



Office of Inspector General

**OFFICER INVOLVED  
SHOOTING REVIEW  
LOGAN AUGUSTINE**

Incident Date  
November 24, 2016

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Inspector General

# Officer Involved Shooting Review

## Logan Augustine

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# Officer Involved Shooting Review

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### INTRODUCTION

The Inspector General reviews certain critical incidents involving the Sacramento Sheriff's Department personnel to evaluate the response to the incident, departmental policies, tactics, equipment, and training as compared to contemporary law enforcement standards. These reviews result in the identification of lessons learned regarding the incidents and specific recommendations for the Sheriff's Department intended to enhance the safety of the community and officers. It is important to note that this review was conducted with the benefit of hindsight and the knowledge of all concurrent events. The ability to review reports, photographs, video, and audio allows for the critical review of the incident that is not available to officers and witnesses.

A separate independent review was conducted by the Sacramento County District Attorney's Office addressing legal issues associated with filing of criminal actions. The District Attorney's review concluded the shooting death of Logan Augustine was lawful.<sup>1</sup>

### EXECUTIVE SUMMARY

This review concerns an incident where, on November 24, 2016, a Sheriff's Sergeant used deadly force, the appropriateness or inappropriateness of that use of force, and the related departmental policies were reviewed and compared against best practices in policing. The review included crime reports, statements, evidence, video, audio, and applicable policies. The information considered during this review indicates that Sheriff's Department policies, equipment, and training related to use of force and de-escalation, appear to be generally contemporary. However, performance could be improved through review, oversight, and additional training thereby resulting in five recommendations.

The available evidence supports that, at the time Sergeant Schaefer fired his weapon, there was a reasonable basis to believe that Augustine posed a threat of serious bodily injury or death to the sergeant. The use of deadly force against Augustine was reasonable.

### METHODOLOGY

The Inspector General, with cooperation from the Sacramento County Sheriff's Department, gathered, reviewed, and analyzed documents from many sources to develop an understanding of this shooting. Policies, procedures, and training related to the activities leading up to and including the shooting were reviewed and compared to accepted best practices in policing.

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<sup>1</sup> <http://www.sacda.org/police-use-force/>

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### Document, Evidence, and Policy Review

To assist in the review, information was collected from the following:

- Documents related to the shooting including witness statements and crime scene diagrams.
- Photographs of the scene and dispatch audio.
- Review of videotaped interviews.
- Direct observation of the general area and shooting scene.
- Review of Sacramento County Sheriff's Department policies and applicable International Association of Chiefs of Police model policies.<sup>2</sup> Sheriff's policies include:
  - General Order 2/01 (Rev 6/13) Authorized Firearms and Ammunition
  - General Order 2/03 (Rev 5/08) Firearms Training and Qualification Special Weapon Training
  - General Order 2/05 (Rev 12/12 Rev 9/17<sup>3</sup>) Use of Firearms
  - General Order 2/06 (Rev 10/07) Officer-Involved Shooting Incidents
  - General Order 2/11 (Rev 4/16 Rev 8/17<sup>4</sup>) Use of Force Policy
  - General Order 2/16 (New 1/06) Weapons Discharge Reporting Incidents
  - General Order 2/17 (Rev 3/13) Use of Force – Tactical Review Board
  - General Order 10/10 (New 9/07) In-Car Camera Systems

### INCIDENT SUMMARY

On November 24, 2016, shortly after 1:00 p.m., Logan Augustine was with his father driving from their home to Carmichael, California to celebrate Thanksgiving with family. During the drive Augustine had expressed concerns about his clothes, seemed anxious, and acted strangely according to his father. To satisfy Logan, his father stopped at a Target store in Sacramento to buy clothes, but the store was closed. They also stopped at a grocery store in Carmichael to allow Logan to purchase holiday cards. The store was also closed, so they drove away. The inability to purchase clothes or cards made Logan upset.

While stopped at the traffic signal at Marconi Avenue and Walnut Avenue, Augustine told his dad that he felt claustrophobic and needed to get out of the truck. After Logan got out his father told him to meet across the street at the 7-11 store. While in the 7-11 parking lot Augustine's father said Augustine came up to the truck and asked him for a cigarette. His father said no, that Augustine had smoked weed and drank beer earlier and that was enough.<sup>5</sup>

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<sup>2</sup> <http://www.iacp.org/Model-Policies-for-Policing>

<sup>3</sup> Reviewed policies included the policy that was current at the time of the incident as well as any modifications made prior to the release of this report.

