

SUPPLEMENTAL REPORT

Date Prepared: 11-19-14

1. Original File No. P14-175586	2.	3. Off ID 146	4. Dist. W	5. Crime-Ct.	6. Crime-Ct.	7. Crime-Ct.	8. Date/Time Occurred 11-18-14 / 1431	9. Day 3			
10. Date/Time Assigned	11. Date/Time Inv. Start		12. Date/Time Inv. Term.		13. Type Clr. EXC	14. Type Cont. REC	15. Additional Adults Arr.	16. Additional Juv. Arr.			
17. Address of Occurrence (Street No. - Name - City) 10479 Keller Avenue, Riverside							18. Type of Place Residence				
For ID USE: V = Victim, I = Informant, W = Witness, O = Other											
19. ID: V/1	20. Last Name - First - Middle (Firm Name if Business) Officer M. Ortiz (#1352)					21. Race - Sex H / M		22. DOB			
23. Residence Address			24. Business or School Address Riverside Police Department			25. Home Phone	26. Bus. Phone (951)787-7911				
27. ID: V/2	28. Last Name - First - Middle (Firm Name if Business) Officer J. Adcox (#1463)					29. Race - Sex W / M		30. DOB			
31. Residence Address			32. Business or School Address Riverside Police Department			33. Home Phone	34. Bus. Phone (951) 787-7911				
S U S P E C T	35. LAST Name - First - Middle Martinez, Vicente Robert			36. Race - Sex H / M	37. Age 34	38. Ht. 509	39. Wt. 193	40. Hr Brn	41. Eyes Brn	42. DOB or ID 03-26-80	43. Arrested <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	44. Address - Clothing - Other Marks or Identifying Characteristics DECEASED										
45. Juv. Other Disp: Juris. <input type="checkbox"/> 2		Juv. Ct. Prob. <input type="checkbox"/> 5		Within Dept. <input type="checkbox"/> 6		Detained <input type="checkbox"/> 1		Not Detained <input type="checkbox"/> 2			
S U S P E C T	46. LAST Name - First - Middle			47. Race - Sex	48. Age	49. Ht.	50. Wt.	51. Hr	52. Eyes	53. DOB or ID	54. Arrested <input type="checkbox"/> Yes <input type="checkbox"/> No
	45. Address - Clothing - Other Marks or Identifying Characteristics										
56. Juv. Other Disp: Juris. <input type="checkbox"/> 2		Juv. Ct. Prob. <input type="checkbox"/> 5		Within Dept. <input type="checkbox"/> 6		Detained <input type="checkbox"/> 1		Not Detained <input type="checkbox"/> 2			

ORIGINALLY REPORTED DOLLAR VALUES ARE CHANGED AS SHOWN BELOW

Cal	Currency Notes	B Jewelry Prec. Met.	C Clothing Furs	E Office Equip.	F T.V.-Radio Cameras	G Firearms	H Household Goods	I Consum. Goods	J Livestock	K Misc.
PS	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
57										
PR	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$

60. Originally Reported Offenses (Code - Crime) (1) 245(d)(1) ADW on Peace Officer w/ Firearm (2)	61. Original Offenses Changed to (Code - Crime) (1) (2)	58. Stolen Auto Value ASP: \$
62. Narrative of Supplemental Report * Crime Scene *		59. Recovered Auto Value A2 \$

Reporting Officer
Det. Jim Brandt

Reviewed By
T. Brown

COPIES TO

VCLO ()

ACTIONS

APR Sent
APR Cncl.
APB Sent
APB Cncl.

DOJ-NCIC
Entered _____
Cancl. _____

ENTERED

Stats ARBK ANK

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Assisting Personnel:

Riverside Police Department

Sergeant D. Amador	Supervision / Investigations
Sergeant T. Banks	Supervision / Investigations
Sergeant B. McCoy	Supervision / Investigations
Detective D. Smith	Case Agent
Detective G. Rowe	Co-Case Agent
Detective M. Medici	Crime Scene / Investigations
Senior Forensic Technician S. Lane	Crime Scene / Investigations
Senior Forensic Technician L. Velin	Crime Scene / Investigations
Senior Forensic Technician T. Ellis	Crime Scene / Investigations

