Commission on Peace Officer Standards & Training
860 STILLWATER RD | WEST SACRAMENTO, CA 95605 | P: 916.227.3909

Report # POST2302527 - Agency Misconduct Report

REPORT DATE / TIME	DISTRICT / COUNTY / / /	EVENT START DATE / TIME - EVENT END DATE / TIME
Feb 13, 2023 10:28	Yolo	Aug 27, 2020 21:20 - Aug 28, 2020 05:00

PRIMARY REPORTER	INVESTIGATING AGENCY
Salvatore Lombardo	West Sacramento Police Department

REPORT TAKEN LOCATION
212 I ST, DAVIS, CA 95616

REPORTABLE EVENT TYPE

- ☐ 1029 Disqualifier
- ☐ Civil Settlement
- ■ Complaint, Charge, or Allegation
- ☐ Civil Judgment
- ☐ Civilian OIG Oversight/Review
- ☐ Court Finding

NARRATIVE

SUMMARY OF SERIOUS MISCONDUCT ALLEGATIONS:

West Sacramento PD and Davis PD were involved in a joint SWAT deployment where our K9 handler, Dan Gill (subject officer) was utilized to apprehend the suspect. The SWAT team were deployed in Davis regarding a possibly armed suspect(s) that were burglarizing a business. The suspects were still inside and heard via security cameras they were armed and willing to shoot it out with the police.

SWAT team members from the Davis police department order canine Ofc Gill and a DPD canine handler to prepare for a double dog deployment if the suspect is found. The suspect was found in the ceiling of the business and fell down to the floor, on his feet and both canine handlers deployed their dogs to apprehend and bite the suspect. Although the suspect was bit, it is unknown which canine actually bit the suspect and where on his body.

Through our investigation, Ofc Gill was initially found to be in violation of multiple department policies such as, Excessive force and Unauthorized Use of Force. Both of these charges were originally SUSTAINED, but through the Skelly process, reversed to UNSTAINED.

It should be noted, Davis Police conducted their own internal investigation. It is unknown what allegations were brought against any DPD officers, if any.

WSPD investigation was conducted by Sergeant Matt Luiz who is now retired. I took over for Sgt Luiz after he retired (Sgt Sal Lombardo 916-617-4934). Both DPD and WSPD jointly contracted with ARI Investigations (private company) to complete the investigation.

RELATED CASE(S)

There are no related cases, but recently a PRA request was received by WSPD and DPD regarding this incident from a media outlet. WSPD has not released the investigation yet, but DPD is releasing it.

RELEVANT LAWS/POLICIES:

Lexipol Policy sections:

339.5.2 - Ethics UNFOUNDED

339.5.8 - Performance (truthfulness) UNFOUNDED

339.5.9 - Conduct (unreasonable force) NOT SUSTAINED

339.5.9 - Conduct (exceeding police powers) NOT SUSTAINED

300.3 - Use of Force - (unlawful/excessive force) NOT SUSTAINED

300.5 - Reporting UOF (completeness/accuracy) SUSTAINED

343.1.1 - Report preparation SUSTAINED

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
PRINT NAME	PRINT NAME
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339.5.7 - Efficiency - SUSTAINED

450.5 - Activation of Portable Recorder NOT SUSTAINED

450.6 - Prohibited use of portable recorder NOT SUSTAINED

PEACE OFFICER CURRENT STATUS:

Ofc Gill is currently out on a work-related injury (work Comp.). He is still employed by WSPD.

WITNESS INFORMATION:

Due to the nature of the call and SWAT involvement, there were multiple officers assigned to this incident. The 3 additional WSPD officers assigned were:

Ofc Geoff Albert

Ofc Andre Kinda

These 2 officers can be reached through our department number, 916-617-4900

Ofc Keegan Hironaka (Prior employee - currently employed with Sacramento Police Dept.) Can be reached through SPD contact.