<sup>4</sup> Ibid

<sup>5</sup> Logan Augustine was 17 years old at the time of the OIS, his 18<sup>th</sup> birthday was the following day. In celebration his father allowed him to drink 2-3 beers. The father was aware that Augustine had smoked marijuana but did not mention methamphetamine use as identified in the toxicology report.

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Augustine became angry and said he was going to call his mother. The father drove across the street and watched Augustine pacing in front of the store talking on his phone and assumed he was calling his mother. The father decided to drive back to the 7-11 but lost sight of the store and Augustine. When he got back to the 7-11 the father did not see Logan and assumed that Logan had decided to walk the few blocks to his mother's home. The father drove off to search the area for Augustine.

While outside the 7-11 store, Augustine used his cell phone to call 911 and told the call taker, "I'm doing this because of me." The time of the call was 1:46 p.m. and lasted two minutes before the call ended. The Sheriff's Department initiated an event indicating an "incomplete phone call" as the call type. Augustine walked into the 7-11 Store and was seen on store video looking and touching the screen of his cell phone. He walked down the center aisle toward the back before he turned and walked up to the cashier counter where he asked to buy cigarettes. The store employee refused because of Augustine's age.

At 1:50 p.m., Augustine placed a second call from his cell phone to 911 and asked the call taker if cops were on their way. He complained to the call taker about the election and that he "can't take this new world." Augustine was seen on store video pacing near the doors before he exited the store.

At 1:52 p.m. Augustine ended the call to the SSD 911 center and reentered the 7-11 and walked to the back of the store. Using caller ID information, a Sheriff's Department 911 call taker called Augustine and asked him why he hung up and what he was doing. Augustine responded that he was waiting for a cop to come. He questioned the 911 call taker if she was "sending a cop or what" and told the 911 call taker that the officer had "better be as big as fuck I swear."

Augustine went to the back (north/east) corner of the store while he talked with the 911 call taker on the phone. When asked by the 911 call taker if he had any weapons, Augustine told her he had a knife and that he is "about to really, really blow!" Asked are "you going to send a cop or what?" and stated, "cops are behind everything," and "all about them in news and stuff." During the conversation with the call taker Augustine is seen on store video pacing around the store. He eventually moved to the front of the store and looked out the front window. While at the front of the store an employee approached Augustine, and asked him if he was going to leave.

Sergeant Schaefer, who had been receiving updates regarding the call, including that Augustine had a knife, requested additional units and a less lethal tool referring to a 40mm launcher. Sergeant Schaefer was the first Sheriff's responder to arrive at 2:01 p.m., and watched Augustine through the front window as Augustine told the 911 call taker "Guess what? It's gonna happen." The 911 call taker asked Augustine if he could see the officers outside. Augustine is seen on store video becoming more agitated and animated.

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At 2:04 p.m., Augustine's father returned to the store and contacted the deputies telling them about the issues his son had during the drive. He told them his son was angry but did not have any weapons.

At 2:06 p.m., Augustine asked the 911 call taker, "Can I just say my demands?" Nine seconds later Sergeant Schaefer and four deputies entered the front door of the store with a plan that included a Taser and 40mm impact weapon. As they entered Augustine yelled that he had a gun<sup>6</sup> and ran from the front of the store toward the back corner along the north wall. He stopped behind the coffee drink station in the north/east corner of the store. Deputies moved towards Augustine down both the center aisle and the aisle along the north wall. As the deputies moved toward him they yelled for people in the store to get out.

As deputies approached, Augustine is seen on surveillance video making swiping motions with his right hand from right to left across his neck. The poor quality of store video shows movement but not any objects held by Augustine. It was later determined that he was holding a knife and cutting his own neck. The deputies reported seeing red marks on Augustine's neck followed immediately by large amounts of blood.

As Deputy Campoy approached down the center aisle he saw Augustine cutting his own neck. Hoping to stop Augustine from harming himself Deputy Campoy fired one less lethal impact round from his 40mm launcher, striking Augustine on the right thigh and causing him to bend over. Augustine, who had been moving back and forth along the back aisle, immediately moved the opposite direction toward Sergeant Schaefer who was 6-10 feet away from Augustine near the north aisle. Fearing that Augustine would come at him and stab him, Sergeant Schaefer fired one round from his handgun, striking Augustine in the right side of his back.

