

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF VENTURA

COMPLAINT REQUEST EVALUATION

Attention: Detectives William Gentry & Ralph Zermeno

Date of Incident: October 25, 1998

Agency No.: 98-85383

Re: Felipe Campa Robledo, Jr. - Off duty Ventura County Sheriff's
Deputy Robert Bogardus reasonable use of deadly force

INTRODUCTION

I have read the investigative reports, reviewed the photographs and spoken with the assigned detectives. After a careful review of the circumstances surrounding the use of deadly force by off duty Ventura County Sheriff's Deputy Robert Bogardus on October 25, 1998, it is the conclusion of the District Attorney's Office that the force used by the deputy was reasonable. The evidence is clear that in the totality of circumstances, Deputy Bogardus fired his weapon believing that Felipe Robledo, Jr. was armed and dangerous and that he was about to suffer great bodily injury or death. Please consider this as a formal rejection of a criminal filing in this matter.

On October 25, 1998, Deputy Bogardus was off duty at his home in a rural unincorporated area of Ventura County. His home is located in an area of large citrus orchards. The Bogardus home shares the same driveway and common parking area with another home. These homes are enclosed by a chain link driveway gate and a wrought iron fence surrounded by large bushes. At approximately 5:30 P.M., Deputy Bogardus was outside his home with his small child when he observed Felipe Robledo, Jr. approach his driveway gate from the main road. Robledo walked to the gate and appeared to attempt to open the gate latch. As he did so, Deputy Bogardus' dogs approached the gate and appeared to startle Robledo.

GREG PHILLIPS DDA - DECEMBER 1, 1998

Deputy Bogardus walked to the gate and spoke to Robledo. He described Robledo as 20 to 30 years old, six feet tall, 185 pounds, medium build, a medium complexion, with a thin mustache. His hair was slicked back and short on the sides. Robledo was wearing a black blazer or sport coat and tan slacks. He was sweating and his eyes were red and glassy. He appeared disoriented and acted as if he were going through alcohol or drug withdrawal. His speech and demeanor was that of someone who might be or was slightly mentally ill. Robledo's overall speech, demeanor and appearance gave Deputy Bogardus a feeling of unease or apprehension.

Deputy Bogardus had difficulty in communicating with Robledo. After some time, Robledo told Deputy Bogardus that his car had broken down and he needed baking powder and what sounded to Deputy Bogardus like a "brillo pad." According to Deputy Bogardus, Robledo was not speaking clearly and sounded like he was under the influence of alcohol or drugs. Once Deputy Bogardus understood that Robledo claimed he had car problems, he volunteered to help Robledo fix his car. Robledo then told Deputy Bogardus that his car was not close by but that he lived nearby. Deputy Bogardus told Robledo he did not have any of the items Robledo requested.

Robledo left Deputy Bogardus' driveway and walked down the road toward another residence. Deputy Bogardus entered his home and from his kitchen window observed Robledo enter the driveway of the adjacent residence. As he watched Robledo, Deputy Bogardus called the Sheriff's Department 911 operator reporting Robledo's appearance, conduct and entry into his neighbor's driveway and asked for a Sheriff's car to respond to his home. As Deputy Bogardus stood in his kitchen, he observed Robledo leave his neighbor's driveway and walk toward his house. Deputy Bogardus left his house and walked to his personal truck parked, outside his property, adjacent to the main road and removed his service weapon and badge from the glove compartment. Deputy Bogardus intended to detain Robledo until uniform deputies arrived.

Deputy Bogardus stood at the rear of his truck as Robledo approached. Robledo spoke to Deputy Bogardus and told him he had found what he was looking for. Deputy Bogardus then identified himself as a deputy and displayed his photo identification and badge and asked to speak with Robledo. Robledo looked at the badge, looked down and then increased his speed as he walked past. Robledo who appeared very nervous to Deputy Bogardus, quickly thrust his right hand in his jacket pocket as he began to run from the deputy. Deputy Bogardus observed that Robledo kept his right hand in his jacket pocket as he ran. Deputy Bogardus pursued Robledo, yelling "Sheriff's Department, stop, I have a gun."

Robledo ran into a citrus orchard adjacent to the Bogardus home. Deputy Bogardus followed, holding his weapon in his right front pants pocket as he ran after Robledo. Deputy Bogardus pursued Robledo, who was running approximately 20 to 30 feet ahead in a zig zagging path, for approximately 40 to 50 yards. Deputy Bogardus relied partially on keeping Robledo in view and on the sound Robledo made as he traversed the orchard. Robledo's path, the late hour, and the dusk before darkness obstructed or partially obscured Robledo as he ran from the deputy. Robledo was approximately 30 feet in front of the deputy when he rounded a tree, looked back at the deputy and cut across the deputy's path. As he did so, he turned his right shoulder toward Deputy Bogardus with his right hand inside his jacket pocket. Robledo pointed his covered right hand directly at the deputy. Believing Robledo was pointing a weapon at him, Deputy Bogardus, who had taken his weapon from his pocket, fired one round from his service weapon. Deputy Bogardus missed. Because Deputy Bogardus was temporarily blinded and deafened after he fired his weapon, he broke off his pursuit. Deputy Bogardus told Sheriff's investigators that as he and Robledo were both moving when he fired his weapon, he fired using the "point and shoot" method. Deputy Bogardus waited for a brief period, then walked into the orchard one more row and broke off his pursuit. Deputy Bogardus stayed in the orchard until uniformed Sheriff's deputies arrived.

Statements of Deputy Bogardus neighbors

██████████ lives a short distance north of the Bogardus home. His house is approximately 2/10ths of a mile from the main road. On October 25, 1998, he spoke to Robledo as Robledo was walking up the driveway toward the house. Robledo asked ██████████ if he had tin foil and baking soda in order to fix his battery. ██████████ described Robledo as "not with it, simple minded." In order to get Robledo to leave the area, ██████████ agreed to return to his home to get Robledo the items he requested.

██████████ and Robledo returned to the house together and ██████████ gave him the requested materials. Robledo then asked for and was given four cigarettes. Mr. ██████████ aunt overheard Robledo tell ██████████ that he lived in a ranch house somewhere below their property. Approximately one month prior, ██████████'s aunt had found Robledo in her driveway. They had spoken briefly about her nephew's car. Some months prior to that conversation, ██████████ grandmother had given Robledo approximately six dollars.

Deputy Bogardus' next door neighbors ██████████ and his stepfather, share a common driveway and parking area. They were inside their house watching television when they heard Deputy Bogardus speaking loudly outside their house, in the area of their common driveway. ██████████ or his stepfather turned the television's volume off with the mute

button. [REDACTED] heard Deputy Bogardus yell, "Sheriff's Department, Stop!" Mr. [REDACTED] went to retrieve a flashlight and as he and his stepfather left his house they heard one gunshot coming from the adjacent orchard. [REDACTED] ran outside toward the gunshot and saw Deputy Bogardus within the orchard. Deputy Bogardus asked [REDACTED] to walk along the edge of the orchard to see if he could see Robledo. Approximately ten minutes later, he saw someone run from one orchard across a dirt access road into a second orchard. [REDACTED] saw this person from the waist down and could only see brown or tan pants and dark shoes.

[REDACTED] is [REDACTED]'s stepfather. [REDACTED] was watching television with [REDACTED] when he heard someone outside the front of their house talking about baking soda. He or [REDACTED] turned off the television audio with the mute button and heard Deputy Bogardus yell, "Stop, Sheriff's Department!" [REDACTED] also retrieved a flashlight and as he stepped from his home he heard a single gunshot coming from the adjacent orchard. Mr. [REDACTED] remained near the back area of the Bogardus [REDACTED] common area as [REDACTED] ran to assist Deputy Bogardus.

[REDACTED] and his wife live in a separate home next to the Bogardus and [REDACTED] homes. [REDACTED] told Sheriff's investigators that he was watching television in his home when he heard Robledo yell "Hey you." [REDACTED] looked out his front door and saw Robledo standing by his chain link fence. [REDACTED] left his home and spoke to Robledo. Robledo asked him for an 'SOS' pad to clean his spark plugs in his disabled car. Robledo then started to walk into [REDACTED]'s open garage. [REDACTED] left Robledo and retrieved an 'SOS' pad and returned to his garage. When he did so, Robledo told [REDACTED] "don't shoot." Robledo told [REDACTED] he lived in the immediate area. Robledo also told [REDACTED] he was taking medication and showed him a prescription bottle. [REDACTED] asked Robledo to leave. As he did, Robledo questioned [REDACTED] as to whether anyone was home at the Bogardus [REDACTED] homes.

Approximately ten minutes later, [REDACTED] heard Deputy Bogardus speaking to Robledo near the main road. [REDACTED] heard Deputy Bogardus identify himself as a deputy and tell Robledo to stop. He then heard Robledo and Deputy Bogardus run across his driveway toward the orchard behind his house. Approximately thirty seconds later he heard a single gunshot.

Approximately one month before the incident, Mr. and Mrs. [REDACTED] had contact with Robledo. [REDACTED]'s wife had returned home and parked in her garage. Robledo "suddenly appeared" holding one of her children's toy army men. Robledo asked if Mrs. [REDACTED]

recognized him from a prior encounter. Both Mr. and Mrs. █████ considered Robledo to be acting strangely on those occasions when they spoke to him.

Interview of Felipe Campa Robledo, Jr.

The day after the incident, Sheriff's Investigators contacted a resident of one of the farm houses on Telegraph Road. She told them there was a "male Mexican, who takes drugs, a little crazy, who always asks for money, . . . he lives up the street in a farm house on Telegraph Road." She then pointed out Robledo's house. The investigators entered the property and contacted a woman, later identified as Robledo's mother, who told the investigators to cover the front and rear doors of her house as her son would run if he saw them.

Mrs. Robledo led one of the deputies into her home and pointed out her son, Felipe standing in her living room. Mrs. Robledo told the deputies, in her son's presence, that her son had told her he had been shot at by a policeman the previous night. The deputies then explained to Mrs. Robledo what had transpired the night before. Robledo immediately said, that it wasn't him, that he had been home all night or that he had been to the doctor. His mother told the deputies she would not lie for him but that he needed help. She related that her son had stolen his brother's championship baseball rings, he abused drugs and that he had mental health problems that had worsened since his wife had left him.

The Sheriff's investigators took Robledo to the Sheriff's station for an interview. Robledo admitted having mental health problems for which he had been treated in the past. Initially Robledo denied being shot at by Deputy Bogardus claiming that on the day of the incident, he had been with his children between noon and 5:00 P.M., and then to the hospital. He claimed to have returned home at approximately 8:30 P.M. having received a ride from the hospital to his house from an "unknown guy." Robledo claimed his mother had lied about him being shot at by the deputy.

After a lengthy period and repeated denials, Robledo eventually admitted that he was the person Deputy Bogardus shot at. He told the investigators, he approached Deputy Bogardus and asked him for something, he believed foil, for his car. Deputy Bogardus said he did not have any and Robledo left and went to another home further up the main road from the Bogardus home. Leaving that home, he walked passed the Bogardus home when he saw Deputy Bogardus doing something in his truck parked adjacent to the main road. As Robledo walked past Deputy Bogardus, he told him that he had found tin foil and the other stuff he needed. Deputy Bogardus then showed him his Sheriff's badge and

asked to talk to him. Robledo told the deputy it was a phony badge that he did not believe he was a police officer and that Deputy Bogardus "was putting him through some weird trip." Robledo panicked (he had been arrested before) and ran from Deputy Bogardus. Robledo admitted putting his right hand in his right jacket pocket as he ran into and through the orchard. Robledo had the items he had been given from the [redacted] home as well as two championship baseball rings he had taken from his brother in that pocket. Robledo told the investigators he had originally taken his brother's rings to sell them but changed his mind and intended to return them. He thrust his hand into his right front jacket pocket to prevent the rings from falling out of his pocket.

Robledo admitted that in the orchard, he turned toward Deputy Bogardus with his right hand in his jacket pocket pointing toward the deputy. However, Robledo explained the pursuit, in part, as follows: "Oh, . . . yea . . . I did, I did . . . but he was playing games with me . . . he was running . . . he was yelling I'm running faster than you are . . . I'm running slower than you are . . . I'm going to catch you . . . that's why I started falling down . . . I was getting scared." Robledo stated that after the deputy fired one shot, he fell then he told the deputy, "leave me alone, I'm going home." Robledo did not believe that the deputy was a police officer because, "I don't think he was a cop because his gun didn't sound . . . it was like a play gun . . . it went bing/bang . . . God told me to fall down, so I fell down . . . then I took off running." Robledo denied that Deputy Bogardus identified himself as a deputy. Robledo believed that he was a construction worker.

Robledo returned home and told his mother what had occurred in the orchard. She became upset and angry with him when he told her that when he fell he had lost his brother's championship baseball rings.

LEGAL ANALYSIS

Deputy Bogardus was acting reasonably under the totality of the circumstances when he displayed his badge, announced he was a Sheriff's deputy and attempted to stop and question Robledo. Robledo immediately ran. Did Deputy Bogardus have a duty to pursue Robledo? (See, Penal Code §§ 833.5, 835a). There is not a hard and fast rule of law in this state or in this country regarding law enforcement pursuit of an individual. Rather it is a case by case analysis applying a rule of reason and balancing the interest of the state against that of the individual. (See, California v. Hodari (1991) 499 US 621, 113 L Ed 2d 690; Brower v. County of Inyo (1989) 489 US 593, 103 L Ed 2d 628; Tennessee v. Garner (1985) 471 US 1, 85 L Ed 2d 1.) The Ventura County Sheriff's Department does not have a foot pursuit policy. However, they do have a vehicle pursuit policy. It states in part, "Generally, pursuits may be initiated when law violator(s) exhibit the

intention of avoiding arrest by using a vehicle to flee or when *reasonably suspected law violator(s) refuse to stop* and use a vehicle to flee. Before the initiation of a pursuit and continually during the pursuit the officer(s) must evaluate whether or not the need to pursue the suspect outweighs the dangers of initiating or continuing the pursuit." Common sense and logic dictate that the foregoing is equally applicable to foot pursuits as to vehicle pursuits.

On October 25, 1998, Deputy Bogardus applied that rule of reason as articulated in the above cited cases when he sought to stop and question Robledo. He had observed Robledo first hand, spoken to him and had his suspicions aroused by Robledo's attitude, demeanor and seeming lack of candor as to his presence in front of the Bogardus home. Living in a rural area with few neighbors, he watched Robledo go to a neighbor's driveway some distance from his own. Losing sight of Robledo and unsure of his intent, Deputy Bogardus did what a trained law enforcement deputy should do. He obtained his identification and attempted to contact what to him was a suspicious individual. When Robledo thrust his hand into his jacket pocket and immediately ran, it was infinitely reasonable for Deputy Bogardus to pursue.

A police officer may use deadly force where the circumstances create a reasonable fear of death or serious bodily harm in the mind of the officer. Graham v. Conner (1989) 490 U.S. 386; Martinez v. County of Los Angeles (1996) 47 Cal.App.4th 334.

The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. [Citation.] . . . The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments -- in circumstances that are tense, uncertain and rapidly evolving -- about the amount of force that is necessary in a particular situation. . . . [T]he 'reasonableness' inquiry . . . is an objective one: the question is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. [Citations.] Graham, 490 U.S. at 396-397.

In this case, all the witnesses who spoke to Felipe Robledo, Jr. on October 25, 1998, agree that Mr. Robledo appeared to suffer from a mental illness. Mr. Robledo and his mother later confirmed their suspicions.

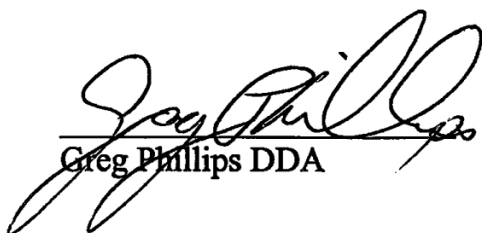
Deputy Bogardus, like his neighbors also believed something was not quite right when he spoke to Mr. Robledo. It was dusk, slowly moving into darkness when they spoke. As a Sheriff's Deputy, parent, husband and homeowner, he was concerned for his safety and the safety of his family and neighbors. He acted upon that concern when he called 911 and asked for the assistance of uniformed deputies. Observing Robledo leave his home and walk to and into the driveway of a neighbor, Deputy Bogardus went to retrieve his badge, identification and weapon from his truck. Having done so, Deputy Bogardus stood to the rear of his truck and watched Robledo walk toward him. As Robledo walked past, a brief conversation ensued. Deputy Bogardus identified himself and showed Robledo his badge and identification. By Robledo's own admission, Robledo did not believe that Deputy Bogardus was a Sheriff's Deputy though Robledo also admitted he was nervous and fearful of being arrested. For whatever reason, he panicked, immediately thrust his right hand into his right front jacket pocket and ran despite Deputy Bogardus repeated commands to stop. Deputy Bogardus pursued Robledo into an adjacent orchard repeatedly ordering Robledo to stop.

As Deputy Bogardus followed Robledo into the orchard, he watched Robledo run with his right hand firmly thrust in his jacket pocket. Deputy Bogardus feared that Robledo may be armed because of his demeanor when they initially spoke, his reaction and response to the deputy identifying himself a short time later, his sudden and rapid thrusting of his right hand into his jacket pocket and his panicked flight from the deputy. Further, Robledo ignored repeated commands to stop and made every effort to run from Deputy Bogardus while consistently keeping his right hand in his right jacket pocket. When Robledo finally turned on the deputy and pointed his concealed right hand at him, Deputy Bogardus, fearing he was about to be shot, fired one round from his weapon. Deputy Bogardus used the force that was reasonable and appropriate to the situation.

CONCLUSION

Ventura County Deputy Sheriff Robert Bogardus was objectively reasonable in his use of deadly force in light of the facts and circumstances confronting him in the orchard adjacent to his home on October 25, 1998.

It is therefore the conclusion of the District Attorney's Office that Deputy Robert Bogardus acted lawfully and reasonably.


Greg Phillips DDA

12-1-98
Date

TUE, OCT 27, 1998, 2:05 PM

DISPLAY CALL

Call [redacted] e SSUBJ D H P T O
SUSP SUBJECT

Incident No 98085383

Loc [redacted] APT City VTA

Name DEPUTY BOGARDUS Contact?

Add [redacted] Phone# - Area Code

Rmks MHA 30'S BRN SUIT JACKET, SLACKS, CAME TO DOOR SAID CAR WAS BROKEN DOWN, ASKED FOR BAKING SODA & TINFOIL, NO CAR SEEN, ENTERED YARD AT LOC N +3

PrtY 1 Lev Src P Rd 3306 Beat 3001 Takers-Id 3098 Disp-Id 2765 Cmnd 01

Date 102598 911 Rec 173526 Dis 174017 Arv 175857 Trn Bkg

Amb Tow Clr 211750 Dc 04 Report Y Act Type PROWLER

Units	3033	3032	3055	3832	3AK	COP4	3C31	3834	5E5
Dispo	*	*	*	*	*	*	*	*	*
Remarks									
Related	Police#		Fire#		Ems#		Sheriff#		

OW CAN CONT RP IF NEC, 5 AGO
/DP AND OFF DUTY DEP BOGARDUS ARE IN THE FIELD BEH LOC
/UNK IF BOGARDUS IS ARMED AT THIS TIME

3098 10/25/98 17:35
2965 10/25/98 17:48
2965 10/25/98 17:48

TUE, OCT 27, 1998, 2:07 PM

Benavides

F. Bonilla

UNSTORY FOR: 3032 DATE: 10/25/98 TO 10/25/98 TIME: 000000 TO 240000
IN SERVICE AT: 151118 OFFICER 1: 3027 OFFICER 2: 2579

TIME	CC	INC#	REMARKS	TIME	CC	INC#	REMARKS
151118	I	INSERVICE	3027 2579	170938	C		CT=SUBJSTOP
151120	D	085348		172609	E		ARBYS *1726
153507	A	085348		175016	C		CT=EATING
160019	RT	085348		175315	D	085381	132 LAMBERT ST
162844	RT	085348		175647	A	085381	132 LAMBERT ST
163142	RT	085348		175950	C	085381	CT=ALARMA DC=02
163440	C	085348		175950	C	085381	RM=NO CRIME//SECURE
163440	C	085348		180809	RT		LUNA CARLOS 090668
163841	RT			180833	H		STATION 1
164244	SW			182608	C		CT=STATION
164440	RT			182610	BU	085383	RD
165051	C			183224	A	085383	RD
165130	RT			184109	LC	085383	11370
170003	S			191418	RT	085383	UT 932IVE
170213	RT			203642	C	085383	CT=SSUBJ DC=04

3032

TUE, OCT 27, 1998, 2:07 PM

*Chris
Bridges*

Hendren

UNSTORY FOR: 3832 DATE: 10/25/98 TO 10/25/98 TIME: 000000 TO 240000
IN CE AT: 152217 OFFICER 1: 3323 OFFICER 2: 3074

TIME	CC	INC#	REMARKS	TIME	CC	INC#	REMARKS
152217	I	IN SERVICE	3323 3074	201811	A	085383	
171516	V			203600	C	085383	
171720	RT			203603	D	085421	
171836	RT			203740	A	085421	
172049	C			205332	RP	085421	
173824	D	085385		205342	P	085421	
175852	A	085385		205342	D	085427	
182203	LC	085385	PD	205748	RT	085427	
191432	C	085385	CT=BURGR DC=04	210121	RT	085427	
192753	OW	085383	OW:3831 11370 FOO	210150	LC	085427	
192753	A	085383	OW:3831 11370 FOO	210311	A	085427	
201335	C	085383	CT=SSUBJ	210442	RT	085427	
201344	D	085415	CAMARILLO @ /CITY O	210836	LC	085427	
201354	LC	085415	SP ER	212418	RT	085427	
201811	EX	085415	SP ER	212442	RT	085427	

3832

TUE, OCT 27, 1998, 2:08 PM

Conrad Hardy

Theo Langford

UNSTORY FOR: 3C31 DATE: 10/25/98 TO 10/25/98 TIME: 000000 TO 240000
INCE AT: 152226 OFFICER 1: 3042 OFFICER 2: 3034

TIME	CC	INC#	REMARKS	TIME	CC	INC#
152226	I	INSERVICE	3042 3034	183147	A	085392
153350	BU	085351		84917	C	085392
153616	A	085351		84917	C	085392
155939	RT	085351		85155	V	
155954	RT	085351		90339	C	
161801	RT	085351		90344	BU	085383
163634	ST	085351		90358	LC	085383
164124	T	085351		91135	A	085383
165350	B	085351		92134	V	
173715	C	085351		92326	C	
175555	RT			92326	EN	085383
175806	V			02812	RT	085383
180108	RT			03607	C	085383
180417	C			03611	BU	085421
181931	D	085392		04144	RT	085421

3C31

TUE, OCT 27, 1998, 2:07 PM

Hester

Frankie

UN [REDACTED] STORY FOR: 3D33 DATE: 10/25/98 TO 10/25/98 TIME: 000000 TO 240000
IN [REDACTED] CE AT: 154417 OFFICER 1: 2528 OFFICER 2: 3117

TIME	CC	INC#	REMARKS	TIME	CC	INC#	REMARKS
154417	I	INSERVICE	2528 3117	211750	C	085383	CT=SSUBJ DC=04
160344	SW		[REDACTED]	213439	D	085431	[REDACTED]
160848	C		[REDACTED]	213520	P	085431	[REDACTED]
162100	V		[REDACTED]	213555	D	085431	[REDACTED]
162653	C		[REDACTED]	215736	A	085431	[REDACTED]
170034	V		[REDACTED]	220332	C	085431	[REDACTED]
170227	RT		[REDACTED]	220332	C	085431	RM=SUBJS CONTACTED/
172816	C		[REDACTED]	221356	W		1081
172930	RT		[REDACTED]	231500	C		CT=REPORTS
173417	S		[REDACTED]	231503	O		
173935	C		[REDACTED]				
174017	D	085383					
175857	A	085383					
183012	RT	085383					
184033	LC	085383					

3D33

CRIME / INCIDENT REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT
AGENCY IDENTIFIER CA0560000

1 CONNECTING REPORT NUMBERS		2 R.D. 3304		3 BEAT 301		4 RB NUMBER 98-85383								
5 <input checked="" type="checkbox"/> CRIME <input type="checkbox"/> INCIDENT <input type="checkbox"/> SUPPLEMENTAL <input type="checkbox"/> CASE CLEARED				6 <input type="checkbox"/> DOMESTIC <input type="checkbox"/> CHILD ABUSE <input type="checkbox"/> HATE <input type="checkbox"/> GANG <input type="checkbox"/> ELDERLY ABUSE										
7 CODE SECTION / DESCRIPTION (INCIDENT) OFFICER INVOLVED SHOOTING			8 CLASS. <input checked="" type="checkbox"/> Misd. <input type="checkbox"/> Fel.		9 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)			10 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.						
11 CODE SECTION / DESCRIPTION (INCIDENT)			12 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.		13 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)			14 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.						
15 OCCURRED FROM		MO. DAY YR. 10 25 98		TIME 1730		16 DOW SUN								
17 OCCURRED TO		MO. DAY YR. 10 25 98		TIME 1735		18 DOW SUN.								
19 LOCATION OF OFFENSE / INCIDENT ADDRESS CITY STATE ZIP VENTURA, CA, 93004														
20 CODE: V-VICTIM W-WITNESS R-REPORTING PARTY F-FINDER O-OWNER P-PARTY														
CODE 22 NAME (Last, First, Middle, Gen.) / FIRM NAME		AKA / Moniker		RACE 23	SEX 24	HT 25	WT 26	HAIR 27	EYES 28					
21 R				W	M	6'0"	225	BRN	BLU					
31 RESIDENCE ADDRESS / (<input checked="" type="checkbox"/> Same as Box # 19)						CITY STATE ZIP		32 RESIDENCE PHONE						
33 BUSINESS / SCHOOL NAME ADDRESS / (<input type="checkbox"/> Same as Box #)						CITY STATE ZIP		34 RESIDENCE PHONE						
SANTA PAULA, CA														
35 OCCUPATION (<input type="checkbox"/> STUDENT)			36 DAYS OFF		37 WORK HRS		38 INTERPRETER							
AUTO PARTS			UNK.		UNK.		NO							
39 LIC. NO. / STATE		41 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE				42 OTHER CHARACTERISTICS / VIN NO.								
CODE 43		44 NAME (Last, First, Middle, Gen.) / FIRM NAME		AKA / Moniker		RACE 45	SEX 46	HT 47	WT 48	HAIR 49	EYES 50	DOB 51	AGE 52	
53 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)						CITY STATE ZIP		54 RESIDENCE PHONE						
55 BUSINESS / SCHOOL NAME ADDRESS / (<input type="checkbox"/> Same as Box #)						CITY STATE ZIP		56 BUSINESS PHONE						
57 OCCUPATION (<input type="checkbox"/> STUDENT)			58 DAYS OFF		59 WORK HRS		60 INTERPRETER			61 OPERATOR'S LIC. NO. / STATE				
62 VEH. LIC. NO. / STATE		63 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE				64 OTHER CHARACTERISTICS / VIN NO.								
65 ARSON <input type="checkbox"/> Single Fam. Resd. <input type="checkbox"/> Inhabited <input type="checkbox"/> Uninhabited <input type="checkbox"/> Storage <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Other Structure <input type="checkbox"/> Public Place <input type="checkbox"/> Vehicle <input type="checkbox"/> Unlawful Fire <input type="checkbox"/> Forest <input type="checkbox"/> Other			66 BURGLARY <input type="checkbox"/> Residential <input type="checkbox"/> Vehicle <input type="checkbox"/> Commercial <input type="checkbox"/> Other			67 ROBBERY <input type="checkbox"/> Bank <input type="checkbox"/> Chain Store <input type="checkbox"/> Commercial <input type="checkbox"/> Gas Station <input type="checkbox"/> Highway <input type="checkbox"/> Residence <input type="checkbox"/> Other			68 THEFT <input type="checkbox"/> Auto Parts <input type="checkbox"/> Bicycle <input type="checkbox"/> From Bldg. <input type="checkbox"/> Coin Machine <input type="checkbox"/> From Person <input type="checkbox"/> From Vehicle <input type="checkbox"/> Purse Snatch <input type="checkbox"/> Shoplift <input type="checkbox"/> Other			69 VALUE / DOLLAR LOSS \$ VALUE / DAMAGE LOSS \$		
									70 FORCE / WEAPON <input checked="" type="checkbox"/> No Force <input type="checkbox"/> No Weapon <input type="checkbox"/> Verbal Only <input type="checkbox"/> Attempt Only <input type="checkbox"/> Great Bodily Injury <input type="checkbox"/> Firearm <input type="checkbox"/> Knife <input type="checkbox"/> Hands/Fists/Feet <input type="checkbox"/> Other					
									71 DOMESTIC VIOLENCE / SEX / HATE CRIMES <input type="checkbox"/> D.V. and/or S. A. Pamphlet given to: <input type="checkbox"/> Victim <input type="checkbox"/> P-1 <input type="checkbox"/> P-2 <input type="checkbox"/> Pursuant to Sec. 6254 G.C., victim of D.V., Sex or Hate Crime requests their name be withheld from the public. <input type="checkbox"/> YES <input type="checkbox"/> NO					
									72 SPECIAL INTEREST (Copy to Agency/Unit) <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Sex Crime <input type="checkbox"/> Child Abuse <input type="checkbox"/> PSSA <input type="checkbox"/> Gang Related <input type="checkbox"/> Hate Crime <input type="checkbox"/> Agricultural <input type="checkbox"/> Probation <input type="checkbox"/> Parole <input checked="" type="checkbox"/> Other MAJOR CRIMES					
73 DATE AND TIME REPORTED 10-24-98/1740			74 DATE / TIME OF REPORT 10-24-98/12300			75 REPORTING OFFICER / ID NO / DMJ UNIT FRANKE / 3117 / WCP5 / HQ			76 APPROVED BY / ID NO. KL Termeu					
77 COPIES TO <input type="checkbox"/> DET/MC <input type="checkbox"/> NARC <input type="checkbox"/> GANG/SED <input type="checkbox"/> STATS <input type="checkbox"/> PRESS <input type="checkbox"/> DOJ <input type="checkbox"/> COURT <input type="checkbox"/> OTHER														
REV 8/97														

HESTER/2528

CRIN.RPT

CRIME / INCIDENT REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT

(CONTINUED)

AGENCY IDENTIFIER CA0560000

78 RB NUMBER

98-85383

ADDITIONAL NAME (Complete Front Page First)																					
81	NAME (Last, First, Middle, Gen.) / FIRM NAME			AKA / Moniker		82	RACE	83	SEX	84	HT	85	WT	86	HAIR	87	EYES	88	DOB	89	AGE
90 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box _____) CITY STATE ZIP												91 RESIDENCE PHONE ()									
92 BUSINESS / SCHOOL NAME ADDRESS / (<input type="checkbox"/> Same as Box _____) CITY STATE ZIP												93 BUSINESS PHONE ()									
94 OCCUPATION (<input type="checkbox"/> STUDENT)						95 DAYS OFF		96 WORK HRS		97 INTERPRETER		98 OPERATOR'S LIC. NO. / STATE									
99 VEHICLE LIC. NO. / STATE			100 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE			101 OTHER CHARACTERISTICS / VIN NO.															
102 DOMESTIC VIOLENCE (PC 13700, 13730) * COMPLETE #70 & 71 ON FRONT PAGE																					
103 RESPONDED TO A CALL INVOLVING A DOMESTIC INCIDENT: <input type="checkbox"/> Parties involved are described in 13700 (B) PC <u>and</u> <input type="checkbox"/> Incident was verbal only, <u>no</u> evidence of crime, physical violence or traumatic condition existed. (brief narrative required) <u>or</u> <input type="checkbox"/> A misdemeanor (_____ PC) occurred <u>and</u> no prosecution was desired by any involved party. <input type="checkbox"/> A felony <input type="checkbox"/> A misdemeanor arrest was made for (_____ PC)												104 RELATIONSHIP OF PARTIES <input type="checkbox"/> SPOUSES <input type="checkbox"/> FORMER SPOUSES <input type="checkbox"/> DATING/ ENGAGED <input type="checkbox"/> FORMER DATING <input type="checkbox"/> COHABITANTS <input type="checkbox"/> FORMER COHABITANT <input type="checkbox"/> PARENTS OF CHILD FROM RELATIONSHIP									
105 # OF PRIOR RESPONSES? _____ ALCOHOL/DRUG USE BY ABUSER? <input type="checkbox"/> Yes <input type="checkbox"/> No																					
106 BICYCLE INFORMATION												107 <input type="checkbox"/> STOLEN <input type="checkbox"/> LOST (Safekeeping, Found, Recovered, Evidence, use Property / Evidence Report)									
108 <input type="checkbox"/> Boys <input type="checkbox"/> ATB <input type="checkbox"/> Road <input type="checkbox"/> Hybrid <input type="checkbox"/> Girls <input type="checkbox"/> Juv. <input type="checkbox"/> BMX <input type="checkbox"/> Cruiser			109 COLOR		110 MAKE / MODEL		111 FRAME SIZE	112 WHEEL SIZE	113 GEARS	114 SERIAL NUMBER											
115 LICENSE NO. / CITY			116 ADDITIONAL EQUIPMENT OR IDENTIFYING CHARACTERISTICS						117 VALUE												
NARRATIVE If crime report, include brief description below (establishing elements of crime.) Use Narrative Report for details of crime. List stolen / lost property (use format below.) Enter total value/dollar loss on #69. All suspect information on Suspect Report.																					
119 PROPERTY CLASSIFICATION CODES SP - STOLEN PROPERTY LP - LOST PROPERTY						PROPERTY CODES A - CURRENCY / NOTES B - JEWELRY / PRECIOUS METALS C - CLOTHING / FURS D - VEHICLE E - OFFICE EQUIPMENT F - ELECTRONIC EQUIPMENT G - FIREARMS H - HOUSEHOLD GOODS I - CONSUMABLE GOODS J - LIVESTOCK K - MISCELLANEOUS															
120	121	122	123	124	125	126	127	128													
CODE	ITEM	QTY.	ITEM NAME	BRAND / MAKE MANUFACTURER	MODEL / NAME OR NUMBER	MISC. DESCRIPTION	IDENTIFICATION / SERIAL NUMBER	VALUE													
/			UNKNOWN SUSPECT WAS SEEN PROWLING UPON THE PRIVATE PROPERTY OF ANOTHER WITHOUT VISIBLE OR LAWFUL BUSINESS WITH THE OWNER																		
/			SEE NARRATIVE FOR FURTHER DETAILS																		

NARRATIVE REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT

Page 1 of 3 Continuation

AGENCY IDENTIFIER CA0560000

1 R.D. 3304	2 BEAT 301	3 RB NUMBER 98-85383
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4 CODE	5 ITEM	6 QTY.	7 ITEM NAME	8 BRAND / MAKE MANUFACTURER	9 MODEL NAME OR NUMBER	10 MISC. DESCRIPTION	11 IDENTIFICATION / SERIAL NUMBER	12 VALUE
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On 10-25-98, at about 1740 Hours Deputy Hester and I were working uniformed patrol in the Silverstrand area. We were dispatched to a suspicious subject call at [REDACTED] Rd. While responding to the location, dispatch notified us that an off-duty deputy was in the orchard, adjacent to [REDACTED] Rd.

