



Union City Police Department

Investigative Summary

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Date of Investigation: June 18, 2018

Incident: Officer Involved Shooting

Location: E Street and Railroad Avenue, Union City Ca.

Suspects: Arrestee 1, Arrestee 2, Arrestee 3

Criminal History:

Due to the fact that all three suspects were juveniles at the time of the incident, their criminal history is not included in this summary.

Gang Affiliation:

All three suspects were active Norteno gang members.

Officers Involved:

Union City PD Sergeant Pardo
Union City PD Detective Persinger
SACMCTF Agent (1) Edwards
SACMCTF Agent (2) Revay
SACMCTF Agent (3) Chahouati
Fremont PD Officer Roberts

- * The Southern Alameda County Major Crimes Task Force (SACMCTF) is an investigative unit comprised of members from the following agencies; California Department of Justice, California Highway Patrol, Fremont Police Department, Newark Police Department and Union City Police Department. SACMCTF investigates gang related crimes, major narcotic investigations and apprehends violent crime offenders.

Summary:

This is a summary of events that took place on June 18, 2018. The information for this summary was obtained through an in-depth investigation that was completed by the Union City Police Department. Based on the Union City Police Department's investigation, the Officers involved in this event acted within the law.

Throughout the month of June 2018, Agents from the Southern Alameda County Major Crimes Task Force (SACMCTF) investigated a series of gang related shootings. The shootings took place in Union City and Fremont, over the course of five days. For a better understanding of the gang related shootings that were being investigated, below are summaries of the shootings:

June 9, 2018, at approximately 4:07 a.m.: Unknown suspects shot at a female victim while the victim was driving to work. The victim was in the area of Decoto Road and Paseo Padre Parkway, in Fremont, when the suspects shot at her vehicle. The victim's vehicle was riddled with bullet holes. The suspects' vehicle was described as a gray minivan. The victim was not injured as a result of this shooting.

June 9, 2018, at approximately 4:30 p.m.: Two juvenile victims were in the area of 8th Street and E Street, in Union City, when suspects in a gray or light blue minivan fired several shots at them. The two juvenile victims were not struck by the gunfire. The two juvenile victims were not injured as a result of this shooting.

June 14, 2018, at approximately 7:04 p.m.: Five victims (all were members or associates of a criminal street gang) were shot while visiting a burial site at the Chapel of the Chimes Cemetery, in Union City. The five victims were transported to local hospitals where they were treated for the injuries they sustained as a result of the shooting. The suspects responsible for this violent shooting were associated to a gray or green minivan. The minivan was seen on surveillance footage. As a result of these shootings, Agents from SACMCTF continued their investigation with the assistance from Union City PD (UCPD) Detectives.

Based on information and evidence from all three shootings, detectives believed all three shootings were associated. Through an extensive investigation and the monitoring of social media, SACMCTF Agents and UCPD Detectives developed information that led them to identify several violent criminal street gang members as potential suspects for all three shootings.

Throughout this investigation, these suspects were seen on social media with firearms. SACMCTF Agents and UCPD Detectives learned that some of these suspects had been involved in a high-speed chase with another local agency, a few days after the shooting that took place at the Chapel of the Chimes Cemetery. During this high-speed chase, these subjects were driving a silver Toyota Camry which had been reported as a stolen vehicle. These subjects were able to avoid apprehension.

On Monday, June 18, 2020, members of SACMCTF, UCPD Investigations Unit and the Fremont PD Street Crimes Unit coordinated a surveillance operation on these suspects in order to obtain additional information and/or evidence. Prior to the operation, all involved Police personnel were briefed on the specifics and developments of this investigation and subjects/suspects involved.

Surveillance units located the stolen Toyota Camry in the city of Hayward. The Camry was occupied by three of the suspects. Surveillance units maintained surveillance on the vehicle and the suspects as they moved around throughout the city of Hayward.

At approximately 11:00 pm, surveillance units followed the vehicle off Interstate 880 and eastbound onto Whipple Road. The vehicle continued into the "Decoto" District of Union City. Surveillance units maintained surveillance on the vehicle and the suspects as they entered the "Decoto" District. As they followed behind the vehicle, they noticed that the vehicle did not appear to be going to a specific location. The suspect vehicle circulated throughout the "Decoto" district neighborhood.

