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Code Section And Description (one incident only) HS / 11550(A) / USE/UNDER INFLUENCE OF CONTROLLED SUBSTANCE		Date 08/15/2015 - 08/15/2015	Day of Week Sat - Sat	Time 08:17 - 08:45	
Location Of Incident (Or Address) 6900 GENESEE AV			City San Diego	District	Beat 115
Person(s) Involved: Victim					
Suspect (If Named) [REDACTED]					
Property Tag No.(s)					

OFFICER'S STATEMENT:

On 08-15-2015, at about 0820 hours, I was in full SDPD K-9 uniform, and driving a marked patrol vehicle. I responded to assist San Diego Police Northern Division officers with a radio call of a male who was under the influence of a controlled substance.

The reporting party and officers stated a male, later identified as [REDACTED] was running naked in the canyon located at 6900 Genesee Avenue. They believed the male was under the influence of bath salts due to his irrational and agitated behavior.

As I was responding to 6900 Genesee Avenue officers stated the male was completely naked and running back and forth in the canyon just north of University City High School.

I arrived on scene at about 0824 hours. I spoke with Sgt. Huys #5097 who stated [REDACTED] was extremely under the influence and was very agitated. Sgt. Huys #5097 pointed in the direction where officers were attempting to make contact.

I deployed my PSD Nero (C-1234) and ran to assist the patrol officers. While running towards them I looked down into the canyon and saw it was very steep. The canyon slope had large rocks, branches, and bushes. The canyon itself was about 60-75 feet deep from the ridge to the bottom. In order to walk up you would need to use your hands and feet to dig into the ground and a person could not merely just walk up with minimal effort.

Based on my training and experience, I knew the canyon area had numerous unconventional weapons lying about. Some of the weapons included, but are not limited to, the following: rocks (various sizes), boulders, sticks, branches, broken bottles, and any other weapons a transient camp site could have contained.

While looking down into the canyon I saw [REDACTED] was extremely agitated and angry. [REDACTED] was screaming about an unknown male "Josiah." [REDACTED] was completely naked running full speed through bushes, weeds, and thickets. I saw red scratch marks on his back, legs, chest, and stomach. [REDACTED] was cursing at patrol officers who were standing above him. I saw [REDACTED] was wet from head to toe. I believed he was sweating profusely and under the influence of a controlled substance.

Based on my training and experience, I believed [REDACTED] to be under the influence of a controlled substance. My training and experience consists of attending the POST Regional Academy where drug recognition was taught. I have also made or been a part of over 400 under the influence related arrests. I

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have made or been a part of over 400 felony drug related arrested during my 8 years as a San Diego Police Officer. I have also testified as a narcotics expert and I am a court recognized expert regarding the matters of cocaine, methamphetamine, marijuana, and heroin. (People vs. James Cheevers Incident #11100036225)

I know that subjects who are under the influence of narcotics often feel no pain. Taking these particular subjects into custody proves extremely difficult due to the fact pressure points, and distraction blows rarely affect them. I have been in several use of force incidents with subjects who are under the influence and do not feel pain. Often times officers are the ones who end up getting hurt or injured due to the subjects tolerance for pain. I personally have seen subjects and tazed subjects who are under the influence of a controlled substance rip the tazor barbs from their bare skin and fight myself and other officers.

I believed [REDACTED] was under the influence of a central nervous system stimulant. I saw he was sweating profusely. I know subjects who are under the influence often strip naked due to being extra hot and their accelerated heart rate / blood pressure is too much to handle. I have arrested several subjects who had been on LSD and PCP, stripping naked is a regular occurrence with these subjects due to their body overheating. It was very apparent [REDACTED] had excited delirium.

Patrol officers called down to [REDACTED] and told him to come up the canyon slope so he could receive medical attention. As [REDACTED] was walking up the hill I checked my surroundings once more to see where I best assist the officers. I saw our backs were up against a construction fence that ran the length of the canyon. I also saw officers were 2-4 feet from the canyons ledge. I again saw large rocks beneath our feet that could have been used as a weapon against us.

I shouted to the officers who were calling down to [REDACTED]. I stated, "If he tries to fight you scoot back if you can. I will deploy my PSD." The officers acknowledged. I believed if [REDACTED] was tazed he would stiffen up and fall backwards. Had [REDACTED] fell backwards he would have easily fallen to his death because he would have no control of his body or any way to protect himself as he fell down the 60-75 foot canyon.

As I stated the canyon had large boulders, rocks, tree branches and shrubs that [REDACTED] could have hit his head or body causing him severe great bodily injury or death.

[REDACTED] eventually made his way up the canyon hill. I could hear him yelling the name "Josiah" repeatedly and how he needed to find him. I saw and heard an officer instruct [REDACTED] to turn around and put his hands behind his back. [REDACTED] stated in a deep voice yell, "No!" [REDACTED] then made it to the top of the hill and I saw his fists were clinched. The officer again repeated himself ordering [REDACTED] to turn around and put his hands behind his back. [REDACTED] looked directly at the officer and again yelled "No!"

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[REDACTED] still had his fists clinched and was extremely agitated and angry. I saw Officer Peterson #6799 had his tazer out.

After observing [REDACTED] assaultive behavior towards officers, I elected to use my PSD for the following the reasons:

The seriousness of the incident:

[REDACTED] was under the influence of a controlled substance and was very agitated with officers. [REDACTED] was completely naked and wet. Based on observations of [REDACTED] I saw he had a high tolerance to pain due to the fact he was running naked and bare footed through thick brush at full speed head first. I believed [REDACTED] was under the influence of a central nervous system stimulant and stripped his clothes because of his elevated heart rate. Responding officers were at risk of serious injury from [REDACTED] assaultive behavior.

The suspect/subject posed an immediate threat to officers and citizens:

[REDACTED] posed an immediate threat to officers due to the fact he was clinching his fists and walking towards them. I believed he was going to punch or assault an officer. Patrol officers were about 2-4 feet from the canyons ledge. [REDACTED] was close enough to officers he could have easily pulled or pushed an officer to the bottom of the canyon causing death or serious bodily injury. Had [REDACTED] been tazed he could have fallen backwards into the canyon where large rocks and boulders were scattered throughout. We were all standing on large baseball size rocks that [REDACTED] had immediate access to quickly bend over pick up and use against us. [REDACTED] was given several verbal commands to turn around and put his hands behind his back. [REDACTED] chose not to comply and yelled at officers, "No!" [REDACTED] also was clinching his fists at the patrol officers.

Due to [REDACTED] assaultive stance towards officers and agitated behavior, I believed he was going to assault the officers and pull them over the canyons edge presenting a possible deadly situation. Due to the immediate threat I did not have an opportunity to give K-9 warnings.

The suspect/subject actively resisted and attempted to evade arrest/detention by:

[REDACTED] was told two times to turn around and put his hands behind his back. [REDACTED] refused to comply and chose to clinch his fists and walk towards officers, showing assaultive behavior. Several officers told him to turn around but he refused and ignored all verbal commands.

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After observing [REDACTED] assaultive behavior I ran to him with my PSD Nero on lead. I gave my PSD his bite command. My PSD bit and held [REDACTED] right calf. I quickly pulled [REDACTED] away from the canyons ledge, pulled him to the ground and landed atop of him. I grabbed [REDACTED] right hand and saw several officers assisting me with taking [REDACTED] into custody. One officer grabbed his hand from me and I got off of [REDACTED] so patrol officers could handcuff him. I yelled to [REDACTED] to stop fighting and I could take the dog off of the bite. [REDACTED] was violently trying to shake my PSD off of the bite. [REDACTED] kicked my PSD with his feet trying to get my PSD to let go. I saw he was grabbing large rocks the size of a baseball with his hands. I believed he was going to use the rocks to escape and avoid being arrested. Immediately after [REDACTED] was handcuffed I took physical control of the PSD, gave him his verbal out command and he complied. [REDACTED] sustained 5 avulsions, three punctures and scratches to his right lower leg.

[REDACTED] was still acting violent towards officers as I was walking back to my patrol vehicle. I saw he was kicking his legs at officers and still screaming "Josiah." Officers and medics had to tie his hands and feet to the gurney because of his violent and irrational behavior. Engine 35 administered a drug identified as "Versed" to calm [REDACTED] down.

[REDACTED] was transported to Scripps La Jolla for treatment of excited delirium. Dr. [REDACTED] was the attending physician. Dr. [REDACTED] admitted [REDACTED] for treatment of his injuries.

[REDACTED] was charged with the following 11550 (a) HS – under the influence of a controlled substance, 148 (a) (1) PC – resist delay peace officer, 243 b PC- batter on peace officer, 56.53 (c) SDMC – Nudity in public place. A notify warrant was written by Officer Burris #6324.

