



INCIDENT REPORT

JI/Call #: 240623-0200

ORIGINAL**EVENT SUMMARY****OFFENSES**

Statute Code	Degree	Statute Description
148(A)(1) PC	Misdemeanor	Obstruct/Resist/Etc Public/Peace Officer/Emergency Med Tech

Date Occurred: Sunday, 6/23/2024 10:30

Date Reported: Sunday, 6/23/2024 10:30

Incident Address: 501 The City Drive South, Orange CA 92868

Incident Jail Location: TLF 3RD FLR MOD R 525

Jail Specifics: Module R

Mod/Barracks: R

Sector/Tank: Outdoor Rec

Cell:

Evidence Collected? ☒Suspect Arrested? ☐Naloxone Deployed? ☐

Number of doses deployed: 0

Use of Force? ☒

Brief Description: Use of Force with Inmate [REDACTED]

Property Loss: \$0.00

VICTIM(S)

STATE OF CALIFORNIA

SUSPECT(S)

[REDACTED], DOB: [REDACTED]

CRIMES AGAINST PEOPLE/PROPERTY

Offense: 148(A)(1)

Attempted/Completed: Completed

Offense Location: Jail / Prison

Offender Suspected of Using: Not Applicable

SUSPECT(S)

Name: [REDACTED] DOB: [REDACTED] AGE: [REDACTED] Cite #:

Address: Transient

Related To:

Sex: Male

Race: Black Or African American

Ethnicity Non-Hispanic

Height: 5'08"

Weight: 165

Hair: Brown

Eyes: Grey

Cell Phone:

Home Phone:

Other Phone:

Booking Number: [REDACTED]

Naloxone Deployed? ☐

Number of doses:

VICTIM

Victim Type: Government (federal, State, County, City)

Business/Organization Name: State Of California

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Related To: 148(A)(1)

NARRATIVE

On Sunday, June 23, 2024, I was working my assigned position as a Module "R" Deputy at the Theo Lacy Jail Facility, in the City and County of Orange. At approximately 1030 hours, I was behind the Module "R" guard station door when I heard an inmate, later identified by his inmate identification card as [REDACTED] ([REDACTED]), knocking on the outdoor rec door. [REDACTED] told me the fingernail clippers were broken.

I walked over to the outdoor recreational door and opened it. I asked [REDACTED] to hand me the broken nail clippers. [REDACTED] said, "Am I going to get some nail clippers that work?" I said, "Yes, give me the broken ones and I'll get some that work." [REDACTED] said, "That's what Deputies have been telling me for the last week, and I have not been able to get a pair that work." I told [REDACTED] "This is the first time I've heard in a while that the fingernail clippers are broken, give me the broken ones and I'll get you some that work." I put my hand out for [REDACTED] to hand me the broken nail clippers. [REDACTED] quickly pulled his hand away from me. Abruptly and unexpectedly, [REDACTED] changed his demeanor and became angry, and held the nail clippers with a tight grip out to the side of his right hip. I again told [REDACTED] to give me the broken nail clippers and I would get him some new ones. [REDACTED] said, "Fuck you! I ain't giving you these nail clippers." Based on the totality of circumstances:

1. I was in fear for my safety, with [REDACTED] approximately 2-3 ft away from me while angry and tightly gripping the (Metal) nail clippers.
2. I was in fear for the other inmate's safety in outdoor recreation because [REDACTED] had the broken nail clippers. Based on my training and experience inmates make or alter weapons out of jail house items and use them against other inmates and staff causing great bodily injury; specifically nail clippers which consist of multiple pieces of slender metal. Due to the metal being slender, it can easily be sharpened against concrete or metal, and used against staff or inmates as a deadly weapon.

In my head I thought: Due to [REDACTED] being so close to me with a weapon, I felt the best chance for my safety was to lunge at him and control his right wrist where he was holding the nail clippers. I knew that if I stepped back and attempted to close the door,

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if [REDACTED] wanted to, he could have had a chance to lunge at me, lift his right arm, and stab me with the broken nail clippers.

I decided to move forward and grab [REDACTED] by the shirt and right wrist so he could not use the broken nail clippers against me. With control of his wrist, I tried pulling [REDACTED] out of Outdoor Recreation. [REDACTED] moved his body in front of the doorway and used his body weight to push himself back into outdoor recreation. I maintained my grip on [REDACTED] wrist which pulled me into outdoor recreation with him.

