

# POLICE CIVILIAN REVIEW BOARD

## Investigation Report

Internal Affairs Case Number S 2015-0008

Complainant: (Race/Gender)	C- SLCPD, Administrative Review
Alleged Policy Violation:	OIS/Improper Use of Force
Subject Officer: (Race/Gender)	S- Sgt. Steven Wooldridge (W/M)
Subject Officer's Years of Service:	S- 24 years
Date of Alleged Incident:	6/20/15
Date Investigation Requested:	6/20/15
Date Filed with Internal Affairs	6/22/15
Date Investigation Completed:	8/27/15
Panel Members:	Glen Greener Kevin Parke Ginger Fletcher Roger Sandack Dan Cannon
Date of Panel Meeting:	9/9/15
Interviews Conducted:	15

**It should be noted that the narratives contained in this report are summaries that have been paraphrased from interviews. They should not be interpreted as verbatim transcripts. The narrative is intended to accurately communicate the substance of the major points in each interview.**

### **Synopsis:**

This matter was investigated under the jurisdiction of the SLCo DA's office, using investigators from outside agencies. This approach is known as OICI, Officer Involved Critical Incident, and as stated, is led by the DA's office but using investigators from their own staff along with another law enforcement agency, other than the agency that the officer is working for. This matter was covered in the media and the DA's letter was publicly released so this report will not redact the names as they are already publicly known.

The following comes from the DA's letter to the Chief of Police, SLCPD:

### **FACTS**

The following facts were developed from the OICI protocol investigation. Should additional or different facts subsequently come to light, the opinions and conclusions contained in this letter may likewise be different.

#### ***Sgt. Wooldridge's Interview***

OICI protocol investigators interviewed Sgt. Wooldridge with his legal representative present. Sgt. Wooldridge said that late in the evening on June 20, 2015 his shift was ending in about an hour. Sgt. Wooldridge said he was in the area of the Road Home at 210 S. Rio Grande Street in Salt Lake City, Utah. Sgt. Wooldridge said since he was close to completing his shift for the day, he was uploading his body camera to his laptop in his patrol car. Sgt. Wooldridge said he was driving back to his office at the police station and drove past the Road Home on Rio Grande Street. Sgt. Wooldridge said both his front windows in his patrol car were down.

Sgt. Wooldridge said he turned the corner on 200 south and Rio Grande Street and saw a white female being followed or pursued by a black male. Sgt. Wooldridge said he hears someone say: "get away from me with that knife."

Sgt. Wooldridge said he said he stopped his patrol car and got out. He said he saw that the male had a knife in his hands. Sgt. Wooldridge said he ordered the male to drop the knife, but the male stopped, looked at Sgt. Wooldridge, and put his hands behind his back. Sgt. Wooldridge said the male did not comply with his order to drop the knife. Sgt. Wooldridge said he believed the male was trying to hide the knife from Sgt. Wooldridge. Sgt. Wooldridge said the male made a facial grimace and turned again towards the female. Sgt. Wooldridge said the male still had the knife in his hand.

Sgt. Wooldridge said he feared the male was going to harm the female again with the knife or perhaps someone else on the crowded sidewalk. Sgt. Wooldridge said the male was still not following Sgt. Wooldridge's order to drop the knife. Sgt. Wooldridge said he again ordered the male to drop the knife but again the male did not comply. Sgt. Wooldridge said this time, the male started walking towards him. Sgt. Wooldridge said he could still see the knife in the male's hand. Sgt. Wooldridge said the male was about seven to nine feet away from Sgt. Wooldridge. Sgt. Wooldridge said he was watching the male's hands and could still see the knife in the male's hands. Sgt. Wooldridge unholstered and drew his duty weapon in case he needed to use deadly force.

Sgt. Wooldridge said he has been trained to understand that a suspect can cover and close a distance of twenty-one feet in less time than another person can perceive the action, decide to react and perform a reaction (e.g., firing a gun) in response to the action. In other words, Sgt. Wooldridge said he believed that the male with the knife was within a distance that the male posed a threat of death or serious bodily injury to Sgt. Wooldridge.

Sgt. Wooldridge said he saw the male move towards him. Sgt. Wooldridge said he felt threatened by the male holding a knife moving towards him. Sgt. Wooldridge said he believed

the male intended to use the knife against him. Sgt. Wooldridge said as soon as he perceived the male moving towards him, Sgt. Wooldridge fired his gun twice at the male.

Sgt. Wooldridge said he saw the male go down. Sgt. Wooldridge said he called out “shots fired” on the radio, and went to go secure the knife and the suspect. Shortly thereafter, other police officers and medical personnel arrived to secure the scene and treat the male.

### ***Virginia Louise Bywater-Spencer’s Interview***

Protocol investigators interviewed Virginia Louise Bywater-Spencer. Ms. Bywater-Spencer said she knows the male subsequently identified at Mr. Ayat by the nickname “Corn Chip.” She said she did not know his real name. She said she believes that Mr. Ayat had a drinking problem and said that when Mr. Ayat has been drinking, he gets a glazed look in his eyes.

