

Memorandum



DATE: September 9, 2011

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 12, 2011

NEW CASE PRESENTATION:

None

PREVIOUS CASE PRESENTATION:

Control #2010-045

Council District: 1
Involved Officers: (3) White Males
(1) Black Female
Suspect: (1) White Male

On February 5, 2010, at approximately 11:00 a.m., Officer #1 was working Element #D419 when he responded to a disturbance call involving an armed suspect at the Shell Gas Station, 3303 W. Illinois Avenue. When Officers #2 and #3 arrived at the location they met briefly with the store manager. Officers #2 and #3 were informed that the suspect, a current employee, had entered the office and took a weapon from underneath the counter. After retrieving the weapon, the suspect pointed it at the manager and told him to get out or he would kill him at which time the manager fled the location. Officers #2 and #3 approached the east side glass doors and observed the suspect standing inside the enclosed glass cashier's office. As the manager was confirming that the individual in the office was the suspect, Officer #2 immediately observed the weapon in the suspect's hand. The suspect was acting very erratically and repeatedly raised and lowered the weapon pointing the weapon at his face. Officers #1 and #4 went back to their vehicles and retrieved their rifles before taking a position on the east side of the building to provide cover for Officers #2 and #3. At this point several other cover officers were arriving at the location, taking defensive positions behind vehicles as Officer #2 continued to give loud verbal commands directing the suspect to put the weapon down. Officer #1 moved to a position on the southeast corner of the building to provide cover for Officer #2 who continued shouting commands to the suspect. The suspect then moved back into the cashier's office around a corner out of the sight of officers on the scene. The suspect then came back around the corner and again raised the weapon as he faced the officers. Officer #1 observed the suspect raising the weapon and being in fear for his life and the lives of the other officers, fired one round from his rifle at which time the suspect fell to the floor. A review of the store's security video shows the suspect raises his weapon again prior to the entry by SWAT officers. It appears the suspect then fired one shot into his mouth before collapsing. The suspect was pronounced deceased at the scene. No injuries were sustained by the officers.

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

STATUS: Complete

Case #CN2010-045 was presented at the March 1, 2010, Public Safety Committee Meeting.

Control #2010-385

Council District: 5
Involved Officers: (1) White Male
(1) Hispanic Male
Suspect: (1) Black Male

On November 28, 2010, at approximately 9:00 p.m., Officers #1 and #2 in full uniform driving a marked vehicle along with several other officers responded to an Active Shooter call from the police dispatcher involving an armed suspect at 1170 N. Prairie Creek Road. When Officers #1 and #2 arrived at the location, there were several civilians and uniformed officers at the location. Unaware of the location of the suspect, as Officers #1 and #2 exited their vehicle they came under fire from the suspect who was concealed under a stairwell in the breezeway. Officer #1 dropped to the ground and fired one round from his service weapon missing the suspect who continued running toward the front of the apartment complex. At this point, Officer #1 heard Officer #2 state that he had been hit by gunfire. Officer #1 and another officer placed Officer #2 in the police vehicle and drove him to the front of the complex where Dallas Fire and Rescue was waiting. A short time after the suspect fled from the officers, a civilian witness observed the suspect run behind the apartment complex attempting to jump a chain link fence. As the suspect attempted to jump the fence, he fell and one of the weapons he was carrying discharged, striking him under the chin. Officers located the suspect lying on the ground with a .40 caliber handgun on his shoulder and an assault rifle under his leg. The suspect was pronounced deceased at the scene. Officer #2 suffered one gunshot to his leg and two gunshots to his pelvis area. Dallas Fire and Rescue transported both Officer #2 and an uninvolved civilian, who had also been shot by the suspect, to Baylor Medical Center in stable condition. No other officers were injured.

This incident began when the suspect, who was angry with his ex-girlfriend for dissolving their relationship, followed her to this apartment complex. The suspect had made numerous phone calls to his ex-girlfriend's cell phone and when she refused to answer, the suspect became irate and opened fire on the apartment the ex-girlfriend was visiting as well as the apartment below. An uninvolved civilian heard the gunshots, exited his apartment and was shot once in the leg by the suspect. Officers recovered a fully loaded .40 caliber handgun with two fifteen round magazines, an assault rifle and two 30 round magazines.

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

STATUS: Complete

Case #CN2010-385 was presented at the January 18, 2011, Public Safety Committee Meeting.


A. C. Gonzalez
First Assistant City Manager