



MEMORANDUM

Riverside Police Department

Central Investigations

DATE: March 27, 2012
TO: Sergeant Dave Amador
Supervisor Robbery / Homicide
FROM: Detective Rick Cobb
Robbery / Homicide

SUBJECT: CASE SUMMARY - OFFICER INVOLVED SHOOTING P12-003517

DATE OF INCIDENT: January 7, 2012
TIME OF INCIDENT: 1616 hours
LOCATION OF INCIDENT: 10745 Cypress Ave
Riverside, CA 92505
INVOLVED OFFICER: Officer Jeff Putnam #1450
Unit Designator C426, Unit #3931
West NPC / Field Operations
Officer Ramon Espinosa #1691
Unit Designator C426, Unit #3931
West NPC / Field Operations
Officer Paul Miranda #1501
Unit Designator C438, Unit #3925
West NPC / Field Operations

CIVILIAN WITNESSES: RPD Explorer Martin Martinez, 18
Yvette Ledezma, 33 (daughter of David Ledezma)
Rebecca Martinez, 52 (wife of David Ledezma)
Anthony Margadonna, 22 (family friend)
Yvonne De La Cruz (Niece of David Ledezma)
Unknown address on Corral, Riverside

Yolanda Serna, 43
[REDACTED]

10765 Cypress, Riverside

Note: All witnesses are not listed. Only those known to have witnessed all or part of the incident.

CIVILIAN INJURIES: None

SUSPECT(S): Ledezma, David Hernandez HM, 507, 170
[REDACTED]
10745 Cypress Ave.
Riverside, CA 92505

SUSPECT'S INJURIES: The suspect sustained four gunshot wounds. The suspect was transported to Riverside Community Hospital for treatment but he did not survive. Time of death was 1814 hours. The autopsy was conducted on 1/11/12 at 0900 hours by Dr. Fajardo at the Riverside County Coroner's Office in Perris. One gunshot to his chest which grazed his liver, one gunshot wound to his right knee which broke his leg, one gunshot wound to his upper right leg and one gunshot wound above his left knee.

CRIMINAL HISTORY: 3/2/78 - Arrested for Attempted Murder and booked into RCJ.
[REDACTED]

10/21/79 - Arrested by RPD for 12020, 12025, 12031, 488, and 594 PC. [REDACTED]

4/22/80 - Arrested by RPD for 626.8 (Disrupting school activities)
[REDACTED]

5/18/82 - Arrested by Bakersfield SO for 12020 PC, 11350 and 11550 HS. [REDACTED]

1/26/85 - Arrested by RPD for felony DUI. [REDACTED]

2/9/91 - Arrested by RPD for 242 PC. [REDACTED]

8/11/91 - Arrested by RPD for 273.5 PC. [REDACTED]

12/12/93 - Arrested by Perris PD for 273.5, 273A (1) PC and 10852 VC. [REDACTED]

7/19/94 - Arrested [REDACTED] welfare fraud, [REDACTED]
[REDACTED]

2/8/96 – Booked at RCJ for 273D (A) PC [REDACTED]
[REDACTED]

7/28/02 – Arrested by RPD for 243(e)(1) [REDACTED]
[REDACTED]

3/24/03 - Probation violation, [REDACTED]

2/10/05 – Probation violation, [REDACTED]

6/10/07 – Arrested by RPD for 243(e)(1) PC

11/22/10 – Probation violation, [REDACTED]

Summary

On Saturday, January 7, 2012, at approximately 4:10 pm, officers responded to 10745 Cypress Avenue regarding a domestic violence call. Officer Putnam and Officer Espinoza were riding together and Officer Miranda had a RPD Explorer, Martin Martinez, on a ride along.

Officer Miranda arrived at the call first and began talking with the victim of the battery, Rebecca Ledezma, in front of the residence. Rebecca is the wife of David Ledezma. Rebecca told Miranda that David had hit her in the face and pulled her hair. She had a bloody nose and her hair was a mess. Officer Miranda saw David at the end of the long driveway of the property, near a Dodge Intrepid. He said the hood of the car was up and he was taking things out of the car.

When Officers Putnam and Espinoza arrived, the three officers and the explorer walked up the driveway towards David. They were walking next to each other. About half way up the driveway, Officer Miranda asked David to come to them. David did not come to them. He yelled to the officers that he did not do anything. David had tools in his hand. Officer Miranda told David to put down the tools but he refused.

David pulled a knife out of his pocket and put it to his neck. David said he would kill himself. David continued to keep the knife at his neck and said he was going to kill himself. The officers all starting yelling at David to drop the knife. David yelled, "Fuck you. Just shoot me". They were less than 20 feet away from David. Officers Miranda and Espinoza pulled out their handguns and pointed them at David. Officer Putnam pulled out his Taser because he saw Officer Miranda pull out his handgun. All three officers thought David could still charge at them with the knife and hurt them.

David threw the knife down and picked up a metal pipe and threw it with full force at the officers. The officers moved to avoid being hit by the pipe. Officer Putnam fired his Taser at David but only one dart struck him and it was ineffective. David picked up what was described by two of the officers as another white pipe and a third officer described

it as a dark colored pipe. This pipe was described as thicker and heavier than the first pipe. Officer Putnam drew his weapon at that point. David took a step or two with the pipe raised over his head. The officers said they feared being hit and injured or killed by David. The officers said there was no cover and David was moving towards them with the pipe. All three officers discharged their weapons and the David went down. Officer Putnam tripped over a mound of dirt as he moved to his left but continued to shoot at David because he was still up and moving towards him. The officers all described the entire confrontation with David as happening in rapid succession. The police explorer was standing behind the officers.

Dispatch was advised over the radio of shots being fired and medical aid was requested. The officers requested immediate backup because the family became hostile and tried to get to David. Assisting officers and supervision arrived shortly thereafter along with RFD and AMR. The suspect was transported and the crime scene was secured.

INVESTIGATION:

At about 1650 hours, On Call Sergeant Lisa Williams was notified of the incident by Lieutenant Phillips and initiated an investigative call-out. Detectives and Forensic personnel met near 10745 Cypress. Sergeant Ramaekers supervised the overall investigation.

Detective Rick Cobb was assigned as the Case Agent and Detective Rick Wheeler as Co-Case Agent. Detective Greg Rowe and Forensic Technician Sue Lane were assigned to investigate the crime scene. Detective Dave Smith and Forensic Technician Tim Ellis also assisted with processing the crime scene. Sergeant Lisa Williams was the crime scene supervisor. Deputy District Attorney Samah Shouka represented the District Attorney's Office along with Deputy District Attorney Investigator Ricky Fuentes.

The involved officers and the police explorer were transported separately to the Magnolia Station by field officers. Officer Kauk was assigned to Officer Putnam for peer support. Officer Adcox was assigned to Officer Miranda as peer support. Officer Roy was assigned to Officer Espinosa as peer support. All three officers consented to an interview with detectives and were represented by attorney, Peter Horton, of Lackie, Dammeier and McGill. RPD Explorer Martin Martinez was interviewed by detectives.

The property located at 10745 Cypress Avenue is a ¼ acre lot located on the north side of Cypress Avenue between Mitchell Avenue and Stover Avenue. The property has a single family residence located in the middle of the lot on the east side of the property. The property also has two out buildings north of the main residence. The out building northeast of the main residence was separated into three different rooms including two small rooms that had beds and it appeared that people were living inside. The third room appeared to be a storage area. There was another out building on the property north west of the main residence that was a single room with a bed inside.

The area where the shooting happened was in the north portion of the property, west of a pink shed and south of a grey Dodge Intrepid. There was a cement area where numerous tools were lying around. The Dodge Intrepid was parked in this area facing east and was located a few feet south of the rear fence. The driver side rear window was open. Located in the cement area south of the vehicle were 18 Winchester .40 caliber bullet casings. There was an X26 Taser that had been deployed in what appeared to be a northeast direction by the location of the Taser and the location of the darts. There was a white metal pole, approximately 20" long on the ground in that same area. There was a black or dark grey pipe, approximately 23" long lying on top of the trailer next to where the suspect went down when he was shot. There was a driver license and an approximately 3" brown handled with a silver blade pocket knife on the cement north of the vehicle. The knife was unfolded with the blade exposed.

