

# Memorandum



DATE: June 8, 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 June 11, 2012

## **NEW CASE PRESENTATION:**

**Control #2012-193**

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

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 his 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 knows 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 a 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 his 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.

**STATUS:** Under Investigation

**Control #2012-196**

**Council District: 10**

**Involved Officers: (3) White Males**

**Suspects: (1) White Male**

On May 27, 2012, at approximately 8:45 p.m., Officer #1, who is a sergeant, was working an off-duty job for the Merriman Park Estates Neighborhood Association when he heard officers being dispatched to a suicide call at 7129 Tabor Drive. Officer #1 drove to the location and waited down the street from the call until on-duty officers arrive at the scene. When Officers #2 (a sergeant) and #3 (a patrol officer) arrived, they were joined by Officer #1. Shortly after the officers arrived at the location, they were met outside by the roommate of the suspect. The roommate stated he was at a church function when he received a call from the suspect who stated that he had shot himself in the chest. The roommate stated he called 9-1-1 and left the function to return home where he met the officers on the front lawn of the residence. The roommate informed the officers that the suspect was probably in the rear bedroom. As the officers entered the residence through the garage, they loudly announced their presence. When the officers reached the end of the hall, they observed blood in the bathroom. Officer #2 opened the door to the bedroom and observed the suspect lying on the floor covered in blood with a handgun lying beside his right hand. Officer #3

positioned himself in an adjoining bathroom that also accessed the bedroom. Officer # 1 also had a full view of the suspect. When the suspect observed the officers, he raised his head and began reaching for his handgun. At this time, both Officers #1 and #2 began giving loud verbal commands for the suspect not to touch the handgun. The suspect then picked up the handgun and pointed it in the direction of Officer #2. Fearing for the life of Officer #2, both Officers #1 and #2 discharged their weapons striking the suspect. Officer #3 did not fire his weapon because he did not have a clear line of fire. Dallas Fire and Rescue transported the suspect to Baylor Medical Center where he was pronounced deceased. A .45 caliber handgun was recovered at the scene. No officers were injured.

**STATUS:** Under Investigation

**PREVIOUS CASE PRESENTATION:**

**Control #2010-349**

**Council District:** 5  
**Involved Officers:** (4) White Males  
(1) Black Male  
**Suspect:** (1) Black Male

On October 29, 2010, at approximately 8:30 p.m., four officers and one sergeant, in full uniform, were assigned to work foot patrol at the Cedar Garden apartment complex located at 3810 Bonnie View Road in response to complaints of drug activity at the location. As the officers drove up to the complex, Officers #1 and #2 went to the rear of the complex while Officers #3, #4 and #5 went to the front. As Officers #3, #4 and #5 exited their vehicle, they observed a red vehicle occupied by two individuals parked in the parking lot near the breezeway. Officer #4 approached the vehicle and asked the occupants for identification. As Officers #3 and #5 approached the breezeway, an unknown male rounded the corner, observed the officers and stopped walking. The unknown male then put both hands behind his back and appeared to be reaching for something in his rear waistband. Both Officer #3 and Officer #5 began giving loud verbal commands for the suspect to show his hands. The suspect, who said nothing, did not comply with the commands to show his hands and continued to appear to be reaching for something in his rear waistband. The suspect then made a motion turning his upper body away from the officers while continuously reaching in his rear waistband. At this point, the suspect aggressively moved his hand toward the officers. Officer #3, in fear of his life and the life of Officer #5, drew his duty weapon and fired several rounds striking the suspect multiple times in the upper body. The suspect then fell to the ground. The suspect was pronounced deceased at the scene. No officers were injured.

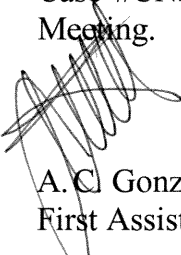
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One of the bullets fired by Officer #3 struck an eleven-year-old boy that was not involved in the incident. Dallas Fire and Rescue transported the child to Methodist Central Hospital with a gunshot wound to the right arm listed in stable condition.

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

**STATUS:** Complete

Case #CN2010-349 was presented at the October 4, 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  
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