



**San Antonio Police Department  
Internal Affairs  
Investigation Report**

Unit Case:  
**FC2015-179**

**Allegation 2:**

At 0503 hrs on August 2<sup>nd</sup>, 2015, Officer Matthew Belver #1106 (SPC) was dispatched to 3122 Chamita for a shooting. Officer Belver responded to the location and parked his patrol vehicle outside the crime scene. After the crime scene had been released, Officer Belver arrested and handcuffed Mr. Eloy Leal and placed him in the back of his patrol vehicle. A short time later, Officer Belver agreed to engage in a physical fight with Leal, and Officer Belver unhandcuffed Leal. After Leal declined to fight, Officer Belver re-handcuffed Leal but did not double-lock the handcuffs. According to Mr. Leal, Officer Belver placed the handcuffs on too tight which caused numbness to his wrists. This incident was documented under SAPD case number SAPD15164781.

**This conduct may be a violation of the SAPD Rules and Regulations:  
Section 3.26 – Treatment of Prisoners**

**Prisoners shall be protected in their legal rights, given humane treatment, and shall not be subjected to verbal abuse or unnecessary physical violence.**

**Allegation 3:**

At 0503 hrs on August 2<sup>nd</sup>, 2015, Officer Matthew Belver #1106 (SPC) was dispatched to 3122 Chamita for a shooting. Officer Belver responded to the location and parked his patrol vehicle outside the crime scene. After the crime scene had been released, Officer Belver reported that three shell casings from a firearm were pointed out to him and he collected those shell casings "in case they were material to the investigation." The Administration alleges Officer Belver did not call for a UEDI/Crime Scene Unit Investigator to process the evidence nor place the evidence into the Property Room. This incident was documented under SAPD case number SAPD15164781.

**This conduct may be a violation of the SAPD General Manual:  
Procedure 701 – Crime Scene Duties; Subsection .06(A)(9), (13)(d) – Officers/UEI's General Crime Scene Duties****A. Officer(s) Assigned to Crime Scene Duties**

9. Request a UEDI/Crime Scene Unit Investigator to process the crime scene for physical evidence.

13. When an officer must handle evidence to protect it from loss, destruction, contamination, or for the victim to receive proper medical treatment, the officer takes custody of the evidence, and:

d. Marks the item for later identification and turns it over to the UEDI/Crime Scene Unit Investigator, if one is assigned to the call, or places the item in the Property Room as evidence. Care must be exercised to avoid destruction of latent fingerprints or trace evidence on the item when marking it.

**San Antonio Police Department  
Internal Affairs  
Investigation Report**

Unit Case:  
**FC2015-179**

**Allegation 4:**

At 0503 hrs on August 2<sup>nd</sup>, 2015, Officer Matthew Belver #1106 (SPC) was dispatched to 3122 Chamita for a shooting. Officer Belver responded to the location and parked his patrol vehicle outside the crime scene. After the crime scene had been released, Officer Belver arrested and handcuffed Mr. Eloy Leal and placed him in the back of his patrol vehicle. A short time later, Officer Belver agreed to engage in a physical fight with Leal, and told Leal when he took the handcuffs off "I'm gonna beat your ass. That's what I'm going to do. Are you ready?" Officer Belver then unhandcuffed Leal and told Leal, "You can get out. Let's go...run...do something...do something." When Leal did not engage Officer Belver in a fight, Officer Belver then took Leal out of the back seat of the patrol vehicle, re-handcuffed Leal, and placed him back in the vehicle. While transporting Leal to the Magistrate's Office, Officer Belver is overheard on his COBAN berating and degrading Leal, calling Leal a coward and using profane language such as "dumb fuck" towards Leal. This incident was documented under SAPD case number SAPD15164781.

**This conduct may be a violation of the SAPD Rules and Regulations:  
Section 3.26 – Treatment of Prisoners**

**Prisoners shall be protected in their legal rights, given humane treatment, and shall not be subjected to verbal abuse or unnecessary physical violence.**

**Documentation of Investigation:**

<u>Title of Document</u>	<u>Date of Document</u>	<u>Prepared by</u>
1. Formal Complaint Notice .....	December 28, 2015.....	Captain Gus Guzman
2. Copy of email from District Attorney's Office .....	December 3, 2015.....	ADA Jim Wheat
3. Interoffice Correspondence.....	December 30, 2015.....	Sergeant James Jones
4. One DVD – COBAN Videos.....	August 2, 2015 .....	Sergeant James Jones
5. Incident Detail Report (SAPD15164768).....	August 2, 2015 .....	Sergeant James Jones
6. Offense Report and 3 CSSRs .....	.....	Sergeant James Jones
7. Incident Detail Report (SAPD15164781).....	August 2, 2015 .....	Sergeant James Jones
8. Offense Report (SAPD15164781).....	August 2, 2015 .....	Officer Matthew Belver
9. SAPD Property Report (Property Room).....	.....	Sergeant James Jones
10. Sworn Statement and Photo Arrays.....	December 17, 2015.....	Mr. Eloy Leal
11. Mag's/Detention Center Intake Form .....	August 2, 2015 .....	Sergeant James Jones
12. Non-Respondent Officer's Report.....	December 18, 2015.....	Officer Jesus Carrillo
13. Non-Respondent Officer's Report.....	December 21, 2015.....	Detective R. Olivarez
14. Garrity Warning Sheet .....	SAPD General Manual ....	Sergeant James Jones
15. I. A. Allegation Sheets .....	January 4, 2016 .....	Sergeant James Jones
16. Receipt for Documents Viewed.....	January 4, 2016 .....	Sergeant James Jones
17. One hand-drawn map.....	January 4, 2016 .....	Officer Matthew Belver
18. One CD – Officer's Responses.....	January 4, 2016 .....	Officer Matthew Belver

**San Antonio Police Department  
Internal Affairs  
Investigation Report**

Unit Case:  
**FC2015-179**

**Conclusion:** Based on the above statements, reports, and documents, I respectfully submit this case to the Chief's Advisory Action Board for their review and recommendation.

Date: \_\_\_\_\_

Sgt. James D. Jones #3082  
Internal Affairs Investigator

Date: \_\_\_\_\_

Lt. Michael Mosley #4058  
Internal Affairs Unit Director

Date: \_\_\_\_\_

Capt. Gus Guzman #5038  
Professional Standards Commander

**San Antonio Police Department  
Internal Affairs  
Investigation Report**

Unit Case:  
**FC2015-078**

**Conclusion:** Based on the above statements, reports, and documents, I respectfully submit this case to the Chief's Advisory Action Board for their review and recommendation.

 #3082 Date: 1-4-16  
Sgt. James D. Jones #3082  
Internal Affairs Investigator

 Date: 1-5-2016  
Lt. Michael Mosley #4058  
Internal Affairs Unit Director

 Date: JAN 4, 2016  
Capt. Gus Guzman #5038  
Professional Standards Commander

**SAN ANTONIO POLICE DEPARTMENT  
INTERNAL AFFAIRS UNIT  
INTEROFFICE CORRESPONDENCE**

**TO:** Officer Matthew Belver #1106 (SPC)

**FROM:** Captain Gus Guzman, Professional Standards Section Commander

**COPIES:** Patrol South Division Commander  
South Patrol Section Commander  
Lieutenant Michael Mosley, Internal Affairs Unit Director

**DATE:** December 28<sup>th</sup>, 2015

**Formal Complaint Notice**

A Formal Complaint has been filed against you regarding an incident that occurred on August 2<sup>nd</sup>, 2015, at 3122 Chamita Street. The complainant, Eloy Leal, provided a sworn written statement to the Internal Affairs Unit that has resulted in allegations for: **Responsibility to Serve the Public; Conduct and Behavior, Treatment of Prisoners, and Crime Scene Duties; Officers/UEDI's General Crime Scene Duties.**

The allegations may violate the Rules, Regulations or Procedures of the Department. The Internal Affairs Unit will conduct a thorough and objective investigation of the allegations made against you. Please refer to the following case or file numbers in connection with this incident:

**FC2015-179**  
**SAPD 15-164781**

For an understanding of your contractual rights, relative to this investigation, please refer to the COLLECTIVE BARGAINING AGREEMENT BY AND BETWEEN THE CITY OF SAN ANTONIO, TEXAS AND THE SAN ANTONIO POLICE OFFICERS' ASSOCIATION (October 1, 2009), **Article 28 (Disciplinary Actions) Section 15 and Article 29 (Internal Security Interview Procedure) Section 2. Internal Affairs Investigations.**

For an understanding of your responsibilities, relative to this investigation, please refer to the San Antonio Police Department General Manual, **RULE and REGULATION 3.27, GIVING INFORMATION IN INTERNAL INVESTIGATIONS: A. DUTY TO GIVE INFORMATION and B. GARRITY WARNING.**

Please be advised that an Internal Affairs investigator will contact you regarding the aforementioned complaint. You may be eligible to request the expedited disciplinary track.



Captain Gus Guzman  
Professional Standards Section Commander

## James Kopp (City Attorney)

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**From:** Wheat, Jim (James) S. [jwheat@bexar.org]  
**Sent:** Thursday, December 03, 2015 2:21 PM  
**To:** James Kopp (City Attorney)  
**Subject:** Officer Belver #1106

SAPD # 15164781 – From 8-2-15

Can you take a look at this video – the officer has the suspect handcuffed, in custody and challenges him to fight while unhandcuffing him. The officer has a history with us of filing a lot of Fail to ID and resisting arrest charges – but this one is worth a look. I don't think we have criminal charges, but would like your opinion or at least an internal review.

