

City of Richmond, California  
Community Police Review Commission

**PUBLIC CASE SUMMARY**

Case #	Date Received	Date Completed
2021-7 (Gutzalenko)	3/10/2021	1/3/2024

**CATEGORY OF CONDUCT:** (check one)

Unnecessary Force	Racial Bias
<u>X</u>	

**FINDINGS OF FACT:** (brief summary of complaint and investigation)

On March, 2021, RPD received a call for service involving a person entering a business, acting erratic, and bleeding on store furniture before leaving. Dispatch informed officers that the suspect had “torn up” the business. The initial responding officer soon realized Gutzalenko was experiencing a mental and physical health crisis and effectively utilized de-escalation techniques to calm the suspect and keep him cooperative until emergency medical help could arrive. Throughout the incident, the suspect complained he could not breathe. A second officer arrived and began a series of actions that escalated the situation and caused the suspect to become agitated and less cooperative. Those actions included control holds, threats to use Taser and pepper spray and repeated suggestions the suspect should be civilly committed as a danger to himself. Eventually, Gutzalenko began actively resisting the minor force officers employed to cuff him. A third officer assisted in restraining the suspect at this point.

After officers pressed his chest prone into the ground while pulling his arms behind him, Gutzalenko became unresponsive. EMT’s then injected him with a sedative and he soon stopped breathing and lost a pulse. Gutzalenko was later declared dead at the hospital.

The Commission sustained a finding of failure to attempt de-escalation as required by RPD policy and law against one officer and exonerated the other two officers on this issue. In addition, the Commission considered whether the three officers used unreasonable force and made a finding of “not sustained” on this issue.

In addition, the commission recommended that RPD conduct a comprehensive review of incidents involving the use of sedatives and the role of RPD officers, if any, in the decision to administer such drugs. The Commission also recommended that RPD consider training its officers on the appropriateness of such injections in crisis situations and set out clear rules to guide officers’ actions in such incidents.

**RECOMMENDED FINDINGS:** (check one)

**Unnecessary Force**

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

