

RIVERBANK Telephone: 209-869-7162

STANISLAUS COUNTY SHERIFF'S DEPARTMENT - Controlled Document

Dec 07, 2023

Duplication or Reissuance Controlled by Law (PC13302)

Case No

R22008565

6727 3rd Street

Riverbank, CA 95367

Followup

☐

Printed by: S00554 Released Date: 12/07/2023 To: John Whitefleet-Porter Scott Attorneys

Victim's Name
CAMARA, JUSTIN

Location of Occurrence
3600 SANTA FE ST RIVERBANK CA 95367

- - - - - FELONY - - - - -

- - - - - OFFENSE INFORMATION - - - - -

69(A) PC

OBSTRUCT/RESIST EXEC OFCR

Start Date ... 10/08/2022 Start Time ... 1407 End Date ... 10/08/2022 End Time ... 1508
Report Date .. 10/08/2022 Report Time .. 1508 Class 5521

- - - - - PARTY INFORMATION - - - - -

VI CAMARA, DEPUTY JUSTIN

DOB: Age: Race: W Sex: M Hgt: Wgt: Hair: Eyes:

Hair Style: Facial Hair: Glasses: Build: Marital:

DLState: CA DL#: OtherPhone#:

Home: UNK CA

000 000 0000

Mobile: 209-652-9472

Work: 250 E HACKETT RD MODESTO CA 95358

209-525-7114

Business Name: STANISLAUS COUNTY SHERIFF'S OFFICE

VI PEOPLE, STATE OF CALIFORNIA

DOB: Age: Race: U Sex: U Hgt: Wgt: Hair: Eyes:

Hair Style: Facial Hair: Glasses: Build: Marital:

DLState: CA DL#: OtherPhone#:

Home: UNK CA

UNK

Mobile: UNK

LE XIONG, DETECTIVE ZA

DOB: Age: Race: Sex: Hgt: Wgt: Hair: Eyes:

Hair Style: Facial Hair: Glasses: Build: Marital:

DLState: CA DL#: OtherPhone#:

Work: 250 E HACKETT RD MODESTO CA 95358

209-525-7114

Business Name: STANISLAUS COUNTY SHERIFF'S OFFICE

- - - - - SPECIAL CATEGORY - - - - -

Other Drug Related

Peace Officer as Victim

- - - - - MODUS - - - - -

Involves: OTHER Homicide: Burglary:

Theft: Physical: Gen Time: DAY (0600 TO 1800)

Loc Type: PARK Occupancy: Over 60: 0 Under 60: 0

Security: N Device: Act on Premises:

Entry Level: Entry Point: Entry Loc:

Exit Level: Exit Point: Exit Loc:

DEF 00002

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SUSPECT INFORMATION

SU SILVA, ANTHONY MICHAEL

DOB: 09/14/1982 Age: 40/40(I) Race: W Sex: M Hgt: 603 Wgt: 155 Hair: BRO Eyes: HAZ

Hair Style: Facial Hair: FUL Glasses: Build: MED Marital:

DLState: CA DL#: D5702513 OtherPhone#:

Approx Age: 40 Chg Lvl: FEL

Marks: UNK

Home: 601 I ST MODESTO CA 95350

UNK

Mobile: UNK

Arrest Address:

Arrestee type: Booking No: Clets Notified:

Court Date: Court Time: Court Location:

69(A) PC OBSTRUCT/RESIST EXEC OFCR

11377(A) HS POSS CONTROL SUBSTANCE

647(F) PC UNDER INFLUENCE ALCOHOL/DRUGS

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----- PROPERTY REPORT -----

Item	Quant	Description	Value
		Property Of: SILVA, ANTHONY MICHAEL	Total Reported Value: \$0.00
1	1	Received: 10/08/2022 WHITE CRYSTAL SUBSTANCE 0.30 GRAMS PROPERTY - Type: DRUGS/ NARCOTICS Color: CLETS Notification: N Item Number: JC1 Make: Model: Serial#: VIN#: Year: Class: EVIDENCE Location Found:	\$0.00
2	1	Received: 10/08/2022 WHITE CRYSTAL SUBSTANCE 0.33 GRAMS PROPERTY - Type: DRUGS/ NARCOTICS Color: CLETS Notification: N Item Number: JC2 Make: Model: Serial#: VIN#: Year: Class: EVIDENCE Location Found:	\$0.00
3	1	Received: 10/08/2022 BLACK BAG BLACK DRAW STRING BAG CONTAINING MISC CLOTHING & HYGENE ITEMS PROPERTY - Type: OTHER Color: CLETS Notification: N Item Number: JC3 Make: Model: Serial#: VIN#: Year: Class: HELD FOR SAFEKEEPING Location Found:	\$0.00