INJURIES:

[REDACTED] sustained 5 avulsions, three punctures and scratches to his right leg. The avulsions resulted from [REDACTED] attempting to pull the PSD from the bite. He was violently pulling at the dog while simultaneously kicking his right lower leg.

RELATED REPORTS:

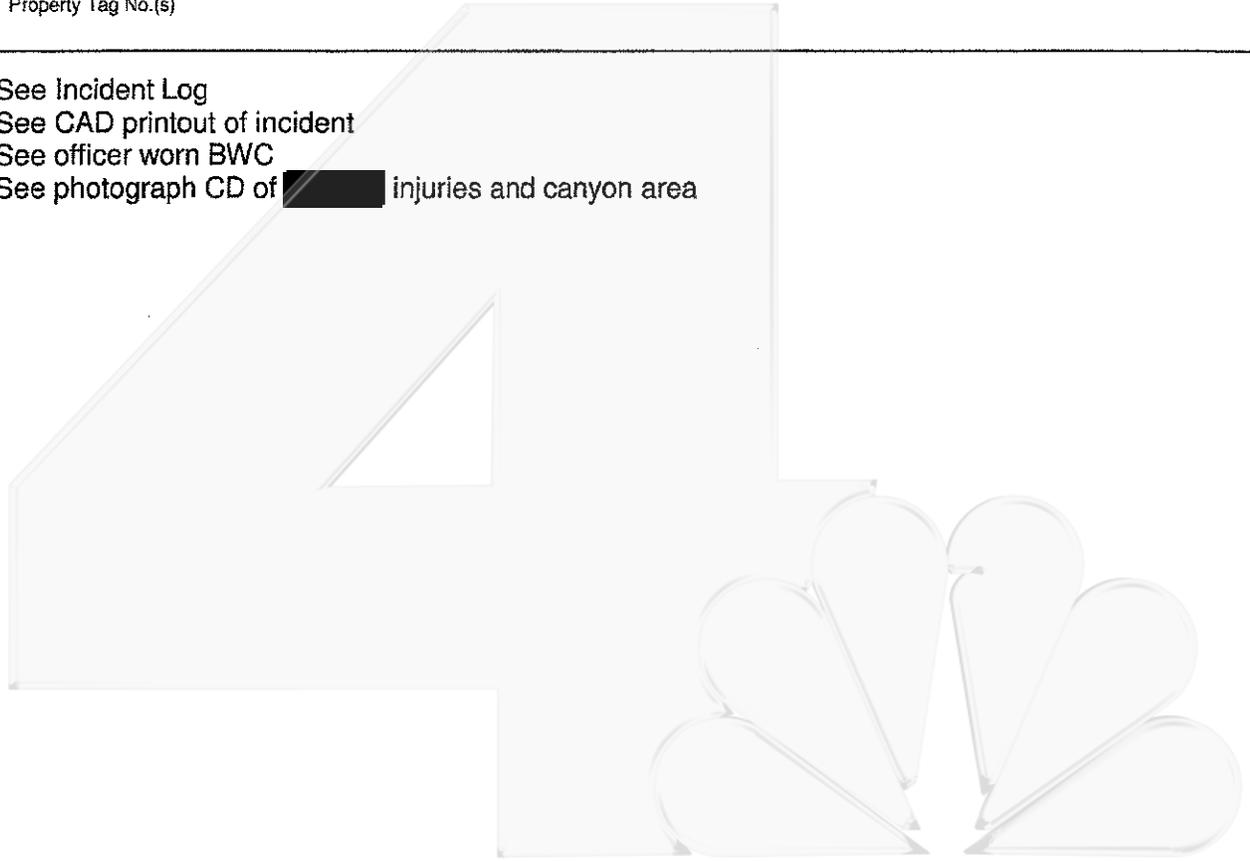
- See Officer Lingenhol's #7216 Crime report
- See Officer Burris #6324 Arrest report
- See Officer Peterson's 6799 ARJIS-9
- See Sgt. Huys #5097 ARJIS-9
- See Officer Johnson's #7343 ARJIS-9
- See Faxed copy of Animal control form

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See Incident Log
 See CAD printout of incident
 See officer worn BWC
 See photograph CD of [REDACTED] injuries and canyon area



NBC4, LOS ANGELES

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