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### **RIVERSIDE: Police identify man shot by officers**

BY DAVID KECK

STAFF WRITER

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PM

Police identified a man officers shot and killed after responding to a domestic violence call on Saturday afternoon as 52-year-old David Ledezma of Riverside, according to a Riverside police news release.

Ledezma was shot after a confrontation with officers at about 4:10 p.m., the release stated. Officers from the Riverside Police Department responded to 10700 block of Cypress Avenue in Riverside regarding a domestic violence call.

The person who called police pointed out a suspect. The officers contacted the suspect and a confrontation occurred which resulted in an officer involved shooting, the release stated.

An ambulance took the man to a local hospital where he died.

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RIVERSIDE POLICE DEPT. Restricted Information  
**Public Records Act Request**  
ROZ 12/14/2012 3:03:32 PM Unauthorized Release PROHIBITED

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## RIVERSIDE: Family calls police shooting excessive

They say police used a stun gun and fatal bullets on a 52-year-old Riverside man nearly simultaneously



LESLIE PARRILLA/STAFF PHOTO

Yvette Ledezma, right, and Nyessa Ron, at the site where their father and grandfather, respectively, was shot by police.

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BY LESLIE PARRILLA

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PM

Relatives of David Hernandez Ledezma held each other and cried Monday as they questioned why the man had to die after a domestic violence dispute at his Riverside home.

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Family members said Riverside police could have used only the Taser they originally fired instead of almost simultaneously spraying fatal bullets that struck and killed Ledezma.

Police said Ledezma threw a metal pipe at officers, and that they initially Tasered him but the weapon was ineffective.

Ledezma's niece, Yvonne DeLaCruz, who was at the Riverside home in the 10700 block of Cypress Avenue, had called police around 4 p.m. Saturday to report that her uncle, 52, had hit his wife and was acting belligerent. She told police that he was in his backyard and had been drinking but was not armed.

"He was taking his tools out of the trunk of a car," Yvette Ledezma, 33, of Riverside, said of her father. Three officers stood about 20 feet from him with their guns drawn, she and other family members said. There were about 10 relatives at the home, at least four who witnessed the shooting.

DeLaCruz said she saw her uncle put a knife to his throat, and then she turned around.

"I didn't want to look anymore," DeLaCruz said.

The man's nephew, Anthony Margadonna, 22, of Riverside, had stepped out of the house when he saw police officers with guns in the backyard.

"I heard them say, 'Drop the knife.'"

But when Margadonna looked, he only saw his uncle standing in front of a car hood holding onto a rod that

propped the hood up.

DeLaCruz heard police say, "Put it down, David."

Ledezma told police he was not going to jail because he didn't do anything, Yvette Ledezma said.

Her father was in the last stages of cirrhosis of the liver from an alcohol addiction and feared going through alcohol withdrawal while incarcerated. DeLaCruz added that Ledezma was unemployed and depressed. He had previously served time in 1993 and 2002 for battery and domestic violence, respectively. A case was dismissed against him in 1999 for battery on a peace officer.

Shortly after police told Ledezma to drop the knife, DeLaCruz said her uncle was Tasered.

"As soon as I saw the Taser string go out, the bullets started flying," she said.

Family members heard at least a dozen shots before Ledezma fell to the ground and was bleeding from his abdomen and leg. He asked for water as police kept him at gunpoint. Relatives said Ledezma was not rendered medical assistance until the paramedics arrived. Officers searched the car he was standing near and his bedroom.

Family members said they don't understand why police did not use less-than-lethal force and why the Taser was used in conjunction with lethal ammunition.

They also questioned whether police followed procedure in trying to talk to Ledezma before escalating to lethal force. They described officers as very nervous, with one tripping on something in the cluttered yard.

Riverside police said in a news release late Monday that when they arrived Ledezma was throwing tools in the yard, was uncooperative and angry. He pulled a pocket knife from his pants pocket, opened it and placed it against his neck, threatening to stab himself, police said.

