



Antwahn PD 187 Susp.  
Assist.

# USE OF FORCE REPORT Oakland Police Department

1233 TF-967g (Rev. May 10)

## LEVEL 4 FORCE ONLY

☐ Risk Management  
Advisement

Incident Number LOP120410000831	RD Number 12-017515	Use of Force Control No. 12F-0386	IAD Case No.
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### Part 1 - (List additional Subjects on a Level 4 Continuation Report)

Incident Date 10 Apr 12	Day Tue	Time 1910	Location 1420 24 <sup>th</sup> Ave	CP Beat 14X
#1 Subject's Name [REDACTED]			Sex M	Race H
Address [REDACTED]			City/Zip [REDACTED]	Contact Number [REDACTED]
#2 Subject's Name			Sex	Race
Address			City/Zip	Contact Number
#3 Subject's Name			Sex	Race
Address			City/Zip	Contact Number

### Part 2 - List all involved members/employees, indicate the subject(s), and all the Force Type(s) used by numeric identifier (Chart on back page). (List additional Members/Employees on a Level 4 Narrative Report)

Member/Employee	Serial No.	Force Type #	Subject # Force Used on	Regularly Assigned Supervisor	Regularly Assigned Division Commander
#1 B. Glick	9089	22 ✓	1	Acting Sgt. Worcester	Capt. Israel
#2 K. Yslava	8913	22 ✓	1	Acting Sgt. Worcester	Capt. Israel
#3 I. Padilla	7657	22 ✓	1	Sgt. Bautista	Capt. Israel
#4 F. Nieves	8866	22 ✓	1	Acting Sgt. Worcester	Capt. Israel

### Part 3 - List all witnesses to the use of force. (If more room is needed use a Level 4 Continuation Report) Do not list additional persons.

List members and employees before private person witnesses. If there are no known private person witnesses, specify "NO KNOWN WITNESSES" under "Witness Name."

Witness Information (Include Rank & Serial No., or Agency Affiliation if appropriate)				
#1 Witness Name C. Cox 8697P	Sex	Race	DOB	
Address OR Agency Affiliation OPD	City/Zip	Contact Number		
#2 Witness Name L. Sincerny 8679P	Sex	Race	DOB	
Address OR Agency Affiliation OPD	City/Zip	Contact Number		
#3 Witness Name Sgt. Walker 7877P	Sex	Race	DOB	
Address OR Agency Affiliation OPD	City/Zip	Contact Number		
#4 Witness Name No Known Witnesses	Sex	Race	DOB	
Address OR Agency Affiliation	City/Zip	Contact Number		

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APR 17 2012

OPD Internal Affairs

### Part 3a - Level 4 Approving Supervisor/Commander

I responded to the scene, evaluated, and approved reporting the Level 3 force option as a Level 4.	Signature <b>X</b>	Serial No.
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### Part 4

UOF Report Prepared By B. Glick	Serial No. 9089	Date of Report 10 Apr 12	Supervisor Notified Acting Sgt. Worcester	Serial No. 8368	Date \ Time Notified 10 Apr 12 \ 1912	Page 1 of 4
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**USE OF FORCE**  
**LEVEL 4 - NARRATIVE REPORT**  
**Oakland Police Department**  
TF-967g-2 (May 10)

Date of Incident 10 Apr 12	Incident No./RD No. LOP120410000831 / 12-017515		
# 1 Member/Employee's Name B. Glick	Serial No. 9089	#1 Subject's Name [REDACTED]	

**Part 5 - Level 4 Narrative**

Additional subjects:

- 5) O. Saeparn (OPD); 8513; 22; 1; Acting Sgt. Worcester
- 6) J. Stanger (APD); 3604; 22; 1; J. Wisecarber
- 7) J. Vincelet (APD); 3416; 22; 1; J. Wisecarber
- 8) M. Mortimer (APD); 2843; 22; 1; J. Wisecarber
- 9. Sgt. J. Wisecarber (APD); 2363; 22; 1

On 10 Apr 12, at about 1900 hrs, I was working as OPD patrol unit 3J15 with Ofc K. Yslava 8913P. We were both wearing full OPD utility uniforms and I was driving fully marked OPD patrol vehicle #1790. I was driving E/B on 580 at Grand Ave when dispatch notified us that officers in unmarked vehicles from the Antioch Police Department were following a murder suspect who was also traveling E/B on I580.

