



**Request for Out of Custody Complaint
Declaration of Probable Cause**



Arrestee/Suspect JASON FLETCHER		DOB 11/18/1970	Sex M	PFN	
Race WHITE		CDL A1360191 CA		Agency Report # 2020S-0017	
Arresting Agency ALAMEDA COUNTY DISTRICT ATTORNEY		Declarant robert chenault		Agency Phone (510) 272-6263	Agency Fax
Arrest Date	Arrest Time	Arrest Location			
Holds		Arrestee Home Address			
Charges/Violations PC 192(A) F(1 Counts)					

On 4/18/2020 at approximately 1512 hours San Leandro Police Officer Jason Fletcher #304 responded to the Walmart Store at 1555 Hesperian Blvd., San Leandro on the report of a shoplifter holding a baseball bat.

On that date, at approximately 3:00 pm, victim Steven Taylor entered Walmart Store, grabbed an aluminum baseball bat and tent and attempted to leave the store without paying. Mr. Taylor was stopped by store security and asked to return the items.

The store security guard Danny Saephanh called 911 reporting the theft and possible robbery. Two SLPD units were dispatched to Walmart to investigate the theft. Officer Jason Fletcher was already in the vicinity of Walmart when he received the dispatch. Officer Fletcher approached the front entrance on foot, he observed backup SLPD Officer Overton arrive at the Walmart parking lot.

Meanwhile, two different store customers approached Mr. Taylor and tried to help him. A female customer offered him several dollars, to which Mr. Taylor said no thank you. Store security told Mr. Taylor they had called the police and they were on the way. Mr. Taylor said he would wait for the police to arrive. Mr. Taylor waited near the shopping cart area and an older lady stood nearby.

Officer Fletcher spoke with store security guard Danny Saephanh for approximately 10 seconds briefing him on what was happening and specifically told him it is not a PC 211 or PC 417, information Officer Fletcher relayed via radio to police dispatch. Security Guard Saephanh then pointed out Mr. Taylor standing next to the shopping carts. Officer Fletcher did not wait for his cover officer and immediately contacted Mr. Taylor in the shopping cart area. Officer Fletcher grabbed the bat with his left hand and attempted to take the bat from Mr. Taylor's right hand. Officer Fletcher pulled out his service pistol at the same time he tried to take the bat from Mr. Taylor. Mr. Taylor pulled the bat from Officer Fletcher's grasp and stepped away from Officer Fletcher. From a distance of approximately 17 feet Officer Fletcher drew his taser with his left hand and pointed it at Mr. Taylor. Officer Fletcher told Mr. Taylor to "drop the bat man, drop the bat." Officer Fletcher shot Mr. Taylor with his taser as he advanced towards Mr. Taylor. Officer Fletcher tased Mr. Taylor again, and Mr. Taylor clearly experienced the shock of the taser as he was leaning forward over his feet and stumbling forward. Mr. Taylor was struggling to remain standing as he pointed the bat at the ground. Mr. Taylor posed no threat of imminent deadly force or serious bodily injury to Officer Fletcher or anyone else in the store. Officer Fletcher shot Mr. Taylor in the chest just as backup Officer Overton arrived in the store.

Mr. Taylor dropped the bat and turned away from Officer Fletcher and fell to the ground. He was later pronounced dead. From the time Officer Fletcher entered the store to the time he shot and killed Mr. Taylor less than 40 seconds elapsed.

A thorough review of the statements of witnesses and involved police officers, physical evidence and the review of multiple videos of the shooting shows that at the time of the shooting it was not reasonable to conclude Mr. Taylor posed an imminent threat of death or great bodily injury to Officer Fletcher or to anyone else in the store. I believe Officer Fletcher's actions, coupled with his failure to attempt other de-escalation options rendered his use of deadly force unreasonable and a violation of Penal Code Section 192(a), Voluntary Manslaughter.

I declare under penalty of perjury that the above information was obtained through official police channels and is contained in the above-mentioned police report. Executed in the County of Alameda, State of California. Identity and signature of declarant verified by CRIMS.

Date: 09/02/2020 13:27:22

Declarant: robert chenault

Badge: 265

On the basis of the foregoing declaration, I hereby determine that there is/is not probable cause to detain this arrestee.

Date:

Judge: