

Yuba COUNTY

OFFICE OF THE DISTRICT ATTORNEY



PAX PER JUSTITIA

Report on the Investigation into the Shooting of Rick David Oliver on March 26, 2025

September 30, 2025

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INVESTIGATION OF OFFICER-INVOLVED SHOOTINGS

BACKGROUND

Pursuant to Government Code section 26500, the district attorney is the public prosecutor, responsible for initiating and conducting on behalf of the People all prosecutions for criminal offenses. This responsibility includes prosecuting law enforcement officers who unlawfully use force in the line of duty. When a law enforcement officer shoots or kills a person in the line of duty and no criminal charges are filed in court, the transparency of the charging decision is essential for accountability in our democracy. We ensure this in Yuba County by providing an independent investigation of every officer-involved shooting (“OIS”) and a public account of the incident and charging decision.

Every local law enforcement agency in Yuba and Sutter Counties has committed to an independent, professional, and transparent investigation of officer-involved shootings by their members. The Yuba-Sutter Officer-Involved Shooting and Critical Incident Investigation Team (“OIS Team”) was created to provide independent investigations of every officer-involved shooting that occurs in either county.

The OIS Team is led by the chief investigators for the Yuba and Sutter County District Attorneys. The team is made up of experienced peace officers from each of the member agencies. The multi-agency makeup and independent leadership of the OIS Team ensure the investigation is always done by impartial professionals from outside the involved officer’s agency.

Once an investigation is complete, the OIS Team refers it to the district attorney with jurisdiction over the incident. The district attorney does a legal analysis of the facts under California law, deciding if anyone should be held criminally responsible for their actions. If criminal charges are not filed against the involved officers, the district attorney issues a public report summarizing the facts and legal analysis that led to that decision.¹

Examining law enforcement agency policies, tactics, or procedures is beyond the scope of the district attorney’s legal analysis.

¹ When criminal charges are filed against any of the involved parties, the district attorney will not release any reports or evidence until after the criminal case is over. We do this to protect the right of the accused to a fair trial.

PRIVACY STATEMENT

To provide transparency, the identities of civilians and peace officers that were involved in the OIS or critical incident are made public.

The names and most identifying information of civilian witnesses that were not directly involved in the incident are redacted. The public interest in such information is limited because it is not necessary to gain an understanding of the incident or the charging decision. Thus, the interest in nondisclosure clearly outweighs any public interest in disclosure.

For reasons related to privacy and readability, the witnesses will be indexed as follows:

- Witness 1 (W-1), an overnight guest present in Oliver's residence
- Witness 2 (W-2), a friend of Oliver
- Witness 3 (W-3), the registered owner of a vehicle parked at Oliver's residence
- Witness 4 (W-4), a relative of Oliver

EXECUTIVE SUMMARY

A multi-year investigation by the Yuba Sutter Narcotic and Gang Enforcement Task Force (“NET-5”) in partnership with the United States Drug Enforcement Agency (“DEA”) into elements of a transnational drug trafficking organization (“DTO”) culminated on March 26, 2025, with federal, state, and local law enforcement agencies serving 20 search warrants throughout Yuba, Tehama, Sutter, and Butte Counties.

Rick David Oliver was the target of one of those search warrants. NET-5 agents had identified Oliver as a street-level methamphetamine dealer supplied by the DTO under investigation. Unbeknownst to law enforcement, Oliver spent the night before the operation smoking methamphetamine at his house with friends. He consumed so much methamphetamine that an autopsy revealed he had 5,000 ng/mL of methamphetamine in his blood, over ten times the level known to cause hallucinations and violent irrational behavior.

On March 26, 2025, at 7:49 a.m., law enforcement officers working as a tactical team for the operation arrived at 1720 Kestrel Court in Olivehurst to help serve the search warrant at Oliver’s residence. Prior to entering the residence, they used a public address system to notify anyone in the home that they were there to serve a search warrant. The uniformed officers then entered the house, yelling “Sheriff” or “Police” and “Search warrant!” The team began methodically searching the house to locate and detain anyone inside.

Yuba County Sheriff’s Sergeant Daniel Trumm was the first team member to enter the master bedroom, followed immediately by Marysville Police Officer Osmar Rodarte. As he entered the room, Sergeant Trumm heard Oliver quietly say, “Don’t do it, don’t do it.” He saw Oliver standing in the southeast corner of the bedroom, mostly concealed behind a stack of large opaque blue and black plastic storage totes. Sergeant Trumm again announced, “Sheriff’s office,” and Oliver repeated louder, “Don’t do it.”

Oliver was between the foot of the bed and a dresser on the east wall. The dresser had a mirror behind it. Light was flooding in from the open bedroom window to the back yard. Sergeant Trumm could see Oliver “bobbing” back and forth but could not see his hands.

Both Sergeant Trumm and Officer Rodarte ordered Oliver to show his hands. He did not.

The master bedroom had an attached bathroom. The opening to the bathroom was on the north wall of the bedroom and would have been behind Sergeant Trumm as he moved into the room. Officer Rodarte told Sergeant Trumm, “Got your back,” and moved along the north wall to check the bathroom for anyone else who could pose a danger.

Sergeant Trumm stepped further into the bedroom, trying to see around the plastic totes. From his new vantage, Sergeant Trumm caught Oliver’s reflection in the mirror above the dresser. He could see that Oliver was holding a large, silver revolver, pointed down. Sergeant Trumm moved to his left and yelled, “He’s got a gun! Got a gun!”

At that moment, Officer Rodarte was standing in the threshold facing into the bathroom with his back toward the bedroom. Officer Rodarte spun back towards Oliver, leading with his rifle. Officer Rodarte and Oliver both fired just as Trumm finished yelling the warning. Sergeant Trumm, hearing the gunfire and seeing a bright flash from Oliver, was in fear for their lives. Sergeant Trumm fired his rifle at Oliver through the plastic totes. Officer Rodarte and Oliver both fell to the floor.

The time from the moment Sergeant Trumm saw the revolver to the shooting being over was less than four seconds. The single bullet fired by Oliver from a .357 Magnum revolver hit Officer Rodarte in his left side, below his protective armor. Bullets fired by Sergeant Trumm and Officer Rodarte struck Oliver a combined seven times. Law enforcement personnel provided medical aid to Oliver and Officer Rodarte until medical professionals arrived and took over care. Despite the best efforts of law enforcement and medical personnel, both Oliver and Officer Rodarte died from their injuries.

The OIS Team investigated the incident, interviewing witnesses and collecting evidence, such as shell casings, firearms, and video from body-worn cameras. The OIS Team documented their investigation in reports and provided the evidence to the Yuba County District Attorney.

After reviewing the investigation and evidence, the Yuba County District Attorney has determined that Officer Rodarte and Sergeant Trumm were legally justified in using deadly force because they were acting in self-defense and/or defense of others. This report is the final step in the District Attorney's review of the death of Rick David Oliver.

SUMMARY OF THE INCIDENT

The Operation

The Drug Trafficking Investigation

For over a year, the Yuba Sutter Narcotic and Gang Enforcement Task Force (“NET-5”), in partnership with the United States Drug Enforcement Agency (“DEA”), investigated an element of an international drug trafficking organization (“DTO”) that was transporting methamphetamine, fentanyl, and other drugs from Mexico into California. The DTO was distributing these drugs to street-level dealers throughout Northern California, including in Yuba and Sutter Counties. Having built a case against the major participants, NET-5 and the DEA determined it was time to take down the operation and arrest everyone from the traffickers down to the street-level dealers.

Search warrants were written for 20 locations, including 15 in the Yuba-Sutter area, associated with the traffickers or street-level dealers. Each search warrant was reviewed and approved by a federal or state judge.

NET-5 Commander Mike Johnson had overall responsibility for the operation in Yuba and Sutter Counties. Assisting him with planning and supervising the operation was NET-5 supervisor and Yuba City Police Sergeant Brian Thornton. At their request, multiple law enforcement agencies agreed to provide personnel to assist in the operation.

After the date was set, Sergeant Thornton organized over 125 personnel into search, tactical, and support teams. Sergeant Thornton assigned one search team for each of the 15 locations in the Yuba-Sutter area, designating an experienced law enforcement officer to serve as the case agent for each location. Each of the teams was asked to do a knock-and-notice dynamic entry to secure the location. This is a common tactic used in serving search warrants for drugs to prevent the destruction of evidence.

A risk assessment was done and none of the locations posed high enough risk to require a SWAT operation.² However, personnel with SWAT experience were organized into three tactical teams (TAC1, TAC2, and TAC3) that were designated to act as a quick-reaction force (if needed) and to secure the locations that posed the most risk. Yuba County Sheriff’s Lieutenant Chad Watson and Sutter County Sheriff’s Lieutenant Rajinder Gill were assigned to command the tactical teams for the operation.

Kestrel Court Warrant Service

Sutter County District Attorney Lieutenant Mercey Garcia was assigned as the case agent in charge of the search team for Oliver’s residence. Lieutenant Garcia has been a peace

² Special Weapons and Tactics Teams (“SWAT”) are specialized law enforcement teams trained to handle high-risk situations beyond the capabilities of regular patrol officers.

officer for over 23 years. He has held multiple assignments in his career, including several years spent working as an agent for NET-5.

Lieutenant Garcia's ad hoc team consisted of himself and five law enforcement officers from the Yuba County District Attorney's Office and Yuba County Sheriff's Office. They each wore ballistic vests with patches identifying them as police or sheriff.

The operation plan called for Lieutenant Garcia's team to secure and search the Kestrel Court location. The operation at Kestrel Court was considered lower risk because Oliver did not have a history of violence or firearm possession. The day before the search, Lieutenant Garcia noticed a vehicle at Oliver's residence that was registered to W-3, a man with a history of violence. Lieutenant Garcia informed Sergeant Thornton that his team would conduct a "surround and call out"³ rather than a dynamic entry because of W-3 possibly being inside the residence.

The next morning, Sergeant Thornton asked Yuba County Sheriff's Lieutenant Watson if one of the tactical teams would do a dynamic entry to secure the Kestrel Court location. Sergeant Thornton had reliable information that W-3 lived elsewhere and believed based on prior surveillance that W-3 was not associated with Kestrel Court.⁴ He told Lieutenant Watson that the risk level still did not warrant a SWAT operation, but he wanted a tactical team to secure the residence. Lieutenant Watson analyzed the request and determined that TAC2 could handle Kestrel Court after securing their primary site in Yuba City.