Thanks, Jim



**Jim Wheat**  
**Chief of Special Crimes**  
**Bexar County Criminal District Attorney's Office**  
**Phone: (210) 335-2404**  
**Fax: (210) 335-0784**

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*Sender: Jim Wheat, Bexar County District Attorney's Office, 101 W. Nueva Street, San Antonio, Texas 78205*

**INTERNAL AFFAIRS  
INTEROFFICE CORRESPONDENCE**

TO : I.A. File #FC2015 - 179

FROM : Sgt. James D. Jones #3082

CC : \_\_\_\_\_

DATE : 12-30-15

SUBJ : Investigative Notes

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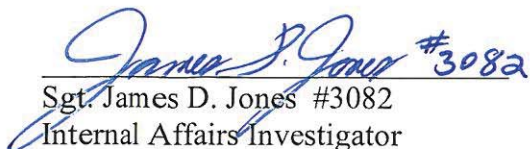
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The San Antonio Police Department was notified by the Bexar County District Attorney's office of possible inappropriate conduct by Officer Matthew Belver. The notification referred to Officer Belver's actions that were recorded on COBAN. (Refer to COBAN videos labeled "Belver 2 Front" and "Belver 2 Back." Those videos were reviewed and an Internal Affairs investigation was initiated.

In the IA Investigative Packet there is a DVD with a number of COBAN videos on it. On the early morning of August 2, 2015, Officer Belver had his COBAN operating for approximately 137 minutes, which included not only the initial shooting call on Chamita Street, but at least one call prior to the shooting. I have included in this investigative packet only the portion of that video which pertains to Officer Belver's response to the shooting, and I labeled it "Belver Front." The incident involving Mr. Eloy Leal was recorded on the above-mentioned "Belver 2 Front" and "Belver 2 Back" videos.

I have reviewed all available COBAN videos for all of the officers who responded to the shooting, and the only videos that may have any value are on the DVD in this investigative packet. For instance, on Officer Belver and Ledesma's COBAN video one can see that the crime scene appears to have been released at approximately 0539 hrs. On Officer Cisneros' COBAN video one can see him pull up behind Officer Belver's vehicle at approximately 0544 hrs, and Officers Belver and Carrillo are observed on the video.

I conducted a search of the SAPD Property Room Database for any deposit of the firearm shell casings that Officer Belver reported to have collected, and I could not find any such record. I checked all property deposited by Officers Belver and Carrillo for the year of 2015, including all property deposited into the Property Room on 08-02-15 and 08-03-15, and could not find any record of the shell casings deposited at the SAPD Property Room.

  
Sgt. James D. Jones #3082  
Internal Affairs Investigator





# San Antonio Police Department

Offense Case # SAPD15164768	Incident Type OFFENSE	CFS Number SAPD-2015-0748928
Primary Offense AGG ASSLT W/DEADLY WPN		Page 1 of 6
Date / Time Occurred 8/2/2015 04:57 to 8/2/2015 05:27		Date / Time Reported 8/2/2015 05:27

Situation Found Shooting	Type Of Search None	Location Given By Dispatcher 3122 CHAMITA DR	Related Case #
Hate Crime	Arson	Damage Value	Clearance OPEN

### Elements of the Incident

Confidential  Domestic Violence  Drive by Shooting  Gang Related  High Profile  Juvenile Related  Video Surveillance Available  Video Surveillance Received

Street Address 3122 CHAMITA DR					Unit Type
Unit No.	City SAN ANTONIO	State Texas	Zip 78211	County	Building No.
Floor No.	District 6140				

<input type="checkbox"/> Notified Detective	Detective Name	Detective Unit Type	Detective Badge #
<input checked="" type="checkbox"/> Notified Supervisor	Supervisor Name RENN, D.	Supervisor Unit Type SPC	Supervisor Badge # 3134
<input type="checkbox"/> Notified Medical Examiner	Medical Examiner Name	Medical Examiner Unit Type	Medical Examiner Badge #
<input type="checkbox"/> Notified Crisis Response Team	Crisis Response Name		
<input type="checkbox"/> Priority Notification	Priority Name		
<input checked="" type="checkbox"/> Notified Victim	Explanation		
<input checked="" type="checkbox"/> CSI Requested	CSI Name OLIVAREZ, R.	CSI Unit Type 8161C	CSI Badge # 2011
<input type="checkbox"/> BOLO	Reporting Officer CARRILLO, JESUS	Employee Number	
Badge # 0087	Assignment Patrol Division		

<input checked="" type="checkbox"/> Primary Offense	Report Offense AGG ASSLT W/DEADLY WPN	
UCR Category 130116	Attempted Completed Completed	
Premise Highway/Road/Alley/Street	Circumstances Argument	Weapon HANDGUN
Weapon Brand UNKNOWN	Weapon Model	Weapon Color
Criminal Activity 1	Criminal Activity 2	Criminal Activity 3

<b>SUSPECT</b> <input type="checkbox"/> Known						
Last Name	First Name	Middle Name	Nickname	Suffix		
Race	Sex	SSN	Date of Birth	Age	Age Range	Weight
Height	Driver's License #	DL State	Place of Birth	SID		
Preferred	Home Phone	Cell Phone	Email Address			

### Suspect Address

Street Address					Unit Type
Unit No.	City	State	Zip	Building No	Floor No.

<input type="checkbox"/> Student	Employer	Occupation
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### Suspect Employer Address

Street Address					Unit Type
Unit No.	City	State	Zip	Building No	Floor No.



# San Antonio Police Department

Offense Case # SAPD15164768	Incident Type OFFENSE	CFS Number SAPD-2015-0748928
Primary Offense AGG ASHLT W/DEADLY WPN		Page 2 of 6
Date / Time Occurred 8/2/2015 04:57 to 8/2/2015 05:27		Date / Time Reported 8/2/2015 05:27

Details					
Work Phone	Hours of Employment to	Hair Color	Hair Length	<input type="checkbox"/> Glasses	Eye Color
Build	Facial Hair	Facial Hair Color	Voice	Complexion	
Ethnicity	Marital Status	Demeanor	Hand Preference		
Shirt	Jacket				
Pants	Shoes				
Hat					
Racial Profiling					
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		Reason for Stop	
Location of Stop	Contraband or Evidence	Race	Ethnicity		
Trademarks of Suspect					

SUSPECT	<input type="checkbox"/> Known				
Last Name	First Name	Middle Name	Nickname	Suffix	
Race	Sex	SSN	Date of Birth	Age	Age Range to
Height	Driver's License #	DL State	Place of Birth	SID	
Preferred	Home Phone	Cell Phone	Email Address		
Suspect Address					
Street Address					Unit Type
Unit No.	City	State	Zip	Building No	Floor No.
<input type="checkbox"/> Student	Employer	Occupation			
Suspect Employer Address					
Street Address					Unit Type
Unit No.	City	State	Zip	Building No	Floor No.
Details					
Work Phone	Hours of Employment to	Hair Color	Hair Length	<input type="checkbox"/> Glasses	Eye Color
Build	Facial Hair	Facial Hair Color	Voice	Complexion	
Ethnicity	Marital Status	Demeanor	Hand Preference		
Shirt	Jacket				
Pants	Shoes				
Hat					
Racial Profiling					
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		Reason for Stop	
Location of Stop	Contraband or Evidence	Race	Ethnicity		
Trademarks of Suspect					



# San Antonio Police Department

Offense Case # SAPD15164768	Incident Type OFFENSE	CFS Number SAPD-2015-0748928
Primary Offense AGG ASSLT W/DEADLY WPN		Page 3 of 6
Date / Time Occurred 8/2/2015 04:57 to 8/2/2015 05:27		Date / Time Reported 8/2/2015 05:27

**VICTIM**  Business

Last Name: TARIN      First Name: JUAN      Middle Name: JESSE      Nickname: JOHNNY      Suffix:

Race: WHITE      Sex: Male      SSN: [REDACTED]      Height: 5'10"      Weight: 175      Age Type: DOB      Date of Birth: [REDACTED]      Age: 35      Age Range: to

Preferred:      Home Phone: [REDACTED]      Cell Phone: [REDACTED]      Email Address: [REDACTED]

Driver's License #: [REDACTED]      DL State: [REDACTED]      Place of Birth: [REDACTED]

Street Address: [REDACTED]      Unit Type:

Unit No.: [REDACTED]      City: [REDACTED]      State: [REDACTED]      Zip: [REDACTED]      Building No: [REDACTED]      Floor No.:

Student      Employer: UNK      Occupation: UNK

Street Address: [REDACTED]      Unit Type:

Unit No.: [REDACTED]      City: SAN ANTONIO      State: Texas      Zip: [REDACTED]      Building No: [REDACTED]      Floor No.:

**Details**

Work Phone: [REDACTED]      Hours of Employment: to      Hair Color: Brown      Eye Color: Brown

Build: Medium      Ethnicity: Hispanic      Injury: Apparent Minor Injury      Victim Condition: Fair

Victim-Offender Code: Relationship Unknown       Cohabitant      Under Influence of Alcohol:  Yes  No  Unk      Under Influence of Drugs:  Yes  No  Unk

**Offense**       Associated With Victim

AGG ASSLT W/DEADLY WPN

**VICTIM**  Business

Last Name: SEPULVEDA      First Name: DEMUS      Middle Name: LUIS      Nickname:      Suffix:

Race: WHITE      Sex: Male      SSN: [REDACTED]      Height: 5'08"      Weight: 200      Age Type: DOB      Date of Birth: [REDACTED]      Age: 21      Age Range: to

Preferred:      Home Phone: [REDACTED]      Cell Phone: [REDACTED]      Email Address: [REDACTED]

Driver's License #: [REDACTED]      DL State: [REDACTED]      Place of Birth: [REDACTED]

Street Address: [REDACTED]      Unit Type:

Unit No.: [REDACTED]      City: [REDACTED]      State: [REDACTED]      Zip: [REDACTED]      Building No: [REDACTED]      Floor No.:

Student      Employer:      Occupation:

Street Address: [REDACTED]      Unit Type:

