

g a Level 4 force incident, use a se of Force Report (TF-967g)



USE OF FORCE REPORT Oakland Police Department

7819

2 Mar 12 / 1207

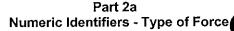
	Leven	e of Porce Report	<u> </u>		=	TF-967 (Rev. May 10)
		antiona aball be see	FORCE Indicate the highenducted at the high	est force level	used.	f force are used
Face sneet Unity to IAD IAD Tracking Copy	Check -					
	One [□]	Level 1 Force		Level 2 For		
Risk Management Advisement	Incident Numb LOP120302000		RD Number 12-010655	Use of Ford	ce Control No.	IAD Case No. 267
Part 1 – (List additional Su	bjects on a Use of Fo	rce Continuation R	teport)		<u> </u>	12-0358
Incident Date Day 2 Mar 12 Fri	Time 1206	Location 301 Jayne St.,				CP Beat 14X
#1 Subject's Name				Sex M	Race O	DOB
Address				City/Zip	Contact Number	
		-			<u> </u>	
#2 Subject's Name None				Sex	Race	DOB
Address		☐ Oakland	_ · · · · · · · · · · · · · · · · · · ·	City/Zip	Contact Number	
#3 Subject's Name				Sex	Race	DOB
None Address		☐ Oakland		City/Zip	Contact Number	
Part 2 - List all involved me	embers/employees, is	ndicate the subject	(s), and all the Forc	e Type(s) used	by numeric iden	tifier (Chart on back page).
(List additional Members/En		Force Continuation	n Report)		larly Assigned	Regularly Assigned
Member/Employee	No.	Force Type	# Force Used		upervisor	Division Commander
#1 E. Karsseboom	8040	11	1	Sgt. J. 1	Nishant -	Cpt. A. Rachal
#2 None						
#3 None	<u> </u>					
#4 None						<u> </u>
Part 3 - List all witnesses t List members and employees "#1 Witness Name" box.						
	Witness Informati	on (Include Rank &	Serial No., or Age	ncy Affiliation	if appropriate)	
#1 Witness Name Ofc. P. Tran 8243	, "	·		Sex	Race	DOB
Address OR Agency Affiliation Oakland PD		○ Oakland	· <u> </u>	City/Zip	Contact Number x3455	
#2Witness Name		RECEIVE	ED	Sex F	Race H	DOB
AddressOR Agency Affiliation		APR⊠002k201	2	City/Zip	Contact Number	
#3Witness Name	n	of) Internal A	ffairs	Sex	Race	DOB
No other witnesses AddressOR Agency Affiliation		☐ Oakland	1	City/Zip	Contact Number	
	<u> </u>					
#4Witness Name				Sex	Race	DOB
AddressOR Agency Affiliation		☐ Oakland	3	City/Zip	Contact Number	
Part4						
UOF Report Prepared By	Serial No.	Date of Report	Supervisor Notifie	d	Serial No	Date / Time Notified

7819

A. Steinberger

2 Mar 12

A. Steinberger

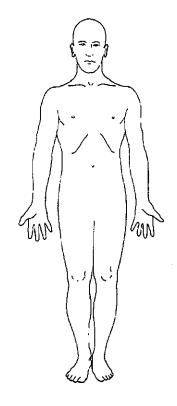


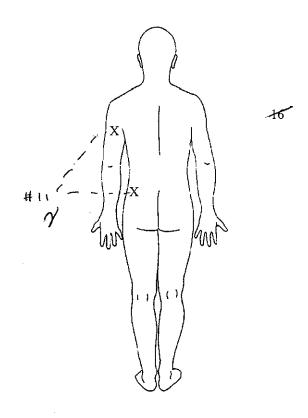
Use the appropriate numeric identifier and document the reasons for elevating an investigation in the Use of Force Report Narrative for any force investigation elevated to a higher level.