AGENCY INVESTIGATION DETAILS:

WSPD conducted several levels of investigations and/or reviews. An initial admin review (Blue Team Report) was done which started the internal affairs investigation. From there it was reviewed by a patrol lieutenant (Jennifer Grillat retired), next it was reviewed by ARI Investigations (private company), then our Deputy Chief, Carl Crouch, and lastly reviewed and heard during the Skelly process.

AGENCY INVESTIGATION STATUS/FINDINGS:

On May 14, 2021, WSPD Chief Robert Strange responded to the Skelly hearing and provided a written Final Order of Discipline to Ofc Gill. The above listed allegations are the final orders from the chief after the conclusion of Skelly. Ofc Gill received a 40 hour suspension without pay and a 90 day Performance Improvement Plan, officer must attend canine legal update class, report writing and critical decision class.

COMPLAINANT-1

COMPLAINANT-1 (ORGANIZATION)
R-1 West Sacramento Police Dept

ORGANIZATION TYPE
Law Enforcement

MAILING ADDRESS
550 JEFFERSON BLVD, WEST SACRAMENTO, CA 95605

PHONE NUMBER
(916) 617-4900 (Work Phone)

AGENCY MISCONDUCT

INVESTIGATION STATUS	AGENCY IA #	DATE/TIME AGENCY AWARE OF ALLEGED MISCONDUCT
Not Sustained	20-IA-05	Nov 23, 2020 08:00

NUMBER OF PEACE OFFICERS INVOLVED IN INCIDENT	NUMBER OF AGENCIES INVOLVED IN INCIDENT
0	1

CITATION LOCATION
212 I ST, DAVIS, CA 95616

MISCONDUCT CODE - 1
1205(a)(3) Physical Abuse/Excessive or Unreasonable Use of Force

SUBJECT OF INVESTIGATION: (ONLY ONE(1) OFFICER OR AGENCY)-1

SUBJECT OF INVESTIGATION: (ONLY ONE(1) OFFICER OR AGENCY)-1 NAME (LAST, FIRST MIDDLE)	DOB / ESTIMATED AGE RANGE
CR-1 Gill, Daniel J	1980-02-08

SEX	RACE / ETHNICITY	PHONE NUMBER
Male	White	(916) 617-4900 (primary, Work Phone)

INVOLVED ORGANIZATIONS

REPORTING OFFICER SIGNATURE / DATE	SUPERVISOR SIGNATURE / DATE
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INVOLVED ORGANIZATION-1 NAME
O-1 West Sacramento Police Dept

ORGANIZATION TYPE
Law Enforcement

MAILING ADDRESS
550 JEFFERSON BLVD, WEST SACRAMENTO, CA 95605

PHONE NUMBER
(916) 617-4900 (Work Phone)

INVOLVEMENT TYPE
Subject Officer/Deputy

PERSON ADDENDUM

FIRST NAME	LAST NAME	MIDDLE NAME	PERSON TITLE
Daniel	Gill	J	Officer

DOB / ESTIMATED AGE RANGE	RACE / ETHNICITY	SEX	DECEASED
[redacted]	White	Male	☐ YES ■ NO

POST ID
[redacted]

WORK ADDRESS-1	ENTERED DATE	BEEN AT LOCATION SINCE
550 JEFFERSON BLVD, WEST SACRAMENTO, CA 95605	Feb 13, 2023	Mar 10, 2004

PHONE NUMBER	DRIVER'S LICENSE #	DL STATE
(916) 617-4900 (primary, Work Phone)	[redacted]	California

DL STATUS
Current/ Valid

EMPLOYER NAME-1	PHONE NUMBER
West Sacramento Police Department	(916) 617-4900

EMPLOYER ADDRESS
550 Jefferson Blvd

OCCUPATION	EMPLOYMENT START - END DATE
Police Officer	2004-03-10 - ?

ORGANIZATION ADDENDUM

ORGANIZATION NAME
West Sacramento Police Dept

ORGANIZATION TYPE
Law Enforcement

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