

Diana Becton
DISTRICT ATTORNEY

#### **INVESTIGATION REPORT**

Docket / File / Police Report No.
013-1046493
Date of Report:
March 27, 2023

### **Investigative Team:**

Larry J. Wallace, Senior Inspector, Contra Costa County District Attorney's Office, 900 Ward Street, Martinez, CA 94553

# **Antioch Police Department Officers Sending Communications:**

Antioch Police Department (APD) Sergeant (Sgt) Josh Evans,
Antioch Police Department (APD) Sergeant (Sgt) Rick Hoffman,
Antioch Police Department (APD) Officer Jonathan Adams,
Antioch Police Department (APD) Officer Morteza Amiri,
Antioch Police Department (APD) Officer Scott Duggar
Antioch Police Department (APD) Detective Robert Gerber,
Antioch Police Department (APD) Officer Aaron Hughes,

Supplemental	
Continuation	X

	Docket / Report No.
APD Officers	013-1046493
Antioch Police Department (APD) Officer Brayton Milner,	医感觉器 1 101 不全的特别是
Antioch Police Department (APD) Officer Calvin Prieto,	
Antioch Police Department (APD) Officer John Ramirez,	
Antioch Police Department (APD) Officer Andrea Rodriguez,	<b>建筑市工资生地,建设,从16</b> 20
Antioch Police Department (APD) Officer Eric Rombough,	
Antioch Police Department (APD) Officer Kyle Smith,	的是对于"我们是"的是"自治"。 第1
Antioch Police Department (APD) Officer Devon Wenger,	是"京城市教育大学学"
Summary:	
This is a joint investigation being conducted by the Federal Bure the Contra Costa County District Attorney's Office (CCCDAO) officers currently and formerly employed by the Antioch Police Pittsburg Police Department (PPD) regarding crimes of moral tu	involving law enforcement Department (APD) and the

Supplemental	
Continuation	X

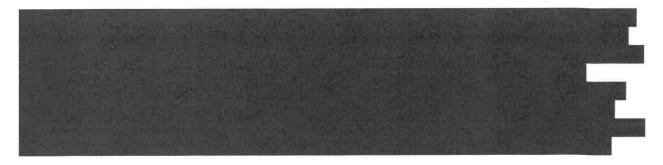
Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493



After January 1, 2023, Senate Bill 2, a new law in California was enacted regarding police misconduct. Senate Bill 2 states that law enforcement officers will cooperate when they are listed as witnesses in an investigation into serious misconduct, which shall minimally include the following: Dishonesty, Abuse of Power, Physical abuse, sexual assault, demonstrating bias, egregious or repeated violation of law, participation in a law enforcement gang, failure to cooperate with an investigation into potential police misconduct, and failure to intercede.

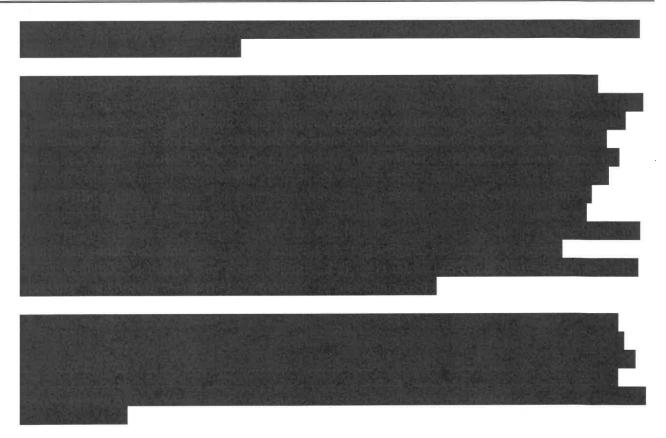
The bill disqualifies a person from being employed as a peace officer if that person has been convicted of, or has been adjudicated in an administrative, military, or civil judicial process as having committed, a violation of certain specified crimes against public justice, including the falsification of records, bribery, or perjury. The bill disqualifies any person who has been certified as a peace officer by the Commission on Peace Officer Standards and Training and has surrendered that certification or had that certification revoked by the commission or has been denied certification.