It was very windy during this investigation and patrol had placed evidence placards down marking evidence shortly after the shooting. Patrol officers took photos of the evidence and before detectives arrived and assumed control of the crime scene. The placards were being blown around and some of the evidence as well.

The suspect was treated at the scene and taken by AMR to Riverside Community Hospital. He was pronounced deceased at 1814 hours.

Audio/Coban Recordings:

The audio and Coban recordings were downloaded under file number P12-003517. These recordings were placed into a locked file.

Duty Weapons:

Officer Putnam had his assigned Glock .40 caliber duty weapon charted. After he fired, he did a combat reload. The pistol had one (1) live round chambered and the magazine held fifteen (15) live rounds. He had an additional two (2) magazines, one of which was loaded with six (6) live rounds each and one loaded with fifteen (15). The charting confirmed that nine (9) rounds were fired.

Officer Miranda had his assigned Glock .40 caliber duty weapon charted. The pistol had one (1) live round chambered and the magazine held nine (9) live rounds. He had an additional two (2) magazines, both of which were loaded with fifteen (15) live rounds each. The charting confirmed that six (6) rounds were fired.

Officer Espinoza had his assigned Glock .40 caliber duty weapon charted. The pistol had one (1) live round chambered and the magazine held eleven (11) live rounds. He had an additional two (2) magazines, both of which were loaded with fifteen (15) live rounds each. The charting confirmed that three (3) rounds were fired.

Back-up Weapons:

Officer Espinoza was the only officer carrying a back-up weapon. He carries a S&W Airweight .38 caliber 5 shot revolver. It was loaded with five (5) live rounds.

INTERVIEWS:

Yvonne DeLaCruz:

Yvonne was outside the house when David Ledezma and Rebecca arrived home. David drove very fast into the driveway in the Intrepid and parked towards the back of the residence. Rebecca was bleeding from the nose and Yvonne was asked to call the police by Rebecca. While talking to dispatchers Yvonne was behind an outbuilding and could hear glass breaking. David was yelling and breaking things.

When the officers walked up to David in the back yard, she saw David with a knife in his hand. The officers kept telling David to drop the knife but he was not cooperating. David held the knife to his neck and then stepped towards the officers with the knife in his hand. She said she heard a Taser and then about 15 gunshots. She was afraid and looked away.

Yvette Ledezma:

Yvette was home when her parents came home. David Ledezma was driving their Dodge Intrepid very fast into the driveway. Yvette went outside to her dad and he said to her, "You better talk to your mom before she thinks about calling the cops." Yvette told him she did not want to hear about anything and walked back into the house. David and Rebecca argue and fight all the time. They both drink a lot of alcohol and fight when they get drunk. These fights happen 2-3 times a week.

A short time later, 3-5 police officers arrived at the house and began to walk toward the area where David had been with the Intrepid. Yvette walked outside and stood near the front door where she could watch both the officers and David, who was still doing something inside the trunk of the car. David was pulling several tools from the car as the officers approached him. The officers asked him to stop what he was doing and to come to them but David said no and continued what he was doing. At one point, the officers told David to take his hands out of his pockets. David complied, turned toward the officers and pulled out a knife that he opened and put the blade to his throat. The officers yelled several times for him to stop what he was doing but David did not initially listen. The officers drew their weapons. When he finally complied, David threw down the knife and picked up a plastic "stick" or something similar.

Yvette said the officers began to move closer to David who was standing near the front of the Intrepid. As they moved, David began swinging the "stick". The officers fired their guns at David. David went to the ground and Yvette claimed the officers continued to shoot when he was down on the ground. Yvette and her family members were told to stand back while the officers checked on David. An ambulance was called for David

which she claimed took a long time. All of the witnesses were moved to the front of the property where they waited.