Unit No.: [REDACTED]      City: [REDACTED]      State: [REDACTED]      Zip: [REDACTED]      Building No: [REDACTED]      Floor No.:

**Details**

Work Phone: [REDACTED]      Hours of Employment: to      Hair Color: Black      Eye Color: Brown

Build: Medium      Ethnicity: Hispanic      Injury: None      Victim Condition: Not Injured

Victim-Offender Code: Relationship Unknown       Cohabitant      Under Influence of Alcohol:  Yes  No  Unk      Under Influence of Drugs:  Yes  No  Unk

**Offense**       Associated With Victim

AGG ASSLT W/DEADLY WPN



# San Antonio Police Department

Offense Case # SAPD15164768	Incident Type OFFENSE	CFS Number SAPD-2015-0748928
Primary Offense AGG ASSLT W/DEADLY WPN		Page 4 of 6
Date / Time Occurred 8/2/2015 04:57 to 8/2/2015 05:27		Date / Time Reported 8/2/2015 05:27

<b>OTHER PERSON</b>	Person Type REPORTING PERSON			
Last Name	First Name	Middle Name	Nickname	Suffix
Race	Sex	SSN	Date of Birth	Age
Weight	Height	Driver's License #	DL State	Place of Birth
Preferred	Home Phone	Cell Phone	Email Address	
Other Person Home Address				
Street Address				Unit Type
Unit No.	City	State	Zip	Building No. Floor No.
<input type="checkbox"/> Student	Employer	Occupation		
Other Person Employer Address				
Street Address				Unit Type
Unit No.	City	State	Zip	Building No. Floor No.
Details				
Work Phone	Hours of Employment to	Hair Color	Hair Length	<input type="checkbox"/> Glasses
Eye Color	Build	Facial Hair	Voice	Complexion Medium
Ethnicity	Demeanor			

<b>VEHICLE</b>	Vehicle Year	Make	Model	VIN	<input checked="" type="checkbox"/> VIN Validation Off	Tag Number
State	Tag Year	<input type="checkbox"/> Plate Only	Body Style	Color 1	Color 2	
Vehicle Type	NIC Number					
Other Identifiers						
Mileage	Value	Keys in Ignition <input type="checkbox"/> Yes <input type="checkbox"/> No	Doors Locked <input type="checkbox"/> Yes <input type="checkbox"/> No	Windows Closed <input type="checkbox"/> Yes <input type="checkbox"/> No	Ignition Locked <input type="checkbox"/> Yes <input type="checkbox"/> No	Trunk Locked <input type="checkbox"/> Yes <input type="checkbox"/> No
Registered Owner Name (Last, First, MI)		Sex	Race		DOB	
Insurance Company	Policy Number	Involvement Suspect Vehicle			Spare Tire in Car <input type="checkbox"/> Yes <input type="checkbox"/> No	
Street Address					Unit Type	
Unit No.	City	State	Zip	Building No.	Floor No.	
<input type="checkbox"/> Damaged	<input type="checkbox"/> Stolen	<input type="checkbox"/> Recovered	<input type="checkbox"/> Suspicious	<input checked="" type="checkbox"/> Suspect	<input type="checkbox"/> Victim	<input type="checkbox"/> Other
Method of Theft	Repo. Check <input type="checkbox"/> Yes <input type="checkbox"/> No	Tow List Check <input type="checkbox"/> Yes <input type="checkbox"/> No	Owner Notified <input type="checkbox"/> Yes <input type="checkbox"/> No			

Recovery Location						
Street Address					Unit Type	
Unit No.	City	State	Zip	Building No.	Floor No.	
Tow Information	Recovered By	Recovery Date	Recovered Value	Recovery Code	Disposition	
<input type="checkbox"/> Impounded	<input type="checkbox"/> Towed	Tow Report Number	Wrecker Service	Date Reported	Time 00:00	
Location Towed From	Location Towed To	Towed Operator		Tow Truck Operator Signature		



# San Antonio Police Department

Offense Case # SAPD15164768	Incident Type OFFENSE	CFS Number SAPD-2015-0748928
Primary Offense AGG ASSLT W/DEADLY WPN		Page 5 of 6
Date / Time Occurred 8/2/2015 04:57 to 8/2/2015 05:27		Date / Time Reported 8/2/2015 05:27

<b>VEHICLE</b>		Vehicle Year	Make	Model	VIN	<input checked="" type="checkbox"/> VIN Validation Off	Tag Number	
State	Tag Year	<input type="checkbox"/> Plate Only	Body Style	Color 1	Color 2			
Vehicle Type		NIC Number						
Other Identifiers								
Mileage	Value	Keys in Ignition <input type="checkbox"/> Yes <input type="checkbox"/> No	Doors Locked <input type="checkbox"/> Yes <input type="checkbox"/> No	Windows Closed <input type="checkbox"/> Yes <input type="checkbox"/> No	Ignition Locked <input type="checkbox"/> Yes <input type="checkbox"/> No	Trunk Locked <input type="checkbox"/> Yes <input type="checkbox"/> No	Radio in Car <input type="checkbox"/> Yes <input type="checkbox"/> No	Battery in Car <input type="checkbox"/> Yes <input type="checkbox"/> No
Registered Owner Name (Last, First, Mi)				Sex	Race	DOB		
Insurance Company			Policy Number	Involvement Suspect Vehicle		Spare Tire in Car <input type="checkbox"/> Yes <input type="checkbox"/> No		
Street Address						Unit Type		
Unit No.	City	State	Zip	Building No	Floor No.			
<input type="checkbox"/> Damaged	<input type="checkbox"/> Stolen	<input type="checkbox"/> Recovered	<input type="checkbox"/> Suspicious	<input checked="" type="checkbox"/> Suspect	<input type="checkbox"/> Victim	<input type="checkbox"/> Other		
Method of Theft		Repo. Check <input type="checkbox"/> Yes <input type="checkbox"/> No	Tow List Check <input type="checkbox"/> Yes <input type="checkbox"/> No	Owner Notified <input type="checkbox"/> Yes <input type="checkbox"/> No				

<b>Recovery Location</b>							
Street Address						Unit Type	
Unit No.	City	State	Zip	Building No	Floor No.		
Tow Information	Recovered By	Recovery Date	Recovered Value	Recovery Code	Disposition		
<input type="checkbox"/> Impounded	<input type="checkbox"/> Towed	Tow Report Number	Wrecker Service	Date Reported	Time 00:00		
Location Towed From		Location Towed To		Towed Operator	Tow Truck Operator Signature		

**Narrative Legend**  
 SUP = RENN, D., SPC, 3134  
 CS = OLIVAREZ, R., 8161C, 2011  
 SP1 = [REDACTED]  
 V1 = TARIN, JUAN JESSE  
 V2 = SEPULVEDA, DEMUS LUIS  
 RP1 = [REDACTED]

**Narrative Information**

I was dispatched to the listed location for a shooting in progress. Upon arrival, I made contact with R. R stated he was not shot. R stated he was having a party at the listed location. R stated when he advised the patrons he invited to leave one of the individual's struck him with a closed fist in the face. R stated he fell to the ground, and that is when others, began to kick him, and assault him. R refused medical treatment, for his injuries, and stated he did not need police. While interviewing R, Officer Belver, M. #1106, found a shooting victim on 3200 block of Chamita sitting on the ground. I made Officer Belver's location, and contacted V1. V1 stated he was not at the party, and was visiting family, on the 3200 block of Chamita, as a family member had passed. V1 stated he heard gun shots, and a loud commotion, and came out to investigate, to insure his vehicle was not damaged. V1 stated a bald Hispanic male, (SP), in a small light blue vehicle began to fire in the direction of the house, where the party was taking place. V1 stated the suspect then turn around, and shot at him, striking him in the leg. V1 stated the suspect was in the passenger seat discharging his weapon, as a unknown actor was driving the suspect vehicle.

V1 could not provide any further information, and refused to be transported by SAFD EMS. V1 was given a case number. Officer Belver made contact with V2. V2 stated he received a phone call from his brother asking him to come pick him up. V2 stated when he arrived he observed a male Hispanic male discharging his weapon. V2 stated the male suspect then observed V2 sitting in his vehicle, and shot at V2. V2 stated he backed his vehicle to prevent getting struck by the projectile fired out of the suspects weapon, and was not struck. V2 stated he did not wish to make a report, and wanted to leave the location. V2 stated the suspect he observed was shirtless, and believes he entered a black truck as they left the location. V2 was not injured, nor was his vehicle struck.

Sgt Renn, D. #3134 made the location and was advised of the incident. I attempted to contact Homicide, and Night CID, however was unsuccessful. CSI was requested, and made location and processed the scene.

Dispatch again attempted to contact a the follow up unit and was unsuccessful. Per the authority of Sgt Renn the scene was released, and I was



# San Antonio Police Department

Offense Case # SAPD15164768	Incident Type OFFENSE	CFS Number SAPD-2015-0748928
Primary Offense AGG ASSLT W/DEADLY WPN		Page 6 of 6
Date / Time Occurred 8/2/2015 04:57 to 8/2/2015 05:27		Date / Time Reported 8/2/2015 05:27

advised to carrying the incident as a aggravated assault, as the suspects, intentionally and knowingly discharged their weapons, at V1, and V2, with the intent to cause serious bodily injury. V1 was struck on his left leg.

