



Memorandum

Police Department

Investigations

CASE: P09008550
DATE: January 27, 2009
TO: Sergeant Mark Rossi
FROM: Detective Rick Wheeler
SUBJECT: Summary – 664(e)/187 PC Attempted Murder on a Police Officer / OIS

DATE OF INCIDENT: Saturday January 17, 2009

TIME OF INCIDENT: 1943 Hrs.

LOCATION: South of 2855 Mulberry St. Riverside (Vacant field)

SUSPECT: Hyatt, Russell Franklin DOB: [REDACTED]
W/M/A 602/180 Bro/Bro
3468 Spruce St. Riverside, CA

INVOLVED OFFICER: Officer Dave Taylor #432 / K94 / Unit #3332

WITNESS OFFICERS: Officer Jeremy Miller #1565 / C120 / Unit #3749
Officer Jeremy Russell #1458 / C130 / Unit #3909
Officer Steve Quinn #1535 / C130 / Unit #3909

CHARGES: 664(e)/187 PC – Attempted Murder of a Police Officer
12022.53c PC – Use of a Firearm in Commission of a Felony
422 PC – Criminal Threats

RIVERSIDE POLICE DEPT. Restricted Information
CPRC Public Release Copy
CPRCEVE 10/17/2009 11:40 AM Unauthorized Release PROHIBITED

LAW ENFORCEMENT WITNESS

State Parole – Riverside Office

Agt. Doug Johnson
1777 Atlanta Ave. Riverside, CA
(951) 782-4479

S/Russell Hyatt's Parole Agent

CIVILIAN WITNESSES

3468 Spruce St. Riverside, CA

Hyatt, Iris [REDACTED]
3468 Spruce St. Riverside, CA
[REDACTED]

Wife of S/Russell Hyatt

Brooks, Marquita [REDACTED]
3468 Spruce St. Riverside, CA
[REDACTED]

Daughter of W/Iris Hyatt

Bruce, Jeffrey "Jeff" [REDACTED]
3468 Spruce St. Riverside, CA
[REDACTED]

Friend of W/Marquita Brooks

[REDACTED]

[REDACTED]

CIVILIAN WITNESSES

2841 Mulberry St. Riverside, CA

Derring, Dana [REDACTED]
2841 Mulberry St. Riverside, CA
No Phone

Tenant

Blakeman, Leon [REDACTED]
2841 Mulberry St. Riverside, CA
[REDACTED]

Tenant/ House Manager

CIVILIAN OTHER

Suspect's weapon

Debelling, Warren [REDACTED]
35836 42nd St. East Palm Dale, CA
[REDACTED]

Registered owner of weapon

CE DEPT - Restricted Information
CIVILIAN Release Copy
Unauthorized Release PROHIBITED
CPR/EVLS/2017/07/16:11 AM

SUMMARY

On Saturday January 17, 2009 at approximately 1740 hrs, W/Iris Hyatt was at her home located at 3468 Spruce St in the city and county of Riverside with family members and friends. Iris looked outside to the front of her residence and saw a blue pick up truck drop off her husband, S/Russell Hyatt. She did not recognize the truck or see the driver but she could plainly see S/Hyatt was the person who exited the vehicle. The truck then left the area. Iris watched as S/Hyatt went to their truck, parked in the driveway, and began rummaging around inside it. Iris yelled at S/Hyatt to get out of the truck of which he did. S/Hyatt then came to the front door of the residence and tried to enter. He was unable to get inside because the security screen door was locked. S/Hyatt stood outside and banged on the screen door demanding to be allowed inside. Iris refused to let him in.

While he stood on the front porch, S/Hyatt pulled a handgun from his clothing and put it to his head as he threatened to kill himself if he was not allowed inside. Iris told S/Hyatt to leave and that she was going to call the police. S/Hyatt left the front porch and walked around the house to a rear entrance and went inside. Iris' daughter, W/Marquita Brooks was near this entrance when S/Hyatt came inside and initially tried to keep him out but she was not successful. S/Hyatt walked through the house to the bedroom he and Iris shared and began searching for his wallet and car keys. While inside the house, Iris watched S/Hyatt point the gun to his head and count to three. On three, S/Hyatt pulled the trigger but nothing happened. S/Hyatt continued counting to 10, pulling the trigger of his gun every few seconds. The gun never fired. During this time Marquita called 911 to get police officers on their way to the residence.

After several minutes, S/Hyatt decided to leave the house by kicking open the front security screen door, damaging it as he left. Iris and the other occupants of the house followed S/Hyatt outside to see where he was going. While they stood on the front porch of the residence, S/Hyatt turned back toward the house and pointed his gun at the group causing them to go back into the house. S/Hyatt left the area before police officers arrived.

Officers Russell, Quinn, Miller and Taylor, along with other officers and sergeants, responded to the 3468 Spruce address to handle the 911 call. Officers obtained a description of S/Hyatt and looked at family photos of S/Hyatt. They also obtained his CDL during their investigation. An extensive search of the immediate neighborhood was conducted with the assistance of the San Bernardino S.O. Air Unit. S/Hyatt was not located. Officers Russell and Quinn were asked to stay on the call in the area in case S/Hyatt was to come back to the house by Sgt. Corbett.

At 1937 hrs, RPD dispatch got a 911 call from Marquita Brooks stating S/Hyatt was now at a residence not far from the Spruce St home. She advised he was at 2841 Mulberry. Officers Russell and Quinn drove from their position near 3468 Spruce to the area north of 2841 Mulberry. Both officers got out of their unit and approached the residence on foot for safety reasons. As they approached the residence in question, they saw a male subject matching the photos and description of S/Hyatt walking to the front of the residence. The officers had their weapons drawn, identified themselves and began giving S/Hyatt commands to stop. S/Hyatt ignored their commands to stop and instead turned around to face them. While facing them, S/Hyatt pointed a handgun to the side of his head and told the officers to "Do it!" With the gun still to his head, S/Hyatt started walking backwards, south bound, away from the officers. Both officers took cover and followed S/Hyatt at a safe distance while they continued to give him commands to stop and put down his gun. S/Hyatt ignored their commands.