	Level 1	_	e Type
1	Lethal Firearm Discharge	5	Unintentional Firearm Discharge Regardless of Injury
2	Force Resulting in Death	6	Force Results in SBI (Defined by DGO K-4) Other than Carotid Restraint
3	Force Creating Substantial Risk of Causing Death	7	Carotid Restraint with Loss of Consciousness
4	Intentional Strike to Head w/ Impact Weapon- Regardless of Injury	8	Other: (Describe in Narrative)
	Level 2	Forc	e Type
	Strike to the Head - Other than an Intentional Strike to Head with an	12	Impact/Impromptu Weapon with Contact - Regardless of Injury
9	Impact Weapon	13	Any Use of Force Resulting in Injury (Other than a Level 1 Force Type)
10	Carotid Restraint without Loss of Consciousness	14	Police Patrol Canine Bites Clothing, Skin, or Injures a Person
27	Unintentional Firearm Discharge Not Resulting in Injury	15	Other (Describe in Narrative)
	Level 3	Forc	е Туре
11	Taser® Probes Impact Clothing, Penetrates Skin, or Push Stun	18	Taser Fired but Probes Miss
16	Weaponless Defense Technique Other than Control Hold	19	Non-Striking Use of Baton
17	O/C Applied to a Person	20	Attempted Impact Weapon Strike, but Misses
17a	Other Chemical Agent Deployed / Applied to a Person	21	On-Duty Firearm Discharge at Animal Other than to Dispatch an Injured Animal
	Level 4	For	ce Type
22	Intentionally Pointing a Firearm at a Person	25	A Weaponless Defense Technique Control Hold is applied: Escort
23	Weaponless Defense Technique applied to a vulnerable area, excluding strikes (e.g., hair grab, pressure to mastoid, shoulder		(elbow); Twist lock; Arm-bar; or Bent-wrist.
	grab)	26	A level 3 use of force incident meeting the criteria to be reported as a
24	On-Duty Firearm Discharge to Dispatch an Injured Animal] 20	Level 4 AND reviewed and approved by supervisor or commander. (Indicate the Level 3 force type used in the Narrative.).

Use the diagrams below, if appropriate, and mark with an "X" and the numeric identifier Indicate where on the body the force (Level 1-3) was used. (e.g., X---17 to indicate OC spray) Double-click on body

Subject #1





Reporting Member A. Steinberger	Serial No. 7819	Date of Report 2 Mar 12	Supervisor A. Steinberger	Serial No. 7819	Page 2 of 9
		l			



Incident No./RD No. LOP120302000287 / 12-



USE OF FORCE NARRATIVE REPORT Oakland Police Department

TF-967a (Rev. May 10)

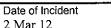
Date of Incident 2 Mar 12 010655 # 1 Member/Employee's Name Serial No.

#1 Subject's Name

8040 E. Karsseboom Part 5 - Assessment and Compliance - To be completed by the preparer of the Use of Force or In-Custody Death Report Assessment Issues: Conduct a thorough review of all documents, interviews, and evidence to be included in the Use of Force Report packet to ensure completeness, accuracy, and quality and assess the following: ☑ Yes ☐ No Was the original detention or subsequent arrest lawful? Was the type and amount of force objectively reasonable and used proportional to the resistance encountered? ☑ Yes □ No Was the type and amount of force related to a legitimate law-enforcement objective the member/employee was ☑ Yes □ No attempting to achieve? Yes □ No Was the force reasonably de-escalated? Was verbal persuasion used to attempt to resolve the situation without force? ☑ Yes ☐ No Any "NO" response requires an explanation in the Narrative Section. The following recommendation is based on the facts revealed by the use of force investigation. Check the appropriate box and document the analysis in the Narrative (Part 6). The use of force was IN Compliance OR The use of force was OUT of Compliance — Misconduct—IAD Notified. Criminal Misconduct- The investigation revealed criminal misconduct and the appropriate commander has been notified in accordance with the provisions of DGO M-4.1. Training and/or Tactical Issues 🔯 considered and discussed, as necessary, any training/tactical issues involving the availability and practicality of other force options with involved personneland documented the issuesin the Narrative below. Yes No – Recommendations/Comments The investigation revealed trainingand/or tactical issues. If a Level 1-2 incident, document for review by the appropriate Board. If a Level 3 incident, Division Commander shall ensure training is conducted and/or training is requested from the Training Section when it cannot be accomplished at the division level. (Document the circumstances, and the person and date of referral to the Training Section in the Narrative Section). Part 6 - Narrative - To include an analysis of the investigation. For additional space, use a Use of Force Continuation Report (TF-967b) (List additional involved and witness personnel, other witnesses, and evidence before the narrative.) Document risk management issues in the Narrative Section below. SUGGESTED HEADERS (Delete headers and text as necessary) ADDITIONAL PERSONNEL None ADDITIONAL WITNESSES Ħ. None III. PERSONNEL ASSIGNED TO ASSIST 7905 a. Sgt. S. Babka b. Ofc. P. Mahanay 7608

