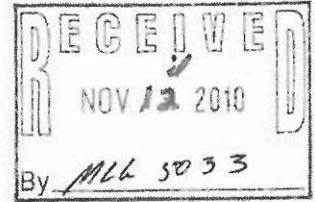


**RELEASE AND SETTLEMENT AGREEMENT
AND LAST CHANCE AGREEMENT**



WHEREAS, SAPD Officer Matthew Belver was indefinitely suspended effective 11-15-10 March 25, 2010; and

WHEREAS, Officer Matthew Belver appealed said Indefinite Suspension to the San Antonio Fire Fighters' and Police Officers' Civil Service Commission for back pay and leave lost during the period of the Indefinite Suspension; and

WHEREAS, Police Chief William P. McManus, Officer Matthew Belver and the San Antonio Police Officers' Association have agreed to settle said appeal, **NOW THEREFORE:**

FOR AND IN CONSIDERATION OF THE AGREEMENTS CONTAINED HEREIN:

SECTION 1. The San Antonio Police Department agrees to reduce the Indefinite Suspension issued to Officer Matthew Belver on March 25, 2010 in Internal Affairs investigation FC2009-227, which was based upon findings of misconduct after an investigation into incidents set out in the letter of indefinite suspension. The San Antonio Police Department, as part of the agreement, will reduce the punishment in said suspension to a 30-day suspension without pay.

SECTION 2. In consideration for the San Antonio Police Department's agreement to reduce the Indefinite Suspension of Officer Matthew Belver, Officer Belver agrees to the following requirements:

- A. Officer Matthew Belver shall be returned to employment from suspension effective March 25, 2010. Officer Belver shall not be entitled to back pay or benefits for the period from March 25, 2010 to the date of his reinstatement, May 27, 2010, during which he shall be serving two thirty-day suspensions. Additionally, because Officer Belver has been on military orders since March 25, 2010 and will return to duty with SAPD on November 13, 2010, he will not be entitled to back pay or benefits for that period of time.
- B. Officer Matthew Belver's 30 calendar day suspension in Internal Affairs investigation FC2009-227 will be considered served on the following dates: March 26, 2010 through April 25, 2010.

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- C. In a separate case, Officer Matthew Belver agrees to a 30 calendar day suspension in Internal Affairs investigation FC2009-266, signed and served upon Officer Belver on April 20, 2010, based upon findings of misconduct set out in the letter of suspension. Officer Belver shall be considered to have served said suspension on the following dates: April 26, 2010 through May 26, 2010.
- D. Prior to returning to regular duty, Officer Matthew Belver will satisfactorily complete any training classes or programs through the Department's Training Academy or elsewhere as deemed necessary and ordered by the Chief of Police.
- E. Officer Matthew Belver will continue any program or individual requirements as may be imposed upon him by the Department's Officer Concern Program, until released from supervision under that program.
- F. When Officer Belver returns to an active duty assignment, he will be assigned as determined by the Chief of Police and will be assigned to a two-officer patrol car, as well as comply with any additional duty restrictions as recommended by the OCP or ordered by the Chief of Police.
- G. Following the execution of this agreement, Officer Matthew Belver will continue or enter any program of counseling or mentoring ordered by the Chief of Police.
- H. Failure to successfully complete the plan/program within this time period, unless excused for good cause by the Chief of Police, will constitute a failure to comply with this Agreement, and grounds for discipline or termination.

SECTION 3. Upon the reports of the Officer Concern Program Commander and any other counselors or supervisors monitoring Officer Matthew Belver, the Chief of Police, at his sole discretion, will determine when Officer Belver has successfully completed the requirements of this Last Chance Agreement. Once the Chief of Police has determined that Officer Belver has successfully completed the requirements of this agreement, and in no case more than two years after returning to duty from the above referenced temporary suspensions and any military duty, Officer Belver shall be returned to full duty, subject only to regular supervision. Officer Belver may make a request to the Chief of Police for partial relief from this agreement concerning shift assignment prior to the expiration of this agreement. Once this agreement expires, Officer Belver will have the right to request a transfer to another shift pursuant to the CBA.

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SECTION 4. During Officer Matthew Belver's participation in the programs, classes and duty assignments required under this agreement, Officer Belver will continue to enjoy and receive the rights and entitlements made available by this agreement, State Law, and the Collective Bargaining Agreement between the City of San Antonio and the San Antonio Police Officers' Association, limited only as agreed herein by the parties to this agreement.

SECTION 5. If Officer Matthew Belver fails to fulfill any provisions of this Agreement or if the Chief of Police sustains any violation of the following Department Rules: 3.26 - Treatment of Prisoners; Procedure 501 - Use of Force; and Procedure 502 - Warrantless Arrests, the Chief of Police will issue a Contemplated Indefinite Suspension, hear Officer Belver's response, and will decide if the provisions of this Agreement have been violated.

SECTION 6. Although Officer Matthew Belver will be able to appeal to the Firefighters' and Police Officers' Civil Service Commission or to a third party hearing examiner under the provisions of Chapter 143 of the Texas Local Government Code and the Collective Bargaining Agreement the fact of whether a violation of this agreement occurred, in the case of an indefinite suspension for alleged misconduct as stated in Section 5 above, Officer Belver waives the right to appeal the level of penalty.

SECTION 7. This Agreement in no way limits the San Antonio Police Department's ability to discipline or terminate Officer Matthew Belver for conduct arising subsequent to the date of this agreement. Nor does this Agreement in any way limit the San Antonio Police Department's right to use or make reference to the two temporary suspensions described in paragraphs 1 and 2 above as a basis, in part, to justify a decision to discipline or terminate Officer Matthew Belver for any conduct arising during or subsequent to Officer Belver's return to duty.

SECTION 8. Officer Matthew Belver does hereby withdraw his appeal of the Indefinite Suspension issued to him on March 25, 2010, and agrees to notify the Firefighters' and Police Officers' Civil Service Commission of that fact.

SECTION 9. In consideration of the decision of the Chief of Police to reduce Officer Matthew Belver's Indefinite Suspension to a 30 calendar day suspension, Officer Belver agrees that he has no right to appeal either of the suspensions referenced above, and that he must, as a term of his employment, comply with the other requirements of this agreement, as set out above.

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SECTION 10. IT IS FURTHER AGREED AND UNDERSTOOD THAT BY EXECUTION OF THIS AGREEMENT, OFFICER MATTHEW BELVER DOES HEREBY RELINQUISH AND WAIVE ANY RIGHT TO APPEAL SAID SUSPENSION TO THE FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION, A THIRD-PARTY ARBITRATOR, THE DISTRICT COURT, OR ANY OTHER COURT HAVING COMPETENT JURISDICTION AND THAT THIS AGREEMENT IS INTENDED TO BE A FULL AND FINAL SETTLEMENT OF ANY AND ALL CLAIMS, DEMANDS, CAUSES OF ACTION, WHETHER KNOWN OR UNKNOWN, WHETHER ASSERTED OR NOT HAVING YET BEEN ASSERTED, ARISING OUT OF THE AFORESAID SUSPENSION. OFFICER BELVER FURTHER AGREES THAT HE WILL NOT CONTEST THIS AGREEMENT OR CONTEST THE VALIDITY OF THIS AGREEMENT IN ANY PROCEEDING WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, AN ADMINISTRATIVE PROCEEDING BEFORE THE SAN ANTONIO FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION, A PROCEEDING BEFORE AN ARBITRATOR OR HEARING EXAMINER, OR A PROCEEDING BEFORE A COURT OF LAW, EXCEPT AS ALLOWED IN SECTION 6 ABOVE.

SECTION 11. Officer Matthew Belver acknowledges that he has relied upon his own judgment and that of his attorney, Michael Rickman, in negotiating this Release and Settlement Agreement and Last Chance Agreement and that he has carefully read the agreement, that he knows and understands the contents of the agreement, and that he is satisfied with the contents of the Agreement.

SECTION 12. The San Antonio Police Officers' Association acknowledges that the appeal filed by Officer Matthew Belver is filed pursuant to the provisions of Chapter 143 of the Texas Local Government Code and not the current or past collective bargaining agreements between the City of San Antonio and the International Association of Fire Fighters, Local 624. The San Antonio Police Officers' Association further acknowledges that this Release and Settlement Agreement and Last Chance Agreement does not violate any of the provisions of the aforementioned current or past collective bargaining agreements and that it does not constitute an amendment to any of those agreements.

SECTION 13. THE SAN ANTONIO POLICE OFFICERS' ASSOCIATION AGREES THAT IT WILL NOT CONTEST THIS AGREEMENT OR CONTEST THE VALIDITY OF THIS AGREEMENT IN ANY PROCEEDING WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, AN ADMINISTRATIVE PROCEEDING BEFORE THE SAN ANTONIO FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION, A

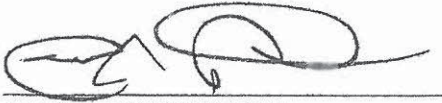
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HUMAN RESOURCES

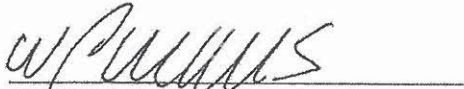
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PROCEEDING BEFORE AN ARBITRATOR OR HEARING EXAMINER, OR
A PROCEEDING BEFORE A COURT OF LAW.

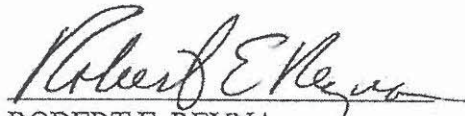
EXECUTED IN DUPLICATE ORIGINALS on November 5, 2010.

9/10/10


MATTHEW BELVER
POLICE OFFICER


WILLIAM P. MCMANUS
POLICE CHIEF


MICHAEL RICKMAN
ATTORNEY FOR
MATTHEW BELVER


ROBERT E. REYNA
ASSISTANT CITY ATTORNEY


MICHAEL HELLE, PRESIDENT
SAN ANTONIO POLICE OFFICERS' ASSOCIATION

Done to help for Fire and Police
Commission - 11/10/10

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**CITY OF SAN ANTONIO
NOTICE OF SUSPENSION**


RECEIVED LEGAL ADVISOR DEPT.
MAR 25 2010
CITY ATTORNEYS OFFICE
SAN ANTONIO, TEXAS

***OFFICER MUST SIGN THIS FORM EVEN IF FORGETTING TIME**

EMPLOYEE NAME: Matthew Belver, #1106

ACTIVITY NO. AND NAME: 17-02-09 Police

JOB CLASS NO. AND TITLE: 0600 Police

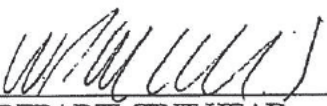
TRANS NO/TYPE	SOCIAL SECURITY NUMBER	TRANS DATE	BEGIN DATE	END DATE
1 4	5	14 16 18 MO DA YR	20 22 24 MO DA YR	26 28 30 MO DA YR
P50 3		03 24 10	03 24 10	

NUMBER OF 32 DAYS	LAST PAY 35 INDIC	TYPE 36	REASON 37 39
30 Indefinite			022

NARRATIVE REMARKS: Indefinite Suspension

AUTHORITY: Written Order of the Chief of Police

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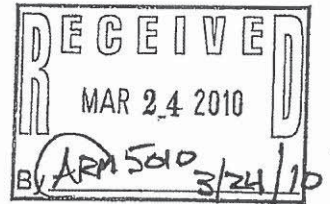
EMPLOYEE

DEPARTMENT HEAD

DATE

CITY MANAGER

INTEROFFICE MEMO

March 16, 2010



TO:

Captain A. Muro

COPIES TO:

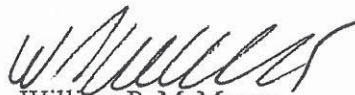
Assistant Chief G. Garcia
Deputy Chief S. Barrera
Lieutenant K. Falks
Legal Advisor
File

SUBJECT:

Officer Matthew Belver, #1106
I.A. Case No. FC-2009-227

The following action will be implemented against the above-referenced officer and case:

- Upheld.
- Agreed Suspension of _____ day(s). Rule(s)/Procedure(s) _____
- Reduced from _____ days to _____ days.
- Reduced to a Written Reprimand.
- Reduced to Written Counseling.
- Returned for Further Investigation.
- Rule(s)/Procedure(s) _____ Overturned and ruled Inconclusive.
- Rule(s)/Procedure(s) _____ Overturned and ruled Unfounded.
- Overturned and ruled Non-Chargeable (Send copy to Traffic Investigation)
- Overturned and ruled Inconclusive/Unfounded
- Rule Change: _____
- Amend factual basis as follows: _____
- Termination due to Probationary Status.

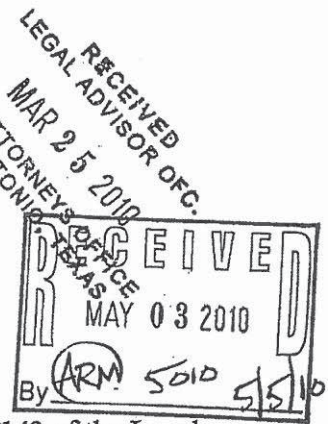

William P. McManus
Chief of Police

Officer Matthew Belver, #1106
San Antonio Police Department
San Antonio, Texas

Fire Fighters' and Police Officers' Civil Service Commission
119 Plaza de Armas, Suite 260
San Antonio, Texas 78204

Commissioners and Officer Matthew Belver:

FC2009-227



Under and by virtue of the authority vested in me by Title 5, Subtitle A, Chapter 143 of the Local Government Code, V.T.C.S., said chapter entitled "Municipal Civil Service", I do hereby suspend Officer Matthew Belver from paid duty with the San Antonio Police Department, indefinitely, without pay, from his position as an officer of the San Antonio Police Department effective immediately.

Officer Belver has violated Subsection C of Rule XIII of the City of San Antonio Fire Fighters' and Police Officers' Civil Service Commission Rules, said rules having been adopted on February 23, 1998, and thereafter from time to time amended, by the Fire Fighters' and Police Officers' Civil Service Commission as the Civil Service Rules for the Fire and Police Departments of the City of San Antonio. The particular civil service rule violated by Officer Belver and ground for suspension is as follows:

- (12) Violation of an applicable fire or police department rule or special order.

The Rules and Regulations of the San Antonio Police Department which Officer Belver has violated are as follows:

RULE 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.

PROCEDURE 502 - WARRANTLESS ARRESTS, SEARCHES AND SEIZURES (.03) POLICY (D) Officers make warrantless arrests only by the authorities listed in Section .04 of this procedure. **(E)** Officers make warrantless searches and seizures only by the authorities listed in Section .09 of this procedure. **(.04) WARRANTLESS ARREST AUTHORITIES**

(A) State Statutes

- (1) Alcohol Beverage Code Chapter 101, Article 101.02
Any Violation of Alcohol Beverage Code
- (2) Code of Criminal Procedure
 - (a) Chapter 8, Article 8.04 Dispersing Riot
 - (b) Chapter 14
 - (1) Article 14.01 Offense within View
 - (2) Article 14.02 Within View of Magistrate

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- (3) Article 14.03(a)(1) Suspicious Places and Circumstances;
- (4) Article 14.03(a)(2) Assault - Bodily Injury
- (5) Article 14.03(a)(3) Violation of Protective Order - May Arrest;
- (6) Article 14.03(a)(4) Family Violence - Bodily Injury; and
- (7) Article 14.03(b) Violation of Protective Order - Shall Arrest.
- (8) Article 14.04 Fleeing Felon
- (c) Chapter 18, Article 18.16 Preventing Consequences of Theft
- (d) Chapter 51, Article 51.13 Uniform Criminal Extradition Act

- (3) Health and Safety Code
Chapter 462, Section 462.041 Chemically Dependent Person
- (4) Parks and Wildlife Code
Chapter 11, Article 11.0191 Any Violation of Parks and Wildlife Code
- (5) Transportation Code
Chapter 543, Section 543.001 Any Violation of Transportation Code

(B) Rights of Officers

Where an arrest may be lawfully made without a warrant, an officer making an arrest is justified in adopting all the measures which he might adopt in cases of an arrest under a warrant, except that the officer making the arrest without a warrant may not enter a residence to make the arrest unless.

- (1) A person who resides in the residence consents to the entry; or
- (2) Exigent circumstances require that the officer making the arrest enter the residence without the consent of a resident or without a warrant.

PROCEDURE 502.09 - WARRANTLESS SEARCH AUTHORITIES/GUIDELINES

(A) Search by Consent

- (1) A consent search is a warrantless search and occurs when a person voluntarily allows a peace officer to search his/her body, premises, or belongings.
- (2) Consent is not voluntary if it is obtained by threat, force, or by falsely claiming that the search can be conducted without consent.
- (3) Upon giving consent to search, the consenting person relinquishes any right to object to the search on constitutional grounds.

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(4) Officers, prior to conducting a search by consent, will complete and have the consenting person sign SAPD Form #2091-A, *Consent for Search of Private Premises*.

(B) Frisk

- (1) An officer may frisk a person for weapons at any time Without a warrant if the officer has reason to fear for his/her safety.
- (2) The officer must be able to explain why the person was frisked. The officer need not point to any one thing that would justify the frisk, but should refer to several things, each of which, when taken alone may seem harmless, but when considered together by an officer who is trained or experienced in dealing with criminal suspects, raises a reasonable suspicion that the person poses a threat to the officer's safety.

(C) Search of a Vehicle Under a Movable Vehicle Exception

- (1) A vehicle stopped on public property by a peace officer may be searched without a warrant if the peace officer has probable cause to believe the vehicle contains items subject to seizure.
- (2) The items subject to seizure must be items connected with criminal activity.
- (3) The officer's determination of probable cause must be based on objective facts that could justify the issuance of a search warrant by a judge or magistrate.

(D) Crime Scene Search

- (1) While at a crime scene, officers may seize any evidence, fruits of the crime, or contraband that falls within the scope of the Plain View Doctrine.
- (2) Officers may conduct a quick and limited "protective sweep" search for the safety of officers and persons in the area.
 - (a) The protective sweep search may be made when an officer reasonably believes that the area harbors an individual posing a danger to those at the scene.
 - (b) Officers may conduct a limited frisk search of a person for weapons at a crime scene if there are articulable facts indicating a person may be armed.
 - (c) Officers may also make a limited search of persons at a crime scene if there are articulable facts that a person may be about to destroy evidence.

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- (3) In the absence of the Plain View Doctrine or exigent circumstances, officers shall obtain a warrant to search a crime scene.
 - (4) A search warrant is not necessary if a crime scene is located in a public place.
- (E) Exigent Circumstances - Where the Public Safety is Endangered
- (1) If exigent circumstances exist, the search warrant requirement is dispensed.
 - (2) Under exigent circumstances officers may search persons, property, or containers they believe possess or contain some immediately dangerous weapon or instrument.
 - (3) In situations where the public is in danger, officers may conduct a search of persons, places, or things without a warrant if there would not be a reasonable amount of time to obtain a warrant.
- (F) Inventory Searches
- (1) An inventory search of an impounded or seized vehicle may be conducted without a warrant in accordance with Procedure 607, *Impounding Vehicles*. The inventory search is an administrative procedure intended to inventory and secure the contents in a vehicle. The inventory procedure is intended to protect the following:
 - (a) The owner's property while it remains in police custody;
 - (b) The police against claims or disputes over lost, stolen, or vandalized property; and
 - (c) The police and others from potential danger.
 - (2) If criminal evidence, contraband, or other property subject to seizure is discovered during the inventory of a vehicle, there must be a valid administrative reason for the inventory for the property to be admissible in court.
- (G) Other Search Situations Authorized by Constitutional Provisions
- (1) Any property or items listed in the Texas Code of Criminal Procedure, Article 18.02, that could be seized with a search warrant may be seized without a search warrant under the Plain View Doctrine if an officer:
 - (a) Recognizes the property or items as seizable property or items;
 - (b) Has a legal right to be in a position to view the property or items; and

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- (c) Does not intrude on any person's reasonable expectation of privacy to seize the property or items.
- (2) If the property or items are in a place the officer cannot legally enter without a warrant or consent, the property or items cannot be seized without a warrant unless there is danger of imminent destruction or removal of the property.

PROCEDURE 601 - PRISONERS (.12) PRISONERS' PROPERTY (A) The arresting officer is responsible for all personal property belonging to a prisoner.

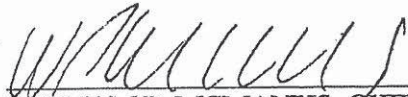
-----The factual basis for the instant disciplinary suspension is as follows:-----

On or about October 11, 2009, Officer Matthew Belver, while on duty, entered the residence of Sammy and Luis Ramos at 815 Inks Farm without their consent, without a search warrant and without exigent circumstances, for the purpose of making a misdemeanor arrest. Officer Belver lacked authority to arrest Sammy Ramos because the misdemeanor for which he arrested Ramos - Terroristic Threat - did not occur in Officer Belver's presence or view. Following the arrests of Sammy and Luis Ramos, Officer Belver failed to safeguard their personal property in their home, when he refused to close and secure the open front door of their residence before taking them to the Magistrate's Office for booking.

Additionally, on or about October 26, 2009, Officer Belver was untruthful and he falsified a police report in which he wrote in an official report that Luis Ramos interfered with his arrest of Sammy Ramos. In his report, Officer Belver indicated that Luis Ramos appeared from inside the residence and grabbed Sammy Ramos by the arm, attempting to pull him back into the residence when Officer Belver was attempting to arrest Sammy. Witnesses who were present at the scene support Luis Ramos' statement that he was already outside on the front porch, when Officer Belver retrieved Sammy Ramos from inside the residence. The witnesses verified that Luis Ramos did not interfere with Sammy Ramos' arrest.

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A copy of the instant disciplinary suspension order is being filed with the Fire Fighters' and Police Officers' Civil Service Commission.


 WILLIAM P. MCMANUS, CHIEF OF POLICE
 SAN ANTONIO POLICE DEPARTMENT

MAR 24 2010

 DATE

COF

I hereby acknowledge receipt of the original of the foregoing indefinite suspension. I acknowledge having received notification that I have ten days from the date of receipt of the instant suspension during which to file a written appeal of this suspension with the Personnel Director of the City of San Antonio requesting either arbitration or the hearing of my appeal by the Fire Fighters' and Police Officers' Civil Service Commission. I acknowledge that I have been informed that if I appeal to a hearing examiner/arbitrator, I waive all rights to appeal to a district court except as provided by subsection 143.057(j) of the Texas Local Government Code. I also acknowledge that I have been informed that my right to appeal the decision of a hearing examiner/arbitrator to district court pursuant to section 143.057 of the Texas Local Government Code may have been modified by the provisions of article 27 of the Collective Bargaining Agreement by and between the City of San Antonio and the San Antonio Police Officers' Association.

[Signature] #1106

OFFICER MATTHEW BELVER, #1106
SAN ANTONIO POLICE DEPARTMENT

March 25, 2010 0022
DATE TIME

WITNESSED BY:

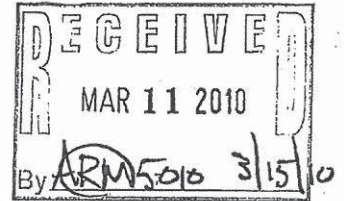
[Signature] DATE: 3-25-10 TIME: 0022
[Signature] #3202 DATE: 3-25-10 TIME: 0023 hrs

FILED on this the 25th day of March, 2010, with the Fire Fighters' and Police Officers' Civil Service Commission.

[Signature]
DIRECTOR, FIRE FIGHTERS' AND POLICE OFFICERS' CIVIL SERVICE COMMISSION

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2010 MAR 25 PM 3:42

DATE: MARCH 3, 2010



ATTENTION: OFFICER MATTHEW BELVER, #1106

SUBJECT: CONTEMPLATED DISCIPLINARY SUSPENSION

FC 2009-227

It is contemplated that you will receive an indefinite suspension for violation of Rule XIII(C)(12) of the Civil Service Commission Rules and Rule 3.02 and Procedures 502.03(D) and (E), 502.04, 502.09, and 601.12(A) of the Rules and Regulations of the San Antonio Police Department. Alleged as the basis for this suspension are the following allegations:

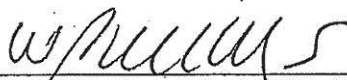
On or about October 11, 2009, Officer Matthew Belver, while on duty, entered the residence of Sammy and Luis Ramos at 815 Inks Farm without their consent, without a search warrant and without exigent circumstances, for the purpose of making a misdemeanor arrest. Officer Belver lacked authority to arrest Sammy Ramos because the misdemeanor for which he arrested Ramos – Terroristic Threat – did not occur in Officer Belver's presence or view. Following the arrests of Sammy and Luis Ramos, Officer Belver failed to safeguard their personal property in their home, when he refused to close and secure the open front door of their residence before taking them to the Magistrate's Office for booking.

Additionally, on or about October 26, 2009, Officer Belver was untruthful and he falsified a police report in which he wrote in an official report that Luis Ramos interfered with his arrest of Sammy Ramos. In his report, Officer Belver indicated that Luis Ramos appeared from inside the residence and grabbed Sammy Ramos by the arm, attempting to pull him back into the residence when Officer Belver was attempting to arrest Sammy. Witnesses who were present at the scene support Luis Ramos' statement that he was already outside on the front porch, when Officer Belver retrieved Sammy Ramos from inside the residence. The witnesses verified that Luis Ramos did not interfere with Sammy Ramos' arrest.

Given the foregoing allegations, please be advised that (a) these charges may be rebutted to the Chief either orally or in writing within seven calendar days; and (b) officers suspended up to a maximum of forty-five working days may, at the Chief's discretion,


serve such suspension by forfeiting accumulated compensatory, vacation, bonus time, or holiday leave equal to the suspension.

Please acknowledge receipt of the original of this report.


WILLIAM P. MCMANUS, CHIEF OF POLICE

MAR 08 2010

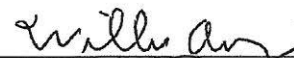
DATE

 #1106
OFFICER MATTHEW BELVER, #1106

3-8-10

DATE

WITNESSED BY:

 3019 DATE: 3-8-10 TIME: 2200

 3238 3239 DATE: 3-8-10 TIME: 2201

RER:jmb

Allegations

Allegation No. 1: It is alleged by Complainants Sammy and Luis Ramos, that at approximately 0300 hours on Sunday, October 11, 2009, Officer Matthew Belver #1106 (WPC) entered their residence at 815 Inks Farm without consent, without a search warrant, and without exigent circumstances, for the purpose of effecting a misdemeanor arrest. Officer Belver arrested Sammy Ramos for a class "B" Terroristic Threat. There is no signed Consent Form (SAPD Form 2091A) on file at SAPD Records. (Procedure 502.09 A(4) Requires the officer conducting a consensual search to have the consenting person sign SAPD Form 2091-A, prior to conducting a search by consent.) (90770137/01)

This conduct may be a violation of the San Antonio Police Department's General Manual:
Procedure 502.03(E) Warrantless Arrests, Searches, & Seizures-Policy

Procedure 502.03(E) Officers make warrantless searches and seizures only by the authorities listed in Section .09 of this procedure

Procedure 502.09 Warrantless Search Authorities/Guidelines

A. Search by Consent

1. A consent search is a warrantless search and occurs when a person voluntarily allows a peace officer to search his/her body, premises, or belongings.
2. Consent is not voluntary if it is obtained by threat, force, or by falsely claiming that the search can be conducted without consent.
3. Upon giving consent to search, the consenting person relinquishes any right to object to the search on constitutional grounds.
4. Officers, prior to conducting a search by consent, will complete and have the consenting person sign SAPD Form 2091-A, Consent for Search of Private Premises.

B. Frisk Search

1. An officer may frisk a person for weapons at any time without a warrant if the officer has reason to fear for his/her safety.
2. The officer must be able to explain why the person was frisked. The officer need not point to any one thing that would justify the frisk, but should refer to several things, each of which, when taken alone may seem harmless, but when considered together by an officer who is trained or experienced in dealing with criminal suspects, raises a reasonable suspicion that the person poses a threat to the officer's safety.

C. Search of a Vehicle Under a Movable Vehicle Exception

1. A vehicle stopped on public property by a peace officer may be searched without a warrant if the peace officer has probable cause to believe the vehicle contains items subject to seizure.
2. The items subject to seizure must be items connected with criminal activity.
3. The officer's determination of probable cause must be based on objective facts that could justify the issuance of a search warrant by a judge or magistrate.

D. Crime Scene Search

Internal Affairs Investigator: Sgt. C.L. Walker # 3203

Date: December 17, 2009

San Antonio Police Department
Internal Affairs
Investigation Report

Unit Case:
FC2009-227

1. While at a crime scene, officers may seize any evidence, fruits of the crime, or contraband that falls within the scope of the Plain View Doctrine.

2. Officers may conduct a quick and limited "protective sweep" search for the safety of officers and persons in the area.

a. The protective sweep search may be made when an officer reasonably believes that the area harbors an individual posing a danger to those at the scene.

b. Officers may conduct a limited frisk search of a person for weapons at a crime scene if there are articulable facts indicating a person may be armed.

c. Officers may also make a limited search of persons at a crime scene if there are articulable facts that a person may be about to destroy evidence.

3. In the absence of the Plain View Doctrine or exigent circumstances, officers shall obtain a warrant to search a crime scene.

4. A search warrant is not necessary if a crime scene is located in a public place.

E. Exigent Circumstances - Where the Public Safety is Endangered

1. If exigent circumstances exist, the search warrant requirement is dispensed.

2. Under exigent circumstances officers may search persons, property, or containers they believe possess or contain some immediately dangerous weapon or instrument.

3. In situations where the public is in danger, officers may conduct a search of persons, places, or things without a warrant if there would not be a reasonable amount of time to obtain a warrant.

F. Inventory Searches

1. An inventory search of an impounded or seized vehicle may be conducted without a warrant in accordance with Procedure 607, Impounding Vehicles. The inventory search is an administrative procedure intended to inventory and secure the contents in a vehicle. The inventory procedure is intended to protect the following:

a. The owner's property while it remains in police custody;

b. The police against claims or disputes over lost, stolen, or vandalized property; and

c. The police and others from potential danger.

2. If criminal evidence, contraband, or other property subject to seizure is discovered during the inventory of a vehicle, there must be a valid administrative reason for the inventory for the property to be admissible in court.

G. Other Search Situations Authorized by Constitutional Provisions

1. Any property or items listed in the Texas Code of Criminal Procedure, Article 18.02, that could be seized with a search warrant may be seized without a search warrant under the Plain View Doctrine if an officer:

a. Recognizes the property or items as seizable property or items;

b. Has a legal right to be in a position to view the property or items;
and

c. Does not intrude on any person's reasonable expectation of privacy to seize the property or items.

2. If the property or items are in a place the officer cannot legally enter without a warrant or consent, the property or items cannot be seized without a warrant unless there is danger of imminent destruction or removal of the property.

**San Antonio Police Department
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B. Rights of Officers

Where an arrest may be lawfully made without a warrant, an officer making an arrest is justified in adopting all the measures which he might adopt in cases of an arrest under a warrant, except that the officer making the arrest without a warrant may not enter a residence to make the arrest unless:

1. A person who resides in the residence consents to the entry; or
2. Exigent circumstances require that the officer making the arrest enter the residence without the consent of a resident or without a warrant.

Allegation No. 3: It is alleged by Complainant Sammy Ramos, that at approximately 0300 hours on Sunday, October 11, 2009, Officer Matthew Belver #1106 (WPC) slapped him on the side of the head after he was handcuffed. This allegedly occurred at the Ramos residence at 815 Inks Farm after Officer Belver arrested Sammy Ramos on a Terroristic Threats charge. It is further alleged that upon arriving at the Magistrates Office at approximately 0326 hours, Officer Belver repeatedly hit Sammy Ramos in the head and face and kicked him several times. This allegedly occurred outside the patrol car, in the parking lot, at the rear of the Magistrates office. (90770137)

This conduct may be a violation of the San Antonio Police Department's General Manual:

Rules and Regulations, Section 3.26 Treatment of Prisoners.

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 No. 4: On Sunday, October 11, 2009, at approximately 0300 hours, Complainants Sammy and Luis Ramos were arrested from their residence at 815 Inks Farm by Officer Matthew Belver #1106 (WPC). It is alleged that following their arrests, Officer Belver failed to safeguard their personal property when he refused to close and secure the open front door of their residence.

This conduct may be a violation of the San Antonio Police Department's General Manual:

Procedure 601.12(A) Prisoner's Property

Procedure 601.12(A): The arresting officer is responsible for all personal property belonging to a prisoner.

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

Unit Case:
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Allegation No. 5: It is alleged by the Administration / Luis Ramos, that at approximately 0330 hours on Sunday, October 26, 2009, Officer Matthew Belver #1106 falsified a police report by writing that Luis Ramos interfered with Officer Belver's arrest of Luis's brother, Sammy Ramos, when Officer Belver knew Luis did not interfere with the arrest. Officer Belver's report indicates Luis Ramos appeared from inside the residence, grabbed Sammy Ramos by the arm, and attempted to pull him back into the residence when Officer Belver was attempting to arrest Sammy. Witnesses support Luis Ramos' assertion that he was already outside, on the front porch, when Officer Belver retrieved Sammy Ramos from inside the residence and Luis did not interfere with the arrest.

This conduct may be a violation of the San Antonio police Departments General Manual: **Rules and Regulations 3.02 Truthfulness of Members.**

Rules and Regulations Section 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.

