



San Diego Harbor Police

Arrest/Juvenile Contact Report

Case No. **22-04232**

CAD Event No.: **100922-103**

Case Disposition: **Arrest**

Primary Victim: **Colon, R**

Report No. **22-04232.1**

1

Page 1 of 8

ARREST REPORT

JUVENILE CONTACT REPORT

WARRANT: LOCAL OUT

GENERAL CASE INFORMATION

Primary Charge: 69(A) - PC - THREATEN EXECUTIVE OFFICER WITH VIOLENCE (F)			
Special Studies: AF - Arrest Felony CRIME FEL - Crime/Incident-Felony		Related Cases:	
Location, City, State, ZIP: 1 Market Pl, San Diego, CA 92101		Occurred On: 10/09/2022 16:49:00 (Sunday)	
Jurisdiction: SOUTH-P - South Patrol	Beat: 504	Call Source: O	(and Between):
Means:		Motives:	

VICTIMS

Victim #1

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer <input checked="" type="checkbox"/>				
Name: Colon, R	Victim Type: L - Law Enforcement Officer	Interpreter Language:		
ALIAS / AKA / NICKNAME / MONIKER:				
Name Type:	First:	Middle:	Last:	Suffix:

Victim Of: 69(A) - PC - THREATEN EXECUTIVE OFFICER WITH VIOLENCE (F)		County Residence: N - Nonresident						
Home Address, City, State, ZIP:		Res. Country:	Place of Birth:	Undocumented:				
Race: H	Sex: M	Date of Birth / Age: 51	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:
Employment Status: E - Employed	Occupation/Grade: Police Corporal	Employer/School: Port of San Diego		Employer Address, City, State, ZIP: 3380 N Harbor Dr, San Diego, CA 92101				
CONTACT INFORMATION:								
Type:	Number/Address:							
IDENTIFICATION:								
Type: HB - Harbor Police ID	Number: 4535	State:	Country:					
Attire:	Injury:	Extent of Treatment:	Violent Crime Circumstances:					
LAW ENFORCEMENT OFFICER KILLED OR ASSAULTED INFORMATION	Type: N - No Death Involved	Type Activity: 04 - Attempting Other Arrests	Type Assignment: L - Other - Assisted					
VICTIM OFFENDER RELATIONSHIPS	Offender: Xxxxxxx, Xxxxxxx	Relationship: RU - Relationship Unknown						

IBR/UCR OFFENSE/S

Offense Description: 69(A) - PC - THREATEN EXECUTIVE OFFICER WITH VIOLENCE (F)		Level: F	Against: PE	Completed? Yes	Counts	Using: A - Alcohol
Location Type: 13 - Highway/Road/Alley		Hate/Bias: 88 - None (no bias) (mutually exclusive)			Domestic Violence: No	
Criminal Activity:	Type Security:	Gang Related: No	Entry:	Point of Entry:		
Weapons/Force:	Tools:	Targets:				

ARRESTEE/S

Arrestee #1

Name: Xxxxxxx, Xxxxxxx	County Residence: U - Unknown	Interpreter Language:
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Reporting Officer: HB6056 - Toogood, Austin	Division / Organization: Harbor Police Records	Reviewed By: HB4376 - Ferraioli, Scott
Report Date: 10/9/2022 5:58:13 PM	Detective Assigned:	Reviewed Date: 10/11/2022 22:13:06



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Primary Victim: **Colon, R**

Report No. **22-04232.1**

2

Page 2 of 8

ALIAS / AKA / NICKNAME / MONIKER:											
Name Type:		First:		Middle:			Last:		Suffix:		
Home Address, City, State, ZIP:					Res. Country: US		Place of Birth:		Undocumented:		
Race: H	Sex: M	Date of Birth / Age:		Height: 5' 6"	Weight: 160	Hair Color: BRO	Eye Color: BRO	Facial Hair:		Complexion: MBR - Medium Brown	
Hair Style:		Hair Length:		Build: THI - Thin		Teeth: 5 - White		Suspected User: No			
Employment Status:		Occupation/Grade:		Employer/School:			Employer Address, City, State, ZIP:				
CONTACT INFORMATION:											
Type:					Number/Address:						
IDENTIFICATION:											
Type: CI - California ID			Number:			State: CA		Country: US			
SCARS, MARKS, TATTOOS, ODDITIES:											
Attire:					Suspect Actions:						
ARREST INFORMATION											
Arrest Type: O - Probable Cause Arrest - New Case		LE Disposition: 4 - Felony (Adult Only)			JUS 750 Type: 2 - Booked		Citation No.:		Booking No.: 22-9758		
Arrested For: 69(A) - PC - THREATEN EXECUTIVE OFFICER WITH VIOLENCE (F)							Level: F	Completed: Yes	Counts:		
Arrested By: HB6056 - Toogood, Austin		Arrest Date and Time: 10/09/2022 16:51:00		Arrest Location, City, State, ZIP: 1 Market Place, San Diego, CA 92101						Beat: 504	
Arrest Assisted By: HB4535 - Colon, Ramon					Transported By: HB6056 - Toogood, Austin						
Miranda Read: Yes	Admonished By:			Miranda Response:			Jail Billing Code: Example Bill Code 1		Booked Location: San Diego Central Jail		
Armed With: 01 - Unarmed				Use of Force to effect Arrest:							
JUVENILES											
Adult Present:		Person Notified:			Juvenile Disposition:			Detention Name:			
Parents Notified By:		Notification Method:			Date and Time Notified:		Juvenile Released To:				
RELEASE INFORMATION											
Released Location:		Released On:			Released By:			Release Reason:			