Reporting Member A. Steinberger	Serial No. 7819	Date of Report 2 Mar 12	Supervisor A. Steinberger	Serial No. 7819	Page 3 of 9





Incident No./RD No. LOP120302000287 / 12-010655



2 Mar 12

		# 1 Member/Employee's Name Senai No. #1 Subject's Name E. Karsseboom 8040	
Narrative –	Contin	inued	_
IV.	ADD	DITIONAL PERSONS NOT A WITNESS(If applicable)	
	a. I	None	
V.		IERGENCY PERSONNEL ramedics Plus – 2150, OFD Engine – 2555.	
VI.	Lt. L	OTIFICATIONS L. Armstrong was notified of Level 3 UOF on 2 Mar 12, approximately 1510 hours. The following personn and addresses were sent the face page of the level 3 UOF.	ıel
	b. c.	OPD IAD BFO Admin D/C S. Whent Cpt J. Israel	
VII.	DES	SCRIPTION OF INCIDENT SCENE	
	glas som	e incident occurred at 301 Jayne Street, inside of apartment. This is a 3 rd Story apartment, with a ass sliding door leading to a small balcony. There was furniture throughout the apartment. There was me natural light coming into the apartment from the sun through the windows, and artificial light from erior lights.	
VIII.	SUM	IMMARY OF INCIDENT	
		ctim called the police called the police at 0944 hours to report that suspect was refusing to ave her residence.	
	apa	c. Karsseboom arrived at 301 Jayne St., at approximately 1123 hours, and met the victim in front of the artment complex. advised him that they were previously involved in a boyfriend/girlfriend relationsh veral months ago. broke up with due to substance abuse and psychological issues. previously placed on 5150 hold).	ıip
	agre	called on 18 Feb 12 and told her that she was homeless and asked to stay with her.	
	und sho disc his	asked to move out. became irrational, removed his aderwear and walked into the bathroom and threw his underwear at and then proceeded to take a lower. If inished his shower and was again asked to move out. If grabbed one of his bags, and scovered approximately 2 ounces of marijuana in the bag. If the pushed him away and locked herself in the bathroom. If smoked some marijuana, hile he did this, and left the residence and waited for the police in front of the apartment complex.	d
	to u	fc. Karsseboom arrived on the scene and met with if if the apartment complex. They then relocated partment # 10, to talk to 10. While talking to the 10. While talking to the 10. While talking to the 10. They then relocated the partment apartment complex. They then relocated to the partment complex to the partme	to d

Reporting Member Serial No. A. Steinberger 7819	Date of Report 2 Mar 12	Supervisor A. Steinberger	Serial No. 7819	Page 4 of 9
---	----------------------------	------------------------------	--------------------	-------------







USE OF FORCE CONTINUATION REPORT

Oakland Police Department TF-967b (Rev. May 10)