----- VEHICLE INVOLVED REPORT -----

None

----- ID UNIT REPORT -----

None

Approved By: S02158 2022-10-13 23:25

S02800 CAMARA, JUSTIN

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----- NARRATIVE -----

SYNOPSIS:

The following report is regarding the issuing of a Ramey Warrant for the arrest of Anthony Michael Silva (09/14/82). Deputies were dispatched to Veterans Park located at 3600 Sierra Street inside the City of Riverbank after Silva was seen by a mounted unit Deputy chasing after subject and attempting to fight them. Silva was displaying erratic behavior and was believed to be under the influence of a stimulant narcotic. Upon contact, I attempted to detain Silva. Silva actively resisted, was taken to the ground and detained.

While walking Silva to a patrol vehicle, he tried to pull away from Deputies. I was standing approximately two to three feet. Silva lowered his shoulder and struck me in the chest. It was apparent that this was an intentional act by Silva. Silva was taken to the ground again and sustained an injury to his neck. Silva was transported to Memorial Medical Center. Due to the lack of staff available to transport Silva, a Ramey warrant was authored for 69(a) PC.

Forward this report to the District Attorney for complaint.

NARRATIVE:

On 10/08/2022 I, Deputy Camara was assigned to uniformed bicycle patrol for the Riverbank wine and cheese event. During this event I was wearing a Stanislaus County Sheriff's Office approved class B uniform complete with shoulder patches and a visible badge clearly identifying myself as a peace officer.

At approximately 1400 hours, Deputy B. Babbitt was on mounted patrol in the area of Veterans Park. While in the park, he observed a white male adult in a white tank top and jeans acting erratic. He observed the subject chasing after a Hispanic male and saw the subject trying to hit the Hispanic male with a closed fist. He continued to observe the subject run up to other civilians in the park and act in an aggressive nature. Deputy Babbitt put out over the radio that the subject was in the park chasing after people. Deputy Babbitt also stated the subject appeared to be under the influence of drugs.

Based off prior calls for service, I knew the WMA was Anthony Silva. Silva is transient and usually makes camp in the park. I also know that Silva has a history of trying to chase and attack people when he is under the influence of narcotics. There have been several calls for service where city employees have called in stating Silva was chasing them and they felt threatened. Silva is also known to be combative when intoxicated.

Detective Xiong and I responded on our department bicycles from the Riverbank Police substation. Upon arrival, I observed Silva running around the north side of the park. I noticed that there was a large number of civilians waiting to enter the wine tasting venue. Having Silva's violent behavior in mind and given the large number of innocent civilians, I decided that Silva needed to be detained fearing he could injure civilians or Deputies. I approached Silva and informed him to turn around and place his hands behind his

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----- NARRATIVE -----

back. Silva turned and faced me not complying with my order. Silva raised both arms out to his sides and showed me the palms of his hands. I reached for his left arm and when I grabbed his wrist, Silva began to pull away in an attempt to flee. In fear that if he were to break my grasp, he would become more combative I utilized an arm bar take down and took Silva to the ground.

Once Silva was in a prone position, he began to pull his arms tighter to his body to prevent us from handcuffing him. Detective Xiong gave several verbal commands to Silva to put his hands behind his back. Silva continued to physically resist by pulling his arms from our control. At this point, Silva had not been searched. Based on my training and experience I know subjects conceal weapons in their front waist band for quick access.

I was able to gain control of Silva's left arm and placed a single handcuff on and secured it. Detective Xiong was able to gain control of Silva's right arm and brought it behind his back. After securing a second handcuff and gaining full control of Silva, we rolled him onto his back. Silva immediately crossed his legs and did not appear to be injured from the incident.

