



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Report Date: Jan-15-2019 (Tue.)	Officer: 20227 - JONES, MATTHEW	Approved by: 17902 - AKEY, ALAN
Date Occurred: Jan-15-2019 (Tue.)	Time: 1438	Latest Possible Date: Time:
Location of Occurrence: 4502 S FAIR LN , TEMPE District: S Beat: 3 Grid: 1805		
Domestic Violence: No	Loss:	Damage: Recovered:
Offense: #1 OFCR INVOLVED SHOOTING - COMPLETED		
Offense: #2 BURGLARY FROM VEHICLE - COMPLETED		
Offense: #3 VEHICLE IMPOUND - COMPLETED		

### Related Person(s)

#### VICTIM # 3 - SILVAS, LUCIO C

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]
Height: [REDACTED]	Weight: [REDACTED]	Hair: [REDACTED] Eyes: [REDACTED]
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

#### JUVENILE SUSPECT # 1 - ARCE, ANTONIO

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]
Height: [REDACTED]	Weight: [REDACTED]	Hair: [REDACTED] Eyes: [REDACTED]
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer: [REDACTED]	Employer Address: [REDACTED]	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

#### ARRESTEE # 1 - JOHNSON, JOSHUA BAILEY

Sex: Male	Race: BLACK	DOB: [REDACTED]
Height: 5'11	Weight: 145	Hair: BLACK Eyes: BROWN
Address: 12368 W MEADOWBROOK AVE AVONDALE, AZ 85392-4292		
Home #: (623) 936-6051	Work #:	Cell #: (602) 899-6742
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

#### ARRESTEE # 2 - COTA, DEANNA MARIE

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height: 5'05	Weight: 220	Hair: BROWN Eyes: BROWN
Address: 4335 S MALDONADO DR PHOENIX, AZ 85042-		
Home #: (480) 469-8575	Work #:	Cell #: (480) 452-2143
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

#### WITNESS # 1 - WERITO, LEROY

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]
Height: [REDACTED]	Weight: [REDACTED]	Hair: [REDACTED] Eyes: [REDACTED]
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer: [REDACTED]	Employer Address: [REDACTED]	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	



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### WITNESS # 2 - KIM, TAEHWAN

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]
Height: [REDACTED]	Weight: [REDACTED]	Hair: [REDACTED]
Eyes: [REDACTED]		
Address: [REDACTED]		
Home #:	Work #: [REDACTED]	Cell #: [REDACTED]
Employer: [REDACTED]	Employer Address: [REDACTED]	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### WITNESS # 3 - PETTY, KEVIN DREW

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]
Height: [REDACTED]	Weight: [REDACTED]	Hair: [REDACTED]
Eyes: [REDACTED]		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### WITNESS # 4 - CASTILLO, MONICA

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### WITNESS # 5 - HERNANDEZ, LUIS

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### WITNESS # 6 - [REDACTED]

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]
Height: [REDACTED]	Weight: [REDACTED]	Hair: [REDACTED]
Eyes: [REDACTED]		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 1 - BRAVO, JULIE ANN APODACA

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height: 5'4	Weight: 187	Hair: BROWN
Eyes: BROWN		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer: [REDACTED]	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	



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### SUBJECT # 2 - MOORE, MELODY JEANETTE

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height: 5'01	Weight: 106	Hair: BROWN
Eyes: HAZEL		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 4 - AGUILAR, ENRIQUE

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'06	Weight: 185	Hair: BLACK
Eyes: BROWN		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer: [REDACTED]	Employer Address: [REDACTED]	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 5 - AGUILAR, VICTORIA ANN

Sex: Female	Race: WHITE	DOB:
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 6 - DAHM, MARIA CHOMA

Sex: Female	Race: NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER	DOB: [REDACTED]
Height: 5'04	Weight: 138	Hair: BROWN
Eyes: BROWN		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 7 - JANICEK, BENNY CINCO

Sex: Female	Race: NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER	DOB: [REDACTED]
Height: 5'00	Weight: 126	Hair: BLACK
Eyes: BLACK		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 8 - JANICEK, CHRISTOPHER PAUL

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'06	Weight: 145	Hair: BLACK
Eyes: BLACK		
Address: [REDACTED]		
Home #: [REDACTED]	Work #:	Cell #: [REDACTED]
Employer: [REDACTED]	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	



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### SUBJECT # 9 - CARBAJAL, ARACLI

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 10 - CARBAJAL, AMADO

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 11 - CARBAJAL, CARLOS

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 12 - CARBAJAL, SANDRA

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 13 - BUTLER, MARSHALL J

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 14 - SALDANA, BRANDON

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'07	Weight: 180	Hair: BLACK
Eyes: BROWN		
Address:		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	



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### SUBJECT # 15 - ORTEGA, JOSEPH P

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'09	Weight: 158	Hair: BROWN
Eyes: BROWN		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #:	

### SUBJECT # 17 - WILLIAMSON, ROBERT

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'08	Weight: 170	Hair: BROWN
Eyes: BLUE		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #:	

### SUBJECT # 18 - POHL, BEVERLY

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'07	Weight: 206	Hair: BROWN
Eyes: BROWN		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #:	

### SUBJECT # 19 - HERNANDEZ-PONCIANO, CESAR

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'03	Weight: 157	Hair: BLACK
Eyes: BROWN		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 20 - HERNANDEZ, EDWARD

Sex: Male	Race: WHITE	DOB:
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 22 - GALLATIN, PATRICIA

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	



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### SUBJECT # 25 - MUNOZ, CLAUDIA

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 26 - GARCIA, HIRARIO MEJIA

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'05	Weight: 170	Hair: BROWN
Eyes: BROWN		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 27 - GARCIA, YEMIAIA

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 28 - GUERRERO, MACANIO

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 29 - GUERRERO, PUENTE

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 30 - CAMPOS, CAROLINA

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #:	Social Security #:	



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### SUBJECT # 31 - LOVATO, JAIME

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 33 - LOVATO, ANGEL

Sex: Male	Race: WHITE	DOB:
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 34 - SOLTES, PAUL CHARLES JR

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 6'02	Weight: 195	Hair: BLOND
Eyes: BLUE		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 35 - ISENBERG, LINDY SUSAN

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height: 5'09	Weight: 232	Hair: BROWN
Eyes: BROWN		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 36 - GRABOWSKI, JAIME

Sex: Female	Race: WHITE	DOB:
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 37 - ISENBERG, DAVID WILLIAM JR

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 6'01	Weight: 162	Hair: BROWN
Eyes: GREEN		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	



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### SUBJECT # 38 - MARTINEZ, MARIA

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 39 - HOLCOMB, BRANDON MARCELLUS

Sex: Male	Race: UNKNOWN	DOB: [REDACTED]
Height: 6'04	Weight: 175	Hair: BROWN
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 40 - MARTINEZ CALZADA, JOSE FRANCISCO

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'06	Weight: 195	Hair: BROWN
Address: [REDACTED]		
Home #: [REDACTED]	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 41 - FLORES, JUANITA

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Address: [REDACTED]		
Home #: [REDACTED]	Work #:	Cell #:
Employer: [REDACTED]	Employer Address:	
Driver's License #:	Social Security #:	

### SUBJECT # 42 - GONZALEZ-ACEVES, SANDRA

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height: 5'00	Weight: 185	Hair: BROWN
Address: [REDACTED]		
Home #: [REDACTED]	Work #:	Cell #:
Employer: [REDACTED]	Employer Address:	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	

### SUBJECT # 43 - GONZALEZ, JASON

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 5'07	Weight: 240	Hair: BLACK
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer: [REDACTED]	Employer Address: [REDACTED]	
Driver's License #: [REDACTED]	Social Security #: [REDACTED]	



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### SUBJECT # 44 - EVERSON, SUNNI MARIE

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height: 5'01	Weight: 140	Hair: BLOND
Eyes: HAZEL		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License # [REDACTED]	Social Security # [REDACTED]	

### SUBJECT # 45 - CARPENTER, ROBERT

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height: 6'00	Weight: 190	Hair: BROWN
Eyes: BLUE		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License # [REDACTED]	Social Security # [REDACTED]	

### SUBJECT # 46 - CARPENTER, CAROL ANN

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height: 5'10	Weight: 160	Hair: BROWN
Eyes: BLUE		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License # [REDACTED]	Social Security # [REDACTED]	

### SUBJECT # 47 - VALENZUELA, REYANA DAWN

Sex: Female	Race: WHITE	DOB: [REDACTED]
Height: 5'05	Weight:	Hair: BLUE
Eyes: BROWN		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address:	
Driver's License # [REDACTED]	Social Security #:	

### SUBJECT # 48 - WILLIAMS, MICHAEL

Sex: Male	Race: WHITE	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #: [REDACTED]
Employer:	Employer Address: [REDACTED]	
Driver's License # [REDACTED]	Social Security # [REDACTED]	

### JUVENILE SUBJECT # 21 - HERNANDEZ, CHRISTOPHER

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]
Height:	Weight:	Hair:
Eyes:		
Address: [REDACTED]		
Home #:	Work #:	Cell #:
Employer:	Employer Address:	
Driver's License #:	Social Security #:	



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### JUVENILE SUBJECT # 23 - PHELPS, ROBERT

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]	
Height:	Weight:	Hair:	Eyes:
Address: [REDACTED]			
Home #:	Work #:	Cell #:	
Employer:	Employer Address:		
Driver's License #:	Social Security #:		

### JUVENILE SUBJECT # 24 - PHELPS, ALLIYAH

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]	
Height:	Weight:	Hair:	Eyes:
Address: [REDACTED]			
Home #:	Work #:	Cell #:	
Employer:	Employer Address:		
Driver's License #:	Social Security #:		

### JUVENILE SUBJECT # 32 - LOVATO, CHRISTIAN

Sex: [REDACTED]	Race: [REDACTED]	DOB: [REDACTED]	
Height:	Weight:	Hair:	Eyes:
Address: [REDACTED]			
Home #:	Work #:	Cell #:	
Employer:	Employer Address:		
Driver's License #:	Social Security #:		

### OFFICER # 1 - JAEN, JOSEPH

Employer: TEMPE POLICE DEPARTMENT	Employer Address: 120 E 5TH ST, TEMPE 85281
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### Related Vehicle(s)

#### Seized for Evidence #1 - 1999 Chevrolet Silverado

License Plate: [REDACTED]	License State: Arizona	VIN#: [REDACTED]	Style: PICKUP
Miscellaneous Information:			Color: Gray



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### Related Text

**Document:** ORIGINAL OFFICER NARRATIVE

**Author:** 20227 - JONES, MATTHEW

**Related Date/Time:** Jan-19-2019 (Sat.) 224

**Subject:** (SUSPECT #1) ARCE, ANTONIO (DOB: Nov-11-2004)

On January 15, 2019 at approximately 1438hrs, Tempe Police Dispatch received a call for service of a suspicious gray truck parked facing north in the west alley behind the residence at 4502 S Fair Ln, Tempe. Tempe Police Officer J. Jaen, who was assigned to the Patrol Division at the time, was the first officer to respond to the area at approximately 1452hrs. Ofc Jaen was driving a fully marked Tempe Police Patrol Tahoe and was wearing a standard Tempe Police Patrol uniform which clearly identified him as a police officer.

As Ofc Jaen was pulling up to within approximately 30' of the front of the gray truck, he stated that an unidentified male subject who was sitting in the front passenger seat turned to his left and reached behind the front driver's seat with both hands. Ofc Jaen parked his marked patrol vehicle approximately 26' from the front end of the gray truck, exited, and moved to the cover of a large trash can to the right (west) of his patrol vehicle. Ofc Jaen stated this subject then pulled out what he recognized as a black handgun from the left rear passenger seat area. The subject then exited the gray truck from the right passenger side and began walking south to the rear of the truck. Ofc Jaen perceived that the subject was going to engage him with this firearm from the cover of the rear truck bed and proceeded to give verbal him commands to show his hands. This subject immediately ran southbound from the truck with the gun in his right hand. Ofc Jaen stated he began to run after the subject until he observed the subject turn slightly towards him with his finger on the trigger of firearm as he was running. Ofc Jaen stated he believed the subject was going to shoot at him and he then fired two shots at the subject while standing from the rear of the gray vehicle. The subject continued to flee until he collapsed just East of the front yard to the residence at 4600 S Fair Ln. Ofc Jaen found the subject to be unresponsive laying on his stomach with a single gunshot wound to his right rear upper back area. Responding Officers observed what appeared to initially be a black firearm with an orange tip tucked under the subject's right chest area. The gun was determined to be a black Airsoft replica of a Colt 1911 handgun. The subject was also found to have a plastic bottle of orange Airsoft ammunition and two cell phones on his person. Officers provided CPR to the subject and he was transported to the Banner Health Medical Center where he was pronounced deceased at 1533hrs.

A subsequent follow up investigation identified the deceased subject as (S)Antonio Arce (14yo). The vehicle Antonio was contacted in belonged to one of the residents of 4502 S Fair Ln who had no idea who Antonio was or why he was inside of his vehicle. Both the Airsoft replica 1911 handgun, the plastic bottle of orange Airsoft pellets, and one of the cell phones were later determined to have been taken by Antonio from the gray truck. Antonio's family was notified of his passing later that same evening. Maricopa County Office of the Medical Examiner, Investigator C. Haug, responded to Banner Health Medical Center and took custody of Antonio's body. A representative of the Maricopa County Attorney's Office responded to the scene to assist with a review of the incident. A video of this incident was recorded on Ofc Jaen's body worn camera. This investigation will remain open and pending the completion of the MCOME report and a review by MCAO.

PENDING



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### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 20614 - PINA, ALEXANDER

**Related Date/Time:** Jan-15-2019 (Tue.) 1615

**Subject:**

On 01/15/19 at approx 1438hrs I responded to an emergency officer involved shooting in the area of 4502 S Fair Ln., Tempe. When I arrived I could see a marked Tempe police unit #745 in the alley facing S/B behind 4502 S Fair Ln.

Running down the alley there was a gray Chevy Silverado truck with a bed full of salvage/scrap items. The truck displayed AZ plate [REDACTED] returning to Celia Martinez at [REDACTED]. A male exited the rear of 4502 S Fair Ln., identified as Lucio Silvas by a valid AZ driver's license, who said the truck belonged to him. He said he just purchased it from the listed owner and got it out of the impound lot. (writing from impound lot still on the windshield)

I stood by with Silvas as other officers ran southbound through the alley. I asked Silvas what he was doing. He stated he was unloading his salvage/scrap items into the backyard of his friend home Leroy Werito at [REDACTED].

I asked Silvas if he had seen anyone or anyone running in the alley. Silvas said he heard two sounds resembling gun shots but did not see anyone due to being in the backyard of the listed address with a high 6ft fence. Silvas said he stuck his head out the rear gate leading to the alley way, looked N/B only saw the Tempe police veh and then S/B but did not see anyone.

I actually observed Silvas approx 10-15 minutes prior to this call for service with a full load in the back of this listed gray Chevy truck turn into the alley way near the area of W Cater Dr / S Fair Ln. His truck was facing N/B in the alley way towards W Vineyard Rd. I was in the area due to an email about conducting extra patrol in this exact alley way.

Silvas was detained until it could be established he did not have a part in this incident. He was turned over to Detective Hood for an interview and undetained.

This concluded my part in this incident.

PENDING



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 16940 - WATTS, JAMES

**Related Date/Time:** Jan-15-2019 (Tue.) 1626

**Subject:**

DIGITAL EVIDENCE UPLOADED

On 1/15/19 at about 1457 hours, I responded to an officer involved shooting at 4502 S. Fair Ln. Upon arriving in the area at about 1510 hours, I took a perimeter position at Vineyard Rd. and Park Dr. The position was a hard closure to ensure no vehicles went into the scene. I remained at that position until 1631 hours.

This concludes my involvement in this investigation.

-PENDING-



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 19341 - PHEANIS, CHARLES

**Related Date/Time:** Jan-15-2019 (Tue.) 1705

**Subject:**

\*\*\*Digital Evidence Uploaded\*\*\*

Initial Notification:

On 01/15/19 at approximately 1454 hours I was working in the capacity of a Tempe Police Officer and was investigating an unrelated incident at Tempe Police Headquarters, 120 E. 5th Street, Tempe, when I heard Officer J. Jean, #18337, advise over my police radio he had been involved in a shooting.

I activated my department-issued body-worn camera and recorded all my involvement in this investigation.

Response and Initial Observations:

I responded to the area southbound on 48th Street from University Drive. During my response, I did not observe anything suspicious approaching the area.

Upon my arrival at approximately 1512 hours, there were numerous emergency vehicles parked on 48th Street at Vineyard Drive. Sergeant T. Miller, #17329, had advised that there were enough officers at the scene, and the inner-perimeter positions had been covered. I saw Motorcycle Officer J. Guzman, #20782, just south of Vineyard on 48th Street diverting all northbound traffic on 48th westbound onto Carson Road, and managing all the southbound traffic.

Traffic Control on 48th Street:

I relieved Officer Guzman and continued to divert all northbound vehicle traffic westbound on Carson while Officer Guzman managed traffic at Darrel Road just north. I maintained this traffic control position until 48th Street was re-opened at approximately 1600 hours. During the time that I was engaged in traffic control, I noticed apparent local residents on foot and bicycle moving through the area. I did not notice anyone suspicious leaving the area, and none of the residents indicated they had seen anything or had any involvement in this incident.

Taehwan Kim, owner of [REDACTED]:

I contacted Sergeant S. Laird, #11586, at the command post at 48th and Vineyard, and he assigned me to relieve Officer K. Kelch, #15293, who was



# TEMPE POLICE DEPARTMENT

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standing by with a witness he had interviewed. At approximately 1620 hours, I relieved Officer Kelch at [REDACTED], as he was standing by with Taehwan Kim, the owner of [REDACTED].

I learned from Kim that he had been at the store during the incident and he came out of the business and witnessed a portion of the incident. I noticed that Taehwan's business had security cameras inside. Taehwan confirmed that he had no security video that covered the exterior of his business. Taehwan was with a female friend, who said she did not witness any portion of the incident as she stayed inside the store. Taehwan's female friend did not wish to be identified in this case. I stood by with Taehwan and his friend until the briefing was completed and Detective J. Smith, #16488, conducted an interview with Taehwan.

During the time I stood by with Taehwan, he did not discuss what he had seen and only had minimal conversation with his friend, some of which was in Korean, but there was no indication they were discussing the incident.

### Conclusion:

I checked out with Sergeant J. Millen, #11482, who had no further assignment for me. At approximately 1706 hours, I left the area. It should be noted that I did not enter the crime scene while I was involved in this investigation. At the time of this report, I had no other involvement in this investigation. Refer to the original report by Detective M. Jones, #20227, for additional details.

\*\*\*Pending\*\*\*



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 15293 - KELCH, KEVIN

**Related Date/Time:** Jan-15-2019 (Tue.) 1709

**Subject:**

On 10/15/19 at approximately 1456 hours, I responded to an Officer Involved Shooting at 4502 S. Fair Lane, Tempe involving Officer J. Jaen. I arrived and parked my marked patrol vehicle on E/B Vineyard at 48th Street in Tempe and started to use yellow "Police" tape and started to set it up on the south side of Vineyard from 48th Street to Vineyard. I observed a black and white marked Tempe Police Tahoe facing south in the alley on the west side of Fair Lane and it was approximately 100 yards south of Vineyard.

I was then asked by Sgt. Laird to drive around the perimeter to make sure there weren't any holes in the perimeter and I returned and advised him that the perimeter was set.

Sgt. Laird was briefly speaking with the owner of the [REDACTED] and the owner was identified as (W) Taehwan Kim. Taehwan briefly told me Sgt. Laird that he saw an officer running after a subject in the alley where a marked Police Tahoe was located and then heard two gun shots.

I then started to identify Taehwan and conducted an interview with him. Below is a summary of my interview with Taehwan. Refer to my BWC footage for further details.

Taehwan told me he was standing outside of the main entrance of his business and he told me he was standing exactly where he was standing when I was speaking with him. It should be noted, Taehwan was standing approximately 5 feet south of the entrance of his business under the covered sidewalk.

Taehwan said he recalls seeing a possible brown sedan type vehicle in the alley directly south of him as he pointed towards the marked Tempe Police Tahoe. Taehwan said he then observed the marked Tempe Police Tahoe that is currently in the alleyway drive north down 48th Street and then turn right onto E/B Vineyard. Taehwan said the marked Tempe Police Tahoe that is currently down in the alley is the vehicle he saw. Taehwan said the marked Tempe Police Tahoe then turned right into the alleyway and drove south towards the brown vehicle and stopped.

Taehwan said a short time later he notices a police officer on the right side of the marked Tempe Police Tahoe looking towards the other vehicle. Taehwan said he wasn't sure if the officer got out on the driver side or passenger side.



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Taehwan told me he isn't exactly sure on the time but approximately 30-60 seconds later a white male possibly wearing a checkered or plaid type long sleeve shirt and pants run south down the alleyway away from the police. Taehwan said he then saw the police officer run after the suspect. Taehwan said approximately 3-4 seconds later he hears two gun shots and described the sound of the gun shots as "bum bum." Taehwan approximately 2-3 seconds later he sees the suspect turn left and run and approximately 2-3 seconds later the officer continues to run after him as he turns left.

I asked Taehwan if he saw the officer with his gun out or the suspect and he said it was to far away and he estimated he was approximately 200 yards away where the vehicles were located in the alleyway.

Taehwan said it isn't normal for vehicles to be in the alleyway. Taehwan didn't have any further information to share reference this incident. Taehwan couldn't provide any further description of the suspect or police officer.

I was later relieved by Officer C. Pheanis to debrief Lt. S. Smith and then CIB Detectives.

My BWC footage was later uploaded as evidence to "evidence.com."

\*\*\*Pending\*\*\*



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 23787 - CLARK, CHAD ()

**Related Date/Time:** Jan-15-2019 (Tue.) 1712

**Subject:** WITNESS INTERVIEW

\*\*\*DIGITAL EVIDENCE UPLOADED\*\*\*

On 01-15-19 at approximately 1454 hours, I responded to the scene of an officer involved shooting located at 4502 S Fair Ln, Tempe. Comments on the call stated that Officer J. Jaen #18337 requested immediate assistance at the scene.

Upon arrival at the scene, I ran southbound on S Fair Ln from W Vineyard Rd and observed the suspect non-responsive on the street being given continuous chest compressions by officers. I also observed a black metallic-looking handgun with an orange tip on the ground just west of where the suspect was lying. I was then told by officers at the scene that there was possibly an additional outstanding Hispanic male suspect that may have run down the alley to the west of the incident.

Officer K. Kresin #24512 and I walked westbound down the alleyway in an attempt to locate any additional suspects. Upon turning to walk northbound through the alley I observed Officer A. Pina #20614 standing by with a possible suspect who went by the name "Lou", later identified as Lucio Silvas, and possible suspect vehicle, a 1999 Chevrolet Silverado (AZ/████████). For further information on statements made by Lucio see Officer Pina's supplemental report under this IR.

Upon reaching the vehicle in the alleyway we were informed by Lucio that the open backyard door led to ██████████. Lucio advised that there should be several other people in the residence. Another male, later identified as Leroy Werito, exited the backyard and contacted police. Leroy stated that he lived in the residence with his wife, Julianne, and current homeowner, Melody.

The residence at ██████████ was eventually contacted and cleared by Tempe Police.

While waiting in the alley I asked Leroy if he saw or heard anything out of the ordinary prior to being contacted by police. Leroy stated the following summarized information:

Leroy and Lucio work together in retrieving scrap metal. Lucio was visiting Leroy at the house to help with various tasks and hang out for the day. Lucio had driven the listed 1999 Chevrolet Silverado into the alley behind the residence to help Leroy move things into and out of the backyard. While standing in the front of the residence, Leroy suddenly heard two loud pops



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and immediately ran to the alley where the truck was parked to make sure that Lucio was okay. Upon reaching the alley, Leroy did not see Lucio but saw a uniformed police officer with his gun drawn at the south end of the alley turning to walk eastbound toward S Fair Ln. Leroy then immediately went back to the front of the residence to check on his family. Leroy did not see anything further.

When asked if there were any additional people helping Leroy and Lucio that had not already been contacted at the house, he said there was not. Leroy noted that there should not have been anybody beside Lucio out at the truck and believed that if somebody else had been with the truck then they must have been attempting to steal the truck or something from it. Leroy had no further information regarding the incident.

Leroy was then turned over to Detective G. Gomez #20110 for further questioning.

This concludes my involvement with the incident. All footage from my body-worn camera was uploaded to Evidence.com.

PENDING



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 22663 - BROWN, DUJHAN

**Related Date/Time:** Jan-15-2019 (Tue.) 1718

**Subject:**

\*All footage recorded on Axon Mobile\*

On 1/15/19 at approximately 1456 hours, I dispatched myself to an officer involved in a shooting call located in an alley way behind 4502 S. Fair lane, Tempe. Upon my arrival to the scene, I was also advised by Ofc. Kresin that Julia Ann Apodaca-Sanchez gave the name of (Julia Bravo). [REDACTED] I found out that Julia went by the name of Julia Bravo but her actual name of Julia Ann Apodaca-Sanchez. I then assisted other patrol units in moving Brandon Saldana, Melody Moore, Deanna Cota, Julie Ann Apodaca- Sanchez, & Jose Francisco Martinez outside of the residence [REDACTED] and in front of 4426 S. Fair Ln, Tempe for safety purposes.

I then stood by with fellow Officers Berner & Kresin as [REDACTED] was cleared by additional units. After the residence was cleared, Detectives M. Hood, A. Miller along with additional Detectives arrived on the scene and began interviewing the above listed parties. Ofc. Clark then brought over Lucio Silvas to our location. After Detectives had interviewed all the above listed parties, I was then directed to move all Saldana, Moore, Sanchez, Martinez & Silvas inside of 4502 S. Fair Ln due to rain conditions. After all parties were moved inside of the residence, I was then advised to standby as security and operate the scene log in the alley located just S/E of 48th st and W. Vineyard until Ofc. Welling relieved me of my duties. I then concluded my involvement in the investigation. For further information, please refer to the original report.

\*Pending\*



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 22271 - BERNER, LAURA

**Related Date/Time:** Jan-15-2019 (Tue.) 1722

**Subject:** OFFICER INVOLVED SHOOTING

On 01/15/2019 at 1455 hours I was dispatched to 4502 S Fair Ln., Tempe reference an officer involved shooting. The initial call for service was reference a suspicious vehicle in the alley way with subjects loading the vehicle.

Upon arrival to the scene I was tasked to contact and interview a female subject, later identified as the homeowner of the above location, MELODY MOORE. Melody was called out of the residence by Tempe Police.

My contact with Melody was video and audio recorded using my BWC. The following is a summary of my contact with Melody and is not verbatim.

Melody reported she had owned the home and lived there at [REDACTED] for thirty three years. Melody stated she lived with JULIE ANN APODACA SANCHEZ and her common law husband LEROY WERITO for nine months. Melody said Julie and Leroy's friend LUCIO "LOU" SILVAS moved in two weeks prior.

Melody advised about a half hour prior to Police arrival on scene she heard one loud noise that "sounded like a gun shot" coming from the rear alley way of her residence while she was located inside the residence. Leroy then came inside the residence and asked where Lou was located and if he was okay. Lou was inside the bathroom at the time and stated he was ok. Melody said Leroy told her "Police were shooting at someone."

When asked what occurred after that she stated she did not know and remained inside the residence until Police called her out of her residence.

Melody advised Leroy, Lou, and Julie Ann were outside the residence during the day to load items into their vehicle to later sell them. Melody did not know if the vehicle was parked in the alley way but knew they were going back and forth from the alley to the front yard area during the day loading the vehicle.

Melody did not have any further information at this time.

This concludes my portion in the investigation.

\*Pending\*



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Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 19917 - FARNES, EVAN

**Related Date/Time:** Jan-15-2019 (Tue.) 1730

**Subject:** INTERVIEW WITH (W) KEVIN PETTY

\*\*\*\*\*DIGITAL EVIDENCE UPLOADED\*\*\*\*\*

On 01/15/19 at approximately 1454 hours I responded to the area of 4600 S. Fair Ln. in Tempe reference an officer involved shooting. When I arrived I assisted a team of officers in conducting welfare checks on some of the houses that were to the south of where the shooting occurred. The involved officer advised he was in the alley to the west of Fair Ln. and was shooting in a southbound direction at the suspect. The two houses that were down range of the shooting were [REDACTED] and [REDACTED] in Tempe.

CONTACT WITH (W) KEVIN PETTY

We made contact with the homeowner at [REDACTED] and (W) Kevin Petty answered the door. We advised Kevin of the reason for the contact and he initially was very uncooperative and would not allow us to come in to check welfare on the residence. I was able to calm Kevin down and found out that Kevin lives alone, has multiple cats, has had animal complaints in the past, and was afraid that we were there to seize his animals. I assured him that that was not the case and he was able to calm down a bit.

While speaking with Kevin he advised that he called 911 reference the shooting which I was not previously aware of. Kevin stated he was in his backyard feeding his cats when he heard one "pop" which he believed to be gunfire. Kevin then heard what sounded like someone running south in the gravel alley toward his backyard and then made the curve and ran east in the alley towards Fair Ln. As the subject ran east past his back yard he was able to see a firearm being held up in the air in the subjects right hand. Kevin demonstrated this for me as he described it and the gun was held up in the air above shoulder height in his right hand. It should be noted that Kevin is missing some cinderblock bricks on the top of his wall so it is lower than most residential cinder block walls. Kevin advised the gun was a black full sized modern handgun. He then looked at my firearm (a generation 4 Glock model 34) and said it looked similar mine. Kevin stated he does not know anything about guns and could provide no further description.

Kevin ran from his backyard through his house to his front door so he could see what was happening. Kevin has a small window in his front door which allowed him to look east out to Fair Ln. Kevin saw a male standing in front of his house who then fell to the ground and did not move from that spot. Kevin saw the subject moving a little while in the same area when he



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fell down. Kevin then noticed a handgun sticking out from his behind his alley fence which was pointed at the subject on the ground. Kevin was not able to see who was holding the gun. At this time Kevin was on the phone with a 911 operator who advised that that was the officer he was seeing in the alley. He advised more officers arrived, the subject was detained, and he stopped looking out the window in his front door.

When asked, Kevin advised that he does not have any video surveillance. He added that does not know of any of his neighbors that do. Kevin described the subject as a young Hispanic male. That concluded my recorded interview with (W) Kevin Petty.

### ADMINISTRATIVE DETAILS

Because of my interview with (W) Kevin, I did not assist in the welfare check on [REDACTED]

The body camera footage from this incident including my interview with Kevin was uploaded to evidence.com.

There is no further information at this time. See original report for further details.

\*\*\*\*\*PENDING\*\*\*\*\*

\*\*\*\*\*DIGITAL EVIDENCE UPLOADED\*\*\*\*\*



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GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 14620 - LOEWENHAGEN, JEFFREY (Retired)

**Related Date/Time:** Jan-15-2019 (Tue.) 1739

**Subject:**

On 1/15/19, I was assisting Ofcr. Trader on an accident scene at McClintock Dr. & Warner Rd., Tempe Az. when Ofcr. Jaen announced shots fired over the radio. Ofcr. Jaen was on a call at 4502 S. Fair Ln., Tempe and I immediately began responding to that location. Upon arrival, I was tasked with assisting with the perimeter and closing off the area. I responded to Carter Dr. & Fair Ln. and cordoned off the street as well as helping cordone off Carson Dr. & Fair Ln. I then stood by in the area redirecting traffic and assisting residents in the area with reaching their homes.

After a time, I was requested to respond back to the command post at 48th St. & Vineyard Rd., Tempe for further details. Upon arrival, I met with Sgt. Millen and he advised I would be taking over for Ofcr. Hutchison, who was currently metering traffic in and out of the command post area. I responded to the North entrance into the parking lot at 4303 S. 48th St., Tempe, where I assisted business owners in leaving the parking lot as well as ensuring no one not associated with the investigation entered the parking lot.

At 2125 hours, I was relieved by Ofcr. D. Lewis who took over my position and I cleared the scene. That concluded my involvement in this case. See the other reports for further details.

\*\*\*Pending\*\*\*



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 18142 - WELLING, JAMES

**Related Date/Time:** Jan-15-2019 (Tue.) 1754

**Subject:**

On 01-15-19 at approximately 1545 hours I responded as backup to Ofc. J. Jaen #18337 after he advised over the Police radio he was just involved in a shooting. I responded from the area of Rural and Minton, Tempe and arrived at approximately 1550 hours at the alley entrance on Vineyard just east of 48th Street.

Several other Officers were arriving at that location and Officers Pina, Warbington, Koger, and I proceeded on foot southbound through the alley towards Ofc. Jaen's patrol vehicle which was facing south in the alley.

As we approached the patrol vehicle I observed a dark-colored pickup truck approximately one to two car lengths to the front of the patrol car facing north. At the same time I observed an adult male, later identified as LUCIO SILVAS, standing on the east side of the alley to the rear of [REDACTED] near the pickup truck who indicated "the Officer" was further down the alley to the south. I continued south through the alley with Officers Warbington and Koger while Officer Pina remained with SILVAS at the pickup truck.

After turning the corner to the east at the south end of the north/south alley I observed Ofc. Jaen to the east standing at the alley entrance to Fair Ln., just south of 4600 S. Fair Ln., Tempe. As I arrived at Ofc. Jaen's location I observed Officer's Lewis and Cano with the suspect, later identified as juvenile ANTONIO ARCE.

I did not speak with Ofc. Jaen and continued to where Officer Lewis was detaining ARCE with handcuffs. ARCE was face down on the street next to the sidewalk on the west side of the street in front of the residence located at 4600 S. Fair Ln., Tempe.

ARCE appeared to be unconscious and Officer Lewis, having now rolled him face up, began continuous chest compressions (CCC) on ARCE. As Ofc. Lewis rolled ARCE over onto his back I observed what I believed to be a model 1911 semi automatic handgun on ground next to ARCE. The handgun was initially obscured from my view because ARCE's body was on top of it when he was being detained by Ofc. Lewis.

It should be noted that after ARCE was transported by Paramedics I observed an orange tip on the handgun and a half-full clear plastic container of what I believed to be airsoft pellets.

While Ofc. Lewis performed CCC on ARCE I advised dispatch over the radio to



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have Paramedics expedite their response to our location and provided the cross streets of Fair and Carter. I then took over performing CCC on ARCE from Ofc. Lewis and continued CCC until Paramedics arrived on scene and relieved me and treated ARCE.

I did not search ARCE and observed Paramedics cut off ARCE's shirt from his body and look for an ID in his pockets, removing other items such as earbuds and what appeared to be a folding knife. I also assisted Ofc. Lewis with removing the handcuffs from ARCE as Paramedics treated him.

I later observed a watch on the sidewalk where the edge contacts the front lawn of 4600 S. Fair Ln. approximately three feet from where ARCE was laying.

One of the Paramedics told me they were from Phoenix Fire Department Engine 32, Shift A (Captain Mros), and the EMS number was 019213. Paramedics also advised ARCE was being transported to Banner Desert ER. I remained at the scene and Ofc. Cano responded to Banner Desert ER.

After ARCE was transported by Paramedics I obtained several digital photographs of the scene using my Department issued cell phone camera which I later imported into the AXON app and uploaded as evidence. The four photos were of the view of the location ARCE was at, and the location of the pistol and other items ARCE had been in possession of.

I then responded to the incident command post at the shopping mall on the northwest corner of 48th & Vineyard. There, I participated in a briefing to CIB Detectives of my involvement in this incident and then provided security for the street closure at 48th and Vineyard.

It should be noted I also assisted Det. Hood with coordinating the tow truck vehicle that responded to the scene to tow the pickup truck to the Apache Substation.

After the tow truck left the scene with the pickup truck I was contacted at the Command Post by LUCIO SILVAS who was upset the vehicle had been towed. LUCIO stated his cell phone was still in the truck. SILVAS provided a description of the cell phone. Refer to the original report for further details regarding SILVAS' cell phone.

This concludes my involvement in this incident. Refer to my BWC video for further details.

\*\*\*PENDING\*\*\*



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

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### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 09679 - LEWIS, DAVID

**Related Date/Time:** Jan-15-2019 (Tue.) 1812

**Subject:**

IT SHOULD BE NOTED THAT MY INVOLVEMENT IN THIS INVESTIGATION WAS CAPTURED ON MY TEMPE POLICE DEPARTMENT ISSUED BODY WORN CAMERA. THE FOOTAGE WAS SUBSEQUENTLY UPLOADED TO EVIDENCE.COM. THIS REPORT REPRESENTS A SUMMATION OF MY INVOLVEMENT AND NOT A VERBATIM ACCOUNT. FOR SPECIFICS OF MY INVOLVEMENT IN THIS INVESTIGATION, PLEASE REFER TO THE UPLOADED BODY WORN CAMERA FOOTAGE.

ON 01/15/19 AT 1455 HRS, I RESPONDED TO A HOT TONE CALL REFERENCE TO A SHOTS FIRE CALL FOR SERVICE BY OFFICER JAEN. OFFICER JAEN WAS ORIGINALLY ON A SUSPICIOUS VEHICLE CALL FOR SERVICE AT 4502 S. FAIR LN, TEMPE.

