

Memorandum



DATE: March 21, 2014

TO: Honorable Members of the Public Safety Committee: Sheffie Kadane (Chair), Adam Medrano (Vice Chair), Dwaine Caraway, Jennifer S. Gates, Sandy Greyson, Scott Greggs

SUBJECT: Administrative (Police) Reports
I. A. D. Cases to be Presented to the Public Safety Committee on March 24, 2014

NEW CASE PRESENTATION:

Control #2014-044

Council District: 10
Involved Officers: (1) Hispanic Male
(1) White Male
Suspect: (1) Black Male

On February 15, 2014, at approximately 12:36 p.m., Officers #1 and #2 were working in full police uniforms and driving a marked police vehicle, when they responded to a Major Disturbance with Violence call at 13030 Audelia Road. When officers arrived at the location, they observed the suspect sitting in the driver's seat of his vehicle in the parking lot of the apartment complex. As Officer #1 and Officer #2 were making contact with the suspect, the witness, who was the complainant on the call and the ex-girlfriend of the suspect, came outside and identified the suspect to the officers. When Officer #2 asked the suspect to exit the vehicle, the suspect pulled a handgun and shot at Officer #2 through the open driver's side window. Officer #2 dropped to the ground to avoid being shot, moved to the front of the suspect's vehicle and returned fire at the suspect who was still sitting inside the vehicle. Officer #1 also fired into the vehicle from his position at the rear driver's side of the suspect's vehicle. The suspect fired several shots, striking Officer #1 multiple times. The suspect then fled on foot between the buildings, running past the witness's apartment and intentionally firing into the apartment. At the time the suspect fired into the apartment, there were two adults and one infant inside. The suspect fled the location. There were no injuries inside the apartment. Officer #1 was transported to Baylor Medical Center by Dallas Fire and Rescue where he was listed in stable condition.

Detectives of the Special Investigations Unit (SIU) were contacted by the suspect's mother who stated that she was bringing the suspect to police headquarters to turn himself in. At approximately 6:00 p.m., the suspect surrendered to Metro Task Force and SIU detectives. The suspect was treated at Parkland Memorial Hospital for a gunshot to his right thigh. The suspect has been charged with two counts of Aggravated Assault on a Public Servant.

STATUS: Under Investigation

Control #2014-045

Council District: 5
Involved Officers: (1) White Male
Suspect: (2) Hispanic Males

On February 19, 2014, at approximately 1:55 a.m., the Involved Officer, who is assigned to the Southeast Deployment Unit, was working in plainclothes and driving a covert vehicle when he heard over the police radio an officer requesting assistance in locating a silver Mercedes. The officer requesting assistance asked the Involved Officer to go by 6109 Petain Avenue, a location known for drugs, to check for the vehicle. Upon arrival at the location, the Involved Officer was positioning his vehicle in the 4200 block of Elmira Street to conduct a surveillance of the Mercedes when two Hispanic males exited the residence at 6109 Petain and approached his vehicle. Both suspects confronted the Involved Officer and during the conversation, Suspect #1 produced a handgun. Fearing for his life, the Involved Officer fired one round, striking Suspect #1 in the torso. Suspect #2 fled the scene on foot. Tactical officers were called to the location for a possible barricaded person at 6109 Petain Avenue, where it was believed Suspect #2 was hiding. Detectives from SIU obtained a search warrant for the location which was executed by SWAT. However, Suspect #2 was not inside the location. Suspect #1 was transported to Baylor Memorial Hospital by Dallas Fire and Rescue in critical condition. No officers were injured during this incident.

During the investigation, information was developed that Suspect #2 was hiding inside the residence at 6418 Lovett Avenue. Patrol officers secured the location and Suspect #2 was taken into custody without incident.

The handgun used by Suspect #1 had been reported stolen in Sulphur Springs, Texas. Suspect #1 has been charged with Unlawful Possession of a Firearm by A felon, Felony 3rd.

