

CR#180806-002

**Sonoma County Sheriff's Office
Violent Crime Investigations Unit
Critical Incident Investigation**

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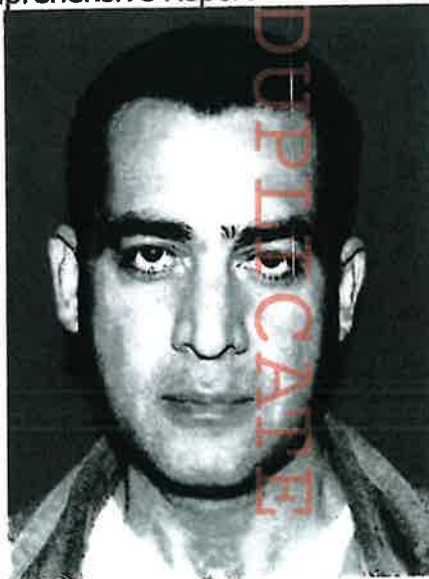
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*Denotes Transcripts Available
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Incident Information

Date/Time Reported 08/05/2018 23:01	Date/Time Occurred 08/05/2018 21:00	Date/Time Found 08/05/2018 22:00	Officer (SD2360) MITCHELL, RYAN
Incident Location BELVEDERE ST/VERDI ST, SAN RAFAEL, CA 94901			Supervising Officer (SD1641) CUTTING, BRANDON A
Location Comments			
Case Status FURTHER INVESTIGATION			Disposition

Incident Synopsis

Suspect was contacted by San Rafael Police Officers near the intersection of Lisbon St. and Verdi St. in San Rafael. During their contact with the suspect, a San Rafael Police Officer was forced to shoot the suspect after he advanced toward officers, while armed with a knife and a pair of scissors. The suspect was wounded, survived, and was ultimately charged with attempted murder on a peace officer in Marin County.

Charges

1	Charge Type	Description NON-FATAL INCIDENT PROTOCOL	Statute NO	UCR 99Z	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type HIGHWAY/ROAD/ALLEY	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry		Exit	Criminal Activity		
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
2	Charge Type	Description AGENCY ASSIST	Statute NO	UCR 999	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type HIGHWAY/ROAD/ALLEY	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. 2. 3.
Entry		Exit	Criminal Activity		
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

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Narratives

Case Summary

Sonoma County Sheriff's Office Case No. 180806-002

San Rafael Police Department Case No. SR186261

Sonoma County Sheriff's Office

Violent Crime Investigations Unit

Detective Ryan Mitchell #2360

Re: Officer Involved Shooting of Faramarz Aghazadeh (DOB:

This report is a short summary of facts in regard to the officer involved shooting involving San Rafael Police Officer Kevin MacDougald and Marin County Sheriff's Deputy Jaime Rodarte. The suspect in this case was identified as Faramarz AGHAZADEH. I learned of the specifics of this case from my review of officers' body worn cameras, numerous interviews, official reports, surveillance video, other evidence, and my own investigation. For details regarding this case, refer to the attached reports, audio/video recordings, and other evidentiary items.

On 08/05/2018, shortly after 2100 hours, a San Rafael Police Officer contacted AGHAZADEH as he was standing in the roadway near the intersection of Lisbon St. and Verdi St. in San Rafael. AGHAZADEH was observed wielding "knives" in a "martial arts" manner. The "knives" were later found to be an open, folding pocket knife and a pair of scissors. Numerous law enforcement officers arrived on scene and a perimeter was established to contain AGHAZADEH with the purpose of not allowing him to put the public at risk. Several officers with the San Rafael Police negotiated with AGHAZADEH, using de-escalation techniques, and told him to put the weapons down on the ground. AGHAZADEH did not comply with the officers' directions. AGHAZADEH made peculiar statements in regard to a government conspiracy and his desire for officers to shoot him. Many law enforcement resources were requested from the officers on scene to assist with a peaceful outcome of the incident. A San Rafael Police Sergeant instructed the other law enforcement officers on scene to not allow AGHAZADEH to escape the perimeter due to the danger posed to the public. Law enforcement requested medical and fire personnel to stage in the nearby area during the negotiations.

After over thirty minutes of negotiation, AGHAZADEH left the area where he was initially contacted and walked northbound on Verdi St. towards the intersection with Belvedere St., where Deputy Rodarte and Officer MacDougald were positioned. AGHAZADEH approached the two law enforcement officers and was ordered to stop several times by Deputy Rodarte. AGHAZADEH did not comply with Deputy Rodarte's orders. Deputy Rodarte warned AGHAZADEH he would be shot if he continued towards the officers' position. AGHAZADEH was still armed with the opened pocket knife and the scissors. Deputy Rodarte shot

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Narratives

AGHAZADEH four times with bean bags from a "less-than-lethal" shotgun. AGHAZADEH would later admit to being very angry when he was hit with the bean bags and responded by running towards Deputy Rodarte, while still holding the mentioned weapons. AGHAZADEH screamed, "Ah! Motherfucker!" and ran towards Deputy Rodarte, clutching his weapons in an overhand manner. As AGHAZADEH ran towards Deputy Rodarte, Officer MacDougald ran towards AGHAZADEH. Simultaneously, Deputy Rodarte turned and retreated by running away from AGHAZADEH. Officer MacDougald shot AGHAZADEH shortly before he could come in contact with Deputy Rodarte, preventing Deputy Rodarte from potential injury or death. After Officer MacDougald's first shot, AGHAZADEH quickly turned towards Officer MacDougald and was shot two more times by Officer MacDougald. At the moment AGHAZADEH was shot this second time, it appeared AGHAZADEH was within a few feet of Officer MacDougald and still armed with knives. AGHAZADEH then fell to the ground and cried out. All three of the rounds fired by Officer MacDougald struck AGHAZADEH; striking him in the chest, pelvis, and left arm. Numerous law enforcement personnel immediately render medical aid to AGHAZADEH and he was transported by ambulance to Marin General Hospital where he underwent surgery and ultimately survived.

Both Officer MacDougald and Deputy Rodarte were sequestered at the San Rafael Police Department. Both law enforcement officers ultimately met with their attorney and were processed by Sonoma County Sheriff's Crime Scene Investigation (CSI) Detectives. Both Officer MacDougald and Deputy Rodarte were interviewed by Sonoma County Sheriff's Violent Crime Investigations Detectives.

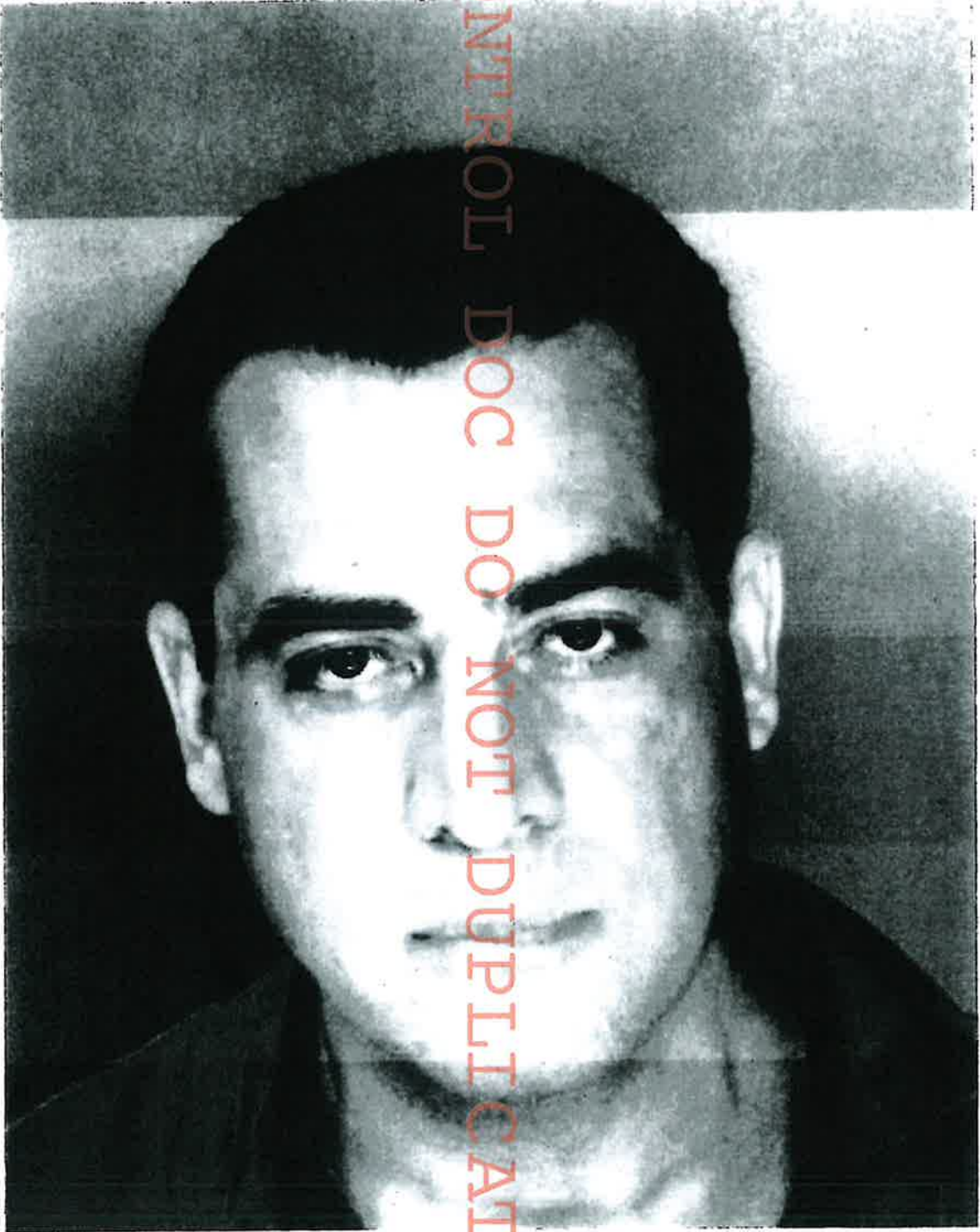
AGHAZADEH was identified by Sonoma County Sheriff's CSI Detectives. The investigation into AGHAZADEH shows he suffers from severe mental health disorders and is experienced in the usage of knives for self-defense. AGHAZADEH admitted to investigators he was angry after being shot with the bean bag rounds and did not blame the police for shooting him.

The San Rafael Police Department conducted an investigation into the incident and ultimately arrested AGHAZADEH for Attempted Murder on a Peace Officer and Brandishing a Weapon in the Presence of a Peace Officer (Sections 664/187(a) and 417(a)(1) of the Penal Code).

Nothing further/Case Closed.

Det. Mitchell/#2360

CONTROL DOC DO NOT DUPLICATE



CONTROL DOC DO NOT DUPLICATE

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Supplement Information		
Supplement Date	Supplement Type	Supplement Officer
08/21/2018 10:53:49	FOLLOW UP	(SD2360) MITCHELL, RYAN
Contact Name		Supervising Officer
		(SD1641) CUTTING, BRANDON A

Supplement Narrative

Sonoma County Sheriff's Office Case No. 180806-002
 San Rafael Police Department Case No. SR186261
 Sonoma County Sheriff's Office
 Violent Crime Investigations Unit
 Detective Ryan Mitchell #2360
 Re: Officer Involved Shooting of Faramarz Aghazadeh (DOB: _____)

 On 08/06/2018, at approximately 0000 hours, I, as the on-call Violent Crime Investigations (VCI) Detective, received a phone call from Sonoma County Sheriff's (SCSO) Dispatch regarding an officer involved shooting the shooting was said to have occurred in San Rafael, within the county of Marin. SCSO Dispatch told me Investigations Lieutenant Tim Duke relayed that VCI would handle the investigation into the shooting and there would be a briefing at the San Rafael Police Department (SRPD) at approximately 0130 hours. I then notified the rest of the VCI Unit; Detectives Anthony Diehm, Joseph Horsman, Jesse Hanshew, Teddy Vellis, and Detective Sergeant Shawn Murphy of the callout and briefing information.

I arrived at SRPD at approximately 0130 hours and attended a briefing at the department's investigations' annex building. Present at the briefing included Detective Diehm, Detective Horsman, Detective Vellis, Detective Sergeant Murphy, Lieutenant Duke, Crime Scene Investigations (CSI) Detective Sergeant Gary Lawson, CSI Detective Tom McNeil, CSI Detective Dylan Fong, SRPD Detective Corporal Rob Cleland, SRPD Lieutenant Scott Eberle, SRPD Captain David Starnes, SRPD Detective Corporal Ronda Reese and SRPD Sergeant Justin Graham.

SRPD Sergeant Graham relayed the following information:
 On 08/05/2018, at approximately 2100 hours, SRPD Officers encountered a male suspect standing in the middle of the street near the intersection of Lisbon St. and Verdi St. in San Rafael. This male suspect would ultimately be identified as Faramarz AGHAZADEH by SCSO CSI Detectives. AGHAZADEH possessed a folding knife and some type of "sheers". AGHAZADEH was reported to have been holding the weapons in a "martial arts-like" manner, swinging them around above his head. SRPD Officers negotiated with AGHAZADEH, using de-escalation techniques for over thirty minutes. AGHAZADEH made statements about government conspiracy and his desire to be shot by the officers who were on-scene. A perimeter was established around AGHAZADEH and streets in the area were closed. AGHAZADEH eventually left the area of the intersection of Lisbon St. and Verdi St. and continued to walk in a northeastern direction on Verdi St. towards the intersection of Verdi St. and Belvedere St.