UPON MY ARRIVAL IN THE AREA, I DROVE SOUTHBOUND ON FAIR LANE FROM VINEYARD ROAD AND WHEN I ARRIVED IN THE 4500 BLOCK OF S. FAIR LANE, I COULD SEE A MALE SUBJECT FACE DOWN IN THE STREET OUT IN FRONT OF THE HOME AT 4600 S. FAIR LANE, TEMPE. THE SUBJECTS HEAD WAS FACING IN A SOUTH DIRECTION, THE SUBJECT WAS NOT MOVING, AND IT APPEARED THAT THE SUBJECT WAS NOT BREATHING. AS I PARKED MY TEMPE POLICE VEHICLE OUT IN FRONT OF THE HOME AT 4526 S. FAIR LANE, I OBSERVED OFFICER CANO AND OFFICER DONWEN IN THE ALLEY WAY AREA ON THE SIDEWALK BETWEEN 4526 AND 4600 S. FAIR LANE WITH THEIR GUNS DRAWN. WHEN I APPROACHED BOTH OFFICERS, I OBSERVED OFFICER JAEN IN THE ALLEY. I IMMEDIATELY MADE CONTACT WITH OFFICER JAEN AND EXAMINED HIM FOR ANY SIGNS OF ANY PHYSICAL INJURIES AND TO ALSO CHECK ON HIS MENTAL WELL BEING. THERE WERE NO SIGNS OF ANY PHYSICAL INJURIES TO OFFICER JAEN AND HE ASSURED ME THAT HE WAS FINE. I THEN MADE CONTACT, WITH THE ASSISTANCE OF OFFICERS CANO AND DONWEN, WITH THE SUBJECT IN THE STREET WHO APPEARED TO HAVE A GUNSHOT WOUND TO HIS RIGHT SHOULDER AREA BASED ON THE HOLE IN HIS BLUE SHIRT ALONG WITH THE BLOOD SPOT ON THE SHIRT. I IMMEDIATELY HANDCUFFED THE SUBJECT BEHIND HIS BACK AND IMMEDIATELY ROLLED HIM OVER ONTO HIS BACK AND STARTED CHEST COMPRESSIONS. I PERFORMED 150 CHEST COMPRESSIONS BEFORE OFFICER WELLING TOOK OVER THE CHEST COMPRESSIONS UNTIL HE WAS RELIEVED BY MEMBERS OF THE PHOENIX FIRE DEPARTMENT, ENGINE 32 SHIFT A.

AS MEMBERS OF PHOENIX FIRE CONTINUED TO GIVE THE SUBJECT MEDICAL ATTENTION, I WAS PROTECTING THE BLACK HAND GUN WITH AN ORANGE TIP AND A CLEAR PLASTIC BOTTLE OF AIR SOFT BULLETS, THAT WERE JUST WEST OF THE SUBJECT, AND ON THE CURB AREA AND THE GUTTER AREA, RESPECTIVELY, OUT IN FRONT OF 4600 S. FAIR LANE, TEMPE. THESE ITEMS WERE PROTECTED WITH MY FEET AND BODY AS PHOENIX FIRE PROVIDED MEDICAL ATTENTION TO THE SUBJECT. AFTER THE SUBJECT WAS TRANSPORTED OUT OF THE AREA, I CONTINUED TO SECURE THE TWO ITEMS ALONG WITH OTHER ITEMS IN THE STREET WHICH CONSISTED OF A KNIFE, RADIO EAR-BUDS, A LIGHTER, AND THE SUBJECTS BLUE SHIRT THAT WAS CUT OFF BY PHOENIX FIRE. I SECURED THESE ITEMS UNTIL DETECTIVE SOLMEN TOOK CONTROL OF THE SCENE AND



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Operational Status: OPEN

SEIZED ALL THE ITEMS AS EVIDENCE. IT SHOULD BE NOTED THAT PHOTOGRAPHS OF THESE ITEMS WERE TAKEN FOR EVIDENTIARY PURPOSES AND UPLOADED TO EVIDENCE.COM.

AT THE TIME OF THIS SUPPLEMENT, THERE IS NO ADDITIONAL INFORMATION THAT WAS OBTAINED NOR ANY EVIDENCE SEIZED BY THIS OFFICER.

\*\*\*PENDING\*\*\*



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 22493 - RODRIGUEZ, MICHAEL

**Related Date/Time:** Jan-15-2019 (Tue.) 1907

**Subject:**

On 1-15-19, at approximately 1438 hours, I responded to 4502 S. Fair Lane Tempe, Az reference an officer involved shooting. Upon my arrival to the listed location, I proceeded to the front of the residence to assist with contacting the residents of the home.

After removing the residents from the home, I assisted with clearing the residence and utilized a long pole camera to clear the attic space of the residence. After clearing the residence, I assisted with standing by with the residents until detectives arrived on scene to complete their interviews.

For my remaining time on scene, I stood by with the command van until I was relieved by Officer F. Salameh.

This concludes my involvement in this incident, please refer to the original incident report and all related supplemental reports for further details.

\*\*\*\*\*Digital Evidence Uploaded\*\*\*\*\*

\*\*\*\*\*Pending\*\*\*\*\*



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 16819 - WARBINGTON, MATTHEW E

**Related Date/Time:** Jan-15-2019 (Tue.) 1917

**Subject:** OFFICER INVOLVED SHOOTING

Digital Evidence Uploaded

On 01/15/19 at 1454 hours I heard Ofc Jaen advise over police radio of shots fired. Dispatch advised his location was 4502 S. Fair Tempe and Ofc. Jaen advised a Hispanic male subject with a gun fled southbound through the alleyway. Ofc. Jaen provided updates that the suspect collapsed in the street at the southern end of the alleyway which was later learned to be on Fair between Carson/Carter. Ofc. Jaen stated he was uninjured but the suspect has been shot at least once and would need medical attention.

I responded in my marked Tempe Police vehicle to the area at the north end of the alleyway west of Fair at Vineyard. While I was enroute I activated my Axon body camera and the video footage was later uploaded to evidence.com. I and several other officers responded southbound through the alley and I saw a pickup truck in the alleyway to the rear of what was later determined to be 4502 S Fair. A Hispanic male in his 40's wearing a traffic vest was next to the truck and advised "the officer went that way" while pointing south.

Ofc. Pina stayed with the male subject near the pickup while I and other responding officers continued southbound through the alley. Arriving at the south end of the alley I saw Ofc. Jaen standing at the mouth of the alley as it met Fair. Ofc. Jaen stated the subject was just south of the alleyway in the street and pointed down the street.

As I arrived at Fair I saw a young Hispanic male suspect down in the street in front of 4600 S Fair. Ofc. Lewis and Ofc. Cano were approaching the suspect and I also approached the suspect to assist with detaining him in handcuffs. When I arrived at the suspect I saw blood and what appeared to be a single bullet hole in the right upper back of the suspect's clothing. I also saw what appeared to be a black colored airsoft pistol resembling a semi-automatic handgun partially under the suspect's right arm and body.

I assisted with securing the suspect's wrists in handcuffs and turning the suspect onto his back. Ofc. Lewis immediately began providing medical aid and chest compressions to the suspect while I took digital photos of the airsoft pistol and several other items the suspect had been carrying at the time he collapsed. The suspect was transported from the scene by members of the Phoenix Fire Department for medical treatment.

I remained at the scene to assist with securing access to the alleyway



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and scene security near 4600 S Fair. I took over the traffic control position at Fair/Carter from Ofc. Smith and remained in that position until I was advised I could open the roadway to traffic.

For further on this incident refer to the original report and all attached supplements.

\*\*\*Pending\*\*\*



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### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 24512 - KRESIN, KARL

**Related Date/Time:** Jan-15-2019 (Tue.) 1929

**Subject:** CONTACT WITH RESIDENTS

\*\*\*Digital Evidence Uploaded\*\*\*

On 01-15-19 at approximately 1454 hours I responded to 4502 S Fair Ln, Tempe, in reference to an officer involved shooting. Upon arrival I assisted other officers in securing the scene and detained all personnel associated with the target house.

I originally contacted (W)Brandon Saldana and (W)Deanna Cota. The following is a summary of my initial contact with Deanna and Brandon. Deanna advised me that they were waiting in the front yard of the residence and had observed a marked police vehicle drive past them multiple times. Deanna stated that while waiting in the front yard they heard two shots but had not seen anything. Brandon stated that he had heard some yelling to the south but was unable to understand what was being said. Brandon and Deanna advised that they did not live at the residence but that they were just waiting outside for a ride from Deanna's sister. This concludes the summary of my contact with Deanna and Brandon. For further details please refer to my body worn camera footage uploaded to evidence.com.

While contacting Brandon and Deanna, [REDACTED]

At approximately 1604 hours Deanna was placed under arrest in handcuffs for her warrants. At approximately 1830 hours, Deanna was transported to Tempe City Jail where she was booked and held for her warrants.

This concludes my involvement in the investigation, for further details please refer to the original and other supplemental reports.

\*\*\*Pending\*\*\*



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Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 23805 - GAUGHAN, DANIEL

**Related Date/Time:** Jan-15-2019 (Tue.) 2046

**Subject:**

\*\*\* Digital Evidence Uploaded \*\*\*

On 01/15/19 at approximately 1438 hours, I was on duty wearing a fully marked police uniform and driving an unmarked emergency equipped patrol vehicle when I responded to emergency radio traffic of an officer involved shooting at 4502 S. Fair Lane in Tempe.

After arriving on scene, I deployed my department issued AR-15 rifle and walked southbound on Fair Lane towards the above address. Upon arrival, I observed several officers performing CCR on a male laying in the street who appeared to be handcuffed behind his back. I asked several officers on scene if there were any additional suspects and was told there was possibly an outstanding male suspect.

At that time, I walked through the alley and assisted other officers cover the back of the residence at 4502 S. Fair Lane. Upon arrival, I observed two Hispanic males speaking with other officers near a grey pickup truck (parked in the alley behind 4502 S. Fair Lane) and provided Tempe Police Dispatch the trucks license plate - AZ - [REDACTED] (and confirmed the VIN [REDACTED]).

I then waited in the alley with other officers until 4502 S. Fair Lane was cleared by other officers on scene.

This concluded my involvement on this case.

See related original report and supplement reports for further.

\*\*\* PENDING \*\*\*



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GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 18382 - RAMOS, ALBERT

**Related Date/Time:** Jan-15-2019 (Tue.) 2329

**Subject:**

On 01-15-19 at 1455 hours I was on duty as a uniformed Tempe Police Gang Detective when I heard over the radio that Ofc. J. Jaen was involved in a shooting. I immediately began responding to the area of 48th Street and Vineyard Road in Tempe to assist. While en-route, I heard via the radio that the suspect was armed with a handgun and fled south in the alley. Additional radio traffic stated that Ofc. Jaen and officers on scene were taking the suspect into custody on Fair Lane.

Upon my arrival I parked on Vineyard at the north opening of the alley and proceeded on foot south in the alley between Fair and 48th. Approximately half way south in the alley I observed Ofc. A. Pina standing on the passenger side of a grey Chevrolet Silverado truck which was parked facing north bound. I passed this vehicle and continued south to locate the officers and suspect.

After turning east bound in the alley I located Ofc. Jaen and contacted him. I walked with Ofc. Jaen north in the alley to have him sit in my vehicle. As we were walking past the Chevrolet truck, Ofc. Jaen told me that this was the vehicle involved in the incident and that the male Ofc. Pina was contacting was related to it. I told Ofc. Pina and other officers on scene that the vehicle was involved so they could preserve the truck and area as evidence. At that time, Ofc. Jaen advised me that there was nobody outstanding so I updated officers over the radio in reference to the involved persons and vehicle. I escorted Ofc. Jaen to my patrol vehicle where he sat in the passenger seat.

I waited with Ofc. Jaen at the scene until driving him to the Tempe Police Hardy Substation. I waited with Ofc. Jaen until approximately 1800 hours. During this I did not discuss the incident with Ofc. Jaen.

This concludes my involvement in this incident, for further details refer to my body worn camera and the other attached reports.

\*\*\*PENDING\*\*\*



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 16211 - KOGER, DAVID

**Related Date/Time:** Jan-16-2019 (Wed.) 1336

**Subject:**

On January 15, 2019 at approximately 1458 hours I responded to the area of the 4500 block of S Fair Ln, Tempe, AZ after Officer J. Jaen had radioed that he had been involved in an officer involved shooting.

As I responded, I learned via radio traffic that the incident was in an alley just east of 48th Street and between Vineyard Rd and Carson Rd in Tempe, AZ.

I utilized my body worn camera to begin recording the investigation as I responded. The footage was later uploaded as evidence under this case number.

I arrived in the area at approximately 1505 hours and observed Officer Jaen's patrol vehicle parked in the alley south of Vineyard Rd and west of Fair Ln behind a house which was later identified as 4502 S Fair Ln, Tempe, AZ.

I began to head down the alley southbound along with other officers who had also arrived on scene at approximately the same time to reach Officer Jaen and aid.

As we headed south, I observed a pickup truck parked in the alley facing northbound. There was a Hispanic male subject standing near the truck, and Officer Pina stood by with him as the rest of us continued south down the alley.

The alley makes a natural turn to the east and exits onto Fair Ln just south of Carson Rd. When we arrived at the location where the alley exits onto the street, I observed Officer Jaen standing on the sidewalk and observed a subject lying on the ground just south of Officer Jaen.

Other officers who had arrived, began attending to the subject on the ground, providing lifesaving measures, as I contacted Officer Jaen.

Officer A. Ramos also arrived around this time, and he and I walked with Officer Jaen away from the scene back towards Vineyard Rd through the alley.

Officer Jaen sat in Officer Ramos' vehicle with him.

Sergeant T. Miller advised over the radio that a house at 4502 S Fair Ln, Tempe, AZ needed to be cleared and asked for units to assist.



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I drove my marked patrol vehicle to the front of that address and parked it in front of the driveway at Sergeant Millers request.

I then took a place on foot on Fair Ln while other officers from the Tempe Police Department SWAT team arrived to clear the house.

Several people were contacted inside the home and one subject was found sleeping in a van parked in front of the home. The subject in the van identified himself as Joshua Johnson.

Since it was unclear at this point, who else may have been involved in this incident, officers began speaking to the subjects from the home.

I spoke to Johnson and asked him about his involvement. Johnson advised that he had not been inside the home and knew nothing about the incident that police were investigating.

He also advised he does not know anyone at the Fair Ln address and had never been there before. He stated he wanted to get a ride to his home in Avondale, AZ and he had called his friend; Deborah to ask for a ride.

Deborah was not in the area, but she advised Johnson that her van was parked in front of 4502 S Fair Ln, Tempe, AZ and she told him he could wait inside the van and she would come by later to pick him up and give him a ride.

Johnson said he went to the van, entered it, and fell asleep. He stated he did not know of anything that was going on, until he was woken by police officers who were around the van.

Johnson also advised me that he is a drug user and is currently on probation. I asked if I could search his person and he allowed me to do so at which time I found foil with suspected drug residue and straws with suspected drug residue in his pants pocket and jacket pocket.

Johnson advised me he had used the items to smoke a "Percocet" pill earlier.

In addition to the drug paraphernalia I found on his person, [REDACTED]

The warrant was confirmed, and Johnson was arrested for the warrant and possessing drug paraphernalia.

I conducted an interview with Johnson after advising him of his Miranda warnings and confirming he understood his rights.



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Johnson advised he has used heroin and Percocet pills and has a drug addiction problem.

Johnson said he has not used heroin in a while, but smokes Percocet pills about twice a week.

He advised he buys the Percocet pills because he does not have a prescription for them and he does not know if the Percocet pills he uses are legitimate or a fraudulent type made with fentanyl.

Johnson advised that on the morning of January 15, he has used the foil and straws which were found on his person to crush up a Percocet pill and smoke it.

Once the scene was secured, I transported Johnson to the Tempe City Jail where he was booked for the warrant and possession of drug paraphernalia.

I later impounded the drug paraphernalia at the Tempe Police Department Property facility as evidence.

\*\*\*\*\* Pending \*\*\*\*\*



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 14616 - MORIARTY, TIMOTHY M

**Related Date/Time:** Jan-16-2019 (Wed.) 1845

**Subject:**

On 1/15/19 at approximately 1454 hours I responded to the area of 4502 S. Fair Ln., Tempe, in reference to an Officer Involved Shooting which had occurred in the alley just west of Fair Ln. during an investigation involving a suspicious silver Chevy pickup which was parked in the alley. After arriving on scene, I assisted with checking the residences south of 4502 S. Fair Ln. to ensure no other citizens were injured during the shooting. A check of the residences revealed no strike marks were located on the residences to the south and no injured citizens were located.

While checking the residences to the south I noticed the residence at [REDACTED] Tempe, was equipped with a surveillance system. I knocked on the front door of the residence and contacted Maria Chona Coletti. When Maria answered the door, she seemed alarmed to see the large number of uniformed Police Officers in the area. I explained to Maria there had been an Officer Involving Shooting in the alley behind the residence. Maria was surprised and stated she was home and did not see or hear anything.

I asked Maria if the surveillance system attached to the residence had cameras pointing towards the alley. Maria advised the surveillance system had cameras facing Fair Ln and the alley to the west. Maria advised she did not know how to operate the camera system, but believed it worked. Maria added that she was temporarily staying with the owner of the residence Betty Janisek. Maria stated Betty was not home but should be able to assist Police with accessing the surveillance system. Maria did not know when Betty would be returning home and provided Betty's contact information.

Maria had no further information regarding the incident. The contact with Maria was recorded on a body worn camera which was uploaded as evidence.

After completing the area welfare check, I provided the contact information for Maria and Betty with Detective Duarte at the Command Post. This concluded my involvement in the investigation.

See the original report and all related supplements for further details regarding this investigation.

\*\*\*PENDING\*\*\*



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GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 19239 - ESPINOZA, ANIBAL

**Related Date/Time:** Jan-17-2019 (Thu.) 658

**Subject:**

On 01/15/19 at approximately 2223 hours, I responded to [REDACTED] in reference to a report of a missing juvenile. While en route, I learned the male juvenile who was later identified as 14 year old Antonio Arce had not been seen since 0800 hours. The complainant was Antonio's mother, Sandra Gonzalez Aceves, and she only spoke in Spanish which I am certified to translate by the City of Tempe. Sandra had also told the dispatcher that Antonio had a "nervous tick" and might run if he saw police.

Upon arrival, I contacted Sandra outside the apartment and she stated that she was very worried because her son Antonio had never stayed out past 2000 hours as he knew she did not like that. Sandra added that she had last seen Antonio when she was leaving for work at approximately 0800 hours and that he was not home when she returned home at approximately 1300 hours. At that time, I asked Sandra for a recent photograph of Antonio which she provided from her cell phone. I then took a picture of that photograph and sent it to dispatch.

According to Sandra, Antonio had been staying at home while she worked. She had been trying to get Antonio back in school after he had been suspended two months prior from [REDACTED] and added that Antonio had mentioned a school shooting to a group of friends when they were in class and he was suspended as a result. Sandra then stated that she had been trying to find another school to enroll Antonio in, but no other school would accept him because of that incident. A records check later revealed that incident had been documented as Interference with an Educational institution under IR #18- 118621 by Ofc Simms.

Sandra then stated that the only options available to Antonio were to attend online school or return to California where his father was currently living and working, so she was getting ready to make the move to California. I then asked Sandra if it was normal for Antonio to be out at night or to leave without her knowledge and she stated that it was not at all like him. She also stated that Antonio never went anywhere without telling her and that he had a cell phone, but she had been calling and sending him messages since she got home and discovered he was not there. There had been no answer to any of the messages and every time she called, the phone seemed to go straight to the voicemail box.

Sandra also stated that Antonio did not carry any money and had no access to a bank because she was afraid that if she gave him too much money he would get himself in trouble. I asked her why she thought that and if he



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had been dealing with other issues like drug abuse and Sandra stated that "he liked marijuana". I asked if she had caught him consuming marijuana and she stated that "she knew" because both he and his older brother Jason, whom they lived with, would "act different" and she could smell the odor of marijuana on them when they consumed it. She did not have any other information to add about that matter.

I then asked Sandra if she had any idea of where Antonio could be or if he had friends that he usually went to. Sandra stated that he did not have any friends in the complex and that he usually spent his time in the complex gym. However, she added that Antonio liked to hang out with a group of friends he had in the area of 48th St. I asked if she knew an address or area and Sandra stated that he liked to hang out between Southern Ave and Broadway Rd along 48th St. She also stated that her aunt lived in the area of 48th St and Vineyard Dr but again, was unable to provide an address.

Sandra continued on to tell me that Antonio was "a good kid" and that all he wanted was to be back in school. She added that the reason she had moved back to the Phoenix area from California was because her older son Jason, who was now 18 years old, had been stopped by police with marijuana and a weapon in the vehicle so she had moved here to deal with that. She was adamant that it was not normal for Antonio to be out and to not let her know where he was. At that time, Sandra had no further information.

I then learned that Antonio had been involved in an incident with police earlier in the day and that Detectives Jones, M. and Duarte, G. would be responding to the apartment. I later assisted with both detectives with Spanish translation while explaining to Sandra Antonio's involvement. That concluded my involvement with this investigation. For further details please refer to my BWC footage and the original report.

\*\*\*Digital Evidence Uploaded\*\*\*

\*\*\*Pending\*\*\*



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Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 14552 - CANO, ANNA M

**Related Date/Time:** Jan-17-2019 (Thu.) 1256

**Subject:**

Digital Evidence Uploaded

On 01/15/19 at 1455 hours, I along with Tempe Patrol Officer C. Contos, responded to Tempe Police Radio traffic transmitted by Tempe Patrol Officer J. Jaen. He radioed that he was out with a subject in possession of a handgun in the alley way at, 4502 S. Fair Ln., Tempe, AZ. The next radio transmission I heard from Ofc. Jaen was, "Shots fired, shots fired" and then I heard, "One down".

Ofc. Contos and I arrived at, 4600 S. Fair Ln. by heading northbound on Fair Ln. from Minton Dr. at about 1500 hours and we activated our body worn cameras to record. I observed what appeared to be a male subject who was laying in the gutter of the west curb in front of 4600 S. Fair Ln. The subject was laying on his stomach with his head south of his legs. His head was face down. His left arm was bent at the elbow under itself along his left side while his right arm was bent at the elbow and his right hand near his right ear. Near his right hand was what appeared to be a black handgun with an orange colored tip at the barrel's end.

The subject was wearing a dark blue, short sleeved t-shirt, black jeans, black sneakers and he appeared to be a Hispanic male about in his late teens or early 20's in age due to his build; about 5'07" tall, somewhat muscular in build and about 150 pounds in weight. He had black hair that was cut short.

I saw that Ofc. Jaen was standing just north of the subject in the alley way leading onto Fair Ln. I observed that Ofc. Jaen was readily identifiable as a police officer. He was wearing the standard Tempe Police Class C uniform that was blue in color, a black outer vest with a cloth badge to the left side of his chest and a duty belt that held his duty weapon holster, magazine pouches and other issued police equipment typically carried on the duty belt.

Ofc. Jaen He had his handgun out and at the ready pointed southbound. I made contact Ofc. Jaen and took his position. He was later relieved from the scene by other arriving police officers.

Now, from the alleyway, I again observed that the subject who was down was not breathing, and his skin appeared to have a yellowish tint to it. I yelled out to the subject that I was Tempe Police and not to move. I received no reaction from the subject.



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With my handgun drawn to the ready position I cautiously approached the subject with Ofc. Contos. Though this subject's head was face down, I could see his right eye which was open. His eye was fixed and appeared to have glazed over. I approached the subject who was still not breathing and was showing no signs of life.

During my approach, I observed that in the subject's back, medial to his right scapula, was small hole in the subject's t-shirt. Surrounding the hole, it appeared the t-shirt was saturated with blood.

Tempe Patrol Officer D. Lewis joined me. I told him we needed to start chest compressions for live saving purposes. Ofc. Lewis placed handcuffs on the subject. Once the subject was detained in handcuffs behind his back Ofc. Lewis and I turned the subject on to his back over his left shoulder/side. A container of air soft, orange, round balls fell from the subject's front waist area.

At this point, I took a position at the subject's legs to lift them for life saving efforts. I could see that the right eye of the subject was open and but fixed; his left eye was mostly closed. His mouth was closed; upper and lower lips touching. Ofc. Lewis began providing chest compressions to the subject.

Using my right index and middle fingers I palpated the radial portion of the subject's right wrist for a pulse while chest compressions were being applied by Ofc. Lewis. I did not feel a pulse. Tempe Fire and Phoenix Fire arrived on-scene after Tempe Patrol Officer J. Welling took over the chest compressions from Ofc. Lewis. Fire soon took over treatment of the subject.

Once the subject was placed into the ambulance to be transported to Banner Desert Hospital in Mesa, AZ, Ofc. Contos and I were directed by on-scene Tempe K-9 Sergeant T. Miller to follow the ambulance and remain with the subject at the hospital. We arrived at the Emergency Room of Banner Desert Hospital at 1519 hours.

With my body worn camera recording, I stood-by in Trauma Room One of the Emergency Room while the hospital staff treated the subject. At 1533 hours Emergency Room Physician Wynne pronounced the subject deceased.

I observed while medical staff examined the subject's body for trauma. Only one wound was located which was a hole that appeared to be a gunshot wound to the right upper back area or the area medial to the right scapula.

Hospital Staff inventoried the items on the subject's body. They removed a yellow, metal necklace from the subject's neck and placed it into a plastic cup with a lid then into a paper bag. Also removed from under the subject and bagged separately were the subject's black jeans (cut off



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by hospital staff), grey belt (cut in half by hospital staff), blue under shorts (cut off by hospital staff), dark blue underware (cut cut off by hospital staff), two black socks, one from each foot (packaged in separate bags) and a pair of black sneakers (packaged in separate bags).

Hospital Staff inventoried the items in the pockets of the black jeans. In the left back pocket there was a \$1 bill. In the left front pocket there was a black Samsung Galaxy 6 Edge cellphone and a 4" knife. In the right front pocket there was another black Samsung cellphone and one quarter. There were no items to indicate the identity of the decedent were found in his possessions.

At about 1622 hours, Tempe Police Detective T. O'Brien arrived to relieve me at the hospital in Trauma Room One where the decedent's body remained. At 1656 hours the above items were turned over to Det. O'Brien's custody.

For further details on my involvement with this incident, refer to the two videos recorded by my body worn camera. The videos have been uploaded to evidence.

PENDING



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Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 17329 - MILLER, ANTHONY J

**Related Date/Time:** Jan-17-2019 (Thu.) 1837

**Subject:** OFFICER INVOLVED SHOOTING

\*\*\*Digital Evidence Uploaded\*\*\*

On 01/15/19 at about 1454 hours I was working in the uniformed capacity of the K9 Unit Supervisor for the City of Tempe Police Department driving my marked police vehicle southbound in the area of Mill Avenue/Southern Avenue, in Tempe, when I heard Officer Jaen advise over the radio "998" indicating he had just been involved in a shooting.

Unaware of Officer Jaen's location I immediately checked my MDT and I learned at 1438 hours he had been dispatched to a suspicious vehicle call at 4502 S Fair, in Tempe. I then activated my red/blue emergency lights and siren and drove to Officer Jaen's location.

While enroute to Officer Jaen's location he advised over the radio that shots had been fired and that the suspect was running southbound in the alley. Officer Jaen then stated the suspect was down and that there was another suspect in the alley. I told Officer Jaen over the radio to find some cover and to hold the down suspect while I directed other officers to the additional suspect. Officer Jaen then advised over the radio that he was not injured and the suspect was not breathing.

At 1501 hours I arrived on scene and parked on Vineyard near the entrance to the alley that is between Fair Lane and 48th Street. I ran southbound down the alley and noticed Officer Pina was contacting a subject at a truck that was parked in the alley facing north at 4502 S Fair Lane. Officer Pina did not appear to need additional assistance so I continued southbound down the alley to locate Officer Jaen.

When I arrived at the "T" at end of the alley I observed Officers Koger and Gaughan walking Officer Jaen northbound through the alley out of the scene.

I then walked eastbound out of the alley to Fair Lane and I observed a shirt less hispanic male laying on ground near the west sidewalk and Officers Welling and Lewis were performing life saving efforts on him. Additionally, I observed an orange tipped air soft gun laying on the ground next to him along with a watch and some ear buds.

At 1506 hours Phoenix Fire Engine 32 and Tempe Ambulance M272 arrived on scene. They subsequently took over treatment of the suspect and transported him to Desert Banner Hospital. At that point I directed Officers Cano and Contos to follow the suspect to the hospital.



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I then asked Officer Koger over the radio if Officer Jaen informed him of any outstanding suspects and Officer Koger confirmed there was no one outstanding.

I then informed dispatch of several hard closures to secure the scene and I asked for officers to be assigned to those locations.

Finally, I walked to 4502 S Fair Lane to ensure no one else was injured due to the aforementioned truck in the alley being parked directly behind the residence.

When I arrived at 4502 S Fair lane there were four people in the front yard of the location and they appeared to be calm. Several other officers arrived at my location and we subsequently detained everyone from the listed residence without incident. Members of the Tempe SWAT team arrived at my location and cleared the listed residence without incident. I then assigned Officer Hampton to secure the front of the listed residence and Officer Snell to secure the rear until relieved by a supervisor.

This concludes my involvement regarding this incident.

\*\*\*Pending\*\*\*



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Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 22981 - SHIPLEY, ADAM

**Related Date/Time:** Jan-19-2019 (Sat.) 910

**Subject:**

On 1/15/2019 at approximately 1454 hours, I began respond to an officer involved shooting in the area of 4500 S. Fair Ln, Tempe. Upon my arrival I began assisting with perimeter security along with other Officers. I also assisted Sgt. Millen with welfare checks of residences South of the residence located at 4502 S. Fair Ln, Tempe. I further was involved in the investigation by assisting Det. Barela at the command post providing Command Staff personnel with on scene updates. This concluded my involvement in this investigation.

Pending



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Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 20454 - GARNETT, RYAN

**Related Date/Time:** Feb-12-2019 (Tue.) 1919

**Subject:** OFFICER INVOLVED SHOOTING

On 01-15-19 at approximately 1456 hours I responded to 4502 S. Fair Ln, Tempe in reference to assist numerous officers with an officer involved shooting.

Upon arrival I was tasked with assisting numerous Tempe Police Officers with searching the residence located at the above mentioned address.

Once at the residence numerous subjects were outside and later detained for safety purposes. Announcements were also made over a police loud speaker to the occupants of the home that Tempe Police were present and to exit. An elderly lady later exited the front of the residence without incident.

Sgt. Coakley, Sgt. McCormick, Det. Morley, Det. Hoover, Det. Papke, Det. Rittman and I all entered the residence and began a search for any outstanding suspects or injured subjects. No one was located inside of the residence.

This concludes my involvement with this investigation.

It should be noted that my interactions were captured using my AXON body worn camera. The footage was uploaded as evidence evidence.com.

Pending



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 16718 - HUTCHISON, ETHAN R

**Related Date/Time:** Feb-13-2019 (Wed.) 505

**Subject:**

On 01/15/19 at 1500 hours, I responded to 4502 S. Fair Lane, Tempe, to assist other Tempe officers in regards to an officer involved shooting. Upon my arrival in the area, I took a perimeter/traffic control position at the north entrance to the complex at 4325 S. 48th Street, Tempe. I staffed this position until I was relieved by Officer J. Loewenhagen, #14620.

For further details on this incident, refer to the original report and any other submitted supplements.

\*\*\*pending\*\*\*



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 18845 - SMITH, TRAVIS

**Related Date/Time:** Feb-14-2019 (Thu.) 808

**Subject:**

On 1/15/19 at approximately 1505 hours, I arrived in the area of 48th St and Vineyard Rd, Tempe. I responded to this location as I had heard over the Police radio that Officer Jaen had just been involved in an Officer Involved Shooting and requested assistance.

When I arrived, I found that there were numerous Police units already on scene. I observed that the incident appeared to have taken place in the alley located between 48th St and Fair Ln, south of Vineyard Rd due to the police presence in that location.

At this time, I took up a scene security position. I posted myself at the mouth of the alley between 48th St and Fair Ln, on the south side of Vineyard Rd. I kept security of that inlet to the alley until I was relieved later in the night by Officer C. Clark at approximately 1845 hours. While posted in my security position, I began the scene log. When relieved by Officer C. Clark, this scene log was turned over to Officer C. Clark.

After being relieved by Officer C. Clark, I left the scene and this concluded my involvement with this incident.

\*\*\*Pending\*\*\*



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 11772 - LABELLE, MARK D

**Related Date/Time:** Feb-14-2019 (Thu.) 1236

**Subject:**

On 1-24-19 at about 1537 hours, Det. M. Jones contacted myself in reference to downloading Officer J. Jaen's assigned taser. Jones came to my location at the Tempe Police Hardy Station (8201 S Hardy Dr) and handed me a yellow Taser X2. I am one of the officers assigned to upkeep and downloading the tasers. I plugged the taser in to my desktop and it showed to be Officer Jaen's. I performed a simple download of the unit, and printed out the facesheet showing the unit to be Jaen's. I turned that facesheet and taser back over to Jones and had no further part in this investigation.

Pending



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Text

**Document:** SUPPLEMENTAL OFFICER NARRATIVE

**Author:** 24777 - CONTOS, CRISTINA

**Related Date/Time:** Feb-15-2019 (Fri.) 956

**Subject:**

Digital Evidence Uploaded

On 01/15/19 at 1455 hours, I, along with Tempe Field Training Officer Anna Cano, responded to Tempe Police Radio traffic transmitted by Tempe Patrol Officer J. Jaen. I heard him say through the radio that he was with a subject who had a handgun in the alley located at 4502 S. Fair Ln., Tempe, AZ. Officer Jaen then transmitted, "Shots fired."

I drove westbound on Baseline Rd. with lights and sirens activated, turned southbound onto 48th St, then turned eastbound on to Minton Dr., and turned northbound on Fair Ln. Officer Cano and I arrived at 4600 S. Fair Ln. at approximately 1500 hours. I activated my body worn camera to record. I observed a male subject laying on the west side of the road in the gutter in front of 4600 S. Fair Ln. The male was lying face down on his stomach with the top of his head facing south. His left arm was folded underneath him with his left hand under his stomach. His right arm was bent with his right hand next to his right ear.

I observed the subject dressed in a dark blue, short sleeved t-shirt, black jeans, and black sneakers. The subject appeared to be a Hispanic male, due to his short, black or dark brown hair and tan skin, approximately in his late teenaged years or early 20's in age due to his medium build. He appeared to be about 5'07" tall and appeared to weigh about 150 pounds.

I also observed Officer Jaen standing just north of the subject partially hidden behind the alley wall with his duty handgun out and pointed southbound at the ready. Officer Jaen was readily identifiable as a police officer dressed in the navy blue, standard Tempe Police Class C uniform. Officer Jaen wore a black outer vest with a cloth badge on the left side of his chest and a duty belt that held his duty weapon holster, magazine pouches and other issued police equipment.

Officer Cano and I approached Officer Jaen with our firearms drawn to the low ready. Officer Cano made contact with Officer Jaen and took his position. Officer Jaen was later removed from the scene by other assisting police officers.

From my position in the alleyway, I again observed the subject. He was not moving, not breathing, and his skin appeared pale. Officer Cano shouted out to the subject that she was Tempe Police and not to move. Officer Cano and I approached the subject with our guns drawn at the low ready.



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As we approached the subject, I observed the subject's head to be face down but slightly turn to the side and his right eye was open. His eye was fixed and appeared glazed over. The subject was still not breathing and was showing no signs of life. I observed a small hole in the back right shoulder area of his t-shirt that appeared to have blood around the edges of the cloth.

At this point, I observed what appeared to be a black handgun underneath his right arm. As I moved closer, I could see the black handgun had an orange colored tip at the end of the barrel.

Tempe Patrol Officer D. Lewis joined Officer Cano and me. I was instructed to hold the subject at gun point while Officer Lewis and Officer Cano made physical contact with the subject. Officer Lewis placed handcuffs on the subject and began life saving measures. For further details, refer to Officer Cano's and Officer Lewis's supplements.

Tempe Fire Department and Phoenix Fire Department arrived on scene and took over treatment of the subject. The subject was placed into the ambulance to be transported to Banner Desert Hospital in Mesa, AZ. I was directed to follow the ambulance to the hospital and remain with the subject.

For further details on this investigation, refer to the two videos recorded by my body worn camera. The videos have been uploaded to evidence.

PENDING



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Document

**Document:** DETECTIVE NARRATIVE

**Author:** 20183 - LARSON, JORDAN

**Related Date/Time:** Jan-16-2019 (Wed.)

**Subject:** CANVASS

On 15 January 2019, I was tasked with assisting in the neighborhood canvass for witnesses/video surveillance footage regarding the officer involved shooting that occurred near the 4400 block of S Fair Ln earlier that day. Detective J. Smith and I conducted a canvass of the following residences: 4401, 4407, 4411, 4417, and 4423 S 48th St, Tempe. Refer to Detective Smith's supplemental report documenting the information we gathered from the occupants of those homes.

Later in the evening, I was tasked with contacting the resident of [REDACTED], identified as Christopher Varley (DOB: [REDACTED] / phone: [REDACTED]). Upon speaking with Christopher, he told me he was not home at the time of the incident and did not arrive home until approximately 1700 hours. Christopher said he did not have surveillance cameras at his house and had no pertinent information to provide regarding this investigation. Christopher did note that on occasion, unidentified people from an unidentified residence located on S Fair Ln north of his house, do occasionally have domestic arguments. Christopher learned of the officer-involved shooting from his wife, Sharon Bingham (DOB: [REDACTED] / phone: [REDACTED]), via text message. Sharon was not at the residence when I spoke to Christopher. On 16 January 2019, I contacted Sharon over the phone and asked her if she had pertinent information regarding this investigation. Sharon did not. Sharon learned of the shooting via the news media. Sharon said she has witnessed suspicious activity on S Fair Ln in the past, to include what she thought to be a hand-to-hand drug deal at 4426 S Fair Ln. Sharon also believed a mentally unstable person formerly resided at 4414 S Fair Ln. I learned no other information from Christopher or Sharon that would be relevant to this investigation during my conversation with them.

For further information, refer to the original report.

\*\*\*PENDING\*\*\*



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Document

**Document:** DETECTIVE NARRATIVE

**Author:** 14716 - EMS, JASON J

**Related Date/Time:** Jan-17-2019 (Thu.)

**Subject:** CANVASS

On 01/15/19, at approximately 1545 hours I responded to the command post in the area of Vineyard and 48th Street, Tempe in reference to an ongoing Officer involved shooting investigation that occurred at approximately 1438 hours. Upon arrival to the scene, I contacted Sgt. H. Penner and Sgt. K. Click where I was assigned to a neighborhood canvass team with Det. Fairclough.

During the neighborhood canvass, I contacted the following residents;

[REDACTED], Tempe

- **Juanita Flores** - was at work at time of the incident and therefore did not see or hear anything.

[REDACTED] - was at home inside the residence and believes that he possibly heard a gunshot but believed it was fireworks. Did not see or hear anything else.