Deputies requested medical aid and Sacramento Metropolitan Fire Department responded and pronounced Augustine deceased.

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<sup>6</sup> An Airsoft gun was located on the floor of the store near the area where Augustine yelled that he had a gun.

## PHYSICAL EVIDENCE

The following is a list of items discovered during the investigation, a summary of the Coroner's report, and toxicology tests. This list does not include other items collected such as additional personal property of Augustine.

### Weapons Involved

The following weapon was used by Sergeant Schaefer:

- Handgun - Glock 17 Gen 4 - 9mm pistol – Sergeant Schaefer fired 1 round.



*Figure 1 Glock 17 Gen 4*

- Launcher – Defense Technology 40mm Launcher - Deputy Campoy fired one round.



*Figure 2 Defense Technology 40mm Launcher*

- Knife – Used by Augustine



*Figure 3 CRKT Drifter Knife*

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### Coroner's Report

The Sacramento County Coroner's Office conducted an autopsy of Logan Augustine and was unable to determine if his death was caused by the self-inflicted throat slashing, the single gunshot fired by Sergeant Schaefer, or the combination of both. Specifically, the report identified the following injuries:

1. Contusion on the right thigh consistent with the impact site of a less lethal projectile.
2. Sharp force injuries resulting in a gaping wound across the anterior neck, presumably a combination of multiple incised and/or stab wounds, measuring up to 6 ½ inches in length and up to 3 inches in width. The maximum depth is 4 cm with injuries as follows:
  - a. Transection of multiple layers of anterior strap muscle on both sides of the neck, with hemorrhage.
  - b. Transection of the bilateral jugular veins.
  - c. Transection of the thyroid organ.
  - d. Multiple incisions/stab wounds of varying depth to the laryngeal cartilages.
  - e. Partial transection of the right external carotid artery.
3. Gunshot wound on the lateral aspect of the right back. The direction is right to left, back to front, and upward. The projectile was recovered from the muscle/soft tissue overlying the lateral aspect of left rib 7.

### Toxicology Results

Blood alcohol and toxicology tests were conducted by the Sacramento County District Attorney's Office Crime Lab.

The blood alcohol report measured blood alcohol at 0.028%. For reference California law establishes 0.08% as the legal limit for operating a motor vehicle as a driver over 21 years of age.<sup>7</sup>

The toxicology report listed the presence of the following:

- Three confirmed types of tetrahydrocannabinols (THC) in his system:
  - Delta-9-THC 27 ng/mL
  - 11-hydroxy-THC 11.0 ng/mL
  - 11-nor-9-carboxy-THC 84 ng/mL

California has not established the levels at which a person is under the influence of THC. In states that do have driving under the influence limits of THC, levels range from 1-5 ng.<sup>8</sup>

- Methamphetamine 376 ng/mL

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<sup>7</sup> [https://www.dmv.ca.gov/portal/dmv/detail/pubs/hdbk/actions\\_drink](https://www.dmv.ca.gov/portal/dmv/detail/pubs/hdbk/actions_drink)

<sup>8</sup> [http://www.ghsa.org/html/stateinfo/laws/dre\\_perse\\_laws.html](http://www.ghsa.org/html/stateinfo/laws/dre_perse_laws.html)

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Normal concentrations in recreational use of methamphetamine are 0.01 to 2.5 mg/L (median 0.6 mg/L = 600 ng/ml). Concentrations above this range will likely be associated with severe, possibly life threatening, toxicity.<sup>9</sup> Medical journals warn that individuals with acute methamphetamine intoxication may be highly agitated and present a serious safety risk to themselves and others.<sup>10</sup>

## USE OF FORCE ASSESSMENT

### Legal Issues - Background

The 4th and 14th amendments of the U.S. Constitution provide the foundation for deadly use of force policies in the United States. Federal court guidelines stem from the benchmark 1985 decision of the U.S. Supreme Court in *Tennessee v. Garner*. This ruling held that the Tennessee statute that permitted police officers to use deadly force in arresting non-dangerous fleeing felons was unconstitutional. This ruling sanctioned the use of deadly force only to “protect the officer and others from what is reasonably believed to be a threat of death or serious bodily harm,” (or) “if it is necessary to prevent the escape of a fleeing violent felon whom the officer has probable cause to believe will pose a significant threat of serious physical injury to the officer or others.”<sup>11</sup>

### Incident Analysis

When deputies entered the store, they had a plan that included less lethal force options including a Taser and 40mm impact weapon. Augustine’s response was to run toward the rear of the store and yell that he had a gun.<sup>12</sup> As Augustine stopped in the back corner he produced a knife and began slashing his neck. The deputies reported seeing red marks on Augustine’s neck followed immediately by large amounts of blood.