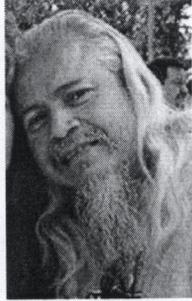
The officers told him to drop the knife, which he did. But he walked away, picked up a large metal pipe, refused to drop it, and then raised it over his shoulder and threw it at the officers. They moved to avoid being hit, and then used a Taser, but it was ineffective.

They said Ledezma picked up another large metal pipe and began hitting objects in the yard. He refused to drop the pipe, police said, and then raised it above his shoulder and moved toward the officers.

Fearing for their safety, the three officers fired their weapons and struck Ledezma several times.

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## RIVERSIDE: Police say Taser failed during fatal shooting



CONTRIBUTED IMAGE  
David Ledezma was shot and killed by Riverside Police Saturday night during a domestic violence call

1 of 2

BY LESLIE PARRILLA  
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Published: 13 January 2012 06:36 PM

Riverside Police have released new details about the officer-involved-shooting last week that left a man dead after he threatened suicide then refused arrest for alleged domestic violence.

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David Hernandez Ledezma, 52, was shot and killed Jan. 7 after police were called to his house in the 10700 block of Cypress Avenue around 4 p.m. A relative had called authorities after Ledezma reportedly hit his wife and refused to let her leave the property. He had been drinking at the time, family members said.

Shortly after police arrived, Ledezma held a knife to his throat and threatened to stab himself before dropping it to the ground as officers had demanded. He then threw a metal pipe in their direction, police said, causing them to dodge the object. When Ledezma reportedly picked up another pipe and raised it over his shoulder, one officer fired a Taser but it failed to work.

That's when all three officers fired their guns, killing him. Police spokesman Lt. Guy Toussaint said officers fired 18 shots, hitting Ledezma four times. Family members reported at least a dozen bullets were fired. One officer fell over some debris in a cluttered yard during the shooting, police said.

It had been unclear if the Taser was ineffective because it had malfunctioned or had no impact on Ledezma.

On Thursday, police said the weather conditions that evening caused one of two probes needed to conduct the electrical charge to miss Ledezma.

"The wind was really blowing and one of the darts came into contact with the suspect and one of the darts missed. After deploying the Taser once, he (the officer) felt it necessary to go to his firearm," Riverside Lt. Ed Blevins said.

The highest sustained winds that day were 17 mph, with gusts of up to 30 mph.

Officers were standing about 20 feet from Ledezma, roughly the same maximum distance needed to use a

Taser effectively. The X26 Taser used by Riverside police advertises a 15-foot to 35-foot maximum range, depending on the model.

Police also said Thursday that another officer had been carrying a Taser but didn't use it.

"In the situation he felt it was not appropriate," Blevins said.

Family members have complained that officers should have used another less-than-lethal method, possibly Tasering him again or subduing him physically, but not killing him.

"As a family we completely disagree with their statements. We feel like they're not taking responsibility for jumping the gun," said Ledezma's niece, Yvonne DeLaCruz, who had called police. "They should be trained to handle those types of situations and I would assume their first goal would be to preserve a human being's life."

DeLaCruz said she called police to arrest him for allegedly striking her aunt and to prevent that type of behavior, for which he had served time in jail in the past.

Blevins said officers reacted to the situation as it developed and did not pre-arrange using Tasers or their service guns.

"I don't think the officers really had time to devise a plan because this happened so quickly," said Blevins.

Some 10 family members of Ledezma present during the shooting allege police used excessive force. They said their relative didn't threaten police and stayed in the place where he was shot, but did not approach officers.

Riverside Police Department and the Riverside County District Attorney's Office are investigating the shooting separately.

"We're looking for additional witnesses. We're asking for anyone who might have additional information," Blevins said of the Riverside police investigation.

#### FUND RAISER

What: Carwash to raise funeral and legal expenses for David Ledezma

When and where: 8 a.m. to 2 p.m. today and Sunday at Tyler Street and Campbell Avenue, Riverside

9 a.m. to 2 p.m. Saturday at Van Buren Boulevard and Magnolia Avenue, Riverside

9 a.m. to 2 p.m. Sunday Iowa Avenue and W. Blaine Street, Riverside

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## **RIVERSIDE: Commission begins review of officer-involved shooting**

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PM

A police review commission has begun investigating a fatal officer-involved shooting that it was briefed on Wednesday before listening to pleas from family members to hold three officers accountable for excessive force.

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The Riverside Community Police Review Commission listened to an update in the shooting of David Ledezma, 52, of Riverside, who was killed by police Jan. 7 at his home in the 10700 block of Cypress Avenue shortly after 4 p.m. Ledezma had served jail time for domestic violence and had allegedly struck his wife that day, prompting a relative to call officers, according to police.

Riverside Police Assistant Chief Christopher Vicino told the commission his department's investigation could be complete in six weeks before it's submitted to the Riverside County district attorney's office to determine if officers committed a crime.

The civilian commission reviews police-involved deaths and citizen complaints about the Police Department. It has assigned independent investigator Mike Bumcrot to the case.

Vicino summarized the shooting for the commission Wednesday, releasing few new details but said one of the pipes Ledezma threw, or was about to throw at the three officers, was a plastic PVC pipe. It was unclear if Ledezma was holding the PVC or the metal pipe when officers shot him because they said he was a threat.

Vicino also said Ledezma could be heard on a police recording saying, "Just shoot me."

About a dozen angry family members asked the commission why officers fired 18 shots, hitting Ledezma four times. Vicino said police are trained to fire "until the threat has ended."

Ledezma was at his home holding tools and working on a car in the backyard of his residence when police arrived. He dropped the tools, then held a knife to his throat and threatened to stab himself before dropping it to the ground, as officers had demanded.

He then threw a metal or PVC pipe in their direction, police said, causing them to dodge the object. Then Ledezma picked up another pipe and raised it over his shoulder and moved toward officers, according to police. That's when one officer fired a Taser, but it failed to work because high wind caused an electrical probe to miss Ledezma, who was about 20 feet away.

All three officers then fired their service weapons, killing Ledezma, police said.

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## RIVERSIDE: Family vows to continue protests



STAN LIM/STAFF PHOTOGRAPHER

Becky Ledezma uses a bullhorn as she protests the fatal officer-involved shooting of her husband, David Ledezma. David Ledezma was shot and killed Jan. 7 outside his home. Police had responded to a domestic violence call.

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BY BRIAN ROKOS

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PM

Family members of David Hernandez Ledezma say they plan to continue protesting until they get what they consider justice: an acknowledgment that Riverside police overreacted by shooting Ledezma to death, with changes to police procedures that would prevent such a thing from happening again.

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Police said that during a rapidly developing encounter, Ledezma, 52, held a knife to his throat and threatened to stab himself before dropping it to the ground as officers had demanded.

He then threw a metal pipe in their direction, causing them to dodge the object. When Ledezma reportedly picked up another pipe, moved toward them and raised it over his shoulder, three officers shot him Jan. 7 outside his house on Cypress Avenue.

Police identified the officers as Ramon Espinoza, Jeff Putnam, and Paul Miranda.

Assistant Police Chief Christopher Vicino said Tuesday that Ledezma's death was tragic but that officers feared for their lives.

Efforts to stop Ledezma with a stun gun had failed. Police said they went to the house because someone reported that Ledezma, who had two previous convictions for battery, had hit his wife. When officers arrived, they saw that she was bleeding, Vicino said.

Friday, about 40 family members gathered on Lime Street downtown, holding signs and using a bullhorn to shout to passers-by. The family had held two previous protests, including one outside the county courthouse.

One of Ledezma's daughters, Valerie Hernandez, 31, said the family has two more demonstrations planned for April.

"We're not going to stop," she said in a telephone interview Tuesday. "If nobody does anything, it will happen

to another family. I would never want to see any other family go through something like this."

The family's attorney, Jamon Hicks of The Cochran Firm in Los Angeles, filed a claim for damages with Riverside on Tuesday. The claim asked for unspecified damages greater than \$10,000.

The claim said that Ledezma was unarmed, that officers failed to give him timely medical treatment and that the officers were negligently trained and retained by the city "in that they had known propensities for acting in the fashion that they did."

Vicino said the officers responded to Ledezma's violence.

"They responded with their training and the tools that they had. ... Unfortunately, the officers were forced to use deadly force," he said.