Due to the fact that the vehicle appeared to be driving around and circulating through the neighborhood, surveillance units believed the suspects were possibly searching for new victims. Again, this is the same neighborhood or territory of the rival gang members that were shot at The Chapel of the Chimes and the same neighborhood where the two juveniles were shot at on June 14th.

To prevent community members from potentially becoming victims of a violent crime and to apprehend the suspects for being in possession of a stolen vehicle, the decision was made to attempt a high-risk stop on the vehicle on E Street near Railroad Avenue. As surveillance units began conducting this

high-risk stop, SACMCTF Agent 1 immediately began taking gunfire from the suspect(s) inside the suspects' vehicle. SACMCTF Agent 1 was in the driver seat of his unmarked Police vehicle and positioned

in front of the suspect vehicle. Multiple rounds entered the rear trunk area of SACMCTF Agent 1's vehicle. SACMCTF Agent 1 was not hit by these rounds.

Immediately following the shots that were directed at SACMCTF Agent 1, Fremont PD Officer began taking multiple rounds from the suspect(s) inside the suspects' vehicle. Fremont PD Officer was in the driver seat of his unmarked Police vehicle and he was positioned to the rear of the suspect vehicle. In fear for his life, Fremont PD Officer fired several shots back at the suspects as he exited his vehicle trying to move to a position of safety. Fremont PD Officer's vehicle had numerous rounds enter through the front windshield. Fremont PD Officer was not hit by any of these rounds.

As this exchange of gunfire was taking place, two more unmarked Police vehicles moved into position. One of the Police vehicles included SACMCTF Agent 2, two additional Officers and a Police K-9. This unmarked Police vehicle was positioned towards the rear, driver's side of the suspects' vehicle. The second unmarked Police vehicle was positioned behind the first Police vehicle and was occupied by SACMCTF Agent 3. SACMCTF Agent 3 was able to quickly make his way on foot to SACMCTF Agent 2's location which was near the driver's door of SACMCTF Agent 2's vehicle. The Officers saw the muzzle flash from a firearm coming from the suspects' vehicle. Due to suspects actively firing gunshots at the Officers, the Officers were in fear for their lives. SACMCTF Agent 2 and SACMCTF Agent 3 fired several rounds at the suspects.

As these Officers were getting into position and this active gunfire ensued, UCPD Sergeant and Officer 2 moved their unmarked vehicle into position. This position was behind Fremont PD Officer's vehicle (rear vehicle, behind the suspect vehicle). As UCPD Sergeant and UCPD Detective exited their vehicle, UCPD Sergeant heard a large amount of gunfire. UCPD Sergeant then saw Fremont PD Officer fall back. UCPD Sergeant believed that Fremont PD Officer had been shot. UCPD Sergeant saw Fremont PD Officer make his way behind his vehicle and UCPD Sergeant believed Fremont PD Officer was okay.

UCPD Detective said as he saw a subject (Arrestee 2) exit the passenger side of the suspect vehicle and saw the subject holding what he believed to be a firearm in his hand. UCPD Detective believed this subject was shooting at other Officers. UCPD Detective fired multiple rounds at this subject. This subject then fled on foot, westbound on E Street. UCPD Sergeant began chasing after this subject, however, as UCPD Sergeant got near the suspect vehicle, he realized the suspect vehicle had not been secured. UCPD Sergeant stopped quickly, causing him to fall to the ground. As UCPD Sergeant fell to the ground the suspect vehicle began to leave from its original stopped location. As the vehicle pulled away; the vehicle almost ran UCPD Sergeant over.

It should be noted that Police personnel involved with this initial stop were wearing plain clothes, with outer carrier protective vests worn over the top. The outer carrier vests contain a Police badge on the front and have Police markings on the back. Police personnel were using unmarked vehicles during this event; however, these vehicles are equipped with forward facing solid red lights and police sirens. During the initial stop, emergency lights (forward facing solid red light) and Police sirens were activated from unmarked Police vehicles.

While the vehicle was pulling away, UCPD Detective believed someone was still firing shots at Officers from inside the vehicle. UCPD Detective fired multiple shots at the driver of the vehicle (Arrestee 2). The vehicle was able to flee the area as it drove onto the railroad tracks. UCPD Sergeant chased after the vehicle on foot. As UCPD Sergeant chased after the vehicle and gave several verbal commands for the driver to stop the vehicle. The driver did not comply and UCPD Sergeant fired several shots at the driver. UCPD Sergeant believed based on the level of violence demonstrated by the suspects, that the driver was a serious and imminent danger to other Officers and members of the community.

