

HOPES OID – FACT SHEET  
13-020 | P13-083040

**Date Occurred:** June 11, 2013  
**Time of Occurrence:** 2259 Hours  
**Decedent:** Rashad Jarret Hopes  
**Location:** 3476 Van Buren Blvd., Riverside

**Officer(s) Involved:** Officer Eric Hibbard #1316  
Officer Cedric Disla #1499

**Officer Witnesses:** Officer Joseph Cleary #1683  
Officer Keenan Lambert #627  
Officer Eric Garcia #1601  
Officer Michael Ritter, California Highway Patrol  
Officer Eugene Norris, California Highway Patrol

**Civilian Witnesses:** Clifton Carl Chapple  
Joseph Barrio

**Officer Injuries:** None

**Suspect Vehicle:** 2000 Chevrolet Metro 4-door Burgundy in color,  
CA License #5XBU928

**Suspect's Injuries:**

Decedent Rashad Hopes sustained one gunshot wound to the head causing a blunt impact injury to the forehead. Hopes also sustained dog bites to the leg.

**Gunshots Fired by Officers Hibbard and Disla:**

The duty weapons of each officer were examined by a forensic specialist at the State of California Department of Justice. The examiner found that all weapons functioned properly during the examination. The following evidence is based upon the charting of each officer's duty weapon.

A total of 15 rounds were fired by the two officers.

- **Officer Eric Hibbard fired ten (10) rounds**  
Glock .40 cal. Model 22. Five (5) rounds found in the magazine and one (1) in the chamber. Three (3) additional magazines were loaded to the full capacity of 15 rounds.
- **Officer Cedric Disla fired five (5) rounds**  
Smith & Wesson .556mm M&P Rifle. Magazine in weapon had 21 rounds in it and one (1) in the chamber. Disla stated that the rifle was loaded with 27 rounds prior to the shooting. The other magazine had 28 rounds in it.

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- **Rashad Hopes' Weapon:**

.38 Cal revolver that holds six (6) total rounds. Each cylinder had an expended shell casing in it. The primers on all six (6) shell casings had been struck by a firing pin. Five (5) of the six (6) had multiple strikes by the weapon firing pin. This would indicate that the trigger was pulled several times and the firing pin struck the primers, but since the shells were expended, the gun did not go off or all rounds had been fired at another time.

### FACT SHEET

The fact sheet is numbered and designed to point you to important factual information located in the criminal case book that will help guide you in your review process. It is not designed to take the place of a cover to cover review. It is up to you to review the “fact sheet” data before or after a cover to cover review. Each point of reference is preceded by a TAB number followed by a page number and paragraph number.

**TAB 1 – OID Summary, Pages 1 – 12:** Detective Rick Wheeler, Lead Investigator. Provides a detailed overview of the incident.

**TAB 3 – Original Report, Page 2 Narrative:** Officer Southard. Took the initial crime report. File #P13-083040. Officer Southard responded to the Chevron Service Station, 3476 Van Buren Blvd., reference a man with a gun call. Upon arrival, was directed to park his vehicle in a position to provide cover for officers who were going to approach a male subject, later identified as Hopes, who had been shot and was lying on the ground in the parking lot. Once the officers took Hopes into custody, Southard remained in the inner perimeter to await the arrival of ID Techs, coroner, detectives, and supervisors to process the scene. Southard saw that Hopes was lying on top of a handgun.

**TAB 4 – Supplemental Report, Pages 2 – 4:** Sgt. Tipre. Responded to the Chevron Service Station after hearing information from dispatch that a male black subject had been seen fleeing from a traffic collision was armed with a handgun. Suspect was last seen heading to the Chevron station. Directed seven (7) officers to assist in establishing a perimeter around the gas station and search for the suspect. Had all employees exit the Chevron station. Sent Officers Hibbard, Disla, and Cleary to the south side of the building. Saw the suspect standing along the side of the building. Ordered him to show his hands. The suspect fled in the direction where Hibbard and Disla were located. Heard several gunshots, but did not see the shooting. Found the suspect lying on the ground. A gun could be seen in suspect's hand. It was unknown if the suspect was still conscious. Tipre directed Officer Hibbard to send his K-9 partner, Billy, to the suspect in order to secure him so that the officers could approach. The suspect was found unconscious. Medical assistance was requested.