Incident No./RD No. Date of Incident LOP120302000287 / 12-2 Mar 12 010655

1 Member/Employee's Name E. Karsseboom

Serial No. #1 Subject's Name 8040

	E. Karsseboom
Narrative -	Continued
	Ofc. Tran arrived on the scene and stayed with while Karsseboom went to the bedroom to talk to Karsseboom then returned to the living room and told to turn around and place his hands behind his back, but refused, and kept sitting on the couch. Karsseboom asked second time to turn around and place his hands behind his back as he removed his taser from the holster. still refused to comply.
	Karsseboom asked for the third time to turn around and place his hands behind his back. turned around and put his hands behind his back. Ether turned back around and asked "Why?" Karsseboom advised that he was under arrest for hitting the victim.
	Karseboom ordered for the fourth time, to turn around and place his hands behind his back, but he continued to comply to the orders. Femoved his t-shirt, sweatpants, and underwear and spread his feet should width apart and flexed his upper body. Femoved had a blank stare. Karsseboom pointed his taser at and told him that if he did not turn around and place his hands behind his back, he would tase him.
	headed for the sliding door, which lead to a small balcony on the 3 rd floor. Fearing that was going to jump off the balcony, Karsseboom tased for 5 seconds. Karsseboom told the suspect to turn around and place his hands behind his back again. addid not comply, but instead got up, and headed again to the sliding glass door. Karsseboom delivered another 5 second cycle from the taser. It is the floor. It is attempted to remove the prong, and Karsseboom advised him that if he did not comply with the orders, he would tase him again. It is then complied with the orders from Karsseboom and placed his hands behind his back, and Tran handcuffed him without further incident.
	Tran advised on the radio to start medical for a tasing and to have the supervisor respond for the UOF. I got on the radio and advised radio to have medical respond Code 3.
IX.	INVESTIGATION
	I was at the PAB sergeants' office completing a level 4 use of force with a complaint when the officers were dispatched to the call. I heard that Ofc. Karsseboom's radio was transmitting poorly. I then heard that Ofc. Tran requests a supervisor to the scene and advised over the radio that there was a taser deployment. I immediately responded to the scene.
	Upon arrival, I went to the apartment and saw the suspect, on a gernie, being rolled to the elevator. followed to interview him regarding the use of force. At first, did not want to talk to me.
	He stated that he did not know why the officer tased him and the officer did not say anything to him prior to him being tased. Continued to state that he did not have any clothes on, and the officer was talking to him, and then shot him. The remembers the officer telling him that he better listen or the officer would shoot (tase) him. The remembers the window because he is claustrophobic, then the officer shot him.
	then changes the subject and starts talking about a lost dog that was found on TV. He switches subjects again, and stated that in two weeks he is going to be a respectful business man.
	I asked what he wanted from the outcome of the complaint, and he did not know. He continued to state that the police affected him on top of the other issues he has.
	Sgt. Babka canvassed the scene for possible witnesses while I was taking a complaint from Complaint pamphlet given to and the proper procedures regarding complaints was explained to him.

Reporting Member	Serial No.	Date of Report	Supervisor	Serial No.	
A. Steinberger	7819	2 Mar 12	A. Steinberger	7819	Page 5 of 9





Incident No./RD No. LOP120302000287 / 12-010655



TF-967b (Rev. May 10)

1 Member/Employee's Name

E. Karsseboom

Serial No. 8040 #1 Subject's Name

Narrative - C	ontinued
---------------	----------

was transported to ACH for medical clearance, followed by Tran.

I interviewed Karsseboom about the events and he told me the details above. He was not injured during the incident.

I advised radio and Lt. Armstrong of the UOF and complaint taken.

I broke from the scene to respond to another officer requesting a supervisor regarding a 261 suspect.

I returned to the sergeants' office and filled out the complaint form, and e-mailed the form to the parties stated in the General Order.

I reviewed the video and the supplementals, and discovered that School Police Ofc. Beltran was on scene. I did not locate a supplemental from her. I understand that the school police have different policies than OPD, and they do not have access to FBR.

X. CIVILIAN WITNESS STATEMENT(S) / CANVASS

201	Javne	St.
งบา	Javile	Oι.

: No answer

: No answer

stated she heard some yelling, but could not tell what was being said. She advised she did not know the police were even there.

XI. SUMMARY OF EVIDENCE

- a. Officer P. Mahaney took photos of the scene. He collected and turned in the following:
 - i. Taser Blast Doors (2)
 - ii. Taser Cartridge (H08-1083339) and wire
 - iii. AFIDS (2)
- b. Recorded Interview of by Sgt. A. Steinberger.
- c. Taser Download At the time of the incident, the download shows his Taser was deployed 2 times for a total of 10 seconds. This is consistent with what E. Karsseboom stated.