Rebecca Ledezma:

Rebecca and David Ledezma are married and have had domestic violence problems in the past. David had been arrested a few years ago for assaulting Rebecca but the police have not been involved in any of the more recent incidents. Rebecca described David as an alcoholic who drinks several beers a day on a regular basis.

Rebecca and David went to a benefit car wash in Home Gardens, being held for a friend of Rebecca's. David consumed around 12, 24 oz. beers prior to leaving. She and David got into an argument before they left for the car wash. Once at the car wash, their argument continued. Rebecca was alone talking with a friend of hers who told her that David had cheated on her in the past and that everyone knew about it. This made Rebecca angry and upset so when she and David left the car wash, she confronted David about what she had learned. David became belligerent and called Rebecca a "fucking bitch!" He smacked Rebecca in the face and head several times with the back of his hand. Rebecca sustained a bloody nose from the strikes.

Afraid she would be further injured, Rebecca threatened to call the police from her cell phone. As she pulled out her phone and tried to make a call, David grabbed her phone and took the phone from her, putting it into the pocket of the driver's door. He then grabbed Rebecca by the hair and began pulling her hair really hard as he yelled at her. Rebecca started crying and tried to roll down her passenger window to yell for help to passing cars but David used his window controller to keep her window from going down. This type of situation continued all the way home with David driving very fast and at times unsafe.

Once at home, David drove onto the property and parked their car (a Dodge Intrepid) in the back near their room. Rebecca got out of the car and went to the front of the property where she met with Yvonne DeLaCruz, Rebecca's niece. Yvonne could see that Rebecca had been crying, her hair was messed up and she had been beat up. Rebecca told Yvonne about what David had done and said she wanted to call the police so she could get her money back from David and leave without any further problems. Since David still had Rebecca's phone in their car, Yvonne offered to call the police from her phone. Yvonne told the police about what had happened and the two women waited near the front of the house for the police to arrive. David told Rebecca, "Look what happens to your car!" while she and Yvonne waited for police. Rebecca watched as David took things from the trunk of her car and he also appeared to be damaging the engine compartment of the car.

The first two officers to arrive were both uniformed and in a marked police car. One of the officers spoke with Rebecca about what had happened. Rebecca told the officer that David had been drinking, the assault she was subjected to and that David might

have a small pocket knife on him at that time. She also told the officer that she just wanted her money from David and to leave in her car. While she talked with the officer, David yelled at Rebecca and the officers "What are you gonna do about it?!" A few minutes later, another police car arrived and two more uniformed officers came to assist the other officers. All four officers began to walk to the back of the property where David was still doing something to the car. Rebecca and Yvonne were told to stay near the front of the property while the officers talked with David.

A few minutes later, Rebecca heard multiple gunshots coming from the area where David and the officers had been. Rebecca began to run toward that area and saw one of the officers fall to the ground while he was shooting. Seconds later, the shooting stopped and David lay on the ground to the front of their car. Rebecca did not see the confrontation between the officers and David. She only heard the shots and then showed up once the shooting was about finished. She did not know what caused the officers to shoot David.

Rebecca was told by detectives that David had died as a result of his injuries. She was very shaken up and blamed herself for his death. Rebecca said this was the worst that David has ever been in the time they have been together.

Yolanda Serna (neighbor):

Yolanda was inside her house at [REDACTED] and could see the backyard of 10745. She heard David Ledezma and Rebecca arguing during the day. At about 1600 hours, the argument was loud and Yolanda stepped out of her house to see what was going on.

She saw two officers and the explorer go into the backyard and contact David. She was about 100 feet away. She was not sure what was being said but the officers were yelling at David. She saw David throw something towards the officers who she described as 5 to 7 feet away. David then picked a large metal pole and "chucked" it at the officers. She said it was 2-3 feet long and David threw it full force at the officers. She had a somewhat obscured view and doesn't know if it hit the officers.

David picked up an unknown item and she then heard about 6 gunshots from the direction of the officers towards David. Yolanda ran in the house.