[REDACTED], Tempe

- **Monica Castillo** - Reported that her husband Luis Hernandez and she were driving home from the store in their gold metallic Chrysler 300 (she was the front seat passenger and Luis was the driver) and while at Fair Lane and Carson Drive she saw a "Cop" at the alleyway behind the wall with his "gun, or something" out in his hand.

Castillo indicated that her husband said there was something on the ground and then said it was a person on the ground, however Castillo indicated that the object she saw she thought was a "jacket or something like that" and did not observe/identify the object to be a person. I asked Castillo about the surveillance cameras on the front of her residence and she indicated that she does not know how they work. Castillo had no further information. For details refer to my body cam video.

- **Luis Hernandez** - Reported that he was driving driving home from the store turning northbound onto Fair Lane from Carson Drive with Castillo as his passenger when he observed a "Police Officer" standing near a wall at the alley way pointing his weapon at a "guy" who was on the ground. Hernandez reported that he thought that maybe the Officer needed help as he continued driving northbound on Fair Lane, however when he arrived at his house and parked in his driveway he heard the police sirens and saw the police response so he stayed at his house. Hernandez indicated that he thought that maybe the Officer needed help and was worried for the Officer because he could see that the Officer was shaking. Hernandez showed me with his hands like he was holding a handgun while shaking. When asked, Hernandez indicated that he did not recognize the subject he saw on the ground and could not remember what the subject was wearing. I asked Hernandez how he knew that the Police Officer was a Police Officer and he indicated that he saw the large patch across the back of his vest that said "Police." Hernandez indicated that he also observed that the Officer was wearing a vest and police uniform.

I then asked Hernandez about his video surveillance cameras on the front of his residence and he indicated that they are operational, however he does not know how to operate/review recorded video on them. Hernandez



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showed me the Samsung surveillance video DVR and monitor system inside his residence, however reported that he does not even know the password to access the DVR system as he and his family only use it to monitor live video. I observed a couple of cameras that view the front yard and part of Fair Lane in front of his house. Hernandez was extremely cooperative and indicated that he would provide any video to police if someone could figure out how to access it. Hernandez had no further information. For details refer to my body cam video.

Follow-up for the surveillance video at [REDACTED], Tempe is being conducted by Computer Forensics Det. D. Larson.

This concludes my involvement in this case.

\*\*\* Pending \*\*\*



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GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #1

Assigned to:15781 - CYNOWA SR, JAMES R

Assigned on: Jan-15-2019 (Tue.) 1858

Capacity:Supplemental

Completed:Yes

Approved on:01/16/2019

Approved by:SOMERSHOE, LAURA

### Narrative Text #1

Document: LAB/FORENSICS RESULTS

Related Date/Time: Jan-15-2019 (Tue.) 1910

#### Notification:

On Tuesday, January 15, 2019, at 16:25 hours, I Forensic Technician J. Cynowa #15781, was contacted by Tempe Police dispatch, and asked to respond to Banner Desert Medical Center, located at 1400 S. Dobson Rd. Mesa, Arizona, to assist Criminal Investigations Bureau with a shooting investigation.

#### Arrival/Briefing:

I arrived at 17:16 hours, I met with Detective T. O'Brien #14916 who escorted me to trauma room #1.

#### Scene processing:

Using my Nikon D-500 digital camera, photographs were taken of the decedent and his injuries. (Refer to photographs 1 thru 34).

Upon returning to the Forensic Services Unit the photographs were uploaded into Axon.

This concludes my involvement in this investigation.



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #2

Assigned to: 24159 - BEACH, MARLO

Assigned on: Jan-15-2019 (Tue.) 2321

Capacity: Supplemental

Completed: Yes

Approved on: 01/17/2019

Approved by: SOMERSHOE, LAURA

### Narrative Text #1

Document: SUPPLEMENTAL OFFICER NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.) 2213

At approximately 1500 hours on Tuesday, January 15, 2019, I spoke with Detective Duarte #14995 and learned that I would be needed to assist with an officer-involved shooting investigation.

At approximately 1536 hours, Detective Duarte advised that there was a command post at S. 48th St. and W. Vineyard Rd. on the north east corner.

At approximately 1545 hours, I proceeded to S. 48th St. and W. Vineyard Rd. in Phoenix.

I arrived at approximately 1628 hours and contacted Sergeant Akey #17902, Detective Solmen #21884, and Detective Duarte.

I immediately accompanied Detective Solmen and Detective Duarte on a walk-through of the scene. Due to the threat of impending rain, I took photographs 0001-0074 during the walk-through instead of after the walk-through.

I observed the alleyway running between S. 48th St. and S. Fair Ln., just south of W. Vineyard Rd. Parked behind (west of) 4426 S. Fair Ln. was a black and white Chevrolet Tahoe marked "Tempe Police" (vehicle number 745; Arizona tag G224GW), facing south with its engine running. Parked behind (west of) 4426 and 4502 S. Fair Ln. was a gray Chevrolet Silverado (VIN [REDACTED]; Arizona tag [REDACTED]) facing north.

In front of (east of) 4600 S. Fair Ln., I observed the following items of interest:

- a dark blue article of clothing (Item 6) on the street
- a black airsoft gun (Item 3) on the concrete curb
- a red lighter, a folding knife, and a pair of blue earbuds (Item 5) on the street
- a container of orange "UKARMS 6mm BBs" (Item 4) on the concrete curb
- a watch (Item 7) on the grass at the south edge of the front yard
- an apparent bloodstain on the street

I was then requested to photograph an item of interest located at 4502 S. Fair Ln. I accompanied Detective Hood #23692 to 4502 S. Fair Ln., where he indicated a Samsung tablet on top of a television in the driveway. I took photographs 0075-0087.

I returned to the alleyway and took additional photographs of the Chevrolet Silverado and of the alleyway. (Refer to photographs 0088-0115.)



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Detective Solmen then indicated two casings, which she had marked with evidence placards 1 and 2, on the ground in the alleyway, near the rear driver side corner of the Chevrolet Silverado. I took photographs 0116-0124.

I accompanied Detective Solmen to the area in front of 4600 S. Fair Ln., where she placed evidence placards 3 through 7 to indicate the previously-mentioned items of interest (the black airsoft gun, the container of orange "UKARMS 6mm BBs", the lighter, the folding knife, the earbuds, the article of clothing, and the watch). No evidence placard was used to mark the apparent bloodstain, which was located approximately halfway between the container of orange "UKARMS 6mm BBs" (Item 4) and the article of clothing (Item 6). I took photographs 0125-0139. I took additional photographs 0140-0143 of the black Airsoft gun once Detective Solmen had collected it.

I observed that the entire apparent bloodstain had become wet due to the rain. I took additional photographs 0144-0145 of the apparent bloodstain. I then collected a sample of the apparent blood using the following method:

I donned a new pair of gloves and used two dry Curity cotton tipped applicators from a sealed 2-pack to collect a sample of the apparent blood. I enclosed the two swabs in a new swab box and placed the swab box in a new yellow envelope.

I took photographs 0146-0147 of the swab box and swab package.

At this time, it was noticed that evidence placard 4 had moved north due to the rain. I took additional photographs 0148-0150 of evidence placards 3 through 7, after the corresponding items had been collected.

Due to the weather conditions, I turned over the envelope containing 2 swabs of apparent blood from the street in front of 4600 S. Fair Ln. to Detective Solmen for safekeeping. Detective Solmen later advised that she impounded this item. I later observed that this item was impounded as TE346034-9: Swab collected by FSU at scene.

I then accompanied Detective Solmen to the alleyway where the two casings had been located. I took photographs 0151-0155 as Detective Solmen collected the two casings (Items 1 & 2; FEDERAL 40 S&W).

I observed as Detectives used orange cones to mark the position of each tire of the two vehicles in the alleyway. I took photographs 0156-0177.

Per Detective Solmen's request, I took photographs 0178-0196 of the inside of the Tempe Police vehicle. In order to show which dashboard lights were on, photographs 0185-0187 were taken without a flash, resulting in blurred photographs.

Detective Duarte indicated a defect (A) on the north side of the block wall on the south side of the alley. This block wall separates the alleyway from the backyard of 4600 S. Fair Ln. The defect was labeled as Defect A. I took photographs 0197-0204.

It was then decided that an alternative method for marking the position of each tire of the two vehicles in the alleyway was needed. I observed as Detective Duarte moved the cones and made markings in the dirt in place of the cones. I then took photographs 0205-0222.



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I observed as Detective Duarte marked an area on the ground (by drawing an approximately square in the dirt) in the area where Officer Jaen was believed to be standing when he discharged his firearm. This square was near the rear driver side corner of the Chevrolet Silverado, and just east of evidence placard 1. I took photographs 0223-0226 of the location of the square drawn by Detective Duarte. After I took photograph 0226, the Chevrolet Silverado was removed from the alleyway. By this time, the Tempe Police vehicle had also been removed from the alleyway. I then placed my camera tripod such that the camera mount was positioned approximately above the center of the square drawn by Detective Duarte. Detective Duarte used string and a trajectory rod to mount a laser onto the tripod. I took photographs 0227-0230 of the position of the tripod with the laser mounted on it. I then mounted the camera on the tripod. The laser was positioned such that it was pointing to Defect A on the block wall. I then took photographs 0231-0234.

I took photographs 0235-0238 as a tape measure was held to show vertical measurements of the position of Defect A on the block wall.

I took photographs 0239-0242 of the area of the alleyway from which the two vehicles had been removed.

I cleared the scene at approximately 2150 hours. At approximately 2205 hours, I arrived at Tempe Police Headquarters (120 E. Fifth St.).

I was then requested to accompany Detective Hood to Maricopa County Medical Examiner's Office (MCOME) to take photographs of the subject's face and hands. While en route to MCOME, Detective Hood was advised that the subject had been identified, and the additional photographs were no longer needed.

I returned to Tempe Police Forensic Services Facility (120 E. Fifth St.) and imported the photographs to evidence.com (via Evidence Upload XT). It should be noted that I took a total of 242 photographs using my department-issued Nikon D500 DX-format DSLR (digital single-lens reflex) camera.

My involvement in this investigation is concluded as of Wednesday, January 16, 2019.



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Operational Status: OPEN

### Follow Up Report #3

Assigned to:14558 - GARIBAY, JAIME

Assigned on: Jan-16-2019 (Wed.) 612

Capacity:Supplemental

Completed:Yes

Approved on:01/18/2019

Approved by:AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.) 615

#### Notification

On 01/15/19 Criminal Investigations SGT. Click requested assistance with an officer involved shooting incident. I responded to the north east corner of 48th St and Vineyard Rd, Tempe, AZ. I arrived at 1630 hours and after the briefing I learned the following. On 01/15/19 at 1439 hours, Officer Jaen responded to 4502 S. Fair Lane, Tempe, AZ reference a suspicious vehicle in the alley with two subjects loading items into a vehicle. Upon arriving to the area Officer Jaen contacted a subject in the alley. Officer Jaen was involved in a foot pursuit and shooting incident with the subject.

#### Canvass

Tempe Police Det. Sauer and I were tasked with assisting other detectives in canvassing/contacting residents at 4402, 4408, 4414, 4420 and 4426 S. Fair Lane, Tempe, AZ.

██████████, Tempe, AZ

On 01/15/19 at 1727 hours, Det. Sauer and I contacted the residents of ██████████, Tempe, AZ. I contacted Enrique and Victoria Aguilar. Both stated they were at work during the time of the incident. Enrique stated he arrived between 1630 hours and 1700 hours from work. Enrique states he usually gets home around 1530 hours but today because of the incident and the street closers it took him longer. Enrique heard about the incident from the news as he was driving home from work. Enrique confirmed they do not have a video surveillance system at the home.

Enrique and Victoria own a black GMC pick-up truck and silver Chevy Equinox.

Victoria confirmed she was at work during the time of the incident. Victoria left her home just after 12 noon and returned to the area around 1530 hours. The area was closed off by police so she had to wait at a park close by before the police allowed her to return to her home. Victoria heard about the incident when she received a call from her granddaughter Reina Aguilar. Reina did not know what happened but told Victoria that there were many police officers in the area and the streets were closed. Reina lives across the street from Victoria. Victoria told Reina to lock the doors and not go out until Victoria arrived home from work.

Victoria states when she left for work she noticed her neighbors Bob and Carol who live next door at ██████████ doing yard and picking up trash in their back yard. Victoria stated that at 1000 hours today she noticed a black vehicle parked in front of her home. I could see that the vehicle from where we were standing and it is parked between their home and Bob and Carol's home. Victoria states this car is unfamiliar to her and she does not know who owns it.



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Both were asked if there are any areas in the neighborhood that made them feel uncomfortable. Victoria states there was a male subject who lived 3 homes to the south who was suspicious and she believed he was "scraping" junk. Victoria confirmed the home is vacant and now being remodeled. Victoria believes the home has been vacant for a month. Enrique states the home has a large metal dumpster in the front. I confirmed later the home is vacant and the address is 4420 S. Fair Lane, Tempe, AZ.

Both were asked about any recent crimes in the area. Victoria states she heard two neighbors homes were burglarized last year 2018. Victoria pointed to two homes located near the south west corner of Fair Lane and Vineyard Rd, Tempe. She did not provide home owner information.

Victoria is concerned that there is suspicious subjects in the area that appear to be drug users walking and on bicycles.

Victoria and Enrique allowed us check the home and check the backyard. No items of evidence were located at the residence or yard. Both confirmed no property is missing at this time. The information of the vehicle Victoria pointed out as suspicious is black 2012 Mazda 4 door passenger vehicle with Arizona plate [REDACTED]. The vehicle is registered to Neil and Sunni Everson:

Neil B. Everson DOB [REDACTED] AZ DL [REDACTED] the address listed on DL is [REDACTED]. No license status with no image available.

Sunni Everson DOB [REDACTED] AZ DL [REDACTED] the address listed on DL is [REDACTED].

The vehicle is registered to [REDACTED]

The vehicle registration is MI suspended and not listed as stolen.

It should be noted Det. Sauer and I contacted one of the registered owners Sunni Everson later as we continued to canvass the area at . Please see his supplement for details.

[REDACTED]

On 01/15/18 Det. Sauer and I contacted the residents at [REDACTED] named Arceli, Amado, Carlos and Sandra Carbajal and Carlos's friend named Marshall J. Butler. Amado and Sandra confirmed they were home at the time the incident occurred. Amado states he left his home at 0730 hours to go work. Amado did not feel well so he came home early around 1100 hours. Sandra confirmed she left at 0730 hours and returned at 1430 hours. Carlos arrived home at 1800 hours. Butler arrived at 1700 hours.

They have lived in this home for years. I asked if they had concerned with any neighbors and all stated there neighbor just south 4420 S. Fair Lane was a problem. The home is vacant and they were not sure who lived there since there were so many different people at the house. They believe the house has been vacant for a month.

Butler believes they were manufacturing illegal drugs.



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All confirmed no suspicious activity was scene before they left for the day and returned home.

Carlos confirmed they do not have security cameras at the residence.

Areceli believes one or two of the residents of the vacant/problem house moved into a home two houses to the south. Areceli believes it's the home with purple paint on the front walls and that they had a yard sale this past weekend. Butler believes the items these subject were selling are stolen. I asked them what type of items were being sold during the yard sale and Carlos thought the items were all "junk" and furniture like book cabinets. I believe the residence they are referring to is 4502 S. Fair Lane, Tempe, AZ.

They could not provide descriptions of the subject who live at that home. Amado believes the home owner drives a white small pick-up truck. Amado believes there is another brown pick-up truck that is associated with this house as well.

Carlos states that when the neighbors of the vacant/problem house moved out they left behind a "weapon." Carlos pointed to their front door and I could see it laying against the wall. Carlos stated it was a hedge trimming blade with a bike handle bar welded on to one side.

They allowed us to check the residence and back yard. No items of evidence were located at the residence or yard. All confirmed no property is missing at this time.  
The family had two vehicle parked in the drive-way:

White 1999 Ford E150 RV van with Arizona license plate [REDACTED]. The vehicle is registered to Araceli Carvajal:

Areveli Carvajal DOB [REDACTED] AZ DL [REDACTED] the address listed on the DL is [REDACTED],  
[REDACTED] Her license is no license status.  
The vehicle is registered to the same address.

2001 Volkswagen Jetta 4 door with Arizona license plate [REDACTED]. The vehicle is registered to Carlos Carbajal:

Carlos Omar Perez Carbajal [REDACTED] AZ DL [REDACTED] the address listed on the DL is [REDACTED]  
[REDACTED]. His license is valid.  
The vehicle is registered to the same address and it is valid.

The information of the vehicle located in the are of 4502 S. Fair Lane is a silver 2007 Kia Sedona mini van with Arizona wheel chair plate [REDACTED] The vehicle is registered to:

Rachel L. McKinley DOB [REDACTED] with AZ DL [REDACTED] the address listed on the DL is [REDACTED]  
[REDACTED]

The registration is valid and vehicle is not listed as stolen.

Interviews with the residents was recorded on body worn camera and uploaded on evidence.com.



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At the conclusion of the canvass I provided a brief account of what I learned to SGT. Click.

This conclude my involvement with this incident.

\*\*\* Pending \*\*\*



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Operational Status: OPEN

### Follow Up Report #4

Assigned to: 18954 - MILLER, ADAM

Assigned on: Jan-16-2019 (Wed.) 623

Capacity: Supplemental

Completed: Yes

Approved on: 01/17/2019

Approved by: PENNER, HEATHER L

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.)

On 1/16/19 while working as a Detective in the Criminal Investigations Bureau, I became aware of an Officer Involved Shooting incident which occurred in the area of 4502 South Fair Lane, Tempe. Detective Gomez, Detective Gibson and I responded to this area, where we met with other members of the Tempe Police Department in order to assist with the investigation.

After arriving on scene, I was advised that several occupants had been located at 4502 South Fair Lane, Tempe, by initial responding officers. These subjects were standing by outside of that location, at this point Detective Gomez, Detective Gibson, Detective Hood and I were tasked with making contact with these subjects and interviewing them regarding any involvement in or information of this incident.

#### Interview with Deanna Cota

As I neared the area of 4502 South Fair Lane, I observed four subjects sitting on the curb in front of 4423 South Fair Lane (the residence directly north of 4502 South Fair Lane), with officers standing nearby.

At this point, I approached a female subject who identified herself as **Deanna Cota**. I explained to Deanna that I wanted to speak with her regarding the incident which took place and that although she was not under arrest I was going to read her Miranda rights. When asked if she understood her rights Deanna responded, "Yes sir" and when asked if she would voluntarily answer questions for me she replied, "Yes." Deanna then related the following to me, which is not verbatim. For full details of my contact with Deanna refer to my Body Worn Camera (BWC) footage which has been uploaded into the Evidence.com system.

Deanna explained that she was at her friends' residence, located at [REDACTED], when this entire incident happened. Deanna later identified these friends as **Julie Ann Bravo** and **Leroy Werito**. Deanna also stated several other people were at the house who were identified as her boyfriend, **Brandon Saldana**, **Jose Martinez Calzada** and **Lucio (Lou) Silvas**.

Deanna advised that she had walked to this location approximately 90 minutes prior to this incident occurring. Deanna advised that Brandon and herself had last been to this residence approximately 3-4 weeks prior to today. Deanna advised that she and Brandon were just coming to see their friends at this location.

Deanna advised that Julie, Leroy and Jose buy the contents of abandoned storage units, then bring the items to this location where they clean them and sell them over the internet. Deanna reported that at the beginning of this incident she was sitting in the front yard of 4502 South Fair Lane on a bench with Brandon. Deanna stated she saw a police officer walk by the house several times but did not think anything of it. Deanna the next thing she remembered was hearing 2 gunshots that sounded nearby.

After hearing the gun shots, Jose ran to the backyard of the residence because Lou was in the back alley unloading items from his pickup truck and he was concerned that Lou had been involved. Jose came back out front, told Deanna and the others that Lou was not involved and then the group began walking out to the street



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where they saw a man laying down the street to the south. Deanna stated that she has bad eyesight so was not able to make out any details of the subject who was laying down in the street, but she was told that it looked like he had been shot.

Deanna did not have anything further to report regarding this incident.

### Canvass of Neighborhood

After speaking with Deanna, I returned to the command post area, where we were briefed regarding the investigation to that point. After this briefing, I was tasked to assist with a canvass of the neighborhood surrounding the area. A short time later, Detective Gomez, Detective Gibson and I were tasked with attempting contact at several houses. Below is a list of the houses we were tasked with contacting and the results of those contacts.

- Resident: Robert Williamson [REDACTED]
- Heard 2-3 gunshots around 1430-1500 hours, unsure of exact time, sounded like they came from the east of his home. Robert is the only resident at this location, was the only subject home at the time and he had been home all-day long. Robert did not attempt to investigate the source of the gunshots or determine anything about them.
- No additional relevant information.
- No video cameras at residence.

- Resident: Beverly Pohl [REDACTED]
- Beverly is the only resident at this house and has been home since 0700 hours. Advised that she has been sick and had been at home resting but did not hear or see anything related to this incident.
- Stated that a few days ago (unknown exact date) heard people in the back alley dumping wood or trash. She did not see the individuals or confront them and stated that people frequently dumped trash in the alley.
- No video cameras at residence.

- No answer at the residence. No lights on inside of the home.
- No surveillance cameras observed.

- No answer at the residence. Did not appear to be lights on at the home.
- No surveillance cameras observed.
- Landscaping truck with business phone number on truck in driveway: 602-209-6060

- Resident: Edward Hernandez (Refused to give DOB) - [REDACTED]



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- Edward is the only resident at the home and was the only occupant of the home during the time frame of this incident. Edward did not hear any gunshots but knew of the incident due to seeing police vehicles and from news reports.
- Advised that there is suspicious persons and activity in the alley frequently. Stated he has recently called police to report someone dumping a couch in the alley which he later located drug paraphernalia on (GO# 19-6300 from 1/15/19 at 1200).
- No video cameras at residence.

This concluded the assigned canvass area for Detective Gibson, Detective Gomez and myself.

After returning to the command post, I was additionally tasked with attempting to contact the residents at [REDACTED], below are the results of that contact.

- Resident: Patricia Gallatin [REDACTED]
- Was not home at the time of the incident was attending granddaughter's softball game. Stated she left around 1330 hours and returned at approximately 1730 hours. Patricia's adult son lives with her at the residence, but he was at work during this incident.
- Had a worker from DreamStyle Remodeling at the residence during the day, provided name of "Robert K" with a phone number of [REDACTED]. Patricia advised that she learned of the incident from Robert, who left the residence shortly after Patricia returned home.
- Vivint doorbell with camera on the front door of the house. Patricia advised that the doorbell does not work and does not record any video.
- Attempted Contact with "Robert K"
- Attempted phone contact at number provided by Patricia for Robert at 1842 hours, but no answer at the number. Message was left asking Robert to contact me back reference this incident.
- Attempted second phone call with Robert on 1/16/19 at 1020 hours. No answer at phone number.

This concludes my involvement in this investigation.

\*\*\*Pending\*\*\*



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### Follow Up Report #5

Assigned to: 16935 - BENNETT, DANIEL

Assigned on: Jan-16-2019 (Wed.) 700

Capacity: Supplemental

Completed: Yes

Approved on: 01/17/2019

Approved by: PENNER, HEATHER L

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.) 706

On 01/15/2019, at approximately 1530 hours I responded to the area of Vineyard and 48th Street, Tempe in reference to an ongoing investigation that occurred at approximately 1438 hours. Upon arrival I was tasked in assisting Detective D. Larson and Detective J. Barutha in obtaining possible video surveillance from the residence at [REDACTED]. My contact at this residence was captured on body worn camera and uploaded to evidence.com for reference.

After making contact with resident Maria Colletti (aka Maria Dahm), I learned that she was the only person home at the time of this incident. Maria stated that she was inside of her residence, and did not see or hear anything going on until she noticed several police in the area. Maria confirmed that there was video surveillance that recorded, on the front of the residence, and stated there were no cameras on the back of the house. Maria invited and escorted me to check her backyard for any cameras, or anything that was misplaced or missing. Maria did not notice anything out of place in her backyard and there were no cameras installed.

Maria stated that she lives with her friend and owner of the house, Benny Janicek. Benny was not home initially as she was with her son Christopher Janicek at a court hearing. Phone contact with Benny was made and she responded back to the address after dropping her son Christopher off in Scottsdale for a class he was attending. Maria confirmed that there were four residents that lived at the address, which included Benny, Christopher, and Benny's grandson Brandon Victor.

When Benny arrived home she escorted Detective Larson to the computer equipment located in the front bedroom of the residence. Detective Larson examined the equipment and camera angles, and determined that no further investigation was needed.

After determining that there was no witness information or surveillance evidence at this residence, I continued my canvass at [REDACTED]. I rang the Ring doorbell at this residence, and there was no answer. According to Detective Hood, who spoke with a neighboring resident, it was believed the occupants of [REDACTED] were out of town on vacation.

My information gathered was provided to Sergeant Penner who was my on scene supervisor at the time. This concluded my involvement in this matter.

\*\*\*\*Pending\*\*\*\*



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### Follow Up Report #6

Assigned to: 16488 - SMITH, JAMES

Assigned on: Jan-16-2019 (Wed.) 734

Capacity: Supplemental

Completed: Yes

Approved on: 01/16/2019

Approved by: PENNER, HEATHER L

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.) 735

On 1/15/19 Tempe Det. J. Larson and I were assigned to canvass five residences located near 4502 S. Fair Ln. in Tempe. The back yards of each residence was within view of the back yard of 4502 S. Fair Ln. The following information was learned from each listed address.

[REDACTED].

Residents: Ponciano Hernandez [REDACTED] - was not home at the time of the incident  
[REDACTED] [REDACTED] - did not see anything but heard one shot  
[REDACTED] [REDACTED] - did not see anything but heard one shot  
[REDACTED] [REDACTED] - did not see or hear anything

Vehicles: Black Honda Civic, AZ plate [REDACTED]

There is no video surveillance at this residence

[REDACTED].

Residents: Claudia Munoz [REDACTED] - she was the only person home, heard sirens and went to back yard where she saw the police. She had seen on the news that there had been a shooting.

Residents not home: Enrique Gonzalez and Pedro Celis

Vehicles: Gray truck, AZ plate [REDACTED] and Blue truck, AZ plate [REDACTED].

There is no video surveillance at this residence

[REDACTED].

Residents: Hilario Garcia [REDACTED], Yemiaio Garcia [REDACTED], [REDACTED]. Neither was home at the time of incident.

Vehicles: AZ plate [REDACTED] and [REDACTED]

There is no video surveillance at this residence



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[REDACTED]

Residents: Macanio Guerrero [REDACTED] and Puente De Guerrero [REDACTED]. Neither was home at the time of incident. Had seen on the news that there had been a shooting.

Vehicles: AZ plate [REDACTED]

There is no video surveillance at this residence

[REDACTED]

Residents: Carolina Campos [REDACTED] and Jaime Lovato [REDACTED] [REDACTED]  
[REDACTED] No one was home at the time of the incident. Had seen new of the shooting on FaceBook.

Vehicles: AZ plate [REDACTED]

There is no video surveillance at this residence

This concluded my involvement with this case.

\*\*\* Pending \*\*\*



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### Follow Up Report #7

Assigned to:18847 - LOPEZ, OSCAR

Assigned on: Jan-16-2019 (Wed.) 916

Capacity:Supplemental

Completed:Yes

Approved on:01/17/2019

Approved by:PENNER, HEATHER L

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.) 916

On 01/15/19 at approximately 1438 hours, I became involved in this investigation after learning of an officer involved shooting in the alley behind 4502 S. Fair Lane, Tempe. I first responded to the scene but was determined to be contained while still enroute. I was then diverted to respond to the command center located at the shopping center located at 48th Street and Vineyard Road, Tempe, where a debrief was conducted and assignments were issued.

Detective M. Decourval and I were tasked with conducting a canvass of the following residences:

4508 S. Fair Lane  
4514 S. Fair Lane  
4520 S. Fair Lane  
4526 S. Fair Lane  
4503 S. Fair Lane  
and 4509 S. Fair Lane

Further investigation revealed, Detective D. Bennett had previously made contact at this residence. Refer to his report for further details.

Refer to Detective Decourval's report for further details.

Refer to Detective Decourval's report for further details.

Multiple attempts to make contact at this residence were met with negative results. I noticed video cameras at their front door and another at their drive way. On a secondary attempt I noticed somebody at the front door with the security screen door open but then closed it as we began to approach again to attempt to make contact. We knocked on the door some more but there was no answer. It appeared somebody was home but did not wish to make contact with Police. I left my business card in their mail box requesting they call me back. It was later



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determined that one of the anonymous callers was a resident at this address believed to be named "[REDACTED]" and Detective A. Orr attempted to make phone contact with him but he was uncooperative with her as well. Refer to her report for further details.

[REDACTED]

Contact was made with the resident identified as Joseph Ortega. Joseph stated he did not hear or see anything leading up to the Police response. He stated he did not have video surveillance and did not have further information. Joseph related his neighbor at [REDACTED] named "[REDACTED]" does have video surveillance and knows he is not home since he drives a white van and is not currently parked in the drive way. Joseph provided a phone number for "[REDACTED]" of [REDACTED]" which matched one of the anonymous callers reference this incident. For further details refer to Detective Orr's report.

[REDACTED]

As we approached this residence, I noticed the home appeared to be under renovation and there was a male subject later identified as [REDACTED], doing drywall work in the living room and appeared to be alone.

Upon contact, [REDACTED] related he had further information to provide but did not wish to provide a statement at this time because he feared possible retaliation. Upon asking, [REDACTED] admitted he was the anonymous caller who called Police regarding the suspicious vehicle in the alley and inferred he witnessed the incident. [REDACTED] stated he was "still processing" what happened and was afraid of what could happen. [REDACTED] stated he did not know who the subject who was shot was and related he wanted to remain anonymous but ultimately stated he would be willing to meet Police at the station to provide a statement due to the severity of the incident. [REDACTED] also explained that his residence was broken into a few days ago and he reported this incident to Police and believes the people at the "crack house" located nearby may have been involved. [REDACTED] confirmed his phone number and provided his identification. I provided him by business card in case he has any further questions and advised him we would be calling him soon to arrange a meet.

I contacted Sgt. A. Akey and Det. M. Jones and relayed this information to them and they stated they understood and would be making contact with [REDACTED] to arrange a meet. Detective B. Sauer later made contact with [REDACTED]. Refer to his supplement for further details.

No further information was provided.

This ended my involvement in this investigation.

\*\*PENDING\*\*



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### Follow Up Report #8

Assigned to: 14916 - O'BRIEN, THOMAS

Assigned on: Jan-16-2019 (Wed.) 931

Capacity: Supplemental

Completed: Yes

Approved on: 01/23/2019

Approved by: BRUDNOCK, JOSEPH W

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.) 932

#### Narrative:

On 01/15/2019, at approximately 1442 hours, I left the Marcos de Niza HS campus enroute to the Tempe PD Property Facility to impound an item found at the school earlier in the day. Shortly after leaving the school, I responded to radio traffic in the 4500 block of S. Fair Ln., Tempe reference an officer involved shooting. I arrived at the scene at approximately 1455 hours and waited for an assignment outside the incident boundaries that had been established around the 4500 block of S. Fair Ln., Tempe.

At approximately 1545 hours, I was asked by Sgt. H. Penner #15134 to respond to Banner Desert Medical Center, 1400 S. Dobson Rd., Mesa. Officer A. Cano #14552 and Officer C. Contos #24777 (OIT) were already at the hospital and had followed the ambulance that was transporting the shooting victim from the scene. Refer to the supplemental report completed by Ofcr. A. Cano for further information.

I arrived at Banner Desert Medical Center at 1610 hours and was directed to Trauma Bay #1 in the Emergency Department by hospital personnel. I met with Officer Cano in Trauma Bay #1. I was advised the male subject from the shooting, listed by the hospital under trauma name Echo48 and later identified as ANTONIO ARCE, [REDACTED], was pronounced deceased by Dr. Wynne at 1533 hours. ARCE had a single gunshot entrance wound in his upper right back with no corresponding exit wound. ARCE was lying supine on a gurney in the trauma room. ARCE was nude underneath a white sheet. ARCE had obvious signs of medical intervention i.e intubated, a chest tube inserted in his upper right side, an approximate 10" horizontal sutured incision across his left chest - nipple high, and an IV in his left left arm. Both ARCE's left and right hands were enclosed in brown paper bags that were secured around the wrists with blue tape. I was told by Ofcr. Cano that Emergency Department personnel bagged ARCE's hands.

Several brown paper bags were on the floor in the trauma room near the gurney. The bags contained ARCE's clothing that he had been wearing and personal items. The clothing items consisted of a pair of black jeans, a pair of blue men's underwear, a pair of blue basketball type shorts, and two black socks. The jeans, shorts, and underwear had been cut off of ARCE when he was brought in to the Emergency Department. I did not see a shirt in any of the bags that contained ARCE's clothing. I was advised by Emergency Department personnel that ARCE did not come in with a shirt on. I contacted Det. G. Duarte #14995 at the scene and was advised the shirt ARCE had been wearing was at the scene on S. Fair Ln.. I was advised by Ofcr. Cano that no form of identification or wallet was found in ARCE's clothing.

ARCE's personal property consisted of a silver metal folding knife, a light colored belt, a yellow metal chain necklace, a single \$1 bill and a quarter, and two cell phones - a black Samsung with a cracked screen that was powered on and a black Samsung Galaxy S6 Edge, IMEI 359717060756869, s/n R58G60LG1AR (info obtained off white sticker affixed to the back of the phone) that was not powered on. I checked the black Samsung that was powered on and saw that it showed 70% battery life. The phone did not appear to be password protected so I accessed settings and placed the phone in airplane mode. This phone rang multiple times while I was in the



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Emergency Department. The screen showed three missed calls - two from (602) 699-2580 and one from JOSE with no telephone number listed. I did not access any of the content on the phone.

I was provided with a copy of the Banner Health Chain of Custody Tracking Form listing ARCE's clothing and property that was obtained from him in the Emergency Department. The referenced form is included with this report as an attachment.

I requested a TPD Forensic Services Technician at the hospital to take photographs of ARCE. FST J. Cynowa responded and arrived at approximately 1715 hours. Refer to the supplemental report completed by FST Cynowa detailing his actions at the hospital.

I was advised Emergency Department personnel had contacted the Maricopa County Office of the Medical Examiner and was told they were responding to the hospital.

### **Arce Body Examination:**

Overall photographs were taken of ARCE. I did not observe any obvious scars or tattoos on the body. I observed a single approximate 1/2" x 1/4" oval shaped gunshot entrance wound with clean edges on the upper right back below the scapula. I saw no evidence of sooting or stippling at or around the wound site. I did not locate any apparent gunshot exit wounds anywhere on ARCE's body. The gunshot entrance wound was photographed with/without scale. I observed an approximate 1/2" oblong, dark red abrasion on the left side of the bridge of ARCE's nose. I observed an area of slightly abraded skin on ARCE's right knee that appeared fresh. I did not remove the paper bags that were on both of ARCE's hands.

### **Arrival of MCOME:**

At approximately 1745 hours, MCOME Investigator C. Haug #59 arrived at the hospital. ARCE's body was examined further with no other deformities, injuries, or trauma located. ARCE's body was placed in a white zippered bag that was secured with MCOME seal #0027479. ARCE's body was transported to the Maricopa County Forensic Science Center, 701 W. Jefferson, Phx.. ARCE's autopsy was scheduled for 0800 hours on 01/16/2019 with Dr. Maskovyak. *Note: I did not attend ARCE's autopsy on 01/16/2019.*

### **Evidence:**

I transported the evidence I collected at the hospital to the Tempe Police Department Property Facility, 1875 E. Apace Blvd., Tempe. I placed ARCE's non-blood stained clothing items and personal items in temporary evidence storage locker #214 at 1846 hours. I placed ARCE's blood stained clothing which consisted of his jeans, blue basketball shorts, and underwear on clean butcher paper to dry in large vehicle bay #1 at the property facility. While at the property facility I was contacted by Det. M. Lawler who requested identifying information about the cell phones recovered from ARCE for a search warrant he was preparing. I advised Det. Lawler #18358 that I would drop the cell phones off to him after leaving the property room.

I transported the two cell phones that were collected from ARCE at the hospital to Tempe PD HQ, 120 E. 5th St., Tempe and turned them over to Det. M. Lawler at approximately 1910 hours along with the keys to temporary storage locker #214 and large vehicle bay #1 requesting they be given to case agent Det. M. Jones #20227.



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**Disposition:**

- This concludes my involvement in the captioned case.

\*\*\*Pending\*\*\*



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### Follow Up Report #9

Assigned to:19445 - DECOURVAL, MATTHEW

Assigned on: Jan-16-2019 (Wed.) 1433

Capacity:Supplemental

Completed:Yes

Approved on:02/15/2019

Approved by:AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.) 1437

On 01/15/19, I was called to respond to an Officer Involved Shooting which occurred in the alley behind 4502 S Fair Ln, Tempe. Upon arrival to the scene, I received a briefing of this incident and was tasked with assisting in an area canvass for witnesses.

**[REDACTED]: 01/15/19 at 1745 hours.**

- Lindy Isenberg [REDACTED]
- David Isenberg [REDACTED]

On 01/15/19 at 1745 hours, Detective O. Lopez #18847 and I responded to [REDACTED], Tempe, where we contacted Lindy and David Isenberg.

Lindy stated she was not a witness to this incident as she did not arrive home until 1600 hours. On her arrival home, the scene was already secured and she had to be escorted to her residence by Tempe Police.

David stated he was not a witness to this incident as he was asleep. David claimed he slept through the incident and did not hear or see anything pertinent to this investigation.

This contact was captured on my Body Worn Camera, and the footage was later uploaded to Evidence.com reference this report number.

**[REDACTED]: 01/15/19 at 1751 hours. 01/17/19 at 1025 hours.**

- Brandon Holcomb [REDACTED]
- Reyana Valenzuela [REDACTED]

On 01/15/19 at 1751 hours, Detective O. Lopez #18847 and I responded to [REDACTED], where we contacted Brandon Holcomb.

Brandon stated he was not a witness to this incident as he did not arrive home until about 1600-1630 hours. On his arrival home, the scene was already secured and he had to be escorted to his residence by Tempe Police.