Ms. Bywater-Spencer said that prior to the events of June 20, 2015, she borrowed three dollars from Mr. Ayat and later paid him back five dollars. Ms. Bywater-Spencer said that on June 20, 2015, she was in the area of the Road Home and talking with friends when she saw Mr. Ayat. Ms. Bywater-Spencer said that Mr. Ayat approached her and asked where his money was. Ms. Bywater-Spencer said she replied to Mr. Ayat: “I put it in your boot, ho (sic).” Ms. Bywater-Spencer said Mr. Ayat pulled out a knife and she saw his eyes go “dark and flat.”

Ms. Bywater-Spencer said she felt threatened by Mr. Ayat and she backed away from him. Ms. Bywater-Spencer said she told Mr. Ayat to get away from her with the knife, but that Mr. Ayat kept repeating that he wanted his money and was coming at her with the knife. Ms. Bywater-Spencer said she walked away.

Ms. Bywater-Spencer said it was at this time that she saw the police officer (Sgt. Wooldridge) arrive. Ms. Bywater-Spencer said she didn’t say anything to the officer; she said she believed the officer could see what was happening. Ms. Bywater-Spencer said that when Sgt. Wooldridge arrived, Mr. Ayat was coming at her with Mr. Ayat’s knife with the blade out. Ms. Bywater-Spencer said she heard Sgt. Wooldridge tell Mr. Ayat to drop the knife and saw that Mr. Ayat did not drop the knife. She said she saw Mr. Ayat approach Sgt. Wooldridge in and “aggressive” manner.

Ms. Bywater-Spencer said that if she were the officer, she would have shot Mr. Ayat, too. She said Mr. Ayat had a “look” in his eyes that she described as like a “bull,” and that to her, it looked like Mr. Ayat was going to “charge” the officer.

### ***Other Witness Interviews***

Protocol investigators interviewed several other people at the scene. Many of those interviewed did not witness the entire episode. Some of those interviewed had varying opinions of whether Sgt. Wooldridge’s fear of imminent death or serious bodily injury was reasonable to them. However, no one who was interviewed and who witnessed relevant portions of the OICI contradicted the testimonial evidence of Sgt. Wooldridge, My. Bywater-Spencer and/or the video recording of the OICI described below.

### ***Physical Evidence***

OCIC protocol investigators inspected and photographed the scene. Investigators documented the presence and location of various items relevant to the OICI investigation, including a knife lying in the street.

Sgt. Wooldridge's body camera was not operational prior to and during the OICI; Sgt. Wooldridge said he was uploading video to his laptop when the OICI occurred. Protocol investigators inspected Sgt. Wooldridge's body camera and confirmed it did not record the OICI.

Protocol investigators obtained surveillance video from the Road Home. The surveillance video recorded the events prior to, during and after the OICI. The surveillance video corroborates the testimonial evidence of Sgt. Wooldridge and Ms. Bywater-Spencer. The video shows some of the interactions between Mr. Ayat and Ms. Bywater-Spencer; it shows all of the OICI and interactions between Sgt. Wooldridge and Mr. Ayat.

### **The SLCPD is the complainant and provided the following:**

Due to the nature of the interaction, an Officer Involved Shooting, OIS, an automatic review of S's actions is initiated.

### **Off. Sgt. Steven Wooldridge, herein referred to as S, is the subject of this matter and provided the following:**

S was interviewed at length by the OICI protocol team. A summary of his statement was included in the DA's investigative report and so will not be retold herein.

### **Virginia Bywater-Spencer, herein referred to as W is a witness and stated:**

W was interviewed at length by the OICI protocol team. A summary of her statement was included in the DA's investigative report and so will not be retold herein

### **Evidence:**

E: A video recording was made from the Road Home Shelter and although of poor quality it supports the events as retold by S and W.

E1: Numerous photographs were made of the incident scene as well as of injured citizen. Nothing was noted that contradicts the version of events as told by S and W.

### **Allegations:**

Because this matter was an OIS, an automatic review of the officer's actions was triggered. The focus of this inquiry is to determine if his actions were "Within Policy" or "Not Within Policy".

### **Analysis and Recommendation:**

This investigation wants to state that although it is common practice for police officers to begin the download of their cameras prior to the end of their shift, a process that can take anywhere

from thirty minutes to an hour depending upon the amount captured on the system, it would have been incredibly beneficial to have had a recording of this event from the officer's point of view.

The facts confirm that Mr. Ayat was armed with a knife and was directly threatening Ms. Bywater-Spencer. Sgt. Wooldridge expressed his concerns about Mr. Ayat's actions and his perception that Mr. Ayat posed a threat of death or serious bodily injury to the officer and citizen.

The issue to be decided is, were Sgt. Wooldridge's actions within, or not within, the Deadly Force policy that states in a nutshell that an officer may use deadly force if he reasonably believes that the suspect poses a threat of death, or serious bodily injury, to the officers or others.

**Panel Findings:**

As to the incident that occurred, the Panel makes a finding of "Within Policy" as it relates to his use of Deadly Force.

The Panel makes a finding that this matter is in the public eye and therefore recommends that this report be made public.

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Kevin Parke  
Panel Chair

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9/9/15