Riverside Fire Department

	Incident Number: 27813
Battalion Chief Perna	Battalion 2
Captain Brinkman	Truck 2
Engineer Stibal	Truck 2
Firefighter Greyshock	Truck 2
Firefighter Hill	Squad 2
Paramedic Schlom	Squad 2

Riverside Sheriff-Coroner Department

Report Number: 2014-10781

Deputy Coroner Burns	(#N5788)
Deputy Coroner Baker	(#N4791)
Sergeant Marks	(#2225)

Riverside County District Attorney's Office

Deputy District Attorney C. Cook
Senior Investigator A. Caballero

Narrative:

On 11-18-14, at approximately 1435 hours, Detective Dave Smith notified me of an Officer Involved Shooting that had just occurred. Detective Smith asked me to respond to the area of Keller Avenue and Jones Avenue, in the city and county of Riverside, to assist with the investigation. I drove to the scene from the Riverside Police Department, Magnolia Station, and arrived at 1500 hours.

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Upon my arrival, I noted Keller Avenue, westbound, was blocked at Jones Avenue by marked Riverside Police vehicles and personnel. Bushnell Avenue was blocked, south of Keller Avenue, and north from Campbell Avenue, by marked Riverside Police vehicles and personnel. These areas were also cordoned off with yellow crime scene tape as was the front of the residences located at 5431-5433 Bushnell Avenue and 10479 Keller Avenue.

Immediately upon my arrival, Detective D. Smith asked me to talk to Riverside Fire Department personnel who were on-scene. On the street in front of 10479 Keller Avenue, I spoke collectively with department personnel documented above and learned they provided medical attention to the suspect who had sustained at least two gunshot wounds. During their treatment, Battalion Chief Perna was on the phone with Dr. Goldner at Riverside Community Hospital. Despite the lifesaving efforts the suspect succumbed to his injuries and was pronounced deceased, by Dr. Goldner, at 1452 hours. RFD personnel said there were a wallet, knife, and pack of cigarettes on the ground next to the suspect's body. They removed a driver's license from the wallet so they could learn the identity of the suspect. They also noted a projectile on the ground near the suspect's head.

I then attended a briefing of the incident provided by Detective E. Detmer (Narcotics Unit) and Detective C. Williams (PACT: Post-Release Accountability & Compliance Team). After the briefing, I was assigned to assist Detective M. Medici and Senior Evidence Technicians Ellis, McKay-Davis and Velin with processing the scene.

Following the briefing, I conducted a walk-through of the scene with the following personnel:

Sergeant D. Amador	Investigations
Sergeant T. Banks	Investigations
Sergeant D. Hudson	Internal Affairs
Sergeant J. Wood	Internal Affairs
Detective D. Smith	Investigations / Case Agent
Detective G. Rowe	Investigations / Co-Case Agent
Detective M. Medici	Investigations
Detective A. Tillett	Investigations
Detective C. Williams	Investigations
Senior Forensic Tech. S. McKay-Davis	Investigations
Senior Forensic Tech. L. Velin	Investigations
Deputy District Attorney C. Cook	Riverside County District Attorney
Senior Investigator A. Caballero	Riverside County District Attorney

Scene Description:

The primary scene of this incident was contained to the backyard of 10479 Keller Avenue in the city and county of Riverside. There was a secondary scene, where the termination of a vehicle pursuit, and the foot pursuit began, in the driveway of residences located at 5431 and 5433 Bushnell Avenue.

5431 / 5433 Bushnell Avenue

5431 Bushnell Avenue is the front residence and 5433 Bushnell Avenue is the rear residence on the same parcel of land. There is long driveway the travels east from Bushnell Avenue in front of the front residence (north) and ends at the front of the rear residence, which faces west.

In the driveway was a grey Nissan Frontier truck (CA LIC# 70580R1), which was identified as the suspect vehicle of the vehicle pursuit, along with two black Ford Explorers (CA LIC# 1418588 (Unit# 3505), 1418589 (Unit# 3404), which are unmarked police vehicles, but equipped with emergency gear (lights and siren). The Nissan Frontier was stopped in the driveway, facing east, near the rear house and the Ford Explorers were stopped behind the Nissan Frontier. None of the vehicles were running and the emergency gear was off on the Explorers.

I spoke with Detective E. Detmer and he told me the suspect vehicle was still running at the conclusion of the pursuit and he turned it off. I spoke with Detective S. Levesque and he said upon his arrival the Ford Explorers were still running and the emergency lights were activated. Detective Levesque said PACT Sergeant Corbett turned off both police vehicles and turned off the emergency equipment.

