

Memorandum



DATE: April 20, 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 April 23, 2012

NEW CASE PRESENTATION:

None

PREVIOUS CASE PRESENTATION:

Control #2010-267

Council District: 10
Involved Officers: (2) White Male
Suspect: (1) White Male

On June 28, 2010, at approximately 6:00 p.m., Officers #1 and #2, in full uniform and driving a marked police vehicle, responded to a Burglary of a Motor Vehicle call at 13015 Audelia Road. When the officers arrived at the location, Officer #1 located the complainant who stated the suspect had burglarized his Yellow Taxi Cab and removed his GPS system. As Officer #1 was talking with the complainant, the complainant pointed out the suspect who was driving slowly through the apartment complex parking lot. Officer #1 yelled at the suspect to stop at which time the suspect drove away. When the suspect refused to comply with Officer #1's request, Officer #1 began chasing the vehicle on foot as he advised Officer #2 to stop the suspect. Officer #2 got into the police vehicle and followed the suspect through the parking lot. As the suspect stopped at the gate waiting for it to open, Officer #2 stopped his vehicle behind the suspect's vehicle. Officer #2 got out of his vehicle and instructed the suspect several times to exit the suspect's vehicle. The suspect refused to comply with Officer #2's command. Officer #2 then approached the driver's side of the suspect's vehicle and observed the suspect reaching into the center area of the vehicle. Fearing for his safety, Officer #2 removed his service weapon from the holster and struck the driver's window with the butt of the weapon causing the window to shatter. The suspect then turned toward Officer #2 with a black object in his hand and pointed it in the direction of Officer #2. Believing that the suspect was going to shoot him, Officer #2 fired two rounds from his service weapon into the suspect's vehicle striking the suspect at least once. The exit gate to the complex opened as this incident was unfolding and Officer #2 fired a third round at the suspect's vehicle as the suspect continued to drive through the gate onto Audelia Road. The suspect drove erratically crossing Walnut Street where the vehicle ran into a Dallas Area Rapid Transit passenger waiting area before striking a tree.

The suspect was transported to Baylor Medical Hospital where he was pronounced deceased a short time later.

Officer #2 suffered several cuts to his right hand, which required medical attention, caused when he shattered the driver's side window of the

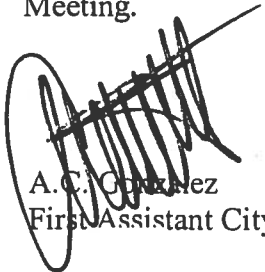
suspect's vehicle. The GPS system that was taken in the burglary was located inside the suspect's vehicle.

A check of the suspect revealed that the suspect has an extensive criminal history including a prior Burglary of a Motor Vehicle and Aggravated 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 #CN2010-267 was presented at the September 7, 2010, Public Safety Committee Meeting.



A.C. Gonzalez
First Assistant City Manager

cc: Honorable Mayor and Members of the City Council
Mary Suhm, City Manager
Rosa Rios, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge
Ryan S. Evans, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Office
Stephanie Cooper, Assistant to the City Manager – Council Office