

ORIGINAL



SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

DR #: 18-039946

INITIAL CRIME REPORT

Reporting Area: Central Mens Jail

EVENT SUMMARY

OFFENSES

Statute Code	Degree	Statute Description
241/243 PC	Misdemeanor	Assault/battery On Peace Officer/emergency Personn

Date Occurred: Friday, 10/5/2018 16:15

Date Reported: Friday, 10/5/2018 16:36

Incident Location: 550 N Flower St, Santa Ana CA 92703

Where Within Jail Facility: 4th Floor Chow Hall

Evidence Collected? ☐ Suspect Arrested? ☒

Brief Description of Incident: INMATE SAID "FUCK YOU", ASSUMED FIGHTING STANCE, AND SWUNG ELBOW AT DEPUTY

Total loss: \$0.00

VICTIM(S)

STATE OF CALIFORNIA

SUSPECT(S)

REYES, JOHN ANTHONY DOB: [REDACTED]

CRIMES AGAINST PEOPLE/PROPERTY

Offense: 241/243 PC

Attempted/Committed: Committed

Premise: Miscellaneous

Offense Location Type: Correctional Facility/jail

Occupied/Unoccupied:

Weapons Used: Personal Weapon (hands, feet, teeth, etc.)

SUSPECT(S)

Name: REYES, JOHN ANTHONY

DOB: [REDACTED]

AGE: 24

Address: [REDACTED]

Sex	Race	Ethnicity	Height	Weight	Hair	Eyes
M	Hispanic	Hispanic	5'07"	150	Brown	Brown
Hair Style	Hair Length	Complexion	Build	Facial Hair	Glasses Type	
Straight	Short	Light	Light	None	None	
General Appearance				Demeanor		
Ragged				Angry		

Cell Phone:

Home Phone:

Other Phone:

Booking Number: 3072632

Exact words used by suspect: "I SAID FUCK YOU"

Injuries:

Other Major Injury

Clothing: Jail Issued Clothing

Occupation: Unemployed

VICTIM

Business/Organization Name: State Of California



SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

DR #: 18-039946

INITIAL CRIME REPORT

Reporting Area: Central Mens Jail

PROPERTY/EVIDENCE

Related to: Reyes, John Anthony

Property Description: 1 COMPACT DISC CONTAINING VIDEO FOOTAGE

Property Category Misc

Property Type: Evidence

NARRATIVE

On Friday, October 5th, 2018 I was working my assigned position as the Module "E" Prowler Deputy in the City of Santa Ana. At about 1615 hours, I was working evening chow hall in the 4th Floor Chow Hall. The chow hall has a seating capacity of about one-hundred sixty inmates. The chow hall was seated close to its maximum capacity and there were about eight Deputies inside the chow hall.

I was standing on the north end of the chow hall. Deputy K. Young #10572 told an inmate who was seated in the 2nd row to leave the chow hall due to him causing a disturbance. The inmate, later identified as John Reyes (BKG# 3072632 / DOB: [REDACTED]) stood up and started walking out of the chow hall. I heard Reyes say, "Fuck you" to Deputy Young. I told Reyes to face the wall and he did not comply but continued to walk away from me. I asked Reyes what he said to Deputy Young. Reyes turned to face me, assumed a fighting stance, had his hands in clenched fists at his sides, and yelled very loudly at me "I said fuck you." Reyes was sweating profusely, visibly shaking, his skin looked pale and clammy, and his eyes were wide open as if he was under the influence of a controlled substance, or was mentally unstable. Inmates who are under the influence of controlled substances or who are mentally unstable are often aggressive and or assaultive towards staff, and commonly have a high pain tolerance and increased level of strength. Due to these facts, I perceived Reyes to be a threat.