The only physical evidence at this location was the vehicles. Senior Forensic Technicians L. Velin and S. McKay-Davis took video and photographs of the vehicles. The Nissan Frontier was towed from the scene and transported to the Riverside Police Department, Magnolia Station, where it was stored inside the facility in order for it to be processed.

(Refer to Detective Medici's Supplemental Report for details of the processing)

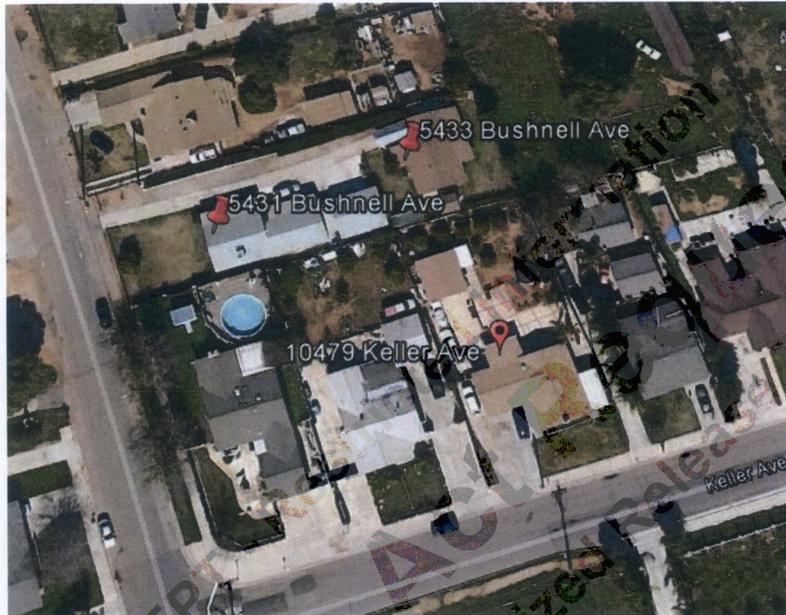
10479 Keller Avenue

The rear yard of 10479 Keller Avenue is the scene of the Officer Involved Shooting.

10479 Keller Avenue is a single story residence located on the north side of Keller Avenue, east of Bushnell Avenue. The rear yard of the residence backs up to the properties located at 5431/5433 Bushnell Avenue and is separated by a chain link fence with lattice affixed to the top. The rear yard has two levels. The upper level consists of mostly dirt and various small trees. There is a detached garage on the north / west side of the property. The lower level was concrete patio and the two levels were separated with a concrete and brick retaining wall. There is a driveway the runs north from Keller Avenue along the west side of the residence, which continues into the rear yard and to the detached garage. There is a chain link gate, on the west side of the residence, that separates the front and rear yard. There were two vehicles parked in the driveway behind the gate, which were both parked on the west side of the driveway and parked nose to nose. The truck closest to the gate was a white Ford F150 (CA LIC# 5C54853) and the other was a small white Toyota pick-up truck (CA LIC# 5F45853).

The body of S/ Martinez was at the scene and located on the upper level of the rear yard

See below photo taken from Google Maps of the two above referenced addresses. The Map is consistent with how they looked on the day of the incident, without the location of the vehicles.



Scene Processing / Evidence Collected:

Detective Medici, Senior Forensic Technicians T. Ellis, S. McKay-Davis, L. Velin and I began processing the scene, locating, photographing, measuring and collecting evidence. Senior Forensic Technicians S. McKay-Davis and L. Velin started by taking video and overall photographs of both locations.

We located a pair of black sunglasses (BM01) on the ground behind the detached garage, at 10479 Keller Avenue, which is in the path of the foot pursuit. There were eight (8) spent Winchester .40 caliber shell casings (BM02-BM09) found on the ground, within close proximity of one another, under two trees east of the detached garage. A gray "Gerber" folding knife (BM10-A), brown wallet with CDL for Martinez Vicente Robert (BM10-B), and a pack of Marlboro cigarettes (BM10-C) were found on the ground on the right side of Martinez. The wallet contained miscellaneous gift and credit cards, 2 keys, miscellaneous documents, and \$96.00 in US Currency (BM10-B1). A yellow metal necklace (BM11) was also found on the ground to the right of Martinez. A copper and lead projectile (BM12), in fairly good condition, was located on the ground near Martinez's head. The average distance between the cluster of shell casings was approximately twelve (12) feet north of Martinez's body.

