

Memorandum



DATE: September 7, 2012

TO: Members of the Public Safety Committee

SUBJECT: I. A. D. Cases to be Presented to the Public Safety Committee on September 11, 2012

NEW CASE PRESENTATION:

Control #2012-319

Council District: 9
Involved Officers: (2) White Males
Suspect: (1) Hispanic Male

On August 3, 2012, at approximately 3:30 a.m., officers, in full police uniforms and driving a marked police vehicle, responded to a disturbance/armed encounter call from the police dispatcher at 3851 Casa Del Sol. When officers arrived at the location, they were informed by Witness #1, who is the suspect's niece, that the suspect was armed with a gun and was holding several family members hostage inside the residence. The front door of the residence was opened and the officers could hear a female pleading with the suspect to put the gun down. Several officers who arrived on the scene took positions of cover in the front yard while Officer #1 and Officer #2 positioned themselves at the rear of the residence. The officers, who were positioned in the front yard, gave loud verbal commands for the suspect to allow the hostages to leave the residence. Shortly after giving the command, Witness #2, the suspect's ex-girlfriend, and her two-year-old daughter, exited the residence. A short time later, Witness #3, the suspect's nephew, also exited the residence. At this point the suspect appeared in the front doorway of the residence with a gun in his hand and dropped several magazines to the ground before putting the gun to his head. The officers began giving loud verbal commands for the suspect to drop the gun and exit the residence at which time the suspect removed the weapon from his head. The suspect stated that he would come out but that he was going to get a cigarette first. The suspect then retreated back into the residence. Officers #1 and #2, who were positioned at the rear of the residence, observed the garage door open. At that point, the suspect pointed his gun at the officers. Fearing for their lives, Officers #1 and #2 fired their weapons, striking the suspect. The suspect was transported to Baylor Medical Center where he was listed in stable condition. No officers were injured during this incident.

Officers recovered a Beretta 9mm handgun and three magazines at the scene. The suspect was charged with two counts of Aggravated Assault (Family Violence) and two counts of Aggravated Assault on a Peace Officer.

STATUS: Under Investigation

PREVIOUS CASE PRESENTATION:

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 to suffer 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.

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

STATUS: Complete

Case #CN2011-456 was presented at the January 9, 2012, Public Safety Committee Meeting.



A. C. Gonzalez
First Assistant City Manager