

Memorandum



DATE: October 25, 2013

TO: Members of the Public Safety Committee

SUBJECT: **Administrative (Police) Reports – Internal Affairs Division (I.A.D.) Cases**

This is an informational memo to be presented to the Members of the Public Safety Committee on Monday, October 28, 2013.

NEW CASE PRESENTATION:

Control #2013-351

Council District: 2
Involved Officers: (2) White Males
Suspect: (1) Black Male

On September 14, 2013, at approximately 1:49 a.m., Officers #1 and #2 were working in a plain clothes capacity and driving covert vehicles in the 2800 block of Oak Lawn Avenue in an area known for Burglary of Motor Vehicle offenses. Officer #1 was backed into a parking space on the east side of the Post Office located at 2825 Oak Lawn Avenue when he observed an unknown male acting suspicious. Officer #1 alerted Officer #2, by cell phone, that he thought the subject was about to burglarize a vehicle. After receiving this information, Officer #2 pulled his vehicle onto the parking lot. As Officer #2 was pulling onto the parking lot, Officer #1 observed movement to his left and turned to see what the movement was. It was at this time that Officer #2 realized that the suspect was committing a robbery of two individuals who were seated in a vehicle. Officer #1, who was still on the phone with Officer #2, stated, "It's a robbery." Officer #2 stopped his vehicle and realized that the robbery was taking place to his left between two vehicles. Officer #2 then observed a female running from the passenger side of the vehicle screaming for help. The suspect was standing outside the driver's side door of the vehicle holding a handgun in his right hand. The suspect began moving toward Officer #2 with the weapon pointed in the direction of the officer. As the suspect ran across the parking lot in the direction of Officer #2, Officer #2 exited his vehicle, drew his service weapon, identified himself as a police officer and then fired three rounds at the suspect. The suspect was struck once on the right side but continued to evade the officers on foot. The suspect was apprehended as he collapsed in the 2900 block of Shelby Avenue. The suspect was transported to Parkland Memorial Hospital by Dallas Fire and Rescue in critical condition. No officers were injured during this incident.

The suspect has been charged with Aggravated Assault with a Deadly Weapon and Aggravated Robbery.

STATUS: Under Investigation

Control #2013-350

Council District: 9
Involved Officers: (1) White Male
(1) Hispanic Male
(2) Black Male
Suspect: (1) White Male

On September 26, 2013, at approximately 7:45 p.m., Officers #1, #2, #3 and #4, in full police uniforms and driving marked police vehicles, responded to a shooting call from the dispatcher in the 10300 block of Plummer Street. Officer #1 arrived at the location and was directed to the alley by witnesses, who stated that an older white male wearing no shirt and blue jeans, had shot someone in the alley. When Officer #1 got to the alley, he observed the body of a male lying in the alley. Officer #1 began moving in the direction of the body which was lying directly behind the driveway of 10361 Sandra Lynn Drive where he had last seen the suspect step behind a wooden fence of the residence. At this point, Officer #1 observed Officers #2, #3, and #4 emerge from between two houses and moving toward the alley. The officers observed the body of a male lying in the alley that appeared to be deceased. Officer #1 yelled at Officers #2, #3 and #4 that the suspect was directly behind them and that the suspect had a gun. Officers #1, #2, #3 and #4 observed the suspect walk out of the unfenced backyard towards them holding a chrome handgun. All four officers gave loud verbal commands to the suspect to drop the weapon. The suspect refused to comply and instead began raising the weapon pointing it in the direction of the officers. Officers #1, #2 and #3, fearing for their lives and the lives of fellow officers, fired their duty weapons striking the suspect causing the suspect to fall to the ground. While lying on the ground, officers continued to give loud verbal commands to the suspect. The suspect again refused to comply with the officers' commands, and while lying on the ground reached for his weapon. Officers #1, #2 and #3 again fired their weapons striking the suspect. The suspect was pronounced deceased at the scene. No officers were injured during this incident.

A witness told the officers that the suspect stated he had shot the man lying in the alley because he was trying to break into his garage. Witnesses also stated that the suspect stood over the individual he had already shot and threatened to shoot him again. Several witnesses at the location stated that the suspect had pointed his weapon at them as they were informing him that they had called for police assistance. The individual who had been shot by the suspect was also pronounced deceased at the scene.

