

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  
**INSPECTOR ASSIGNED:** KATRINA ROGERS  
**DATE OF REPORT:** 11/1/2016

**DEFENDANT(S):** Sean Smith ARLT (Deceased 10/16/16)  
**DOB:** 06/25/1984  
**CDL:** D2129951  
**ADDRESS:** [REDACTED] Plateau Avenue (rear unit) Santa Cruz, CA 95060

**Synopsis:** I interviewed [REDACTED] [REDACTED] and [REDACTED] [REDACTED]

**Persons Involved**

Name	Address	Phone
[REDACTED] [REDACTED]	[REDACTED] Chace Street	
[REDACTED] [REDACTED]	[REDACTED] Chace Street	[REDACTED]
[REDACTED] [REDACTED]	[REDACTED] Chace Street	[REDACTED]

**Narrative:**

On October 16, 2016, I returned to [REDACTED] residence with Inspector Delfin to interview her regarding the events of that morning. This interview was audio recorded. The following is a summary of my interview with [REDACTED]. For complete details please refer to the audio recording.

After entering the residence [REDACTED] pointed to a stack of boxes on the floor of her living room. [REDACTED] pointed out that the boxes contained a book which her friend had just written about children hearing voices. [REDACTED] provided me with a couple of fliers for the book and a copy of the book to share with our office and the police department.

I explained the role of the DAO.

[REDACTED] stated that her family first met Sean when Sean was in Kindergarten. [REDACTED] explained that her oldest son and Sean went to Kindergarten together and then attended high school together.

I asked [REDACTED] about the incident that occurred on Tuesday October 11, 2016. [REDACTED] described Sean bursting through the front door of their residence. [REDACTED] stated that Sean was agitated and breathing very hard. [REDACTED] had Sean sit down and asked him what was going on. [REDACTED] told Sean to calm down and told him that it was ok and he was safe there. [REDACTED] gave Sean some soup and some water and Sean sat down on the couch and began to relax.

Sean began to get agitated again and grabbed two pens from the kitchen counter and ran out of the house. By this time Sean's parents and the police had arrived. [REDACTED] tried making light of the situation and told Sean to give [REDACTED] back his pens. [REDACTED] stated that Arlt was able to get Sean to give him one of the pens before the officers took action by placing him in a "hold" and tasing him. [REDACTED] stated that she kept telling the officers that Sean was a danger to himself and others and that they needed to hold him. [REDACTED] explained that she is a therapist and that she knows the language to use.

[REDACTED] stated that she was angry at the system because Sean was not held on a 5150 hold. [REDACTED] believed that Sean should have been held and had a toxicology test run on him. [REDACTED] stated that she knew that Sean was supposed to be taking psychotropic medication but she didn't know if he was actually taking it nor did Sean's parents know if Sean was taking his medication. [REDACTED] related that Arlt and Smith had told her that Sean was self medicating with marijuana and alcohol. [REDACTED] reiterated that there hadn't even been enough time for a toxicology report to have been done on Sean prior to his release.

I confirmed with [REDACTED] that her front door was unlocked on the night of October 11, 2016. [REDACTED] stated that was correct. [REDACTED] explained that Sean literally came bursting through the front door and that was unusual for him. [REDACTED] explained that when the kids were growing up the kids would come in freely to her home but it was always through the back door.

[REDACTED] knew that Sean suffered from mental illness and that he had deteriorated over the years. [REDACTED] relayed that Smith had told [REDACTED] that Sean's mental illness had gotten much worse. [REDACTED] stated that she noticed it when her kids were home for a wedding and she saw Sean. [REDACTED] remarked that Sean didn't look right. [REDACTED] knew that Sean was suffering psychotic episodes but she thought that they were being managed with medication.

I told [REDACTED] that I understood that Sean had abrasions on his hands when he showed up at their residence that evening. [REDACTED] stated that she guessed that Sean must have fallen either jumping over their fence or coming up their stairs. I asked [REDACTED] about the picket in their fence that was broken out of place. [REDACTED] stated that she guessed that Sean jumped the fence because the gate was not left open and their gate is very finicky. [REDACTED] described Sean's hands as being bloody and Sean had scrapes on his arms. [REDACTED] put some Neosporin and bandages on the abrasions.

I asked [REDACTED] if Sean was saying anything while he was in her home. [REDACTED] stated that Sean was talking about his father molesting him. [REDACTED] stated that she had heard from her kids in the past that Sean had been claiming he was molested by his father for a long time. [REDACTED] stated that she is guessing that Sean may have been molested at some point in his life

but she just cannot imagine that it was Arlt who did it.

██████████ described Sean as "staring off" and having "darting eyes". ██████████ stated that it appeared to her that Sean was hearing voices or seeing something. ██████████ stated that when she tried to give Sean the soup he asked her repeatedly, "Are you offering me this soup?" ██████████ told Sean that she was offering the soup to Sean and he should sit down and relax.

██████████ stated that Sean didn't say that much but he was acting more like he was frightened. ██████████ commented that when Sean first burst through the door he looked like he was being chased by something.