Upon arrival, we were contacted by two women standing in the driveway of [REDACTED]. One of the women told us her husband, Deputy Bogardus was in the orchard between [REDACTED] Rd. and Telegraph Rd.

Deputy Hester and I began walking south of [REDACTED] toward Telegraph. We contacted two men with flashlights(W2 and W3, Refer to Deputy Hesters Report) who told us Deputy Bogardus went running southbound toward the corner of Wells and Telegraph chasing an unknown suspect.

Deputy Hester and I walked southbound to Telegraph Rd. looking down the orchard for any activity. We did not see or hear anyone. We walked back toward [REDACTED] Rd. and contacted Deputy Bogardus who told us he was chasing after an unknown Hispanic male for prowling. Deputy Bogardus told us he was chasing the unknown suspect through the orchard and saw the suspect reach for what he thought might be a weapon. Deputy Bogardus fired a shot at the suspect.

Deputy Hester contacted the watch commander via the unit cellular phone. I went to Telegraph Rd., south of [REDACTED] to attempt to secure a perimeter. Several other deputies arrived to help secure the perimeter. A search was conducted for the suspect by the air unit, K-9, and several deputies with negative results.

Deputy Hester and I interviewed (R-1) [REDACTED] n. [REDACTED] n told us the following. He was sitting in his house watching television and heard the suspect yell, "Hey you." [REDACTED] n looked out his front door and saw the suspect standing by his chain link fence. The suspect asked [REDACTED] n for a "S.O.S." pad to clean the spark plugs of his vehicle which broke down in the area. The suspect began walking into [REDACTED] garage. [REDACTED] n went into his house to get an SOS pad then returned to the garage. The suspect told [REDACTED] n "don't shoot." The suspect told [REDACTED] n that he lives in the area. [REDACTED] n told the suspect to leave his property. The

13 DATE / TIME OF REPORT
10-25-98/2330

14 REPORTING OFFICER / ID NO / DIV / UNIT
FRANKE/3117/WCP5/HQS

15 APPROVED BY / ID NO
[Signature] #1087

NARRATIVE REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT

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AGENCY IDENTIFIER CA0560000

1 R.D. <u>3304</u>	2 BEAT <u>301</u>	3 RB NUMBER <u>98-85383</u>
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5 CODE	6 ITEM	7 QTY.	7 ITEM NAME	8 BRAND / MAKE MANUFACTURER	9 MODEL NAME OR NUMBER	10 MISC. DESCRIPTION	11 IDENTIFICATION / SERIAL NUMBER	12 VALUE
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suspect told [redacted] he is taking medication and showed [redacted] a canister of prescription medication. [redacted] said the suspect began asking about his neighbors house and if anyone was home. [redacted] told the suspect he did not know. The suspect then left his property.

[redacted] told us about 10 minutes after that contact with the suspect, he heard Deputy Bogardus talking to the suspect toward the front of his house. He heard Deputy Bogardus identify himself as a Deputy and order the suspect to Stop. [redacted] said he heard Deputy Bogardus and the suspect run across his driveway toward the orchard behind his house. [redacted] then heard a single shot fired about 30 seconds later.

[redacted] told us that he and his wife had contact with the suspect about one month ago. [redacted] told us his wife came home and parked the car in the garage. The suspect "suddenly appeared" holding toy army figures that belong to their children. The suspect asked [redacted] *WIFE IF SHE REMEMBERED HIM* from a previous encounter about a month ago.

[redacted] said he and his wife thought the suspect acted strange on both encounters. [redacted] and his wife thought it was very unusual for someone to be walking around their relatively isolated property. [redacted] told us he could recognize the suspect if seen again.

[redacted] gave us a description of the suspect. Refer to suspect report.

Deputy Hester and I then contacted [redacted] at [redacted] [redacted] told us the following. A young Hispanic male, fitting the description of the suspect, contacted her and her nephew at about 1800 Hours on 10-25-98. [redacted] told us that her nephew [redacted] (unknown DOB) was leaving the house when he contacted the suspect walking up their driveway toward their house.

The suspect asked [redacted] for Baking Soda and Aluminum foil. [redacted] drove the suspect back to the house and gave him the items he requested. [redacted] told us the suspect waited outside while [redacted] retrieved the Baking Soda and Aluminum foil. [redacted] said she recognized the suspect from a previous encounter about a month

13 DATE / TIME OF REPORT <u>10-25-98 / 2330</u>	14 REPORTING OFFICER / ID NO / DIV / UNIT <u>FRANKE / 3117 / WCPS / HQS</u>	15 APPROVED BY / ID NO <i>[Signature]</i>
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NARRATIVE REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT

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AGENCY IDENTIFIER CA0560000

1 R.D. 3304	2 BEAT 301	3 RB NUMBER 98-85383
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4 CODE	5 ITEM	6 QTY.	7 ITEM NAME	8 BRAND / MAKE MANUFACTURER	9 MODEL NAME OR NUMBER	10 MISC. DESCRIPTION	11 IDENTIFICATION / SERIAL NUMBER	12 VALUE
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ago. On that occasion the suspect was asking about her nephews car that was parked in the driveway.

Refer to Deputy Hesters' and Detectives Reports for further details.

13 DATE / TIME OF REPORT 10-25-98 / 2330	14 REPORTING OFFICER / ID NO / DIV / UNIT FRANKE / 3117 / WCPS / "HQ"	15 APPROVED BY / ID NO
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NARRATIVE REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT

Page 1 of 3 Continuation

AGENCY IDENTIFIER CA0560000

1 R.D.	2 BEAT	3 RB NUMBER
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5 ITEM	6 QTY.	7 ITEM NAME	8 BRAND / MAKE MANUFACTURER	9 MODEL NAME OR NUMBER	10 MISC. DESCRIPTION	11 IDENTIFICATION / SERIAL NUMBER	12 VALUE
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ON 10-25-98, DEPUTY FRANKE AND I WERE WORKING PATROL IN THE AREA OF SILVER STRAND BEACH. AT APPROXIMATELY 1740 HOURS WE RECIEVED A SUSPICIOUS CIRCUMSTANCES CALL AT [REDACTED] RD, IN SANTA PAULA. DISPATCH ADVISED THAT A HISPANIC MALE SUBJECT WAS AT THAT LOCATION TRYING TO BORROW AN "S.O.S." CLEANING PAD AND ALUMINUM FOIL TO CLEAN THE SPARK PLUGS TO HIS CAR. THE SUBJECT CLAIMED THAT HIS CAR WAS BROKEN DOWN IN THE AREA AND NEEDED THESE ITEMS TO FIX IT.

UPON ARRIVAL WE SAW TWO FEMALE SUBJECTS STANDING IN FRONT OF 11370 [REDACTED] RD, WAIVING US DOWN. ONE OF THE FEMALES STATED THAT HER HUSBAND, DEPUTY BOB BOGARDUS, WAS IN THE ORCHARD BEHIND THEIR HOUSE CHASING SOMEONE. WE PARKED OUR UNIT AND WALKED SOUTH ONTO A DIRT ROAD SEPARATING A ROW OF ORCHARDS. AS WE WALKED DOWN THIS DIRT ROAD WE WERE MET BY W-2 [REDACTED] AND W-3 [REDACTED] (SON AND FATHER).

[REDACTED] TOLD ME THE FOLLOWING:

[REDACTED] AND HIS FATHER, W-3 [REDACTED], WERE SITTING ON THE COUCH WATCHING TELEVISION AND HEARD "BOB" (DEPUTY BOGARDUS) TALKING LOUDLY FROM THE FRONT OF THEIR HOUSE. DEPUTY BOGARDUS LIVES NEXT DOOR TO THEM AND THEY SHARE THE DRIVEWAY LEADING TO THEIR HOUSES. THE TALKING APPEARED TO BE COMING FROM THE AREA OF [REDACTED] ROAD, BETWEEN BOTH THEIR HOUSES. [REDACTED] TURNED THE TELEVISION ON MUTE AND HEARD DEPUTY BOGARDUS SAY, "SHERIFF'S DEPARTMENT, STOP". [REDACTED] AND [REDACTED] WENT INTO THE CLOSET TO RETRIEVE A FLASHLIGHT AND STARTED WALKING OUT THE DOOR. AS THEY PASSED THROUGH THE DOOR, THEY HEARD ONE GUN SHOT COMING FROM THE ORCHARD SOUTHWEST OF THEIR HOUSE. [REDACTED] RAN OUT TO THAT LOCATION AND SAW DEPUTY BOGARDUS IN THE ORCHARD SOUTH OF THE HOUSE OF [REDACTED] APPROXIMATELY 4-5 ROWS WEST OF DIRT FARM ROAD. DEPUTY BOGARDUS TOLD [REDACTED] TO GO APPROXIMATELY 150-200 FEET SOUTH ON THE DIRT FARM ROAD TO HELP KEEP A PERIMETER. [REDACTED] WALKED APPROXIMATELY 1/2 A MILE SOUTH ON THE DIRT FARM ROAD (TOWARDS TELEGRAPH ROAD) IN AN ATTEMPT TO LOCATE THE SUBJECT.

[REDACTED] WAITED APPROXIMATELY 10 MINUTES AND HEARD A NOISE COMING FROM THE ORCHARD EAST OF THE DIRT FARM ROAD. [REDACTED] SHINED HIS FLASHLIGHT IN THAT GENERAL AREA AND SAW SOMEONE RUN OUT OF THE DRAINAGE DITCH EAST OF THE DIRT FARM ROAD. THE SUBJECT RAN WEST ACROSS THE DIRT FARM ROAD AND INTO THE ORCHARD. [REDACTED] ONLY SAW THE SUBJECT FROM THE WAIST DOWN AND STATED THE SUBJECT WAS WEARING BROWN OR TAN PANTS WITH DARK SHOES. [REDACTED] DID NOT WANT TO CHASE THE SUBJECT INTO THE DARK ORCHARD AND DECIDED TO WAIT FOR DEPUTIES TO ARRIVE. [REDACTED] DID NOT KNOW WHERE DEPUTY BOGARDUS WAS AT THIS TIME.

W-3 [REDACTED] TOLD US THE FOLLOWING:

[REDACTED] AND HIS STEP-SON, [REDACTED], WERE IN THEIR HOUSE WATCHING TELEVISION. [REDACTED] HEARD SOMEONE OUTSIDE TOWARDS [REDACTED] ROAD, IN FRONT OF THEIR HOUSE, TALKING ABOUT "BAKING SODA". [REDACTED] TURNED THE TELEVISION ON

13 DATE / TIME OF REPORT	14 REPORTING OFFICER / ID NO / DIV / UNIT	15 APPROVED BY / ID NO
10-26-98 0500	Hester 2528 / WCP / HQ	[Signature]

NARRATIVE REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT

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AGENCY IDENTIFIER CA0560000

1 R.D. 3304	2 BEAT 3D01	3 RB NUMBER 98-85383
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5 ITEM	6 QTY.	7 ITEM NAME	8 BRAND / MAKE MANUFACTURER	9 MODEL NAME OR NUMBER	10 MISC. DESCRIPTION	11 IDENTIFICATION / SERIAL NUMBER	12 VALUE
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MUTE AND HEARD "BOB" (DEPUTY BOGARDUS) SAY, "STOP, SHERIFF'S DEPARTMENT". [REDACTED] N AND [REDACTED] N IMMEDIATELY WENT TO THE CLOSET AND GOT THEIR FLASHLIGHTS OUT. AS [REDACTED] N AND [REDACTED] N WERE STEPPING OUT THEIR FRONT DOOR, THEY COULD HEAR ONE GUNSHOT COMING FROM THE ORCHARD BEHIND THE HOUSE ON [REDACTED] RD. [REDACTED] N STAYED NEAR THE BACKYARD OF THEIR HOUSE WHILE [REDACTED] N RAN TOWARDS THE AREA OF THE GUNSHOT.

DEPUTY FRANKE AND I WALKED SOUTH ON THE DIRT FARM ROAD IN AN ATTEMPT TO LOCATE DEPUTY BOGARDUS. WE WALKED SOUTH UNTIL WE REACHED TELEGRAPH ROAD. WE COULD NOT FIND ANY SIGNS OF MOVEMENT AND WALKED BACK TOWARDS THE HOUSE. AS WE WALKED NORTH ON THE DIRT FARM ROAD, WE SAW DEPUTY BOGARDUS WALKING TOWARDS US. I HAD DEPUTY FRANKE WALK BACK TOWARDS TELEGRAPH ROAD TO HOLD THE SOUTH-EAST PERIMETER.

DEPUTY BOGARDUS TOLD ME THE FOLLOWING:

DEPUTY BOGARDUS HEARD HIS DOGS BARKING TOWARDS THE FRONT OF HIS HOUSE. DEPUTY BOGARDUS WENT TO THE CHAIN LINK FENCE BLOCKING ACCESS TO HIS DRIVEWAY AND SAW A HISPANIC MALE STANDING JUST OUTSIDE THE FENCE. THE SUBJECT ASKED BOGARDUS FOR SOME WIRE AND BAKING SODA. THE SUBJECT STATED THAT HIS CAR WAS BROKEN DOWN AND HE NEEDED THESE ITEMS TO FIX IT. THE SUBJECT WAS WEARING A DARK SUIT JACKET WITH BROWN PANTS. DEPUTY BOGARDUS DID NOT RECOGNIZE THE SUBJECT FROM THE NEIGHBORHOOD, WHICH IS ISOLATED FROM ANY TRACK HOUSING OR BUSINESSES. DEPUTY BOGARDUS LOOKED DOWN THE STREET AND DID NOT SEE A DISABLED VEHICLE IN THE AREA. DEPUTY BOGARDUS TOLD THE SUBJECT THAT HE DID NOT HAVE THE ITEMS HE REQUESTED.

THE SUBJECT WALKED EASTBOUND ON [REDACTED] AND TURNED UP THE DRIVEWAY ACROSS THE STREET AT [REDACTED] RD.. DEPUTY BOGARDUS CALLED THE SHERIFF'S DEPARTMENT TO REPORT THIS SUBJECT. DEPUTY BOGARDUS WALKED BACK OUT TO THE FRONT OF HIS HOUSE AND SAW THE SUBJECT WALKING WESTBOUND ON [REDACTED] PAST HIS HOUSE. THE SUBJECT STATED "I FOUND WHAT I WAS LOOKING FOR". DEPUTY BOGARDUS TOOK OUT HIS OFF-DUTY FLATBADGE AND SHERIFF'S PHOTO IDENTIFICATION AND IDENTIFIED HIMSELF AS A DEPUTY SHERIFF. DEPUTY BOGARDUS TOLD THE SUBJECT TO STOP. THE SUBJECT REACHED INTO HIS POCKET AND RAN WESTBOUND ON [REDACTED] ROAD. DEPUTY BOGARDUS DREW HIS DEPARTMENT ISSUED HANDGUN WHICH HE HAD HOLSTERED ON HIS WAISTBAND, AND CHASED THE SUBJECT DOWN THE HIS NEIGHBORS DRIVEWAY AT [REDACTED] THE SUBJECT ENTERED THE ORCHARD JUST SOUTH OF [REDACTED] AND CONTINUED TO RUN SOUTHBOUND. DEPUTY BOGARDUS TOLD THE SUBJECT TO STOP SEVERAL TIMES. DEPUTY BOGARDUS FOLLOWED THE SUBJECT AS HE "ZIG-ZAGGED" THROUGH THE ORCHARDS. DEPUTY BOGARDUS WAS APPROXIMATELY 15-20 FEET FROM THE SUBJECT WHEN HE SAW HIM REACH INTO HIS POCKET WITH HIS RIGHT HAND. THE SUBJECT TURNED AND LOOKED BACK AT DEPUTY BOGARDUS. DEPUTY BOGARDUS FELT THAT THE SUBJECT WAS REACHING IN HIS POCKET FOR A WEAPON, AND FIRED ONE ROUND AT HIM. THE SUBJECT CONTINUED TO RUN DEEPER INTO THE ORCHARD WHERE HE EVENTUALLY LOST HIM. DEPUTY BOGARDUS DID NOT FEEL THAT HE HIT THE SUBJECT WITH HIS SHOT. DEPUTY BOGARDUS STATED THAT HIS ROUND MAY HAVE TRAVELED TOWARDS TELEGRAPH ROAD AND WELLS ROAD.

13 DATE / TIME OF REPORT 10-26-98 0500	14 REPORTING OFFICER / ID NO / DIV / UNIT HUSTER 2528 / WCP / HQ	15 APPROVED BY / ID NO K. Lerman #1087
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NARRATIVE REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT

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AGENCY IDENTIFIER CA0560000

1 R.D.	2 BEAT	3 RB NUMBER
3304	3D01	98-85383

5 ITEM	6 QTY.	7 ITEM NAME	8 BRAND / MAKE MANUFACTURER	9 MODEL NAME OR NUMBER	10 MISC. DESCRIPTION	11 IDENTIFICATION / SERIAL NUMBER	12 VALUE
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I TELEPHONED SGT. HAMMER AND ADVISED HIM OF THE SITUATION. SGT. HAMMER ADVISED ME THAT HE WOULD BE SENDING THE SHERIFF'S HELICOPTER AND ADDITIONAL UNITS.

A SEARCH OF THE AREA WAS CONDUCTED FOR THE SUBJECT BY SHERIFF'S K-9 UNIT (VOK) AND THE HELICOPTER, WITH NEGATIVE RESULTS. SHERIFF'S MAJOR CRIMES DETECTIVES ARRIVED ON SCENE ALONG WITH THE SHERIFF'S B.I. UNIT.

REFER TO DEPUTY FRANKE'S REPORT AND DETECTIVES REPORTS.

13 DATE / TIME OF REPORT	14 REPORTING OFFICER / ID NO / DIV / UNIT	15 APPROVED BY / ID NO
10-26-98 0500	HESTER # 2528 / WCP / HQ	<i>[Signature]</i> # 1011

ADDITIONAL NAMES REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT
 AGENCY IDENTIFIER CA0560000

Page 1 of 1

1 RB NUMBER
98-85383

3	NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX	HT	WT	HAIR	EYES	DOB	AGE
	<u>BOGARDUS, ROBERT</u>		<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
12	RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # <u> </u>)	CITY	STATE	ZIP	13 RESIDENCE PHONE () -					
14	BUSINESS / SCHOOL NAME	ADDRESS / (<input type="checkbox"/> Same as Box # <u> </u>)	CITY	STATE	ZIP	15 BUSINESS PHONE <u>(805) 654-2375</u>				
16	OCCUPATION (<input type="checkbox"/> STUDENT)	17 DAYS OFF	18 WORK HRS.	19 INTERPRETER	20 OPERATOR'S LIC. NO. / STATE					
	<u>DEPUTY SHERIFF</u>	<u>VARY</u>	<u>VARY</u>	<u>-</u>	<u>-</u>					
21	VEH. LIC. NO. / STATE	22 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE	23 OTHER CHARACTERISTICS / VIN NO.							
	<u>-</u>	<u>-</u>	<u>-</u>							
24 COMMENTS:										

25	NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX	HT	WT	HAIR	EYES	DOB	AGE
<u>W-2</u>	[REDACTED]		<u>W</u>	<u>M</u>	<u>506</u>	<u>165</u>	<u>BRO</u>	<u>BRO</u>	[REDACTED]	[REDACTED]
26	RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # <u> </u>)	CITY	STATE	ZIP	36 RESIDENCE PHONE					
	[REDACTED]	<u>SANTA PAULA, CA</u>	<u>93060</u>	[REDACTED]						
27	BUSINESS / SCHOOL NAME	ADDRESS / (<input type="checkbox"/> Same as Box # <u> </u>)	CITY	STATE	ZIP	37 BUSINESS PHONE				
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]				
39	OCCUPATION (<input type="checkbox"/> STUDENT)	40 DAYS OFF	41 WORK HRS.	42 INTERPRETER	38 OPERATOR'S LIC. NO. / STATE					
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]					
44	VEH. LIC. NO. / STATE	45 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE	46 OTHER CHARACTERISTICS / VIN NO.							
	[REDACTED]	[REDACTED]	[REDACTED]							
47 COMMENTS:										

48	NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX	HT	WT	HAIR	EYES	DOB	AGE
<u>W-3</u>	[REDACTED]		<u>W</u>	<u>M</u>	<u>507</u>	<u>200</u>	<u>BLK</u>	<u>BRO</u>	[REDACTED]	[REDACTED]
58	RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # <u> </u>)	CITY	STATE	ZIP	59 RESIDENCE PHONE					
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]					
60	BUSINESS / SCHOOL NAME	ADDRESS / (<input type="checkbox"/> Same as Box # <u> </u>)	CITY	STATE	ZIP	61 BUSINESS PHONE				
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]				
62	OCCUPATION (<input type="checkbox"/> STUDENT)	63 DAYS OFF	64 WORK HRS.	65 INTERPRETER	66 OPERATOR'S LIC. NO. / STATE					
	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]					
67	VEH. LIC. NO. / STATE	68 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE	69 OTHER CHARACTERISTICS / VIN NO.							
	[REDACTED]	[REDACTED]	[REDACTED]							
70 COMMENTS:										

71	NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX	HT	WT	HAIR	EYES	DOB	AGE
<u>W-4</u>	[REDACTED]		<u>W</u>	<u>F</u>	<u>506</u>	<u>210</u>	<u>GRY</u>	<u>BLU</u>	[REDACTED]	[REDACTED]
81	RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # <u> </u>)	CITY	STATE	ZIP	82 RESIDENCE PHONE					
	[REDACTED]	<u>PAULA, CA</u>	<u>93060</u>	[REDACTED]						
83	BUSINESS / SCHOOL NAME	ADDRESS / (<input type="checkbox"/> Same as Box # <u> </u>)	CITY	STATE	ZIP	84 BUSINESS PHONE				
	<u>NONE</u>	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]				
85	OCCUPATION (<input type="checkbox"/> STUDENT)	86 DAYS OFF	87 WORK HRS.	88 INTERPRETER	89 OPERATOR'S LIC. NO. / STATE					
	<u>RETIRED</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>UNKNOWN</u>					
90	VEH. LIC. NO. / STATE	91 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE	92 OTHER CHARACTERISTICS / VIN NO.							
	<u>-</u>	<u>-</u>	<u>-</u>							
93 COMMENTS:										

94	DATE / TIME OF REPORT	95	REPORTING OFFICER / ID NO. / DIV. / UNIT	96	APPROVED BY / ID NO.
<u>10/25/98 2300</u>	<u>HESTER 2528/WCP/HQ</u>			<u>[Signature]</u>	

ARREST / SUSPECT REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT
AGENCY IDENTIFIER CA0560000

GANG HATE Page 1 of 2

1 CONNECTING REPORT NUMBERS		<input type="checkbox"/> ARREST ADULT <input type="checkbox"/> ARREST JUVENILE		2 RD	3 BEAT	4 RB NUMBER	
		<input checked="" type="checkbox"/> SUSPECT REPORT <input type="checkbox"/> STATUS OFFENDER		3304	301	98-85383	
5 CODE	6 NAME (Last, First, Middle, Gen.)			AKA / Moniker		7 BOOKING NUMBER	
51						8 BI NUMBER	
9 RACE	10 SEX	11 HT	12 WT	13 BUILD	14 HAIR	15 EYES	
H	M	5'8	180	MD.	BLK	BRN	
16 DOB			17 AGE		18 POB (CITY / STATE)		
			25-30				
19 RESIDENCE ADDRESS				CITY	STATE	ZIP	
						20 RESIDENCE PHONE	
						()	
21 BUSINESS / SCHOOL NAME		ADDRESS (<input type="checkbox"/> Same as Box # _____)		CITY	STATE	ZIP	
						22 BUSINESS PHONE	
						()	
23 OCCUPATION (<input type="checkbox"/> STUDENT)		24 DAYS OFF	25 WORK HRS.	26 INTERPRETER		27 OPERATOR'S LIC. / ID NO. STATE	
28 VEH. LIC. NO. / STATE		29 VEH. COLOR	YEAR	MAKE	MODEL	BODY STYLE	
						30 DISPOSITION	
31 DATE / TIME OF ARREST		32 LOCATION OF ARREST (<input type="checkbox"/> Same as Box # _____)			CITY	STATE	
						ZIP	
						33 ARRESTING OFFICER / ID NO.	
34 TYPE OF ARREST		35 LOCATION OF OFFENSE (<input type="checkbox"/> Same as Box # _____)				36 TRANSPORTING OFFICER / ID NO.	
<input type="checkbox"/> PC <input type="checkbox"/> WARRANT <input type="checkbox"/> PRIVATE PERSON							
37 CODE SECTION / DESCRIPTION			M	F	DOCKET NO.	DATE ISSUED	COURT
							BAIL
38 PARENT / GUARDIAN NAME		ADDRESS (<input type="checkbox"/> Same as Box # _____)		STATE	ZIP	39 PHONE NO.	
						()	
						40 NOTIFIED BY	
						41 DATE / TIME	
42 EMERGENCY NOTIFICATION NAME (<input type="checkbox"/> Same as Box # _____)				ADDRESS	CITY	STATE	
						ZIP	
						43 PHONE NO.	
						()	
44 COMPLAINTS / EVIDENCE OF ILLNESS OR INJURY							
45 REQUEST FOR PROSECUTION		I hereby arrest the above person on the charge(s) indicated above and request he/she be taken into custody. I request prosecution of the person I have arrested.				SIGNATURE:	
46 ARRESTING PERSON'S NAME (Print)		RESIDENCE ADDRESS		CITY	STATE	ZIP	
						47 PHONE NO.	
						()	
48 IN VIEW OF THE INFORMATION HEREIN STATED, THE ABOVE ARRESTEE WAS NOT RELEASED PURSUANT TO 853.6 PC, SPECIFICALLY BECAUSE:							
<input type="checkbox"/> Arrested for misdemeanor violation of domestic violence protective court order.				<input type="checkbox"/> Immediate release would jeopardize prosecution.			
<input type="checkbox"/> Intoxicated state may result in danger to self or others.				<input type="checkbox"/> Reasonable likelihood that offense would continue by release of the person arrested.			
<input type="checkbox"/> Required medical examination or medical care or otherwise unable to care for own safety.				<input type="checkbox"/> Demanded immediate appearance before a magistrate or refused to sign notice to appear.			
<input type="checkbox"/> Arrested under one or more circumstances listed in Sections 40302 and 40303 CVC.				<input type="checkbox"/> Reason exists to believe person would not appear at time and place specified on notice.			
<input type="checkbox"/> There were one or more outstanding arrest warrants for the person.				<input type="checkbox"/> Other (see narrative).			
<input type="checkbox"/> Arrestee could not provide satisfactory evidence of personal identification.							
49 ARRESTEE STATUS: <input type="checkbox"/> IN CUSTODY / DETENTION <input type="checkbox"/> 849(b) PC <input type="checkbox"/> JUVENILE CITATION <input type="checkbox"/> MISD. CITATION							
RELEASED TO				CITATION NUMBER			
50 WHERE WAS ARRESTEE BOOKED?				51 DATE / TIME OF COURT APPEARANCE		52 COURT / DIVISION	
CASH	COIN	TOTAL	WITNESSED BY			DATE / TIME	
54 ADMONISHED		ADMONISHED BY		55 WAIVED		56 DATE / TIME	
<input type="checkbox"/> YES <input type="checkbox"/> NO				<input type="checkbox"/> YES <input type="checkbox"/> NO			
57 DATE / TIME REPORTED		58 DATE / TIME OF REPORT		59 REPORTING OFFICER / ID NO. / DIV. / UNIT		60 APPROVED BY	
10-25-98 / 1740		10-25-98 / 2300		FRANKE / 3117 / WCP / HQ		<i>[Signature]</i>	
61 COPIES TO <input type="checkbox"/> DET / MC <input type="checkbox"/> NARC <input type="checkbox"/> DC / NC / SD <input type="checkbox"/> AS / AT <input type="checkbox"/> PRESS <input type="checkbox"/> DDCJ <input type="checkbox"/> COURT <input type="checkbox"/> OTHER							

HESTER / 2528

ARREST / SUSPECT REPORT
(CONTINUED)