The bill requires an agency employing peace officers to report to the commission the employment, appointment, or separation from employment of a peace officer, any complaint, charge, allegation, or investigation into the conduct of a peace officer that could render the officer subject to suspension or revocation, findings by civil oversight entities, and civil judgements that could affect the officer's certification. In case of a separation from employment or appointment, the bill requires each agency to execute an affidavit of separation form adopted by the commission describing the reason for separation. The bill requires the affidavit to be signed under penalty of perjury.



Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
	013-1046493



Based on the above listed review, sworn law enforcement members of the CCCDAO and the FBI found text communications between sworn law enforcement members of the Antioch Police Department that we believe may have violated the Racial Justice Act. This report documents some of the derogatory, homophobic, and sexually explicit language and photographs shared by members of the Antioch Police Department that demonstrates their racial bias and animus towards African Americans and other people of color in the community. This report does not include every derogatory text message retrieved during our review of the above listed cellular telephones. This is an ongoing state and federal criminal investigation which may lead additional disclosures. This report also documents potential dishonesty, perjury, abuse of authority, and the violation of individuals civil rights.

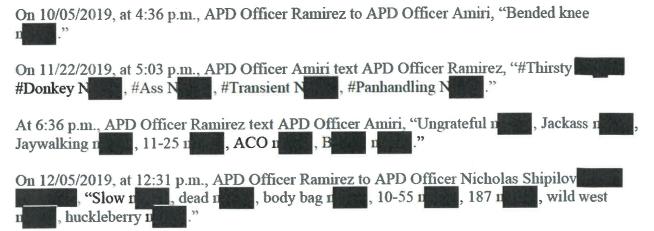
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Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

On 09/23/2019, at 2:07 p.m., APD Officer Ramirez, white female depicting her pointing her finger at the following sign, "This text message was sent to the following APD Officers: Morteza Amiri; Eric Rombough; Rick Hoffman; Daniel Harris; Detective Robert Gerber; John Cox; Jonathan Adams; Kyle Smith; Jake Ewart; Sgt. Stenger; Ryan McDonald; Sgt. Josh Evans; Joseph Magana; Casey Brogdon; Sgt. Jimmy Wisecarver; Tom Lenderman; Aaron Hughes; Adrian Gonzalez; Matthew Nutt; Brock Marcotte; Scott Duggar; Timothy Manly Williams; and Sgt. Loren Bledsoe.





Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

On 01/17/2020, at 10:39 a.m., APD Officer Ramirez to APD Officer Amiri, "Uniform notice,", Top flight notice, "

At 7:46 p.m., APD Officer Ramirez to APD Officer Amiri, "Racist name,", Probably was scared on the phone name, Boogeyman name."

On 01/26/2020, at 10:33 a.m., APD Officer Amiri text APD Officer Rombough, "March will be enforcement month errbody and they momaz finna get arrested and towed."

At 10:34 a.m., APD Officer Eric Rombough replied, "lol driving while black."

On 02/18/2020, at 7:17 p.m., APD Officer Amiri text a civilian, "You can do a notice classes but you can't spell notice?"

On 02/24/2020, at 8:07 p.m., APD Officer Amiri text APD Officer Rombough, "No they didn't push it that far. Bunch of gorillas surrounding us and taunting a fight since we were hooking and didn't do shot. I wish they did."

On 02/27/2020, at 2:42 p.m., APD Officer Eric Rombough sends a photograph of a gorilla to APD Officer Amiri. This photograph was a reference to the arrest or detention of 02/24/2020.

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493



On 04/24/2020, at 5:49 p.m., APD Sgt. Josh Evans text APD Officer Amiri, "I'll bury that no in my fields." APD Officer Amiri laughed at the above comment.

At 5:53 p.m., APD Sgt. Josh Evans responds, "And yes....it was a hard R on purpose."

At 5:54 p.m., APD Officer Amiri replies, "haha there's no accidents with you on that."

On 04/29/2020, at 5:10 p.m., APD Officer Amiri text Brentwood Police Department (BPD) Officer Lindzie Laughridge, "Since we don't have video I sometimes just say people gave me a full confession when they didn't. gets filed easier."

