



VALLEJO POLICE DEPARTMENT

Memorandum

To: [REDACTED]
From: Shawny K. Williams, Chief of Police
Date: December 8, 2021
Subject: Written Reprimand

I am issuing you this written reprimand as a result of your acts and omissions on June 1, 2020, described below.

Applicable Policies and Procedures

By your acts and omissions on June 1, 2020, you violated the following provisions of the Vallejo Police Department Policies. Under the circumstances, any one of the violations set forth below, standing alone or in combination with any other violation(s), would support the reprimand.

1. Policy #300.4 De-Escalation¹
2. Policy #321.5.6 Efficiency
3. Policy #423.4 Portable Audio/Video Recorders
 - a. Policy #423.4 Member Responsibilities
 - b. Policy #423.5 Activation of the Portable Recorder

Summary of Facts

In the days after the murder of George Floyd, the City of Vallejo was one of many jurisdictions to experience civil unrest, much of which was peaceful, but some of which involved looting, vandalism, and other criminal behavior. To meet the community's increased security needs, the Police Department called you, Detective [REDACTED], and Detective [REDACTED] into work on the night of June 1, 2020.

You, Detective [REDACTED] and Detective [REDACTED] were members of both the [REDACTED] and SWAT Units. On June 1, 2020, the three of you

¹ All references to "Policy" refer to the Vallejo Police Department Policy Manual. I am enclosing copies of the policies with this notice.

rode in an unmarked [REDACTED] vehicle, a truck. Detective [REDACTED] was driving, you were in the front passenger seat and Detective [REDACTED] was in the rear seat.

[REDACTED] broadcasted at approximately 0036 hours on June 2, that looting was occurring at the Walgreens on Broadway and Redwood Street in Vallejo. Detective [REDACTED] drove the [REDACTED] vehicle to [REDACTED] location near the Walgreens and a brief conversation with [REDACTED] transpired, lasting approximately five to fifteen seconds. During the brief conversation, [REDACTED] said that he would drive north on Broadway and pull into the Walgreens' parking lot through the northwest entrance. He directed the three of you in the [REDACTED] vehicle to drive into the Walgreens parking lot through the south entrance. Nobody objected to the "plan" articulated by [REDACTED]. You did not discuss any tactical strategy; de-escalation; coordination with other available units; or, how to respond in the event of pursuit.

As [REDACTED] and Detective [REDACTED] drove to and through the Walgreens' parking lot, [REDACTED] broadcasted on the radio, "they're wearing all black. It looks like they're armed; possibly armed." In response, Detective [REDACTED] turned on the [REDACTED] vehicle's emergency lights and people in the Walgreens parking lot started to flee, including the occupants of a gray truck and a black sedan. Other than some brief discussion about a flashbang you possessed, you did not have any discussion about the plan for entering the parking lot.

Detective [REDACTED] pointed his rifle at a subject in the parking lot later identified as Sean Monterrosa. Mr. Monterrosa appeared to have tried to enter, but was left behind by the black sedan. Within seconds of [REDACTED] radio broadcast, Detective [REDACTED] fired five rounds at Mr. Monterrosa in rapid succession through the windshield of the [REDACTED] truck. One of his bullets struck Mr. Monterrosa in the back of the head, killing him at the scene.

After Detective [REDACTED] shot Mr. Monterrosa, Detective [REDACTED] and Detective [REDACTED] exited the [REDACTED] vehicle on the driver's side of the truck and turned on their body-worn cameras. You exited on the passenger side and activated your camera. Prior to the shooting, none of you in the [REDACTED] vehicle activated your body-worn cameras.

The Solano County District Attorney's Office and the Vallejo Police Department jointly conducted a criminal investigation of the incident, which the California Attorney General's Office is still evaluating.

The City also engaged a team of police practices experts, the OIR Group, to conduct an administrative investigation into your use of deadly force against Mr. Monterrosa. OIR investigators interviewed you as part of that investigation. The OIR investigators determined that your actions violated Departmental policies.

Analysis

You violated Policy 300.4, which requires officers to take “reasonable and prudent actions which operate to mitigate the immediacy of the threat.” You, your colleagues and [REDACTED] helped create confusion and chaos by rushing into the Walgreens parking lot without adequate planning. You should have provided feedback to [REDACTED] and your colleagues that the four of you needed a better plan. After leaving [REDACTED], you should have continued communicating with your colleagues, especially about how to de-escalate. Your brief discussion about using a flashbang was not a meaningful discussion about de-escalation. Your failure to communicate the need for a plan and to attempt to de-escalate amounts to unsatisfactory performance in violation of Policy 321.5.6.

You also failed to timely activate your body worn camera. You were required to activate your camera as soon as you had a reasonable expectation of an adversarial encounter. The moment you and the others discussed driving into the parking lot to confront suspected looters you should have activated your camera. You told investigators that you believed the policy only applied to “uniformed patrol” but the policy applies to all members.

The Department is committed to transparency and accountability. Your failure to activate your body worn camera until after driving into the parking lot, and the shooting, is not only a violation of Departmental policies but it also undermines the Department’s commitment to transparency and accountability and potentially deprive investigators of important evidence.

Your acts and omissions that might tend to undermine public confidence in the ability of the Police Department to deliver safe and effective police services in Vallejo.

Your conduct as described herein, and in detail in the OIR Investigative Report, warrants this written reprimand. The purpose of the reprimand is to correct your conduct and reduce the likelihood you repeat it.

WARNING AGAINST RETALIATION

This provision is to notify you that it is illegal and inappropriate to retaliate against any person who has participated in complaining or providing information regarding allegations of your misconduct. You may not retaliate against any individual who has provided information to the City of Vallejo regarding your above-described conduct.

RIGHT TO APPEAL

You have the opportunity to appeal this reprimand pursuant to Government Code section 3304(b) of the Public Safety Officers Procedural Bill of Rights Act and

Section 42 of the Memorandum of Understanding respond between the City of Vallejo and the Vallejo Police Officers Association. If you wish to appeal, you must notify my office within ten (10) regularly scheduled working days of the date of this reprimand. Your failure to timely appeal will result in a waiver of your right to appeal.

Attachments:

- A. Investigative Report and Policies Referenced in Investigative Report
- B. VPOA MOU – Section 42 – Administrative Appeal Procedure

cc: Personnel File

ACKNOWLEDGEMENT OF RECEIPT OF WRITTEN REPRIMAND

SIGNATURE: _____

DATE: 12/8/21

Employee's Name: _____

PERSONAL SERVICE WITNESSED BY:

SIGNATURE: _____

DATE: 12 08 21

Witness's Name: _____

SHANE DOLAN

Personal Service Witness(es)

LT. B. KNIGHT

DATE: 12/8/21

T. Knight