

COUNTY OF SANTA CRUZ OFFICE OF THE DISTRICT ATTORNEY  
BUREAU OF INVESTIGATION REPORT



**BOI CASE NUMBER:** 2016-290-001  
**AGENCY CASE NUMBER:** 16S-08694, SCSO #16-08229  
**CRIME:** OIS SCPD  
**REQUESTED BY:** ADA Tara George  
**INSPECTORS ASSIGNED:** Patrick Murray  
**DATE OF REPORT:** 10-24-2016  
**DEFENDANT(S):** Sean Smith ARLT (Deceased 10-16-16)  
**CDL:** D2129951  
**ADDRESS:** [REDACTED] Plateau Avenue (rear unit)  
Santa Cruz, CA 95060

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**PERSON(S) INVOLVED:**

**Erik BAILEY**  
Santa Cruz Police Department  
Police Officer

**Adam BAKER**  
Santa Cruz Police Department  
Police Officer

**Bill CLAYTON**  
Santa Cruz Police Department  
Police Sergeant

**Denise COCKRUM**  
Santa Cruz Police Department  
Police Officer

**PERSON(S) CONTACTED:**

Nicole Pifari  
Attorney at Law  
Rains Lucia Stern, PC  
220 Montgomery Street, 15<sup>th</sup> Floor  
San Francisco, CA 94104

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INVESTIGATION REPORT CONTINUATION**

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**EVIDENCE:**

See EPR

**ATTACHMENTS:**

Four (4) sketches/diagrams with notations

**NARRATIVE:**

On 10-16-16 at approximately 0700 hours, I received a phone call from Chief Inspector Michael ROE. Chief ROE advised me that Santa Cruz Police Department (SCPD) had activated the Santa Cruz County Critical Incident Protocol regarding an Officer Involved Shooting (OIS). He requested me to respond to SCPD.

I arrived at SCPD at approximately 0800 hours. Inspector Patrick MURRAY was designated as the lead investigator. I was assigned to the investigative team along with ADA Tara GEORGE, Inspector Aron TRIPP and Inspector Katrina ROGERS.

Inspector ROGERS and I were assigned to interview the parents of Sean John ARLT (decedent): [REDACTED] and [REDACTED] ARLT. We arranged to interview both of them at the District Attorney's Office. We briefly walked through the crime scene and then proceeded to interview [REDACTED] and [REDACTED] ARLT at the District Attorney's Office. Later in the day, we interviewed [REDACTED] and [REDACTED] at [REDACTED] Chace Street in Santa Cruz. Please see Inspector ROGERS' report for details regarding all four interviews.

On 10-17-16 at approximately 0800 hours, I went back to SCPD to conduct interviews of the four officers involved and present during the OIS. The interviews were conducted in SCPD's "soft" room. The interviews were video recorded. I also audio recorded the interviews. I later checked the audio files and confirmed that they were an accurate representation of the interviews. I later booked the audio files into the DA's Office discovery drive.

Also present during all four interviews were Santa Cruz Police Lieutenant Jose Garcia and Attorney Nicole Pifari. Below are brief summaries of each interview. These summaries are not necessarily a comprehensive representation of the officers' statements. The details in the summaries are not necessarily arranged in the sequence they were provided by the officers during the interview. For complete details, please refer to the audio and/or video recording of each interview.

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**SUMMARY OF OFFICER ERIC BAILEY'S INTERVIEW:**

I interviewed Officer BAILEY at approximately 0928 hours. During the course of the interview, I had Officer BAILEY draw a diagram depicting the area where the OIS occurred (see attachment). The following is a reference guide of the notations on the diagram:

- Officer BAILEY depicted the intersection of Getchell Street and Chace Street
- A black dot as the location where he initially saw Sean ARLT
- Line from the dot as ARLT's direction of travel
- A – Where Officer BAILEY parked his vehicle
- B – Where Officer BAKER parked his vehicle
- C – Where Officer BAILEY believed Officer COCKRUM parked her vehicle
- Four circles across Getchell Street depicting the officers' positions when Sean ARLT came out of the backyard gate. The last circle on the left is Officer BAILEY. The smaller circle in front of Officer BAILEY is where ARLT was when Officer BAILEY fired his handgun.

Officer BAILEY has been with the Marine Corps Reserves since January 2010. During his tenure with the Marine Corps Reserves, Officer BAILEY did not have any combat deployment. Officer BAILEY joined SCPD as an academy recruit on November 2014 and started the SCPD field training program on May 2015.

On the day of the OIS, Officer BAILEY was assigned to patrol working the graveyard shift. His workweek was from Saturday night through Tuesday night. His shift hours were 2230-0830. There were usually five officers working on the shift along with a sergeant. Officer BAILEY was assigned to the West Beat.

At approximately 0330 hours on 10-16-16, Officer BAILEY was dispatched to a call on 200 Chace Street (the actual address of the residence that Officer BAILEY described is [REDACTED] Chace Street). The residence was on Officer BAILEY's beat. The call was regarding a 5150 W&I subject banging on the reporting party's (RP) door. Dispatched provided the name of the subject and Officer BAILEY immediately recognized the name (subject later identified as Sean ARLT). He was aware that SCPD officers from the other side of the week dealt with ARLT about a week ago. He remembered hearing that it took eight officers to detain ARLT for a 5150 W&I hold. He was also aware that officers had to call for "code 3 cover" during that call because ARLT was fighting the officers. The details of that call were talked about and passed on by other SCPD officers

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to Officer BAILEY verbally. Additionally, the details of the incident with ARLT and the other SCPD officers were also discussed in roll call earlier that evening.

Dispatch provided an update that the subject was now at the back door, banging on the door, threatening to kill everyone inside the residence.

Officer BAILEY, Officer BAKER and Officer COCKRUM responded to the call from SCPD in their own respective patrol vehicles. They approached the address south bound on Getchell Street and parked about one hundred feet shy of the residence. When they arrived on Getchell Street, Sergeant CLAYTON was also present. Officer BAILEY's patrol vehicle was closest to [REDACTED] Chace Street.

Officer BAILEY immediately saw the RP through a clear window of the back door. Officer BAILEY saw ARLT banging a handle of a rolled-up umbrella on the back door of the residence. Officer BAILEY's view was partially blocked by a backyard fence separating the backyard from the rear driveway of the residence. Despite his view being partially blocked, Officer BAILEY clearly saw ARLT's upper torso and the umbrella.

ARLT was aggressively yelling something, but Officer BAILEY could not understand what ARLT was saying. Between all four officers, they collectively designated two officers to have a non-lethal force option and two officers to have lethal force option. Officer BAILEY and Officer COCKRUM were both designated to have the lethal force while Officer BAKER and Sergeant CLAYTON were designated to have non-lethal force should they need to use them. Officer BAILEY took the lead in talking to ARLT. Officer BAILEY gave commands to ARLT while standing next to the driver's side of his patrol vehicle. He addressed ARLT as "Sean" and asked ARLT to come out of the backyard to speak with them.

ARLT went out of view behind the backyard fence. Officer BAILEY was not sure where ARLT had gone. Officer Denise COCKRUM suggested that they needed to see where ARLT was at. Officer BAILEY and the other officers stepped out from behind cover and fanned-out diagonally across Getchell Street—remaining to the left of Officer BAILEY's patrol vehicle—so they can get a better view down the fence line. Officer BAILEY was the furthest left away from the house (see diagram for reference). As soon as they stepped out of the vehicle, a gate swung open from the backyard fence. Up to that point, Officer BAILEY did not know that there was a gate on the backyard fence.

ARLT came out of the backyard gate holding a metal bow rake over his right shoulder. Officer BAILEY described ARLT as a male adult, approximately 5'9"-5'10" in height, medium build. Officer BAILEY described ARLT being bigger than him (Officer BAILEY described himself as 5'07" in height, weighing 170 pounds). There was enough lighting



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for Officer BAILEY to recognize that the rake had a wooden or metal handle that was approximately five feet long and a fixed metal "T" bar on the top. The "T" bar was approximately two feet wide and had several three to five inch sharp metal spikes spread across the bar. Officer BAILEY recognized the rake as the type used for moving gravel or hard dirt—distinct from a plastic rake used for leaves. Officer BAILEY owned a similar rake and recognized that if used against him and the other officers as a weapon, it would have caused serious bodily injury.

ARLT directly walked towards the officers, holding the rake over his right shoulder, canted, like he was ready to swing the rake. ARLT walked faster as he got closer to the officers. Officer BAILEY repeatedly gave commands, "Sean drop the rake. Sean... stop, drop the rake." ARLT did not respond to any of his commands and ARLT was now directly in front of the officers standing to Officer BAILEY's right hand side. Officer BAILEY yelled at the officers to his right, "Tase him. Tase him now." He then heard two Tasers deployments. ARLT momentarily shrugged, but continued to advance directly towards Officer BAILEY, picking up speed. Officer BAILEY believed that ARLT was focused on him. ARLT then started to run towards Officer BAILEY with the rake canted and raised slightly even higher over the right shoulder. Officer BAILEY retreated three to five steps back and yelled at ARLT to, "Stop, stop." As Officer BAILEY was retreating, he realized that a parked vehicle to his left blocked his path. He also had three officers standing to his right and he believed that moving to his right would have endangered his fellow officers. Officer BAILEY believed that he no longer had any avenue of retreat. ARLT was now approximately ten to twelve feet (possibly even as close as seven feet) from Officer BAILEY with the rake still raised above his head, running towards him. Officer BAILEY believed that ARLT was intent in hitting him in the head with the rake. Officer BAILEY shot ARLT twice with his department issued handgun. Officer BAILEY believed that three seconds had lapsed from the first Taser deployment to when he fired the two shots.

ARLT fell forward after the two shots were fired. Officer BAILEY immediately stopped and reassessed the situation. Officer BAILEY remembered thinking, "Oh shit... that just happened." Officer BAILEY described being in a momentary state of shock, hoping that ARLT was going to be okay. Officer BAILEY quickly thought and hoped that he did everything that he was supposed to, evaluating whether he made "right choice" and "did the right thing."

An officer prompted Officer BAILEY to cuff ARLT, which they did. Officer BAILEY saw that ARLT had a wound to his head, but since he fired two rounds, he believed that ARLT should have another wound somewhere in his body. They started cutting ARLT's shirt to find the second entrance wound. ARLT was kicking and pushing himself up as the officers were trying to render aid. Officer BAKER went back to his vehicle and got

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leg restraints. They placed the leg restraint on ARLT's feet and held his feet down so they could administer aid.

Officer BAILEY continued to look for the other entrance wound on ARLT until fire personnel arrived on scene. At that point, somebody notified Officer BAILEY that he had to leave the scene. Officer BAKER transported Officer BAILEY from the scene to SCPD.

Officer BAILEY used his department issued firearm: Glock 22, Gen 4, .40 caliber. He had a fully loaded magazine in the firearm (15 rounds) and one round in the chamber. The ammunition in the handgun were department issued ammunition. Officer BAILEY has not modified the firearm. The last time he fired the firearm was on October 12, 2016 during a department-wide training.