XII. INJURIES / MEDICAL CARE OR TREATMENT PROVIDED

received a minor laceration to his left arm pectoral and left hip area from where the darts entered his body. was transported to ACH, where the medical staff removed the darts from him.

received medical treatment, and was held on an emergency psychiatric detention.

• 1400 hours: Ofc. Tran and Karsseboom believed the suspect was a danger to himself and/or others and placed a psychiatric hold (5150) on

Reporting Member	Serial No.	Date of Report	Supervisor	Serial No.	_
A. Steinberger	7819	2 Mar 12	A. Steinberger	7819	Page 6 of 9
1			<u>-</u>		



Date of Incident 2 Mar 12

Incident No./RD No. LOP120302000287 / 12-010655

USE OF FORCE CONTINUATION REPORT Oakland Police Department TF-967b (Rev. May 10)

1 Member/Employee's Name

Serial No. #1 Subject's Name

	E. Karsseboom 8040
Narrative -	Continued
	• 1430 hours: conducted the suspect's psychiatric evaluation at ACH. informed the officers that he removed is psychiatric detention because he did not believe that was a danger to himself and/or others.
	1659 hours: stated that he was a danger to himself and/or other. evaluated the suspect and placed the suspect under psychiatric detention because she believed that the suspect was a danger to himself and/or others.
	There were no injuries to any officers.
XIII.	DISCREPANCIES
	None
XIV.	ANALYSIS OF USE OF FORCE
	Based on the evidence, witness statement(s), and officer statement(s), I determined that the force used was within policy. The force was de-escalated and stopped when the was handcuffed.
	The force was consistent with injuries sustained by and the electronic weapon download was consistent to the electronic weapon information reported by officers.
xv.	TRAINING POINT(S)
	Officer Tran activated his PDRD after the suspect was taken into custody. I counseled him on the proper procedures for turning on his camera, and advised him to turn on the camera earlier.



Checklist Prepared By

A. Steinberger

Date of Incident 2 Mar 12

Incident No. Error! Reference source not RD No. 12-010655

USE OF FORCE CHECKLIST Oakland Police Department

TF-967d (Rev. May 10)

OBOLICE!

	louilu.		
Subject Member/Employee	Serial No.	Investigating Supervisor	Serial No.
E. Karsseboom	8040	A. Steinberger	

This checklist is to be used by preparers. Complete and attach this checklist to the FRONT of Level 2 & 3 Use of Force Report packets. Investigators shall check the appropriate box to indicate a "Task"has been completed and/or documented in the Offense/Supplemental or Use of Force Report or included in the Use of Force packet.