# Incident Detail Report

Data Source: **Data Warehouse**  
 Incident Status: **Closed**  
 Incident number: **SAPD-2015-0749024**  
 Incident Date: **8/2/2015 05:57:57**  
 Last Updated: **12/15/2015 14:16:36**

**Incident Information**

<b>Incident Type:</b>	Routine	<b>Alarm Level:</b>	
<b>Priority:</b>	01	<b>Problem:</b>	z-Traffic Stop ^
<b>Determinant:</b>		<b>Agency:</b>	SAPD
<b>Base Response#:</b>		<b>Jurisdiction:</b>	SAPD
<b>Confirmation#:</b>		<b>Division:</b>	SOUTH
<b>Taken By:</b>	QUINTERO, KIMBERLY ROSE	<b>Battalion:</b>	SOUTH
<b>Response Area:</b>	6140	<b>Response Plan:</b>	6140 Routine
<b>Disposition:</b>	C-CLR AFR REPORT	<b>Command Ch:</b>	
<b>Cancel Reason:</b>		<b>Primary TAC:</b>	
<b>Incident Status:</b>	Closed	<b>Secondary TAC:</b>	
<b>Certification:</b>		<b>Delay Reason (if any):</b>	
<b>Longitude:</b>	98557354	<b>Latitude:</b>	29323815

**Incident Location**

<b>Location Name:</b>	
<b>Address:</b>	3200 Chamita Dr
<b>Apartment:</b>	
<b>Building:</b>	
<b>City, State, Zip:</b>	SAN ANTONIO TX 78211
<b>County:</b>	BEXAR
<b>Location Type:</b>	
<b>Cross Street:</b>	MANZANO DR/Dead End
<b>Map Reference:</b>	681C4

**Supplemental Information - Person**

**PERSON 1**

<b>Name:</b>	leal eloy	<b>Race:</b>	White
<b>Gender:</b>	Male	<b>OLS:</b>	████████

**PERSON 2**

**OLS:** ██████████

**Call Receipt**

<b>Caller Name:</b>	
<b>Method Received:</b>	
<b>Caller Type:</b>	
<b>Call Back Phone:</b>	
<b>Caller Location:</b>	

**Time Stamps**

Description	Date	Time	User	Elapsed Times	Description	Time
Phone Pickup	8/2/2015	05:57:57				
1st Key Stroke	8/2/2015	05:57:57			Received to In Queue	00:00:00
In Waiting Queue	8/2/2015	05:57:57			Call Taking	00:00:00
Call Taking Complete	8/2/2015	05:57:57	QUINTERO, KIMBERLY ROSE		In Queue to 1st Assign	00:00:00
1st Unit Assigned	8/2/2015	05:57:57			Call Received to 1st Assign	00:00:00
1st Unit Enroute	8/2/2015	05:57:57			Assigned to 1st Enroute	00:00:00
1st Unit Arrived	8/2/2015	05:57:57			Enroute to 1st Arrived	00:00:00
Closed	8/2/2015	08:12:40	VisiNetMobileInterface		Incident Duration	02:14:43

**Resources Assigned**

Unit	Flag	Assigned	Disposition	Enroute	Staged	Arrived	At Patient	Delay Avail	Complete	Odm. Enroute	Odm. Arrived	Cancel Reason
6150C	Y	05:57:57	C-CLR AFR REPORT	05:57:57		05:57:57			08:12:40			

**Personnel Assigned**

<b>Unit</b>	<b>Name</b>
6150C	BELVER, MATTHEW ██████████

**Pre-Scheduled Information**

No Pre-Scheduled Information

**Transports**

No Transports Information

**Transport Legs**

No Transports Information

**Comments**

Date	Time	User	Type	Conf.	Comments
------	------	------	------	-------	----------

8/2/2015	05:59:02	[REDACTED]	Response	Secondary Location for 6150C: Bexar County Central Magistration, 401 S FRIO ST, SAN ANTONIO, TX 78207.
8/2/2015	05:59:03	Automatic by System	Response	[2nd Geographic Area: 401 S FRIO ST] [Medium] [Location Note] Council District 5- Comm Supervisors: Send a notification email to "PD Council" for all Pedestrian vs Motor Vehicle accidents and Shootings.
8/2/2015	06:10:33	Mobile1	Response	Requested Case Number(s): SAPD15164781
8/2/2015	08:12:40	6150C	Response	** THIS CALL HAS BEEN GIVEN A DISPOSITION BY THE HANDLING OFFICER **

**Address Changes**  
No Address Changes

**Priority Changes**  
No Priority Changes

**Alarm Level Changes**  
No Alarm Level Changes

**Activity Log**

Date	Time	Radio	Activity	Location	Log Entry	User
8/2/2015	05:57:07	6150C	ONSCENE	3200 Chamita Dr		[REDACTED]
8/2/2015	05:59:03	6150C	EN ALT LOC	Bexar County Central Magistration	Incident ID = 22607846, 401 S FRIO ST 29422500, 98505278,	[REDACTED]
8/2/2015	05:59:42		Supplemental Information	3200 Chamita Dr	Supplemental Person record 696314 - W was added for eloy leal	[REDACTED]
8/2/2015	06:07:41	6150C	OS ALT LOC	Bexar County Central Magistration	Incident ID = 22607846, 401 S FRIO ST 29422500, 98505278,	VisiNET
8/2/2015	06:08:13		Read Comment		Comment for Incident 846 was Marked as Read.	[REDACTED]
8/2/2015	06:08:13		Read Incident		Incident 846 was Marked as Read.	[REDACTED]
8/2/2015	06:08:15		UserAction		User clicked Exit/Save	[REDACTED]
8/2/2015	06:11:28		Read Comment		Comment for Incident 846 was Marked as Read.	[REDACTED]
8/2/2015	06:11:30		UserAction		User clicked Exit/Save	[REDACTED]
8/2/2015	06:19:06		UserAction		User clicked Exit/Save	[REDACTED]
8/2/2015	06:22:14		Supplemental Information	3200 Chamita Dr	Supplemental Person record 696318 - W was added for	[REDACTED]
8/2/2015	06:56:32		UserAction		User clicked Exit/Save	[REDACTED]
8/2/2015	08:12:40		Response Closed	3200 Chamita Dr	Response Disposition: C-CLR AFR REPORT	VisiNET
8/2/2015	08:12:40	6150C	AVAIL	401 S FRIO ST [Bexar County Central Magistration]		VisiNET

**Edit Log**

Date	Time	Field	Changed From	Changed To	Reason	Table	Workstation	User
8/2/2015	05:57:07	01		NA	Polygon Lookup	Response_User_Data_Fields	D90000107790	[REDACTED]
8/2/2015	05:57:07	Map_Info		681C4		Response_Master_Incident	D90000107790	[REDACTED]
8/2/2015	05:57:07	Pickup_Map_Info		681C4		Response_Transports	D90000107790	[REDACTED]
8/2/2015	06:08:13	Read Comment	False	True	(Response Viewer)	Response_Master_Incident	D90000107787	[REDACTED]
8/2/2015	06:08:13	Read Call	False	True	(Response Viewer)	Response_Master_Incident	D90000107787	[REDACTED]
8/2/2015	06:11:28	Read Comment	False	True	(Response Viewer)	Response_Master_Incident	D90000107787	[REDACTED]

**Custom Time Stamps**  
No Custom Time Stamps

Custom Data Fields Description	Data	User
01	NA	

**Attachments**  
No Attachment





# San Antonio Police Department

Offense Case # SAPD15164781	Incident Type ARREST	CFS Number SAPD-2015-0749024
Primary Offense INTERFERE W/DUTIES PUB SERVANT		Page 1 of 3
Date / Time Occurred 8/2/2015 05:57 to 8/2/2015 05:57		Date / Time Reported 8/2/2015 05:57

Situation Found Miscellaneous	Type Of Search Incident To Arrest	Location Given By Dispatcher 3200 CHAMITA	Related Case # SAPD15164758
Hate Crime	Arson	Damage Value	Clearance CLEARED BY ADULT ARREST

### Elements of the Incident

Confidential
  Domestic Violence
  Drive by Shooting
  Gang Related
  High Profile
  Juvenile Related
  Video Surveillance Available
  Video Surveillance Received

Street Address 3200 CHAMITA DR		Unit Type	
Unit No.	City SAN ANTONIO	State Texas	Zip 78211
Floor No.	District 6140	County Bexar County	Building No.

<input type="checkbox"/> Notified Detective	Detective Name	Detective Unit Type	Detective Badge #
<input type="checkbox"/> Notified Supervisor	Supervisor Name	Supervisor Unit Type	Supervisor Badge #
<input type="checkbox"/> Notified Medical Examiner	Medical Examiner Name	Medical Examiner Unit Type	Medical Examiner Badge #
<input type="checkbox"/> Notified Crisis Response Team	Crisis Response Name		
<input type="checkbox"/> Priority Notification	Priority Name		
<input type="checkbox"/> Notified Victim	Explanation		
<input type="checkbox"/> CSI Requested	CSI Name	CSI Unit Type	CSI Badge #
<input type="checkbox"/> BOLO	Reporting Officer BELVER, MATTHEW	Employee Number	
Badge # 1106	Assignment Patrol Division		

<input checked="" type="checkbox"/> Primary Offense	Report Offense INTERFERE W/DUTIES PUB SERVANT
UCR Category 530009	Attempted Completed Completed
Premise Highway/Road/Alley/Street	Circumstances Other Circumstances
Weapon Brand	Weapon Model UNARMED
Weapon Color	Weapon Color UNARMED
Criminal Activity 1	Criminal Activity 2 Criminal Activity 3

<input type="checkbox"/> Primary Offense	Report Offense TRAFFIC
UCR Category 549999	Attempted Completed Completed
Premise Highway/Road/Alley/Street	Circumstances Other Circumstances
Weapon Brand	Weapon Model UNARMED
Weapon Color	Weapon Color UNARMED
Criminal Activity 1	Criminal Activity 2 Criminal Activity 3

SUSPECT	<input checked="" type="checkbox"/> Known			
Last Name LEAL	First Name ELOY	Middle Name MUNOZ	Nickname	Suffix JR
Race WHITE	Sex Male	SSN [REDACTED]	Date of Birth [REDACTED]	Age 48
Height 5'04"	DL State [REDACTED]	Age Range to	Weight 180	SID 360540
Preferred	Home Phone	Cell Phone	Email Address	

Suspect Address



# San Antonio Police Department

Offense Case # SAPD15164781	Incident Type ARREST	CFS Number SAPD-2015-0749024
Primary Offense INTERFERE W/DUTIES PUB SERVANT		Page 2 of 3
Date / Time Occurred 8/2/2015 05:57 to 8/2/2015 05:57		Date / Time Reported 8/2/2015 05:57

Street Address 3214 CHAMITA DR					Unit Type
Unit No.	City SAN ANTONIO	State Texas	Zip 78211	Building No	Floor No.

<input type="checkbox"/> Student	Employer	Occupation
----------------------------------	----------	------------

Suspect Employer Address					Unit Type
Street Address					Floor No.
Unit No.	City SAN ANTONIO	State Texas	Zip	Building No	Floor No.

Details					
Work Phone	Hours of Employment to	Hair Color	Hair Length	<input type="checkbox"/> Glasses	Eye Color
Build	Facial Hair	Facial Hair Color	Voice	Complexion	
Ethnicity Hispanic	Marital Status	Demeanor	Hand Preference		
Shirt	Jacket				
Pants	Shoes				
Hat					

Racial Profiling			
Traffic Stop <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Was Suspect Driving Car <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Race Known Prior to Stop <input type="checkbox"/> Yes <input type="checkbox"/> No	Reason for Stop
Location of Stop	Contraband or Evidence	Race WHITE	Ethnicity Hispanic
Trademarks of Suspect			

## ARREST

Arrest Action	Disposition Booked - Adult	Offense Location	Arrest Location
Arrest Date/Time 8/2/2015 05:57	Agency Issuing Warrant	Warrant Number	<input checked="" type="checkbox"/> Arrested on Scene

Arrest Address					Unit Type
Street Address 3200 CHAMITA DR					Floor No.
Unit No.	City SAN ANTONIO	State Texas	Zip 78211	Building No	Floor No.

Test Given	Test Date/Time 8/5/2015 12:00:00	Test Results	Test Administered By
Test Given	Test Date/Time 8/5/2015 12:00:00	Test Results	Test Administered By

Arrestee was armed with	Multiple Arrest
-------------------------	-----------------

Arresting Officer BELVER, MATTHEW	Transporting Officer BELVER, MATTHEW
--------------------------------------	---

Arrestee Drug Use				
<input type="checkbox"/> Amphetamine	<input type="checkbox"/> Cocaine	<input type="checkbox"/> Heroin	<input type="checkbox"/> Methamphetamine	<input type="checkbox"/> Synthetic Narcotic
<input type="checkbox"/> Barbituate	<input type="checkbox"/> Hallucinogen	<input type="checkbox"/> Marijuana	<input type="checkbox"/> Opium	<input type="checkbox"/> Unknown

Associated Charges		
Charge INTERFERE W/DUTIES PUB SERVANT	Penal Code	Counts 1
Charge TRAFFIC	Penal Code	Counts 1

Statement of Probable Cause  
AP1 interrupted, impeded and otherwise interfered with a peace officer performing a duty and exercising an authority both granted and imposed to said peace officer by law. AP1 also found to be a pedestrian walking in the roadway when a sidewalk adjacent to said roadway was available.



## San Antonio Police Department

Offense Case # SAPD15164781	Incident Type ARREST	CFS Number SAPD-2015-0749024
Primary Offense INTERFERE W/DUTIES PUB SERVANT		Page 3 of 3
Date / Time Occurred 8/2/2015 05:57 to 8/2/2015 05:57		Date / Time Reported 8/2/2015 05:57

## Narrative Legend

AP1 = LEAL, ELOY MUNOZ

## Narrative Information

While on patrol and assigned to assist in the investigation of a shooting that occurred at the listed location (reference case #SAPD15164768), Officer Carrillo, J. #0087 and I were completing the reopening of the crime scene following the collection of both physical and photographic evidence. As we were attempting to complete this task, I observed AP1 walking in the middle of the street (despite the fact a sidewalk adjacent to the street was available) westbound on Chamita approaching the aforementioned crime scene and intersection. As he was proceeding westbound in the middle of the street, AP1 began yelling unintelligibly in my direction. After several attempts to ascertain what AP1 was saying, I finally heard AP1 yell, "Hey...you...cop!" I then exited my marked patrol vehicle and approached AP1. As I approached AP1, I observed him pointing down at the ground. AP1 then asked in a derisive and disrespectful tone if we (the police department) had investigated the shots he had heard earlier in the morning. I stated that we had and were attempting to complete our investigation. AP1 then began to berate the police department in general and me specifically by sarcastically asking what kind of "fucked up" investigation had we done. AP1 went on to state there were shell casings still in the street and he was amazed we were too incompetent to locate them. Before verifying what AP1 had stated about the presence of additional shell casings, I returned to my marked patrol vehicle and retrieved a manila envelope that could be used to either mark and/or collect AP1's supposed discovery. Upon returning to where AP1 was standing, I, in fact, did observe three shell casings near where he was pointing. However, each casing appeared very old and likely had not been left in the vicinity recently. However, I determined it was best to collect them in case they were material to the investigation. I then requested AP1 move away from the still-existing crime scene and return to his residence down the street. AP1 continued to belittle police efforts and describe how incompetent the police actually were. Again, I instructed AP1 to remove himself from the crime scene and return home. AP1 then stated he was going to get a camera and return to the scene to take photographs of how bad police were. AP1, still walking in the middle of the street, then walked approximately ten yards west before turning around and telling me to, "...watch as I walk right through your crime scene!" AP1 then began to walk directly through the path I specifically instructed him not to while telling me I was stupid for not noticing the shell casings in the beginning. Using strong and mildly profane language, I then demanded AP1 turn and walk out of the crime scene immediately. AP1 refused. Officer Carrillo, J. #0087, hearing the discussion between myself and AP1, then approached AP1 and instructed him to turn around and place his hands behind his back. AP1 complied and I handcuffed him. I then attempted to escort AP1 from the middle of the street to my marked patrol vehicle. AP1 immediately resisted in a passive manner by falling to the ground. I lifted AP1 up and instructed him to walk as I escorted him to my marked patrol vehicle, searched him, and placed him in the backseat.

I then transported AP1 to 401 S. Frio for booking. While enroute, AP1 and I engaged in a verbal confrontation in which AP1 stated I was only arresting him because I was angry "that some other guy was fucking my wife". In ways similar to this comment, AP1 continued to insult and berate me until we arrived at 401 S. Frio where AP1 was booked. In the end, AP1 was booked on the below listed traffic citation in which AP1 was cited for being a pedestrian on the roadway next to a sidewalk. AP1 was also booked for negligently interrupting, impeding, disrupting, and otherwise interfering with a peace officer performing a duty both imposed and granted to said peace officer by law. AP1 did this by deliberately inserting himself physically into a still-existing crime scene after he had been informed of its existence and instructed to remove himself. COBAN YES.

San Antonio Police Department  
Professional Standards Section  
Statement Information Sheet

Note: This information is confidential and only for Professional Standards Records.

NAME: Eloy Leal

HOME ADDRESS: 3214 CHamita Dr.

CITY: S.A. STATE: TX ZIP: 78211

PHONE: 210-977-9811 RACE: H SEX: M AGE: 48 D.O.B.: [REDACTED]

CELLULAR PHONE: NONE E-MAIL ADDRESS: —

DRIVER'S LICENSE NO.: NONE S.S.N.: [REDACTED]

PLACE OF EMPLOYMENT: Self Emplod

BUSINESS ADDRESS: \_\_\_\_\_ BUSINESS PHONE: Painter

JOB TITLE: Dry Wall & Painter Helper

MARRIED: No NAME OF SPOUSE: —

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

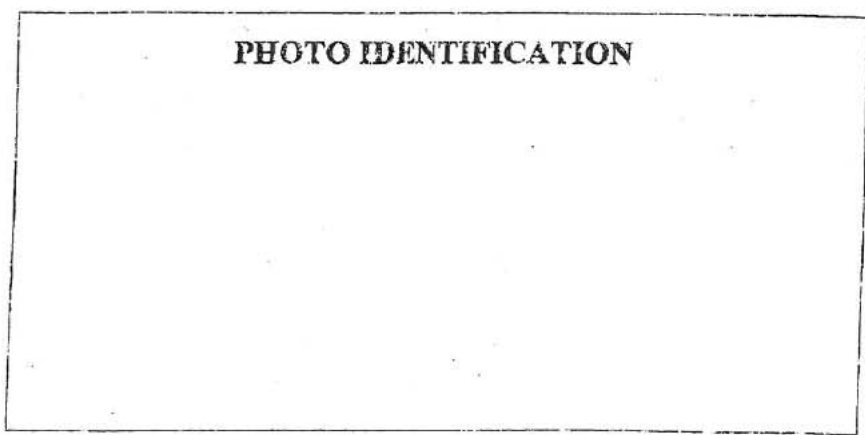
NAME: Angie Rodriguez RELATIONSHIP: sister PHONE: —

ADDRESS: \_\_\_\_\_ CITY: S.A. STATE: TX

PLACE OF EMPLOYMENT: \_\_\_\_\_ PHONE: \_\_\_\_\_

Complaints against law enforcement officers must be made in writing and signed by the complainants, before the complaint(s) may be considered by superiors as a basis for disciplinary action against an officer. Your statement will be made under oath and notarized by a supervisor in the Professional Standards Section.

Under the Texas Penal Code, a person commits Aggravated Perjury, a Third Degree Felony, if, with intent to deceive and with knowledge of the statements meaning: (1) They make a false statement under oath, or swears to the truth of a false statement previously made. (2) If the statement is required or authorized by law to be made under oath, and the statement is made during, or in connection with an official proceeding, and is material.