STATUS: Under Investigation

PREVIOUS CASE PRESENTATION:

Control #2012-306

Council District: 7
Involved Officers: (2) White Males
Suspects: (2) Black Males

On July 24, 2012, at approximately 5:08 p.m., Officers #1 and #2, who were in full police uniform and driving marked police vehicles, responded to a kidnapping call at 5316 Bourquin Street. When the officers arrived at the location, they heard noise coming from inside the residence. Officer #1 knocked on a side door and then heard someone inside the residence say, "Come in." When Officer #1 opened the exterior door, he was stopped by a metal cage fastened to an interior door. Officer #1 then yelled, "Police," at which time someone inside slammed the interior door closed. Officers #1 and #2 went to the side window but their view was obstructed by the air conditioner. The officer pushed the air conditioner unit out of the way and observed four black male suspects inside the residence. The officers also observed a handgun lying on a table. At this point, all four suspects jumped up, one of the suspects grabbed the handgun, and they all fled to the rear of the residence. Officers #1 and #2 then heard glass breaking. Both officers ran to the rear of the residence where they observed the suspects jumping out of the window and attempting to flee the location. Officer #2 took Suspect #1 into custody as he attempted to jump a fence behind the residence. The other three suspects continued running. Officer #1 caught up with Suspect #1 as he attempted to jump the fence. Officer #1 grabbed Suspect #1's legs at which time Suspect #1 kicked Officer #1 in the chest. Suspect #1 continued over the fence with Officer #1 in pursuit. Officer #1 pursued Suspect #1 over three fences before ending up in a horse corral at 3803 Mural Lane. Once inside the horse corral, Suspect #1 turned and began fighting with Officer #1. Officer #1 and Suspect #1 fought violently causing Officer #1 to lose his handcuffs. During the fight, Suspect #1 made numerous statements to the effect that Officer #1 was going to have to kill him. Throughout the foot pursuit and fight, Suspect #1 kept his hand on his pocket. Because Officer #1 had seen a handgun lying on a table in the residence that Suspect #1 fled from, Officer #1 feared that Suspect #1 was armed. Officer #1 and Suspect #1 fought violently two additional times. During the third violent encounter, Suspect #1 again stated something to the effect that Officer #1 was going to have to kill him. Suspect #1 still had his hand on his pocket as if he had a weapon. By this time Officer #1 was overheated and exhausted. Fearing for his life, Officer #1 fired his duty weapon striking Suspect #1. Dallas Fire and Rescue responded to the location and Suspect #1 was pronounced deceased at the scene. Officer #1 suffered scratches on both arms.

A search warrant was executed at 5316 Bourquin Street by Crimes Against Persons and Narcotics detectives. Recovered from the location was one Ruger P95 handgun, one Mosburg 12 gauge shotgun, 171 grams of marijuana, 16.1 grams PCP (38 vials), 30.1 grams of Crack Cocaine inside the residence, 19 grams of Crack Cocaine outside the residence on the path the suspects took when fleeing, 24.1 grams of Xanax, and 52.1 grams of Hydrocodene. Also found were nine cell phones, four digital scales and a partial drug

ledger. Also, \$437.00 was recovered from the right front pants pocket of Suspect #1 at the scene.

Suspect #2 was transported to the Crimes Against Persons Division where he was interrogated and subsequently arrested for two alias tickets out of Dallas and Evading Arrest.

At this time it is undetermined who made the telephone call that initiated this incident.

UPDATE: The Internal Affairs Division investigation revealed the officer was justified in his use of deadly force.

STATUS: Complete

Case #CN2012-306 was presented at the August 14, 2012, Public Safety Committee Meeting.

Control #2012-396

Council District: 3
Involved Officers: (1) White Male
(1) Asian Male
Suspect: (1) White Male

On October 28, 2012, at approximately 5:50 p.m., officers in full police uniforms and driving a marked police vehicle, responded to an Aggravated Robbery call from the police dispatcher at 225 E. Colorado Boulevard. While the officers were proceeding to the call location, a description of the suspect was broadcast over the radio. As officers were stopped at a red light, the suspect drove past in the suspect's vehicle and waved a handgun out of the window. Officer #1 notified the dispatcher that he was behind the suspect's vehicle at which time a chase ensued. Officer #1 and Officer #2 pursued the suspect through a residential neighborhood where he drove his vehicle onto a residential lawn. As the suspect drove across the lawn, Officers #1 and #2 observed the rear passenger door swing open at which time a male tumbled from the vehicle. The suspect continued driving until he crashed his vehicle into a fence at the dead end of 1000 Green Street. The suspect then exited the vehicle with a gun in his hand and began walking toward the alley. Officers #1 and #2 began giving the suspect loud verbal commands to drop the weapon. The suspect refused to comply and continued walking toward the alley. Officers #1 and #2 followed the suspect into the alley as they continued to give the suspect verbal commands to drop the weapon. Refusing to comply with the verbal order given by the officers, the suspect then began turning toward the officers with the gun in his right hand. Fearing for his life and the life of Officer #1, Officer #2 fired his duty weapon, striking the suspect, who fell to the ground. The suspect was taken into custody and transported to Methodist Central Hospital by Dallas Fire and Rescue, where he was listed in stable condition. No officers were injured during this incident.