Desiree Rodriguez (neighbor):

Desiree lives at [REDACTED] and was standing next to Yolanda. She said 5 uniformed officers approached David Ledezma in the backyard of 10745. The officers were yelling at David but she couldn't hear what was said. She said two of the officers were pointing their guns at David.

Desiree saw David pick up and throw a 2-3 foot metal pole at the officers with full force. She didn't know if the officers were hit by the pole. She then heard about 10 gunshots from the direction of the officers towards David. She then ran into the house.

Anthony Margadonna (friend of David Ledezma's family):

Anthony was visiting the Ledezma family. He said he believed he saw the entire incident. When the officers arrived at the residence, they walked up with their guns drawn. David Ledezma approached them with something in his hand and the officers told him to drop it. He first told officers that he did not know what the officers told David to drop, but later he said they told David to drop the knife.

Anthony didn't think David was holding a knife, only some tools or a piece of wood. David did not drop the item. Anthony said officers "Tased" David and whatever he was holding flew out of his hand. The officers then fired 6-12 shots and David fell to the ground.

Officer Interviews:

All officer interviews were conducted in the conference room of the Magnolia Station by Detectives Rick Cobb and Rick Wheeler. Present during the interviews were Attorney Peter Horton and Deputy District Attorney Samah Shouka along with DA Investigator Ricky Fuentes. The attorneys were there to solely monitor the interview.

The following summaries were taken from the officers statements:

Officer Putnam

Officer Putnam was assigned as "Charles 426" during his shift and was partnered with Officer Espinoza.

Officer Putnam and Officer Espinoza were assigned to assist Officer Miranda with a domestic violence investigation at 10754 Cypress Avenue in Riverside. The call indicated that the suspect was vandalizing a vehicle at the residence. When they arrived, he saw Officer Miranda talking to the female victim. He saw David Ledezma in the back of the property near a Dodge Intrepid.

Officers Putnam, Miranda and Espinoza started walking up the driveway towards David. Officer Miranda told David to come to them, but he did not comply. They were about 40 feet from David at this point. Officer Putnam then heard Officer Miranda tell David to drop what was in his hand. As they got closer to David, he saw David reach into his waistband. He moved towards a tree and saw Officer Miranda pull out his handgun and point it at David. When he saw Officer Miranda pull out his gun, he pulled out his Taser. He immediately saw David holding a folding knife and open it.

David then put the knife to his throat and said he was going to kill himself. Officers were approximately 30 feet from David at this point. They all gave David commands to drop the knife. David walked to the front of the car, still holding the knife to his throat. David yelled, "Fuck you. Just shoot me". David then threw the knife towards the car.

While David had the knife to his throat, Officer Putnam was concerned that David would charge them. He was scared. He has been trained that a person with a knife, at that close of a distance, can charge at them faster than they could react.

David then had a white pipe in his hand. The pipe was about two feet long. David threw the pipe very hard at them. David threw the pipe like a Tomahawk. The pipe was spinning through the air and he thought it was going to hit him.

Officer Putnam was within 21 feet of David when he threw the pipe, so he fired his Taser at him. The first dart hit him, but the second dart sailed over his head. The Taser had no effect on him.

David was more agitated and went to the front of the car. David then had another white pipe, which looked thicker and heavier than the first pipe. David faced the officers and took 1 to 2 steps towards them. David had raised the pipe over his head like he was going to throw it at them. Officer Putnam dropped his Taser because it was not working, and pulled out his handgun. David came towards them. He heard one gunshot. He feared that David was going to attack him and/or the other officers with the pipe, so he immediately shot at David. He moved to his left and tripped over a pile of dirt, and fell to the ground. He kept his gun pointed at David while he was falling, because David was still standing and coming towards him. He continued firing from the ground at David. He got to his feet and made a "Tactical reload". David was on the ground. He did not remember exactly how many rounds he fired. He then radioed that shots had been fired at his location.

Officer Putnam never saw David throw the second pipe.

There was no cover between the officers and David during the confrontation.

When back-up officers arrived, Officer Putnam handcuffed David.

Officer Putnam was asked by investigators to describe David's demeanor. He said David was angry and aggressive from the beginning of the call to the end.