San Antonio Police Department  
Internal Affairs Unit  
Sworn Statement

THE STATE OF TEXAS

STATEMENT OF: Eloy Leal

COUNTY OF BEXAR

STATEMENT TAKEN BY: Sgt. J. Jones #3082

LOCATION TAKEN: 800 Dolorosa, SATX

DATE: 12-17-15

BEFORE ME, the undersigned authority in and for the State and County aforesaid, on this day personally appeared **Eloy Leal** who being by me duly sworn upon his/her oath deposes and says:

My name is Eloy Leal, and I live at 3214 Chamita, San Antonio, Texas. My date of birth is [REDACTED] and I can read, write, and understand the English language. Sgt. Jones from Internal Affairs contacted me and brought me to his office regarding certain things that happened when I was arrested on August 2<sup>nd</sup>, 2015. Sgt. Jones and I discussed what happened when I was arrested, and I don't remember a lot of what happened very clearly because I had been drinking that night. I do remember seeing two officers parked on Manzana street after there had been a shooting at my friend's house a few houses down. After the police took the yellow tape up, I started walking over to my friend's house. I saw my friend's son and talked to him briefly about the incident at his house. I then turned around and as the two officers were beginning to drive away I told them there were more handgun and rifle shells still on the street that hadn't been picked up. I may have been cussing at the officers about the shells not being picked up for evidence, and the next thing I know I'm being taken to the ground and being handcuffed. One of the officers was a White officer, the other was Hispanic. Sgt. Jones showed me some photos and I am 50% sure the photo I identified was the Hispanic officer. Sgt. Jones told me the officer I identified was Officer Jesus Carrillo. The White officer was telling me I shouldn't be telling them how to do their jobs and insulting his intelligence. The officers got on either side of me and put their arms inside mine and made me walk on my tip toes to a police car where I was put into the back seat. I'm not sure how it came up between the White officer and me for him to take the handcuffs off so we could fight, but he said he was going to take the handcuffs off and said something like he was going to beat my ass. I don't remember clearly how I got out of the back seat and unhandcuffed, but I remember being unhandcuffed and the officer threatening to beat my ass. When I told him I didn't want to fight him, he put the handcuffs back on and put me back into the police car. Although the handcuffs felt tight when I was first arrested, they were put on even tighter after the White officer took me out of the car to fight me. My hands were numb for about a month after that. The officer and I were still talking smack all the way to the jail. Sgt. Jones asked me if the Hispanic officer did anything to me, and I told him, "No."

I want to complain on the White officer for having me get out of the police car and having me unhandcuffed and then threatening to beat my ass. I also want to complain about the White officer putting the handcuffs on too tight after I was taken out of the car and threatened, which caused wrists to be numb for about a month. I told the infirmary about my wrists when I was booked, and I told Sgt. Jones that I considered it "bodily injury." Sgt. Jones asked me if I saw a doctor about my wrists after I was released, and I told him, "No."

I have read this statement in its entirety and I swear and affirm that everything in this statement is true and correct to the best of my knowledge.

SIGNATURE: *Eloy Leal*

Sworn to and subscribed before me, James D. Jones, #3082, a Peace Officer in the State of Texas and pursuant to Chapter 602.002 of the Texas Government Code on this the 17th day of December, 2015.

*James D. Jones #3082*  
James D. Jones, #3082  
Sergeant, San Antonio Police Department

**MAGISTRAL SERVICES/DETENTION CENTER  
ARRESTED PERSON REGISTRATION/PROPERTY FORM**

**M** / F    DATE: 080215    TIME: 0646    SEAL#: 8425705

NAME: Leal Eloy Madero JA    DOB: [REDACTED]    SID#: 36540

DESCRIPTORS: BIK & Shirt / Blue Shorts    INTAKE #: 1750718

JOB #: 8213357    COUNTY HIT: Y N    PHOTO: Y N    PHOTO TAKEN: (Y) N    PROPERTY INVENTORY UPON ARRIVAL

<b>CHARGE(S):</b> <b>A. Sight Arrests:</b> a. Felonies: _____ b. Class A/B: <u>Interfere w/D</u> c. Class C- Non Traffic - PI <u>Yes</u> d. Class C- Non Traffic: _____ e. Class C - Traffic <u>ped in non lane</u> <b>B. Warrants:</b> a. Felonies: _____ b. Class A/B: _____ (City of San Antonio Warrants): 1. Capias (approx #): _____ 2. (J.P. - approx #): _____ 3. Alias (approx #): _____	1. CASH AMT: \$ <u>0</u>	YES	<input checked="" type="radio"/> NO
	2. WALLET	YES	<input checked="" type="radio"/> NO
	3. TDL / ID	YES	<input checked="" type="radio"/> NO
	4. KEYS	YES	<input checked="" type="radio"/> NO
	5. PURSE	YES	<input checked="" type="radio"/> NO
	6. WATCH	YES	<input checked="" type="radio"/> NO
	7. KNIFE	YES	<input checked="" type="radio"/> NO
	8. RING(S) #: <u>4</u>	YES	<input checked="" type="radio"/> NO
	9. CELL PHONE	YES	<input checked="" type="radio"/> NO
	10. SHOES / STL TOE (Tagged):	YES	<input checked="" type="radio"/> NO
	11. OTHER ITEMS:	<input checked="" type="radio"/> YES	<input checked="" type="radio"/> NO

*lighter*

CLASSIFICATION: (circle one)    ARRESTEE: I CERTIFY THAT THE INVENTORY LISTED ABOVE IS CORRECT: (X) Eloy Madero

CODE: 1    2    3    4    6    7    DETENTION OFFICER: ABOVE INVENTORY RECEIVED (X) UC43

AGENCY: SAPD    BCSO    OTHER: \_\_\_\_\_    SEAL # VERIFIED BY (Init & Bdge #) [Signature]

ARREST/TRANSP OFF: Belmer    BGDGE #: 1106    DOES AP CLAIM TO BE SICK / INJ? YES  NO

GUN BOX #: \_\_\_\_\_    DISTRICT: 6250C    DO'S COMMENTS: \_\_\_\_\_

Money Taken to Prop Rm: \$ \_\_\_\_\_    AO Init: \_\_\_\_\_

AO'S COMMENTS: \_\_\_\_\_

POC PHONE #: \_\_\_\_\_

**PROPERTY / ARRESTEE DISPOSITION**

A. DISPOSITION OF AP: JAIL / PR-B / S-B / HOSP / Other: \_\_\_\_\_  
 B. AP/PROPERTY TRANSP BY: SAPD / BCSO Off Badge #: \_\_\_\_\_ Date: 8-2-15 Time Out: 2555  
 C. PROPERTY RETURNED TO AP - (RELEASED BY JUDGE) 1 2 3 4 5 6 7 8 9 10 11

ARRESTEE (I CERTIFY THAT I HAVE RECEIVED ALL OF THE ABOVE PROPERTY) (X) Eloy Leal

PROPERTY RELEASED BY (DO Init & Bdge #): [Signature]

PROPERTY RELEASED TO THIRD PARTY: I authorize my below listed property be released to the person listed below.  
 AP SIGNATURE (X): \_\_\_\_\_    PROP RELEASED TIME: \_\_\_\_\_

PROPERTY RELEASED TO: \_\_\_\_\_    SIGNATURE: (X) \_\_\_\_\_  
 I.D. NUMBER: \_\_\_\_\_    AUTH. SUPV.: \_\_\_\_\_    PROPERTY: 1 2 3 4 5 6 7 8 9 10 11

OTHER PROP: \_\_\_\_\_    PROPERTY RELEASED BY (DO Init & Bdge #): \_\_\_\_\_

**San Antonio Police Department  
Internal Affairs Unit  
Non-Respondent Officer's Report**


I.A. Formal Case Number: FC2015-179  
SAPD Case Number: SAPD15164781

Place of Occurrence		District of Occurrence	Type of Complaint
3200 Chamita		6140	Administrative
Complainant's Name (Last, First, MI)		Address	Phone Number
Leal, Eloy		3214 Chamita, San Antonio, Tx	None
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Sunday	August 2, 2015 0557 hrs.		Person

**TYPE OR PRINT ONLY**

It is my understanding that this report is made for administrative internal police department purposes only, and will not be used against me in a criminal investigation. This report is made by me after being requested to do so by a lawful supervisory officer. It is my understanding that by refusing to obey an order to write this report, I can be disciplined for insubordination, and for failing to cooperate with an administrative internal police department investigation, and punishment for such departmental rules violations can include termination of employment. This report is made pursuant to such order, and the potential discipline that can result from failure to obey that order.

I was asked to the Internal Affairs office by Sgt. Jones. # 3082 to discuss a incident that occurred on August 2, 2015. While in the office Sgt. Jones questioned me about the incident that occurred after a call at the 3200 block of Chimita. Sgt. Jones questioned me about Officer Belver, M. #1106. Sgt Jones asked me if I was parked next to Officer Belver when the incident occurred. I advised Sgt Jones, I was not parked next to Officer Belver, and was sitting in my vehicle away from Officer Belver writing a report, when a unknown male and Officer Belver began to yell at each other. Office Belver advised the male to go home, and the male told Officer Belver he would and stated he would be back with a camera to photograph the bad job Police were doing. The male did return, and was taken into custody, by Officer Belver. I assisted with the intial handcuffing of the male, and he was taken to the patrol vehicle by Officer Belver. The male continued to be beligent and threaten to assault Officer Belver. Officer Belver unhandcuffed the male and advised the male he had the opportunity to assault Belver. The male backed off, and I believe he stayed in the vehicle. Officer Belver rehandcuffed the male, and transported him to the Magistrates Office. I asked Officer Belver if he wanted me to follow him. He refused, stating he would be fine. However due to the heated exchange, I followed Officer Belver to the Magistrates Office, and escorted the male inside, to prevent the situation from escalating. I am unsure if Officer Belver and the male had contact with each other once at the Magistrates. Sgt. Jones asked me if Officer Belver struck the individual, and I told Sgt. Jones I did not see Belver strike the individual.

