b>  |  | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM |  | CASE NO. <b>17-320-0423J</b>   |   |                          |                              |                  |                 |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br><b>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3</b>  |  |   | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br><b>Vorpahl #10888</b> |                                |   |                          |                              |                  |                 |
| 1 pursued and S01 Simmons went down to the ground. Correctional Deputy<br>2 Vorphal struck S01 Simmons once in the head with his right arm,<br>3 straddled and held him to the ground. S01 Simmons continued to move<br>4 arms/legs and contorted his body. Correctional Deputies Dundic,<br>5 Simms, Dundic arrived and assisted in restraining S01 Simmons.<br>6<br>7 (Refer to CD containing video footage for further details)<br>8<br>9 INVESTIGATION CONTINUED:<br>10<br>11 (Refer to Correctional Deputies Dundic¿s, Simms¿, and Dee¿s<br>12 Supplemental Reports for further details regarding this incident)<br>13<br>14 Using a department issued digital camera, I took multiple photos (Item<br>15 #1) of the interior and exterior of Pod 4B3, including the area where<br>16 incident occurred.<br>17<br>18 I contacted Correctional Deputy Vorpahl inside of the 1st Floor<br>19 Sergeant¿s Office of Main Jail North. Deputy Vorpahl stated that as<br>20 he conducted a welfare check of the Pod 3, he was suddenly attacked<br>21 by S01 Simmons.<br>22<br>23 (Refer to Correctional Deputy Vorpahl¿s Supplemental Report for<br>24 further details)<br>25<br>26 INJURIES TO VICTIM 01 VORPAHL:<br>27<br>28 Correctional Deputy sustained redness and swelling to the lower left<br>29 back side of his head. Correctional Deputy Vorpahl also complained<br>30 of pain to his left knee. |  |   |  |                                |   |                          |                              |                  |                 |
| OFFICER'S NAME<br><b>Barrera, Edward</b>  |  | ID NUMBER<br><b>2002</b>                                      | DATE<br><b>11/18/17 025</b>  | SHIFT/DAYS OFF<br><b>D SMT</b> | SUPERVISORS REVIEW<br><b>Quinonez, Julian</b> | ID NUMBER<br><b>1644</b> | DATE<br><b>11/27/17 1207</b> | PAGE<br><b>5</b> | OF<br><b>11</b> |

|  |  |   |  |                                |   |                          |                              |                  |                 |
|--|--|---|--|--------------------------------|---|--------------------------|------------------------------|------------------|-----------------|
| REPORT TYPE <input type="checkbox"/> SUPPLEMENTAL<br><b>69(a) PC [F] Violently Resist an Executive Officer &lt;&gt;</b><br><b>243(b) PC [M] Battery on a Peace Officer</b> |  | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM |  | CASE NO. <b>17-320-0423J</b>   |   |                          |                              |                  |                 |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br><b>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3</b>   |  |   | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br><b>Vorpahl #10888</b> |                                |   |                          |                              |                  |                 |
| 1  |  |   |  |                                |   |                          |                              |                  |                 |
| 2 Using a department issued digital camera, I took multiple photos (Item   |  |   |  |                                |   |                          |                              |                  |                 |
| 3 #1) of Correctional Deputy Vorpahl's person and his injuries.  |  |   |  |                                |   |                          |                              |                  |                 |
| 4  |  |   |  |                                |   |                          |                              |                  |                 |
| 5 INVESTIGATION CONTINUED:   |  |   |  |                                |   |                          |                              |                  |                 |
| 6  |  |   |  |                                |   |                          |                              |                  |                 |
| 7 At approximately 2143 hours, with my body camera activated, I  |  |   |  |                                |   |                          |                              |                  |                 |
| 8 contacted Simmons on the 2nd Floor, Holding Cell #4 of Main Jail   |  |   |  |                                |   |                          |                              |                  |                 |
| 9 North. From outside of the holding cell, I asked S01 Simmons if he   |  |   |  |                                |   |                          |                              |                  |                 |
| 10 wanted to speak with me. S01 Simmons screamed in pain and stated his  |  |   |  |                                |   |                          |                              |                  |                 |
| 11 arm was broken. S01 Simmons requested that I speak with him at a  |  |   |  |                                |   |                          |                              |                  |                 |
| 12 later time.   |  |   |  |                                |   |                          |                              |                  |                 |
| 13   |  |   |  |                                |   |                          |                              |                  |                 |
| 14 At approximately 2203 hours, with my body camera activated,   |  |   |  |                                |   |                          |                              |                  |                 |
| 15 Correctional Deputy Richardson, Correctional Deputy Cortes and I  |  |   |  |                                |   |                          |                              |                  |                 |
| 16 contacted S01 Simmons a second time inside of Holding Cell #4 of Main   |  |   |  |                                |   |                          |                              |                  |                 |
| 17 Jail North for the purpose of taking photos.  |  |   |  |                                |   |                          |                              |                  |                 |
| 18   |  |   |  |                                |   |                          |                              |                  |                 |
| 19 INJURIES TO SUSPECT 01 SIMMONS:   |  |   |  |                                |   |                          |                              |                  |                 |
| 20   |  |   |  |                                |   |                          |                              |                  |                 |
| 21 S01 Simmons complained that his right arm was broken and that his jaw   |  |   |  |                                |   |                          |                              |                  |                 |
| 22 hurt. I observed a fresh minor abrasion to the inside of S01  |  |   |  |                                |   |                          |                              |                  |                 |
| 23 Simmons's lower lip. The Jail Nurse advised that S01 Simmons was to   |  |   |  |                                |   |                          |                              |                  |                 |
| 24 be transported to Valley Medical Center for further medical   |  |   |  |                                |   |                          |                              |                  |                 |
| 25 attention.  |  |   |  |                                |   |                          |                              |                  |                 |
| 26   |  |   |  |                                |   |                          |                              |                  |                 |
| 27 Using a department issued digital camera, I took multiple photos (Item  |  |   |  |                                |   |                          |                              |                  |                 |
| 28 #1) of S01 Simmons's person and his injuries.   |  |   |  |                                |   |                          |                              |                  |                 |
| 29   |  |   |  |                                |   |                          |                              |                  |                 |
| 30 INVESTIGATION CONTINUED:  |  |   |  |                                |   |                          |                              |                  |                 |
|  |  |   |  |                                |   |                          |                              |                  |                 |
| OFFICER'S NAME<br><b>Barrera, Edward</b>   |  | ID NUMBER<br><b>2002</b>                                      | DATE<br><b>11/18/17 025</b>  | SHIFT/DAYS OFF<br><b>D SMT</b> | SUPERVISORS REVIEW<br><b>Quinonez, Julian</b> | ID NUMBER<br><b>1644</b> | DATE<br><b>11/27/17 1207</b> | PAGE<br><b>6</b> | OF<br><b>11</b> |