Deputy Campoy, hoping to stop Augustine from cutting himself, fired a 40mm impact round striking Augustine on the right thigh. Augustine, who had been moving back and forth along the back aisle while slashing his throat, reportedly moved toward Sergeant Schaefer with the knife still near his neck and shoulders. Sergeant Schaefer who was 6-10 feet away, feared that Augustine would come at him and stab him, fired one round from his handgun.

The entire interaction between Augustine and deputies was extremely fast. It was approximately 21 seconds from the time the deputies entered the store, Augustine began slashing his throat, and Sergeant Schaefer fired his weapon.

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<sup>9</sup> National Highway Traffic Safety Administration. *Drugs and Human Performance Fact sheets*.

<https://one.nhtsa.gov/people/injury/research/job185drugs/methamphetamine.htm>

<sup>10</sup> Richards, John R., MD, FAAEM and Jeter (Jay) Pritchard Taylor, III, MD. *Methamphetamine Toxicity Treatment & Management*. <http://emedicine.medscape.com/article/820918-overview>

<sup>11</sup> [https://cops.usdoj.gov/pdf/e10129513-Collaborative-Reform-Process\\_FINAL.pdf](https://cops.usdoj.gov/pdf/e10129513-Collaborative-Reform-Process_FINAL.pdf)

<sup>12</sup> An airsoft gun, resembling a pistol, was found on the floor at the front of the store in the area Augustine was standing.

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The available evidence supports that, at the time Sergeant Schaefer fired his weapon, there was a reasonable basis to believe that Augustine posed a threat of serious bodily injury or death to Sergeant Schaefer. The use of deadly force against Augustine was reasonable.

A separate independent review was conducted by the Sacramento County District Attorney's Office addressing legal issues associated with filing of criminal actions. The District Attorney's review concluded the shooting death of Logan Augustine was lawful.<sup>13</sup>

## RECOMMENDATIONS

The information considered during this review indicates that Sheriff's Department policies, equipment, and training related to use of force and de-escalation appear to be generally contemporary. However, performance could be improved through review, oversight, and training.

### Value of Video and Audio

This review was aided by the ability to review interior store video. While all Sheriff's patrol vehicles are equipped with in-car video and audio this shooting occurred inside the store, and were not captured by car video and audio. Body worn cameras would have greatly enhanced the thoroughness of not only this review, but reviews conducted by the Sheriff's Department and District Attorney's Office.

### Recommendation

1. The Sheriff's Department should issue body worn cameras to all field personnel.

### Decision Making Training

Law enforcement is a profession that requires officers to make decisions under rapidly changing conditions, with limited information, that potentially could result in serious injury or death. How officers respond in these situations is influenced by patterns formed through education, training, and experience. The Sheriff's Department currently requires all sworn personnel attend Crisis Intervention Training (CIT) which includes a 90-minute block of de-escalation training.

### Recommendations

2. The Sheriff's Department should review training curriculum to include when appropriate the use of Tactical Decision Games<sup>14</sup> that challenge participants to successfully resolve problems through quick effective decision making.

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<sup>13</sup> <http://www.sacda.org/police-use-force/>

<sup>14</sup> Tactical Decision Games developed for the military have been used successfully in a variety of professions including law enforcement, fire service, and medicine.

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3. The Sheriff's Department should review training to ensure the following decisions are included in training sessions involving the use of force:
  - What crime was committed?
  - Who is the threat toward?
  - Who is the threat from?
  - Is the threat actual or potential?
  - What level of resistance is exhibited?
  - Is the subject suicidal or homicidal?
  
4. The Sheriff's Department should use this incident as a case study and increase the number of hours dedicated to de-escalation during CIT training or create separate training dedicated to de-escalation. Crisis intervention training is critical, but it is not always sufficient to produce the best outcomes in situations involving people who have a mental illness, under the influence of alcohol and/or drugs, or are otherwise in crisis and behaving erratically or dangerously toward themselves or others. De-escalation training should focus on recognition of persons in crisis, tactical communication, and safe tactics as part of an overall integrated strategy designed to slow the incident and produce better outcomes.