Documentation of Investigation:

- | | |
|---|--------------------------|
| 1. Formal Complaint Notice | Capt. A. Muro |
| 2. Formal Complaint Acceptance Form | Sgt. C.L. Walker |
| 3. Sworn Statement w/SIS and Lineup (Sammy Ramos) | Sgt. C.L. Walker |
| 4. Sworn Statement (Sammy Ramos) | Sgt. C.L. Walker |
| 5. Sworn Statement (Sammy Ramos) | Sgt. C.L. Walker |
| 6. Sworn Statement w/SIS and Lineup (Luis Ramos) | Sgt. C.L. Walker |
| 7. Rough Sketch of Detention Center Parking Lot | Sgt. C.L. Walker |
| 8. Sworn Statement w/SIS (Cathy Cardenas) | Sgt. C.L. Walker |
| 9. Keycard | Computer Generated |
| 10. Offense Report (90-770137 01, 02, 03, and 04) | Off. M. Belver |
| 11. Witness Statement (Cadet Chase Meneley) | Sgt. C.L. Walker |
| 12. Witness Statement w/SIS and Lineup (Jacqueline Vasquez) | Sgt. C.L. Walker |
| 13. Witness Statement w/SIS and Lineup (Luis Campos) | Sgt. M. Tobin |
| 14. Witness Statement w/SIS and Lineup (Michelle Flores) | Sgt. C.L. Walker |
| 15. Witness Statement w/SIS and Lineup (Joseph Caballero) | Sgt. C.L. Walker |
| 16. Witness Statement w/SIS (Connie Ojeda) | Sgt. C.L. Walker |
| 17. Witness Statement w/SIS and Lineup(CSI Carl Beard) | Sgt. M. Riggs |
| 18. Non-Respondent Report | Off. T. Coleman |
| 19. Non-Respondent Report | Off. T. Coleman |
| 20. Non-Respondent Report | Det. G. Garavelli |
| 21. Non-Respondent Report | Off. J. Haby |
| 22. Non-Respondent Report | Sgt. W. Smith |
| 23. Homicide Case File (90-770137-03) | Det. G. Garavelli |
| 24. Memo—Officers at Magistrates Office | Sgt. C.L. Walker |
| 25. Memo—Detention Center Personnel | Sgt. C.L. Walker |
| 26. Daily Personnel Report (Detention Center) | Detention Ctr. Personnel |

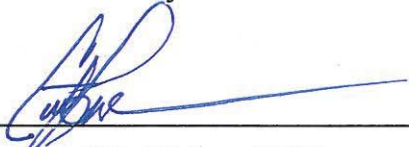
**San Antonio Police Department
Internal Affairs
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27. Memo—Detention Center Video	Sgt. C.L. Walker
28. Memo—Communications	Sgt. C.L. Walker
29. Memo—Canvass Report	Sgt. C.L. Walker
30. I.A. Allegation Sheet	Sgt. C.L. Walker
31. I.A. Garrity Warning Sheet	Computer Generated
32. I.A. Receipt of Documents Viewed	Sgt. C.L. Walker
33. I.A. Officer's Response Report	Sgt. C.L. Walker
34. I.A. Receipt of Documents Viewed #2	Sgt. C.L. Walker
35. Interoffice Correspondence	Off. B. Thomas
36. I.A. Receipt of Documents Viewed #3	Sgt. C.L. Walker
37. Memo—Upgrade of Charge	Sgt. C.L. Walker
38. I.A. receipt of Documents Viewed #4	Sgt. C.L. Walker
39. Detention Center Registration Form (Sammy Ramos)	Det. Ctr. L. Barrera
40. Master Name File Printout (Sammy Ramos)	Computer Generated
41. Mugshot Database Report (No Photo of Sammy Ramos)	Computer Generated
42. Detention Center Registration Form (Luis Ramos)	Det. Ctr. Zapata
43. Master Name File Printout (Luis Ramos)	Computer Generated
44. Mugshot Database Photo (Luis Ramos)	Computer Generated
45. AVL Printouts	Sgt. C.L. Walker
46. (2) CDR-Photographs	Sgt. C.L. Walker
47. CDR-Communications	Joel Nelson

Investigation / Recommendation

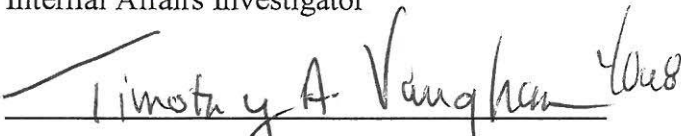
Conclusion: Based on the above statements, reports, and documents, I respectfully submit this case to the Chief's Advisory Action Board for their review and recommendation.



Sergeant C.L. Walker #3203
Internal Affairs Investigator

12-17-2009


Date



Lieutenant Timothy Vaughan #4068
Internal Affairs Director

02/17/10

Date



Captain Anthony R. Muro #5010
Professional Standards Commander

02/17/10

Date

SAN ANTONIO POLICE DEPARTMENT
INTERNAL AFFAIRS UNIT
INTEROFFICE CORRESPONDENCE

TO: Officer Matthew Belver #1106 (WPC)

FROM: Captain Anthony R. Muro, Professional Standards Commander

COPIES: Patrol South Division Commander
West Service Area Commander

DATE: October 26, 2009

Formal Complaint Notice

A Formal Complaint has been filed against you regarding an incident that occurred on October 11, 2009, at 815 Inks Farm. The complainants, Sammy and Luis Ramos, provided sworn written statements to the Internal Affairs Unit that have resulted in allegations of Warrantless Arrests, Searches and Seizures; Warrantless Arrest Authorities; Treatment of Prisoners (Physical); Prisoners Property; and Truthfulness.

These 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:

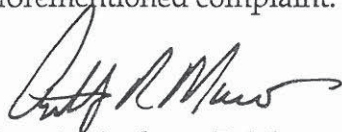
90770137

FC2009-227

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, 2006), **Article 28 (Internal Security Interview Procedure) Section 2. Internal Affairs Investigations and Article 27 (Disciplinary Procedures) Section 15.**

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.



Captain Anthony R. Muro
Professional Standards Commander

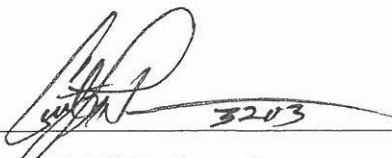
San Antonio Police Department
Internal Affairs Unit

Formal Complaint Acceptance Form

The details of your complaint have been reviewed. Considering the serious nature of the allegation(s) listed in your Sworn Affidavit, and the fact that you understand the consequences of the Aggravated Perjury Warning, the Internal Affairs Unit will conduct a thorough and objective investigation of your complaint. The findings of our investigation will be presented to the Chief's Advisory Action Board for their review and recommendation. You will be notified by mail that an opportunity exists for you to voice your complaint before the Advisory Action Board. The Chief of Police will render a final decision as to what, if any, action will be taken in your case. You will receive a letter from the Office of the Chief, informing you of the final disposition.

In accepting your case for a formal investigation, the Internal Affairs Unit will make a conscientious attempt to keep you informed at different stages of the investigatory process. As such, the Internal Affairs Unit expects your assurance, that when called upon, you will cooperate fully with the assigned investigator from this office. Your failure to do so, may cause your case to become inactive or dismissed. We look forward to assisting you in this matter of concern.


Complainant's Signature
Date: 10.12.09


Internal Affairs Investigator

DOCUMENT# _____

DOCUMENT# _____

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: Sgt. C.L. Walker #3203
LOCATION TAKEN: 800 Dolorosa #402
DATE: October 12, 2009 / 1737

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

My name is Sammy Ramos and I am twenty years old; my date of birth is [REDACTED] I live at 815 Inks Farm in San Antonio and my phone number is 210-309-7775. The last grade I completed was the tenth grade. I can read, write, speak, and understand English. I am in the Internal Affairs office speaking with Sgt. Walker about the harassment that the cop gave to me.

This happened at about 3:00am Sunday morning, October 11, 2009. I was at my house most of the time before this happened. I was at my house the whole day on Saturday until the cop arrested me early Sunday morning. There were no problems at my house. I was just there watching TV. I went outside a few times but mostly I was there at my house watching TV. I went to sleep on the couch in the living room at my house at about 1:00Am on Sunday morning. I was in a deep sleep when I was awakened by a guy wearing a dew rag on his head. He was shaking me to wake me up. He asked me if my name was Sammy Ramos and I told him yes. I was freaked out because the guy had a dew rag on his head. I looked at him again as I was waking up and realized he was wearing a cops uniform. I told him "Yes" that I was Sammy Ramos and he told me that I was under arrest. He grabbed me and threw me to my front door. He then put me in handcuffs.

The officer walked me out the front door. He was walking me fast like he was in a rush. I saw my brother in the back of the cop car and I freaked out. I asked the officer why my brother was in the cop car.

Sgt. Walker asked me what I mean when I say I "freaked out." I mean I was totally in shock; I couldn't believe what was happening in front of my eyes. Sgt. Walker asked me what my physical response was when I was "freaking out". Nothing, he had total control of me. He was a big guy and I am a little guy. I just asked the cop why my brother was in the cop car and I asked him why I was going to jail. When I asked the cop why I was going to jail he slapped the hell out of me. He slapped me on the side of the head. He didn't have his gloves on then.

The cop put me in the cop car then he walked to a car that was parked about two houses down with the lights on. The cop talked to somebody in that car for a couple minutes before he came back. I want to point out that he left my front door wide open while my nieces and nephews were sleeping inside my house. I asked him to close my front door but he just drove off. I asked him what are charges were but he wouldn't say anything. He didn't respond at all for the first couple of minutes. I was wearing only my shorts and a muscle shirt; he wouldn't let me grab clothes.

The cop looked pissed the whole way to jail. I am arguing with him all the way to the jail. My brother and I were trying to ask him what we did. The cop just told us to shut up and said we knew what we did. He would just say like "Shut up, stupid." I asked him if he was racist. He just told me to shut up. Don't get me wrong; I was cussing at the cop.

When we pulled up at the Magistrates he parked way in back where it was dark. He didn't park under the cover where the cop cars park, he parked across the parking lot up against the fence. He didn't pull in, he reversed in. While he was reversing he said "You think your big shit huh, alright we'll find out." I knew he was fixing to beat me up.


Signature

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

He put some black gloves on before he got out of the car. The gloves were hard or they had something hard on them. The cop walked around the cop car and put his gun in the trunk. A few minutes later he opened my door and told me to get out of the car. I was sitting in the back seat on the driver's side. He told me 'get out pussy' but I didn't. I don't remember getting out of the car. I don't know if he pulled me out of the car or if I got out. I was very scared. I remember that the last thing I wanted to do was get out of the car. I know the cop took the handcuffs off of me and told me: "let's go you think your big shit, Hit me." I told the cop "I don't want to fight you sir". I knew there was no way I could beat him. You can't beat a cop especially in front of the police station. I wouldn't fight him even on the streets because he is a big guy.

The cop pulled his hand back to hit me. I don't remember if it was his right or his left. I threw myself to the ground by the back tire. I was blocking my face with my hands. The cop tried to hit me in the head but he hit my hand. He grabbed my hands and started hitting me in the head and face. I was curled up in a ball. He was telling me "come on pussy, fight back. My brother, Luis "Tony" Ramos was in the back seat of the cop car and he saw everything. The cop kept hitting me. He would strike me a couple of times then stand up. He would walk around me and then kick me. He kept calling me a pussy and telling me to get up and fight him. He did this several times. He also kicked me in the buttocks.

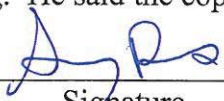
I assumed there was a dash camera so when he stopped hitting and kicking me for a second I got up and walked to the front of the cop car. I had my hands on top of my head and I put my head on the cop car. I guess a couple cops heard all the commotion because two other cops walked up. I asked the cops to help me. I was on the hood with my face on the hood. The cop that beat me up told the two cops to take me inside so he could get my brother. I tried to tell the cops what happened to me but I guess they didn't want to believe me. I told the cops that the cop had just beat me up outside.

Sgt. Walker showed me a piece of paper with six photographs on it. This piece of paper is labeled Lineup ID 1694. Sgt. Walker asked me if I recognized any of the officers in the pictures. I first told Sgt. Walker that I didn't recognize any of the officers but I kept looking at the pictures. I told Sgt. Walker the cop had a dew rag on most of the time except when he came into the Magistrates. I told Sgt. Walker that the cop had big ears and looked most like picture number 3. Sgt. Walker asked me to sign and date the bottom of this picture. Sgt. Walker said this officer is Officer Matthew Belver.

One of my charges is for a Terroristic Threat. I still don't know who I supposedly threatened. I was also booked for Harassing a Public Servant and for resisting Arrest. I don't know how I resisted arrest.

I have not been to a doctor or to the hospital. I don't know if I am going to the doctor but my mom is suggesting that I go. I have had a headache since yesterday. I also have pain on my right upper thigh, my buttocks, my back, and my right arm. I have bruising to my face and my left ear and I have redness to the inside of my upper lip. I also have a scratch on my neck.

Sgt. Walker told me that Officer Belver was dispatched to 5721 Stiffkey Dr. for a report of three known males that walked to that address with guns. Sgt. Walker asked me if I had been at 5721 Stiffkey Dr. before I was arrested and if I know anybody at that address. No. I was not at that house and I don't know anybody from that house. I know I talked to a friend of mine named Joseph Caballero after I got out of jail. I don't know Josephs address but he lives on Stiffkey in the cul-de-sac. Joseph told me he got stopped by a cop wearing a dew rag. He said the cop took him over to a


Signature

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

house on Stiffkey but the people told the cop he was not the one so the cop let him go. I don't not know Joseph's phone number. ^{SF}

I have read my statement and it is all true and correct. Sgt. Walker has informed me 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.

SIGNATURE: *[Handwritten Signature]*

Sworn to and subscribed to me before this 12 day of October A.D., 2009

SEAL

No IDENTIFICATION
[Handwritten Signature]
3203

Notary Public in and for Bexar County, Texas

San Antonio Police Department
Professional Standards Section
Statement Information Sheet


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

NAME: Sammy Ramos

HOME ADDRESS: 815 INKS Farm

CITY: S.A

STATE: T.X ZIP: 78228

PHONE: ⁽²¹⁰⁾ 309-7775 RACE: H SEX: M AGE: 20 D.O.B.: 

CELLULAR PHONE: none E-MAIL ADDRESS: none

DRIVER'S LICENSE NO.: none S.S.N.: 

PLACE OF EMPLOYMENT: Longhorns Packaging Inc.

BUSINESS ADDRESS: u/n BUSINESS PHONE: u/n

JOB TITLE: u/n

MARRIED: no NAME OF SPOUSE: none

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

NAME: Cathy Davila RELATIONSHIP: mom PHONE: _____

ADDRESS: 815 INKS Farm CITY: S.A STATE: T.X

PLACE OF EMPLOYMENT: _____ WORK 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
COUNTY OF BEXAR

STATEMENT TAKEN BY: Sgt. C.L. Walker #3203
LOCATION TAKEN: 800 Dolorosa #402
DATE: October 12, 2009 / 1737

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

My name is Sammy Ramos and I am twenty years old; my date of birth is [REDACTED] I live at 815 Inks Farm in San Antonio and my phone number is 210-309-7775. The last grade I completed was the tenth grade. I can read, write, speak, and understand English. I am in the Internal Affairs office speaking with Sgt. Walker about the harassment that the cop gave to me. This is my second statement to Sergeant Walker.

I lied in my first statement. I want to tell the truth now. I want to tell the truth because Sgt. Walker told me I may have to take a polygraph and because Sgt. Walker told me that if I was not telling the truth about everything in my statement I was wasting everybody's time.

The truth is I did go to the house on Stiffkey. I didn't actually go to the house and I wasn't involved in the disturbance; my friend Jesse was there with two of his friends. I do not know Jesse's last name. I do not know the names of the two guys that were with Jesse. I saw the three of them walk by my house. They were walking real fast and they were talking among themselves like they were going to go beat somebody up. I followed behind them. When they got to the house on Stiffney I could hear an argument. I was about five to six houses away. I saw that one of the guys had a gun it was about six or seven inches. I saw the guy hold it up in the air and I heard the gun go click clack like he locked and loaded it. I thought oh shit, shit's going to get serious. I saw Jesse and the two guys walking all over by the house going all crazy. They were cussing and yelling and I heard a lady arguing with them. I went back home.

I watched TV and I dozed off. The cop showed up at my house about two hours after I got back home. I was asleep when the cop got there. He woke me up like I said. I didn't even assume that was why he arrested me.

I have read my statement and it is all true and correct. Sgt. Walker has informed me 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.

SIGNATURE: 

Sworn to and subscribed to me before this 12 day of October A.D., 2009

SEAL

No ID.

