

County of Santa Clara

Office of the Sheriff

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Laurie Smith
Sheriff

MEMORANDUM

To: Undersheriff John Hirokawa *JH 2/19/16*

From: Sergeant Paula McAllister 1706 *PM*
Internal Affairs Unit

Date: February 19, 2016

Subject: Internal Affairs Case 2014-010
Review of Officer Involved Shooting

Involved Parties: Deputy Meagan Haney 2156 (shooter)
Deputy Jessica Parrish 2070
Deputy John Sablan 2096

Sheriff's Office Event Number: 14-081-0078G

This report is an administrative review, conducted by Internal Affairs, of an officer-involved shooting incident involving Deputy Meagan Haney, Deputy John Sablan and Deputy Jessica Parrish, which occurred on March 22, 2014 in Morgan Hill, California.

The complete case file, containing the Santa Clara County Sheriff's Office Investigative Report and all attachments which include the recorded interviews, scene photographs and the District Attorney's completed report is maintained in a binder in Internal Affairs, filed in the "O.I.S." cabinet.

Background Information:

On March 22, 2014, Deputy Parrish had been a deputy sheriff for approximately six years. In that time, she had been assigned to the Court Security Division and the Headquarters Patrol Division. Deputy Parrish had never been involved in an officer involved shooting prior to this incident.

Deputy Sablan had been a deputy sheriff for approximately four years. In that time, he

had been assigned to the Court Security Division and the Headquarters Patrol Division. Deputy Sablan had never been involved in an officer involved shooting prior to this incident.

Deputy Haney had been a deputy sheriff for approximately two years. In that time, she had been assigned to work the Court Security Division and the Headquarters Patrol Division. Deputy Haney had no prior law enforcement experience before coming to work at the Sheriff's Office and had not previously been involved in an officer involved shooting. Deputy Haney was current in her firearms qualifications at the time of this incident.

During the night of March 21 and the morning of March 22, 2014, Deputy Parrish, Deputy Haney and Deputy Sablan were assigned to the midnight shift and were patrolling the unincorporated area of south Santa Clara County. Deputy Haney's call sign was 61G4, Deputy Parrish's was 61G1 and Deputy Sablan's was 61G6.

Scene Description:

The initial call of a suspicious vehicle came from neighbors

Esther Lake Road is a one lane dirt road off Croy Road in rural Santa Clara County. The only easily accessible entrance and exit point for Esther Lake Road is from Croy Road.

While the initial confrontation between the suspect, occurred near their residences, the confrontation between deputies and occurred nearer to

Executive Summary:

On Saturday March 22, 2014 at approximately 0515 hours, woke to a vehicle driving around on his property. Before could make contact with the driver (later identified as he fled toward property. went to check on as they live in a very remote part of the county and it is very unusual for people to be driving around at that time of the morning.

As he neared a fire road that lies between the two properties, stopped and exited his vehicle because he had lost sight of vehicle and wanted to listen to see if he could discern if the vehicle went toward house or up the fire road. Once outside made contact with They heard what they believed to be someone loading sheet metal or fencing into a truck. They were aware there was fencing material lying near the side of the fire road. This prompted to call the Sheriff's Office for assistance.

At approximately 0530 hours, Deputy Parrish was dispatched to the suspicious

circumstance call. Deputy Haney and Deputy Sablan attached themselves to the call and started toward Croy Road. The deputies met up at Croy Road and caravanned up together, with Deputy Parrish in the lead Deputy Haney behind her and Deputy Sablan last.

As they were headed toward _____ property, they received information from County Communications that the vehicle was now headed toward Croy Road. They were also provided a license plate number. They continued until Deputy Parrish noticed headlights coming at them from the direction of _____ residence. She matched the license plate to the information provided by county communications and turned her spotlight toward the truck's cab. She saw a single occupant in the truck. The occupant, _____ was wearing a black shirt, black jacket and black beanie with a bicyclist headlamp on his head.

Once _____ saw the deputies, he executed a three point turn and drove back up Esther Lake Road at an unsafe speed for the conditions. His driving kicked up a lot of dirt and this combined with no street lighting and fog made following difficult. However, the deputies each turned on their "code three" equipment and began pursuing

_____ turned down a long driveway and the deputies followed. Deputy Parrish was about fifteen feet from the rear of _____ vehicle when he put his vehicle in reverse and accelerated toward her. He struck the front of her patrol vehicle, causing her to strike her head on her vehicle (she was later diagnosed with a concussion). _____ then did another three point turn so he faced Deputy Parrish's vehicle. _____ started driving directly toward Deputy Parrish's vehicle. Deputy Parrish thought _____ was going to strike her vehicle in a head-on collision. However, he swerved toward the passenger side at the last moment and sideswiped her vehicle.

Deputy Haney had stopped behind Deputy Parrish and saw the headlights coming toward her vehicle. She was afraid _____ would attempt to push her vehicle over the embankment, so she decided to get out for her safety.

Deputy Haney observed _____ strike Deputy Parrish's vehicle. Fearing for Deputy Parrish, Deputy Haney fired her duty weapon in the direction of _____ vehicle, which continued toward Deputy Haney's vehicle. At the same time, Deputy Haney's own vehicle struck her because she failed to put the vehicle fully into "park." At this time, Deputy Haney believed she was struck because _____ was attempting to push her vehicle over the embankment. Fearing for her own safety, Deputy Haney fired her duty weapon toward _____ vehicle a second time. After _____ passed Deputy Haney's vehicle, he side-swiped Deputy Sablan's vehicle and continued back toward Esther Lake Road.

While _____ was involved in the pursuit with the deputies, _____ had driven his vehicle (which _____ had struck while trying to flee) back to his

house to check on his wife. While at the house he had also obtained a handgun. He then stopped his vehicle past the driveway where [redacted] had driven. Once [redacted] made it back to Esther Lake Road, he struck [redacted] vehicle. They moved across the roadway and [redacted] vehicle went over the embankment. [redacted] was able to stop his vehicle before it went over as well. [redacted] then exited his vehicle and fled the scene on foot.

After an exhaustive search, [redacted] was located near the incident and arrested. He did not provide a statement to investigators and was subsequently booked into the Main Jail.

During the investigation, it was discovered that none of the shots (three in total) fired by Deputy Haney struck [redacted] or his vehicle. In fact the only thing struck by bullets was Deputy Haney's own vehicle.

Eventually, [redacted] pled guilty to a violation of California Penal Code 245(a)(1), Assault with a Deadly Weapon. He was sentenced to one year of county jail followed by three years of formal probation.

Conclusions:

Beginning on the day of occurrence and over the next several weeks, the Santa Clara County Sheriff's Office conducted what I find to be a thorough and detailed investigation of this shooting. The Homicide Unit Detective along with the Crime Scene Unit Detectives:

- contained and professionally processed the scene,
- conducted an extensive canvas of surrounding area, including attempting to locate any possible video of the incident,
- photographed and documented the crime scene,
- interviewed all the deputies who were present at the scene,

Nothing in any interview conducted, nor any physical evidence found at the scene in any way contradicted or called into question the official statements made by Deputy Haney, Deputy Sablan or Deputy Parrish.

After reviewing the numerous interviews conducted following the incident, reviewing the recorded interviews with Deputy Haney and the other involved personnel which were conducted the same evening, comparing all of those interviews with the written summaries and evaluations contained in the Santa Clara County Sheriff's Office Incident Report, and reviewing the original radio dispatches, it is my finding that:

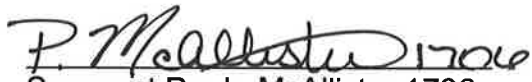
While performing her lawful assigned duties, Deputy Haney encountered a suspect who displayed a complete disregard for the safety of Deputy Parrish, Deputy Haney, Deputy Sablan, [redacted] in his desire to escape. Fearing for the safety of herself and her partners, Deputy Haney lawfully discharged her weapon in their

immediate defense.

I find no violation of any departmental policy or procedure by Deputy Haney up to and including the use of her firearm in this incident.

The Santa Clara County District Attorney's Office has reviewed this officer involved shooting pursuant to the Officer-Involved Incident Guidelines adopted by the Santa Clara County Police Chief's Association on October 11, 2012. I have reviewed the District Attorney's Office Report and have maintained a copy of the report in the case binder which is maintained and secured in Internal Affairs. The report is dated July 13, 2015. The District Attorney's Office has determined that Deputy Haney was legally justified in her use of force and that no criminal liability should be attached to her actions that day.

End of report.


Sergeant Paula McAllister 1706