|  |                                       |   |                                 |
|--|---------------------------------------|---|---------------------------------|
| REPORT TYPE<br>69(a) PC [F] Violently Resist an Executive Officer <><br>243(b) PC [M] Battery on a Peace Officer | <input type="checkbox"/> SUPPLEMENTAL | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM | CASE NO.<br><b>17-320-0423J</b> |
|--|---------------------------------------|---|---------------------------------|

|   |   |
|---|---|
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3 | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br>Vorpahl #10888 |
|---|---|

1

2 Once I completed the photos, S01 Simmons stated, ¿Alright man, I won't

3 press charges man, I won't, he didn't have to break it, but ain't

4 going to press charges man, he was putting my hand behind my back

5 after, after the fight and everything and he broke it.¿

6

7 I again told S01 Simmons that I would contact him once he returned

8 from the hospital. S01 Simmons spontaneously stated, ¿I punched him,

9 I assaulted the officer.¿ S01 Simmons also spontaneously stated, ¿I

10 am tired of hearing the voices.¿

11

12 Correctional Deputy Cortes and Richardson escorted S01 Simmons to

13 Valley Medical Center (VMC) for additional medical attention. At

14 approximately 2245 hours, I was notified by Main Jail Control that

15 per VMC medical personell S01 Simmons¿ sustained a broken arm.

16

17 On 11/17/2017, at approximately 2107 hours, with our body cameras

18 activated, Sergeant Perez and I contacted S01 Simmons inside of

19 Interview Room #1 on the 8th Floor of Main Jail North. I obtained

20 the following summarized statement.

21

22 **STATEMENT OF SUSPECT 01 SIMMONS:**

23

24 S01 Simmons verbally identified himself and provided his PFN

25 I read S01 Simmons his Miranda waiver from my department issued

26 Miranda Card. S01 Simmons stated he understood each of his rights by

27 saying, ¿Yes.¿ With his rights in mind, S01 Simmons wanted to

28 provide a statement.

29

30 When S01 Simmons was first brought to jail, he was placed in

|                                   |                   |                      |                         |  |                   |                       |           |          |
|-----------------------------------|-------------------|----------------------|-------------------------|--|-------------------|-----------------------|-----------|----------|
| OFFICER'S NAME<br>Barrera, Edward | ID NUMBER<br>2002 | DATE<br>11/18/17 025 | SHIFT/DAYS OFF<br>D SMT | SUPERVISORS REVIEW<br>Quinonez, Julian | ID NUMBER<br>1644 | DATE<br>11/27/17 1207 | PAGE<br>7 | OF<br>11 |
|-----------------------------------|-------------------|----------------------|-------------------------|--|-------------------|-----------------------|-----------|----------|

|  |           |   |  |                              |           |               |      |    |
|--|-----------|---|--|------------------------------|-----------|---------------|------|----|
| REPORT TYPE <input type="checkbox"/> SUPPLEMENTAL<br><b>69(a) PC [F] Violently Resist an Executive Officer &lt;-</b><br><b>243(b) PC [M] Battery on a Peace Officer</b>  |           | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM |  | CASE NO. <b>17-320-0423J</b> |           |               |      |    |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br><b>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3</b>   |           |   | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br><b>Vorpahl #10888</b> |                              |           |               |      |    |
| <p>1 protective custody because his matter was on the news. Since being</p> <p>2 in protective custody, the ¿PC gang members¿ have been acting strange</p> <p>3 by controlling S01 Simmons. Inmates named, ¿Saul¿ and ¿Eduardo</p> <p>4 Gonzalez¿ were giving S01 Simmons¿ orders to punch a cop. S01</p> <p>5 Simmons heard Eduardo Gonzalez¿ voice in his head every day.</p> <p>6</p> <p>7 On 11/16/2017, at approximately 2100 hours, during S01 Simmons¿</p> <p>8 program time an officer came into the Pod. S01 Simmons punched the</p> <p>9 officer approximately 4 or 5 times using both his arms. S01 Simmons</p> <p>10 stated his punches made contact with the officer. S01 Simmons</p> <p>11 believed he knocked the officer onto the ground. S01 Simmons</p> <p>12 described the officer as Caucasian, bald, stocky, and that his name</p> <p>13 started with a ¿V.¿ As S01 Simmons punched the officer, another</p> <p>14 officer entered the pod telling him to get on the ground. S01</p> <p>15 Simmons complied and got onto the ground.</p> <p>16</p> <p>17 S01 Simmons told the officer, ¿I am sorry.¿ The officer replied by</p> <p>18 saying ¿Sorry, for what?¿ The officer proceeded to lift S01 Simmons¿</p> <p>19 arm until he heard a snap. S01 Simmons stated that the officer did</p> <p>20 not have to break his arm, even though he was upset.</p> <p>21</p> <p>22 S01 Simmons believed once on the ground he placed his hands behind his</p> <p>23 back and no longer resisted. I informed S01 Simmons after reviewing</p> <p>24 the video his hands were not behind his back. S01 Simmons explained</p> <p>25 that when the officers told him put his hands behind his back he then</p> <p>26 complied. S01 Simmons¿ was convinced he did not resist once he was</p> <p>27 on the ground.</p> <p>28</p> <p>29 S01 Simmons was 6¿0 feet tall and 250lbs. S01 Simmons agreed that he</p> <p>30 was a big and strong person.</p> |           |   |  |                              |           |               |      |    |
| OFFICER'S NAME   | ID NUMBER | DATE  | SHIFT/DAYS OFF   | SUPERVISORS REVIEW           | ID NUMBER | DATE          | PAGE | OF |
| Barrera, Edward  | 2002      | 11/18/17 025  | D SMT  | Quinonez, Julian             | 1644      | 11/27/17 1207 | 8    | 11 |



|  |  |   |  |                                 |   |                          |                              |                  |                 |
|--|--|---|--|---------------------------------|---|--------------------------|------------------------------|------------------|-----------------|
| REPORT TYPE<br><input type="checkbox"/> SUPPLEMENTAL<br><b>69(a) PC [F] Violently Resist an Executive Officer &lt;-</b><br><b>243(b) PC [M] Battery on a Peace Officer</b> |  | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM |  | CASE NO.<br><b>17-320-0423J</b> |   |                          |                              |                  |                 |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br><b>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3</b>   |  |   | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br><b>Vorpahl #10888</b> |                                 |   |                          |                              |                  |                 |
| 1  |  |   |  |                                 |   |                          |                              |                  |                 |
| 2 S01 Simmons was apologetic for his actions and stated if they officer  |  |   |  |                                 |   |                          |                              |                  |                 |
| 3 he attacked was present he would personally apologize.   |  |   |  |                                 |   |                          |                              |                  |                 |
| 4  |  |   |  |                                 |   |                          |                              |                  |                 |
| 5 (Refer to CD containing body camera footage for S01;s recorded   |  |   |  |                                 |   |                          |                              |                  |                 |
| 6 statement)   |  |   |  |                                 |   |                          |                              |                  |                 |
| 7  |  |   |  |                                 |   |                          |                              |                  |                 |
| 8 INVESTIGATION CONTINUED:   |  |   |  |                                 |   |                          |                              |                  |                 |
| 9  |  |   |  |                                 |   |                          |                              |                  |                 |
| 10 On 11/18/2017, at approximately 0145 hours, I took follow-up photos   |  |   |  |                                 |   |                          |                              |                  |                 |
| 11 (Item #1) of Correctional Deputy Vorpahl. I observed slight redness   |  |   |  |                                 |   |                          |                              |                  |                 |
| 12 to the back of Correctional Deputy Vorpahl's head.  |  |   |  |                                 |   |                          |                              |                  |                 |
| 13   |  |   |  |                                 |   |                          |                              |                  |                 |
| 14 I believed S01 Simmons to be in violation of PC 69(a) Violently Resist  |  |   |  |                                 |   |                          |                              |                  |                 |
| 15 an Executive Officer and PC 243(b) Battery on a Peace officer. S01  |  |   |  |                                 |   |                          |                              |                  |                 |
| 16 Simmons remains in-custody.   |  |   |  |                                 |   |                          |                              |                  |                 |
| 17   |  |   |  |                                 |   |                          |                              |                  |                 |
| 18 Based upon S01 Simmons' size, strength, unpredictability, and violent   |  |   |  |                                 |   |                          |                              |                  |                 |
| 19 behavior involving staff and inmates, I believed reasonable force was   |  |   |  |                                 |   |                          |                              |                  |                 |
| 20 used to bring the situation under control.  |  |   |  |                                 |   |                          |                              |                  |                 |
| 21   |  |   |  |                                 |   |                          |                              |                  |                 |
| 22 This case will be submitted to the San Jose District Attorney;s Office  |  |   |  |                                 |   |                          |                              |                  |                 |
| 23 for review.   |  |   |  |                                 |   |                          |                              |                  |                 |
| 24   |  |   |  |                                 |   |                          |                              |                  |                 |
| 25 END OF REPORT   |  |   |  |                                 |   |                          |                              |                  |                 |
| 26   |  |   |  |                                 |   |                          |                              |                  |                 |
| 27 Detective Barrera #2002 (Original Report)   |  |   |  |                                 |   |                          |                              |                  |                 |
| 28 Correctional Deputy Vorpahl #10888 (Supplemental)   |  |   |  |                                 |   |                          |                              |                  |                 |
| 29 Correctional Deputy Dundic #10892 (Supplemental)  |  |   |  |                                 |   |                          |                              |                  |                 |
| 30 Correctional Deputy Simms #10953 (Supplemental)   |  |   |  |                                 |   |                          |                              |                  |                 |
| OFFICER'S NAME<br><b>Barrera, Edward</b>   |  | ID NUMBER<br><b>2002</b>                                      | DATE<br><b>11/18/17 025</b>  | SHIFT/DAYS OFF<br><b>D SMT</b>  | SUPERVISORS REVIEW<br><b>Quinonez, Julian</b> | ID NUMBER<br><b>1644</b> | DATE<br><b>11/27/17 1207</b> | PAGE<br><b>9</b> | OF<br><b>11</b> |

REPORT TYPE  SUPPLEMENTAL  
69(a) PC [F] Violently Resist an Executive Officer <->  
243(b) PC [M] Battery on a Peace Officer

Office of the Sheriff  
Santa Clara County  
NARRATIVE FORM

CASE NO. **17-320-0423J**

LOCATION OF ORIGINAL EVENT (IF KNOWN)  
150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3

VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))  
Vorpahl #10888

- 1 Correctional Deputy Dee #10556 (Supplemental)
- 2 Detective Sergeant Perez #1829 (Assist)
- 3 Correctional Deputy Cortes #10493 (Assist)
- 4 Correctional Deputy Richardson #10557 (Assist)
- 5 Correctional Deputy Morales #10452 (Assist)

|   |                                       |                 |                                 |  |
|---|---------------------------------------|-----------------|---------------------------------|--|
| REPORT TYPE<br><b>69(a) PC [F] Violently Resist an Executive Officer &lt;-&gt;</b><br><b>243(b) PC [M] Battery on a Peace Officer</b> | <input type="checkbox"/> SUPPLEMENTAL | <b>PROPERTY</b> | CASE NO.<br><b>17-320-0423J</b> | <input type="checkbox"/> HEALTH HAZARD |
|---|---------------------------------------|-----------------|---------------------------------|--|

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 | <b>Office of the Sheriff</b><br><b>Santa Clara County</b><br><br>55 West Younger Avenue<br>San Jose CA 95110<br>(408) 808-4500 |
|--|---|--|

|   |  |  |
|---|--|--|
| PROPERTY CODES<br>D = DISPOSAL REQUEST<br>E = EVIDENCE<br>F = FOUND<br>K = SAFEKEEPING<br>O = UNDER OBSERVATION | <input type="checkbox"/> SEARCH WARRANT <input type="checkbox"/> FINDER'S CLAIM<br><input type="checkbox"/> 5150 / 8102 W and I <input type="checkbox"/> DV/120285 | LOCATION CODES<br>L-# = LOCKER NUMBER<br>F = FREEZER<br>R = REFRIGERATOR<br>V = VICTIM |
|---|--|--|

| ITEM#  | CODE | SOURCE   | QTY | PROPERTY TYPE | BRAND / MAKE      | MODEL    | LOCATION                                     |
|--|------|--|-----|---------------|-------------------|----------|--|
| 1  | E    |  | 2   | CDs           |                   |          | BAR CODE                                     |
| SERIAL NUMBER  |      | LOCATION COLLECTED<br><b>Main Jail North/ 150 W Hedding Street<br/>San Jose, CA, 95110</b> |     |               | VALUE<br><b>0</b> | LOC CODE | PROCESS EVIDENCE<br><input type="checkbox"/> |
| DESCRIPTION <b>2 CDs containing photos, video footage, and body camera footage</b> |      |  |     |               |                   |          |  |

|                    |       |   |
|--------------------|-------|---|
| FOLLOW UP OFFICER: | PIN#: | FOLLOW UP OFFICER'S SPECIAL INSTRUCTIONS: |
|--------------------|-------|---|

|             |   |
|-------------|---|
| RELEASE TO: | <input type="checkbox"/> PERSON NAMED ABOVE      NAME      ADDRESS      CITY<br><input type="checkbox"/> FOLLOWING NAMED PERSON |
|-------------|---|

|  |            |                               |                       |             |
|--|------------|-------------------------------|-----------------------|-------------|
| WHO HAS BEEN NOTIFIED ON THE FOLLOWING DAT | BY OFFICER | TO PICK UP THE FOLLOWING ITEM | AUTHORITY FOR RELEASE | CASE STATUS |
|--|------------|-------------------------------|-----------------------|-------------|

|                          |               |             |                    |
|--------------------------|---------------|-------------|--------------------|
| STAFF OFFICER'S APPROVAL | APPROVAL DATE | RELEASED BY | DATE/TIME RELEASED |
|--------------------------|---------------|-------------|--------------------|

|  |      |         |      |      |
|--|------|---------|------|------|
| I ACKNOWLEDGE RECEIPT OF THE ABOVE SPECIFIED ITEMS | NAME | ADDRESS | CITY | DATE |
|--|------|---------|------|------|

|   |                           |              |
|---|---------------------------|--------------|
| <input type="checkbox"/> DESTROY THE FOLLOWING ITEM(S)# | AUTHORITY FOR DESTRUCTION | WITNESSED BY |
|---|---------------------------|--------------|

|   |                       |             |
|---|-----------------------|-------------|
| <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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|  |            |                               |                       |             |
|--|------------|-------------------------------|-----------------------|-------------|
| WHO HAS BEEN NOTIFIED ON THE FOLLOWING 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 |
|--------------------------|---------------|-------------|--------------------|

|  |      |         |      |      |
|--|------|---------|------|------|
| I ACKNOWLEDGE RECEIPT OF THE ABOVE SPECIFIED ITEMS | NAME | ADDRESS | CITY | DATE |
|--|------|---------|------|------|

|  |                          |                             |                                |   |                          |                              |                   |                 |
|--|--------------------------|-----------------------------|--------------------------------|---|--------------------------|------------------------------|-------------------|-----------------|
| OFFICER'S NAME<br><b>Barrera, Edward</b> | ID NUMBER<br><b>2002</b> | DATE<br><b>11/18/17 025</b> | SHIFT/DAYS OFF<br><b>D SMT</b> | SUPERVISORS REVIEW<br><b>Quinonez, Julian</b> | ID NUMBER<br><b>1644</b> | DATE<br><b>11/27/17 1207</b> | PAGE<br><b>11</b> | OF<br><b>11</b> |
|--|--------------------------|-----------------------------|--------------------------------|---|--------------------------|------------------------------|-------------------|-----------------|

|  |                     |   |   |                                       |                   |                       |           |         |
|--|---------------------|---|---|---------------------------------------|-------------------|-----------------------|-----------|---------|
| REPORT TYPE<br><input checked="" type="checkbox"/> SUPPLEMENTAL<br>69(a) PC [F] Violently Resist an Executive Officer <><br>243(b) PC [M] Battery on a Peace Officer |                     | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM |   | CASE NO.<br><b>17-320-0423J</b>       |                   |                       |           |         |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3  |                     |   | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br>Vorpahl #10888 |                                       |                   |                       |           |         |
| 1 INVESTIGATION:   |                     |   |   |                                       |                   |                       |           |         |
| 2  |                     |   |   |                                       |                   |                       |           |         |
| 3 The incident was not audio/video recorded with my department issued  |                     |   |   |                                       |                   |                       |           |         |
| 4 Body Worn Camera because I was working out of division. I am   |                     |   |   |                                       |                   |                       |           |         |
| 5 currently assigned to the Elmwood Complex and on IL/L6/20L7,I was  |                     |   |   |                                       |                   |                       |           |         |
| 6 working  |                     |   |   |                                       |                   |                       |           |         |
| 7 overtime at the Main Jail Facility.  |                     |   |   |                                       |                   |                       |           |         |
| 8  |                     |   |   |                                       |                   |                       |           |         |
| 9 On 11/16/2017, I was working as a uniformed Sheriff's Correctional   |                     |   |   |                                       |                   |                       |           |         |
| 10 Deputy assigned to the 4C Module at the Main Jail Facility.   |                     |   |   |                                       |                   |                       |           |         |
| 11   |                     |   |   |                                       |                   |                       |           |         |
| 12 At approximately 2105 hours, I heard Deputy Dundic #10892 advise North  |                     |   |   |                                       |                   |                       |           |         |
| 13 Control of a deputy involved "415" occurring inside of Module 48 Pod  |                     |   |   |                                       |                   |                       |           |         |
| 14 3. Due to the urgent and exigent tone of Deputy Dundic's radio  |                     |   |   |                                       |                   |                       |           |         |
| 15 traffic I immediately responded to Module 49 Pod 3.   |                     |   |   |                                       |                   |                       |           |         |
| 16   |                     |   |   |                                       |                   |                       |           |         |
| 17 Upon arriving inside of 48 Pod 3, I saw Deputies Dundic and Vorpahl   |                     |   |   |                                       |                   |                       |           |         |
| 18 #10888 on the ground in a physical altercation with Inmate Simmons,   |                     |   |   |                                       |                   |                       |           |         |
| 19 Patrick . I took control of Inmate Simmons legs   |                     |   |   |                                       |                   |                       |           |         |
| 20 and   |                     |   |   |                                       |                   |                       |           |         |
| 21 placed them into a figure four control hold. I maintained control of  |                     |   |   |                                       |                   |                       |           |         |
| 22 Inmate Simmons' legs until assisting deputies secured him into  |                     |   |   |                                       |                   |                       |           |         |
| 23 handcuffs and leg-shackles. Once Inmate Simmons was secured into  |                     |   |   |                                       |                   |                       |           |         |
| 24 handcuffs and leg-shackles I was relieved by assisting deputies.  |                     |   |   |                                       |                   |                       |           |         |
| 25   |                     |   |   |                                       |                   |                       |           |         |
| 26 I had no further contact with Inmate Simmons.   |                     |   |   |                                       |                   |                       |           |         |
| 27   |                     |   |   |                                       |                   |                       |           |         |
| 28 END OF REPORT   |                     |   |   |                                       |                   |                       |           |         |
| 29   |                     |   |   |                                       |                   |                       |           |         |
| 30 Correctional Deputy #10953 (Supplemental Report)  |                     |   |   |                                       |                   |                       |           |         |
| OFFICER'S NAME<br>Simms  | ID NUMBER<br>10953# | DATE<br>11/24/17 2231   | SHIFT/DAYS OFF<br>D SMT   | SUPERVISORS REVIEW<br>Cardenas, James | ID NUMBER<br>1683 | DATE<br>12/22/17 1121 | PAGE<br>1 | OF<br>1 |

|  |  |  |                      |   |                                       |                                 |                       |           |         |
|--|--|--|----------------------|---|---------------------------------------|---------------------------------|-----------------------|-----------|---------|
| REPORT TYPE<br>69(a) PC [F] Violently Resist an Executive Officer <><br>243(b) PC [M] Battery on a Peace Officer |  | <input checked="" type="checkbox"/> SUPPLEMENTAL |                      | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM           |                                       | CASE NO.<br><b>17-320-0423J</b> |                       |           |         |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3      |  |  |                      | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br>Vorpahl #10888 |                                       |                                 |                       |           |         |
| 1 INVESTIGATION  |  |  |                      |   |                                       |                                 |                       |           |         |
| 2  |  |  |                      |   |                                       |                                 |                       |           |         |
| 3 The incident was audio/video recorded using my department issued Body  |  |  |                      |   |                                       |                                 |                       |           |         |
| 4 Worn Camera.   |  |  |                      |   |                                       |                                 |                       |           |         |
| 5  |  |  |                      |   |                                       |                                 |                       |           |         |
| 6 On 11-16-2017, I was working as a Sheriff's Correctional Deputy at the   |  |  |                      |   |                                       |                                 |                       |           |         |
| 7 Main Jail assigned to the 4C-2 position. At approximately 2105   |  |  |                      |   |                                       |                                 |                       |           |         |
| 8 hours, I heard radio traffic from 4B stating that they needed  |  |  |                      |   |                                       |                                 |                       |           |         |
| 9 assistance for a 415 officer involved fight in pod 4B-3.   |  |  |                      |   |                                       |                                 |                       |           |         |
| 10   |  |  |                      |   |                                       |                                 |                       |           |         |
| 11 As I entered the 4B-3 pod, I noticed Deputies Dundic #10892 and   |  |  |                      |   |                                       |                                 |                       |           |         |
| 12 Vorpahl #10888 on the ground struggling to gain control of Inmate   |  |  |                      |   |                                       |                                 |                       |           |         |
| 13 Simmons, Patrick . I immediately ran over to assist   |  |  |                      |   |                                       |                                 |                       |           |         |
| 14 by grabbing his left wrist and placing his arm into an arm bar  |  |  |                      |   |                                       |                                 |                       |           |         |
| 15 control hold. I was then able to place my handcuffs onto his left   |  |  |                      |   |                                       |                                 |                       |           |         |
| 16 wrist.  |  |  |                      |   |                                       |                                 |                       |           |         |
| 17   |  |  |                      |   |                                       |                                 |                       |           |         |
| 18 Deputy Dundic was able to gain control of Inmate Simmons right arm and  |  |  |                      |   |                                       |                                 |                       |           |         |
| 19 place it behind his back. This allowed me to secure Inmate Simmons  |  |  |                      |   |                                       |                                 |                       |           |         |
| 20 right arm into hand cuffs. Responding deputies then arrived and   |  |  |                      |   |                                       |                                 |                       |           |         |
| 21 tapped me out. I had no further contact with Inmate Simmons.  |  |  |                      |   |                                       |                                 |                       |           |         |
| 22   |  |  |                      |   |                                       |                                 |                       |           |         |
| 23 End of report.  |  |  |                      |   |                                       |                                 |                       |           |         |
|  |  |  |                      |   |                                       |                                 |                       |           |         |
| OFFICER'S NAME<br>Dee  |  | ID NUMBER<br>10556#                              | DATE<br>11/18/17 327 | SHIFT/DAYS OFF<br>D SMT   | SUPERVISORS REVIEW<br>Cardenas, James | ID NUMBER<br>1683               | DATE<br>12/22/17 1120 | PAGE<br>1 | OF<br>1 |