3203

Notary Public in and for Bexar County, Texas

Signature

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: Sgt. C.L. Walker #3203
LOCATION TAKEN: 800 Dolorosa #402
DATE: October 29, 2009 / 1355

BEFORE ME, the undersigned authority in and for the State and County aforesaid, on this day personally appeared Sammy Ramos, who being by me duly sworn upon his oath deposes and says: My name is Sammy Ramos and I am twenty years old; my date of birth is [REDACTED] I live at 815 Inks Farm in San Antonio and my phone number is 210-309-7775. I completed the tenth grade in school and I can read, write, speak, and understand English. I am providing this statement to Sgt. Walker because Sgt. Walker told me that I need to be absolutely truthful.

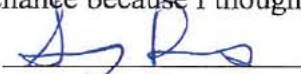
I was truthful in my previous statements when I described what Officer Belver did to me but I was not truthful when I described my own actions because I didn't want to get in trouble. I was involved in the argument on Stiffkey St. on the night this occurred.

Sgt. Walker gave me copies of my two previous statements and asked me to tell him what parts of the statements were untruthful. On page one of my first statement, the part where I said I was just at my house watching TV and went to sleep on the couch at about 1:00Am is not true. I was not at home watching TV and falling asleep on the couch. I was on Stiffkey St. and I was involved in an argument. I think the name of the girl that I was arguing with is Ana. I really don't know Ana but she doesn't like a friend of mine named, Jaime. The second statement I gave is mostly untrue. Like I said, I was involved in the argument on Stiffkey.

Sgt. Walker showed me the offense reports written by Officer Belver and asked me to tell him what is not true in the reports. On the bottom of page one it states that I answered the door and the officer asked me to step outside. This did not happen. My brother, Luis, answered the door. I really was sleeping on the couch. I did not think anything of the argument on Stiffkey. I walked home then laid on the couch and went to sleep. Pretty much everything on the second page is not true. My brother, Luis did not come outside and ask what was happening and he did not grab me by the arm and try to pull me inside. Luis was already outside when Officer Belver took me outside. I was not screaming obscenities at Officer Belver when he was walking me to the patrol car. I was asking him why we were being arrested. I did yell for my mom when he opened the car door. He just told me that she wasn't going to be able to help me. I did not kick the patrol car and I did not kick the officer when he was putting me in the car. The officer did not give me enough time to do anything; he just put me straight in to the patrol car. I did yell at the officer once I was in the back seat of the patrol car. I was arguing with him but he wasn't responding. He wasn't saying anything back. He was making me more upset because he wasn't saying anything. I called him a racist but I never threatened him. I told him "What would happen if I would spit in your face?" He told me to go ahead because it would just be another charge. I was saying random stupid stuff. I was talking mess. I definitely did not spit on him though.

Sgt. Walker told me that I had said in my statement that Officer Belver took my handcuffs off before he hit me. Sgt. Walker said the reports from Officer Coleman and from the cadet indicate that I was handcuffed behind my back when they walked up and walked me inside. Sgt. Walker asked me when the handcuffs were put back on me. I don't know. Officer Belver did take the handcuffs off of me. He told me to fight him like I said. When I refused to fight him he hit me and kicked me anyway. I ran to the front of the car when I got a chance because I thought he had a dash

1


Signature

DOCUMENT# 5

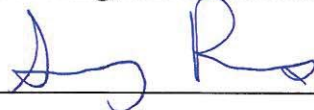
San Antonio Police Department
Internal Affairs Unit
Sworn Statement

camera. I stood bent over the hood with my hands above my head. When the officer and the cadet walked up I put my hands back behind my back. I still had the handcuffs on one of my wrists. I don't remember if the officer or the cadet put the other handcuff on me or if they took me inside with only one of the handcuffs on my wrist.

Sgt. Walker told me that the statements from the people on Stiffkey said I had a gun. I did not have a gun. One of the guys that was out there on Stiffkey with me had a black baton. Somebody might have thought the baton was a gun but I didn't have it. Nobody had a gun that I know of.

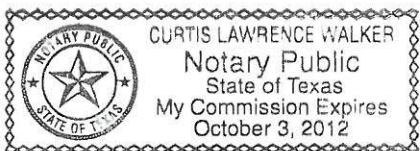
What happened on Stiffkey was this: I was walking by with my friend Mike. I think his last name is Cavallero. Ana said a smart comment and said something like "Fuck you and Jaime". I have a friend named Jaime. I don't know why she said this but I wasn't going to just let her talk to me like that. She was screaming at me making allegations at me. Ana doesn't like me. Ana's boyfriend was in his car. He was trying to tell Ana to behave and telling her to get in the car. Mike was telling me to leave but I didn't leave. I was mad at the way Ana was talking to me. I know that Ana's parents came outside but I wasn't paying attention to them. Two other guys walked up. I assume they heard me arguing with Ana. One of the guy's names is Jesse; I don't know Jesse's last name. I don't know the name of the other guy. These guys don't live in my neighborhood. Jesse lives in the neighborhood behind the Imperial Ballroom. Either Jesse or his friend had the baton. Jesse and his friend were jumping around and arguing with Ana's parents. Mike was just telling me to behave. Either Jesse or his friend hit a pole with the baton when we got to the end of the street. It made a loud noise. Jesse and his friend made things a lot worse than it was. It was just an argument between Ana and me. I did not see anybody hold the baton up like a gun "gangster style" like Sgt. Walker said but Jesse or his friend could have done that while I was concentrating on Ana. I never told anyone I was going to kill them.

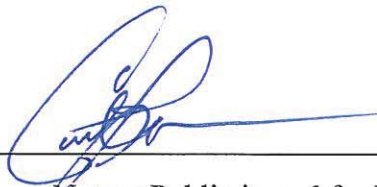
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SIGNATURE: 

Sworn to and subscribed to me before this 29 day of October A.D., 2009

SEAL




Notary Public in and for Bexar County, Texas

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: Sgt. C.L. Walker #3203

LOCATION TAKEN: 800 Dolorosa #402

DATE: September 14, 2009 / 1037

BEFORE ME, the undersigned authority in and for the State and County aforesaid, on this day personally appeared Luis Ramos, who being by me duly sworn upon his oath deposes and says: my name is Luis Ramos and I am twenty-four years old; my date of birth is [REDACTED] I live at 815 Inks farm in San Antonio and my phone number is 210-309-7775. I graduated high school and I can read, write, speak, and understand English. I am at the Internal Affairs office speaking with Sgt. Walker about my brother's arrest.

My brother's name is Sammy Ramos. Sammy is twenty years old and he lives with my mom and me at my mom's house on Inks farm. The arrest I am talking about occurred Sunday morning October 11, 2009 between 3:00Am and 3:30Am. I was arrested at the same time. I was charged with Interference with a Police Officer and Sammy was charged with multiple charges. The charge I know for sure was resisting arrest. The following is what happened.

I was asleep in my bedroom at the back of the house. I was awakened by somebody knocking on the front door and the doorbell ringing. I answered the front door and saw that it was a police officer at the door. The officer asked me if I was Sammy Ramos. I told him I was Luis Ramos and as I tried to step outside, he pushed open the door and walked inside. My brother, Sammy, was sleeping on the couch. The officer was yelling is this Sammy Ramos, is this Sammy Ramos. The officer was trying to wake Sammy up by yelling his name. I asked the officer if he had a warrant and he said "yes." I just stood there in shock. The officer continued to try to wake Sammy but he wasn't waking up.

I asked the officer if he had a warrant. The officer said the warrant was outside in his car and he told me to step outside and put my hands behind my back. I assumed the officer was just trying to control the situation by asking me to step outside. I stepped outside and waited on the porch. About a minute or two later the officer came outside with Sammy. Sammy was not handcuffed. The officer put handcuffs on me and then he put handcuffs on Sammy. Sammy asked the officer why we were being arrested and asked what he did. The officer smacked Sammy across the head with an open hand. The officer was wearing a dew rag on his head and he was wearing gloves. The gloves looked like regular gloves but there was a hard plastic on the knuckle part.

The officer put us in the patrol car. There was a red car parked several houses down and I saw the officer go talk to somebody in that car. The officer came back and got in the patrol car. Sammy told the officer "You left the front door to my house open, can you go close it?" The officer got out of the patrol car, opened Sammy's door (patrol car door) then slammed the door and said "there, now your door is closed. The officer got back into the car and we took off.

Sammy is asking the officer what he did and why we were being arrested all the way to the jail. Sammy was being very belligerent to the officer. The officer wasn't really speaking all the way to the jail. The officer asked me what my name was but he didn't really speak.

1


Signature

DOCUMENT# 6

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

Once we arrived at the jail the officer pulled into the back area where the police cars park but he didn't park by the door, he parked over to the side and backed in. The officer told Sammy that he was going to put his nightstick and gun in his trunk. The officer said after he had done that he was going to take Sammy out of the car, remove the handcuffs and kick his ass. The officer then got out of the car and went around to the trunk. He tapped on the back window with the back end of the gun (the part where you put the magazine in) and I saw that the officer had his gun in one hand and his stick in the other hand. The stick was not like a full length night stick it was about the length of your (Sgt. Walker's) umbrella. I think the officer was showing Sammy that he was putting his stick and his gun in the trunk. I think the officer did this to show Sammy that he wanted to fight.

The officer opened Sammy's door. Sammy was in the back seat on the driver's side. The officer told Sammy to step out of the car. Sammy threw himself to the ground as soon as he stepped out. The door closed so all I could do was hear stuff. I could see the officer. I could hear the officer telling Sammy to get up and fight him. Sammy was still handcuffed. I heard Sammy tell the cop that he wasn't going to fight him because he is a cop. The Officer told Sammy "no I'm not; my gun is in the trunk." I saw the officer bend down. I heard him say "I am only going to take off one; I'm going to let you beat me with the other one." I assumed the officer was taking off one of Sammy's handcuffs. I guess the cop started hitting Sammy because after that all I could see was the officer's head and I could hear Sammy screaming. Sammy later told me the cop was on top of him. Sammy told me he was trying to cover his face with his hands but the cop pushed his hands out of the way with one hand and hit him with the other.

The officer picked up Sammy and Sammy went to the front of the car. I heard Sammy ask the officer why he didn't do that to him in front of the car. Two other officers walked up. One of the Officers had glasses. He was light complected; either white or Hispanic, and I'm guessing about thirty to thirty-four years old. This officer actually took Sammy into the jail. The second officer was not a San Antonio Police Officer. I don't know if this person was an officer somewhere else or a trainee. He was young; maybe twenty-five, Caucasian, thin, and he was wearing a light blue uniform. Sammy told these two officers that the other officer had beat him up but they only smiled.

They took off ahead of us with Sammy and the cop that arrested Sammy and me came around and took me out of the car and walked me into the jail. I was not assaulted. I did not speak to the officer the whole time except for when I asked if he had a warrant and if I could see it.

Sgt. Walker showed me a photo lineup numbered 1694. Sgt. Walker asked me if I recognized any of the officers from the photographs. I pointed to the photograph numbered 3 on the right side of the top row. I remember the officer kept saying his badge number was 1106.

Sgt. Walker asked me if I had been on Stiffkey street that evening with Sammy. No, I was not. I was in bed by 10:00pm. I had my two kids over that night. My kids are 3 years old and four years old.

Sgt. Walker asked me if Sammy has told me that he was on Stiffkey that morning before he was arrested. When I went to sleep Sammy was at home. Sammy has friends that live on Stiffkey. I don't know their names; they are Sammy's age. I don't hang out with them.



Signature

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

Sgt. Walker asked me specifically whether Sammy told me had had gone over to Stiffkey that morning before we were arrested. Sammy didn't say specifically that he was on Stiffkey. Yes he did tell me that he had left the house but he only said that he was "out".

Sgt. Walker asked me if I saw any officer put the handcuffs back on Sammy at the jail. No, I did not. When I saw Sammy standing inside the jail he was handcuffed. He was talking to a male and a female officer these officers were not the officers that walked Sammy in. Sammy was telling the officers that the officer that arrested him had beat him up. The cop that arrested us said to those officers "I had to fuck with him".

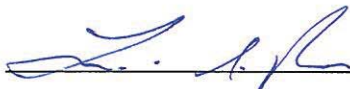
Sgt. Walker asked me what kind of injuries Sammy showed me or told me about. Sammy had a few red marks on the left side of his face on his cheek, a busted lip, his left ear was swollen and he had numerous bumps on his head. Sammy did not have those injuries when I went to bed Saturday night.

Sgt. Walker asked me if Sammy was beating his head on anything inside the patrol car on the way to the jail. Yes, he was. He was beating his head on the hard plastic divider between the front seat and the back seat.

Sgt. Walker asked if Sammy injuries could have come from his beating his own head against the divider. Yes. Sammy was hitting his front forehead but he had bumps all over his head. I believe Sammy's injuries came from both; the officer beating him up and from his beating his head against the divider.

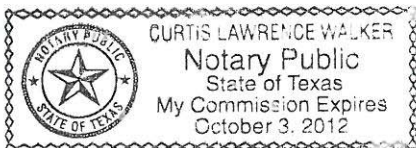
Sgt. Walker asked me if I was aware of Sammy receiving any treatment for his injuries. Not that I know of. I know he has not been to a doctor or to the hospital.

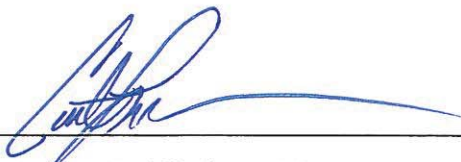
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SIGNATURE:  _____

Sworn to and subscribed to me before this 14 day of OCTOBER A.D., 2009

SEAL





Notary Public in and for Bexar County, Texas

San Antonio Police Department
Professional Standards Section
Statement Information Sheet


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

NAME: Luis Ramos

HOME ADDRESS: 815 Inks farm

CITY: San Antonio

STATE: TX ZIP: 78228

PHONE: 210 309 7775 RACE: Hisp SEX: M AGE: 24 D.O.B.: 

CELLULAR PHONE: 309 7775 E-MAIL ADDRESS: _____

DRIVER'S LICENSE NO.:  S.S.N.: 

PLACE OF EMPLOYMENT: unemployed

BUSINESS ADDRESS: _____ BUSINESS PHONE: _____

JOB TITLE: _____

MARRIED: S NAME OF SPOUSE: Lyssette Ramos

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

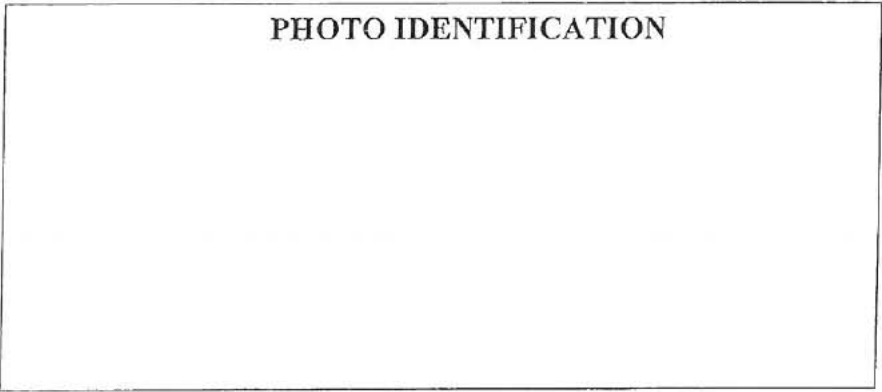
NAME: Daniel Mermeia RELATIONSHIP: Cousin PHONE: 210-431-7211

ADDRESS: 5828 Bakersfield CITY: San Antonio STATE: TX

PLACE OF EMPLOYMENT: _____ WORK 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.

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San Antonio Police Department
Professional Standards Section
Statement Information Sheet

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HOME ADDRESS: 815 Inks farm

CITY: San Antonio

STATE: TX ZIP: 78228

PHONE: 210 309 7775 RACE: Hisp SEX: M AGE: 24 D.O.B.: [REDACTED]

CELLULAR PHONE: 309 7775 E-MAIL ADDRESS: _____

DRIVER'S LICENSE NO.: [REDACTED] S.S.N.: [REDACTED]

PLACE OF EMPLOYMENT: unemployed

BUSINESS ADDRESS: _____ BUSINESS PHONE: _____

JOB TITLE: _____

MARRIED: S NAME OF SPOUSE: Lyssette Ramos

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

NAME: Daniel Mermeia RELATIONSHIP: Cousin PHONE: 210-431-7211

ADDRESS: 5828 Bakersfield CITY: San Antonio STATE: TX

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Door

Property Room

Police Car →

● Utility Rm

VAN

SEARCHED BY
Sgt. WAXSON

LARC 10-29-09
3:55 pm

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: C.L. Walker #3203
LOCATION TAKEN: 800 Dolorosa #402
DATE: November 02, 2009 / 2:10Pm

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

My name is Cathy Cardenas and I am Forty-Two years old. My date of birth is [REDACTED] I live at 815 Inks Farm with my husband, Max Cardenas and my three children. My children are Luis Ramos (24), Lilian Ramos (22) and Sammy Ramos (20). I have a GED and I can read, write, speak, and understand English. I am at the Internal Affairs Office talking with Sgt. Walker about my sons being arrested from my home and the officer left my front door wide open.