Brandon mentioned that his girlfriend was home during the time of the incident. Brandon stated his girlfriend was not currently home, and did not think she was a witness as she was sleeping.

On 01/17/19 at 1025 hours, I responded to [REDACTED], where I contacted Reyana Valenzuela.

Reyana stated she was not a witness to this incident as she was asleep. Reyana said she arrived home at about 1300 hours from work, and took a nap. Reyana claimed she slept through the incident and was later awoken by the sounds of responding police sirens. Renaya saw police officers with their guns drawn, but did not witness anything else.



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These contacts were captured on my Body Worn Camera, and the footage was later uploaded to Evidence.com reference this report number.

### Summary

This concluded my involvement in this investigation. For further details on the remainder of the homes covered by the assigned canvass detail for Detective Lopez and myself, refer to Detective Lopez's supplemental report.

Residences covered:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

\*\*\*PENDING\*\*\*



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### Follow Up Report #10

Assigned to: 11689 - SOMERSHOE, LAURA

Assigned on: Jan-16-2019 (Wed.) 1510

Capacity: Evidence Processing

Completed: Yes

Approved on: 01/16/2019

Approved by: SOMERSHOE, LAURA

### Narrative Text #1

Document: SUPPLEMENTAL OFFICER NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.)

On Tuesday, January 15, 2019, at approximately 1800 hours Detective Sergeant A. Akey #17902 requested assistance at the Hardy Police Substation with photographs.

Upon arrival, I made contact with Detective M. Jones #20227 who requested assistance with photographing Tempe Officer J Jaen #18337.

I entered the briefing room with Detective Jones. It should be noted present during this assignment was a member of the Maricopa County Attorney's Office and the attorney from the Tempe Officers Association. (Refer to Detective Jones' supplement for their information.)

Using my department issued Nikon D7000 overall photographs were taken of Officer Jaen. Officer Jaen was in his Class C uniform that identified him as a police employee.

Additional photographs were taken of Officer Jaen and his equipment at the direction of Detective Jones without incident. I completed this assignment at approximately 2045 hours.

I uploaded the photographs into AXON under GO; 19-6376 prior to going end of watch. (Refer to photographs 1 thru 80 for details on what was photographed.)

This concludes my involvement in this investigation.



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### Follow Up Report #11

Assigned to: 18358 - LAWLER, MARK

Assigned on: Jan-16-2019 (Wed.) 1618

Capacity: Supplemental

Completed: Yes

Approved on: 01/24/2019

Approved by: AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.) 1618

On 1/15/2019, at approximately 1737 hours, Sgt. Akey contacted me by telephone to request assistance with drafting a search warrant for this case. I then contacted Det. Hood, who had attended the briefing of the case near the scene of the officer involved shooting. Det. Hood briefed me on the case. I began drafting a search warrant requesting a search of a vehicle and of two cellphones which had been located on the deceased suspect.

The vehicle was a silver 1999 Chevy Silverado pick-up, VIN# [REDACTED]. The plate attached to the vehicle was AZ [REDACTED], which is an old license plate to this vehicle. When run by VIN, the license plate that belongs on the vehicle is AZ [REDACTED], registered to Lucio Silvas at [REDACTED]. This vehicle matched the description of the suspicious vehicle on this original call for service and was parked in the alley. Det. Hood advised that this was the vehicle that Officer Jaen observed the suspect digging inside prior to fleeing southbound with a handgun. Det. Hood advised that Lucio was interviewed and advised he was unloading scrap metal into the backyard of 4502 S. Fair Ln. when he heard the shooting. Lucio stated he did not know the subject inside the vehicle and nobody had permission to be inside his vehicle.

While drafting the search warrant, I met Det. O'Brien, who had been at the hospital where the deceased suspect was transported. Det. O'Brien arrived at Tempe Police Headquarters to turn over both cellphones to me. I observed a black Samsung Galaxy S6 Edge, IMEI #359717060756869, SN# R58G60LG1AR, and a black Samsung cellphone with cracked screen, which Det. O'Brien stated had been located on the suspect at the emergency room.

I faxed the search warrant to the Maricopa County Search Warrant Center, and it was signed by the Honorable Jane McLaughlin of the Maricopa County Superior Court, SW#2019-000713. The signed search warrant was faxed back to me.

Sgt. Akey requested any information from the phones that could assist with identifying the deceased suspect, who was at that time still unidentified. I searched the Samsung with the cracked screen and observed that it had been placed on Airplane mode already. I observed an email address belonging to Lucio Silvas in an email app on the cellphone and was later advised by Sgt. Akey that Lucio was stating he was missing his cellphone that matched this cellphone.

I attempted to search the Samsung Galaxy S6 Edge, but first found that it had no battery charge. I charged the battery and turned on the cellphone. I found that the cellphone was not in airplane mode and attempted to place it in airplane mode, however, the cellphone required a passcode to access airplane mode. Due to the passcode, I was unable to search the cellphone, however, it began to ring from the contact "Momz" at the cellphone number [REDACTED]. I passed this information to Sgt. Akey. I then placed the cellphone in a Faraday bag.

I tagged both cellphones as evidence and then placed both cellphones in a temporary storage locker along with a copy of the search warrant authorizing their search. I turned the key over to Digital Forensics Det. Larson. I then emailed a request for a Cellebrite extraction of both cellphones to Det. Larson.



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I attached a copy of the search warrant to this report and impounded the originals in evidence.

\*\*\*Pending\*\*\*



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### Follow Up Report #12

Assigned to: 23692 - HOOD, MATTHEW

Assigned on: Jan-16-2019 (Wed.) 1628

Capacity: Supplemental

Completed: Yes

Approved on: 02/15/2019

Approved by: AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Feb-05-2019 (Tue.)

#### Mentions:

Sergeant H. Penner #15134  
Detective G. Duarte #14995  
Detective M. Solmen #21884  
Detective D. Larson #16719  
Officer A. Pina #20614  
Forensic Technician M. Beach #24159  
Property Facility Technician E. Baca #18154

#### Notification:

On 01/15/19 at approximately 1454 hours, I was on duty as a night detective. I heard Tempe Police Patrol Officer Jaen advise over the radio that he had just been involved in a shooting in the alleyway west of 4502 S Fair Ln, Tempe.

#### Arrival on Scene / Observations:

I responded to the area to assist. At approximately 1530 hours, I arrived at an already established command post at the northeast corner of S 48th St and W Vineyard Rd. There was a perimeter established around the 4500 block of S Fair Ln. Multiple police vehicles and officers were in the area ensuring security of the perimeter.

I was provided with additional details by Sergeant Penner who advised me of the following. Officer Jaen had responded to the alleyway west of 4502 S Fair Ln, Tempe, after an anonymous report of a suspicious vehicle. The suspicious vehicle was reported as a grey Chevy Silverado truck and two male subjects appeared to be loading items into the vehicle.

Soon after Officer Jaen arrived on scene, he encountered an armed subject in the alleyway. An officer involved shooting took place, and the armed subject was located unresponsive and not breathing near 4600 S Fair Ln, Tempe.

Six additional subjects from 4502 S Fair Ln had been detained and it was unknown if they were involved or associated with the armed subject.

#### Assignment:

With the assistance of other detectives, I was assigned to interview the six subjects.

I entered the perimeter, and walked to 4426 S Fair Ln, where the six subjects were seated in front of. The six subjects were later identified as:

1. Julie Ann Bravo (Sanchez)
2. Deanna Cota



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3. Brandon J Saldana
4. Melody Moore
5. Jose Francisco Martinez Calzada
6. Leroy Werito

### **Interview of Julie Ann Bravo (Sanchez):**

I contacted Julie Ann Bravo and spoke with her first. Julie Ann verbally identified herself, and her identity was confirmed using known photographs. At approximately 1549 hours, I advised Julie Ann of her Miranda rights which she stated she understood. I asked Julie Ann about her association with [REDACTED]. She told me she is the owner of the residence and lives there with multiple different people. I asked Julie Ann what she does for work. She told me she buys and sells abandoned storage containers and scraps metals. I asked Julie Ann to explain what she was doing prior to the police activity in the area. She was in northern area of her front yard with Leroy. Also, in the front yard was Deanna and Brandon but they were on the southern portion of the yard.

Jose and another male subject Lou (later identified as Lucio Silvas), returned to the residence after scrapping for metal. They parked their grey Chevy Silverado truck at the rear of the house in the alleyway. Julie Ann explained that she keeps large piles of scrap metal in her back yard. Once enough metal is accumulated, she sells the metal. Jose and Lucio were unloading the metal into her backyard, Jose stopped unloading the metal and came into the front yard to assist her with some broken power tools. Lucio continued unloading the metal from the truck.

While in the front yard, Julie Ann heard multiple gun shots and then heard yelling. She could not make out any words being said by the yelling. Jose quickly ran into the backyard to check on Lucio. Julie Ann remained in the front yard when she heard a commotion south of her residence near 4600 S Fair Ln. Julie Ann went towards the commotion and saw a uniformed police officer pointing their firearm at a male subject laying on the ground unresponsive. Multiple other officers moved in on the subject and placed him into custody. Julie Ann told me she recorded her observations on her Samsung Tablet. She pointed to a trailer parked in her driveway and advised the tablet was currently on the trailer.

Julie Ann did not hear or see any associated sounds or altercations prior to the shooting. She was unaware police were in the alleyway prior to the shooting.

Julie Ann later provided consent to search her Samsung Tablet to retrieve the recorded video from it. Julie Ann signed a consent to search form which I modified to provide consent to search her tablet. This form was later impounded as evidence at Tempe Police Headquarters.

After overall photographs were taken by Tempe Police Forensic Technician M. Beach, I seized the Samsung Tablet as evidence at approximately 1707 hours. I recovered the tablet off a trailer parked in the driveway of 4502 S Fair Ln. It should be noted that it was raining prior to seizing the tablet and during the seizure of the tablet. The tablet had a significant amount of water on it but appeared to still be functioning.

At approximately 1737 hours, I provided the tablet to Detective D. Larson for a forensic download of its digital contents. At approximately 1856 hours Detective Larson transferred custody of the tablet back to me. At approximately 1903 hours I provided the tablet back to Julie Ann.

### **Interview of Lucio Silvas:**



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I discovered Lucio was with Officer Pina in the alleyway west of the residence. Officer Pina brought Lucio to me for an interview. I contacted Officer Pina who explained how he encountered Lucio. After his arrival, Officer Pina went south through the alleyway west of 4502 S Fair Ln. He observed the reported suspicious vehicle, a grey Chevy Silverado, and Lucio was standing nearby it. Officer Pina contacted and detained Lucio until he turned him over into my custody.

I contacted Lucio and identified him with his Arizona driver's license. Lucio was already in handcuffs behind his back and I instructed Officer Pina to remove him from handcuffs. I advised him of his Miranda rights at approximately 1604 hours. Lucio advised he understood his rights. I asked Lucio about what he was doing prior to the police activity in the area. Lucio told me he was with Jose collecting scrap metal. After finishing collecting a load of scrap metal, he returned to his residence, [REDACTED], to unload it into the backyard.

Lucio was driving his grey 1999 Chevy Silverado pickup truck bearing Arizona license plate [REDACTED]. The license plate MVD record shows it being formerly registered to the truck but was no longer valid. Checking the VIN through MVD records shows it being registered to Lucio but with a different license plate supposed to be attached, [REDACTED].

Lucio drove his vehicle into the alleyway to the west of his residence stopping directly behind it. Lucio began unloading the metal and Jose went to the front yard with Julie Ann. As Lucio was in his backyard close to the house, he heard two pops from an unknown direction. Lucio later clarified when he heard the pops he was inside an area in the backyard he calls the "mancave." Lucio told me he was unsure where the pops came from and he assumed they came from the Jose and Julie Ann pounding on something in the front yard. Lucio did not know the pops were actually gunshots.

Moments after hearing the pops, Leroy came running into the backyard shouting for Lucio. Once Leroy saw Lucio was ok, he told him the police where in the back (alleyway) and to go check on the truck to see if anyone was trying to steal something from it. Lucio told me that they always keep the gate from the backyard to the alleyway closed because he fears someone might try to steal his property.

Lucio went into the alleyway to check on the truck and saw a marked Tempe Police vehicle stopped facing his parked truck. He did not see anyone in the police car or anyone in the alleyway. Lucio decided to stand next to his vehicle to show any other responding officers that he was not involved. Shortly after, multiple police officers came through the alleyway. Officer Pina contacted Lucio and detained him. Lucio did not hear anything prior to the gunshots or after the gunshots. Lucio was unaware police were in the alleyway [REDACTED] until he saw the police vehicle.

I asked Lucio about his vehicle. He told me that it was impounded over the weekend by an unknown police agency. He stated someone else was driving it when it was impounded. Lucio was unsure why the vehicle was impounded. He told me that he bought the vehicle from the owner, paid all of the impound fees, and had just retrieved the vehicle from impound earlier today.

I spoke to Lucio about who has permission to access his vehicle. I pointed to everyone who was seated outside the residence (see above list) and asked if they had permission to access his vehicle. Lucio told me everyone seated has permission and no one else does. I confirmed with Lucio that he had no friends, roommates, or family members outside of the above listed group that are allowed permission to access his vehicle. Lucio told me no.



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Lucio confirmed he was the only one that was actively accessing the truck when the pops were heard. He stated no one else was helping him unload the scrap metal.

**Canvass of [REDACTED]:**

I was assigned to canvass [REDACTED], and inquire about any video surveillance or witness observations. I spoke with resident Maddie Kempf. Maddie told me that the residence does not have any video surveillance, and she was not home during the incident. Maddie told me she has not noticed any suspicious activity in the area recently. She stated that she has a roommate, Darci Dawkins, but she was not home during the incident and was still not home.

**Impound of Officer Jaen's Police Tahoe #745 / 1999 Grey Chevy Silverado:**

After Detective M. Solmen and Detective G. Duarte advised it was clear to do so, I began facilitating the relocation of Officer Jaen's police vehicle and the 1999 grey Chevy Silverado from the alleyway to the Tempe Police Apache Substation Property Facility, 1875 E Apache Blvd, Tempe. Officer Jaen was driving a marked Tempe Police Chevy Tahoe #745. At approximately 1916 hours, Towing Professionals driver Michael Williams arrived and began the process of loading the Chevy Silverado to his tow truck. At approximately 1957 hours, Michael completed loading the Silverado onto his tow truck.

Michael towed the Chevy Silverado while I drove Officer Jaen's patrol vehicle to the property facility. I maintained visual on the Chevy Silverado while it was in transit. At approximately 2038 hours we arrived at the Apache substation. I secured Officer Jaen's patrol vehicle in the outdoor parking area of the property facility.

The only available indoor vehicle storage bay at the property facility, P135, was being used to dry bloodied clothing from this incident. I accessed vehicle bay P135 with the assistance of a property facility technician E. Baca. I photographed the clothing and it appeared dry. Using a new pair of disposable gloves for each item, I collected the clothing and repackaged it into separate papers bags. I placed the clothing into temporary evidence locker and #214. I instructed Michael to unload the Chevy Silverado into vehicle bay P135. After Michael finished unloading the vehicle, the bay was secured by E. Baca. I later provided Detective Solmen with the key to locker #214.

This concludes my involvement in this investigation.

**\*\*Pending\*\***



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### Follow Up Report #13

Assigned to: 201110 - GOMEZ, GABRIEL

Assigned on: Jan-17-2019 (Thu.) 736

Capacity: Supplemental

Completed: Yes

Approved on: 01/24/2019

Approved by: WATKINS, TYLER

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-17-2019 (Thu.) 825

**Case Agent: Detective M. Jones**

#### Case Notification

On 01/15/19 at approximately 1440 hours, I heard and responded to emergency radio traffic of an Officer Involved Shooting in the area of S. Fair Ln. and W. Vineyard Rd., Tempe. While en route, numerous Tempe Police Officers arrived on scene and my response to the scene then transitioned to assist with the investigation. Det. A. Miller and Det. D. Gibson responded to the scene with me and we arrived at the command post and waited there for further instruction.

#### Task Assignment

Upon arrival, I along with other Detectives were tasked to interview subjects that were removed from [REDACTED]. This address was thought to possibly be involved as a truck located in the alley behind the residence was reported as a suspicious vehicle which initiated the response by Tempe Police Officer J. Jaen to the area. I contacted Jose Francisco Martinez-Calzada as he was seated on the west sidewalk north of [REDACTED]. The following summary of my contact with Jose was audio and video recorded via my Body Worn Camera (BWC), and the full video was uploaded to Evidence.com. My interview with Jose was conducted in Spanish.

At approximately 1545 hours, I began my contact with Jose and as he was detained with handcuffs, I explained that he was not under arrest but I was going to read him his Miranda Rights. After reading him his rights, Jose stated he understood and I asked him to tell me what happened. Jose stated he was working with a power washer in the front yard/carport area of [REDACTED] with the owner of the residence Leroy, later identified as Leroy Werito. They then heard two gun shots that sounded like they came from the rear of the residence, which is west of where he and Leroy were.

Jose and Leroy ran to the back yard because their friend "Lou," later identified as Lucio Silvas, was last known by them to be in the backyard of the residence. Jose stated they looked into the alley because the pickup truck was there and he looked to the right (north) and saw a patrol car. He then turned to the left and looked down (south) the alley and saw the police officer running and turning into the alley.

It should be noted that the alley the truck was parked in referenced by Jose runs north and south but just north of 4600 S. Fair Ln., the alley ends/begins the north and south orientations with a 90 degree angle and continues east in a east and west orientation. This would correlate to Jose seeing the officer turn and then be out of his line of sight as he described.

Jose stated that by seeing this, he thought someone must have been stealing from the truck and when they saw the police, they must have ran. Jose continued and stated he never saw anyone else running in front of



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the officer and the officer was already making the turn so he only saw the officer for a short period of time. Jose did not know anyone that could have been involved in this incident but he verified the other people that were at the house when he heard the gun shots; Lucio, Leroy and Leroy's wife Julie, later identified as Julie Apodaca-Sanchez. Jose was release from his handcuffs but was advised to stay seated until everyone else was interviewed. This completed my contact with Jose.

At the conclusion of my contact with Jose, a Patrol Officer arrived with Leroy and I interviewed him and this contact was also recorded on my BWC.

At approximately 1600 hours, I asked Leroy to tell me what happened. Leroy advised he lives at [REDACTED] with his wife Julianna, and "Lou" had also been living there. Leroy stated he was with Jose in the front yard working on a power washer when he heard two pops. Leroy and Jose then ran to the back gate leading into the alley and when Leroy looked south down the alley, he said the officer was already at the wall at the far end. Leroy approximated the officer was 100 yards from him and the officer had a gun in his hand as the officer turned the corner. Leroy stated he did not see anyone else. Leroy and Jose then returned to the front yard and they called for Lou and they later found out he was inside the house. This completed my contact with Leroy.

After completing this interview, I was tasked to obtain the list of callers to 911 reference this incident. At approximately 1637 hours, I obtained an email from Tempe Police Dispatch which included three 911 callers and this information was provided to Sgt. K. Click and Det. M. Jones.

- The original caller who was ANONYMOUS and the phone number taken from caller ID is [REDACTED]
- Kevin Petty; [REDACTED] Lives at [REDACTED].
- [REDACTED] (Unknown Last) - wanted to remain anonymous - [REDACTED].

### Contact with Kevin Petty

Subsequent to the scene brief, I was tasked to re-contact Kevin Petty whom had been interviewed by Patrol Officer E. Farnes. At approximately 1700 hours, I spoke with Kevin just outside his front door and this contact was also captured via my BWC. Kevin provided a similar account of what occurred as he had provided to Ofc. E. Farnes, but the following new information was obtained.

Kevin was only able to the see the male running with the gun from the top of his shoulders and up. Kevin said the male was holding the gun in his right hand with the barrel pointed up in the air and it appeared the male had his finger on the trigger. As the male ran east in the alley toward S. Fair Ln., the male said, "Oh my God, Oh my God!"

Kevin then moved from his backyard patio to just inside his front door and looked out a small window in the wooden front door and through the closed screen door. Kevin saw the male he had seen running in the alley on S. Fair Ln., just south of the entrance/exit to the alley to slowly move in a "Woozy" manner before falling to the ground. The male then moved around and it looked like he was uncomfortable, and the male then groaned a bit. I asked if he saw the gun when the male was on S. Fair Ln. and he stated he did not but stated the male has his right hand underneath his body.

Kevin heard an officer's voice from behind the wall and stated he thought it was an officer as he was told so by Tempe Dispatch. He then saw two officers arrive in front his residence, pointed guns at the male



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on the ground and went to the officer behind the wall. The two female officers that arrived then moved toward the male on the ground. One officer then nudged the male on the ground with her foot. Kevin then stated that another officer arrived and a male officer started pounded on the male's chest but made a motion with his open hands in a downward fashion. This correlated to Ofc. J. Wellings' account of arriving on scene and starting chest compressions to the subject that was shot.

Kevin continued and stated that another officer picked up the male's legs as the male officer pounded on the male's chest and this lasted for about 20 to 30 seconds. Numerous officers and Fire Department personnel then showed up. I asked how long the officer was behind the wall before the female officers arrived and he estimated one to two minutes. I then asked how much time passed between the female officers arriving and then them approaching the male on the ground and he estimated a minute or so.

I asked how far he was from the male subject when he saw him running in the alley and he estimated 20 feet. I then asked what the male was wearing and he stated he was wearing a blue tank top and jeans. Kevin did not have any further information at this time and I left him with my business card. I then returned to the command post but prior to receiving my canvass assignment, I swabbed two stains believed blood as described below.

### Swab of Possible Blood Stains

At approximately 1715 hours, Ofc. D. Lewis advised that a detective was supposed to swab possible blood stains in the location where the person that was shot was said to have been found. Due to the rain, and in spite of a pop-up style shade over this scene, water was encroaching on the possible blood stains. After advising Sgt. A. Akey of this, I was tasked to obtain the swabs. At approximately 1718 and 1719 hours respectively, I utilized sterile cotton swabs to obtain a sample of the liquid believed to be blood from the asphalt. A new pair of latex gloves were worn for each swab and the swabs were placed in two separate cardboard boxes labeled with the time the swabs were collected. The swabs were packaged in separate paper bags and later impounded as evidence. I photographed the two stains and a sample from the larger stain was collected at 1718 hours and the swab of the smaller stain was collected at 1719 hours. This completed my collection of these samples.

### Voice Mail from Kevin Petty

On 01/15/19 at approximately 2142 hours, I received a voice mail message from Kevin. Kevin stated that although he had initially told me he thought the man was holding the gun in his right hand, he stated he was wrong. He stated the man was holding the gun in his left hand because he saw his fingers and thumb around the grip of the gun. This concluded the message left by Kevin.

### Canvass

At approximately 1735 hours, Det. A. Miller, Det. D. Gibson and I began our canvass at [REDACTED] [REDACTED] I activated my BWC for the contact at this residence and for our contact at [REDACTED] [REDACTED] These contacts were documented by Det. A. Miller. Please see his supplemental report for further details.

This completed my involvement in this investigation.



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### Follow Up Report #14

Assigned to: 16719 - LARSON, DAVID C

Assigned on: Jan-17-2019 (Thu.) 950

Capacity: Supplemental

Completed: Yes

Approved on: 02/15/2019

Approved by: AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Feb-05-2019 (Tue.)

- M) Detective Sergeant K. Click #16474, Tempe Police Department
- M) Detective Sergeant D. Hoobler #11604, Tempe Police Department
- M) Detective M. Jones #20227, Tempe Police Department
- M) Detective M. Hood #23692, Tempe Police Department
- M) Detective M. Lawler #18358, Tempe Police Department

M) Grant Fredericks, Forensic Video Solutions: 105 West Rolland Ave, Spokane WA 99218

#### Authority

Search Warrant #SW2019-000713

#### Forensic Software Utilized

Cellebrite Physical Analyzer Version 7.13.0.77  
Cellebrite UFED Touch 2 with serial number 0917-ID336-13564  
IPEvo digital camera  
Ramsey Shielded Faraday Box.

(All above forensic software and hardware listed above has been forensically validated, is licensed, and was running the most update-to-date version at the time of its usage.)

#### Definitions

**Cellebrite Physical Data extraction:** Extracts a bit-by-bit binary image of the flash memory. (Has file system, user data, hidden files, and unallocated space. Can bypass and recover some passwords.)

**Cellebrite File System Extraction or advanced logical for IOS devices:** Extracts the file system of the device, user data, application data, and possibly hidden files (protected files.)

**Cellebrite Logical Data Extraction:** Extracts user data from the mobile device (SMS, call logs, pictures, phone book, videos, audio, and certain application data.) Will not include items deleted by the user or previously contained items removed by the user.

**Manual Scroll:** to physically power on the phone and manually scroll through the contents stored on the device documenting through digital screen shots.

**GSM (Global System for Mobile Communications):** is a cellular network standard used by majority of mobile devices around the world. Phone following the GSM cellular network will utilize an IMEI



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**IMEI (International Mobile Equipment Identity):** The IMEI is usually a 15-digit number structured with the first 8 digits being the Type Allocation Code (TAC) which identifies the vendor and model of the mobile device. The next six numbers is the serial number that uniquely identifies a specific unit manufactured by the vendor. The last digit is a checksum which is an optional algorithm computed against the TAC and serial number for authentication.

**CDMA (Code Division Multiple Access):** cellular network standard used primarily in the United States. Phones following the CDMA standard will utilize an MEID.

**MEID (Mobile Equipment Identifier):** 15 digit that uniquely identifies the device. Created to replace the ESN or electronic serial number.

**SIM Card (Subscriber Identity Module):** a smart card that holds important data needed to make a successful connection to the cellular network provider.

**ICCID (Integrated Circuit Card Identifier):** a 19-20 digit serial number for the SIM card that uniquely identifies the card itself.

**IMSI (International Mobile Subscriber Identity):** a 14-15digit number that uniquely identifies a subscribers account with the cellular network provider.

**MSISDN (Mobile subscriber ISDN):** An 11-digit number used to reach the mobile device. (The phone number)

### Notification of Incident

On 01/15/2019 at approximately 1600 hours, I was contacted by Detective Sergeant D. Hoobler on my city issued cell phone. Sergeant Hoobler requested that I respond to the area of Fair Lane and Vineyard, Tempe to assist with an on-going officer involved shooting incident that had occurred.

On 01/15/2019 at approximately 1640 hours, I arrived at the North East corner of 48th St and Vineyard, Tempe for a briefing that was occurring reference this incident. At that I time, I was informed that Detective M. Jones would be case agent for the incident. I was further instructed by Sergeant D. Hoobler to respond to the residence, located at [REDACTED] to verify if they had exterior video surveillance video of the incident.

### Video Surveillance Review [REDACTED]

On 01/15/2019 at approximately 1730 hours, I was able to make contact with the resident at [REDACTED]. She was identified as Benny Janicek. Mrs. Janicek allowed me to view the DVR system set up at her residence. I was able to view the surveillance views of the cameras on a monitor located in the bedroom of the residence.

The residence had three exterior cameras. One camera was positioned directly over the front door of the residence. This Camera was pointed down at the front of the residence's front door and only showed footage if someone was standing at the front door to the residence. The second two cameras were positioned on the north side of the residence and both pointed east bound. Both cameras were focused directly on the gravel driveway



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of the residence. None of the three cameras would be able to capture any of the incident that occurred behind the residence in the alleyway.

This concluded my contact at this residence.

### Video Extraction from Samsung Tablet belonging to Julie Bravo

On 01/15/2019 at approximately 1737 hours, I was contacted by Detective M. Hood while at the command center for this investigation. Detective Hood advised that he had in his possession a Samsung Tablet that belonged to a subject, identified as Julie Ann Bravo. Detective Hood advised that the device possibly contained video recorded relevant to this incident. Detective Hood advised that the owner of the device stated that she was recording the incident when officers responded to the scene.

Detective Hood advised that the owner of the device had provided consent to recover the video from the device. *(Please refer to Detective Hood's supplemental report for further details including the consent provided.)*

Detective Hood provided me with a paper unsealed brown evidence bag containing the item. Detective Hood advised that the device was not secured with a passcode. I responded with the device to my office, located at 120 E 5th St, Tempe.

On 01/15/2019 at approximately 1810 hours, I proceeded to conduct a visual exam of the device. *(It should be noted that a new pair of sterile plastic gloves was donned prior to handling this item.)*

The item of evidence was contained in a brown unsealed evidence package.

I opened the evidence package and the tablet was described as a Samsung Tablet SM-T350. The device was not contained in a case. The device was already powered on and was not in airplane mode. I placed the device in airplane mode at that time.

It should further be noted that the device was damp *(it had been heavily raining at the scene where the device was provided to me.)* The device was functioning, however the display of the device was "flickering" back and forth and the colors on the screen were intermittently showing green lines.

At that time, I used my IPevo digital camera to take digital images of the tablet. These digital images will be incorporated into a PDF report and saved in a folder under this GO to our Forensic Digital Storage Server, located at 120 E 5th St, Tempe.

I further conducted research on this make and model of tablet and learned that our forensic software identified as Cellebrite supported a logical extraction from passcode unlocked tablets of this make and model.

On 01/15/2019 at approximately 1813 hours, I connected the phone to my Cellebrite UFED Touch 2 with serial number #0917-ID336-13564. I selected to extract a logical extraction from this device to include the images and videos stored on the device.



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On 01/15/2019 at approximately 1815 hours, I observed that the extraction was successfully obtained.

I disconnected the tablet from my UFED Touch 2 at that time. The device was subsequently powered off and placed back in the brown paper bag I was originally provided the device in.

Utilizing the extraction of the cell phone I accessed the forensic software identified as Cellebrite Physical Analyzer Version 7.13.0.77. Utilizing Cellebrite Physical Analyzer, the data from the extraction was incorporated into a Cellebrite Report.

The Cellebrite Report as well as the extraction were saved in a folder under this GO to our Forensic Digital Storage Server, located at 120 E 5th St, Tempe.

A copy of the Cellebrite report containing two recovered videos relevant to this incident was saved to a thumb drive and provided to Detective Jones for review and analysis of the contents. *(Please refer to Detective Jones's police report for further details.)*

On 01/15/2019 at approximately 1856 hours, I returned to the scene located at 48th St and Vineyard, Tempe. Upon my arrival, I made contact with Detective Hood and returned the Tablet to him. *(Please refer to Detective Hood's supplemental report for further details.)*

### **Subsequent on-scene investigation**

On 01/15/2019 at approximately 1900 hours, I was directed to respond to the residence, located at [REDACTED] to see if the resident was home. I was advised that the front of the residence had a video camera and I was requested to verify if they had exterior video surveillance video of the incident. I made contact at the residence and was informed that the R/O's at the residence, identified as Luis and Monica Castillo, were not home. I provided my contact information with the son, identified as Luis Castillo, and advised him to have his parents contact me once they were available for me to look at the surveillance system.

This concluded my involvement at the scene at this time.

On 01/15/2019 at approximately 2030 hours, I received telephone contact from Luis Castillo who advised that I could contact them at their residence on 01/17/2019 at 1700 hours to view their DVR's system.

### **Cell Phone Analysis 01/16/2019**

On 01/16/2019, I was issued a subsequent forensic analysis request reference this investigation.

I was requested to assistance with the possible recovery of digital artifacts from two items of evidence that had been seized during the course of this investigation. I was advised that a signed search warrant issued search warrant number #2019-000713 had been issued granting authority to conduct the data extractions. *(Please refer to signed search warrant #SW2019-000713 for further details.)*

The items of evidence requested were identified as follows:



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- TE345980-1: Black Samsung Galaxy S6 Edge
- TE345980-2: Black Samsung w/cracked screen.

On 01/16/2019 at approximately 0630 hours, I collected the above items of evidence from temporary evidence locker #25, located at 120 E 5th St, Tempe. I returned with the items of evidence to my office. Evidence item TE345980-1 was secured in a portable Faraday package. I placed this entire package into my Ramsey Faraday box. I placed evidence item TE345980-2 into temporary forensic locker #3.

### TE345980-1: Black Samsung Galaxy S6 Edge

On 01/16/2019 at approximately 0635 hours, I proceeded to conduct a visual exam of evidence item #TE345980-1 (*It should be noted that a new pair of sterile plastic gloves was donned prior to handling this item.*)

The item of evidence was contained in a brown evidence package and was secured inside a portable faraday bag. I removed the item from the portable faraday bag while in my Faraday box. I then opened the evidence package and the cell phone was described as a Black Samsung Galaxy S6 Edge Model SM-G925T. The phone was powered off with a non-removable battery attached.

A Nano size T-Mobile SIM card was attached to the phone. No SD card was attached to the phone. The cell phone was not contained in a case.

Subsequently I used my IPEvo digital camera to take digital images of the phone. These digital images will be incorporated into a PDF report and saved in a folder under this GO and TE# to our Forensic Digital Storage Server, located at 120 E 5th St, Tempe.

I further conducted research on this make and model of cellphone and learned that our forensic software identified as Cellebrite supported a possible physical extraction of security locked phones of this make and model, dependent on the firmware installed on the device. Cellebrite further supported, logical and file system extractions of security unlocked phones of this make and model. The physical extraction method would be attempted first.

On 01/16/2019 at approximately 0738 hours, I connected the phone to my Cellebrite UFED Touch 2 with serial number #0917-ID336-13564. I selected to extract a physical extraction from this device.

On 01/16/2019 at approximately 0745 hours, I was advised that the firmware on this device was not supported for a physical extraction. It should further be noted that this device was subsequently powered on within the Ramsey. Once the device was powered on, I could observe that the device was secured with a numerical passcode. Further, due to the fact that the device was secured with an unknown numerical passcode, the device could not be placed into airplane mode. The device was powered off at that point.

Once the device was powered off, I removed the Nano size T-Mobile SIM card from the SIM tray of the device. I connected the SIM card to my Cellebrite UFED Touch 2 with serial number #0917-ID336-13564. I selected to extract SIM extraction from this device.



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On 01/16/2019 at approximately 0801 hours, I observed that the SIM extraction was complete. The SIM card was disconnected from the Cellebrite UFED Touch 2 and reconnected to the cell phone.

The cell phone was subsequently resealed in its original evidence package and subsequently returned to permanent evidence locker #CIB 7.

Utilizing the extraction of the SIM card, I accessed the forensic software identified as Cellebrite Physical Analyzer Version 7.13.0.77. Utilizing Cellebrite Physical Analyzer, the data from the extraction was incorporated into a Cellebrite Report.

The complete Cellebrite SIM Report as well as the SIM extraction were saved in a folder under this GO and TE# to our Forensic Digital Storage Server, located at 120 E 5th St, Tempe.

Of note in the SIM card report was the recovered MSISDN of the SIM card of [REDACTED]. (Please refer to SIM card Cellebrite report for further details.)

A copy of the complete Cellebrite report was saved to a thumb drive and provided to Detective Jones for review and analysis of the contents. *(Please refer to Detective Jones's police report for further details.)*

### **TE345980-2: Black Samsung with cracked screen**

On 01/16/2019 at approximately 0812 hours, I removed evidence item TE345980-2 from temporary forensic locker #3. *(It should be noted that the item of evidence was in the same condition when I removed it from temporary storage as it was when I placed it into temporary storage.)*

I proceeded to conduct a visual exam of evidence item #TE345980-2 *(It should be noted that a new pair of sterile plastic gloves was donned prior to handling this item.)*

The cell phone was described as a Black Samsung J3 Model J337P. The phone was powered off with a removable battery. The cell phone was not contained in a case. The front screen to the device was cracked. A Nano Size Sprint SIM card was attached to the device. No SD card was attached to the device.

At that time, I used my Ipevo digital camera to take digital images of the phone. These digital images will be incorporated into a PDF report and saved in a folder under this GO and TE# to our Forensic Digital Storage Server, located at 120 E 5th St, Tempe.

I further conducted research on this make and model of cellphone and learned that our forensic software identified as Cellebrite did not support this specific make and model of phone. However, a Generic Samsung Android Extraction was supported for a possible file system and logical extraction of security unlocked phones of this make and model.

On 01/16/2019 at approximately 0817 hours, I placed the device inside of my Ramsey Faraday box and connected the device to a power source. On 01/16/2019 at approximately 0830 hours, I powered on the device within the Faraday box. Upon powering on the device, I observed that the device was not secured with a passcode and was further already in airplane mode.



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On 01/16/2019 at approximately 0850 hours, I connected the phone to my Cellebrite UFED Touch 2 with serial number #0917-ID336-13564. I selected to extract a logical and file system extraction from this device.

On 01/16/2019 at approximately 1100 hours, I observed that the extractions were successfully obtained.

I disconnected the cell phone from my UFED Touch 2 at that time. The device was subsequently powered off and resealed in its original evidence package. The device was subsequently returned to permanent evidence locker #CIB7.

Utilizing the extractions of the cell phone I accessed the forensic software identified as Cellebrite Physical Analyzer Version 7.13.0.77. Utilizing Cellebrite Physical Analyzer, the data from the extractions was incorporated into a Cellebrite Report.

The complete Cellebrite Report as well as the extraction were saved in a folder under this GO and TE# to our Forensic Digital Storage Server, located at 120 E 5th St, Tempe.

A copy of the complete Cellebrite report was saved to a thumb drive and provided to Detective Jones for review and analysis of the contents. (Please refer to Detective Jones's police report for further details.)

### **Subsequent follow up 01/17/2019**

On 01/17/2019 at approximately 1700 hours, I was able to make contact with the resident at [REDACTED]. She was identified as Monica Castillo. Mrs. Castillo allowed me to view the DVR system set up at her residence. I was able to view the surveillance views of the cameras on a monitor located in the bedroom of the residence.

The residence had three exterior cameras. One camera was positioned directly over the north side of the front door of the residence and faced south capturing the front door to the residence. The second camera was positioned on the south west corner of the residence and provided a view north of their driveway. The third camera was positioned on the north side of the house and provided a view of the north side yard of the residence. None of the three cameras would be able to capture any of the incident that occurred in the alleyway west of Fair lane, including either entry or exit to the alleyway. This concluded my contact at this residence.

### **Subsequent follow up with Forensic Video Solutions**

On 01/17/2019, I was requested to obtain the services of Grant Fredericks with Forensic video solutions and request that a thorough forensic video examination of Officer Jaen's body worn camera footage from this incident be conducted.