After the interview, Officer BAILEY reviewed the video footage captured from Officer BAKER's patrol vehicle. It was the first time he had seen the video. SCPD Lieutenant Jose Garcia and Attorney Nicole Pifari were also present during the viewing. While viewing the video, Officer BAILEY identified himself as the officer stepping out of the patrol vehicle parked directly in front of the camera. Officer BAILEY listened to the audio recording captured by a digital recorder that Sergeant CLAYTON was wearing. It was also the first time Officer BAILEY had listened to the recording. Apart from identifying himself in the video, Officer BAILEY did not provide any additional statement after watching the video and listening to the audio recording.

**SUMMARY OF OFFICER ADAM BAKER'S INTERVIEW:**

I interviewed Officer Adam BAKER at approximately 1117 hours. During the course of the interview, I had Officer BAKER draw a diagram depicting the area where the OIS occurred (see attachment). The following is a reference guide of the notations on the diagram:

- Officer BAKER diagramed the intersection of Getchell Street and Chace Street but it appeared that he had the two streets inverted.
- The vehicles marked "P" are the patrol vehicles with the corresponding badge numbers next to them:
  - 146 – Officer BAILEY
  - 159 – Officer BAKER
  - 119 – Sergeant CLAYTON
  - 132 – Officer COCKRUM
- "X" to indicate ████ Chace Street
- The side yard and driveway of the residence were both labeled as such

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- Rectangles on both sides of Getchell Street indicating parked vehicles
- A line to indicate ARLT's path of travel
  - The letter "A" on the line to indicate Officer BAKER's first Taser deployment
  - The letter "B" on the line to indicate Officer BAKER's second Taser deployment
- Four small circles to indicate where the four officers were standing when ARLT walked out of the backyard gate

Officer BAKER first joined SCPD on August 2010 as a Community Service Officer (CSO). He attended the police academy on November 2014 and started the SCPD field training program on May 2015. Officer BAKER was assigned to patrol working the graveyard shift. His workweek was from Saturday night through Tuesday night. His shift hours were 2230-0830.

October 15, 2016 was the first day of Officer BAKER's workweek. Officer BAKER slept for about ten hours in the evening of October 14, 2016. He also took a nap for an hour at around 1700 hours on October 15, 2016 prior to his shift.

During their shift's roll call that evening, his team discussed an incident involving Sean ARLT from October 11, 2016. They discussed that several SCPD patrol officers had a "knock-out drag-out fight" with Sean ARLT and that a Taser was deployed to subdue him. In addition to the information disseminated during the roll call, Officer BAKER also heard about the incident from October 11, 2016 during a department-wide training on October 12, 2016. One of the officers involved in the incident was present during the training and briefed Officer BAKER and other SCPD officers.

Officer BAKER had a ride along during his shift (████████████████████). Officer BAKER along with other SCPD officers were dispatched to a call of a violent 5150 W&I subject banging on a neighbor's doors and window, threatening to harm the people inside the house. Dispatch updated that the subject had moved from the front yard of the residence to the backyard. Dispatch provided ARLT's name and Officer BAKER immediately recognized the name from their discussion in roll call. Officer BAKER along with Officer BAILEY, Officer COCKRUM and Sergeant CLAYTON all responded to the address from the police department.

They arrived on scene and parked about fifty yards away from the address. Officer BAKER parked directly behind Officer BAILEY (depicted on his diagram). Officer BAKER instructed the ride along to stay in the car because of the volatile nature of the call. Officer BAKER walked up next to Officer BAILEY's patrol vehicle. Officer BAKER activated his in-dash vehicle audio/video recorder with his remote mic.

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From his viewpoint, he could see ARLT's head behind the fence. He saw ARLT banging an umbrella or a cane at the window of the back door of the residence. All the officers initially gathered at the driver's side of Officer BAILEY's patrol vehicle. They designated Officer BAKER and Sergeant CLAYTON to have the less-lethal force option. Officer BAKER could not remember if the lethal force option was designated. He did not think Officer COCKRUM nor Officer BAILEY had their firearms out initially. The four officers fanned across Getchell Street between the two front patrol vehicles in the following order from left to right: Officer COCKRUM, Officer BAILEY, Officer BAKER and then Sergeant CLAYTON.

Officer BAILEY illuminated ARLT using his flashlight and instructed ARLT to come out and talk to them. Officer BAILEY addressed ARLT by his first name. ARLT briefly went out of view. At that time, Officer BAILEY did not have his gun out yet.

Moments later, the gate to the backyard fence opened and ARLT walked out of the gate. Officer BAKER described ARLT as a white male adult, in his 30's, 5'08"-6'00" tall, medium build, wearing a white short-sleeve shirt and light colored sweat pants. ARLT no longer had the first item he had in his hand (a cane or an umbrella) but instead ARLT was now holding a bow rake over his right shoulder. ARLT described the rake as follows: it had a wooden handle that was approximately three feet long. On top of the handle was a metal bar that had several sharp "teeth" on it.

ARLT was "walking with a purpose" straight towards the officers. ARLT walked steadily at a "brisk pace" without any expression or emotion on his face. ARLT had the rake over his right shoulder the entire time, but as he got closer to the officers, he lifted the rake even higher. Officer BAKER was afraid that ARLT was about to hurt them with the rake. When ARLT got within twenty feet of Officer BAKER, Officer BAKER Tased ARLT. The Taser did not have any effect on ARLT. ARLT's facial expression or demeanor did not change. ARLT continued to advance towards the officers. Officer BAKER's Taser (Model X2) is capable of firing two consecutive shots without having to manually reload. Officer BAKER immediately fired a second Taser round. The second Taser round did not have any effect either. ARLT was now about fifteen feet away. Officer BAKER also heard Sergeant CLAYTON deploy his Taser and it did not have any effect on ARLT. ARLT continued to advance towards the officers. ARLT had the rake raised over his right shoulder with the sharp metal portion on top, slightly canted like he was ready to swing the rake down at the officers. ARLT was headed directly towards Officer BAILEY.

At that point, Officer BAKER attempted to transition to his handgun because the Tasers were ineffective and ARLT was still continuing to advance towards them. Before he

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could transition to his firearm, Officer BAKER saw and heard Officer BAILEY, who was standing to Officer BAKER's left side, fire two handgun rounds.

ARLT fell forward. All of the officers went to ARLT to render medical aid. Officer COCKRUM kicked the rake away from ARLT and they cuffed him with his hands to his back. ARLT continued to kick and fight the officers. Officer BAKER went back to his vehicle to retrieve an emergency medical pack and leg restraints. Officer BAKER applied a dressing on ARLT's head wound but ARLT continued to move around. Fire personnel arrived after a few minutes. Officer BAKER was eventually asked to drive Officer BAILEY from the scene.

After the interview, Officer BAKER reviewed and confirmed the video footage captured from his patrol vehicle. It was the first time he had seen the video. SCPD Lieutenant Jose Garcia and Attorney Nicole Pifari were also present during the viewing. Officer BAKER listened to the audio recording captured by a digital audio recorder that Sergeant CLAYTON was wearing. It was also the first time Officer BAKER had listened to the recording. Officer BAKER did not provide any additional statement after watching the video and listening to the audio file.

**SUMMARY OF SERGEANT CLAYTON'S INTERVIEW:**

I interviewed Sergeant CLAYTON at approximately 1250 hours. During the course of the interview, I had Sergeant CLAYTON draw a diagram depicting the area where the OIS occurred (see attachment). The following is a reference guide of the notations on the diagram:

- Sergeant CLAYTON marked the intersection of Getchell Street and Chace Street
- He marked a rectangle "█████ Chase"
- X and labeled "Subject" to depict ARLT's initial location
- X with a circle around it as Sergeant CLAYTON's position
- Four vehicles parked facing south indicating the patrol vehicles
- A dashed line to indicate ARLT's path of travel
- B – where ARLT was standing when Sergeant CLAYTON deployed his Taser
- Rectangle labeled as possible vehicle parked in front of █████ Getchell Street

Sergeant CLAYTON was initially hired by SCPD as a Community Service Officer (CSO) on September 2003. He transitioned to a sworn peace officer on July 2004. Since then, he has worked various assignments including six years as a patrol officer, six years as a traffic officer, a field training officer and was promoted as a Police Sergeant on May 2015. He was also an Assistant Team Leader of the Hostage Negotiations Team (HNT) for three to four years and was an active member of the team when the



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OIS occurred. He has been to three to four formal trainings and conferences directly related to his role in the HNT. In addition, the team also trains within the department on a regular basis including six training days last year. His training specializes in bringing a peaceful resolution to volatile situation through effective verbal communication.

At the time of the OIS, Sergeant CLAYTON was assigned to the graveyard shift working from 2200-0800 hours from Saturday night to Tuesday night. He estimated sleeping 8-9 hours on October 14, 2016. He also took a two-hour nap on October 15, 2016 prior to going to work.

On October 16, 2016 at approximately 0330 hours, Officer BAILEY was dispatched to [REDACTED] Chace Street for a subject pounding on the door, causing a disturbance. The reporting party (RP) provided the name of the responsible as Sean ARLT. Sergeant CLAYTON immediately recognized the name. During a department-wide training on October 12, 2016, the arrest of Sean ARLT on October 11, 2016 was discussed among the police officers present at the training. The incident was discussed in the context of Taser training—how ARLT got into a physical confrontation with officers, exhibited exceptional strength and the Taser was ineffective in subduing him. During Sergeant CLAYTON's roll call briefing earlier in the evening, he again discussed the details of the same incident from October 11, 2016 as it was written on a probable cause to arrest form. He reiterated that if they were to encounter ARLT, the whole shift would respond.

When the call for service was dispatched, the following officers responded from the police station: Sergeant CLAYTON, Officer BAILEY, Officer BAKER and Officer COCKRUM. These were all the available officers at that time. While they were on their way to the residence, dispatch provided an update that the subject was now at the back door of the house, screaming that he was going to kill somebody. They approached the residence from Delaware Avenue and then south bound on Getchell Street. The units parked on Getchell Street a few houses from [REDACTED] Chace Street. Sergeant CLAYTON expected that because the number of the residence was [REDACTED] the residence would be a few houses from the intersection of Chace Street and Getchell Street, not right at the intersection.

When Sergeant CLAYTON got out of his patrol vehicle, he saw ARLT at the back door of the residence holding something in his hand. He notified the rest of the officers that ARLT was armed. Sergeant CLAYTON thought that ARLT may have been holding an ax handle or something similar. Sergeant CLAYTON assigned roles to the officers. He designated himself to have the Taser along with Officer BAKER while Officer COCKRUM and Officer BAILEY were designated to have lethal force available. Sergeant CLAYTON added that ideally, he wanted to also have another set of officers designated as the "hands team" to affect the arrest, but he did not have any more officers available at that time.



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Officer BAILEY engaged ARLT in a conversation, asking ARLT to come out to talk with the officers. Sergeant CLAYTON briefly lost sight of ARLT behind the backyard fence. Within a few moments, ARLT came out of the backyard fence gate wielding a metal bow rake. Sergeant CLAYTON described the rake as having a five to six foot handle, a fixed metal head that was approximately two feet wide. There were four-inch fixed metal tip blades spread across the metal head. ARLT had the rake in a "port arms... swinging position" over his right shoulder as he walked on to the driveway. Sergeant CLAYTON was slightly in front of the other officers so he was not sure what their exact positions were behind him.