VENTURA COUNTY SHERIFF'S DEPARTMENT
AGENCY IDENTIFIER CA0560000

Page 2 of 2

62 RB NUMBER
98-85383

64 NAME (Last, First, Middle, Gen.)						65 AKA / Moniker				
66 RACE	67 SEX	68 HT	69 WT	70 BUILD	71 HAIR	72 EYES	73 DOB	74 AGE		
75 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # _____)						CITY	STATE	ZIP	76 RESIDENCE PHONE () ()	
77 BUSINESS / SCHOOL NAME						ADDRESS / (<input type="checkbox"/> Same as Box # _____)	CITY	STATE	ZIP	78 BUSINESS PHONE () ()
79 OCCUPATION / (<input type="checkbox"/> STUDENT)			80 DAYS OFF		81 WORK HRS.		82 INTERPRETER		83 OPERATOR'S LIC. NO. / STATE	
84 VEHICLE LIC. NO.		85 VEH. COLOR		YEAR	MAKE	MODEL	BODY STYLE		86 DISPOSITION	
87 CODE	88 NAME (Last, First, Middle, Gen.)						89 AKA / Moniker			
90 RACE	91 SEX	92 HT	93 WT	94 BUILD	95 HAIR	96 EYES	97 DOB	98 AGE		
99 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # _____)						CITY	STATE	ZIP	100 RESIDENCE PHONE () ()	
101 BUSINESS / SCHOOL NAME						ADDRESS / (<input type="checkbox"/> Same as Box # _____)	CITY	STATE	ZIP	102 BUSINESS PHONE () ()
103 OCCUPATION (<input type="checkbox"/> STUDENT)			104 DAYS OFF		105 WORK HRS.		106 INTERPRETER		107 OPERATOR'S LIC. NO. / STATE	
108 VEHICLE LIC. NO. / STATE		109 VEH. COLOR		YEAR	MAKE	MODEL	BODY STYLE		110 DISPOSITION	

111 HAIR DESCRIPTORS 51 CODE <input type="checkbox"/> a. Unknown <input type="checkbox"/> b. Bald/Shaved <input type="checkbox"/> c. Collar <input type="checkbox"/> d. Long <input type="checkbox"/> e. Receding <input type="checkbox"/> f. Thinning <input type="checkbox"/> g. Coarse <input type="checkbox"/> h. Fine <input type="checkbox"/> i. Thick <input type="checkbox"/> j. Afro/Natural <input type="checkbox"/> k. Braided <input type="checkbox"/> l. Bushy <input type="checkbox"/> m. Dreadlocks <input checked="" type="checkbox"/> n. Greasy <input type="checkbox"/> o. Military <input type="checkbox"/> p. Ponytail <input checked="" type="checkbox"/> q. Straight <input type="checkbox"/> r. Wavy/Curly <input type="checkbox"/> s. Wig <input type="checkbox"/> z. OTHER		112 FACE 51 CODE <input type="checkbox"/> a. Unknown <input type="checkbox"/> b. Broad <input type="checkbox"/> c. High Cheek <input type="checkbox"/> d. Long <input checked="" type="checkbox"/> e. Oval <input type="checkbox"/> f. Round <input type="checkbox"/> g. Square <input type="checkbox"/> h. Thin <input type="checkbox"/> z. OTHER		113 COMPLEXION 51 CODE <input type="checkbox"/> a. Unknown <input type="checkbox"/> b. Acne <input type="checkbox"/> c. Dark <input type="checkbox"/> d. Freckles <input type="checkbox"/> e. Light <input checked="" type="checkbox"/> f. Medium <input type="checkbox"/> g. Pocked <input type="checkbox"/> h. Ruddy <input type="checkbox"/> i. Tanned <input type="checkbox"/> z. OTHER		114 FACIAL HAIR 51 CODE <input type="checkbox"/> a. Unknown <input type="checkbox"/> b. Clean <input type="checkbox"/> c. Fu Manchu <input type="checkbox"/> d. Full Beard <input type="checkbox"/> e. Goatee <input type="checkbox"/> f. Lower Lip <input checked="" type="checkbox"/> g. Mustache <input type="checkbox"/> h. Side Burns <input type="checkbox"/> i. Unshaven <input type="checkbox"/> z. OTHER		115 GENERAL APPEARANCE 51 CODE <input type="checkbox"/> a. Unknown <input type="checkbox"/> b. Athletic <input type="checkbox"/> c. Conservative <input type="checkbox"/> d. Disguised <input type="checkbox"/> e. Flashy <input type="checkbox"/> f. Military <input type="checkbox"/> g. Unkempt <input type="checkbox"/> h. Unusual Odor <input checked="" type="checkbox"/> i. Well Groomed <input type="checkbox"/> z. OTHER		116 TATTOOS, SCARS, BODY PIERCING 51 CODE <input checked="" type="checkbox"/> a. Unknown <input type="checkbox"/> b. Abdomen <input type="checkbox"/> c. Arm <input type="checkbox"/> d. Foot <input type="checkbox"/> e. Hand <input type="checkbox"/> f. Head/Face <input type="checkbox"/> g. Leg <input type="checkbox"/> h. Shoulder <input type="checkbox"/> z. OTHER	
117 VOICE 51 CODE <input type="checkbox"/> a. Unknown <input type="checkbox"/> b. Disguised <input type="checkbox"/> c. High Pitch <input type="checkbox"/> d. Loud <input type="checkbox"/> e. Low Pitch <input checked="" type="checkbox"/> f. Medium <input type="checkbox"/> g. Monotone <input type="checkbox"/> h. Nasal <input type="checkbox"/> i. Pleasant <input type="checkbox"/> m. Raspy <input type="checkbox"/> n. Soft <input type="checkbox"/> z. OTHER		118 SPEECH 51 CODE <input type="checkbox"/> a. Unknown <input type="checkbox"/> b. Accent <input type="checkbox"/> c. Lipped <input checked="" type="checkbox"/> d. Mumbled <input type="checkbox"/> e. Offensive <input type="checkbox"/> f. Rapid <input type="checkbox"/> g. Slow <input type="checkbox"/> h. Sturred <input type="checkbox"/> i. Stuttered <input type="checkbox"/> j. Talkative <input type="checkbox"/> z. OTHER		119 Demeanor 51 CODE <input type="checkbox"/> a. Unknown <input type="checkbox"/> b. Angry <input checked="" type="checkbox"/> c. Apologetic <input type="checkbox"/> d. Calm <input type="checkbox"/> e. Confused <input type="checkbox"/> f. Irritable <input type="checkbox"/> g. Nervous <input type="checkbox"/> h. Polite <input type="checkbox"/> i. Professional <input type="checkbox"/> j. Stupor <input type="checkbox"/> k. Violent <input type="checkbox"/> z. OTHER		120 GLASSES 51 CODE <input checked="" type="checkbox"/> a. Unknown <input type="checkbox"/> b. Contacts <input type="checkbox"/> c. Mirrored <input type="checkbox"/> d. Plastic Frame <input type="checkbox"/> e. Tinted Glass <input type="checkbox"/> f. Sunglasses <input type="checkbox"/> g. Wire Frame <input type="checkbox"/> z. OTHER FRAME COLORS # _____ # _____ # _____		121 WEAPONS TYPE 51 CODE <input checked="" type="checkbox"/> a. Unknown <input type="checkbox"/> b. Hands/Feet <input type="checkbox"/> c. Brick/Rock <input type="checkbox"/> d. Butcher Knife <input type="checkbox"/> e. Pocket Knife <input type="checkbox"/> f. Club <input type="checkbox"/> g. Handgun <input type="checkbox"/> h. Rifle <input type="checkbox"/> i. Shotgun <input type="checkbox"/> j. Simulated <input type="checkbox"/> k. Toy Gun <input type="checkbox"/> z. OTHER		122 FIREARM DESCRIPTION 51 CODE <input checked="" type="checkbox"/> a. Unknown <input type="checkbox"/> b. Revolver <input type="checkbox"/> c. Auto/Semi-auto <input type="checkbox"/> d. Blue Steel <input type="checkbox"/> e. Chrome/Nickel <input type="checkbox"/> f. Double Barrel <input type="checkbox"/> g. Long Barrel <input type="checkbox"/> h. Short Barrel <input type="checkbox"/> i. Western Style <input type="checkbox"/> j. Bolt Action <input type="checkbox"/> k. Pump <input type="checkbox"/> l. Sawed Off <input type="checkbox"/> z. OTHER	

124 CODE	HAT / MASK	JACKET	TOP	BOTTOM	SHOES	OTHER
51	NONE	BROWN	GRAY	BROWN	BLACK	DRESS PANTS
125 CODE	HAT / MASK	JACKET	TOP	BOTTOM	SHOES	OTHER
126 CODE	HAT / MASK	JACKET	TOP	BOTTOM	SHOES	OTHER

127 NARRATIVE

CRIME / INCIDENT REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT
AGENCY IDENTIFIER CA0560000

CONNECTING REPORT NUMBERS		2 R.D. 3306	3 BEAT 3D1	4 RB NUMBER 98-85383
5 <input type="checkbox"/> CRIME <input type="checkbox"/> INCIDENT <input checked="" type="checkbox"/> SUPPLEMENTAL		6 <input type="checkbox"/> DOMESTIC <input type="checkbox"/> CHILD ABUSE <input type="checkbox"/> HATE <input type="checkbox"/> GANG <input type="checkbox"/> ELDERLY ABUSE <input type="checkbox"/>		
7 CODE SECTION / DESCRIPTION (INCIDENT) OFFICER INVOLVED SHOOTING		8 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	9 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To) CANINE SEARCH.	
11 CODE SECTION / DESCRIPTION (INCIDENT)		12 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	13 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)	
15 OCCURRED FROM MO. DAY YR. TIME 10 25 98 1740	16 DOW SUN	17 OCCURRED TO MO. DAY YR. TIME	18 DOW	
19 LOCATION OF OFFENSE / INCIDENT ADDRESS		CITY VENTURA	STATE CA.	ZIP UNK.
20 CODE: V-VICTIM W-WITNESS R-REPORTING PARTY F-FINDER O-OWNER P-PARTY				
21 CODE R	22 NAME (Last, First, Middle, Gen.) / FIRM NAME BOGAEDUS, ROBERT	AKA / Moniker	RACE W	SEX M
23 HT	24 WT	25 HAIR	26 EYES	28 DOB
31 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP	32 RESIDENCE PHONE
33 BUSINESS / SCHOOL NAME	ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP
VENTURA CO. SHERIFF'S DEPT. 800 S. VICTORIA VENTURA CA 93009				34 BUSINESS PHONE (805) 654-2311
35 OCCUPATION (<input type="checkbox"/> STUDENT) DEPUTY	36 DAYS OFF VARY	37 WORK HRS VARY	38 INTERPRETER N/A	39 OPERATOR'S LIC. NO. / STATE UNK.
40 VEH. LIC. NO. / STATE	41 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE	42 OTHER CHARACTERISTICS / VIN NO.		
43 CODE	44 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX
45 HT	46 WT	47 HAIR	48 EYES	51 DOB
53 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP	54 RESIDENCE PHONE
55 BUSINESS / SCHOOL NAME	ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP
57 OCCUPATION (<input type="checkbox"/> STUDENT)	58 DAYS OFF	59 WORK HRS	60 INTERPRETER	61 OPERATOR'S LIC. NO. / STATE
62 VEH. LIC. NO. / STATE	63 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE	64 OTHER CHARACTERISTICS / VIN NO.		
65 ARSON <input type="checkbox"/> Single Fam. Resd. <input type="checkbox"/> Inhabited <input type="checkbox"/> Uninhabited <input type="checkbox"/> Storage <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Other Structure <input type="checkbox"/> Public Place <input type="checkbox"/> Vehicle <input type="checkbox"/> Unlawful Fire <input type="checkbox"/> Forest <input type="checkbox"/> Injury Occurred <input type="checkbox"/> Other	66 BURGLARY <input type="checkbox"/> Residential <input type="checkbox"/> Vehicle <input type="checkbox"/> Commercial <input type="checkbox"/> Other	67 ROBBERY <input type="checkbox"/> Bank <input type="checkbox"/> Chain Store <input type="checkbox"/> Commercial <input type="checkbox"/> Gas Station <input type="checkbox"/> Highway <input type="checkbox"/> Residence <input type="checkbox"/> Other	68 THEFT <input type="checkbox"/> Auto Parts <input type="checkbox"/> Bicycle <input type="checkbox"/> From Bldg. <input type="checkbox"/> Coin Machine <input type="checkbox"/> From Person <input type="checkbox"/> From Vehicle <input type="checkbox"/> Purse Snatch <input type="checkbox"/> Shoplift <input type="checkbox"/> Other	69 VALUE / DOLLAR LOSS \$ VALUE / DAMAGE LOSS \$
70 FORCE / WEAPON <input type="checkbox"/> No Force <input type="checkbox"/> No Weapon <input type="checkbox"/> Verbal Only <input type="checkbox"/> Attempt Only <input type="checkbox"/> Great Bodily Injury <input type="checkbox"/> Firearm <input type="checkbox"/> Knife <input type="checkbox"/> Hands/Fists/Feet <input type="checkbox"/> Other		72 SPECIAL INTEREST (Copy to Agency/Unit) <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Sex Crime <input type="checkbox"/> Child Abuse <input type="checkbox"/> PSSA <input type="checkbox"/> Gang Related <input type="checkbox"/> Hate Crime <input type="checkbox"/> Agricultural <input type="checkbox"/> Probation <input type="checkbox"/> Parole <input type="checkbox"/> Other		
73 DATE AND TIME REPORTED 10-25-98 / 1845		74 DATE / TIME OF REPORT 10-26-98 / 0600		75 REPORTING OFFICER / ID NO. / DIV / UNIT D. SPARKS 2109 WCP QTAI
76 APPROVED BY / ID NO. SGT. C.J. BUTTELL 0579		77 COPIES TO <input type="checkbox"/> DET/MC <input type="checkbox"/> NARC <input type="checkbox"/> GANG/SED <input type="checkbox"/> STATS <input type="checkbox"/> PRESS <input type="checkbox"/> DOJ <input type="checkbox"/> COURT <input type="checkbox"/> OTHER		

CRIME / INCIDENT REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT

AGENCY IDENTIFIER CA0560000

CONNECTING REPORT NUMBERS				2 RD. 3306		3 BEAT 3D1		4 RB NUMBER 98-85383															
5 <input type="checkbox"/> CRIME <input type="checkbox"/> INCIDENT <input checked="" type="checkbox"/> SUPPLEMENTAL					6 <input type="checkbox"/> DOMESTIC <input type="checkbox"/> CHILD ABUSE <input type="checkbox"/> HATE <input type="checkbox"/> GANG <input type="checkbox"/> ELDERLY ABUSE <input type="checkbox"/>																		
7 CODE SECTION / DESCRIPTION (INCIDENT) OFFICER INVOLVED SHOOTING			8 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.		9 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To) CANINE SEARCH.			10 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.															
11 CODE SECTION / DESCRIPTION (INCIDENT)			12 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.		13 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)			14 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.															
15 OCCURRED MO. DAY YR. TIME FROM 10 25 98 1740			16 DOW SUN		17 OCCURRED MO. DAY YR. TIME TO			18 DOW															
19 LOCATION OF OFFENSE / INCIDENT ADDRESS				CITY VENTURA		STATE CA.		ZIP UNK.															
20 CODE: V - VICTIM W - WITNESS R - REPORTING PARTY F - FINDER O - OWNER P - PARTY																							
21 CODE R	22 NAME (Last, First, Middle, Gen.) / FIRM NAME BOGAEDUS, ROBERT			AKA / Moniker	RACE W	SEX M	25 HT -	26 WT -	27 HAIR -	28 EYES -	29 DOB -	30 AGE -											
31 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # _____)							CITY		STATE	ZIP	32 RESIDENCE PHONE ()												
33 BUSINESS / SCHOOL NAME VENTURA CO. SHERIFF'S DEPT.				ADDRESS / (<input type="checkbox"/> Same as Box # _____)			CITY	STATE	ZIP	34 BUSINESS PHONE 800 S. VICTORIA VENTURA CA 93009 (25) 654-2311													
35 OCCUPATION (<input type="checkbox"/> STUDENT) DEPUTY				36 DAYS OFF VARY		37 WORK HRS VARY		38 INTERPRETER N/A	39 OPERATOR'S LIC. NO. / STATE UNK.														
40 VEH. LIC. NO. / STATE	41 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE				42 OTHER CHARACTERISTICS / VIN NO.																		
43 CODE	44 NAME (Last, First, Middle, Gen.) / FIRM NAME			AKA / Moniker	RACE 45	SEX 46	47 HT	48 WT	49 HAIR	50 EYES	51 DOB	52 AGE											
53 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # _____)							CITY		STATE	ZIP	54 RESIDENCE PHONE ()												
55 BUSINESS / SCHOOL NAME				ADDRESS / (<input type="checkbox"/> Same as Box # _____)			CITY	STATE	ZIP	56 BUSINESS PHONE ()													
57 OCCUPATION (<input type="checkbox"/> STUDENT)				58 DAYS OFF		59 WORK HRS		60 INTERPRETER	61 OPERATOR'S LIC. NO. / STATE														
62 VEH. LIC. NO. / STATE	63 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE				64 OTHER CHARACTERISTICS / VIN NO.																		
65 ARSON <input type="checkbox"/> Single Fam. Resd. <input type="checkbox"/> Inhabited <input type="checkbox"/> Uninhabited <input type="checkbox"/> Storage <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Other Structure <input type="checkbox"/> Public Place <input type="checkbox"/> Vehicle <input type="checkbox"/> Unlawful Fire <input type="checkbox"/> Forest <input type="checkbox"/> Injury Occurred <input type="checkbox"/> Other			66 BURGLARY <input type="checkbox"/> Residential <input type="checkbox"/> Vehicle <input type="checkbox"/> Commercial <input type="checkbox"/> Other			67 ROBBERY <input type="checkbox"/> Bank <input type="checkbox"/> Chain Store <input type="checkbox"/> Commercial <input type="checkbox"/> Gas Station <input type="checkbox"/> Highway <input type="checkbox"/> Residence <input type="checkbox"/> Other			68 THEFT <input type="checkbox"/> Auto Parts <input type="checkbox"/> Bicycle <input type="checkbox"/> From Bldg. <input type="checkbox"/> Coin Machine <input type="checkbox"/> From Person <input type="checkbox"/> From Vehicle <input type="checkbox"/> Purse Snatch <input type="checkbox"/> Shoplift <input type="checkbox"/> Other			69 VALUE / DOLLAR LOSS \$ VALUE / DAMAGE LOSS \$			70 FORCE / WEAPON <input type="checkbox"/> No Force <input type="checkbox"/> No Weapon <input type="checkbox"/> Verbal Only <input type="checkbox"/> Attempt Only <input type="checkbox"/> Great Bodily Injury <input type="checkbox"/> Firearm <input type="checkbox"/> Knife <input type="checkbox"/> Hands/Fists/Feet <input type="checkbox"/> Other			71 DOMESTIC VIOLENCE / SEX / HATE CRIMES <input type="checkbox"/> D.V. and/or S.A. Pamphlet given to: <input type="checkbox"/> Victim <input type="checkbox"/> P-1 <input type="checkbox"/> P-2 <input type="checkbox"/> Pursuant to Sec. 8254 G.C., victim of D.V., Sex or Hate Crime requests their name be withheld from the public. <input type="checkbox"/> YES <input type="checkbox"/> NO			72 SPECIAL INTEREST (Copy to Agency/Unit) <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Sex Crime <input type="checkbox"/> Child Abuse <input type="checkbox"/> PSSA <input type="checkbox"/> Gang Related <input type="checkbox"/> Hate Crime <input type="checkbox"/> Agricultural <input type="checkbox"/> Probation <input type="checkbox"/> Parole <input type="checkbox"/> Other		
73 DATE AND TIME REPORTED 10-25-98/1845				74 DATE / TIME OF REPORT 10-26-98/0600				75 REPORTING OFFICER / ID NO / DIV / UNIT D. SPARKS 249 WCP QTA1				76 APPROVED BY / ID NO. SGT. C. J. BUTTELL 0579											
77 COPIES TO <input type="checkbox"/> DET/MC <input type="checkbox"/> NARC <input type="checkbox"/> GANG/SED <input type="checkbox"/> STATS <input type="checkbox"/> PRESS <input type="checkbox"/> DOJ <input type="checkbox"/> COURT										78 OTHER													

NARRATIVE REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT

Page 3 of 3 Continuation

AGENCY IDENTIFIER CA0560000

1 R.D. 3306	2 BEAT 301	3 RB NUMBER 98-85383
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5 ITEM	6 QTY.	7 ITEM NAME	8 BRAND / MAKE MANUFACTURER	9 MODEL NAME OR NUMBER	10 MISC. DESCRIPTION	11 IDENTIFICATION / SERIAL NUMBER	12 VALUE
--------	--------	-------------	-----------------------------	------------------------	----------------------	-----------------------------------	----------

NAME: BOGARDUS, ROBERT

INCIDENT: CANINE SEARCH OF ORCHARD.

ON 10-25-98 AT APPROXIMATELY 1845 HOURS, I WAS DISPATCHED TO [REDACTED] RD., IN VENTURA, REFERENCE TO A SUSPICIOUS SUBJECT CALL WITH AN OFF DUTY DEPUTY INVOLVED. UPON MY ARRIVAL I SPOKE WITH THE INCIDENT COMMANDER, SGT. UHLICH, AND HE TOLD ME THE FOLLOWING.

THIS EVENING A HISPANIC MALE SUBJECT CONTACTED A NEIGHBOR AND DEPUTY BOGARDUS AND DEPUTY BOGARDUS ASKING FOR BAKING SODA AND TINFOIL. THE SUBJECT CLAIMED HIS CAR HAD BROKEN DOWN, IN THE AREA, AND HE NEEDED THE ITEMS TO FIX IT. AFTER THE SUBJECT LEFT DEPUTY BOGARDUS' HOUSE HE ENTERED HIS, BOGARDUS', YARD AND WALKED TO THE REAR AREA OF THE YARD. BOGARDUS THEN CONTACTED THE SUBJECT AGAIN AND ASKED HIM WHY HE WAS ON HIS PROPERTY. THE SUBJECT FLED ON FOOT WITH DEPUTY BOGARDUS CHASING HIM. SOMETIME DURING THE CONFRONTATION SHOTS WERE FIRED BY DEPUTY BOGARDUS AND THE SUBJECT FLED INTO THE ORCHARD.

SGT. UHLICH REQUESTED THAT I SEARCH THE ORCHARD USING MY CANINE PARTNER "VOK". SEVERAL DEPUTIES HAD A PERIMETER OF THE ORCHARD, WHICH INCLUDED THE FOLLOWING. THE EAST PERIMETER WAS JUST EAST OF THE RESIDENCE AND EXTENDED FROM [REDACTED] RD. TO TELEGRAPH RD. THE WEST PERIMETER WAS APPROXIMATELY 300 YARDS WEST OF THE RESIDENCE AND EXTENDED FROM [REDACTED] RD. TO TELEGRAPH RD. THE NORTH PERIMETER WAS [REDACTED] RD. AND THE SOUTH PERIMETER WAS TELEGRAPH RD.

I BEGAN MY SEARCH ON THE SOUTHEAST CORNER OF THE PERIMETER. AFTER GIVING MY CANINE ANNOUNCEMENT I DEPLOYED "VOK" OFF LEASH FOR THE SEARCH WITH DEPUTIES BENEVIDES AND FRANKE ACTING AS MY "BACK UP" OFFICERS. WE SEARCHED THE ORCHARD, MOVING EAST AND WEST THROUGH THE ROWS OF THE ORCHARD. WE ALSO WORKED IN CONJUNCTION WITH THE SHERIFF'S HELICOPTER (COPTER 4), BUT WE ALL MET WITH NEGATIVE RESULTS. AFTER CONDUCTING THE SEARCH WE REMAINED ON THE PERIMETER FOR APPROXIMATELY 15 MINUTES, BUT DID NOT LOCATE ANY SUSPECTS.

13 DATE / TIME OF REPORT 10-26-98 / 0500	14 REPORTING OFFICER / ID NO / DIV / UNIT D. SPARKS 2409 WCA OTHI.	15 APPROVED BY / ID NO SGT. P. J. BUTTELL 0519
---	---	---

SUPPLEMENTAL REPORT

BEAT: 3306 RD#: 3D01

ORIGINAL OFFENSE: OFFICER INVOLVED SHOOTING

RECLASSIFY TO: CONNECTING REPORTS:

DATE & TIME OF INCIDENT: OCTOBER 25, 1998 1740 HOURS

LOCATION OF OFFENSE: [REDACTED] VENTURA, CA.

CODE: R-1 NAME: BOGARDUS, ROBERT

RACE: W SEX: M HT: WT: HAIR: EYES:

D.O.B: AGE:

RES. ADDRESS: CONFIDENTIAL

RES. PHONE: BUS. PHONE: 654-2311

CASE DISPOSITION: OPEN INVESTIGATION

ON OCTOBER 25, 1998, I WAS WORKING AS A PATROL SUPERVISOR (3S5) IN WEST COUNTY WHEN I RECEIVED A TELEPHONE CALL FROM S.C.C. SERGEANT HAMMER TO RESPOND TO [REDACTED] [REDACTED] ROAD REFERENCE A REPORT OF A SUSPICIOUS SUBJECT WHO FLED INTO A SURROUNDING ORCHARD. SERGEANT HAMMER TOLD ME THAT ONE PATROL UNIT WAS ALREADY AT THE SCENE AND ANOTHER UNIT WAS IN THE PROCESS OF BEING DISPATCHED FOR ASSISTANCE.

A SHORT WHILE LATER, I RECEIVED A SECOND TELEPHONE CALL FROM SGT. HAMMER. HE TOLD ME THE REPORTING PARTY IN THE CALL WAS AN OFF-DUTY SHERIFF'S DEPUTY IDENTIFIED AS ROBERT BOGARDUS. I WAS FURTHER ADVISED THAT DEPUTY BOGARDUS HAD CHASED THE SUBJECT INTO AN ORCHARD BEHIND HIS PRIVATE RESIDENCE AND SUBSEQUENTLY FIRED A SHOT AT THE FLEEING SUBJECT DURING THE INCIDENT.

COPIES TO: Det CAU Narc Prob Juv CII Officer Watch Commander OTHER _____

DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	10-29-98/14:06	B. Uhlich/1716/SPL SVS	<i>[Signature]</i>

I THEN BEGAN ASKING FOR ASSISTANCE FROM OTHER PATROL UNITS AND DIRECTED THE ON SCENE UNITS TO SET A PERIMETER AROUND THE ORCHARD WHERE THE SUBJECT WAS LAST SEEN.

I ARRIVED AT THE LOCATION AT APPROXIMATELY 1845 HOURS. I WAS DIRECTED BY A RESIDENT OF THE AREA TO DRIVE DOWN A DIRT DRIVEWAY WEST OF A RESIDENCE LOCATED AT [REDACTED] ROAD. I FOLLOWED THE DRIVEWAY, WHICH CONTINUED PAST THE RESIDENCE ONTO TO THE EAST SIDE OF AN ORCHARD LOCATED BEHIND THAT ADDRESS . IT WAS THERE THAT I MET UP WITH DEPUTY HESTER AND DEPUTY BOGARDUS. DEPUTY BOGARDUS WAS OFF-DUTY AND WEARING CIVILIAN CLOTHES.

DEPUTY HESTER WAS ON FOOT AND TOLD ME HIS PARTNER, DEPUTY FRANKE, WAS IN THEIR UNIT ON TELEGRAPH ROAD WATCHING THE SOUTH END OF THE ORCHARD. DEPUTY HESTER AND FRANKE WERE THE ORIGINAL UNITS ASSIGNED TO THE CALL (3D33) DEPUTY HESTER ALSO TOLD ME UNIT 3D32 WITH DEPUTIES BENAVIDES AND KINYON WERE ALSO WATCHING THE ORCHARD SOUTHWEST OF OUR LOCATION.

I CALLED SERGEANT HAMMER AND REQUESTED THE ASSISTANCE OF OTHER UNITS SO THAT A PERIMETER COULD BE SET AROUND THE ORCHARD. I WAS TOLD THAT A K-9 (3AK - DEPUTY SPARKS AND HIS DOG) WERE EN ROUTE TO MY LOCATION ALONG WITH THE HELICOPTER. I TOLD SERGEANT HAMMER I PLANNED TO CONTAIN THE AREA AND THEN INITIATE A SEARCH FOR THE SUBJECT USING BOTH THE K-9 AND HELICOPTER.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	10-29-98/14:06	B. Uhlich/1716/SPL SVS	<i>[Signature]</i>

WHILE ASSISTING UNITS WERE BEING SENT, I ASKED DEPUTY BOGARDUS TO TELL ME WHAT HAD OCCURRED. LISTED BELOW IS THE SUMMARY OF THE INCIDENT AS TOLD TO ME BY DEPUTY BOGARDUS:

DEPUTY BOGARDUS TOLD ME HE WENT OUTSIDE OF HIS RESIDENCE TO CHECK ON HIS SON WHEN HE ENCOUNTERED AN UNKNOWN, MALE HISPANIC IN HIS YARD. THE SUBJECT ASKED FOR SOME BAKING SODA AND WIRE. DEPUTY BOGARDUS TOLD THE SUBJECT THAT HE DID NOT HAVE ANY OF THE ITEMS AND THE SUBJECT LEFT TOWARDS THE DIRECTION OF ANOTHER RESIDENCE LOCATED AT [REDACTED] DEPUTY BOGARDUS SAID HE WATCHED AS THE SUBJECT WALKED UP THE DRIVEWAY TO THE RESIDENCE AND DISAPPEAR FROM VIEW. A SHORT WHILE LATER, THE SUBJECT CAME BACK DOWN FROM THE DRIVEWAY AND WALKED BACK TOWARDS WHERE DEPUTY BOGARDUS WAS STANDING. DEPUTY BOGARDUS SAID HE BECAME SUSPICIOUS OF THE SUBJECT'S ACTIONS AT THIS POINT AND IDENTIFIED HIMSELF A DEPUTY SHERIFF. DEPUTY BOGARDUS SAID HE VERBALLY ANNOUNCED TO THE SUBJECT THAT HE WAS A SHERIFF'S DEPUTY AND ALSO SHOWED THE SUBJECT HIS BADGE CONTAINED WITHIN HIS WALLET.

THE SUBJECT THEN IMMEDIATELY TURNED AWAY AND STARTED RUNNING. DEPUTY BOGARDUS SAID WHEN THE SUBJECT TURNED, HE PLACED ONE OF HIS HANDS INTO THE POCKET OF A JACKET HE WAS WEARING. DEPUTY BOGARDUS SAID HE FELT THIS WAS AN UNUSUAL ACTION FOR THE SUBJECT TO PERFORM AND HE FELT THE SUBJECT POSSIBLY HAD A WEAPON INSIDE THE POCKET. DEPUTY BOGARDUS SAID HE BEGAN CHASING THE SUBJECT

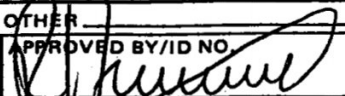
COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	10-29-98/14:06	B. Uhlich/1716/SPL SVS	<i>[Signature]</i>

INTO AN ORCHARD LOCATED BEHIND HIS RESIDENCE WHILE CONTINUING TO ANNOUNCE HE WAS A SHERIFF'S DEPUTY AND GIVING ORDERS FOR THE SUBJECT TO STOP. THE SUBJECT CONTINUED TO FLEE.