Inside outdoor recreation, I lost control of [REDACTED] wrist, so I pushed him against the wall and told him multiple times to "drop it!" [REDACTED] tensed up and did not listen to my commands to drop the nail clippers. The broken nail clippers are made of metal pieces, which could be used as a weapon against me possibly causing great bodily injury. Due to [REDACTED] still holding on to the broken nail clippers, I began to punch [REDACTED] in the face with my right hand. I punched him a total of 4 times, 3 of which connected to his head before he fell to the ground. Once [REDACTED] fell to the ground, I looked in his right hand and saw that he was still holding the broken nail clippers. I quickly grabbed the broken nail clippers and threw them away from us. Deputy M. Tellez #10210 and I handcuffed [REDACTED] [REDACTED] was escorted to the booking loop via wheelchair without further incident.

[REDACTED] was evaluated by Registered Nurse C. Vargas. [REDACTED] was sent to UCI Hospital for further evaluation. [REDACTED] was escorted by Deputy M. Karwowski #10365, and Deputy E. Popelar #10985.

At approximately 1117 hours, I read [REDACTED] his Miranda Rights from my department issued Miranda Advisement Card. [REDACTED] answered, "Yes" to all four questions understanding his rights. I asked [REDACTED] if he wanted to talk about the incident and he said, "Yes." I asked [REDACTED] why he didn't give me the broken nail clippers and he said, "I pulled away from you because I wanted clippers that worked before I gave you the broken ones." I asked [REDACTED] why he got so mad and argumentative about giving me the broken nail clippers, and he did not say anything. No further questions were asked.

I charged [REDACTED] with CPC 148 (a)(1) due to:

1. [REDACTED] physically resisted me by not giving me the broken nail clippers after numerous commands to do so.
2. [REDACTED] delaying and obstructing me from daily jail operations.

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The broken nail clippers were disposed of properly and replaced with new ones.

A video request of the incident was sent to Fire Life Safety.

A classification review was submitted for Inmate [REDACTED]

Before submitting this report, I reviewed video footage of the incident for accuracy.

Sgt P. Chiron #7423 was notified of the incident.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Reporting Officer	G . Viera 10074	☐	6/23/2024
Approving Officer	P . Chiron 07423	☐	10/7/2024

SUPPLEMENT

ORIGINAL

PROPERTY/EVIDENCE

Property Description: Digital evidence - CCTV

NARRATIVE

On Tuesday, June 25, 2024, I worked as an Administrative Deputy at the Theo Lacy Facility responsible for downloading and booking video evidence related to various incidents around the facility.

At approximately 0600 hours, I received a Video Request Form from Deputy G. Viera #10074 to download video surveillance related to an incident, which occurred in Module "R," reference DR# 24-020785. The requested camera angle was camera C603. The video was approximately 5 minutes in length and I used the Genetec Security Desk software to download the requested camera angle.

At approximately 1320 hours, I used the Axon Evidence Upload XT to upload the footage and use of force to Evidence.com as evidence.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Supplementing Officer	J . Jones 12411	☐	6/27/2024
Approving Officer	K . Taylor 07495	☐	7/2/2024

SUPERVISORY USE OF FORCE SUPPLEMENTAL

ORIGINAL

Reporting Area: Theo Lacy Facility

SUBJECT(S) INTERVIEW SUMMARY

Interview with [REDACTED] ([REDACTED])

On Sunday June 23, 2024, at about 1123 hours, I interviewed Inmate [REDACTED] at the outside area of the Theo lacy Booking Loop. Inmate [REDACTED] was in the back of an ambulance. The interview was digitally video/audio recorded by Deputy M. Lopez #10894 who was not involved in the use of force. The following is a synopsis of my administrative investigatory interview with [REDACTED]. It is not verbatim, nor necessarily in order of conversation, and is organized for the purpose of clarity. This report is not meant to take place of the actual recording.

Inmate [REDACTED] said he was injured but did not know how. [REDACTED] said he received injuries from being slammed on his neck when six or seven people jumped on him. I asked [REDACTED] if he had any pre-existing injuries and he told me he previously [REDACTED]. [REDACTED] said excessive and unnecessary force was used. [REDACTED] did not know who used force on him. [REDACTED] said he never swung on the officer or made any verbal comments. [REDACTED] claimed he only told the deputy he wanted to continue to try to use the nail clippers. [REDACTED] admitted to pulling away from the deputy but claimed he only did it because he wanted to hold on to the nail clippers. [REDACTED] said he did not understand why the deputy felt threatened. I observed [REDACTED] and saw he had a swollen and bloody nose, swollen left eye, and a cut in the inside of his mouth.

