

Memorandum



DATE: September 20, 2013

TO: Members of the Public Safety Committee

SUBJECT: Administrative (Police) Reports
I. A. D. Cases to be Presented to the Public Safety Committee on September 23, 2013

NEW CASE PRESENTATION:

Control #2013-310

Council District: 5
Involved Officers: (1) White Male
(1) Hispanic Male
Suspects: (1) Hispanic Male

On September 6, 2013, at approximately 5:06 p.m., Dallas Officers received information from the police dispatcher that Garland Police Department was requesting assistance in locating and stopping an aggravated assault suspect. Officer #1 (Dallas Officer) responded and located Officer #2 (Garland Officer) and the suspect at the intersection of Highway 175 and Buckner Boulevard. Officers #1 and #2 initiated a felony traffic stop and ordered the suspect from the vehicle. When the suspect refused to comply, both officers approached the suspect's vehicle at which time a struggle ensued. During the struggle, the suspect was able to put the vehicle in gear and attempted to drive away with both officers hanging from the vehicle. As the struggle continued, the suspect reached into his waistband for what officers believed to be a weapon. Officers #1 and #2, fearing for their lives, fired their weapons at the suspect. After firing their weapons, the suspect was able to drive away. The suspect reentered the freeway where he collided with the median before driving off the freeway onto the service road where he struck a stop sign before the vehicle came to a stop. Additional officers and supervisors responded to the location and found the suspect still inside the vehicle. The suspect was transported to Baylor Medical Center by Dallas Fire and Rescue where he was pronounced deceased. No officers were injured during this incident.

The medical examiner has ruled that the cause of death was the result of a self-inflicted wound. A pistol was recovered inside the suspect's vehicle.

STATUS: Under Investigation

Control #2013-244

Council District: 7
Involved Officers: (1) White Male
(2) 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.

STATUS: Under Investigation

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 officer 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 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.

STATUS: Under Investigation

PREVIOUS CASE PRESENTATION:

Control #2012-193

Council District: 3
Involved Officers: (1) White Male
(1) Hispanic Male
Suspects: (2) Black Male

On May 22, 2012, at approximately 4:50 p.m., while working in an undercover capacity, Officer #1 was dropped off by Officer #2 in the Mountain Valley Apartment complex located at 5900 Stretch Drive to make a narcotics purchase from a suspect. Officer #1 walked to the apartment alone, entered, paid for the drugs and waited alone in the apartment while Suspect #1 went to retrieve the drugs. When Suspect #1 returned to the apartment, he informed Officer #1 that the drugs were not ready and that he would have to wait. Officer #1 at this time called Officer #2 to the location to purchase drugs also. Suspect #1 left the location a second time to see if the drugs were ready. While Suspect #1 was gone, Suspect #2 entered the apartment. When Suspect #2 entered the apartment, he immediately pulled a gun and became irate because Officers #1 and #2 were inside the apartment alone. Officer #1 attempted to explain to Suspect #2 that they were there to make a buy, but Suspect #2 kept making statements to the effect that he was not going back to jail and asking if they were the police. When Suspect #1 returned to the apartment, Suspect #2 began striking Suspect #1 in the head with a pistol. Suspect #2 then demanded

to see Officer #1's covert wallet at which time he began going through it. Suspect #2 then instructed Suspect #1 to get a pen and write down Officer #1's covert identification information. As Suspect #1 was writing Officer #1's information, Suspect #2 stated that he now knew where Officer #1 lived and that he would kill his family if he found out that he was a cop. Suspect #2 then demanded to see Officer #2's identification. Officer #2 pretended that he only spoke broken English and that he had no identification, only money. Officer #2 then produced \$500.00 at which time Suspect #2 stated, "He just bought y'all's way out of here." Officers #1 and #2 were then allowed to leave the apartment. Officers #1 and #2 made their way through the apartment complex to make contact with cover officers who were circling the complex. As Officers #1 and #2 neared their rendezvous location, they observed Suspect #2 coming out of Apartment #5961 with Witnesses #1 and #2. At this point, Officers #1 and #2 separated. Witness #1 entered the passenger side of the red vehicle as Witness #2 stood near the driver's side door of the vehicle. When Suspect #2 saw Officers #1 and #2, he began shouting something to the effect of, "I know you're the police." Suspect #2 first confronted Officer #1 and attempted to pull a handgun from his front waistband. As Suspect #2 was attempting to get the weapon, it appeared to Officer #1 that the sights on the weapon got caught in the waistband. Officer #1 then observed Suspect #2 charge in the direction of Officer #2 successfully drawing the handgun from the front waistband of his pants. Fearing for the life of Officer #2, Officer #1 fired several rounds from his duty weapon, striking Suspect #2. Officer #1 used a cellular phone to call for assistance from Dallas Fire and Rescue. Suspect #2 was transported to Methodist Central Hospital where he was pronounced deceased. No officers were injured.

Suspect #1 has been charged with two counts of Delivery of a Controlled Substance/Drug Free Zone, F/3. Witness #1 was transported to the Crimes Against Persons Division, interviewed and released. Witness #2 was transported to the Crimes Against Persons Division where it was discovered that he had sustained a minor injury to his right upper arm from the gunfire. Witness #2 refused medical treatment for the injury. Witness #2's injuries were photographed by the Physical Evidence Section and documented in an Injured Persons report. Witness #2 was also interviewed and released.

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

STATUS: Complete

Case #CN2012-193 was presented at the June 11, 2012, Public Safety Committee Meeting.

Control #2012-210

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

On June 2, 2012, at approximately 5:30 p.m., the Involved Officer was working a one man element in full police uniform and driving a marked police vehicle. While on routine patrol, the Officer observed the suspect commit a traffic violation when he

failed to use his turn signal prior to making a right turn into the Spring Ridge Apartment complex in the 3600 block of Folklore Trail. At this point, the Officer activated the overhead emergency lights and performed a traffic stop. The suspect, who was the driver of the vehicle, pulled the vehicle into a parking spot. As the Officer approached the vehicle, he could smell the odor of marijuana emanating from the driver's window. The Officer asked the suspect if there were any drugs or weapons in the vehicle, to which the suspect responded that there were not. The Officer noticed that the suspect was acting nervous, so he instructed the suspect to exit the vehicle. When the suspect exited the vehicle, the Officer turned the suspect away from him in order to perform a Terry Frisk of the suspect's person. While conducting the pat down search, the Officer observed the butt of a gun protruding from the suspect's right side waistband. The Officer immediately grabbed the suspect's hands and yelled, "Don't grab the gun!" The suspect then began to struggle with the Officer attempting to pull his hands away. During the struggle, the suspect was able to free his right hand and reach for the gun he had in the waistband of his pants. Fearing for his life, the Officer fired one round from his duty weapon, striking the suspect. The suspect was transported to Methodist Central Hospital by Dallas Fire Rescue where he was pronounced deceased. The officer was not injured.

There were two additional occupants in the suspect's vehicle who were transported to the Crimes Against Persons Division, interviewed and released. Recovered at the scene was a fully loaded 40 caliber Springfield Arms handgun that had been reported stolen out of Plano, Texas.

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

STATUS: Complete

Case #CN2012-210 was presented at the August 14, 2012, Public Safety Committee Meeting.

Control #2012-452

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

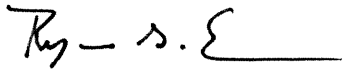
On December 6, 2012, at approximately 3:45 p.m., officers in full police uniforms and driving a marked police vehicle responded to an Armed Encounter call from the police dispatcher at the intersection of Castlefield Drive and N. St. Augustine Road. The comments on the call stated that a black male was walking down the street carrying a gun in his hand. As the officers turned onto Castlefield Drive, they were met by a witness who informed them that the suspect was walking down the street. The officers continued down

Castlefield Drive at which time they observed the suspect walking toward them carrying a shotgun. Both officers exited their vehicle, drew their weapons and began giving the suspect loud verbal commands to stop and drop his weapon. The suspect ignored the officers' commands and continued walking in the direction of the officers. As the suspect walked toward the officers he stated, "Shoot me, shoot me." The officers continued giving loud verbal commands for the suspect to stop and drop his weapon. The suspect refused to obey the officers' commands while continually stating, "Shoot me, shoot me." At that point, the suspect began to raise the shotgun in the direction of Officer #1. Fearing for his life, Officer #1 fired his weapon at the suspect. Officer #2, also fearing for the safety of Officer #1, fired his duty weapon at the suspect. Dallas Fire and Rescue transported the suspect to Baylor Medical Center where he was pronounced deceased. No officers were injured during this encounter.

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

STATUS: Complete

Case #CN2012-452 was presented at the January 14, 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, Interim City Attorney
Craig D. Kinton, City Auditor
Judge 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