Officer's Printed Name	Signature and Badge Number	Date Submitted
Off. Jesus Carrillo #0087	 # 0087	12-18-15

**San Antonio Police Department  
Internal Affairs Unit  
Non-Respondent Officer's Report**

I.A. Formal Case Number: FC2015-179

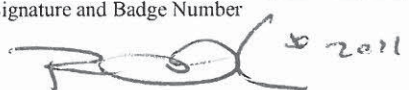
SAPD Case Number: SAPD15164781

Place of Occurrence		District of Occurrence	Type of Complaint
3200 Chamita		6140	Administrative
Complainant's Name (Last, First, MI)		Address	Phone Number
Leal, Eloy		3214 Chamita, San Antonio, Tx	None
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Sunday	August 2, 2015 0557 hrs.		Person

**TYPE OR PRINT ONLY**

It is my understanding that this report is made for administrative internal police department purposes only, and will not be used against me in a criminal investigation. This report is made by me after being requested to do so by a lawful supervisory officer. It is my understanding that by refusing to obey an order to write this report, I can be disciplined for insubordination, and for failing to cooperate with an administrative internal police department investigation, and punishment for such departmental rules violations can include termination of employment. This report is made pursuant to such order, and the potential discipline that can result from failure to obey that order.

Sgt. Jones contacted myself on an incident that occurred on 08/02/2015 in which I made the location and processed the scene of an Aggravated Assault. Sgt. Jones asked myself if I had been told of some shell casings that were outside the crime scene. I advised him that I remember someone saying that they saw some other spent shell casings outside the crime scene which looked old and may have been from another shooting at another time. I was not shown the location of the shell casings, nor were they pointed out to myself. Sgt. Jones also asked if I knew if the casings had been collected and I stated I did not know if the next shift went out there and collected or if anybody else collected them.

Officer's Printed Name	Signature and Badge Number	Date Submitted
Det. Rodney Olivarez #2011	 #2011	12-21-15



# Garrity Warning Sheet

San Antonio Police Department  
General Manual  
Section 200  
Rules and Regulations  
(Effective Date 07-24-2015)

## SECTION 3.00 INDIVIDUAL RESPONSIBILITIES

**3.02 TRUTHFULNESS OF MEMBERS:** Members shall speak the truth at all times. Reports and written communications from any member shall also reflect the truth.

### 3.27 GIVING INFORMATION IN INTERNAL INVESTIGATIONS:

**A. DUTY TO GIVE INFORMATION:** A member shall, when requested, answer questions, render statements, or surrender material relevant to a Professional Standards Section investigation.

**B. GARRITY WARNING:** Any member who is the subject of a Professional Standards Section investigation gives a written report, provided they are advised:

1. The report is for departmental purposes only;
2. The report will not be used against them in any subsequent criminal investigation or prosecution; and
3. Should they fail to give a written report, a lawful order to do so will be given, and failure to follow such an order will result in disciplinary action.

San Antonio Police Department  
General Manual  
Procedure 303  
Disciplinary Procedures  
(Effective Date 07-24-2015)

### .10 COMPLAINT INTERVIEWS

C. A sworn member of the Internal Affairs Unit holding the rank of sergeant or above, when conducting a complaint interview with a sworn member, may request, or order if necessary, a sworn member of any rank to:

1. Submit a written report;
2. Answer interrogatories;
3. Provide physical evidence; or
4. Otherwise cooperate in any manner with Internal Affairs Unit personnel during an investigation.

I have read and I understand the above Rules and Procedures

*Matthew B. Jones*

Officer's Printed Name



Officer's Signature

*1-4-16*

Date

**San Antonio Police Department  
Internal Affairs Unit  
Allegation Sheet**

**Complainant's Name:** The Administration and Mr. Eloy Leal

**Responding Officer:** Officer Matthew Belver #1106 (SPC)

**Internal Affairs Investigator:** Sergeant James Jones #3082 (CIA)

**I.A. Formal Case Number:** FC2015 - 179

During an investigation of an incident that occurred on August 2<sup>nd</sup>, 2015, it has been determined, based on that investigation, you are now a respondent in this case. This memorandum is to inform you of the specific allegations against you, and that Sergeant James Jones is the assigned investigator. The findings of this investigation will be forwarded to the Chief's Advisory Action Board for a review and recommendation. A written and/or audio-recorded response is required from you regarding the following allegation.

**Allegation 1:**

At 0503 hrs on August 2<sup>nd</sup>, 2015, Officer Matthew Belver #1106 (SPC) was dispatched to 3122 Chamita for a shooting. Officer Belver responded to the location and parked his patrol vehicle outside the crime scene. After the crime scene had been released, Officer Belver arrested and handcuffed Mr. Eloy Leal and placed him in the back of his patrol vehicle. A short time later, Officer Belver agreed to engage in a physical fight with Leal, and told Leal when he took the handcuffs off "I'm gonna beat your ass. That's what I'm going to do. Are you ready?" Officer Belver then unhandcuffed Leal and told Leal, "You can get out. Let's go...run...do something...do something." When Leal did not engage Officer Belver in a fight, Officer Belver then took Leal out of the back seat of the patrol vehicle, re-handcuffed Leal, and placed him back in the vehicle. This incident was documented under SAPD case number SAPD15164781.

**This conduct may be a violation of the SAPD Rules and Regulations:  
Section 3.04 – Responsibility to Serve the Public; Subsection C – Conduct and Behavior**

**C. Conduct and Behavior: Members, on-duty or off-duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior, and shall not commit any act tending to bring reproach or discredit on themselves or the department.**



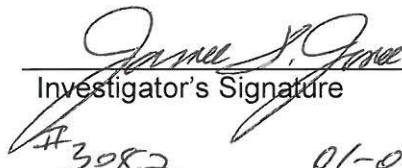
Respondent's Signature

1106

Badge #

1-4-16

Date



Investigator's Signature

#3082

Badge #

01-04-16

Date

San Antonio Police Department  
Internal Affairs Unit  
Allegation Sheet

Complainant's Name: The Administration and Mr. Eloy Leal  
Responding Officer: Officer Matthew Belver #1106 (SPC)  
Internal Affairs Investigator: Sergeant James Jones #3082 (CIA)  
I.A. Formal Case Number: FC2015 - 179


During an investigation of an incident that occurred on August 2<sup>nd</sup>, 2015, it has been determined, based on that investigation, you are now a respondent in this case. This memorandum is to inform you of the specific allegations against you, and that Sergeant James Jones is the assigned investigator. The findings of this investigation will be forwarded to the Chief's Advisory Action Board for a review and recommendation. A written and/or audio-recorded response is required from you regarding the following allegation.

**Allegation 2:**

At 0503 hrs on August 2<sup>nd</sup>, 2015, Officer Matthew Belver #1106 (SPC) was dispatched to 3122 Chamita for a shooting. Officer Belver responded to the location and parked his patrol vehicle outside the crime scene. After the crime scene had been released, Officer Belver arrested and handcuffed Mr. Eloy Leal and placed him in the back of his patrol vehicle. A short time later, Officer Belver agreed to engage in a physical fight with Leal, and Officer Belver unhandcuffed Leal. After Leal declined to fight, Officer Belver re-handcuffed Leal but did not double-lock the handcuffs. According to Mr. Leal, Officer Belver placed the handcuffs on too tight which caused numbness to his wrists. This incident was documented under SAPD case number SAPD15164781.

**This conduct may be a violation of the SAPD Rules and Regulations:  
Section 3.26 – Treatment of Prisoners**

**Prisoners shall be protected in their legal rights, given humane treatment, and shall not be subjected to verbal abuse or unnecessary physical violence.**

  
Respondent's Signature  
1106 1-4-16  
Badge # Date

  
Investigator's Signature  
#3082 01-04-16  
Badge # Date

San Antonio Police Department  
Internal Affairs Unit  
Allegation Sheet

Complainant's Name: The Administration  
Responding Officer: Officer Matthew Belver #1106 (SPC)  
Internal Affairs Investigator: Sergeant James Jones #3082 (CIA)  
I.A. Formal Case Number: FC2015 - 179

During an investigation of an incident that occurred on August 2<sup>nd</sup>, 2015, it has been determined, based on that investigation, you are now a respondent in this case. This memorandum is to inform you of the specific allegations against you, and that Sergeant James Jones is the assigned investigator. The findings of this investigation will be forwarded to the Chief's Advisory Action Board for a review and recommendation. A written and/or audio-recorded response is required from you regarding the following allegation.

**Allegation 3:**

At 0503 hrs on August 2<sup>nd</sup>, 2015, Officer Matthew Belver #1106 (SPC) was dispatched to 3122 Chamita for a shooting. Officer Belver responded to the location and parked his patrol vehicle outside the crime scene. After the crime scene had been released, Officer Belver reported that three shell casings from a firearm were pointed out to him and he collected those shell casings "in case they were material to the investigation." The Administration alleges Officer Belver did not call for a UEDI/Crime Scene Unit Investigator to process the evidence nor place the evidence into the Property Room. This incident was documented under SAPD case number SAPD15164781.


**This conduct may be a violation of the SAPD General Manual:  
Procedure 701 – Crime Scene Duties; Subsection .06(A)(9), (13)(d) – Officers/UEDI's General Crime Scene Duties**

A. Officer(s) Assigned to Crime Scene Duties

9. Request a UEDI/Crime Scene Unit Investigator to process the crime scene for physical evidence.

13. When an officer must handle evidence to protect it from loss, destruction, contamination, or for the victim to receive proper medical treatment, the officer takes custody of the evidence, and:

d. Marks the item for later identification and turns it over to the UEDI/Crime Scene Unit Investigator, if one is assigned to the call, or places the item in the Property Room as evidence. Care must be exercised to avoid destruction of latent fingerprints or trace evidence on the item when marking it.