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SRPD Officer Kevin MacDougald and Marin County Sheriff's Office's (MCSO) Deputy Jaime Rodarte, were both positioned at the intersection of Verdi St. and Belvedere as part of the law enforcement perimeter set up to contain AGHAZADEH. AGHAZADEH approached the two law enforcement officers, still holding onto the aforementioned weapons. After a warning, Deputy Rodarte shot AGHAZADEH approximately three times with a "bean bag" round from a less-than-lethal shotgun. AGHAZADEH ran towards Deputy Rodarte when he was shot approximately three times by Officer MacDougald. AGHAZADEH was reported to be a very close distance to both Deputy Rodarte and Officer MacDougald at the moment of the shooting.

SRPD Sergeant Graham told me there were several witnesses in the area during the shooting and their information was obtained by the on-scene officers. Sergeant Graham also reported that Officer MacDougald and Deputy Rodarte were the only law enforcement officers immediately present during the shooting but several other officers were nearby, close to where the initial incident began.

I learned from the other SRPD law enforcement personnel that AGHAZADEH had not been identified, was severely injured from the gunshots, and was transported by ambulance to Marin General Hospital located at 250 Bon Air Rd., Greenbrae. I was told by SRPD Lieutenant Scott Eberle that SRPD Detective Carlos Maldonado was at the scene of the shooting with a list of the law enforcement personnel who were present at the time of the incident.

Officer MacDougald and Deputy Rodarte were sequestered in different rooms at SRPD awaiting their enforcement officers. Both Officer MacDougald and Deputy Rodarte were allowed to view their body worn camera footage before they were interviewed.

Shortly after the briefing, I spoke with VCI and CSI Detectives to delegate tasks. The CSI Unit was requested to process both Officer MacDougald and Deputy Rodarte, to process the scene of the incident and to collect evidence. I requested Detective Horsman and Vellis to respond to Marin General Hospital to ascertain AGHAZADEH's identity, as he was not identified at that time. I requested Detective Hanshew to respond to the scene of the incident to speak with SRPD Detective Maldonado in order to identify the law enforcement personnel who were present at the time of the shooting. Sergeant Garrison also provided me with a list of civilian witnesses who were contacted shortly after the shooting in the nearby area. I later learned the following law enforcement personnel and civilian witnesses were present during or shortly after the shooting:

California Highway Patrol (CHP): Officer James Kyne, Officer Gregory Jones, Officer Kevin Fitzgerald, Officer Ryan Mayer, Officer Mario Solano, Officer Alex Ochoa, and Sergeant David Herrera.

MCSO: Deputy Jaime Rodarte, Deputy Michael Dawson, Deputy Jordan Litle, and Sergeant Brenton Schneider.

Novato Police Officer Jerob Lomax.

Central Marin Police Authority Officer Scott McKenna.

SRPD: Officer Kevin MacDougald, Officer Michael Garrison, Corporal Aaron Piombo, Officer Justin Dodson, Officer Phillip Melodia, and Sergeant Justin Graham.

Civilian witnesses:

The mentioned CHP Officers and MCSO Deputies (excluding Deputy Rodarte) would later author reports in regards to their involvement in the incident. The SRPD Officers (excluding Officer MacDougald) and the

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civilian witnesses would later be interviewed by SRPD Detectives. Refer to SRPD report #SR186261 for details.

At approximately 0225 hours, SRPD Lieutenant Eberle provided me with two compact discs containing copies of the SRPD dispatch audio recording relative to the incident. I was also provided a copy of SRPD Dispatch's "CAD Incident Report". I ultimately booked the CAD Incident Report and one of the SRPD Dispatch recordings into SCSO's Evidence as items #RAM2 and #RAM3, respectively.

At approximately 0230 hours, Detective Diehm and I introduced ourselves to Officer MacDougald and Deputy Rodarte and advised them we would be conducting the investigation into the incident and interviewing them.

At approximately 0240 hours, Detective Horsman told me AGHAZADEH was still not able to be identified. AGHAZADEH had just got out of surgery and Detective Horsman would ultimately go to the area of the crime scene and contact two transients who knew AGHAZADEH and provided Detective Horsman with statements. Refer to Detective Horsman's supplemental report for details.

At approximately 0307 hours, Detective Diehm and I interviewed Marin County Sheriff's Deputy Jaime Rodarte. The interview was conducted in a break room inside the SRPD. Also present for the entirety of the interview was Detective Diehm. The interview was conducted in two portions and was digitally recorded on an audio recording device. Both portions of the audio recording were subsequently downloaded to compact discs and booked into SCSO Evidence by Detective Diehm. I ultimately sent an audio recording of the interview for transcription by an outside service. The transcript copy was authenticated and attached to this report. For details of Deputy Rodarte's interview, refer to Detective Diehm's supplemental report.

At approximately 0408 hours, SRPD Captain David Starnes allowed me to review footage of the incident from Officer MacDougald's body worn camera on a computer in the SRPD. Captain Starnes then gave me a compact disc containing a copy of the footage. Detective Vellis would ultimately be requested to receive and book the body worn camera footage from all the involved and witness officers related to this incident, including from Officer MacDougald's body worn camera. Detective Vellis would download all the body worn camera footage onto compact discs and book them into SCSO Evidence, refer to Detective Vellis' report for details. The copy of MacDougald's body worn camera footage I received was labeled as a copy and ultimately placed in a presentation binder.

At approximately 0420 hours, Detective Diehm and I interviewed SRPD Officer Kevin MacDougald in a small briefing room at SRPD. Officer MacDougald was accompanied by his attorney, throughout the interview. This interview was digitally audio recorded on my Olympus digital voice recorder and later sent for transcription to an outside service. This interview was conducted in two portions. I would ultimately download both audio portions of the interview onto a compact disc and booked them into SCSO's Evidence as item #RAM5 and #RAM6, respectively. An authenticated version of the transcription was attached to this report. For details of this interview, refer to the audio recording and transcripts.

On 08/07/2018, at approximately 1018 hours, I executed a search warrant at the Marin General Hospital that was authored by Detective Diehm and signed by a Marin County Judge. The search warrant was for AGHAZADEH's medical records and blood collected during his admission process. Hospital staff gave me ten vials of AGHAZADEH's blood and said they would send AGHAZADEH's medical records when he was discharged from the hospital. I provided hospital staff with copies of the SCSO Notice of Service of Search

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Warrant and Search Warrant Inventory List forms. I ultimately booked nine of the blood vials as item #RAM1 and one vial (for testing) as item #RAM1(a) into SCSO's Evidence. The single vial of AGHAZADEH's admission blood was sent for toxicology testing through an outside service. For details pertaining to the search warrant and medical records, refer to Detective Diehm's supplemental report.

Detective Diehm, Detective Vellis and I, left the hospital and arrived at the crime scene at Verdi St. and Belvedere St. to canvas the area for any surveillance cameras. Detective Vellis and I located two cameras, which captured portions of the shooting from the night before. One of the cameras' locations was at Peruva Auto Repair and Service at 121 Verdi St. and the other location was at Anthony's Auto Craft at 61 Belvedere St. CSI Detectives were ultimately tasked with retrieving the pertinent video footage from the mentioned surveillance cameras on 08/08/2018. Copies of the video footage were placed on two thumb drives and eventually delivered to SRPD. Refer to Detective Diehm's and Detective Fong's reports for details.

In the afternoon hours of 08/07/2018, I received a phone call from call from SRPD's Mental Health Outreach Liaison, Lynn Murphy. Lynn Murphy provided me with contact information on a subject she thought to be AGHAZADEH's sister. Murphy identified AGHAZADEH's sister as Detective Hanshew was requested to follow up with obtaining a statement from AGHAZADEH's sister. Refer to Detective Hanshew's supplemental report for details regarding AGHAZADEH's sister.

On 08/20/2018, at approximately 1050 hours, SRPD Detective Corporal Robert Cleland and I, met at Marin General Hospital to interview AGHAZADEH. Detective Cleland advised AGHAZADEH of the Miranda Admonition and AGHAZADEH acknowledged he understood the admonition. Detective Cleland used a body worn camera to record the interview. For details of this interview, refer to Detective Cleland's supplemental report (#66 of SR18-06261).

From the beginning of this investigation it was decided SRPD would take the lead in the criminal charges against AGHAZADEH and SCSO would lead the officer involved shooting portion. SRPD and SCSO would ultimately share numerous reports and evidence. Any reports I received from SRPD were attached to this report and copies were placed into a presentation binder. SRPD Detectives conducted interviews with the aforementioned civilian witnesses and SRPD witness officers. SRPD would share the audio/video recordings of these interviews with SCSO Detectives. Refer to SRPD's and Detective Velli's supplemental reports for details pertaining to these interviews. I ultimately prepared presentation binders containing relative reports, photographs, and digital media. These binders were prepared to be distributed between SCSO VCI, SRPD, and the Marin County District Attorney's Office for review.

Nothing further/Case Closed.

Det. Mitchell/#2360

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provided the three-page document of personnel directly to Det. Mitchell.

On 8-6-18 at approximately 0230 hrs., I traveled to and arrived at 50 Belvedere Street in San Rafael. There, I noticed crime scene tape spanning across the street (east and west), but just north of 50 Belvedere St. I then contacted Sgt. Graham with the San Rafael Police Department who I learned was manning a crime scene log.

After signing the crime scene log, I entered the crime scene and was able to view misc. clothing on Verdi Street just west of Belvedere St. According to Sgt. Graham, this was the area where the crime scene was located. Not long after, Sonoma County Sheriff's Office Crime Scene Investigations supervisor, Det. Sgt. G. Lawson arrived on scene. Later, Det. J. Horsman and Det. T. Vellis arrived on scene as well. Refer to Det. Sgt. G. Lawson's, Det. J. Horsman's, and Det. T. Vellis' supplemental reports.

On 8-6-18 at approximately 0300 hrs., I exited the crime scene, but remained in my vehicle just south of the crime scene, near 50 Belvedere St. About that time, the Sonoma County Sheriff's Office Crime Scene Investigations Unit began processing the scene and attempting to locate I.D. within the misc. clothing located on Verdi Street, just west of Belvedere St. At that time, the suspect (later identified as S-Faramarz Aghazadeh) who had confronted the San Rafael Police Officer and Marin County Deputy had not yet been positively identified.

On 8-6-18 at approximately 0430 hrs., Det. Sgt. Lawson showed me the only item, which somewhat resembled that of an I.D. card. The item was in the shape of an I.D. card, depicted "Utah driver's license" at the top, was in the name of _____ with a D.O.B. : _____, and claimed to reside at _____ According to Det. Sgt. Lawson, no other forms of I.D. were present.

NOTE: Later, I scanned a photograph of the item mentioned above into the "attachments" module of this I/Leads report. See attached.

On 8-6-18 at approximately 0445 hrs., Det. Horsman and I traveled to and arrived at Burger King located at 969 Francisco Blvd. E. in San Rafael. There, we were unable to locate items that may have been related to Aghazadeh. However, Det. Horsman was able to locate two (2) homeless men (later identified as _____ and _____) who knew Aghazadeh and interacted with him before the critical incident. Refer to Det. Horsman's supplemental report for the interviews conducted with _____ and _____

On 8-6-18 at approximately 0510 hrs., Det. Horsman and I traveled to and arrived at Marin General Hospital located at 250 Bon Air Road in Greenbrae, CA. There, we entered the ICU where Aghazadeh was being treated in room #2126, and being guarded by an officer from the San Rafael Police Dept. While there, Sonoma County Sheriff's Deputy D. Edney arrived and attempted to confirm Aghazadeh's identity using a mobile fingerprint I.D. However, his efforts were fruitless.

A short time later, Det. Horsman and I left Marin General Hospital and returned to the San Rafael Police Dept. There, we met with other members of the Violent Crime Investigations Unit, but no other tasks were completed.

PHONE INTERVIEW WITH

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On 8-7-18 at approximately 1240 hrs., activated my Olympus hand-held digital recorder before telephoning what was thought to be one of Aghazadeh's relatives (later found to be Aghazadeh's sister,
The following is a summary of my phone interview with

Upon initially contacting she confirmed that Aghazadeh was her brother. I then explained that Aghazadeh had been arrested after an "altercation" with law enforcement and asked if she could recall when it was that she last spoke with him.

asked me if Aghazadeh was all right. I explained to that Aghazadeh was alive, but that he was being treated at a hospital after he had charged an officer while in possession of a knife, causing the officer to defend himself. Later, after being asked, I would also inform that the officer did, in fact, shoot Aghazadeh.

According to Aghazadeh is and homeless in San Rafael. As explained it, she spoke with Aghazadeh approximately a month and a half months ago when he asked for money. According to she sent him \$150.00. However, after that call she has been unable to speak with Aghazadeh. According to she learned Aghazadeh had broken his phone after becoming angry.

According to Aghazadeh used to be a National finalist in the sport in body building, he used to own a house. was somehow duped out of a large sum of money during the purchase of a gas station, he has an and his wife) divorced him. According to Aghazadeh "couldn't tolerate that."

also explained that Aghazadeh believes in his mind that people who are against the American government are following him and those same people want to kill him. In fact, Aghazadeh claimed to that those same people tried to somehow recruit him to go against the American government.