SUSPECT/S (Not Yet Arrested)

WITNESSES

Witness #1

Person Code:	<input type="checkbox"/> Secured Premise	<input type="checkbox"/> Discovered Crime	<input type="checkbox"/> Reporting Party	<input checked="" type="checkbox"/> Law Enforcement Officer		
Witness Type Code:	<input type="checkbox"/> 01-Arresting Officer	<input type="checkbox"/> 06-Other Lay Witness	<input type="checkbox"/> 07-Narc Chemist	<input type="checkbox"/> 12-Other Expert	<input type="checkbox"/> 13-Investigator	<input type="checkbox"/> 14-Other
Name: Toogood, A			Person Code: L - Law Enforcement Officer		County Residence:	

ALIAS / AKA / NICKNAME / MONIKER:										
Name Type:		First:		Middle:			Last:		Suffix:	
Home Address, City, State, ZIP:					Res. Country:		Place of Birth:		Undocumented:	
Race:	Sex:	Date of Birth / Age:		Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:		Complexion:
Employment Status: E - Employed		Occupation/Grade: Police Officer		Employer/School: San Diego Harbor Police			Employer Address, City, State, ZIP: 3380 N. Harbor Drive, San Diego, CA 92101			

Reporting Officer: HB6056 - Toogood, Austin		Division / Organization: Harbor Police Records		Reviewed By: HB4376 - Ferraioli, Scott	
Report Date: 10/9/2022 5:58:13 PM		Detective Assigned:		Reviewed Date: 10/11/2022 22:13:06	



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Case No. **22-04232**

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Report No. **22-04232.1**

3

Page 3 of 8

CONTACT INFORMATION:			
Type: WP - Work Phone		Number/Address: 619 686-6272	
IDENTIFICATION:			
Type: HB - Harbor Police ID	Number: 6056	State:	Country:
Injury: N - None		Extent of Treatment: 01 - None	

Witness #2

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input checked="" type="checkbox"/> Law Enforcement Officer		
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other		
Name: Fife, A	Person Code: L - Law Enforcement Officer	County Residence:

ALIAS / AKA / NICKNAME / MONIKER:									
Name Type:		First:		Middle:		Last:		Suffix:	
Home Address, City, State, ZIP:					Res. Country:		Place of Birth:		Undocumented:
Race:	Sex: M	Date of Birth / Age:		Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:
Employment Status: E - Employed		Occupation/Grade: Police Officer		Employer/School: San Diego Harbor Police			Employer Address, City, State, ZIP: 3380 N. Harbor Dr, San Diego, CA 92101		
CONTACT INFORMATION:									
Type: WP - Work Phone					Number/Address: 619 686-6272				
IDENTIFICATION:									
Type: HB - Harbor Police ID			Number: 5892			State:		Country:	
Injury: N - None					Extent of Treatment: 01 - None				

Witness #3

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input checked="" type="checkbox"/> Law Enforcement Officer		
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other		
Name: Seney, J	Person Code: L - Law Enforcement Officer	County Residence:

ALIAS / AKA / NICKNAME / MONIKER:									
Name Type:		First:		Middle:		Last:		Suffix:	
Home Address, City, State, ZIP:					Res. Country:		Place of Birth:		Undocumented:
Race:	Sex:	Date of Birth / Age:		Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:
Employment Status: E - Employed		Occupation/Grade: Police Officer		Employer/School: SDHPD			Employer Address, City, State, ZIP: 3380 N Harbor Drive, San Diego, CA 92101		
CONTACT INFORMATION:									
Type: WP - Work Phone					Number/Address: 619 686-6272				
IDENTIFICATION:									
Type: HB - Harbor Police ID			Number: 6050			State:		Country:	
Injury: N - None					Extent of Treatment: 01 - None				

Witness #4

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input checked="" type="checkbox"/> Law Enforcement Officer		
Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other		
Name: Ferraioli, S	Person Code: L - Law Enforcement Officer	County Residence:

Reporting Officer HB6056 - Toogood, Austin	Division / Organization Harbor Police Records	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 5:58:13 PM	Detective Assigned	Reviewed Date 10/11/2022 22:13:06



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Report No. **22-04232.1**

4

Page 4 of 8

ALIAS / AKA / NICKNAME / MONIKER:											
Name Type:		First:		Middle:			Last:		Suffix:		
Home Address, City, State, ZIP:					Res. Country:		Place of Birth:		Undocumented:		
Race:	Sex:	Date of Birth / Age:		Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:		Complexion:	
	M										
Employment Status:		Occupation/Grade:		Employer/School:			Employer Address, City, State, ZIP:				
		Sergeant		HPD			3380 N. Harbor Dr, San Diego, CA 92101				
CONTACT INFORMATION:											
Type:						Number/Address:					
WP - Work Phone						619 686-6272					
IDENTIFICATION:											
Type:			Number:			State:			Country:		
Injury:					Extent of Treatment:						

Witness #5

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other											
Name:						Person Code:		County Residence:			
Xxxxxxx, Xxxxxxx						06 - Other Lay Witness		R - Resident			
ALIAS / AKA / NICKNAME / MONIKER:											
Name Type:		First:		Middle:			Last:		Suffix:		
Home Address, City, State, ZIP:					Res. Country:		Place of Birth:		Undocumented:		
					US						
Race:	Sex:	Date of Birth / Age:		Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:		Complexion:	
M	M			5' 10"	224	BLK	BRO	01 - Clean Shaven		LGT - Light	
Employment Status:		Occupation/Grade:		Employer/School:			Employer Address, City, State, ZIP:				
E - Employed		Owner		Seaport Market							
CONTACT INFORMATION:											
Type:						Number/Address:					
MP - Mobile Phone											
IDENTIFICATION:											
Type:			Number:			State:			Country:		
DLN - Drivers License Number						CA			US		
Injury:					Extent of Treatment:						
N - None					01 - None						