Check the appropriate box. Detail any "No" responsein the Comment Section or any clarification, when necessary, in the Narrative, as indicated.						
Part 1 - INVESTIGATIVE STEPS REQUIRED FOR AN ON-SCENE SUPERVISOR/COMMANDER/INVESTIGATOR FOR LEVEL 2-3 INCIDENTS						
1.	⊠ Yes 🗌 No	Responded to the use of force incident scene. (Level 2-3)	9.	☐ Yes ☐ No	Witness statements taken (Level 2-3) ⊠ N/A	
2.	⊠ Yes □ No	Determined the appropriate reporting level. (All Levels)	10.	⊠ Yes □ No	Ensured involved and witness personnel submitted the required Offense or Supplemental Reports.	
3.	⊠ Yes □ No	All uses of force, documented in Offense and Supplemental Reports, are listed on UOF Face	11.	⊠ Yes □ No	Injuries If yes, to whom: ☐ OPD personnel ☐ Subject(s)	
		Sheet.	12.	Yes No	Medical service requested.	
4.	⊠ Yes □ No	Available private person witnesses were identified and interviewed. (Level 2-3) No Known witnesses	13.	☐ Yes ☐ No	Ensured subject was transported to a medical facility for medical evaluation N/A when a carotid restraint was applied.	
5.	⊠ Yes 🗍 No	Separated and interviewed involved and witness personnel. (Level 2-3)	14.	⊠ Yes □ No	Evidence collected.	
6.	⊠ Yes □ No	Ensured a reasonable canvas was conducted. (Level 2)	15.	⊠ Yes □ No	Technician on scene.	
7.	⊠ Yes 🏻 No	Interviewed the subject(s) of the use of force.	16.	⊠ Yes ☐ No	Photos taken? Digital	
8.	⊠ Yes □ No	Identified involved and witness personnel.	17.	⊠ Yes □ No	Communications Section contacted to ensure the incident is reported on the IAD Daily Incident Log.	
Part	2 - REPORT DO	CUMENTATION				
	⊠ Yes NO	FENSE AND SUPPLEMENTAL REPORTS REVIEWE "BOILERPLATE" OR "PAT" LANGUAGE WITHOUT	D FOR	COMPLETENES	S, ACCURACY, AND QUALITY. PLANATORY DETAILS OF THE ACTION.	
•	NOTE: D	OCUMENT ANY INVESTIGATIVE ELEMENTS INTEN	TIONA	LLY NOT DOCU	MENTED IN THE COMMENT SECTION.	
	Part	2a - OFFENSE/SUPPLEMENTAL OR USE OF FORCE	E REF	PORT SHALL INC	LUDE THE FOLLOWING DETAILS	
1.	⊠ Yes □ No	Summary of the incident.	6.	⊠ Yes □ No	Summary of evidence collected.	
2.	⊠ Yes □ No	Summary of pertinent statements.	7.	⊠ Yes 🗌 No	Detail injuries and medical treatment.	
3.	⊠ Yes 🗌 No	Summary of interviews when statement not taken	8.	🛛 Yes 🗌 No	Original reason for police presence.	
4	⊠ Yes □ No	Description of the use of force.	9.	⊠ Yes □ No	Circumstances or precipitating acts that lead to the use of force.	
5.	☐ Yes ☐ No	When OC is used, the number of bursts, duration of each burst, the approximate distance from the subject, and the location of spray contact.	10.	☐ Yes ⊠ No	Arrest approval properly documented on CAR and in Offense Report.	
Part 2b - USE OF FORCE REPORT DOCUMENTATION SHALL INCLUDE THE FOLLOWING DETAILS (See RWM U-1 for inclusive list)						
1.	∑Yes ☐ No	Analysis of evidence.	3.	☐ Yes ⊠ No	Discrepancies Found (Detail in Narrative)	
2.	⊠ Yes 🗌 No	Reviewed documentation for discrepancies.		If Yes, detail how resolved or if unresolved in Narrative		
Part	3 - REQUIRED F	OR THE UOF REPORT PACKET – The preparer and	reviev	vers shall ensure	the UOF Report packet is complete.	
1.	🛛 Yes 🗌 No	Original UOF Report	8.	☐ Yes 🏻 No	Field Contact Card	
2.	🛛 Yes 🗌 No	Copy of Offense/Supplemental reports	9.	☐ Yes 🖾 No	Medical Report □ N/A	
3.	☑ Yes ☐ No	Statements Copy of C.A.R.	10.	⊠ Yes □ No	Other documents pertinent to the investigation. Describe in Comment Section.	
4.	Yes □ No	· •		••	_	
5 6.	☐ Yes ☐ No ☐ Yes ☐ No	Daily Detail CAD purge	11.	🛛 Yes 🗌 No	Photos Digital – Include photo CD in packet Film – Requested to develop to CD	
7.	☑ Yes ☐ No	Taser download information.	12.	⊠ Yes □ No	Technician Report	
rant	Part 4 – TRACKING – Report preparer shall forward only the UOF FACE SHEET to the following as indicated:					

Serial No.

7819

Date of Report

2 Mar 12

Page 8 of 9

Subject Member/Employee E. Karsseboom	Sel, No. 8040				Oakland Polic	e Department TF-967d (12/06
	IAD (Level 2 & 3) Div. Cmdr. (Level 2 & 3)		2	X X	BFO Admin (Level 2 & 3) Deputy Chief (Level 2 & 3)	
. •						· · · · · · · · · · · · · · · · · · ·
		,				
			·			
		•				
			N			
						•
		· · <u>- · · · · · · · · · · · · · · · · ·</u>				
Checklist Prepared By		Serial No.	1		isor/Commander	Serial No.