Sergeant CLAYTON commanded ARLT, "Drop the weapon," at least four to five times. Sergeant CLAYTON believed that ARLT was intent to use the rake against them. He did not observe ARLT show any indication that he was going to drop the rake or stop advancing. ARLT walked on to Getchell Street advancing towards the officers. Sergeant CLAYTON aimed his Taser on ARLT and saw his red laser beam on ARLT's shoulder. He also saw another set of red laser beam on ARLT. ARLT continued to get closer to the officers and got within twenty to twenty-five feet. As he got closer, ARLT raised the rake even higher like he was ready to swing the rake down. Sergeant CLAYTON believed that ARLT was not going to stop and comply with his commands. Sergeant CLAYTON said, "Taser, Taser," and then fired a Taser round at ARLT. Sergeant CLAYTON heard another Taser deployed. The Tasers did not have any effect on ARLT.

As the Tasers were still cycling through, ARLT "charged" towards the officers. Sergeant CLAYTON likened ARLT's action to that of a running back in a football game charging ahead after getting the football. Sergeant CLAYTON said that ARLT continued past him and was fixated on someone on Sergeant CLAYTON's left hand side. Sergeant CLAYTON at that point was "frightened" because he did not have any time to transition to lethal force to stop ARLT. While Sergeant CLAYTON's Taser was still cycling, he heard two gunshots. Sergeant CLAYTON was "very relieved" when he heard the shots. Sergeant CLAYTON said that he was the closet to ARLT and felt defenseless. Without the shots being fired, he was certain that ARLT was going to try to kill him or the other officers. Sergeant CLAYTON added, "I wished I would have had a gun in my hand instead of a Taser at the point he started charging... I felt vulnerable."

ARLT immediately fell forward. Sergeant CLAYTON and the other officers rendered aid to ARLT and noticed that ARLT was still holding on to the rake. Sergeant CLAYTON kicked the rake away from ARLT. As they were rendering aid, ARLT was still "thrashing around" trying to kick the officers. They were eventually able to cuff ARLT. As the officers rendered aid on ARLT, Sergeant CLAYTON called for additional resources to the scene.

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Sergeant CLAYTON expressed that despite his specific training and experience as a member of the Hostage Negotiations Team, he was unable to apply his training to this situation because he never had an opportunity to even get into a dialogue with ARLT. Although Sergeant CLAYTON specifically trained for crisis where somebody may harm themselves or someone else, the opportunity to apply his skills never presented itself in this incident because there was never a pause for them to start a conversation with ARLT.

Sergeant CLAYTON had activated his digital audio recorder during the call. He briefly listened to the recording after the incident to ensure that his recorder functioned properly. After the interview, Sergeant CLAYTON listened to the audio recording captured by his audio recorder. He also reviewed the video footage captured from Officer BAKER's patrol vehicle. Sergeant CLAYTON did not provide any additional statement after watching the video and listening to the audio recording.

**SUMMARY OF OFFICER COCKRUM'S INTERVIEW:**

I interviewed Officer COCKRUM at approximately 1438 hours. During the course of the interview, I had Officer COCKRUM draw a diagram depicting the area where the OIS occurred (see attachment). The following is a reference guide to the notations on the diagram:

- Officer COCKRUM marked the intersection of Getchell Street and Chace Street
- A rectangle to depict  Chace Street
- X to indicate ARLT's initial location
- A line from X to depict ARLT's path of travel
- Badge numbers 146, 159, 119 and 132 to indicate their positions while standing across Getchell Street
- Vehicles labelled "P" for patrol vehicles
- Unlabeled vehicles for parked vehicles

Officer COCKRUM started working for SCPD on May 2006 as an academy recruit. She was sworn in as a peace officer on November 2006. She has been working patrol since then. Officer COCKRUM has been a member of the Hostage Negotiations Team (HNT) for the last two to three years. She has attended three to four formal trainings and conferences directly related to her role in the HNT. She was, at the time of the OIS, an active member of the HNT and was also a field training officer (FTO).

Officer COCKRUM was assigned to the graveyard shift and normally worked from Tuesday through Friday nights ending her week on Saturday morning. She was

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normally off on Saturday evenings. However, on the night of the OIS, she was working for another officer. Prior to the night of the OIS, Officer COCKRUM worked on the evening of October 14, 2016. After her shift ended, she slept for approximately five hours.

At approximately 0330 hours, she heard officers being dispatched to [REDACTED] Chace Street. She immediately recognized the address and the name of the subject because of an "officer safety risk" discussion during the roll call. She also heard about the incident involving Sean ARLT from a roll call earlier in the week (Officer COCKRUM had been working since Thursday night, October 13, 2016). Because of the officer safety concerns about the subject, she responded from the police station along with Officer BAILEY, Officer BAKER and Sergeant CLAYTON. Dispatch updated that the subject moved to the backyard and was threatening to kill everyone in the house.

She observed Officer BAILEY and Officer BAKER park their vehicles on the right hand side (when facing the ocean) of Getchell Street. When Officer COCKRUM got out of her vehicle, she immediately saw and heard ARLT banging on the back door of the residence with the curved handle portion of an umbrella. ARLT was behind the backyard fence of the residence. She also heard ARLT yelling something but was not sure what he was saying.

All four officers gathered by the first parked vehicle (Officer BAILEY's) which was parked in front of the residence just north of [REDACTED] Chace Street (presumably 311 Getchell Street). They briefly discussed their roles and determined that Officer BAILEY and Officer COCKRUM would have lethal force available while Officer BAKER and Sergeant CLAYTON would have less-lethal force available. Officer BAILEY commanded ARLT to come out towards them.