I asked if Aghazadeh takes prescribed medication to

According to she knew Aghazadeh liked to frequent a coffee shop in the area where he was homeless. also explained that Aghazadeh believed he was being sent various messages through his cellular phone. For example, explained that if Aghazadeh observed information on his phone that a child had been killed, Aghazadeh would believe he was being sent messages through his cellular phone by someone who was telling him (Aghazadeh) that his child was going to be killed also.

According to several years ago when she was visiting Aghazadeh he was spending a lot of time on a computer. According to Aghazadeh told her that someone was sending him messages via the computer.

On 8-7-18 at approximately 1254 hrs., I concluded my initial phone interview with so that she could obtain the cellular phone number associated with Aghazadeh.

On 8-7-18 at approximately 1256 hrs., I again activated my hand-held Olympus digital voice recorder before calling back. The following is a summary of my interview with

According to , the phone number she had for Aghazadeh was would continue to

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tell me that for the last eight (8) years Aghazadeh was becoming "worse and worse" each time she talked to him.

On 8-7-18 at approximately 1304 hrs., I concluded my phone interview with

NOTE: The above recording was later downloaded onto a CD-R disc, which I labeled as evidence item #1JJH before booking it into Sonoma County Sheriff's Office property/evidence.

PHONE INTERVIEW WITH

On 8-7-18 at approximately 1317 hrs., I received a voicemail message from _____ husband (believed to be _____). Via the voicemail message _____ was essentially requesting that I call him back to speak about this.

On 8-7-18 at approximately 1335-1345 hrs., I called _____ back on my department-issued cellular phone. However, I was unable to hear _____ and asked if I could call him back from my desk at the Violent Crime Investigations Unit. _____ agreed.

On 8-7-18 at approximately 1355 hrs., I activated my hand-held Olympus digital voice recorder before calling _____ . The following is a summary of my phone conversation with _____.

_____ began the conversation by telling me that Aghazadeh has had problems in the past. In fact, _____ indicated that Aghazadeh was not aware of what he was doing. According to _____ Aghazadeh should be hospitalized "until he gets better."

In regards to what _____ characterized as "problems in the past," he explained that on one occasion Aghazadeh believed an armed subject was chasing him. As a result, Aghazadeh broke into a vehicle. This resulted in Aghazadeh being taken into custody and taken to a hospital where he was provided medication. However, after a month the judge overseeing Aghazadeh's case released him back into the public.

During the next several minutes into the phone interview, _____ provided me with misc. background information regarding Aghazadeh and his mental health struggles.

When asked, _____ has not talked to Aghazadeh, but his wife _____ has. And, according to _____ he believes Aghazadeh is homeless.

On 8-7-18 at approximately 1404 hrs., I concluded my phone interview with

NOTE: The above voicemail message and subsequent phone interview was later downloaded onto a CD-R disc, which I labeled as evidence item #2JJH before booking it into Sonoma County Sheriff's Office property/evidence.

Case Summary Report

Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

DISPOSITION:

Case closed.

CONTROL DOC DO NOT DUPLICATE

Case Summary Report

Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
08/15/2018 12:48:31	CHRONOLOGICAL	(SD1021) VELLIS, TED
Contact Name		Supervising Officer
		(SD1408) MURPHY, SHAWN K

Supplement Narrative

Supplemental Report

Sonoma County Sheriff's Office Case #180806-002
San Rafael Police Department Case #18-06261

Critical Incident - Officer Involved Shooting

Detective Ted Vellis
Violent Crime Investigation Bureau

NOTIFICATION

On 08/06/18 at about 0003 hours, On-call Violent Crimes (VCI), Detective Ryan Mitchell notified me and the other VCI Detectives, that a San Rafael Police Officer was involved in a shooting (OIS). The San Rafael Police Department requested the Sonoma County Sheriff's Office to conduct an investigation. We were requested to meet at the San Rafael Police Department at 0130 hours, for a briefing of the incident.

BREIFING

On 08/06/18 at about 0130 hours, members of the Sonoma County Sheriff's Office VCI and CSI units attended a briefing at the San Rafael Police Department. San Rafael Police Sergeant Graham briefed us on the incident. In summary Sergeant Graham informed us a knife welding man, later identified as Faramarz Aghazadeh, charged at law enforcement officers and was shot by San Rafael Police Officer Kevin Mac Dougald. Aghazadeh was subsequently transported to the Marin General Hospital and in surgery for the injuries he had received.

After the briefing, lead investigator Detective Ryan Mitchell task Detective Joseph Horsman and I with confirming Aghazadeh's identity.

Case Summary Report

Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

IDENTIFICATION ATTEMPTS

At about 0215 hours, Detective Horsman and I arrived at Marin General Hospital. When we arrived hospital staff informed us Aghazadeh's had recently come out of surgery and was in the hospital's Intensive Care Unit (ICU). We went to the ICU and met with San Rafael Police Officer Piombo. Piombo was tasked with hospital guard duty. Piombo informed us he as well as hospital staff did not know who Aghazadeh was and that he did not arrive at the hospital with any personal property to identify him.

Piombo told us he was present and provided first-aid with other officers, after Aghazadeh was shot. He said while cutting Aghazadeh's pants off, he remembered a bulge in the back pocket of the pants consistent with what he believed could be a wallet.

It should be mentioned that Aghazadeh was unable to communicate

At about 0245 hours, Detective Horsman and I arrived at the crime scene. The crime scene was located on Verdi Street, near the intersection of Belvedere Street, San Rafael. We signed the crime scene log Sergeant Graham was in possession, met with Detective Jesse Hanshew and CSI Sergeant Gary Lawson.

I inquired about the wallet and Sergeant Lawson informed the clothing that was cut off and still in the roadway was not ready to be processed, but he would contact me with any located forms of identification.

At about 0300 hours, Detective Horsman and I exited the crime scene, signed out on the crime scene log and returned to the San Rafael Police Department.

At about 0430 hours, Detective Hanshew informed me the only identification located by CSI after the clothing was processed was a fictitious Utah ID with the picture of a penguin named '

VERDI AND BELVEDERE STREET BUSINESS SURVEILLANCE FOOTAGE

On the morning of 08/07/18, Detective Mitchell and I returned to the crime scene and canvassed Verdi and Belvedere Streets for business surveillance cameras that may have captured the incident.

During the canvass, I located a camera on the exterior of 61 Belvedere Street that pointed to the intersection of Belvedere and Verdi Streets. 61 Belvedere Street was an auto body shop. The employees at the shop informed me it was part of Anthony's Auto Craft, 103 Verdi Street, and to ask for Co-Owner I walked to Anthony's Auto Craft and met with escorted me back to 61 Belvedere Street and he accessed his surveillance system. The system captured the end of the incident. I asked Todd, he agreed, for CSI Detectives to come the following day and download the footage off of his system.

Detective Mitchell located a camera on the exterior of 121 Verdi Street. 121 Verdi Street was an auto repair shop named Peruva. Detective Mitchell contacted who confirmed the surveillance system would have portions of footage and agreed for CSI Detectives to come the following day to download the footage off of his system as well.

On the morning of 08/08/18, CSI Sergeant Lawson, CSI Detectives Fong, Parlato and McNeil went to 61

Case Summary Report

Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

Belvedere Street and 121 Verdi Street. They successfully downloaded the footage that captured portions of the incident from both businesses. The downloaded footage was placed on to four separate thumb drives, two thumb drives from each business containing the same footage.

Later in the day, I provided San Rafael Detective Sergeant Todd Berringer two thumb drives that contained footage from each business. CSI Detective Fong booked the other two thumb drives as evidence into the Sonoma County Sheriff's Office property/evidence room.

BWC FOOTAGE AND INTERVIEWS FROM SAN RAFAEL PD AND MARIN COUNTY SO

On the afternoon of 08/06/18, I contacted Marin County Sheriff's Lieutenant Steve De La O. I requested a link to BWC footage of their personnel at the incident be emailed to me. Later that afternoon, I received emails containing the footage for the following:

- Marin County Deputy Rodarte (Item # 1TV)
- Marin County Deputy Dawson (Item # 2TV)
- Marin County Sergeant Schneider (Item # 3TV)
- Marin County Deputy Litle (Item # 4TV)

The footage received was transferred on to a CD and booked as evidence into the Sonoma County Sheriff's Office property/evidence room.

Also during the same afternoon, San Rafael Police Sergeant Lisa Holton sent me emails with links to BWC footage of San Rafael Police Department personnel at the incident. I received emails containing the footage for the following:

- San Rafael Police Officer Melodia (Item # 5TV)
- San Rafael Police Officer Mac Dougald (Item # 6TV)
- San Rafael Police Sergeant Graham (Item # 7TV)
- San Rafael Police Officer Garrison (Item # 8TV)
- San Rafael Police Officer Piombo (Item # 9TV)
- San Rafael Police Officer Dodson (Item # 10TV)

The footage received was transferred on to a CD and booked as evidence into the Sonoma County Sheriff's Office property/evidence room.

On the morning of 08/13/18, San Rafael Police Sergeant Lisa Holton sent me emails with links to BWC footage of San Rafael Police Department interviews of personnel involved in the incident, civilian witnesses and a hospital guard. I received emails containing the footage for the following:

- Interview of San Rafael Police Officer Dodson (Item #11TV)
- Interview of San Rafael Police Sergeant Graham (Item #12TV)
- Interview of San Rafael Police Officer Melodia (Item #13TV)
- Interview of San Rafael Police Officer Garrison (Item #14TV)
- Interview of San Rafael Police Officer Piombo (Item #15TV)
- Hospital Guard footage of 08/07/18 (Item # 16TV)

Case Summary Report

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- Interview of Civilian Witness
- Interview of Civilian Witness
- Interview of Civilian Witness
- Telephone Interview of Civilian

The footage received was transferred on to a CD and booked as evidence into the Sonoma County Sheriff's Office property/evidence room.

Nothing further to report at this time.

DISPOSITION: CASE CLOSED

CONTROL DOC DO NOT DUPLICATE

Case Summary Report

Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
08/07/2018 07:37:22	FOLLOW UP	(SD1917) HORSMAN, JOSEPH D
Contact Name		Supervising Officer
		(SD1408) MURPHY, SHAWN K

Supplement Narrative

SONOMA COUNTY SHERIFF'S OFFICE
VIOLENT CRIME INVESTIGATIONS
VCI DETECTIVE JOSEPH HORSMAN
SUPPLEMENTAL REPORT
SCSO CASE 180806-002 SAN RAFAEL CASE 18-6261

On 08/06/2018, at approximately 0010 hours, I received a phone call from VCI Detective Ryan Mitchel. He told me San Rafael Police had been involved in an Officer involved shooting, and our VCI unit had been assigned to investigate the incident.

At approximately 0130 hours, I arrived in San Rafael and attended a briefing at the San Rafael Police investigations Office. I was ultimately tasked with going to Marin General Hospital to see if the suspect had been identified.

A short time later, I arrived at the hospital. I spoke briefly with San Rafael Police Officer Piambo who was guarding the suspect who had just gotten out of surgery and was being tended to by hospital staff (ICU Room 2126). I was told the suspect had not been identified.

I traveled to the scene of the incident and met up with VCI Detective Jesse Hanshew and CSI Sgt. Gary Lawson. I signed into the Crime Scene Log and entered just within the outer crime scene perimeter (0251 hours). It was determined that CSI would attempt to recover any ID that may be in the suspects clothing, which had been cut off and left at the scene of the incident. Ultimately, no ID was discovered that could identify the suspect.

At approximately 0445 hours, Detective Hanshew and I traveled to the Burger King located at 969 Francisco Avenue in San Rafael. San Rafael Police Dispatch log indicated the incident began here. Detective Hanshew and I thought we could possibly locate belongings of the suspect, that he may have left there, which would help us to determine his identity. We ultimately did not locate any belonging of the suspect. I did notice two males sitting on the steps of the Circle K convenient store located just south of the Burger King. The males appeared to be homeless.

Case Summary Report

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I approached the males and asked if I could talk to them about the incident which occurred earlier in the night. I asked them if they knew about the incident. One of the males, later identified as _____ approached me and asked if I was talking about the incident involving "Ali". I told him I was. He went on to relay the following in summary:

- He had known Ali for approximately 2 months.
- They were both homeless.
- He only knew him as "Ali from Iran".
- He described Ali as Mentally Ill.
- He did not know anything about Ali or any family he may have.
- He said they both lived under the highway near the train station. He said Ali stayed higher up on the hill.
- Just prior to the incident, he was near the rear of Burger King when Ali approached on foot. Ali was holding a knife and a tool he was using to tighten the knife blade.
- Ali was acting very odd, talking about government conspiracies, and how somebody was out to get him.
- He said he was trying to calm Ali down.
- He said Ali was arguing with a Guatemalan male who usually stays near the rear of Burger King (also homeless). He said the Guatemalan man was mentally deficient.
- He said he did not want to show me the camp where he, Ali, and other homeless people stayed at because all the other homeless people would get mad at him for taking me there.
- He did not have a phone but provided an email address which he said he checks frequently

The other male who _____ was with identified himself as _____
relayed the following in summary:

He said he was homeless. He

- He last spoke with Ali approximately 2 weeks prior.
- He said Ali was acting very odd and talking about government conspiracies.

_____ provided his own contact phone number as _____. He said he would call me if he came across anyone or anything that could help identify Ali and anyone Ali knew (family, friends, etc.).

Afterwards, I returned to the hospital where I had arranged for a Sonoma County Deputy Sheriff to bring an

Case Summary Report

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electronic fingerprint ID machine to attempt to identify the suspect. Deputy David Edney arrived and attempted to identify the suspect using the fingerprint machine. The machine provided no information.

Nothing further at this time.

CONTROL DOC DO NOT DUPLICATE

Case Summary Report

Agency: Sonoma County Sheriff's Department Case Number: 180806-002

Supplement Information		
Supplement Date	Supplement Type	Supplement Officer
08/09/2018 09:53:21	FOLLOW UP	(SD2392) DIEHM, ANTHONY
Contact Name		Supervising Officer
		(SD1641) CUTTING, BRANDON A

Supplement Narrative

PHYSICAL EVIDENCE:

- Item #AD1-Compact Disc containing audio of interview with Deputy Jaime Rodarte
- Item #AD2-Compact Disc containing audio of conclusion of interview with Deputy Jaime Rodarte
- Item #RAM1: Nine vials of blood, collected by Marin General, during Faramarz Aghazadeh's admission process
- Item #RAM1(a): One vial of blood, collected by Marin General Hospital, during Faramarz Aghazadeh's admission process

CHAIN OF EVIDENCE:

Item #AD1 and Item #AD2 were booked by me at the Sheriff's Main Office. Item #RAM1 and Item #RAM1(a) were booked by Detective Ryan Mitchell at the Sheriff's Main Office.

NARRATIVE:

On 08/06/2018, just after midnight, I received a notification that an officer with the San Rafael Police Department had been involved in an officer involved shooting. I was advised the Sonoma County Sheriff's Office Violent Crime Investigations Unit would be conducting the investigation into the shooting. I reported to the San Rafael Police Department at approximately 0130 hours. I sat in on a briefing conducted by the San Rafael Police Department which outlined the events which had occurred, as they knew them. During this briefing, the shooting officer was identified as Kevin MacDougald. I was also advised that a Marin County Sheriff's Deputy, Deputy Jaime Rodarte, had been in very close proximity to Officer MacDougald and the suspect, at the time of the shooting. The suspect was unidentified at this point in the investigation. The suspect would later be identified as, Faramarz Aghazadeh.

On 08/06/2018, at approximately 0307 hours, Detective Ryan Mitchell and I interviewed Deputy Rodarte regarding the incident. This interview took place in the San Rafael Police Department break room. Deputy Rodarte's attorney, [redacted], was present for the entirety of the interview. This interview was broken up into two separate events. Detective Mitchell and I conducted the interview, which lasted approximately twenty three minutes, then took a short break. The break lasted approximately 2 minutes, then the interview began again and we concluded the interview. I digitally audio recorded our interview with Deputy Rodarte in its entirety. I later uploaded these two recordings to two separate compact discs. The initial (Main) interview was uploaded to a compact disc and labeled as Sonoma Sheriff Evidence Item #AD1. The

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second portion of the interview (the conclusion) was uploaded to a compact disc and labeled as Sonoma Sheriff's evidence Item #AD2. Both Item #AD1 and Item #AD2 were submitted as evidence at the Sheriff's Main Office. Detective Mitchell later had Rodarte's interview transcribed. For details regarding this transcription, refer to Detective Mitchell's report.

Below is a short summary of what Deputy Rodarte told us. This summary is not meant to replace Deputy Rodarte's statement as a whole. The summary is not Deputy Rodarte's statement verbatim and does not contain quotes; it is merely a short summary. For full details regarding Deputy Rodarte's statement, refer to evidence Item #AD1, evidence Item #AD2 and the transcription of Rodarte's statement.

Deputy Rodarte told us the following in summary: Deputy Rodarte is currently assigned to the Patrol Division with the Marin County Sheriff's Office and works from 1900 hours to 0700 hours. Deputy Rodarte has been assigned to the Patrol Division for approximately two and a half years and was assigned to the Marin County Sheriff Office Detention Division prior to that.

Deputy Rodarte said on the day prior, he worked his normal patrol shift. While working, dispatch advised the patrol units that the San Rafael Police Department was requesting assistance from the Marin County Sheriff's Office. Deputy Rodarte responded to this request. Upon arriving at the scene Deputy Rodarte observed a subject (Faramarz Aghazadeh) who appeared to be 'shadow boxing' with knives. Deputy Rodarte could hear San Rafael Police giving Aghazadeh verbal commands. Another deputy who was on scene, requested Rodarte take a perimeter position with a San Rafael Police Officer, who was currently by himself (This officer would be determined to be Officer MacDougald) and Deputy Rodarte responded to this perimeter post.

From this new position, Deputy Rodarte could see Aghazadeh still 'shadow boxing' and could hear San Rafael unit's still giving verbal commands to Aghazadeh to put the knives down. This went on for some time. During this time, Deputy Rodarte saw the subject put the knives down, then quickly pick them back up. Deputy Rodarte also heard an announcement over the radio that Aghazadeh was requesting law enforcement shoot him. Rodarte said after approximately thirty five to forty minutes of officers negotiating with Aghazadeh, Aghazadeh began walking in his (Deputy Rodarte's) direction.

Deputy Rodarte estimated Aghazadeh was approximately one block away when he began walking in his (Deputy Rodarte's) direction. During this time, Deputy Rodarte could see Aghazadeh, as Deputy Rodarte had several flood lights pointed in his direction, which were also illuminating Aghazadeh. When Aghazadeh was approximately twenty five feet from Deputy Rodarte, Deputy Rodarte began calling out to Aghazadeh, ordering him to stop and telling Aghazadeh he (Deputy Rodarte) did not want to shoot him (Aghazadeh). Aghazadeh did not stop and continued advancing at Deputy Rodarte. Deputy Rodarte then fired a less lethal (Bean Bag) shotgun at Aghazadeh four times and believed each of the four bean bags struck Aghazadeh.

Aghazadeh then charged Deputy Rodarte while mumbling something. Aghazadeh got to within eight or ten feet of Deputy Rodarte with a knife in his hand, raised above his shoulder, as if he was going to stab Deputy Rodarte in a downward motion. Officer MacDougald then shot Aghazadeh with his (Officer MacDougald's) firearm, multiple times; and Aghazadeh fell to the ground. Officers then began administering first aid to Aghazadeh.

Following the interview with Deputy Rodarte, I Assisted Detective Ryan Mitchell with an interview of Officer MacDougald. For details regarding this interview, refer to Detective Mitchell's report.

On the afternoon of 08/06/2018, I authored a search warrant for Marin General Hospital. This search warrant

Case Summary Report

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was for Aghazadeh's medical records, as related to this incident and Aghazadeh's blood which had been collected by hospital staff, during Aghazadeh's admission process. On 08/06/2018, at approximately 1806 hours, this search warrant was signed by Judge Stephen Freccero, of the Marin County Superior Court.

On 08/07/2018, at approximately 1018 hours, Detective Ryan Mitchell served Marin General Hospital with the search warrant, ordering the collection of Aghazadeh's medical records (Related to this incident) and blood collected during his hospital admission process. Aghazadeh's admission blood was provided to Detective Ryan Mitchell at that time. Refer to Detective Mitchell's report for further details regarding the collection of that blood.

As of this writing, Marin General Hospital has yet to comply with the portion of the search warrant ordering the release of Aghazadeh's medical records. This delay is due to the fact the records have yet to be fully completed, as Aghazadeh's is still admitted into Marin General Hospital. Upon the medical records being released as ordered in the search warrant, I will author an additional supplemental report, documenting the collection of the medical records, as well as the completed and filed search warrant return.

End of Supplemental Report

Diehm/2392

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STATE OF CALIFORNIA)

COUNTY OF MARIN)

ss. SEARCH WARRANT

THE PEOPLE OF THE STATE OF CALIFORNIA to any sheriff, or peace officer in the County of Marin, State of California.

Proof by affidavit having been this day made before me by ANTHONY DIEHM that there is probable cause to believe that the property described herein may be found at the locations set forth herein and that it falls within those grounds indicated below by "x"(s) in that:

- it was stolen or embezzled;
- it was used as the means of committing a felony;
- it is possessed by a person with the intent to use it as a means of committing a public offense or is possessed by another to whom the person may have delivered it for the purpose of concealing it or preventing its discovery;
- it constitutes any evidence that tends to show a felony has been committed or tends to show a particular person has committed a felony;
- it constitutes evidence that tends to show the sexual exploitation of a child, in violation of Section 311.3 of the Penal Code, or possession of matter depicting sexual conduct of a person under 18 years of age, in violation of Section 311.11 of the Penal Code, has occurred or is occurring;
- it is records or evidence, as specified in Penal Code Section 1524.3, in the possession of a provider of electronic communication service or remote computing service showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in the possession of any person with the intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;
- it is property or things that include an item or any evidence that tends to show a violation of Section 3700.5 of the Labor Code, or tends to show a particular person has violated Section 3700.5 of the Labor Code;

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DATE

_____ it is property or things that include a firearm or any other deadly weapon at the scene of, or at the premises occupied by, or under the control of the person arrested in connection with, a domestic violence incident involving a threat to human life or a physical assault as provided in Section 18250 of the Penal Code;

_____ it is property or things that include a firearm or any other deadly weapon that is owned by, or in the possession of, or in the custody or control of, a person described in subdivision (a) of Section 8102 of the Welfare and Institutions Code;

_____ it is property or things that include a firearm that is owned by, or in the possession of, or in the custody or control of a person who is subject to the prohibitions regarding firearms pursuant to Section 6389 of the Family Code, if a prohibited firearm is possessed, owned, in the custody of, or controlled by a person against whom a protective order has been issued pursuant to Section 6218 of the Family Code, the person has been lawfully served with that order, and the person has failed to relinquish the firearm as required by law;

_____ it is evidence received from the use of a tracking device that tends to show that either a felony, a misdemeanor violation of the Fish and Game Code, or a misdemeanor violation of the Public Resources Code has been committed or is being committed, that a particular person has committed or is committing a felony, a misdemeanor violation of the Fish and Game Code, or a misdemeanor violation of the Public Resources Code, or will assist in locating an individual who has committed or is committing a felony, a misdemeanor violation of the Fish and Game Code, or a misdemeanor violation of the Public Resources Code;

_____ it constitutes evidence from a sample of the blood of a person that tends to show a violation of Section 23140, 23152, or 23153 of the Vehicle Code and the person from whom the sample is being sought has refused an officer's request to submit to, or has failed to complete, a blood test as required by Section 23612 of the Vehicle Code, and the sample will be drawn from the person in a reasonable, medically-approved manner;

_____ it is property or things that include firearms or ammunition or both that are owned by, in the possession of, or in the custody or control of a person who is the subject of a gun violence restraining order that has been issued pursuant to Division 3.2 (commencing with Penal Code Section 18100) of Title 2 of Part 6, if a prohibited firearm or ammunition or both is possessed, owned, in the custody of, or controlled by a person against whom a gun violence restraining order has been issued, the person has been lawfully served with that order, and the person has failed to relinquish the firearm as required by law;

_____ there is a warrant to arrest a person;

_____ it is property or things that includes a firearm that is owned by, or in the possession of, or in the custody or control of, a person who is subject to the prohibitions regarding firearms pursuant to Section 29800 or 29805, and the court has made a finding pursuant to paragraph (3) of subdivision (c) of Section 29810 that the person has failed to relinquish the firearm as required by law;

_____ the property or things to be seized consists of evidence that tends to show that a violation of paragraph (1), (2), or (3) of subdivision (j) of Section 647 has occurred or is occurring;

you are therefore **COMMANDED TO SEARCH:**

1. The premises and building known and designated as and commonly called:

Marin General Hospital, 250 Bon Air Road, Greenbrae, California;

for the following:

1. Medical records, records of treatment provided, notes, orders, prescriptions, diagnosis, X-rays, CT scans, and any other reports related to injuries Faramarz Aghazadeh suffered on the late evening of August 5, 2018, early morning of August 6, 2018; and
2. Blood sample for Faramarz Aghazadeh, which had been collected by Marin General Hospital during his admission process.


This warrant is ordered pursuant to 45 CFR 164.512(f)(1)(ii), the exception to the Health and Insurance Portability and Accountability Act of 1996 (HIPAA) (45 CFR 160.103, et seq.), which authorizes release of medical information for law enforcement purposes pursuant to a judicial search warrant;

and if you find the same or any part thereof, to retain it in your custody, subject to the order of this Court or of any other Court in which the offense in respect to which the property or things taken is triable.

GOOD CAUSE having been shown by affidavit, you may do the following if it bears my initials:


_____ You may serve this warrant at any time of the day or night, according to Penal Code Section 1533.

GIVEN under my hand and dated this 6th day of AUGUST, 2018.



Magistrate
Judge of the Marin County
Superior Court, State of California

TIME OF EXECUTION 7th day of August, 2018, at 1018
_____ .m. hours.