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**TAB 5 – Supplemental Report, Pages 1 – 2:** Officer Mann. Responded to assist Officer Garcia at the scene of a traffic collision involving an armed subject who had fled from the accident on foot and was last seen in the rear of the Chevron gas station on Van Buren. He met up with Sgt. Tiptre and was with Tiptre when they saw the suspect standing against the wall of the building. Tiptre ordered the suspect to show his hands several times. The suspect then fled on foot around the corner of the building and out of his sight. Heard several gunshots and learned that officers Hibbard and Disla had shot the suspect. A handgun could be seen in the suspect's hand as he lay on the ground. Assisted in taking the suspect into custody. He did not witness that actual shooting.

**TAB 6 – Supplemental Report, Pages 1 – 2:** Officer Barnhill. He arrived at the scene of the shooting with Officer Mann. Assisted Sgt. Tiptre in an area search. Suddenly heard Tiptre shouting at someone to show their hands. He ran to Tiptre's location and saw the suspect standing near the southwest corner of the Chevron building. Tiptre repeatedly ordered the suspect to show his hands. The suspect refused to comply before fleeing around the corner of the building and out of sight. Barnhill then heard gunshots. Assisted in taking the suspect into custody.

**TAB 7 – Supplemental Report, Pages 1 – 2:** Officer Macek. Responded to the Chevron gas station and assisted Sgt. Tiptre. Heard Sgt. Tiptre shout 3 – 4 commands at the suspect who was standing at the southwest corner of the building. Suspect did not comply, but ran around the corner and out of sight. Macek heard officers shouting and then gunfire. Responded to assist in taking the subject into custody. Conducted initial interviews with the two store employees, Josue Campos and Lorenzo Marquez. One saw the suspect walk to the rear of the building. Heard officers shouting and then gunfire. Witnesses did not see the shooting.

**TAB 8 – Supplemental Report, Page 1:** Officer Escobar. Responded to the area of the Chevron gas station as a result of an officer involved shooting. Located a potential witness, Roger Lambe, sitting on the curb on Van Buren. Lambe was at the USA gas station on Van Buren. Saw RPD helicopter circling the area. He went to look further and saw a vehicle had crashed into the center median and a black male lying next to it. He heard gunshots, but did not see who fired them.

**TAB 25 – Supplemental Report, Page 1, Paragraph 1:** Officer Levesque. Arrived on the scene and was tasked with checking for bullet strikes on the south side of the 91 Freeway at Van Buren. None were found.

**TAB 35 – Supplemental Report, Pages 2 – 3:** Detective Cobb. Conducted an interview with Officer Garcia who had rolled up on the single vehicle traffic accident involving Hopes. Saw a male subject, later identified as Hopes, walking toward the Chevron station. It appeared to him that Hopes was walking away from the crashed vehicle. Garcia, however, dealt with the driver. While doing so, he heard dispatch advise that there was a man with a gun who had walked away from the crashed vehicle. The description matched the subject Garcia saw walking toward the Chevron station. He stayed with the driver of the vehicle and saw Hopes on the south side of the business. Hopes had something in his hand and held it in the manner of holding a gun.

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Garcia saw Hopes walk toward officers while raising his hand with the apparent gun in it. He then heard gunshots. He did not hear voices.

**TAB 36 – Supplemental Report, Pages 2 – 3:** Detective Cobb. Conducted an interview with witness Joseph Barrio. Witness Barrio was driving his vehicle when he came upon a single vehicle traffic collision on the center median. Saw a male black subject, later identified as Hopes, exit the passenger side and walk toward the Chevron Station with a gun in his hand. He saw Hopes then place the gun into the front pants pocket of his shorts as he proceeded toward the Chevron station. He did not witness the shooting.