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

On 04/30/2020, at 9:00 p.m., APD Officer Rombough sent a photograph of a gorilla to APD Officer Kelly Inabnett,



On 05/04/2020, at 8:34 a.m., APD Officer Aaron Hughes text APD Officer Morteza Amiri, "He doesn't want to go back to jail." APD Officer Amiri replies, "yea I'm watching."

At 8:36 a.m., APD Officer Hughes responds, "Bro the circus is in town...but it seems they only brought monkeys."

At 8:37 a.m., APD Officer Amiri responds, "lmao. It's a zoo over there right now."

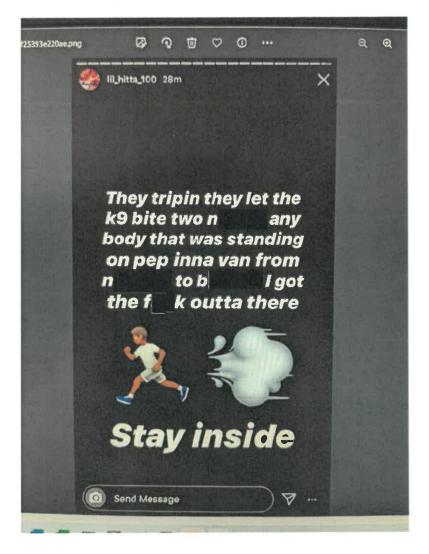
On 05/05/2020, at 6:41 p.m., an unknown officer liked, "Amiri better bite that a hole tomorrow."

At 6:42 p.m., APD Sgt. Evans text, "We need to have a spotter call to Amiri where he is so we can smash in and bite him, 40mm him, and call him a call t." APD Sgt. Jimmy Wisecarver replied, "HaHa."

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

On 05/06/2020, at 12:20 p.m., APD Officer Kyle Smith sent a text message to the following group of APD Officers captured from Instagram stating, "They trippin they let the K9 bite two any that was standing on pep inna van from need to be I got the k outa there. Stay inside." The following APD Officers received the text message: Morteza Amiri, Eric Rombough, Sgt. Rick Hoffman, Daniel Harris, Detective Robert Gerber, John Cox, Jonathan Adams, Jake Ewart, Sgt. James Stenger, Ryan Mcdonald, Sgt. Josh Evan, Joseph Magana, Casey Brogdon, Sgt. Jimmy Wisecarver, Tom Lenderman, Aaron Hughes, Adrian Gonzalez, Matthew Nutt, Brock Marcotte, Scott Duggar, Timothy Manly Williams, and Sgt. Loren Bledsoe.



Supplemental	
Continuation	X

	Dealert / Demant No
Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

At 8:59 p.m., APD Sgt. Josh Evans text, mom was yelling how we shot and killed someone today. That rumor getting around quick."

At 9:00 p.m., APD Sgt. Jimmy Wisecarver text, "Laughed." APD Sgt. Evans replies, "That was right after she called me a racist as cop...." APD Officer Rick Hoffman laughed at the above listed comment and stated, "Well she has a point.

At 9:01 p.m., APD Sgt. Evans text, "I never said I took offense to it." APD Officer Tom Smith responds, "Josh isn't a racist..he just hates women. Just ask the female who went airborne yesterday into Jimmy."

On 05/27/2020, at 8:23 a.m., APD Officer Amiri text APD Officer Rombough, "See all the riots in LA?" APD Officer Rombough responds, "No I didn't lol." APD Officer Amiri responds, "For the gorilla that died (reference to George Floyd).

On 06/08/2020, at 9:27 a.m., Officer Ramirez text to APD Officers, "I'll buy someone a prime rib dinner at House of prim rib to 40 that (Thorpe) during the protest today." This is a reference to the potential use of a .40mm less lethal launcher being utilized on current Antioch Mayor Lamar Thorpe. The following APD Officers received the above listed text message: Sgt.'s Josh Evans, James Wisecarver, Rick Hoffman, Loren Bledsoe, and James Stenger; Detective Robert Gerber; APD Officers John Cox, Jonathan Adams, Kyle Smith, Jacob Ewart, Ryan McDonald, Joseph Magana, Eric Rombough, Daniel Harris, Casey Brogdon, Tom Lenderman, Aaron Hughes, Adrian Gonzalez, Matthew Nutt, Brock Marcotte, Scott Duggar, and Timothy Manly Williams.