While Silva was on his back, he was making incoherent statements. It appeared Silva was under the influence of a stimulant narcotic. I spoke in a calm and slow voice in order to de-escalate the situation.

After a few moments went by, I asked Silva if he needed medical attention, and he did not state he was not in need of an ambulance. Knowing Silva was in a use of force, Detective Xiong and I decided to relocate Silva to the pavilion area and out of the sun to wait for supervisor arrival. While waiting for Sgt. Hickman to arrive, Detective Xiong and I conducted a search incident to arrest of Silva. In his front right pants pocket, I located a black cloth bag. I opened the bag and located two individually packaged plastic baggies of a white crystal-like substance. Based off my training and experience, I knew the substance was consistent with crystalized methamphetamine.

After conducting a search of Silva, Detective Xiong began to ask Silva where we could take his items for safe keeping. Silva was making incoherent statements and asked why he was in handcuffs. Recognizing that Silva was upset I attempted to de-escalate the situation by talking to Silva in a calm voice and explained to him that he was under arrest.

My intended plan was to escort Silva to the back of Deputy Bavaro's patrol vehicle to place him in an air conditioned area to await transport to the Public Safety Center. A reasonable person would have complied with our orders and would have walked to the vehicle.

As Detective Xiong was walking Silva to a patrol vehicle, Silva turned and faced me and started to pull away from Detective Xiong. Silva made a statement similar to he wasn't going anywhere without his money which was located on the bench. As Silva was pulling away from Detective Xiong, I reached out to grab his left arm to attempt to control his movements and safely walk him to the patrol vehicle. Silva lowered his body and lunged at me. Silva struck me in my left chest area, with his left shoulder, at such a

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Victim's Name CAMARA, JUSTIN	Location of Occurrence 3600 SANTA FE ST RIVERBANK CA 95367
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NARRATIVE

force that it knocked me off balance. Due to Silva attacking me, I was forced to take action.

Based on Silva's combative behavior and out of fear that he was going kick, bite, or strike other deputies, Detective Xiong and I attempted to regain control of Silva by trying to place him on his knees. My plan was to place Silva on the ground and then in a WRAP restraint device.

Silva continued to push against us with his legs and actively resist. We turned Silva away from us to place him on his knees away from the benches. Based on Silva's actions, I had to make a split-second decision because I feared myself or another deputy would be injured. I believed Silva would continue to be combative if we did not take swift action. In order to de-escalate and stop the fight, Detective Xiong conducted a leg sweep to take Silva to the ground. Due to Silva actively resisting and squirming around, when we laid him down on the ground, his head struck the pavement.

After noticing Silva had struck his head, I radioed to Dispatch to start an ambulance. I asked Silva if he was hurt, and he instantly stated something to the effect of "ow, ow, I'm paralyzed". Due to a busy Saturday afternoon, AMR's response was delayed.

We placed Silva back on the bench after he asked to sit up. Sgt. Hickman arrived on scene and was notified of the use of force. I tried several times to ask Silva what was hurting, and he would only mouth words but would not speak. I observed a red abrasion above Silva's right eyebrow along with scrapes on his left and right arms. I took photographs of his injuries on my department issued smartphone. I used a standard ballpoint pen for scale and reference.

American Medical Response and Modesto Fire arrived on scene and Silva was transported to Memorial Medical Center for medical attention. Due to lack of staff for both patrol and the Riverbank wine and cheese, I was instructed to have ambulance transport Silva and a Ramey warrant will be authored for his arrest after being released from the hospital.

Silva's belongings were transported to the Riverbank Police Substation to be booked for safe keeping. The two baggies were weighed individually and had a gross weight of .30 and .33 grams. They were labeled as JC1 and JC2 and packaged to be sent to the Department of Justice for further testing.

On 10/08/22 at approximately 1950 hours, Judge Ameral signed a Ramey warrant for the arrest of Silva with a bail set at \$25,000. The warrant was sent to the SOC records division to be entered.

On 10/09/2022 via my department phone, I contacted the charge nurse at Memorial Medical Center ER and was informed Silva was in the Intensive Care Unit (ICU) awaiting surgery for a severe neck fracture. I immediately notified Sgt. Hickman of my findings. I was instructed by Sgt. Hickman to contact MMC labs and place Silva's admission blood on hold for the purposes of a search warrant.