A request letter documenting this request was made and signed by Commander J. Glover of the Tempe Police Department. Copies of the request letter and signed retainer agreement with Forensic Video Solutions were made and submitted as attachments to this case.



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Further, the Axon body worn camera footage reference this incident created by Officer Jaen's body worn camera was downloaded from Evidence.com as well as the complete Axon Audit Report.

These files were titled,

- AXON\_Body\_2\_Video\_2019-01-15\_1453.mp4
- GO19-6376 Axon Audit Report.pdf

Both the Axon audit report and complete downloaded video were provided to Grant Fredericks at Forensic Video Solutions on 01/23/2019 at approximately 1328 hours.

On 01/31/2019, the Axon body worn camera footage created by Officer D. Koger's body worn camera reference this incident was downloaded from Evidence.com. This request was made by Grant Fredericks for use in determining Officer Jaen's position and placement of his Axon Body worn camera on his uniform.

This file was titled,

- AXON-Body\_2\_Video\_2019-01-15\_1456.mp4

This clip was provided on 01/31/2019 at approximately 1340 hours.

On 02/04/2019 at approximately 0600 hours, I received Mr. Fredericks final examination report and accompanying exhibits. This final report included six files titled,

- Frederick's Jaen Report.pdf
- Shots Fired.pdf
- ARCE Runs.mp4
- Interior of the Vehicle\_Stabilized.mp4
- JAEN Emerges from Vehicle.mp4
- Shot's Fire\_Stabilized.mp4

These above items will be saved to a thumb drive and subsequently impounded as evidence at 120 E 5th St, Tempe. A copy of the above files will also be saved under this GO to our forensic server, located at 120 E 5th St, Tempe. A copy was also made and provided to Detective M. Jones for subsequent review.

This concluded my involvement in this investigation at this time.

For further details please refer to Detective Jones's police report and all other supplemental reports generated.



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Operational Status: OPEN

### Follow Up Report #15

Assigned to: 20138 - FAIRCLOUGH, RICHARD

Assigned on: Jan-17-2019 (Thu.) 1042

Capacity: Supplemental

Completed: Yes

Approved on: 01/24/2019

Approved by: WATKINS, TYLER

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-16-2019 (Wed.)

#### Detective Narrative

#### Response to Call Out

On 1/15/19 at approximately 1700 hours I responded to the area of W. Vineyard Rd and S. Fair Ln. in Tempe, AZ in reference to an officer involved shooting. Upon arrival, there was the Command Post already set up on W. Vineyard Rd. where I contacted Tempe Police Sergeant K. Click. I was paired up with Detective Ems and tasked with canvassing five houses on S. Fair Ln. seeking possible video surveillance or witnesses. Those residents were:

[REDACTED]

#### Canvas Results

The following are the results of that canvas.

[REDACTED]

On 1/15/19 at approximately 1734 hours, I contacted the address at [REDACTED] and made contact with resident **Paul Soltes** [REDACTED]. Paul stated he lives at this residence with his daughter. Paul was at work and his daughter was at school when the incident occurred, and they just got home approximately 15 minutes prior to our contact. Paul said he did not see or hear anything that was suspicious and doesn't have any information about what occurred.

[REDACTED]

Refer to Detective Ems report for details.

[REDACTED]

I contacted this address at approximately 1746 hours and spoke with **Jaime Grabowski** [REDACTED].

She stated she has been home all day but did not hear or see anything and has been getting calls from her daughter asking if she had heard anything because her daughter was worried about her. Jaime did not have any information to provide.

[REDACTED]

Refer to Detective Ems report for details.

[REDACTED]



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I contacted this address at approximately 1806 hours and spoke with resident **Maria Martinez** [REDACTED]. Maria said she has a camera facing the backyard, but nothing else. This camera is not facing any area that was involved with this incident and the video surveillance will have no evidentiary value. Maria said she was home at the time of the incident, but when she gets home she closes her doors and keeps to herself. She didn't see or hear anything until she heard the firetrucks coming down the street.

### *Pending Further Investigation*

This includes my involvement in this investigation, which is on-going. For additional information, refer to the other narratives attached to this report number. This case shall remain pending.

\*\*\*Pending\*\*\*



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #16

Assigned to: 11581 - RAMOS, GEORGE A

Assigned on: Jan-17-2019 (Thu.) 1314

Capacity: Supplemental

Completed: Yes

Approved on: 03/07/2019

Approved by: SOMERSHOE, LAURA

### Narrative Text #1

Document: SUPPLEMENTAL OFFICER NARRATIVE

Related Date/Time: Jan-24-2019 (Thu.) 1431

On Thursday, January 17, 2019 at 1030 hours, I Forensic Services Technician G. Ramos #11581 was contacted by Detective G. Duarte #14995 who requested assistance in serving a search warrant on a vehicle located at the Tempe Police Department Property Facility in Vehicle Inspection Bay P135.

On arrival at 1050 hours, I met with Detectives Duarte, M. Solmen #21884 and A. Moreno #20822 and learned that search warrant number 2019-000713 would be served on a grey 1999 Chevrolet Silverado Bearing Arizona license plate number [REDACTED].

Detective Duarte requested overall photographs on the vehicle. Using my issued Nikon D500 digital camera the requested photographs were taken. (Refer to photographs 0001-0048).

Detective Duarte explained to me that an individual had been seen in the vehicle by Officer J. Jaen #18337 in the front seat reaching into the back-seat area and then fleeing from the vehicle by using the passenger door. Detective Duarte was wanting DNA collected from the areas the subject would have touched. The passenger door could not be opened from outside and the window could not be raised. Detective Duarte theorized that the subject either entered through the open window to gain entry or reached in using the interior door handle to open the door. Detective Duarte selected the following areas to be swabbed.

The passenger door at the window marked as Item A, the interior passenger dash handle marked as item B, the interior passenger door handle marked as item C and the center console marked as item D. (Refer to photographs 0048-0066).

Using Puritan Cap-Shure cotton tipped applicators from lot 5455 expiration 2023-03-01 and sterile water swabs were collected using one wet and one dry on the areas marked A, B, C and D.

The swabs were capped and placed in a yellow envelope sealed and labeled with their respective letter.

New gloves were donned prior to collecting each swab.

The interior door panel of the passenger door appeared to have been replaced with plastic and held in place with tape. Detective Duarte requested the top portion with the tape be processed for latent prints. (Refer to photographs 69 and 70).

Using black fingerprint powder and a fingerprint brush, I processed the area for latent prints. No prints were rendered.

During service of the warrant photographs were taken of items and areas pointed out by the detectives. (Refer to photographs 0071-0108).



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I cleared the scene at 1210 hours and returned to the Forensic Services Unit located at Police Headquarters.

I uploaded the photographs into Evidence.com.

The swabs were impounded under the following article numbers and placed in HQ evidence locker No. 17.

TE346109-1: Item A.

TE346109-2: Item B.

TE346109-3: Item C.

TE346109-4: Item D.

This concludes my involvement with this investigation.



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Operational Status: OPEN

### Follow Up Report #17

Assigned to: 16488 - SMITH, JAMES

Assigned on: Jan-17-2019 (Thu.) 1330

Capacity: Supplemental

Completed: Yes

Approved on: 01/17/2019

Approved by: PENNER, HEATHER L

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-17-2019 (Thu.) 1330

On 1/15/19 I interviewed Taehwan Kim who was a business owner at [REDACTED] in Tempe. From outside his business he had seen a brown vehicle and police vehicle in the alley just south of his business. He said the first thing that caught his attention was the brown vehicle in the alley and the police vehicle pulling into the alley. He said he had seen a person wearing a long checked shirt and unknown colored pants in the alley (south of the police officer). At some point he heard two shots. He did not see or hear anything else and could not give any descriptions of the police officer or the person in the alley. The interview was recorded on my body worn camera and that footage was uploaded to evidence.com

\*\*\* Pending \*\*\*



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #18

Assigned to:18488 - GIBSON, DAVID

Assigned on: Jan-17-2019 (Thu.) 1406

Capacity:Supplemental

Completed:Yes

Approved on:01/24/2019

Approved by:WATKINS, TYLER

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-17-2019 (Thu.) 1410

#### Case Notification

On 01/15/19 at approximately 1440 hours, I heard and responded to emergency radio traffic of an Officer Involved Shooting in the area of S. Fair Ln. and W. Vineyard Rd., Tempe. While en route, numerous Tempe Police Officers arrived on scene and my response to the scene then transitioned to assist with the investigation. Det. A. Miller and Det. G. Gomez responded to the scene with me and we arrived at the command post and waited there for further instruction.

#### Task Assignment

Upon arrival, I along with other Detectives were tasked to interview subjects that were removed from 4502 S. Fair Ln, Tempe. This address was thought to possibly be involved as a truck located in the alley behind the residence was reported as a suspicious vehicle which initiated the response by Tempe Police Officer J. Jaen to the area. I contacted Brandon Joshua Saldana (DOB [REDACTED]) as he was seated on the west sidewalk north of 4502 S. Fair Ln. The following summary of my contact with Brandon was audio and video recorded, via my Body Worn Camera (BWC), and the full video was uploaded to Evidence.com.

At approximately 1547 hours, I began my contact with Brandon and as he was detained with handcuffs, I explained that he was not under arrest but I was going to read him his Miranda Rights. After reading him his rights, Brandon stated he understood and I asked him to tell me what happened. Brandon was not forthcoming with information and provided brief vague responses to my questions.

Brandon does not reside at 4502 S. Fair Ln. Brandon is transient and goes to the residence approximately 1-2 times a week with his intermittent girlfriend, Deanna Cota. Brandon and Deanna had walked to the residence approximately one hour prior to the incident.

Brandon and Deanna did not go inside the residence and both sat on a bench in front of the house. Just prior to the incident, Brandon said that he observed an officer walk pass the residence at least twice. A few minutes later Brandon heard 2 shots coming from the alley to the rear of the residence. Brandon was vague about his actions immediately after hearing the shots. Brandon said that after he heard the shots, he heard yelling and screaming from what he believed to be two voices. Brandon remained in the front of the residence until police arrived in the area approximately 2-3 minutes later. Brandon was released from his handcuffs but was advised to stay seated until the interviews of the other three subjects were completed.

#### Canvass

At approximately 1735 hours, Det. A. Miller, Det. G. Gomez and I began our canvass at [REDACTED] [REDACTED] Body Worn Camera footage from Det. Gomez documented the canvass. These contacts were documented by Det. A. Miller. Please refer to his supplemental report for further details.



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Operational Status: OPEN

This concluded my involvement in this investigation.

\*\*\*Pending\*\*\*



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Operational Status: OPEN

### Follow Up Report #19

Assigned to: 21883 - SAUER, BRETT

Assigned on: Jan-18-2019 (Fri.) 2246

Capacity: Secondary Investigator

Completed: Yes

Approved on: 02/15/2019

Approved by: AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Jan-18-2019 (Fri.)

#### Notification

On 01-15-2019 Criminal Investigations Sergeant Click requested assistance with an officer involved shooting incident. I responded to the north east corner of 48th St and Vineyard Rd, Tempe, AZ. I arrived at approximately 1630 hours and after the briefing I learned the following information:

On 01-15-2019 at 1439 hours, Officer Jaen responded to 4502 S. Fair Lane, Tempe, AZ reference a suspicious vehicle in the alley with two subjects loading items into a vehicle. Upon arriving to the area Officer Jaen contacted a subject in the alley. Officer Jaen was involved in a foot pursuit and shooting incident with the subject. The subject was later pronounced deceased at Banner Desert Hospital.

After hearing the briefing, I was assigned to perform canvassing on specific houses in the neighborhood where the shooting had occurred in order to identify any potential witnesses.

#### Canvass

Tempe Police Detective Garibay (#14558) and I were tasked with assisting other detectives in canvassing/ contacting residents at [REDACTED]. Detective Garibay contacted and completed a detective narrative for the contacts at [REDACTED] and [REDACTED]. Please refer to Detective Garibay's detective narrative for those contacts. I contacted residents at [REDACTED] and I attempted contact at [REDACTED] (vacant house) and [REDACTED] (no answer).

#### [REDACTED] contact:

I made contact at the residence and spoke to two subjects, Carol Carpenter and Sunni Everson. There is a third subject who lives at the house, Bob Carpenter, but he was not home at the time of the incident and was not currently home. Both Sunni and Carol said that they were home during the time the incident occurred but they did not hear or see anything suspicious. Carol said that she was getting her hair done earlier today, but she returned to the house around 1415 hours. Sunni said that she is staying at the house as a guest temporarily, but she had been at the house since yesterday night. Carol and Sunni said that they started to hear police sirens coming to the neighborhood and she did not leave her house. Carol and Sunni both stated that they later found out on the news station that there was an officer involved shooting.

Carol said that her husband, Bob, was home earlier with his friends, "Mark Schafer" and "Bob Kappell", but the three of them left for Yucca Tap Room around 1330 after doing some landscape work at the house. Carol reported that Bob wouldn't have much to add because he was not home during the time the incident had occurred.



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Carol stated that there are no surveillance video cameras on her house and there won't be any video surveillance video. Carol allowed us to enter her home and lead us into the backyard. Carol reported nothing suspicious in the backyard and I noted that there were no defects in the walls or objects that had appeared to be misplaced in the backyard. This yard was full of tall weeds and various scrap metal parts. There was also a black sedan vehicle was standing in the backyard that appeared to be in disrepair. There was no license plate for this vehicle.

Carol stated that there is a house on the street that she felt that the house at 4420 S Fair Ln was a house where drug users used to live. Carol said that the residents of the house moved out approximately a month ago and there is a dumpster in the front yard, but she said that many people used to come and go from the house. Carol and Sunni both said that they feel safe in their neighborhood. They both mentioned that there are homeless people at the park down the street at night, but they don't necessarily make them feel unsafe.

Both Carol and Sunni did not report seeing or hearing outside and did not report anything related to the shooting. Carol and Sunni both stated that they did not know any specific information they thought that law enforcement could use for the investigation.

I located three vehicles in the front yard/driveway for [REDACTED], [REDACTED]. Those vehicles were the following:

- A gray 2002 BMW 325 bearing the AZ license plate [REDACTED] 7. This vehicle was registered to Bob Carpenter at this address. This vehicle had a car cover on it and the registration was [REDACTED].
- A blue 2014 Dodge Avenger bearing the AZ license plate of [REDACTED]. This vehicle was registered to Carol Carpenter at this address. The registration was [REDACTED].
- A black 2000 Dodge Q15 pickup truck bearing the AZ license plate of [REDACTED]. This vehicle was registered to Bob Carpenter at this address. This vehicle had a ladder rack on the top and was parked across the front lawn. The registration was [REDACTED].
- A black 2012 Mazda sedan bearing the AZ license plate of [REDACTED]. This vehicle was registered to Neil and Sunni Everson at [REDACTED]. This vehicle's registration was [REDACTED]. This vehicle was parked just north of the address and Sunni said that she parked it here because of the landscaping that was done to the house earlier in the day.

There was no further information reported by either Sunni or Carol.

[REDACTED] **contact:**

I walked up to this house and it had a dumpster located in the front yard. The windows of the house were boarded up and the front door was locked. There was a radio playing music from inside the house but there did not appear to be anyone inside the house. I peered in between the plywood slats blocking the entrance to the house and the house appeared to be in heavy construction. There were no surveillance cameras located on the exterior of the house. There were no vehicles located in the driveway or in front of the house.

[REDACTED] **contact:**

I attempted contact at this address, however there was no answer at the door. There were no surveillance cameras located on the exterior of the house. There were no vehicles located in the driveway or in front of the house. I



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did not see any lights on. I left my Tempe PD business card with contact information on the exterior of the front door with handwritten instructions to call me in regards to the investigation.

**Anonymous witness, [REDACTED] contact:**

After reporting to Sergeant Click regarding the results of the neighborhood canvas, she instructed me to contact the anonymous caller who called 911 from [REDACTED]. Sergeant Click advised me that the caller's name was [REDACTED]. I called [REDACTED] and we agreed to meet at Tempe PD HQ located at 120 E 5th St, Tempe.

On 01-15-2019, at approximately 2200 hours, I met with [REDACTED] at Tempe PD HQ and I asked to interview him in one of our recorded interview rooms to which he agreed. [REDACTED] identified that he had called in anonymously twice from his phone number of [REDACTED] to first report a suspicious vehicle in the alleyway and then second, to report the shooting. [REDACTED] took screenshots of his call log and it showed three calls to 911 from his phone: one at 1437 hours (2 minute duration), one at 1455 hours (50 second duration), and the last at 1455 hours (13 second duration). This screenshot was uploaded to evidence.com.

[REDACTED] stated that the originally called the police to report the suspicious vehicle in an alleyway because he said that his rental house, [REDACTED] had been burglarized [REDACTED] and he suspects that the residents from 4502 S Fair Ln had taken his belongings. [REDACTED] said that Tempe PD later recovered some of the property from the 4502 S Fair Ln address, but he was still missing items from his house. [REDACTED] said that he is currently doing renovations to his house on Fair Ln and he is usually at the house once or twice in a week. [REDACTED] was greatly concerned that if he didn't call in anonymously, then the neighbors would figure out it was him because of the recent burglaries.

[REDACTED] said that he heard a loud muffler noise from a vehicle and it was traveling westbound in his alleyway and then northbound behind his house. [REDACTED] said that he got out of his house and peeked around the southwest corner of his fence and saw a Chevy pickup truck that had a taped back window and multiple colored panels on it. [REDACTED] said that the pickup looked in poor condition. [REDACTED] said that the pickup truck parked near 4502 S Fair Ln and he thought this was suspicious because his property was not fully recovered from this address. [REDACTED] stated that he called to report that this vehicle was in the alleyway.

A few minutes later, [REDACTED] said that he went back inside his house. [REDACTED] said that he did not see anyone out by the pickup truck and did not see anyone walking down the alleyway from the pickup truck. [REDACTED] said that he then heard an argument from the alleyway and it sounded like someone was fighting. [REDACTED] said that he heard someone say, "Drop the gun" and "Put down the gun" before hearing two gunshots from the alleyway. [REDACTED] said that he looked out the back window of his house but he could not see over the fence to his house. [REDACTED] said that he ran to the front of his house and he saw a subject staggering quickly out from the alleyway on the south side of his house. [REDACTED] described the person as the following:

- Light skinned (possibly white or Hispanic) male, with short hair and a black handgun in his hand (unknown which hand).

[REDACTED] explained that his front yard has a short wall (shorter than four feet) that blocks his yard from the alleyway. [REDACTED] said that he saw the subject on the other side of his wall and he said that the subject was holding the gun and swinging it in his hand above that wall's height. [REDACTED] said that he heard the subject was making labored breathing and his walking pattern was staggered. [REDACTED] said that he saw the subject go southbound from



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the alleyway and out of sight of [REDACTED]. A short time later, [REDACTED] explained that he saw a police officer running down the alleyway and then look down the street in the same direction the subject was last seen walking with the gun in his hand. [REDACTED] said that the officer stopped at the wall before walking southbound and he was yelling, "Put your hands where I can see them!"

[REDACTED] said that he saw the officer was looking back into the alleyway periodically as if he was expecting someone behind him.

[REDACTED] said that he had not put it together in his head that the police were responding to his original call for service referencing the vehicle that was in the alleyway and it led to a shooting.

[REDACTED] had nothing further to add.

This concludes my involvement in this incident.

PENDING



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### Follow Up Report #20

Assigned to:20227 - JONES, MATTHEW

Assigned on: Jan-19-2019 (Sat.) 232

Capacity:Lead Investigator

Completed:Yes

Approved on:02/15/2019

Approved by:AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Feb-15-2019 (Fri.) 946

#### Mentions:

Lieutenant J. Thompson #11823

Lieutenant S. Smith #14623

Lieutenant D. Sorenson #17592

Sergeant A. Akey #17902

Sergeant K. Click #16474

Sergeant H. Penner # 15134

Sergeant J. Avalos #11871

Detective M. Jones #20227

Detective M. Solmen #21884

Detective G. Duarte #14995

Detective T. O'Brien #14916

Detective G. Gomez #20110

Detective J. Garibay #14558

Detective D. Bennett #16935

Detective O. Lopez #18847

Detective M. DeCourval #19445

Detective M. Lawler #18358

Detective R. Fairclough #20138

Detective J. Smith #16488

Detective D. Gibson #18488

Detective B. Sauer #21883

Detective M. Hood #23692

Detective A. Orr #15301

Officer A. Pena #20614

Officer K. Kelch #15293

Officer C. Clark #23787

Officer L. Berner #22271

Officer E. Farnes #19917

Officer J. Welling #18142

Officer D. Lewis #09676

Officer A. Ramos #18382

Officer A. Espinoza #19239

Officer A. Cano #14552

Officer C. Contos #24777

Officer R. Garnett #20454

Officer D. Brown #22663

Officer E. Hutchinson #16718

Officer T. Smith #18845



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Officer M. LaBelle #11772  
FSU Supvr. L. Somershoe #11689  
FSU Tech. J. Cynowa #15781  
FSU Tech. M. Beach #24159  
TOA Attorney, K. Baillie  
MCOME Investigator, C. Haug #39  
MCOME Dr A. Maskovyak MD  
Maricopa County Attorney's Office, Prosecutor G. Gialketsis  
Ortega Law Firm, Attorney Daniel Ortega  
Forensic Video Services, Analyst Grant Fredericks

### Notification

On January 15, 2019 at approximately 1500hrs, I was contacted by Tempe Police Criminal Investigations Lt J. Thompson and asked to respond to the rear west side alley of 4502 S Fair Ln, Tempe in reference to an officer involved shooting investigation in which a Tempe Patrol Officer had shot a subject related to a suspicious vehicle in an alley call for service. At the time of this incident, I was employed with the Tempe Police Department as a detective assigned to the Homicide bureau.

### Arrival and Scene Observations

I arrived on scene at approximately 1530hrs and parked in the shopping plaza at 4325 S 48th St, Tempe where the command post had been established. I then made the following observations. The weather outside was overcast. The shooting incident appeared to have occurred in the west alley behind 4502 S Fair Ln, Tempe. I saw there was yellow crime scene tape and a marked Tempe Police vehicle parked across the north end of this alley preventing any traffic from turning south off W Vineyard Rd. As I looked south down the alley from W Vineyard Rd, I observed there was a marked black and white Tempe Police Tahoe parked facing south in front of a gray pick-up truck which was facing north behind the residence at 4502 S Fair Ln. At this time, I did not go any further into the scene.

### Initial Briefing

I attended a briefing that was given by Patrol Lt S. Smith. During this briefing, I learned that on January 15, 2019 at approximately 1438hrs, Tempe Police Dispatch received a call for service of a suspicious gray truck parked facing north in the west alley behind the residence at 4502 S Fair Ln, Tempe. Tempe Police Officer J. Jaen, who was assigned to Field Operations at the time, was dispatched to the call and responded to the area at approximately 1452hrs.

Upon Arrival, Ofc Jaen traveled south down the alley from W Vineyard towards a gray truck parked facing north. As Ofc Jaen was pulling up to the front of the gray truck, he observed an unidentified male subject who was sitting in the front passenger seat turn to his left and reach behind the front driver's seat with both hands into the rear seat compartment area. Ofc Jaen parked his marked patrol vehicle just north of the front end of the gray truck, exited, and several seconds later transmitted "shots fired" over his patrol radio. Ofc Jaen advised Tempe Police Dispatch there might be a second suspect back in the alley by the gray truck. Ofc Jaen then reported that the subject he was chasing was down on the ground on S Fair Ln where it intersects with Carter Dr.

The subject was subsequently determined to have collapsed just east of the front yard to the residence at 4600 S Fair Ln. Ofc Jaen found the subject to be unresponsive laying on his stomach. Ofc Jaen transmitted to Tempe Police Dispatch that the subject appeared to have been shot. Responding Officers observed what appeared



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to initially be a black firearm with an orange tip tucked under the subject's right shoulder area. The gun was determined to be a black Airsoft replica of a Colt 1911 handgun. The subject was also found to have a plastic bottle of orange Airsoft ammunition and two cell phones on his person. Officers provided continuous chest compressions to the subject and he was transported to the Banner Health Medical Center, 1400 S Dobson Rd, Mesa, where he was pronounced deceased from his injury at 1533hrs.

Right after the incident occurred, a subject by the name of Lucio Silvas was contacted by responding Tempe Patrol Officers in the alley next to the gray pick-up truck which was later determined to belong to him. Lucio was initially believed to be an associate of the deceased subject, but it was soon learned he was a resident of the home at [REDACTED] Tempe where his truck was parked behind. The occupants of this home were initially removed and detained while officers entered the residence and made sure there was not an additional suspect(s) located inside. These occupants were subsequently interviewed and released.

Additional information was provided that we had contacted one witness who had heard at least two gunshots and another witness who observed the suspect running in the alley with a gun in his hand.

This concluded the initial briefing by Lt Smith.

### **Assignment and Follow-up Investigation**

After being briefed on the investigation thus far, I was assigned as the case agent and tasked with contacting Ofc Jaen for the initial walk-through of the scene, conducting his duty weapon ammunition count, and interviewing him. Tempe Police FSU Supervisor, L. Somershoe, responded to the Tempe Police south substation to assist me with the ammunition count and to document the collection of Ofc Jaen's duty equipment.

Tempe Police Homicide Det G. Duarte and Det M. Solmen were tasked with processing the scene. FSU Technician M. Beach was asked to take overall photographs of the scene and assist in documenting the collection of scene related evidence. Det T. O'Brien responded to the Banner Desert Medical Center with FSU Tech J. Cynowa to conduct follow-up at the hospital and coordinate with the MCOME (Maricopa County Office of the Medical Examiner).

Lt J. Thompson and Sgt A. Akey were tasked with scene supervision and Sgt K. Click oversaw the canvassing efforts. MCAO attorney G. Gialketsis, responded to the scene as the representative from MCAO.

### **Review of Ofc J. Jaen's BWC Video**

On January 15, 2019 at approximately 1630hrs, I was able to review Ofc J. Jaen's BWC video for the first time at the scene inside the command trailer. The subject seen in this video was later identified as (S)Antonio Arce Jr, 14yo, and will be referred to as "Arce" throughout the rest of this report. The following is a summary of my observations from watching this video. It should be mentioned here that many of the details contained in this review were obtained from both the initial viewing of Ofc Jaen's BWC and the subsequent additional viewings at length.

Ofc J. Jaen's BWC video was recorded on his assigned Axon Body 2 camera, serial #X81321061, on January 15, 2019, at 1453hrs and lasted for eleven minutes and fifty-four seconds. The video was subsequently uploaded to evidence.com on January 15, 2019 at 1631hrs by Det A. Orr. See Det Orr's supplemental report for additional details of her taking custody of Ofc Jaen's BWC as evidence.



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As the video begins, I observed Ofc Jaen slowly driving down the alley southbound from W Vineyard in his marked Chevrolet Tahoe Patrol vehicle for the first twenty-four seconds until he stops and places it in park just north of an old gray pick-up truck parked in the alley facing north. We learned later that this location was to the rear of 4502 S Fair Ln, Tempe. This vehicle was subsequently identified as a 1999 Chevrolet Silverado extended cab truck bearing an Arizona registration plate of [REDACTED]. The distance between Ofc Jaen's parked vehicle and the gray truck was later determined to be approximately 26'.

As Ofc Jaen is then seen exiting from the front driver's side door, I observed he is holding a black cell phone in his left hand. Ofc Jaen walks several feet south, stops briefly, then proceeds to turn to the right and walk to the west side of the alley where he stands behind a large green multi-family trash bin next to the west side residential perimeter fences to the alley.

As Ofc Jaen is walking towards the trash bin, I was not able to see anyone inside of the gray pick-up truck through the front windshield even with the light coming through the rear cab window. Once Ofc Jaen reached the north side of the trash bin, he turned south towards the front of the truck and it was at this point when I first observed Arce come up into view of Ofc Jaen's BWC camera. I observed Arce sit up from reaching into the rear compartment area in the space between the two front seats while holding an unknown dark colored object in one of his hands.

It appeared as if Arce had his back towards Ofc Jaen at this time. All doors of the truck were in a closed position. Ofc Jaen then removed his duty weapon with his right hand, transitioned to a two-handed grip, and proceeded to hold the gun near to his duty-belt line, just below his BWC. From this position, the view of Ofc Jaen's BWC video is briefly obscured by the top left side of the trash can and I was no longer able to see through the front windshield of the vehicle as to what Arce was doing.

I then observed the front right passenger side door of the gray truck open slightly and Arce slowly exited the vehicle, leaving the door partially open. As Arce exited the vehicle, Ofc Jaen stated, "hey" one time at him before Arce immediately fled on foot southbound down the alley away from the rear of the truck. Ofc Jaen then began to move away from the trash can in pursuit of Arce and attempted to reach Tempe Police Dispatch on his patrol radio by stating his call sign "2P61" one time. It should be mentioned here that due to Ofc Jaen having an ear mic piece attached to his portable radio, I did not hear Tempe Police respond back to him on this video.

As Ofc Jaen is initially seen running after Arce and yells, "let me see your hands," one time before he stops adjacent to the rear southwest corner of the gray truck, brings his duty weapon up above the top of his BWC video frame, and fires twice southbound in the alley at Arce as he is running. Det Duarte and I were later able measure the distance from where Ofc Jaen was standing when he fired the first shot to the location of where it was estimated Arce was running and determined the distance at approximately 114'.

Arce appears to be wearing a dark colored t-shirt and dark colored pants as he continues to run south down the east side of the alley. When the video of this part of the incident was further analyzed, a dark black unknown object can be seen in Arce's right hand.

Arce continues to run south down the alley until he approaches the end where the alley turns to the left (east). As Arce turns east, he is out of view of Ofc Jaen's BWC video. Ofc Jaen continues to run south after Arce while stating "998. 998. Shots fired. One subject running southbound through the alley. He's got a handgun. He's got a handgun." As Ofc Jaen reaches the eastbound bend in the alley, he slows down to a walking pace and carefully



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clears the east corner of the turn with his handgun raised at chest level. Once Ofc Jaen clears the corner and is able to see the entire eastbound portion of the alley to where it exits to S Fair Ln, he then states on the radio, "2P61. Shots fired, Shots fired."

Ofc Jaen continues his approach slowly along the south side of the alley walking eastbound until he comes out to the sidewalk on S Fair Ln and was able to see Arce laying on his stomach along the west side of the street where it meets the west sidewalk just south of his position. Arce's head was pointed to the south with both legs straight out to the north. Arce appears to be face down at this time. Ofc Jaen then states, "2P61 there is one more subject in the alleyway. Arms up, let me see your hands, let me see your hands, I will shoot you again," towards Arce while he is standing behind the cover of the southwest corner of the alleyway southside cinder block wall. Arce's head appears to still be moving at this time as it comes up from his shoulders several times until he lowers it back down and stops moving all together.

Ofc Jaen can then be heard breathing heavily when he states, "2P61. One subject down, one subject down, fuck." Ofc Jaen proceeds to give out directions to Tempe Police Dispatch as to their location, stating again that one subject is down and he cannot see the subject's hands. Ofc Jaen also now mentions one subject is still in the alley by the truck. It was later determined this second subject Ofc Jaen believed was in the alley by the gray truck was Lucio Silvas, the owner of the vehicle, who had just walked through the rear pedestrian gate of 4502 Fair Ln, to see what was happening in the alley.

Ofc Jaen is heard attempting to continue talking but is gasping for air and has to repeatedly stop. Ofc Jaen finally is able to state, "Start fire to stage. I can see he is shot at least once." Ofc Jaen then tries to provide further directions as to his location in between his gasps for air and states that "the vehicle is still in the alley with one subject in it." Ofc Jaen takes several more deep breaths before he states "10-4, I'm not shot, the subject is, looks like he is not breathing anymore." Ofc Jaen proceeds to say to Arce, "Partner, I need you to get your hands up so we can get you some help" as Arce lays motionless.

From this point in Ofc Jaen's BWC video, he continues to provide clarified directions as to his location to Tempe Police Dispatch. Sirens from the responding patrol units can be heard getting closer. Ofc Jaen then states, "Be advised I shot, fired about four shots southbound through the alley south of my vehicle." Ofc Cano and Ofc Contos can then be seen arriving just south of Ofc Jaen's location. Ofc D. Lewis arrives and contacts Ofc Jaen to make sure he is ok. Ofc Cano and Ofc Contos can be seen putting handcuffs on Arce from behind his back. As Ofc Lewis turns Arce over onto his back. Ofc Lewis can then be seen immediately starting chest compressions on Arce's upper chest as Ofc Jaen can be heard saying, "Fuck, fuck man, he is just a fucking kid.". Upon seeing the weapon lying next to Arce, Ofc Jaen's breathing increases heavily and he states, "Fuck, fucking toy gun, it's a fucking toy gun man."

Ofc Jaen is then contacted by Ofc A. Ramos who escorts him out of the scene back to his patrol vehicle. As Ofc Jaen is being escorted from the main scene, he engages the mute button on his BWC and no further audio is heard but the video continues.

### **Ofc J. Jaen's "Public Safety Statement" to Lt D. Sorenson**

At approximately 1523hrs, Ofc Jaen is then contacted by Lt. D. Sorenson while he is sitting in the front passenger seat of Ofc Ramos' unmarked police vehicle at the command post (NEC of W Vineyard and S 48th St) in order to obtain an initial "public safety statement" about the incident. The following is a summary of Lt



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Sorenson's public safety interview with Ofc Jaen and is not verbatim. See Lt Sorenson's BWC footage for more details of this statement.

Lt Sorenson approached Ofc Jaen as he is still seated in the front passenger seat of Ofc Ramos' vehicle and states that he just needs a quick public safety statement from him so that they can figure out where everything is and he does not need to go into great detail. Ofc Jaen stated it was a 647 (suspicious vehicle) call of a vehicle in an alley. As he tuned into the alley, he could see the vehicle was occupied by one male seated in the front passenger seat. As soon as the male subject saw Ofc Jaen, he started reaching into the back, never acknowledging Ofc Jaen's presence. Ofc Jaen said he then got out of his Patrol vehicle and found cover which is when he observed the subject come up from reaching in the rear passenger area and noticed he had a gun. Ofc Jaen stated the subject then jumped out of the passenger seat (exiting the vehicle) and he proceeds to move around to the left side to engage the subject when he sees the subject running away southbound with the gun in his hands. Ofc Jaen stated the subject began to turn back towards him as he was running away and he then shot at him two times in the center mass area of his body. Ofc Jaen said he heard the subject get shot (no further description.) This concluded Ofc Jaen's initial "public safety statement."

After Ofc Jaen provided this public safety statement to Lt Sorenson, he is transported to the Tempe Police South Substation, 8201 S Hardy Dr, Tempe by Ofc Ramos to confer with his attorney and await his interview.

### **Initial Body Examination**

On January 15, 2019 at approximately 1545hrs, Det T. O'Brien and Tempe Police FSU Technician J. Cynowa responded to the Banner Desert Medical Center, 1400 S Dobson Rd, Mesa to meet with MCOME Investigator, C. Haug, to conduct the initial body examination of (S)Antonio Arce Jr. Upon arrival, Det O'Brien met with Ofc A. Cano and Ofc C. Contos, whom had followed the ambulance from the scene to the hospital.

Det O'Brien stated they took him to Trauma Bay #1 where Arce's body was located and learned that Dr. Wynne had pronounced Arce deceased at 1533hrs. Arce had a sustained a single gunshot entry wound to his lower right scapula area of his back with no visible exit wound. The gunshot wound was approximately ½" x ¼". Hospital Staff had already enclosed Arce's hands within brown paper bags which were also taped around at each wrist with blue tape. Det O'Brien stated Arce also had an approximate 10" horizontal sutured incision across his left chest - nipple high. No other injuries were located on Arce's body at this time.

Det O'Brien took custody of several bags containing Arce's clothing with the exception of his t-shirt which was left at the scene. Det O'Brien also took custody of items which were found within Arce's pockets such as a silver metal folding knife, gray Calvin Kline belt, a yellow metal chain necklace, \$1.00 in cash, a quarter, and two cell phones.

Upon the arrival of MCOME Investigator C. Haug, Arce was placed into white MCOME body bag bearing MCOME seal tag #0027479 and was subsequently transferred to the Maricopa County Forensic Science Center, 701 W Jefferson St, Phoenix and was listed under MCOME report #19-0491.

Please see Det O'Brien's supplemental report for further details of his observations during the initial body exam, his contact with MCOME Investigator Haug, and the evidence which he later collected and impounded.

### **Duty Equipment Documentation with Ofc J. Jaen**



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On January 15, 2019 at approximately 1945hrs, FSU Supervisor, L. Somershoe, and I met with Ofc J.Jaen inside the executive conference room at the Tempe Police south substation, 8201 S Hardy Dr, Tempe to document the duty equipment he was presently wearing when involved in the shooting incident earlier that afternoon. This documentation of duty equipment included photographs by FSU Supervisor Somershoe of Ofc Jaen's clothing, duty vest, identifying police placards, location of his body worn camera, lethal and less lethal equipment, impounding of his duty weapon, an ammunition round count of the magazine within his duty weapon and the two additional magazines on his duty belt.

Ofc Jaen was not carrying any additional firearms other than his primary duty weapon. Ofc Jaen did not appear to have sustained any visible injuries nor did he verbalize having any.

The following items were subsequently documented:

### Uniform:

Ofc Jaen was wearing a standard blue Tempe Police Patrol Uniform which consisted of a long sleeve polo style shirt which had standard Tempe Police Patrol patches on both the right and left shoulders, blue cargo pants, and black ankle high patrol boots.

### Ballistic Outer Vest Carrier:

Ofc Jaen was wearing a standard black Tempe Police Patrol ballistic outer vest carrier which consisted of a small black and gray Tempe Police Patch on the left front shoulder area, a clear plastic coiled portable radio tube attached to a pinkish ear piece on the left shoulder, a black portable radio transmitting microphone affixed to his upper right center chest, a black and gray name tag over his right upper chest pocket which said "J.R. Jaen", a small black portable light and black pen attached to his right upper vest pocket, two silver colored pens and a silver colored handcuff key attached to his left upper vest pocket, a yellow and black Taser inside a Taser holster pouch on his left front, a cell phone pouch containing his cell phone on the right center, a flashlight holder containing a can of OC spray, and a black/silver wrist watch attached to the upper flap of the flashlight holder facing up. . Ofc Jaen had his BWC carrier positioned just off of the left front center of his vest carrier near the upper portion of his stomach. The rear of the vest carrier had a large black placard which said "POLICE" in large gray letters.