|  |  |  |                       |   |                                    |                                 |                       |           |         |
|--|--|--|-----------------------|---|------------------------------------|---------------------------------|-----------------------|-----------|---------|
| REPORT TYPE<br>69(a) PC [F] Violently Resist an Executive Officer <><br>243(b) PC [M] Battery on a Peace Officer |  | <input checked="" type="checkbox"/> SUPPLEMENTAL |                       | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM           |                                    | CASE NO.<br><b>17-320-0423J</b> |                       |           |         |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3      |  |  |                       | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br>Vorpahl #10888 |                                    |                                 |                       |           |         |
| 1 SUPPLEMENTAL REPORT  |  |  |                       |   |                                    |                                 |                       |           |         |
| 2  |  |  |                       |   |                                    |                                 |                       |           |         |
| 3 INVESTIGATION:   |  |  |                       |   |                                    |                                 |                       |           |         |
| 4  |  |  |                       |   |                                    |                                 |                       |           |         |
| 5 The incident was not audio/video recorded due to the fact that I have  |  |  |                       |   |                                    |                                 |                       |           |         |
| 6 not yet been issued a body worn camera.  |  |  |                       |   |                                    |                                 |                       |           |         |
| 7  |  |  |                       |   |                                    |                                 |                       |           |         |
| 8 On 11/16/2017, I worked as a Santa Clara County uniformed Correctional   |  |  |                       |   |                                    |                                 |                       |           |         |
| 9 Deputy assigned to Main Jail North Module 4B. At approximately 2104  |  |  |                       |   |                                    |                                 |                       |           |         |
| 10 hours, I entered 4B Pod 3 to perform a routine welfare check. Inmate  |  |  |                       |   |                                    |                                 |                       |           |         |
| 11 S01 Simmons, Patrick was out for his evening program and  |  |  |                       |   |                                    |                                 |                       |           |         |
| 12 sitting in the pod chair. S01 Simmons sat with his arms crossed and   |  |  |                       |   |                                    |                                 |                       |           |         |
| 13 appeared to be watching television.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 14   |  |  |                       |   |                                    |                                 |                       |           |         |
| 15 As I approached Cell #33, S01 Simmons suddenly jumped to his feet and   |  |  |                       |   |                                    |                                 |                       |           |         |
| 16 ran in my direction. S01 Simmons; fists were clenched as he began   |  |  |                       |   |                                    |                                 |                       |           |         |
| 17 throwing multiple punches towards my head and face. I put my hands up   |  |  |                       |   |                                    |                                 |                       |           |         |
| 18 in order to defend myself and stepped backwards as he attempted to  |  |  |                       |   |                                    |                                 |                       |           |         |
| 19 punch me. I then stepped towards S01 Simmons; direction in an attempt   |  |  |                       |   |                                    |                                 |                       |           |         |
| 20 to subdue him. S01 Simmons turned away from me and both he and I fell   |  |  |                       |   |                                    |                                 |                       |           |         |
| 21 towards the ground.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 22   |  |  |                       |   |                                    |                                 |                       |           |         |
| 23 I landed on S01 Simmons; back and my left arm was pinned under his  |  |  |                       |   |                                    |                                 |                       |           |         |
| 24 head. I punched S01 Simmons once in the facial area with a closed   |  |  |                       |   |                                    |                                 |                       |           |         |
| 25 right fist. S01 Simmons turned his head in my direction and stated,   |  |  |                       |   |                                    |                                 |                       |           |         |
| 26 ;Fuck you!; Fearing that he would attempt to head butt me or spit on  |  |  |                       |   |                                    |                                 |                       |           |         |
| 27 me, I placed my right forearm on the side of his head and held it to  |  |  |                       |   |                                    |                                 |                       |           |         |
| 28 the ground in order to gain control.  |  |  |                       |   |                                    |                                 |                       |           |         |
| 29   |  |  |                       |   |                                    |                                 |                       |           |         |
| 30 I ordered S01 Simmons to stop moving his body. I continued to feel  |  |  |                       |   |                                    |                                 |                       |           |         |
| OFFICER'S NAME<br>Vorpahl  |  | ID NUMBER<br>10888#                              | DATE<br>11/17/17 2228 | SHIFT/DAYS OFF<br>D SMT   | SUPERVISORS REVIEW<br>Perez, Mario | ID NUMBER<br>1829               | DATE<br>11/17/17 2232 | PAGE<br>1 | OF<br>2 |

|   |  |   |                                 |
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| REPORT TYPE<br>69(a) PC [F] Violently Resist an Executive Officer <-><br>243(b) PC [M] Battery on a Peace Officer | <input checked="" type="checkbox"/> SUPPLEMENTAL | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM | CASE NO.<br><b>17-320-0423J</b> |
|---|--|---|---------------------------------|

|   |   |
|---|---|
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3 | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br>Vorpahl #10888 |
|---|---|

1 his body contort and I was unaware of where his arms and legs might  
2 have been. I feared that with his arms and legs unrestrained S01  
3 Simmons had the ability to continue to be assaultive. My left arm  
4 remained pinned underneath S01 Simmons. Responding Deputies arrived  
5 and took over my position. I was escorted from the Module for medical  
6 clearance.  
7  
8 I had no further contact with S01 Simmons.  
9  
10 INJURIES:  
11  
12 I sustained redness and swelling to the back of my head. I felt pain  
13 in my left knee. I went to O'Connor Hospital for treatment.  
14 I provided Detective Barrera with a copy of my medical discharge  
15 paperwork.  
16  
17 (Refer to Detective Barrera's Original Report for further details)  
18  
19 END OF REPORT  
20  
21 Correctional Deputy Vorpahl #10888 (Supplemental Report)

|                           |                     |                       |                         |                                    |                   |                       |           |         |
|---------------------------|---------------------|-----------------------|-------------------------|------------------------------------|-------------------|-----------------------|-----------|---------|
| OFFICER'S NAME<br>Vorpahl | ID NUMBER<br>10888# | DATE<br>11/17/17 2228 | SHIFT/DAYS OFF<br>D SMT | SUPERVISORS REVIEW<br>Perez, Mario | ID NUMBER<br>1829 | DATE<br>11/17/17 2232 | PAGE<br>2 | OF<br>2 |
|---------------------------|---------------------|-----------------------|-------------------------|------------------------------------|-------------------|-----------------------|-----------|---------|

