

POLICE CIVILIAN REVIEW BOARD

Investigation Report

Internal Affairs Case Number S 2017-0013

Complainant: (Race/Gender)	C- Romeo Carrillo (W/M)(Deceased)
Alleged Policy Violation:	Improper Use of Force-Deadly Force
Subject Officer: (Race/Gender)	S- Lt. Craig Gleason (W/M) S1-Off. Moeilealoalo Tafisi (PI/M)
Subject Officer's Years of Service:	S- 28 years S1- 13 years
Date of Alleged Incident:	5/30/17
Date Investigation Requested:	5/30/17
Date Filed with Internal Affairs	5/30/17
Date Investigation Completed:	9/21/17
Panel Members:	Kevin Parke Catalina Pilar Cardona Brandon Myers Teresa Garrett
Date of Panel Meeting:	9/27/17
Interviews Conducted:	10+

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:

As will be explained below, this matter started as a shooting in downtown SLC, turned into a pursuit, and terminated in Tooele County, UT, with a shooting involving one subject and both officers. The evidence will show that C fired repeatedly upon S and S1, who returned fire, striking C. However, the evidence will show that the shot that killed C was self-inflicted. C was not alone during this incident, he was with a partner, who surrendered to the officers once the

confrontation began in Tooele. The following summary and review was taken from the publicly released report from the Tooele County District Attorney's (TCDA) Office:

The Tooele County Attorney's Office, consistent with established law enforcement protocols, conducts an independent review of a police officer's use of deadly force, including potentially deadly force, used in the scope of a police officer's official duties.

On May 30, 2017, Salt Lake City Police Lt. Craig Gleason and Officer Moeilealoalo Tafisi used deadly force by firing a shots at Roman Carrillo.

Our office has reviewed the facts and circumstances of the May 30, 2017 incident based upon the investigative report submitted to our office by Detective Norberto Aranda, Detective Shane Starks and Lt. Eli Wayman of the Tooele County Sheriff's Office. The investigative report includes all the investigative materials (reports, warrants, photos, diagrams, digital media, and miscellaneous documentation associated with this case) from every individual and/or agency involved in the investigation of this matter. As set forth more fully herein, we have concluded

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UTAH STATE LAW

The following are among the provisions of Utah State law reviewed by the County Attorney's Office in the independent review of the incident:

76-2-401. Justification as defense - When allowed.

(1) Conduct which is justified is a defense to prosecution for any offense based on the conduct. The defense of justification may be claimed:

(a) when the actor's conduct is in defense of persons or property under the circumstances described in Sections **76-2-402** through **76-2-406** of this part;

(b) when the actor's conduct is reasonable and in fulfillment of his duties as a governmental officer or employee;

...

(e) when the actor's conduct is justified for any other reason under the laws of this state.

...

76-2-404. Peace officer's use of deadly force.

(1) A peace officer, or any person acting by the officer's command in providing aid and assistance, is justified in using deadly force when:

...

(c) the officer reasonably believes that the use of deadly force is necessary to prevent death or serious bodily injury to the officer or another person.

(2) If feasible, a verbal warning should be given by the officer prior to any use of deadly force under Subsection (1)(b) or (1)(c).

FACTS

The following outlines the facts as presently known, and as developed from the investigation conducted by the Tooele County Sheriff's Department. In situations where multiple witnesses/sources provide corroborating information, this summary may simply indicate the existence of corroborating facts without providing complete details of each and every account that exists within the investigative materials submitted. The independent review relied on these facts as presented. As previously mentioned, should different or additional facts subsequently come to light, or should any of the following be subsequently shown to be incorrect, the opinions and conclusions contained herein may likewise be materially different than what is set forth below.

Summary of Events

On May 30, 2017 at approximately 0455 hours, Salt Lake City Officers responded to 235 South 500 West, Salt Lake City, Utah (Men's Shelter) on reports of shots fired. Officers arrived and were advised that a male subject later identified as Alex Yetter had been shot three times. Witnesses stated that the shots came from a red Dodge Neon (UT D950PB).

