ROBERT CHALFANT
Law Office of Robert Chalfant

October 3, 2022

CIVILIAN COMPLAINT

LITIGATION HOLD LETTER

BY EMAIL ONLY: blagrone@oropd.org
Chief of Police Bill LaGrone
Oroville Police Department
2055 Lincoln Street
Oroville, CA 95965

Subj: Civilian Complaint/Preservation of Relevant Information/Litigation Hold for All Information Relating To complainant Arrest On Or About September 1, 2022.

Dear Oroville Police Department:

Attached please find a Civilian Complaint presented on behalf of my client, complainant. Please direct all future correspondence relating to the complaint to me at the following address:

Robert Chalfant
Law Office of Robert Chalfant
5701 Lonetree Blvd., Suite 312
Rocklin, CA 95765

This letter is to also notify Oroville Police Department (OPD), to preserve all electronically stored information, copies and backup, as defined by Rule 34 of the Federal Rules of Civil procedure, along with any paper files which OPD maintains are relevant to this dispute. complainant will be seeking in discovery of electronic data in OPD's custody and control that is relevant to this action.

Under the Federal Rules of Civil Procedure, all parties to this action have a legal obligation to preserve all evidence that may be relevant to this case. This includes the obligation to preserve all electronic evidence, such as emails, voice mails, texts, and images that are related to the incident. The responsibility to preserve evidence is very broad and applies to all types of materials, regardless of whether they are maintained electronically (through email) or in hard copy (i.e., reports, journals, pictures and photographs, calendars and videotapes).

These are just some of the types of records and documents that must be saved and maintained. Other examples are records relating to [redacted] transport to any medical facilities for evaluation, documents reflecting [redacted] being booked into the Butte County Jail, documents reflecting [redacted] needing to be medically cleared prior to being booked into the Butte County Jail, and the GPS tracking of the arresting officer's car on September 1st and 2nd.

You are hereby advised of your legal obligation to preserve, maintain, and to not destroy any evidence. There are penalties and sanctions that a court may impose for the destruction of relevant evidence, including monetary sanctions, evidentiary sanctions, and the entering of default judgment against OPD and its employees.

Sincerely,

ROBERT CHALFANT

Oroville Police Department

Civilian Complaint

Investigation

Complainant's Full Name [redacted]

Residence Address Can be reached through Counsel.

Complainant Information: Male ☐ Female ☑ Age [redacted] Date of Birth [redacted]

Victim (if other than complainant) [redacted]

Victim's Address Can be reached through Counsel Phone (916) 647-7728

Incident Location Oroville, Butte Co. Jail, Neal Road Date 9/1/22

Police Agency Involved Oroville Police Dept. Officer Robert Sasek

Description of Police Vehicle Marked veh. Uniform Yes

Action Complained of See attached.

Injured Person [redacted] Address

Type of Injury See attached.

Injured Person Address

Type of Injury

Witness Detective Tiffany Larson Address Butte County Sheriff
Witness Address
Witness Address
Witness Address

What was complained of at the time of the incident? See attached.

Does Complaint involve an arrest? Yes. Case Number Unknown

Name/Description of person(s) arrested:

[redacted]

Complaint Received by: Supervisor Date/Time

☐ In Person ☐ By Telephone ☐ By Mail ☐ Other

If possible, have the complainant submit a written statement.

Oroville Police Department
Civilian's Complaint Statement
Form

Date: 9-26-22

Civilian's Name (Pr
Civilian's Signature

complainant

complainant

ROBERT CHALFANT
Law Office of Robert Chalfant

ATTACHMENT TO CITIZEN COMPLAINT

(a) Name of Complainant

[redacted] complainant

(b) Address Where Notices To Be Sent

Robert Chalfant
Law Office of Robert Chalfant
5701 Lonetree Blvd., Suite 312
Rocklin, CA 95765
(916) 647-7728

(c) Date, Place, and Circumstances Giving Rise to the Civilian Complaint

On September 1, 2022, at approximately 2:00 p.m., [redacted] complainant was arrested for trespassing (Penal Code Section 602), in Chico, California, and transported to the Butte County Jail ("Jail") in Oroville, CA. The arresting officer did not retrieve her shoes during the arrest and she was transported to the Butte County Jail without any footwear.

[redacted] complainant underwent the booking process at the Jail and was seen by an intake nurse at approximately 2:50 p.m. After completing the booking process, [redacted] complainant was cited and released. [redacted] complainant was not given a bus pass so that she could return to her home in Chico, California or provided shoes. [redacted] complainant displayed obvious signs and symptoms of being under the influence at the time of her release from the Jail and this is recorded on Jail video.