STATUS: Under Investigation

PREVIOUS CASE PRESENTATION:

Control #2012-460

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

On December 14, 2012, at approximately 10:45 a.m., officers in full uniforms and driving a marked police vehicle were patrolling at the Kimball Square Apartments, 4542 W. Keist Boulevard, which is known for drug use and sales. As the officers patrolled the area, they were driving eastbound through the complex when they observed a green Navigator sport

utility vehicle driving westbound slowly. The officers continued driving through the complex to the southernmost part of the complex and then turned westbound. When the officers turned going northbound, the suspect vehicle pulled in front of them. As the officers followed the vehicle, they observed that the temporary license plate on the vehicle was expired. At this point, the suspect turned east, quickly pulling into a parking space and exiting the vehicle. Before the officers could exit their vehicle, the suspect approached them as they were still seated in their vehicle. The suspect asked the officers if there was a problem. Officer #1 advised the suspect that the license plate on his vehicle was expired and asked the suspect if he had a driver's license. A check of the suspect revealed that his driver's license had been suspended. As Officer #1 and Officer #2 exited their vehicle to further investigate, the suspect started acting nervous and made gestures towards his mid-section that was partially covered by clothing and a large coat. For officers' safety, Officer #1 and Officer #2 decided to conduct a pat down search of the suspect for weapons. As the officers attempted to pat the suspect down, the suspect tensed up and would not allow the pat down. The officers decided to handcuff the suspect for officer safety and advised the suspect what they were about to do. At this point, the suspect began to resist; however, the officers were able to talk the suspect into sitting down on the sidewalk. When the officer began placing handcuffs on the suspect, the suspect began resisting more aggressively. While the officers struggled with the suspect, a passenger that was in the suspect's vehicle, exited and fled the location. The suspect continued resisting and ended up face down on the ground with his hands clutched to his stomach. During the struggle to get the suspect handcuffed, the officers were giving loud verbal commands to the suspect to stop resisting. The suspect continued resisting at which time he was able to free his right hand, reach into his mid-section and pull out a handgun. Officer #1 quickly yelled to Officer #2 that the suspect had a gun and disengaged as he reached for his duty weapon. Officer #1 gave loud verbal commands to the suspect to drop the gun. The suspect turned towards Officer #1 and pointed the gun in the officer's direction. Fearing for his life, Officer #1 fired several rounds at the suspect who then slumped over to the ground. Officer #2 removed the handgun from the suspect who was then handcuffed. The suspect was pronounced deceased at the scene by Dallas Fire and Rescue. No officers were injured.

The suspect had over \$1,600.00 in cash on his person and during a search of the suspect's vehicle, several baggies of marijuana were found. Also recovered was a chrome semi-automatic Davis Industries .380 caliber handgun. A weapon check revealed that the handgun had been reported stolen in Dallas in 1991.

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

STATUS: Complete

Case #CN2013-460 was presented at the January 4, 2013, Public Safety Committee Meeting.

Control #2013-084

Council District: 6
Involved Officers: (1) Black Male
Suspect: (1) Black Male

On March 14, 2013, at approximately 2:30 a.m., Officers #1, #2, and #3, wearing full uniforms were working off-duty in the parking lot of Club Icon, 10333 W. Technology Boulevard when a fight broke out in an adjacent parking lot between two groups of individuals. During the fight, the suspect retrieved a handgun from a vehicle and began shooting toward a crowd of individuals on the parking lot. Officer #1, who was attempting to disperse the crowd from the parking lot of Club Icon, heard shots being fired from the adjacent parking lot. As Officer #1 approached the adjacent parking lot, he observed the suspect shooting his weapon toward the crowd. Fearing for the lives of the innocent people, Officer #1 fired his duty weapon striking the suspect. The suspect was transported to Parkland by Dallas Fire and Rescue where he was pronounced deceased. A .40 caliber handgun was recovered at the scene.

A witness to the incident suffered a gunshot to his right thigh and was transported to Parkland Memorial Hospital. At this time it has not been determined who caused the injury sustained by the witness. No officers were injured.

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

STATUS: Complete

Case #CN2013-084 was presented at the March 25, 2013, Public Safety Committee Meeting.

Control #2013-244

Council District: 7
Involved Officers: (1) White Male
(1) Hispanic Male
Suspects: (1) Black Male

On June 26, 2013, at approximately 9:00 p.m., officers in full uniform and driving a marked police vehicle responded to a Theft in Progress call at 1921 Martin Luther King Jr. Boulevard. The comments on the call for service sheet stated that a security guard had the suspect at gun point and the suspect may be armed. When officers arrived at the location, the suspect and security guard were standing outside. The officers approached the suspect and instructed him to put his hand on the push bumper of their squad car. The suspect refused and began reaching in his pocket. Officer #1 drew his taser and began giving the suspect loud verbal commands to show his hands. The suspect refused to comply with Officer #1's commands and continued reaching into his pocket. Officer #1 then deployed a five second burst from his taser which knocked the suspect to the ground. The suspect

pulled the prongs from his chest, drew a knife from his pocket and began running down Martin Luther King Jr. Boulevard. Officers #1 and #2 chased the suspect down the street at which time the suspect ran into a check cashing business located at 2310 Martin Luther King Jr. Boulevard. The business was occupied by a clerk that was working inside. The suspect at this time was holding onto the door in an attempt to keep Officers #1 and #2 from entering the business. Officer #1 gave loud verbal commands for the suspect to come out of the business and to drop the knife; however, the suspect refused to comply. Officer #1 attempted to pull the door open but the suspect kept pulling the door closed. All of a sudden the suspect opened the door and lunged at Officer #1 with the knife in a raised position. Fearing for his life, Officer #1 fired his weapon at the suspect. Seeing the suspect lunging toward Officer #1 with the knife, Officer #2 fired at the suspect as well. The suspect was struck and transported to Baylor Hospital by Dallas Fire and Rescue where he was listed in stable condition. No officers were injured.

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

STATUS: Complete

Case #CN2013-244 was presented at the September 23, 2013, Public Safety Committee Meeting.

Control #2013-250

Council District: 5
Involved Officers: (1) Black Male
(1) Hispanic Male
Suspect: (1) Hispanic Male

On July 17, 2013, at approximately 2:00 p.m., officers in full police uniforms and driving a marked police vehicle, responded to a Burglary in Progress call from the police dispatcher at 1639 Conner Drive. When officers arrived at the location, they were met by the neighbor who stated he heard loud noises coming from the residence next door and he believed someone had broken in. The residence and the surrounding yard were completely dark. The officers drew their weapons and split up to search the residence in an attempt to determine if someone was inside and if so the point of entry. Officer #1 entered the unlit back yard, heard someone yelling loudly and observed the sliding glass door to the residence open. Shining his flashlight into the residence, Officer #1 observed the suspect standing inside the residence yelling something unintelligible. Officer #1 began giving the suspect loud verbal commands to exit the residence, show his hands and to get on the ground. The suspect exited the residence, ran around in circles, got on his knees and curled into a semi ball continually yelling unintelligibly. Officer #1 then called out to Officer #2 informing Officer #2 that he had the suspect and for him to come to the backyard. Officer #2 also heard the suspect yelling unintelligibly as he walked down the side of the residence. Hearing Officer #1 calling for him, Officer #2 jumped the fence in order to provide cover for Officer #1. Officer #1 asked Officer #2 if he had the suspect covered. After assuring that Officer #2 had the suspect covered, Officer #1 holstered his

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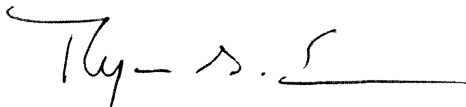
weapon and drew his taser. The suspect then suddenly threw an object at Officer #1. The object bounced off Officer #1's head. The suspect then jumped up and charged directly at Officer #2 reaching toward the officer's weapon. Officer #2 was positioned with the fence to his back leaving him nowhere to retreat. Fearing for his safety, Officer #2 fired his weapon at the suspect. Seeing the suspect charging Officer #2, Officer #1 deployed his taser at the same time Officer #2 fired his weapon. The suspect was transported to Baylor Medical Center where he was listed in critical condition. No officers were injured as a result of this incident.

It was later determined that the object thrown by the suspect was a cellular phone. The prongs from the taser were located inside the suspect's clothing.

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

STATUS: Complete

Case #CN2013-250 was presented at the September 23, 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, City Manager
Rosa A. Rios, City Secretary
Warren M. S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Judge Daniel E. 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