### Duty Belt and Related Equipment:

Ofc Jaen was wearing a black duty belt which had the following items affixed to it:

A double magazine pouch containing two magazines on his left side, a patrol radio pouch containing a black Motorola portable radio on his left hip, a small black flashlight holder containing a small black flashlight on his left hip behind the portable radio holder, two black handcuff cases containing one pair of handcuffs in each situated respectively on the left and right sides to his back, a black latex glove pouch containing latex gloves in the center of his back, and a black duty weapon holster his right side containing his duty weapon (see description below.)

### Duty Weapon and Ammunition Count:

- Ofc Jaen carried a Glock, model 22, .40cal, duty weapon bearing serial #DFW958US. This firearm was subsequently confirmed to be Ofc Jaen's department issued duty weapon.
- Inside the Glock (14) cartridge capacity magazine within the gun were (12) cartridges of ammunition with one additional cartridge in the chamber.



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- There was a Glock (14) cartridge capacity magazine from the #1 mag pouch, consisting of (14) cartridges of ammunition.
- There was a Glock (14) cartridge capacity magazine from the #2 mag pouch consisting of (14) cartridges of ammunition.
- All ammunition had a head stamp of "Federal 40 S & W"

There were no back-up firearms or other lethal weapons located on Ofc Jaen.

Ofc Jaen's duty weapon, all three magazines, and related ammunition were taken as evidence and secured in the rear lockable bed area of my assigned city vehicle. This concluded the equipment documentation and ammunition count. Please see FSU Supervisor Somershoe's photographs in evidence.com which further document this collection of evidence.

### Interview with Ofc J. Jaen

On January 15, 2019 at approximately 2013hrs, I met with Ofc J. Jaen for his interview at the Tempe Police Department's south substation, 8201 S Hardy Dr, Tempe, in the executive conference room. Also present in the room were Ofc Jaen's TOA attorney, K. Baillie, and MCAO attorney, G, Gialketsis. The following is a summary of my interview with Ofc Jaen and is not verbatim. Please see the impounded audio and transcribed copy of this interview for additional details.

I began the interview by explaining to Ofc Jaen that even though this was a criminal investigation it was also a voluntary interview and at any point he could terminate the interview for any reason should he desire. I also explained that if I asked any questions to him in which he did not know the answer to, it was completely ok to say, "I don't know," as I would rather have him say that then make up an answer (this instruction is one which I use in all of my interviews.) Ofc Jaen acknowledged he understood this by nodding his head.

I then inquired as to how long Ofc Jaen has been employed with the Tempe Police Department and he stated fourteen years. Ofc Jaen stated he is currently a Patrol Officer assigned to Zone 6 of the south Tempe Patrol area which he described as the area (geographical boundary) of the US60 freeway south to the south Tempe/Chandler boarder and the 101 freeway west to Rural Rd.

When I asked if he was working today (January 15, 2019), Ofc Jaen stated "Yes" and that he was working his normal shift from 0800hrs to 1800hrs in a patrol capacity. Ofc Jaen stated he was driving a marked patrol vehicle and was wearing a standard patrol uniform which clearly identified himself as a "police officer."

I asked Ofc Jaen to describe the call for service in which the incident occurred. Ofc Jaen stated he believed the call for service was originally put out by Tempe Police Dispatch over the patrol radio as a suspicious vehicle with two subjects observed in an alley by a pickup truck who were seen either taking items from a residential backyard or possible removing items from the vehicle.

I then asked Ofc Jaen to describe the entire incident from the time the call for service was initiated to when the responding officers had arrived and contacted him afterwards. I requested in describing the details of the event



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that he not just focus on the actions he observed but also describe other details such as his perceptions, things which he could hear, feel, and smell.

Ofc Jaen said he initially arrived in the area by traveling northbound on S 48th St to eastbound on W Vineyard Dr to southbound into the first alley which is the alley running parallel behind the residential properties along the west side of S Fair Ln. As he was traveling south in the alley, Ofc Jaen said he could see a gray pickup truck approximately two-hundred feet in front of him parked facing north. As he slowly rolled southbound down the alley, Ofc Jaen stated he did not initially observe anyone inside of the vehicle. When he got closer, Ofc Jaen stated he could see some white writing from a grease pen on front right side of the windshield which he recalled said "DPS Arrest" with additional dates and numbers. Ofc Jaen stated this writing had led him to believe the vehicle was recently impounded at a tow yard and the vehicle operator likely had a suspended driver's license.

As he drove closer to the parked vehicle, Ofc Jaen stated he could clearly see a male occupant sitting in the front passenger seat but could not recall whether the front passenger door was open or not at this time. Ofc Jaen said he could then see the occupant reaching back into the rear passenger seat area with both hands from the front seat area which made the occupant's body position seem somewhat awkward and exaggerated to him. Ofc Jaen said he was not 100% certain as to why he continued to approach the vehicle, stating he thought if he approached the vehicle maybe the occupant would come out and move the vehicle. Ofc Jaen mentioned he was more focused on the person in the vehicle and was not sure why he let his Patrol vehicle get so close to the other truck.

Ofc Jaen said he then noticed after the occupant's initial "exaggerated motion" towards reaching into the rear seat area. The occupant then sat upright in the front passenger seat and was looking out the window again. Ofc Jaen stated he then stopped his vehicle and observed what he thought was the occupant reaching back into the rear seat area again only this time it was even more pronounced because he could see one of the occupant's legs come up as he was reaching back to the area of what he described as near the rear driver's seat.

Ofc Jaen stated he then parked his patrol vehicle and felt as if he had a very "heightened awareness" since he did not see the occupant come out yet. Ofc Jaen describe the alleyway in this area as very narrow with each side of the alley having a combination of wood fencing and concrete cinder block rear perimeter walls. Ofc Jaen stated as he opened his driver's side door, he stepped out and immediately looked straight down at the ground to where he was stepping. Ofc Jaen described this habit of looking down at the ground first whenever he steps out of his vehicle as being something ingrained into him from the military.

Ofc Jaen said as he was stepping out of his vehicle, he looked up at the occupant in the truck and believed they had made eye contact with each other at this time. Ofc Jaen said it appeared to him as if the occupant then made another exaggerated motion as he reached back into the rear seat area again. Ofc Jaen said he proceeded to walk from the east side of the alleyway (his driver's side door), around the front of his vehicle to take advantage of some cover along the west side of the alleyway behind a large garbage can. Ofc Jaen said the occupant in the vehicle then looked over in his direction while pulling his hands up allowing Ofc Jaen to see what appeared to him was the silhouette of a handgun. Ofc Jaen stated he could clearly see light passing through the trigger guard area of this handgun. Ofc Jaen described the occupant as holding the handgun at a 45degree angle but not pointed at him. Ofc Jaen said at this point, he believed they made eye contact again.

Ofc Jaen stated the occupant then exited the vehicle and began moving toward the south but did not recall seeing him open the front passenger's side door. It was at this point, Ofc Jaen described the subject as moving south towards the rear of the truck and he believed the subject was going to "engage" him with the gun across the rear



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truck bed so he drew his own duty weapon. Ofc Jaen stated he then realized that he was kind of pinned in his current location as his cover was a flimsy rubber trash can.

Ofc Jaen stated it was at this point he made the decision to "engage" the subject and left his cover of the trash can as the subject began running southbound away from the truck. Ofc Jaen stated he believed he said to the subject, "Stop Police or Tempe Police." Ofc Jaen stated as he gave this command to the fleeing subject, he was focused on the subject's hands and observed the subject turn and saw there was a handgun in his right hand. Ofc Jaen said the subject's right hand was up in the air at this point because he was running. Ofc Jaen stated it appeared the subject's finger was on the trigger and he then made the decision to fire at the subject and recalled firing two shots. Ofc Jaen said he did not remember hearing his first shot go off but did remember getting his sights on target as he was physically taking out the slack on the trigger of his duty weapon and preparing to fire the second shot. After firing the second shot, Ofc Jaen stated he heard the subject make an audible grunt sound as he continued running south.

Ofc Jaen said after he fired the second shot, he began running south after the subject and was approximately fifteen to twenty feet behind him the entire time until the subject turned left (east) in the alleyway and was out of his view. Ofc Jaen described providing information to Tempe Police Dispatch through his police radio, stating he had a "998," was chasing the subject southbound in the alley, while providing a description of the subject. Ofc Jaen said he then slowed down his pursuit of the subject at this corner in the alley out of concern the subject might try to "ambush" him around the eastbound bend in the corner, so he slowly began to move around the corner until he could clearly see completely east bound and did not observe the subject at this time.

It was at this point of turning the alley corner to the east in which Ofc Jaen stated he observed a second subject to the north behind him out of his peripheral vision, standing by the same gray truck the first subject had been in and provided Dispatch this information as well. Ofc Jaen was able to see to the northside of the alleyway where it exited onto S Fair Ln as there was lower cinder block perimeter wall to the residence there (4526 S Fair Ln) and did not see the subject in that area. (This northside cinder block was later determined be approximately 4' in height.)

Ofc Jaen stated he then began to "pie the corner" of the south side exit onto S Fair Ln to see if the subject had fled south. As he was beginning to clear the end of the south side block wall of the alleyway, Ofc Jaen stated he observed the subject lying on the ground approximately ten to fifteen feet south of the alleyway on the sidewalk where it meets the street and he was positioned with his head farthest away (south.) Ofc Jaen observed a "softball" size pool of blood on the subject's rear right shoulder and what appeared to him to be a firearm tucked underneath the subject's right side. Ofc Jaen described hearing the subject's "sporadic, labored breathing" from where he was standing and called to him, "let me see your hands. I want to get you help but I need to see your hands." Ofc Jaen said he then requested over his police radio for Tempe Police Dispatch to send Fire and Paramedic units. Ofc Jaen said he again spoke to the subject, "I want to get you help, but you need to show me your hands." Ofc Jaen recalled seeing the subject's back rise up and down several times as he was breathing in but then he stopped moving.

Ofc Jaen said the first officer to arrive and contact him was Ofc A. Cano who took over covering the subject for him. Ofc Jaen then observed that the subject was hand cuffed and the officers were starting life saving measures (chest compressions) on him. Ofc Jaen described seeing a there was a small pool of blood where he was laying and what appeared to be toy gun with an orange tip on the ground next to it. Ofc Jaen said he was then escorted



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back up the alley north to where has parked his vehicle and observed several officers contacting the second subject he had described seeing earlier as he ran south in the alley.

This concluded Ofc Jaen's first account of the incident. It should be mentioned here that the second subject seen in the alley by Ofc Jaen was later identified as Lucio Silvas, the owner of the gray truck parked in the alley where Ofc Jaen contacted the subject. It was also determined Lucio was not aware someone was inside of his vehicle and that the subject shot by Ofc Jaen was not known to Lucio.

After Ofc Jaen finished providing his initial account, I inquired if the area of where the incident occurred was an area he was familiar with and were there any recent crime trends he was aware of for the area as well. Ofc Jaen stated he was familiar with the area and he did recall dispatch putting out something about recent crime trends. Ofc Jaen stated the general type of call for service for this area of the city was mainly domestic violence issues. It should be noted here that on January 10, 2019, Tempe Police Crime Analyst, N. Potter sent out a department wide crime bulletin regarding recent vehicle tailgate thefts throughout the city. Several of these tailgate thefts were reported to have occurred along the west side boarder with the city of Phoenix. A copy of this email and the tailgate theft bulletin is attached to this report.

I then requested Ofc Jaen to further explain segments of information he had provided during his initial account of the event. I first asked Ofc Jaen to explain what he was referring to when he had stated he was "rolling down the alley" and he replied it just meant he was allowing the vehicles momentum to carry him down the alley without applying any input. I also inquired as to how close he thought he was to the gray truck in the alley when he first caught a glimpse of the subject inside of it and Ofc Jaen said approximately one-hundred feet.

Next, I asked Ofc Jaen to focus on the point when he had stopped his vehicle and saw the subject make and exaggerated movement again. Ofc Jaen stated the subject was using two hands to reach behind the front driver's seat and at one point appeared to bring his right hand up and was attempting to reach further under the back of the front driver's seat.

I asked Ofc Jaen to also describe further the distance in which he believed he had parked his vehicle from the front of the truck and he responded, "approximately fifteen-feet." When I then asked Ofc Jaen to describe the lighting conditions outside at the time of the incident, he stated it was still daylight out but overcast and he could still see light passing through from the rear of the truck window to the front. Ofc Jaen said he did not have any tint on the front windshield of his Patrol vehicle.

I then requested Ofc Jaen to think back to when he had seen the silhouette of the handgun brought out by the subject while he was still inside the gray truck and then describe it in as much detail as he could. Ofc Jaen stated he could see the light passing through the back window to the front window which allowed him to make out "a very distinct trigger guard" on the handgun which he further described as an "L shape" trigger guard. Ofc Jaen stated he was not able to tell the color of the gun at this time but thought the subject was holding it in his left hand.

I asked Ofc Jaen to recall the point at which he was taking cover behind the garbage can along the west side of the alley and had first believed the subject was going to engage him across the rear of the truck bed. I requested he describe it in more detail. Ofc Jaen stated he thought the subject was going to "roll out of the vehicle" and come up over the rear corner of the truck bed to engage him with the handgun. Ofc Jaen continued by saying he thought this would have been the "most efficient way" for the subject to engage him while still providing cover



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for the subject. Ofc Jaen stated there was nothing inside the rear truck bed which was obscuring his view of the subject running from the rear of the truck.

Next, I had Ofc Jaen focus on when the subject began to run south from the rear of the truck and requested he again think about that specific moment and then describe it in as much detail as he could. Ofc Jaen stated as the subject ran south from the gray truck, he took several steps away from the garbage can, called out to the subject, and could distinctly see the weapon in the subject's right hand. Ofc Jaen stated at this point he was focused on the weapon in the subject's hand and based on the fact he was still running with the weapon, it computed in his mind in his mind the subject was going to turn and shoot at him. Ofc Jaen stated he then made the decision he was going to discharge his weapon. Ofc Jaen estimated he was approximately fifteen to twenty feet behind the subject when he discharged his weapon at him.

Ofc Jaen said he did not see the subject attempting to manipulate the gun as he was running and he did not recall the subject saying anything to him either. Ofc Jaen stated he was not able to describe the clothing the subject was wearing at the time. I inquired as to how many shots he thought he had fired at the subject and Ofc Jaen stated he had fired two shots.

Ofc Jaen said as he caught up to the subject laying on the ground, he observed the gun tucked in between his right bicep and stomach. Ofc Jaen estimated he was approximately ten to fifteen feet from the subject at this time. In describing his first realization that the gun the subject was carrying was possibly a toy gun since it had an orange tip, Ofc Jaen had difficulty speaking further until he finally stated, "it was like why?" When I asked Ofc Jaen to tell me more about his observation of the gun upon seeing it up close and noticing for the first time it had an orange tip, he responded that he could only remember seeing orange tip of the gun. Finally, I asked Ofc Jaen if he ever approached the subject and touched him or the gun prior to the first officer's arrival and he stated "no."

I showed Ofc Jaen a google maps satellite aerial photo of the area around 4502 S Fair Ln, Tempe, to include the alley to the west and the location of where the subject eventually had collapsed. I asked Ofc Jaen to look at the map and walk me through the incident one more time, requesting he verbalize what he saw happening as he pointed at the map. Ofc Jaen's account of the incident while narrating and using the map was consistent with his previous account of the incident. This map was impounded as evidence.

I then asked MCAO attorney, G. Gialetksis, if he has any questions and he stated he did not. However, Ofc Jaen's TOA attorney, K. Baillie, stated she did have a few additional questions. Baillie asked Ofc Jaen to clarify the moment when he yelled out "stop police", or something to that effect, to the subject as he was running south from the truck. Specifically, Baillie asked Ofc Jaen if the subject turned towards him with the weapon in his hand when he called out to him. Ofc Jaen responded by saying, "He turned at that point, he did when I yelled it, that's when he did do that motion and he had to of turned. He had to of because I saw the gun and I saw the movement." Baillie then asked, "And you fired at that point because he is turning and then he ran?" and Ofc Jaen said, "yes." Baillie had no further questions.

This concluded my interview with Ofc Jaen regarding this incident.

### **Eyewitness Interviews at the Scene**

Two eyewitnesses were subsequently identified through 911 calls received by Tempe Police Dispatch and were interviewed after this incident. The eyewitnesses were identified as (W) [REDACTED] of [REDACTED] and (W)Kevin Petty of [REDACTED].



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██████████ of ██████████ was the person who had called Tempe Police Dispatch through 911 to report a suspicious vehicle in the alley. ██████████ also stated he heard an unknown person say, "Drop the gun" and "Put down the gun," just before he heard what he believed were two gunshots. ██████████ then observed a light skinned white or Hispanic male subject moving eastbound in the alley towards S Fair Ln while swinging a gun in his hand (unknown which hand) above the height of the wall for him to see.

Kevin Petty of ██████████ reported he was on his rear patio when he observed a male subject wearing a blue t-shirt while running eastbound in the alley. Kevin observed this subject with a gun in his left hand with his finger on the trigger while stating, "Oh my God! Oh my God!" Kevin stated he last saw the subject moving in a "woozy" manner outside the front of his residence before the subject collapsed onto the street pavement.

Please see the summaries of their respective interviews by Det B. Sauer and Det G. Gomez.

### Evidence Collected and Impounded

Tempe Police Homicide Det G. Duarte and Det M. Solmen were tasked with processing the main scene surrounding the alley and the related gray truck belonging to Lucio Silvas. The main items of evidence collected from these scenes are as follows:

- (2) Fired cartridge casings
- A black Airsoft replica 1911 Pistol Z311
- A clear plastic container of UKARMS orange Airsoft 6mm BBs
- (2) cell phones (one identified as belonging to Lucio Silvas and one to (S)Antonio Arce Jr), these items were collected by Det O'Brien at Banner Desert Medical Center from Arce's property.

Please see Det Duarte, Det Solmen, and Det O'Brien's respective supplemental reports reference the items of evidence which were subsequently identified, photographed, collected and packaged.

### Identifying the Decedent, (S)Antonio Arce Jr

After I had concluded my interview with Ofc Jaen, I began assisting Sgt Akey in identifying our deceased subject. When Det O'Brien was at the Banner Desert Medical Center he had initially taken custody of the two cell phones found on Arce by Ofc Cano and turned them over to Det Lawler at the Tempe Police Headquarters, 120 E 5th St, Tempe, approximately 1910hrs. The first cell phone was a black Samsung Galaxy S6 Edge and the second cell phone was a black Samsung with a cracked front screen. While charging these cell phones, Det Lawler observed that the Samsung Galaxy Edge S6 received a phone call from a contact listed as "Momz" from a related cell number of ██████████.

A short while later at approximately 2159hrs, Tempe Police Dispatch received a call for service from a Sandra Gonzalez-Aceves requesting assistance as her 14yo son, Antonio Arce Jr, had left home at approximately 0800hrs that morning from their residence at ██████████, Tempe, and had failed to return. Sandra provided a cell number for Arce of ██████████. Sandra also provided her cell number of ██████████ which was the same number Det Lawler had observed on the Samsung Galaxy Edge S9 under the contact name "Momz." It was then determined (S)Antonio Arce Jr was our decedent after we were able to match



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a prior photograph from law enforcement databases with his photo taken at the Banner Desert Medical Center. See the copy of the Tempe Police Department Tip form under GO#19-6537 for additional details.

### **Next of Kin Notification with Sandra Gonzalez-Aceves**

On January 15, 2019 at approximately 2223hrs, Ofc A. Espinoza had responded to Sandra Gonzalez-Aceves' residence, [REDACTED], Tempe in reference to a call for service from Tempe Police Dispatch of her missing 14yo son, (S)Antonio Arce Jr, who had not been seen since leaving the residence at approximately 0800hrs that morning. Sandra informed Ofc Espinoza that Arce had been recently suspended from [REDACTED] for mentioning a school shooting to several of his classmates (See Tempe Police report #18- 118621 for additional details.) Sandra stated Arce never stays out this late but acknowledged that he has been known go out and smoke Marijuana with his older brother at times. See Ofc Espinoza's supplemental report for additional details.

On January 16, 2019 at approximately 0001hrs, Det Duarte, staff from the CARE 7 victims advocate center, and I responded to [REDACTED] Tempe to contact (S)Antonio Arce Jr's mother, Sandra Gonzalez-Aceves, and notify her of his passing. Upon arrival, we met up with Ofc A. Espinoza in the rear east side parking lot. As we walked up to apartment #2028, I observed Sandra standing outside of the front door to on the second story balcony. Sandra began crying hysterically and speaking in Spanish as soon as we began to walk up the stairwell to her floor. Det Duarte and Ofc Espinoza then began to explain to her what had happened earlier in the day with Arce and our call for service in which he was shot as a result.

Upon hearing this information, Sandra fell on front walkway. We proceeded to have TFD respond to our location. As we were waiting for TFD, I turned Sandra on her left side so she could breathe easier and began rubbing her back. After approximately 20-30 seconds, Sandra re-gained consciousness and could speak to us. We were able to sit her upright upon the arrival of TFD E241. TFD evaluated Sandra and she refused to be transported. See TFMR incident report #019779 for additional details.

Sandra was not able to provide any additional information at this time and we advised her our CARE 7 advocates would be reaching out the next day to offer additional assistance. See Det Duarte's supplemental report for additional details as he was assisting with translating with Sandra.

### **Temporary Impound of Ofc Jaen's Duty Equipment**

On January 16, 2019 at approximately 0215hrs, I removed Ofc Jaen's duty equipment from my vehicle and put them into the temp impound locker #27 at the Tempe Police headquarters, 120 E 5th St, Tempe.

### **Conclusion of the Initial Investigation on the First Day**

On January 16, 2019, at approximately 0230hrs, I concluded my involvement in this investigation on this first day.

### **Attendance at Autopsy**

On January 16, 2019 at 0900hrs, I attended the autopsy of (S)Antonio Arce Jr at the Maricopa County Forensic Science Center, 701 W Jefferson St, Phoenix. The autopsy was performed by MCOME Dr A. Maskovyak MD. The following are my observations during the autopsy.

Arce was brought out into the examination room in a white MCOME body bag which had the MCOME report number #19-0491 written on the side of it. As the body bag was removed, I observed



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Arce was lying in supine position and had no clothing on. There was a white ankle tag affixed to his left ankle and an orange band around his right wrist. Arce was still intubated by a clear tube protruding from his mouth. I observed there was a long suture of eleven stitches across the left side of his lower chest area which Det O'Brien had previously mentioned was from life saving measures at the hospital. I did not see any tattoos or scars at this time. Dr. Maskovyak stated Arce was approximately 5'7" tall and 168lbs in weight.

When Dr Maskovyak rolled Arce over to his stomach, I observed there was what appeared to be a single gunshot entry wound to the right lower scapula of his back. When Dr Maskovyak was measuring the distance from the vertebrae to this wound, it appeared to be approximately eight inches to the right of his vertebrae. From the x-rays which had been taken before the autopsy began, I could see there was a single projectile situated just under his lower right rib next to his vertebrae. No other injuries were visible at this time.

Upon completion of the autopsy, Dr Maskovyak stated it had appeared to her the trajectory of the bullet entered from the right rear lower upper scapula area, perforated the right lung, and struck the heart before it entered the inferior vena cava vein and stayed inside the vein as it followed the path of the vein back down to its resting place. Dr. Maskovyak stated the interior vena cava vein is the vein which carries deoxygenated blood back up to the right atrium of the heart from the lower and middle extremities.

Photographs of the autopsy were taken by MOMCE staff. I requested a CD containing those images for our case file. See the autopsy report from the Maricopa County Medical Examiner's Office for additional details. A copy of the autopsy photos and the MCOME report will be attached to this case file upon their receipt.

At approximately 1030hrs, I left the MCOME autopsy with the following items of evidence:

- MCOME evidence release form
- Blood blot from Arce
- Finger print card for Arce
- The fired projectile recovered from within Arce

I returned to the Tempe Police headquarters, 120 E 5th St, Tempe, and put these items in the temp impound locker #31 at approximately 1100hrs. This concluded my observations of the MCOME autopsy on (S)Antonio Arce Jr.

### **1st Interview with (W)Lucio Silvas by Det M. Jones**

On January 16, 2019, at approximately 1300hrs, Det Duarte and I returned to the scene of the incident at [REDACTED], to take additional measurements in the rear alley and to re-interview Lucio Silvas, the owner of the gray Chevrolet truck which had been parked in the alley. The following is a summary of my interview with Lucio and is not verbatim. Please see my BWC footage uploaded as evidence for additional details.

I explained to Lucio that we were getting ready to process the search warrant on his vehicle and wanted to make sure he did not have any personal items of value which may have been taken when his vehicle was burglarized the day before. Lucio stated his cell phone and possibly his friend's wallet were the only items located within the



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front seat area of concern at this point. Lucio stated he was only away from his truck for six or seven minutes when the incident occurred.

I inquired if there were any items within the interior vehicle compartment area such as weapons or knives which we should be aware of and Lucio stated there were some kitchen knives. Lucio then said there was a black toy gun which looked like a 9mm BB gun in the backseat compartment. Lucio thought there may actually be two of these types of toy guns in the backseat area. Lucio stated he acquired these toy guns when he was out scrapping and cleaning out old storage lockers.

When I asked Lucio to further describe this black toy gun, he stated it had a red tip and was situated directly behind the front seat center console on the floor. Lucio went on to say he thought the toy guns were actually Airsoft guns and not BB guns. Lucio also said he thought he had a clear plastic container of the orange round BBs for these airsoft guns inside one of his vehicles but was unclear as to which one it was in.

This concluded my first interview with Lucio Silvas.

### **Impound Ofc Jaen's Duty Equipment**

The following items had been temporarily impounded in temp locker #27 from Ofc Jaen during the ammunition count of his duty weapon and three related magazines and ammunition. These items were subsequently permanently impounded on January 18, 2019 at 0621hrs at the Tempe Police headquarters temp property locker #5, 120 E 5th St, Tempe.

#### Duty Equipment Related TE#, Description, Location Collected

- TE346170-005, Black Glock model 22 .40cal firearm ser#DFW958, located in Ofc Jaen's duty holster
- TE346170-006, (1) Federal S&W .40cal bullet, from Glock 22 chamber
- TE346170-007, (12) Federal S&W .40cal bullets from Glock magazine within the firearm
- TE346170-008, Glock (14) bullet capacity magazine from within the firearm
- TE346170-009, (14) Federal S&W .40cal bullets from the Glock magazine in the #1 mag pouch
- TE346170-011, Glock (14) bullet capacity magazine from the #1 mag pouch
- TE346170-012, (14) Federal S&W .40cal bullets from the Glock magazine in the #2 pouch
- TE346170-013, Glock (14) bullet capacity magazine from the #2 mag pouch

### **Impound of MCOME Autopsy Evidence for Arce**

The following items of the MCOME autopsy for Arce had initially been temporarily impounded in locker #31. On January 18, 2019 at approximately 0621hrs, these listed items were subsequently impounded in locker #5 at the Tempe Police headquarters, 120 E 5th St, Tempe.

#### MCOME Autopsy Evidence Related TE#, Description, Location Collected

- TE346170-001, MCOME Evidence Release form, collected from MCOME autopsy



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- TE346170-002, Blood Blot from (S)Antonio Arce Jr, collected from MCOME autopsy
- TE346170-003, Finger Print card for (S)Antonio Arce Jr, collected from MCOME autopsy
- TE346170-004, Fired Projectile removed from (S)Antonio Arce Jr, collected from MCOME autopsy

### **Offer to Ofc J. Jaen to view his BWC Video**

On January 18, 2019, I contacted Ofc Jaen's attorney, K. Baillie, and explained to her that per our departmental policy with officer involved shooting investigations, Ofc Jaen would be allowed to view his own BWC video and provide a follow-up interview if he so desired. Baillie stated she would pass along the information to Ofc Jaen and let me know if he had any interest in doing so. As of February 13, 2019, I have not received any further contact from Baillie or Ofc Jaen expressing a desire to observe this video and provide a follow-up interview.

### **Providing (S)Antonio Arce Jr's Parents a Review of Ofc Jaen's BWC Video**

On January 18, 2019 at approximately 1430hrs, (S)Antonio Arce Jr's parents, Sandra Gonzalez-Aceves and Antonio Arce Sr, and their attorney, Daniel Ortega, arrived at the Tempe Police headquarters, 120 E 5th St, Tempe, to be shown a redacted portion of the incident from Ofc Jaen's BWC footage which was also going to be shown to the media later that same afternoon during a press release. This redacted footage was shown from the beginning of the incident, through the shooting, and stopped just before Arce's body is shown laying in the street. In the room with us was Lieutenant J. Montenegro, Det G. Duarte, and Maria Gonzalez from CARE 7 victims assistance.

Sandra and Antonio were both advised previously we would only allow the two of them to observe the video from the family and would only be showing the video twice. Upon allowing them to observe the video the first time, Sandra became visibly upset and started screaming at myself and Det Duarte for several minutes until she fell to the floor. I then contacted Tempe Police Dispatch and requested they send TFMR over to assist. While we were waiting for TFMR, I had Antonio turn Sandra from her back to her left side to assist with her breathing. In approximately thirty seconds, Sandra became conscious again and was able to sit upright.

TFMR E276 arrived and began evaluating Sandra. At this time, Antonio and their attorney requested to watch the BWC footage again in a separate room away from Sandra. I proceeded to take them into an adjoining room and showed them the footage a second time. There were no questions asked from Antonio or their attorney after seeing the footage. Sandra was then taken by TFMR to Tempe St Luke's Hospital, 1500 S Mill Ave, Tempe, for further evaluation. See TFMR report #023187 for additional details. See Det Duarte's supplemental report for additional details of this incident as he was translating the conversation with Sandra.

### **Removal of Lucio Silvas' Chevrolet Silverado from Evidence Vehicle Bay #1**

On January 22, 2019 at approximately 1533hrs, All City towing removed Lucio Silvas' gray 1999 Chevrolet Silverado from vehicle evidence bay #1 and relocated it to main secured parking lot at the Tempe Police North Substation, 1855 E Apache Blvd, Tempe. Because the vehicle did not have a right front passenger's side window, we secured the open window with a heavy-duty weather resistant plastic wrap.

### **Ofc Jaen's Taser Download**

On January 24, 2019 at approximately 0920hrs, Ofc Jaen arrived at the Tempe Police headquarters, 120 E 5th St, Tempe and turned over his Taser to me so we could download any recent activity. While there was one report



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in the media stating there was an eyewitness who stated they observed Ofc Jaen deploy his taser at Arce after he had shot him, there is no evidence to suggest this had occurred. I impounded Ofc Jaen's Taser in temp impound locker #24 at approximately 0930hrs.

On January 24, 2019 at approximately 1515hrs, I removed Ofc Jaen's Taser from locker #24 and responded to the Tempe Police South Substation, 8201 S Hardy Dr, Tempe. Upon arrival at approximately 1535hrs, I went over to the Tempe Police Training Unit and contacted Ofc M. Labelle of the training staff. Ofc LaBelle is a certified Taser instructor and qualified to conduct a Taser data download from Tasers potentially involved in use of force incidents.

I turned over Ofc Jaen's Taser to Ofc LaBelle at 1537hrs. After several minutes, Ofc Labelle returned Ofc Jaen's Taser to me along with a printed Taser diagnostic activity report for this Taser covering the dates from August 27, 2017 through January 24, 2019. I looked at the date of this incident on January 15, 2019 and there was no Taser activity for this device on that day. A copy of this Taser diagnostic activity report will be impounded as evidence and attached to this case file.

I secured Ofc Jaen's Taser in a temp evidence locker at the Tempe Police South Substation and left the evidence key in an envelope in Sgt L. Lenzen's mail box to return to Ofc Jaen.

### **2nd Interview with (W)Lucio Silvas by Det M. Jones**

On January 25, 2019 at approximately 1218hrs, I opened the driver's side door to Lucio Silvas' impounded vehicle and retrieved his key chain from the front center console per his request. I had my BWC on as I retrieved his keys from the vehicle and put them into a brown paper bag for him. Lucio had previously requested these keys so that he could operate another vehicle which he owned.

At approximately 1240hrs, I returned to [REDACTED] to return Lucio Silvas' vehicle keys and conducted a second interview to clarify some comments he had expressed to the media the prior weekend. Apparently, Lucio had told the media he had actually entered his vehicle after he was aware there had been a shooting and before being contacted by responding officers. Lucio further stated he had seen both of the airsoft guns still inside of his truck, suggesting that Tempe Police had planted the airsoft gun found on (S)Antonio Arce Jr. The following is a summary of my second interview with Luico Silvas and is not verbatim. Please see my BWC video footage of this interview which I impounded as evidence for addition details.

I first turned over the brown paper bag containing the vehicle keys which Lucio had requested. Lucio looked at them and acknowledged they were the correct keys he was looking for. I then asked Lucio about the comment he made to the media over the prior weekend regarding seeing the two airsoft guns in his back seat just after the shooting had occurred when he walked out to the alley. Lucio stated when he came out of the gate into the alley (from the backyard of [REDACTED]), the two airsoft guns were inside his vehicle. Lucio also mentioned he had told me this during his first interview as well. It should be noted here, I reviewed my first interview with Lucio and at no point does he mention seeing both Airsoft guns inside of his truck after the shooting or actually going inside of the vehicle at that time. However, in my first interview with Lucio he does mention having seen both Airsoft guns in the vehicle before the shooting occurred.

Lucio stated upon pulling into the rear alley and parking his vehicle, he was just returning home from scrapping, closed all the doors to his truck and went into the backyard to the residence at [REDACTED]. Upon hearing the two shots, Lucio said he walked out to the rear alley and observed both of the front doors to his



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vehicle were wide open. It should be mentioned here, when Ofc Jaen takes off running after Arce in the alley, the last frame of the front of the truck shows the front passenger door slightly opened and the front driver's side door in a closed position. A review of the BWC video footage of the first responding officers in the alley show both the front doors in a closed position.

Lucio stated he then went into his truck and observed both airsoft guns but noticed his cell phone was missing. Lucio said he decided to wait next to his vehicle until the police officers arrived. Lucio said after first observed the two front truck doors being open, he asked his friend, Leroy Werito, who also lives at the residence at [REDACTED], if he had opened them and Leroy said, "no." Lucio stated he entered the vehicle through the open passenger side door and was looking for his cell phone. Lucio said when he saw the video on tv, he wondered if it was him in the truck being recorded and not the suspect. Lucio described the second airsoft gun only as being black, no red tip, and no "clip" inserted within it.

Lucio was also interviewed by Det M. Hood at the scene right after he had initially been interviewed by Ofc Pena. During this interview with Det Hood, Lucio stated he stayed next to his truck until the police arrived but never mentions he had seen the front doors of his vehicle in an open position nor that he had entered his vehicle after the shots were fired or had seen the two Airsoft guns in the backseat area.

It should be noted here that while Lucio described there possibly being two black Airsoft guns in the rear passenger area of his truck, only one clear plastic Airsoft gun was located by Det Moreno during the search warrant. The second black Airsoft gun he was referring to is believed to be the one found in possession of (S)Antonio Arce Jr.

This concluded my second interview with Lucio Silvas.

### **Review of Interview with Lucio Silvas by Ofc A. Pena**

On January 29, 2019, I reviewed Ofc A. Pena's BWC video of his interview with Lucio Silvas to determine if Lucio had in fact told Ofc Pena he entered his truck and observed the two Airsoft guns in the back seat after the shooting as he had stated to me in the second interview I had with him on January 25, 2019. At no point during Lucio's interview with Ofc Pena does he mention either entering his truck after the shooting or seeing the two Airsoft guns in the rear passenger compartment. This concluded my review of Ofc Pena's interview with Lucio Silvas.

### **Review of Supplemental Reports**

On January 25, 2019, I reviewed all the supplemental reports which were submitted up to that date.

### **Review of all 911 Calls from the Incident**

Det A. Orr was tasked with reviewing all of the 911 calls related to this investigation. Follow-up was conducted as appropriate with individuals who contacted Tempe Police Dispatch. Please see Det Orr's supplemental report for further details. Copies of these calls were impounded as evidence into evidence.com.

### **Review of Officer BWC video from the Incident**

On February 4, 2019, I reviewed the BWC video footage of the responding officers who had initially contacted Ofc Jaen at 4600 S Fair Ln. The following is a summary of my observations from viewing these videos.



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I started with Ofc A. Cano, Ofc J. Welling, and Ofc D. Lewis' BWC video as they were the first officers to arrive on scene and make contact with Ofc Jaen at where the alley intersected with S Fair Ln adjacent to the residence at 4600 S Fair Ln. Ofc Cano was first check on Ofc Jaen and then took over covering (S)Antonio Arce Jr with her firearm so Ofc Jaen could put his away. Ofc Cano then makes the decision to approach Arce from the alley with Ofc C. Contos. As they both approached, Ofc Cano gave verbal commands to Arce, "Tempe Police don't move."

I observed Arce was wearing a blue short-sleeve t-shirt, black Levi pants, royal blue underwear, a gray Calvin Kline belt, and black tennis shoes. Arce's was lying in a prone position with his head tilted slightly to the left on the south end, while his legs were extended straight out with both of his feet inverted to the inside on the north end. Just under Arce's right rear scapula, I observed a dark red spot of what I believed to be blood on his t-shirt where it appeared he was shot.

Arce's right upper arm was extended south at an upper angle from his right shoulder and was bent at the elbow with his right hand resting against the right side of his head. There appeared to be a metallic colored watch attached to his right wrist. Underneath Arce's right shoulder was what appeared to be a black handgun, later determined to be an Airsoft replica black 1911 handgun with an orange tip . The handle of the gun was extending out from the top of his right shoulder to the inside area of his right wrist and the barrel was pointing out just barely from under his right armpit to the northwest. Arce's left upper arm was extended out 45deg downward from his left shoulder and completely bent at the elbow with his left forearm tucked up under his upper arm towards his left chest area.