|  |  |  |                       |   |                                    |                                 |                       |           |         |
|--|--|--|-----------------------|---|------------------------------------|---------------------------------|-----------------------|-----------|---------|
| REPORT TYPE<br>69(a) PC [F] Violently Resist an Executive Officer <><br>243(b) PC [M] Battery on a Peace Officer |  | <input checked="" type="checkbox"/> SUPPLEMENTAL |                       | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM           |                                    | CASE NO.<br><b>17-320-0423J</b> |                       |           |         |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3      |  |  |                       | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br>Vorpahl #10888 |                                    |                                 |                       |           |         |
| 1 SUPPLEMENTAL REPORT  |  |  |                       |   |                                    |                                 |                       |           |         |
| 2  |  |  |                       |   |                                    |                                 |                       |           |         |
| 3 INVESTIGATION:   |  |  |                       |   |                                    |                                 |                       |           |         |
| 4  |  |  |                       |   |                                    |                                 |                       |           |         |
| 5 The incident was partially recorded audio/video recorded using my  |  |  |                       |   |                                    |                                 |                       |           |         |
| 6 department issued Body Worn Camera. The camera was not initially   |  |  |                       |   |                                    |                                 |                       |           |         |
| 7 activated at the time of incident due to the immediate response  |  |  |                       |   |                                    |                                 |                       |           |         |
| 8 necessary during the assault on staff.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 9  |  |  |                       |   |                                    |                                 |                       |           |         |
| 10 On 11/16/2017, I was working as a uniformed Santa Clara County  |  |  |                       |   |                                    |                                 |                       |           |         |
| 11 Correctional Deputy assigned to Module 4B at Main Jail North in San   |  |  |                       |   |                                    |                                 |                       |           |         |
| 12 Jose.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 13   |  |  |                       |   |                                    |                                 |                       |           |         |
| 14 At approximately 2104 hours, I was standing behind the Module 4B  |  |  |                       |   |                                    |                                 |                       |           |         |
| 15 Officer's desk as Deputy Vorpahl conducted a welfare check inside of  |  |  |                       |   |                                    |                                 |                       |           |         |
| 16 Pod 4B-3. During the welfare check, Inmate S01 Patrick Simmons was  |  |  |                       |   |                                    |                                 |                       |           |         |
| 17 programing by himself inside of the pod. S01 Simmons was sitting on a   |  |  |                       |   |                                    |                                 |                       |           |         |
| 18 chair located next to the hot water pot on the east end of the pod.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 19   |  |  |                       |   |                                    |                                 |                       |           |         |
| 20 S01 Simmons appeared to be watching TV with his arms crossed against  |  |  |                       |   |                                    |                                 |                       |           |         |
| 21 his body.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 22   |  |  |                       |   |                                    |                                 |                       |           |         |
| 23 Deputy Vorpahl was on the bottom tier near Cell #33 when S01 Simmons  |  |  |                       |   |                                    |                                 |                       |           |         |
| 24 without provocation, suddenly stood up from his chair and attacked  |  |  |                       |   |                                    |                                 |                       |           |         |
| 25 Deputy Vorpahl. I saw S01 Simmons throw multiple closed fist punches  |  |  |                       |   |                                    |                                 |                       |           |         |
| 26 toward Deputy Vorpahl's head and facial areas. I did not know if any  |  |  |                       |   |                                    |                                 |                       |           |         |
| 27 of S01 Simmons's punches made contact to Deputy Vorpahl's person. I   |  |  |                       |   |                                    |                                 |                       |           |         |
| 28 was fearful for Deputy Vorpahl's safety because of the sudden and   |  |  |                       |   |                                    |                                 |                       |           |         |
| 29 spontaneous attack by S01 Simmons.  |  |  |                       |   |                                    |                                 |                       |           |         |
| 30   |  |  |                       |   |                                    |                                 |                       |           |         |
| OFFICER'S NAME<br>Dundic   |  | ID NUMBER<br>10892#                              | DATE<br>11/17/17 1950 | SHIFT/DAYS OFF<br>D WTF   | SUPERVISORS REVIEW<br>Perez, Mario | ID NUMBER<br>1829               | DATE<br>11/17/17 2228 | PAGE<br>1 | OF<br>3 |



|  |  |  |                       |   |                                    |                                 |                       |           |         |
|--|--|--|-----------------------|---|------------------------------------|---------------------------------|-----------------------|-----------|---------|
| REPORT TYPE<br>69(a) PC [F] Violently Resist an Executive Officer <><br>243(b) PC [M] Battery on a Peace Officer |  | <input checked="" type="checkbox"/> SUPPLEMENTAL |                       | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM           |                                    | CASE NO.<br><b>17-320-0423J</b> |                       |           |         |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3      |  |  |                       | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br>Vorpahl #10888 |                                    |                                 |                       |           |         |
| 1 I immediately notified (via pack set) North Control of an officer  |  |  |                       |   |                                    |                                 |                       |           |         |
| 2 involved fight inside of Module 4B-3. Fearing for Deputy Vorpahl's   |  |  |                       |   |                                    |                                 |                       |           |         |
| 3 safety, I unlocked the door to Pod 4B-3 from the control panel and   |  |  |                       |   |                                    |                                 |                       |           |         |
| 4 entered the module to assist in restraining S01 Simmons.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 5  |  |  |                       |   |                                    |                                 |                       |           |         |
| 6 (Prior to this incident, I was aware S01 Simmons has a history of  |  |  |                       |   |                                    |                                 |                       |           |         |
| 7 assaultive and violent behavior against Correctional Staff and other   |  |  |                       |   |                                    |                                 |                       |           |         |
| 8 inmates and I wanted to keep an eye on him as Deputy Vorpahl was   |  |  |                       |   |                                    |                                 |                       |           |         |
| 9 conducting his welfare check nearby)   |  |  |                       |   |                                    |                                 |                       |           |         |
| 10   |  |  |                       |   |                                    |                                 |                       |           |         |
| 11 As I arrived to help, S01 Simmons was lying face down on the ground   |  |  |                       |   |                                    |                                 |                       |           |         |
| 12 with Deputy Vorpahl on top of him. I approached S01 Simmons from his  |  |  |                       |   |                                    |                                 |                       |           |         |
| 13 left side. Due to Deputy Vorpahl's position of being on top of S01  |  |  |                       |   |                                    |                                 |                       |           |         |
| 14 Simmons, I noticed his arms and legs were uncontrolled and he   |  |  |                       |   |                                    |                                 |                       |           |         |
| 15 continued to move.  |  |  |                       |   |                                    |                                 |                       |           |         |
| 16   |  |  |                       |   |                                    |                                 |                       |           |         |
| 17 I feared that S01 Simmons might use his arms/legs violently towards me  |  |  |                       |   |                                    |                                 |                       |           |         |
| 18 or Deputy Vorpahl because I had just seen him throw punches at Deputy   |  |  |                       |   |                                    |                                 |                       |           |         |
| 19 Vorpahl. I punched him several times with a closed right fist to the  |  |  |                       |   |                                    |                                 |                       |           |         |
| 20 back of both of his legs in an attempt to get him to bend his legs so   |  |  |                       |   |                                    |                                 |                       |           |         |
| 21 that I could gain control.  |  |  |                       |   |                                    |                                 |                       |           |         |
| 22   |  |  |                       |   |                                    |                                 |                       |           |         |
| 23 At this time, I heard S01 Simmons yell 'Fuck you.' I then saw S01   |  |  |                       |   |                                    |                                 |                       |           |         |
| 24 Simmons right hand curled underneath him, so I decided to gain  |  |  |                       |   |                                    |                                 |                       |           |         |
| 25 control of his right arm, fearing he may try to push himself off the  |  |  |                       |   |                                    |                                 |                       |           |         |
| 26 ground and continue to fight.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 27   |  |  |                       |   |                                    |                                 |                       |           |         |
| 28 I placed my left hand on top of S01 Simmons's right hand and my right   |  |  |                       |   |                                    |                                 |                       |           |         |
| 29 hand on his right wrist. I applied pressure to my points of contact   |  |  |                       |   |                                    |                                 |                       |           |         |
| 30 in the form of a wrist twist lock. My intention was to control his  |  |  |                       |   |                                    |                                 |                       |           |         |
| OFFICER'S NAME<br>Dundic   |  | ID NUMBER<br>10892#                              | DATE<br>11/17/17 1950 | SHIFT/DAYS OFF<br>D WTF   | SUPERVISORS REVIEW<br>Perez, Mario | ID NUMBER<br>1829               | DATE<br>11/17/17 2228 | PAGE<br>2 | OF<br>3 |