DEPUTY BOGARDUS SAID APPROXIMATELY 30-40 YARDS INTO THE ORCHARD, THE SUBJECT SUDDENLY TURNED TOWARDS HIM AND DEPUTY BOGARDUS FELT THE SUBJECT WAS REACHING FOR A WEAPON. DEPUTY BOGARDUS HAD HIS DUTY PISTOL WITH HIM AND SAID HE FIRED ONE ROUND AT THE SUBJECT AT THIS POINT. THE SUBJECT APPEARED TO GO DOWN AND DEPUTY BOGARDUS SAID HE WAS MOMENTARY STUNNED BY THE MUZZLE BLAST. HE WENT OVER IN THE DIRECTION OF WHERE THE SUBJECT WAS LAST SEEN, BUT THE SUBJECT WAS GONE. HE STOPPED HIS PURSUIT OF THE SUBJECT AND WALKED OUT FROM THE ORCHARD.

DEPUTY BOGARDUS SAID HE BELIEVED HIS SHOT WENT TO THE RIGHT AND DID NOT STRIKE THE SUBJECT. ONLY ONE SHOT WAS FIRED AT THE SUBJECT.

THE SUBJECT WAS DESCRIBED AS AN ADULT MALE HISPANIC, APPROXIMATELY 20-30 YEARS, WITH SHORT BLACK HAIR PULLED BACK AND A LIGHT MUSTACHE. HE WAS WEARING A DARK/BLACK SPORTS COAT AND LIGHT TAN PANTS. DEPUTY BOGARDUS SAID THE STRANGE BEHAVIOR AND ACTIONS EXHIBITED BY THE SUBJECT SUGGESTED HE WAS POSSIBLY UNDER THE INFLUENCE OF DRUGS.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	10-29-98/14:06	B. Uhlich/1716/SPL SVS	

I CONTACTED SERGEANT HAMMER AGAIN AND HE TOLD ME THE FOLLOWING UNITS WERE ALSO EN ROUTE TO MY LOCATION: 3B31, 3B32, 3C31 ALONG WITH UNITS FROM THE VENTURA POLICE DEPARTMENT.

AS THE ASSISTING UNITS ARRIVED, I BEGAN ASSIGNING THEM IN VARIOUS LOCATIONS AROUND THE PERIMETER OF THE SURROUNDING ORCHARD. SERGEANT HAMMER ALSO ADVISED DETECTIVES AND INVESTIGATORS FROM MAJOR CRIMES AND SHERIFF'S PERSONNEL WERE RESPONDING TO MY LOCATION.

THE ORCHARD WAS SEARCHED BY BOTH COPTER-4 AND DEPUTY SPARKS WITH HIS K-9. AT APPROXIMATELY 2020 HOURS, THE SEARCH WAS COMPLETED. THE SUBJECT WAS NOT FOUND. NO PHYSICAL EVIDENCE WAS LOCATED INDICATING THE SUBJECT HAD BEEN HIT BY THE BULLET FIRED BY DEPUTY BOGARDUS. I THEN CANCELED SEARCH FOR THE SUBJECT. ALL ASSISTING UNITS WERE ALLOWED TO CLEAR THE SCENE WITH THE EXCEPTION OF DEPUTIES HESTER AND FRANKE. THEY WERE INSTRUCTED TO INITIATE A REPORT OF THE INCIDENT AND ATTEMPT TO IDENTIFY ANY POTENTIAL WITNESSES. SEE THEIR REPORT FOR FURTHER DETAILS.

INVESTIGATORS FROM MAJOR CRIMES AND PERSONNEL ALONG WITH CAPTAIN GODFREY ARRIVED AT MY LOCATION AND I TURNED THE INVESTIGATION OF THE INCIDENT OVER TO THEM.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	10-29-98/14:06	B. Uhlich/1716/SPL SVS	<i>[Signature]</i>

I CLEARED THE SCENE AT APPROXIMATELY 2100 HOURS TO RESPOND TO ANOTHER EMERGENCY CALL IN FILLMORE.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Command <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV/UNIT	APPROVED BY/ID NO.
	10-29-98/14:06	B. Uhlich/1716/SPL SVS	

CRIME / INCIDENT REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT

AGENCY IDENTIFIER CA0560000

CONNECTING REPORT NUMBERS		2 R.D. 3304	3 BEAT 3D01	4 RB NUMBER 98-85383
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5 <input type="checkbox"/> CRIME <input type="checkbox"/> INCIDENT <input checked="" type="checkbox"/> SUPPLEMENTAL	6 <input type="checkbox"/> DOMESTIC <input type="checkbox"/> CHILD ABUSE <input type="checkbox"/> HATE
<input type="checkbox"/> CASE CLEARED	<input type="checkbox"/> GANG <input type="checkbox"/> ELDERLY ABUSE

7 CODE SECTION / DESCRIPTION (INCIDENT) OFFICER INVOLVED SHOOTING	8 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	9 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)	10 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.
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11 CODE SECTION / DESCRIPTION (INCIDENT)	12 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	13 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)	14 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.
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15 OCCURRED FROM MO. DAY YR. TIME 10 25 98 1832	16 DOW SUN	17 OCCURRED TO MO. DAY YR. TIME 10 25 98 2036	18 DOW SUN
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19 LOCATION OF OFFENSE / INCIDENT ADDRESS CITY STATE ZIP
 [REDACTED] VENTURA CA 93001

WITNESS R - REPORTING PARTY F - FINDER O - OWNER P - PARTY

21 CODE RP	22 NAME (Last, First, Middle, Gen.) / FIRM NAME BOGARDUS, ROBERT	AKA / Moniker	RACE 23	SEX 24	25 HT	26 WT	27 HAIR	28 EYES	29 DOB	30 AGE
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31 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP	32 RESIDENCE PHONE ()
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33 BUSINESS / SCHOOL NAME 800 S. VICTORIA AVE	ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY VTA	STATE CALIF	ZIP 93060	34 BUSINESS PHONE () 524-2233
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35 OCCUPATION (<input type="checkbox"/> STUDENT) Law Enforcement	36 DAYS OFF	37 WORK HRS	38 INTERPRETER	39 OPERATOR'S LIC. NO. / STATE
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40 VEH. LIC. NO. / STATE	41 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE	42 OTHER CHARACTERISTICS / VIN NO.
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43 CODE	44 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE 45	SEX 46	47 HT	48 WT	49 HAIR	50 EYES	51 DOB	52 AGE
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53 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP	54 RESIDENCE PHONE ()
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55 BUSINESS / SCHOOL NAME	ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP	56 BUSINESS PHONE ()
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57 OCCUPATION (<input type="checkbox"/> STUDENT)	58 DAYS OFF	59 WORK HRS	60 INTERPRETER	61 OPERATOR'S LIC. NO. / STATE
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62 VEH. LIC. NO. / STATE	63 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE	64 OTHER CHARACTERISTICS / VIN NO.
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65 ARSON <input type="checkbox"/> Single Fam. Resd. <input type="checkbox"/> Inhabited <input type="checkbox"/> Uninhabited <input type="checkbox"/> Storage <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Other Structure <input type="checkbox"/> Public Place <input type="checkbox"/> Vehicle <input type="checkbox"/> Unlawful Fire <input type="checkbox"/> Other	66 BURGLARY <input type="checkbox"/> Residential <input type="checkbox"/> Vehicle <input type="checkbox"/> Commercial <input type="checkbox"/> Other	67 ROBBERY <input type="checkbox"/> Bank <input type="checkbox"/> Chain Store <input type="checkbox"/> Gas Station <input type="checkbox"/> Highway <input type="checkbox"/> Residence <input type="checkbox"/> Other	68 THEFT <input type="checkbox"/> Auto Parts <input type="checkbox"/> Bicycle <input type="checkbox"/> From Bldg. <input type="checkbox"/> Coin Machine <input type="checkbox"/> From Person <input type="checkbox"/> From Vehicle <input type="checkbox"/> Purse Snatch <input type="checkbox"/> Shoplift <input type="checkbox"/> Other	69 VALUE / DOLLAR LOSS \$ VALUE / DAMAGE LOSS \$	70 FORCE / WEAPON <input type="checkbox"/> No Force <input type="checkbox"/> No Weapon <input type="checkbox"/> Verbal Only <input type="checkbox"/> Attempt Only <input type="checkbox"/> Great Bodily Injury <input type="checkbox"/> Firearm <input type="checkbox"/> Knife <input type="checkbox"/> Hands/Fists/Feet <input type="checkbox"/> Other	71 DOMESTIC VIOLENCE / SEX / HATE CRIMES <input type="checkbox"/> D.V. and/or S. A. Pamphlet given to: <input type="checkbox"/> Victim <input type="checkbox"/> P-1 <input type="checkbox"/> P-2 <input type="checkbox"/> Pursuant to Sec. 6254 G.C., victim of D.V., Sex or Hate Crime requests their name be withheld from the public. <input type="checkbox"/> YES <input type="checkbox"/> NO	72 SPECIAL INTEREST (Copy to Agency/Unit) <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Sex Crime <input type="checkbox"/> Child Abuse <input type="checkbox"/> PSSA <input type="checkbox"/> Gang Related <input type="checkbox"/> Hate Crime <input type="checkbox"/> Agricultural <input type="checkbox"/> Probation <input type="checkbox"/> Parole <input type="checkbox"/> Other
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73 DATE AND TIME REPORTED 10/2/98	74 DATE / TIME OF REPORT 10/29/98 0700	75 REPORTING OFFICER / ID NO. / DIV. / UNIT J. BENAVIDES #5027/WCP/HR	76 APPROVED BY / ID NO. [Signature]
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77 COPIES TO DET / MC NARC GANG / SED STATS PRESS DOJ COURT OTHER

CRIME / INCIDENT REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT
 (CONTINUED) Page 2 of 2 AGENCY IDENTIFIER CA0560000

78 RB NUMBER
98-85383

ADDITIONAL NAME (Complete Front Page First)

81 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE 82	SEX 83	84 HT	85 WT	86 HAIR	87 EYES	88 DOB	89 AGE
90 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box _____) CITY STATE ZIP							91 RESIDENCE PHONE ()		
92 BUSINESS / SCHOOL NAME ADDRESS / (<input type="checkbox"/> Same as Box _____) CITY STATE ZIP							93 BUSINESS PHONE ()		
94 OCCUPATION (<input type="checkbox"/> STUDENT)			95 DAYS OFF	96 WORK HRS	97 INTERPRETER		98 OPERATOR'S LIC. NO. / STATE		
99 VEHICLE LIC. NO. / STATE	100 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE				101 OTHER CHARACTERISTICS / VIN NO.				

102 DOMESTIC VIOLENCE (PC 13700, 13730) * COMPLETE #70 & 71 ON FRONT PAGE

103 / RESPONDED TO A CALL INVOLVING A DOMESTIC INCIDENT: <input type="checkbox"/> Parties involved are described in 13700 (B) PC and <input type="checkbox"/> Incident was verbal only, <u>no</u> evidence of crime, physical violence or traumatic condition existed. (brief narrative required) or <input type="checkbox"/> A misdemeanor (_____ PC) occurred and no prosecution was desired by any involved party. <input type="checkbox"/> A felony <input type="checkbox"/> A misdemeanor arrest was made for (_____ PC)		104 RELATIONSHIP OF PARTIES <input type="checkbox"/> SPOUSES <input type="checkbox"/> FORMER SPOUSES <input type="checkbox"/> DATING/ ENGAGED <input type="checkbox"/> FORMER DATING <input type="checkbox"/> COHABITANTS <input type="checkbox"/> FORMER COHABITANT <input type="checkbox"/> PARENTS OF CHILD FROM RELATIONSHIP	
		105 # OF PRIOR RESPONSES? _____ ALCOHOL/DRUG USE BY ABUSER? <input type="checkbox"/> Yes <input type="checkbox"/> No	

106 BICYCLE INFORMATION 107 STOLEN LOST (Safekeeping, Found, Recovered, Evidence, use Property / Evidence Report)

108 <input type="checkbox"/> Boys <input type="checkbox"/> ATB <input type="checkbox"/> Road <input type="checkbox"/> Hybrid <input type="checkbox"/> Girls <input type="checkbox"/> Juv. <input type="checkbox"/> BMX <input type="checkbox"/> Cruiser		109 COLOR	110 MAKE / MODEL	111 FRAME SIZE	112 WHEEL SIZE	113 GEARS	114 SERIAL NUMBER
115 LICENSE NO. / CITY		116 ADDITIONAL EQUIPMENT OR IDENTIFYING CHARACTERISTICS				117 VALUE	

118 NARRATIVE If crime report, include brief description below (establishing elements of crime.) Use Narrative Report for details of crime List stolen / lost property (use format below.) Enter total value/dollar loss on #89. All suspect information on Suspect Report.

119 PROPERTY CLASSIFICATION CODES		PROPERTY CODES					
SP - STOLEN PROPERTY LP - LOST PROPERTY		A - CURRENCY / NOTES	D - VEHICLE	G - FIREARMS	J - LIVESTOCK		
		B - JEWELRY / PRECIOUS METALS	E - OFFICE EQUIPMENT	H - HOUSEHOLD GOODS	K - MISCELLANEOUS		
		C - CLOTHING / FURS	F - ELECTRONIC EQUIPMENT	I - CONSUMABLE GOODS			

120 CODE	121 ITEM	122 QTY.	123 ITEM NAME	124 BRAND / MAKE MANUFACTURER	125 MODEL / NAME OR NUMBER	126 MISC. DESCRIPTION	127 IDENTIFICATION / SERIAL NUMBER	128 VALUE
/			ON 10/25/98, AT ABOUT 1030 HOURS, DEPUTY KINYON AND I RESPONDED TO 11577					
/			FOOTHILL ROAD TO ASSIST DEPUTY HESTER AND FRANKE. WHEN WE ARRIVED					
/			WE WERE TOLD BY DEPUTY HESTER THAT THERE WAS POSSIBLY AN ARMED					
/			SUBJECT IN THE ORCHARDS SOUTH OF FOOTHILL ROAD AND NORTH					
/			OR TELEGRAPH ROAD.					
/			WHILE AT THE SCENE, I WAS TOLD BY SENIOR DEPUTY SPARKS TO ASSIST					
/			HIM IN A SEARCH WITH HIS DOG "VOK". DEPUTY FRANKE AND I					
/			ASSISTED SENIOR DEPUTY SPARKS IN THE SEARCH WHILE DEPUTY					
/			KINYON MAINTAINED THE PERIMETER ON TELEGRAPH ROAD EAST					
/			OF WELLS ROAD. OUR SEARCH WITH THE CANINE WAS UNSUCCESSFUL.					

SUPPLEMENTAL REPORT

BEAT: 3D1 RD#: 3306

ORIGINAL OFFENSE: Officer Involved Shooting

RECLASSIFY TO: CONNECTING REPORTS:

DATE & TIME OF INCIDENT: 10-25-98 1750

LOCATION OF OFFENSE: [REDACTED] Ventura

CODE: V-1 NAME: Bogardus, Robert

BUS. ADDRESS: 88 S. Victoria Ave Ventura

RES. PHONE: 654-2311 BUS. PHONE:

CASE DISPOSITION: none

On 10-25-98 at 1930 hours I was contacted at home by Captain Montijo reference an **Officer Involved Shooting incident** at [REDACTED] Road. Montijo told me off duty Deputy Robert Bogardus had shot at a subject and we were unsure if the subject had been hit. The subject had not been found and the Sheriff's helicopter, K-9 and deputies were doing an extensive search of the area. Sgt Eulich was the contact person at the scene.

I responded to the area of [REDACTED] and contacted Sgt. Eulich for a briefing on the incident. (refer to Eulich's report same RB#) Sgt. Eulich pointed out Deputy Bogardus at the scene and Detective Gentry and I interviewed him. (refer to Detective Gentry's report) Personnel was on scene (Captain Morris, Sgt. Hernandez) and B.I secured evidence at the scene. Deputies were unable to locate the subject that was shot at so the scene was secured for the night.

On 10-25-98 Detective Gentry and I (Zermeno) went out to the orchard area where the shooting took place with B. I Officer Garcia. We searched the area with metal detectors trying to locate the expended cartridge. After several hours of searching we were unable to locate it. After we concluded the search of the orchard we went and re- contacted [REDACTED] and her son [REDACTED] at [REDACTED]. We had received information from deputies that [REDACTED] had given the subject, later I.D as Felipe Robledo, who was shot at a ride from his residence to [REDACTED] road.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER 10/29/98			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV/JUNIT	APPROVED BY/ID NO.
	10/29/98/2:03 PM	R. Zermeno/1087/SPL SVS	[Signature]

SO-395B (Rev. 8/87)

[REDACTED]
[REDACTED]

The following is a synopsis of the interview of [REDACTED] on [REDACTED]

I asked [REDACTED] to describe his contact with Felipe. [REDACTED] told us that he was driving down from his residence to meet a friend when he ran into Felipe walking (N/B) up to his residence. Felipe asked [REDACTED] if he would give him some tin foil and some baking soda so he could fix his battery. [REDACTED] described the subject as "not with it....simple mind..... dresses in slacks and a dark green jacket. [REDACTED] said he was hesitant at first at getting Felipe the stuff, but decided to go back and get him what he wanted so he would leave the area.

[REDACTED] drove back with Felipe to his house got the tin foil and put the baking soda in a plastic baggy and gave it to him. When [REDACTED] was in the residence getting the items Felipe went to the front door and asked [REDACTED]'s grandmother if she remembered him..... which she responded that she did. [REDACTED] drove Felipe back down the hill to [REDACTED] Road and dropped off him off. Before Felipe left he asked [REDACTED] for some cigarettes. [REDACTED] gave Felipe 4 Salem cigarettes and he left. [REDACTED] said that he didn't talk much in his car with Felipe as he drove down the hill . The distance from [REDACTED]'s residence to [REDACTED] Road is approximately 2/10's of a mile. [REDACTED]'s mother, said she had the impression that the subject might be from the area because he made reference that he lived in a ranch house down below.

[REDACTED]'s grandmother told us that she remembered Felipe coming up to the residence several months back and asking for six dollars, which they gave him, and he didn't appear to be a bad person. We asked [REDACTED] and his mother if they heard any gunfire that night and they said they didn't. [REDACTED] said he had gone to a friends house after he dropped Felipe off.

After the interview, Detective Gentry and I went around to the different farm houses looking for Felipe. We then located a female who told us that their was a, " male Mexican, who takes drugs, a little crazy, who always asks for moneyand he lived up the street in a farm house on Telegraph Road." The female pointed out a driveway that was a couple hundred yards from our location.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	10/29/98/2:03 PM	R. Zermeno/1087/SPL SVS	[Signature]

SO-395B (Rev. 8/87)

Detective Gentry and I went to the driveway that had a mail box with the address [redacted] and drove up the dirt road which led to a small farm house. When we parked our vehicle we saw a female signaling to us to cover the front door and the rear door. The female, later identified as [redacted] told me that her son would take off running if we don't watch him. Mrs. Robledo led me into her house and pointed out Felipe who was standing in the living room area.

[redacted] asked me, "Are you the ones in the Helicopter." I told [redacted] that it was the Sheriff Department helicopter that was flying in the area. [redacted] told me, "my son told me he was shot at by a policeman last night.....do you know why they shot at him." I explained the circumstances of the shooting to [redacted]. Felipe then said, "It wasn't meI was home all night...I went to the doctor." [redacted] said, "I'm not going to cover up for him....he needs help..... but I can't get it.....he's been this way since his wife left him.....he's on drugs...we can't trust him....he stole his brothers championship ring."

I asked Felipe if he would go to the sheriff's station with us so we could talk to him about this incident. Felipe asked me if we could do the interview at his house. I told Felipe that it would be easier to sit down and talk about this without being disturbed. I told Felipe that we would take him and bring him back home after the interview. I told Felipe that he was not under arrest nor was I going to arrest him. Felipe asked me if I would get him a cigarette and I told him that I would at a later time. Felipe agreed to come to the station with us. [redacted] said, "yes, take him.....see if you can get him some help.....he needs help.....we have been living with this problem for three years." We transported Felipe to the sheriff station in Ventura.

The following is a synopsis of the taped interview of Felipe Robledo.

Felipe Campa Robledo Jr. [redacted]

Ventura, California

Felipe: Why did the officer shoot that guy?"

Zermeno: What guy?"

Felipe: Did he hit him."

Zermeno: He shot at you

COPIES TO: Det CAU Narc Prob Juv CII Officer Watch Commander OTHER

DATE/TIME REPORTED DATE/TIME OF REPORT REPORTING OFFICER/ID NO./DIV/JUNIT APPROVED BY/ID NO.

[Handwritten signatures and initials]

Felipe: He didn't shoot at me..... I wasn't there I was at the hospital.

I told Felipe that his mother told me... you had been shot at by the police. Felipe said that he wasn't there and that he had gone to the doctor. I told Felipe that he wasn't in any troublebut he needed to tell me the truth as to what happen in the orchard. I told Felipe to go over his activities for October 25. Felipe said , " I was playing with my kids..... went to the hospital.....but I didn't get to see anybody at the hospital so I walked out it was about eight thirty when I got home.

Felipe said he got a ride from the hospital to his home from "an unknown guy." I asked Felipe what he did between twelve and 5 p.m. Felipe said he was at his house playing with his kids. I asked Felipe, " Was your mother lying when she told me that you told her an officer shot at you." Felipe said, " she has done that before...she called the cops.....they took a urine....then the cops let me go."

I told Felipe that he needed to tell me the truth. Felipe said, " that guy shot somebody..... he should be in trouble." Gentry told Felipe, " who he shot at is you." Felipe said that he wasn't on [REDACTED] Road. Detective Gentry told Felipe, " you were seen on [REDACTED] Road.....you went up to a gatea guy came out to talk to youyou told him you were having car problems...you asked for baking soda and tin foil...then you walked up a driveway to a house up on the hill...." Felipe said, "there are lots of people that look like me....theirs Jeff Magdaleno....it wasn't me."

I asked Felipe if he remembers telling his mom that he got shot at by a policeman. Felipe said he didn't remember that. I asked Felipe if he thought it was wrong that a police officer shot at him." Felipe said, " yea.....no,....no..... I didn't tell her anything." Felipe told me that he would tell me the truth if I gave him a cigarette. Detective Gentry asked Felipe when was the last time he went to mental health. Felipe said that it had been a while...but he was seeing a doctor at Clinicas that gives him the drug Respectal.... that was making him really tired.

Detective Gentry told Felipe, " the incident that happen last night was a serious thing..... and he wasn't dealing with it very good." Felipe said, " I'm all right...but it wasn't me." We told Felipe that we found tracks leading up to his house. I asked Felipe, " how do you think we were able to find him." We told Felipe, "you are not under arrest..... and your not going to be arrested because you didn't commit a crime.....we can understand that you might of been depressed." Felipe responded that he knew that.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV/JUNIT	APPROVED BY/ID NO.
	10/29/98/2:03 PM	R. Zermeno/10877/SPL SVS	<i>[Signature]</i>

SO-395B (Rev. 8/87)

I asked Felipe if he had been arrested in the past. Felipe told me that he got arrested for drugs and problems with his wife. I told Felipe if he was truthful with his wife. Felipe told me that he was. I told Felipe, "see how important it is to tell the truth.....when you tell the truth it's good." Photos were taken of Felipe and he asked us if we were going to let him go homeand if this was going to be on his record. I told Felipe that we were going to let him go home.

Felipe told me that ~~that~~ we had told him that we were going to ask him some questions and let him go home. I told Felipe that what I told him was if he was truthful we would finish this interview quickly. Felipe asked, "what kind of trouble is this guy in." I told Felipe that no one was in any trouble ...we were trying to find out what went on." Felipe told me if I gave him a cigarette he would be truthful with us. Detective Gentry told Felipe, "if you are truthful..... we will buy you a pack of cigarettes on the way home."

Felipe said, "o.k ...I was there.....but I didn't do anything wrong.....I just went up and asked him for something for my car.....foil for my car....he said I don't have any....I then asked him if I could turn off my cigarette on the floor.....I turned it off ...I went up to the hill to talk to my friend...then I came down.....I went up to ~~him~~....he said I want to talk to you..... he showed me a badge...I told him it was a phony badge, he wasn't for real.....I got scared.....because I got arrested before at the church and I wasn't doing anything wrong.....I was afraid of getting arrested for something I didn't do again.....he started shooting at me...he only shot once....I wanted to go home."

I asked Felipe if he fell down after being shot at. Felipe told me, "I fell down. after he shot....I got up and ran...I was afraid he was going to shoot me to death." I asked Felipe if he told the guy anything. Felipe said, "I told him....leave me alone I'm going home." I asked Felipe if he had anything in his pockets. Felipe told me he had the cigarettes the guy on the hill had given him. I asked Felipe if he had his hands in his pocket. Felipe said, "when I was running ...I put my hand right here....that' s not when he shot ...I was running."

I asked Felipe what pocket did he put the cigarettes that the guy gave him. Felipe told me that it was his right pocket. Felipe said, "as I walked past the man with the badge I told him.....I looked at him and I told him I got my tin foil and stuff." I asked Felipe if he had his hands in his pocket. Felipe said, "no, I was smoking a cigarette and walking." I asked Felipe what he needed the tin foil for. Felipe said that it was for the fuse in his car. Felipe said, "the guy told me I was under arrest." I asked Felipe if the guy told him that. Felipe said, "basically.....he didn't say that..... but he had a badge....and I looked at him and I got scaredI even talked to Father Bedermin (Sacred Heart Church) about it."

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Off car <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	10/29/98/2:03 PM	R. Zermeno/1087/SPL SVS	<i>[Signature]</i>

SO-395B (Rev. 8/87)

I told Felipe, " when you saw the badge ...you got scared.....and started running." Felipe said, " I've been arrested before at the church ." Felipe told me, " I didn't think he was a Police Officer because I saw him working in construction out there before...at his house....I worked at his house." Detective Gentry asked Felipe, " when you were running through the orchard..... when he was chasing youdid you turn around to see where he was. Felipe said , " oh... yea.... I did...I did.....but he was playing games with me...he was running...he was yelling I'm running faster than you are.....I'm running slower than you are... I'm going to catch you.....that's why I started falling down...I was getting scared."

Felipe said, " that's the whole story...can I have a cigarette now." I asked Felipe what he had told his mom about this incident. Felipe said, " I told my mom today (10-26-98) that I dropped my brothers rings while I was running...I had my brothers ring....my brother is pissed-off at me because it was his dam Cucamonga Ring (A.A.U World Series Ring) that I lost in the orchard." I asked Felipe if he was standing up when he turned to see the officer when he was shot at . Felipe said, Yea." I asked Felipe if he has ever been shot at before. Felipe said, " It was the first time a cop has ever shot at me....I don't think he was a cop because his gun didn't sound...it was a play gun.....it went bing/bang.....god told me to fall down...so I fell down...then I took off running."

I told Felipe, " see how nice it is when you tell the truth. Felipe said, " I'm not against him.....but it was kind of cold doing that.... he could of told me the first time we met that he was an officer....I would of cooperated with him." I asked Felipe if he told him he was a deputy Sheriff. Felipe said, " no , he didn't tell me anything....I worked at that house in construction.....I worked in construction at that house.....that's why I thought he was a construction worker."

Felipe said, " I got scared when I saw the guy (Bogadrus) doing something in his car.....and when he told me he was a cop...I tripped out and told him he wasn't a cop.....he was putting me through some weird trip." I told Felipe that a person from personnel was going to talk to him about the incident. Felipe said, " can I read your notes so I can get my story straight...then he laughed.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
SO-395B (Rev. 8/87)	10/29/98/2:03 PM	R. Zermeno/1087/SPL SVS	<i>[Signature]</i> NY CRIMES

CRIME / INCIDENT REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT
AGENCY IDENTIFIER CA0560000

1 CONNECTING REPORT NUMBERS		2 RD. 3 BEAT 4 RB NUMBER 3306 3D1 98-85383	
5 <input type="checkbox"/> CRIME <input type="checkbox"/> INCIDENT <input checked="" type="checkbox"/> SUPPLEMENTAL		6 <input type="checkbox"/> DOMESTIC <input type="checkbox"/> CHILD ABUSE <input type="checkbox"/> HATE <input type="checkbox"/> GANG <input type="checkbox"/> ELDERLY ABUSE	
7 CODE SECTION / DESCRIPTION (INCIDENT) OFFICER INVOLVED SHOOTING		8 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	
11 CODE SECTION / DESCRIPTION (INCIDENT)		12 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	
15 OCCURRED MO. DAY YR. TIME 10 25 98 1740		18 DOW SUN	
19 LOCATION OF OFFENSE / INCIDENT ADDRESS CITY STATE ZIP VENTURA CA. 93001		20 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	
21 CODE SECTION / DESCRIPTION (INCIDENT)		13 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)	
14 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.		16 OCCURRED MO. DAY YR. TIME	
17 OCCURRED TO		18 DOW	
22 NAME (Last, First, Middle, Gen.) / FIRM NAME R BOGARDUS, ROBERT		23 RACE 24 SEX 25 HT 26 WT 27 HAIR 28 EYES 29 DOB 30 AGE W M / / / / / / / / / /	
31 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #) CITY STATE ZIP		32 RESIDENCE PHONE	
33 BUSINESS / SCHOOL NAME ADDRESS / (<input type="checkbox"/> Same as Box #) CITY STATE ZIP		34 BUSINESS PHONE (805) 654-2311	
35 OCCUPATION (<input type="checkbox"/> STUDENT) DEPUTY SHERIFF		36 DAYS OFF 37 WORK HRS 38 INTERPRETER 39 OPERATOR'S LIC. NO. / STATE	
40 VEH. LIC. NO. / STATE 41 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE		42 OTHER CHARACTERISTICS / VIN NO.	
43 NAME (Last, First, Middle, Gen.) / FIRM NAME AKA / Moniker RACE SEX 47 HT 48 WT 49 HAIR 50 EYES 51 DOB 52 AGE		53 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #) CITY STATE ZIP	
54 RESIDENCE PHONE		55 BUSINESS / SCHOOL NAME ADDRESS / (<input type="checkbox"/> Same as Box #) CITY STATE ZIP	
56 BUSINESS PHONE		57 OCCUPATION (<input type="checkbox"/> STUDENT)	
58 DAYS OFF 59 WORK HRS 60 INTERPRETER		61 OPERATOR'S LIC. NO. / STATE	
62 VEH. LIC. NO. / STATE 63 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE		64 OTHER CHARACTERISTICS / VIN NO.	
65 ARSON <input type="checkbox"/> Single Fam. Resd. <input type="checkbox"/> Inhabited <input type="checkbox"/> Uninhabited <input type="checkbox"/> Storage <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Other Structure <input type="checkbox"/> Public Place <input type="checkbox"/> Vehicle <input type="checkbox"/> Unlawful Fire <input type="checkbox"/> Forest <input type="checkbox"/> Injury Occurred <input type="checkbox"/> Other		66 BURGLARY <input type="checkbox"/> Residential <input type="checkbox"/> Vehicle <input type="checkbox"/> Commercial <input type="checkbox"/> Other	
67 ROBBERY <input type="checkbox"/> Bank <input type="checkbox"/> Chain Store <input type="checkbox"/> Commercial <input type="checkbox"/> Gas Station <input type="checkbox"/> Highway <input type="checkbox"/> Residence <input type="checkbox"/> Other		68 THEFT <input checked="" type="checkbox"/> Auto Parts <input type="checkbox"/> Bicycle <input type="checkbox"/> From Bldg. <input type="checkbox"/> Coin Machine <input type="checkbox"/> From Person <input type="checkbox"/> From Vehicle <input type="checkbox"/> Purse Snatch <input type="checkbox"/> Shoplift <input type="checkbox"/> Other	
69 VALUE / DOLLAR LOSS \$ 70 VALUE / DAMAGE LOSS \$		70 FORCE / WEAPON <input checked="" type="checkbox"/> No Force <input type="checkbox"/> No Weapon <input type="checkbox"/> Verbal Only <input type="checkbox"/> Attempt Only <input type="checkbox"/> Great Bodily Injury <input type="checkbox"/> Firearm <input type="checkbox"/> Knife <input type="checkbox"/> Hands/Fists/Feet <input type="checkbox"/> Other	
71 DOMESTIC VIOLENCE / SEX / HATE CRIMES <input type="checkbox"/> D.V. and/or S. A. Pamphlet given to: <input type="checkbox"/> Victim <input type="checkbox"/> P-1 <input type="checkbox"/> P-2 <input type="checkbox"/> Pursuant to Sec. 8254 G.C., victim of D.V., Sex or Hate Crime requests their name be withheld from the public. <input type="checkbox"/> YES <input type="checkbox"/> NO		72 SPECIAL INTEREST (Copy to Agency/Unit) <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Sex Crime <input type="checkbox"/> Child Abuse <input type="checkbox"/> PSSA <input type="checkbox"/> Gang Related <input type="checkbox"/> Hate Crime <input type="checkbox"/> Agricultural <input type="checkbox"/> Probation <input type="checkbox"/> Parole <input type="checkbox"/> Other	
73 DATE AND TIME REPORTED 10-25-98/1845		74 DATE / TIME OF REPORT 10-30-98/1100	
75 REPORTING OFFICER / ID NO. / DIV. / UNIT J. HENDREN 3074 WCP JBSZ		76 APPROVED BY / ID NO. ABUSTILLER 567-380	

CRIME / INCIDENT REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT
 (CONTINUED) AGENCY IDENTIFIER CA0560000

78 RB NUMBER
98-85383

Page 2 of 2

ADDITIONAL NAME(S) (Complete Front Page File)

81 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX	84 HT	85 WT	86 HAIR	87 EYES	88 DOB	89 AGE
80 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box _____) CITY STATE ZIP							91 RESIDENCE PHONE ()		
82 BUSINESS / SCHOOL NAME ADDRESS / (<input type="checkbox"/> Same as Box _____) CITY STATE ZIP							93 BUSINESS PHONE ()		
94 OCCUPATION (<input type="checkbox"/> STUDENT)			95 DAYS OFF	96 WORK HRS	97 INTERPRETER		98 OPERATOR'S LIC. NO. / STATE		
99 VEHICLE LIC. NO. / STATE	100 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE				101 OTHER CHARACTERISTICS / VIN NO.				

102 DOMESTIC VIOLENCE (PC 13700, 13700) COMPLETE #70 & 71 ON FRONT PAGE

102a RESPONDED TO A CALL INVOLVING A DOMESTIC INCIDENT: <input type="checkbox"/> Parties involved are described in 13700 (B) PC and <input type="checkbox"/> Incident was verbal only, no evidence of crime, physical violence or traumatic condition existed. (brief narrative required) or <input type="checkbox"/> A misdemeanor (_____ PC) occurred and no prosecution was desired by any involved party. <input type="checkbox"/> A felony <input type="checkbox"/> A misdemeanor arrest was made for (_____ PC)	104 RELATIONSHIP OF PARTIES <input type="checkbox"/> SPOUSES <input type="checkbox"/> FORMER SPOUSES <input type="checkbox"/> DATING/ ENGAGED <input type="checkbox"/> FORMER DATING <input type="checkbox"/> COHABITANTS <input type="checkbox"/> FORMER COHABITANT <input type="checkbox"/> PARENTS OF CHILD FROM RELATIONSHIP
105 # OF PRIOR RESPONSES? _____ ALCOHOL/DRUG USE BY ABUSER? <input type="checkbox"/> Yes <input type="checkbox"/> No	

103 BICYCLE INFORMATION 107 STOLEN LOST (Safekeeping, Found, Recovered, Evidence, use Property / Evidence Report)

108 <input type="checkbox"/> Boys <input type="checkbox"/> ATB <input type="checkbox"/> Road <input type="checkbox"/> Hybrid <input type="checkbox"/> Girls <input type="checkbox"/> Juv. <input type="checkbox"/> BMX <input type="checkbox"/> Cruiser	109 COLOR	110 MAKE / MODEL	111 FRAME SIZE	112 WHEEL SIZE	113 GEARS	114 SERIAL NUMBER
115 LICENSE NO. / CITY	116 ADDITIONAL EQUIPMENT OR IDENTIFYING CHARACTERISTICS				117 VALUE	

NARRATIVE (Print Report, The DOR's Brief Classification below (establishing elements of crime). Use Narrative Report for details of crime. List stolen items property (use format below). Enter total value/dollar loss on 128. All suspect information on Suspect Report)

PROPERTY CLASSIFICATION CODES SP - STOLEN PROPERTY LP - LOST PROPERTY	PROPERTY CODES A - CURRENCY / NOTES B - JEWELRY / PRECIOUS METALS C - CLOTHING / FURS D - VEHICLE E - OFFICE EQUIPMENT F - ELECTRONIC EQUIPMENT G - FIREARMS H - HOUSEHOLD GOODS I - CONSUMABLE GOODS J - LIVESTOCK K - MISCELLANEOUS
--	---

120 CODE	121 ITEM	122 QTY.	123 ITEM NAME	124 BRAND / MAKE MANUFACTURER	125 MODEL / NAME OR NUMBER	126 MISC. DESCRIPTION	127 IDENTIFICATION / SERIAL NUMBER	128 VALUE	
/	/	/	ON 10-25-98 AT APPROXIMATELY 1927 HOURS, DEPUTY BRIDGES AND I RESPONDED TO AN OFFICER INVOLVED SHOOTING AT 11370 FOOTHILL ROAD IN VENTURA. UPON ARRIVAL, WE CONTACTED SGT. UHLICH WHO ADVISED US TO SET A PERIMETER ON TELEGRAPH ROAD EAST OF WELLS ROAD.						
/	/	/	DEPUTY BRIDGES AND I PARKED ON TELEGRAPH ROAD APPROXIMATELY 1/4 MILE EAST OF WELLS AND ESTABLISHED A PERIMETER.						
/	/	/	AT APPROXIMATELY 2018 HOURS, DEPUTY BRIDGES AND I MOVED TO DEPUTY VANWINKLES POSITION ON FOOTHILL. SHORTLY AFTER, SGT UHLICH ADVISED US THE PERIMETER WAS NO LONGER NEEDED AND TO RETURN TO OUR AREA.						

1 CONNECTING REPORT NUMBERS			2 R.D.	3 BEAT	4 RB NUMBER
			3306	301	98-85383

6 CRIME INCIDENT SUPPLEMENTAL 8 DOMESTIC CHILD ABUSE HATE
 CASE CLEARED GANG ELDERLY ABUSE

7 CODE SECTION / DESCRIPTION (INCIDENT) OFFICER INVOLVED SHOOTING	9 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	9 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)	10 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.
11 CODE SECTION / DESCRIPTION (INCIDENT)	12 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	13 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)	14 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.

15 OCCURRED FROM	MO.	DAY	YR.	TIME	16 DOW	17 OCCURRED TO	MO.	DAY	YR.	TIME	18 DOW
	10	25	98	1740	SUN						

19 LOCATION OF OFFENSE / INCIDENT ADDRESS CITY STATE ZIP
 [REDACTED] VENTURA CA. 93001

20 R-REPORTING PARTY F-FINDER O-OWNER P-PARTY

21 CODE	22 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX	25 HT	26 WT	27 HAIR	28 EYES	29 DOB	30 AGE
R	BOGARDUS, ROBERT		W	M						

31 RESIDENCE ADDRESS / (Same as Box #) CITY STATE ZIP 32 RESIDENCE PHONE ()

33 BUSINESS / SCHOOL NAME ADDRESS / (Same as Box #) CITY STATE ZIP 34 BUSINESS PHONE (805) 654-2311

VENTURA CO. SHERIFF'S DEPT. 800 S. VICTORIA VENTURA CA.

35 OCCUPATION (STUDENT) 36 DAYS OFF 37 WORK HRS 38 INTERPRETER 39 OPERATOR'S LIC. NO. / STATE

DEPUTY VARY VARY UNK.

40 VEH. LIC. NO. / STATE 41 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE 42 OTHER CHARACTERISTICS / VIN NO.

43 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX	47 HT	48 WT	49 HAIR	50 EYES	51 DOB	52 AGE

53 RESIDENCE ADDRESS / (Same as Box #) CITY STATE ZIP 54 RESIDENCE PHONE ()

55 BUSINESS / SCHOOL NAME ADDRESS / (Same as Box #) CITY STATE ZIP 56 BUSINESS PHONE ()

57 OCCUPATION (STUDENT) 58 DAYS OFF 59 WORK HRS 60 INTERPRETER 61 OPERATOR'S LIC. NO. / STATE

62 VEH. LIC. NO. / STATE 63 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE 64 OTHER CHARACTERISTICS / VIN NO.

65 ARSON <input type="checkbox"/> Single Fam. Resd. <input type="checkbox"/> Inhabited <input type="checkbox"/> Uninhabited <input type="checkbox"/> Storage <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Other Structure <input type="checkbox"/> Public Place <input type="checkbox"/> Vehicle <input type="checkbox"/> Unlawful Fire <input type="checkbox"/> Forest <input type="checkbox"/> Injury Occurred <input type="checkbox"/> Other	66 BURGLARY <input type="checkbox"/> Residential <input type="checkbox"/> Vehicle <input type="checkbox"/> Commercial <input type="checkbox"/> Other	67 ROBBERY <input type="checkbox"/> Bank <input type="checkbox"/> Chain Store <input type="checkbox"/> Commercial <input type="checkbox"/> Gas Station <input type="checkbox"/> Highway <input type="checkbox"/> Residence <input type="checkbox"/> Other	68 THEFT <input type="checkbox"/> Auto Parts <input type="checkbox"/> Bicycle <input type="checkbox"/> From Bldg. <input type="checkbox"/> Coin Machine <input type="checkbox"/> From Person <input type="checkbox"/> From Vehicle <input type="checkbox"/> Purse Snatch <input type="checkbox"/> Shoplift <input type="checkbox"/> Other	69 VALUE / DOLLAR LOSS \$ VALUE / DAMAGE LOSS \$	70 FORCE / WEAPON <input type="checkbox"/> No Force <input type="checkbox"/> No Weapon <input type="checkbox"/> Verbal Only <input type="checkbox"/> Attempt Only <input type="checkbox"/> Great Bodily Injury <input type="checkbox"/> Firearm <input type="checkbox"/> Knife <input type="checkbox"/> Hands/Fists/Feet <input type="checkbox"/> Other	71 DOMESTIC VIOLENCE / SEX / HATE CRIMES <input type="checkbox"/> D.V. and/or S. A. Pamphlet given to: <input type="checkbox"/> Victim <input type="checkbox"/> P-1 <input type="checkbox"/> P-2 <input type="checkbox"/> Pursuant to Sec. 6257 C.C. victim of D.V., Sex or Hate Crime requests their name be withheld from the public. <input type="checkbox"/> YES <input type="checkbox"/> NO	72 SPECIAL INTEREST (Copy to Agency/Unit) <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Sex Crime <input type="checkbox"/> Child Abuse <input type="checkbox"/> PSSA <input type="checkbox"/> Gang Related <input type="checkbox"/> Hate Crime <input type="checkbox"/> Agricultural <input type="checkbox"/> Probation <input type="checkbox"/> Parole <input type="checkbox"/> Other
--	--	--	--	---	--	--	---

73 DATE AND TIME REPORTED 10/25/98 1845 HL	74 DATE / TIME OF REPORT 10/29/98 1900	75 REPORTING OFFICER / ID NO. / DIV. / UNIT VAN WINIKLE / 3130 / UCPS / FILL	76 APPROVED BY / ID NO. B. W. [Signature]
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CRIME / INCIDENT REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT
 (CONTINUED) AGENCY IDENTIFIER CA0560000

78 NIS NUMBER

98-85383

Page 2 of 2

79 ADDITIONAL NAME (Complete Front Page First)

80 NAME (Last, First, Middle, Gen.) / FIRM NAME AKA / Moniker RACE #2 SEX #3 HA HT #4 WT #5 HAIR #6 EYES #7 DOB #8 AGE

81 RESIDENCE ADDRESS / (Same as Box) CITY STATE ZIP 81 RESIDENCE PHONE ()

82 BUSINESS / SCHOOL NAME ADDRESS / (Same as Box) CITY STATE ZIP 82 BUSINESS PHONE ()

84 OCCUPATION (STUDENT) 85 DAYS OFF 86 WORK HRS 87 INTERPRETER 88 OPERATOR'S LIC. NO. / STATE

89 VEHICLE LIC. NO. / STATE 100 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE 101 OTHER CHARACTERISTICS / VIN NO.

102 DOMESTIC VIOLENCE (PC 13700, 13730) COMPLETE #70 & 71 ON FRONT PAGE

103 RESPONDED TO A CALL INVOLVING A DOMESTIC INCIDENT:

Parties involved are described in 13700 (B) PC and

Incident was verbal only, no evidence of crime, physical violence or traumatic condition existed. (brief narrative required) or

A misdemeanor (_____ PC) occurred and no prosecution was desired by any involved party.

A felony A misdemeanor arrest was made for (_____ PC)

104 RELATIONSHIP OF PARTIES

SPOUSES FORMER SPOUSES

DATING/ ENGAGED FORMER DATING

COHABITANTS FORMER COHABITANT

PARENTS OF CHILD FROM RELATIONSHIP

105 # OF PRIOR RESPONSES? ALCOHOL/DRUG USE BY ABUSER? Yes No

106 BICYCLE INFORMATION 107 STOLEN LOST (Safekeeping, Found, Recovered, Evidence, use Property / Evidence Report)

108 Boys ATB Road Hybrid Girls Juv. BMX Cruiser

109 COLOR 110 MAKE / MODEL 111 FRAME SIZE 112 WHEEL SIZE 113 GEARS 114 SERIAL NUMBER

115 LICENSE NO. / CITY 116 ADDITIONAL EQUIPMENT OR IDENTIFYING CHARACTERISTICS 117 VALUE

118 NARRATIVE (Use Report, include what happened below (establishing elements of crime). Use Narrative Report for details of crime. Use Incident Report for normal below. Enter total value/dollar loss on 128. All suspect information on Suspect Report)

PROPERTY CLASSIFICATION CODES: SP - STOLEN PROPERTY LP - LOST PROPERTY

PROPERTY CODES: A - CURRENCY / NOTES B - JEWELRY / PRECIOUS METALS C - CLOTHING / FURS D - VEHICLE E - OFFICE EQUIPMENT F - ELECTRONIC EQUIPMENT G - FIREARMS H - HOUSEHOLD GOODS I - CONSUMABLE GOODS J - LIVESTOCK K - MISCELLANEOUS

120 CODE	121 ITEM	122 QTY.	123 ITEM NAME	124 BRAND / MAKE MANUFACTURER	125 MODEL / NAME OR NUMBER	126 MISC. DESCRIPTION	127 IDENTIFICATION / SERIAL NUMBER	128 VALUE
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ON 10/25/98, AT APPROXIMATELY 1845 HRL, DEPUTY O'SULLIVAN #12500 AND I RESPONDED TO AN OFFICER INVOLVED SHOOTING AT [REDACTED] ROAD IN VENTURA. WE ARRIVED AT THE ADDRESS AND SPOKE TO SGT. UHLICH WHO ADVISED US TO SET UP A PERIMETER AT WELLS ROAD AND FOOTHILL ROAD.

DEPUTY O'SULLIVAN AND I DROVE TO WELLS ROAD AND FOOTHILL ROAD. WE ESTABLISHED A PERIMETER APPROXIMATELY ONE QUARTER OF A MILE EAST OF WELLS ROAD AT AN AVOCADO ORCHARD.

APPROXIMATELY ONE AND A HALF HOURS LATER WE WERE TOLD BY SGT UHLICH TO RESPOND TO THE SANTA PAULA HOSPITAL FOR A CALL PENDING. DEP HENDREN AND DEP. BILGDES (31332) RECALLED US AT OUR LOCATION.

SUPPLEMENTAL REPORT

BEAT: 3D01 RD#: 3304

ORIGINAL OFFENSE: Officer Involved Shooting

DATE & TIME OF INCIDENT: 10-25-98 @ 2036

LOCATION OF OFFENSE: [REDACTED] Ventura,

CODE: R/P NAME: Bogardus, Robert

RACE: W SEX: M

ADDRESS: 800 S. Victoria Avenue, Ventura, Ca. 93009

BUS. PHONE: 805 524-2233

CASE DISPOSITION: Under investigation

Notification and Response

On 10-25-98 at approximately 1930 hours I received a telephone call from Captain Montijo. Captain Montijo requested I respond to an shooting at [REDACTED] Ventura. Montijo advised me that off duty Deputy Robert Bogardus was involved in an "Officer Involved Shooting" at the location. I contacted my partner Sergeant R. Zermeno and advised him I would meet him at the shooting location.

I arrived at [REDACTED] Road at approximately 1945 hours and met with Sergeant Zermeno and Sergeant Brett Uhlich for a briefing. Refer to reports by Sergeant Uhlich for details. Arriving at the location I saw that a perimeter was established with patrol officers from the Ventura County Sheriff's Department and the Ventura Police Department. A Sheriff's Department Helicopter equipped with night vision and heat sensing equipment was searching the orchard. I took a quick look at the area where the incident began and then located Deputy Bogardus who was talking Captain B. Morris and Sergeant J. Hernandez from the Ventura County Sheriff's Department Personnel Bureau.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> C <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input checked="" type="checkbox"/> OTHER			
DATE/TIME REPORTED	10/30/98/3:56 PM	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
		W. Gentry/1682 SS/MC	[Signature]

contacted Deputy Bogardus in front of [REDACTED] Road and introduced myself and Sergeant Zermeno. We ensured that Deputy Bogardus was doing alright and asked him if would talk to us about what happened. Deputy Bogardus said he had no problem with telling us what happened and walking us through the area in which the incident occurred. I asked Deputy Bogardus if his family was alright and asked him if he wanted to talk with his wife and let her know what he was doing. Deputy Bogardus told me his wife inside the house and he had already talked with her.

Sergeant Zermeno and I directed Deputy Bogardus to my unmarked detective car for an interview. Refer to my interview report on Deputy Bogardus for details. The interview was conducted by myself and Sergeant Zermeno, and the interview was tape recorded.

At the conclusion of the interview, Deputy Bogardus, Sergeant Zermeno, and I completed a walk through of the shooting together.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CIT <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input checked="" type="checkbox"/> OTHER			
DATE/TIME REPORTED	10/30/98/3:56 PM	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
		W. Gentry/1682 SS/MC	<i>[Signature]</i>

CRIME/ INCIDENT REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT

AGENCY IDENTIFIER CA0560000

CONNECTING REPORT NUMBERS				2 RD. 3 BEAT 4 RB NUMBER	
				3506 3DL 98-85383	
5 <input type="checkbox"/> CRIME <input type="checkbox"/> INCIDENT <input checked="" type="checkbox"/> SUPPLEMENTAL			6 <input type="checkbox"/> DOMESTIC <input type="checkbox"/> CHILD ABUSE <input type="checkbox"/> HATE		
<input type="checkbox"/> CASE CLEARED			<input type="checkbox"/> GANG <input type="checkbox"/> ELDERLY ABUSE		
7 CODE SECTION / DESCRIPTION (INCIDENT)		8 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	9 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)		10 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.
OFFICER INVOLVED SHOOTING					
11 CODE SECTION / DESCRIPTION (INCIDENT)		12 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.	13 CODE SECTION / DESCRIPTION (<input type="checkbox"/> Reclassify To)		14 CLASS. <input type="checkbox"/> Misd. <input type="checkbox"/> Fel.
16 OCCURRED FROM MO. DAY YR. TIME		16 DOW	17 OCCURRED TO MO. DAY YR. TIME		18 DOW
10 25 98 1735		SUN	10 25 98 2117		SUN
19 LOCATION OF OFFENSE / INCIDENT ADDRESS CITY STATE ZIP					
[REDACTED] VENTURA CA 93004					
20 CODE V. VICTIM W. WITNESS R. REPORTING PARTY F. FINDER O. OWNER P. PARTY					
CODE 21	22 NAME (Last, First, Middle, Gen.) / FIRM NAME AKA / Moniker		RACE 23	SEX 24	HT 25
R	BOULARDUS, ROBERT		W	M	-
31 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)			CITY	STATE	ZIP
33 BUSINESS / SCHOOL NAME ADDRESS / (<input type="checkbox"/> Same as Box #)			CITY	STATE	ZIP
VENTURA S.O. 300 S. VICTORIA			VENTURA	CA	93004
35 OCCUPATION (<input type="checkbox"/> STUDENT)		36 DAYS OFF	37 WORK HRS	38 INTERPRETER	39 OPERATOR'S LIC. NO. / STATE
DEPUTY		VARY	VARY	-	-
40 VEH. LIC. NO. / STATE		41 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE			42 OTHER CHARACTERISTICS / VIN NO.
CODE 43	44 NAME (Last, First, Middle, Gen.) / FIRM NAME AKA / Moniker		RACE 45	SEX 46	HT 47
53 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)			CITY	STATE	ZIP
55 BUSINESS / SCHOOL NAME ADDRESS / (<input type="checkbox"/> Same as Box #)			CITY	STATE	ZIP
57 OCCUPATION (<input type="checkbox"/> STUDENT)		58 DAYS OFF	59 WORK HRS	60 INTERPRETER	61 OPERATOR'S LIC. NO. / STATE
62 VEH. LIC. NO. / STATE		63 VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE			64 OTHER CHARACTERISTICS / VIN NO.
65 ARSON		66 BURGLARY		67 THEFT	
<input type="checkbox"/> Single Fam. Resd.		<input type="checkbox"/> Residential		<input type="checkbox"/> Auto Parts	
<input type="checkbox"/> Inhabited		<input type="checkbox"/> Vehicle		<input type="checkbox"/> Bicycle	
<input type="checkbox"/> Uninhabited		<input type="checkbox"/> Commercial		<input type="checkbox"/> From Bldg.	
<input type="checkbox"/> Storage		<input type="checkbox"/> Other		<input type="checkbox"/> Coin Machine	
<input type="checkbox"/> Industrial				<input type="checkbox"/> From Person	
<input type="checkbox"/> Commercial				<input type="checkbox"/> From Vehicle	
<input type="checkbox"/> Other Structure				<input type="checkbox"/> Purse Snatch	
<input type="checkbox"/> Public Place		67 ROBBERY		<input type="checkbox"/> Shoplift	
<input type="checkbox"/> Vehicle		<input type="checkbox"/> Bank		<input type="checkbox"/> Other	
<input type="checkbox"/> Unlawful Fire		<input type="checkbox"/> Chain Store			
<input type="checkbox"/> Forest		<input type="checkbox"/> Commercial		69 VALUE / DOLLAR LOSS	
<input type="checkbox"/> Injury Occurred		<input type="checkbox"/> Gas Station		\$	
<input type="checkbox"/> Other		<input type="checkbox"/> Highway		VALUE / DAMAGE LOSS	
		<input type="checkbox"/> Residence		\$	
		<input type="checkbox"/> Other			
				70 FORCE / WEAPON	
				<input type="checkbox"/> No Force	
				<input type="checkbox"/> No Weapon	
				<input type="checkbox"/> Verbal Only	
				<input type="checkbox"/> Attempt Only	
				<input type="checkbox"/> Great Bodily Injury	
				<input checked="" type="checkbox"/> Firearm	
				<input type="checkbox"/> Knife	
				<input type="checkbox"/> Hands/Fists/Feet	
				<input type="checkbox"/> Other	
				72 SPECIAL INTEREST	
				(Copy to Agency/Unit)	
				<input type="checkbox"/> Domestic Violence	
				<input type="checkbox"/> Sex Crime	
				<input type="checkbox"/> Child Abuse <input type="checkbox"/> PSSA	
				<input type="checkbox"/> Gang Related	
				<input type="checkbox"/> Hate Crime	
				<input type="checkbox"/> Agricultural	
				<input type="checkbox"/> Probation <input type="checkbox"/> Parole	
				<input checked="" type="checkbox"/> Other	
				MAJOR CRIMES	
				71 DOMESTIC VIOLENCE / SEX / HATE CRIMES	
				<input type="checkbox"/> D.V. and/or S. A. Pamphlet given to: <input type="checkbox"/> Victim <input type="checkbox"/> P-1 <input type="checkbox"/> P-2	
				<input type="checkbox"/> Pursuant to Sec. 6254 G.C., victim of D.V., Sex or Hate Crime requests their name be withheld from the public. <input type="checkbox"/> YES <input type="checkbox"/> NO	
73 DATE AND TIME REPORTED		74 DATE / TIME OF REPORT		75 REPORTING OFFICER / ID NO. / DIV / UNIT	
10-25-98/1735		11-17-98/2235		E. HARNETT 3012/WCPD-CAM	
76 COPIES TO		77		78 APPROVED BY / ID NO.	
<input type="checkbox"/> DET. <input type="checkbox"/> MO. <input type="checkbox"/> NARC. <input type="checkbox"/> GANG/SEB. <input type="checkbox"/> STAS. <input type="checkbox"/> TRASS. <input type="checkbox"/> DON. <input type="checkbox"/> COURT. <input type="checkbox"/> OTHER				[Signature]	

CRIME / INCIDENT REPORT VENTURA COUNTY SHERIFF'S DEPARTMENT

(CONTINUED)

AGENCY IDENTIFIER CA0560000

78 RB NUMBER

98 85383

Page 2 of 2

ADDITIONAL NAME (Complete Front Page First)

Form with fields: CODE 90, 91 NAME (Last, First, Middle, Gen.) / FIRM NAME, AKA / Moniker, RACE 92, SEX 93, HT 94, WT 95, HAIR 96, EYES 97, DOB 98, AGE 99, RESIDENCE ADDRESS / CITY STATE ZIP, RESIDENCE PHONE, BUSINESS / SCHOOL NAME, ADDRESS / CITY STATE ZIP, BUSINESS PHONE, OCCUPATION (STUDENT), DAYS OFF, WORK HRS, INTERPRETER, OPERATOR'S LIC. NO. / STATE, VEHICLE LIC. NO. / STATE, VEH. COLOR / YEAR / MAKE / MODEL / BODY STYLE, OTHER CHARACTERISTICS / VIN NO.

102 DOMESTIC VIOLENCE / PC (13700, 13700) COMPLETE HD & 7 ON FRONT PAGE

Form with fields: 103 RESPONDED TO A CALL INVOLVING A DOMESTIC INCIDENT, 104 RELATIONSHIP OF PARTIES, 105 # OF PRIOR RESPONSES? ALCOHOL/DRUG USE BY ABUSER? Yes No

106 BICYCLE INFORMATION

Form with fields: 107 STOLEN LOST, 108 Boys ATB Road Hybrid Girls Juv. BMX Cruiser, 109 COLOR, 110 MAKE / MODEL, 111 FRAME SIZE, 112 WHEEL SIZE, 113 GEARS, 114 SERIAL NUMBER, 115 LICENSE NO. / CITY, 116 ADDITIONAL EQUIPMENT OR IDENTIFYING CHARACTERISTICS, 117 VALUE

NARRATIVE

Form with fields: 119 PROPERTY CLASSIFICATION CODES, PROPERTY CODES (A-K)

Table with columns: 120 CODE, 121 ITEM, 122 QTY., 123 ITEM NAME, 124 BRAND / MAKE MANUFACTURER, 125 MODEL / NAME OR NUMBER, 126 MISC. DESCRIPTION, 127 IDENTIFICATION / SERIAL NUMBER, 128 VALUE. Contains handwritten narrative text.

SUPPLEMENTAL REPORT

BEAT: 3D01 RD#: 3304

ORIGINAL OFFENSE: Officer Involved Shooting

DATE & TIME OF INCIDENT: 10-25-98 @ 2036

LOCATION OF OFFENSE: [REDACTED] Ventura,

CODE: R/P NAME: Bogardus, Robert

RACE: W SEX: M

ADDRESS: 800 S. Victoria Avenue, Ventura, Ca. 93009

BUS. PHONE: 805 524-2233

CASE DISPOSITION: Under investigation

Interview of

Deputy Robert Bogardus

Ventura County Sheriff's Department

800 S. Victoria Avenue, Ventura, Ca. 93009

On 10-25-98 at 2000 hours Sergeant Zermeno and I interviewed Deputy Bogardus in regard to the "Officer Involved Shooting." The interview was conducted in my unmarked Sheriff's Department vehicle, parked adjacent to [REDACTED] Ventura. Sergeant Zermeno and I contacted Deputy Bogardus shortly after our arrival on scene. Deputy Bogardus walked up to us and volunteered to talk with us and walk through the scene.

I started the interview by letting Deputy Bogardus know that the interview was going to be tape recorded and I placed the tape recorder in plain view on the dashboard. I asked Deputy Bogardus to tell us what happened. Bogardus said he was inside his residence, in the kitchen, talking to his wife asking the whereabouts of their son. Bogardus said his wife told him their son was in the rear yard playing. He walked outside to see his son and noticed a Hispanic male walked up to his gate from [REDACTED] Road. Bogardus said it looked like the subject was going to open the latch on the gate. He said he has neighbors living next door and didn't know if the subjects was there to see the neighbors, and said he didn't recognize the subject. Bogardus said his dogs started to barking at the subject and they came up to the gate and startled the subject. Borgardus said he walked up to the gate and asked the subject if he could help him. The subject told Bogardus that his car broke down and asked for some baking

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DATE/TIME REPORTED	11/3/98/8:18 AM	REPORTING OFFICER/ID NO./DIV/UNIT	APPROVED BY/ID NO.
		W. Gentry/1682 SS/MC	[Signature]

soda and what sounded like a "Brillo Pad." Borgardus said the subject was not talking real clear. He said it wasn't an accent, but sounded like he had been using alcohol or drugs. Borgardus said he had to ask the subject several times what he wanted. Borgardus said he told the subject that he knew a little bit about cars and asked the subject where his car was so he could take a look at it and see if he could help him. The subject told Borgardus that his car was not there and told him he lived nearby and pointed toward the south - west. The subject said he had lived with a man named "Jerry" but he was dead.

Bogardus said he noticed the subject was sweating and that his eyes were red and glassy. Borgardus said the subject looked disoriented and possibly withdrawing from alcohol or drugs. Borgardus also said the subject may have been "5150" (mentally ill). Borgardus said he opened the gate to his property and the subject told him he wasn't coming onto the property because he had dogs. Borgardus said he told the subject he didn't have anything that he was looking for. Borgardus said his son started to come out of the gate, but he pushed his son back inside the fence because the subject was giving him a "hinky" feeling. He said the subject walked away from his house, east on [redacted] and then turned into the driveway at [redacted]. He said the subject started up the driveway at [redacted]. Borgardus said he knew there were two houses on the [redacted] property. He said he went inside his house and looked out the his kitchen window toward the [redacted].

Bogardus said he decided to call the Sheriff's Department and tell them about the subject. Bogardus said he was going to wait for the Sheriff's Department unit to arrive but noticed the subject walking down the driveway at [redacted]. He watched the subject walk down the driveway and then walk back toward his house, west on [redacted]. Bogardus said he thought he would go out into the driveway and detain the subject until the Sheriff's Department arrived. Bogardus said he went outside and was standing at the rear of his truck when the subject walked by. He said the subject told him "I already got what I needed" as he walked by. Borgardus said he pulled out his flat badge, showed it to the subject and told him he was with the Sheriff's Department and wanted to talk with him.

Bogardus said the subject looked at the badge but never stopped. He said the subject looked down and appeared very nervous, and started walking very fast. Borgardus said the subject put his hand into his right front jacket pocket and started running. The subject kept the right hand in his pocket while he ran. Borgardus said he felt the subject had a weapon in his pocket because he put his hand into the pocket when he started running and kept the

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CIL <input checked="" type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV/JUNIT	APPROVED BY/ID NO.
	11/3/98/8:18 AM	[Signature] W. Gentry/1682 SS/MC	[Signature]

hand there while running. Bogardus said he had identified as "Sheriff's Department" and was yelling stop as the subject was running from him. Bogardus said he also yelled, "stop I have a gun" as the subject entered the property at [REDACTED] Road. Bogardus said he had his gun in his right front pants pocket. Bogardus said the subject entered into the orchard to the rear of [REDACTED] Road and started zigzagging through the trees in the orchard. Bogardus said he continued ordering the subject to stop.

Bogardus said he pursued the subject into the orchard and at approximately 40 to 50 yards into the orchard the subject cut across to the right in front of him. The subject twisted his shoulders back with his hand still in his pocket, turning back toward Bogardus. Bogardus said he had taken his gun out of his right front pants pocket and when the subject turned back toward him with his hand still in the pocket, he thought the subject was going to shoot at him. Borgardus said he was a afraid and he fired one shot at the subject from his Sig Saur .45 cal. handgun. Borgardus said he was moving and the subject was moving and he felt that his fired shot was right of the subject and low, not striking the subject. Bogardus said after firing the shot he was having trouble hearing. He had been relaying on his hearing while pursuing the subject, listening to leaves and branches breaking as the subject ran through the orchard. Bogardus said because of the hearing loss, he stopped running and knelt down watching and listening the best he could. Bogardus said he didn't want to walk or run past the subject in the orchard with his hearing disabled, fearing the subject would get the jump on him. After waiting a short time, Bogardus said he walked one more row in the orchard.

Bogardus said he heard his neighbors yelling for him after they heard the shot fired. He yelled back telling them he was all right. Borgardus said he yelled back to the neighbors to call the Sheriff's Department. Borgardus said he stayed in the orchard until Deputy Hester and Deputy Frankie arrived and located him. Bogardus said he told Deputy Hester and Deputy Frankie what happened and they started setting up the perimeter and called for the supervisors and the department helicopter.

I questioned Bogardus about firing his weapon at the suspect, asking him if he aimed at the suspect when he fired the shot. Bogardus said he did not use the sights. He said he was moving and did a "point and shoot" trying to anticipate the suspects move as he fired. Borgardus said he thought the shot he fired went right and low. I asked Bogardus if he saw the dirt come up right and low from where the subject was. He said he didn't see anything, but based the placement of the shot from where his hand was pointing just after the shot was fired. Bogardus said he

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> GI <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER		
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT
	11/3/98/8:18 AM	W. Gentry/1682 SS/MC
		APPROVED BY/ID NO.
		<i>[Signature]</i>

didn't see the subject hit by the fired shot. Bogardus said he lost sight of the subject almost immediately after firing the shot. Bogardus said he stopped after he fired the shot. He was listening for the leaves crackling but his hearing was disabled.

I asked Bogardus to describe the subject to me. He said the subject was a Hispanic male, 20 to 30 years old, six foot tall, 185 pounds, medium build, medium complexion, with a thin mustache. His hair was slicked back and short on the sides. Bogardus described the subject's clothing as a black blazer or sport coat and tan slacks. I asked Bogardus if he saw or heard the suspect's car. He said he did not hear or see a car. Bogardus was not exactly sure of the time when the subject came to his front gate, but said approximately two minutes after his contact with the subject he called Sheriff's Dispatch.

I asked Bogardus if he had his gun with him when he first contacted the subject at his gate. He said no, he remembered his gun was in the glove compartment of his truck which was parked in front of the house on [REDACTED] Road. Bogardus said he retrieved the gun from the glove compartment of the truck when he observed the subject coming back out of the driveway at [REDACTED] Road. I asked Bogardus at what point he pulled his gun out. Bogardus said he thinks he pulled his gun out as he and the suspect turned down into the driveway at [REDACTED] Road. I asked Bogardus if it was daylight outside when this incident occurred. He said it was dusk, he could see without a problem but it was starting to get dark. I asked Bogardus what side of the house located at [REDACTED] he pursue the subject. He said they ran down past the left side of the house as you face it, between the house and the carport. Bogardus said he pursued the subject approximately 40 to 50 yards into the orchard before he shot at him. I asked Bogardus if the subject physically stopped and turned to face him. Bogardus said the subject turned toward him as he was running, and rounding a tree. He said the subject looked back to see where he was as he was turning toward him, turning to the right with his right hand in his right side jack pocket. Bogardus said he was scared and felt the subject was turning around to shoot at him with his right hand. Bogardus said the trees partially obstructing his view of the subject also caused him fear because he could not clearly see the suspect at all times. Bogardus said he fired at the subject because he thought the subject was running with his hand in his pocket holding a gun, and when the subject turned toward him bringing the right hand, still in the pocket, around toward him, he thought the subject was preparing to shoot at him. Bogardus said he felt threatened by the subject's actions.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV/UNIT	APPROVED BY/ID NO.
	11/3/98/8:18 AM	W. Gentry/1682 SS/MC	<i>[Signature]</i>

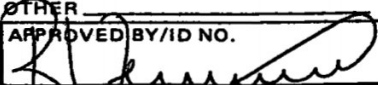
Bogardus said he has not seen this subject around before, and he did not see a vehicle connected the subject. He said a vehicle stopped out on the road, but he thought it was one of his neighbors. Bogardus said his wife and some of the neighbors also saw the subject.

Bogardus agreed to attempt and walk Sergeant Zermeno and I through the scene so we could attempt to understand what had taken place. During the walk through of the scene Bogardus talked and described to us what was happening at locations along the way. During the walk through we watched for the spent shell casing from Bogardus's gun and for foot prints. The foot prints were difficult to distinguish due to the amount of foot traffic which had gone through the area by searching units prior to our arrival. Bogardus said he would try to locate an area where he shot but it would be a guess because he didn't mark the area in any way. Bogardus walked through the orchard describing the subject's actions as we walked. Bogardus described himself as just coming through a row of trees when he fired his weapon at the subject. The subject was rounding a tree in the next row over and turning toward him. Bogardus estimated the distance between he and the suspect as approximately 30 feet.

As we moved through the orchard it was obvious that all the different rows of trees looked just alike. We located several tracks which looked similar to tracks produced by the boots Bogardus was wearing. We located an area where it looked like Bogardus had spent some time and waited, moving his feet around in a small area. Bogardus told me that after he fired his weapon, he stopped and "hunkered down" for a few minutes and felt this area was probably where he did that. He estimated that if in fact this spot was where he had done that, then he had fired the shot possibly one row back from where we were. We looked closely around the area for evidence of the suspect and a shell casing but could not locate anything.

We completed the walk through and marked an area where it was thought that Bogardus fired the shot. We elected to return in daylight to continue searching for a spent shell casing and any other evidence connected to this incident.

Upon the completion of the walk through, we released Bogardus to Sergeant Hernandez and Sergeant Erickson from Sheriff's Department Personnel Bureau.

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	11/3/98/8:18 AM	W. Gentry/1682 SS/MC	

SUPPLEMENTAL REPORT

BEAT: 3D01 RD#: 3304

ORIGINAL OFFENSE: Officer Involved Shooting

DATE & TIME OF INCIDENT: 10-25-98 @ 2036

LOCATION OF OFFENSE: [REDACTED] Road, Ventura,

CODE: R/P NAME: Bogardus, Robert

RACE: W SEX: M

ADDRESS: 800 S. Victoria Avenue, Ventura, Ca. 93009

BUS. PHONE: 805 524-2233

CASE DISPOSITION: Under investigation

Interview of

[REDACTED]

On 10-27-98 at approximately 1400 hours I interviewed [REDACTED] Robledo, brother of Felipe Robledo. I explained to [REDACTED] Robledo that his brother was involved in an incident with the Sheriff's Department which resulted in a shot being fired at his brother Felipe. I told [REDACTED] that his brother explained to me that he had taken [REDACTED]'s baseball championship rings from the family house. Felipe told me that he took the rings from [REDACTED] so he could sell them, but later while in possession of the rings he realized how much the rings meant to [REDACTED] and he knew he could not sell them. I explained to [REDACTED] that his brother told me he was carrying the rings in his right front jacket pocket on the night of the incident and when he ran from the deputy, he put his hand into his right front jacket pocket so he would lose the rings. I told [REDACTED] that Felipe told me that he lost the rings running from the deputy in the orchard during the incident and believed he lost the rings when he fell to the ground after the shot was fired. I told [REDACTED] the deputy trying to stop Felipe thought Felipe had a gun in his pocket based on his actions when the deputy tried to stop him and talk with him. I told [REDACTED] that at one point during the chase his brother, hand still in his pocket, turned toward the deputy. The deputy felt [REDACTED]'s brother was turning toward him to fire a shot him and the fired one shot at Felipe. Felipe ran through the orchard and was not caught until the next day when my partner and I located him in his home. I told [REDACTED] that his brother admitted taking his rings and admitted wanting to sell them. He admitted putting his hand into his pocket and holding onto the rings while running and to turning

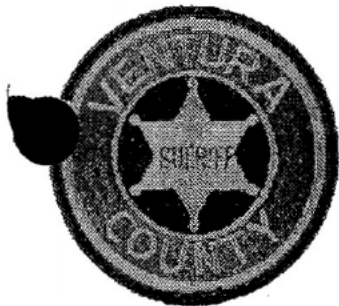
COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CII <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	11/3/98/9:49 AM	[Signature] W. Gentry/1682 SS/MC	

back toward the deputy with his hand in the pocket during the chase through the orchard. He also admitted losing the rings after falling during that chase.

I asked [redacted] if he wanted his brother prosecuted for the theft of the two rings. [redacted] told me that after his brother was brought back to his home by the Sheriff's Department, he went out into the orchard and recovered one of the rings. [redacted] said what he wanted was to get his brother some help. He said his brother has mental problems caused from past drug abuse. [redacted] didn't want his brother prosecuted, but said he would like help for his brother.

I ended the interview with [redacted] at that time.

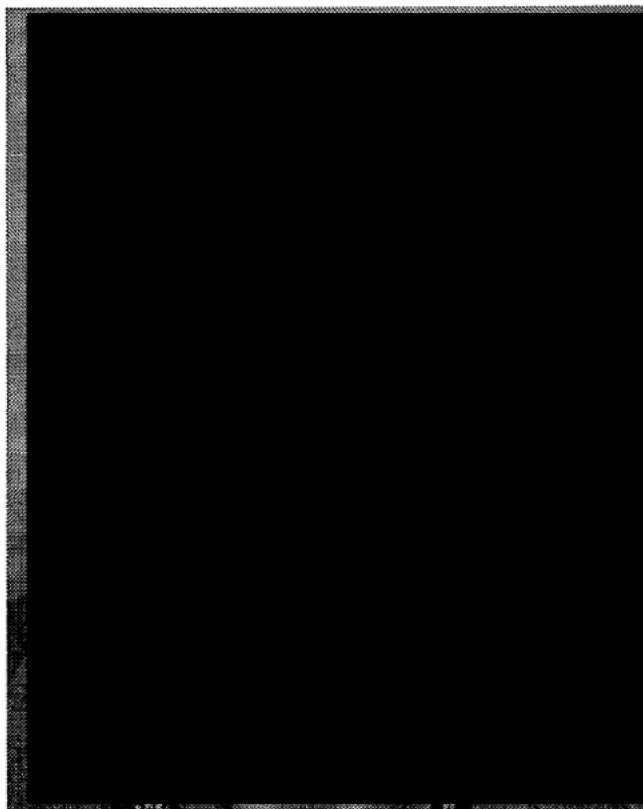
COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> CUI <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER _____			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	11/3/98/9:49 AM	[Signature] W. Gentry/1682 SS/MC	

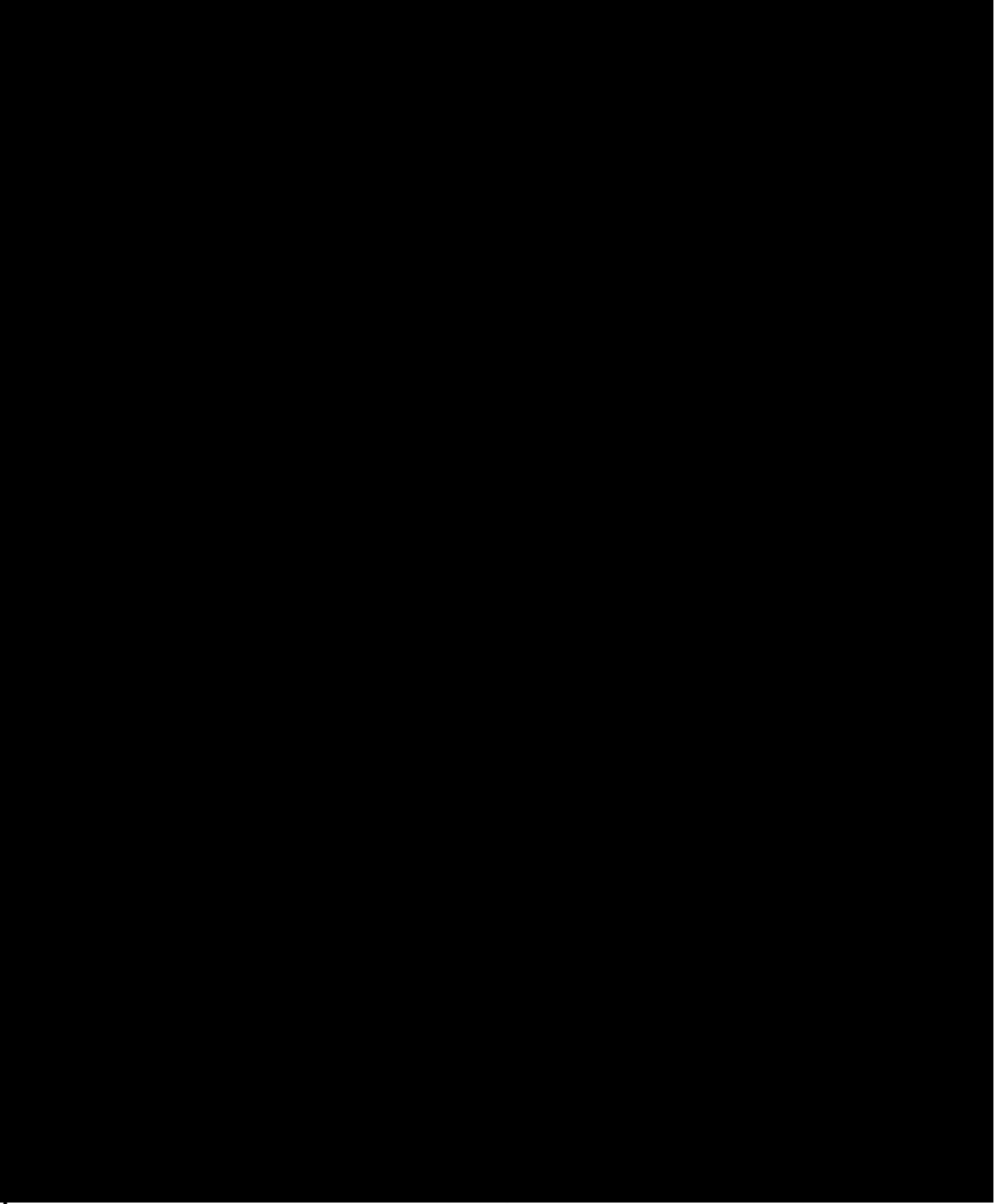


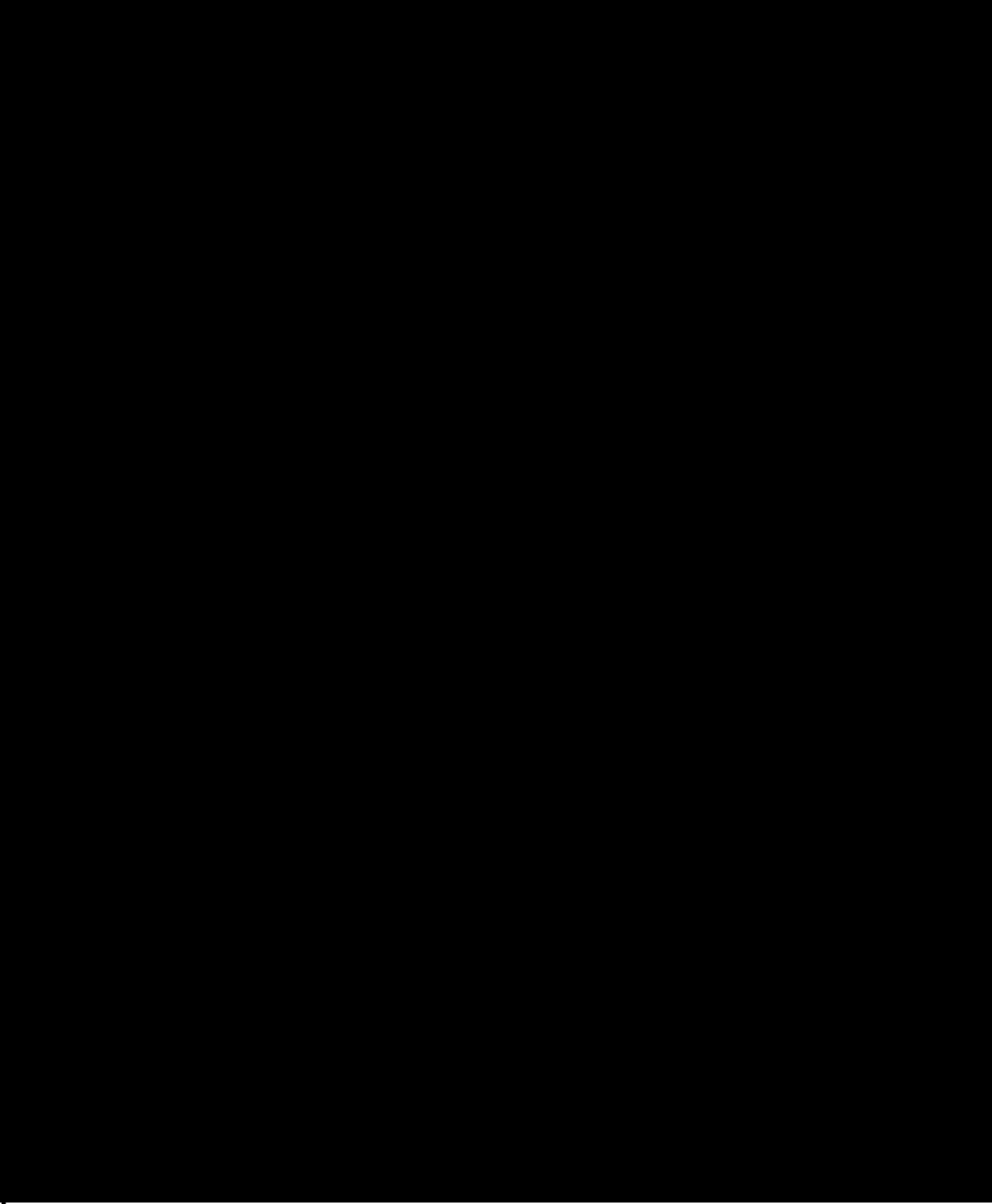
Ventura County Sheriff

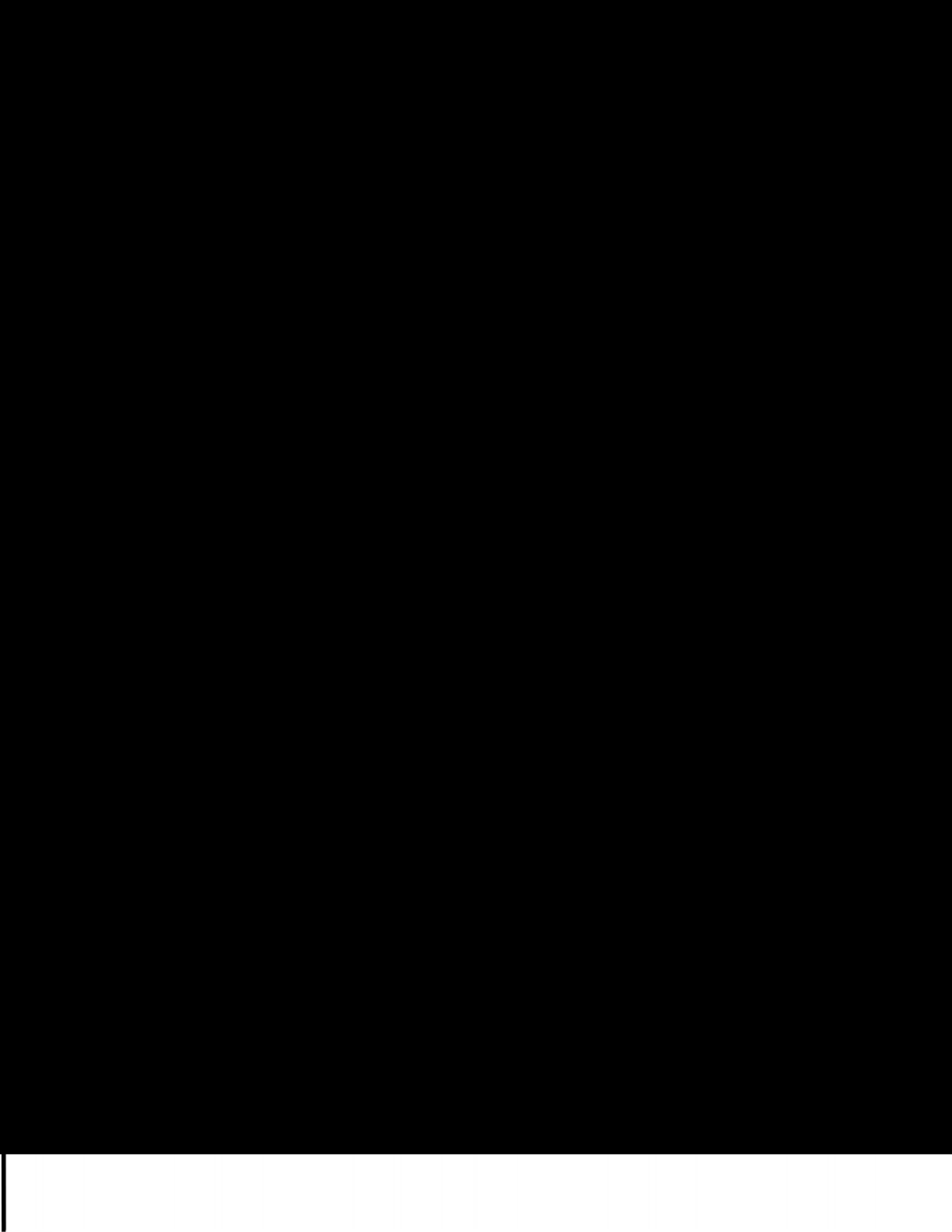
Warrant Detail/Detectives

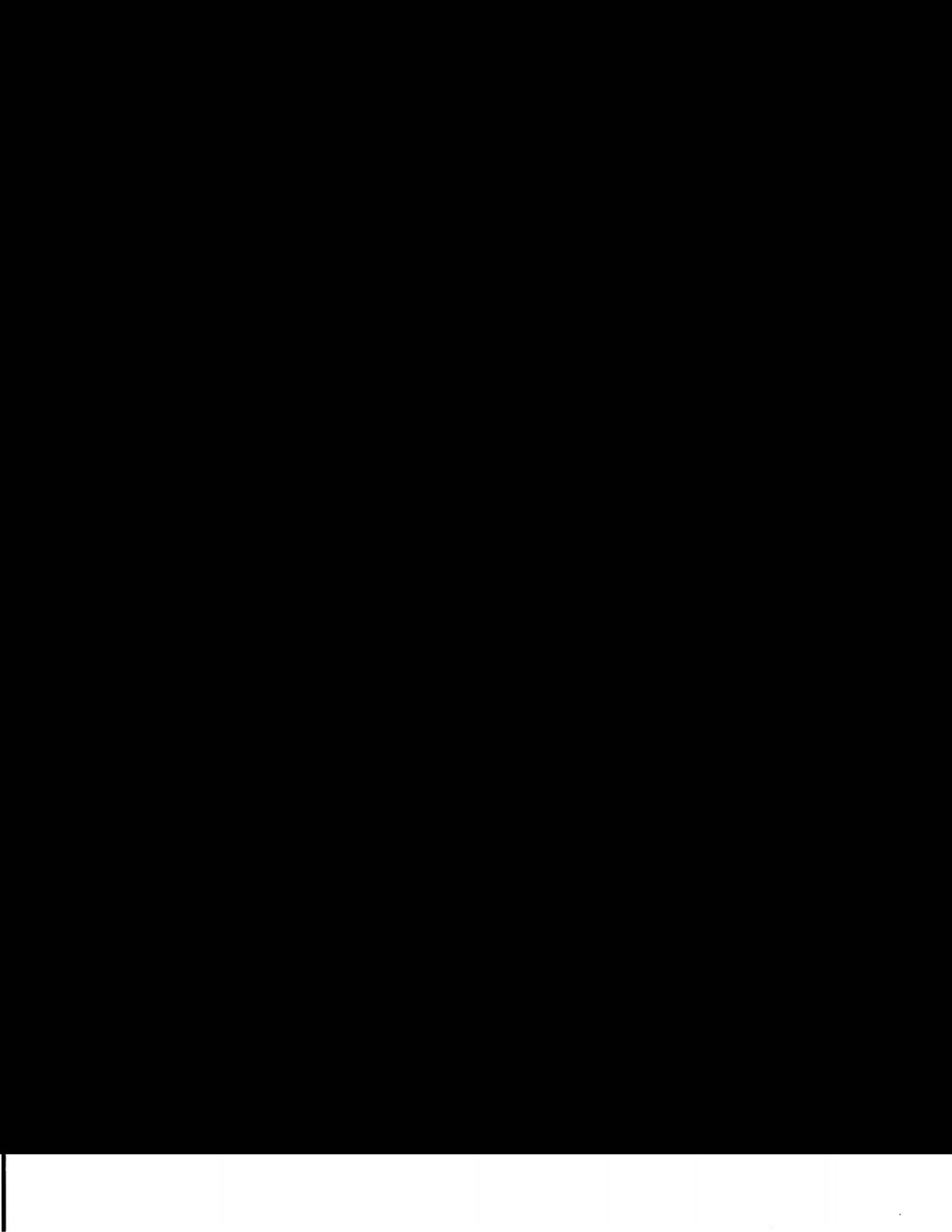
B.I.#: [REDACTED]
BOOKING#: [REDACTED]
LAST NAME: ROBLEDO
FIRST NAME: FELIPE
D.O.B.: [REDACTED]
AKA LN:
AKA FN:
ARREST DATE: 06 / 04 / 98
RACE: HISPANIC/LAT
SEX: MALE
HEIGHT: 5'09
WEIGHT: 190
HAIR COLOR: BLACK
EYE COLOR: BROWN
PHOTO#: [REDACTED]
DL#:
SSN:
PHONE#:
ADDRESS: [REDACTED]
SANTA PAULA CA

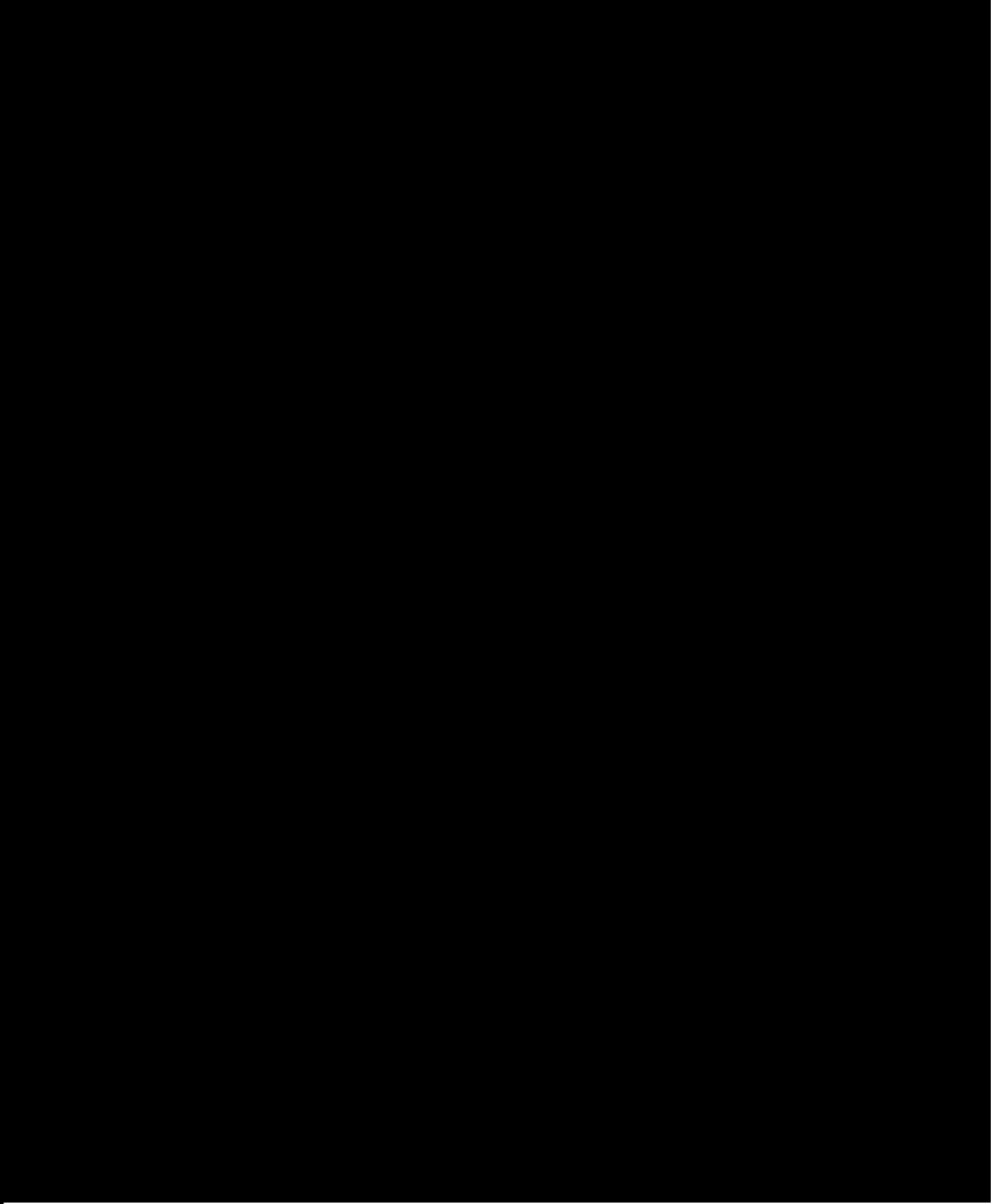


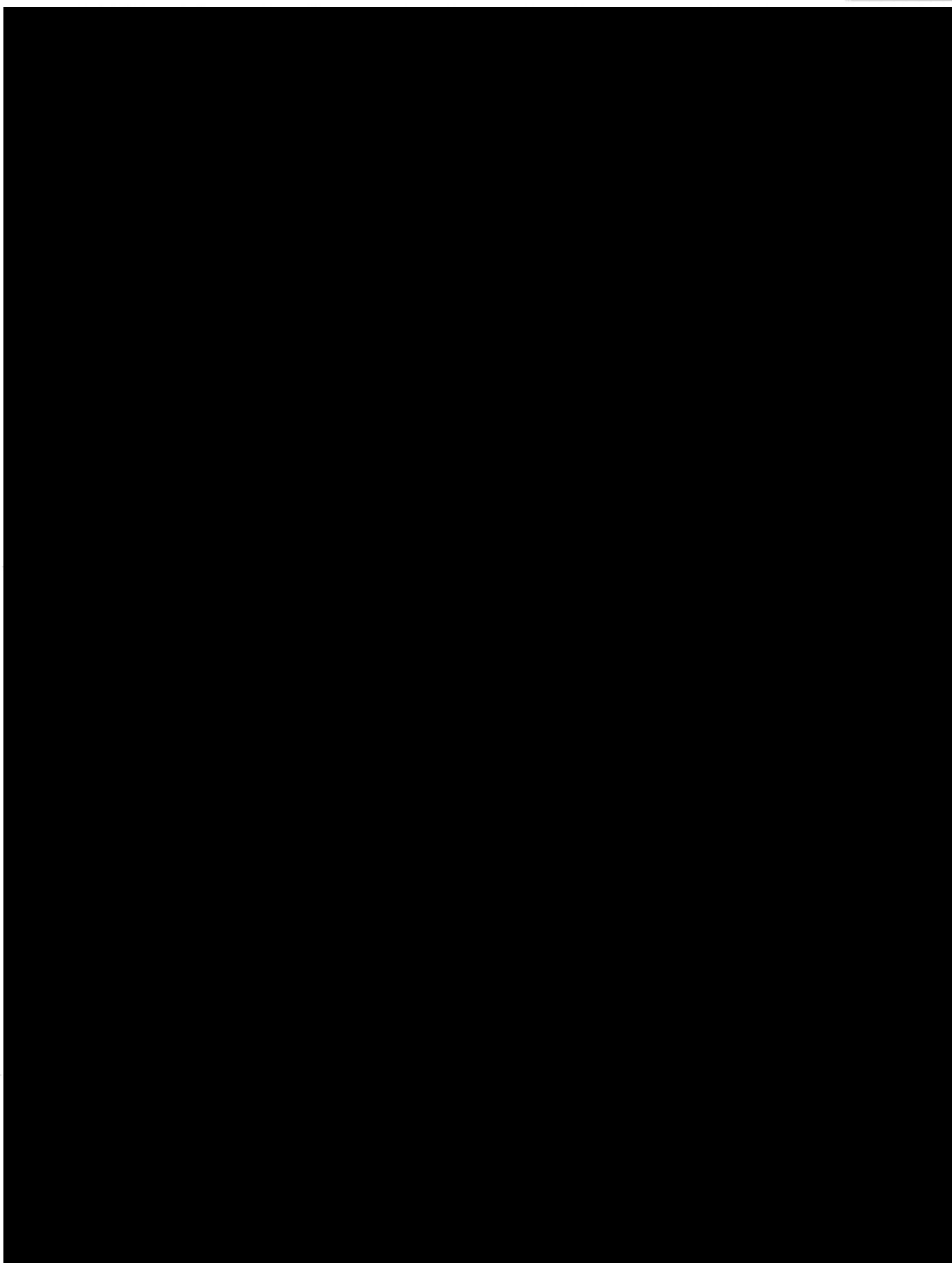














**COUNTY OF VENTURA
SHERIFF'S DEPARTMENT**

800 S. VICTORIA AVENUE VENTURA, CA 93009 (805) 654-2370
CRIMINALISTICS LABORATORY REPORT

LAB CASE NUMBER
L98-5114

SUBJECT(S):
DEP. BOGARONS (V)
ROBLEDE, FELIPE (S)

AGENCY:

VSO

INVESTIGATING OFFICER: ZERMENO

AGENCY CASE NUMBER:

98-85383

OFFENSE(S)

OIS

GENERAL:

On November 6, 1998 the following item was received from Property- closed container:

- #8 One taped evidence box containing one 45 Auto caliber Sig Sauer P220 semiautomatic pistol serial number [REDACTED] without magazine.