Dispatch gave us the license plate and description of the vehicle (Dodge Caravan, whi, CA plate [REDACTED]) and directed us to its position. We spotted the suspect's vehicle as it exited Fruitvale Ave from E/B I580 and made a S/B turn onto Fruitvale Ave. We advised dispatch of our location and we continued following the vehicle for about two miles while we waited for the arrest team to locate the vehicle. Ofc I. Padilla followed behind us and provided dispatch with updates of the suspect vehicles location. The suspect drove the speed limit and obeyed all traffic laws as we followed behind him. At no point in the incident was a vehicle pursuit initiated. The suspect stopped the vehicle on his own, facing S/B along the west curb of the roadway across from 1420 24<sup>th</sup> Ave. The arrest team had not caught up to the suspect vehicle yet so Ofc. Yslava and I elected to conduct a ~~high-risk-felony vehicle-stop~~, in order to prevent the suspect from exiting the vehicle and fleeing on foot. I activated the red and blue lights after the suspect stopped the vehicle. Ofc. Yslava and I exited our patrol vehicle and intentionally pointed our firearms at the suspect who complied with our commands. I ordered the suspect to get out of the vehicle with his hands up, turn and face away from us and walk backwards to Ofc Yslava's position at the passenger side of our vehicle. Ofc. Nieves handcuffed the suspect without further incident.

Ofc Yslava notified Acting Sgt Worcester of the use of force at 1912 hrs.

Ofcs Yslava, Padilla, Nieves, Saeparn, Stanger, Vincelet, Mortimer, myself and Sgt. Wisecarber intentionally pointed our firearms at the suspect for the following reasons:

- The suspect was wanted for 187 PC so we believed the suspect could be armed.
- We were unable to see into the vehicle where the suspect could have access to a weapon without our knowledge.

Antioch PD took custody of the suspect and transported him to Antioch.

No additional force was used or observed during the above incident.

Reporting Member B. Glick	Serial No. 9089	Date of Report 10 Apr 12
Supervisor's Signature A/Sgt. [Signature] 8368	Serial No. [REDACTED]	Date of Review 11 Apr 12
Commander's Signature [Signature]	Serial No. [REDACTED]	Date of Review 11 Apr 12



**USE OF FORCE  
LEVEL 4 - NARRATIVE REPORT**  
**Oakland Police Department**  
TF-967g-2 (May 10)

Date of Incident 10 Apr 12	Incident No./RD No. LOP120410000831 / 12-017515		
# 1 Member/Employee's Name B. Glick	Serial No. 9089	#1 Subject's Name [REDACTED]	

**Part 5 – Level 4 Narrative**

No additional witnesses were located.

Ofc Yslava's and Nieves' PDRDs were active during the above incident. Ofc Saeparn and I have not been issued PDRDs.

For further details, see Antioch PD's report #12-3130

Reporting Member B. Glick	Serial No. 9089	Date of Report 10 Apr 12
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Supervisor's Signature A/Sgt C. W. [Signature]	Serial No. 8368	Date of Review 11 Apr 12	Commander's Signature [Signature]	Serial No. 8139	Date of Review 11 Apr 12	Page 3 of 4
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**Part 2a**  
**Type of Force Used**  
**Numeric Identifiers**

(Chart Rev. Jan 09)

**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.**

<b>Level 3 Force Type</b>			
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
<b>Level 4 Force Type</b>			
22	Intentionally Pointing a Firearm at a Person	25	A Weaponless Defense Technique Control Hold is applied: Escort (elbow); Twist lock; Arm-bar; or Bent-wrist.
23	Weaponless Defense Technique applied to a vulnerable area, excluding strikes (e.g., hair grab, pressure to mastoid, shoulder grab)		
24	On-Duty Firearm Discharge to Dispatch an Injured Animal	26	A level 3 use of force incident meeting the criteria to be reported as a Level 4 AND reviewed and approved by supervisor or commander. (Also indicate the Level 3 force type used in the Force Type # box.).

**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 and enter an "X" to indicate location. If more than one subject, use CNTRL+ENTER to duplicate this page.**

**Subject #1**

