DeAngelo, James was observed by Stilwell, Ronald to conceal merchandise upon his person while in Pay-N-Save.

Merchandise concealed consisted of a hammer and can of dog repellant, § 10.20
Statement of Stillwell continued:

Stallwell then went into a store where he was partially obscured from view. At this time Stillwell advised another employee, Gardner, of the circumstances and asked his assistance in watching Deonel. Deonel then observed Deonel to place the can of insect repellent in the store and walk off. However, the man could no longer be seen.

Deonel then went back out to the nursery area and began looking at plants. Stillwell went to the register in the store and continued to watch Deonel. Deonel selected the plants that he was looking at and began to leave the store, exiting the nursery area. Stillwell stopped him and asked if he had gotten everything that he needed. Deonel said, "oh yeah, I need that big planter pot only over there and asked Stillwell to go get it. Stillwell went to the area after it, and Deonel then went back into the store. As he was looking for the plant, Stillwell could see a sugar in Deonel's pants and something hanging around his neck. Deonel then walked all over the store, still not looking for his wife and began putting the sugar in his pocket. Deonel then went back to the register and removed a can of paint from the shelf with his right hand and at the same time removed a can from under his shirt with his left hand and replaced the previously concealed can onto the shelf in its place.

Stillwell observed that the can he took out of his clothing was a can of insect repellent from another area in the store.

Stillwell, assisted by Gardner, then asked Deonel to come with them to the back office to discuss the can of insect repellent that Deonel had removed from his clothing. Stillwell believed that the man was still concealed in Deonel's trousers and was as he had bumped against him and

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Deppole said that he didn't steal anything and that he wasn't going to go to the back office, and proceeded anyway, supposedly looking for his wife.

Stillwell and Gardiner again stopped him and asked him to come with them to the back office, however, he again refused. Stillwell and Gardiner then took him by the arm in an attempt to have Deppole come with them but he started pushing them. They then had to physically carry him to the back office. All the while, Stillwell and Gardiner, when they got to the office, Deppole was screaming that they were treating him like an animal and that either disposed of the attack on him, at which point they let go of him. Deppole then called for the door. After being subdued again, while fighting with Deppole on the floor, Gardiner removed the hammer from Deppole's pants. Stillwell and Gardiner then tied Deppole up with rope and placed the arrival of the Sheriff's Department.

Contacted employee Gardiner, Jeffrey Paul, who said that his date of birth was 5-1-56 and that he has a record of the store. Gardiner reiterated the same information that Stillwell had previously given. Paul stated that he had seen the bulge of some object in the rear of Deppole's jacket prior to Deppole taking it out and trying to place it on the shelf.

Employee Charles Barrett also observed the altercation in the back room with Deppole.

Merchandise recovered and retained by Pay-N-Save:

1. One hammer, Stanley-brand: $34.99
2. One can of Chapin bug repellent: 3.29

Total: $38.28

Out of context when Deppole was struggling with the employee, on the floor of the office, he stated that he was a police officer; however, had no identification upon his person.

[Signature]
Upon talking to Deangelo and asking for identification he said that he had none and gave his name as Deangelo, Joseph James, DOB 11-8-45. Further questioning as to his identity revealed no information. Deangelo just kept yelling that he had hit his head and that he was in pain and was going to vomit. A hand cuff key was observed on Deangelo’s key ring and when asked about it by officer Guichard he said that he used to be with Roseville Police Department and then kept talking in circles, making no sense.

Upon checking Deangelo’s head for the supposed injury none was found but he continued to roll around in the chair and speak in statements that made no sense.

At that point it was officer’s opinion that he was mentally imbalanced and asked him if he had ever been under psychiatric care to which he stated he had not.

Deangelo then said that he wanted to talk to officers alone. Store employees were then asked to leave the room. This officer informed Deangelo that he was under arrest for petty theft and advised him of his rights per Miranda. Deangelo said he understood his rights and wanted to make a statement that made very little sense. Basically he just said the same things that he had been screaming all along. That he was a thief and that he didn’t steal anything. He said he knew nothing about the can of dog repellent and that he was just carrying the hammer around.

Deangelo then asked to be released from his tied position to go to the bathroom as he had been unable to control his bladders. He was escorted to the bathroom while a record check was being run through Sacto, Roseville and Auburn. Deangelo had given an Auburn address.

The record check indicated that Deangelo, Joseph James was employed as a police officer with the Auburn Police Department and that he had no record. To confirm that he was actually Deangelo he was asked his unit call number when he was working and he responded with the correct number 1374.