While Officers Russell and Quinn were engaged with S/Hyatt, Officers Miller and Taylor responded to the area. Ofc. Taylor arrived on scene and left his K-9 unit, with the dog inside, down the street to the north of 2841 Mulberry and approached the scene on foot. Ofc. Miller arrived in the area and picked up Ofc. Taylor, who was still on foot, and continued to the area where Officers Russell and Quinn were positioned. Ofc. Miller stopped his marked unit in the street facing south so as to provide some cover for himself and Ofc. Taylor as they tried to assist Officers Russell and Quinn. From his vantage point, Ofc. Taylor could see S/Hyatt lying on the ground in a vacant field just south of where Officers Russell and Quinn were standing. Ofc. Taylor could see S/Hyatt lying down with his arms outstretched pointing east, with a gun visible in his hands. S/Hyatt got up from his prone position and rose up to his knees with the gun still in his hands. S/Hyatt was pointing his gun directly at Ofc. Taylor and Ofc. Miller as they stood behind the marked unit.

Fearing for his life and the lives of the other RPD officers on scene, Ofc. Taylor fired two rounds at S/Hyatt from his service pistol. S/Hyatt fell to the ground after the two shots. The four officers cautiously approached S/Hyatt as he laid on his stomach, on the ground. The officers could not see S/Hyatt's hands which were under his stomach so they rolled him partially to one side to check for the gun he had been holding. They located it on the ground under his body. Officers handcuffed S/Hyatt and called for medical aid because of visible trauma to S/Hyatt's head. The scene was secured by RPD officers and patrol supervision to await the arrival of detectives.

Civilian Interviews

W/Iris Hyatt

Iris and S/Hyatt were married and had a 1 ½ year old child together. They lived together at 3648 Spruce until December of 2008 when S/Hyatt began using Heroin and Methamphetamine again and stole money from a safe that Iris kept money for her business. In early December 2008, S/Hyatt overdosed on Heroin while at work and had to be revived by paramedics. Because of this activity, Iris felt it necessary to contact S/Hyatt's parole agent to advise him of recent events. As a result, S/Hyatt's parole status was revoked and he was returned to prison. Sometime later, S/Hyatt was released to a sober living facility in Indio. S/Hyatt had been at the facility for approximately 1 ½ weeks before this OIS. While in the facility, S/Hyatt would call Iris and tell her that he was afraid she would leave him because of his mistakes. Iris tried to assure him that things would be okay if he would work on getting sober, but S/Hyatt continued to worry.

On Saturday January 17, 2009 at around 1400 hrs, Iris received a phone call from her husband, S/Russell Hyatt, who told her he had been kicked out of the sober living facility he had been assigned to by his parole agent. S/Hyatt said he had been involved in a fight at the facility and as a result, he had been removed from the home. S/Hyatt wanted Iris to pick him up and bring him home. Iris said she would send someone to pick him up in a little while. Feeling there might be more to the situation, Iris decided to call the sober living facility and talk with the staff. The staff told Iris that S/Hyatt had been kicked out of their program for drinking alcohol and not for fighting. With this information and hearing S/Hyatt was still at the facility, Iris told the staff to tell S/Hyatt she would not be picking him up. She had no further contact with S/Hyatt until later that same night.

At around 1740 hrs Iris saw someone in a blue truck drop S/Hyatt off to the front of their Spruce St residence. S/Hyatt went to the truck they owned together and began rummaging around inside of it. Iris yelled at S/Hyatt to get out of the truck to which S/Hyatt replied that he was looking for his keys and wallet. S/Hyatt left the truck, walked up to the front door of the residence and attempted to go inside. He was unable to gain entry because the screen door was locked. Iris told S/Hyatt to leave but he refused. Iris told S/Hyatt that she did not want to be married to a "dope addict" anymore. Inside the house with Iris at this time were; W/Jeffery "Jeff" Bruce, W/Marquita Brooks and [REDACTED]. These witnesses also saw the interaction between Iris and S/Hyatt during the time S/Hyatt was at the residence.

While standing at the screen door demanding to be let inside, S/Hyatt pulled a handgun from his front pants pocket, pointed it to his head and said he was going to kill himself in front of his family. Iris had never seen the gun prior to today and did not know from where he got it. Iris told S/Hyatt she was going to call the police. Still holding the gun, S/Hyatt walked around the exterior of the house to an open rear entrance. Once inside, Iris saw her daughter W/Brooks struggle with S/Hyatt over the gun. S/Hyatt was able to retain control of it as he went into the bedroom he shared with Iris. While in the room, S/Hyatt looked through some dresser draws for his wedding ring, wallet and keys to the truck. Iris felt that if S/Hyatt found any of these items, he would sell them for more drugs. Iris confronted S/Hyatt and told him he needed to leave the house. S/Hyatt again threatened to kill himself by putting the gun to his head and counting to three. Upon reaching (3), S/Hyatt pulled the trigger of the gun but it did not fire. S/Hyatt continued counting to (10), during which he pulled the trigger several more times but the gun did not fire. Iris knew S/Hyatt could not commit suicide on his own because he had attempted four different times in the past. S/Hyatt had also pointed a gun at an officer several years ago in an effort to make the officer shoot him. She felt S/Hyatt would force officers to shoot him that night. S/Hyatt has assaulted police officers on two separate occasions in years past.

While S/Hyatt was talking with Iris, W/Brooks used her phone to call 911. S/Hyatt finally decided to leave the residence by kicking open the locked front screen door. Iris passed out just prior to S/Hyatt leaving the house. When she came to, S/Hyatt was just leaving through the front entrance. Iris watched as S/Hyatt walked down the street and into the neighborhood. As he walked away, S/Hyatt turned back for a moment and pointed his gun at the house. Iris prayed S/Hyatt would not shoot at the house because she was holding their son in her arms at the time. He then left the area. Once officers arrived at her home, Iris told them what had happened, S/Hyatt's description and the fact he was armed. She claimed to have told officers that S/Hyatt's gun was 'jammed' and would not fire. She also told the officers that S/Hyatt's demeanor was 'desperate' while he was at the house.

Approximately 30 minutes after S/Hyatt left her house, Iris received a call from W/Leon Blakeman's cell phone. On the line was S/Hyatt saying he was at the sober living home Iris owns at 2841 Mulberry in Riverside. Iris did not elaborate on the content of this conversation. Later, she went to the area of the sober living home and found officers securing a crime scene. She was not present for the shooting and does not have personal knowledge of its events. Iris claimed to have talked with an officer from RPD who attends her church and this "officer" said they had information about the shooting. Iris refused to give any details on this conversation. Iris also claimed there was a witness at a home just south of the shooting scene who witnessed the entire incident. RPD officers contacted the occupants of this house (2973 Mulberry) and no one claimed to have witnessed the shooting.

W/Marquita Brooks

On Saturday January 17, 2009 at approximately 1740 hrs, Marquita was at home with her mother (W/Iris Hyatt), W/Jeffrey "Jeff" Bruce and [REDACTED] Marquita witnessed Iris at the front security screen door talking with S/Russell Hyatt. She heard Iris say that S/Hyatt had a gun so Marquita began walking to the rear of the residence. She reached the rear entrance to the house, which was unlocked, and found S/Hyatt attempting to gain entry. Marquita told S/Hyatt he was not welcome inside the house and that he should leave. S/Hyatt still tried to enter the house. Marquita struggled over the door with S/Hyatt as she tried to keep him from coming inside. S/Hyatt stopped trying to open the door and instead, put a gun to his head telling Marquita she was going to watch him die if he could not get inside. Fearing he might make good on his threat, Marquita backed away from the door and allowed him to enter.

S/Hyatt went in the residence and immediately to the bedroom he shared with Iris. She could hear S/Hyatt rummaging around in the bedroom for a short time, after which, he went into the living room. In the living room, S/Hyatt demanded his car keys be returned to him. When no one complied with his demands, S/Hyatt again put his gun to his head and told everyone present that they were going to watch him die. S/Hyatt turned and left the residence by kicking open the front security screen door. As S/Hyatt walked away from the residence, he turned back toward the house and pointed the gun in her direction. Marquita was immediately scared she might be shot and went back inside the house. Marquita was the one who called 911 when this incident took place. She was also the person who called a short time later to update officers of S/Hyatt's new location at the 2841 Mulberry address.

W/Jeffery "Jeff" Bruce

Jeff was present at the Spruce St home on January 17, 2009 during the time of this incident. Jeff watched, along with Iris, as S/Hyatt rummaged around inside the truck he used to drive. He appeared to be looking for something but was not finding it. S/Hyatt left the truck and came to the front door of the house where the security screen door was locked. S/Hyatt tried to enter the house but could not and Iris would not allow him inside. As S/Hyatt stood on the front porch, Jeff watched him pull a handgun from his clothing and threaten to commit suicide with it. S/Hyatt left the front porch and went around to the rear of the house where he was able to gain entry through another door. Once S/Hyatt got inside, Jeff briefly went into his room to avoid any conflict. Jeff returned to the living room and found S/Hyatt pointing the handgun to his own head and again threatening to commit suicide. S/Hyatt eventually left the house through the front door and headed out of the area. As he walked from the house, Jeff watched S/Hyatt turn back toward the residence and point his gun at Jeff and the people standing on the porch, watching him walk away. Jeff and the others standing there became frightened and went back into the residence. Jeff was not present for the shooting on Mulberry.

Jeff had been incarcerated with S/Hyatt in the past and claimed S/Hyatt had never before acted like he was acting that night. Jeff said he tried to talk to S/Hyatt during the time he was threatening suicide inside the house but S/Hyatt would not listen.

[REDACTED] was inside 3468 Spruce St on January 17, 2009 playing video games in the living room when he heard Iris yelling, "Russell get out of the car!" and "What are you doing?" Iris then told the other people inside the residence that S/Hyatt was back from a "program" and he had a gun. [REDACTED] told his sister (W/ Marquita Brooks) to lock the back door but S/Hyatt reached the door first and was able to get inside. [REDACTED] watched as S/Hyatt went into Iris' bedroom and began searching for his keys and wallet.

W/Jeff Bruce tried to calm S/Hyatt down but it had no effect. S/Hyatt exited Iris' bedroom and entered the living room. While standing in the living room, S/Hyatt pointed a small silver and black handgun to his head and said he was going to shoot himself. He said everyone inside the house was going to watch him die and he began counting to 10. The gun never went off. S/Hyatt turned, headed toward the locked front security screen door and kicked it open causing damage to the door jamb. Once outside, S/Hyatt started to walk away from the house. As he did, ██████ and other family members went out onto the porch to see where he was going. S/Hyatt looked back at the house and seeing everyone out on the porch, turned around and pointed his gun at ██████ and the group. Fearing for their safety, everyone went back inside the house. ██████ did not know what happened to S/Hyatt after he left the residence. He was not present for the shooting on Mulberry.