My sons, Luis and Sammy, were arrested from my home at approximately 3:00Am on October 11, 2009. I was not awake when they were arrested so I don't know what happened other than what my sons have told me. I understand that Luis and Sammy have already spoken with Sgt. Walker. My complaint is that the arresting officer did not wake me to tell me what was going on and he left my front door wide open.

In addition to my husband and I being asleep in the house, Luis' children; Alyssa Ramos (4) and Isaiah Ramos (3) were sleeping in the house. One of those little babies could have woke up in the middle of the night and walked outside through the open front door looking for their father. Also, anybody from the outside could have come in. The possibilities of what could have happened are endless. The children or I could have been raped; the children could have been kidnapped, etc. Our property is not nearly as important as our lives but it is worth mentioning that our property was all vulnerable to anybody off the street coming in and helping themselves.

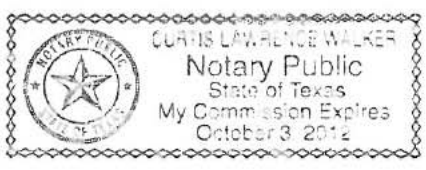
Luis and Sammy both ^{told me} that Sammy had asked the officer to close the front door. They said the officer laughed and sneered. They said the officer got out of the police car, walked over to Sammy's door (the police car door), opened the door and closed it, then said something like "now your door is closed". The officer did not protect us or my innocent grandchildren when he decided not to wake us or at least secure my front door. I am very unhappy. I now wake up in the night and go check that my boys are in their beds and that the doors are secure. I no longer feel that police officers are there to protect us. It is a very ugly feeling. I have always looked up to police officers. This officer made me feel this way and he made me think this way of other police officers.

I have read my statement and it is all true and correct. Sgt. Walker has informed me 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.

SIGNATURE: *Cathy Cardenas*

Sworn to and subscribed to me before this 2 day of November A.D., 2009

SEAL



[Signature]
Notary Public in and for Bexar County, Texas

1
Signature

San Antonio Police Department
Professional Standards Section
Statement Information Sheet

NT

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

NAME: Cathy Cardenas

HOME ADDRESS: 815 Ink Farm

CITY: SA

STATE: TX ZIP: 78228

PHONE: 2420019 RACE: H SEX: F AGE: 42 D.O.B.: 

CELLULAR PHONE: none E-MAIL ADDRESS: none

DRIVER'S LICENSE NO.:  S.S.N.: 

PLACE OF EMPLOYMENT: SASA

BUSINESS ADDRESS: 520 E Fidelity BUSINESS PHONE: 271-0606
2420019

JOB TITLE: Med. Admin

MARRIED: NAME OF SPOUSE: Max Cardenas

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

NAME: Debbie Frausto RELATIONSHIP: sister PHONE: 2251076

ADDRESS: _____ CITY: _____ STATE: _____

PLACE OF EMPLOYMENT: Law Ofc. WORK PHONE: 2251076

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.

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10-20-09 1406

SAN ANTONIO POLICE DEPARTMENT
PRELIMINARY INVESTIGATION REPORT
**** REPORT FINALIZED ****
INVESTIGATIVE UNIT: HOMICIDE

PAGE 01 OF 04
EXTRA COPY
CASE NO: 90 770137/01

REPORTING OFFICER: 1106 BELVER, MATTHEW

O F F E N S E I N F O R M A T I O N

OFFENSE: 131601 TERRORISTIC THREAT

DATES OF OCCURRENCE
SUN 10-11-09 0238

OFF. LOC : 05721 STIFFKEY DR
DISTRICT : 5270
TYPE PREM: SNGL FMLY

WEATHER: COOL / DRY

COMP. NAME: CAMPOS, LUIS
RES ADDR: 05721 STIFFKEY APT NO.:
CITY/ST: SAN ANTONIO TX
BUS ADDR: APT NO.:
CITY/ST:

TITLE R/S ID? DOB
L M
AC/PHONE: 210 / 334-8862 B
AC/PHONE: / -

CALL# DETECTIVES ASSIGNED BADGE CALL# DETECTIVES ASSIGNED BADGE

ARRESTED PERSON 01

CODE N A M E NICKNAME/ALIAS
AP01 RAMOS, SAMMY REY
ADDR: 00815 INKS FARM
SAN ANTONIO TX CHARGES: TERR. THRT/RES./HARR. PUB SERV

RAC SEX AGE DOB HEIGHT WEIGHT HAIR COLOR EYE COLOR
H M / 601/ 139/ BROWN BROWN

DESCRIPTION RELIABLITY: EXCLNT

ARRESTED PERSON 02

CODE N A M E NICKNAME/ALIAS
AP02 RAMOS, LUIS A.
ADDR: 00815 INKS FARM
SAN ANTONIO TX CHARGES: INT. W/PUBLIC DUTIES

RAC SEX AGE DOB HEIGHT WEIGHT HAIR COLOR EYE COLOR
H M / 601/ 205/ BLACK BROWN

DESCRIPTION RELIABLITY: EXCLNT

W I T N E S S E S A N D O T H E R S

CODE TITLE R S ID? DOB
C NAME: CAMPOS, LUIS L M
RES ADDR: 05721 STIFFKEY APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / 334-8862 B
BUS ADDR: APT NO.:
CITY/ST: AC/PHONE: / -

10-20-09 1406

SAN ANTONIO POLICE DEPARTMENT

PAGE 02 OF 04
EXTRA COPY

PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: HOMICIDE

CODE	NAME:	TITLE	R S ID?	DOB
W00	VASQUEZ, JACKIE	DAUGHTER	L F	[REDACTED]
RES ADDR:	05721 STIFFKEY	APT NO.:		
CITY/ST:	SAN ANTONIO TX	AC/PHONE:	210 /	334-8862 B
BUS ADDR:		APT NO.:		
CITY/ST:		AC/PHONE:	/	-

D E T A I L S

NOTIFIED OF PROVISIONS OF TEXAS CRIME VICTIM ACT:

DISPATCHED TO THE LISTED LOCATION FOR A REPORT OF THREATS INVOLVING GUNS. UPON ARRIVAL I CONTACTED C AND W. W STATED SHE WAS IN THE HOUSE AT THE LISTED LOCATION WHEN SHE HEARD A LOUD DISTURBANCE IN WHICH INDIVIDUALS WERE SCREAMING AND SHOUTING PROFANITY AND FROM WHICH LOUD BANGING NOISES WERE EMANATING. W, REALIZING SHE WAS EXPECTING HER SISTER HOME AT ANY MOMENT, WOKE C SO THE TWO COULD INVESTIGATE WHAT WAS HAPPENING OUTSIDE THEIR RESIDENCE. ONCE OUTSIDE, W OBSERVED AP1 AND ANOTHER MALE (NEITHER W NOR C COULD IDENTIFY THE SECOND MALE) SCREAMING AT W'S SISTER AND HER BOYFRIEND FROM OUTSIDE THE BOYFRIEND'S TRUCK. AP1 WAS SCREAMING FOR THE BOYFRIEND TO GET OUT OF THE TRUCK SO AP1 COULD FIGHT HIM. BOTH W AND C RECOGNIZED AP1 AS AN INDIVIDUAL CONTINUALLY TERRORIZING PEOPLE IN THE NEIGHBORHOOD AND WHICH SEVERAL OF C'S NEIGHBORS HAD REPORTED TO POLICE FOR A VARIETY OF CRIMES INCLUDING BURGLARY AND CRIMINAL MISCHIEF. AT THIS POINT, C INSTRUCTED AP1 TO LEAVE HIS DAUGHTER AND HER BOYFRIEND ALONE AND TO GET AWAY FROM THE BOYFRIEND'S TRUCK. AP1 THEN REDIRECTED HIS ANGER AT C AND BEGAN, ACCORDING TO BOTH C AND W, WALKING TOWARD C IN AN AGGRESSIVE MANNER (WITH FISTS CLINCHED SCREAMING HE WAS GOING TO "FUCK UP YOUR SHIT" TO (C). C CONTINUED TO TELL AP1 TO SIMPLY LEAVE C AND HIS FAMILY ALONE, BUT AP1 REFUSED TO LISTEN. AP1 INSTEAD KEPT WALKING TOWARD C TELLING C HE WAS GOING TO "BEAT YOU TO DEATH AND THEN GET A GUN AND KILL YOUR WHOLE FAMILY". C QUICKLY INSTRUCTED W TO CALL POLICE AND THEN INFORMED AP1 THAT THE POLICE WOULD SOON ARRIVE. ACCORDING TO C, AP1 THEN TOLD HIM IT DID NOT MATTER BECAUSE HE WAS GOING TO GET A GUN AND "KILL YOUR FAMILY". AP1 THEN LEFT THE LOCATION JUST MOMENTS PRIOR TO MY ARRIVAL.

AT THIS TIME, C AND W INFORMED ME I HAD JUST MISSED AP1'S PRESENCE, BUT THEY KNEW HIS HOME ADDRESS (ONLY ONE STREET OVER) AND WERE IN FEAR AP1 WOULD RETURN TO THE LISTED LOCATION AND MAKE GOOD ON HIS FINAL PROMISE TO C (IT SHOULD BE NOTED THAT W WAS ESPECIALLY TRAUMATIZED BY AP1'S ACTIONS AND WAS TEARFUL AND VISIBLY SHAKEN UPON MY CONTACT WITH HER). ADDITIONALLY, W STAETD AP1 PREFERS TO STAY OUT VERY LATE AND I MIGHT OBSERVE HIM ROAMING THE NEIGHBORHOOD STREETS. I THEN WENT TO THE ADDRESS C AND W PROVIDED ME FOR AP1'S LOCATION. ONCE THERE I KNOCKED ON THE FRONT DOOR AND ANNOUNCED MYSELF AS POLICE. I THEN CONTACTED AP1, ASKED HIM TO STEP OUTSIDE, AND REQUESTED HIS NAME AND BIRTHDATE. AP1 PROVIDED ME THIS INFORMATION AND UPON, THIS CONFIRMATION, I PLACED AP1 UNDER ARREST. AS I WAS ATTEMPTING TO HANDCUFF

AP1, AP2 APPEARED FROM TH. RESIDENCE AND ASKED WHAT IS HAPPENING. I INFORMED AP1 THAT AP1 WAS BEING ARRESTED. AP2 THEN GRABBED AP1 BY THE ARM AND ATTEMPTED TO PULL HIM BACK INSIDE THE HOUSE WHILE STEPPING BETWEEN AP1 AND I. I IMMEDIATELY INSTRUCTED AP1 TO STEP ASIDE, AND WHEN HE REFUSED, I PUSHED HIM BACK INTO THE DOORWAY OF THE HOUSE. AT THIS TIME I WAS ABLE TO FINISH HANDCUFFING AP1 AND, ONCE COMPLETE, I INFORMED AP1 HE WAS BEING

10-20-09 1406

SAN ANTONIO POLICE DEPARTMENT
PRELIMINARY INVESTIGATION REPORT

PAGE 03 OF 04
EXTRA COPY
CASE NO: 90 770137/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: HOMICIDE

ARRESTED ALSO. AP1 THEN BEGAN SCREAMING OBSCENITIES AT ME AS I HANDCUFFED AP2 AND WALKED BOTH AP1 AND AP2 BACK TO MY MARKED PATROL VEHICLE.

AFTER PLACING AP2 INSIDE MY PATROL VEHICLE, I THEN ATTEMPTED TO PLACE AP1 INSIDE THE VEHICLE AS WELL (ON THE OPPOSITE SIDE OF AP2). I OPENED THE REAR DRIVER'S SIDE DOOR IN ORDER FOR AP1 TO MAKE ENTRY INTO THE VEHICLE, HOWEVER AP1 REFUSED. I WAS ABLE TO PLACE AP1 IN THE BACK SEAT, BUT AP1, ONCE SEATED, BEGAN KICKING AT THE DOOR OF THE VEHICLE. IN A FINAL ATTEMPT TO GET AP1 INSIDE MY PATROL VEHICLE, I GRABBED BOTH OF AP1'S LEGS AND TRIED TO PUSH THEM INSIDE THE VEHICLE. AP1, IN RESPONSE, KICKED ME SEVERAL TIMES IN THE LEG AND THE SIDE. AFTER A FEW MOMENTS I WAS FINALLY ABLE TO CONTROL AP1'S LEGS AND PUSH THEM COMPLETELY INSIDE THE VEHICLE. NEXT, I TRANSPORTED AP1 AND AP2 TO 401 S. FRIO FOR BOOKING. DURING TRANSPORT, AP1 CONTINUOUSLY BERATED ME WITH PROFANITY AND ACCUSATIONS THAT I WAS A "FUCKING RACIST". AP1'S TIRADE CONTINUED UPON ARRIVAL AT 401 S. FRIO AND CULMINATED WHEN, AFTER REMOVING AP1 FROM MY PATROL VEHICLE, AP1 SPIT DIRECTLY AND DELIBERATELY IN MY FACE. I INFORMED AP1 IMMEDIATELY THAT SUCH ACTION WAS A CRIMINAL OFFENSE. AP1 STATED, "I DON'T GIVE A FUCK!" I THEN ESCORTED AP1 AND AP2 INTO THE MAGISTRATE'S OFFICE FOR BOOKING.

IN THE END, I DETERMINED AP1 THREATENED TO COMMIT AN OFFENSE INVOLVING VIOLENCE TO C WITH THE INTENT TO PLACE C IN FEAR OF IMMINENT SERIOUS BODILY INJURY. ADDITIONALLY, AP1 INTENTIONALLY PREVENTED A PERSON HE KNEW WAS A PEACE OFFICER FROM EFFECTING HIS TRANSPORTATION BY USING FORCE AGAINST SAID OFFICER. FINALLY, WITH THE INTENT TO ASSAULT, HARASS, AND ALARM, AP1 CAUSED A PERSON HE KNEW TO BE A PUBLIC SERVANT TO CONTACT HIS SALIVA WHILE SAID PUBLIC SERVANT WAS LAWFULLY DISCHARGING AN OFFICIAL DUTY AND AS RETAILIATION FOR THE PUBLIC SERVANT'S PERFORMANCE OF AN OFFICIAL DUTY. AP2, I DETERMINED, WITH CRIMINAL NEGLIGENCE DISRUPTED AND IMPEDED A PEACE OFFICER WHILE THE PEACE OFFICER WAS PERFORMING A DUTY IMPOSED OR GRANTED BY LAW.

P E R S O N M O I N F O R M A T I O N

PRE-INCIDENT CONTACT: COMP KN SUSP
SUSPECT/COMPLAINANT LOCATION: N/A
SUSPECT PRETENDED TO BE: N/A
SUSPECT SOLICITED/OFFERED: N/A
SUSPECT ACTIONS: OTHER
AP1 THREATENED C WITH ACT OF VIOLENCE WITH INTENT TO PLACE HIM IN FEAR OF SERIOUS BODILY INJURY
FORCED COMPLAINANT TO: N/A
MEANS OF ATTACK: N/A

DOCUMENT# 10

FORCE INFLICTED: NONE
VEHICLE INVOLVEMENT: N/A
MEANS OF ESCAPE: N/A
COMPLAINANT WAS: OTHR
C AT HOME WITH FAMILY

P R O P E R T Y M O I N F O R M A T I O N

D I S P A T C H I N G I N F O R M A T I O N

DISPATCH CODE: 14G DISTRB

REQUEST FOR SERVICE

DISPATCH TO: 05721 STIFFKEY DR

RECEIVED: 10-11-09 0238

DISPATCH: 10-11-09 0241

10-20-09 1406

PAGE 04 OF 04

SAN ANTONIO POLICE DEPARTMENT

EXTRA COPY

PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: HOMICIDE

DISTRICT 5270

ARRIVED: 10-11-09 0247

REPORT UNIT: 5110C

CLEARED: 10-11-09 0734

REPORTED BY: UNK/FEM

ADDRESS: 05721 STIFFKEY DR APT: PHONE: 8376578

OFFICERS DISPATCHED

BADGE

OFFICERS DISPATCHED

BADGE

BELVER, MATTHEW

1106-R

REPORT ENTERED BY: 10

10-20-09 1051

APPROVING: 0000

SUPERVISOR: 3999 APPROVAL, RPT SGT

REPORT ENTERED BY: 0000 CORTINAS, ROSALINDA

10-20-09 1406

COPIES OF REPORT TO: HOMICIDE

131601-

San Antonio Police Department

OFFENSE INCIDENT SUPPLEMENTAL REPORT (1) Weather Conditions at Time of Offense: Warm Cool Dry Wet Unknown (2) Case Number: **90770137-01**

Gang Related Suspected Hate Crime Firearm Reports Homicide Robbery Forgery Intelligence Arson Youth T.I.D. Domestic Violence Drive-by Shooting Clear Appropriate Box (Original to Records)

ORIGINAL

(3) Offense/Event: **PC 22.07 Terroristic Threats** (4) Location of Offense (Number, Street, Apt. Number): **5721 Stiffkey** (5) District: **5270**

(6) Dates of Occurrence (MM/DD/YY): **10/11/09** (7) Hours of Occurrence: **0238** (8) Reporting Officer (Name/Badge): **M. Belver #1106** (10) Approving Authority (Name, Badge Date): [Signature]

(9) Firm Name Address Phone (11) Code: G - Complainant R - Reporting Person M - Manager/Owner W - Witness G - Guardian C - Other

Code Name (Last, First, MI) Title Race - Sex - DOB Best Address Phone D-Day N-Night B-Both
C [Redacted] [Redacted] [Redacted] Res. [Redacted] [Redacted] **B**

W [Redacted] **Daughter** [Redacted] Res. [Redacted] [Redacted] **B**

Race Sex DOB Bus. [Redacted]

Race Sex DOB Bus. [Redacted]

Inj. Per. Code (12) Victim Taken to (13) Transported By (14) Describe Injuries (15) Condition

Property Section Table with columns: Codes (S- Stolen, D - Damaged, L - Lost, F - Found, R - Recovered, E - Evidence), Code, Description (Brand/Make), Article, Model/Caliber/Color, Serial Number, OAN Number, Estimated Value

I on the above listed date and time, had legal custody, and was the legal owner of the property listed here-in, which corporeal, personal property was wrongfully taken, without my consent, and I desire to prosecute the party, or parties, responsible.

