

Memorandum



DATE: September 3, 2010

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 7, 2010

NEW 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.

STATUS: Under Investigation

PREVIOUS CASE PRESENTATION:

<u>Control #09-383</u>	Council District:	7
	Involved Officers:	(1) Black Female (1) Hispanic Male
	Suspect:	(1) Black Male

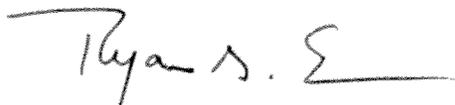
On October 17, 2009, at approximately 1:30 p.m., Officers #1 and #2 were working a special assignment in full uniform driving a marked police vehicle in the Fair Park area. While patrolling the area, Officer #1 and #2 observed the suspect walking in the center of the street in the 3800 block of Jamaica Street. The officers drove to the intersection of Gertrude Street and Frank Street where they confronted the suspect. As the officers were questioning the suspect about walking in the street, the suspect informed them that he had a gun in his possession. At this point Officer #1 informed the suspect that he would be handcuffed for his own personal safety. As Officer #1 attempted to handcuff the suspect, the suspect pulled away and began to flee from the location west on Frank Street. As the officers pursued the suspect, they continually ordered him to stop. While fleeing from the officer, the suspect kept his right hand in the area of his pants waistband. The suspect ran into a driveway of a residence located at 3902 Frank Street where he turned and looked in the direction of the officers while reaching towards his back pocket with his right hand. The suspect's acknowledgement to the officers that he had a gun along with him fleeing and refusing to comply with the officers orders to stop caused the officers to fear for their lives. Officers #1 and #2 then pulled their duty weapons and fired several shots striking the suspect. The suspect was transported to Baylor Medical Center where he underwent surgery and was listed in serious condition. A revolver was recovered from the suspect's right back pocket. No officers were injured.

The suspect has been charged with Unlawful Carrying a Weapon and Evading Arrest.

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

STATUS: Complete

Case #CN09-383 was presented at the December 7, 2010, Public Safety Committee Meeting.



Ryan S. Evans
First Assistant City Manager