As Officers were dealing with the fleeing driver and vehicle, the other two suspects (Arrestee 2 and Arrestee 3) fled on foot to the 33400 block of Tenth Street. SACMCTF Agent 1, originally by himself chased after the two subjects. SACMCTF Agent 1 saw Arrestee 2 run towards the rear yard of a residence located on the 33400 block of 10th Street. He saw Arrestee 3 run by a parked vehicle that was parked in the driveway of a nearby residence. SACMCTF Agent 1 saw that Arrestee 3 was running with a gun in his hand. SACMCTF Agent 1 believed Arrestee 3 was hiding behind the parked vehicle. SACMCTF Agent 1 gave Arrestee 3 multiple verbal commands for him get on the ground. SACMCTF Agent 1 saw arrestee 3 quickly standup from behind the parked vehicle. SACMCTF Agent 1 believed he was being ambushed so he fired a round at Arrestee 3. SACMCTF Agent 1 told Arrestee 3 to drop the firearm and Arrestee 3 responded by saying he would, and he complied with commands. Additional Officers arrived at this location and they were able to detain Arrestee 3 without incident.

Officers located a loaded firearm within a few feet from where Arrestee 3 was positioned, near the parked vehicle. Arrestee 3 suffered a non-life-threatening graze wound to his arm. Later in the investigation, Arrestee 3 stated he was in possession of a firearm. He said he fired several shots at the Officers during the initial stop and he said he was in possession of a firearm when he fled on foot.

While Officers were detaining Arrestee 3, Arrestee 2 called out for Officers from the neighboring backyard. Arrestee 2 advised that he was shot and he needed help. Officers called out for Arrestee 2 to exit the backyard and he eventually did. As Arrestee 2 exited the backyard, Officers began providing medical aid to Arrestee 2. Arrestee 2 suffered a gunshot wound to his arm and to his chest. After providing life-saving medical aid, Officers were able to get Arrestee 2 to paramedics. Arrestee 2 was transported to a local hospital where he was treated for his injuries. Arrestee 2 later stated he was in possession of a firearm and he stated he discarded the firearm while he was fleeing on foot.

As both Officers were dealing with Arrestee 2 and Arrestee 3, Officers located the suspect vehicle abandoned on Whipple Road near Ithaca Street. With the assistance of outside agencies, a large perimeter was set-up in the area. The Union City PD SWAT Team was called out to search for the outstanding suspect. The outstanding suspect (Arrestee 1) was eventually located by UCPD SWAT as he was hiding in a nearby shed. Arrestee 1 was arrested without incident. Arrestee 1 did not suffer any injuries as a result of the shooting.

There were multiple crime scenes as a result of this incident. Throughout the different crime scenes multiple firearms were recovered from the suspects. One of the firearms was located near Arrestee 3 when he was ultimately detained. Another firearm was located in the area where both Arrestee 2 and Arrestee 3 had run through when they fled on foot. In total there were three firearms associated to the suspects that were located throughout the different crime scenes. There were multiple spent shell casings recovered that matched the firearms recovered.

All three suspects were arrested for multiple counts of attempted murder on Police Officers, multiple weapons charges and for being in possession of a stolen vehicle. In January of 2021 the Department of Juvenile Justice determined the following:

Juvenile Suspect # 1 had sustained findings for violations of 245PC and 186.22 PC. Juvenile Suspect # 1 was sentenced to serve three years in the Department of Juvenile Justice with eligibility for parole in 18 months.

Juvenile Suspect #2 had a sustained finding for a violation of 245 PC. Due to his age at the time of the crime/arrest (15 yo), he was released early (in April of 2020).

Juvenile Suspect #3 had sustained finding for violations of 245PC and 186.22 PC. Juvenile Suspect #3 was sentenced to serve two years in Department of Juvenile Justice with the eligibility for parole at 18 months.

The Union City Police Department understands the gravity of this investigation, and how it affects the suspects' families, friends, and members of our department and their families. Senate Bill 1421 and Assembly Bill 748 recently amended State law to make reports and video and audio recordings of certain critical incidents subject to disclosure. We do caution viewers that this video is graphic in nature and not suitable for children.