EVIDENCE:

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----- NARRATIVE -----

BWC and photos uploaded to evidence .com

JC1 – 0.30 grams of a white crystal substance

JC2 – 0.33 grams of a white crystal substance

RECOMMENDATION:

Forward to the district attorney's office for review of case.

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CAMARA, JUSTIN

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- - - - - FELONY - - - - -

- - - - - OFFENSE INFORMATION - - - - -

69 (A) PC

OBSTRUCT/RESIST EXEC OFCR

Start Date ... 10/08/2022 Start Time ... 1407 End Date ... 10/08/2022 End Time ... 1508
Report Date .. 10/10/2022 Report Time .. 1200 Class 5521

- - - - - PARTY INFORMATION - - - - -

- - - - - SPECIAL CATEGORY - - - - -

Other Drug Related
Peace Officer as Victim

- - - - - MODUS - - - - -

Involves: OTHER Homicide: Burglary:
Theft: Physical: Gen Time: DAY (0600 TO 1800)
Loc Type: PARK Occupancy: Over 60: 0 Under 60: 0
Security: N Device: Act on Premises:
Entry Level: Entry Point: Entry Loc:
Exit Level: Exit Point: Exit Loc:

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- - - - - SUSPECT INFORMATION - - - - -

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- - - - - PROPERTY REPORT - - - - -

None

- - - - - VEHICLE INVOLVED REPORT - - - - -

None

- - - - - ID UNIT REPORT - - - - -

None

Approved By: S474 2022-10-13 08:44

S02324 XIONG, ZA

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----- NARRATIVE -----

SYNOPSIS:

The following report is a supplement to R22008565.

NARRATIVE:

On 10/8/2022, at about 1400 hours, I was working the Riverbank Cheese and Wine event as a uniformed bicycle patrolling the event with Deputy J. Camara. While patrolling, Deputy Babbit, who was working as a mounted unit, advised over the radio that a subject named Anthony Silva was causing issues and was acting erratic, possibly under the influence at Veterans Park. Veterans park had a car show with people around with kids trying to enjoy the event. Deputy Camara and I responded and arrived on scene at Veterans Park.

I observed Silva walking through the park from the front of the community center and yelled out to him to stop. I have had prior contact with Silva and know he can be very aggressive when under the influence. Silva did not stop and ignored my lawful order. Deputy Camara got off his marked bicycle and attempted to detain Silva which he pulled away. Deputy Camara took Silva to the ground to gain compliance and effect custody. I got off my marked bicycle and assisted Dep. Camara handcuffing Silva. Silva did not comply with my lawful orders to be detained and continued to resist by pulling away and refusing to give us his right hand. After about 15-30 secs, Silva was detained in handcuffs. Silva was escorted to the picnic benches and was advised to sit down. While escorting Silva

Dep. Camara and I conducted a search incident to arrest on Silva. Dep. Camara located two baggies of drugs. Refer to Dep. Camara's report for further. Silva kept saying to let him go. I told Silva again he was under arrest. I grabbed Silva's right arm and started escorting him to a patrol vehicle. We took two steps, and Silva started to pull away from me in an attempt to escape and causing me to lose control of him. As Dep. Camara attempted to grab Silva's left arm, Silva lowered his shoulder and struck Dep. Camara's chest area causing him to lose balance. Dep. Camara was able to gain his balance and grabbed Silva's left arm. Silva continued to resist and failed to follow our commands.

Due to Silva actively resisting, and in order to gain control, I utilized a leg sweep to get Silva off his feet and guide him to the ground. As I legged sweep Silva, Silva started bending over with his head down and actively pulling away causing me to lose my balance and eventually taken down to the ground. It appeared Silva had hit his head on the ground. I sustained an abrasion on my right knee. AMR and fire was requested to tend to Silva. Fire arrived and tried to see what was wrong with Silva, but he would not say much. Silva was moving his head and neck area. At one point, Silva called me a "fucking Bitch" out loud, but when talking to medical and fire, he would only mouth words, but nothing came out. Silva was loaded on the gurney and transported to the hospital, and I took no other actions.

EVIDENCE:

S02324 XIONG, ZA

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----- NARRATIVE -----

Body Worn Camera.

RECOMMENDATIONS:

Attach this report to the initial report.