Deangelo said that he has been employed as an officer for four years and was just acting crazy because he was afraid we would call right up to Auburn and tell them what had happened. He then calmed down and no longer complained of any injuries stemming from the physical altercation.
I then attempted to read him his rights; however, he didn't seem to understand what I was telling him and further didn't understand about making any statement.

When I explained that he was going to be cited into court for the offense he said that he knew all about citations and signed the promises to appear.

Deangelo said that his relatives were waiting for him in the parking lot and was released on citation #65179 as per section 953.5 P.C. He then calmly left the store.

Note: Deangelo had approximately $3.00 on his person at the time of the offense.

Due to the fact that this officer felt that Deangelo was still emotionally unstable and was to report for duty directly, upon leaving, his superior officer was contacted at Auburn P.D., and informed of the circumstances of the offense.

The Chief of his department and his sergeant stated that they had never had any problems of this nature with Deangelo.
ARREST BY PRIVATE PERSON

The undersigned, do hereby assume all responsibility and liability and damages of every kind and nature whatsoever arising out of and resulting from the arrest by me of JOSEPH JAMES DE ANGELO.

I fully understand and it is hereby agreed to by me that I shall appear at 901 G. STREET, SACRAMENTO not later than ___ AM on ___ WHEN NOTIFIED, which is the next judicial day following the time of arrest, for the purpose of signing a formal complaint charging the said JOSEPH JAMES DE ANGELO with the offense of 488 PC PETTY THEFT (SHOPLIFT).

The officer or officers into whose custody I voluntarily delivered the above name JOSEPH JAMES DE ANGELO for the purpose of transporting him to the Sacramento County Jail were/was in no way connected with this arrest.

I have read the foregoing and the facts as stated herein are true.

Deputy Witnessing Signature of Private Person Making Arrest

Deputy Witnessing Signature of Private Person Making Arrest

Address

Phone Number

Distriiute White Copy; Witnessing Officer Yellow Copy: Arresting Person

3481 FORM 310
6/25
SACRAMENTO COUNTY SHERIFF'S DEPARTMENT
DUANE LOWE, SHERIFF

ADVISEMENT OF RIGHTS

REPORT #

YOUR RIGHTS

Before we ask you any questions, you must understand your rights.
You have the right to remain silent.
Anything you say can be used against you in court.
You have the right to talk to a lawyer for advice before we ask you any questions and to have a lawyer with you during questioning.
If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.
If you decide to answer questions now without a lawyer present, you will still have the right to stop answering at any time. You also have the right to stop answering at any time until you talk to a lawyer.

WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed: 

Witness: 

Witness: 

Time: 13:40  Date: 7-21-79
SACRAMENTO COUNTY SHERIFF'S DEPARTMENT

DEPARTMENTAL RELEASE FORM
853.6 PC Misdemeanors only

Date 7-21-79
Time 1400
Charge 482PC

Name DEANGELO, JOSEPH JAMES  
(Last) (First) (Middle)

Address GC 6254(I), GC 6254(k), GC 6255

Telephone 22 Months at Current Address
27 Months in State

Married Single Lives with

Employed by AUBURN PD Type of Work POLICE

Supervisor SGT. MONTANA Business Telephone 825-6541

How long employed at present job? 4 YRS.

ITEM VES NO

Arrestee has permanent address in SACRAMENTO County. ( ) ( )
Arrestee is a threat or immediate danger to the public, himself, or law enforcement personnel by reason of his physical or mental attitude. ( ) ( )
Further investigation of the misdemeanor is required. ( ) ( )
Subject was arrested for intoxication (not sober now). ( ) ( )
Arrestee has an outstanding warrant. ( ) ( )
Arrestee has a "hold" placed by another jurisdiction. ( ) ( )
Arrestee demands an immediate appearance before a judge. ( ) ( )
Records of this or other police departments indicate defendant has previously violated his written promise to appear. ( ) ( )
Other unusual circumstances lead the arresting officer to conclude that the arrestee will not appear as directed. ( ) ( )

APPROVAL RECOMMENDED ( ) NOT RECOMMENDED ( )

(Citing Officer)

APPROVED ( ) NOT APPROVED ( )

(Reviewing Officer)

RELEASED: Field $ Jail 7-21-79 1400

(Citation No.) 65175

COMMENTS:

ARRESTEE'S IDENTIFICATION
D/L GC 62540, GC 62541, GC 62542

OTHER