W/Dana Derring

Dana is a tenant at a half way house owned by W/Iris Hyatt, located at 2841 Mulberry, in Riverside. He was seated at the dining room table inside this residence on January 17, at around 1840 hrs. Also seated with him was the house manager, W/Leon Blakeman. As the two men were talking, a male walked into the residence, unannounced and unexpectedly, through the back door. The male was S/Hyatt and Dana recognized him as Iris' husband. Once inside, S/Hyatt asked for a lighter to light a cigarette and a phone to call his wife. W/Blakeman offered his cell phone to S/Hyatt who took it and made a call. Dana could hear S/Hyatt tell the person on the phone to "give me my wallet and keys to my truck!" and "I will file the divorce paperwork!" S/Hyatt then told the person to "Raise our son properly" and something similar to "If you don't do those things, then I will kill myself!" and "I will commit suicide!" S/Hyatt ended the call and handed the phone back to W/Blakeman. S/Hyatt then stood up from the table and turned his back to the men. From his right rear pants pocket, S/Hyatt pulled a silver colored handgun (possibly a .22) and pointed it toward the ground while he held it in his right hand. S/Hyatt then walked out of the house using the same back door.

Dana used W/Blakeman's cell phone in an effort to call 911. As he called 911, Dana walked out of the house following S/Hyatt at a distance. He watched as S/Hyatt walked down the driveway toward Mulberry and then turn heading south down the street. The entire time, S/Hyatt held the gun down by his right side. Dana continued to follow after S/Hyatt but stopped once he reached the end of the driveway. S/Hyatt continued walking south on Mulberry away from the residence.

Moments later, Dana saw two uniformed RPD police officers standing in the street next to a marked police car that was facing south. Both officers were on the driver's side of the vehicle and they were holding their firearms, pointing them to the west toward a large bush to the south of his residence. It was near this large bush that Dana lost sight of S/Hyatt as he walked down the street. Dana then heard one gunshot which he believed came from the area of the large bush. He then saw one of the officers standing near the police unit fire one shot in the direction of the bush. A total of two shots were fired.

Dana offered to the officer interviewing him that he felt the shooting was a "Righteous Shoot" based on what he saw. He said the officers were justified in their actions.

W/Leon Blakeman

Leon is the live in manager of the home located at 2841 Mulberry. W/Iris Hyatt owns the house and appointed him as the person in charge. Leon was home with other tenants (including W/Dana Derring) on January 17, 2009 at around 1830 hrs. Dana had been interviewed by police officers the night of the shooting but Leon had not.

Leon recalled being inside the house that night when S/Hyatt entered the home through the unlocked rear door. Upon entering the residence, Leon could see S/Hyatt was upset and appeared to be under the influence of something. He described S/Hyatt as looking like he was "at the end, giving up." Approximately 10 minutes later, S/Hyatt asked to use Leon's cell phone. Leon let him use the phone and could tell by the conversation that he had called his wife, Iris. He could also hear some of Iris' responses to S/Hyatt during the call. S/Hyatt made some demands of Iris, one of which was that he wanted to see their son. Leon also heard S/Hyatt tell Iris he was going to commit suicide by "blowing my brains out!" He also said he was "going to have the cops blow my head off!" S/Hyatt became angrier as the call went on and finally ended it by throwing the phone at Leon.

Right after the call ended, Leon got a call from Iris. She asked Leon if S/Hyatt was still at the house to which, Leon told her yes. She then told Leon to have everyone in the home leave right away. Leon hung up with Iris and began following her directions while S/Hyatt watched. As Leon mobilized the residents, S/Hyatt left the house by using the rear door. As he left, Leon watched S/Hyatt pull a small chrome handgun from his clothing. S/Hyatt then walked down the driveway to Mulberry where he was soon confronted by uniformed RPD officers. Leon went to the front of the house to see what was happening. As he stood on the front porch, Leon watched S/Hyatt walk south down Mulberry and out of sight. Approximately one minute later, Leon heard two gunshots come from the area south of his home, the direction S/Hyatt had been walking. Leon did not see who fired the shots. He did not hear any conversation between S/Hyatt and the RPD officers. Based on the situation, Leon speculated that the officers must have had no choice but to defend themselves when they confronted S/Hyatt.

O/Warren Debellling

On January 27, 2009 Det. Wheeler interviewed W/Warren Debellling who confirmed he owned the gun S/Hyatt had been found with on the night of the shooting. Warren had purchased the gun for home protection years ago. He had no idea that the gun was missing. The last time he saw this gun was between Thanksgiving and Christmas time in 2008. He had taken the gun (a chrome Berretta .32 caliber semi-auto) from a hidden drawer in his dresser and put it on top of a hutch in his living room during that time.

His girlfriend at the time, Teresa Hyatt (sister of S/Hyatt), knew he had this handgun. He could not remember if he returned the gun to the hidden drawer at anytime and if Teresa knew where he hid the gun in the dresser. He remembered at least five times in the recent past that S/Hyatt had come to his home to visit Teresa. He could not remember if he ever showed the gun to S/Hyatt. Warren felt S/Hyatt might have seen it during one of these visits or Teresa might have shown it to him. Warren and Teresa are no longer dating.

Once Warren heard about the shooting involving S/Hyatt, he felt the need to check on his gun. When he could not find it, he tried to report it as missing to Palmdale P.D. This was two days after the shooting. When the police arrived, Warren refused to give any detailed information to the officers who came to take the report. He claimed they were unprofessional with him. Warren decided to call RPD to see if his gun had been used by S/Hyatt during the shooting. The last time Warren saw the gun, it was loaded with a full magazine. He did not remember purchasing two magazines for the gun but said he found a full magazine at his home when he began to search for the gun. Warren did not know S/Hyatt very well. He only knew that S/Hyatt had been "on the run" from parole in the past.