X (Signature of Owner/Manager) X (Signature of Reporting Officer) Date:

Forgery Evidence: One Forged Check/Card on the Account of Check Number Dated Pay to the order of In the Amount of \$ Drawn on the Bank Account/Card Number And signed with the Makers Signature of

(16) Prop Tag Number (17) Property Receipt Made (18) Photograph Taken (19) OAN applied if (TYPE) (20) Total Stolen Value

(21) Size of Property Taken Was (22) Obvious Property Not Taken

Vehicles/Bicycle Information (23) Vehicle/Bicycle Details: License Number, State / Yr / Type, Year, Make, Model, Style, VIN, Type Frame, Type Brake, Wheel Size, Speed

(24) Color 1 (Solid or Top) Color 2 (25) Special Vehicle Features: 1. Level Altered, 2. Sticker/Decal on Body/Bumper, 3. Sticker/Decal on Window, 4. Rust or Primer, 5. Decorative Paint, 6. Window Broken, 7. Missing Parts, 8. Loud Mufflers, 9. Damage to Front, 10. Damage to Rear, 11. Damage to Side, 12. Painted Inscription on Body, 13. Vinyl Top, 14. Door Panel(s) Removed, 15. Torn Seat(s) Headliner, 16. Camper Top, 17. Special Wheels/Tires (Magns, Wide Tires, Etc.), 18. Extra Antenna(s)/Mirrors, 19. Tinted Windows, 20. Other

(26) Further Vehicle/Bicycle Description (27) Insurance Company Policy Number (28) Value of Vehicle/Bicycle (29) Vehicle/bicycle Insured?

ENTERED


2 San Antonio Police Department		Case Number 90770137-01		
(30) Type Premises				
① Single Family House 2. Apartment 3. Hotel/Motel 4. Other Residential		5. Chain/Convenience Store 6. Liquor Store 7. Gas/Service Station 8. Other Retail Sales 9. Bar/Lounge 10. Bank/Saving & Loan 11. Finance Company 12. Other Commercial House 13. Car/Bus/Truck 14. Office 15. Street/Roadway 16. School/Public Building 17. Park 18. Parking Lot 19. Restaurant 20. Other		
CRIME AGAINST PROPERTY M.O.	(31) Direction	(32) Entry/Exit Description	(34) Method of Entry	
	Entry Only 1. North 2. South 3. East 4. West	Point of Entry/Exit 1/1 Door 2/2 Window 3/3 Wall 4/4 Garage 5/5 Fence 6/6 Roof 7/7 Floor 8/8 Skylight 9/9 Fire Escape 10/10 Duct/Vent 11/11 Sliding Glass Door 12/12 Adjacent Building	(Burglary M.V.) 13/13 Unknown 14/14 Other 15/15 N/A 16 Vent Window 17 Door Window 18 Door 19 Hood 20 Trunk 21 Windshield/Back Glass	1. Pried 2. Broke 3. Cut 4. Chop/Pound 5. Removed 6. Concealment 7. Threats 8. Fraud 9. Attempt Only 10. Unlocked 11. Open For Trade 12. Unknown 13. Other 14. N/A
	(32) Location	(35) Instrument/Tool Used for Entry		
	Entry Only 1. Front 2. Right Side 3. Left Side 4. Rear	1. Blackjack/Club 2. Bodily Force 3. Bolt Cutter 4. Chain, Locks/Vice Grips 5. Coat Hanger/Wire 6. Cutting Torch 7. Drill 8. Explosives/Chemicals 9. Glass Cutter 10. Gun (Describe)		11. Key/Pick/Plastic 12. Knife 13. Lock-Puller 14. Pliers 15. Pry Bar 16. Rock/Brick 17. Screwdriver 18. Unknown 19. Other 20. N/A
	(36) Suspects Actions	(37) Complainant Was	(38) Crime Elements	
1. Ate/Drank on Premises 2. Attempted Defeat/Defeated Alarm 3. Crime not Complete 4. Crime Skillfully Done 5. Knew Location of Hidden Valuable 6. Malicious Destruction 7. Removed Prints/Gloves 8. Tripped Alarm/Returned Later 9. Turned Lights on/off 10. Used Tools Found at Scene 11. Other 12. N/A	1. At Funeral/Church/Wedding 2. At Home 3. At Work/School 4. Absent (Ad in Paper) 5. Moving 6. Out of Town 7. Place of Entertainment 8. Present 9. Shopping 10. Other 11. N/A	1. Alarm Inoperative 2. Victim of Similar Crime 3. Object of Attack-Abandoned or Under Construction 4. N/A		
Forgery and Credit Card Abuse	(39) I.D. Presented by Actor	I.D. Numbers	(40) Witness's Statement	
	1. Drivers License		1. Can Teller/Cashier Identify Actor? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	2. Social Security		2. Is Teller/Cashier Known? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	3. Credit Card		3. Does Teller/Cashier Recall Transaction? <input type="checkbox"/> Yes <input type="checkbox"/> No	
4. Other		4. Are There Witnesses Who Can Identify Actor? <input type="checkbox"/> Yes <input type="checkbox"/> No		
(41) Explain "Other" Responses by Box Number				
(42) List Significant M. O. by Box Number				
(43) Details of the Offense/Event				
<p>Dispatched to the listed location for a report of threats involving guns. Upon arrival I contacted C and W. W stated she was in the house at the listed location when she heard a loud disturbance in which individuals were screaming and shouting profanity and from which loud banging noises were emanating. W, realizing she was expecting her sister home at any moment, woke C so the two could investigate what was happening outside their residence. Once outside, W observed AP1 and another male (neither W nor C could identify the second male) screaming at W's sister and her boyfriend from outside the boyfriend's truck. AP1 was screaming for the boyfriend to get out of the truck so AP1 could fight him. Both W and C recognized AP1 as an individual continually terrorizing people in the neighborhood and which several of C's neighbors had reported to police for a variety of crimes including burglary and criminal mischief. At this point, C instructed AP1 to leave his daughter and her boyfriend alone and to get away from the boyfriend's truck. AP1 then redirected his anger at C and began, according to both C and W, walking toward C in an aggressive manner (with fists clinched screaming he was going to "fuck up your shit" to C). C continued to tell AP1 to simply leave C and his family alone, but AP1 refused to listen. AP1 instead kept walking toward C telling C he was going to "beat you to death and then get a gun and kill your whole family". C quickly instructed W to call police and then informed AP1 that the police would soon arrive. According to C, AP1 then told him it did not matter because he was going to get a gun and "kill your family". AP1 then left the location just moments prior to my arrival.</p> <p>At this time, C and W informed me I had just missed AP1's presence, but they knew his home address (only one street over) and were in fear AP1 would return to the listed location and make good on his final promise to C (it should be noted that W was especially traumatized by AP1's actions and was tearful and visibly shaken upon my contact with her). Additionally, W stated AP1 prefers to stay out very late and I might observe him roaming the neighborhood streets. I then went to the address C and W provided me for AP1's location. Once there I knocked on the front door and announced myself as police. I then contacted AP1, asked him to step outside, and requested his name and birthdate. AP1 provided me this information and, upon this confirmation, I placed AP1 under arrest. As I was</p>				
PRTS Sergeant	Badge # 307	Date	Time	
		Supplement Attached <input checked="" type="checkbox"/>	<input type="checkbox"/>	

Check One
 Yes - Victim Notified of Provision of Victim Compensation Act (Art. 3309 - V. T. C. S.)
 No - Explain in Details (Details)

SUPPLEMENT REPORT
SAN ANTONIO POLICE DEPARTMENT

Offense Incident Accident Page 3 of 5

Case Number 90770137-01

Offense/Event Terroristic Threats		Location of Offense (Number, Street, Apt. Number) 5721 Stiffkey		District 5270
Dates of Occurrence 10/11/09	(MM/DD/YY)	Hours of Occurrence 0238	Reporting Officer (Name/Badge) M. Belver #1106	Signature 
Reporting Date 10/11/09				

Additional Details:

attempting to handcuff AP1, AP2 appeared from the residence and asked what was happening. I informed AP2 that AP1 was being arrested. AP2 then grabbed AP1 by the arm and attempted to pull him back inside the house while stepping between AP1 and I. I immediately instructed AP2 to step aside and, when he refused, I pushed him back into the doorway of the house. At this time I was able to finish handcuffing AP1 and, once complete, I informed AP2 he was being arrested also. AP1 then began screaming obscenities at me as I handcuffed AP2 and walked both AP1 and AP2 back to my marked patrol vehicle.

After placing AP2 inside my patrol vehicle, I then attempted to place AP1 inside the vehicle as well (on the opposite side of AP2). I opened the rear driver's side door in order for AP1 to make entry into the vehicle, however, AP1 refused. I was able to place AP1 in the backseat, but AP1, once seated, began kicking at the door of the vehicle. In a final attempt to get AP1 inside my patrol vehicle, I grabbed both of AP1's legs and tried to push them inside the vehicle. AP1, in response, kicked me several times in the leg and the side. After a few moments I was finally able to control AP1's legs and push them completely inside the vehicle. Next, I transported AP1 and AP2 to 401 S. Frio for booking. During transport, AP1 continuously berated me with profanity and accusations that I was a "fucking racist". AP1's tirade continued upon arrival at 401 S. Frio and culminated when, after removing AP1 from my patrol vehicle, AP1 spit directly and deliberately in my face. I informed AP1 immediately that such action was a criminal offense. AP1 stated, "I don't give a fuck!" I then escorted AP1 and AP2 into the magistrate's office for booking.

In the end, I determined AP1 threatened to commit an offense involving violence to C with the intent to place C in fear of imminent serious bodily injury. Additionally, AP1 intentionally prevented a person he knew was a peace officer from effecting his transportation by using force against said officer. Finally, with the intent to assault, harass, and alarm, AP1 caused a person he knew to be a public servant to contact his saliva while said public servant was lawfully discharging an official duty and as retaliation for the public servant's performance of an official duty. AP2, I determined, with criminal negligence disrupted and impeded a peace officer while the peace officer was performing a duty imposed or granted by law.

SAN ANTONIO POLICE DEPARTMENT

Offense/Incident/Supplemental Report (Continuation)

Continuation of Incident Report Offense Report Supplemental Report Recovered Vehicle Field Interview (48) CASE NO 90770137-01

Location 5721 Stiffkey Date 10/11/09 Time 0238 Officer M. Belver Badge 1106

(49) CODES SP - Suspected Person AP - Arrested Person WP - Wanted Person MP - Missing Person FC - Field Contact ED - Emergency Detention

Table with columns for Code, Name, Race, Sex, Age or DOB, Height, Weight, Hair, Eyes. Includes entries for AP1 (Ramos, Sammy Rey) and AP2 (Ramos, Luis A.) with their respective physical characteristics and charges.

SUBJECTS PERSONAL HISTORY section containing sub-sections (60) Hair Length, (51) Hair Style, (52) Facial Hair, (53) Speech Manner, (54) Speech Characteristic, (55) General Appearance, (56) Tattoo Description, (57) Scars- Birthmarks, (58) Deformity, (59) Complexion, (60) Teeth, (61) Eyes, (62) Right-Left Handed, (63) Build, (64) Subject Wore, (65) Description Reliability, (66) Outstanding Description Boxes.

(67) Possible Cause of Absence (68) Competency (Physical) (69) Competency (Mental) (70) Possible Destination

(71) Further Subject(s) Description(s): (Explain "Other" Responses by Box and Subject Numbers)

Table with columns BoxNo. and Subi Code, currently empty.

WEAPON DESCR. section containing (72) Weapon and (73) Gun Features with checkboxes for various types like Handgun, Shotgun, Rifle, etc.

Make Model Cal/Gauge

SAN ANTONIO POLICE DEPARTMENT Offense/Incident/Supplemental Report (Continuation)

(48) CASE NO **90770137-01**

VEHICLE INFORMATION	(74) <input type="checkbox"/> Suspect Recovered	Driver Was (Code)	Lic No.	State	Yr.	Type	Year	Make	Model	Style	VIN No.																																	
	(75) Color 1 (Solid or Top)		Color 2		(76) Special Vehicle Features (check all that apply)																																							
	1 Beige	9 Cream	17 Pink	1 <input type="checkbox"/> Level Altered	9 <input type="checkbox"/> Damage to Front	17 <input type="checkbox"/> Special Wheels/Tires (Mags, Wide Tires, Etc.)	2 Black	10 Gold	18 Red	2 <input type="checkbox"/> Sticker/Decal on Body/Bumper	10 <input type="checkbox"/> Damage to Rear	18 <input type="checkbox"/> Extra Antenna(s)/Mirrors	3 Blue/Light	11 Gray	19 Silver	3 <input type="checkbox"/> Sticker/Decal on Window	11 <input type="checkbox"/> Damage to Side	19 <input type="checkbox"/> Tinted Windows	4 Blue	12 Green/Light	20 Tan	4 <input type="checkbox"/> Rust or Primer	12 <input type="checkbox"/> Painted Inscription on Body	20 <input type="checkbox"/> Other	5 Blue/Dark	13 Green	21 Turquoise	5 <input type="checkbox"/> Decorative Paint	13 <input type="checkbox"/> Vinyl Top	6 Bronze	14 Green/Dark	22 White	6 <input type="checkbox"/> Window Broken	14 <input type="checkbox"/> Door Panel(s) Removed	7 Brown	15 Maroon	23 Yellow	7 <input type="checkbox"/> Missing Parts	15 <input type="checkbox"/> Torn Seat(s) Headliner	8 Copper	16 Orange	24 Other	8 <input type="checkbox"/> Loud Mufflers	16 <input type="checkbox"/> Camper Top
	(77) Further Vehicle Description											(78) Description Reliability <input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Poor																																