Officer COCKRUM was not sure if there was a gate on the backyard fence. She briefly lost sight of ARLT. Within a few moments, a gate on the backyard fence opened and ARLT stepped out. She used her flashlight to illuminate ARLT. She described ARLT as a male adult, 5'10"-6'00", medium build, wearing a light shirt and dark pants. When ARLT stepped out of the gate, he was no longer holding an umbrella but instead wielded a rake over his right shoulder. She described the rake having a four to five foot wooden handle, twelve to eighteen inches metal bracket attached on the top with several two to three inch metal tines stemming from the bracket.

ARLT walked "with a purpose" towards the officers. Officer COCKRUM described ARLT's gait as "aggressive" and "fairly rapid." Because of the rate that ARLT was advancing towards the officers, they fanned-out across Getchell Street. Officer COCKRUM remembered the sequence of the officers from left to right: Officer BAILEY, Officer BAKER, Sergeant CLAYTON and Officer COCKRUM. ARLT continued to



**BUREAU OF INVESTIGATION  
INVESTIGATION REPORT CONTINUATION**

**BOI CASE #:** 2016-290-001

**REPORT CONTINUED:**

advance towards the officers—raising the rake even higher over his right shoulder. She believed at that point that ARLT was intent in harming them with the rake. When ARLT got to the middle of the street, Officer COCKRUM heard Sergeant CLAYTON deploy his Taser on ARLT. She saw the Taser probe strike ARLT's chest area. The Taser deployment did not have any effect on ARLT. ARLT started to advance towards Officer BAILEY. Officer COCKRUM had her handgun aimed at ARLT, but as ARLT continued to quickly advance towards Officer BAILEY, Officer COCKRUM realized that the officers on her left were in danger of being struck if she were to fire her weapon. Additionally, because of ARLT's rapid advancement, the backdrop from where she was standing were now the homes on Getchell Street. She was adamant that if crossfire and the backdrop were not an issue, she would have "absolutely" fired her handgun. ARLT got within ten feet of Officer BAILEY when she heard two gun shots. Someone then announced, "Shots fired. Shots fired."

Officer COCKRUM observed ARLT fall forward. The rake was still under his body. ARLT tried to push himself up. She grabbed ARLT's right arm and she and Officer BAILEY cuffed ARLT. She saw that ARLT had a wound on his head. They attempted to find another entrance wound. ARLT continued to "thrash around" and kick the officers. Officer BAKER got shackles from his patrol vehicle and bound ARLT's feet. They continued to provide medical aid on ARLT until fire personnel arrived on scene. The fire personnel continued to render medical aid on ARLT. At some point, one of the medics told Officer COCKRUM that he was pronouncing ARLT deceased at the scene. Officer COCKRUM recalled logging the time as 0400 hours.

Officer COCKRUM said that part of her specialized training as a member of the HNT is to de-escalate a volatile situation. ARLT, however, was not responding to any of their commands at all. The entire incident also unfolded rapidly, precluding her from engaging ARLT in a dialogue.

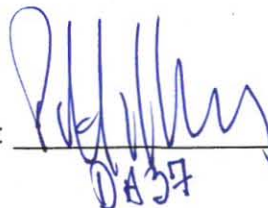
After the interview, Officer COCKRUM reviewed the video footage captured from Officer BAKER's patrol vehicle. It was the first time Officer COCKRUM had seen the video. SCPD Lieutenant Jose Garcia and Attorney Nicole Pifari were also present during the viewing. Officer COCKRUM also listened to the audio recording captured by a digital audio recorder that Sergeant CLAYTON was wearing. It was the first time that Officer COCKRUM had listened to the audio. Officer COCKRUM did not provide any additional statement after watching the video and listening to the audio file.



10-24-16


ED DELFIN, Inspector II

REVIEWED BY:

  
Delfin

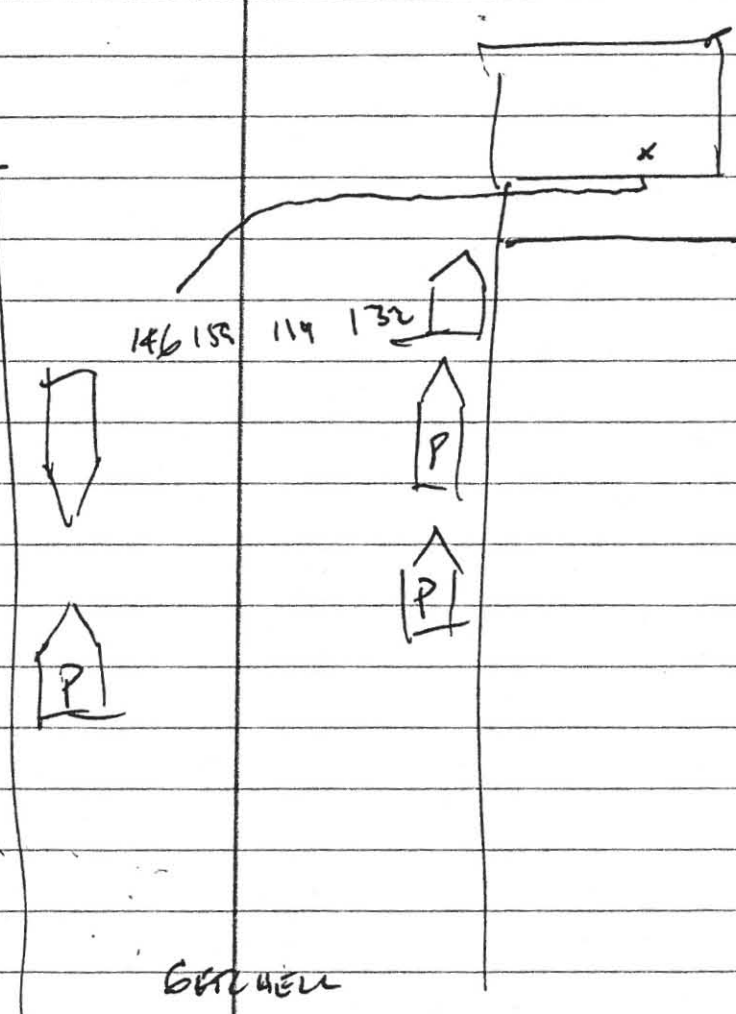
**SANTA CRUZ COUNTY DISTRICT ATTORNEY'S OFFICE  
BUREAU OF INVESTIGATIONS  
EVIDENCE AND PHOTOGRAPHIC REPORT**

Page 1 of 1

DATE	TIME	CRIME	SCENE #	CASE NUMBER	
10-24-16	0800	SCPD OIS	ERD-1	2016-290-001	
INVOLVED PARTY			LOCATION		
<input type="checkbox"/> R.P. / WITNESS <input type="checkbox"/> VICTIM <input type="checkbox"/> SUSPECT					
NAME: Sean Smith Art (Deceased)					
ITEM #	DESCRIPTION			D	L
001	Four (4) audio files of interviews of officers involved			B	X
002	Four (4) sketches/diagrams			B	X
PHOTOS		TO			
KEY					
DISPOSITION (D)	A: ANALYSIS    B: HOLD AS EVIDENCE    C: RELEASE    D: DESTROY				
LOCATION (L)	X: DA EVIDENCE    Y: OUT FOR ANALYSIS    Z: RELEASED <input type="checkbox"/> OWNER <input type="checkbox"/> OTHER <input type="checkbox"/> AGENCY:				
RELEASED TO:		DATE	SIGNATURE		
					
			<b>INSPECTOR</b>		
			Ed Delfin		

CHALE

↑  
Urban



BUTCHER

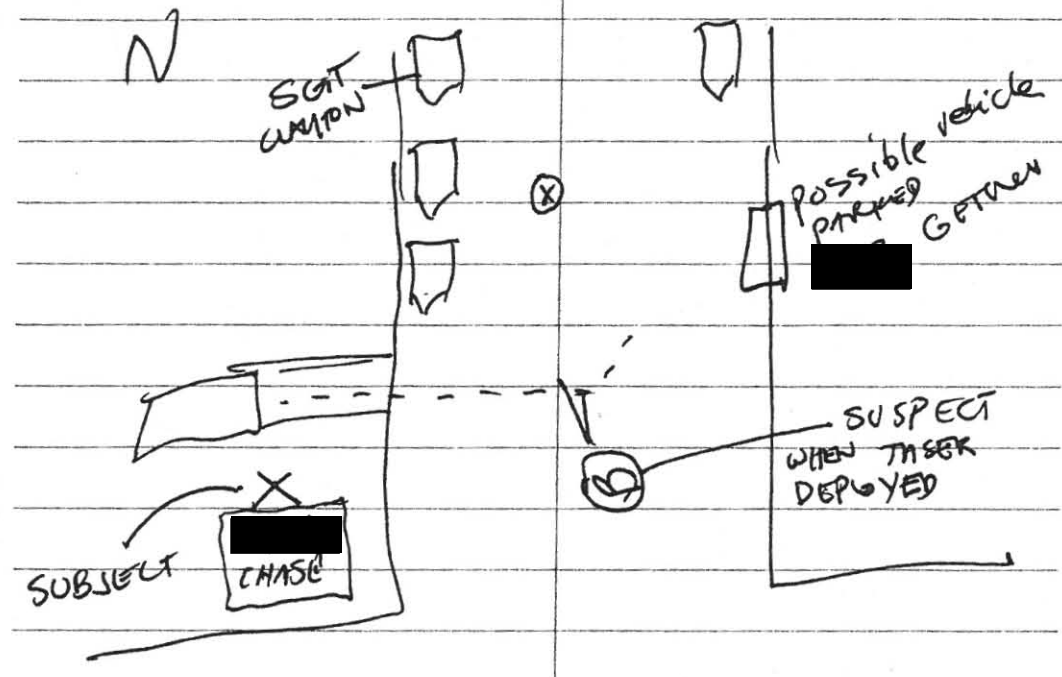
BAILLY / BAKER / SGT / COCKRUM

SKETCH BY OFFICER  
DENISE COCKRUM

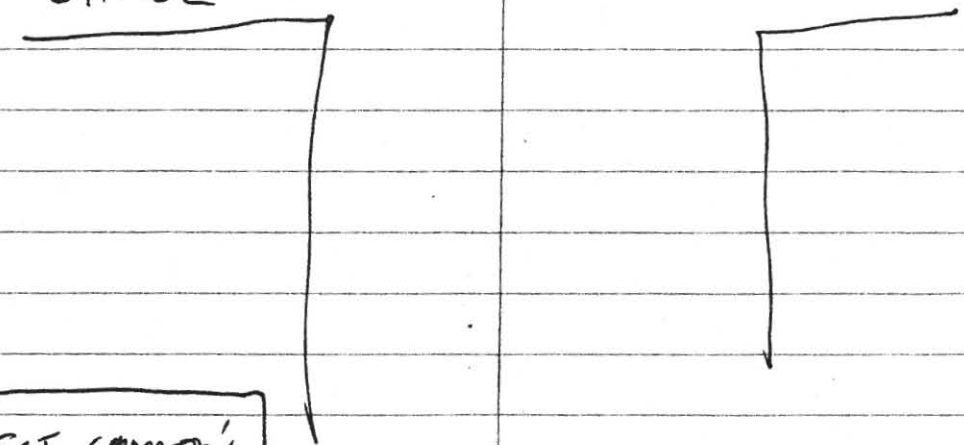


A  
N

# GRETCHELL



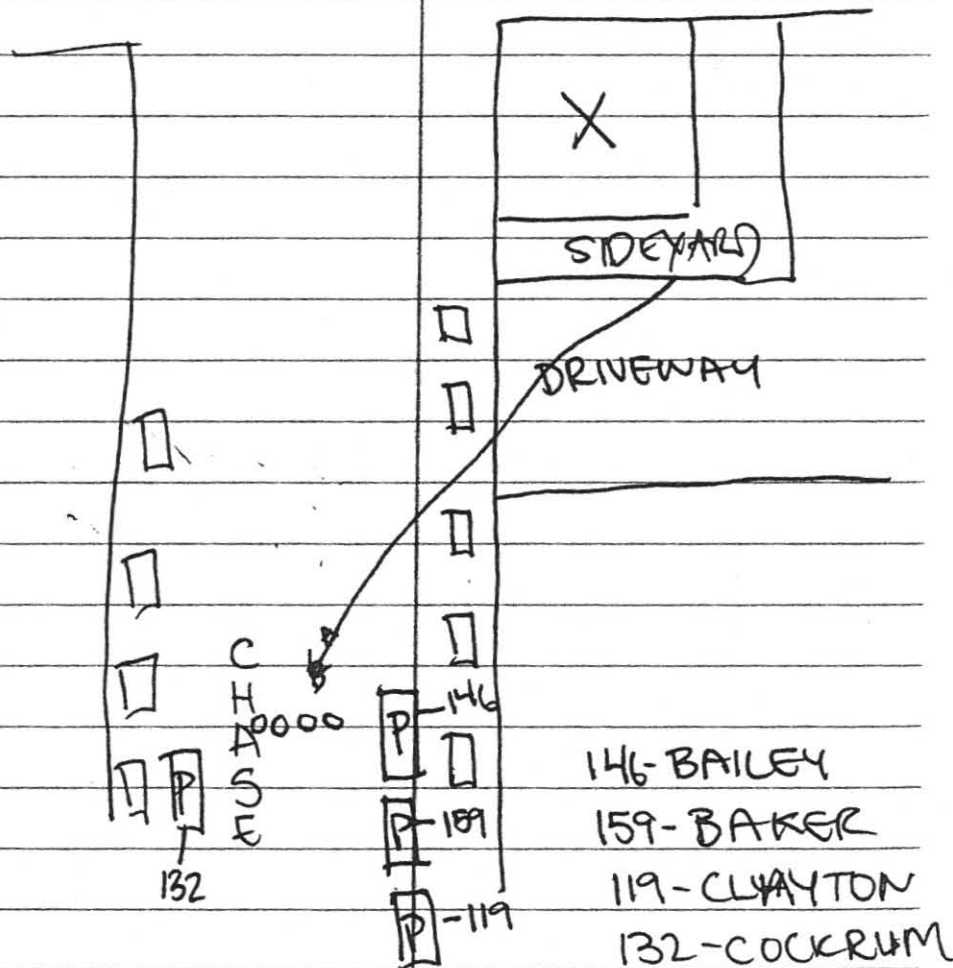
## CHASE



SGT CRANTON'S SKETCH

SKETCH BY ADAM BAKER

# GETCHELL



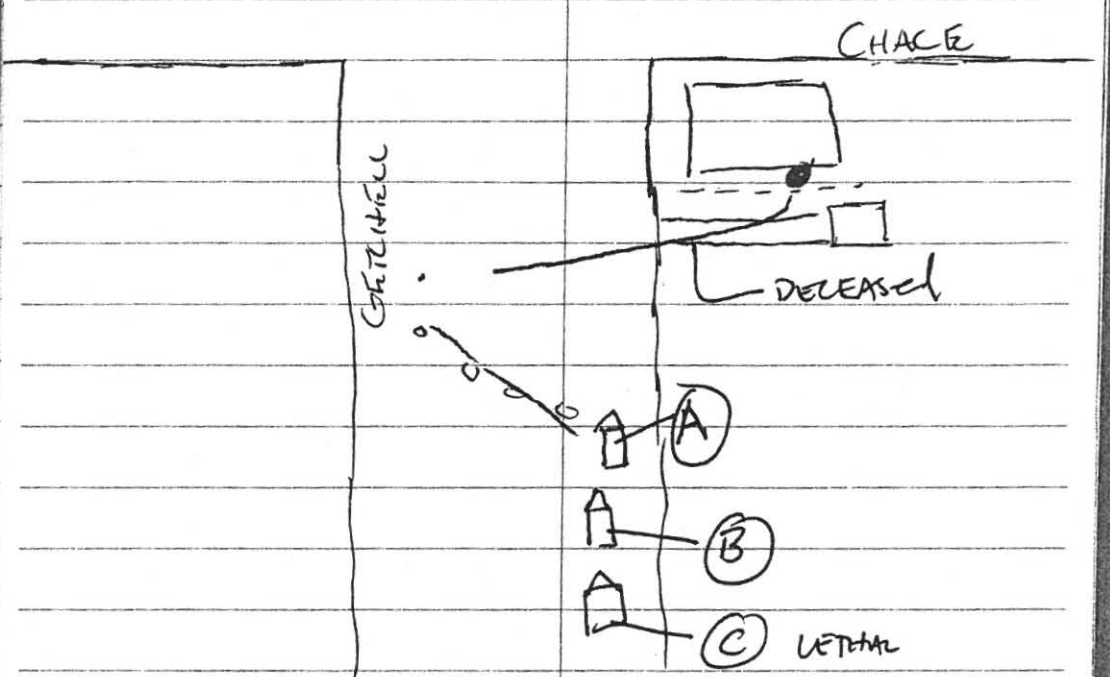
146-BAILEY

159-BAKER

119-CLAYTON

132-COCKRUM

Handwritten notes at the top of the page, including a north arrow pointing downwards.



SKETCH BY ERIK  
BAILEY