Peace Officer, County of Marin
State of California

CONTROLLED DOCUMENT

STATE OF CALIFORNIA)
)
COUNTY OF MARIN)

ss. AFFIDAVIT FOR SEARCH WARRANT

ANTHONY DIEHM, affiant, being duly sworn, deposes and says that he does believe, and there is just and probable cause to believe, that the property described hereinafter falls within those grounds indicated below by "x" (s) in that:

- _____ it was stolen or embezzled;
- _____ it was used as the means of committing a felony;
- _____ it is possessed by a person with the intent to use it as a means of committing a public offense or is possessed by another to whom the person may have delivered it for the purpose of concealing it or preventing its discovery;
- X it constitutes any evidence that tends to show a felony has been committed or tends to show a particular person has committed a felony;
- _____ it constitutes evidence that tends to show the sexual exploitation of a child, in violation of Section 311.3 of the Penal Code, or possession of matter depicting sexual conduct of a person under 18 years of age, in violation of Section 311.11 of the Penal Code, has occurred or is occurring;
- _____ it is records or evidence, as specified in Penal Code Section 1524.3, in the possession of a provider of electronic communication service or remote computing service showing that property was stolen or embezzled constituting a misdemeanor, or that property or things are in the possession of any person with the intent to use them as a means of committing a misdemeanor public offense, or in the possession of another to whom he or she may have delivered them for the purpose of concealing them or preventing their discovery;
- _____ it is property or things that include an item or any evidence that tends to show a violation of Section 3700.5 of the Labor Code, or tends to show a particular person has violated Section 3700.5 of the Labor Code;

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it is property or things that include a firearm or any other deadly weapon at the scene of, or at the premises occupied by, or under the control of the person arrested in connection with, a domestic violence incident involving a threat to human life or a physical assault as provided in Section 18250 of the Penal Code;

it is property or things that include a firearm or any other deadly weapon that is owned by, or in the possession of, or in the custody or control of, a person described in subdivision (a) of Section 8102 of the Welfare and Institutions Code;

it is property or things that include a firearm that is owned by, or in the possession of, or in the custody or control of a person who is subject to the prohibitions regarding firearms pursuant to Section 6389 of the Family Code, if a prohibited firearm is possessed, owned, in the custody of, or controlled by a person against whom a protective order has been issued pursuant to Section 6218 of the Family Code, the person has been lawfully served with that order, and the person has failed to relinquish the firearm as required by law;

it is evidence received from the use of a tracking device that tends to show that either a felony, a misdemeanor violation of the Fish and Game Code, or a misdemeanor violation of the Public Resources Code has been committed or is being committed, that a particular person has committed or is committing a felony, a misdemeanor violation of the Fish and Game Code, or a misdemeanor violation of the Public Resources Code, or will assist in locating an individual who has committed or is committing a felony, a misdemeanor violation of the Fish and Game Code, or a misdemeanor violation of the Public Resources Code;

it constitutes evidence from a sample of the blood of a person that tends to show a violation of Section 23140, 23152, or 23153 of the Vehicle Code and the person from whom the sample is being sought has refused an officer's request to submit to, or has failed to complete, a blood test as required by Section 23612 of the Vehicle Code, and the sample will be drawn from the person in a reasonable, medically-approved manner;

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it is property or things that include firearms or ammunition or both that are owned by, in the possession of, or in the custody or control of a person who is the subject of a gun violence restraining order that has been issued pursuant to Division 3.2 (commencing with Penal Code Section 18100) of Title 2 of Part 6, if a prohibited firearm or ammunition or both is possessed, owned, in the custody of, or controlled by a person against whom a gun violence restraining order has been issued, the person has been lawfully served with that order, and the person has failed to relinquish the firearm as required by law;

there is a warrant to arrest a person;

it is property or things that includes a firearm that is owned by, or in the possession of, or in the custody or control of, a person who is subject to the prohibitions regarding firearms pursuant to Section 29800 or 29805, and the court has made a finding pursuant to paragraph (3) of subdivision (c) of Section 29810 that the person has failed to relinquish the firearm as required by law;

the property or things to be seized consists of evidence that tends to show that a violation of paragraph (1), (2), or (3) of subdivision (j) of Section 647 has occurred or is occurring;

and that said property or person is now located at and affiant requests the issuance of a warrant to SEARCH:

1. The premises and building known and designated as and commonly called:

Marin General Hospital, 250 Bon Air Road, Greenbrae, California;

for the following:

1. Medical records, records of treatment provided, notes, orders, prescriptions, diagnosis, X-rays, CT scans, and any other reports related to injuries Faramarz Aghazadeh suffered on the late evening of August 5, 2018, early morning of August 6, 2018; and
2. Blood sample for Faramarz Aghazadeh, which had been collected by Marin General Hospital during his admission process.

That the following facts establish the existence of grounds for the issuance of a Search Warrant and further establish probable cause for believing that said grounds exist:

Your affiant, Detective Anthony Diehm #2392, of the Sonoma County Sheriff's Office, being sworn to tell the truth, affirm I am a Peace Officer and am regularly employed by the County of Sonoma in the capacity of Detective.

I have been employed as a Peace Officer since 2008. I am presently assigned to the Violent Crimes Investigations Unit within the Investigations Bureau of the Sonoma County Sheriff's Office.

I have received the following training:

Completion of the San Jose Peace Officer Standards and Training (POST)-certified Police Academy and the following POST-certified Schools: Homicide School, Officer Involved Shooting School, Field Training Officer School, Interview/Interrogation, HS 11550, Search and Seizure, Stolen Vehicle, Wire Tap, Human Trafficking, Several Gang and Narcotic conferences and trainings, and several schools put on by my employing agency.

I have been assigned to the Sonoma County Violent Crime Investigations Unit since December of 2017 and previously served as a patrol deputy with the Sonoma County Sheriff's Office, where I was assigned as a Field Training Officer. Prior to employment with the County of Sonoma, I was a Deputy Sheriff with the Kern County Sheriff's Office. While employed with the Kern County Sheriff's Office, I was assigned as a Gang Detective and prior to that was assigned as a Patrol Deputy. Prior to working for the Kern County Sheriff's Office, I was a police officer with the Fremont Police Department, where I was assigned as a patrol officer. Prior to this, I served four years as a military police soldier in the United States Army.

As a Peace Officer, I am required to familiarize and/or attend in-service department-sponsored training, which includes updates on case law and search and seizure. I regularly read law enforcement journals and articles that maintain and expand my professional knowledge of search and seizure principles and how they relate to individuals' rights under the United States Constitution and California state law.

As a deputy sheriff and detective with the Sonoma County Sheriff's Office and during my tenure as a peace officer, I have investigated, or assisted in investigating, numerous felony cases of assault (including those committed with and without dangerous weapons, i.e., knives, guns, baseball bats, clubs, etc.), cases of robbery (with and without a weapon), cases of homicide, and suspicious deaths. I have also authored and/or served several search warrants and/or court orders pertaining to the aforementioned crimes.

During the course of this officer involved shooting investigation, I have learned the following, via official law enforcement sources and my own investigation:

On August 6, 2018, at approximately 12:03 a.m., I was notified that an officer with the San Rafael Police Department (SRPD) had been involved in an on-duty officer-involved shooting within the City of San Rafael. I was advised the Sonoma County Sheriff's Office Violent Crime Investigations Unit would be assuming the lead role in investigating the officer-involved shooting. I responded to SRPD, where I received a briefing from SRPD sworn staff. Following the briefing, I participated in the interview of the primary subject officer, as well as a secondary Marin County Sheriff's Office deputy who was on scene at the time of the shooting. In addition, I reviewed body worn camera footage of the shooting, and the time leading up to the shooting, from the primary officer who had fired his firearm. The following is a summary of the incident as I understand it, based on the totality of the investigation up to this point.

On August 5, 2018, at approximately 9:04 p.m., a San Rafael Police officer contacted a subject in public, who appeared to be in a fight with another subject and who was brandishing what appeared to be two knives. After contacting the subject, later identified as Faramarz Aghazadeh, Aghazadeh proceeded to get into a "standoff" with officers, refusing to drop his knives. San Rafael Police officers engaged Aghazadeh in negotiations, giving him numerous requests and orders to drop his knives and comply with officers. At points during the standoff, Aghazadeh would place the knives down, then pick them back up. During this standoff, Aghazadeh requested officers shoot him. This standoff lasted for approximately 35 minutes.

During this time, one San Rafael officer and one Marin County Sheriff's deputy had set up as a "perimeter unit" approximately one block away. This had been done to secure the area for the purpose of not allowing vehicle and pedestrian traffic into the unfolding scene, as well as not allowing Aghazadeh to flee the area into the community. Upon setting up at this perimeter post, the Sheriff's deputy deployed a "less lethal" shotgun, loaded with "bean bag" rounds. The San Rafael officer was the lethal cover for the deputy, should the unfolding situation move to their location and force be necessary.

After approximately 35 minutes, Aghazadeh fled from the officers who had been negotiating with him and proceeded down the street towards the two perimeter officers. As Aghazadeh approached the officers, the sheriff's deputy began giving Aghazadeh verbal commands to stop and he did not comply, running towards the deputy, with both knives still in hand. When Aghazadeh was in close proximity and still advancing, the deputy fired the less lethal shotgun, striking Aghazadeh. Aghazadeh did not stop and the deputy fired the shotgun three more times, expending all of the less lethal ammunition. All three of these follow-up shots appeared to strike Aghazadeh. Aghazadeh did not stop and charged towards the deputy. The deputy attempted to flee Aghazadeh and Aghazadeh appeared to catch up to the

deputy in an effort to attack him. At the moment Aghazadeh got to where the deputy and the officer were, Aghazadeh turned towards the San Rafael officer, still holding the knives. The officer fired his pistol three times striking Aghazadeh. Aghazadeh fell to the ground and the incident ended.

Following the shooting, medical first responders proceeded to the scene and transported Aghazadeh to Marin General Hospital, where he is still being treated for multiple gunshot wounds. I believe, and have probable cause to believe, that Aghazadeh is in felony violation of Penal Code section 664/187 (attempted murder) and/or Penal Code section 245(a)(1) (assault with a deadly weapon). Furthermore, it is anticipated Aghazadeh will be charged with Penal Code section 664/187 (attempted murder) and/or Penal Code section 245(a)(1), assault with a deadly weapon in the coming days.

Sonoma County Sheriff's Office Violent Crime Detective R. Mitchell spoke with medical staff at Marin General Hospital, who advised they had gathered blood samples from Aghazadeh during his initial admission process.

I believe, based on the foregoing and my training and experience, that Aghazadeh's medical records, records of treatment provided, notes, orders, prescriptions, diagnosis, X-rays, CT scans, and any other reports related to injuries Faramarz Aghazadeh suffered on the late evening of August 5, 2018, early morning of August 6, 2018, is important evidence which would further show that this particular felony (Penal Code Section 664/187 and/or Penal Code Section 245) was committed by Faramarz Aghazadeh.

I believe, based on the foregoing and my training and experience, that the blood samples collected from Aghazadeh, immediately following the incident, will likely reveal any intoxicants which Aghazadeh had been using prior to the incident. Likewise, these samples will reveal the absence of intoxicants. These medical records and blood samples are important evidence as to the state of mind and possible motive of Aghazadeh at the time of the incident.

Based upon my training and experience, and the information depicted above, I believe evidence related to this officer-involved shooting/attempted homicide investigation will be found in Marin General Hospital, located at 250 Bon Air Road, Greenbrae 94904, Marin County, California.

This warrant is requested pursuant to 45 CFR 164.512(f)(1)(ii), the exception to the Health and Insurance Portability and Accountability Act of 1996 (HIPAA) (45 CFR 160.103, et seq.), which authorizes release of medical information for law enforcement purposes pursuant to a judicial search warrant.

WHEREFORE, affiant prays that a Search Warrant issue commanding that a search be made of the places and things described herein for the articles, items, and property above-described and that the same be brought before a magistrate and disposed of according to law.

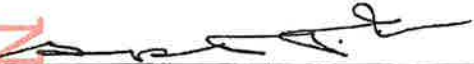
SPP TELEPHONICALLY

The affiant, Anthony Diehm, having appeared before me and sworn under penalty of perjury that the statements contained in this affidavit are true and correct, subscribed his name hereon before me on this 6 day of AUGUST, 2018.

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AD392

Affiant


Judge of the Marin County Superior Court, State of California

Case Summary Report

Agency: Sonoma County Sheriff's Department Case Number: 180806-002

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
08/15/2018 11:43:43	EVIDENCE	(SD1125) FONG, DYLAN M
Contact Name		Supervising Officer
		(SD1940) LAWSON, GARY J

Supplement Narrative

SUPPLEMENTAL REPORT
 SONOMA COUNTY SHERIFFS OFFICE
 DETECTIVE DYLAN FONG
 CRIME SCENE INVESTIGATIONS
 SCSO CASE# 180806-002

On 8/6/18, at approximately 0001 hours, I received a phone call from CSI Detective Sgt. Gary Lawson who informed me of an officer involved shooting that occurred in the jurisdiction of the San Rafael Police Department. SRPD initiated their critical incident protocol and requested our agency to take over the investigation. Sgt. Lawson requested I respond to the San Rafael PD for a briefing of the incident.

At approximately 0130 hours, I arrived at the SRPD and met with Sgt. Lawson and CSI Detective Tom McNeil. I attended the briefing of the incident and learned of the following information in summary:

On 8/5/18, at approximately 2100 hours, San Rafael PD Officer MacDougald and Marin County SO Deputy Rodarte encountered the suspect, later identified as Faramarz Aghazadeh, near the intersection of Verdi St and Belvedere St. Aghazadeh was armed with two knives and was swinging them wildly. He ignored repeated demands to drop the knives and advanced on both officers. Deputy Rodarte used his less lethal shotgun and shot at least three (3) bean bag rounds at Aghazadeh. Officer MacDougald discharged his duty firearm at Aghazadeh at least three (3) times and struck him. Aghazadeh was taken into custody and tended to by medics. Aghazadeh's clothing was cut off him and left at the scene. Aghazadeh was then transported to Marin General Hospital where he was treated and expected to survive his injuries.

After conferring with VCI Detectives, it was decided that CSI would process SRPD Officer MacDougald who were sequestered at the SRPD police station. I assisted CSI Detective McNeil with this task by taking overall photos of MacDougald who was still dressed in full uniform. Refer to Detective McNeil's supplemental report for further information regarding the processing of Officer MacDougald.

At approximately 0340 hours, I was contacted by VCI Detective J. Horsman who told me the suspect in this case had yet to be identified. He requested CSI to search the clothing left at the scene for any identification.

At approximately 0350 hours, I responded to the scene located near the intersection of Verdi St and Belvedere St where I met with Sgt. Lawson. I found the exterior perimeter was cordoned off with yellow crime scene tape. The interior scene, also cordoned off with yellow tape, consisted of the roadway on Verdi Street

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extending from Belvedere Street to Lisbon Street.

I observed an area near the intersection of Verdi St and Belvedere St that contained a jacket, shirt, blue jeans and shoes. There was apparent blood on and under the jacket and medical waste was strewn about. Sgt. Lawson and I decided to mark the evidentiary items in and around the clothing prior to searching the clothing for identification.

We marked and photographed the following items:

DMF1 Clothing - Blue/Black "Sierra Designs" GoreTex jacket, black "Daniel Buchler" T-shirt, black "Tommy John" boxer briefs, "Fidelity" blue jeans, black belt, and brown boots.

DMF2 Blue backpack located adjacent to the clothing

DMF3 Federal Auto .45 caliber casing located adjacent to the clothing

DMF4 Federal Auto .45 caliber casing located adjacent to the clothing

DMF5 Federal Auto .45 caliber casing located underneath a vehicle to the east

DMF6 Safariland "Defense Technology" drag stabilized bean bag 12 gauge shotgun shell located to the east of the clothing

DMF7 Safariland "Defense Technology" " drag stabilized bean bag 12 gauge shotgun shell located to the south of the clothing

DMF8 Safariland "Defense Technology" " drag stabilized bean bag 12 gauge shotgun shell located to the south of the clothing

DMF9 Safariland "Defense Technology" " drag stabilized bean bag 12 gauge shotgun shell located to the east of the clothing

DMF10 Pair of 6-inch "Tweezerman" metal barber scissors located to the west of the clothing

DMF11 7-inch Black "Kershaw" Speed Safe, model 1830, folding knife (in full locked out position w/ 3-inch blade located to the west of the clothing

It should be noted we later took measurements for the locations of evidence items. Refer to Detective McNeil's supplemental report for further.

Sgt. Lawson then searched the clothing belonging to the suspect for any identification, but found none. During the search, we located one expended bullet inside a blue "Sierra Designs" GoreTex jacket and a copper jacking under the jacket. I later collected the bullet as evidence item DMF1 (a) and the copper jacking as DMF1 (b).

Within the clothing we located the following miscellaneous personal items: one metal scoop, marin city health and wellness center card, marin transit card, (2) \$25 Safeway gift cards, ballpoint pen, small flashlight, American Spirit cigarettes, white cloth bag, phone charging cord, "Chums" wallet (empty), one white metal

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Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

ring w/green stone, and one "Power Xcel" power bank. I later booked these items as evidence item DMF1(c).

Next, Detective McNeil marked the next evidence items located within the crime scene:

DMF12 Expanded bean bag round located in the roadway to the south of the clothing

DMF13 Expanded bean bag round located in the roadway to the south of the clothing

DMF14 Expanded bean bag round located in the roadway to the south of the clothing

DMF15 Expanded bean bag round located in the roadway to the south of the clothing

On 8/6/18, I began processing evidence items in our CSI lab. I used fresh butcher paper as my working surface and consistently changed gloves to prevent cross contamination.

I first selected DMF1 and laid the bloodied jacket out onto the butcher paper. I located three holes in the jacket consistent with a bullet hole. The holes were located on the right side of the jacket under the armpit, right-midline of chest, and the back of the jacket (right-midline of chest). I took photographs with and without scale. I then placed the jacket on fresh butcher paper in our secure CSI drying room.

Next, I selected the bloodied black t-shirt for processing. I laid out the shirt onto the butcher paper and observed two holes in the shirt, which were consistent with bullet holes. I took photographs with and without scale. I placed the shirt on fresh butcher paper in our secure CSI drying room.

Next, I selected the pair of "Fidelity" blue jeans for processing. I observed a hole in the jeans on the left front pocket approx. 1 inch below the belt line. I took photographs with and without scale.

I then selected evidence items DMF3-15 and took photographs of each item.

I booked all items of evidence into SCSO property/evidence.

On 8/7/18, CSI Sgt. Gary Lawson, CSI Detective T. McNeil, CSI Detective M. Parlato and I responded to Marin General Hospital to take photographs of Aghazadeh and his injuries, confirm his identity via fingerprints and collect a blood sample pursuant to a signed search warrant. We had a DMV printout of Aghazadeh's photo and right thumbprint. Upon arrival, we were escorted to Aghazadeh's hospital room where he was guarded by a San Rafael police officer. We rolled Aghazadeh's right thumb print onto a print card and compared it to the DMV print out. Detective Parlato and I confirmed the prints were a match and that the subject was in fact Aghazadeh.

VCI Detective Vellis asked CSI to respond to two locations in San Rafael to obtain surveillance footage. Detective Vellis requested CSI to respond to Anthony Auto Craft, located at 103 Verdi Street, and Peruva Auto Repair, located at 121 Verdi Street, and obtain surveillance footage from 2100-2200 hours on 8/5/18.

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I made contact with employees at both locations and was granted access to their surveillance systems. I downloaded the requested footage onto USB thumbdrives and later booked them into evidence as follows: Anthony's Auto Craft (DMF16) and Peruva Auto Repair (DMF17). I provided investigative copies to SRPD Detective Sergeant Tood Berringer.

I later booked DMF16 and DMF17 into SCSO property/evidence and provided copies to VCI.

Nothing further.

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Case Summary Report

Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
08/16/2018 14:16:12	EVIDENCE	(SD1173) MCNEIL, TOM
Contact Name		Supervising Officer
		(SD1940) LAWSON, GARY J

Supplement Narrative

On 8/5/18 at approximately 2355 hours, I received a phone call from CSI Sgt. Lawson advising that the San Rafael Police Department was involved in an officer involved shooting. Sgt. Lawson advised that the SCSO would be completing the investigation and that SRPD was hosting an incident briefing at their station at 0130 hours. As the lead CSI detective I was tasked with the primary response and evidence based collection / investigation. CSI Det. Fong was contact to assist with the investigation.

I arrived at SRPD at 0116 hours and met with Sgt. Lawson and Det. Fong. We were met by command staff from the San Rafael Police Department. We were joined by SCSO VCI Detectives Mitchell, Diehm, Hanshew, Vellis and VCI Sgt. Murphy.

SRPD conducted an incident briefing at 0130 hours and provided the following statement in summary:

On 8/5/18, at approximately 2100 hours, San Rafael PD Officer MacDougald and Marin County SO Deputy Rodarte encountered the suspect, later identified as Faramarz Aghazadeh, near the intersection of Verdi St and Belvedere St. Aghazadeh was armed with two knives and was swinging them wildly. He ignored repeated demands to drop the knives and advanced on both officers. Deputy Rodarte used his less lethal shotgun and shot at least three (3) bean bag rounds at Aghazadeh. Officer MacDougald discharged his duty firearm at Aghazadeh at least three (3) times and struck him. Aghazadeh was taken into custody and tended to by medics. Aghazadeh's clothing was cut off him and left at the scene. Aghazadeh was then transported to Marin General Hospital where he was treated and expected to survive his injuries.

After conferring with VCI Detectives, it was decided that CSI would process Officer MacDougald and Deputy Rodarte, who were both sequestered at the SRPD police station.

At 0245 hours Det. Fong and I entered the briefing room and introduced ourselves to MacDougald. I advised MacDougald that we were CSI Detectives and would be processing his person and weapon. MacDougald stated that he understood and was cooperative with the process.

At 0247 hours, Det. Fong completed digital photos of MacDougald, his uniform and his hands. MacDougald was wearing a blue short-sleeve uniform shirt with matching BDU pocketed pants. There was a silver San Rafael Police Department metal star badge above his left front breast pocket and a gold metal name plate above the right breast pocket, which read, "MCDOUGALD". Above the name place was a smaller red plate that read "23152" in white letters. There were San Rafael Police Dept. shoulder patches sewn on both shoulders of the shirt. MacDougald was wearing a nylon duty belt adorned with a pistol, ASP, 2 handcuffs,

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Taser, phone pouch, radio and double magazine pouch. MacDougald was wearing black duty boots.

At 0249 hours, I collected MacDougald's two spare magazines from his duty belt. Both magazines contained 8 Federal .45 auto bullets (TM1). Both magazines were stamped 45ACP.

At 0251 hours, I collected MacDougald's handgun from his duty belt. At my direction, MacDougald un-holster the weapon, release the magazine and unload the chambered round. I witnessed the action and took custody of all three items. I observed the weapon to be a Colt MK IV Series 80 Combat Elite .45 auto, bearing Serial# _____, collected as item TM2. I observed that the magazine contained 5 Federal .45 auto bullets, collected as item TM2(a). The chambered bullet was the same Federal .45 auto, collected as item TM2(b). MacDougald had no additional guns on his person.

At 0333 hours, I entered the conference room and introduced myself to Jaime Rodarte from the Marin County Sheriff's Office. I advised Rodarte that I was a CSI Detective and would be processing his person. Rodarte stated that he understood and was cooperative with the process.

At 0334 hours, I completed digital photos of Rodarte, his uniform and his hands. Rodarte was wearing a tan short-sleeve uniform shirt and green wool duty pants. There was a gold Marin County Sheriff's Office metal star badge above his left front breast pocket and a gold metal name plate above the right breast pocket, which read, "J. RODARTE". Above the name plate was a 2" x 3" American flag patch sewn to the shirt. There were Marin County Sheriff's Office shoulder patches sewn on both shoulders of the shirt. Rodarte was wearing a basket weave duty belt adorned with a pistol, ASP, double handcuff, Taser, OC spray, radio and double magazine pouch. Rodarte was wearing black duty boots.

I collected Rodarte's handgun from his duty belt. At my direction, Rodarte un-holster the weapon, release the magazine and unload the chambered round. I witnessed the action and took custody of all three items.

I observed the weapon to be a Glock, Gen 4, Model 22, .40 caliber semi-auto, bearing Serial# _____ I observed that the magazine contained 15 bullets and that the chambered bullet was intact, for a total of 16 rounds in the weapon. Rodarte had no additional guns on his person.

I collected Rodarte's two spare magazines from his duty belt. I observed both to be Glock .40 magazines and found each to contain 15 .40 caliber bullets.

I returned the weapon and magazines to Rodarte.

I questioned the location of the shotgun used to fire the beanbag rounds and Rodarte stated that it was in the electrolock of his patrol vehicle, which was still contained within the crime scene.

At 0340 hours, _____ from Arcadia Health arrived to complete a blood draw of MacDougald. I witnessed the blood draw and took custody of sample, collected as item TM3.

At 0358 hours, I cleared SRPD and responded to the scene located near the intersection of Verdi St and Belvedere St. where I met with Sgt. Lawson and Det. Fong. I found that the exterior perimeter was cordoned off with yellow crime scene tape. The interior scene, also cordoned off with yellow tape, consisted of the roadway on Verdi Street extending from Belvedere Street to Lisbon Street.

Within the crime scene were two marked patrol vehicles, a San Rafael PD Ford Explorer and a Marin County

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Sheriff's Office Ford Explorer. The MCSO vehicle was still running and there was a Remington 870 shotgun seated in the electrolock. The gun was outfitted with a florescent stock and fore end and had blue tape wrapped around the grip portion of the stock. There was a sidesaddle round carrier fixed to the left side of the receiver, which contained 6 unused Defense Technology Drag Stabilized bean bag rounds. The right side of the receiver had white labeling tape with black typing that read "B999789". I completed photos of the vehicle and shotgun. The shotgun was secured in the electrolock.

I assisted Sgt. Lawson and Det. Fong with evidence identification and placarding for collection. Det. Fong completed photos of the scene and evidence prior to collection. See his supplemental report for further.

All items of evidence were measured and marked. The items were measured using the south curb of Belvedere St as the curb line prolongation to identify the north side of the inner perimeter. Belvedere St. runs east to west and Verdi St runs south from Belvedere. Verdi St. measured 35' from curb to curb, so the station center line for evidence measurement was created at the midpoint of 17'6". The following measurements were recorded by item number:

DMF1 Clothing - Blue/Black "Sierra Designs" Gore-Tex jacket, black "Daniel Buchler" T-shirt, black "Tommy John" boxer briefs, "Fidelity" blue jeans, black belt, and brown boots.
21'S x 1'W

DMF1(a) Bullet
21'S x 1'W

DMF1(b) Copper bullet jacketing
21'S x 1'W

DMF1(c) Misc. personal items: one metal scoop, Marin city health and wellness center card, Marin transit card, (2) \$25 Safeway gift cards, ballpoint pen, small flashlight, American Spirit cigarettes, white cloth bag, phone charging cord, "Chums" wallet (empty), one white metal ring w/green stone
21'S x 1'W

DMF2 Blue backpack
15'S x 5'W

DMF3 Federal Auto .45 caliber casing
23'S x 3'W

DMF4 Federal Auto .45 caliber casing
23'S x On Center Line

DMF5 Federal Auto .45 caliber casing located underneath a vehicle to the east
37'S x 12'E

DMF6 Safariland "Defense Technology" drag stabilized bean bag 12 gauge shotgun shell
29'S x 11'E

DMF7 Safariland "Defense Technology" drag stabilized bean bag 12 gauge shotgun shell
32'S x 4'E

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DMF8 Safariland "Defense Technology" drag stabilized bean bag 12 gauge shotgun shell
29'S x On Center Line

DMF9 Safariland "Defense Technology" drag stabilized bean bag 12 gauge shotgun shell
25'S x 8'E

DMF10 Pair of 6-inch "Tweezerman" metal barber scissors
28'S x 10'W

DMF11 7" Black "Kershaw" Speed Safe, model 1830, folding knife in open position
23'S x 9'W

DMF12 Expended bean bag round
40'S x 3'E

DMF13 Expended bean bag round
45'S x 5'E

DMF14 Expended bean bag round
52'S x 8'E

DMF15 Expended bean bag round
66'S x 4'W

At 0540 hours, I observed a homeless male subject walk up to Sgt. Lawson and provided him with a paper bag. I later found that the bag contained a small ringed binder and miscellaneous torn papers. The subject advised that the paperwork had come from Aghazadeh's homeless campsite. The subject advised that he had spoken with VCI Det. Horseman early in the evening and had retrieved the paperwork at his request. I collected the bag as item TM6.

Sgt. Lawson, Det. Fong and I cleared the scene at 0545 hours. Det. Fong took custody of all evidence items and transported them back to the SCSO Main Office to be secured in the CSI Lab for future processing.

On 8/7/18 at 0720 hours, I processed and booked items TM1, TM2, TM2(a), TM2(b) and TM3. All items were processed over fresh butcher paper and with gloved hands. The following items were photographed with and without scale to show size and dimension.

TM1.....Two Colt magazines each containing Qty. 8 Federal .45 auto bullets
TM2.....Colt MK IV Series 80 Combat Elite .45 auto, bearing Serial#
TM2(a).....Colt magazine containing Qty. 5 Federal .45 auto bullets
TM2(b).....Qty. 1 Federal .45 auto bullet

Item TM3 (MacDougald blood sample) was secured in the CSI lab refrigeration unit by Det. Fong on 8/6. I removed TM3, applied evidence labeling and hand delivered to property room to be booked and refrigerated.

On 8/7/18, Sgt. Lawson, Det. Fong, Det. Parlato and I responded to Marin General Hospital to take photographs of Aghazadeh and his injuries and to confirm his identity via fingerprints. We had a DMV

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printout of Aghazadeh's photo and right thumbprint. We arrived at 1005 hours and we were escorted to Aghazadeh's hospital room (#2125) where he was being guarded by a San Rafael police officer. Aghazadeh was intubated and in and out of consciousness. Det. Fong and Det. Parlato completed the finger print process while I completed the photographs. Some of Aghazadeh's injuries were bandaged and not accessible or visible. I observed and photographed the following injuries:

Sgt. Lawson, Det. Fong, Det. Parlato and I cleared the hospital and responded back to the area of the scene to collect video surveillance from neighboring businesses. See Det. Fong's supplemental report for further.

TM4...Photos of Officer processing and less lethal shotgun
TM5...Evidence processing photos
TM7...Photos of Aghazadeh and visible injuries.

Nothing further at this time.

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Case Summary Report

Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
08/22/2018 10:39:58	EVIDENCE	(SD1173) MCNEIL, TOM
Contact Name		Supervising Officer
		(SD1940) LAWSON, GARY J

Supplement Narrative

On 8/21/18, I completed a hand drawn sketch of the scene. The sketch was not completed to scale and was only created as a general scene reference. The placement of items in the sketch is approximated. Exact dimensions and descriptions are covered in my supplemental report.

I booked the sketch into evidence as TM8

Nothing further at this time.

Case Summary Report

UNAPPROVED

Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
08/27/2018 14:36:17	SCANNED NON LEADS FORMS	(SD2616) DEMETRAK, NICOLE
Contact Name		Supervising Officer

Supplement Narrative

San Rafael PD rpt 2616 ND 082718

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Case Summary Report

UNAPPROVED

Agency: Sonoma County Sheriff's Department

Case Number: 180806-002

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
09/02/2018 23:31:21	ROUTE TO	(SD272) SCHARBIUS, JOAN
Contact Name		Supervising Officer

Supplement Narrative

link to #274 re: LEOKA, 9-2-18, 272-js

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Marin Independent Journal (<http://www.marinij.com>)

San Rafael police officer shoots armed suspect

By Gary Klien, *Marin Independent Journal*

Monday, August 6, 2018



A knife-wielding suspect was shot by a San Rafael police officer during a street confrontation Sunday night in the Canal area.

Paramedics took the suspect to Marin General Hospital with potentially lethal injuries, said San Rafael police Sgt. Lisa Holton.

The shooting concluded a standoff that began shortly after 9 p.m., when an officer driving on Verdi Street saw a man brandishing two knives. The man was swinging the knives "in a windmill fashion," Holton said.

Police closed off streets in the area while trying to negotiate the man's surrender. Marin County sheriff's deputies also came to the scene, and San Rafael firefighter/paramedics waited nearby for potential injuries. The area was reopened to traffic at 6 a.m.

At one point the suspect put the knives down, but then he picked them up again, according to the police radio broadcast.

About 30 minutes into the standoff, the suspect advanced on officers, Holton said. A sheriff's deputy shot a bean bag gun in an unsuccessful attempt to subdue the suspect.

Then the San Rafael officer fired a gun at the suspect and hit him.

The investigation was still in progress early Monday morning. The suspect's condition was not available.

URL: <http://www.marinij.com/general-news/20180806/san-rafael-police-officer-shoots-armed-suspect>

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CONTROL

NEWS > CRIME & PUBLIC SAFETY

Details released in San Rafael police shooting

By **GARY KLIEN** | gklien@marinij.com | Marin Independent Journal



PUBLISHED: August 8, 2018 at 2:39 pm | UPDATED: August 14, 2018 at 10:19 am

Investigators plan to seek an attempted murder charge against a man who was shot by police during a confrontation in San Rafael.

The suspect is Faramarz Aghazadeh, 48, a San Rafael transient, authorities disclosed Wednesday. He is on probation for vehicle theft and has a history of theft and vandalism, authorities said.

The San Rafael officer who shot him was Kevin MacDougald, a 42-year veteran of the police department. He has been placed on paid administrative leave pending the outcome of the investigation.

Authorities are crediting him with intervening to protect a sheriff's deputy whom Aghazadeh was allegedly rushing to stab.

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The Sonoma County Sheriff's Office is conducting the independent investigation of the incident. The office released a statement Wednesday outlining the additional details in the case.

The confrontation happened at about 9 p.m. Sunday, when San Rafael police were dispatched to an unrelated collision in the Canal area. An officer saw a suspicious man standing in the street with a knife in one hand and shears in the other.

The officer called for assistance and got out of his car to try to get the suspect to surrender. Other police officers and sheriff's deputies came to the scene to block traffic and clear bystanders from the area.

After a standoff of about 30 minutes, Aghazadeh allegedly advanced on a group of officers at the corner of Verdi and Belvedere streets. Sheriff's Deputy Jaime Rodarte fired nonlethal "bean bag" rounds to deter Aghazadeh.

Four rounds struck Aghazadeh, who then "began running at full speed holding the knife and shears upwards in a stabbing motion" towards the deputy, said Sonoma County sheriff's Sgt. Spencer Crum.

MacDougald ran across the street to intervene and fired three rounds at Aghazadeh with his .45 caliber semiautomatic duty handgun.

"These rounds struck Aghazadeh as he was still charging the deputy and was only about three feet away from stabbing him," Crum said.

Aghazadeh remained in a hospital Wednesday and was in stable condition. He could not be reached for comment.

Investigators plan to forward the report to the Marin County District Attorney's Office for review. The evidence includes footage from body-worn police cameras.

The incident was the first shooting by a San Rafael officer since 2001.

Tags: **San Rafael Police Department**



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Gary Klien is a news reporter covering police and criminal courts.

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NEWS > CRIME & PUBLIC SAFETY

San Rafael police officer shoots armed suspect

By **GARY KLIEN** | gklien@marinij.com | Marin Independent Journal



PUBLISHED: August 6, 2018 at 4:06 am | UPDATED: August 14, 2018 at 10:05 am

Authorities are investigating a confrontation in which a San Rafael police officer shot a blade-wielding suspect in the Canal area.

The suspect survived the shooting and was rushed to Marin General Hospital. Police said his injuries were potentially fatal.

The San Rafael Police Department turned the investigation over to the Sonoma County Sheriff's Office for an independent review.

The suspect's weapons were a pair of 6-inch shears and a folding knife with a 3-inch blade, said Sonoma County sheriff's Sgt. Spencer Crum.

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Authorities did not release the name of the suspect Monday and did not identify the officer who shot him.

The confrontation began shortly after 9 p.m. Sunday. A patrol officer saw the suspect on Market Street "waving the knives in a threatening manner," said San Rafael police Sgt. Lisa Holton.

Police began negotiating with the man to drop the weapons. Meanwhile, they blocked several streets in the area and evacuated the occupants of the Burger King parking lot nearby.

Marin County sheriff's deputies also responded to the confrontation, while California Highway Patrol officers and Central Marin police helped control traffic in the area.

After about 30 minutes of negotiations, the suspect started moving down Verdi Street toward a group of officers on Belvedere Street, according to Holton. The officers ordered him to drop the knives. When he refused, a sheriff's deputy fired nonlethal "bean bag" rounds in an effort to subdue him.

The rounds hit the suspect but did not disable him, and he ran toward the deputy, Holton said. A San Rafael officer then fired his gun and struck the suspect.

The San Rafael Police Department released no additional details about the incident Monday, referring all questions to the Sonoma County Sheriff's Office.

Crum, the Sonoma County sergeant, said it was too early in the investigation to say what might have provoked the suspect's behavior.

The last time a San Rafael officer shot a suspect was in 2001, when a suspect with a rifle fired on police in the area of Bellam Boulevard and Andersen Drive. An officer returned fire and killed the suspect.

Another officer-involved shooting occurred in San Rafael in 2013, but the shooter was a sheriff's deputy who fired on an armed bank robbery suspect. The suspect survived.

Tags: **San Rafael Police Department**



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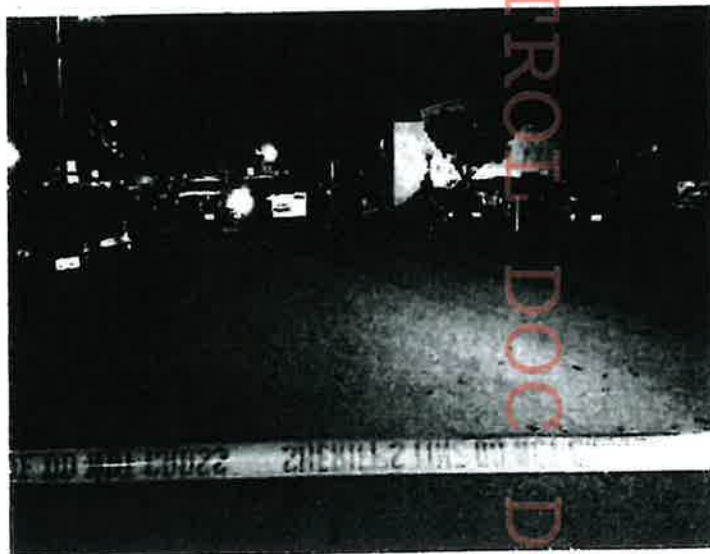
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San Rafael police officer shoots armed suspect



San Rafael police and Marin County sheriff's deputies block Belvedere Street at Verdi Street after an officer shot a suspect Sunday night. (Marin Independent Journal photo)

By **GARY KLIEN** | Marin Independent Journal
PUBLISHED: August 6, 2018 at 4:15 am | UPDATED: August 6, 2018 at 4:13 am

A knife-wielding suspect was shot by a San Rafael police officer during a street confrontation Sunday night in the Canal area.

Paramedics took the suspect to Marin General Hospital with potentially lethal injuries, said San Rafael police Sgt. Lisa Holton.

The shooting concluded a standoff that began shortly after 9 p.m., when an officer driving on Verdi Street saw a man brandishing two knives. The man was swinging the knives "in a windmill fashion," Holton said.

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Police closed off streets in the area while trying to negotiate the man's surrender. Marin County sheriff's deputies also came to the scene, and San Rafael firefighter paramedics waited nearby for potential injuries.

At one point the suspect put the knives down, but then he picked them up again, according to the police radio broadcast.

About 30 minutes into the standoff, the suspect advanced on officers, Holton said. A sheriff's deputy shot a bean bag gun in an unsuccessful attempt to subdue the suspect.

Then the San Rafael officer fired a gun at the suspect and hit him.

The investigation was still in progress early Monday morning. The suspect's condition was not available.



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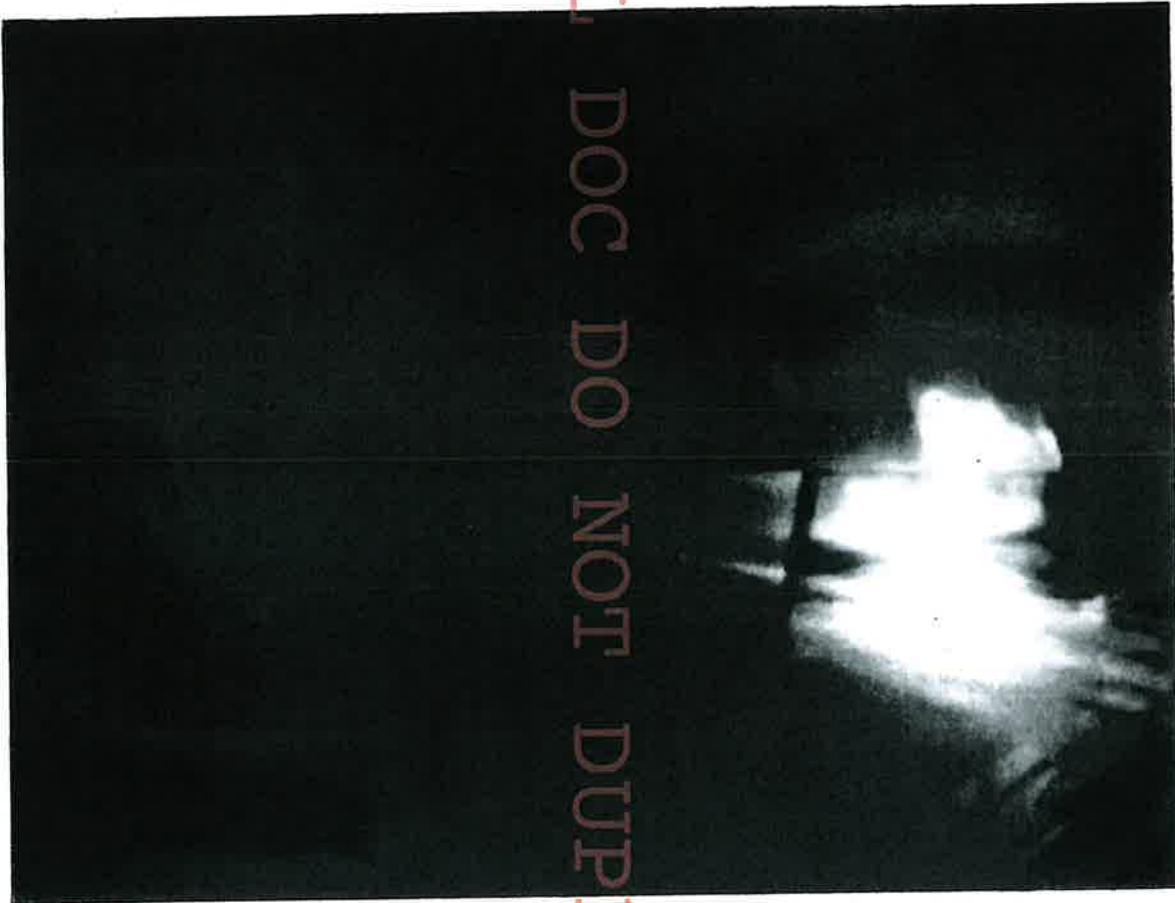
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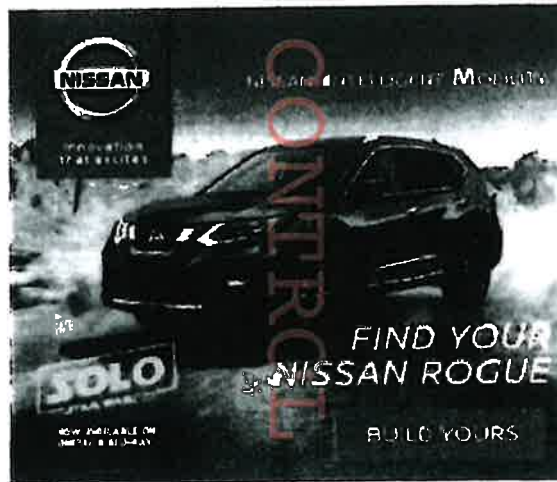
Details Released In Officer-Involved Shooting In San Rafael

Authorities will seek charges of attempted murder of an officer when Faramarz Aghazadeh, 48, is released from the hospital, officials said.

By Kristina Houck | Aug 9, 2018 2:52 pm ET



SAN RAFAEL, CA – The Sonoma County Sheriff's Office has identified the San Rafael police officer and Marin County sheriff's deputy involved in a shooting that injured a man Sunday night in San Rafael.



The Sonoma County Sheriff's Office is investigating the incident, and a copy of the completed investigation will be sent to the Marin County District Attorney's Office, sheriff's Sgt. Spencer Crum said.

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San Rafael police officers were investigating a hit-and-run collision around 9 p.m. when an officer found a man in the middle of the road at Market and Verdi streets in the Canal neighborhood of San Rafael.

The man, later identified as Faramarz Aghazadeh, 48, of San Rafael, was holding a 7-inch folding knife and 6-inch barber shears in his hands and acting suspiciously, Crum said.



A San Rafael police officer confronted Aghazadeh and called for more officers to respond. Officers tried de-escalation techniques for approximately 30 minutes and surrounded the area as Aghazadeh walked east on Verdi Street toward Belvedere Street, Crum said.

Marin County sheriff's Deputy Jaime Rodarte, who was armed with a less-lethal bean bag shotgun, fired four rounds of bean bag projectiles at Aghazadeh as he continued approaching, Crum said.

Aghazadeh ran at full speed toward Rodarte as he made stabbing motions with the knife and shears, and San Rafael police Officer Kevin MacDougald, a 42-year veteran of the police force, ran across the street and fired three rounds with his .45-caliber semiautomatic handgun, according to Crum.

The rounds struck Aghazadeh as he was charging at Rodarte and was about 3 feet away. Aghazadeh fell and officers began life-saving methods.

Aghazadeh was taken by ambulance to a hospital and is in stable condition, Crum said.

MacDougald is on paid administrative leave, which is standard protocol for officer-involved shootings. The incident was recorded on officers' body cameras, Crum said.

Aghazadeh has had contacts with police since 1996 that include misdemeanor offenses of petty theft, vandalism and vehicle theft, for which he is on probation, Crum said.

Aghazadeh remains hospitalized. Authorities will seek charges of attempted murder of a police officer when he is released from the hospital, Crum said.

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- [Armed Man Shot After Charging At Deputy In San Rafael: Police](#)

By City News Service; Kristina Houck/Patch contributed to this report.

Image via Shutterstock

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San Rafael Officer Shoots Suspect Armed With Knives

The armed suspect allegedly charged at officers before he was shot, according to police

By [Bay City News](#)

Published at 10:18 AM PDT on Aug 6, 2018



Getty Images/iStockphoto, File

Find this article at:

<https://www.nbcbayarea.com/news/local/Man-Shot-Charging-at-Officers-Knives-San-Rafael-490168471.html>

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San Rafael police shoot man they say was wielding knives

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San Rafael police investigate officer-involved shooting after police shoot man they say was wielding knives. Aug. 5, 2018



By: [KTVU Staff \(mailto:archarles1@yahoo.com\)](mailto:archarles1@yahoo.com)
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SAN RAFAEL, Calif. - San Rafael police shot a man on Sunday who they said was wielding knives and wouldn't put them down.

The man was taken to the hospital with life-threatening injuries, police said in a statement.

Police said the officer-involved shooting was prompted about 9 p.m. on Market Street when a man appeared to be knives in each of his hands and was waving them in "a threatening manner." <http://www.ktvu.com>

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Officers said they tried to negotiate with the man to get him to drop the objects, but to no avail. After approximately 30 minutes, he began moving down Verdi Street towards

Belvedere Street, where other officers were staged. The officers ordered the man to drop the knives, police said. When he failed to comply, a deputy fired less than a dozen

shotgun rounds at him, but they didn't work, police said. The man then ran in the direction of the deputy. An officer fired his duty handgun at the man, striking him. He was taken to the hospital with life-threatening injuries, police said. The shooting investigation is being conducted by the Sonoma County Sheriff's Office.

Anyone with information about this crime is asked to call San Rafael Police at (415) 485-3000. Tips can also be made online at <http://www.srpd.org/tips>.

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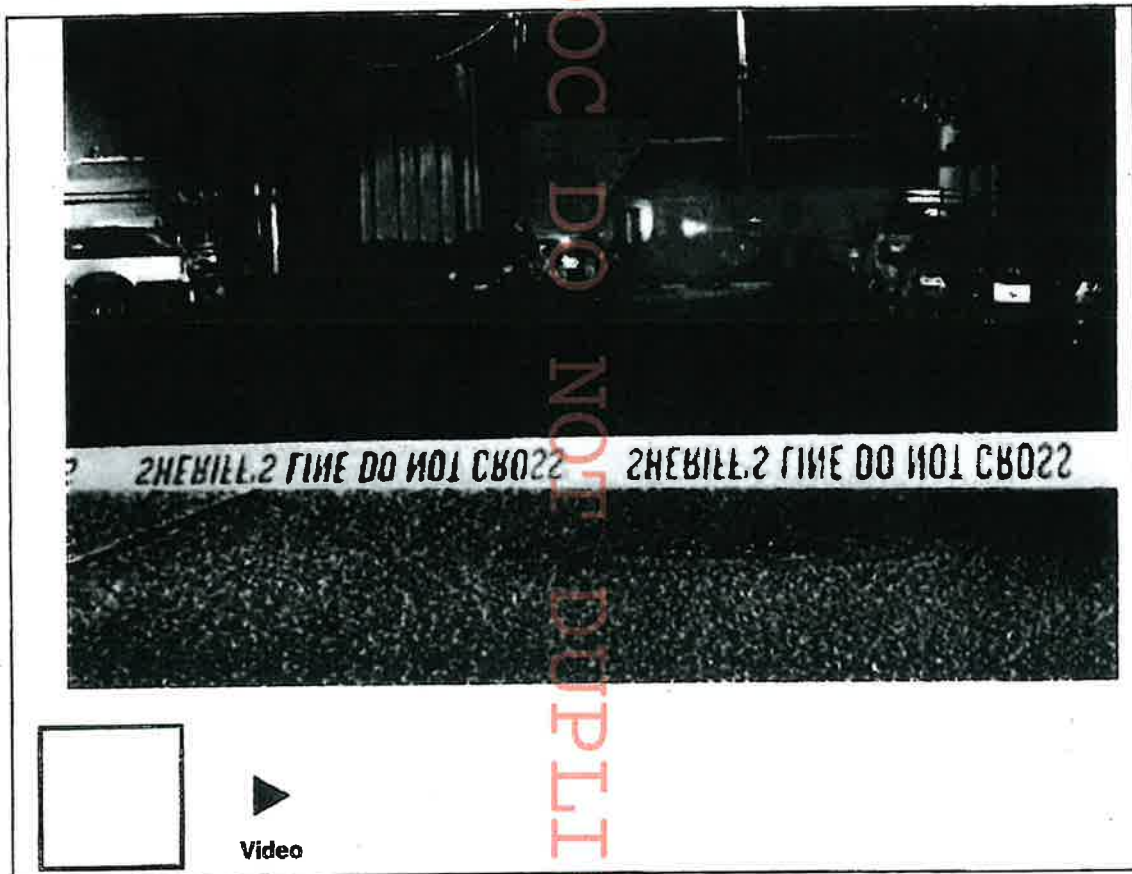
Knife-wielding man critically injured in San Rafael police shooting

By:

Julianne Herrera (<https://www.kron4.com/meet-the-team/julianne-herrera/855945374>)

✉ (<mailto:jherrera@kron4.com>)

Updated: Aug 06, 2018 04:36 AM PDT



SAN RAFAEL - A man is in life-threatening condition after being shot by a San Rafael police officer Sunday night, according to San Rafael Police Department.

Around 9:04 p.m., an officer saw a man waving around two knives in the middle of Market St.

The officer began talking to the person and called for back up.

After about 30 minutes of negotiating, the person started moving down Verdi St. toward Belveder St. where more officers were staged.

Those officers ordered the man to drop his knives.

When he refused, an assisting officer from another agency fired non-lethal bullets. These were ineffective, according to police.

The man then ran in the direction of a deputy with knives still in his hands.

This is when San Rafael officer shot the man with his handgun.

Officers gave him medical treatment and he was taken to a local hospital.

He is being treated for life-threatening injuries.

The suspect's identity has not been released.

Further details are not available at this time.

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