RECOVERED VEHICLE	(79) District Recovered	(80) Disposition of Vehicle 1 <input type="checkbox"/> Auto Pound 2 <input type="checkbox"/> Release to Owner	(81) Method Used 1 <input type="checkbox"/> Towed/Carried 2 <input type="checkbox"/> Hot Wired	3 <input type="checkbox"/> Key in Vehicle 4 <input type="checkbox"/> Other	(82) Condition of Vehicle 1 <input type="checkbox"/> Stripped 2 <input type="checkbox"/> Wrecked	3 <input type="checkbox"/> Burned 4 <input type="checkbox"/> No Apparent Damage	(83) Stripped or Missing or Parts 1 <input type="checkbox"/> Engine 2 <input type="checkbox"/> Transmission	3 <input type="checkbox"/> Battery 4 <input type="checkbox"/> Body Parts 5 <input type="checkbox"/> Tires	6 <input type="checkbox"/> Wheels 7 <input type="checkbox"/> Radio 8 <input type="checkbox"/> Seats	9 <input type="checkbox"/> License Plate(s) 10 <input type="checkbox"/> Other
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CRIME AGAINST PERSON M.O.	(84) Pre-Incident Contact 1 <input type="checkbox"/> Bar 2 <input type="checkbox"/> Party 3 <input type="checkbox"/> Place of Entertainment (Movie, etc.) 4 <input type="checkbox"/> Residence (own/Other) 5 <input type="checkbox"/> Shopping 6 <input type="checkbox"/> School 7 <input type="checkbox"/> Park/Recreational Fac. 8 <input checked="" type="checkbox"/> Complainant Knows Susp. 9 <input type="checkbox"/> None 10 <input type="checkbox"/> N/A	(85) Suspect/Complainant Location 1 <input type="checkbox"/> Suspect a Pedestrian 2 <input type="checkbox"/> Suspect in a Vehicle 3 <input type="checkbox"/> Complainant a Pedestrian 4 <input type="checkbox"/> Complainant in Vehicle 5 <input checked="" type="checkbox"/> N/A	(86) Suspect, Pretended to be 1 <input type="checkbox"/> Customer 2 <input type="checkbox"/> Seeking Someone 3 <input type="checkbox"/> Aiding Complainant 4 <input type="checkbox"/> Blind/Crippled, etc. 5 <input type="checkbox"/> Delivery/Repairman 6 <input type="checkbox"/> Renting 7 <input type="checkbox"/> Military Person 8 <input type="checkbox"/> Police Officer 9 <input type="checkbox"/> Other 10 <input checked="" type="checkbox"/> N/A	(87) Suspect Solicited/Offered 1 <input type="checkbox"/> Aid for Vehicle 2 <input type="checkbox"/> Ride 3 <input type="checkbox"/> Use Phone 4 <input type="checkbox"/> Information 5 <input type="checkbox"/> Money 6 <input type="checkbox"/> Sex 7 <input type="checkbox"/> Asked for Merchandise 8 <input type="checkbox"/> Drugs 9 <input type="checkbox"/> 3-Card Monty 10 <input type="checkbox"/> Pigeon Drop 11 <input type="checkbox"/> Home Repair 12 <input type="checkbox"/> Other Type Con Game 13 <input type="checkbox"/> Other 14 <input checked="" type="checkbox"/> N/A	
	(88) Suspect Actions 1 <input type="checkbox"/> Demanded Money 2 <input type="checkbox"/> Made Gestures 3 <input type="checkbox"/> Rip Out Telephone 4 <input type="checkbox"/> Used Note 5 <input type="checkbox"/> Used Lookout/Accomplice 6 <input type="checkbox"/> Fired Shots 7 <input type="checkbox"/> Purse Snatched 8 <input type="checkbox"/> Assault(S)		(89) Forced Complainant to 1 <input type="checkbox"/> Lie Down 2 <input type="checkbox"/> Enter Restroom 3 <input type="checkbox"/> Rear Of Building 4 <input type="checkbox"/> Disrobe 5 <input type="checkbox"/> Place Property In Sack 6 <input type="checkbox"/> Unnatural Sex Acts 7 <input type="checkbox"/> No Force 8 <input type="checkbox"/> Other 9 <input checked="" type="checkbox"/> N/A		(90) Weapon - Means of Attack 1 <input type="checkbox"/> Gun (Describe) 2 <input type="checkbox"/> Knife/Cut/Stab Instrument 3 <input type="checkbox"/> Rock Or Brick 4 <input type="checkbox"/> Explosives 5 <input type="checkbox"/> Strangulation 6 <input type="checkbox"/> Bodily Force- Hand/Feet 7 <input type="checkbox"/> Burn/Scald 8 <input type="checkbox"/> Blackjack/Club 9 <input type="checkbox"/> Gas/Carbon Monoxide 10 <input type="checkbox"/> Poison/Drugs/Liquor 11 <input type="checkbox"/> Threats Against Complainant/Family 12 <input type="checkbox"/> Mutual Consent 13 <input type="checkbox"/> Vehicle (Describe) 14 <input type="checkbox"/> Other 15 <input checked="" type="checkbox"/> N/A
	(91) Force Inflicted 1 <input type="checkbox"/> Handcuff/Tie Comp. 2 <input type="checkbox"/> Burn/Scald Comp. 3 <input type="checkbox"/> Covered Comp. Face 4 <input type="checkbox"/> Cut/Stab Comp. 5 <input type="checkbox"/> Pull/Grab Comp. 6 <input type="checkbox"/> Shot Comp. 7 <input type="checkbox"/> Choke/Strangle Comp. 8 <input type="checkbox"/> Blindfold/Gag Comp. 9 <input type="checkbox"/> Hit Comp. Prior To Act 10 <input type="checkbox"/> Hit Comp. During Act 11 <input type="checkbox"/> Hit Comp. After Act 12 <input type="checkbox"/> Other 13 <input checked="" type="checkbox"/> None		(92) Vehicle Involvement 1 <input type="checkbox"/> Hid In Rear Seat 2 <input type="checkbox"/> Comp Forced Into Veh 3 <input type="checkbox"/> Comp's Vehicle Taken 4 <input type="checkbox"/> Comp Parking/Garaging 5 <input type="checkbox"/> Forced Comp's Vehicle To Curb 6 <input type="checkbox"/> Cover/Bend/Alter License Plate 7 <input type="checkbox"/> Forced Way Into Vehicle 8 <input type="checkbox"/> Disabled Comp's Vehicle 9 <input checked="" type="checkbox"/> N/A		(93) Means of Escape 1 <input type="checkbox"/> Vehicle Alone 2 <input type="checkbox"/> Vehicle Cohorts 3 <input type="checkbox"/> Bicycle 4 <input type="checkbox"/> Foot 5 <input type="checkbox"/> Unknown 6 <input checked="" type="checkbox"/> N/A
	(95) Complainant's Occupation		(96) Place of Employment		(97) Uniform Worn <input type="checkbox"/> Yes <input type="checkbox"/> No

(98) Explain Other Responses by Box No

(88) AP1 threatened C with act of violence with intent to place him in fear of imminent serious bodily injury

(94) C at home with family

(99) List Significant M.O. by Box No.		1	2	3	4	5		
(100) SUBJECT #		CONTACT DATA		CODES				
1	2	3	0	1	2	3	4	5
			Duration	1-15	16-30	Over 30		
			Video Camera	Yes	No			
			Search	None	Probable Cause	Consensual	Incident to Arrest	Inventory
			Contraband	None	Evidence	*Block Not Used*	Recovered Stolen	Found
			Reason for Contact	Traffic	Dispatched	Field Contact	Suspicious Conduct	Other
			Disposition of Contact	Released	Written Warning	Traffic Citation	Misdemeanor Citation	Custodial Arrest
			Known Criminal History	Yes	No			
			3rd Party Information	Other Officer/Agency	Complainant/Citizen	None		

(100) Additional Detail Information:

Dispatched

Additional Sheets Attached

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SAN ANTONIO POLICE DEPARTMENT

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PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/02

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

REPORTING OFFICER: 1106 BELVER, MATTHEW

O F F E N S E I N F O R M A T I O N

OFFENSE: 480104 ATT RES ARR SERCH/TRANSPORT

DATES OF OCCURRENCE
SUN 10-11-09 0250

OFF. LOC : 00815 INKS FARM
DISTRICT : 5270
TYPE PREM: SNGL FMLY

WEATHER: COOL / DRY

COMP. NAME: BELVER, M.
RES ADDR: 00000
CITY/ST:
BUS ADDR: SAPD
CITY/ST:

APT NO.:
APT NO.:

TITLE R/S ID? DOB
SAPD #1106 L M
AC/PHONE: / -
AC/PHONE: / -

CALL# DETECTIVES ASSIGNED BADGE CALL# DETECTIVES ASSIGNED BADGE

ARRESTED PERSON 01

CODE NAME NICKNAME/ALIAS
AP01 RAMOS, SAMMY REY
ADDR: 00815 INKS FARM
SAN ANTONIO TX CHARGES: TERR. THRT/RES./HARR. PUB SERV

RAC SEX AGE DOB HEIGHT WEIGHT HAIR COLOR EYE COLOR
H M / 601/ 139/ BROWN BROWN

DESCRIPTION RELIABLITY: EXCLNT

ARRESTED PERSON 02

CODE NAME NICKNAME/ALIAS
AP02 RAMOS, LUIS A.
ADDR: 00815 INKS FARM
SAN ANTONIO TX CHARGES: INT. W/PUBLIC DUTIES

RAC SEX AGE DOB HEIGHT WEIGHT HAIR COLOR EYE COLOR
H M / 601/ 205/ BLACK BROWN

DESCRIPTION RELIABLITY: EXCLNT

W I T N E S S E S A N D O T H E R S

CODE NAME: BELVER, M. TITLE R S ID? DOB
C RES ADDR: APT NO.: SAPD #1106 L M
CITY/ST: APT NO.: AC/PHONE: / -
BUS ADDR: SAPD APT NO.: AC/PHONE: / -
CITY/ST: AC/PHONE: / -

DOCUMENT# 10

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SAN ANTONIO POLICE DEPARTMENT

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PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/02

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

CODE		TITLE	R	S	ID?	DOB
W00	NAME: [REDACTED]	O'S DAUGTR	L	F		[REDACTED]
	RES ADDR: [REDACTED]	APT NO.:				
	CITY/ST: SAN ANTONIO TX	AC/PHONE: 210 / 334-8862	B			
	BUS ADDR: [REDACTED]	APT NO.:				
	CITY/ST: [REDACTED]	AC/PHONE: / -				
CODE		TITLE	R	S	ID?	DOB
O00	NAME: [REDACTED]		L	M		[REDACTED]
	RES ADDR: [REDACTED]	APT NO.:				
	CITY/ST: SAN ANTONIO TX	AC/PHONE: 210 / 334-8862	B			
	BUS ADDR: [REDACTED]	APT NO.:				
	CITY/ST: [REDACTED]	AC/PHONE: / -				

D E T A I L S

NOTIFIED OF PROVISIONS OF TEXAS CRIME VICTIM ACT:

DISPATCHED TO THE LISTED LOCATION FOR A REPORT OF THREATS INVOLVING GUNS. UPON ARRIVAL I CONTACTED O AND W. W STATED SHE WAS IN THE HOUSE AT THE LISTED LOCATION WHEN SHE HEARD A LOUD DISTURBANCE IN WHICH INDIVIDUALS WERE SCREAMING AND SHOUTING PROFANITY AND FROM WHICH LOUD BANGING NOISES WERE EMANATING. W, REALIZING SHE WAS EXPECTING HER SISTER HOME AT ANY MOMENT, WOKE O SO THE TWO COULD INVESTIGATE WHAT WAS HAPPENING OUTSIDE THEIR RESIDENCE. ONCE OUTSIDE, W OBSERVED AP1 AND ANOTHER MALE (NEITHER W NOR O COULD IDENTIFY THE SECOND MALE) SCREAMING AT W'S SISTER AND HER BOYFRIEND FROM OUTSIDE THE BOYFRIEND'S TRUCK. AP1 WAS SCREAMING FOR THE BOYFRIEND TO GET OUT OF THE TRUCK SO AP1 COULD FIGHT HIM. BOTH W AND O RECOGNIZED AP1 AS AN INDIVIDUAL CONTINUALLY TERRORIZING PEOPLE IN THE NEIGHBORHOOD AND WHICH SEVERAL OF O'S NEIGHBORS HAD REPORTED TO POLICE FOR A VARIETY OF CRIMES INCLUDING BURGLARY AND CRIMINAL MISCHIEF. AT THIS POINT, O INSTRUCTED AP1 TO LEAVE HIS DAUGHTER AND HER BOYFRIEND ALONE AND TO GET AWAY FROM THE BOYFRIEND'S TRUCK. AP1 THEN REDIRECTED HIS ANGER AT O AND BEGAN, ACCORDING TO BOTH O AND W, WALKING TOWARD O IN AN AGGRESSIVE MANNER (WITH FISTS CLINCHED SCREAMING HE WAS GOING TO "FUCK UP YOUR SHIT" TO (O). O CONTINUED TO TELL AP1 TO SIMPLY LEAVE O AND HIS FAMILY ALONE, BUT AP1 REFUSED TO LISTEN. AP1 INSTEAD KEPT WALKING TOWARD O TELLING O HE WAS GOING TO "BEAT YOU TO DEATH AND THEN GET A GUN AND KILL YOUR WHOLE FAMILY". O QUICKLY INSTRUCTED W TO CALL POLICE AND THEN INFORMED AP1 THAT THE POLICE WOULD SOON ARRIVE. ACCORDING TO O, AP1 THEN TOLD HIM IT DID NOT MATTER BECAUSE HE WAS GOING TO GET A GUN AND "KILL YOUR FAMILY". AP1 THEN LEFT THE LOCATION JUST MOMENTS PRIOR TO MY ARRIVAL.

AT THIS TIME, O AND W INFORMED ME I HAD JUST MISSED AP1'S

PRESENCE, BUT THEY KNEW H. S HOME ADDRESS (ONLY ONE STREET OVER) AND WERE IN FEAR AP1 WOULD RETURN TO THE LISTED LOCATION AND MAKE GOOD ON HIS FINAL PROMISE TO O SHOULD BE NOTED THAT W WAS ESPECIALLY TRAUMATIZED BY AP1'S ACTIONS AND WAS TEARFUL AND VISIBLY SHAKEN UPON MY CONTACT WITH HER). ADDITIONALLY, W STATED AP1 PREFERS TO STAY OUT VERY LATE AND I MIGHT OBSERVE HIM

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SAN ANTONIO POLICE DEPARTMENT
PRELIMINARY INVESTIGATION REPORT

PAGE 03 OF 04
EXTRA COPY
CASE NO: 90 770137/02

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

ROAMING THE NEIGHBORHOOD STREETS. I THEN WENT TO THE ADDRESS O AND W PROVIDED ME FOR AP1'S LOCATION. ONCE THERE I KNOCKED ON THE FRONT DOOR AND ANNOUNCED MYSELF AS POLICE. I THEN CONTACTED AP1, ASKED HIM TO STEP OUTSIDE, AND REQUESTED HIS NAME AND BIRTHDATE. AP1 PROVIDED ME THIS INFORMATION AND UPON, THIS CONFIRMATION, I PLACED AP1 UNDER ARREST. AS I WAS ATTEMPTING TO HANDCUFF AP1, AP2 APPEARED FROM THE RESIDENCE AND ASKED WHAT WAS HAPPENING. I INFORMED AP1 THAT AP1 WAS BEING ARRESTED. AP2 THEN GRABBED AP1 BY THE ARM AND ATTEMPTED TO PULL HIM BACK INSIDE THE HOUSE WHILE STEPPING BETWEEN AP1 AND I. I IMMEDIATELY INSTRUCTED AP1 TO STEP ASIDE, AND WHEN HE REFUSED, I PUSHED HIM BACK INTO THE DOORWAY OF THE HOUSE. AT THIS TIME I WAS ABLE TO FINISH HANDCUFFING AP1 AND, ONCE COMPLETE, I INFORMED AP1 HE WAS BEING ARRESTED ALSO. AP1 THEN BEGAN SCREAMING OBSCENITIES AT ME AS I HANDCUFFED AP2 AND WALKED BOTH AP1 AND AP2 BACK TO MY MARKED PATROL VEHICLE.

AFTER PLACING AP2 INSIDE MY PATROL VEHICLE, I THEN ATTEMPTED TO PLACE AP1 INSIDE THE VEHICLE AS WELL (ON THE OPPOSITE SIDE OF AP2). I OPENED THE REAR DRIVER'S SIDE DOOR IN ORDER FOR AP1 TO MAKE ENTRY INTO THE VEHICLE, HOWEVER AP1 REFUSED. I WAS ABLE TO PLACE AP1 IN THE BACK SEAT, BUT AP1, ONCE SEATED, BEGAN KICKING AT THE DOOR OF THE VEHICLE. IN A FINAL ATTEMPT TO PUSH THEM INSIDE THE VEHICLE. AP1, IN RESPONSE, KICKED ME SEVERAL TIMES IN THE LEG AND THE SIDE. AFTER A FEW MOMENTS I WAS FINALLY ABLE TO CONTROL AP1'S LEGS AND PUSH THEM COMPLETELY INSIDE THE VEHICLE. NEXT, I TRANSPORTED AP1 AND AP2 TO 401 S. FRIO FOR BOOKING. DURING TRANSPORT, AP1 CONTINUOUSLY BERATED ME WITH PROFANITY AND ACCUSATIONS THAT I WAS A "FUCKING RACIST". AP1'S TIRADE CONTINUED UPON ARRIVAL AT 401 S. FRIO AND CULMINATED WHEN, AFTER REMOVING AP1 FROM MY PATROL VEHICLE, AP1 SPIT DIRECTLY AND DELIBERATELY IN MY FACE. I INFORMED AP1 IMMEDIATELY THAT SUCH ACTION WAS A CRIMINAL OFFENSE. AP1 STATED, "I DON'T GIVE A FUCK!" I THEN ESCORTED AP1 AND AP2 INTO THE MAGISTRATE'S OFFICE FOR BOOKING.