Witness #6

Person Code: <input type="checkbox"/> Secured Premise <input type="checkbox"/> Discovered Crime <input type="checkbox"/> Reporting Party <input type="checkbox"/> Law Enforcement Officer Witness Type Code: <input type="checkbox"/> 01-Arresting Officer <input checked="" type="checkbox"/> 06-Other Lay Witness <input type="checkbox"/> 07-Narc Chemist <input type="checkbox"/> 12-Other Expert <input type="checkbox"/> 13-Investigator <input type="checkbox"/> 14-Other											
Name:						Person Code:		County Residence:			
Xxxxxxx, XxxxxxxJ						06 - Other Lay Witness					
ALIAS / AKA / NICKNAME / MONIKER:											
Name Type:		First:		Middle:			Last:		Suffix:		
Home Address, City, State, ZIP:					Res. Country:		Place of Birth:		Undocumented:		
Race:	Sex:	Date of Birth / Age:		Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:		Complexion:	
Employment Status:		Occupation/Grade:		Employer/School:			Employer Address, City, State, ZIP:				
E - Employed		Security Guard									
CONTACT INFORMATION:											
Type:						Number/Address:					
MP - Mobile Phone											
IDENTIFICATION:											
Type:			Number:			State:			Country:		
OT - Other ID											

Reporting Officer		Division / Organization		Reviewed By	
HB6056 - Toogood, Austin		Harbor Police Records		HB4376 - Ferraioli, Scott	
Report Date		Detective Assigned		Reviewed Date	
10/9/2022 5:58:13 PM				10/11/2022 22:13:06	



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Primary Victim: **Colon, R**

Report No. **22-04232.1**

5

Injury: N - None	Extent of Treatment: 01 - None
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OTHER ENTITIES

PROPERTY

Property Item #1.000 - Taser Cartridge

Derivative No.: 0	Property Category: 3706 - Taser	Count: 1	Value:
Status: I - Information Only			
Manufacturer: Taser	Model:		
Serial No.:	Model Year:	OAN:	
Color:	Caliber:		
Body Style:	Recovered/ Seized Date:		
Owner:	Disposition: SDPD		
Evidence Tag: 11407678	Alert(s):		
Drug Type:	Drug Quantity:		
Search Warrant:			
Notes:			

REPORT NARRATIVE

SYNOPSIS:

Harbor Police (HP) was flagged down by Security behind the Manchester Grand Hyatt after Xxxxxxx Xxxxxxx stole a White Claw from Seaport Market in Seaport Village. Security stated the owner of the market desired prosecution for theft. Xxxxxxx was holding the stolen beverage (24 ounce White Claw Can) in one hand and refused to take his other hand out of his jacket pocket. Corporal Colon attempted to take down Xxxxxxx and Xxxxxxx swung the beverage can at Corporal Colon in violation of 69(a) PC- Threaten Officer with Violence. Xxxxxxx slipped out of Corporal Colon's grip and began walking away. Xxxxxxx reached toward his waistband, and I successfully deployed my taser at Xxxxxxx. Corporal Colon and I were able to take Xxxxxxx into custody without further incident. Xxxxxxx later booked at San Diego Central Jail.

The owner of the Seaport Market, Xxxxxxx Xxxxxxx, told HP he followed Xxxxxxx into the parking lot after Xxxxxxx stole the beverage. Xxxxxxx brandished a rock at Xxxxxxx in the parking lot. Xxxxxxx declined prosecution for 417(a)(1) PC-Brandish Deadly Weapon and 459.5(a) PC- Shoplifting.

ORIGIN:

On 10/09/2022, at about 1649 hours, Corporal Colon and I were flagged down behind the Manchester Grand Hyatt for a person, later identified as Xxxxxxx Xxxxxxx, that stole a beer from Seaport Market. The security guard pointed out the suspect at the top of a flight of stairs leading the the Manchester Grand Hyatt. Xxxxxxx was holding the stolen beverage in his right hand. The security guard said the victim desired prosecution for theft.

INVESTIGATION:

Reporting Officer HB6056 - Toogood, Austin	Division / Organization Harbor Police Records	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 5:58:13 PM	Detective Assigned	Reviewed Date 10/11/2022 22:13:06