Claims against cities are routinely rejected by city councils, setting the stage for lawsuits. Hicks said the family's priority is not to get money from the city.

"Their main concern, they just want questions answered. They're really trying to clear their father's name. They don't like the way their father is being presented to the public (by the police)."

#### PAST VIOLENCE

There appear to be two sides to Ledezma, who was married with four adult children.

"He was Papa David to the kids in the neighborhood," Hernandez said. "He just showed a lot of love. He always accepted anyone."

Others might have seen Ledezma differently.

In 2002, he was convicted of battery on a spouse and sentenced to 440 days in the county jail, Riverside County Superior Court records show. Ledezma later admitted to violating six of the 21 terms of his probation, including paying fines and completing an anger-management program.

In 1993, Ledezma was convicted of battery, and his probation was revoked after he did not complete an anger-management program, court records show.

Two years earlier, a charge of battery on a police officer or emergency worker was dismissed.

Riverside police and the city's Community Police Review Commission are investigating the shooting.

Mike Bumcrot, a former homicide detective in Los Angeles hired by the commission, said Tuesday that he has spoken with witnesses. Bumcrot will get his first look at the police report when the Riverside Police Department submits its findings to the Riverside County district attorney's office, he said.

Bumcrot said he didn't know when that would happen.

Follow Brian Rokos on Twitter: @Brian\_Rokos

## Cobb, Rick

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**From:** Smith, Dave  
**To:** Thursday, February 23, 2012 4:03 PM  
**Subject:** Cobb, Rick  
Here is one of Ledezma's daughters blogs on PE. Nothing new

this is the daughter of david ledezma...my father was a good man,people need to get their facts straight and tell everything that was told to them ,i love my dad and he did not deserve to be brutally shot and killed by rpd....there was a call made to law enforcement and when they arrived my father was in the back of the yard working on his car,then the rpd approached him right away with their guns drawn,he did not have a medal pipe in his hand as rpd stated,he had a wooden stick that holds up the hood of his car because he was working on it,there was no confrontation between him and an officer...he just kept telling them that he didnt do anything ,the officer that was so called injured tripped on an object in the yard...my dad was no threat to them there where 3 police men in uniform and 1 in a blue shirt,my dad was 52yrs old and ill at times he would use a cane to walk cause he was in so much pain,they could have only tazed him if they felt like he wasnt cooperating(or used the bingbags,or rubber bullets)there were other ways to handle this,but no!instead they tazered him and at the same time that theytazeered him all the officers started shooting infront of one of his children and 2 of his neices and 1 nephew,then he fell to the floor and my sister was screaming for them to stop shooting because they would stop when he was already down,she tried to help him and they kept pushing her back telling her to get away ,when my dad was lying on the floor he was asking for water and the officers would not let anyone near him or let anyone give him water,his nephew ran to help him and wanted to give him water and the officers stopped him and put him in the police car,my dad laid on the ground for about 20 minutes before an ambulance showed up and they turned him around and handcuffed him while he was lying there tazered and shot...NOT ONE OFFICER EVEN GAVE MY A DRINK OF WATER!and my grandparents/ his parents had to watch as their son died laying on the ground alone with no-one beside him...right away after the shooting the entire block was blocked off and no -one was allowed in or out ,this happened about 4pm and they did their entire investigation and clean up right away...these oficers know they were wrong and thats why they would not tell ou family anything,the moment i heard that my dad was transported to riverside community hospital i went over to see him and they lied to me and told me my dad was not at their hospital,while i was their another family member got their and told me that they spoke to an officer outside and he told them that my dad was here in surgery and he was shot 6 times...we waited for hours and they kept telling us they didnt know his condition,then they told us an officer would come out and talk to us and no-one ever came...they knew the entire time my dad did not make it and they never came to tell us...we found out about 1am when my mother was released from questioning she was dropped off at the hospital...she told us !i hope and pray that not another family will ever have to go through what we are going through right now...please stand beside us!in loving memory of my daddy...i love u and miss u so much...but like u always say i'll see u later daddy <3 (for those of u who dont know everytime we would give our dad a hug and say good bye,he would correct us and say never say good bye cuz good bye is forever,say i'll see u later)