I determined I needed to de-escalate the situation by handcuffing Reyes and moving him out of the chow hall for both Deputies' and his own safety. In an attempt to avoid a physical altercation between Reyes and myself, I placed my hands onto Reyes' right arm, told him to face the wall, and tried to place his right arm behind his back so I could handcuff and escort him out of the chow hall. When I placed my hands onto Reyes' right arm he swung his elbow at me and assaulted me. I grabbed Reyes by his jail issued smock top to prevent him from assaulting me again. Reyes grabbed me and was trying to pull me to the ground. I placed my right arm around Reyes' head, swept his legs out from under him with my right leg, and used my body weight to take him to the floor. Reyes actively resisted my attempts to gain control of him and was trying to break free from my control. He was grabbing my arms and trying to roll over onto his back so he could fight me. I punched Reyes about five to six times on the head and upper body area in order to stop him from assaulting me. I gave multiple verbal commands for Reyes to stop fighting and put his arms behind his back but he would not comply. Reyes continued to actively resist and fight with me. When I initially threw Reyes on the floor he was laying on his stomach. Throughout the course of the fight he rolled his body around so he was laying on his side. Reyes used his arms to push his body up, as if he was trying to get back up and fight me. I punched Reyes another two or three times in the head and upper body area and elbowed him about two to three times in the upper body area in order to stop him from rolling over, to push him back onto the ground, and in order to gain compliance and control of his arms. I attempted to grab Reyes' arms multiple times throughout the course of the altercation in order to handcuff him, but could not gain control of his arms. Reyes was unusually strong and persistently kept trying to break free from my control so he could fight me. Reyes had a high pain tolerance and would not stop actively resisting and fighting. Despite my multiple attempts to gain control of Reyes and stop him



SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

DR #: 18-039946

INITIAL CRIME REPORT

Reporting Area: Central Mens Jail

from assaulting me, Reyes seemed to feel no pain and continued to fight with me. Based on the fact Reyes seemed to be under the influence of a controlled substance and had a high pain tolerance and elevated strength level, I was in fear for my safety. Eventually Reyes stopped fighting and resisting Deputies. Deputy J. White #10212 gained control of Reyes' right arm and placed it behind his back. Eventually I was able to gain control of Reyes' left arm and place it behind his back and push Reyes' back onto his stomach. Reyes was then handcuffed and carried to the 4th Floor Hallway without further incident.

Reyes was laying on the floor in the 4th Floor Hallway and I heard him say, "I'm high as fuck." I asked Reyes what he was high on and he said, "I took all my meds". During medication call, medical staff distributes medication to multiple inmates. Inmates will "cheek" their medication by hiding their medication inside their mouth and then spit them back out so they can sell them or use them to get high. Medical staff later informed me the only medication Reyes has taken while in jail is [REDACTED] and that even if an inmate consumed a large amount of [REDACTED] it could not get them high. [REDACTED] is a [REDACTED] medication that calms a patient down. Reyes had recently refused his medication, which could be why he was acting abnormally. Based on these facts and Reyes' statement, I believe he consumed a controlled substance or cheeked medication he acquired in his housing location before going to chow hall.

Reyes was escorted in a wheelchair to the 2nd Floor Medical Dispensary by Deputies C. Curtis #3725 and K. Leever #9648. Medical Doctor (MD) A. Kallah, Registered Nurse (RN) D. Bupte and Nurse Practitioner (NP) C. Damian evaluated Reyes. They determined he had a broken right arm, a possible concussion, and swelling on his head and face. Reyes was given Toradol and Ativan to relieve the pain from his arm. Medical staff determined Reyes needed to go to the hospital. Reyes was escorted to Orange County Global Medical Center in the City of Santa Ana by Deputies J. Almazan #827 and T. Cook #2392 via CARE ambulance and Orange County Fire Authority (OCFA) Paramedics.