Inspector Delfin confirmed with ██████████ that she felt somewhat safe with Sean on Tuesday evening. ██████████ replied, "I let him in. I let him stay in. We knew he needed help." ██████████ stated that her husband ██████████ told Sean that his mind wasn't working right and asked Sean if he even realized that he didn't have shoes on. ██████████ stated that she and ██████████ told Sean that he needed help.

██████████ stated that on the morning of October 16, 2016 she and ██████████ did not let Sean in. ██████████ stated, "The front door was locked, he was pounding on the door, he was screaming." ██████████ stated that she had ██████████ were upstairs in bed when they heard the noise. ██████████ commented to ██████████ "Oh my God ██████████ I think Sean is back."

██████████ stated that ██████████ heard more of what Sean was saying than she did. I asked ██████████ what she heard. ██████████ replied that she heard more screaming than actual words. I asked ██████████ if she saw Sean or just heard him. ██████████ replied that she had just heard Sean. I asked ██████████ about her door knocker which appeared to be broken. ██████████ confirmed that Sean had broken that. ██████████ also confirmed that the blood on the front door was Sean's and that it was from this morning's incident.

I confirmed with ██████████ that Sean started at the front door. ██████████ stated that was correct. ██████████ stated that she heard ██████████ say "Go home. Sean you have to go home. You're not safe. Go home."

██████████ stated that Sean went to the back door. ██████████ yelled to ██████████ to lock the back door as ██████████ knew the back door was unlocked. ██████████ stated that she then texted ██████████ and told her to stay in her room and lock the door. ██████████ stated that she stayed upstairs with the dogs during the incident.

██████████ stated that she could hear Sean banging on the back door of the residence with an umbrella.

██████████ state that she saw Sean walk out of their back yard and into the driveway carrying what she thought was a Lacrosse stick "in his hand holding it up high." ██████████ stated that Sean was walking down the driveway when she heard a police officer say, "Sean, drop the weapon. Sean, drop the weapon." ██████████ then heard two gunshots. ██████████ stated, "It really went fast."

██████████ stated that she had tried calling and texting Arlt and Smith but that they didn't answer.

██████████ reasoned that she thought if Arlt and Smith could have come they could have deescalated the situation.

I asked ██████████ if I could take some photographs from her perspective of where she witnessed the events. ██████████ agreed saying "So you could see what I saw." ██████████ then stated that she did not see who did the shooting. ██████████ stated that she could see the officers, she could see Sean with something in his hand that she thought was a Lacrosse stick, and she could see Sean walking toward the officers.

I later took several photographs from ██████████ bedroom window showing the perspective from the window looking down to the yard and out to the driveway and street. It should be noted that ██████████ and I are approximately the same height. I later saved these photographs to a secure drive at the District Attorney's Office.

Inspector Delfin asked ██████████ more about how Sean was holding what we now know to be a rake and will be referred to as a rake from this point forward. ██████████ stated that she didn't know what had Sean was holding the rake in and she thought he was holding it straight up and down. ██████████ explained that she could see Sean when he was in the driveway because their driveway light was on but once ██████████ walked into the street there wasn't any light. ██████████ then stated, "I don't know to be honest, I don't what he was doing with it when he got to the street.

██████████ commented that she didn't know that Sean was dead for about a half an hour. ██████████ stated that even though she heard the gunshots she thought Sean had been wounded or that the officers used rubber bullets. ██████████ stated that she saw Sean fall to the ground. ██████████ stated that after she heard the shots and saw Sean fall she was waiting for the ambulance to arrive and she never saw the ambulance arrive. ██████████ stated that she didn't realize Sean was dead until she walked outside and asked one of the officers who confirmed that Sean was deceased.

██████████ stated that it seemed like things moved slow when all of the commotion was going on at the house but it seemed like things moved fast once Sean walked to the driveway.

Inspector Delfin asked ██████████ more about how Sean was walking down the driveway. ██████████ stated that she thought that Sean was walking in the middle of the driveway. ██████████ stated that she saw the officers on Getchell street and assumes that Sean must have turned toward the officers when he walked out of the driveway. I asked ██████████ to describe the manner in which Sean was moving from the garage to the street. ██████████ stated that Sean was walking at a normal pace down the driveway. ██████████ stated that Sean's pace was not slow and it wasn't fast.

I asked ██████████ how she came to realize that Sean had a rake and not a Lacrosse stick. ██████████ stated that she isn't sure but that either her husband or one of the police officers must have said that it was a rake.

I asked ██████████ about how the police drove up to her residence. ██████████ commented that there weren't any sirens which she felt was respectful because it was three in the morning. ██████████ recalled seeing yellow lights but no emergency lights upon the arrival of the police.

██████████ described the police officers approach as being a "different scene" than Tuesday night.

I asked ██████████ if she heard any other noise or yelling either to Sean or between the officers. ██████████ stated that she did not. I asked ██████████ what she saw after the gunshots. ██████████ stated that she saw Sean fall to the ground. I asked ██████████ if she saw anything else and she stated that she did not. I asked ██████████ if she continued to watch and she stated that she did not. ██████████ stated, "That really scared me."

