

Iowa Attorney General's Review of Officer Involved Death

Incident of February 22, 2025 Sioux City, Iowa

Sioux City Police Department: Officer Dyllon Frederickson

Subject Involved: Vicente Manzo Hernandez

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Executive Summary

On February 22, 2025, Sioux City Police Officer Dyllon Frederickson, with the assistance of Officer Kameron Gugat, stopped a vehicle for having a license plate light out. The driver was Tara Bulizak and the passenger was Vicente Manzo Hernandez. During the stop Officer Gugat asked Hernandez to step out of the vehicle so they could confirm his identity, as there was a warrant for Hernandez's arrest.

Hernandez refused to get out of the vehicle and began arguing with the driver and grabbing at the gear-shift lever. The driver fled the vehicle, and Hernandez attempted to get into the driver's seat to escape. Officer Frederickson also partially entered the car's driver's seat area to gain control so Hernandez could not flee. Hernandez was able to get the car into gear and his foot on the gas pedal. The car began to go forward, with Officer Frederickson still partially inside. As and the accelerated. the engine revved car Officer Frederickson was pulled off balance. Fearing that he would be drug by the car, he fired two shots at Hernandez, striking him. Hernandez died at the hospital from his injuries.

Detailed Factual Summary

At approximately 3:30 a.m. on February 22, 2025, Sioux City Police Officers Dyllon Frederickson and Kameron Gugat

were on routine patrol in Sioux City. Officer Frederickson observed a silver 2007 Chevy Impala with its license plate light out. Officer Frederickson followed the vehicle to confirm his observations that the light was not working. Officer Frederickson notified Officer Gugat that he intended to stop the vehicle and requested assistance. Officer Gugat positioned his squad car so that he was behind Officer Frederickson.

Officer Frederickson initiated a stop on the vehicle at 18th Street and Grandview Boulevard by activating the emergency lights on his patrol vehicle. Officer Gugat stopped behind Officer Frederickson. Both officers approached the vehicle; Officer Frederickson on the driver's side and Officer Gugat on the passenger's side. The female driver rolled down her window. Officer Frederickson recognized the driver as Tara Bulizak. He identified himself, told Bulizak the reason for the stop, and asked for her license, registration, and proof of insurance.

The only other person in the car was a man in the front passenger's seat, later identified as Vicente Manzo Hernandez. Officer Gugat was able to see Hernandez through the closed front passenger window. Hernandez was texting someone that they had been pulled over and he had "nothing to worry about." The person he was texting stated that

Hernandez should not give the officers his name. Officer Gugat relayed this information to Officer Frederickson as it was happening.

Officer Frederickson was able to see into the car's interior using his flashlight. Bulizak provided her registration and began looking on her phone for her driver's license and proof of insurance. Officer Frederickson took the registration back to his patrol car to verify the information through dispatch. At that time, he also requested a K9 unit due to Bulizak's history of drug arrests and the car's being routinely seen in high drug-trafficking areas.

While Officer Frederickson was back at his patrol car, Officer Gugat remained by the passenger side of the stopped vehicle. Bulizak saw him there and rolled the window down to show Officer Gugat her proof of insurance on her phone screen. At that time Officer Gugat asked Hernandez, the passenger, what his name was, and Hernandez refused to provide it. Officer Gugat recognized the Hernandez's face and voice from a traffic stop earlier in January but could not remember his name. During that stop both people in the car were arrested for possession of methamphetamine.

Officer Gugat went back to Officer Frederickson, who was still at his patrol car. Officer Gugat relayed to Officer

Frederickson what he remembered about the passenger. They were able to use the squad car's computer system to look at the records for the previous January stop. The records indicated the passenger during the January stop was Vicente Manzo Hernandez and that he had been arrested at that time for possession of one-quarter pound of methamphetamine. A records check revealed that a subsequent felony warrant had been issued for Hernandez on February 21, 2025. The officers were able to access the booking photo from the January arrest and saw a distinctive bird-head tattoo on Hernandez's neck, which Officer Gugat remembered from the January arrest.

Now knowing they had a wanted subject, both officers intended to get Hernandez out of the vehicle, secure him in handcuffs to confirm his identity, and take him into custody. Both officers approached the passenger side of the stopped vehicle. Officer Gugat attempted to open the passenger side door, but found it locked. He knocked on the window and tried the door handle again, but it remained locked. Officer Gugat crouched down to be able to see directly in the passenger window and could see Bulizak and Hernandez talking but could not hear what they were saying. Hernandez rolled the window down and made eye contact with Officer Gugat, who directed him to get out of the vehicle.

Officer Frederickson then moved over to the driver's side of the vehicle. He shined his flashlight into the driver's side and attempted to open that door, but it too was locked. The driver's window was also closed. Officer Frederickson told Bulizak to get out of the vehicle and that the passenger had a warrant. By this time Hernandez had rolled his window back up and begun arguing with Bulizak.

Officer Gugat became concerned that they were going to attempt to flee the scene in the car. Hernandez rolled the window down slightly again and asked whether he was going to jail and if he had a warrant. Officer Gugat confirmed there was a warrant they needed to address, and Hernandez rolled the window back up. He and Bulizak continued to argue. Officer Gugat then saw Hernandez grab the gear shift lever of the car, but he was not able to put it in drive. Officer Gugat shouted at Officer Frederickson to warn him the car might take off. With his flashlight in his left hand, Officer Frederickson then drew his firearm with his right and ordered the occupants out of the car.

The officers were concerned that Bulizak and Hernandez would flee the scene. Officer Gugat pulled his knife and deflated the rear and front passenger tires. At the same time, the driver's side door opened and Bulizak jumped out of the

car. Simultaneously, Hernandez (from the passenger's seat) and Officer Frederickson (from the driver's side door) attempted to get into the driver's seat to gain control of the vehicle. Officer Frederickson ordered Hernandez to "get back" but got no reaction. He then struck Hernandez in the face with his fist to keep Hernandez from gaining control of the car. Hernandez continued to push Officer Frederickson's body with his own and got a leg into the driver's area enough to reach the gas pedal.

The car then began to move forward. Officer Hernandez was partially in the vehicle, facing the passenger's seat with his right leg still on the ground. His left leg was stuck inside the vehicle and the car's motion prevented him from getting free. The engine revved and the vehicle started to accelerate to the point Officer Frederickson's right leg was no longer able to keep up and he feared being drug or run over by the car. Hernandez had pressure on the gas pedal, but no control over the steering as the car began to speed forward. At this point Hernandez was in control of how fast the car would keep going, but no one was in control of what direction it would go. Officer Frederickson fired two shots at Hernandez to incapacitate him and stop the car.

After the shots were fired, Officer Frederickson fell and rolled from the vehicle. Officer Gugat ran to the driver's side of the vehicle and approached as it rolled to a stop. Officer Frederickson was able to get up, radio out that shots had been fired, and run to the driver's side of the vehicle as well. Hernandez acknowledged that he had been shot and told officers his body was numb. Both Officers Frederickson and Gugat administered first aid after notifying dispatch that they needed medical staff on scene. Hernandez was taken to a local hospital where he died from his injuries.

Further Investigation

Officer Frederickson located his spare pistol magazine in the road where he had fallen out of the car. The magazine had been stored on the left side of his utility belt. He also discovered that his gun holster, on the right side of his duty belt, was damaged from the fall and inoperable.

When interviewed, Bulizak stated that Hernandez wanted her to drive away from the stop, but she refused to get in a car chase. Hernandez was concerned that he had a warrant out for his arrest. She was able to hear when Officer Gugat confirmed through the passenger window that Hernandez did indeed have an active warrant.

The Iowa Office of the State Medical Examiner performed a blood toxicology study on Hernandez as part of the autopsy it conducted. At the time of his death, Hernandez had fentanyl and high levels of methamphetamine in his bloodstream.

Process and Authority

The Iowa Division of Criminal Investigation (DCI) investigated the incident, and its investigation is complete. DCI interviewed the officers involved and relevant witnesses. It reviewed the available body-camera and car-camera recordings and evidence and reports from the Sioux City Police Department and the Iowa Office of the State Medical Examiner.

The Attorney General's Office has authority under Iowa Code § 13.12 to assess any officer-involved death to determine whether criminal charges are warranted. The office has had a full opportunity to review the findings of the investigation and discuss the investigation with the assigned agent. All law enforcement reports, including audio or video recordings, will be returned to DCI when this report is issued.

Applicable Law

To be justified, the force an officer uses must be reasonable. Force is reasonable if a reasonable person, in like

circumstances, would judge the force to be necessary to prevent an injury or loss. It can include deadly force if (1) it is reasonable to believe that such force is necessary to avoid injury or risk to the person's or another person's life or safety and (2) it is reasonable to believe that such force is necessary to resist a like force or threat. Iowa Code §§ 704.1–704.3.

In *Graham v. Connor*, 490 U.S. 386 (1989), the United States Supreme Court held that the use of deadly force by a police officer must be evaluated from the perspective of a reasonable police officer on the scene and in the same circumstances. Under *Graham*, reasonableness of police use of force cannot be evaluated from the perspective of a civilian or the perspective afforded by 20/20 hindsight. The Court further stated that the fact that law enforcement officers are often required to react quickly in tense, uncertain, and rapidly evolving situations are factors that must be considered in determining reasonableness. Since *Graham*, the Supreme Court has narrowed the analysis to focus on the exact moment that the force was applied.

Analysis

Officer Dyllon Frederickson was legally justified in his use of deadly force against Vicente Hernandez. Officers started the interaction with Hernandez as a simple traffic stop. He refused to provide his name when asked. When officers determined there was an active warrant for Hernandez, they approached the vehicle and directed him to step out of the car. He refused. They confirmed with him that he had a warrant out for his arrest. His response was to roll the passenger window up and tell the driver to take off, grabbing for the gear shift of the car. At no point did he comply with officers' directives.

Once the driver was able to escape the car, Hernandez was intent on driving away from the scene. He continued trying to get into the driver's seat despite Officer Frederickson's entering the vehicle. Officer Frederickson first ordered Hernandez back, then used non-lethal force, striking Hernandez, to attempt to gain his compliance. Hernandez still did not comply. He continued to push at Officer Frederickson to get the officer out so he could escape. Hernandez got the car in motion without being in control of steering and with the officer unable to protect himself. As the car accelerated, it became clear that Officer Frederickson was at risk of being dragged or run over by the car due to Hernandez's actions. Officer Frederickson was justified in firing his weapon to save his own life.

Conclusion

The Iowa Attorney General's Office concludes that Officer Frederickson's actions in this incident were legally justified and that criminal charges are unwarranted. It considers the criminal investigation into this incident to be closed.