Deputies Curtis and Leever informed me they had an encounter with Reyes just before the incident in chow hall occurred. Reyes was housed in Module "A" Tank 6. When Tank 6 was sent to chow hall, Reyes displayed abnormal behavior. Deputies Curtis and Leever stopped Reyes in the 3rd Floor Hallway to talk with him. Reyes was sweating profusely, visibly shaking, had pale clammy skin, and his eyes were wide open. Reyes was inhaling and exhaling loudly and at an accelerated rate. Deputies Curtis and Leever told me that due to Reyes' behavior they believed he was going to assault them. Deputy Leever questioned Reyes and Reyes yelled loudly, "I'm 5150!" Deputy Leever asked Reyes what was wrong with him and he said, "I've seen mental health in the past." Deputy Leever asked Reyes if he wanted to see a mental health nurse and he said, "No I'm good." Reyes suddenly calmed down and became respectful towards staff. Reyes was then sent to the chow hall on the 4th Floor.

I conducted a records check of Reyes. Reyes was detained due to smoking methamphetamine in public in a neighborhood. OCFA Paramedics responded to evaluate Reyes. Reyes assaulted emergency personnel and was arrested for California Penal Codes 241(c), 243(b), 69(a), 135, and 11550(a), reference DR# 18-033269 for further details.

I requested video footage of the incident, which I will later book into the Sheriff's Evidence locker in the City of Santa Ana once I receive it.

I contacted Sheriff's Identification to take photos of Reyes' injuries, reference FR# 18-54232 for



**SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA**

DR #: 18-039946

INITIAL CRIME REPORT
further details.

Reporting Area: Central Mens Jail

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Reporting Officer	Thomas, D. 09934	<input type="checkbox"/>	10/9/2018
Approving Officer	Tucker, J. 06940	<input type="checkbox"/>	10/18/2018

ORIGINAL



SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

OR #: 18-039946

SUPPLEMENT

Reporting Area: Central Mens Jail

NARRATIVE

On Friday, October 5, 2018, I was working my assigned position as the Module B Prowler Deputy at the Central Men's Jail. At approximately 1615 hours, I was working in chow hall on the 4th floor in the southwest corner when I heard a commotion on the north end. The following is what I observed:

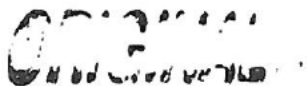
I saw Deputy D. Thomas #9934 point and direct an inmate, later identified as Reyes, John Anthony (D.O.B: [REDACTED] BKG: 3072632), to face the wall. Reyes turned towards Deputy Thomas quickly and shouted, "Fuck You." Deputy Thomas attempted to turn Reyes around and place his hands behind his back. Reyes threw his left elbow towards Deputy Thomas' head and started fighting. Deputy Thomas grabbed Reyes and took him to the ground.

I ran over to assist Deputy Thomas. I applied my body weight to Reyes' lower back to pin him down on his stomach. I told Reyes to stop fighting and to place his hands behind his back. I tried to secure Reyes' right arm from underneath him, but he pulled his arm back down slipping my grip. Reyes then put his right arm underneath his abdomen and tried to turn himself over on his back by pushing up against me. I again gave Reyes multiple commands to place his hands behind his back but he did not comply. Reyes held his right arm underneath his body and began to reach for his waist band. I believed Reyes was reaching for a weapon. I felt unsafe because inmates are often known to conceal razors, Jail made weapons and contraband in the waist band of their Jail Issued pants. I grabbed his right arm and was able to place his right arm behind his back to be handcuffed. He was escorted out of chow hall to the fourth floor hallway.

I secured both of Reyes legs in leg chains and assisted in getting him to the wheel chair without further incident. Reyes was then escorted to the second floor Medical Dispensary for medical attention.

Refer to the Initial Crime Report by Deputy Thomas (DR#18-039946) for further details.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Supplementing Officer	White, J. 10212	<input type="checkbox"/>	10/13/2018
Approving Officer	Tucker, J. 06940	<input type="checkbox"/>	10/13/2018



SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

DR #: 18-039946

SUPPLEMENT

Reporting Area: Central Mens Jail

NARRATIVE

On Friday, October 5, 2018, I was working my assigned position as the Fourth Floor Safety Check Deputy at the Central Men's Jail, in the City of Santa Ana. At about 1615 hours, I was standing on the southwest end of fourth floor Chow hall as the Tray Receiving Window Deputy to observe inmates for potential problems.

I saw an inmate later identified as John Reyes (BKG#3072632/ DOB: [REDACTED]) walking in a bizarre manner to his seat. Reyes was holding his plastic food tray closely to his face and frantically looking around at other inmates. I asked Reyes what was wrong when he loudly said "Nothing." I followed Reyes to his seat which was on the northwest side of the second row of Chow hall. Reyes appeared to be sweating, shaking, and moving faster than any other inmate in Chow hall. Reyes's bizarre behavior lead me to believe he was under the influence of drugs, mentally unstable, and had assaultive propensity.

Security in the Chow hall is a major concern. The maintenance of order is of paramount importance for the safety of staff and inmates. Reyes was seated, shaking rapidly, and not eating. I told Reyes to get out of Chow hall for the safety of all deputies and inmates. Reyes turned around and said, "Fuck you." My partner Deputy D. Thomas #9934 asked Reyes to face the wall but he failed to obey the directive. Reyes turned around toward Deputy Thomas and said, "I said fuck you."

Due to Reyes causing a disturbance in Chow hall I proceeded to the northwest side of Chow hall to assist Deputy Thomas in escorting Reyes out of Chow hall. As Deputy Thomas approached Reyes, I saw Reyes' left elbow rapidly drive backwards towards Deputy Thomas and almost struck him in the face.

Reyes was placed on the ground and continued to resist being handcuffed. I saw Reyes with his legs free and kicking his legs. I attempted to secure Reyes's legs with my hands but he continued to kick. I adjusted Reyes's legs by crossing his left leg over his right leg and pressed his feet to his buttocks with both of my hands.

Deputy J. White #10212 responded and was directly in front of me as Reyes continued to fight and attempt to roll to his side.

I continuously heard verbal commands of stop fighting and give me your hands from deputies, as I continued to struggle with securing Reyes's legs. I repositioned myself on top of Reyes by using the weight of my body to secure Reyes's legs and I used my hands to secure his feet.

Reyes was finally handcuffed with his hands behind his back and escorted by deputies to the Fourth Floor Hallway without further incident.

Reyes was laying on his side on the floor in the Fourth Floor Hallway and said "I remembered I'm high as fuck."

I returned to Chow hall to assist my partners with supervision of inmates for the remainder of the Chow hall session.

I reviewed the surveillance video before writing my report.

For further information see Deputy D. Thomas's #9934 Initial Crime Report. (DR#18-039946).

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Supplementing Officer	Young, K. 10572	<input type="checkbox"/>	10/15/2018
Approving Officer	Tucker, J. 06940	<input type="checkbox"/>	10/18/2018

1. COPIES TO: Records

2. CASE NO. 18-039946

**SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA**

Priority ☐ Yes ☒ No

3. ☐ INITIAL NON-CRIMINAL
4. ☐ INITIAL CRIMINAL
5. ☒ FOLLOW-UP CRIMINAL
6. ☐ CONTINUATION REPORT NO.
6. ☐ CONTINUATION REPORT NO.

DON BARNES, SHERIFF-CORONER

FOLLOW-UP REPORT

7. OFFENSE Use of Force	8. LOCATION OF OCCURRENCE 550 Flower Santa Ana, CA	
9. VICTIM/INFORMANT INF: Sergeant JEFFRY TUCKER #6940	10. DATE AND TIME OF OCCURRENCE 2018-10-05T16:00:00	11. GRID

12. DETAILS OF OFFENSE:

On 10/5/2018, a use of force incident occurred.

Witness Statement(s):

No witness Statements were taken.


Subject(s) Interview:

On Saturday October 6th, 2018 at approximately 1250 hours, I interviewed inmate John Reyes (3072632) at Orange County Global Medical Center in Santa Ana California. I identified myself as Sergeant Tucker and explained I was there was to conduct a Use of Force interview. Before any questioning began, I read Inmate Reyes his Miranda warning from my department issued Miranda card. Reyes answered "Yes" to all four questions and agreed to talk to me about the incident.

Reyes confirmed his name and booking number and then acknowledged he was in the hospital and receiving medical treatment for his medical needs.