### General Policy Considerations

#### Recommendation

5. Some of the policies reviewed in this report have not been revised in over three years. The Department should establish a policy review cycle that requires all policies be reviewed and reissued or revised on a cycle no longer than three years.<sup>15</sup>

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<sup>15</sup> The Sheriff's Department is reviewing this recommendation to determine a process to ensure a timelier review of policies.

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## Logan Augustine

### APPENDIX

#### Timeline of Events<sup>16</sup>

TIME	ACTION
1:46:01 pm	Augustine called 911 from his cell phone and said, "I'm doing this because of me."
1:48:10 pm	Augustine's first call ended.
1:48:53 pm	Augustine walked into the 7-11 Store looking and touching the screen of his cell phone. He walked down the center aisle toward the back before turning toward the front of the store and walked up to the cashier counter.
1:49:31 pm	Augustine placed a second call to 911. He asked the 911 call taker if cops were on their way. He complained to the dispatcher about the election and that he "can't take this new world."
1:49:56 pm	Augustine was seen on store video pacing in front of the doors before he exited the store.
1:51:32 pm	Augustine ended the call to SSD 911 center.
1:51:41 pm	Augustine reentered the store and walked to the back of the store.
1:51:44 pm	SSD 911 call taker called Augustine and asked him why he hung up and what he was doing? Augustine responded that he was waiting for a cop to come. He questioned the 911 call taker if she is sending a cop or what and tells the 911 call taker that the officer had "better be as big as fuck I swear."
1:52:11 pm	Augustine went to the back (north/east) corner of the store while he talked with the 911 call taker on the phone. When asked by the 911 call taker if he had any weapons Augustine told her he had a knife and that he is "about to really, really blow!" "You going to send a cop or what?" "Cops are behind everything." "All about them in news and stuff."
1:55:11 pm	Augustine is seen pacing around the store.
1:58:03 pm	Augustine moved to the front of the store and looked out the front window.
1:58:51 pm	Sergeant Schaefer's requested additional units and a less lethal.
1:59:01 pm	A store employee approached Augustine and asked him if he was going to leave.
2:00:46 pm	Sergeant Schaefer's arrived at the store.
2:01:44 pm	Augustine told the 911 call taker "Guess what? It's gonna happen."
2:02:54 pm	The 911 call taker asked Augustine if he could see the officers outside.
2:03:06 pm	Augustine is seen on store video becoming more agitated and animated.
2:04:02 pm	Logan's father Robert Augustine, contacted deputies at the scene.
2:06:21 pm	Augustine asked the 911 call taker, "Can I just say my demands?"

<sup>16</sup> All times are approximate and based on store video time indicators, 911 phone audio time stamps, and Sheriff's dispatch logs.

