

**MEMORANDUM**

**TO:** Chief David Cutaia

**FROM:** Commander Mark Smith 

**DATE:** November 14, 2002

**SUBJECT: BOARD OF REVIEW - OFFICER INVOLVED SHOOTING (OFFICER DIRK MILLER, CASE #01-4316)**

On November 14, 2002, I convened the Shooting Board of Review pursuant to Martinez Police Department Procedure III-44, Section 8. The Board consisted of Sergeant Eric Ghisletta, Detective Bryan Dodd, Sergeant David Brown and Departmental Range Master Steve Caldera.

Also in attendance was attorney James Fitzgerald.

All board members advised me they had reviewed the reports involved in this incident and department policy regarding the use of firearms. After reviewing these materials and discussing them.

The Shooting Board of Review has determined that Officer Dirk Miller did not violate any pertinent department policies. Officer Miller's shooting fell under departmental procedure III- 44, Section 1, Subsection 2: "To defend another officer or other person from death or serious bodily injury."

Based upon the above information and findings of the Board, I recommend no further administrative action be taken in this case.

MEMORANDUM

TO :

Mr. [Name]

FROM :

Mr. [Name]

DATE :

[Date]

SUBJECT :

[Subject]

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