Reyes told me he is currently in custody for assaulting a police officer, spitting on a fireman/paramedic and for assaulting safety personnel (a Nurse). He has been diagnosed as a [REDACTED] and is prescribed 500 milligrams of [REDACTED] taken in a monthly injection. Reyes admits to using methamphetamine on a daily basis as a way to self-medicate and keep himself balanced.

Reyes told me he has been in custody for a couple months and has not used Methamphetamine since being incarcerated. Since he denied using Methamphetamine while in custody, I asked him if there is a reason his toxicology report from the hospital indicated a positive result for Methamphetamine in his urine? Reyes, stammered for a second then said, "Well, I drank another inmate's coffee, so maybe there might have been some in there". I then asked Reyes if he has been taking his daily prescribed [REDACTED] medications. Reyes admitted to "cheeking" his medication and throwing

INVESTIGATING OFFICERS	REPORT BY	DATE OF REPORT	APPROVED
JEFFRY TUCKER	JEFFRY TUCKER Sergeant 	1/8/2019	DAWN HAAG Lieutenant

1. COPIES TO: Records

2. CASE NO. 18-039946

SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

DON BARNES, SHERIFF-CORONER

REPORT CONTINUATION

the pills away after the nurse would leave. He told me the pills make him sleepy and he doesn't like that feeling. Reyes told me that failure to take his medication usually alters his mood, making him angry.


Reyes told me, by the time he was called for dinner chow hall on October 5th, 2018, he had already missed at least 5 doses of his prescribed medication and was feeling his altered mood. Reyes told me he was agitated and angry most of the day. I asked if he was angry and agitated when he walked into the chow hall, he said "Yes".

I asked Reyes to tell me what happened when he walked into chow hall. Reyes told me the following; he was just real angry, having a bad day. He walked into the chow hall and was handed a tray of food, he then walked to an available seat. The black deputy walked up to me and asked me what's wrong with me, I said nothing and continued to walk away. I sat down at a table and another deputy walked up to me and told me to pick my tray up and leave chow hall. I told him, "Fuck off". The deputy asked me what I just said, and I told him "Fuck off". Then I don't remember anything after that until I woke up in the wheel chair.

I asked if he remember hearing deputies give commands to leave the chow hall. He said he did not remember. I asked him if he remembered assaulting the deputies and again he said, "No". I asked if he heard the deputies tell him to stop resisting, Reyes said, "yeah I remember hearing them tell me to stop resisting". I asked, why were you resisting their efforts? Reyes, said, "I was just lying there". I asked Reyes if he had any further questions or concerns, Reyes only wanted to know if he was going to get any new charges and if this even would finally allow him to flex up to a yellow band classification. I concluded the interview at approximately 1257 hours.

Additional Information:

During my investigation, I reviewed video footage from the overhead surveillance cameras for the 4th Floor Chow Hall. I also reviewed the deputies' Use of Force reports. The reports were consistent with the video footage of the incident. I collected the video footage from the surveillance camera which recorded the Use of Force incident, and the video from the handheld camera which recorded Reyes being escorted to Medical and being treated. I also collected the video of the post-incident interview from the handheld camera. Deputies D. Thomas #9934, J. White #10212, and K. Young #10572 prepared separate Use of Force reports for this incident. Refer to their reports for details.

INVESTIGATING OFFICERS	REPORT BY	DATE OF REPORT	APPROVED
JEFFRY TUCKER	JEFFRY TUCKER Sergeant 	1/8/2019	DAWN HAAG Lieutenant

1. COPIES TO: Records




ORIGINAL

2. CASE NO. 18-039946

SHERIFF'S DEPARTMENT
ORANGE COUNTY
SANTA ANA, CALIFORNIA

DON BARNES, SHERIFF-CORONER

REPORT CONTINUATION

INVESTIGATING OFFICERS	REPORT BY	DATE OF REPORT	APPROVED
JEFFRY TUCKER	JEFFRY TUCKER Sergeant 	1/8/2019	DAWN HAAG Lieutenant