

City of Richmond, California
Community Police Review Commission

PUBLIC CASE SUMMARY

Case #	Date Received	Date Completed
2019-6 (Reason)	11/19/2019	10/7/2020

CATEGORY OF CONDUCT: (check one)

Unnecessary Force	Racial Bias
X	

FINDING OF FACT: (brief summary of complaint and investigation)

On the evening of November 10, 2019, Richmond Police Sergeant Thomas was off-duty when he and his wife drove to JJ's Fish, located at the strip mall at Fairgrounds Drive and Sereno Drive in Vallejo, California. While pulling into the parking lot, they encountered a van driven by Eric Reason, with his girlfriend in the passenger seat. After Thomas honked at Reason and parked, Reason exited the van and walked over to Thomas, and a verbal altercation began. The entire incident was video recorded (without sound) from several angles by security cameras placed on the exterior of the strip mall building.

Reason and Thomas had a verbal altercation, with Reason obviously angry. Thomas' expression was not visible from the cameras, but he appeared to make placating physical gestures with his hands during this altercation. Several times during the exchange, Reason started to walk away, but then turned back angry and said something to Thomas. At least one witness said both men were upset during the exchange, but others said only Reason was upset. Reason walked back to his van, retrieved a handgun from under the hood, and returned again to confront Thomas with the gun held low at his side pointing down. Thomas and Reason again exchanged words, while Reason continued to hold the gun pointing down in his left hand at his waist. Reason turned and walked away from Thomas, who immediately pulled his concealed firearm from its holster and leveled it at the retreating Reason. As Reason reached the rear of Thomas' car and turned slightly to the left to look back at Thomas, Thomas fired several shots, hitting Reason with at least one. Reason turned to the right and fled quickly south toward Sereno Drive through the parking lot. Thomas went to the rear of the car, took a two-handed firing stance with legs wide, and fired multiple shots at Reason as he ran away from Thomas toward Sereno. The last shot fired by Thomas hit Reason in the back of his skull and traveled through his brain, causing Reason to fall dead in the street.

Given conflicting evidence regarding the circumstance leading to Thomas' first shots at Reason near his car, the Commission was unable to reach a finding whether these uses of deadly force were reasonable. However, the Commission found that the evidence clearly and convincingly showed that Reason was fleeing and that Thomas did not reasonably perceive Reason to present a threat of imminent deadly force when he fired these subsequent shots. The Commission therefore SUSTAINED a finding that Thomas was unreasonable in his use of deadly force during the second volley of shots he fired as Reason fled toward Sereno Drive.

RECOMMENDED FINDINGS: (check one)

<u>SUSTAINED</u>	<u>NOT-SUSTAINED</u>	<u>UNFOUNDED</u>	<u>EXONERATED</u>
X			