

## Gudiel, Frankie

---

**From:** Adriana Bautista [REDACTED]  
**Sent:** Thursday, December 01, 2022 6:06 PM  
**To:** Community Police Oversight Commission  
**Subject:** Please redact my email address

Some people who received this message don't often get email from [REDACTED] [Learn why this is important](#)

**CAUTION:** This email was delivered from the Internet. Do not click links or open attachments unless you *know* the content is safe. Report phish using the Phish Alert Button. [Learn more...](#)

Dear Commissioners,

I am submitting a public comment in regards to the Pasadena Police Dept's unwillingness, after 2 plus years, to release surveillance footage that would reveal the manner in which the gun was "recovered" by PPD officer Conor Duncan.

There is valid reason for concern that PPD is intentionally obstructing evidence to cover up the true circumstances of the officer involved shooting by Edwin Dumaguindin, and the following recovery of a gun by Conor Duncan. A gun was not visible in any released camera footage. A gun was only visible in still, close up photos taken after Duncan reportedly found the gun.

The footage exists, as they released two surveillance camera videos in hyper speed time lapse up UNTIL Duncan approached the area. Then the videos end. However moments later, Duncan reportedly recovered the gun. If the full building surveillance footage was released in normal-speed, we could have a view into the "recovery" of the gun.

This comment is to demand the Commissioners direct IPA Rosenthal to request the footage in question for the public and the Commission to review. The footage in question was recorded by La Pintaresca Teen Center building surveillance video cameras during and after the recovery of the gun, and must be released unedited and in normal-speed.

Dumaguindin should be fired immediately - his commands were for Anthony McClain to STOP as in stop running. At no point did he say drop the weapon per the audio of his pursuit, although in his testimony and he said he did. The shots fired were an excessive use of force, they were fatal blows for someone who posed no threat, leaving a traffic stop. His partner assumed McClain was armed possibly even before the stop occurred, as the report says, the two were using traffic stops as a means to confiscate firearms as its PPD's most relied upon campaign, in a "stop and frisk"-like way to racially profile and criminalize communities of color in Pasadena.

An investigation on Conor Duncan should also be started, as he was on the phone with PPOA Staff and turned off his camera during an on going investigation.

SHAME ON INTERIM CHIEF JASON CLAWSON - his finding that Dumaguindin was in policy is negligible, omits the still unclear recovery of the gun, is biased, and disregards human life. There are bold faced lies in this review. By stating that McClain threw his gun across Raymond Ave and that this is supported by substantial evidence is FALSE. Although the DA's report did take this stance, it also read " The video evidence of McClain's actions at the time of the shooting are of insufficient quality to be determinative." The DA's report reviewed evidence that even when heavily scrutinized could only at most suggest hit was possible he had a gun, like Anthony's belt buckle, the posture in which he was running, and shadows that are seen for less than half a second in the Body worn camera, and the one witness who stated she saw a gun later retracted the statement saying "I was told that". None of the evidence was of a quality that could be determinative. Even the DA's report never claimed for certain that there was only substantial evidence that showed or proved Anthony threw a gun or that the gun recovered was certainly his. However, the PPD report does not discuss this

side of the story, and although Witness #7 recanted her statement, they still use it as proof that he had a gun. The images that were analyzed and zoomed into areas near McClain's waistband (where he was wearing a reflective Michael Kors belt buckle) did not with certainty prove the object was not his belt buckle and none of the images showed he threw a gun across the street, it showed objects were in the street during the following investigation. This Admin review relies entirely on LADA's investigation, analysis and findings which support PPD's view only. This means PPD barely carried out an Admin investigation of their own.

PPD has made a BOLD FACED LIE to say the evidence shows he threw a gun and that he had a gun on his chest. So bold, that they still haven't released the surveillance video they cite as proof he threw a gun (on page 4 of their report, footnote 5) in normal speed or for the entire duration of the incident and the gun recovery. If this footage could clearly prove McClain threw the gun why haven't they released it yet? McClain was running away and not creating a threat, however Dumaguindin's statement that he "feared for his life" is a classic way officers deny any accountability. Dumaguindin also lied and said he commanded to drop the gun, when he did not (his voice is clearly heard on audio), his command was for McClain to stop running.

There is also information that does not match with LADA's report in the Witness statements on page 8 of the Admin Review Report and regarding the image analysis on page 9 of the admin report. The PPD report states that Witness 5 saw a male with a white shirt holding a gun, while the DA's report states Witness 5 did not see a gun.

Dumaguindin should not have been engaging Anthony as the passenger and asking him out of the vehicle. He put himself and his partner at risk, as neither had anyone to back them up. His partner was stuck up the street and had to call for backup. However the admin review says due to case law there is no issue with this- they had to look outside the policy to determine this which is not their review is asked to do. They were asked to provide admin review not criminal.

Additionally, Clawson went so far as to write an introductory letter to his approved Admin review, saying that he as Interim Chief is the only person who can fire Dumaguindin and the case is now closed, which is false. The City Manager has the power to fire any employee and should fire Clawson, Dumaguindin, and Duncan. The incoming Chief may also make a determination.

Javier Aguilar was on the Administrative Review Board, despite making a verbal threat to Jasmine Abdullah Richards saying he was going to "stop by her mom's" home; he made this statement the day he was present at La Pintaresca Park with the Mobile Command Unit, when the City threw away Anthony McClain's vigil about one to two months after he was killed. As Ms. Abdullah Richards has demanded justice for McClain and police accountability at PPD, Aguilar's involvement on the Review Board and threatening demeanor for community members who advocate for transparency and accountability presents a clear bias and conflict of interest.

There are clear omissions of truth, lies, and conflicts of interest that went into this review.

Dumaguindin has only been asked to re-train in BWC use.

--

Adriana Bautista