The members of TAC2 secured their first location in Yuba City, and then drove to Yuba County to meet the search team. After a briefing, the teams drove to Kestrel Court.

Involved Law Enforcement Officer(s)

On March 26, 2025, TAC2 consisted of a team leader, assistant team leader, crisis negotiator, two firefighters/EMTs, and six law enforcement officers. The team members assigned to serve on TAC2 were members of the Yuba-Sutter Regional Special Weapons and Tactics Team ("SWAT"). They were wearing ballistic helmets, plate carriers with protective armored plates, and green tactical uniforms with patches identifying them as police or sheriff. They also had shoulder patches for the Yuba-Sutter Regional SWAT Team and/or their home agency.

Yuba County Sheriff's Sergeant Daniel Trumm

On March 26, 2025, Sergeant Trumm served as the team leader for TAC2. Sergeant Trumm has worked as a Deputy Sheriff for ten years. He has served in patrol and detectives and was assigned to patrol in March 2025. He also served on the SWAT team. Assigned to the Yuba-Sutter Regional SWAT Team for six years, Trumm has served as a team member, sniper, assistant team leader, and team leader. He was equipped with a

³ Surround and call out refers to a tactic where officers establish a perimeter around a location and call the people inside to come out and surrender.

⁴ Investigators determined W-3 had no connection to the house; Oliver had recently bought the car registered to him.

5.56 NATO caliber rifle and a 9mm caliber pistol. Sergeant Trumm was not wearing a body-worn camera, having neglected to pick it up from the office that morning.

Marysville Police Officer Osmar Rodarte

Officer Rodarte was assigned as a team member on TAC2 on March 26, 2025. A United States Army veteran, Officer Rodarte was 27 years old. He had served as a police officer working patrol for two years. Officer Rodarte joined the Yuba-Sutter Regional SWAT Team in October 2024. He was equipped with a 5.56 NATO caliber rifle and a 9mm caliber pistol. He had a body-worn camera mounted on his plate carrier. The plate carrier had level III armored plates in the front and back, and soft ballistic side panels. Officer Rodarte also carried a ballistic shield used during breaching operations.



Figure 001 – Still image taken from Yuba City Police Officer Ernst’s body-worn camera, showing Officer Rodarte on the way to Kestrel Court.

Involved Citizen

Rick David Oliver was 60 years old on March 26, 2025. He had been identified by NET-5 agents as a street-level methamphetamine dealer supplied by the DTO.

He worked as a heavy equipment operator but was unemployed due to an injury. He was a white male, weighing approximately 216 pounds, and was approximately 5 feet 9 inches tall. He lived alone at 1720 Kestrel Court.

Oliver was a registered sex offender, with prior convictions for soliciting lewd acts in public, indecent exposure, and felony unlawful sexual intercourse with a minor. He also

had a history of drug offenses and failing to appear in court. As a felon, Oliver was prohibited from legally acquiring or possessing a firearm or ammunition.

The investigation after the OIS confirmed Oliver routinely used and sold methamphetamine. Investigators learned he spent the night before the operation smoking methamphetamine with friends at his house. A witness said they smoked methamphetamine provided by Oliver until midnight, describing Oliver's behavior as "hyper."

Based on toxicology from the autopsy, it is apparent that Oliver had consumed a significant amount of methamphetamine. His blood concentration of methamphetamine (5,000 ng/mL) was well above levels known to cause users to exhibit violent and irrational behavior, restlessness, confusion, and hallucinations.

The Crime Scene

The incident took place at a residence located at 1720 Kestrel Court in Olivehurst, an unincorporated area in Yuba County.

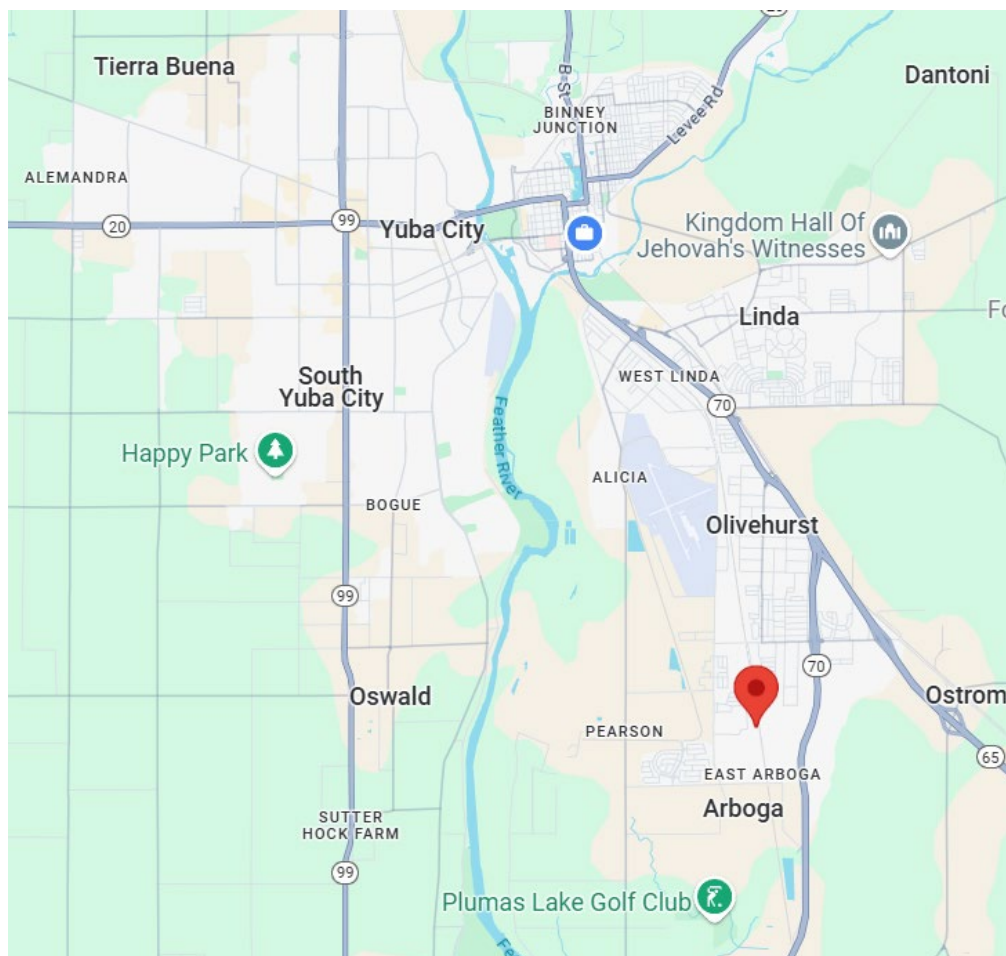


Figure 002 – Screenshot from Google Maps with pin marking location of 1720 Kestrel Court.

The residence at 1720 Kestrel Court is a single-story home with three bedrooms and two bathrooms. The house has 1,635 square feet of living space plus a two-car garage. The house faces northwest and is situated on a large lot at the end of a cul-de-sac.

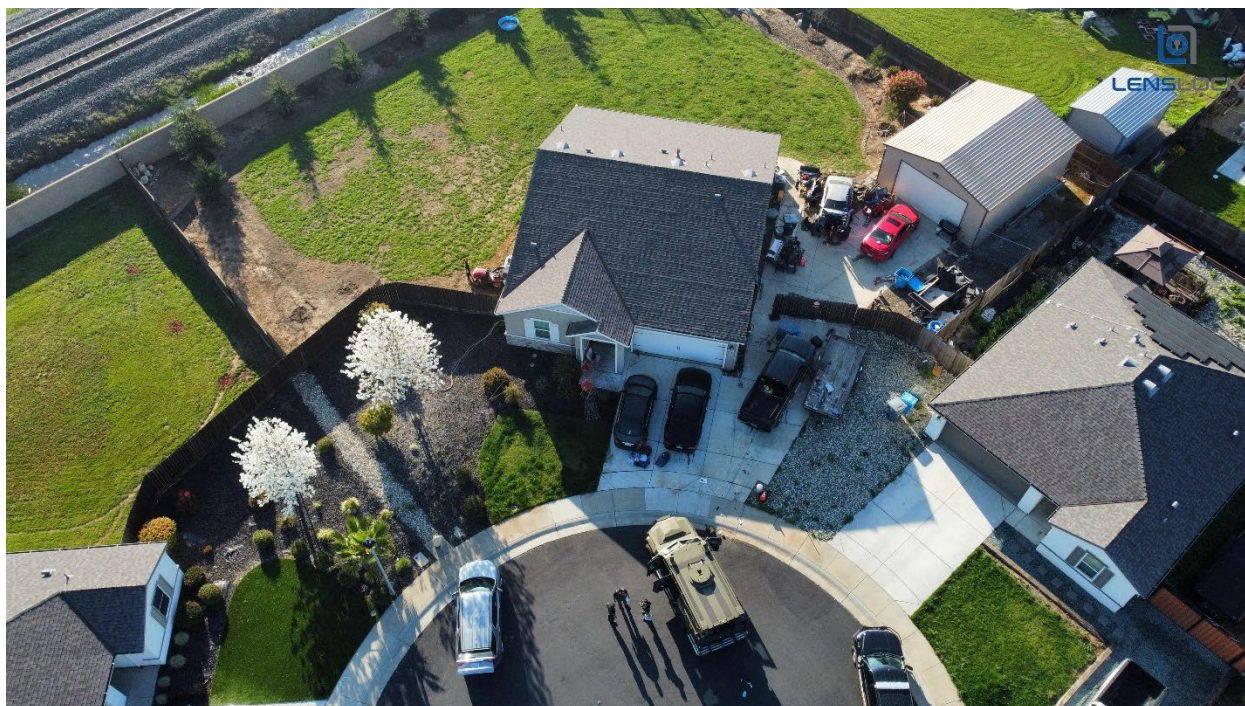


Figure 003 – Photo taken from a drone on March 26, 2025, showing the residence and surroundings.

The Officer-Involved Shooting

The Dynamic Entry

On March 26, 2025, at 7:49:05 a.m., TAC2 arrived at 1720 Kestrel Court, riding in and on a nine-ton armored truck known as a “Bearcat.” The massive truck is painted green with “SHERIFF” stenciled on each side. The truck is also equipped with flashing red and blue lights in the front and a public address system.

Figure 004 – Still image taken by DOJ personnel of the Bearcat parked in front of the house.



The driver stopped the truck in the street just before the sidewalk and directly in front of the house at 1720 Kestrel Court. Yuba County Sheriff's Deputy Nicholette Rocco, the team's crisis negotiator, immediately began making announcements over the public

address system, repeating the following over and over: “This is the Yuba County Sheriff’s Department with a search warrant for 1720 Kestrel Court, exit the residence at this time.”

Lieutenant Garcia’s search team followed behind the Bearcat in both marked and unmarked law enforcement vehicles. The search team got out and secured a perimeter around the front as TAC2 approached the house.

After waiting 18 seconds, Yuba County Sheriff’s Deputy Tennigkeit threw a noise-flash diversionary device near the front porch of the residence. The device makes a loud bang and a bright flash and is used to create a distraction.



Figure 005 – Still image taken from Officer Zavala’s body-worn camera, showing members of TAC2 moving towards the house, and a search team member getting out of a marked YCSO patrol vehicle.

At 7:49:25 a.m., Yuba City Police Officer Juan Zavala completed the breach of the gate to the side yard. Eight members of TAC2 entered the side yard and quickly moved to the back yard. Officer Rodarte took the lead as they rounded the southwest corner of the house into the back yard, holding a ballistic shield in front of his head and upper body as they approached an open sliding-glass door at the rear of the house.

The two windows that faced the back yard, and the sliding-glass door, were all open. The TAC2 members passed right by the open master bedroom window. The blinds in the window were only three-quarters of the way down. As they passed the window, the team members were loudly communicating with one another about where to make entry and a dog that came running out of the open sliding-glass door.



Figure 006 – Still image taken from Officer Zavala’s body-worn camera, showing Officer Rodarte rounding the corner with the shield. Notice the master bedroom window (furthest left) is open.



Figure 007 – Still image taken from Officer Zavala’s body-worn camera, showing Officer Rodarte approaching the open sliding-glass door with a ballistic shield, followed by other team members.

At 7:49:43 a.m., Sergeant Trumm bellowed, “Sheriff’s office, search warrant,” before entering the house through the open sliding-glass door, followed by the team. Officer Rodarte set down the ballistic shield before proceeding inside with his rifle ready. After

entering, the team began methodically searching for anyone inside, shouting as they went, “Sheriff’s office,” or “Police,” and “Search warrant!”

W-1, an overnight guest, was inside Oliver’s residence when the tactical team entered. He heard a “bang” and men yelling, “Sheriff’s department!” W-1 laid down on the floor. Marysville Police Sergeant Souza located W-1 inside the guest bathroom and detained him without incident.

Inside the Master Bedroom

Sergeant Trumm announced, “Sheriff’s office,” again just before entering the open door to the master bedroom at 7:49:53 a.m., immediately followed by Officer Rodarte.



Figure 008 – Still image taken from Officer Zavala’s body-worn camera, showing Sergeant Trumm (far left) entering the master bedroom, followed by Officer Rodarte.

As he entered the room, Sergeant Trumm heard Oliver quietly say, “Don’t do it, don’t do it.” He saw Oliver standing in the southeast corner of the bedroom, mostly concealed behind a stack of large opaque blue and black plastic storage totes. Sergeant Trumm again announced, “Sheriff’s office,” and Oliver repeated louder, “Don’t do it.”

Oliver was between the foot of the bed and a dresser on the east wall. The dresser had a mirror behind it. Light was flooding in from the open bedroom window to the back yard. Sergeant Trumm could see Oliver “bobbing” back and forth but could not see his hands.

Both Sergeant Trumm and Officer Rodarte ordered Oliver to show his hands. He did not.

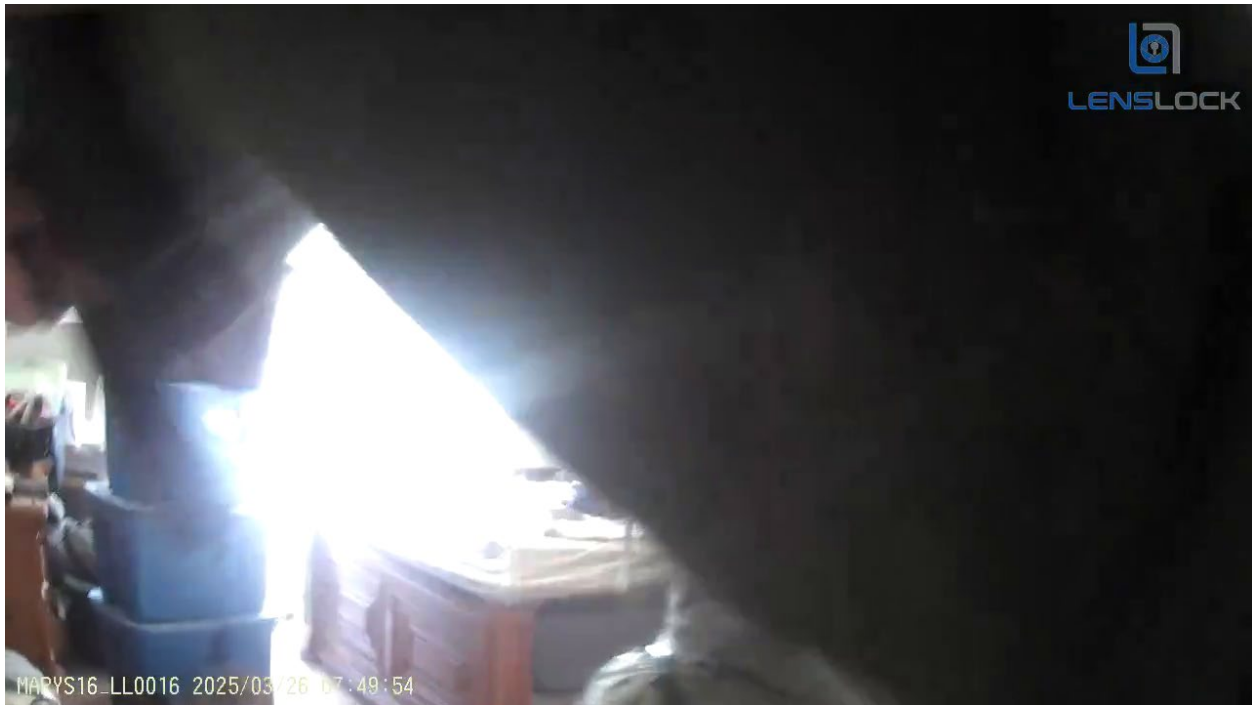
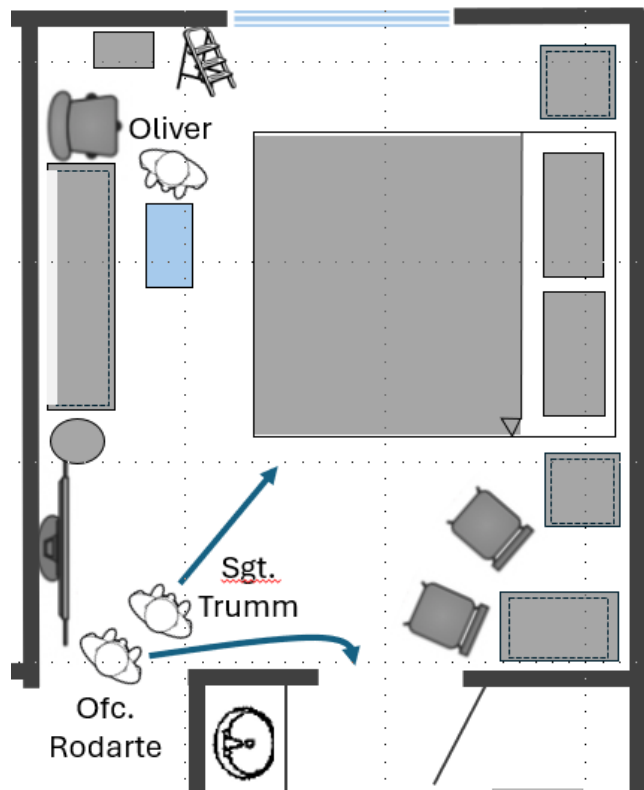


Figure 009 – Still image taken from Officer Rodarte’s body-worn camera, showing the stacked storage totes between the dresser and the foot of the bed. Oliver was hiding behind the totes with a loaded .357 Magnum revolver. Notice the light coming from the open bedroom window; the team had passed that window only seconds before. Sergeant Trumm’s gear on his left hip can be seen at the bottom of the image. Much of the view is obscured by Officer Rodarte’s arm and rifle.

The master bedroom had an attached bathroom. The opening to the bathroom was on the north wall of the bedroom and would have been behind Sergeant Trumm as he moved into the room. Officer Rodarte told Sergeant Trumm, “Got your back,” and moved along the north wall to check the bathroom for anyone else who could pose a danger.

Figure 010 – Diagram showing initial positions of Sergeant Trumm, Officer Rodarte, and Oliver in the master bedroom. The blue rectangle in front of Oliver represents the stack of storage totes he was concealed behind. The blue arrows show the likely paths of Officer Rodarte and Sergeant Trumm as they moved further into the room to check the bathroom and see around the totes, respectively.



Sergeant Trumm moved further into the room, trying to look around the storage totes. From his new vantage, Sergeant Trumm caught Oliver’s reflection in the

mirror above the dresser. He could see that Oliver was holding a large, silver revolver, pointed down. Sergeant Trumm moved off line to his left and yelled, “He’s got a gun! Got a gun!”

At that moment, Officer Rodarte was standing in the threshold facing into the bathroom with his back toward the bedroom. Officer Rodarte spun back towards Oliver, leading with his rifle. From the bathroom threshold, Officer Rodarte would have been able to see Oliver standing in the southeast corner of the bedroom behind the totes.

Figure 011 – Diagram showing Sgt. Trumm stepping off line to his left and Ofc. Rodarte spinning back toward the threat.

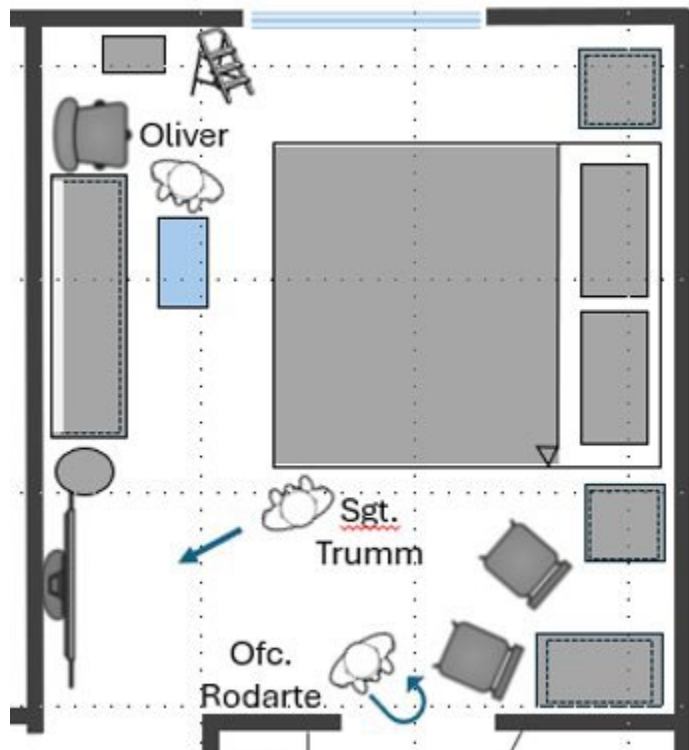


Figure 012 – Still image taken from Officer Rodarte’s body-worn camera as he spun back toward the threat, showing a glimpse of Oliver’s left side (left edge of image). This was the only view of Oliver captured by Officer Rodarte’s body-worn camera. Oliver was wearing red boxer briefs and socks. It appears Oliver was in a bladed stance relative to Officer Rodarte. It also appears that Officer Rodarte is pointing his rifle at Oliver. This image was captured less than a second before shots were fired.

Officer Rodarte and Oliver both fired just as Trumm finished yelling the warning. Sergeant Trumm, hearing the gunfire and seeing a bright flash from Oliver, was in fear for their lives. He fired his rifle at Oliver through the plastic totes. Officer Rodarte and Oliver both fell to the floor.

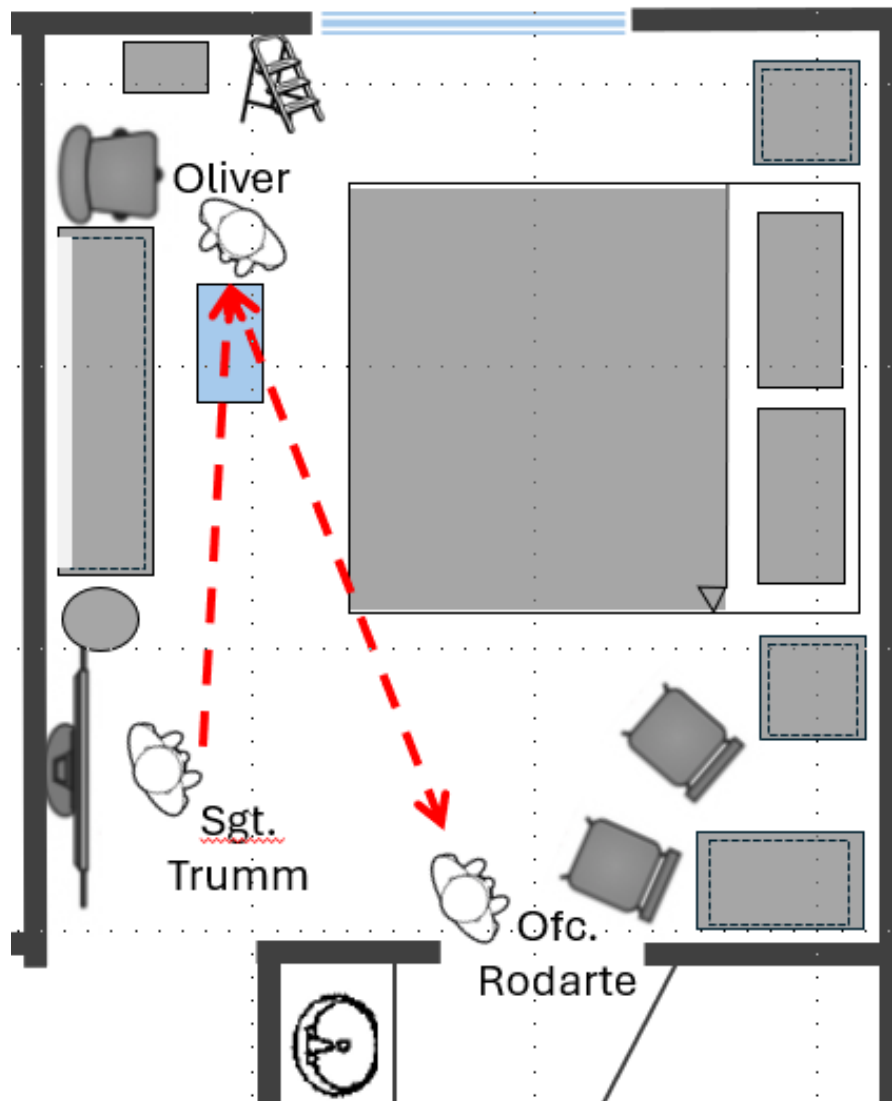


Figure 013 – Diagram of bedroom (not to scale) with likely positions of Sergeant Trumm, Officer Rodarte, and Oliver at the time they each fired, based on trajectory analysis, cartridge casings, and autopsies.

In less than two seconds, Sergeant Trumm fired six rounds and Officer Rodarte fired four, striking Oliver a combined seven times. The rifle bullets fragmented upon impact, injuring Oliver's lungs and heart, killing him within seconds.

The single bullet fired by Oliver from the .357 Magnum revolver hit Officer Rodarte in his lower left abdomen, below his belly button and his protective armor. The bullet, traveling front to back, left to right, and slightly downward severely damaged Officer Rodarte's left iliac artery and lodged in his right hip bone. The massive blood loss from the damaged artery led to Officer Rodarte's death within just a few minutes.

Assistant team leader Sergeant Mallory heard the shots, and immediately went to the master bedroom, finding Sergeant Trumm just inside the room.

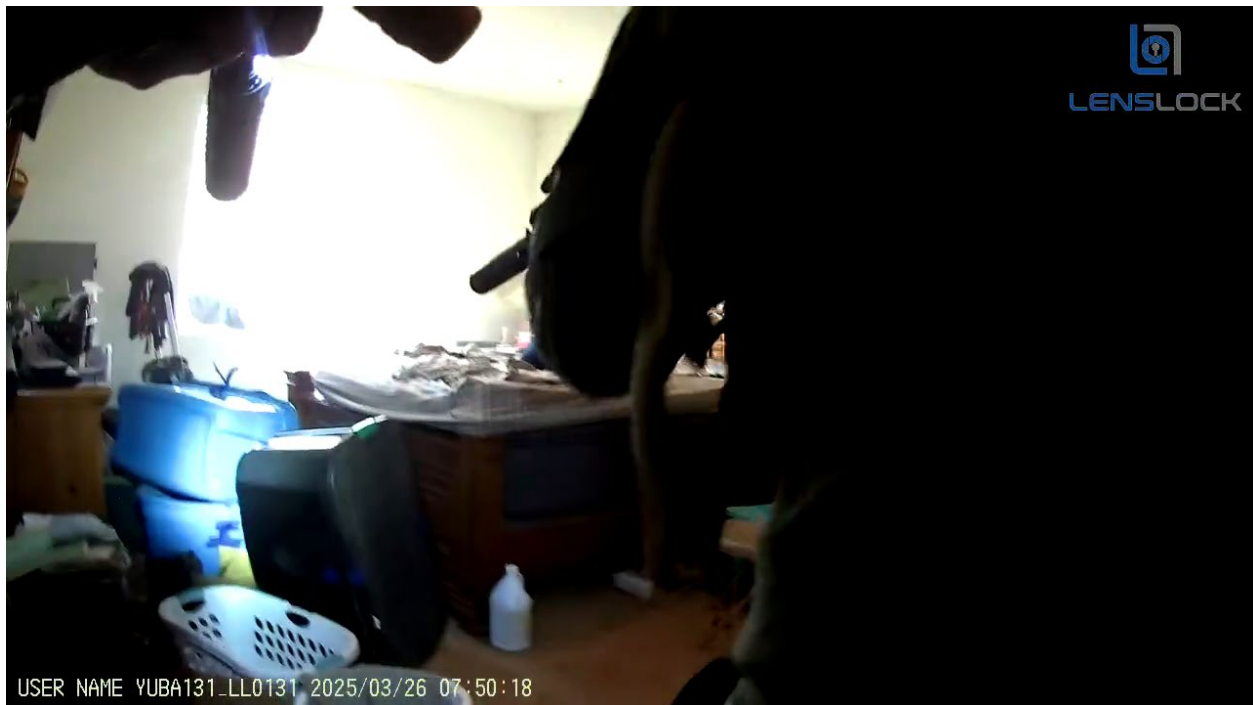


Figure 014 – Still image taken from Sergeant Mallory's body-worn camera, showing his first view of the master bedroom as he linked up with Sergeant Trumm, who is seen on the right side of the photo.

Sergeant Trumm and Deputy Tennigkeit went to help Officer Rodarte. They realized they needed to get him medical aid as quickly as possible. They moved Officer Rodarte out of the house to the team's medics.

While Sergeant Trumm focused on Officer Rodarte, Sergeant Mallory moved forward and discovered Oliver lying on the floor between the bed and the dresser.



Figure 015 – Still image taken from Sergeant Mallory's body-worn camera, showing Oliver lying on and under the storage totes. (Oliver's body has been obscured in the photo.) Note: the timestamp on Sergeant Mallory's video was seven seconds ahead of Officer Rodarte's timestamp.

While Yuba City Police Officer Ernst provided cover, Sergeant Mallory tossed the totes aside and searched around Oliver, finding a Smith and Wesson .357 Magnum revolver on the floor between Oliver and the dresser. Sergeant Mallory placed the revolver on the dresser and began medical aid for Oliver.



Figure 016 – Still image taken from Sergeant Mallory's body-worn camera, showing the .357 Magnum revolver next to Oliver's body. (Oliver's body has been outlined and obscured in the photo).

Law enforcement personnel provided medical aid to Oliver until medical professionals arrived and took over care. Bi-County Ambulance Paramedic Keith Halsey pronounced Oliver dead at the scene at 8:07 a.m. Officer Rodarte was transported to Adventist Rideout Hospital. Despite the best efforts of law enforcement, emergency medical personnel, and hospital staff to resuscitate him, Officer Rodarte was pronounced dead at 8:42 a.m.

INVESTIGATION

OIS Team Response

The Yuba-Sutter Officer-Involved-Shooting and Critical Incident Investigation Team ("OIS Team") activated within minutes. Three OIS Team members were at the scene at the time of the shooting because they were assigned to search Kestrel Court once TAC2 secured the residence. They preserved the scene until Sutter County District Attorney Chief Investigator Brandon Oakley arrived and assumed charge of the investigation. Chief Oakley requested additional assistance from the California Department of Justice Bureau of Forensic Services and the Butte County District Attorney's Office.

Scene Investigation

Criminalists from the California Department of Justice Bureau of Forensic Services (“DOJ”) processed the scene.

DOJ Criminalist Wallace collected nine fired 5.56 NATO cartridge casings from the floor in the master bedroom, and one from the bathroom floor.



Figure 017 – Photo taken by DOJ personnel of evidence markers 15 – 18, marking the locations of four of the 5.56 NATO cartridge casings. The casing collected from the bathroom floor as Item 17 was determined to have been fired from Officer Rodarte’s rifle. The other three in this photo were fired from Sergeant Trumm’s rifle. The bedroom door where Sergeant Trumm and Officer Rodarte entered the room can be seen in the top-right of the photo. The totes, which were filled with marijuana, spilled onto the floor.



Figure 018 – Photo taken by DOJ personnel of two 5.56 NATO cartridge casings that ended up under the bed. One of them, Item 24, was fired from Trumm’s rifle, and the other, Item 25, from Rodarte’s.

DOJ criminalists collected all the firearms that were discharged during the incident.



Figure 019 – Photo taken by DOJ personnel of the loaded Smith & Wesson Model 66-2 revolver chambered in .357 Magnum. You can see the dent in the primer of the fired cartridge.



Figure 020 – Photo taken by DOJ personnel of Sergeant Trumm's rifle.



Figure 021 – Photo taken by DOJ personnel of Officer Rodarte's rifle.

DOJ Criminalists worked to document bullet impacts and determine trajectories.

The fitted sheet on the bed was pulled over the wood posts on the footboard. Criminalists located entry and exit holes in the corner of the fitted sheet and a bullet strike across the top of the post. The damage to the top of the post suggested the bullet was traveling downward from the area of the bathroom door toward the corner of the room where Oliver had been hiding.



Figure 022 – Photos taken by DOJ personnel, showing the damage to the top of the bedpost, and the pink trajectory rod placed through the bullet holes, showing the direction from the bathroom.

DOJ criminalists located four bullet holes in the south wall.

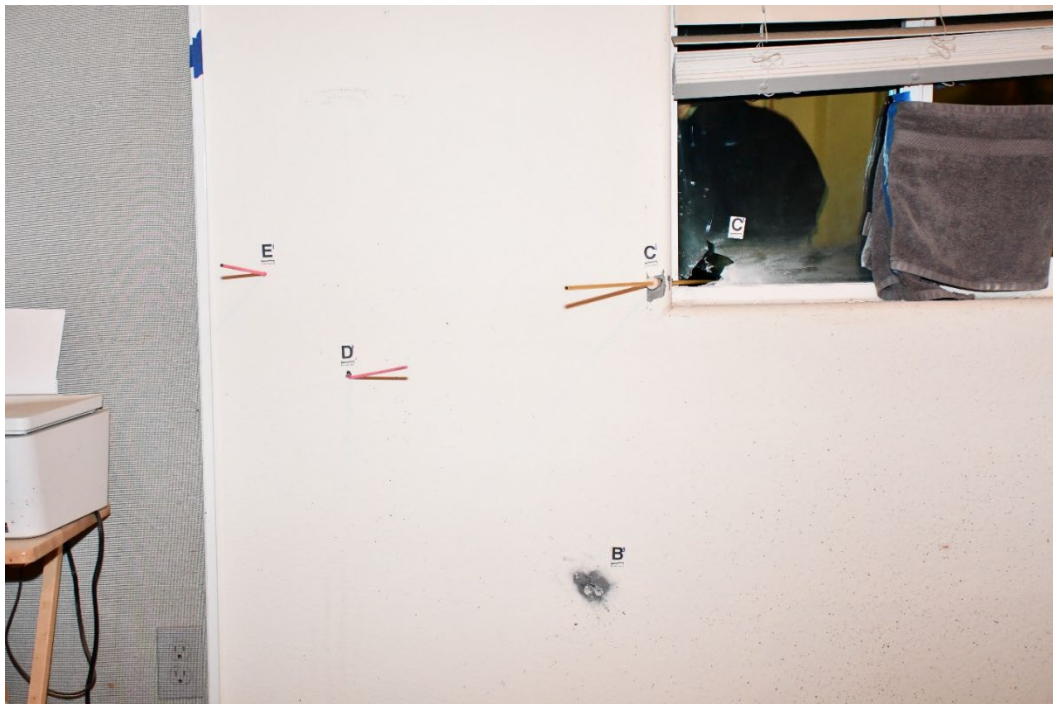


Figure 023 – Photo taken by DOJ personnel of the four bullet holes in the south wall.

The trajectories of the bullets that impacted the south wall were consistent with being fired by either Sergeant Trumm near the bedroom door or Officer Rodarte from the threshold to the bathroom. The criminalists also documented blood spatter on the southeast end of the bed, the printer, and the south wall, indicating Oliver was likely in that area when he was shot.

The DOJ criminalists noted the presence of marijuana on the floor and in totes throughout the bedroom. Several of the totes had bullet holes. They located a bag on the bed with a crystalline powder that was consistent with methamphetamine, and a glass smoking device.



Figure 024 – Photos taken by DOJ personnel of the meth, pipe, and one of the totes with marijuana.

After the DOJ criminalists finished processing the scene, NET-5 agents seized the controlled substances and drug paraphernalia. They seized 5.3 grams of methamphetamine and 15 pounds of marijuana.

Involved-Officer Round Counts

OIS Team investigators checked the equipment and weapons of the involved officers and performed an inventory or “round count” of each weapon and magazine. The round count allows the investigators to determine the approximate number of cartridges fired from each weapon during the OIS.

Investigators determined that the only weapons fired were Sergeant Trumm’s and Officer Rodarte’s rifles, finding that Sergeant Trumm’s rifle had one unfired cartridge in the chamber and 22 unfired cartridges in the magazine, and Officer Rodarte’s rifle had one unfired cartridge in the chamber and 23 unfired cartridges in the magazine.

While the 30-round magazines used by Sergeant Trumm and Officer Rodarte can hold 30 cartridges, they are generally only loaded with 28 or 29 cartridges to avoid feeding problems. Based on the round count, investigators determined the following:

- Sergeant Trumm had 23 cartridges remaining, indicating he fired 5 to 7 rounds;
- Officer Rodarte had 24 cartridges remaining, indicating he fired 4 to 6 rounds.

The round count is consistent with the forensic firearm analysis, which found that six of the fired casings found at the scene were fired from Sergeant Trumm's rifle, and four from Officer Rodarte's.

Involved-Party Interviews

YCSO Sergeant Daniel Trumm

Sutter County Sheriff's Sergeant John Lopez and Yuba City Police Detective Joe Swallow interviewed Sergeant Trumm on March 28, 2025. Sergeant Trumm agreed to speak with the investigators and gave a voluntary statement.

Sergeant Trumm had been employed as a deputy sheriff for the Yuba County Sheriff's Office for eight years. He worked for the Glenn County Sheriff's Office for two years prior to coming to Yuba. Sergeant Trumm has been assigned to the Yuba-Sutter Regional SWAT Team for six years. He has served as a team member, sniper, assistant team leader, and team leader.

On March 26, 2025, Sergeant Trumm was assigned as a team leader for the tactical team assigned to secure the residence at 1720 Kestrel Court. The team had been briefed that morning about the residence and the possible threats, including Rick Oliver and W-3. They planned their entry and started toward the residence in the Bearcat.

When they arrived, they approached the residence while their crisis negotiator made announcements. They waited 20 seconds before breaching the side gate and entering the backyard. Sergeant Trumm was with the lead element of the team as they approached an open door at the back of the house. Some of the men briefly "froze" when a dog came out of the door. Sergeant Trumm took the lead to keep the team moving. He was the first to enter the residence.

Once inside, Sergeant Trumm quickly cleared the kitchen and living room. He went to the left and entered the master bedroom, hearing "something very softly, like a guy talking," making statements as if he was talking to himself. The person speaking was Rick Oliver. He was saying something to the effect of "don't do it, don't do it." The speech drew Sergeant Trumm's attention to the totes stacked between the bed and the dresser. He could see Oliver standing behind the totes, bobbing back and forth.

Sergeant Trumm began edging into the middle of the room to try to see around the totes. When he got almost to the middle of the room, Sergeant Trumm could see Oliver's reflection in the mirror above the dresser. Oliver was moving back and forth and holding a silver revolver by the grip. Oliver had the gun pointed down.

When Sergeant Trumm saw the gun, he started to back up toward the bedroom door, yelling, "He's got a gun! Got a gun!" He was aware that one of his teammates was with him, but he did not know where his teammate was located. As he moved back, he lost sight of the reflection of the gun in the mirror.

What seemed like a second or two later, Sergeant Trumm heard a “really loud” bang and saw a flash coming from Oliver’s direction. Immediately after the bang, Sergeant Trumm heard gunshots coming from his right, which he believed to be fired by his teammate. Believing that Oliver was trying to kill him or his teammate and fearing for their lives, Sergeant Trumm fired at Oliver through the storage totes.

Sergeant Trumm saw the totes move and believed Oliver had fallen. He moved forward and saw that Oliver was down. At that moment, Sergeant Trumm heard Officer Rodarte say he had been hit. Sergeant Trumm heard other team members enter the room. He began trying to assist Officer Rodarte. Sergeant Trumm and Deputy Tennigkeit helped move Officer Rodarte out of the house through the front door to their team’s medics.

Witness Interviews

Investigators interviewed 16 law enforcement personnel that were at the scene but not directly involved in the shooting. They also interviewed eight medical personnel that helped provide aid to Officer Rodarte and Oliver on scene. Investigators canvassed the neighborhood, talking to neighbors who had heard the search warrant announcements and the bang from the diversion device. OIS Team investigators also followed-up with witnesses who could help determine the events that led up to the incident. The following witnesses were the most helpful in filling in details surrounding the incident.

YCSO Sergeant Braden Mallory

On March 26, 2025, Butte County District Attorney Investigators Brown and Parsons interviewed Yuba County Sheriff’s Sergeant Mallory.

Sergeant Mallory was assigned as the assistant team leader for TAC2. He was approximately the third man to enter the house at 1720 Kestrel Court. The first two men went to the left toward the master bedroom, so Mallory went right down the other hallway. Sergeant Mallory was clearing a small laundry room when he heard shots fired in the next room. He moved to the room and found Sergeant Trumm standing in the doorway. He said Sergeant Trumm directed him toward Oliver, who was down in the bedroom. Sergeant Trumm then moved Officer Rodarte out of the bedroom.

Officer Ernst provided cover while Sergeant Mallory checked Oliver, finding a silver revolver lying next to him. Sergeant Mallory picked up the revolver and put it on a dresser. Sergeant Mallory saw Oliver had suffered multiple gunshot wounds. He began rendering first aid to Oliver, placing a dressing over one of the wounds before beginning CPR. Sergeant Mallory was relieved a short time later by medical personnel.

MPD Sergeant Ryan Souza

On March 26, 2025, Yuba City Police Detective Nunes interviewed Marysville Police Sergeant Ryan Souza at Rideout Hospital.

Sergeant Souza said he was the second team member to enter the residence. Sergeant Souza announced, "Police department, search warrant!" They crossed the open family room and kitchen and stopped at a T-intersection. Sergeant Souza and Deputy LaRue went right, and the other team members went left.

There was a bathroom to the right off the hallway, where Sergeant Souza encountered W-1. As soon as he saw W-1, he heard four to six muffled gunshots behind him. He heard, "Shots fired!" and told W-1 to get down. Souza put handcuffs on W-1 and told him to stay in the bathroom. After the residence had been secured, W-1 was taken outside.

W-1

Yuba City Police Detective Joe Swallow interviewed W-1 on March 26, 2025, at the Yuba County Sheriff's Office.

W-1 said he was friends with W-2, who dated Oliver and lived at a residence on "Krestel Court." W-1 said he met up at midnight with W-2 to do laundry. They went to a laundromat in Wheatland and did laundry, returning to the residence as it got light.

W-1 said he went inside the residence to charge his phone. He was walking out of the bedroom at the front of the house when he heard a loud "bang," followed by men yelling, "Sheriff's department," and other things he couldn't make out. W-1 said he was scared for his life, so he laid down on the ground and waited. After a short period of time, men carrying weapons came into the home and put him in handcuffs. They brought him outside and then to the Yuba County Sheriff's Office.

W-1 said he did not know Rick Oliver well. W-1 said that Oliver was the on-again-off-again boyfriend of W-2. He said that W-2 told him that Oliver was "paranoid" and depressed since his son died in a car accident. W-1 said he never saw any drugs in the house.

W-2

On April 2, 2025, Sutter County District Attorney Investigator Benjamin Beecham interviewed W-2.

W-2 had known Rick Oliver for over two years. During the six weeks prior to March 26, 2025, W-2 learned that Oliver used and sold methamphetamine. W-2 purchased an "8 ball" of methamphetamine from Oliver on multiple occasions.

On the evening of March 25, 2025, W-2 hung out at Kestrel Court residence with Oliver, their mutual friend, W-1, and a relative of Oliver, W-4. Oliver had a clear glass bong loaded with methamphetamine on the kitchen counter. They all smoked methamphetamine from the bong from about 8:00 p.m. until midnight. Oliver was hyper, which was normal when he was smoking methamphetamine.

W-2 left around midnight but returned around 5:00 a.m. because W-1 had asked to do laundry. W-2 picked W-1 up and they went to Wheatland to do laundry. They returned to

Oliver's residence after doing laundry. Oliver's door was shut, and W-2 did not see Oliver. W-1 and W-2 watched about 30 minutes of a movie together, and W-2 left the house.

Review of Video Evidence

OIS Team members collected all available video⁵ evidence, finding that, while there were multiple videos of the entry into the house and the aftermath, the video from Officer Rodarte's body-worn camera was the only recording inside the master bedroom during the shooting.

Officer Rodarte's body-worn camera was mounted on his plate carrier. (See Figure 025.) The camera's view was often obstructed by his arm and rifle. In the video, Oliver can be heard but not seen behind the storage totes when Officer Rodarte entered the room. (See Figure 009.) The only glimpse of Oliver on the video is just before shots were fired, as Officer Rodarte spun back toward Oliver, revealing a glimpse of Oliver's left side. (See Figure 012.) Oliver's hands and face cannot be seen in the video.

The body-worn camera videos from the other law enforcement officers helped reconstruct the timeline and individual movements of the deputies and officers.

Figure 025 – Still image from Officer Ernst's body-worn camera, showing Officer Rodarte on the way to Kestrel Court. Officer Rodarte's body-worn camera is circled in red.

The timeline on the following page was constructed primarily from Officer Rodarte's body-worn camera and uses the timestamp on his video. Some of the entries in the timeline are based on videos from the body-worn cameras of other deputies or officers. The timestamps on the body-worn camera videos were not in sync. The audible bang of the diversion device was used with each video to establish the timestamp's variance from the timestamp in Officer Rodarte's video. For instance, the timestamp on Sergeant Mallory's video was seven seconds ahead of Officer Rodarte's timestamp.



⁵ Unless otherwise noted, videos referenced in this report also included audio.

Timeline

07:49:05 a.m. – Bearcat stopped, and Deputy Rocco began making announcements
07:49:25 a.m. – Officer Zavala breached the side gate
07:49:32 a.m. – Noise-flash diversion device activated
07:49:44 a.m. – Sergeant Trumm announced, “Sheriff’s office!” and entered the house
07:49:47 a.m. – Officer Rodarte entered the house
07:49:50 a.m. – Sergeant Trumm again announced, “Sheriff’s office!”
07:49:53 a.m. – Sergeant Trumm entered master bedroom followed by Officer Rodarte
07:49:53 a.m. – Oliver quietly said, “Don’t do it, don’t do it.”
07:49:54 a.m. – Sergeant Trumm again announced, “Sheriff’s office!”
07:49:55 a.m. – Oliver said, “Don’t do it,” louder
07:49:56 a.m. – Sergeant Trumm ordered Oliver to show his hands
07:49:57 a.m. – Officer Rodarte ordered Oliver to show his hands
07:49:58 a.m. – Officer Rodarte told Sergeant Trumm, “Got your back.”
07:49:59 a.m. – Officer Rodarte moved to check the bathroom
07:50:00 a.m. – Sergeant Trumm yelled, “He’s got a gun!”
07:50:01 a.m. – Sergeant Trumm yelled, “Got a gun!”
07:50:01 a.m. – Officer Rodarte spun back towards Oliver
07:50:02 a.m. – Gunshots started
07:50:03 a.m. – Gunshots ended
07:50:07 a.m. – Sergeant Mallory linked up with Sergeant Trumm in the master bedroom

Autopsies

MPD Officer Osmar Rodarte

On March 27, 2025, Dr. Sam Andrews performed a full autopsy on Officer Rodarte’s body at the Placer County Morgue. The autopsy was attended by OIS Team members and various lab and forensic technicians.

Dr. Andrews determined Officer Rodarte died from a gunshot wound to the abdomen. The doctor wrote the following summary:

At autopsy, an indeterminate range entrance gunshot wound was on the lower left abdomen that passed through portions of the bowel and an artery in the pelvis (left iliac artery) resulting in a large amount of blood in the abdominal cavity (hemoperitoneum). A bullet was embedded in the right pelvis. Abrasions (skin scrapes) were noted on the right elbow, left fingers, and left foot. The brain was swollen (cerebral edema).

Toxicological testing on the postmortem blood was negative for ethanol (alcohol) and drugs of abuse.

Dr. Andrews recovered the bullet that was embedded in Officer Rodarte’s pelvis. OIS investigators collected the bullet and sent it to the DOJ lab for analysis.

Rick Oliver

On April 3, 2025, Dr. Sam Andrews performed a full autopsy on Rick David Oliver's body at the Placer County Morgue. The autopsy was attended by OIS Team members and various lab and forensic technicians.

Dr. Andrews determined Oliver died within seconds from multiple gunshot wounds. The doctor wrote the following summary:

At autopsy, the decedent was in an early stage of decomposition with entrance gunshot wounds of the upper left chest, left abdomen, left and right sides of the back, and left forearm that caused severe injuries to the heart, blood vessel that leaves the heart (aorta), left and right lungs, left diaphragm, and liver. Contusions were on the midline upper abdomen and left back, and abrasions were on the chin, neck, and lower back.

Toxicological testing on the postmortem blood demonstrated methamphetamine, amphetamine, and ethanol (alcohol).

Significantly, the toxicology report indicated Oliver's post-mortem blood had 5,000 ng/mL of methamphetamine. The report from NMS Labs states that "blood levels of 200-600 ng/mL have been reported in methamphetamine abusers who exhibited violent and irrational behavior," and that "high doses of methamphetamine can also elicit restlessness, confusion, hallucinations, circulator collapse, and convulsions."

Although there were no intact bullets found in Oliver's body during the autopsy, over 11 bullet fragments were recovered. The fragments were sent to the DOJ lab for analysis.

Forensic Firearm Analysis

The fired cartridge casings, firearms, and bullet fragments collected during the investigation were sent to the Bureau of Forensic Services for the Department of Justice.

DOJ Senior Criminalist Kirsten Wallace test-fired a cartridge in the lab with each of the firearms to obtain a known fired bullet and fired cartridge casing for each. She then microscopically compared the test-fired bullets and cartridge casings to the fired bullet, bullet fragments, and cartridge casings collected during the investigation.

Based on agreement of class and individual characteristics, such as firing pin aperture shear marks, firing pin impressions, breech face impressions, and chamber marks, Criminalist Wallace was able to positively determine the following:

- Sergeant Trumm's Rifle fired six of the ten 5.56 NATO cartridge cases (DOJ15, DOJ16, DOJ18 – DOJ20, and DOJ24).
- Officer Rodarte's Rifle fired four of the ten 5.56 NATO cartridge cases (DOJ17, DOJ21, DOJ23, and DOJ25).
- Oliver's Revolver fired the single .357 Magnum cartridge case (DOJ26A).

Based on agreement of class characteristics, such as caliber, the widths of the lands and grooves, or barrel twist, and individual characteristics, such as microscopic striae, Criminalist Wallace was able to determine the following:

- Sergeant Trumm's rifle could not be positively identified as having fired any of the bullet fragments, however it was eliminated as having fired a bullet jacket fragment (F) that was recovered from Oliver's bowel mesentery.
- Officer Rodarte's rifle could not be positively identified as having fired any of the bullet fragments, however, it was eliminated as having fired the partial bullet (A) recovered from Oliver's upper-right back, and the bullet jacket fragment (K) that was recovered from Oliver's heart.
- Oliver's revolver fired the 38-caliber copper-jacketed hollow point bullet that was recovered from Officer Rodarte's pelvis.

Considering the totality of the evidence, the forensic firearm analysis allows us to make several conclusions. In less than two seconds, Sergeant Trumm fired six 5.56 NATO rounds, Officer Rodarte fired four 5.56 NATO rounds, and Rick Oliver fired one .357 Magnum round. Both Officer Rodarte and Sergeant Trumm shot Oliver, contributing to his death. Rick Oliver shot Officer Rodarte, causing his death.

LEGAL STANDARD

This section outlines the legal standards and rules applicable under California criminal law to the actions of the involved officers in this case.

Homicide, Murder, and Manslaughter

Homicide is the killing of a human being by another person. (*Barber v. Superior Court*, 147 Cal.App.3d 1006, 1012.) Homicides encompass both lawful and unlawful killings. Whether a homicide is unlawful depends on the circumstances and the mental culpability of the person causing the death. (*Id.*) For instance, some homicides are legally excusable, such as when committed completely by accident. (Penal Code § 195.) Other homicides are legally justifiable, such as when committed in self-defense or the defense of others. (Penal Code §§ 196, 197.)

Criminal homicides are divided into two primary categories, murder and manslaughter.

Murder is the unlawful killing of a human being with a mental state called "malice aforethought." (Pen. Code § 187(a).) Malice aforethought may be express or implied. (Penal Code § 188(a); *People v. Hernandez* (2010) 183, Cal.App.4th 1327, 1332.) Malice is express when there is an "intent to kill." (Pen. Code § 188; *People v. Delgado* (2017) 2 Cal.4th 544, 571.) Malice is implied "when the killing results from an intentional act, the natural consequences of which are dangerous to life, which act was deliberately performed by a person who knows that his [or her] conduct endangers the life of another

and who acts with conscious disregard for life.” (*People v. Dellinger* (1989) 49 Cal.3d 1212, 1215.)

Murder is divided into first and second degrees. A willful, deliberate, and premeditated killing is murder of the first degree. (Pen. Code § 189; *People v. Hernandez, supra*, 183 Cal.App.4th 1327, 1332.) Second degree murder is the unlawful killing of a human being with malice aforethought but without the additional elements of willfulness, premeditation, and deliberation. (*People v. Knoller* (2007) 41 Cal.4th 139, 151.)

Manslaughter is the unlawful killing of a human being without malice. (Penal Code § 192.) It is divided into voluntary manslaughter, involuntary manslaughter, and vehicular manslaughter. (*Id.*) Voluntary manslaughter occurs when the person acted with malice but did so upon a sudden quarrel or in the heat of passion. (*Id.*, *People v. Beltran* (2013) 56 Cal.4th 935, 938.) Involuntary manslaughter is an unlawful killing resulting from an unlawful act, or a lawful act committed with criminal negligence, but without intent to kill or conscious disregard of the risk to human life. (Penal Code § 192(b).) Vehicular manslaughter occurs when the death is caused by the negligent driving of a motor vehicle. (Penal Code § 192(c).)

Self-Defense

The use of deadly force, even homicide, is justified and lawful if committed in self-defense. Self-defense is a complete defense to murder, manslaughter, or assault with a deadly weapon. (*People v. Sotelo-Urena* (2016) 4 Cal.App.5th 732, 744.) When a person is charged with an unlawful homicide and claims self-defense, the prosecution must prove beyond a reasonable doubt that the offense was not committed in self-defense. (*People v. Winkler* (2020) 56 Cal.App.5th 1102, 1167.)

Penal Code sections 196 *et. seq.* set forth the law of self-defense in homicide cases. Penal Code section 196 provides that a homicide committed by a peace officer is justified when the use of force complies with Penal Code section 835a. (Cf. Pen. Code § 197 [listing circumstances where homicide committed by “any person” is justifiable, which includes self-defense or the defense of others].)

Under Penal Code section 835a, an officer may use deadly force only when the officer “reasonably believes, based on the totality of the circumstances, that such force is necessary”: (1) “to defend against an imminent threat of death or serious bodily injury to the officer or to another person”; or (2) to apprehend a fleeing person who has committed a felony “that threatened or resulted in death or serious bodily injury,” and the officer “reasonably believes that the person will cause death or serious bodily injury” if not immediately apprehended. (Pen. Code § 835a(c)(1); see Pen. Code § 835a(a)(2) [peace officers may lawfully use deadly force “only when necessary in defense of human life”]; see *People v. Randle* (2005) 35 Cal.4th 987, 994 [self-defense arises when a person actually and reasonably believes in the necessity of defending against imminent danger of death or great bodily injury], overruled on other grounds by *People v. Chun* (2009) 45 Cal.4th 1172.)

To determine whether deadly force is necessary, “officers shall evaluate each situation in light of the particular circumstances of each case, and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.” (Pen. Code § 835a(a)(2); *People v. Hardin* (2000) 85 Cal.App.4th 625, 629-630 [“only that force which is necessary to repel an attack may be used in self-defense; force which exceeds the necessity is not justified” and “deadly force or force likely to cause great bodily injury may be used only to repel an attack which is in itself deadly or likely to cause great bodily injury”].)

A threat of death or serious bodily injury is “imminent” when, based on the “totality of the circumstances,” a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or to another person. (Pen. Code, § 835a, subd. (e)(2); see *People v. Lopez* (2011) 199 Cal.App.4th 1297, 1305-1306 [imminent peril is “immediate and present” and “must be instantly dealt with”; it is not prospective or even in the near future].)

“Totality of the circumstances” means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force. (Pen. Code § 835a(e)(3).) De-escalation methods, tactics, the availability of less lethal force, and department policies may be used when evaluating the conduct of the officer. However, when an officer’s use of force is evaluated, it must be considered “from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.” (Pen. Code § 835a(a)(4); accord, *Graham v. Connor* (1989) 490 U.S. 386, 396-397 [“The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight”]; *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082-1083 [to determine whether use of force is objectively reasonable for self-defense, trier of fact must consider all the circumstances that were known or appeared to the officer as well as consideration for what a reasonable person in a similar situation with similar knowledge would have believed]; *People v. Bates* (2019) 35 Cal. App.5th 1, 9-10 [knowledge of another person’s prior threatening or violent conduct or reputation for dangerousness may provide evidence to support a reasonable belief in imminent harm].)

Self-defense also has a subjective component. (*Humphrey, supra*, 13 Cal.4th at p. 1082.) The subjective element of self-defense requires that a person actually believes in the need to defend against imminent peril or great bodily injury. (*People v. Viramontes* (2001) 93 Cal.App.4th 1256, 1262.)

Burden of Proof

A prosecutor bears the burden of proving a criminal defendant’s guilt beyond a reasonable doubt. (Pen. Code § 1096.) Where an investigation is complete and all of the

evidence is available for review, prosecutors should file charges only if they believe there is sufficient admissible evidence to prove the charges beyond a reasonable doubt at trial. (See, e.g., Nat. Dist. Attys. Assn., National Prosecution Standards (3d ed. 2009) Part IV, § 2 pp. 52-53; United States Department of Justice Manual § 9-27.220; Melilli, Prosecutorial Discretion in an Adversary System (1992) B.Y.U. L.Rev. 669, 684-685 [surveying ethical standards used in the exercise of charging discretion by prosecutors]; accord, *People v. Catlin* (2001) 26 Cal.4th 81, 109 [“A prosecutor abides by elementary standards of fair play and decency by refusing to seek indictments until he or she is completely satisfied the defendant should be prosecuted and the office of the prosecutor will be able to promptly establish guilt beyond a reasonable doubt,” quotation and internal quotation marks omitted]; *People v. Spicer* (2015) 235 Cal.App.4th 1359, 1374 [explaining that a prosecutor may have probable cause to charge a crime but reasonably decline to do so if they believe there is a lack of sufficient evidence to prove the charge beyond a reasonable doubt at trial]; cf. Rules Prof. Conduct, Rule 3.8(a) [prosecutor should not initiate or continue prosecution of charge that is not supported by probable cause].)

Further, the prosecution has the burden of proving beyond a reasonable doubt that a killing is not justified. It is not a criminal defendant’s burden to prove that the force was necessary or reasonable. (*People v. Banks* (1976) 67 Cal.App.3d 379, 383-384; see *People v. Breverman* (1998) 19 Cal.4th 142, 156 [when defendant claims self-defense or defense of others, or there is substantial evidence supportive of defense, the jury will be instructed that the prosecutor bears the burden of disproving this defense beyond a reasonable doubt].) Thus, in the case of an officer-involved shooting, the prosecution must prove beyond a reasonable doubt that the officer did not have an actual or reasonable belief in the need for self-defense or the defense of others.

LEGAL ANALYSIS

This section looks at the facts of this case and details the legal analysis that led to the conclusion that the killing of Rick David Oliver by Officer Rodarte and Sergeant Trumm was legally justified.

Homicide, Murder, and Manslaughter

Marysville Police Officer Osmar Rodarte and Yuba County Sheriff’s Sergeant Daniel Trumm killed Rick David Oliver.

Both men fired their rifles at Oliver. Sergeant Trumm told investigators he heard his teammate fire and then shot at Oliver. The video from Officer Rodarte’s body-worn camera corroborated Sergeant Trumm’s statement. DOJ criminalists recovered 10 fired 5.56 NATO cartridge casings from the master bedroom and were able to determine that four of the casings were fired from Officer Rodarte’s rifle, and six from Sergeant Trumm’s rifle. The estimated bullet trajectories were consistent with two shooters firing at Oliver,

Sergeant Trumm firing from near the bedroom door, and Officer Rodarte firing from the bathroom threshold.

Both men fired bullets that struck Rick Oliver. The autopsy of Oliver's body revealed that he suffered seven gunshot wounds. Over 11 bullet fragments were recovered from Oliver's body. They were all fragments from 5.56 NATO bullets. None of the fragments were intact enough to be positively matched to the rifle of either law enforcement officer. However, DOJ Criminalist Wallace was able to exclude Officer Rodarte's rifle as firing Fragments A and K, and exclude Sergeant Trumm's rifle as firing Fragment F. Given that only two rifles were fired, a positive exclusion of one rifle means it was fired by the other rifle, allowing us to conclude that bullets from both Officer Rodarte and Sergeant Trumm struck Oliver.

The shots fired by both Officer Rodarte and Sergeant Trumm caused the death of Rick Oliver. The autopsy of Oliver's body revealed seven gunshot wounds, which collectively caused Oliver's death. California courts have long recognized that two or more shooters can be said to have caused the death of another even when the evidence cannot establish who fired the fatal bullet. (See, e.g., *People v. Sanchez* (2001) 26 Cal.4th 834, *People v. Pock* (1993) 19 Cal.App.4th 1263.)

Having determined that Officer Rodarte and Sergeant Trumm caused Oliver's death, we must next consider whether the homicide was lawful or unlawful. To determine whether the homicide was lawful, we must examine whether it was excusable or justifiable.

Excuse - Accident

There are no claims or evidence to suggest that Sergeant Trumm or Officer Rodarte fired on accident.

Justification - Self-Defense and Defense of Others

To hold the involved officers criminally liable for murder or manslaughter, the People would have to prove that Officer Rodarte and Sergeant Trumm did not act in self-defense or defense of others. An analysis of the evidence in this case shows they had the right to self-defense and actually and reasonably believed deadly force was necessary to defend against an imminent threat of death or serious bodily injury to themselves or others. Accordingly, the killing of Rick David Oliver was justified.

Oliver's Duty to Refrain from Using Force

California Penal Code section 834a states "[i]f a person has knowledge, or by the exercise of reasonable care, should have knowledge, that he is being arrested by a peace officer, it is the duty of such person to refrain from using force or any weapon to resist such arrest."

On the morning of March 26, 2025, at 7:49 a.m., a team of uniformed peace officers showed up in front of Oliver's residence in a nine-ton armored truck with flashing red and blue lights and a paint job that clearly indicated it was the Yuba County Sheriff's Office. Parked immediately in front of the residence, Deputy Rocco began making repeated announcements over the public address system from the armored truck, "This is the Yuba County Sheriff's Department with a search warrant for 1720 Kestrel Court, exit the residence at this time." Twenty seconds went by, and no one opened the door or exited the residence.

A noise-flash diversion device was deployed near the front of the house. The bang was heard by multiple neighbors and W-1, who was inside Oliver's residence.

The tactical team broke open the padlocked gate. The uniformed team moved into the side yard and rounded the southwest corner of the house into the back yard. Each of the team members, wearing full tactical uniforms including patches identifying them as "police" or "sheriff," went right passed the master bedroom's open window, which had the blinds only about three-quarters of the way down. Team members yelled, "Sheriff's office," before entering the open back door.

Multiple members of the team continued to shout announcements of their presence and purpose, yelling, "Sheriff," or "Police," and "Search warrant!"

The members of TAC2 were executing a lawful search warrant signed by a judge based on probable cause to believe that Rick Oliver was selling methamphetamine and that there would be evidence of that in his residence. After initially announcing their presence, the team waited 20 seconds before breaching an outdoor gate, and 38 seconds before Sergeant Trumm entered the residence. Given the potential for Oliver to quickly dispose of methamphetamine or other controlled substances, and the possibility that the armed and dangerous W-3 was present, the entry into the house was reasonable and the knock and notice requirements of Penal Code section 1531 and the Fourth Amendment were clearly met.

There is no doubt that Rick Oliver knew there were armed men entering his residence. He was hiding behind storage totes with his .357 Magnum ready to ambush whoever entered his room.

He was also clearly aware, or at least should have been,⁶ that his house was being raided by law enforcement officers serving a search warrant. The members of TAC2 were not wearing jeans and sneaking into the house. Rather, they were attired in uniforms and continuously yelled out their identity and purpose as they entered and moved through the house. They had just paraded by the open window of the master bedroom where Oliver was lying in wait.

⁶ Oliver had an extreme amount of methamphetamine in his system, more than enough to cause hallucinations and violent irrational behavior. Based on the reasonable person standard, Oliver absolutely should have been aware his house was being raided by law enforcement officers.

Further, Sergeant Trumm and Officer Rodarte gave Oliver additional opportunities as they moved into the master bedroom. Sergeant Trumm again announced, “Sheriff’s office!” right before entering the bedroom, and he repeated it when he saw Oliver behind the storage totes. Oliver was no more than 10 feet from them and should have clearly seen their uniforms and patches. Finally, the officers showed forbearance by not shooting Oliver immediately; rather, they ordered him to show his hands. This was further clear evidence that these armed men were professional law enforcement officers carefully restraining their use of force.

Oliver had a duty to refrain from using force or resisting officers and deputies in the lawful performance of their duty to serve the search warrant.⁷ Both Officer Rodarte and Sergeant Trumm were therefore entitled to defend themselves and others against Oliver’s unlawful use of force.

Subjective Belief – Necessity of Deadly Force

Sergeant Trumm agreed to provide a voluntary statement to the OIS investigators. In that interview he clearly articulated his subjective belief that deadly force was necessary under the circumstances. He told investigators he saw Oliver armed with a large revolver. He heard the loud bang and saw the flash of light coming from Oliver’s position. Sergeant Trumm told investigators that when he heard the gunshot, he “knew [Oliver] was shooting at one of us,” and he was fearful because “he was trying to kill us.” Sergeant Trumm fired through the totes at Oliver because it was necessary to prevent Oliver from imminently killing them. There was no time to attempt de-escalation or the use of less lethal options under the circumstances.

Officer Rodarte’s subjective intent must be inferred from the circumstances and his actions. The following facts show that Officer Rodarte believed that Oliver posed an imminent threat of death or great bodily injury to himself. When Sergeant Trumm yelled his warning, “He’s got a gun,” Officer Rodarte was facing the bathroom. The warning prompted Officer Rodarte to spin back towards the bedroom to face the danger. Officer Rodarte essentially fired immediately upon spinning back toward Oliver, who fired roughly simultaneously. Given the timing of the gunshots and the fact that Oliver’s bullet hit Officer Rodarte, Oliver must have pointed the .357 Magnum revolver directly at Officer Rodarte as he was turning around. It is therefore extremely likely that Officer Rodarte saw that Oliver was pointing a revolver at him, recognized that Oliver posed an imminent threat of death, and fired his rifle at Oliver to stop the threat.

Objectively Reasonable Belief – Necessity of Deadly Force

A review of the evidence shows Sergeant Trumm’s and Officer Rodarte’s belief that deadly force was necessary to defend against a deadly threat was objectively reasonable under the totality of the circumstances. The following evidence would lead any officer under similar circumstances to believe that Oliver had the present ability, opportunity, and intent to cause death or great bodily injury.

⁷ Had Oliver lived, he would have been charged with the first-degree murder of a peace officer.

The members of TAC2 complied with the requirements of a knock-and-notice search warrant. They arrived at 7:49 a.m., during daylight, and the occupants should have been awake. They arrived in a large, armored truck with flashing red and blue lights. They wore distinctive uniforms identifying them as law enforcement. They gave repeated announcements from a public address system, identifying them as law enforcement and their purpose as serving a search warrant. They waited 38 seconds before entering the house, giving the occupants ample opportunity to hear their repeated announcements. They bellowed further announcements as they entered the house, yelling “Sheriff” or “Police” and “Search warrant!” Any reasonable officer would have expected that the occupants were fully aware that law enforcement was entering the house to serve a search warrant.

They discovered Oliver lying in wait, mostly concealed behind a stack of storage totes. Oliver ignored their commands to show his hands. Sergeant Trumm saw Oliver was armed with a large revolver, held in his hand and pointed down. Oliver went further, pointing that revolver at Officer Rodarte and pulling the trigger. A reasonable officer, in the same circumstances as Officer Rodarte and Sergeant Trumm, with the same knowledge, would have believed that deadly force was necessary to defend against the imminent threat to life posed by Oliver. There was no time or opportunity for any attempt at de-escalation or the use of less than lethal force. Accordingly, their decisions to shoot were objectively reasonable.

The shooting lasted less than two seconds. During that time, Officer Rodarte fired four rounds and Sergeant Trumm fired six. Sergeant Trumm told investigators he stopped firing because he saw Oliver go down. The evidence suggests that Officer Rodarte stopped firing when he fell to the ground. There was nothing excessive about the number of rounds fired by the law enforcement officers. Both Sergeant Trumm and Officer Rodarte showed great restraint and professionalism by controlling their fire.

Conclusion

Based on my review of investigation and evidence, along with my analysis of the facts, applicable statutes, and legal principles, Yuba County Sheriff’s Sergeant Daniel Trumm and Marysville Police Officer Osmar Rodarte acted in self-defense or defense of others and were legally justified in using deadly force against Rick David Oliver on March 26, 2025. As such, no criminal action will be taken against Sergeant Trumm for his lawful use of force in this case.

Date: September 30, 2025



Clinton J. Curry
Yuba County District Attorney