



Union City Police Department

34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA 94587
(510) 471-1365 FAX: (510) 471-5974

Investigative Summary

Date of Investigation: March 1, 2019

Incident: In-Custody Death Investigation

Location: 35000 Block of Carmel Way, Union City

Suspect/Deceased: Tyler Rechten, 40-year-old Menlo Park resident

Criminal History:

Mr. Rechten has prior arrests for being under the influence of narcotics, possession of narcotics, and possession of drug paraphernalia.

Officers Involved (years of service at time of incident):

- Officer Michael Sears, 1-year of service as a police officer
- (Former) Officer Giovanni Graham, 1-year of service as a police officer

Summary:

This is a summary of events that took place on March 1, 2019. The information for this summary was obtained through an in-depth investigation that was completed by the Union City Police Department and a parallel and independent investigation by the Alameda County District Attorney's Office. The Officers were cleared of any criminal and policy violations by the Union Police Department. The Alameda County District Attorney's Office concluded, "that the officers Involved in this incident are not criminally liable." Both the Union City Police Department's Investigation and the Alameda County District Attorney's Office investigation determined that the Officers acted within the law.

On March 1, 2019, at approximately 12:32 a.m., UCPD Officer Graham responded to reports of a vehicle collision, in the area of the 35000 block of Carmel Way, Union City. UCPD Officer Sears arrived at the same time as Officer Graham, in a separate vehicle. Upon arrival, the Officers noticed a long trail of debris throughout the street, damage to a parked vehicle and a downed streetlight pole. The Officers saw a Nissan at the end the debris, which had come to a stop after colliding with a parked vehicle. The Nissan sustained significant damage to the front and passenger sides. The Nissan's airbags deployed, making it difficult for the Officers to ascertain how many occupants were inside the vehicle. Officers had immediate concerns for any possible occupants inside the vehicle as they noticed smoke coming from the engine. Officer Sears requested medical personnel to respond to their location, via-his police radio.

Officers approached the Nissan and saw Mr. Rechten in the rear hatchback area of the Nissan. Officers attempted to open the Nissan's doors, so Mr. Rechten could exit the Nissan but they were unsuccessful. Officer Graham broke the rear driver's side window. Before Officer Graham broke the window, Officer Graham repeatedly told Mr. Rechten to move away from the window. However, Mr. Rechten did not comply. After breaking the window, the Officers were able to open the rear driver's side door and pull

the rear seat forward. Officers were then able to gain access to Mr. Rechten. Officer Graham attempted to grab Mr. Rechten's wrist to assist Mr. Rechten out of the vehicle but Mr. Rechten pulled away. While Mr. Rechten was in the vehicle, he was banging on the window, screaming out loud and manipulating strings on his shorts. Shortly after Officer Graham tried to assist Mr. Rechten out of the vehicle, Mr. Rechten exited the vehicle.

Officers believed Mr. Rechten was displaying signs of being under the influence of drugs. Officers saw that Mr. Rechten had been acting erratic; was sweating profusely, mumbling incoherently, wide-eyed look that was not reactive to light, breathing heavily, and was looking around with an apparent inability to focus. Officers also noticed Mr. Rechten was moving his lower jaw around in a manner consistent with being under the influence of a controlled substance. A sample of Mr. Rechten's blood was later collected and tested at a laboratory for toxicological analysis. The results of the testing were described by the Coroner Investigators as follows: "The drug screen found Rechten tested positive for potentially toxic levels of Amphetamine, Methamphetamine, and Diphenhydramine."

After Mr. Rechten exited the vehicle and the Officers made their observations of Mr. Rechten displaying signs of being under the influence of a controlled substance, Officers attempted to detain Mr. Rechten. Officer Graham positioned Mr. Rechten's hands behind his back and he quickly searched Mr. Rechten. Officers began to walk Mr. Rechten towards the sidewalk, so that he was away from the broken glass and damaged vehicle. As Officers and Mr. Rechten were walking towards the sidewalk, Officer Graham placed a handcuff on Mr. Rechten's left wrist. As Officer Graham attempted to handcuff Mr. Rechten's right wrist, Mr. Rechten began pulling away. Mr. Rechten twisted his body and jolted forward. The Officers attempted to control Mr. Rechten but he continued to resist as he continued to pull away.

In order to gain control of Mr. Rechten, the Officers decided to take Mr. Rechten to the ground. As Mr. Rechten went to the ground, he fell onto his front side. Both Officers fell to the ground with Mr. Rechten. While the Officers were attempting to control Mr. Rechten on the ground, Mr. Rechten continued to resist. Mr. Rechten moved his body from side-to-side and he tried to push his body up. Officers believed Mr. Rechten was trying to get them off of him. Since only one of Mr. Rechten's wrists were handcuffed and the other half of the handcuff was in the open position, Officer Graham feared that Mr. Rechten could use that handcuff as a weapon and cause injury.

During this struggle, Officer Sears attempted use his Police radio to request additional Officers to respond to assist. Officer Graham also attempted to activate his emergency button on his Police radio. This emergency button notifies Dispatch that an Officer needs emergency assistance. The Officers were able to gain control of Mr. Rechten's arms/wrist and they were able to place Mr. Rechten in handcuffs.

After Mr. Rechten was placed in handcuffs, he continued to actively move his body and cause a struggle. In order to maintain control of Mr. Rechten and prevent him from kicking, Officer Graham positioned himself over Mr. Rechten's legs and held on to the chain of the handcuffs. To assist with maintaining control, Officer Sears positioned himself on Mr. Rechten's right side. Officer Sears placed his left knee onto the left side of Mr. Rechten's upper back, while maintaining his left foot on the ground and his right knee on the ground. Officer Sears maintained majority of his body weight on his right leg and left foot. Officer Sears positioned his left knee on Mr. Rechten's upper back to stop Mr. Rechten from forcing the

Officers off him and to maintain control. Based on his training and experience, Officer Sears advised he was conscious of the amount of body weight he was applying to Mr. Rechten's back and avoided applying unnecessary weight on Mr. Rechten's back. To assist with maintaining control of Mr. Rechten, Officer Graham requested a restraint system be brought to this scene. Officer Graham made this request, via his Police radio.

When Alameda County Firefighters and paramedics arrived, Officer Sears informed the medical personnel that Mr. Rechten was likely under the influence of narcotics. Due to the struggle with Mr. Rechten, Officer Sears' body camera fell of his uniform. Once it appeared that Mr. Rechten was no longer actively resisting, Officer Sears went to retrieve his body camera. Officer Graham stayed with Mr. Rechten and continued to hold onto the chain of the handcuffs. Officer Graham maintained his attention on Mr. Rechten's back and he noticed that his chest was rising and falling. Shortly after Officer Sears went to retrieve his body camera, Officer Graham noticed Mr. Rechten's chest was no longer rising and falling. Officer Graham shook Mr. Rechten and asked him if he was okay but Mr. Rechten was unresponsive. Officer Graham rolled Mr. Rechten to his side and he noticed Mr. Rechten's face turning blue. Officer Graham removed the handcuffs and medical personnel began resuscitation efforts.

Mr. Rechten was transported to a local hospital. Despite further attempts at lifesaving treatments, Mr. Rechten was pronounced deceased at 6:13 a.m.

Over the past few years newly enacted legislation in the State of California, under SB1421 and AB748, has made certain types of materials related to critical investigations subject to public disclosure once an investigation is complete. Although the Union City Police Department recognizes the impact this incident may have on the Rechten family, those involved, and the public as a whole, certain materials related to this investigation have been linked to this portal for review. Please consider that some of these materials may be graphic in nature and not suitable for all viewers.