



George Gascón
District Attorney

December 5, 2017

Acting Commissioner Warren Stanley
California Highway Patrol
601 North 7th Street
Sacramento, CA 95811

Re: Death of Alberto Carlos Petrolino on July 28, 2015
CHP No. 6-22 MARIN – GOLDEN GATE BRIDGE

Dear Commissioner Stanley:

The Independent Investigations Bureau (IIB) of the San Francisco District Attorney's Office has completed its review of Alberto Carlos Petrolino's July 28, 2015 death, which occurred while he was in the custody of the San Francisco Sheriff's Department (SFSD) after being arrested by the California Highway Patrol (CHP). After a thorough review of the available evidence, we have concluded that there is no evidence of criminal misconduct by any of the law enforcement officers involved. Accordingly, we decline to file any criminal charges in this matter.

IIB focused exclusively on determining whether criminal charges relating to any law enforcement officer's conduct are warranted. This review did not examine collateral issues such as any officer's compliance with his or her agency's policies and procedures, training or tactics, or any issues related to civil liability. The decision not to pursue criminal charges should not be interpreted as expressing any opinion on such non-criminal matters.

On Saturday, July 25, 2015, at about 1:06 p.m., Golden Gate Communications Center (GGCC) broadcast a lookout for a male subject who was possibly on the Golden Gate Bridge with intentions to commit suicide. Petrolino's ex-girlfriend had called GGCC to inform them that Petrolino left her a voice message implying that he was going to commit suicide at the Golden Gate Bridge. CHP encountered Petrolino sleeping on a bench at the East Lot of the bridge and detained him.

CHP Officer Daniel Mitchell, Star No. 20955, responded around 1:55 p.m. to the East Lot and interviewed Petrolino. Petrolino repeatedly denied being suicidal. Petrolino said, "I was just here to chill, man." He told them that his ex-girlfriend knew he had been released from jail and that she was trying to get him in trouble. During the interview, Officer Mitchell stepped away and telephoned Petrolino's ex-girlfriend who said Petrolino left her a voice message indicating he was going to commit suicide at the Golden Gate Bridge. She also told him that she had a restraining order against Petrolino, which he had recently violated. When Officer Mitchell returned to his interview of Petrolino, Petrolino continued to deny being suicidal.

Officer Mitchell did not believe he had cause to detain Petrolino for a mental health evaluation under California Welfare and Institutions Code § 5150. However, he discovered that Petrolino had two outstanding misdemeanor arrest warrants for failures to appear in court. Officer Mitchell

Page 2
December 5, 2017

smelled the odor of alcohol on Petrolino's breath and person and observed he was in possession of a nearly empty bottle of vodka.

Officer Mitchell arrested Petrolino on the two warrants and transported him to the SFSD County Jail. While en route to the jail, Officer Mitchell and Petrolino's sister had a telephone conversation. She told Officer Mitchell that her brother was recently released from jail and that he was "troubled" but not a danger to himself. She said he had an alcohol dependency and may have been relapsing.

Officer Mitchell discussed the possibility of Petrolino being suicidal with the SFSD intake nurse, who subsequently conducted an intake screening of Petrolino. In response to questions during the intake screening, Petrolino denied being suicidal. A separate nurse conducted a Jail Psychiatric Services Screen of Petrolino. Petrolino was accepted and booked by county jail staff.

Three days later, on Tuesday, July 28, 2015, at 7:35 p.m. in SFSD County Jail Building No. 2, inmate Miguel R. asked SFSD Deputies Michael Mohn, Star No. 1395, and Rudy Zamora, Star No. 2069, for permission to use the southern restroom in F-Pod. As soon as inmate Miguel R. entered the restroom, he saw Petrolino's feet laying at an odd angle in a closed shower stall. He immediately exited the restroom and notified the two SFSD deputies.

Deputies Mohn and Zamora immediately went to investigate. Deputy Zamora signaled for a nurse to respond with them for a medical emergency. Upon arrival, the three found Petrolino in a locked shower stall. He was hanging from a torn bedsheet wrapped around his neck with his feet still on the ground. Deputy Mohn forced open the door and lifted Petrolino's body so Deputy Zamora could use his safety hook to cut the noose. Deputy Mohn then dragged Petrolino into the main area of the restroom where the trio initiated Cardio Pulmonary Resuscitation (CPR), attached an Automated External Defibrillator (AED), and made a radio broadcast of a medical emergency requiring paramedics.

SFSD staff continued with CPR until they were relieved by San Francisco Fire Department paramedics at approximately 7:50 p.m. Petrolino was unresponsive. SFFD paramedics pronounced Petrolino dead at 8:15 p.m. SFSD "In Custody Death" procedures and notifications were initiated.

On July 29, 2015, Dr. Harminder Narula, Office of the San Francisco Chief Medical Examiner, performed the autopsy exam on Petrolino and concluded that the cause of death was suicide by self-inflicted hanging. Dr. Narula noted in the written report that Petrolino had petechiae in the eyes. There were no injuries to the head or neck. There were ligature marks on the neck but there was no soft tissue damage or fracture of the neck. Thus, this was not a violent or sudden movement hanging.

Because Mr. Petrolino's death stemmed from a suicide by self-inflicted hanging and there is no allegation or evidence of any type of use of force or other criminal conduct in this matter, IIB has closed its investigation and concluded that criminal charges are unwarranted. In the event your agency discovers any additional evidence or wishes to discuss this matter further, please contact Andy Huang, Managing Attorney of IIB.

Page 3
December 5, 2017

Please do not hesitate to contact me if you have any questions. Thank you and your Department for your assistance in this matter.

Sincerely,



GEORGE GASCON
District Attorney

cc: Capt. Robert Mota