On 06/10/2020, at approximately 5:29 p.m., APD Officer Calvin Prieto text APD Officer Andrea Rodriguez, "I swear it's like a Batman movie. Villian as DA." APD Officer Rodriguez replied, "For reals...the world is just outta whack right now!"

At approximately 5:31 p.m., APD Officer Prieto replies, "I blame the blacks. I'm trying not to get upset."

On 06/14/2020, at approximately 4:07 p.m., APD Officer Rodriguez text APD Officer Prieto, "Yes any situation that is against blacks right now is."

At approximately 4:08 p.m., APD Officer Prieto responds, "No sense of responsibility on any of their parts."

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

At approximately 4:09 p.m., APD Officer Rodriguez text APD Officer Prieto, "Not at all that would be asking way too much of them."

At 6:15 p.m., APD Sgt. Evans text APD Officer Amiri, "Laughed at "Did the news quote the complaint where it say Colley was beating him about the anus while I held his legs apart?"

At 6:17 p.m., APD Sgt. Jimmy Wisecarver text, "No there was no mention of the anus. I'm gonna have to read that report!" 1

At 6:24 p.m., APD Officer Kelly Inabnett responds, "Apparently they give out grades."

At 6:27 p.m., APD Sgt. Stenger replies, "Damn we failed." APD Officer Inabnett responds, "Pretty sure everyone did."

At 6:28 p.m., APD Sgt. Wisecarver text, "Baldwin was the one providing the grades." APD Officer Aaron Hughes adds, "84% percentile for deadly force." APD Officer Inabnett responds, "But we kill more mexicans than anything else. Soo blacks can feel safe." This is a reference to who was assaulted by the APD in 2014, and his mother, the same of the safe. It is incident led to him suffering from mental illness, and he later died.

At 6:29 p.m., APD Officer Inabnett continues, "Sorry. Reverse that."

At 6:30 p.m., APD Sgt. Stenger, "Laughs." APD Officer Spencer Cox texts, "They used "Latinx". Credibility went to 0%."

At 6:31 p.m., APD Officer Inabnett responds, "Good news, 0 crimes committed by police. Must be old data."

On 06/22/2020, at 9:04 a.m., APD Officer Rombough text a private citizen a photograph depicting a large naked African American male, with his penis exposed, sitting on the neck of George Floyd.

<sup>&</sup>lt;sup>1</sup> Police Scorecard is the first nationwide public evaluation of policing in the United States. The Scorecard calculates levels of police violence, accountability, racial bias, and other policing outcomes for over 16,000 municipal and county law enforcement agencies, covering nearly 100% of the US population. The project is designed to help communities, researchers, police leaders and policy makers take data-informed action to reduce police use of force, increase accountability and reimagine public safety in their jurisdictions.

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493



On 07/02/2020, at approximately 9:55 a.m., APD Officer Rodriguez text APD Officer Prieto, "I don't know if I can do the DRE (drug recognition evaluation) cuz he's knocked out now. APD Officer Prieto responds, "No we'll just say he refused to comply and take the blood. Stat aint going anywhere. If anything he'll get hit for the 2800.4 (California Vehicle Code Section 2800.4 Evading an officer by driving opposite of traffic)."

At approximately 9:56 a.m., APD Officer Rodriguez responds," Okay that's cool then. What's the case number again". APD Officer Prieto responds, "5516 (APD Incident No. 2000-5516)". For further details reference the Attached APD report.

On 07/20/2020, at approximately 3:24 p.m., APD Officer Rodriguez text APD Officer Prieto, "Ohhh gotcha..yea see how all of that turns out. I'm over painting the streets."

At approximately 3:25 p.m., APD Officer Prieto responds, "I'm like, where's that black with the paint cans so she can k it up." APD Officer Rodriguez text, "Oh I know. She did it again as soon as she got out of jail."

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

At approximately 3:26 p.m., APD Officer Prieto text, "Yea I saw that, she was like, ima do the drive bys instead."

At approximately 3:27 p.m., APD Officer Rodriguez text, "Yea Izzy showed me it an we were laughing yesterday. I'm like good for her." APD Officer Prieto responds, "Sh t like this don't get these black lives matter people talking but they be the first to try to defund the police."

On 08/22/2020, at 12:35 p.m., APD Officer Amiri to APD Officer Wenger, "If Pitt didn't have all those body cams and that was us...we would have ked him up more. He didn't get what he deserved." This is a reference to the arrest of Jamari Allen in Pittsburg, California, who was taken into custody by use of APD Officer Amiri's police k-9.

At 12:36 p.m., APD Officer Wenger responds, "I agree. That's why I don't like body cams."

On 09/04/2020, at 8:48 p.m., APD Officer Lenderman text to APD Officers, "it's like the black panthers but they are Hispanics and from LA area. They were in Martinez for the BLM shalt."

At 8:50 p.m., APD Sgt. Evans text to APD Officers, "Shagoofa looks like an arabian nights dumpster." This is a reference to local city of Antioch social justice advocate Shagoofa Khan.

On 09/09/2020, APD Officers Rodriguez and Calvin Prieto communicated via text messages with each other to agree to write a large amount of traffic citations by targeting a specific group in a specific area.

On 09/09/2020, at approximately 9:04, APD Officer Prieto text APD Officer Rodriguez, "I wanna push tho. Like hit those 30 cites."

At approximately 9:05, APD Officer Rodriguez replies, "Okay we just hafta go to the areas where we can." APD Officer Prieto text, "make these near eat shaft. Yes of course." APD Officer Rodriguez text, "Yes that will be easy. And it will be a good time lol start off quick with the numbers."

At approximately 9:07, APD Officer Prieto responds, "Yes of course. Get it in and the k things up."

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

On 10/06/2020, at approximately 10:03 a.m., APD Officer Prieto text, "Well get busy and start towing research to the compound of the compound form."

At approximately 10:10 a.m., APD Officer Rodriguez text, "I wanted to yesterday but had no cover or papers."

On 10/22/2020, at 8:32 p.m., APD Officer Jonathan Adams text an unknown photograph to the below listed officers and Sgt. Wisecarver had the following response, "We're all going to prison." The following APD Officers received the above listed text message: Sgt.'s Jimmy Wisecarver, Matthew Koch, James Stenger, Loren Bledsoe, and Rick Hoffman; Kelly Inabett, Zechariah Matis, Brock Marcotte, Ryan McDonald, Brittney Crites, Quamaine Murphy, Johnathan Adams, Jiseok Jeong, Adam Duffy, Eric Rombough, John Cox, Scott Duggar, Casey Brogdon, Matthew Summers, Tom Smith, Marcos Torres, Randall Gragg, and Samantha Peterson.

On 11/11/2020, at 11:03 a.m., APD Officer Brock Marcotte text APD Officers Rombough, Timothy Manly Williams, Scott Duggar, and Rick Hoffman, "I'm on my way in now, what're you guy up to? APD Officer Rombough replies, "Violating civil rights."

On 12/07/2020, at 3:57 p.m., APD Officer Rombough text Sgt. Evans, "Lol yeah buddy. I was bummed that beast (reference to suspect ) was so fat cuz he didn't bruise up very fast." APD Sgt. Evans replied, "It never looks as good on black guys." APD Officer Rombough responds, "Just like jobs and responsibilities."

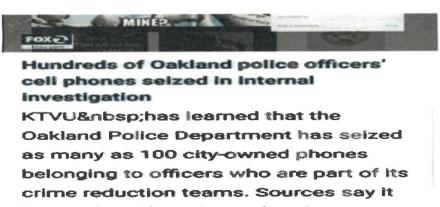
On 12/27/2020, at 12:20 p.m., APD Officer Amiri text BPD Officer Laughridge, "It's commonly used around the pd tbh (reference to the N word)." BPD Laughridge text, "Yeaaa but given the times I wouldn't say that out loud." APD Officer Amiri responds, "even in group messages with supervisors and IA Sgt's matter of fact it was said just today in our group thread with multiple supervisors in it."

On 01/13/2021, at 8:22 p.m., APD Officer Morteza Amiri sends information regarding an article where cellular telephones were seized from 100 Oakland Police Officers. The article details the investigation is involving sexist and racist comments made on a now deleted Instagram account. The following APD Officers received the text message: Sgt's James Stenger, Rick Hoffman, Jimmy Wisecarver, John Fortner, and Josh Evans; Detective Robert Gerber; APD Officers Brayton Milner, Jacob Ewart, Scott Duggar, Arturo Becerra, John Ramirez, Brock Marcotte,

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

Randall Gragg, Odom, Adrian Gonzalez, Tom Lenderman, Johnathan Adams, and Timothy Manly Williams.



has to do with sexist and racist comments made on a now-deleted instagram account.



#### KTVI I has learned that the Oakland

At 8:23 p.m., APD Officer Cox responded, "I talked to Valle this morning. He said everyone from Officer to Captain got their phones took."

At 8:24 p.m., APD Officer Timothy Manly Williams responded, "Are those personal or work phones?"

At 8:26 p.m., Sgt. Hoffman text, "If anyone tries to grab my personal phone I'm gonna smash it Theresa Conde style."

At 8:27 p.m., APD Officer Cox responded, "mines going on the nearest microwave. Then I'd have to make Cupertino cuz of stupid icloud."

At 8:28 p.m., APD Officer Gonzalez text, "every cop in ca should be on wicker or signal."

At 8:43 p.m., APD Sgt. Stenger responded, "And I never hooked my work phone to the icloud or an email."

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

At 8:47 p.m., APD Officer Cox text, "I think Chief (Tammany Brooks) knew something we don't when he sent that email about his new work phone number and talking about PRA requests."

At 8:54 p.m., Sgt. Wisecarver adds, "It sounds like they are only looking for sexual or racial comments so we should be good right?"

At 8:57 p.m., APD Officer Adrian Gonzalez responded, "After all OPD has been through you would think they wouldn't do dirt on a pd phone."

On 02/11/2021, at 10:14 a.m., APD Officer Jonathan Adams to APD Officer Eric Rombough and Sgt. Rick Hoffman, "I just talked to that again and got him to agree to eat his own deck."

On 02/19/2021, at 9:38 a.m., APD Officer Rombough to Sgt. Evans, "I should have 40d this black based today (reference to suspect and all of the state of the suspect and the suspect an

On 02/23/2021, at 1:07 p.m., APD Officer Rombough to APD Sgt. Evans, "At least I got to 40 that for the property of the companion of the compa

On 03/25/2021, at 4:32 p.m., APD Officer Rombough text APD Officer Jonathan Adams, "That fat dude in the minivan and the fat bf (black female) on the balcony belong to that apartment I'll go grab the plate to the minivan.

At 4:38 p.m., APD Officer Rombough text, "I pulled out and into the los medanos lot. The fat the ks were eye the king me."

At 5:52 p.m., APD Rombough text, "Sooo many black people (sic)."

At 6:22 p.m., APD Officer Adams responds, "Bro. They all look the same." APD Officer Rombough laughs at the above comment and responds, "Tell me about it" and "I feel like I'm at the zoo."

At 6:39 p.m., APD Officer Rombough text, "I bet it's chicken." APD Officer Adams responds, "Could be ribs." APD Officer Rombough continues, "For sure watermelon and kool aid."

At 7:14 p.m., APD Officer Rombough to APD Officer Adams, "I hate these idiots."

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

At 7:17 p.m., APD Officer Adams responds, "The cops or the name"?"

At 7:18 p.m., APD Officer Rombough replies, "All of them it looks like Trent is here too."

On 03/31/2021, at 2:44 p.m., APD Officer Rombough to APD Sgt. Evans, "Gotta stop kicking in their head." This is a reference to the arrest of on 03/31/2021 under APD case number 21-1905).