WITNESS(ES) STATEMENT & SUMMARY

Interview with [REDACTED]

On Sunday June 23, 2024, at about 1140 hours, I interviewed Inmate [REDACTED] in the Module R hallway leading up to the guard station. [REDACTED] was inside outdoor recreation with [REDACTED] when the incident occurred. [REDACTED] said [REDACTED] asked the deputy for a different pair of nail clippers because the ones he had were broken. The deputy looked for a new pair of nail clippers and then told [REDACTED] there were no other working nail clippers. [REDACTED] told the deputy he was going to keep them to use them. The deputy opened the door and told [REDACTED] to return the nail clippers. [REDACTED] told the deputy he wanted to keep them to use them. The deputy tried to grab the clippers and [REDACTED] pulled away and told the deputy he wanted to keep them. The deputy punched [REDACTED] in the face and [REDACTED] went unconscious.

ADDITIONAL INFO

The following witness interview was digitally video/audio recorded by Deputy M. Lopez #10894. The following is a synopsis of my administrative investigatory interview with the inmate. It is not verbatim, nor necessarily in order of conversation, and is organized for the purpose of clarity. These reports are not meant to take place of the actual recording.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Supervising Officer	Chiron, P. 07423	☐	8/4/2024



SUPERVISORY USE OF FORCE SUPPLEMENTAL

ORIGINAL

Reporting Area: Theo Lacy Facility

Approving Officer Fletcher, R. 08800 ☐ 10/8/2024

SUPPLEMENT

ORIGINAL

PROPERTY/EVIDENCE

Property Description: Digital evidence - CCTV

NARRATIVE

On Tuesday, August 6, 2024, at approximately 0600 hours, I received a Video Request Form from Sergeant P. Chiron #7423 to download video surveillance related to an incident, which occurred in "Module R," reference DR# 24-020785. The requested camera angles were cameras C608 and C609. The videos were approximately 7 minutes in length and I used the Genetec Security Desk software to download the requested camera angles.

On Tuesday, August 6, 2024, I worked as an Administrative Deputy at the Theo Lacy Facility responsible for downloading and booking video evidence related to various incidents around the facility.

At approximately 0540 hours, I used the Axon Evidence Upload XT to upload the footage and Use of Force to Evidence.com as evidence.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Supplementing Officer	J . Jones 12411	☐	8/6/2024
Approving Officer	K . Taylor 07495	☐	8/6/2024

SUPPLEMENT

ORIGINAL**PROPERTY/EVIDENCE****Property Description:** (1) CD CONTAINING VIDEO FOOTAGE OF INMATE [REDACTED] BEING ESCORTED TO THE THEO LACY LOOP**Quantity:** 1**Brand/Make:****Model:****Property Description:** (1) CD CONTAINING THE INJURIES SUSTAINED**Quantity:** 1**Brand/Make:****Model:****Property Description:** (1) CD OF THE UOF INTERVIEWS**Quantity:** 1**Brand/Make:****Model:****NARRATIVE**

On Tuesday 6/23/24, I was working my assigned position as a Booking Loop Deputy at the Theo Lacy maximum-security Facility, located at 501 The City Drive South, in the City of Orange, California.

At about 1124 hours, I assisted Sergeant P. Chiron #7423 by holding the Booking Loop handheld digital video camera, while he was conducting his use of force and witness interviews for inmates later identified by Orange County Booking Records as [REDACTED] (DOB: [REDACTED] - BKG: [REDACTED]) and [REDACTED] (DOB: [REDACTED] - BKG: [REDACTED]).

I copied the video footage of the use of force, witness interviews, and the escort of Inmate [REDACTED] onto a compact disc and booked it at the Theo Lacy Evidence Locker Room. For further details see attached evidence case receipt.

INVOLVEMENT TYPE	OFFICER NAME	BODY WORN CAMERA	DATE
Supplementing Officer	M . Lopez 10894	☐	6/30/2024
Approving Officer	R . Fletcher 08800	☐	10/8/2024

CASE CLEARANCE

ORIGINAL

REASON FOR CASE CLEARANCE

DATE CLEARED

Prosecution declined.

2/11/2026

ADDITIONAL DETAILS

I was assigned this case for follow up investigation.

This case was rejected on 11/13/24, by the Orange County District Attorney's Office. Deputy District Attorney R. Armendariz stated this case could not be proven beyond a reasonable doubt. I am clearing this case due to the District Attorney's Office declining to prosecute.

The discrepancy in the time this case was rejected by the DA's Office and me clearing this case on FBR, is I did not receive a notification (email) stating this case was rejected. I recently received an email inquiring about the status of this case, and I discovered it was rejected by checking EDC.

OFFICER INVOLVEMENT

OFFICER NAME

DATE

Investigating Officer

Pallanes, M. 07398

2/11/2026

Approving Officer

Campbell, B. 01109

2/11/2026