



Police Department



Press Release

FOR IMMEDIATE RELEASE:

Incident: Assault with a Deadly Weapon Hate Crime Arrest

Location: 39800 block of Sundale Drive, Fremont, CA

Date/Time of Incident: June 20, 2019 at 12:00 a.m.

CONTACT:

Public Affairs Manager Geneva Bosques

510-790-6957

Gbosques@fremont.gov

Fremont patrol officers arrested a 55 year old transient man early Thursday morning on charges of assault with a deadly weapon, brandishing a weapon and a hate crime.

At midnight, the Fremont Dispatch Center received a 911 call reporting an assault with a deadly weapon in the 39800 block of Sundale Drive. The caller reported a transient male was throwing rocks at his friend for wearing a Muslim cap. As officers responded, additional details indicated the involved parties were chasing the suspect in their personal vehicle. The first arriving officers located a man matching the suspect's description at the intersection of Porter St. and Robin St. After completing their investigation, the man was positively identified as the suspect and arrested.

In summary, officers learned through their investigation that a suspect had thrown a rock at two men having a conversation in the parking lot of an apartment complex. The rock nearly missed striking one of the men in the face. The victim and his friend looked in the direction of where the rock had been thrown and saw a man peek his head over a concrete wall. Fearing for their safety, the two took cover and proceeded to make verbal contact with the man. The victim and his friend walked around to the other side of the wall where the man then brandished a wooden stick, described as being approximately four feet in length. Holding the stick in a threatening manner, the man commented on the victim's ethnicity and stated something similar to, "you are not allowed to be here." The suspect fled on a bicycle and the victim and his friend called police. As they followed the suspect from a distance in their vehicle, he again stopped and brandished a wooden stick by holding it up in the air in a threatening manner and swinging it in their direction. The driver said had he not accelerated, his car would have been struck by the piece of wood. Officers arrived shortly thereafter and detained the suspect.

Officers returned to the crime scene and located a large weighted rock on the ground where the men had reportedly been standing. They also investigated the area behind the wall where the suspect had thrown the rock from. Described as a construction site, the area was full of rocks and pieces of wood.

As they were speaking to the victims, a third man responded to the scene and provided officers with a very similar statement regarding his involvement with the suspect. The man, determined also be a victim, had been walking in the area and talking on his cell phone, when he suddenly noticed an unidentified object strike/brush against his upper body. The object then fell to the ground, making a loud sound. The victim became scared for his safety and ran through the parking lot. He then noticed the other two men attempting to make contact with the suspect. The victim stated the suspect sounded intoxicated and was

shouting bad language. The victim believed the unprovoked attack could have been due to his ethnicity by the fact he was wearing a traditional Kufi or Topi cap that is a traditional Muslim laced hat for men.

John Mata, a 55 year old transient living in Fremont, was positively ID'd by the victims as being the suspect. Officers read Mata his Miranda rights, and he declined to answer any questions. Officers learned Mata was on active probation with a search clause for a prior assault with a deadly weapon incident and had several prior arrests for violent behavior. He was booked at the Fremont Detention facility on the following charges:

- PC245 (A)(1) felony – Assault with a deadly weapon
- PC417 (A)(1) – Brandishing a weapon
- PC422.6 (A) – Hate crime
- PC1203.2 – Probation Violation



“We take these matters seriously and I am proud of the swift and thorough investigation conducted by our patrol officers last night,” stated Captain Fred Bobbitt. “We want all Fremont residents to feel safe living in our community.”

Definition of a Hate Crime: No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States in whole or in part because of one or more of the actual or perceived characteristics of the victim. Perceived characteristics are defined (CA PC 422.55) as disability, gender, nationality, race or ethnicity, religion, sexual orientation, and association with a person or group with one or more of these actual or perceived characteristics.

The three male victims are Fremont residents between the ages of 29-31.

Mata is scheduled for court arraignment on June 21, 2019 at 2:00 p.m.

This is Fremont’s only hate crime report, year to date for 2019.

Anyone with information about this case is asked to please contact the Fremont Police Department’s Patrol Division, at 510-790-6800 x 3. We will also accept anonymous tips. Text, Tip FremontPD followed by your short message to 888-777 or via the web at <https://local.nixle.com/tip/alert/6216337>.

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