San Diego Harbor Police Arrest/Juvenile Contact Report

Case No. **22-04232**

CAD Event No.: **100922-103**

Case Disposition: **Arrest**

Primary Victim: **Colon, R**

Report No. **22-04232.1**

6

Page 6 of 8

Corporal Colon and I contacted Xxxxxxx while he was standing at the top of the stairs leading to the Manchester Grand Hyatt. Corporal Colon asked Xxxxxxx to walk down to us and he did not comply. Corporal Colon then asked Xxxxxxx to remove his left hand from his jacket pocket and he did not comply. Xxxxxxx was wearing a bulky camouflage jacket that was not appropriate for the warm weather. Xxxxxxx' bulky jacket could have easily concealed a firearm and it looked like Xxxxxxx was holding onto an object in his jacket pocket. Xxxxxxx slowly walked down a set of stairs to the landing that Corporal Colon and I were walking up to. Xxxxxxx continued to refuse to take his hand out of his pocket. Based on Xxxxxxx' behavior and clothing, Corporal Colon and I drew our firearms and attempted a high-risk pedestrian stop. Corporal Colon and I ordered Xxxxxxx to take his hand out of his pocket several times and he did not comply. Corporal Colon and I walked up the stairs to the landing and Xxxxxxx began walking down a separate set of stairs away from us. Corporal Colon and I followed Xxxxxxx down the stairs. As I walked down the stairs, I holstered my firearm and drew my Taser, while Corporal Colon maintained lethal coverage with his firearm. At the bottom of the stairs, on the sidewalk, Xxxxxxx began to run around Corporal Colon and Corporal Colon attempted a take down by grabbing Xxxxxxx' collar and pulling Xxxxxxx to the ground. Xxxxxxx was able to slip out of Corporal Colon's grip and began to run away. During Corporal Colon's take down attempt, Xxxxxxx' left hand came out of his jacket pocket. As Xxxxxxx began to run away, I saw Xxxxxxx look back toward Corporal Colon and I. Based on my training and experience, I know fleeing armed suspects may look back at pursuing officers for target acquisition before producing a firearm. Xxxxxxx then began reaching toward his waistband with his left hand, which is an area commonly used to conceal firearms. Corporal Colon also warned me Xxxxxxx was reaching for his waistband. I immediately deployed my taser at Xxxxxxx' back. Xxxxxxx fell prone on the ground and began rolling to his side to a defensive fighting position. At this point, I still could not see Xxxxxxx' hand. Based on Xxxxxxx' behavior, I re-activated my taser. Corporal Colon and I were able to roll Xxxxxxx into a prone position. I grabbed both of Xxxxxxx' wrists while Corporal Colon searched Xxxxxxx for weapons. Corporal Colon found a cell phone and battery pack in the pocket Xxxxxxx would not take his left hand out of. Officers also found a small folding knife and silverware set containing a knife on Xxxxxxx. I immediately requested paramedics to respond to remove taser probes and bandage a cut and abrasions to Xxxxxxx' face. While we waited for paramedics we placed Xxxxxxx in the recovery position.

After detaining Xxxxxxx, I took a statement from the owner of Seaport Market, Xxxxxxx Xxxxxxx. Xxxxxxx's statement is paraphrased.

Statement of Xxxxxxx Xxxxxxx: (Witness)

One of Xxxxxxx's employees noticed Xxxxxxx steal a beverage. Xxxxxxx followed Xxxxxxx out of the store and into the parking lot. Xxxxxxx grabbed a large rock held the rock in a threatening manner like he was going to attack Xxxxxxx with it. -End of Statement-

Xxxxxxx declined prosecution for 417(a)(1) PC - Brandish Deadly Weapon and 459.5(a) PC- Shoplifting. After taking Xxxxxxx's statement, I took a statement from the security guard that flagged me down, XxxxxxxXxxxxxx.

Reporting Officer HB6056 - Toogood, Austin	Division / Organization Harbor Police Records	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 5:58:13 PM	Detective Assigned	Reviewed Date 10/11/2022 22:13:06



San Diego Harbor Police Arrest/Juvenile Contact Report

Case No. **22-04232**

CAD Event No.: **100922-103**

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Primary Victim: **Colon, R**

Report No. **22-04232.1**

7

Page 7 of 8

Statement of XxxxxxxXxxxxxx: (Reporting Party)

Xxxxxxx was conducting security checks around Seaport Village and noticed Xxxxxxx following a person in the parking lot. Xxxxxxx attempted to stop Xxxxxxx and he continued to walk away and up the stairs leading to the Manchester Grand Hyatt. Xxxxxxx then noticed Corporal Colon and I then flagged us down. -End of Statement-

After taking Xxxxxxx's statement, I recovered my deployed taser cartridge and probes. I was not able to find any AFIDs. The cartridge was later impounded at San Diego Police Department under barcode 11407678 and the probes were disposed of in a sharps container.

Medic 10 transported Xxxxxxx to UCSD Hospital for treatment and jail clearance with Officer Fife and Seney.

I completed booking paperwork and later went to UCSD to relieve Officer Seney and Fife. Officer Seney assisted with completing a medical record release form which Xxxxxxx signed. Shortly after, I received a medical clearance for jail. I transported Xxxxxxx to Central Jail.

In the sallyport of Central Jail, I admonished Xxxxxxx with my UPD 611 Officer Notebook. Xxxxxxx said he understood his rights and said, "sure" when I asked if he was willing to talk to me. Xxxxxxx stated the owner of the Seaport Market gave Xxxxxxx permission to take a beverage. I asked Xxxxxxx if he knew I was an Officer when I approached him. Xxxxxxx said he did not know we were police officers and thought we were trying to attack him. I pointed out my uniform and Xxxxxxx mentioned that he noticed my gun at the time of the incident. I asked Xxxxxxx if he ever swung or tried to hit my partner, Corporal Colon, and he denied swinging or trying to hit him.

EVIDENCE:

Body worn camera footage uploaded to evidence.com under 22-04232.

INJURIES:

Xxxxxxx sustained a puncture wound from a taser probe to the back of his head and abrasions to his face. Xxxxxxx needed stitches for laceration on his eyebrow. A nurse at UCSD told me Xxxxxxx sustained a orbital wall fracture and maxillary sinus fracture.

PROPERTY DAMAGE:

NONE.

FOLLOW UP:

Reporting Officer HB6056 - Toogood, Austin	Division / Organization Harbor Police Records	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 5:58:13 PM	Detective Assigned	Reviewed Date 10/11/2022 22:13:06



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Report No. **22-04232.1**

8

Page 8 of 8

NONE.

RELATED REPORTS:

NONE.