A .22 caliber revolver, a pair of brass knuckles and \$80.00 that had been taken from the 7 Eleven during the robbery was recovered at the scene. The suspect will be charged with Aggravated Robbery F/1, Aggravated Kidnapping F/1 and Aggravated Assault on a Public Servant F/1.

UPDATE: The Internal Affairs Division investigation revealed the officer was justified in his use of deadly force.

STATUS: Complete

Case #CN2012-396 was presented at the December 10, 2012, Public Safety Committee Meeting.

Control #2013-057

Council District: City of Grapevine
Involved Officers: (2) White Males
Suspect: (1) Hispanic Male

On February 11, 2013, two detectives from the Miami-Dade Police Department were transporting the suspect from Miami, Florida to Nevada when the detectives stopped at a Walmart in Grapevine, Texas. While one of the detectives was inside the Walmart, the suspect stabbed the other detective to aide in his escape. The suspect then fled the location on foot. During the search for the suspect, several agencies including Dallas officers, who are assigned to the U. S. Marshals Taskforce, assisted in the search. On February 16, 2013, at approximately 10:24 p.m., Grapevine Police Officers responded to a burglary of a residence at 2121 Forest Hill Road, Grapevine, Texas. Upon answering the call officers developed leads that caused them to search the immediate area for the prisoner that had escaped several days prior. With the assistance of the Fort Worth Police Department helicopter, the suspect was located in a large wooded area near the location of the burglary call. When confronted, the suspect refused to show his hands and then charged the officers. Fearing for their lives, Officers #1 and #2, along with the Grapevine officer, fired multiple rounds from their duty weapons, striking the suspect. The suspect was pronounced deceased at the scene. No officers were injured during this incident.

UPDATE: The Internal Affairs Division investigation revealed the officers were justified in their use of deadly force.

STATUS: Complete

Case #CN2013-057 was presented at the March 25, 2013, Public Safety Committee Meeting.

Control #2013-058

Council District: 6
Involved Officers: (1) White Male
(1) Hispanic Male
Suspect: (1) Hispanic Male

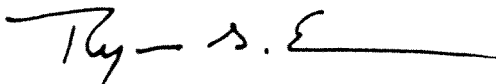
On February 23, 2013, at approximately 5:00 p.m., Officers #1 and #2, wearing full uniforms and driving marked police vehicles, responded to a call for service in the 3000 block of Chihuahua Street. The comments on the call for service sheet stated, "Several people were drinking and had gun in front of a house." When officers arrived at the location, the suspect was the only person at the scene. The suspect was seated inside a vehicle playing his music loudly. Both officers approached the vehicle to tell the suspect to turn his music down. When Officer #1 walked up to the driver's side door, the suspect immediately pointed a handgun at him. Officer #1 yelled, "Gun" to alert Officer #2 and began retreating from the vehicle. Fearing for his life, Officer #1 fired his duty weapon at the suspect. At this time, Officer #2 also observed the suspect pointing a gun at Officer #1. Fearing for the life of Officer #1, Officer #2 fired his duty weapon at the suspect. Both officers then gave verbal commands for the suspect to drop his weapon and exit the vehicle at which time the suspect complied. The suspect, who had been wounded as a result of being shot by the officers, was transported to Parkland Memorial Hospital by Dallas Fire and Rescue where he was listed in critical but stable condition. No officers were injured during this incident.

The suspect vehicle was towed to the Police Auto Pound where detectives recovered a 357 revolver and a box of ammunition. The suspect is being charged with one count of Aggravated Assault of a Peace Officer, Felony Third.

UPDATE: The Internal Affairs Division investigation revealed the officers were justified in their use of deadly force.

STATUS: Complete

Case #CN2013-058 was presented at the March 25, 2013, Public Safety Committee Meeting.



Ryan S. Evans
Interim First Assistant City Manager

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, Interim City Manager
Rosa A. Rios, City Secretary
Warren M. S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Daniel F. Solis, Administrative Judge
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O'Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager