

Memorandum



DATE: April 25, 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 April 28, 2014

NEW CASE PRESENTATION:

Control #2014-107

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

On April 4, 2014, at approximately 9:30 a.m., Witnesses #1 and #2 observed the suspect trespassing at their place of business located at 1221 South Lamar Street. As the witnesses were escorting the suspect off the property, the suspect began stabbing Witness #1. Witness #2 began yelling for help. The Involved Officer, who was off-duty but in full police uniform, was parking her personal vehicle across the street from the business when she observed the disturbance taking place. When the Involved Officer approached Witness #1 and the suspect, she observed the suspect stabbing Witness #1 with a knife. The Involved Officer drew her duty weapon and fired at the suspect through a chain link fence; however, the suspect continued stabbing Witness #1. The Involved Officer moved through the open gate and again fired at the suspect, striking the suspect several times in the torso and head causing the suspect to fall to the ground. The suspect was pronounced deceased at the scene by Dallas Fire and Rescue. Witness #1 suffered several stab wounds but is expected to survive his injuries. The officer was not injured.

STATUS: Under Investigation

PREVIOUS CASE PRESENTATION:

Control #2013-387

Council District: 4
Involved Officers: (1) Black Male
(1) Black Female
Suspect: (1) Hispanic Male

On November 1, 2013, at approximately 11:40 p.m., Officers #1 and #2, in full police uniforms and driving marked police vehicles, responded to a major disturbance call from the dispatcher at 1524 E. Missouri Avenue regarding a male on the front porch. The witness had arrived home earlier and observed the suspect, who did not live at the location, sitting on her front porch. The witness was afraid to stop, so she continued past her residence and called 9-1-1 for police assistance. When Officers #1 and #2 arrived at the location, they encountered the suspect who was still sitting on the porch. Contact was also made with the witness who was

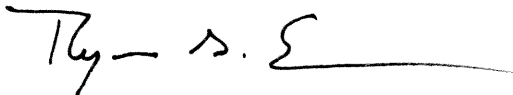
the 9-1-1 caller. The witness informed the officers that she wanted the suspect to leave and requested that a Criminal Trespass Warning be given to the suspect. As Officer #1 went to her vehicle to retrieve the necessary paperwork, Officer #2 continued speaking with the suspect as a civilian, riding observation with Officer #2, stood by. For officer safety, Officer #1 checked the suspect for weapons. As Officer #1 and the suspect were talking, the suspect became aggressive and erratic. Officer #1 fearing for his safety and the safety of the civilian observer, attempted to place the suspect in handcuffs until the matter could be resolved. The suspect refused to cooperate and began physically resisting Officer #1's commands. At that point a struggle ensued and Officer #2 quickly came to Officer #1's aid. The struggle moved from the front porch and into the yard. During the struggle, Officer #1 attempted to retrieve his Taser in order to gain compliance from the suspect. The suspect managed to wrestle the Taser from Officer #1. Both officers disengaged and took several steps backwards as they retrieved their duty weapons. As the officers drew their weapons, they were giving the suspect loud verbal commands to drop the Taser. The suspect failed to obey the officers' commands, stood up, and aimed the Taser at Officers #1 and #2 while attempting to deploy a charge. Both officers observed the red light emitting from the Taser. Officer #1, fearing for his life, the life of Officer #2 and the civilian observer, discharged his weapon striking the suspect. An independent witness corroborated the facts of this incident. This witness stated that she heard a crackling sound as the suspect stepped towards the officers pointing the Taser in their direction. This witness also stated that she heard Officers #1 and #2 giving the suspect commands to drop the Taser. Dallas Fire and Rescue responded to the location and pronounced the suspect deceased at the scene. No officers were injured.

The suspect has a criminal history which shows arrests for drug possession and delivery, resisting arrest, and Assault on a Public Servant.

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

STATUS: Complete

Case #CN2013-387 was presented at the December 9, 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
Shawn Williams, Interim Public Information Officer
Elsa Cantu, Assistant to the City Manager