Reporting Officer HB6056 - Toogood, Austin	Division / Organization Harbor Police Records	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 5:58:13 PM	Detective Assigned	Reviewed Date 10/11/2022 22:13:06



San Diego Harbor Police Officer Report

CAD Event No.

Case No. **22-04232**Report No. **13387****1**

Page 1 of 2

GENERAL CASE INFORMATION

Special Studies:			Related Cases:		
Location, City, State, ZIP: 1 Market Place, San Diego, CA 92101			Occurred On: 10/9/2022 4:49:00 PM (Sunday)		
Jurisdiction: SOUTH-P - South Patrol	Beat: 504	Call Source: (and Between):			

INDIVIDUAL/S

Name: Xxxxxx, Xxxxxx				Person Code:		Interpreter Language:	
ALIAS / AKA / NICKNAME / MONIKER:							
Home Address, City, State, ZIP:				Res. Country: US - UNITED STATES	County Residence: U Unknown		Undocumented:
Race: H	Sex: M	Date of Birth / Age:	Height: 5' 6"	Weight: 160 lbs	Hair Color: BRO	Eye Color: BRO	Facial Hair: MBR - Medium Brown
Employment Status:		Occupation/Grade:	Employer/School:			Employer Address, City, State, ZIP:	
CONTACT INFORMATION IDENTIFICATION:							
Type: CI - California ID		Number:		State: CA - California		Country: US - UNITED STATES	
Attire:			Injury: Yes		Extent Of Treatment: 3 - Treated at Hospital		Violent Crime Circumstances:
Subject Injury Description: Puncture wound to back of head and abrasions to face, Facial fractures, cut above right eye.							
Officer Injury Description: None							

REPORT NARRATIVE**ORIGIN:**

On 10/9/2022, at about 1649 hours, I was working in full uniform with Corporal Colon walking behind Manchester Grand Hyatt. Corporal Colon and I were flagged down by security for a person, later identified as Xxxxxx Xxxxxx, that stole a beer from Seaport Market. The security guard pointed out the suspect at the top of a flight of stairs leading the Manchester Grand Hyatt. Xxxxxx was holding the stolen beverage in his right hand. The security guard said the victim desired prosecution for theft.

SCENE:

The scene was the sidewalk and strairs behind the Manchester Grand Hyatt. The stairs and ground were concrete. The incident occurred during day light with warm weather.

TECHNIQUES/WEAPONS:

I activated my taser twice.

NARRATIVE:

The security guard that flagged us down pointed Xxxxxx out. He was standing at the top of the stairs leading toward the Manchester Grand Hyatt.

Corporal Colon and I contacted Xxxxxx while he was standing at the top of the stairs leading to the Manchester Grand Hyatt. Corporal Colon asked Xxxxxx to walk down to us and he did not comply. Corporal Colon then asked Xxxxxx to remove his left hand from his jacket pocket and he did not comply. Xxxxxx was wearing a bulky camouflage jacket that was not appropriate for the warm weather. Xxxxxx' bulky jacket could have easily concealed a firearm and Xxxxxx appeared to be holding onto an object in his jacket pocket. Xxxxxx slowly walked down a set of stairs to the landing that Corporal Colon and I were walking up to. Xxxxxx continued to refuse to take his hand out of his pocket. Based on Xxxxxx' behavior and clothing, Corporal Colon and I drew our firearms and attempted a high-risk pedestrian stop. Corporal Colon and I ordered Xxxxxx to take his hand out of his pocket several times and he did not comply. Corporal Colon and I walked up the stairs to the landing and Xxxxxx began walking down a separate set of stairs away from us. Corporal Colon and I followed Xxxxxx down the stairs. As I walked down

Reporting Officer HB6056 - Toogood, Austin	Division / Organization REC / SDHP - Harbor Police	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 8:19:15 PM	Detective Assigned	Reviewed Date 10/11/2022 10:13:00 PM



San Diego Harbor Police Officer Report

CAD Event No.

Case No. **22-04232**

Report No. **13387**

2

Page 2 of 2

the stairs, I holstered my firearm and drew my Taser, while Corporal Colon maintained lethal coverage with his firearm. At the bottom of the stairs, on the sidewalk, Xxxxxx began to run around Corporal Colon and Corporal Colon attempted a take down by grabbing Xxxxxx' collar and pulling Xxxxxx to the ground. Xxxxxx was able to slip out of Corporal Colon's grip and began to run away. During Corporal Colon's take down attempt, Xxxxxx' left hand came out of his jacket pocket. As Xxxxxx began to run away, I saw Xxxxxx look back toward Corporal Colon and I. Based on my training and experience, I know fleeing armed suspects may look back at pursuing officers for target acquisition before producing a firearm. Xxxxxx then began reaching toward his waistband with his left hand, which is an area commonly used to conceal firearms. Corporal Colon also warned me Xxxxxx was reaching for his waistband. I immediately deployed my taser at Xxxxxx' back. Xxxxxx fell prone on the ground and began rolling to his side to a defensive fighting position. At this point, I still could not see Xxxxxx' hand. Based on Xxxxxx' behavior, I re-activated my taser. Corporal Colon and I were able to roll Xxxxxx into a prone position. I grabbed both of Xxxxxx' wrists while Corporal Colon searched Xxxxxx for weapons. Corporal Colon found a cell phone and battery pack in the pocket Xxxxxx would not take his left hand out of. Officers also found a small folding knife and silverware set containing a knife on Xxxxxx. I immediately requested paramedics to respond to remove taser probes and bandage a cut and abrasions to Xxxxxx' face. While we waited for paramedics we placed Xxxxxx in the recovery position.