|   |  |  |                       |   |                                    |                                 |                       |           |         |
|---|--|--|-----------------------|---|------------------------------------|---------------------------------|-----------------------|-----------|---------|
| REPORT TYPE<br>69(a) PC [F] Violently Resist an Executive Officer <-><br>243(b) PC [M] Battery on a Peace Officer |  | <input checked="" type="checkbox"/> SUPPLEMENTAL |                       | Office of the Sheriff<br>Santa Clara County<br>NARRATIVE FORM           |                                    | CASE NO.<br><b>17-320-0423J</b> |                       |           |         |
| LOCATION OF ORIGINAL EVENT (IF KNOWN)<br>150 W Hedding Street / San Jose / 95110 / Main Jail North/ Pod 4B3       |  |  |                       | VICTIM NAME (LAST, FIRST, MIDDLE (FIRM, IF BUSINESS))<br>Vorpahl #10888 |                                    |                                 |                       |           |         |
| 1 arm, tuck it underneath Correctional Vorpahl's upper torso and place  |  |  |                       |   |                                    |                                 |                       |           |         |
| 2 Simmons's right wrist on the small of his back to eventually be   |  |  |                       |   |                                    |                                 |                       |           |         |
| 3 secured in handcuffs.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 4   |  |  |                       |   |                                    |                                 |                       |           |         |
| 5 I was able to pull S01 Simmons's right arm from underneath his body   |  |  |                       |   |                                    |                                 |                       |           |         |
| 6 while giving him verbal orders to, "stop resisting." I noticed S01  |  |  |                       |   |                                    |                                 |                       |           |         |
| 7 Simons began moving his body away from me. I then felt S01 Simmons  |  |  |                       |   |                                    |                                 |                       |           |         |
| 8 attempt to pull away forcing me to apply additional pressure on his   |  |  |                       |   |                                    |                                 |                       |           |         |
| 9 right arm to keep his arm under control.  |  |  |                       |   |                                    |                                 |                       |           |         |
| 10  |  |  |                       |   |                                    |                                 |                       |           |         |
| 11 Due to S01 Simmons's assaultive behavior which I witnessed him exhibit   |  |  |                       |   |                                    |                                 |                       |           |         |
| 12 just moments ago, I was afraid that if I lost control of his right   |  |  |                       |   |                                    |                                 |                       |           |         |
| 13 arm, he would continue his violent behavior against myself and   |  |  |                       |   |                                    |                                 |                       |           |         |
| 14 Correctional Staff. As I was controlling S01 Simmons right arm, I  |  |  |                       |   |                                    |                                 |                       |           |         |
| 15 noticed I my grip was slipping due to my hands being sweaty. I had to  |  |  |                       |   |                                    |                                 |                       |           |         |
| 16 adjust my grip a second time in order to maintain control of his   |  |  |                       |   |                                    |                                 |                       |           |         |
| 17 right arm.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 18  |  |  |                       |   |                                    |                                 |                       |           |         |
| 19 Once I was able to gain full control of S01 Simmons's right arm using  |  |  |                       |   |                                    |                                 |                       |           |         |
| 20 the wrist twist lock, I maintained control of his arm and no longer  |  |  |                       |   |                                    |                                 |                       |           |         |
| 21 felt his resistance. I immediately placed it on the small of his   |  |  |                       |   |                                    |                                 |                       |           |         |
| 22 back. Assisting deputies responded and were able to assist in  |  |  |                       |   |                                    |                                 |                       |           |         |
| 23 securing S01 Simmons's arms with handcuffs. I was relieved by  |  |  |                       |   |                                    |                                 |                       |           |         |
| 24 assisting deputies once S01 Simmons was restrained.  |  |  |                       |   |                                    |                                 |                       |           |         |
| 25  |  |  |                       |   |                                    |                                 |                       |           |         |
| 26 I had no further contact with S01 Simmons.   |  |  |                       |   |                                    |                                 |                       |           |         |
| 27  |  |  |                       |   |                                    |                                 |                       |           |         |
| 28 END OF REPORT  |  |  |                       |   |                                    |                                 |                       |           |         |
| 29  |  |  |                       |   |                                    |                                 |                       |           |         |
| 30 Correctional Deputy Dundic #10892 (Supplemental)   |  |  |                       |   |                                    |                                 |                       |           |         |
| OFFICER'S NAME<br>Dundic  |  | ID NUMBER<br>10892#                              | DATE<br>11/17/17 1950 | SHIFT/DAYS OFF<br>D WTF   | SUPERVISORS REVIEW<br>Perez, Mario | ID NUMBER<br>1829               | DATE<br>11/17/17 2228 | PAGE<br>3 | OF<br>3 |