I then observed Ofc D. Lewis arrive and check on Ofc Jaen before he handcuffs Arce's hands behind his back while Ofc Cano is stating they need to begin CPR on him. As Ofc Lewis rolled Arce to his left, onto his back, the metallic colored watch fell off of his right wrist in the same area as where the gun was. I was able to observe there was a small clear plastic container with a blue lid filled with small orange balls of some kind on the ground where Arce had been laying. This container was later determined to be airsoft BBs which were also believed to have been taken from the Lucio's gray truck by Arce.

Ofc Lewis continued to provide approximately 150 chest compressions to Arce until he was relieved by Ofc Welling. TFMR E32 and M272 arrived and Ofc Cano unhandcuffed Arce while they continued with life saving measures. See TFMR report #19019213 for addition details of their efforts to save Arce. Once TFMR arrived, Ofc Lewis stood over the evidence of the replica Airsoft gun and plastic bottle of Airsoft BBs left by Arce to maintain their location.

While the TFMR staff were treating Arce, I observed one of them reach into his right front pants pocket and remove what appeared to be a pair of blue/orange earbuds headphones, a silver and black folding knife, and a red lighter, laying them on the street south of Arce. As Arce was loaded into the ambulance, Ofc Cano and Ofc Contos then left the scene in their marked patrol vehicle and followed Arce in the ambulance to the Banner Desert Medical Center.

### **Request for (S)Antonio Arce's medical records from Banner Desert Medical Center**

On February 5, 2019, Det A. Moreno submitted Maricopa County Superior Court search warrant #SW2019026159 to Banner Desert Medical Center, 1400 S Dobson Rd, Mesa to obtain (S)Antonio Arce's medical records. These records will be attached to this case file upon their receipt.

### **Review of Exterior Residential Surveillance Video**



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On February 6, 2019, I reviewed the efforts of Det D. Larson to collect the exterior residential surveillance video from [REDACTED] and from [REDACTED]. Both of these residences were initially identified by Patrol Officers as having surveillance cameras which could potentially have recorded part of the incident.

[REDACTED]  
On January 15, 2019 at approximately 1730hrs, Det Larson responded to this residence and was able to determine that none of the three exterior surveillance cameras would be able to capture any parts of the incidence which had occurred in the alley behind the home. Please see Det Larson's supplemental report for additional details.

[REDACTED]  
On January 17, 2019 at approximately 1700hrs, Det Larson responded to the residence at [REDACTED] and was able to determine that none of the three exterior surveillance cameras would be able to capture which occurred in the alley west of S Fair Ln to include the entry/exit onto S Fair Ln from the alley. Please see Det Larson's supplemental report for additional details.

### **Review of Ofc Jaen's BWC video by Forensic Video Solutions, Inc.**

On January 22, 2019, the Tempe Police Department retained Grant Fredericks, an analyst and with Forensic Video Solutions, Inc, to examine Ofc J. Jaen's BWC footage of this incident.

On February 5, 2019, I received the completed forensic video analysis of Ofc J. Jaen's BWC video conducted by Grant Fredericks. Grant is a certified Forensic Video Analyst with extensive experience in the recovery, scientific examination, and evaluation of recorded video and audio information involving criminal and civil investigations in the United States, Canada, and the United Kingdom.

The completed report was divided into the following six smaller reports containing:

- Frederick's Jaen Report.pdf
- Jaen Emerges from Vehicle.mp4
- Interior of Vehicle\_Stabilized.mp4
- ARCE Runs.mp4
- Shots Fired\_Stabilized.mp4
- Shots Fired.pdf

This report was subsequently impounded as evidence. Please see the attached copy in its entirety for additional information as to Grant's opinions upon the completion of his examination of Ofc Jaen's BWC video.

### **Evidence Submittal to DPS Labs**

On February 12, 2019, Det A. Orr submitted the following items to DPS Labs for further analysis to determine if these fired cartridge casings and fired projectile were fired from Ofc Jaen's duty weapon.

- Ofc Jaen's Glock 22, .40cal duty weapon



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## General Offense Report

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Operational Status: OPEN

- Fired projectile removed from (S)Antonio Arce Jr during the MCOME autopsy
- Fired Cartridge Casing #1 from alley
- Fired Cartridge Casing #2 from alley

See Det Orr's supplemental report for additional details. Upon receipt, the DPS report related to this request will be impounded as evidence.

### **(S)Antonio Arces Jr's Medical Records**

On February 12, 2019, Det A. Moreno responded to the Banner Desert Medical Center, 1400 S Dobson Rd, Mesa, and acquired the medical records for (S)Antonio Arce Jr per the Maricopa County Superior Court subpoena #SW2019-026159, he had previously served to them on February 5, 2019. A copy of these medical records was impounded as evidence and copy was attached to this report. See Det Moreno's supplemental report for additional details.

### **Interview and BWC Audio Transcription**

On February 12, 2019, I received the completed transcribed reports for my interview with Ofc Jaen and the audio of his BWC video. On February 13, 2019, I reviewed both transcriptions and added the appropriate corrections. Both transcription reports were impounded as evidence and copies were attached to this report.

On February 13, 2019, I received the completed transcribed report of the audio portion of Lt. D. Sorenson's "public safety interview" with Ofc Jaen. I reviewed this report and added the appropriate corrections. This report was also impounded as evidence and a copy was attached to this case file.

### **Additional Documents Attached to this Report**

The following copies of documents are also attached to this case file for further reference:

- Banner Health Chain of Custody Form
- Maricopa County Superior Court Search Warrant #SW2019-000713
- Maricopa County Superior Court Search Warrant Return for #SW2019-000713
- TPD Property Inventory Receipts
- TFMR Incident Report #19019213
- Tempe Police Tip report
- MCOME Property Inventory Receipt
- 3511 tow receipt of Chevrolet from the scene to Property Vehicle Bay#1
- TPD Crime Scene Log



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- Ofc J. Jaen's Taser downloads report
- 3511 tow receipt of Chevrolet from property room vehicle bay to impound lot
- Forensic Video Solutions Retainer Agreement
- Forensic Solutions Video Report Analysis
- Maricopa County Superior Court Subpoena #SW2019-026159
- DPS request for Scientific Examination
- Tactical Crime and Intelligence Bulletin email
- Transcribed interview with Ofc Jaen
- Transcribed audio from Ofc Jaen BWC video
- Transcribed "public safety interview" with Ofc Jaen

### **Medical Examiner Results**

On February 13, 2019, I learned that the manner of death of (S)Antonio Arce Jr had been determined by the Maricopa County Medical Examiner's Office. Based upon their examination and findings, Dr A. Maskovyak determined that the manner of death was homicide. At the time of this report, Dr. Maskovyak has not listed a cause of death. A copy of the completed MCOME report will be attached to this case file upon its receipt.

### **Submittal to MCAO for Review**

On February 15, 2019, I submitted this investigation to MCAO for further review. This investigation will remain open and pending until the completion of the MCAO review.

PENDING



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #21

Assigned to: 15301 - ORR, AMY

Assigned on: Jan-24-2019 (Thu.) 621

Capacity: Supplemental

Completed: Yes

Approved on: 02/15/2019

Approved by: AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Feb-07-2019 (Thu.) 1432

#### Notification of incident/ Body Worn Camera footage:

On 01/15/19 at approximately 1455 hours, while at Tempe Police Department Headquarters, 120 E. 5th Street, Tempe, I heard an officer broadcast over the radio at approximately 1455 hours a "998", which is an officer involved shooting. I responded to the area of 4502 S. Fair, Tempe. At approximately 1545 hours, I arrived at Vineyard and 48th Street, Tempe, which was where the command post had been to set up.

A short time after arriving at the command post, Criminal Investigations Supervisor Sergeant H. Penner #15134 handed me a cell phone and body worn camera (BWC). I was advised the body worn camera and cell phone (city issued) belonged to Officer J. Jaen #18337, who was the involved officer. I observed the body worn camera to be turned off.

At 1605 hours, I responded back to Headquarters where I docked (1620 hours) the body worn camera into the docking station. Once the body worn camera light turned green, which indicated the uploading process was complete, I tagged the recording under this general offence number (19-6376) in evidence.com.

I then viewed the footage at my desk so that I could provide preliminary information for evidence collection to Det. Solmen, who was on scene. The footage would later be reviewed in further detail and documented by the case agent, Detective M. Jones #20227.

Upon completion of this, I secured the cell phone and body worn camera in temporary locker #24 at Headquarters. The temporary locker key #24 was later turned over Detective M. Jones. Refer to his supplement for details.

#### Follow up with potential witnesses:

While I was at Headquarters, other Detectives were canvassing the area for possible witnesses. I learned the Police Department received three calls from citizens regarding this incident. Dispatch provided information on the three callers.

One caller was a Kevin Petty [REDACTED] and he lives at [REDACTED] Tempe. Detective G. Gomez interviewed Petty regarding this incident.

Another caller wished to remain anonymous but had called from [REDACTED]. I called this number but did not receive an answer. The voicemail box indicated it was full and I was unable to leave a message. I later learned that Detective B. Sauer #21883 interviewed this subject. Refer to his supplement for complete details.

Finally, the third caller identified themselves as "[REDACTED]" [REDACTED] and wanted to remain anonymous. I called this number and spoke with a male who was very adamant that he wished to remain anonymous and did



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not want to be involved. He declined to provide any identifiable information and did not wish to speak with a Detective in person.

I learned the caller's friend had advised him of a shooting and that there were a lot of police. The caller advised he did not see anything regarding this incident as he left his home at 0400 hours this morning. I learned the caller was not home during the incident and called police around 1530 hours only when he heard about this incident. I asked him what he told the call taker, he stated he told them that he saw a lot of cars and people. The caller advised he did have surveillance cameras, but this was for his family and their protection. The caller advised that "those people" saw cameras installed last week and know he has cameras. The caller did not know what occurred in the alley but referred to people across the street from his home. I asked the caller what he thinks is going on at this home and he indicated besides selling drugs, he is unsure.

Through conversation it was learned the caller was not home during the incident and was not a witness. He was adamant about not being involved and was not willing to provide any of his information. The conversation was recorded on a digital recorder and later uploaded to evidence.com.

It should be noted that Detective O. Lopez #18847 conducted a canvass of the neighborhood in attempts to contact residents who live in the homes surrounding 4502 S. Fair Lane, Tempe. Based on the information he learned from residents in the area he identified a possible address for "██████" and attempts were made by him to contact the residents in person but were unsuccessful. Refer to Detective Lopez's supplement for details. Additionally, I later learned that Detective D. Larson #16719 followed up on the potential video surveillance at the home and it was ruled out.

### **Requested 911 calls/CAD/Radio Traffic-real time:**

On 01/15/19 I placed a request through communications to obtain the 911 calls, the CAD printout and the radio traffic in real time. Once uploaded, the calls would be reviewed and documented.

### **Fire Department report:**

On 01/15/19 I requested a copy of the fire department report #19019213, related to this incident. On 01/16/19 I received the report and impounded a copy at Tempe Police Headquarters, 120 E. 5th Street, and forwarded a copy to records to be attached.

### **Review of calls for service:**

I reviewed the recorded incoming calls to the Police Department pertaining to this incident. The following calls were reviewed and below is a summary of each call the police department received. Refer to the audio recordings for complete details of each call.

*19-6376 01152019 1909 Ph 6821 (5 min and 37 sec)*

A female caller attempting to find out when the street will open. The female did not provide any details of the incident nor indicate she was a witness.

*19-6376 01152019 1438 PH 6821 (2 min and 3 sec)*



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A male caller advises of a break-in occurring in the neighborhood. Furthermore, the caller noted a truck backed up to a backyard and he stated it looks like they are taking stuff out of the backyard. The address of 4502 S. Fair Lane is provided by the caller. The male notes, "they are in the alley behind the house". The caller tells the call taker that his house was "robbed" last week so he is suspicious. The caller describes the truck as a grey Chevy Silverado. When asked how many people, the male states "two". The caller advises he wants to remain anonymous. The caller describes the people as "white" or "Mexican". The caller further describes the people as being "light skinned", but then notes he can not tell. The caller advised he did not see the color of clothing. He then noted he heard some noises and saw "stuff" in the back of the truck. The caller requests that an officer check it out and this concluded the call.

*19-6376 01152019 1457 Ph 6805 (1 min and 14 sec)*

A male caller advises there is a man lying in the street and he has been shot. The male caller states, "he has a gun" and provides an address of [REDACTED]. The male indicates he heard gun shots and saw him running down the alley. The caller stated he ran to the front door, looked out, and he fell to the ground. The caller notes he's out there moaning. The call taker advises him that officers are out there.

The caller identifies himself as Kevin Petty who is later interviewed in further detail by Detective G. Gomez #20110.

*19-6376 01152019 1455 Ph 6820 (19 sec)*

A male caller advises he just heard gun shots at 4526 S. Fair Lane. The call taker advises the caller to stay in the house and he responds, "Oh, it's the police" and that he sees the police. That concluded the call and no identifiable information is obtained from the caller.

*19-6376 01152019 1605 Ph 6805 (3 min 36 sec)*

A male caller identifies himself only as "[REDACTED]" and that he is calling due to being told there are a lot of cops out front his house. He notes an address of [REDACTED] or [REDACTED], there are a lot of police. The caller is advised that police are working an incident. The caller advises his house is on the front of that property. The caller advises he does not wish to be involved and is not home. The caller did not provide any details of the incident.

*CFS 19-6537 01152019 2159 PH 6812 (15 min 25 sec)*

The female caller speaks Spanish and a Spanish interpreter is utilized. Through the interpreter the female advises she wants to report that she has a fourteen-year-old, she arrived home at one, and he has not arrived. The female indicated that he never does this and always tells her where he is at. When asked if she thinks he ran away, the female states she does not and noted that he is just a little of a trouble maker. The address provided by the caller is [REDACTED]. The caller advises that he was last seen at home when she left for work. The caller noted he is not going to school as there is a pending case. He goes to the area of 48th & Southern, but she and her older son had already gone to that area but did not see him. He was last seen at 0800 hours when the caller left for work. The caller identified this subject as Antonio Arce, first noting his date of birth of [REDACTED]. The caller later clarifies that Antonio's date of birth is [REDACTED]. The caller described him as having a nervous tick. Furthermore, she stated that if he were to see the police, he would get nervous.



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Additionally, if the police tell him to stop, he would not stop due to being nervous. The caller indicates she has family members on 48th and they have not seen him. The caller tried calling Antonio's phone and described it as off, then sounded like he turned it on, and then turned it off again. Antonio is described as skinny, male, black hair, and wearing unknown clothing. The caller indicates Antonio's cell phone number to be 480-930-8769. Antonio does not have any scars, marks or tattoos. The caller identifies herself as Sandra Gonzalez and gives a telephone number of [REDACTED]. Sandra is advised an officer will be sent out to speak with her.

This concluded my involvement in this incident. Refer to the original report and all supplemental reports for complete details of the entire investigation.

\*\*\*Pending\*\*\*



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## General Offense Report

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Operational Status: OPEN

### Follow Up Report #22

Assigned to:20822 - MORENO, ALEXANDER

Assigned on: Feb-06-2019 (Wed.) 839

Capacity:Secondary Investigator

Completed:Yes

Approved on:02/15/2019

Approved by:AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Feb-06-2019 (Wed.)

#### *Debrief of the Investigation Thus Far and Assignments*

On 01/16/19 at 1500 hours I attended a briefing regarding an Officer Involved Shooting incident that occurred on 01/15/19. During this briefing I learned the details of the investigation thus far and was tasked with the following assignments. A search warrant (#SW2019-000713) was drafted for a Chevrolet Silverado which was currently at the Tempe Police Property Facility vehicle bay. I was asked to assist with the execution of this warrant.

I was also asked to draft a court order requesting medical records for Antonio Arce who had been transported to the Banner Desert Medical Center where he was treated and ultimately pronounced deceased.

#### *Execution and Return of Search Warrant SW2019-000713*

On 01/17/19 I assisted with the execution of search warrant #SW2019-000713. See Detective Duarte's supplemental report for details of the search of the Chevrolet Silverado.

At approximately 1530 hours on 01/17/19 I returned the search warrant to the Honorable U.S. Laing and subsequently impounded the search warrant return and the property receipt.

#### *Court Order (SW2019026159) for Antonio Arce's Medical Records from Banner Desert Medical Center*

On 02/05/19 I drafted a Court Order for Antonio's medical records.

On 02/05/19 at approximately 1415 hours the Honorable Kissel signed the court order which was assigned number SW2019026159.

On 02/05/19 at approximately 1450 hours proceeded to Banner Desert Medical Center, 1400 S. Dobson Rd., Mesa, and gave Jacob Low (Health Information Management Technician) a copy of the court order to be processed.

Jacob was provided my business card and stated he would contact me when the records were ready to be collected.

On 02/12/19 I returned to the Banner Desert Medical Center Records Department and retrieved a copy of the records, along with a notarized Affidavit for Provider Release of Information.

A copy was subsequently impounded and attached to this report.

\*\*\* PENDING \*\*\*



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GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #23

Assigned to: 21884 - SOLMEN, MICHELLE

Assigned on: Feb-06-2019 (Wed.) 1326

Capacity: Supplemental

Completed: Yes

Approved on: 02/15/2019

Approved by: AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Feb-07-2019 (Thu.)

#### Notification:

On 01-15-2019, while working as a Homicide Detective at Tempe Police Headquarters building, I became aware of this call for service after it was reported over the radio traffic at approximately 1455 hours. At approximately 1550 hours, I responded to the briefing area, located at the Northeast corner of 48th St. and Vineyard Rd.

#### Briefing and Initial Arrival:

When I arrived, Phoenix Police marked patrol vehicles had assisted with restricting traffic on the roadway on 48th St. by only allowing minimal local traffic to use the roadway from Southern Ave. The intersection at Vineyard Rd. East of 48th St. was restricted to all traffic and pedestrians by Tempe Police marked vehicles, crime scene tape and uniformed officers standing by the cordoned area.

Detective Sergeant A. Akey #17902, Detective Duarte #14995, Detective M. Jones #20227, and I were present for the briefing during which it was explained that Officer Jaen had been involved in a shooting in the alley West of Fair Ln. Detective M. Jones was identified as the case agent for this incident and Detective Duarte and I assisted with processing evidence at the scene. Please see Detective Jones' narrative for further details.

#### Scene Investigation:

On 01-15-2019, at approximately 1432 hours, Forensic Services Unit Technician M. Beach #24159 and I began a walk through of the scene. FSU Tech Beach assisted with taking photographs during this investigation. On this afternoon, the weather was cloudy and the sun was obstructed by clouds, while a rain storm was moving toward the area of the scene. It was not raining initially when we entered the scene.

The alley where this incident occurred was an "L" shape with the length of the alley running North and South and the South end of the alley turned to the East. The alley was opened on the North side to Vineyard Rd. and on the East side to Fair Ln. There were no alternate exits for the alley. The alley was set on the both sides by residential backyards. The backyards had different fence materials for each residence, including cinderblock walls, wooden fences, and chain-link fences, in various conditions.

The alley path appeared to be composed of packed dirt and gravel and had uneven levels throughout. There were large black garbage containers posted in the alley utilized by the residents for trash removal. Both sides of the alley had various weeds, grass and overgrowth, as well as trash, broken materials, and other discarded items. This was a consistent condition throughout the length of the alleyway. The alley was wide enough for one vehicle to adequately pass through.



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There were 10 residential houses on Fair Ln. which had their rear residential yards as the East wall of the alley. The residence which was at the end of the North-South portion of the alley, identified as 4526 S. Fair Ln., had both the property's West and South residential yard walls against the alley. The residence at 4526 S. Fair Ln. was the location after which the alley turned from North-South to East-West and exited to Fair Ln. to the South of that residence.

From the North end of the alley, the rear of a marked Tempe Police Patrol Tahoe was visibly parked several house lengths South in the alley. The vehicle was a fully marked Tempe Police Tahoe, vehicle #745. The Tahoe was parked facing South in the alley. The doors were later found to be unlocked. The engine was still running and the MDT patrol laptop was opened to the suspicious vehicle call for service, visible from the driver's window of the patrol vehicle. The patrol Tahoe was identified as being parked West of 4426 S. Fair Ln.

South of the marked Tempe Police patrol vehicle, a gray colored Chevrolet Silverado pickup truck bearing license plate, AZ: [REDACTED]. This vehicle appeared to have wearing on the hood of the vehicle and numerous scratches, abrasions, and damage around the body of the vehicle creating lighter shades of color from paint damage. The pickup truck was parked facing North in the alley. The vehicle's engine was off.

The driver's side door of the pickup truck was slightly ajar. The passenger side window of the pickup truck was down. There was a written notice across the passenger side of the windshield, which stated,

"28220 DPS Arrest 30 Day 11/29/18 RR D.S.". This was in large white print from the top to the bottom of the windshield. The rear bed of the pickup truck was positioned near the backyard gate access into the alley for the residence of 4502 S. Fair Ln. The gate was located on the North portion of the fence of 4502 S. Fair Ln. The gate was closed during the investigation.

There were several items of various property, including metal, vehicle tires, beer cans, and trash bags in the bed of the truck. The rear window of the pickup truck had been covered with a plastic wrap material and clear tape since the glass of the window was not present. The interior passenger compartment of the vehicle also appeared to have several miscellaneous materials and items packed inside. The contents of the pickup truck were observed from outside of the vehicle in the alley.

The alley continued South for approximately four more house lengths. The Southern wall of the alley was a yellowed cinderblock material. This was later confirmed to be the wall for the residence at 4600 S. Fair Ln. This was the Southern wall of the alley where it alternated to the Eastern direction. The alley exited to Fair Ln. There was a marked Tempe Police patrol vehicle blocking the roadway on the North side of the alley and another marked Tempe Police patrol vehicle blocking the South roadway. Crime scene tape had been extended South near the intersection of Carter Dr. and Fair Ln.

There was a sidewalk that extended across the alley and continued South in front of 4600 S. Fair Ln. The alley wall ended at the sidewalk which was parallel to Fair Ln. roadway. From the end of the fence, toward the South there were multiple items on the ground where Officer D. Lewis was standing by as security. A black handgun was noted on the rolled curb. When examined, an orange tip extending from the handgun was identified. In the depression of the sidewalk, prior to the point where it converged with the roadway, a plastic container of orange pellets was located.



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At the grass of the yard at 4600 S. Fair Ln. next to the sidewalk, a dark colored wrist watch was identified. This was located West of the gun and pellets. South and East of the sidewalk, laying on the asphalt roadway, there was a silver folded knife, blue earbud headphones and a red lighter laying together. East of the pellet and handgun, further onto the asphalt roadway, there was a dark blue colored cloth, which appeared to be a shirt. A small area of a red stain on the asphalt was identified between the sidewalk items and clothing on the roadway.

Officer Lewis, who was standing by, confirmed that the red stain was the location from which the male subject had been when treated by responding Fire Department paramedics. At this time, it began to start raining. In order to attempt to preserve the evidence on scene, I returned to Detective Duarte's vehicle parked at the briefing location to obtain a 10x10 pop-up canopy to attempt to limit rain on the scene on the roadway. While I was getting this item to cover the scene, FSU Technician Beach assisted Detective Hood #23692 who advised that a tablet was laying outside in a yard of a residence on Fair Ln. which needed to be collected before it was damaged by rain. Please see Detective Hood's supplement for further information regarding that item. I placed the canopy over the scene on the roadway.

I contacted Detective A. Orr #15301 over the phone, as she had collected Officer Jaen's body worn camera from the scene and returned it to Tempe Police Headquarters to upload the video on the device to Evidence.com. I advised Detective Orr that it was starting to rain on scene, which was all outdoors and exposed to the elements, and requested her assistance reviewing the BWC footage to attempt to identify where further evidence may be located.

Detective Orr explained that it appeared from the BWC footage that Officer Jaen fired two times from his duty firearm near the area of the rear bed of the pickup truck in a Southern direction after passing the vehicle on the driver's side. A more thorough search of the West portion of the alley next to the pickup truck was conducted by Detective Duarte and I. One discharged cartridge case was located South of the rear of the pickup truck near the West wall of the alley.

Further searching of that area located a second discharged cartridge case near the area of the rear driver's side tire of the pickup truck near the West wall of the alley. Both discharged cartridge casings were located in an area with several grown weeds.

Placards were placed and the items documented were photographed again and identified as follows:

- 1) Fired cartridge casing from alley
- 2) Fired cartridge casing from alley
- 3) Black handgun with orange barrel tip from sidewalk
- 4) Plastic container of orange UKARMS 6mm BBs with blue lid from sidewalk gutter
- 5) Lighter, earbuds, and folding knife from Fair Ln. roadway
- 6) Dark blue clothing from Fair Ln. roadway
- 7) Dark colored wristwatch from 4600 S. Fair Ln. yard/sidewalk area

The rain was increasing after the placards were placed and due to the concern for the evidence being damaged or contaminated by further exposure to the heavy rain, new bags and containers to collect the items of evidence were obtained. I utilized new gloves to collect the evidentiary items in different individual packages. The items of evidence from the roadway scene were collected since a canopy appeared to be offering little protection over that location as the rain intensity increased.



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When FSU technician Beach and I returned to collect the evidence from the roadway, all of the items had been in contact with the rain, which was heavy at that time. It was noted that the plastic container of BBs (item #4) and the placard (4) had drifted approximately five feet further North in the sidewalk gutter, after being pushed by flowing water from the rain. The other items appeared to be in their same locations. FSU Technician Beach assisted with obtaining DNA swabs from the stain on the roadway. Officer Lewis stated that Detective Gomez had also taken swabs as well prior to the heavy rain. Due to the rain, I collected the packaged swab from FSU Technician Beach to be impounded.

The cartridge casings from the alley were collected and verified to be Federal .40 caliber S&W brand which was consistent with department-issued ammunition. The items of evidence were collected and placed inside the police command van vehicle, where they were secured. The placards indicating the location of the scene evidence were left in place until the conclusion of the investigation to assist VCU Detectives with obtaining measurements of the location of scene evidence for a subsequent diagram. Since placard #4 had moved in the rain, the placard was left in place where it came to rest during the investigation and I pointed out to VCU Detective J. Guzman the approximate area where item #4 (BB container and placard) had been located initially. Both locations were subsequently indicated on the diagram.

Detective Duarte assisted with further canvassing the alley and located a defect on the Southern cinderblock wall which appeared consistent with a projectile which may have struck this location. Detective Duarte assisted with obtaining measurements related to this incident. Please see his supplement for further details.

Prior to removing the patrol vehicle and the Chevrolet Silverado pickup truck, FSU Technician Beach took photographs of the patrol vehicle interior and exterior. Photographs of the exterior and interior only at the open window of the Silverado pickup truck were taken on scene since it was being removed to further process during the execution of a search warrant.

Detective Hood assisted with driving the patrol vehicle #745 from the alley to the Apache Police Station secured parking lot at 1855 E. Apache Blvd. in Tempe. Detective Hood followed the pickup truck, which was towed from the scene by Towing Professionals to the secured vehicle bay at the Apache Police Station. Please see Detective Hood's supplement for complete details.

At approximately 1950 hours, Detective J. Guzman #20782 from Tempe Police Vehicular Crimes Unit arrived at the scene to assist with diagraming the area of this incident. I provided Detective Guzman and Detective H. Schwenckert #22034 with a walk-through to describe the evidence located during the investigation and a brief description of the incident. Please refer to Detective J. Guzman's supplement for further details. Detective Duarte remained on scene until this portion of the investigation was completed.

At approximately 2045 hours, I collected the evidence still secured inside the Tempe Police command vehicle and transported the items to Tempe Police Apache Station Property Room. I secured the items in Apache temporary impound locker #206. The dark blue clothing item (#6) from the scene was still wet from the rain, so Property Room Employee E. Baca assisted with access to the drying room cabinet where the item could be hung to dry. At approximately 2100 hours, I placed the item in secure drying cabinet #1. When I hung up the item, I was able to confirm that the clothing item was a t-shirt.



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I collected the temporary locker key for #206 with the scene evidence and the drying room key for cabinet #1. I returned to Tempe Police Headquarters where I met with Detective Hood. He confirmed that when he had impounded the vehicle in the secure vehicle bay, he had found that Detective O'Brien had utilized the room for drying the clothing from the hospital scene. Since the clothing appeared to be dry, Detective Hood secured it in temporary locker #214 at Tempe Police Apache Station. Detective O'Brien had utilized temporary locker #212 at Tempe Police Apache Station for evidence from the hospital.

Detective Hood provided me with the keys to temporary lockers #212 and #214 with the secured vehicle bay key where the pickup truck had been placed. I secured those keys with key #206 and drying room key #1 inside a secured locker at my desk inside Tempe Police Headquarters.

### **Evidence Review and Impounding:**

On 01-16-2019, at approximately 1700 hours, I responded to Tempe Police Department Apache Property room to impound evidence collected from this incident. I utilized the key that Detective Hood #23692 had provided me for Temporary Lockers #212 and #214 which contained the clothing from the hospital. The evidence that I collected from the scene had been impounded in Temporary Locker #206.

The items from locker #206 were removed and I took photographs of the items individually before they were packaged and sealed as evidence. Detective Moreno responded to assist with generating property tags for the items.

The handgun recovered was identified as a black 1911 replica which had the safety device in the lowered position so that the weapon could be fired. There was a single magazine in the handgun, but no pellets were loaded. The serial number was #162013155161 13FV. The warning on the left side of the barrel was engraved and in the black plastic. When examined, it stated: "WARNING: not a toy. Wear eye protection to prevent serious injury to the eye. Before using, read owner's manual available from crosman corp. Bloomfield NY 14469 US.

The handgun indicated that it utilized caliber 6mm BBs. The right side of the barrel had faded green text which appeared to read "Z311 ZombieEztermintaor". This text was faded and difficult to read in the well-lit conditions of the property room. There was an orange top extended from the barrel of the weapon approximately 0.25 of an inch.

The BBs were confirmed to be UKARMS 6mm BBs and it listed that there were 2000 pieces on the container's label. The container was not sealed and it appeared that several of the BBs had already been removed for use. The label on the container was worn and the container was bent in the center, indicating that it was not a newly purchased item.

The wristwatch was identified as a U.S. POLO ASSN. watch with black and silver metal band. The engraving on the back identified it as "SR626SW Stainless Steel USC24-7 0918". There was no face on the watch and the back and front appeared to have damage. The band was in one piece and it did not appear to have broken off. The red lighter, blue earbuds and silver folding knife were photographed again as well. The photographs of the items prior to being sealed as evidence in the property room were uploaded to Evidence.com. I looked at the shirt in the drying room cabinet and it did not appear to be dry, so it was not impounded on that date to allow more time in the drying room. The items collected from the scene #1-7 were impounded at Tempe Apache



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Operational Status: OPEN

Station with the drying room key (#8) which contained item #6. I impounded the DNA swab collected by FSU Technician Beach at the scene (#9) as well.

After those items were impounded, I unlocked temporary lockers #212 and #214 which had contained the clothing and property from the hospital scene. I took photographs of the items prior to packaging them and sealing the items as evidence. New paper was placed under the items to protect the items as they were removed and photographed inside of the property impound area. I changed gloves between handling and photographing each item.

The following items were impounded:

- 1) Dark blue Michael Adams boxers with red stain on the waistband. These boxers were cut, consistent with removal of the clothing during medical intervention procedures
- 2) Royal blue Champion brand XL shorts with red stain near the waistband and back. These shorts were cut, consistent with removal of the clothing during medical intervention procedures
- 3) Black Levi (33W 32L) shorts with dark stain on rear waistband area. These shorts were cut, consistent with removal of the clothing during medical intervention
- 4) Black with muted "CK" emblems on front, and gray on the back, Calvin Klein belt (34) with CK buckle still engaged on the belt. This belt was cut approximately 31 inches from the starting point of the belt with the attached buckle. There was a red stain on the belt between approximately 13-18 inches and other spots which appeared to be consistent with blood on the belt. The belt appeared to have been cut during medical intervention as well.
- 5) Black Nike Jordan shoe (size 8.5 Men's) -right -appeared to have small pebbles and were dirty on the sole of the shoe
- 6) Black Hanes sock
- 7) Black Hanes sock
- 8) Black Nike Jordan shoe (size 8.5 Men's) -left- appeared to have mud and small rocks on the sole of the shoe, especially near the outer heel
- 9) Silver folding knife with "Smith&Wesson S.W.A.T. First Millennium Run" printed on the left side of the blade. There appeared to be dirt and wear on the upper portion of the blade
- 10) One dollar and one quarter
- 11) A clear container with an orange cap which contained a yellow colored men's chain necklace. The chain was approximately 25.5 inches long. There did not appear to be damage to the chain. There were sections of tarnished coloring which appeared reddish in color. Photographs of the segments that were a different color were taken prior to being placed back into the container and impounded.

On 01-17-2019, at approximately 1000 hours, I returned to Tempe Police Apache Station property room and removed the shirt (scene #6) from the secured drying cabinet with the assistance of Property Employee Baca, who provided the previously impounded key and access to the room. I placed down new paper to protect the shirt while it was being photographed prior to impound.

The shirt was identified as a dark blue Hollister brand shirt with a colored emblem on the front which had a diamond shape and a seagull image in the center. The shirt had been cut by paramedics who had responded to the scene. The back right portion of the shirt had a dark colored stain and gravel was still on the back of the shirt. There was a small defect in the shirt where and the stain was around that defect. On the interior of the shirt, near



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the defect area, it appeared that there was biological matter still on the shirt. The shirt and the paper used during the photographing were sealed and packaged, then impounded. Photographs were uploaded to Evidence.com

### **Chevy Silverado Warrant Assistance:**

-  
Detective Duarte #14995 and Detective Moreno #20822 were assigned to process the Chevrolet pickup truck related to this incident. I provided Detective Duarte with the key to the vehicle bay so that they could begin the service of the search warrant related to the vehicle.

When I had completed impounding the shirt from the drying room, I waited outside of the Tempe Police secured vehicle bay for Detective Duarte and Detective Moreno to arrive. When they arrived, Detective Duarte unlocked the secured vehicle bay P135 to initiate the execution of the search warrant. I assisted with scribing the items that were relayed to me by Detective Duarte and Detective Moreno as they conducted the search of the vehicle.

At the conclusion, I turned over those receipts to Detective Moreno. This concluded my involvement at that time.

**\*\*Pending\*\***



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GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #24

Assigned to:14995 - DUARTE, GREGORY Z

Assigned on: Feb-07-2019 (Thu.) 1107

Capacity:Supplemental

Completed:Yes

Approved on:02/15/2019

Approved by:AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Feb-07-2019 (Thu.) 1531

#### Notification/Briefing

On 01/15/19 at 1530 hours I responded to the area of Vineyard Road and 48th Street in Tempe reference an Officer Involved Shooting that had just occurred in the alley west of 4502 S. Fair Lane. Upon my arrival at approximately 1600 hours, I set up a Criminal Investigations Command/Briefing area in the parking lot on the northeast corner of 48th Street and Vineyard Road where we briefed regarding the incident and follow up investigation. I utilized my Department issued vehicle's white board to log information and detective assignments.

During this briefing I learned the following:

Tempe Police Patrol Officer J. Jaen #18337 responded to the alley west of 4502 S. Fair Lane reference a Call for Service (CFS) of a Suspicious Vehicle in the alley. When he arrived, he challenged a subject and a shooting occurred shortly afterward. For complete details on the briefing, refer to Tempe Police Detective M. Jones' report.

#### Tasks/Assignments

Detective M. Solmen and I were tasked with investigating and processing the scene; she documented the scene and evidence items that were collected, and I documented vehicle locations and measurements. Due to the inclement weather, Detective Solmen and I put up a portable canopy over the suspects final resting location in order to keep evidentiary items from getting wet, however, it had already started raining prior to doing this and the rain water draining into and on the street did cause the items to get wet.

#### Scene

At approximately 1631 hours, Detective Solmen, FSU Tech M. Beach, and I conducted a walk-through of the scene while FSU Tech Beach documented the scene with photographs. See FSU Tech Beach's supplement for details.

The scene area consisted of the north-south alley in the 4400 and 4500 Block of S. Fair Lane in Tempe. The majority of the alley runs north and south beginning at Vineyard Road then east-west at the south end where it makes a 90 degree turn, running east-west, coming out onto Fair Lane. The alley is bordered on the east and west sides by backyard fencing of assorted materials but mostly wood slat fences with some cement block fences mixed in.



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The gray vehicle, identified as a 1999 Chevrolet Silverado pickup truck bearing Arizona license plate [REDACTED], was parked facing northbound in the alley, partially behind the north side of 4502 S. Fair Lane and the south side of 4426 S. Fair Lane. Officer Jaen's marked Police Patrol Vehicle, vehicle #745 (Chevrolet Tahoe), was parked facing southbound in the alley behind 4426 S. Fair Lane. The front ends of the two vehicles were approximately 26 feet apart. I marked the tire/axle locations in the dirt of the alley for each of the vehicles. Photos were taken of the markings prior to the vehicles being moved. Officer Guzman utilized these marking for his measurement's of the vehicle locations.

Note: The rear passenger's side tire on the Silverado was visibly low, almost flat.

I located a defect in the north alley wall of 4600 S. Fair Lane. This defect appeared to be consistent with a possible bullet strike. The defect was at the bottom edge of the top row of concrete block and broke the surface of the block but did not penetrate enough to create a secondary impact point for a trajectory rod. The defect had an irregular, almost triangular shape of approximately 2 inches for height and width. It appeared fresh; no dirt or debris was seen in the defect. Refer to photos for details.

For details of the items identified as evidence in the alley and at the location of the suspects final resting location, refer to Detective Solmen's supplement.

