

Memorandum



DATE: December 4, 2009

TO: Members of the Public Safety Committee

SUBJECT: Administrative (Police) Reports
I. A. D. Cases to be presented to the Public Safety Committee on December 8, 2009

NEW CASE PRESENTATION:

Control #09-383

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. Due to 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.

STATUS: Under Investigation

PREVIOUS CASE PRESENTATION:

Control #09-195

Council District: 2
Involved Officers: (1) White Male
(1) Hispanic Female
Suspect: (1) Black Male

On March 8, 2009, at approximately 8:15 p.m., Officers #1 and #2 in full uniform and driving a marked police vehicle were on routine patrol when they observed the suspect's vehicle traveling

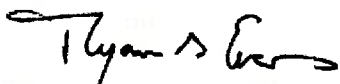
northbound in the southbound lane of traffic on Harry Hines Boulevard at the intersection of Empire Central. The suspect pulled into a business parking lot on the northwest corner and stopped his vehicle. Officer #2, who was operating the police vehicle, pulled into the parking lot and stopped so that the vehicle's headlights were on the suspect's vehicle driver's side door. Both officers exited their vehicle and began approaching the suspect's vehicle when they noticed that the suspect had turned the wheels of the suspect's vehicle in the direction of Officer #2. At this point, the suspect's vehicle lurched forward. Sensing that the suspect was about to drive in the direction of Officer #2, Officer #1 reached into the suspect's open driver's side window in an attempt to restrain the suspect. Officer #1 grabbed the suspect's shirt just as the suspect accelerated his vehicle out of the parking lot traveling westbound in the 1900 block of Empire Central. Officer #1's left arm became caught in the seatbelt and he was being dragged alongside the suspect's vehicle as the suspect continued to accelerate. During this encounter, Officers #1 and #2 had given the suspect verbal commands to stop the vehicle. After approximately 50 yards, Officer #1 commanded the suspect again to stop the vehicle. When the suspect refused to comply with Officer #1's verbal command, fearing for his life Officer #1 fired one round from his service weapon striking the suspect in the stomach. Officer #1 was in fear of his life because the suspect continued to accelerate and he felt as though he was about to be pulled under the tire of the vehicle. After the suspect was shot, the suspect's vehicle slowed down and Officer #1 was able to untangle his arm at which time he fell to the ground and the suspect continued to flee. Officer #2, who had retrieved the police vehicle, picked up Officer #1 and continued their pursuit of the suspect. The officers located the suspect's vehicle in the 2000 block of Empire Central where they performed a felony stop and arrested the suspect. The suspect was transported by Dallas Fire Rescue to Parkland Hospital where he underwent surgery and was listed in serious condition. Officer #1 suffered minor injuries to his elbow from road gravel and debris during his fall.

The suspect has been charged with Evading Arrest 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 #CN09-195 was presented at the June 15, 2009, Public Safety Committee Meeting.



Ryan S. Evans
First Assistant City Manager