OBJECTIVE:

Test fire firearm for comparison to future submissions if any.

RESULTS:

The following is a summary of the analytic findings:

The firearm #8 was examined and test fired.

Criminalist

November 6, 1998

JLR/ah



REQUEST FOR TAPE REPRODUCTION

(Applies to Sheriff's Radio and Telephone Communications only)

(MANDATORY INFORMATION)

Sheriff's Report No. 98-85383 Date/Time of Incident 10-25-98 1740

Location of Incident [REDACTED] VENTURA

Specify Streets and Addresses ↑

Geographical Area or City _____

Purpose of Request Investigation of Officer Involved shooting

Tape Reproduction of: Radio Telephone Call Excessive Calling in Number of Recordings 1

Date/Time (Inclusive) of Recording 10-25-98 1740

Defendant's Name(s) FELIPE ROBLESO CAMPA JR

Officer(s) by Car/Beat Assignment(s) ~~D" AREA~~ ~~B" AREA~~

Additional Instructions/Information/Requests _____

Person Requesting R L Zermeno
PRINT NAME

Ralph L Zermeno
SIGNATURE

BUSINESS OR FIRM

PHONE NUMBER

DATE OF REQUEST

NOTE: All requests for Tape Reproductions will require a MINIMUM of two(2) working days.

PAYMENT: The Board of Supervisors requires that an appropriate fee be charged for this service. At the time you submit your request for Tape Reproduction you will be given an estimated cost for the service. The actual cost to complete your request will be based on the time required. Payment by cash or check payable to "Ventura County Sheriff" must be received prior to releasing the Tape Reproduction(s).

FOR OFFICIAL USE ONLY

Date/Time Request Received 10-27-98 @ 1430 Employee Sgt Higash
NAME AND ID NUMBER

Date Reproduction Completed _____

Reproduction Completed by R BARRON 1171
NAME, RANK AND ID NUMBER

R BARRON 1171
SIGNATURE

Date Reproduction Released 10-28-98

Time Reproduction Released BROWN MAIL

Used to (Print) _____

SIGNATURE

Amount Paid _____

Cash Check

Receipt Number or Check Number _____



PROPERTY REPORT

BEAT: 3D1 RD#: 3306

ORIGINAL OFFENSE: Officer Involved Shooting

RECLASSIFY TO: CONNECTING REPORTS:

DATE & TIME OF INCIDENT: 10-25-98 1750

LOCATION OF OFFENSE: [REDACTED] Road Ventura

CODE: V-1 NAME: Bogardus, Robert

BUS. ADDRESS: 88 S. Victoria Ave Ventura

RES. PHONE: 654-2311 BUS. PHONE:

CASE DISPOSITION: none

The following property was obtained from **Felipe Robledo** as evidence.

E/C 1 1 Coat brown unk size with label **D&D MENSWEAR THOUSAND OAKS**

E/C 2 1 [REDACTED]n trousers size 38x30 Polyester Towncraft

COPIES TO: <input type="checkbox"/> Det <input type="checkbox"/> CAU <input type="checkbox"/> Narc <input type="checkbox"/> Prob <input type="checkbox"/> Juv <input type="checkbox"/> C <input type="checkbox"/> Officer <input type="checkbox"/> Watch Commander <input type="checkbox"/> OTHER			
DATE/TIME REPORTED	DATE/TIME OF REPORT	REPORTING OFFICER/ID NO./DIV./UNIT	APPROVED BY/ID NO.
	10/29/98/4:48 PM	R. Zermeno/1087/SPL SVS	[Signature] 10/29/98

SO-395B (Rev. 8/87)



OFFICER INVOLVED SHOOTING

PROPERTY / EVIDENCE REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT

AGENCY IDENTIFIER CA0560000

Page 1 of 1

CONNECTING REPORT NUMBERS		2 R.D. 3306	3 BEAT 3001	4 RB NUMBER 98-85383
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5 PROPERTY TYPE: <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND <input type="checkbox"/> SAFEKEEPING	6 <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony N/A	7 DATE OF INCIDENT 10-25-98
--	---	--------------------------------

8 ORIGINAL INCIDENT / OFFENSE OFFICER INVOLVED SHOOTING	9 LOCATION OF INCIDENT (STREET ADDRESS AND CITY) [REDACTED] UTA, CA.
--	---

CODE: V - Victim S - Suspect A - Arrestee F - Finder O - Owner R - Reporting Party (Use Same Codes in Property Affiliation Box)

11 NAME (Last, First, Middle, Gen.) / FIRM NAME R BOGARDUS, ROBERT	AKA / Moniker	RACE W	SEX M	DOB	15 BUSINESS PHONE (805) 654-2375
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18 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #) 800 S. VICTORIA AVE, UTA, CA, 93009	CITY	STATE	17 RESIDENCE PHONE () -
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19 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX	DOB	23 BUSINESS PHONE ()
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24 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP	25 RESIDENCE PHONE ()
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27 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE	SEX	DOB	31 BUSINESS PHONE ()
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32 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP	33 RESIDENCE PHONE ()
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34. NARRATIVE

R- BOGARDUS WAS INVOLVED IN OFFICER INVOLVED SHOOTING. HE GAVE VOLUNTARY BLOOD SAMPLES TO VCMC STAFF. THE SAMPLES WERE TRANSPORTED BY ME TO THE PROPERTY ROOM LOCKER AND BOOKED IN REFRIGERATED SECTION OF LOCKER.

35. PROPERTY / EVIDENCE INFORMATION

LOCATION BOOKED: <input checked="" type="checkbox"/> Crime Lab <input type="checkbox"/> E.C. <input type="checkbox"/>	SEARCH WARRANT ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	FINDER WISHES TO CLAIM? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	--	---

36 PROPERTY CLASSIFICATION CODES E - EVIDENCE SK - SAFEKEEPING	RC - RECOVERED PROPERTY FP - FOUND PROPERTY	PROPERTY CODES A - CURRENCY/NOTES B - JEWELRY/PRECIOUS METALS C - CLOTHING/FURS	D - VEHICLE E - OFFICE EQUIPMENT F - ELECTRONIC EQUIPMENT	G - FIREARMS H - HOUSEHOLD GOODS I - CONSUMABLE GOODS	J - LIVESTOCK K - MISCELLANEOUS
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CODE EK	ITEM # 1	QTY 2	ITEM NAME BLOOD SAMPLE KIT	MAKE —	MODEL / CALIBER —	ID / SERIAL NUMBER —
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PROPR AFFIL ADDITIONAL INFORMATION
BLOOD SAMPLES TAKEN FROM DEP. BOGARDUS / OFFICER INVOLVED SHOOTING

CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER
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PROPR AFFIL ADDITIONAL INFORMATION

CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER
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PROPR AFFIL ADDITIONAL INFORMATION

37 DATE AND TIME OF REPORT 10-25-98 2230	38 REPORTING OFFICER / ID NO. / DIV / UNIT D, ERICKSON 1436 / SUP. SERV.	39 APPROVED BY / ID NO. [Signature]
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40 COPIES TO	<input type="checkbox"/> DET / MC	<input type="checkbox"/> NARC	<input type="checkbox"/> GANG / SED	<input type="checkbox"/> STATS	<input type="checkbox"/> PRESS	<input type="checkbox"/> DOJ	<input type="checkbox"/> COURT	<input type="checkbox"/> OTHER
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PROPERTY / EVIDENCE REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT

AGENCY IDENTIFIER CA0560000

Page 1 of 2

CONNECTING REPORT NUMBERS			2 R.D.	3 BEAT	4 RB NUMBER
			3306	3D01	98-85383

5 PROPERTY TYPE: <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND <input type="checkbox"/> SAFEKEEPING	6 <input type="checkbox"/> Misdemeanor <input checked="" type="checkbox"/> Felony	7 DATE OF INCIDENT 10-26-98
--	--	--------------------------------

8 ORIGINAL INCIDENT / OFFENSE Officer Involved Shooting	9 LOCATION OF INCIDENT (STREET ADDRESS AND CITY) [Redacted] Foothill, Ventura
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CODE: V - Victim S - Suspect A - Arrestee F - Finder O - Owner R - Reporting Party (Use Same Codes in Property Affiliation Box)

10 V	11 NAME (Last, First, Middle, Gen.) / FIRM NAME Bogardus, Robert	AKA / Moniker	RACE W	SEX M	14 DOB unk	15 BUSINESS PHONE [Redacted]
16	RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # 9)	CITY	STATE	ZIP		

18 S	19 NAME (Last, First, Middle, Gen.) / FIRM NAME Robledo, Felipe	AKA / Moniker	RACE H	SEX M	22 DOB unk	23 BUSINESS PHONE () unk
24	RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # _____)	CITY	STATE	ZIP	25 RESIDENCE PHONE () unk	

26	27 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE 28	SEX 29	30 DOB	31 BUSINESS PHONE ()
32	RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # _____)	CITY	STATE	ZIP	33 RESIDENCE PHONE ()	

34 NARRATIVE

Photos of the exterior of the residence at [Redacted] showing a white Ford RAM pickup/flatbed, the chainlink gate that enters onto the property at this address, the view from a garage on the property to the street (Foothill Rd.). Photos of an area in the orchard west of the residence. Aerial photos of the orchard taken

35 PROPERTY / EVIDENCE INFORMATION

LOCATION BOOKED: <input checked="" type="checkbox"/> Crime Lab <input type="checkbox"/> E.C. <input type="checkbox"/> _____	SEARCH WARRANT ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	FINDER WISHES TO CLAIM? <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--	--

36 PROPERTY CLASSIFICATION CODES		PROPERTY CODES			
E - EVIDENCE	RC - RECOVERED PROPERTY	A - CURRENCY/NOTES	D - VEHICLE	G - FIREARMS	J - LIVESTOCK
SK - SAFEKEEPING	FP - FOUND PROPERTY	B - JEWELRY/PRECIOUS METALS	E - OFFICE EQUIPMENT	H - HOUSEHOLD GOODS	K - MISCELLANEOUS
		C - CLOTHING/FURS	F - ELECTRONIC EQUIPMENT	I - CONSUMABLE GOODS	

CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER
E/K	1	2	Film	—	—	—

PROP AFFIL: ADDITIONAL INFORMATION
2 36 exposure rolls as described in narrative.

CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER
E/K	2	1	Cigarette butt	Marlboro	—	—

PROP AFFIL: ADDITIONAL INFORMATION
collected just outside of chainlink entry gate at the residence.

CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER

PROP AFFIL: ADDITIONAL INFORMATION

37 DATE AND TIME OF REPORT 10-26-98 / 1300 hrs.	38 REPORTING OFFICER / ID NO. / DIV / UNIT J. Garcia 3113 / Spec. Serv. / B.I.	39 APPROVED BY / ID NO. [Signature] 10-27-1998 15:00
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40 COPIES TO	<input type="checkbox"/> DET/MC <input type="checkbox"/> NARC <input type="checkbox"/> GANG/SED <input type="checkbox"/> STATS <input type="checkbox"/> PRESS <input type="checkbox"/> DOJ <input type="checkbox"/> COURT <input type="checkbox"/> OTHER
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PROPERTY / EVIDENCE REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT

AGENCY IDENTIFIER CA0560000

Page 1 of 1

CONNECTING REPORT NUMBERS		2 R.D.	3 BEAT	4 RB NUMBER
		33063001		98-85383

5 PROPERTY TYPE: <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND <input type="checkbox"/> SAFEKEEPING	6 <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony	7 DATE OF INCIDENT 10-26-98
--	---	--------------------------------

8 ORIGINAL INCIDENT / OFFENSE Officer Involved Shooting	9 LOCATION OF INCIDENT (STREET ADDRESS AND CITY) [REDACTED] Ventura
--	--

CODE: V - Victim S - Suspect A - Arrestee F - Finder O - Owner R - Reporting Party (Use Same Codes in Property Affiliation Box)

10 CODE 11 NAME (Last, First, Middle, Gen.) / FIRM NAME V Bonardus, Robert	AKA / Moniker	12 RACE W	13 SEX M	14 DOB unk	15 BUSINESS PHONE () unk
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16 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box # 9)	CITY	STATE	ZIP	17 RESIDENCE PHONE () unk
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18 CODE 19 NAME (Last, First, Middle, Gen.) / FIRM NAME S Robledo, Felipe	AKA / Moniker	20 RACE H	21 SEX M	22 DOB unk	23 BUSINESS PHONE () unk
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24 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP	25 RESIDENCE PHONE () unk
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26 CODE 27 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	28 RACE	29 SEX	30 DOB	31 BUSINESS PHONE ()
---	---------------	---------	--------	--------	--------------------------

32 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)	CITY	STATE	ZIP	33 RESIDENCE PHONE ()
---	------	-------	-----	---------------------------

34 NARRATIVE

Photos of the suspect at West County Detectives interview room. Photos show front, back, sides and mug shot of suspect.

35 PROPERTY / EVIDENCE INFORMATION

LOCATION BOOKED: <input checked="" type="checkbox"/> Crime Lab <input type="checkbox"/> E.C. <input type="checkbox"/>	SEARCH WARRANT ? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	FINDER WISHES TO CLAIM? <input type="checkbox"/> Yes <input type="checkbox"/> No
---	--	--

36 PROPERTY CLASSIFICATION CODES	PROPERTY CODES
E - EVIDENCE SK - SAFEKEEPING	A - CURRENCY/NOTES B - JEWELRY/PRECIUS METALS C - CLOTHING/FURS
RC - RECOVERED PROPERTY FP - FOUND PROPERTY	D - VEHICLE E - OFFICE EQUIPMENT F - ELECTRONIC EQUIPMENT
	G - FIREARMS H - HOUSEHOLD GOODS I - CONSUMABLE GOODS
	J - LIVESTOCK K - MISCELLANEOUS

CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER
E/K	1	1	Film			

PROP AFFIL	ADDITIONAL INFORMATION One 12 exposure roll of suspect.
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CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER

PROP AFFIL	ADDITIONAL INFORMATION
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CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER

AFFIL	ADDITIONAL INFORMATION
-------	------------------------

37 DATE AND TIME OF REPORT 10-26-98 / 1400 hrs.	38 REPORTING OFFICER / ID NO. / DIV / UNIT J. Garcia 3113 / Spec. Serv. / B.I.	39 APPROVED BY / ID NO. [Signature] 27-1998 15:5
--	---	---

40 COPIES TO	<input type="checkbox"/> DET / MC <input type="checkbox"/> NARC <input type="checkbox"/> GANG / SED <input type="checkbox"/> STATS <input type="checkbox"/> PRESS <input type="checkbox"/> DOJ <input type="checkbox"/> COURT <input type="checkbox"/> OTHER
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PROPERTY / EVIDENCE REPORT

VENTURA COUNTY SHERIFF'S DEPARTMENT

AGENCY IDENTIFIER CA0560000

Page 1 of 1

CONNECTING REPORT NUMBERS		2 R.D. 3 BEAT 4 RB NUMBER	
		3306 3001 98-85383	
5 PROPERTY TYPE: <input checked="" type="checkbox"/> EVIDENCE <input type="checkbox"/> FOUND <input type="checkbox"/> SAFEKEEPING		6 <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Felony	
		7 DATE OF INCIDENT 10-25-98	
8 ORIGINAL INCIDENT / OFFENSE OFFICER INVOLVED SHOOTING		9 LOCATION OF INCIDENT (STREET ADDRESS AND CITY) [REDACTED] RD VENTURA	
CODE: V - Victim S - Suspect A - Arrestee F - Finder O - Owner R - Reporting Party (Use Same Codes in Property Affiliation Box)			
10 CODE V	11 NAME (Last, First, Middle, Gen.) / FIRM NAME BOGARDUS, ROBERT	AKA / Moniker	RACE SEX 14 DOB W M -
16 RESIDENCE ADDRESS / (<input checked="" type="checkbox"/> Same as Box # 9)		CITY STATE ZIP	15 BUSINESS PHONE () -
18 CODE S	19 NAME (Last, First, Middle, Gen.) / FIRM NAME ROBLEDD, FELIPE	AKA / Moniker	RACE SEX 22 DOB H M -
24 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)		CITY STATE ZIP	23 BUSINESS PHONE () -
26 CODE	27 NAME (Last, First, Middle, Gen.) / FIRM NAME	AKA / Moniker	RACE SEX 30 DOB 28 29
32 RESIDENCE ADDRESS / (<input type="checkbox"/> Same as Box #)		CITY STATE ZIP	31 BUSINESS PHONE ()
			33 RESIDENCE PHONE ()
34 NARRATIVE			
ARRIVED AT THE SCENE AT 2025 HOURS. TOOK OVERALL PHOTOS OF THE VICTIM. TOOK PHOTOS OF THE VICTIM'S HANDGUN.			
COLLECTED VICTIM'S HANDGUN AND CLOTHING.			
35 PROPERTY / EVIDENCE INFORMATION			
LOCATION BOOKED: <input checked="" type="checkbox"/> Crime Lab <input type="checkbox"/> E.C. <input type="checkbox"/>		SEARCH WARRANT ? <input type="checkbox"/> Yes <input type="checkbox"/> No	
FINDER WISHES TO CLAIM? <input type="checkbox"/> Yes <input type="checkbox"/> No			
36 PROPERTY CLASSIFICATION CODES			
E - EVIDENCE RC - RECOVERED PROPERTY SK - SAFEKEEPING FP - FOUND PROPERTY		PROPERTY CODES A - CURRENCY/NOTES B - JEWELRY/PRECIOUS METALS C - CLOTHING/FURS D - VEHICLE E - OFFICE EQUIPMENT F - ELECTRONIC EQUIPMENT G - FIREARMS H - HOUSEHOLD GOODS I - CONSUMABLE GOODS J - LIVESTOCK K - MISCELLANEOUS	
CODE E K	ITEM # 1	QTY 1	ITEM NAME FILM
			MAKE 3M
			MODEL / CALIBER 1-36 EXP.
			ID / SERIAL NUMBER
PROP AFFIL -	ADDITIONAL INFORMATION PHOTOS TAKEN AT SCENE.		
CODE E C	ITEM # 2	QTY 1	ITEM NAME COWBOY HAT
			MAKE
			MODEL / CALIBER
			ID / SERIAL NUMBER
PROP AFFIL V	ADDITIONAL INFORMATION COLLECTED FROM VICTIM		
CODE E C	ITEM # 2	QTY 1	ITEM NAME SHIRT
			MAKE
			MODEL / CALIBER
			ID / SERIAL NUMBER LONG SLEEVE
PROP AFFIL V	ADDITIONAL INFORMATION COLLECTED FROM VICTIM		
37 DATE AND TIME OF REPORT 10-26-98 1815		38 REPORTING OFFICER / ID NO. / DIV / UNIT I. FARRELL / 3322 / SPEC. SERV. / B.I.	
		39 APPROVED BY / ID NO. [Signature] 27-1998 15:20	
40 COPIES TO <input type="checkbox"/> DET / MC <input type="checkbox"/> NARC <input type="checkbox"/> GANG / SED <input type="checkbox"/> STATS <input type="checkbox"/> PRESS <input type="checkbox"/> DOJ <input type="checkbox"/> COURT <input type="checkbox"/> OTHER			

**PROPERTY / EVIDENCE
REPORT**

VENTURA COUNTY SHERIFF'S DEPARTMENT

AGENCY IDENTIFIER CA0560000

Page 2 of 2

41 RB NUMBER

98-85383

42 PROPERTY CLASSIFICATION CODES				PROPERTY CODES							
E - EVIDENCE SK - SAFEKEEPING		RC - RECOVERED PROPERTY FP - FOUND PROPERTY		A - CURRENCY/NOTES B - JEWELRY/PRECIOUS METALS C - CLOTHING/FURS		D - VEHICLE E - OFFICE EQUIPMENT F - ELECTRONIC EQUIPMENT		G - FIREARMS H - HOUSEHOLD GOODS I - CONSUMABLE GOODS		J - LIVESTOCK K - MISCELLANEOUS	
CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER					
E C	2	1	JEANS								
PROP.AFFIL	ADDITIONAL INFORMATION										
V	COLLECTED FROM VICTIM.										
E C	2	2	COWBOY BOOTS								
PROP.AFFIL	ADDITIONAL INFORMATION										
V	COLLECTED FROM VICTIM.										
E G	3	1	HANDGUN, SEMI-AUTO	SIG SAUER	P-220 / .45 CAL	[REDACTED]					
PROP.AFFIL	ADDITIONAL INFORMATION										
V	TWO TONE, NIGHTSIGHTS. COLLECTED FROM VICTIM.										
E K	4	1	AMMUNITION	SPEER	GOLD DOT / .45 CAL						
PROP.AFFIL	ADDITIONAL INFORMATION										
V	REMOVED FROM CHAMBER OF P-220.										
E K	4	1	MAGAZINE	SIG SAUER							
PROP.AFFIL	ADDITIONAL INFORMATION										
V	REMOVED FROM MAGAZINE WELL OF P-220.										
E K	4	5	AMMUNITION	SPEER	GOLD DOT / .45 CAL						
PROP.AFFIL	ADDITIONAL INFORMATION										
V	ROUNDS FOUND INSIDE MAGAZINE.										
CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER					
PROP.AFFIL	ADDITIONAL INFORMATION										
CODE	ITEM #	QTY	ITEM NAME	MAKE	MODEL / CALIBER	ID / SERIAL NUMBER					
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PROP.AFFIL	ADDITIONAL INFORMATION										
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PROP.AFFIL	ADDITIONAL INFORMATION										

OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF VENTURA

COMPLAINT REQUEST EVALUATION

Attention: Detectives William Gentry & Ralph Zermeno

Date of Incident: October 25, 1998

Agency No.: 98-85383

Re: Felipe Campa Robledo, Jr. - Off duty Ventura County Sheriff's
Deputy Robert Bogardus reasonable use of deadly force

INTRODUCTION

I have read the investigative reports, reviewed the photographs and spoken with the assigned detectives. After a careful review of the circumstances surrounding the use of deadly force by off duty Ventura County Sheriff's Deputy Robert Bogardus on October 25, 1998, it is the conclusion of the District Attorney's Office that the force used by the deputy was reasonable. The evidence is clear that in the totality of circumstances, Deputy Bogardus fired his weapon believing that Felipe Robledo, Jr. was armed and dangerous and that he was about to suffer great bodily injury or death. Please consider this as a formal rejection of a criminal filing in this matter.

On October 25, 1998, Deputy Bogardus was off duty at his home in a rural unincorporated area of Ventura County. His home is located in an area of large citrus orchards. The Bogardus home shares the same driveway and common parking area with another home. These homes are enclosed by a chain link driveway gate and a wrought iron fence surrounded by large bushes. At approximately 5:30 P.M., Deputy Bogardus was outside his home with his small child when he observed Felipe Robledo, Jr. approach his driveway gate from the main road. Robledo walked to the gate and appeared to attempt to open the gate latch. As he did so, Deputy Bogardus' dogs approached the gate and appeared to startle Robledo.

GREG PHILLIPS DDA - DECEMBER 1, 1998

Deputy Bogardus walked to the gate and spoke to Robledo. He described Robledo as 20 to 30 years old, six feet tall, 185 pounds, medium build, a medium complexion, with a thin mustache. His hair was slicked back and short on the sides. Robledo was wearing a black blazer or sport coat and tan slacks. He was sweating and his eyes were red and glassy. He appeared disoriented and acted as if he were going through alcohol or drug withdrawal. His speech and demeanor was that of someone who might be or was slightly mentally ill. Robledo's overall speech, demeanor and appearance gave Deputy Bogardus a feeling of unease or apprehension.

Deputy Bogardus had difficulty in communicating with Robledo. After some time, Robledo told Deputy Bogardus that his car had broken down and he needed baking powder and what sounded to Deputy Bogardus like a "brillo pad." According to Deputy Bogardus, Robledo was not speaking clearly and sounded like he was under the influence of alcohol or drugs. Once Deputy Bogardus understood that Robledo claimed he had car problems, he volunteered to help Robledo fix his car. Robledo then told Deputy Bogardus that his car was not close by but that he lived nearby. Deputy Bogardus told Robledo he did not have any of the items Robledo requested.

Robledo left Deputy Bogardus' driveway and walked down the road toward another residence. Deputy Bogardus entered his home and from his kitchen window observed Robledo enter the driveway of the adjacent residence. As he watched Robledo, Deputy Bogardus called the Sheriff's Department 911 operator reporting Robledo's appearance, conduct and entry into his neighbor's driveway and asked for a Sheriff's car to respond to his home. As Deputy Bogardus stood in his kitchen, he observed Robledo leave his neighbor's driveway and walk toward his house. Deputy Bogardus left his house and walked to his personal truck parked, outside his property, adjacent to the main road and removed his service weapon and badge from the glove compartment. Deputy Bogardus intended to detain Robledo until uniform deputies arrived.

Deputy Bogardus stood at the rear of his truck as Robledo approached. Robledo spoke to Deputy Bogardus and told him he had found what he was looking for. Deputy Bogardus then identified himself as a deputy and displayed his photo identification and badge and asked to speak with Robledo. Robledo looked at the badge, looked down and then increased his speed as he walked past. Robledo who appeared very nervous to Deputy Bogardus, quickly thrust his right hand in his jacket pocket as he began to run from the deputy. Deputy Bogardus observed that Robledo kept his right hand in his jacket pocket as he ran. Deputy Bogardus pursued Robledo, yelling "Sheriff's Department, stop, I have a gun."

Robledo ran into a citrus orchard adjacent to the Bogardus home. Deputy Bogardus followed, holding his weapon in his right front pants pocket as he ran after Robledo. Deputy Bogardus pursued Robledo, who was running approximately 20 to 30 feet ahead in a zig zagging path, for approximately 40 to 50 yards. Deputy Bogardus relied partially on keeping Robledo in view and on the sound Robledo made as he traversed the orchard. Robledo's path, the late hour, and the dusk before darkness obstructed or partially obscured Robledo as he ran from the deputy. Robledo was approximately 30 feet in front of the deputy when he rounded a tree, looked back at the deputy and cut across the deputy's path. As he did so, he turned his right shoulder toward Deputy Bogardus with his right hand inside his jacket pocket. Robledo pointed his covered right hand directly at the deputy. Believing Robledo was pointing a weapon at him, Deputy Bogardus, who had taken his weapon from his pocket, fired one round from his service weapon. Deputy Bogardus missed. Because Deputy Bogardus was temporarily blinded and deafened after he fired his weapon, he broke off his pursuit. Deputy Bogardus told Sheriff's investigators that as he and Robledo were both moving when he fired his weapon, he fired using the "point and shoot" method. Deputy Bogardus waited for a brief period, then walked into the orchard one more row and broke off his pursuit. Deputy Bogardus stayed in the orchard until uniformed Sheriff's deputies arrived.

Statements of Deputy Bogardus neighbors

██████████ lives a short distance north of the Bogardus home. His house is approximately 2/10ths of a mile from the main road. On October 25, 1998, he spoke to Robledo as Robledo was walking up the driveway toward the house. Robledo asked ██████████ if he had tin foil and baking soda in order to fix his battery. ██████████ described Robledo as "not with it, simple minded." In order to get Robledo to leave the area, ██████████ agreed to return to his home to get Robledo the items he requested.

██████████ and Robledo returned to the house together and ██████████ gave him the requested materials. Robledo then asked for and was given four cigarettes. Mr. ██████████'s aunt overheard Robledo tell ██████████ that he lived in a ranch house somewhere below their property. Approximately one month prior, ██████████'s aunt had found Robledo in her driveway. They had spoken briefly about her nephew's car. Some months prior to that conversation, ██████████'s grandmother had given Robledo approximately six dollars.

Deputy Bogardus' next door neighbors ██████████ and his stepfather, share a common driveway and parking area. They were inside their house watching television when they heard Deputy Bogardus speaking loudly outside their house, in the area of their common driveway. ██████████ or his stepfather turned the television's volume off with the mute

button. [REDACTED] heard Deputy Bogardus yell, "Sheriff's Department, Stop!" Mr. [REDACTED] went to retrieve a flashlight and as he and his stepfather left his house they heard one gunshot coming from the adjacent orchard. [REDACTED] ran outside toward the gunshot and saw Deputy Bogardus within the orchard. Deputy Bogardus asked [REDACTED] to walk along the edge of the orchard to see if he could see Robledo. Approximately ten minutes later, he saw someone run from one orchard across a dirt access road into a second orchard. [REDACTED] saw this person from the waist down and could only see brown or tan pants and dark shoes.