At 0514 hours Sgt. Cardon located the suspect vehicle at 1000 W. North Temple. She followed the vehicle and waited for backup units to arrive. At 500 South 600 West officers activated their emergency lights to initiate a felony stop. The vehicle continued to drive at a slow speed.

At 0519 hours the suspect vehicle and officers passed the shelter. People at the shelter confirmed to officers that they were following the correct vehicle. The vehicle then fled north on 500 West at a high rate of speed. At this time officers activated their sirens and initiated pursuit. The suspect vehicle was chased through Salt Lake City at speeds up to 95 miles per hour.

The suspect's vehicle followed by officers entered on I-80 westbound driving at speeds of up to 105 miles per hour as the pursuit continued. Tooele County law enforcement agencies were advised of the chase and that the vehicle was approaching on westbound I-80.

A Utah Highway Patrol trooper set up spikes east of the SR201 overpass at mile marker 103 in order to spike the suspect vehicle's tires and slow the pursuit. The suspect vehicle hit the spikes deflating the right front and rear tires. The suspect's vehicle continued driving and took exit 99 into Lakepoint. The suspect vehicle turned left onto Saddleback Blvd, then turned onto Mountain View Road and continued to Canyon Road. While on Canyon Rd, Officer Tafisi of the Salt Lake City Police Department attempted to perform a PIT maneuver to end the chase. The suspect vehicle lost control and crashed into a tree at 1502 Canyon Road.

At 0546 hours Officer Tafisi parked his vehicle on the street and exited his patrol vehicle. As he moved away from his patrol car, the suspects fired shots at Officer Tafisi. He returned fire

as he ran for cover. Officer Tafisi's vehicle was struck by two rounds fired by the suspects in the left fender and the driver's door.

A standoff ensued between officers and suspects for about fifteen minutes between the time the suspect's vehicle crashed into the tree and the last shots fired at 0601 hours. Officers can be heard on video giving verbal commands to the suspect by yelling at the suspect and using a vehicle PA system. During the standoff one of the suspects, Andrew Greening, complied with officers and surrendered. He told officers that Mr. Carrillo had a .22 rifle.

Witnesses and video showed Mr. Carrillo kneeling taking cover behind the vehicle and the tree. Lt. Gleason went to the home next door to the left and took a position on the back porch. From this position he had a clearer view of Mr. Carrillo than the other officers.

Lt. Gleason stated that Mr. Carrillo leaned against the car and then spun the rifle. Mr. Carrillo placed the rifle muzzle against his forehead and leaned against it. Lt. Gleason thought he was going to shoot himself, but he didn't shoot. Mr. Carrillo then took the rifle muzzle off his head and he reached down and pulled up his bandanna over his face.

Lt. Gleason stated that Mr. Carrillo noticed him and looked directly at him. Mr. Carrillo jerked his head, his body came forward and he started to mount the rifle. Lt. Gleason stated that he believed Mr. Carrillo was going to shoot at him so he fired a shot with this handgun and ducked behind the corner of the house. Lt. Gleason peeked back around the corner and he saw Mr. Carrillo's back against the vehicle sitting down and the rifle muzzle once again against his head. A few seconds later Lt. Gleason heard a pop and Mr. Carrillo fell.

A civilian witness confirmed Lt. Gleason's account, but ducked her head when Mr. Carrillo took the rifle from his head, lifted his bandana over his face and lifted his rifle.

When officers approached Mr. Carrillo, he had the rifle in his hand with his thumb near the trigger. Reports from forensics and the medical examiner confirm that Mr. Carrillo did in fact fire his rifle into his head. Hospital medical records showed that Mr. Carrillo had a gunshot wound to his pelvic area and his head. Medical personnel determined that the injury to his head was "nonsurvivable traumatic brain injury."

In reviewing the witness statements, interviews and physical evidence, I found them to be consistent with one another and there were no significant disputable material facts.

Romeo Carrillo, herein referred to as C, is the involved citizen:

C died as a result of wounds he suffered during this incident.