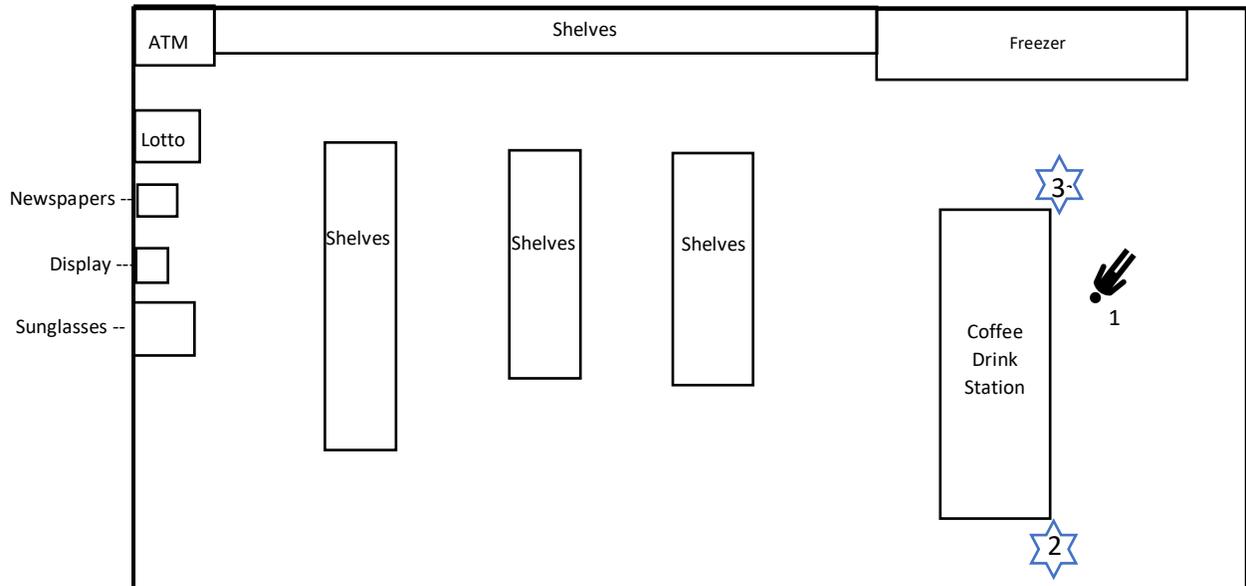
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2:06:30 pm	Deputies entered the front door of the store and Augustine yelled that he had a gun and moved quickly from the front of the store toward the back corner along the north wall. He stopped behind the coffee drink station in the north/east corner of the store. Deputies moved towards Augustine down both the center isle and the isle along the north wall. As the deputies moved toward him they yelled for people in the store to get out.
2:06:46 pm	Augustine is seen in surveillance video making swiping motions with his right hand from right to left across his neck. The poor quality of store video shows movement but not any objects held by Augustine. It was determined that he was holding a knife and cutting his own throat.
2:06:50 pm	Seeing Augustine cutting his own neck Deputy Campoy fired one less lethal impact round from his 40mm launcher, striking Augustine on the right thigh.
2:06:51 pm	After being struck by the impact round Augustine bent over. Sergeant Schaefer, who was 6-10' away, fearing that Augustine would turn the knife toward him, fired one round from his handgun striking Augustine in the right side of his back.
2:07:07 pm	Fire department was requested.
2:08:03 pm	The phone call between Augustine and the SSD 991 center is ended.
2:12:37 pm	Sacramento Metropolitan Fire Department arrived and later pronounced Augustine deceased.

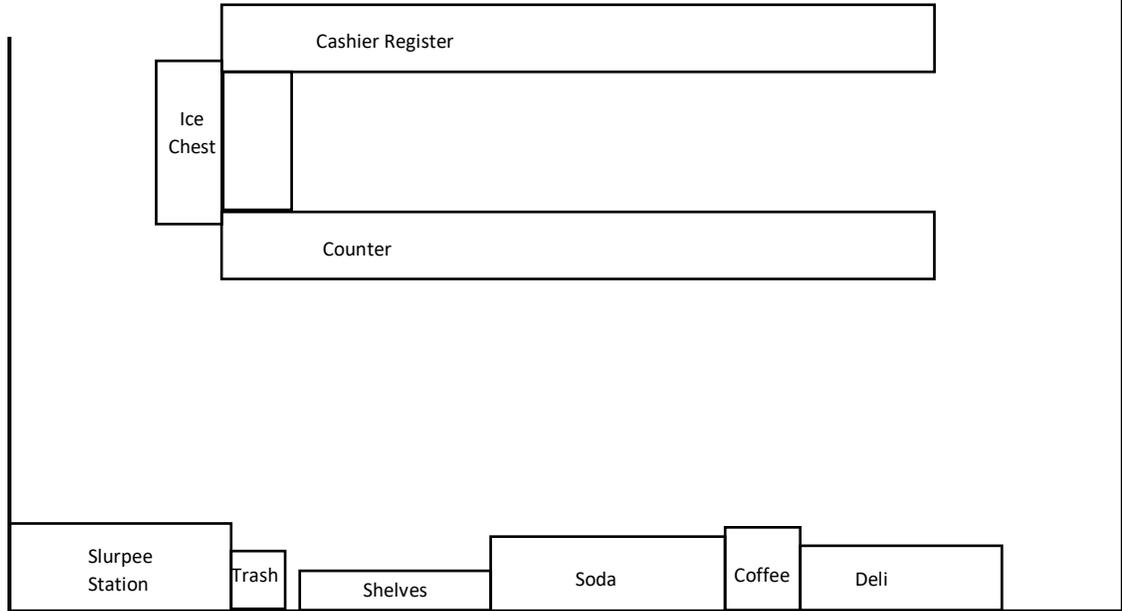
*Table 1 Timeline*

# Officer Involved Shooting Review Logan Augustine

## Floor Plan of the Store



Front Doors



Not to scale  
Reference only

- 1. Logan Augustine
- 2. Deputy Campoy
- 3. Sergeant Schaefers