**TAB 37 – Supplemental Report, Page 2:** Detective Wheeler. Witness Carol Lopez was a passenger in an uninvolved vehicle on the 91 Freeway and saw a traffic collision occur. She saw one of the involved vehicles flee the scene. The driver of Witness Lopez' vehicle exited the 91 Freeway at Van Buren and stopped for a red light. A red vehicle passed her vehicle and the driver failed to stop for the red light and then crashed into the center median. The red vehicle was the hit-and-run vehicle from the freeway. She saw two (2) male subjects stumble out of the vehicle. The passenger, a male black wearing a red and white shirt, began walking away from the accident carrying a handgun in one of his hands. She was afraid and called 911. She and her driver did not stay at the scene due to seeing one of the subjects carrying a gun.

**TAB 38 – Supplemental Report, Pages 1 – 2:** Detective Sanfillipo. Conducted an interview with Clifton Chapple, the driver of the vehicle containing Hopes. Chapple admitted to the hit-and-run on the freeway and that he collided with the center median. Chapple initially claimed he was alone in the vehicle. When confronted with witness statements, however, he changed his story and admitted that Hopes was in the vehicle with him. Chapple claimed he only knew Hopes by the name, "Bro." He said he did not know that Hopes was armed with a handgun while in his vehicle. Chapple did not see the shooting, but heard gunshots.

**TAB 39 – Supplemental Report, Pages 2 & 4:** Detective Medici. Interviewed two (2) CHP officers who had arrived in the area while responding to a hit-and-run traffic accident on the 91 Freeway. They came upon a red vehicle that had crashed into the center median on Van Buren and stopped to investigate. Both officers, Ritter and Norris, saw RPD officers and police vehicles at the Chevron station. Ritter and Norris both heard gunshots and ran to the Chevron station to assist. Ritter saw Hopes walk to a grassy area on the south side of the gas station and fall to the ground. Norris said he saw muzzle flashes from where the officers were located and none from Hopes. He saw Hopes run in a south direction and fall to the ground.

**TAB 40 – Supplemental Report, Pages 2 – 3:** Detective Simons. Conducted an interview with Sgt. Keenan Lambert who witnessed the shooting. Lambert responded to the area of Van Buren and the 91 to assist Officer Garcia, who was handling a traffic collision with a possible man with a gun. Upon arrival, he saw several RPD officers at the Chevron station. There was one set of officers on the northeast side of the station and another set on the southeast. Hopes was standing on the south side of the station, holding his shorts up by the waistband. Garcia heard officers yelling commands. He then saw Hopes raise his hand in an upward motion and point it

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in the direction of the officers closest to him. Lambert could not see what Hopes had in his hand. He then heard 5 – 8 gunshots. Hopes turned to walk away and fell to the ground.

**TAB 41 – Supplemental Report, Pages 3 & 6:** Detective Wheeler. Conducted interviews with Witness Officer Cleary, and Hibbard and Disla, the two (2) officers who fired their weapons. Cleary was with Hibbard and Disla when the shooting occurred. He saw both officers fire their weapons at Hopes, who was pointing a gun at them. Cleary could not fire his weapon since Disla was in his line of fire. Hibbard said he fired his weapon at Hopes, who had pointed a gun at him. Hibbard feared for his life and therefore fired his weapon.

Disla said he rounded a corner of the Chevron station when Hopes came around the south side, running toward him and Hibbard. Disla saw a gun in Hopes' hand. Hopes pointed the gun at him, Hibbard, and other officers. Disla raised his duty rifle and pointed it at Hopes. Disla heard a single gunshot and thought Hopes had fired his weapon. He feared for his safety and the safety of other officers and fired his rifle at Hopes. Hopes turned and began to run in the opposite direction. Disla was still firing his rifle until Hopes dropped to the ground. He estimated the distance between him and Hopes as approximately 10'. Disla thought he fired three (3) rounds, but later learned it was five (5). (Transcripts of all three interviews follow the narrative portion of the supplemental report).

**TAB 42 – Supplemental Report, Pages 1 – 8:** Detective Rowe. This supplemental report documents observations of the overall crime scene, description and collection of evidence, and processing the scene. Rowe also documented his observations of the actions taken by the coroner investigator at the scene.

**TAB 43 – Supplemental Report, Pages 1 – 8:** CSI Tech. Ellis. Ellis was tasked with taking all crime scene photographs and completing a sketch of the scene. This report shows documentation on items photographed. The crime scene sketch is on Page 8. The photographs are located in Tab 54.

**TAB 44 – Supplemental Report, Page 1, Paragraph 1:** CSI Tech. Ellis. Ellis' documentation of 31 aerial photographs he took of the crime scene. The photographs are located in Tab 54.

**TAB 45 – Supplemental Report, Pages 2 – 3:** Detective Brandt. Charted Hibbard's and Disla's duty weapons.

#### **Hibbard:**

Glock .40 cal. Model 22. One (1) round in the chamber and five (5) rounds in the magazine. He had three (3) extra magazines each loaded to max capacity of 15 rounds. Hibbard fired ten (10) rounds.

#### **Disla:**

Smith & Wesson .556mm Model M & P. One (1) round in the chamber and an additional 21 rounds in the magazine. One (1) additional magazine was loaded with 28 rounds. This

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weapon has a maximum capacity of 30 rounds. Disla, however, only loads them up to 28. Disla fired (5) rounds.

**TAB 46 – Supplemental Report, Pages 1 – 13:** ID Tech. Fuller. Includes the Photo Logs, State of California Dept. of Justice submission to examine weapons form, Evidence Logs, Property Report, and the Weapons Charting report.

**TAB 47 – Supplemental Report, Pages 1 – 2:** Detective Wheeler. Provided a brief summary on the DOJ weapon analysis report of the shooting officers' weapons. The DOJ weapons analysis report is also included in this Tab. The analysis was conducted on June 13, 2013. The weapons functioned properly.

**TAB 48 – Supplemental Report, Pages 1 – 2:** Detective Wheeler. Provided a brief summary on the DOJ weapons analysis report of Hopes' handgun. The DOJ weapon analysis report by Sr. Criminalist Richard Takenaga is also included in this Tab. The analysis was conducted on August, 29, 2013. The report reflected that the weapon functioned properly. The analysis of the five (5) shell casings revealed that three (3) of the casings had 1 – 2 firing pin strikes on them. Two (2) of the casings had multiple (3 or more) firing pin strikes on them.

**(NOTE:** If there is more than one (1) firing pin strike on a shell casing, it would indicate that the trigger was pulled multiple times allowing the firing pin to strike the empty casing over and over. This information offered by Frank Hauptmann.)

**TAB 49 – Supplemental Report, Pages 1 – 2:** Detective Cobb. Documented the autopsy of Hopes' body by Dr. McCormick. Hopes had a single gunshot entry wound to the rear of his head and an exit wound on the left side just behind the left ear. A projectile was found in his skull. Numerous dog bites were identified on the upper right leg.

**TAB 50 – Supplemental Report, Pages 1 – 7:** CSI Tech. Velin. Tab includes the photo and evidence collection logs taken at the autopsy.

**TAB 51 – Coroner's Report, Pages 1 – 12:** Dr. M. Scott McCormick, M.D., Forensic Pathologist. Full autopsy report by Dr. McCormick. Cause of Death – Gunshot Wound to the Head. Penetration of skull, penetration of brain, and bullet and jacket recovered.

**TAB 52 – Coroner Lab Reports, Pages 1 & 6:** BIO-TOX Labs. The urine analysis revealed Hopes had a .39% blood / alcohol level combined with the detection of Cannabinoids (marijuana). Different lab tests showed varying results of THC and alcohol levels.

**TAB 53 – Supplemental Report, Pages 2 – 3:** Detective Wheeler. Documentation on securing the security camera video from the Chevron station and a written breakdown of what is seen in the video.

**TAB 54 – Disc Table of Contents, Page 1:** Table of Contents of discs included in the investigation. Includes COBAN audios and 911 calls.

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**TAB 55** – Mug shot photos of Hopes and Chapple.

**TAB 62 – Supplemental Report, Pages 2, and 4 – 5:** Detective Wheeler. Documented the fact that the .38 cal. revolver in Hopes' possession was stolen during a burglary out of Wayne County, Georgia, on January 17, 1992. Pages 4 – 5 is the 1992 burglary report.

**TAB 64 – Riverside County D. A. Staffing Review Letters:** Riverside County D.A. letters of review and disposition on the investigation of the shooting. The D.A. determined that there was no evidence of criminal culpability regarding the actions of either Officer Hibbard or Officer Disla.

Prepared by Frank Hauptmann, CPRC Manager