Lt. Craig Gleason, herein referred to as S, is the subject of this matter and provided the following:

S was fully interviewed and this was recorded and will be retained for future use, if needed. His overall perceptions were captured in the DA's report and so they will not be retold herein.

Off. Moeilealo Tafisi, herein referred to as S1, is the subject of this matter and provided the following:

S1 was fully interviewed and this was recorded and will be retained for future use, if needed. His overall perceptions were captured in the DA's report and so they will not be retold herein.

Numerous witnesses saw portions of the incident, including officers from various agencies and citizens. Due to the facts of the case, those accounts will not be retold herein as their overall observations were captured in the DA's account and are available to be used in the future, if necessary.

Evidence:

The following evidence is in the IA investigative file for review in the future, if needed. The author of this report reviewed the evidence and based upon the facts of the matter, will not recount each item of evidence as this case is already adequately laid out above:

- Crime Scene Photos
- Autopsy Photos
- Body Camera Footage
- The Tooele County DA's report
- Witness Statements
- Police Radio Traffic Recordings
- Police Reports

Allegations:

This incident was a use of Deadly Force matter, and as such, it is automatically reviewed despite the fact that a formal complaint by anyone was not submitted.

Definitions

Unfounded: The reported incident did not occur.

Exonerated: The employee's actions were reasonable under the circumstances.

No determination is possible: There is insufficient evidence to support a conclusion as to whether or not the employee violated policy.

Sustained: The employee's action(s) are in violation of the policy or procedure of the Police department.

Analysis and Recommendation:

Under the law and SLCPD policy, the issue in play is fairly straight forward and can be summarized as follows: "...the officer reasonably believes the use of deadly force is necessary to prevent death or serious bodily injury to the officer or another person."

S and S1 responded to a shooting with injuries in the downtown area of SLC and were able to confirm the vehicle they were following was in fact the vehicle used in the previous shooting. As described above, the two subjects fled from the officers and other law enforcement entities that became involved in the matter. Once the PIT maneuver brought their car to a stop, S1 exited his

police car and came under immediate fire. The officers made every attempt to get the subjects to disarm and surrender, with one of them doing so at this point.

S recounted watching C place his rifle against his own head and although neither S nor the other witnesses were able to see the self-inflicted shot, a shot was fired and C was next seen slumped to the ground, with what was later determined to be the fatal wound to his head.

C was struck by rounds fired by the officers although the self-inflicted wound was determined by the Medical Examiner to have been the fatal wound.

Based upon the facts of the case, which included the statements of the officers, witness officers and others, as well as video evidence available, C opened fire upon the officers who were investigating an earlier crime wherein C and his passenger were identified as having been involved in a shooting of another citizen. The officers rightfully believed C and his partner were armed, they knew that a shooting had already occurred demonstrating C and his partner's willingness to use deadly force, and upon initial face-to-face contact, C opened fire on the officers. The passenger in the vehicle with C was given the same opportunity to submit to arrest, and he took that offer, while C obviously refused. There is no way in knowing what C was thinking but it was clear that escape was no longer an option. C had to know that without submitting, more and more officers were bound to arrive; he knew his vehicle was disabled due to the crash and the tires being spiked, so his options were limited.

Although it is apparent that C killed himself, both officers fired at C, thereby employing Deadly Force. The facts clearly show that C posed a threat of death or serious bodily injury to both officers as well as arriving officers and any citizens nearby. The officers used every attempt to deescalate the situation by demanding that C and his partner submit to arrest, which one of them did. The other options available to the officers would only increase the chances for C to shoot more people, law enforcement personnel and others included, so they reasonably opted to protect themselves and others from the previously exhibited behavior that had resulted in one person being shot and both officers being shot at.

Panel Findings:

As to the allegation that the use of Deadly Force, by either S or S1, was employed, the Panel makes a finding of Within Policy.

The Panel makes a finding that this matter is in the public eye and therefore recommends that this report be made/not be made public.

Catalina Pilar Cardona
Panel Chair

Date