There were several copper and lead fragments (BM13-BM15, BM18-BM20) found on driveway and sidewalk next to the garage. Two additional fragments (BM16-BM17) were found on the lower level of the year yard, south west of where Martinez was laying.

A .40 caliber semi-automatic handgun (BM21) was found on the driveway, west of Martinez's body, near the front driver's side tire of the white Toyota truck. The handgun had a magazine in the magazine well and there was dirt and scratches on the gun. The handgun was approximately thirty-four (34) feet from where Martinez was found.

Weapon Information:

Springfield Armory, .40 caliber, Model XD-40, Serial #US200571

Senior Forensic Technician S. McKay-Davis rendered the weapon safe and removed the magazine (BM21-A) from the well. It was determined there was no round in the chamber of the weapon but the magazine was loaded to the maximum with eleven (11) live S&W, .40 caliber, rounds.

A records check of the weapon identified the purchaser as:

Zachary Todd Gilbert; [REDACTED]
[REDACTED]

The records check showed the weapon was reported stolen by Mr. Gilbert, in 2011, and documented under Riverside County Sheriff Department #SW-113250053.

There was a dull gray metal chain (BM22) found in the driveway close to the gate. Based on the condition and the distance from this incident I do not believe it was involved but it was collected in an abundance of caution.

One copper and one lead projectile fragments (BM23-BM24) were also found on the driveway closer to the gate.

Senior Forensic Technician S. McKay-Davis collected a soil sample with possible blood and a control soil sample (BM-25).

I stood by as Deputy Coroner Burns and Deputy Coroner Baker began their initial death investigation on the suspect, identified as Vicente Martinez. (Martinez was tentatively identified by his California Driver's License [REDACTED]. Senior Forensic Technician McKay-Davis was present as well and took photographs for documentation.

Vicente Martinez

Martinez was lying on his back and there was a watch and handcuff attached to his left wrist. He was wearing a black shirt, with a white shirt underneath, tan pants, dark belt with a "Gerber" tool in a black pouch, blue boxer shorts, white socks and tan boots. The clothing had been cut during lifesaving efforts. There were adhesive medical pads affixed to his body. There was possible blood visible on the shirts and during preliminary examination various holes were seen in the black shirt. There were wounds to the upper body consistent with gunshot wounds (see photographs for details). The injuries will be detailed and documented in the Autopsy Protocol.

Deputy Coroner Burns conducted a gunshot residue (GSR) collection kit on Martinez's hands at the scene. Senior Forensic Technician McKay-Davis took possession of the kit and later booked it as evidence (BM26). It was decided Martinez's clothing / pockets would be emptied

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and items collected at autopsy rather than at the scene. It was also decided any further processing of Martinez's hands or fingernails would be done at the autopsy.

The Sheriff-Coroner's Office took possession of Martinez's body pending an autopsy. The autopsy is scheduled for 11-19-14, at 0900 hours.

Refer to Deputy Burns' Death Investigation report for details. This report is a brief summary / overview.

**BM= Brandt / McKay-Davis*

Follow-Up at Scene on 11-19-14

On 11-19-14, at approximately 1215 hours, Detective Medici, Senior Forensic Technician S. McKay-Davis and I responded back to the scene to canvas the area in the daylight. During the canvas we located a bullet strike in the brick that tops the retaining wall separating the upper and lower rear yard (#A). The bullet strike was in the brick south of (behind) where Martinez was located, which was consistent with direction Officer Ortiz fired at Martinez. We also located several small lead fragments (BM27) on the ground in the area Martinez was located. We found what appeared to be a bullet strike in a red brick that was on the ground circling a small shrub (#B). The location of the strike mark #B could explain the small lead fragments (BM27) on the ground between where Officer Ortiz indicated he was standing when he fired at Martinez, and Martinez's body.

An additional strike mark (#C) was found on the concrete driveway and appeared to be going in a south west direction, which again is consistent with the direction Officer Ortiz said he fired his duty weapon at Martinez. We looked for any portion of the projectile but were unable to find anything.

Senior Forensic Technician McKay-Davis photographed the above mentioned items and collected item BM27.

No Further Information.