[redacted] complainant was arrested a second time on September 1, 2022 and this occurred after her release from Jail. This second arrest occurred in Oroville around 9:00 p.m. and was by Officer Robert Sasek of the Oroville Police Department (OPD).

Officer Sasek transported [redacted] complainant back to the Butte County jail for booking. [redacted] complainant again went through the booking process at jail, and was seen by Manuel Salinas, RN at approximately 10:03 p.m. Nurse Salinas refused to admit [redacted] complainant into the Jail until she was "medically cleared" at Oroville Hospital based upon [redacted] complainant's elevated blood pressure. The Jail made an appointment for [redacted] complainant to be seen at Oroville Hospital for medical clearance and [redacted] complainant was placed back into Officer Sasek's patrol vehicle so that he could take her to Oroville Hospital. Video from the Jail intake area shows Officer Sasek and [redacted] complainant leaving the facility in his vehicle.

Officer Sasek drove complainant to Oroville Hospital as required by the Jail's booking staff. Officer Sasek had complainant remain in his vehicle while he exited the vehicle and entered Oroville Hospital. Officer Sasek did not take complainant into the hospital to be seen by a medical provider as required for her to be properly booked into the Jail's custody.

Instead, Officer Sasek drove complainant North on Highway for 15.5 miles to the area around Neal Road Recycling and Waste Facility. During the drive towards Chico, complainant asked, "Where are we going?" and Officer Sasek responded "Don't worry about it" and told her to "just shut up."

Officer Sasek parked his vehicle somewhere near the Waste Facility at approximately 11:00 p.m. and had complainant exit the vehicle. It was completely dark outside and complainant asked "Where are we?" Officer Sasek responded, "you will figure it out, it's not my problem." comp compl was now all alone on Neal Road, it was pitch black out, and she had no phone, no shoes, no flashlight and had no idea where she was. Officer Sasek drove away leaving her there by the side of the road in the dark.

complainant then began walking on the gravel shoulder of the road in the direction that Officer Sasek had used to arrive at this location. As complainant made her way up the road near what is now known to be Franklin Construction, she was violently struck by a passing vehicle on her right side and was sent flying down a steep embankment into several large boulders where she remained in and out of consciousness and severely injured for approximately 12 hours. The vehicle that struck complainant did not stop to render assistance and instead fled from the scene of the accident. complainant had sustained catastrophic physical and internal injuries after being hit by the vehicle. Her clothes were completely shredded and she had bruises all over the right side of her body. complainant needed emergency medical care but was unable to move.

At approximately 9:00 a.m. on September 2nd, complainant summoned the strength to crawl up the steep embankment where she had remained in and out of consciousness all night and was seen by workers at the Franklin Construction yard. They immediately recognized the seriousness of her injuries, provided water and assistance and called 911. Butte County Sheriff's Department officers arrived, insulted complainant by asking if "her boyfriend had hit her'" and conducted no investigation into the hit and run that had occurred, or any inquiry into how comp compl had arrived at that location. complainant was transported by ambulance to Enloe Medical Center in Chico, California.

complainant was in the ICU Unit at Enloe for approximately 7 days after being hit by the vehicle. complainant remained hospitalized for approximately 30 days since being abandoned on Neal Road by Officer Sasek. Based on the severe internal injuries that she sustained, medical providers were forced to remove 30 to 40% of her colon, and 2 feet of her small intestine. compl compl has had multiple surgeries, and due to complications from the surgeries, developed sepsis. The infection was so severe that the skin on her right foot began deteriorating and her toes have turned black. Doctors at Enloe Hospital have informed her that she will likely require

amputation. complainant has been on dialysis 24 hours a day since developing sepsis. complainant has also been informed that due to the internal injuries and removal of a portion of her small intestine and a portion of her colon, she may be required to wear a colostomy bag for life.

Officer Sasek was on duty and in a marked patrol vehicle at the time of this incident. It is believed he was wearing a body worn camera while transporting complainant, and that the vehicle may also have been equipped with an in-car-camera system that recorded audio. Additionally, the patrol vehicle was also likely equipped with an Automatic Vehicle Locator (AVL) GPS tracking device which would show the officer's location on 9/1/22 and confirm that he drove to Neal Road. Officer Sasek violated

After abandoning complainant on Neal Road, Officer Sasek subsequently returned to his office the following day and completed his arrest report for submission to the Butte County District Attorney. The DA is currently reviewing the arrest report and considering whether to pursue criminal charges against complainant. Officer Sasek alleges in his report that he cited and released complainant at Oroville Hospital.