Law Enforcement Officer Interviews

W/Agent Doug Johnson

Agt. Johnson was S/Hyatt's parole agent. He was aware of S/Hyatt's drug and alcohol problems which caused S/Hyatt to be placed in a rehabilitation facility in Indio, CA. Agt. Johnson has had contact with S/Hyatt's wife, Iris, in the past.

On January 17, 2009 at around 1700 hrs, Agt. Johnson received a phone call from Iris who said S/Hyatt had been kicked out of the Indo facility for drinking. Agt. Johnson did some follow up on this information and confirmed Iris' information. Agt. Johnson also found that the staff was planning to re-admit him on the following Monday if he promised to follow their program.

Later on the January 17, 2009, Agt. Johnson received another call from Iris at around 1750 hrs. Iris sounded scared and told him S/Hyatt had come to her home with a gun and he was threatening to shoot himself. Agt. Johnson told her to immediately call 911 and get the police en route to her home. Before she hung up, Iris said S/Hyatt had pointed his gun at the family while he was leaving the area. She told Agt. Johnson that she was shocked he would point his gun at their son.

Agt. Johnson hung up with Iris and called RPD dispatch to make sure the report of this incident had been made. He advised dispatch he was S/Hyatt's parole officer and S/Hyatt was on parole for violence toward police. Agt. Johnson did not respond to Iris' residence or to the scene of the shooting.

W/Officer Jeremy Russell

This interview was conducted at the RPD Central Investigation Bureau on January 18, 2009. Ofc. Russell did not discharge his weapon during this incident.

Ofc. Russell was working uniformed patrol in a marked police car as one half of a two officer unit. His partner officer this night was Ofc. S. Quinn. Their call sign was C130 and they were assigned unit #3909 and Ofc. Russell was the driver. At around 1800 hrs, Officers Russell and Quinn were dispatched to a call at 3468 Spruce reference a man with a gun holding a female at the residence. The CAD call further stated the subject was on parole for assault on a police officer with a firearm. The subject was identified as S/Hyatt and a physical description was given. Officers Russell and Quinn arrived at the scene at 1802 hrs and assisted with the investigation.

S/Hyatt had already left the area prior to the arrival of any RPD officers. RPD officers spoke with W/Iris Hyatt and other witnesses at the scene. They learned that S/Hyatt had been in possession of a handgun and had threatened to shoot himself in front of the entire family. As S/Hyatt left the residence and the family watched him walk away, S/Hyatt turned back toward the family and pointed his handgun at them. Ofc. Russell overheard Iris tell the officers on scene to shoot S/Hyatt but not to kill him.

Officers Russell and Quinn along with other assisting RPD personnel, conducted an extensive search of the surrounding neighborhood looking for S/Hyatt. The helicopter from the San Bernardino Sheriff's Dept responded to the area to assist with the search, however S/Hyatt was not located. As a precaution, Sgt. Corbett assigned Officers Russell and Quinn to stay behind in the area in case S/Hyatt returned to the residence. While the officers were waiting, an update came across their police units computer stating S/Hyatt had been seen on Mulberry.

Knowing this street was just a few blocks from the Spruce St address, Officers Russell and Quinn responded to the area of 2841 Mulberry. Ofc. Russell stopped their unit approximately 10 houses north of 2841 Mulberry so they could approach the area on foot. As they arrived, the officers saw two citizens standing in the street pointing south down the street. The unknown citizens said the person they were looking for was down the street at the house in question (2841 Mulberry). As they walked south on Mulberry, Ofc. Russell saw S/Hyatt on the west side of Mulberry, walking south on the sidewalk. Ofc. Russell was armed with a shotgun as the officers came to within 30 feet of S/Hyatt and identified themselves. They gave S/Hyatt verbal commands to stop and surrender, three or more times. In response to their commands, S/Hyatt turned toward the officers with a gun in his right hand and then pointed it to his head. S/Hyatt said, "You want to see my fucking hands, do it!"

With the gun still to his head, S/Hyatt began to walk backwards, south on Mulberry, away from Officers Russell and Quinn. Ofc. Russell told S/Hyatt twice to drop his gun. S/Hyatt did not comply and instead, turned south and began to run. Officers Russell and Quinn gave chase and followed S/Hyatt until they lost sight of him at a fence with large shrubs growing on it. Because they could not see around the corner of the blind fence and knowing S/Hyatt was armed with a gun, Officers Russell and Quinn chose not to continue around the corner and instead took a static position of concealment out of view of S/Hyatt.

While at this corner, Ofc. Russell's HT radio fell from his belt onto the ground. As he bent over to pick it up, he looked to the east of their position and saw a marked patrol unit arrive in the street across from them. Ofc. Russell could see a uniformed officer exit the unit and run to the trunk of the unit. Seconds later, someone yelled out "He's proned out!" Hearing this, Ofc. Russell quickly peeked around the fences corner and saw S/Hyatt lying on his stomach with his head pointed toward the fences corner. S/Hyatt had his gun held in both hands, in front of him, and pointing toward Ofc. Russell. Fearing he would be shot, Ofc. Russell ducked back behind the corner, out of S/Hyatt's view. Ofc. Russell then heard one gunshot. Looking at the unit in the street, Ofc. Russell saw Ofc. Taylor lying across the trunk of the unit with his weapon pointed toward S/Hyatt. Ofc. Russell watched Ofc. Taylor fire one shot (the second one Ofc. Russell heard) in the direction S/Hyatt had been.

After the second shot, Ofc. Russell looked back around the fence corner and saw S/Hyatt lying on the ground with his feet now pointing toward the fence corner. Ofc. Russell and other RPD officers cautiously approached S/Hyatt and found him lying on his hands with blood coming from a wound to his head. S/Hyatt appeared to be dead. Ofc. Russell thought Ofc. Taylor handcuffed S/Hyatt. Ofc. Russell called for medical aid for S/Hyatt.

Officer Steve Quinn

This interview was conducted at the RPD Central Investigation Bureau on January 18, 2009. Ofc. Quinn did not discharge his weapon during this incident.

Ofc. Quinn was working uniformed patrol in a marked police car as one half of a two officer unit. His partner officer this night was Ofc. J. Russell. Their call sign was C130 and they were assigned unit #3909 and Ofc. Quinn was the passenger. At around 1800 hrs, Officers Russell and Quinn were dispatched to a call at 3468 Spruce reference a man with a gun holding a female at the residence. The CAD call further stated the subject was on parole for assault on a police officer with a firearm. The subject was identified as S/Hyatt and a physical description was given. Officers Russell and Quinn arrived at the scene at 1802 hrs and assisted with the investigation.

Ofc. Quinn spoke with W/Iris Hyatt who told him S/Hyatt had come to their home a short time ago and had threatened to kill himself if she did not give him some items he was looking for inside their truck and inside the house. Iris was concerned with allowing S/Hyatt to take the truck because she thought he was drunk so she would not let him take it. S/Hyatt had left the area in the minutes prior RPD officers arriving. He was last seen on foot, heading west on Spruce. Ofc. Quinn obtained a description of S/Hyatt and passed the information on to the other RPD officers, who were on scene. Ofc. Quinn was able to obtain some recent photos of S/Hyatt, as well as his CDL. Ofc. Quinn overheard W/Brooks telling other RPD officers that when S/Hyatt left the residence, he pointed the gun at family members watching him leave. This scared the family causing them to run back inside the house.

Officers Russell and Quinn along with other assisting RPD personnel, took part in an extensive search of the surrounding neighborhood looking for S/Hyatt. A helicopter from the San Bernardino Sheriff's Dept assisted with the search. S/Hyatt was not located. Sgt. Corbett assigned Officers Russell and Quinn to stay in the area in case S/Hyatt returned. While in the area, an update came across Officers Russell and Quinn's police units computer stating S/Hyatt had been seen on Mulberry. The street was just a few blocks from the Spruce St address so Officers Russell and Quinn drove to the area of 2841 Mulberry. Ofc. Quinn estimated they stopped their marked unit approximately three blocks from the address in question and continued on foot toward the location.

As the officers walked on foot, Ofc. Quinn saw a Hispanic male standing in the street. This male approached the officers and said a strange man had come into their home without permission. He claimed his mother called the police. As the officers were talking with this male, another male walked out from the driveway of a nearby residence. The Hispanic male pointed toward the other male saying he was the stranger inside their home. Ofc. Quinn recognized the male as S/Hyatt. Ofc. Quinn tried calling out to S/Hyatt and flashing his flashlight but S/Hyatt did not respond. S/Hyatt turned and began walking south down Mulberry, away from the officers. Officers Russell and Quinn followed after S/Hyatt, using "cover" as they went.

As they got closer to S/Hyatt, he turned and faced the officers. S/Hyatt then pulled a small handgun from his clothing and pointed it toward his head and said, "You gonna make me do this!" Officers Russell and Quinn remained behind cover as they gave S/Hyatt commands to drop his weapon. S/Hyatt refused to follow their commands and instead continued walking south, backwards, down Mulberry with the gun still to his head. Officers Russell and Quinn followed after S/Hyatt, continuing to use various things for cover as they went. At one point, S/Hyatt turned away from the officers and began to run further down Mulberry out of their sight. Officers Russell and Quinn tried to follow S/Hyatt. While the officers headed down Mulberry, a marked RPD unit arrived in the area stopping in the street to pick up Ofc. Taylor who had been on foot. This unit continued south on Mulberry while Officers Russell and Quinn stayed on foot attempting to follow S/Hyatt.

Officers Russell and Quinn reached the corner of a fence with bushes they could not see around, located north of a vacant lot. The officers started to go around this corner when Ofc. Quinn saw S/Hyatt on his stomach, on the ground, with his head pointed north/ east toward he and Ofc. Russell. Ofc. Quinn could see S/Hyatt holding his handgun with his arms out stretched in the direction of he and Ofc. Russell. Fearing he would be shot, Ofc. Quinn moved back behind the corner of the fence and out of view of S/Hyatt. At this moment, a marked unit containing Officers Miller and Taylor pulled up in the street to the east of Officers Russell and Quinn. Seconds later, Ofc. Quinn heard a single gunshot. He could not tell where it had come from.

He looked toward the unit in the street and saw Officers Miller and Taylor standing near the driver's side/ rear of the unit. Ofc. Quinn was concerned they might have been struck by the gunshot. Seconds later, Ofc. Quinn looked back toward the south when he heard a second gunshot. This shot sounded like the first. He could not tell where this one came from either. Ofc. Quinn looked around the corner of the wall and could see S/Hyatt lying with his feet now facing to the north. His hands were not visible under his body. Ofc. Quinn and other RPD officers cautiously approached S/Hyatt and pulled his hands out from under his body, handcuffing them. Ofc. Quinn could see blood pooling around S/Hyatt's head. Medical aid was summoned.

Officer Jeremy Miller

This interview was conducted at the RPD Central Investigation Bureau on January 18, 2009. Ofc. Quinn did not discharge his weapon during this incident.

Ofc. Miller was assigned as a single officer unit and the designator of C120. He was driving unit #3749. At around 1800 hrs, Ofc. Miller was assigned to assist Officers Russell and Quinn with a call at 3468 Spruce reference a man with a gun holding a female at the residence. The CAD call further stated the subject was on parole for assault on a police officer with a firearm. The subject was identified as S/Hyatt and a physical description was given. Ofc. Miller arrived at the scene and spoke with the daughter of S/Hyatt who told him S/Hyatt had come to their home with a chrome .25 caliber handgun. After speaking with the daughter, Ofc. Miller consulted with Officers Russell and Quinn who had spoken with S/Hyatt's wife. Both officers told Ofc. Miller that S/Hyatt was feeling suicidal and S/Hyatt did not want to go back to jail. S/Hyatt was threatening suicide by cop. Officers at the scene were provided photos of S/Hyatt because he left the area just prior to RPD officers arriving on scene.

Approximately 45 minutes to an hour later, Ofc. Miller learned from dispatch that S/Hyatt had been seen on Mulberry in possession of a handgun. Ofc. Miller headed to Mulberry where he saw Ofc. Taylor on foot in the street. On the west side of Mulberry, Ofc. Miller saw Officers Russell and Quinn walking south with S/Hyatt who was south of them, also walking south down Mulberry. He could see S/Hyatt facing the officers with a gun in his right hand, pointed toward his own head. Ofc. Miller could hear other RPD officers yelling for S/Hyatt to drop his gun. Ofc. Miller pulled up next to Ofc. Taylor and pointed his unit's spot light at S/Hyatt. Upon seeing the spot light, S/Hyatt turned and began running south down the sidewalk.

Ofc. Taylor got into Ofc. Miller's unit and they drove after S/Hyatt. Officers Russell and Quinn followed on foot. Ofc. Miller lost sight of S/Hyatt for a moment as he ran around the corner of a fence. Officers Russell and Quinn followed S/Hyatt to the corner of the fence where they stopped. Ofc. Miller positioned his unit so he could see around the corner with the use of his spot light. Ofc. Miller saw S/Hyatt lying in a prone position, on a partial slope which provided him some cover, facing toward Officers Russell and Quinn. Ofc. Miller could see S/Hyatt had his gun pointed toward the officers. Seeing this, Ofc. Miller requested an officer respond to the scene with a rifle. Ofc. Miller then moved to the rear of his unit with Ofc. Taylor. When he next saw S/Hyatt, he was no longer in a prone position but now on his knees, still pointing his gun toward the officers direction. Ofc. Miller raised his shotgun to engage S/Hyatt but heard one gunshot and saw a muzzle flash come from his right side where Ofc. Taylor was standing before he could shoot. Ofc. Miller looked toward S/Hyatt and saw he was now lying on the ground, on his stomach.

Once they felt it was safe, Ofc. Miller and other RPD officers moved up cautiously toward S/Hyatt. S/Hyatt's hands were under his chest so he and Ofc. Taylor grabbed his arms and pulled them out to be handcuffed. Ofc. Miller could see a handgun under S/Hyatt's body and a wound to his head. Based on S/Hyatt's actions, Ofc. Miller felt S/Hyatt was going to shoot he and Ofc. Taylor. Ofc. Miller said S/Hyatt could have continued running from the officers but instead laid down taking a prone position behind a small hill as he pointed his gun at the pursuing officers. Ofc. Miller said he was about to shoot out of fear of being shot by S/Hyatt when Ofc. Taylor fired.

Officer Dave Taylor

This interview was conducted at the RPD Central Investigation Bureau on January 18, 2009. Personnel present in the interview were; Det. Wheeler, Det. Cobb, ADA Paradise, ADA Urban, DA Inv McGill and private counsel (Saku Eta) for Ofc. Taylor.

Ofc. Taylor was assigned as "K94" (his permanent call sign as a K-9 officer) in unit #3332. He had his police service dog with him this night but it was never involved in this incident. Ofc. Taylor was a single person unit.

On January 17, 2009, at around 1800 hrs, Ofc. Taylor responded to assist RPD officers en route to a call at 3468 Spruce reference a man with a gun holding a female at the residence. The CAD call further stated the subject was on parole for attempt murder of a police officer. The subject was identified as S/Hyatt and a physical description was given. When Ofc. Taylor arrived at the Spruce address, he found S/Hyatt had already left the area on foot. Ofc. Taylor was able to see a photo of S/Hyatt and assisted with a search of the surrounding neighborhood. S/Hyatt was not located. Sgt. Corbett asked Ofc. Taylor to stay in the neighborhood in case S/Hyatt returned. Ofc. Taylor was in the area for approximately 30 minutes before an updated call came into dispatch stating S/Hyatt was now at an address on Mulberry. Knowing he was only a few blocks from Mulberry, Ofc. Taylor began heading in that direction.

When Ofc. Taylor arrived in the area, he found an unoccupied marked RPD unit parked on the street. Ofc. Taylor moved his unit further south down Mulberry where he saw two uniformed RPD officers on foot. The officers were talking with some citizens. Ofc. Taylor parked his unit and began walking toward the officers. Looking further south down Mulberry, beyond Officers Russell and Quinn, he could see another person walking. As he got closer, Ofc. Taylor could see the person was S/Hyatt. He could also see S/Hyatt was holding a handgun. Officers Russell and Quinn also saw S/Hyatt and began giving him commands to drop his gun. S/Hyatt refused to follow their commands and instead, turned and began running south down Mulberry to where the street curves.

Officers Russell and Quinn pursued S/Hyatt on foot while Ofc. Miller pulled up next to Ofc. Taylor in his marked unit. Ofc. Taylor got into the passenger seat of the unit and rode with Ofc. Miller further south down Mulberry. Ofc. Taylor tried to keep S/Hyatt in his sight as they drove but at one point, he lost sight of him beyond the corner of a fence with shrubs. Ofc. Miller pulled his unit up far enough so they could see beyond the corner. Officers Russell and Quinn were approaching the same corner on foot. As he and Ofc. Miller exited the unit, Ofc. Taylor could see S/Hyatt lying in a prone position, on the downhill side of a small slope, with his hands and head facing their unit. Ofc. Taylor could see S/Hyatt was holding his gun in his hands and he was pointing in their direction. Ofc. Taylor described S/Hyatt's positioning as "lying in wait" for Officers Russell and Quinn.

Fearing the officers would be shot, Ofc. Taylor yelled out for them to go back as he moved to the trunk of the unit. When Ofc. Taylor did this, S/Hyatt got up on his knees and pointed his handgun at Ofc. Taylor. He could see S/Hyatt adjusting his aim or "tracking" him to get a good shot. Ofc. Taylor expected S/Hyatt to fire his gun at any moment. Upon seeing S/Hyatt on his knees and fearing he would be shot, Ofc. Taylor fired two rounds at S/Hyatt from his service pistol. S/Hyatt went to the ground after the rounds were fired. After the second shot, Ofc. Taylor's handgun malfunctioned (stove piped) of which he cleared right away. Ofc. Taylor was not sure that he had struck S/Hyatt. Ofc. Taylor and Ofc. Miller moved up to the corner of the fence where Ofc. Quinn and Ofc. Russell were taking cover and together they moved up as a team to where S/Hyatt was lying. Ofc. Taylor used his handcuffs to secure S/Hyatt. He also searched under S/Hyatt's body with his hand and felt the grip of a gun. Ofc. Taylor chose to leave the gun where it was. Medical aid pronounced S/Hyatt deceased. Ofc. Taylor could see that S/Hyatt had been struck in the head.

Shooting Scene

The area where this shooting took place is a vacant lot located within a residential neighborhood with the 91 freeway located directly east of Mulberry and more residential neighborhoods to the west. Mulberry runs north south along the east side of this lot. There was chain link fencing blocking off access to the lot from the street. S/Hyatt's body was located on the dirt shoulder to the east of this fence. There was some ambient light from surrounding lights and the driver side spot light illuminating from marked RPD unit #3749.

S/Hyatt's body was lying on its stomach with his head pointing to the south and his feet pointing north. His hands were cuffed to the back with handcuffs. Once Riverside County Coroner Officials arrived, S/Hyatt's body was moved. Under his stomach, RPD detectives found a .32 caliber Beretta "Tom Cat," semi-auto handgun. The gun was loaded with a total of four live .32 caliber rounds. One round had been miss-fed into the chamber, causing the slide to be slightly open and the hammer to be partially cocked. The safety was disengaged.

Three marked RPD police units were located just north/ east of S/Hyatt's body on Mulberry. Unit #3749 was the first unit, parked facing south with the listed spot light on and the passenger side door open. The spot light was pointed at S/Hyatt. Unit #3631 was parked behind #3749. Two expended .40 caliber shell casings were located under front of the unit. Unit #3619 was parked behind #3631. In the trunk of this unit were RPD department issued shotguns [REDACTED]

[REDACTED] Both shotguns were found fully loaded with no rounds missing.

At Mulberry & Poplar, detectives located three additional marked RPD units. Units #3748 & #3770 were parked on the south side of Poplar, facing east, just west of Mulberry. Unit #3909 was parked on the west side of Mulberry at Poplar, facing south.

On January 18, 2009 a single bullet strike was located in the unattached garage of 2974 Lime. The strike was in the east facing garage door which would have been in the line of fire when Ofc. Taylor fired his two rounds. On January 23, 2009, detectives recovered a single expended bullet from within this garage. It was put into evidence.

Recordings At The Scene

Video

There are no known recordings of this shooting. None of the units within view of the shooting had their Coban unit video cameras recording at the time.

Audio

Audio recorders assigned to the involved officers were checked by detectives at CIB for any possible audio recording of the shooting. None were found.

Weapon Charting

Four RPD officers handguns were charted as part of the investigation into this shooting. The findings were as follows:

Ofc. J. Miller

Weapon: .40 caliber Glock, model 22, [REDACTED]
One live .40 caliber round in chamber
Magazines: 3 – Each containing 15 live .40 caliber rounds

Ofc. J. Russell

Weapon: .40 caliber Glock, model 22, [REDACTED]
One live .40 caliber round in chamber
Magazines: 3 – Each containing 15 live .40 caliber rounds

Ofc. S. Quinn

Weapon: .40 caliber Glock, model 22, [REDACTED]
One live .40 caliber round in chamber
Magazines: 3 – Each containing 15 live .40 caliber rounds

Ofc. D. Taylor

Weapon: .40 caliber Glock, model 22, [REDACTED]
One live .40 caliber round in chamber
Magazines: 1 – Containing 12 live .40 caliber rounds **
3 – Each containing 15 live .40 caliber rounds

**Ofc. Taylor said he may have forgotten to load one extra round into his weapon's magazine the last time it was loaded. This would cause him to have had only 15 rounds in his weapon at the time of the shooting, instead of the usual 16 rounds. Only two expended shell casings were found at the scene.

Department of Justice Weapon Analysis

Ofc. D. Taylor's Weapon

.40 caliber Glock, model 22, [REDACTED]
Owned by Riverside P.D., issued to Ofc. Taylor
Function testing showed the weapon fires and its safeties functioned properly

S/Russell Hyatt's Weapon

.32 caliber Beretta, model 3032 Tomcat, [REDACTED]
Owned by Warren Debelling
Function testing showed the weapon fires and its safeties functioned properly