SUBJECT'S STATEMENTS:

None.

SPECIALIZED TRAINING:

I completed the 114th San Diego Regional Law Enforcement Academy. I completed training for use of the Taser from Harbor Police Taser Instructors.

INJURIES:

Xxxxxx sustained a puncture wound from a taser probe to the back of his head, fractures and abrasions to his hand and face as well as a cut above his right eye.

No officers were injured.

AFTERCARE PROVIDED:

Xxxxxx was placed in the recovery position while we waited for paramedics. Paramedics removed a taser probe from the back Xxxxxx' head and bandaged abrasions on Xxxxxx' face. Medic 10 transported Xxxxxx to UCSD Hospital where he received a medical jail clearance.

EVIDENCE:

Body worn camera (BWC) footage uploaded to evidence.com under 22-04232.

Reporting Officer HB6056 - Toogood, Austin	Division / Organization REC / SDHP - Harbor Police	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 8:19:15 PM	Detective Assigned	Reviewed Date 10/11/2022 10:13:00 PM



San Diego Harbor Police Officer Report

CAD Event No.

Case No. **22-04232**Report No. **13388****1**

Page 1 of 1

GENERAL CASE INFORMATION

Special Studies: AF - Arrest Felony			Related Cases:		
Location, City, State, ZIP: 1 Market Place, San Diego, CA 92101			Occurred On: 10/9/2022 4:49:25 PM (Sunday)		
Jurisdiction: SOUTH-P - South Patrol	Beat: 504	Call Source: (and Between):			

INDIVIDUAL/S

Name: XXXXXXX, XXXXXX XXXXX				Person Code:		Interpreter Language:		
ALIAS / AKA / NICKNAME / MONIKER:								
Home Address, City, State, ZIP:				Res. Country: US - UNITED STATES	County Residence: R Resident		Undocumented:	
Race: A	Sex: F	Date of Birth / Age:	Height: 5' 3"	Weight: 115 lbs	Hair Color: BLK	Eye Color: BRO	Facial Hair: 12 - None/Fuzz	Complexion: LGT - Light
Employment Status:		Occupation/Grade:	Employer/School:			Employer Address, City, State, ZIP:		
CONTACT INFORMATION								
Type: MP - Mobile Phone				Number/Address:				
IDENTIFICATION:								
Type: DLN - Drivers License Number			Number:		State: CA - California		Country: US - UNITED STATES	
Attire:			Injury:		Extent Of Treatment:		Violent Crime Circumstances:	
Subject Injury Description:								
Officer Injury Description:								

REPORT NARRATIVE**OFFICERS REPORT:**

On October 9, 2022, at approximately 1649 hours, Corporal Colon #4535 and Officer Toogood #6056 requested assistance with an uncooperative suspect, later identified as XXXXXX XXXXXX, behind the Manchester Grand Hyatt Hotel located at 1 Market Place, San Diego. Officer Seney #6050 and I arrived on scene, and I observed that Corporal Colon and Officer Toogood had XXXXXX detained in handcuffs. Officer Toogood stated that he had allegedly stolen a beer from Seaport Market located at 825 W Harbor Drive. I went to Seaport Market and contacted witness XXXXXX XXXXXX inside. I took XXXXXX's statement.

XXXXXXX XXXXXX'S STATEMENT:

XXXXXX stated she was inside the Seaport Market promoting Suntory liquor, when she observed XXXXXX walk in through a side entrance of the market and walk to the fridge area. XXXXXX then grabbed an unknown can of beer and placed the can inside his left jacket pocket. XXXXXX walked out of the same side entrance without paying for the alcohol and went north towards the Seaport Village parking lot. XXXXXX stated that XXXXXX XXXXXX went after XXXXXX to attempt and recover the stolen alcohol. When XXXXXX got close to XXXXXX, XXXXXX picked up a nearby rock and raised it to a position ready to throw at XXXXXX. XXXXXX stated that XXXXXX stopped pursuing XXXXXX, and XXXXXX left the area.

INVESTIGATION CONTINUED:

XXXXXX showed me a short video of XXXXXX leaving the area after the confrontation with XXXXXX. XXXXXX uploaded the video as evidence through a link sent through the Axon Capture application. Officer Seney and I went with Falck Ambulance Medic 10 which transported XXXXXX to UCSD Hillcrest Hospital located at 200 W Arbor Drive. At the hospital, it was determined that XXXXXX had sustained a fracture to his right orbital and a fracture in the sinus area below his right orbital. XXXXXX also sustained abrasions to his right hand and a laceration above his right orbital which required stitches. I took 7 photos of XXXXXX which I later uploaded to the Axon Capture application.

Reporting Officer HB5892 - Fife, Andre	Division / Organization REC / SDHP - Harbor Police	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 10:49:42 PM	Detective Assigned	Reviewed Date 10/10/2022 8:05:47 PM



San Diego Harbor Police Officer Report

CAD Event No.

