

Memorandum



DATE: January 6, 2012

TO: Members of the Public Safety Committee

SUBJECT: Administrative (Police) Reports
I. A. D. Cases to be Presented to the Public Safety Committee on January 9, 2012

NEW CASE PRESENTATION:

Control #2011-453

Council District: 2
Involved Officers: (4) White Males
(1) Hispanic Male
Suspect: (1) White Male
Witness: (1) White Female

On December 5, 2011, at approximately 3:00 p.m., four detectives and one supervisor were working at the Union Train Station located at 400 S. Houston Street. The detectives and the supervisor are assigned to the K-9 Drug Interdiction Unit and were conducting consensual interviews and searches of suspicious persons who might possibly be in possession of drugs. During the operation, detectives observed the suspect and witness in the lobby. The suspect appeared nervous and was acting suspicious. The suspect and witness walked outside to the platform to board the train. Detectives #1, #2, #3, and #4 proceeded to follow the suspect and witness onto the train. The supervisor also boarded the train but stayed behind to cover the exit.

Upon boarding the train, the suspect placed his luggage in a storage bin on the bottom floor of the train and then the suspect and witness went up the stairs to take a seat on the second level. Detectives #1, #2, #3, and #4 proceeded up the stairs and located the suspect, who had taken a window seat, and the witness who was sitting in the aisle seat next to the suspect. The quarters of the train were very narrow, but the detectives were able to position themselves in a manner that would allow room for the suspect and witness to stand up and leave if they chose to do so. Detective #4 proceeded first and positioned himself in the aisle behind the witness and suspect. Detective #2 followed and stood in the aisle just behind the witness. Detective #3 stood across the aisle from the witness and Detective #4 stood in the leg area of the seats located in front of the witness and suspect. Detective #2 identified himself as a Dallas Police Officer and displayed his badge to the suspect and witness. The other detectives had their badges hanging on chains around their necks and also identified themselves. Detective #2 asked the suspect and witness if they, the detectives, could speak to them and the suspect and witness both replied, "Yes." Detective #2 asked the witness where her luggage was and if she would consent to the search of it, to which she agreed. Detective #2 then proceeded to ask the suspect the same question and the suspect refused to allow a search. Because the suspect's behavior was so suspicious, Detective #2 informed the suspect that he was going to conduct a pat down search for officer safety and to ensure that he was not armed. The suspect refused to be searched and proceeded to stand up while turning his back to the detectives obstructing their view. Detective #3 then moved towards the suspect, who was reaching into his front pants pocket with his left hand, and verbally ordered the suspect to show his hands. At this time, Detective #3 observed the suspect remove a weapon from his pants pocket

with his left hand. Detective #3 shouted, "Gun!" to warn the other detectives of the suspect's actions. As Detective #3 moved away to draw his weapon, the suspect brought his weapon inward and pointed it in the direction of Detective #3. Detective #1 had already drawn his weapon upon hearing Detective #3 shout, "Gun." Fearing for Detective #3's life, Detective #1 fired two rounds from his duty weapon at the suspect. The suspect then pointed his weapon in the direction of Detective #2. Fearing for Detective #2's life, Detective #3 fired an additional round from his duty weapon at the suspect. The suspect fell to the ground and was handcuffed by Detective #3 as Detective #4 secured the suspect's weapon.

The suspect was pronounced deceased at the scene. Detective #2 suffered a gunshot to his left hand and was transported to Baylor Medical Center where he underwent surgery for his injury. A passenger, who was not involved in the incident, suffered a gunshot to his shoulder and was transported to Baylor Medical Center. The bystander's injury was non-life threatening and he was treated and released the same evening.

STATUS: Under Investigation

Control #2011-456

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

On December 10, 2011, at approximately 8:30 p.m., officers, in full police uniforms and driving a marked police vehicle, responded to a cutting call at 12121 Audelia Road. Upon arrival at the Indigo Apartments, Officers #1 and #2 were met by several individuals with various injuries. The officers were informed that the suspect had become outraged during a birthday party at which time he bit his girlfriend on the face, cut two individuals with a box cutter and physically assaulted an individual who was attempting to break up the fight.

While attempting to investigate the incident, the officers learned that the fight began inside the girlfriend's apartment when the suspect bit his girlfriend in the face and then ordered everyone out of the apartment. After ordering the party goers to leave, the suspect followed them out the door and began attacking them with a box cutter. Two of the party goers were cut by the suspect and when an innocent bystander attempted to stop the assault, the suspect struck the bystander several times in the face with his fist causing the bystander a bloody lip and abrasions to the forehead. The suspect then fled back into his girlfriend's apartment. Officers #1 and #2 went to the apartment and instructed the suspect's girlfriend to unlock the door and step back. After the door was unlocked, the suspect pulled the door open holding a knife in his hand. The suspect lunged toward Officer #1 and fearing for his life, Officer #1 fired one round from his duty weapon. Still holding the knife in his hand, the suspect turned towards Officer #2. Officer #2 fearing for her life, fired one round from her duty weapon. The suspect then fell to the ground. The suspect was transported to Baylor Medical Center by Dallas Fire and Rescue where he underwent surgery for his injuries. No officers were injured.

The suspect will be charged with Class A Assault (Family Violence), Class A Assault against the bystander, two counts of Aggravated Assault F/3 for the injuries caused to the party goers, and two counts of Aggravated Assault of a Peace Officer.

STATUS: Under Investigation

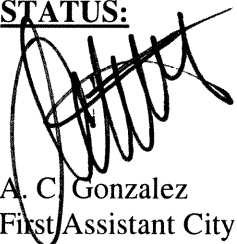
Control #2011-475

Council District: 7
Involved Officers: (1) White Male
Suspect: (2) Black Males

On December 27, 2011, at approximately 9:20 p.m., Officer #1, a one man element in full police uniform and driving a marked police vehicle, along with another one man element, were dispatched to a Suspicious Person call in the 3700 block of Penelope Street. The comments on the call sheet stated that two black males were parked in a Mitsubishi with dark tinted windows. Officer #1, who was the first officer to arrive at the location, realized that he was approaching the suspects head on. Officer #1 illuminated his spot lights which enabled him to see the suspects. Officer #1 observed Suspect #1 seated in the driver's seat of the vehicle and Suspect #2 was seated in the front passenger seat. Both suspects appeared nervous and Suspect #2 began moving around inside the vehicle with his hands out of view of Officer #1. Officer #1 exited his vehicle, approached the passenger side of the suspect's vehicle, opened the door and immediately observed a large caliber revolver between the seat and the passenger door. Officer #1 drew his duty weapon, gave loud verbal commands for both suspects to put their hands up and called for cover officers to respond "Code 3." Suspect #1, who was in the driver's seat, complied with Officer #1's command; however, Suspect #2 began to exit the vehicle while he reached for the revolver. Fearing for his life Officer #1 fired his duty weapon, striking Suspect #2, who fell to the ground.

Suspect #2 was pronounced deceased at the scene. Suspect #1 was taken into custody and transported to the Crimes Against Persons Division where he was interviewed and released. No officers were injured.

STATUS: Under Investigation


A. C. Gonzalez
First Assistant City Manager