

Descriptions of events given by Lt. Joe Haebe to the *Santa Cruz Sentinel* describe a routin' tootin' free for all in which Bryan swung a baseball bat at Guerrasio's head inside the apartment, then hit Officer Zemanek in the chest outside the apartment causing him to fall on the ground. The police report said that Andrus then charged the other two officers, causing three of the officers to open fire, with Zemanek firing from the ground.

Lorie Andrus witnessed no such event inside the apartment, and said it was impossible because the living room was too small for her husband to have swung a bat without hitting something else. Even harder to explain is that three children, in close proximity to the shooting, and other eyewitnesses, did not report seeing Bryan swing the bat and hit any officer.

Eight year old RJ, an eyewitness, said: "I saw Bryan swing the bat in the air. Then he held the bat like he was waiting for a pitch when they shot him."

None of the witnesses interviewed by Santa Cruzans for Full Disclosure saw an officer knocked to the ground or lying on the ground. Witnesses were unanimous in saying that all four officers were standing while shots were fired, and were standing at least 10 to 15 feet away from Andrus. Witnesses also claimed that the officers did not limp, rub an injured body part, or seem injured in any way immediately after the shooting as would be expected in a situation that later required hospital treatment, and weeks of sick leave.

#### OFFICERS FIRE 10 SHOTS

Although witnesses report that Bryan Andrus fell when the first shot hit him,

police officers continued to fire bullets into Bryan, hitting him four or more times. Since he was only said to have a bat, why were so many shots necessary? Two shots entered the Andrus apartment, ricocheting off the ceiling and wall in the living room in which Lorie Andrus was standing and near where their one-year-old baby lay sleeping. Ironically, the

police, despite their professed mission to protect Lorie and her daughter, ended up posing a far greater danger to her and her child than her husband ever did.

#### EMERGENCY MEDICAL CARE WITHHELD

After Bryan was shot, he lay face down on the ground turning ashen with his face in the mud. Police did not help Bryan in any way, and prevented neighbors from administering medical aid. At one point, Bryan was stripped naked on the sidewalk, bleeding from four bullet wounds, in front of his wife and neighbors. Though he was unconscious, he was handcuffed before being put in the ambulance.

Proper medical care for a person who has just been wounded by gunfire would be as follows: Emergency personnel would make sure the victim has a good airway, lying on his back, with head tilted slightly back. Vital signs of pulse and respiration would be monitored. If either stopped, CPR would be initiated. Pressure would be applied to wounds with a clean cloth, to slow down hemorrhage. And the victim would be kept warm until ambulance personnel arrive. These four officers did none of the above.

#### HOME RE-ENTERED WITHOUT WARRANT

After Bryan Andrus had been taken by ambulance to Dominican Hospital, Lorie re-entered her apartment and locked the door. Police obtained a key from the manager and re-opened the apartment without a warrant, and without Lorie Andrus permission. She and her child were taken against their will in a police car to the station, where they were left in a room for three and a half hours without food, and then Lorie was questioned late into the night without an attorney present.

Lt. Joe Hennard lied to Lorie, telling her that Bryan would be booked into county jail that night. He actually was being airlifted to San Jose Medical Center

for emergency surgery. Police proceeded to search the entire Andrus residence on a fruitless fishing expedition.

#### ANDRUS FAMILY EVICTED

Then, 48 hours after the shooting, as Bryan remained in critical condition, handcuffed to a hospital bed, Dorothy Smith, the manager of 200 Button St. Apartments issued a notice to vacate to the family. "I think you should move," was her comment. Although Bryan has plead "Not Guilty," his family has already been punished.

Although four police reports were written, presumably before the end of their shift, Bryan's defense was not provided those reports until four hearings into the case, and several days after Judge Atack had ordered the reports to be turned over. Also, the audiotaped testimony given to the DA investigators the night of the shooting have not been given to the defense. As of April 23, a few police reports had still not been turned over to Attorney John Thornton, who is defending Bryan Andrus.

Linda Andrus learned her son had been shot when she read it in the *Santa Cruz Sentinel* the next morning. Sgt. Steve Clark had failed to inform her of the shooting of her son. Both Linda and Lorie were stonewalled about the medical treatment of Bryan. They were not even told which hospital he was in. When Lorie went to see her husband, a deputy cruelly drew the curtain so she could not look through the glass to see her husband.

However, hospital bills arrived very shortly billing the Andrus family for the costs of his surgery and hospital expenses. No doctors consulted with Lorie or Linda regarding Bryan's condition or treatment. Once in Santa Cruz County Jail, conditions were disturbingly unsanitary. Bryan did not receive needed medical care, and was only allowed to bathe once in 10 days.

#### NEIGHBORHOOD OUTRAGED

Neighbors on Button Street expressed anger and fear over the police shooting which endangered children playing nearby, residents, and neighbors. Since the shooting, children have reported having trouble sleeping, and have expressed new

rified that day as multiple gunshots were fired, putting all persons at unnecessary risk. One family reports that their 13-year-old daughter will not sleep in her own bed since the shooting, but has laid a mat down beside her parents' bed on the floor and will sleep nowhere else. "It is ruining our life, and our marriage," the woman said to members of the Citizens Police Review Board regarding the shooting.

With the exception of Zemanek, who is reportedly still recovering from the "bat attack," and following a quick exoneration by the DA and the SCPD, all officers are back on their rounds carrying guns, and with no reason to think twice about shooting the next citizen. No officer involved in shooting a citizen in Santa Cruz has been disciplined in the last decade.

Bryan Andrus, charged with four counts of felony assault on a police officer, was released on \$100,000 bail. Bryan and his family have been evicted from 200 Button Street. He's recovering from four bullet wounds. He's facing four counts of felony assault on a police officer, his mother's house has a lien on it, he's been demonized in the press, is facing huge hospital bills and legal fees.

The reason for the original call, suspected domestic violence, was found to be in error. There was no domestic violence incident that day or any other day. All Bryan did was shout too much. How many men have shouted, sworn, or raised

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