  
Respondent's Signature  
1106      1-9-20  
Badge #      Date

  
Investigator's Signature  
#3082      01-04-16  
Badge #      Date

**San Antonio Police Department  
Internal Affairs Unit  
Allegation Sheet**

**Complainant's Name:** The Administration

**Responding Officer:** Officer Matthew Belver #1106 (SPC)

**Internal Affairs Investigator:** Sergeant James Jones #3082 (CIA)

**I.A. Formal Case Number:** FC2015 - 179


During an investigation of an incident that occurred on August 2<sup>nd</sup>, 2015, it has been determined, based on that investigation, you are now a respondent in this case. This memorandum is to inform you of the specific allegations against you, and that Sergeant James Jones is the assigned investigator. The findings of this investigation will be forwarded to the Chief's Advisory Action Board for a review and recommendation. A written and/or audio-recorded response is required from you regarding the following allegation.


**Allegation 4:**

At 0503 hrs on August 2<sup>nd</sup>, 2015, Officer Matthew Belver #1106 (SPC) was dispatched to 3122 Chamita for a shooting. Officer Belver responded to the location and parked his patrol vehicle outside the crime scene. After the crime scene had been released, Officer Belver arrested and handcuffed Mr. Eloy Leal and placed him in the back of his patrol vehicle. A short time later, Officer Belver agreed to engage in a physical fight with Leal, and told Leal when he took the handcuffs off "I'm gonna beat your ass. That's what I'm going to do. Are you ready?" Officer Belver then unhandcuffed Leal and told Leal, "You can get out. Let's go...run...do something...do something." When Leal did not engage Officer Belver in a fight, Officer Belver then took Leal out of the back seat of the patrol vehicle, re-handcuffed Leal, and placed him back in the vehicle. While transporting Leal to the Magistrate's Office, Officer Belver is overheard on his COBAN berating and degrading Leal, calling Leal a coward and using profane language such as "dumb fuck" towards Leal. This incident was documented under SAPD case number SAPD15164781.

**This conduct may be a violation of the SAPD Rules and Regulations:  
Section 3.26 – Treatment of Prisoners**

**Prisoners shall be protected in their legal rights, given humane treatment, and shall not be subjected to verbal abuse or unnecessary physical violence.**

  
\_\_\_\_\_  
Respondent's Signature  
1106      2-4-26  
\_\_\_\_\_  
Badge #                      Date

  
\_\_\_\_\_  
Investigator's Signature  
#3082      01-04-16  
\_\_\_\_\_  
Badge #                      Date

**SAN ANTONIO POLICE DEPARTMENT  
INTERNAL AFFAIRS UNIT  
RECEIPT OF DOCUMENTS VIEWED**

In accordance to the Collective Bargaining Agreement, Article 29 Subsection 2 (C) provides for review of certain documents at the time a respondent officer is providing a response to allegations presented to him/her by the Internal Affairs Unit.

Belver, Matthew  
**Officer's Name (Last, First, MI)**

#1106/Police Officer  
**Badge No./Rank**

SPC  
**Unit Assignment**

207-8191  
**Work Telephone**

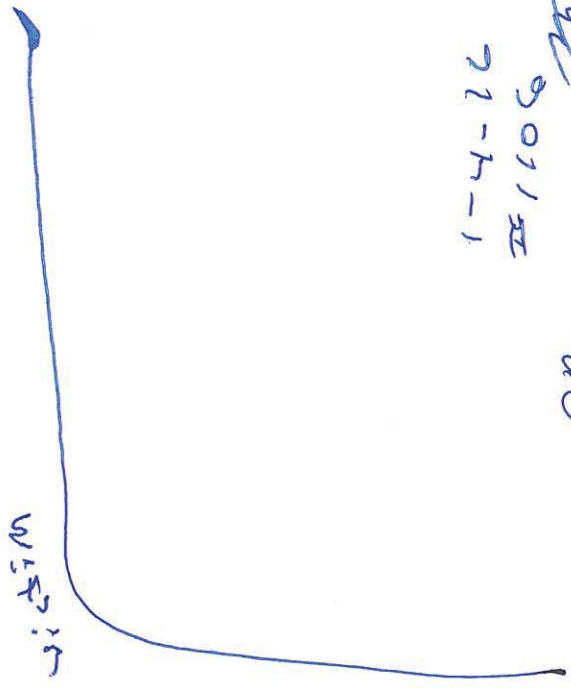
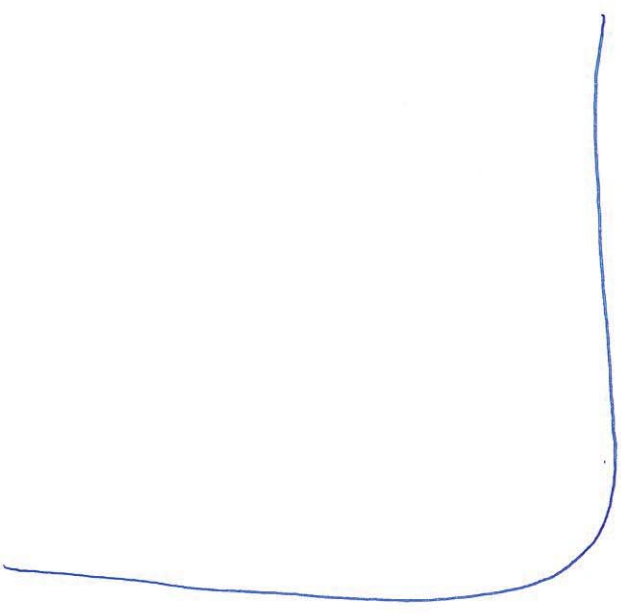
The following list of documents was viewed by the respondent officer prior to responding to the allegation(s):

<u>Title of Document</u>	<u>Date of Document</u>	<u>Prepared by</u>
<del>1.</del> Formal Complaint Notice .....	December 28, 2015 .....	Captain Gus Guzman
<del>2.</del> Copy of email from District Attorney's Office .....	December 3, 2015 .....	ADA Jim Wheat
<del>3.</del> Interoffice Correspondence .....	December 30, 2015 .....	Sergeant James Jones
<del>4.</del> One DVD – COBAN Videos .....	August 2, 2015 .....	Sergeant James Jones
<del>5.</del> Incident Detail Report (SAPD15164768).....	August 2, 2015 .....	Sergeant James Jones
<del>6.</del> Offense Report and 3 CSSRs .....	.....	Sergeant James Jones
<del>7.</del> Incident Detail Report (SAPD15164781).....	August 2, 2015 .....	Sergeant James Jones
<del>8.</del> Offense Report (SAPD15164781).....	August 2, 2015 .....	Officer Matthew Belver
<del>9.</del> SAPD Property Report (Property Room).....	.....	Sergeant James Jones
<del>10.</del> Sworn Statement and Photo Arrays .....	December 17, 2015 .....	Mr. Eloy Leal
<del>11.</del> Mag's/Detention Center Intake Form .....	August 2, 2015 .....	Sergeant James Jones
<del>12.</del> Non-Respondent Officer's Report .....	December 18, 2015 .....	Officer Jesus Carrillo
<del>13.</del> Non-Respondent Officer's Report .....	December 21, 2015 .....	Detective R. Olivarez
<del>14.</del> Garrity Warning Sheet .....	SAPD General Manual ...	Sergeant James Jones
<del>15.</del> I. A. Allegation Sheets.....	January 4, 2016.....	Sergeant James Jones
<del>16.</del> Receipt for Documents Viewed .....	January 4, 2016.....	Sergeant James Jones

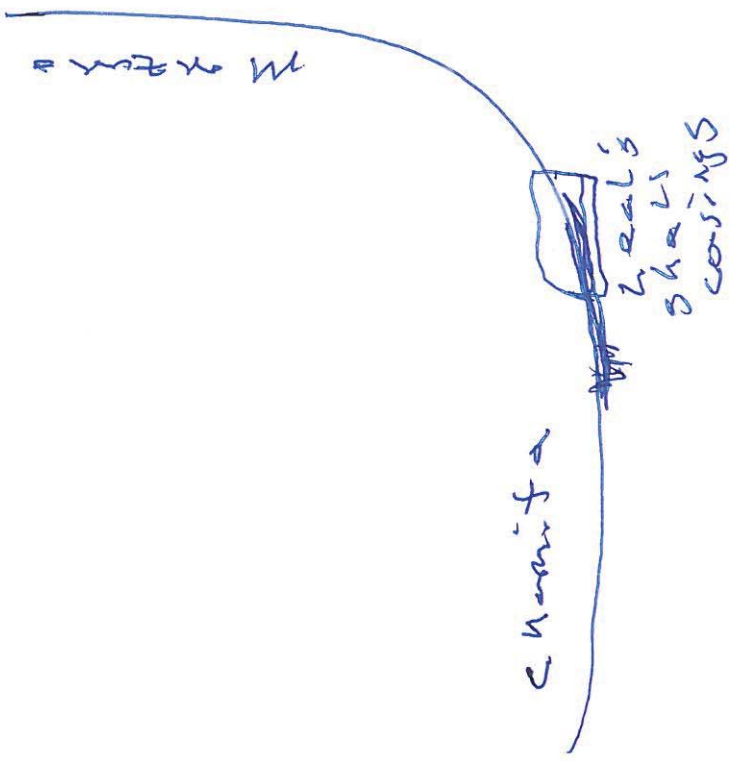
The respondent officer's signature provides proof of the documents viewed and that a copy of this receipt form was provided at this time.

Respondent Officer:  **Signature** Date: 1-4-2016

Internal Affairs Investigator:  **Signature** Date: 01-04-16



1-4-26  
#106  
J.P.



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