



# MEMO

## Police Department

**DATE:** June 1, 2017

**TO:** SERGIO G. DIAZ, CHIEF OF POLICE  
VIA CHAIN OF COMMAND

**FROM:** Detective Rick Cobb  
Robbery / Homicide Unit

**RE:** SUMMARY - OFFICER INVOLVED SHOOTING P17-032034

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**DATE OF INCIDENT:** February 20, 2017

**TIME OF INCIDENT:** 2253 hours

**LOCATION OF INCIDENT:** 4041 Macarthur Road  
Riverside, CA

**INVOLVED OFFICERS:** Officer Chris Carmona ID - 1781  
Riverside Police Department

Officer Ramon Espinoza ID - 1691  
Riverside Police Department

**SUSPECT:** Garcia, Marcelino Arthur DOB - 04/13/1977  
[REDACTED]

**SUSPECT'S INJURIES:** Deceased

RIVERSIDE POLICE DEPT - Restricted Information  
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## SUMMARY:

On 02/20/17, at approximately 2253 hours, Riverside Police Officers Chris Carmona and Ramon Espinoza were partners patrolling the area of Macarthur Road near Garfield Street in Riverside. The area is known to them as a "High crime area" with narcotics transactions taking place. They drove onto Macarthur Road heading south when they saw a brown Kia hatchback parked along the east curb facing north. They saw two subjects inside the front seats and a Hispanic male (Later identified as Suspect Marcelino Garcia) standing outside the driver's door while leaning into the driver's window. It appeared that a possible drug transaction was occurring.

Officer Carmona was driving, and stopped next to the Kia, facing the opposite direction. Officer Carmona exited his police unit and immediately saw Garcia begin to walk away from him heading north with his hands in his pockets. He ordered Garcia to stop and keep his hands in his pockets. Garcia immediately pulled a black handgun from his pocket and turned towards Officer Carmona, pointing the gun directly at him. Officer Carmona and Garcia were approximately six feet from each other. Garcia immediately fired approximately three gunshots at Officer Carmona. Officer Carmona immediately drew his handgun from his holster and returned fire at Garcia. Carmona stated in his interview that he believed he fired eight rounds. Officer Espinoza saw Garcia shoot at Officer Carmona. Espinoza stated in his interview that he believed he fired five rounds. Garcia ran into the driveway of [REDACTED] and collapsed. Officer Carmona was not hit.

While Garcia was in the driveway, Officers Carmona and Espinoza took a position of cover across the street. Garcia began to stand up and then turned and extended his right arm towards the officers as if he had a handgun. Both officers fired at Garcia. Carmona stated in his interview that he believed he fired four rounds. Espinoza stated in his interview that he believed he fired five rounds. Garcia got up and ran down the driveway and into the backyard.

Officers Carmona and Espinoza decided not to follow Garcia, due to the fact that the other subjects were still at the vehicle and they were not sure if the subjects were also armed and a threat. They detained the subjects in the car and called for assistance. **(Refer to tabs 55 and 56 for interviews of Officer Carmona and Officer Espinoza)**

Assisting officers arrived and a blood trail was located, starting in the area where Garcia ran down the driveway. The blood trail led to the rear yard of the neighboring property at [REDACTED]. The blood trail continued north from the rear yard out onto the sidewalk to the front of the residence and street. The blood trail then went east on the sidewalk and onto the driveway of [REDACTED]. From there, the trail continued north into the middle of the street on Hawthorn Avenue. The blood trail in the street continued to move north onto Macarthur Road and then east onto Sage Avenue. Bloody footprints were found which lead to the residence at [REDACTED]. **(Refer to tab 67 for Crime Scene Report)**

██████████ lived at ██████████, along with several others. Garcia came to his house, bleeding from his leg and carrying a black semi-automatic handgun. ██████████ had seen Garcia in the neighborhood before, but was not friends with him. Garcia asked ██████████ for help, but ██████████ did not want to get involved so he refused to help him. Garcia went into the house. ██████████ was worried for the other people in the house and tried to talk Garcia into leaving. Garcia asked ██████████ to use his phone. ██████████ gave Garcia his phone and Garcia tried to dial a number, but it would not connect. Garcia kept the phone and would not give it back to ██████████

While Garcia was inside the house with ██████████, he told ██████████ that he "Wasn't going to go out this way" and "I'm going for life." Garcia told ██████████ to tell his mother and sister he loved them. ██████████ believed Garcia was not going to give up peacefully. Garcia had the gun in his hands the entire time.

Garcia was bleeding profusely inside the house and ██████████ was giving him towels to stop the bleeding. ██████████ was trying to keep Garcia occupied so he would not have contact with the others in the house. About twenty minutes later, a female came downstairs and said the police were outside and were ordering them to come out. ██████████ thought Garcia would use the people inside as a "human shield" and decided not to come out with him. When Garcia went to the back of the house, ██████████ and the others went into the garage. They were then contacted by police and led outside to safety. Garcia was still inside the house. **(Refer to tab 53 for interview with ██████████)**

Riverside Police SWAT members surrounded the house and attempted to get Garcia to surrender peacefully. PA announcements were used to try and communicate with Garcia. A tactical robot was deployed inside the house to attempt to locate Garcia, but he was not seen. A "throw phone" was deployed into the residence in an additional attempt to communicate with Garcia. No communication was ever made with Garcia.

A search warrant was obtained for the residence and a Chemical Agent Operation Plan was prepared. A chemical agent was delivered to the upstairs bedroom. Two "Burn Safe" canisters containing a chemical agent were deployed simultaneously into the east and west sides of the residence. A "Burn Safe" is a flame resistant canister which contains the chemical agent. Once the "Burn Safe" was inserted into the east side of the residence, a fire started within seconds.

SWAT members and Riverside Fire Personnel cautiously tried to extinguish the fire. The house became engulfed in flames. While the house was burning, possible gunshots were heard inside the residence. Garcia never came out of the residence.

After the fire was completely extinguished, a male was found dead inside the hallway bathroom tub. The roof had collapsed due to the fire and there was debris piled inside the house. A search was conducted in the tub, and a 9mm handgun was found under the body, between his legs. An unfired 9mm projectile was found in the tub, along with a 9mm casing. **(Refer to tab 14 for SWAT report)**

An autopsy was performed on the male found in the residence. He was positively identified as Garcia. Garcia showed signs of burning around the head, face and upper torso areas. Both arms were severely burnt. Garcia had a gunshot to his right foot and left shoulder. A gunshot wound was also found to the anterior chest region. A projectile was found in Garcia's torso and appeared similar to a 9mm round.

The Medical Examiner officially concluded that the manner of death was Suicide. **(Refer to tabs 77 and 78 for Autopsy Protocol and Toxicology Report)**

Riverside Fire Department Arson Investigators investigated the origin and cause of the fire. Samples were taken from the area where the fire started. No ignitable liquid residue was found. The report concluded that the fire started when a "Burn Safe" device was delivered into the residence and came into contact with an unknown combustible liquid or other ordinary combustible. **(Refer to tab 83 for Riverside Fire Report)**

The Department of Justice examined the Smith & Wesson 9mm handgun and the expended 9mm cartridge casing found in the bath tub, along with the expended bullet found inside Garcia. Examiners determined that the expended cartridge casing was fired by the Smith & Wesson handgun. The examiners also determined that the expended bullet retrieved from Garcia's body may have been fired by the Smith & Wesson handgun. **(Refer to tab 66 for DOJ Ballistics Report)**

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