**\*\*\*\*\*The following scene measurements are approximate and measured by me using hand held tape measuring devices.\*\*\*\*\***

- 657 ft -N-S Alley Length (South Lateral Curb Line of W. Vineyard to North Black Wall of 4600 S. Fair Lane. Confirmed by Officer J. Guzman)
- 124 ft -E-W Alley Length (East Wall of 4523 S. 48th Street to West Lateral Curb Line of S. Fair Lane. Confirmed by Officer J. Guzman)
- 15.5 ft -N-S Alley Width (Confirmed By Officer J. Guzman)
- 17 ft -E-W Alley Width (Confirmed by Officer J. Guzman)
- 114.5 ft -Officer Jaen's Position to Suspect Location at time when first gunshot is heard on BWC. The second gunshot is heard shortly after the first as the suspect continued to run southbound.
- 319.5 ft -Officer Jaen's Position at the rear and west side of the Silverado to Defect in North Wall of 4600 S. Fair Lane
- 6 ft -Height of Block North Wall of 4600 S. Fair Lane



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- 9 in -Location of Defect from Top of North Wall of 4600 S. Fair Lane
- 14.5 ft -Location of Defect from East Wall of 4523 S. 48th Street
- 21 ft -Location of Suspect Point of Final Rest to South Edge of Alley Entrance on Fair Lane  
(Confirmed by Officer J. Guzman)

To determine whether the defect I located in the north alley wall of 4600 S. Fair Lane was consistent with Officer Jaen's approximate location, FSU Tech Beach and I mounted a trajectory rod and laser onto her camera tripod at Officer Jaen's estimated position. The camera platform where I mounted the rod was approximately 55 inches from the alley ground. This was the max height I could mount it with the equipment we had available. I took photos of the mounted rod and laser with my Department issued iPhone and uploaded the photos to Evidence.com.

FSU Tech Beach and I were able to adjust the rod/laser with very little effort at that location and able to line it up with the defect. The defect and Officer Jaen's position were in line with one another and the defect appeared consistent with being a bullet strike; however, no projectile was located in the wall or in the alley area of the defect. FSU Tech Beach was able to take photos of the laser's beam from her camera as it was mounted above the trajectory rod and laser, showing the beam all the way to the defect on the wall. Although this was done to show the defect was consistent with being from one of the 2 shots fired, the position of the laser also lined up with the approximate location of the suspect when he was struck. These positions, Officer Jaen's and the suspects, were determined after having viewed the incident from Officer Jaen's Body Worn Camera (BWC).

Note: The trajectory rod and laser were utilized for demonstrative purposes only; the necessary input was not present to do proper trajectory angles and measurements. The defect I located in the block wall was a possible bullet strike. Evidence to show that was a bullet impact could not be located and a chemical test was not performed; cinder block is not conducive to the testing.

While FSU Tech Beach and I were examining the scene for possible trajectory, Officer Jaen's vehicle was transported to the Tempe Police Substation, 1855 E. Apache Blvd., Tempe. The gray Silverado was towed to the Tempe Police Property Facility, 1875 E. Apache Blvd., Tempe where it was placed in secured vehicle bay P135 until I was able to serve a search warrant on it on 01/17/19.

### Next of Kin (NOK)

Notification at [REDACTED]

On 01/15/19 at approximately 2355 hours, I met with Detective M. Jones, Patrol Officer A. Espinoza #19239, and CARE 7 at [REDACTED], Tempe to make the Next of Kin (NOK) notification. I learned that Officer Espinoza had been there talking to the family who had been wanting to report 14 year old Antonio Arce as missing.



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We proceeded to the apartment and as we were walking towards it, Antonio's mother, identified as Sandra Gonzalez-Aceves, was out on the walkway in front of her apartment and immediately reacted, becoming emotionally upset. She plead with Officer Espinoza, who had built a rapport with her, to assure her that Antonio was okay. When he told her that he was not, that he had passed away, she fainted. We had Tempe Fire/Medical Rescue respond. We were advised by her other son that she had untreated diabetes. Paramedics responded and treated her, finding her blood sugar elevated but she refused to go to the hospital.

Most of our contact with Ms. Gonzalez-Aceves was her voicing her denial and wanting reassurance that Antonio was okay and unharmed. I told her I could not tell her that. At one point, I was able to explain that what we knew at that point, that an Officer responded to a call of a suspicious vehicle, he saw a subject in a vehicle in the alley, that subject ran and the Officer saw a gun in his hands and perceived a threat and shots were fired resulting in his death.

They wanted to know why they had not been informed earlier. I explained that it took us all day to figure out his identity.

The notification was captured on Detective Jones BWC.

### **Meeting with Mr. Arce @ Tempe Police Headquarters, 120 E. 5th Street, Tempe**

On 01/17/19 Detective Jones and I met with Juan Antonio Arce, Antonio's father, at the Tempe Police Headquarters. He had 2 family member's with him, his brother and sister in-law. Detective Jones and I spoke to him in Interview Room A, which is audio and video recorded. Detective Jones and I explained an Officer responded to a call of a suspicious vehicle, he saw a subject in the vehicle in the alley, that subject ran and the Officer saw a gun in his hands and perceived a threat and shots were fired resulting in his death. He had questions regarding Officers responding, specifically delayed responses including Officer Jaen's response and providing aid and whether CPR was done. I explained some officer tactics and concerns in situations like this. I spoke in generalities and not specific to this situation since I was not present.

Mr. Arce became upset with us, telling us that we did not know what we were doing and he and his family got up and walked out.

Our meeting was audio and video recorded on the Interview Room A's equipment.

### **BWC Showing with Next of Kin @ Tempe Police Headquarters, 120 E. 5th Street, Tempe**

On 01/18/19 at approximately 1430 hours, Detective Jones, Lt. J. Montenegro, and I along with CARE 7 Victim's Advocate Maria Gonzalez, met with Juan Antonio Arce and Sandra Gonzalez-Aceves at the Tempe Police Headquarters. They had numerous family members and their attorney accompanying them. This meeting had been facilitated to show them a redacted version of the BWC footage. After some discussion about who could come in to watch, Mr. Arce and Ms. Gonzalez-Aceves along with their attorney were brought into a conference room to be able to view the footage.

Prior to viewing, I explained in Spanish the video would be shown to them twice and we would not be taking any questions. They acknowledged they understood.



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Detective Jones played the video for them once.

Ms. Gonzalez-Aceves became upset and began yelling at me in Spanish to find justice for her son. She pleaded with me, asking if I was a parent, whether I was a Just man, and to find justice for Antonio. This went on for several minutes then she fell onto the floor as it she passed out. She did not appear to have fainted due to her still quietly mouthing some words. We had paramedics respond and treat her. She ultimately ended up being transported to the hospital for further evaluation.

While paramedics were treating her, Mr. Arce and their attorney requested to see the video again, without Ms. Gonzalez-Aceves, so Detective Jones and I took them into another room and showed it to them for the second time.

After viewing it, we went back into the conference room where paramedics were still treating Ms. Gonzalez-Aceves, who was refusing to go to the hospital. Mr. Arce talked her into going so she was transported. Mr. Arce and his family left to the hospital to accompany her.

Out meeting was captured on my BWC and uploaded to Evidence.com

### **1999 Silverado Search Warrant Service @ 1875 E. Apache Blvd.**

On 01/17/19 at approximately 1055 hours, Tempe Police Detective A. Moreno and I served Maricopa County Superior Court Search Warrant #SW2019-000713 on the gray 1999 Chevrolet Silverado. Detective Solmen assisted by scribing for me and FSU Tech G. Ramos assisted by taking swab samples and photographs of the service.

The gray Silverado was of poor condition appearance wise. It had a flat rear passenger's side tire, the paint was faded and chipping, the interior was dirty, and there were excessive amounts of scrap metal and other objects and items inside of the cab and bed of the truck including a pack of raw chicken in the backseat area.

I identified and labeled 4 areas as A-D of where I wanted swab samples taken from:

- A) The exterior edge of the front passenger's at the top edge of the door panel
- B) The grab handle above the glove box
- C) The front interior passenger's door handle
- D) The top of the center console

FSU Ramos took photos, collected those 4 samples and impounded them into evidence. See his supplement for details.

After the swab samples were taken, Detective Moreno and I searched the vehicle. Detective Moreno located a clear plastic air soft pistol in the pocket at the rear of the front passenger's seat. The pistol was a replica of a Sig Sauer P230 but was clear plastic material. The metal hammer and metal magazine could be seen through the plastic. The pistol was photographed, collected, and impounded as evidence.



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No other items of evidentiary value were found inside the vehicle.

Copies of the search warrant and receipts for items were left inside of the vehicle and the bay was secured until the vehicle was moved from there at a later date by Detective M. Jones.

That concluded my involvement in this incident.

\*\*\*\*\*Pending\*\*\*\*\*



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## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #25

Assigned to: 20782 - GUZMAN, JAIME

Assigned on: Feb-07-2019 (Thu.) 1734

Capacity: Supplemental

Completed: No

Approved on:

Approved by:

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Feb-07-2019 (Thu.)

\*\*\*NO BODY WORN CAMERA FOOTAGE\*\*\*

On 01/15/19 at approximately 1456 hours, I responded to a report of an Officer Involved Shooting near 4502 S Fair Lane in Tempe, AZ. I was on-duty at the Tempe Police Apache Substation. I was wearing my Class A uniform since I had just returned to the city from a police funeral in North Phoenix. I was not equipped with my Body Worn Camera (BWC). I heard a broadcast on my portable police radio regarding an officer involved shooting. I acquired the response address from my computer and responded in code 3 on my BMW police motorcycle.

I arrived in the area of 48th Street and Vineyard Road at approximately 1510 hours. There were numerous police resources in the immediate area and it was still unclear if there were outstanding suspects related to this incident. There was also a lot of vehicular and pedestrian traffic on 48th Street still moving north and south from Vineyard Road. I set up a traffic closure at 48th Street and Carson Road and diverted all northbound traffic westbound on Carson Road. I stopped all northbound pedestrian traffic from continuing northbound on the east sidewalk. I also diverted all eastbound Darrel Road traffic onto southbound 48th Street.

I remained in the area assisting with traffic control until approximately 1645 hours when I was relieved by Sgt. Bulson. Since I was the on-call Vehicular Crimes Unit (VCU) Detective, Sgt. Bulson informed me, my services would be required at some point later in the evening to map the scene.

At approximately 1804 hours, I received a phone call from Sgt. Bulson requesting me to respond to 48th Street and Vineyard Road in Tempe, AZ, to assist the Criminal Investigations Bureau. I responded to the Tempe PD Apache Substation where I met up with Det. Schwenckert. There we picked up the VCU equipment and vehicle. We arrived at the scene at approximately 1950 hours.

I entered the scene at approximately 2006 hours with Sgt. Bulson, Det. Solmen, and Det. Schwenckert. Det. Solmen walked us through the scene by traveling southbound through the alley from Vineyard Road. Det. Solmen pointed out the location of the vehicle axles which were now marked with orange traffic cones. The first vehicle marked heading southbound was the Tempe PD Patrol Chevrolet Tahoe #745 driven by Officer Jaen. The patrol vehicle was facing southbound in the alley. The second vehicle marked in the alley was a Chevrolet pick-up truck identified in the call for service as the suspicious vehicle. The Chevrolet pick-up truck was facing northbound in the alley.

Det. Solmen pointed out 2 evidence markers on the ground near the rear driver side of the Chevrolet pick-up truck. Evidence marker #1 and #2 represented the location of 2 shell casings. As we continued southbound through the alley, Det. Solmen identified two distinct fences along the east side of the alley where it was believed the suspect was struck. The first fence was a wooden fence belonging to 4508 S Fair Lane. The second fence was a chain link fence belonging to 4514 S Fair Lane.



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The alley traveled southbound from Vineyard Road approximately 657 feet where it turned eastbound towards Fair Lane. Det. Solmen pointed out a bullet strike on the south wall of the alley. The bullet strike was measured at approximately 70.75 inches from the base of the wall. This measurement included a 10 inch block at the base of the wall which was mostly covered in dirt.

From the bullet strike, we traveled eastbound towards Fair Lane. On Fair Lane and just south of the alley, Det. Solmen pointed out 6 more evidence markers. Evidence marker #3 was identified as a handgun which was located underneath the suspect's right arm. Evidence marker #4A was the final location of the evidence marker after it had moved by heavy rain. Evidence marker #4B depicted the original location of a container of BB's/ pellets. Evidence marker #5 represented the contents of the suspect's pocket. Evidence marker #6 depicted the suspect's shirt and evidence marker #7 depicted the location of a wrist watch.

The scene was mapped using a Leica GS14 GNSS receiver and a CS20 data collector. The measurements were downloaded into the IMS Map 360 drafting software, where a scene diagram was generated. Refer to the scene diagram and measurement log for further details.

I exited the scene at approximately 2128 hours. This completed my involvement in this matter.

\*\*\*Pending\*\*\*



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GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #26

Assigned to: 22675 - SIMMS, WESLEY

Assigned on: Feb-14-2019 (Thu.) 1424

Capacity: Supplemental

Completed: Yes

Approved on: 02/14/2019

Approved by: AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Feb-14-2019 (Thu.)

#### OIS BRIEFING NOTES

The following is a summary of debriefing notes shared on 01-16-2019. These notes were shared in response to IR 19-6376, Officer involved shooting involving Antonio Arce.

Antonio Arce DOB [REDACTED] enrolled at [REDACTED] on 09-25-2018. Antonio was a student there for 3 and a half days before he made statements threatening the school. This incident was documented under IR 18-118621. The following is a summary of the incident. Refer to IR 18-118621 for further details.

Prior to meeting Antonio, I was advised by Assistant Principal Mrs. DeRienzo that Antonio had issues with male figures of authority and he was defiant toward authority. She advised me that Antonio had experienced trauma in the past related to he and his mother being detained by immigration. She also told me that Antonio's mother requested he only interact with female administrators.

On 10-02-2018 at approximately 1220 hours Antonio Arce made indirect and vague statements about a school shooting threatening [REDACTED] located at [REDACTED]. Antonio was at Physical Education class when he was talking to a group of students. Several students heard him say "are you guys coming to the school shooting tomorrow morning" which led them to believe Antonio was threatening the school. When asked about what was said during Physical Education class, Antonio was unclear about what he said. He said he meant that he was going to play basketball in the morning before school and he would be shooting the ball. A conversation was had with Antonio about his choice of words and speaking about schools and school shootings. The school is not willing to aid in prosecution as the incident was isolated to the two students who heard it and minimal disruption was caused. Antonio was given school discipline.

The above-mentioned incident is the only discipline Antonio received at [REDACTED] before he was withdrawn from school by his mother Sandra Gonzalez. Fees Middle school gave Sandra the option to withdraw him in lieu of a 9-day suspension with a recommendation for long term suspension.

Prior to Antonio enrolling at [REDACTED], Antonio was enrolled at [REDACTED] located in Madera California. Antonio's discipline profile dates back to 09-01-2017 and ends on 09-20-2018. Antonio's discipline profile at [REDACTED] revealed the following.

09-12-2017 Student walked out of class after he and a teacher had a disagreement. Antonio was yelling and did not want to refocus.

09-18-2017 Antonio refused to take out his instrument and music for band after being asked several times. He was placed in SRC to reflect on the situation and create a plan to make the day better.

09-26-2017 Student was warned several times to comply with classroom rules and violated them several times. He then took a pencil, broke it in half and threw it as hard as he could at the divider trying to get it to stick. He



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was rude and defiant thinking it was a joke. He then lied and said he didn't do it. He will spend the remainder of the day with the counselor to discuss anger coping skills.

10-23-2017 Student refused to put his backpack in the correct spot. He was also asked to work on his Dia de los Muertos art project, and he yelled that he is not "Mexican." He continued to not engage in the lesson and continued by not listening to the teacher. The teacher tried to hold the student after class to have a conversation and the student stormed off rudely.

10-27-2017 Student was brought to the principal for being extremely disrespectful, using inappropriate language, attempting to entice a fight with another student. In the process of obtaining Antonio he continued to be defiant, use inappropriate language, and took as long as he wanted to meet with the principal in the office. A discussion was had about dealing with his anger and attempting to link him to services.

11-03-2017 During a math test all students were warned that if they talked during the test, they would lose five points and earn lunch detention. Antonio openly defied the teacher, eating a sucker and doing pull ups.

11-03-2017 Antonio refused to put his backpack in the correct spot to avoid others from tripping over it. He was asked to complete his "Dia de Los Muertos" project and yelled that he didn't want to do it and he was not Mexican. The teacher talked to Antonio after class, but student continued to show disrespect and did not want to try to make the situation better.

11-16-2017 Student continued to talk and refused to do work after several redirects. He was sent to refocus and refused to go saying her wanted to be sent to SRC.

12-11-2017 Antonio was in the bus loading area after school. Antonio and some other boys were throwing highlighter pens at each other. They were asked to stop and pick up the pens. Antonio called someone a "bitch." He was told that was not nice and stop saying it. He then continued to say "bitch" over and over. Antonio then started to walk out of the gate and yelled down the street, "I'm a bad ass mother fucker and don't forget it." His behavior is starting to escalate, and he is not using his tickets before he explodes with anger.

12-11-2017 In class Antonio was walking to print. He was asked to sit down until his table was called. He got mad, crumbled his project and threw it down and said, "I am not putting up with shit." He then flung open the door and walked out. He did not return to class.

01-12-2018 Antonio was witnessed charging after another student pushing him to the ground. He then put his fist up. He was told to stop by an administrator to stop. Security soon intervened.

01-16-2018 Antonio walked into class and sat down at his desk. When the class was told it was time for reading he loudly said, "this is bullshit." He was told he needed to refocus. He then said, "fuck that" and walked out of class. He refused to come back to class and was intercepted by security.

01-17-2018 Antonio told the nurse that he liked pussy. He then went to SRC and told the teacher "he didn't give a fuck and he was not going to do work." During the suspension meeting with mom Antonio walked out and did not return.



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01-29-2018 Antonio and another student left school and went to the park. Students were returned by a police officer.

02-06-2018 Antonio said "Fuck this shit" and called a teacher "a pussy ass bitch." He then continued to whistle even though he was asked to stop. He then walked out of class with out permission and went to SRC. This is the second time today Antonio has walked out of class with out permission.

02-06-2018 Student whistled suggestively at someone else in class. He was told to stop and that it was not ok. He argued and was sent to refocus. He then walked out of class saying, "fuck this shit" with a variety of other uses for "fuck."

02-07-2018 Student was cursing at teacher and threatened to get in a fight.

03-02-2018 Student walked out of class first period and said, "I don't want to fucking be here" An attempt was made to defuse his anger. He said he did not care what happened to him. Student continued to have issues throughout the day hiding in the restroom and telling campus security to leave him the fuck alone. Student did not go to class or comply with authority.

04-20-2018 Student flipped someone off and cursed loudly while walking to class. He also called a fellow female classmate a fucking hoe.

04-27-2018 Student was asked to face the front in lunch detention. He responded loudly 'what if I don't want to" Security was called. Instead of giving his detention letter to the teacher he crumpled it and threw it away defiantly. He was removed from the class by security.

05-07-2018 Student was called to the classroom to be removed. When campus security arrived, he said for them to get out of his face as he clinched his fist and told them to leave him alone. He said he was having a bad day and something bad was going to happen. Staff felt intimidated and notified administration.

08-29-2018 After school a parent called the school and informed them that two students were smoking marijuana just off campus. When the safety officer reported, he saw Antonio smoking from a pipe. Antonio said he didn't do it but later confessed. He indicated that he had it stored off campus during the day and picked it up on the way home.

09-10-2018 During class Antonio was on online looking through GTA tutorials instead of staying on assignment. The teacher didn't address Antonio's behavior due to his history of outburst instead the incident was categorized as a warning for technology use.

09-11-2018 Statements from the Safety Officer Alexander and Soliz indicated that at the end of lunch on 09-10-2018 Antonio and other students were throwing a football. When they were asked to stop. Antonio threw the ball anyway. Antonio made a statement toward Officer Alexander "Ill see you after school bruh" Antonio then went into the office yelling which made the staff nervous. Soliz and Alexander both felt Antonio was making a threat toward them.

09-13-2018 Antonio was asked to put his hall pass vest on three times but refused. Antonio responded, "Sup wit it." Security was then called.



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

This concludes Antonio's discipline history from [REDACTED]. Prior to attending [REDACTED] Antonio attended [REDACTED] here in Tempe from 09-12-2016 to 05-08-2017. The following is a summary of his discipline history at Gililand.

09-12-2016 Student met with a counselor for an RLC reflection to develop a plan to avoid RLC in the future.

10-20-2016 Antonio brought an empty bottle of alcohol to school and had it in his backpack.

11-02-2016 Antonio received a level 2 bus ticket.

12-01-2016 Antonio was tapped by Det Applegate and asked to take his hood off at which point he became very defensive. After being sent to RLC he was extremely disrespectful to him calling him "Mr. Cracker" among other things.

12-09-2016 Antonio was in line for lunch and was asked by a teacher to do something at which point he told her, "I don't have to do what you say." The teacher responded by asking the SRO to assist her. The SRO asked Antonio to walk to the RLC room. On the way Antonio continued to be disrespectful to the SRO.

02-10-2017 Antonio was late for his first hour on 02-10, threw his pass at his teacher, and was disrespectful.

02-17-2017 Antonio did not have his ID on when going to lunch. He was asked to go to lunch detention. He chose to go to RLD instead. He was asked to go to lunch detention and said he would not go.

03-30-2017 Antonio was disrespectful to his teacher. He walked into class with an attitude and would not redirect his behavior. While in the office waiting for administration he continued to be disrespectful.

04-10-2017 Antonio was in math class making comments about Marijuana.

04-20-2017 Antonio was asked to go outside in the morning on the patio and walked away from the teacher. The teacher followed him and as he turned the corner he ran. When outside a different staff member asked him to put his id on he walked away and when asked to stop said "you don't know who I am. I am the baddest kid on campus. You don't own me."

05-09-2017 Antonio was asked several times to put on his id throughout the day. During lunch he left the cafeteria and wandered the hallways. He was then escorted to RLC. Later the same day Det. Applegate asked him to put on his id. He pushed past Det Applegate. Mrs. Lamer was called and both escorted him to the office where he was extremely disrespectful.

Prior to attending [REDACTED] Antonio attended [REDACTED] from 04-09-2014 to 05-18-2016. The following is a summary of his discipline at [REDACTED].

04-09-2014 Student brought a toy knife to school and took it out during instruction.

02-29-2016 Student was moving seats when the bus was moving, he was also whistling loudly. When the bus driver tried to re-direct the student, the student talked back. The bus driver pointed and asked him to sit down and the student said, "where on your finger?"



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

04-07-2016 Student was being disrespectful and talking back to his teacher. The Student was also banging on his desk during instruction and interrupting when she was teaching.

04-19-2016 Student disrupted the orderly process of exiting the bus by rudely pushing his way forward out of turn.

04-21-2016 Student told the bus driver "No, I will not" when student was instructed to sit in seat 1. Also, when the driver instructed the student to exit the bus last at his stop the student was extremely disrespectful.

04-28-2016 Student was throwing pieces of paper on the bus. He also was using a whistle on the bus. The whistle was distracting the driver as well as bothering other passengers.

05-18-2016 When administration was escorting a student to the office, student was saying inappropriate comments egging on the struggling student and caused a bigger disruption and made it difficult for administration to get the student to the office.

Prior to attending [REDACTED] attended [REDACTED]. The following is a summary of his discipline.

10-28-2013 Student refused to remain seated on the bus, including walking down the aisle.

Prior to attending [REDACTED] Antonio attended [REDACTED]. The following is a summary of his discipline.

05-09-2013 Student continues to be disrespectful to his teacher. He has been spoken to several times and has been told that if he continues to treat her this way, he would be suspended. Today the class was brought back by the PE teacher Ms. Cordova was talking to them and explaining that it makes it look like the teacher isn't doing her job when this happens. Antonio made the comment "its true you're not."

04-27-2011 Student has been defiant in class all week and today he threatened students telling them that he had a gun.

Below is a breakdown of Antonio's Discipline within the Tempe Elementary School District.

Defiance: 9 incidents

Disruption: 5 incidents

Threats: 1 incident

Aggression: 2 incidents

Contraband: 1 incident

Below is a breakdown of Antonio's Discipline in California school system.

Defiance: 11 incidents

Disruption: 10 incidents

Threats: 3 incidents

Aggression: 1 incident

Contraband: 1 incident

Drugs: 1 incident



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Copies of Antonio School profile with discipline were impounded as evidence. This concludes my involvement in this matter.

Pending



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Follow Up Report #27

Assigned to: 20227 - JONES, MATTHEW

Assigned on: Mar-05-2019 (Tue.) 1202

Capacity: Lead Investigator

Completed: Yes

Approved on: 03/05/2019

Approved by: AKEY, ALAN

### Narrative Text #1

Document: DETECTIVE NARRATIVE

Related Date/Time: Mar-05-2019 (Tue.) 1213

#### Additional Burglary Charge

On March 5, 2019, I added the charge of one count of ARS 13-1506(A2) Burglary in the Third degree, a class four felony, against (S)Antonio Arce Jr for making entry into the unoccupied vehicle belonging to (V)Lucio Silvas and taking the black replica 1911 Airsoft handgun and cell phone from inside the vehicle which were later found in his possession and also determined to belong to Lucio.

PENDING



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #345979

Property Case Status: EVIDENCE/SEIZED

Related items: 1

Submitted on: Jan-15-2019 (Tue.)

Submitted by: 23692 - HOOD, MATTHEW

**Related Item(s):**

**Vehicles**

LICENSE PLATE: [REDACTED]

LICENSE STATE: Arizona

VIN: [REDACTED]

MAKE: CHEV

MODEL: SLV

STYLE: PICKUP

COLOR: GRY/

VEHICLE YEAR: 1999



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #345980

Property Case Status: EVIDENCE/SEIZED

Related items: 3

Submitted on: Jan-15-2019 (Tue.)

Submitted by: 18358 - LAWLER, MARK

**Related Item(s):**

**Articles**

ITEM: CELL PHONE  
MODEL: GALAXY S6 EDGE  
COLOR: Black  
SERIAL #: R58G60LG1AR  
VALUE #: \$0.00  
DESCRIPTION: BLK SAMSUNG GALAXY S6 EDGE  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: CELL PHONE  
COLOR: Black  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: BLK SAMSUNG WITH CRACKED SCREEN  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: COURT DOCUMENT/OOP/MIRANDA/SUBPOENA/SEARCH WARRANT  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: SW#2019-000713  
RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #345981

Property Case Status: EVIDENCE/SEIZED

Related items: 1

Submitted on: Jan-15-2019 (Tue.)

Submitted by: 16211 - KOGER, DAVID

**Related Item(s):**

**Articles**

ITEM: DRUG PARAPHERNALIA

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: FOIL AND STRAW PIECES WITH RESIDUE

RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #346005

Property Case Status: EVIDENCE/SEIZED

Related items: 1

Submitted on: Jan-16-2019 (Wed.)

Submitted by: 15301 - ORR, AMY

**Related Item(s):**

**Articles**

ITEM: REPORT (SECURITY, LOSS, MEDICAL, AUTOPSY)

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: FIRE REPORT #19019213

RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Property Report(s)

### Property Report #346034

Property Case Status: EVIDENCE/SEIZED

Related items: 9

Submitted on: Jan-16-2019 (Wed.)

Submitted by: 21884 - SOLMEN, MICHELLE

#### Related Item(s):

**Articles**

ITEM: SHELL CASING  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: SHELL CASING 1 FROM ALLEY SW OF VEHICLE REAR BUMPER  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: SHELL CASING  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: SHELL CASING 2 FROM ALLEY SW OF VEHICLE REAR BUMPER  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: FAKE/REPLICA FIREARM  
MODEL: Z311  
COLOR: Black  
SERIAL #: 162013135161  
VALUE #: \$0.00  
DESCRIPTION: 1911 REPLICA AIRSOFT PISTOL W/MAGAZINE  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: BB GUN (NOT PELLET)  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: CANISTER OF BB'S -UKARMOR BRAND 6MM 2000CT  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: KNIFE  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: FOLDING KNIFE, EARBUDS, LIGHTER (MISC PERSONAL ITEMS)  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: SHIRT  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: DARK BLU T-SHIRT CUT FROM ANTONIO BY FIRE  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: KEY CHAIN  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: DRYING ROOM #1 KEY  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: SWAB  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: SWAB COLLECTED BY FSU AT SCENE  
RECOVERED VALUE: \$0.00

**Jewelry**

ARTICLE: WATCH  
GENDER: Male  
VALUE: \$0.00  
DESCRIPTION: SILVER/GOLD COLORED WATCH W/BROKEN FACE  
RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Property Report(s)

### Property Report #346041

Property Case Status: EVIDENCE/SEIZED

Related items: 11

Submitted on: Jan-16-2019 (Wed.)

Submitted by: 21884 - SOLMEN, MICHELLE

#### Related Item(s):

##### Articles

ITEM: CLOTHING/BELT  
COLOR: Blue  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: MICHAEL ADAMS BLU UNDERWEAR FROM ANTONIO  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: CLOTHING/BELT  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: CHAMPION BLU GYM SHORTS  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: PANTS/JEANS/SHORTS  
COLOR: Black  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: LEVI STRAUSS 33W32L JEANS  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: CLOTHING/BELT  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: CALVIN KLEIN BLK/GRY BELT 34L  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: SHOES/SHOELACE  
COLOR: Black  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: 8.5 SIZE BLK NIKE JORDAN SHOE (RIGHT)  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: SHOES/SHOELACE  
COLOR: Black  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: 8.5 SIZE BLK NIKE JORDAN SHOE (LEFT)  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: CLOTHING/BELT  
COLOR: Black  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: BLK SOCK  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: CLOTHING/BELT  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: BLK SOCK  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: KNIFE  
COLOR: Silver (Aluminum)  
SERIAL #: UNKNOWN



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

VALUE #: \$0.00

DESCRIPTION: FOLDING KNIFE

RECOVERED VALUE: \$0.00

### Securities

TYPE: UNITED STATES CURRENCY (NON-NCIC)

DENOMINATION: \$1.25

COUNTRY/ISSUER: USA

RECOVERED VALUE: \$0.00

### Jewelry

ARTICLE: NECKLACE

GENDER: Male

COLOR: GLD/

# OF PIECES: 1

VALUE: \$0.00

DESCRIPTION: GOLD COLORED CHAIN/NECKLACE

RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #346099

Property Case Status: EVIDENCE/SEIZED

Related items: 1

Submitted on: Jan-17-2019 (Thu.)

Submitted by: 21884 - SOLMEN, MICHELLE

**Related Item(s):**

**Articles**

ITEM: PAPER (NOT A DOCUMENT)/TISSUE/WRAPPING

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: PAPER FROM ORIGINAL COLLECTION AND DRYING ROOM

RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #346109

Property Case Status: EVIDENCE/SEIZED

Related items: 4

Submitted on: Jan-17-2019 (Thu.)

Submitted by: 11581 - RAMOS, GEORGE A

**Related Item(s):**

**Articles**

ITEM: SWAB  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: ITEM A PASSENGER DOOR AT WINDOW SILL  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: SWAB  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: ITEM B PASSENGER DASH HANDLE  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: SWAB  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: ITEM C INTERIOR PASSENGER DOOR HANDLE  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: SWAB  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: ITEM D CENTER CONSOLE  
RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

### Related Property Report(s)

### Property Report #346170

Property Case Status: EVIDENCE/SEIZED

Related items: 12

Submitted on: Jan-18-2019 (Fri.)

Submitted by: 20227 - JONES, MATTHEW

#### Related Item(s):

##### Articles

ITEM: DOCUMENTS/PAPERS-OTHER  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: MCOME EVIDENCE RELEASE FORM REF (S) ANTONIO ARCE AUTOPSY  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: BIOLOGICAL MATTER (TISSUE, MUSCLE)  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: MCOME BLOOD BLOT REF (S)ANTONIO ARCE  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: FINGERPRINT CARD/LATENT PRINTS  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: MCOME FINGER PRINT CARD REF (S) ANTONIO ARCE  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: FIRED BULLET  
MAKE: FEDERAL  
MODEL: .40 S&W  
COLOR: Silver (Aluminum)  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: MCOME PROJECTILE REMOVED FROM (S)ANTONIO ARCE  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: AMMUNITION/LIVE BULLET/AMMO  
MAKE: FEDERAL  
COLOR: Silver (Aluminum)  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: CHAMBERED ROUND FROM OFC JAEN'S DUTY FIREARM  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: AMMUNITION/LIVE BULLET/AMMO  
MAKE: FEDERAL  
MODEL: .40CAL S&W  
COLOR: Silver (Aluminum)  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: (12) LIVE ROUNDS FROM OFC JAEN'S DUTY WEAPON MAG  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: GUN MAGAZINE  
COLOR: Black  
SERIAL #: UNKNOWN  
OWNER APPLIED NUMBER: DFW958  
VALUE #: \$0.00  
DESCRIPTION: OFC JAEN'S DUTY WEAPON GLOCK .40CAL MAGAZINE  
RECOVERED VALUE: \$0.00

##### Articles

ITEM: AMMUNITION/LIVE BULLET/AMMO  
MAKE: FEDERAL  
MODEL: .40 CAL S&W  
COLOR: Silver (Aluminum)  
SERIAL #: UNKNOWN



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

VALUE #: \$0.00

DESCRIPTION: (14) LIVE ROUNDS FROM OFC JAEN'S #1 MAGAZINE

RECOVERED VALUE: \$0.00

### Articles

ITEM: GUN MAGAZINE

MODEL: .40 CAL

COLOR: Black

SERIAL #: UNKNOWN

OWNER APPLIED NUMBER: DFW958

VALUE #: \$0.00

DESCRIPTION: OFC JAEN'S GLOCK .40 FIREARM MAGAZINE FROM THE #1 MAG POUCH

RECOVERED VALUE: \$0.00

### Articles

ITEM: AMMUNITION/LIVE BULLET/AMMO

MAKE: FEDERAL

MODEL: .40CAL S&W

COLOR: Silver (Aluminum)

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: (14) LIVE ROUNDS OF FEDERAL .40CAL FROM OFC JAEN'S #2 MAG PO

RECOVERED VALUE: \$0.00

### Articles

ITEM: GUN MAGAZINE

MODEL: .40 CAL S&W

COLOR: Black

SERIAL #: UNKNOWN

OWNER APPLIED NUMBER: DFW958

VALUE #: \$0.00

DESCRIPTION: OFC JAEN'S GLOCK .40CAL MAG FROM #2 MAG POUCH

RECOVERED VALUE: \$0.00

### Firearms

TYPE: SEMI-AUTOMATIC

MAKE: GLOCK,INC

MODEL: 22

CALIBER: .40

COLOR: Black

SERIAL #: DFW958

VALUE: \$0.00

DESCRIPTION: OFC J. JAEN'S GLOCK 22 .40CAL DUTY FIREARM

RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #346538

Property Case Status: EVIDENCE/SEIZED

Related items: 2

Submitted on: Jan-23-2019 (Wed.)

Submitted by: 21883 - SAUER, BRETT

**Related Item(s):**

**Articles**

ITEM: DVD (DIGITAL VIDEO DISC)

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: [REDACTED] INTERVIEW

RECOVERED VALUE: \$0.00

**Articles**

ITEM: DOCUMENTS/PAPERS-OTHER

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: MAPS [REDACTED] USED FOR INTERVIEW

RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #346653

Property Case Status: EVIDENCE/SEIZED

Related items: 2

Submitted on: Jan-24-2019 (Thu.)

Submitted by: 20110 - GOMEZ, GABRIEL

**Related Item(s):**

**Articles**

ITEM: SWAB  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: COLLECTED AT 1718 HOURS LARGE STAIN ON PAVEMENT  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: SWAB  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: COLLECTED AT 1719 HRS SMALL STAIN ON PAVEMENT  
RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #346732

Property Case Status: EVIDENCE/SEIZED

Related items: 1

Submitted on: Jan-25-2019 (Fri.)

Submitted by: 20227 - JONES, MATTHEW

**Related Item(s):**

**Articles**

ITEM: DOCUMENTS/PAPERS-OTHER

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: MAP OF SCENE USED BY ORFC JAEN DURING INTERVIEW

RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #347330

Property Case Status: EVIDENCE/SEIZED

Related items: 2

Submitted on: Feb-01-2019 (Fri.)

Submitted by: 20227 - JONES, MATTHEW

**Related Item(s):**

**Articles**

ITEM: COMPACT DISC (CD), DVD (MUSIC, VIDEO, OTHER)

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: MCOME AUTOPSY PHOTOS FOR (S)ANTONIO ARCE JR

RECOVERED VALUE: \$0.00

**Articles**

ITEM: DOCUMENTS/PAPERS-OTHER

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: OFC JAEN'S TASER DOWNLOAD DATA FILE

RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #347619

Property Case Status: EVIDENCE/SEIZED

Related items: 1

Submitted on: Feb-05-2019 (Tue.)

Submitted by: 16719 - LARSON, DAVID C

**Related Item(s):**

**Articles**

ITEM: DISK DRIVES

MODEL: 32GB

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: 32GB THUMB DRIVE CONT/FORENSIC VIDEO SOLUTIONS REPORTS

RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #347646

Property Case Status: EVIDENCE/SEIZED

Related items: 2

Submitted on: Feb-05-2019 (Tue.)

Submitted by: 20822 - MORENO, ALEXANDER

**Related Item(s):**

**Articles**

ITEM: COURT DOCUMENT/OOP/MIRANDA/SUBPOENA/SEARCH WARRANT  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: MEDICAL RECORDS SW2019026159  
RECOVERED VALUE: \$0.00

**Articles**

ITEM: COURT DOCUMENT/OOP/MIRANDA/SUBPOENA/SEARCH WARRANT  
SERIAL #: UNKNOWN  
VALUE #: \$0.00  
DESCRIPTION: RETURN/RECEIPT SW2019000713  
RECOVERED VALUE: \$0.00



# TEMPE POLICE DEPARTMENT

## General Offense Report

GO# TE 2019-6376

Operational Status: OPEN

Related Property Report(s)

Property Report #347697

Property Case Status: EVIDENCE/SEIZED

Related items: 1

Submitted on: Feb-05-2019 (Tue.)

Submitted by: 23692 - HOOD, MATTHEW

**Related Item(s):**

**Articles**

ITEM: DOCUMENTS/PAPERS-OTHER

SERIAL #: UNKNOWN

VALUE #: \$0.00

DESCRIPTION: CONSENT TO SEARCH FORM: JULIE ANN BRAVO FOR SAMSUNG TABLET

RECOVERED VALUE: \$0.00