Case No. **22-04232**Report No. **13389****1**

Page 1 of 2

GENERAL CASE INFORMATION

Special Studies:			Related Cases:		
Location, City, State, ZIP: 1 Market Place ,San Diego, CA 92101			Occurred On: 10/9/2022 4:49:00 PM (Sunday)		
Jurisdiction: SOUTH-P - South Patrol	Beat: 504	Call Source: (and Between):			

INDIVIDUAL/S

Name: Xxxxxxx, Xxxxxx				Person Code:		Interpreter Language:	
ALIAS / AKA / NICKNAME / MONIKER:							
Home Address, City, State, ZIP:				Res. Country: US - UNITED STATES		County Residence: U Unknown	
Undocumented:							
Race: H	Sex: M	Date of Birth / Age:	Height: 5' 6"	Weight: 160 lbs	Hair Color: BRO	Eye Color: BRO	Facial Hair:
Complexion: MBR - Medium Brown							
Employment Status:		Occupation/Grade:		Employer/School:		Employer Address, City, State, ZIP:	
CONTACT INFORMATION IDENTIFICATION:							
Type: CI - California ID		Number:		State: CA - California		Country: US - UNITED STATES	
Attire: black T-shirt, woodland camo jacket, blue jeans			Injury: Yes		Extent Of Treatment: 4 - Hospitalized		Violent Crime Circumstances:
Subject Injury Description: Abrasion to left eyebrow, bruising on right eye							
Officer Injury Description: None							

REPORT NARRATIVE**Origin:**

On 10/09/2022 at approximately 1649 hours, I was working in full police uniform as unit 604B with Officer Toogood. We were on foot patrol at the backside of the Hyatt Hotel, 1 Market Place, San Diego. We were flagged down by Seaport Village Security. The Security guard stated the man that was at the top of the stairs behind the Hyatt Hotel had stolen merchandise from a vendor at Seaport Village. I saw an HMA wearing sunglasses, a woodland camouflage jacket and blue jeans at the top of the stairs.

Scene:

The use of force occurred at the street level on the sidewalk. Behind the Hyatt Hotel.

Techniques/Weapons Used:

I used my left and right hand to grab Xxxxxxx right shoulder and arm assist his right arm behind his back for handcuffing. Later, I used both hands to grab Xxxxxxx left arm and guide it to his back for handcuffing.

Narrative:

I initiated the contact with Xxxxxxx who was standing at the top of the stairs drinking a 24 oz White Claw. Xxxxxxx was wearing a bulky woodland camouflage jacket. Xxxxxxx was holding the White Claw with his right hand and had his left hand inside the left jacket pocket. I asked Xxxxxxx to please come down from the stairs and to get his hand out of his pocket. Xxxxxxx declined to follow my directions and started to come down to the landing where I was standing. Xxxxxxx' actions were deliberate and it gave me the impression Xxxxxxx may be armed with a firearm. Xxxxxxx refused to take his hand out of his pocket. As Xxxxxxx got closer, I can see a bulge in the pocket and whatever object was in it appear to have some weight to it. I kept giving Xxxxxxx verbal commands to get his hand out of his pocket. Xxxxxxx kept looking around, it gave me the impression he was sizing up the situation and looking for an avenue of escape. I paralleled Xxxxxxx as he expeditiously moved toward the stairs closer to Seaport Village. I continued to parallel Xxxxxxx as he went down the stairs. I anticipated his movement so I moved ahead to prevent his escape. Xxxxxxx then tried to run passed me. I reached out to grab him but Xxxxxxx swung at me with his right hand which was holding the white claw can. I stepped back to avoid getting hit by the White Claw can. As I turned to face Xxxxxxx, he started to run away, I saw his left hand had come out of his pocket. He looked back at me and officer Toogood and reached back into his left pocket. I warned Officer Toogood he was reaching into the pocket and Officer Toogood deployed his taser.

Reporting Officer HB4535 - Colon, Ramon	Division / Organization REC / SDHP - Harbor Police	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 11:16:10 PM	Detective Assigned	Reviewed Date 10/10/2022 8:27:53 PM



San Diego Harbor Police Officer Report

CAD Event No.

Case No. **22-04232**

Report No. **13389**

2

Page 2 of 2

Xxxxxxx fell on the ground on his right side. I rushed in to take control of Xxxxxxx' arms and place him in handcuffs. As I grabbed Xxxxxxx' left shoulder and arm, I realized the taser was still going off. So, I waited, and continued to give Xxxxxxx verbal commands, " Put your hands behind your back", as I waited for him to react after the five second cycle had ended. Xxxxxxx complied and I guided his right hand to his back. I then did the same with Xxxxxxx' left arm. Officer Toogood took control of both of Xxxxxxx' wrists as I checked to ensure there were no weapons in his left pocket. We then handcuffed Xxxxxxx and placed him in the recovery position.

Officer Fife and Seney arrived on scene and assisted us. Officer Toogood called for medics and notified the Sgt. Ferraioli. Engine 2 and a Medic unit arrived on scene to aid Xxxxxxx. Xxxxxxx was transported to UCSD Medical Center.

Subject Statements:

Xxxxxxx stated Get the fuck off me as he swunged the beer at me. Xxxxxxx also stated that the man at the store gave him the beer.

Specialized Training:

I had defensive tactics (DETAC) training at the Police Academy, Advance Officer Training and in house DETAC training.

Injuries:

Xxxxxxx sustained multiple injuries. The Taser barbs got lodged on the small of his back in the bulky jacket material and did not make contact with Xxxxxxx' skin. The other barb got lodged in the middle of the back of Xxxxxxx' head. In addition, Xxxxxxx sustained a laceration to his right eyebrow and had bruising to in an around his right eye.

No officers were injured during the incident.

Evidence:

I had my BWC on during the incident. I asked Hyatt Security if they had captured the incident on their security cameras. They were going to check and let HPD know if there was any video footage.