[REDACTED] is [REDACTED]'s stepfather. [REDACTED] was watching television with [REDACTED] when he heard someone outside the front of their house talking about baking soda. He or [REDACTED] turned off the television audio with the mute button and heard Deputy Bogardus yell, "Stop, Sheriff's Department!" [REDACTED] also retrieved a flashlight and as he stepped from his home he heard a single gunshot coming from the adjacent orchard. Mr. [REDACTED] remained near the back area of the Bogardus [REDACTED] common area as [REDACTED] ran to assist Deputy Bogardus.

Raymond [REDACTED] and his wife live in a separate home next to the Bogardus and [REDACTED] homes. [REDACTED] told Sheriff's investigators that he was watching television in his home when he heard Robledo yell "Hey you." [REDACTED] looked out his front door and saw Robledo standing by his chain link fence. [REDACTED] left his home and spoke to Robledo. Robledo asked him for an 'SOS' pad to clean his spark plugs in his disabled car. Robledo then started to walk into [REDACTED]'s open garage. [REDACTED] left Robledo and retrieved an 'SOS' pad and returned to his garage. When he did so, Robledo told [REDACTED] "don't shoot." Robledo told [REDACTED] he lived in the immediate area. Robledo also told [REDACTED] he was taking medication and showed him a prescription bottle. [REDACTED] asked Robledo to leave. As he did, Robledo questioned [REDACTED] as to whether anyone was home at the Bogardus [REDACTED] homes.

Approximately ten minutes later, [REDACTED] heard Deputy Bogardus speaking to Robledo near the main road. [REDACTED] heard Deputy Bogardus identify himself as a deputy and tell Robledo to stop. He then heard Robledo and Deputy Bogardus run across his driveway toward the orchard behind his house. Approximately thirty seconds later he heard a single gunshot.

Approximately one month before the incident, Mr. and Mrs. [REDACTED] had contact with Robledo. [REDACTED]'s wife had returned home and parked in her garage. Robledo "suddenly appeared" holding one of her children's toy army men. Robledo asked if Mrs. [REDACTED]

recognized him from a prior encounter. Both Mr. and Mrs. █████ considered Robledo to be acting strangely on those occasions when they spoke to him.

Interview of Felipe Campa Robledo, Jr.

The day after the incident, Sheriff's Investigators contacted a resident of one of the farm houses on Telegraph Road. She told them there was a "male Mexican, who takes drugs, a little crazy, who always asks for money, . . . he lives up the street in a farm house on Telegraph Road." She then pointed out Robledo's house. The investigators entered the property and contacted a woman, later identified as Robledo's mother, who told the investigators to cover the front and rear doors of her house as her son would run if he saw them.

Mrs. Robledo led one of the deputies into her home and pointed out her son, Felipe standing in her living room. Mrs. Robledo told the deputies, in her son's presence, that her son had told her he had been shot at by a policeman the previous night. The deputies then explained to Mrs. Robledo what had transpired the night before. Robledo immediately said, that it wasn't him, that he had been home all night or that he had been to the doctor. His mother told the deputies she would not lie for him but that he needed help. She related that her son had stolen his brother's championship baseball rings, he abused drugs and that he had mental health problems that had worsened since his wife had left him.

The Sheriff's investigators took Robledo to the Sheriff's station for an interview. Robledo admitted having mental health problems for which he had been treated in the past. Initially Robledo denied being shot at by Deputy Bogardus claiming that on the day of the incident, he had been with his children between noon and 5:00 P.M., and then to the hospital. He claimed to have returned home at approximately 8:30 P.M. having received a ride from the hospital to his house from an "unknown guy." Robledo claimed his mother had lied about him being shot at by the deputy.

After a lengthy period and repeated denials, Robledo eventually admitted that he was the person Deputy Bogardus shot at. He told the investigators, he approached Deputy Bogardus and asked him for something, he believed foil, for his car. Deputy Bogardus said he did not have any and Robledo left and went to another home further up the main road from the Bogardus home. Leaving that home, he walked passed the Bogardus home when he saw Deputy Bogardus doing something in his truck parked adjacent to the main road. As Robledo walked past Deputy Bogardus, he told him that he had found tin foil and the other stuff he needed. Deputy Bogardus then showed him his Sheriff's badge and

asked to talk to him. Robledo told the deputy it was a phony badge that he did not believe he was a police officer and that Deputy Bogardus "was putting him through some weird trip." Robledo panicked (he had been arrested before) and ran from Deputy Bogardus. Robledo admitted putting his right hand in his right jacket pocket as he ran into and through the orchard. Robledo had the items he had been given from the [REDACTED] home as well as two championship baseball rings he had taken from his brother in that pocket. Robledo told the investigators he had originally taken his brother's rings to sell them but changed his mind and intended to return them. He thrust his hand into his right front jacket pocket to prevent the rings from falling out of his pocket.

Robledo admitted that in the orchard, he turned toward Deputy Bogardus with his right hand in his jacket pocket pointing toward the deputy. However, Robledo explained the pursuit, in part, as follows: "Oh, . . . yea . . . I did, I did . . . but he was playing games with me . . . he was running . . . he was yelling I'm running faster than you are . . . I'm running slower than you are . . . I'm going to catch you . . . that's why I started falling down . . . I was getting scared." Robledo stated that after the deputy fired one shot, he fell then he told the deputy, "leave me alone, I'm going home." Robledo did not believe that the deputy was a police officer because, "I don't think he was a cop because his gun didn't sound . . . it was like a play gun . . . it went bing/bang . . . God told me to fall down, so I fell down . . . then I took off running." Robledo denied that Deputy Bogardus identified himself as a deputy. Robledo believed that he was a construction worker.

Robledo returned home and told his mother what had occurred in the orchard. She became upset and angry with him when he told her that when he fell he had lost his brother's championship baseball rings.

LEGAL ANALYSIS

Deputy Bogardus was acting reasonably under the totality of the circumstances when he displayed his badge, announced he was a Sheriff's deputy and attempted to stop and question Robledo. Robledo immediately ran. Did Deputy Bogardus have a duty to pursue Robledo? (See, Penal Code §§ 833.5, 835a). There is not a hard and fast rule of law in this state or in this country regarding law enforcement pursuit of an individual. Rather it is a case by case analysis applying a rule of reason and balancing the interest of the state against that of the individual. (See, California v. Hodari (1991) 499 US 621, 113 L Ed 2d 690; Brower v. County of Inyo (1989) 489 US 593, 103 L Ed 2d 628; Tennessee v. Garner (1985) 471 US 1, 85 L Ed 2d 1.) The Ventura County Sheriff's Department does not have a foot pursuit policy. However, they do have a vehicle pursuit policy. It states in part, "Generally, pursuits may be initiated when law violator(s) exhibit the

intention of avoiding arrest by using a vehicle to flee or when *reasonably suspected law violator(s) refuse to stop* and use a vehicle to flee. Before the initiation of a pursuit and continually during the pursuit the officer(s) must evaluate whether or not the need to pursue the suspect outweighs the dangers of initiating or continuing the pursuit.”

Common sense and logic dictate that the foregoing is equally applicable to foot pursuits as to vehicle pursuits.

On October 25, 1998, Deputy Bogardus applied that rule of reason as articulated in the above cited cases when he sought to stop and question Robledo. He had observed Robledo first hand, spoken to him and had his suspicions aroused by Robledo's attitude, demeanor and seeming lack of candor as to his presence in front of the Bogardus home. Living in a rural area with few neighbors, he watched Robledo go to a neighbor's driveway some distance from his own. Losing sight of Robledo and unsure of his intent, Deputy Bogardus did what a trained law enforcement deputy should do. He obtained his identification and attempted to contact what to him was a suspicious individual. When Robledo thrust his hand into his jacket pocket and immediately ran, it was infinitely reasonable for Deputy Bogardus to pursue.

A police officer may use deadly force where the circumstances create a reasonable fear of death or serious bodily harm in the mind of the officer. Graham v. Conner (1989) 490 U.S. 386; Martinez v. County of Los Angeles (1996) 47 Cal.App.4th 334.

The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. [Citation.] . . . The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments -- in circumstances that are tense, uncertain and rapidly evolving -- about the amount of force that is necessary in a particular situation. . . . [T]he 'reasonableness' inquiry . . . is an objective one: the question is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. [Citations.] Graham, 490 U.S. at 396-397.

In this case, all the witnesses who spoke to Felipe Robledo, Jr. on October 25, 1998, agree that Mr. Robledo appeared to suffer from a mental illness. Mr. Robledo and his mother later confirmed their suspicions.

Deputy Bogardus, like his neighbors also believed something was not quite right when he spoke to Mr. Robledo. It was dusk, slowly moving into darkness when they spoke. As a Sheriff's Deputy, parent, husband and homeowner, he was concerned for his safety and the safety of his family and neighbors. He acted upon that concern when he called 911 and asked for the assistance of uniformed deputies. Observing Robledo leave his home and walk to and into the driveway of a neighbor, Deputy Bogardus went to retrieve his badge, identification and weapon from his truck. Having done so, Deputy Bogardus stood to the rear of his truck and watched Robledo walk toward him. As Robledo walked past, a brief conversation ensued. Deputy Bogardus identified himself and showed Robledo his badge and identification. By Robledo's own admission, Robledo did not believe that Deputy Bogardus was a Sheriff's Deputy though Robledo also admitted he was nervous and fearful of being arrested. For whatever reason, he panicked, immediately thrust his right hand into his right front jacket pocket and ran despite Deputy Bogardus repeated commands to stop. Deputy Bogardus pursued Robledo into an adjacent orchard repeatedly ordering Robledo to stop.

As Deputy Bogardus followed Robledo into the orchard, he watched Robledo run with his right hand firmly thrust in his jacket pocket. Deputy Bogardus feared that Robledo may be armed because of his demeanor when they initially spoke, his reaction and response to the deputy identifying himself a short time later, his sudden and rapid thrusting of his right hand into his jacket pocket and his panicked flight from the deputy. Further, Robledo ignored repeated commands to stop and made every effort to run from Deputy Bogardus while consistently keeping his right hand in his right jacket pocket. When Robledo finally turned on the deputy and pointed his concealed right hand at him, Deputy Bogardus, fearing he was about to be shot, fired one round from his weapon. Deputy Bogardus used the force that was reasonable and appropriate to the situation.

CONCLUSION

Ventura County Deputy Sheriff Robert Bogardus was objectively reasonable in his use of deadly force in light of the facts and circumstances confronting him in the orchard adjacent to his home on October 25, 1998.

It is therefore the conclusion of the District Attorney's Office that Deputy Robert Bogardus acted lawfully and reasonably.


Greg Phillips DDA

12-1-98
Date



05/26/98

Want Inquiry For: T000061264

Type Code: PRO

Want Control No: [REDACTED]

Name: ROBLEDO, FELIPE CAMPA

Sex: Race: Height: Weight: Hair: Eyes: Dot: [REDACTED]

Home Address: City: State: Zip:

Business/Employer: Address:

City: State: Ssn: Veh Lic: St:

Incident No: Driv Lic #: Court/Want No: [REDACTED]

Status: ACT Date Issued: 05/09/1997 Date Received: 05/19/1997

Issuing Auth: VMC Judge: CWC

Expiration Date: 05/09/2000 Served By: Cancel Date:

Reason Condition: [REDACTED]

Caution:

Misc: MAY SEARCH DRUGS

0 Active Felony Count

0 Active Misdemeanor Count

0 Active Traffic Count

0 Active Civil Count

2 Active Want Count

Akas:

ROBLEDO, FELIPE CAMPA

4VEAO.IN

DATE:10-26-98*TIME:14:20*

MATCHED ON:*L/N*F/N* MI*B/5

DMV RECORD FOR LAW ENFORCEMENT USE ONLY

DL/NO [REDACTED] NAME:ROBLEDO FELIPE CAMPA*

RES/ADDR: AS OF 09-14-9 [REDACTED] *

OTH/ADDR AS OF 11-16-93 [REDACTED]

IDENTIFYING INFORMATION:

SEX:MALE*HAIR:BROWN*EYES:BRN*HT:5-09*WT:180*

LIC/ISS:11-16-93*EXPIRES:11-05-97*CLASS:C NON-COMMERCIAL*

ENDORSEMENTS:NONE*

LATEST APP:

DL TYPE:DUPLICATE*ISS/DATE: 09-14-95*OFFICE: STP*BATES:MAG*

LICENSE STATUS:
SUSPENDED OR REVOKED

DEPARTMENTAL ACTIONS:

PROOF REQ:0/10-08-92*TERM: - - *

V C D R [REDACTED] *
K G R D [REDACTED] *

V C D R [REDACTED] 1 *
D N [REDACTED]:
[REDACTED] *

V C D R [REDACTED] 3 *
D [REDACTED] *

[REDACTED]:
T T L O P T C
2 2 A C O J 0 [REDACTED]

V T T [REDACTED]

FAILURES TO APPEAR:
NONE

ACCIDENTS:
NONE

END

4VEAO.IN

DATE: 10/26/98 TIME: 14:25

MATCHED ON: *L/N*F/N*DL#

NAME: ROBERTO FELIPE C ADD:112 CTY:SANTA PAULA

VR# [REDACTED] FC:C YR:73 MK:CHEV

VR# [REDACTED] FC:T YR:85 MK:SPCNS

VR# [REDACTED] FC:C YR:79 MK:CHEV

VR# [REDACTED] FC:A YR:89 MK:TOYT

VR# [REDACTED] FC:A YR:97 MK:MERC

ANI END

Master Name Search
 *** List of Possible Candidates ***

No	Name	Sex	Race	Offense	Mod/Aggy/Incident
1	ROBLEDO, FELIPE CAMPA	M	H	I S	
2	ROBLEDO, FELIPE CARRASCO	M	H	G	
3	ROBLEDO, FELIPE	F		T	
4	ROBLEDO, FELIPE CAMPA JR	M	H	I S	
5	ROBLEDO, FELIPE CAMPA	M	H	I S	
6	CAMPA, FELIPE ROBLEDO	M	H	I E	
7	ROBLEDO, FELIPE CAMPA	M	H	I E	
8	ROBLEDO, FELIPE CAMPA	M	H	S	
9	ROBLEDO, FELIPE CAMPA	M	H	I S	
10	ROBLEDO, FELIPE	M	H	I S	
11	ROBLEDO, FELIPE CAMPA	M	H	I S	
12	ROBLEDO, FELIPE CAMPA	M	H	P T	
13	ROBLEDO, FELIPE	M	H	M L	
14	ROBLEDO, FELIPE CAMPA	M	H	D D	
15	ROBLEDO, FELIPE CAMPA JR.	M	H	O T	

>Enter Selection No :

Master Name Search
*** List of Possible Candidates ***

No	Name	Sex	Race	Offense	Mod/Agcy/Incident
1	ROBLEDO, FELIPE CAMPA	M	H	R	
2	ROBLEDO, FELIPE CAMPA	M	H	R	
3	ROBLEDO, FELIPE C	M	H	I S	
4	ROBLEDO, FELIPE CAMPA	M	M	J E	
5					
6					
7					
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11					
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14					
15					

>Enter Selection No :

**** THERE ARE NO MORE CANDIDATES ****

Citations
* Retrieve Mode *

*Agn: 06 *Cit No: [REDACTED] Ref No: - - Date: 092797 Time: 08:15

Weekday: SATURDAY Name: ROBLEDO, FELIPE CARRASCO Add: [REDACTED]

City: SANTA PAULA State: CA Zip: 93069 Res Jur:

Lic#: [REDACTED] Lic State: CA

Dob: [REDACTED]: MALE Race: HISPANIC Hair: BLACK Eyes: BROWN

Height: 508 Weight: 172 Veh Lic # [REDACTED] State: CALIFORNIA

Year: 95 Make: CH Model: P/U Style: Color(s): WHI ,

Prim Viol: 22350 Type: Viol 2:

Viol 3: Viol 4: Approx Speed: 72 Posted: 45 Safe: 45

Rd: 6011 Beat: 6A01 Loc: 126

Court Date: 102397

E/W Street: N/S Street:

Officer: STEPHENS, DENNIS LEE Inv in T/C: Dispo: Age: 61

Tag Exp: Fine Amt: Susp: Cost: Tax:

Date Paid: Method: Receipt #: VR-119:

Remarks: D

Shift Code: Purge Code:

4VEA0.IH

RE: QHY.CA0560003.08334981.2858 DR DATE:10-26-98 TIME:14:28:27
RESTRICTED-DO NOT USE FOR EMPLOYMENT, LICENSING OR CERTIFICATION PURPOSES
ATTN:2858 DR CRIME ANALYSIS

** III CALIFORNIA ONLY RECORD

CII [REDACTED]
DOB [REDACTED] SEX/M RAC/HISPANIC
HGT/509 WGT/195 EYE/BRO HAI/BLK POB/CA
NAM/01 ROBLEDO, FELIPE CAMPA
 02 ROBLEDO, FELIPE CAMPA JR
 03 CAMPA, FELIPE ROBLEDO
 04 ROBLETO, FELEPE JR
 05 ROBLEGO, FELIPE CAMPA
 06 CAMPA, FELIPE

[REDACTED]

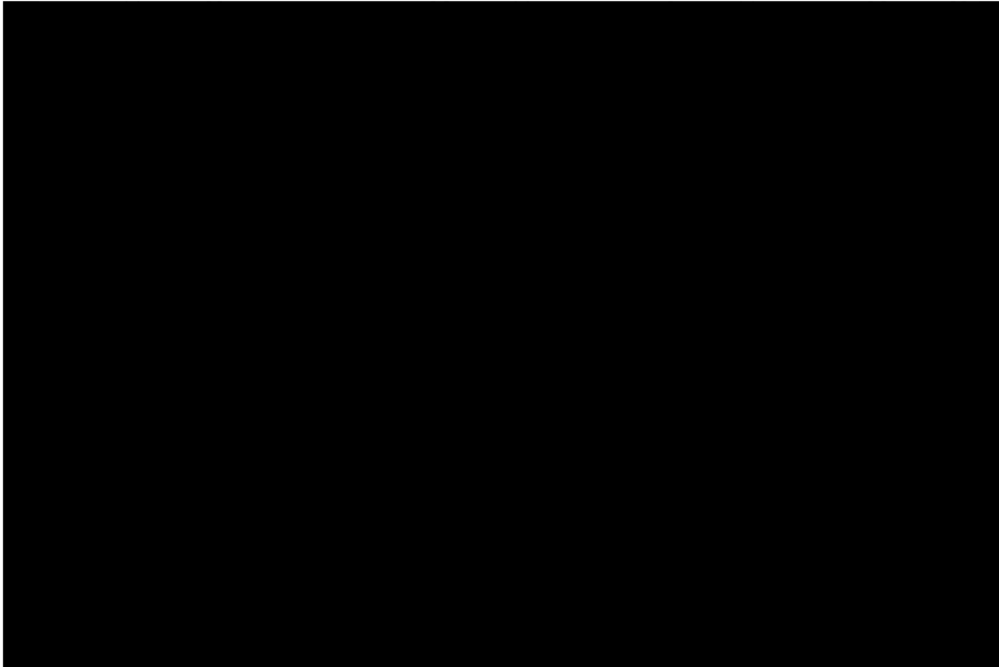
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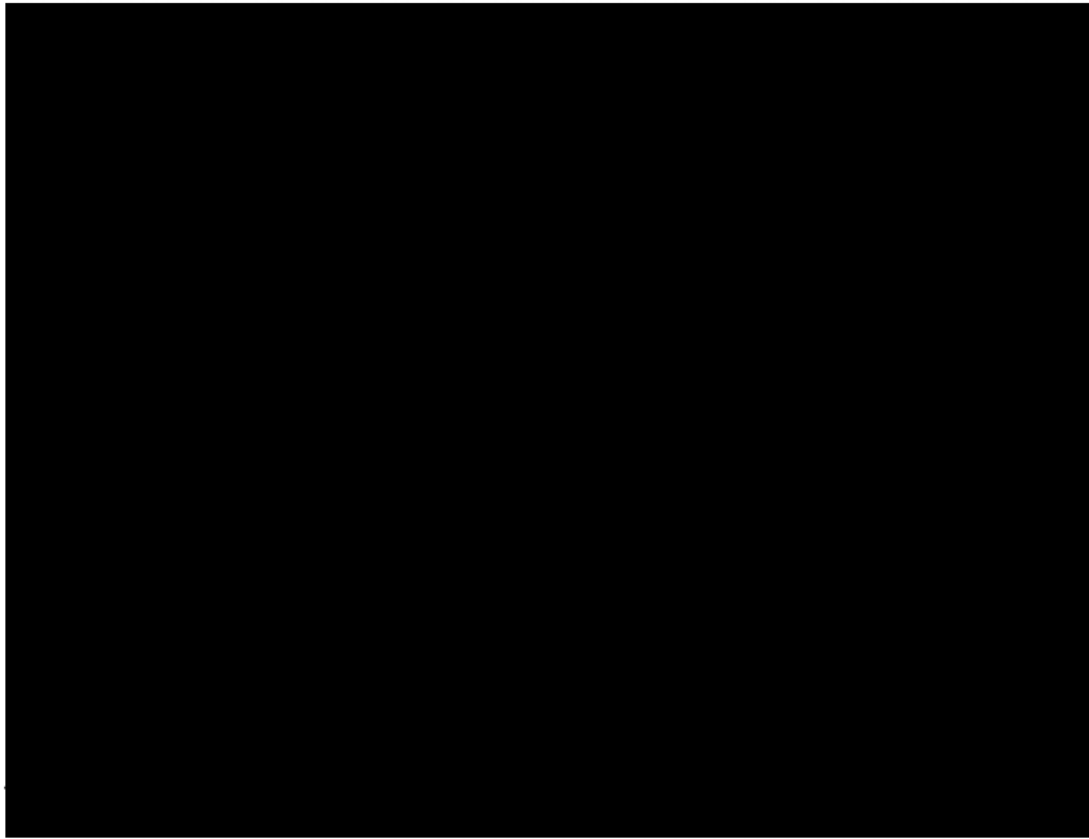


IMP SEN SS

DISPO:CONDITION OF PROB-FIREARM RESTRICTION









COURT.

NAM. 01





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NOTE: 1 POTENTIAL ENTRIES WITH FELONY CONVICTION DATA WERE
FOUND FOR THIS SUBJECT. SEE ENTRIES IN THE RECORD ANNOTATED
WITH "POTENTIAL FELONY STRIKE ENTRY" FOR DETAILS. THIS RECORD
MAY ALSO CONTAIN ADDITIONAL DATA RELATED TO "STRIKE" CONDITIONS.

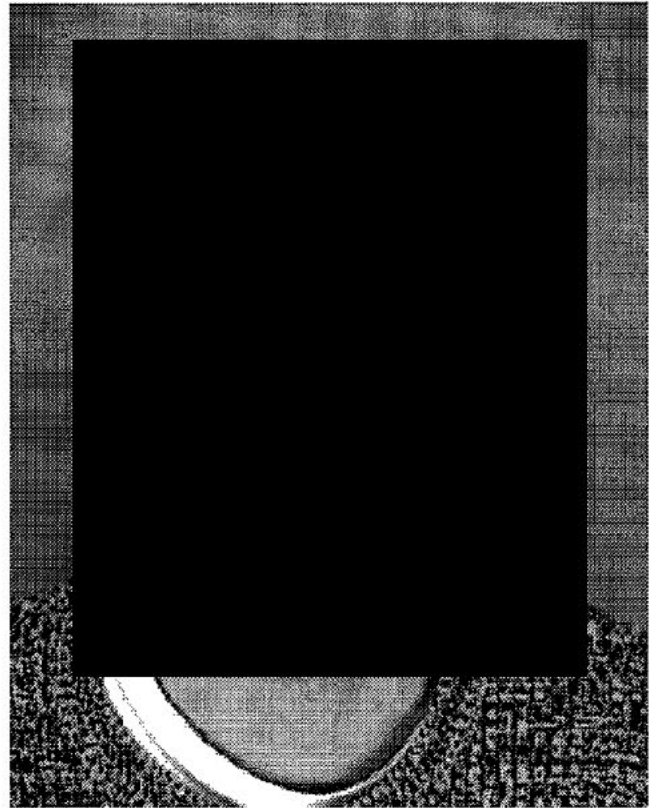
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Ventura County Sheriff

Warrant Detail/Detectives

B.I.#: [REDACTED]
BOOKING#: [REDACTED]
LAST NAME: ROBLEDO
FIRST NAME: FELIPE
D.O.B.: [REDACTED]
AKA LN:
AKA FN:
ARREST DATE: 01 / 21 / 97
RACE: HISPANIC/LAT
SEX: MALE
HEIGHT: 5'09
WEIGHT: 170
HAIR COLOR: BLACK
EYE COLOR: BROWN
PHOTO#: 124981
DL#: NIP
SSN: NIP
PHONE#: [REDACTED]
ADDRESS: [REDACTED]
VENTURA CA



Ventura County Sheriff
Warrant Detail/Detectives



B.I.#:

BOOKING#:

LAST NAME:

FIRST NAME:

D.O.B.:

AKA LN:

AKA FN:

ARREST DATE:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR COLOR:

EYE COLOR:

PHOTO#:

DL#:

SSN:

PHONE#:

ADDRESS:

ROBLED

02 / 15 / 96

HISPANIC/LAT

MALE

6'00

150

BLACK

BROWN

107643

NIP

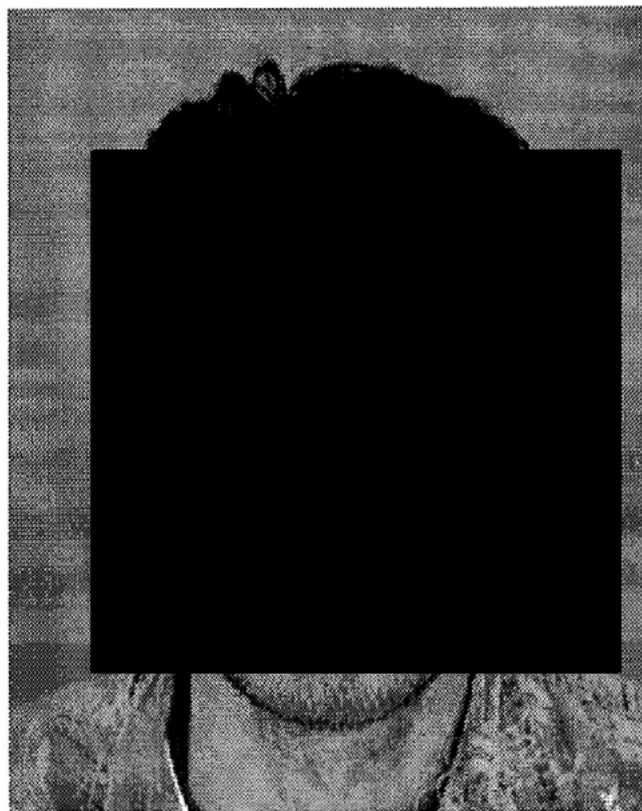
SANTA

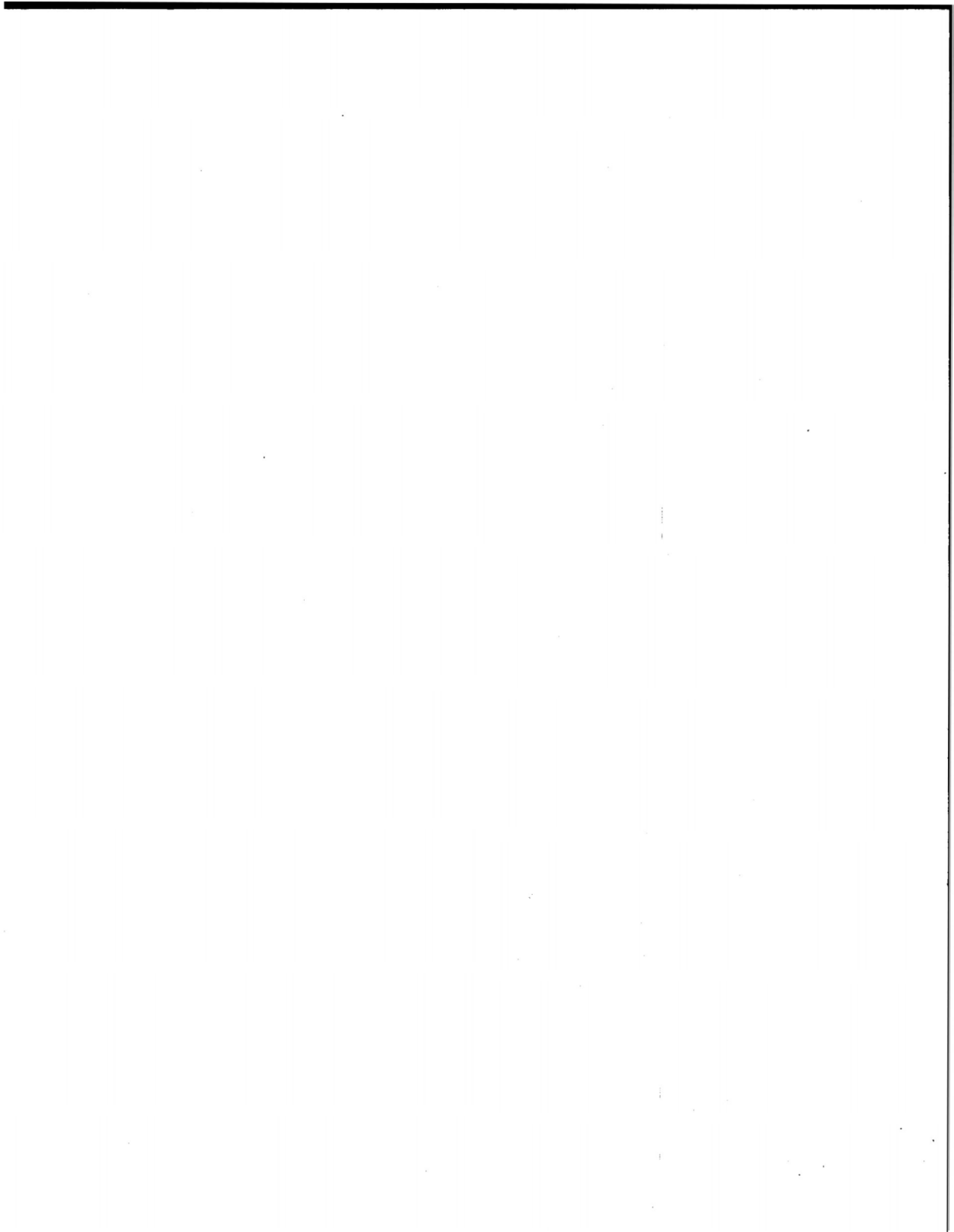


Ventura County Sheriff

Warrant Detail/Detectives

B.I.#: [REDACTED]
BOOKING#: [REDACTED]
LAST NAME: ROBLEDO
FIRST NAME: FELIPE
D.O.B.: [REDACTED]
AKA LN: CAMPA
AKA FN: FELIPE
ARREST DATE: 02 / 08 / 96
RACE: HISPANIC/LAT
SEX: MALE
HEIGHT: 5'09
WEIGHT: 150
HAIR COLOR: BLACK
EYE COLOR: BROWN
PHOTO#: 107217
DL#: [REDACTED]
SSN: [REDACTED]
PHONE#: [REDACTED]
ADDRESS: [REDACTED]
SANTA PAULA CA





Ventura County Sheriff
Warrant Detail/Detectives



B.I.#:
BOOKING#:
LAST NAME:
FIRST NAME:
D.O.B.:
AKA LN:
AKA FN:
ARREST DATE:
RACE:
SEX:
HEIGHT:
WEIGHT:
HAIR COLOR:
EYE COLOR:
PHOTO#:
DL#:
SSN:
PHONE#:
ADDRESS:

[REDACTED]

[REDACTED]

CAN
FELIPE
01 / 19 / 96
HISPANIC/LAT
MALE
5'09
180
BLACK
BROWN

[REDACTED]

[REDACTED]

SAN