On 04/16/2021, at 1:18 p.m., APD Officer Scott Duggar text APD Officer Eric Rombough, a captured screen shot from Instagram with the caption, "N aint really tryna hoop they just wanna sit at the store an sell weed under them cameras."



Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

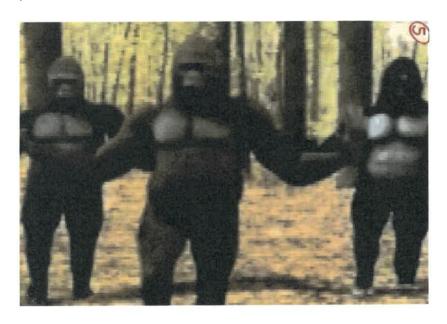
At 6:11 p.m., APD Officer Rombough text APD Officer Adams, "Focused on 2s too long for the wire (APD Officer Rombough refers to 2s (piece of short or the transport of the trans

On 05/29/2021, at 12:41 p.m., APD Officer Adams to APD Officer Rombough, "and his midtown factor hang out with a bunch of two in the apartments on crestview."

On 06/07/2021, at 2:30 p.m., APD Officer Rombough to a private citizen, "I'm out here talking to water buffalo (reference to large African-American women)."

On 06/21/2021, at 2:27 p.m., APD Officer Rombough to a private citizen, "we just ran down a monkey at sycamore."

On 06/30/2021, at 3:31 p.m., APD Officer Rombough sends a photograph of three (3) gorillas to APD Officer Brayton Milner.



On 08/05/2021, at 2:15 p.m., APD Officer Rombough to APD Officer Adams, "Fink these gorillas."

On 09/10/2021, at 5:56 p.m., APD Officer Rombough to APD Officer Adams, "so we are harassing the gorillas."

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

On 11/06/2021, at 11:59 a.m., APD Officer Rombough text Detective Robert Gerber a photograph of a gorilla.



At 12:11 p.m., APD Detective Robert Gerber sends a photograph of a gorilla to APD Officer Eric Rombough.



Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

On 11/22/2021, at 12:15 p.m., APD Officer Rombough to APD Officer Scott Duggar, "For k your people. I hate this city." APD Officer Scott Duggar replies, "What they do today."

At 12:16 p.m., APD Officer Rombough responds, "I'm only stopping them cuz they black. Fink them. Kill each other."

On 01/05/2022, at 9:44 a.m., APD Officer Adams to APD Officer Rombough, "Yup gimme a few tho, I'm in a meeting with SOU and Gerber and Hoffman discussing black people." APD Officer Rombough text, "You gonna be there for this swat op on the gorillas."

On 01/24/2022, at 7:08 p.m., APD Officer Rombough text APD Officer Smith, "I heard, 101 bottom line it doesn't matter some gorilla killed another gorilla."

On 04/27/2022, APD Captain Trevor Schnitzius emailed CCCDAO Sr. Inspector Wallace all citations issued by APD Officers Rodriguez and Prieto from 09/09/2020 thru 10/08/2020 to determine if there was a disparity in the race, ethnicity, or national origin of the individuals who were cited after the statement they made on 09/09/2020. Listed below are the results:

#### **APD Officer Prieto:**

African Americans	33
Latinos	29
Caucasians	29
Other <sup>2</sup>	16
Total	107 Citations

#### **APD Officer Rodriguez:**

African Americans	31
Latinos	36
Caucasians	21
Other	26
Total	114 Citations

<sup>&</sup>lt;sup>2</sup> Other – Middle Eastern descent, mixed ethnicity, or people decline to state their ethnicity, when it's not clear

Supplemental	
Continuation	X

Subject / Defendant:	Docket / Report No.
APD Officers	013-1046493

Per APD Officer Amiri, he texted the following statistics for his k-9 deployments from December 2018 – December 2021. He stated he had 471 deployments, 400 arrests, 369 give-ups, and 28 confirmed bites. Law enforcement personnel have been able to confirm that 19 of the 28 dog bites were suffered by African Americans.

**End of Report**