Reporting Officer HB4535 - Colon, Ramon	Division / Organization REC / SDHP - Harbor Police	Reviewed By HB4376 - Ferraioli, Scott
Report Date 10/9/2022 11:16:10 PM	Detective Assigned	Reviewed Date 10/10/2022 8:27:53 PM



San Diego Harbor Police Officer Report

CAD Event No. **100922-103**Case No. **22-04232**Report No. **13398****1**

Page 1 of 2

GENERAL CASE INFORMATION

Special Studies: AF - Arrest Felony			Related Cases:		
Location, City, State, ZIP: 1 Market Place, San Diego, CA 92101			Occurred On: 10/9/2022 4:50:00 PM (Sunday)		
Jurisdiction: SOUTH-P - South Patrol	Beat: 504	Call Source: (and Between):			

INDIVIDUAL/S

Name: Xxxxxx, Xxxxxx				Person Code:		Interpreter Language:	
ALIAS / AKA / NICKNAME / MONIKER:							
Home Address, City, State, ZIP:				Res. Country: US - UNITED STATES	County Residence: U Unknown		Undocumented:
Race: H	Sex: M	Date of Birth / Age:	Height: 5' 6"	Weight: 160 lbs	Hair Color: BRO	Eye Color: BRO	Facial Hair: MBR - Medium Brown
Employment Status:		Occupation/Grade:	Employer/School:			Employer Address, City, State, ZIP:	
CONTACT INFORMATION IDENTIFICATION:							
Type: CI - California ID		Number:		State: CA - California		Country: US - UNITED STATES	
Attire:			Injury:		Extent Of Treatment:		Violent Crime Circumstances:
Subject Injury Description:							
Officer Injury Description:							

REPORT NARRATIVE

On 10/09/2022, at about 1650 hours, I responded to the area of the Manchester Hyatt Hotel located at 1 Market Place for a use of force incident involving Corporal Colon #4535 and Officer Toogood #6056. Officers were attempting to contact Xxxxxx Xxxxxx for a possible 459.5PC - Shoplift. Xxxxxx entered the Seaport Market in Seaport Village and stole a 24-ounce White Claw alcoholic beverage. Xxxxxx then threatened employees with a large rock as employees attempted to recover the stolen beverage. A security guard from Seaport Village followed Xxxxxx and later flagged down Harbor Police Officer Toogood and Corporal Colon.

Officer Toogood and Corporal Colon were directed to a large staircase at the rear of the Hyatt Hotel by the Seaport Village security guard who pointed out Xxxxxx at the top of the stairs. Officers began to call out to Xxxxxx to come down to the bottom of the stairs and remove his left hand from his pocket. Xxxxxx was noncompliant with multiple commands from both Officer Toogood and Corporal Colon. Xxxxxx began to make his way down the stairs and began moving away from the officers. Xxxxxx continued to refuse to remove his left hand from his jacket pocket. Officers believed Xxxxxx appeared to be holding a possible weapon in his pocket while refusing to comply with lawful commands to stop and to remove his hand from his pocket. Officers drew their firearms and began to attempt to conduct a high-risk pedestrian stop believing Xxxxxx to be armed and noncompliant with officers continued commands to stop and remove his left hand from his pocket. Xxxxxx began to walk away from officers at a faster pace as he made his way down to the bottom of the staircase. Corporal Colon attempted to grab Xxxxxx and take him into custody at the bottom of the stairs. Xxxxxx attempted to strike Corporal Colon with his right hand. Xxxxxx had the 24 ounce can in his right hand when he attempted to strike Corporal Colon. Corporal Colon was able to avoid the strike but was not able to get a grip on Xxxxxx to attempt a takedown. Officer Toogood observed the assaultive behavior in addition to believing Xxxxxx to be armed with a weapon. Officer Toogood transitioned to his Taser as Xxxxxx was now beginning to run from officers. Officer Toogood effectively deployed his Taser which caused Xxxxxx to fall to the ground. Officer Toogood deployed his taser a second time believing Xxxxxx was attempting to roll onto his back into a fighting position. Corporal Colon was able to get on top of Xxxxxx and place his hands into a handcuffing position where Corporal Colon and Officer Toogood placed Xxxxxx under arrest. Xxxxxx was compliant with police officers, paramedics, and doctors the remainder of the contact.

No Harbor Police Officers sustained injury during the contact. Xxxxxx sustained a puncture wound to the back of his head from a Taser probe, abrasions to his hand and face, a cut requiring suturing above his right eye and two facial fractures around his right orbital and sinus cavity. All of Xxxxxx' injuries appeared to be from him contacting the ground after the

Reporting Officer HB4376 - Ferraioli, Scott	Division / Organization REC / SDHP - Harbor Police	Reviewed By HB3451 - Jensen, Brian
Report Date 10/10/2022 8:30:14 PM	Detective Assigned	Reviewed Date 10/11/2022 10:12:08 PM



San Diego Harbor Police Officer Report

CAD Event No. **100922-103**

Case No. **22-04232**

Report No. **13398**

2

Page 2 of 2

application of the Taser while Xxxxxx was fleeing from Officers. Officers immediately summoned for paramedics to respond to the scene and begin treatment.

The Harbor Police Officers involved in this incident used force that was objectively reasonable under the totality of the circumstances to overcome active resistance, assaultive behavior, effect an arrest, and prevent the escape of Xxxxxx Xxxxxx. Xxxxxx was booked into jail without incident after being cleared from the hospital.

Hyatt Hotel security staff were not able to confirm if they had security footage of the incident however, they did have a security camera in the area above the use of force incident that may have captured the contact on video. BWC footage of the incident was loaded into evidence.com.

Reporting Officer HB4376 - Ferraioli, Scott	Division / Organization REC / SDHP - Harbor Police	Reviewed By HB3451 - Jensen, Brian
Report Date 10/10/2022 8:30:14 PM	Detective Assigned	Reviewed Date 10/11/2022 10:12:08 PM