Officer Miranda

Officer Miranda was assigned as "Charles 438" during his shift and also had Riverside Police Explorer Martin Martinez with him during the shift.

Officer Miranda said he was assigned to investigate a domestic violence at 10745 Cypress Avenue in Riverside. He arrived at the address and saw Rebecca Ledezma waving her arms at him to get his attention. Rebecca is the wife of David Ledezma. Rebecca told him that David had hit her in the face and pulled her hair. She had a bloody nose and her hair was messed up. She had also been crying. She appeared afraid and shaken up.

David was at the end of the long driveway of the property, near a Dodge Intrepid. The hood of the car was up and he was taking things out of the car.

Officer Miranda waited for back-up to arrive before he made contact with David. Officer's Putnam and Espinoza arrived.

Officer Miranda and the two other officers walked up the driveway towards David. They were walking next to each other. About half way up the driveway, he asked David to come to them. David did not come to them. David yelled to the officers that he did not do anything. David had tools in his hand. He told David to put down the tools but he refused.

As they got closer to David, he pulled a knife out of his pocket and put it to his neck. Officer Miranda described the knife as a folding knife with a brown handle and a three inch blade. He heard the "click" when the knife was unfolded. David said he would kill himself. David was at the rear passenger side of the vehicle. He tried to keep David calm by downplaying the situation, so he would not hurt himself. David continued to keep the knife at his neck and said he was going to kill himself. He and the other officers all starting yelling at David to drop the knife. He was less than 20 feet away from David. He pointed his handgun at David because he was afraid that David could still charge at them with the knife and hurt them.

David moved to the front of the car and then threw the knife behind him. At that time, one of the other officers deployed a Taser over Officer Miranda's left shoulder. One Taser dart hit David in the torso, but the other dart missed him completely. The Taser was not effective.

Immediately after the Taser was deployed, David picked up a white metal pole. Officer Miranda did not see him actually pick it up, but he saw it in his hand. He was not sure if David had the pole in his hand when he was tased, because it happened so fast. He described the metal pole as three feet long. David threw it at them very hard, just like he was throwing a baseball in an overhand motion. The metal rod flew past them and hit the ground. The rod just missed hitting him as it flew to the right side of him. He remembered hearing the rod hit the ground, and it made a metal sound.

David had another white metal pole in his hand. Officer Miranda did not see him pick it up. David then started to throw it at them, so he fired his handgun at him. He thought David threw the pole at him. He believes he fired his gun five times. David then fell to the ground. He fired his gun because he thought the pole could cause serious damage to him or his partners if it hit them. He knew the Taser failed, so he had to defend himself. He did not have any cover between him and David.

Officer Miranda was asked to describe David's demeanor during the incident. David was "Pissed off" and upset. David never backed down to them.

Officer Espinoza

Officer Espinoza was assigned as "Charles 426" during his shift and was partnered with Officer Putnam.

Officer Espinoza and Officer Putnam were assigned to assist Officer Miranda on a domestic violence call at 10745 Cypress Avenue in Riverside. When they arrived, he saw Officer Miranda talking to the female victim. The female was crying. Officer Miranda pointed to the David Ledezma in the back of the property.

As they walked up the long driveway towards David, they saw him near a Dodge Intrepid with items in his hand. Officer Miranda told David to drop the items, but he ignored his commands.

As they got closer to David, he had a knife in his hand and put the knife to his throat and said he was going to kill himself. Officer Espinoza pulled out his handgun and pointed it at David. All three officers yelled at David to drop the knife, but he kept the knife to his throat. They got closer to David, who was walking towards the front of the Intrepid. They continued to tell David to drop the knife, but he said, "Fuck you". David then threw the knife on the hood of the car.

Officer Espinoza was to the right of Officers Putnam and Miranda. David was irate. They were approximately 20 feet away from David. David then grabbed a 2 to 3 foot long metal pipe. The pipe looked like a solid metal or iron car jack pole. It was dark grey or black. David used an overhand motion and threw the pipe at them real hard. It was thrown with full force. It was thrown so hard, that he had to dodge it so it would not hit him.

Officer Putnam then deployed his Taser at David. He saw one of the prongs hit David in the torso, but the other one missed. He then moved between Officers Putnam and Miranda.

He saw David pick up another pipe and lift it up over his head. He described the second pipe as a white or grey 2 to 3 feet long. It was similar to the first pipe. David took 1 to 2 steps towards him and Officers Putnam and Miranda. He feared that David was going to hit or kill them if he threw the pipe at them like the previous one. He believed David was walking towards them to attack them with the pole. He was scared that David was going to hurt him or his partners. He heard one gunshot and then he fired his handgun at David. He then heard several other shots simultaneously. David went to the ground. He believes he fired 4 or 5 shots in succession. There was no cover between David and him.

He then noticed that family members were behind him yelling and screaming. He continued to cover David until back-up officers arrived.

R.P.D. Explorer Martinez

Martin was assigned as a ride-along observer to ride with Officer Miranda for his swing shift tour of duty. Martin was in his class B RPD Explorer uniform (dark colored pants with a light blue shirt, Sam brown belt and no weapons) for this ride-along. He and Officer Miranda were assigned as #C438 for this shift. Officer Miranda drove their marked RPD unit while Martin was the passenger. They received a radio call of a spousal abuse on Cypress Ave and began heading to the call.

When they arrived, they were flagged down by Rebecca Ledezma who was standing near the front of a residence. As they got closer, Martin could see Rebecca's face was red and her make-up was running. Her hair was messy and she was crying. It looked to Martin like she had been beaten up by someone. Rebecca told the officers that her husband, David Ledezma, had struck her several times in the face during an argument. He was also keeping her money, approximately \$200, from her and would not return it. Officer Miranda asked her if David had any weapons and she said he had a knife on him.

Two other officers arrived in another marked unit and were going to provide back up to Martin and Officer Miranda. The four men began walking to the rear of the property where Martin could see David doing something to a car, taking things out of it and walking around. The officers attempted to make verbal contact with David but he said he "did not care" that they were there and continued doing what he wanted to do. The officers told David several times to show them his hands but he still would not follow their commands. Martin watched as David lifted his shirt and reached toward his waistband causing the officers to pull out their weapons and point them at him. David pulled a knife from his clothing and opened the blade. David then pointed the blade toward his own neck and said he didn't care what the officers wanted him to do. All of the officers gave David commands to drop the knife and to get on the ground but he disregarded their commands and continued to hold the knife to his neck as he walked near the front of the car.

Once at the front of the car, David threw down the knife and suddenly held up a white "stick". One of the officers deployed their Taser in an effort to stop David but it had little to no effect on him. It only served to make him more angry. David threw this "stick" at the officers, trying to hit them with it, causing all of the officers to fire their weapons at David. Martin recalled Officer Putnam tripped and fell to the ground at one point while firing his weapon. When the shooting ended, David was on the ground. The officers continued to hold David at gunpoint until additional units arrived. Fire personnel arrived soon after and David was treated by them before being transported.

Martin said he was unable to see the entire incident because his attention was divided between the officers contacting David and close to 10 members of his family gathering near the officers just before the shooting. Martin continued to look back at the officers and David as he also dealt with family members who were getting too close to the officers. They kept Martin from seeing every part of the incident as it happened. Martin

estimated the distance between the officers and David at the time of the shooting to be between 15 and 20 feet.

Martin described David's demeanor during the entire contact as defiant, threatening and violent. David would not listen to the officer's commands and continued to pose a threat as the officers tried to gain his compliance. Martin felt David might have been on some type of drugs during this incident due to his actions. After seeing what David had done to the crying female who flagged them down and his refusal to listen to the officers, Martin felt David was a threat to him and the officers on scene.

Autopsy

Dr. Fajardo conducted the autopsy on David Ledezma on 1/11/12.

David was shot twice in his right leg and once in his left leg. Both wounds were non-life threatening.

David was shot in the upper torso on the left side of his chest. The bullet traveled from left to right through the chest cavity. The bullet struck a small portion of the liver.