Inspector Delfin asked ██████████ if she could estimate the amount of time that elapsed from the time she saw Sean walk out of the backyard until she heard the officer tell Sean to drop the weapon. ██████████ estimated that it wasn't very long and guessed at five minutes. ██████████ then stated, "When he started walking down that driveway things happened really fast." ██████████ described this morning as being different than Tuesday because Tuesday involved a process of talking to Sean and holding him down.

Inspector Delfin asked ██████████ what Sean was doing during those five minutes. ██████████ stated that she didn't know. Inspector Delfin asked ██████████ how soon after the warning ██████████ heard the shots fired. ██████████ stated that the shots happened just as fast as she had spoken the two warnings. Please refer to minute marker 23:34 to hear the pace at which ██████████ recites the warnings the police gave to Sean.

██████████ stated that it was a mans voice shouting the warning and that she head it "very clearly."

While I was photographing the view from ██████████ bedroom window, which faces toward Getchell street, ██████████ asked whether there was a crisis team person that worked at the police department. I told ██████████ that I didn't know of one particular individual but that I did know that the SCPD did a tremendous amount of training around mental health. ██████████ stated that she was really impressed with how the officers had dealt with Sean on Tuesday evening. ██████████ commented that Sean "was a lot more agitated" this morning than he was Tuesday night and guessed that made a difference.

Inspector Delfin asked ██████████ how may police cars she saw that morning. ██████████ stated that she guessed there were six or eight. ██████████ then stated that she though she counted 8 policemen and wondered whether they put two in a car.

I asked ██████████ about ██████████ ██████████. ██████████ stated that she didn't think ██████████ saw anything. ██████████ showed me the texts that she sent ██████████ that morning telling her about the situation. I photographed the brief text string and later saved this photograph along with the photographs mentioned above to a secure drive at the District Attorney's Office.

Inspector Delfin and I then contacted ██████████. ██████████ had just returned from a walk to regroup after this morning's events. ██████████ invited us to speak with ██████████ inside her house. This conversation was audio recorded and is part of the same recording containing ██████████ interview.

I told ██████████ that I knew that she had been texted that morning by ██████████ regarding events



unfolding on the property. I asked [REDACTED] if she had heard anything before the texts. [REDACTED] stated that she was awoken by the sounds of "screaming, and yelling and banging." [REDACTED] initially thought she was having a bad dream and then thought maybe it was stupid college kids. [REDACTED] soon realized it was neither and she heard someone yelling "gross terrible things."

I asked [REDACTED] to tell me what she remembered hearing when she woke up. [REDACTED] stated that she heard banging and she heard someone say something to the effect of "I want to kill everybody in the house." Which was followed by more banging and high pitched yelling.

[REDACTED] stated that she then received [REDACTED] text telling her that it was someone they knew who was mentally ill. [REDACTED] stated that it made her feel somewhat better to know that whomever was making this commotion was someone [REDACTED] knew. [REDACTED] stated that she was also aware of the incident that occurred on Tuesday night although she was not present.

[REDACTED] stated that [REDACTED] texted her to lock her door. [REDACTED] stated that her door does not lock so she knelt by the door and held the handle. I asked [REDACTED] how she was feeling when this occurred. [REDACTED] stated that she wasn't terrified but that she was generally scared because there was some person outside screaming. [REDACTED] stated that she was pretty shaken up after the shooting.

I asked [REDACTED] what she heard after she heard someone say they wanted to kill everybody in the house. [REDACTED] stated that she heard more yelling. I asked [REDACTED] if she could tell if there was more than one person yelling. [REDACTED] stated that she could hear [REDACTED] telling the person something.

I asked [REDACTED] what she heard after the yelling. [REDACTED] stated that she heard a lot of banging. [REDACTED] stated next that she believed the cops had arrived. [REDACTED] made this statement based off of a text that [REDACTED] sent her. [REDACTED] stated that the yelling stop and approximately 1-2 minutes later she heard two gunshots.

I asked [REDACTED] if she heard any noise in the garage since it is attached to her living area. [REDACTED] stated that she did hear noises but explained that the other night an opossum got into her bedroom. [REDACTED] stated that it isn't uncommon for her to hear noises in the garage or her bedroom and she just attributes them to critters. [REDACTED] stated that she sleeps with her earbuds in with music playing.

[REDACTED] stated that her thoughts were probably a little jumbled because of the yelling and the threat. [REDACTED] then stated that the shooting didn't have to happen. Inspector Delfin asked [REDACTED] if she knew Sean Arlt. [REDACTED] stated that despite growing up in the neighborhood she didn't know Sean.

BUREAU OF INVESTIGATION  
INVESTIGATION REPORT CONTINUATION

BOI CASE #: 2016-290-001


REPORT CONTINUED:



11/1/16

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KATRINA ROGERS, Inspector II

REVIEWED BY:



DA37  
11/1/16