IN THE END, I DETERMINED AP1 THREATENED TO COMMIT AN OFFENSE INVOLVING VIOLENCE TO O WITH THE INTENT TO PLACE O IN FEAR OF IMMINENT SERIOUS BODILY INJURY. ADDITIONALLY, AP1 INTENTIONALLY PREVENTED A PERSON HE KNEW WAS A PEACE OFFICER FROM EFFECTING HIS TRANSPORTATION BY USING FORCE AGAINST SAID OFFICER. FINALLY, WITH THE INTENT TO ASSAULT,

DOCUMENT# 10

HARASS, AND ALARM, AP1 CAUSED A PERSON HE KNEW TO BE .
PUBLIC SERVANT TO CONTACT HIS SALIVA WHILE SAID PUBLIC
SERVANT WAS LAWFULLY DISCHARGING AN OFFICAL DUTY AND AS
RETALIATION FOR THE PUBLIC SERVANT'S PERFORMANCE OF AN
OFFICIAL DUTY. AP2, I DETERMINED, WITH CRIMINAL NEGLIGENCE
DISRUPTED AND IMPEDED A PEACE OFFICER WHILE THE PEACE
OFICER WAS PERFORMING A DUTY IMPOSED OR GRANTED BY LAW.

P E R S O N M O I N F O R M A T I O N

PRE-INCIDENT CONTACT: COMP KN SUSP
SUSPECT/COMPLAINANT LOCATION: N/A
SUSPECT PRETENDED TO BE: N/A

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SAN ANTONIO POLICE DEPARTMENT

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PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/02

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

SUSPECT SOLICITED/OFFERED: N/A
SUSPECT ACTIONS: OTHER
AP1 THREATENED C WITH ACT OF VIOLENCE WITH INTENT TO PLACE HIM IN FEAR OF
IMMINENT SERIOUS BODILY INJURY
FORCED COMPLAINANT TO: N/A
MEANS OF ATTACK: N/A
FORCE INFLICTED: NONE
VEHICLE INVOLVEMENT: N/A
MEANS OF ESCAPE: N/A
COMPLAINANT WAS: OTHR
C AT HOME WITH FAMILY

P R O P E R T Y M O I N F O R M A T I O N

D I S P A T C H I N G I N F O R M A T I O N

DISPATCH CODE: 14 DISTRB

REQUEST FOR SERVICE

DISPATCH TO: 05721 STIFFKEY DR
DISTRICT 5270
REPORT UNIT: RMC

RECEIVED: 10-11-09 0238
DISPATCH: - -
ARRIVED: - -
CLEARED: - -

REPORTED BY: UNK/FEM

ADDRESS: [REDACTED]

APT:

PHONE: [REDACTED]

OFFICERS DISPATCHED
BELVER, MATTHEW

BADGE
1106-R

OFFICERS DISPATCHED

BADGE

REPORT ENTERED BY: 10

10-20-09 1231

APPROVING: 0000

SUPERVISOR: 3999 APPROVAL, RPT SGT

REPORT ENTERED BY: 0000 CORTINAS, ROSALINDA

10-20-09 1407

COPIES OF REPORT TO: CID

480104-3

San Antonio Police Department
 OFFENSE INCIDENT SUPPLEMENTAL REPORT
 (1) Weather Conditions at Time of Offense: Warm Cool Dry Wet Unknown **10**
 (2) Case Number: 90770137-02

Gang Related Suspected Hate Crime Domestic Violence Drive-by Shooting
 Routing of Reports: Homicide Robbery Forgery Intelligence Arson Youth T.I.D.
 Check Appropriate Box (Original to Records)

(3) Offense/Event: PC 38.03 Resisting Transportation
 (4) Location of Offense (Number, Street, Apt. Number): 315 Inks Farm
 (5) District: 5270
 (6) Dates of Occurrence (MM/DD/YY): 10/11/09
 (7) Hours of Occurrence: 0250
 (8) Reporting Officer (Name/Badge): M. Belver #1106
 (9) Firm Name Address Phone: _____
 (10) Approving Authority (Name, Badge Date): _____

ORIGINAL

(11) Code	C - Complainant W - Witness	R - Reporting Person G - Guardian	M - Manager/Owner O - Other	Best Address		Phone	D-Day N-Night B-Both
Code	Name (Last, First, MI)	Title	Race - Sex - DOB				
C	Belver, M. SAPD #1106			Res. _____			
	Race: L Sex: M DOB: _____			Bus. SAPD			
W	O's Daughter			Res. _____			B
	Race: _____ Sex: _____ DOB: _____			Bus. _____			
O				Res. _____			B
	Race: _____ Sex: _____ DOB: _____			Bus. _____			

Inj. Per. Code (12) Victim Taken to (13) Transported By (14) Describe Injuries (15) Condition

Codes: S - Stolen D - Damaged L - Lost F - Found R - Recovered E - Evidence

Code	Description (Brand/Make)	Article	Model/Caliber/Color	Serial Number	OAN Number	Estimated Value

List Additional Items on SAPD Form 2-PCU

I on the above listed date and time, had legal custody, and was the legal owner of the property listed here-in, which corporeal, personal property was wrongfully taken, without my consent, and I desire to prosecute the party, or parties, responsible.
 X _____ X _____ Date: _____
 (Signature of Owner/Manager) (Signature of Reporting Officer)

Forgery Evidence
 One Forged Check/Card on the Account of _____ Dated _____
 Check Number _____ Pay to the order of _____
 In the Amount of \$ _____ Drawn on the _____ Bank
 Account/Card Number _____ And signed with the Makers Signature of _____

(16) Prop Tag Number (17) Property Receipt Made Yes No (18) Photograph Taken Yes No (19) OAN applied it (TYPE) DL SSN DOB OTHER (20) Total Stolen Value _____

(21) Size of Property Taken Was Concealable Hand Carried Needed Assistance (22) Obvious Property Not Taken Jewelry Money Furs Guns Radio/TV/Stereo Personal Accessories Other

Vehicles/Bicycle Information

(23) Stolen Crim. Misch. Burg Vehicle Unauth. Use Access. Theft Theft LPO Impound Vehicle Abandoned Vehicle

License Number	State / Yr / Type	Year	Make	Model	Style	VIN
Bicycle Serial Number	Make	Model	Type Frame <input type="checkbox"/> Boys <input type="checkbox"/> Girl	Type Brake <input type="checkbox"/> Hand <input type="checkbox"/> Foot	Wheel Size	Speed

(24) Color 1 (Solid or Top) _____ Color 2 _____ (25) Special Vehicle Features Enter Number(s) From Below

1 Beige	9 Cream	17 Pink	1. Level Altered	9. Damage to Front	17. Special Wheels/Tires (Mags, Wide Tires, Etc.)
2 Black	10 Gold	18 Red	2. Sticker/Decal on Body/Bumper	10. Damage to Rear	18. Extra Antenna(s)/Mirrors
3 Blue/Light	11 Gray	19 Silver	3. Sticker/Decal on Window	11. Damage to Side	19. Tinted Windows
4 Blue	12 Green/Light	20 Tan	4. Rust or Primer	12. Painted Inscription on Body	20. Other
5 Blue/Dark	13 Green	21 Turquoise	5. Decorative Paint	13. Vinyl Top	
6 Bronze	14 Green/Dark	22 White	6. Window Broken	14. Door Panel(s) Removed	
7 Brown	15 Maroon	23 Yellow	7. Missing Parts	15. Torn Seal(s) Headliner	
8 Copper	16 Orange	24 Other	8. Loud Mufflers	16. Camper Top	

(26) Further Vehicle/Bicycle Description

(27) Insurance Company Policy Number (28) Value of Vehicle/Bicycle (29) Vehicle/bicycle Insured? Yes No

ENTERED

2 San Antonio Police Department		Case Number 90770137-02				
(30) Type Premises						
1. Single Family House 2. Apartment 3. Hotel/Motel 4. Other Residential		5. Chain/Convenience Store 6. Liquor Store 7. Gas/Service Station 8. Other Retail Sales				
9. Bar/Lounge 10. Bank/Saving & Loan 11. Finance Company 12. Other Commercial House		13. Car/Bus/Truck 14. Office 15. Street/Roadway 16. School/Public Building				
17. Park 18. Parking Lot 19. Restaurant 20. Other						
CRIME AGAINST PROPERTY M.O.	(31) Direction	(33) Entry/Exit Description	(34) Method of Entry	(35) Instrument/Tool Used for Entry		
	Entry Only	Point of Entry/Exit	1. Pried 2. Broke 3. Cut 4. Chop/Pound 5. Removed 6. Concealment 7. Threats 8. Fraud 9. Attempt Only 10. Unlocked 11. Open For Trade 12. Unknown 13. Other 14. N/A	1. Blackjack/Club 2. Bodily Force 3. Bolt Cutter 4. Chain, Locks/Vice Grips 5. Coat Hanger/Wire 6. Cutting Torch 7. Drill 8. Explosives/Chemicals 9. Glass Cutter 10. Gun (Describe)		
	1. North 2. South 3. East 4. West	1/1 Door 2/2 Window 3/3 Wall 4/4 Garage 5/5 Fence 6/6 Roof 7/7 Floor 8/8 Skylight 9/9 Fire Escape 10/10 Duct/Vent 11/11 Sliding Glass Door 12/12 Adjacent Building	13/13 Unknown 14/14 Other 15/15 N/A (Burglary M.V.) 16 Vent Window 17 Door Window 18 Door 19 Hood 20 Trunk 21 Windshield/Back Glass	11. Key/Pick/Plastic 12. Knife 13. Lock-Puller 14. Pliers 15. Pry Bar 16. Rock/Brick 17. Screwdriver 18. Unknown 19. Other 20. N/A		
	(32) Location					
	Entry Only					
	1. Front 2. Right Side 3. Left Side 4. Rear					
	(36) Suspects Actions	(37) Complainant Was	(38) Crime Elements			
	1. Ate/Drank on Premises 2. Attempted Defeat/Defeated Alarm 3. Crime not Complete 4. Crime Skillfully Done 5. Knew Location of Hidden Valuables 6. Malicious Destruction 7. Removed Prints/Gloves 8. Tripped Alarm/Returned Later 9. Turned Lights on/off 10. Used Tools Found at Scene 11. Other 12. N/A	1. At Funeral/Church/Wedding 2. At Home 3. At Work/School 4. Absent (Ad in Paper) 5. Moving 6. Out of Town 7. Place of Entertainment 8. Present 9. Shopping 10. Other 11. N/A	1. Alarm Inoperative 2. Victim of Similar Crime 3. Object of Attack- Abandoned or Under Construction 4. N/A			
	Forgery and Credit Card Abuse	(39) I.D. Presented by Actor	I.D. Numbers	(40) Witness's Statement	List Witnesses on Front	Pin Number / Initials
		1. Drivers License		1. Can Teller/Cashier Identify Actor?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Service Agent /
2. Social Security			2. Is Teller/Cashier Known?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Crime Analyst /	
3. Credit Card			3. Does Teller/Cashier Recall Transaction?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Data Entry Clk /	
4. Other		4. Are There Witnesses Who Can Identify Actor?	<input type="checkbox"/> Yes <input type="checkbox"/> No			
(41) Explain "Other" Responses by Box Number						
(42) List Significant M. O. by Box Number						
(43) Details of the Offense/Event						
<p>Dispatched to the listed location for a report of threats involving guns. Upon arrival I contacted O and W. W stated she was in the house at the listed location when she heard a loud disturbance in which individuals were screaming and shouting profanity and from which loud banging noises were emanating. W, realizing she was expecting her sister home at any moment, woke O so the two could investigate what was happening outside their residence. Once outside, W observed AP1 and another male (neither W nor O could identify the second male) screaming at W's sister and her boyfriend from outside the boyfriend's truck. AP1 was screaming for the boyfriend to get out of the truck so AP1 could fight him. Both W and O recognized AP1 as an individual continually terrorizing people in the neighborhood and which several of O's neighbors had reported to police for a variety of crimes including burglary and criminal mischief. At this point, O instructed AP1 to leave his daughter and her boyfriend alone and to get away from the boyfriend's truck. AP1 then redirected his anger at O and began, according to both O and W, walking toward O in an aggressive manner (with fists clinched screaming he was going to "fuck up your shit" to O). O continued to tell AP1 to simply leave O and his family alone, but AP1 refused to listen. AP1 instead kept walking toward O telling O he was going to "beat you to death and then get a gun and kill your whole family". O quickly instructed W to call police and then informed AP1 that the police would soon arrive. According to O, AP1 then told him it did not matter because he was going to get a gun and "kill your family". AP1 then left the location just moments prior to my arrival.</p> <p>At this time, O and W informed me I had just missed AP1's presence, but they knew his home address (only one street over) and were in fear AP1 would return to the listed location and make good on his final promise to O (it should be noted that W was especially traumatized by AP1's actions and was tearful and visibly shaken upon my contact with her). Additionally, W stated AP1 prefers to stay out very late and I might observe him roaming the neighborhood streets. I then went to the address O and W provided me for AP1's location. Once there I knocked on the front door and announced myself as police. I then contacted AP1, asked him to step outside, and requested his name and birthdate. AP1 provided me this information and, upon this confirmation, I placed AP1 under arrest. As I was</p>						
PRTS Sergeant _____ Badge # <u>207</u> Date _____ Time _____ Supplement Attached <input checked="" type="checkbox"/>						

Check One - Yes - Victim Notified of Provision of Victim Compensation Act (Art. 4309, IV, T. C. S.) No - Explain in Details (Details)

SUPPLEMENT REPORT
SAN ANTONIO POLICE DEPARTMENT

Offense Incident Accident

Page 3 of 5

Case Number 90770137-02

Offense/Event
Resisting Transportation

Location of Offense (Number, Street, Apt. Number)
815 Inks Farm

District
5270

Dates of Occurrence
10/11/09

(MM/DD/YY)

Hours of Occurrence
0250

Reporting Officer (Name/Badge)
M. Belver #1106

Signature

Reporting Date
10/11/09

Additional Details:

attempting to handcuff AP1, AP2 appeared from the residence and asked what was happening. I informed AP2 that AP1 was being arrested. AP2 then grabbed AP1 by the arm and attempted to pull him back inside the house while stepping between AP1 and I. I immediately instructed AP2 to step aside and, when he refused, I pushed him back into the doorway of the house. At this time I was able to finish handcuffing AP1 and, once complete, I informed AP2 he was being arrested also. AP1 then began screaming obscenities at me as I handcuffed AP2 and walked both AP1 and AP2 back to my marked patrol vehicle.

After placing AP2 inside my patrol vehicle, I then attempted to place AP1 inside the vehicle as well (on the opposite side of AP2). I opened the rear driver's side door in order for AP1 to make entry into the vehicle, however, AP1 refused. I was able to place AP1 in the backseat, but AP1, once seated, began kicking at the door of the vehicle. In a final attempt to get AP1 inside my patrol vehicle, I grabbed both of AP1's legs and tried to push them inside the vehicle. AP1, in response, kicked me several times in the leg and the side. After a few moments I was finally able to control AP1's legs and push them completely inside the vehicle. Next, I transported AP1 and AP2 to 401 S. Frio for booking. During transport, AP1 continuously berated me with profanity and accusations that I was a "fucking racist". AP1's tirade continued upon arrival at 401 S. Frio and culminated when, after removing AP1 from my patrol vehicle, AP1 spit directly and deliberately in my face. I informed AP1 immediately that such action was a criminal offense. AP1 stated, "I don't give a fuck!" I then escorted AP1 and AP2 into the magistrate's office for booking.

In the end, I determined AP1 threatened to commit an offense involving violence to O with the intent to place O in fear of imminent serious bodily injury. Additionally, AP1 intentionally prevented a person he knew was a peace officer from effecting his transportation by using force against said officer. Finally, with the intent to assault, harass, and alarm, AP1 caused a person he knew to be a public servant to contact his saliva while said public servant was lawfully discharging an official duty and as retaliation for the public servant's performance of an official duty. AP2, I determined, with criminal negligence disrupted and impeded a peace officer while the peace officer was performing a duty imposed or granted by law.

Continuation of Incident Report Offense Report Supplemental Report Recovered Vehicle Field Interview (48) CASE NO 90770137-02

Location 815 Inks Farm Date 10/11/09 Time 0250 Officer M. Belver Badge 1106

(49) CODES SP - Suspected Person AP - Arrested Person WP - Wanted Person MP - Missing Person FC - Field Contact ED - Emergency Detention

Table with columns: Code, Name (Last, First Middle), Race, Sex, Age or DOB, Height, Weight, Hair, Eyes. Rows for AP1 (Ramos, Sammy Rey) and AP2 (Ramos, Luis A.).

SUBJECTS PERSONAL HISTORY. Grid with columns (50) Hair Length, (51) Hair Style, (52) Facial Hair, (53) Speech Manner, (54) Speech Characteristic, (55) General Appearance, (56) Tattoo Description, (57) Scars- Birthmarks, (58) Deformity, (59) Complexion, (60) Teeth, (61) Eyes, (62) Right-Left Handed, (63) Build, (64) Subject Wore, (65) Description Reliability.

(67) Possible Cause of Absence (68) Competency (Physical) (69) Competency (Mental) (70) Possible Destination

(71) Further Subject(s) Description(s): (Explain "Other" Responses by Box and Subject Numbers)

Table with columns: Box No., Subi Code. Multiple empty rows for further description.

WEAPON DESCR. (72) Weapon and (73) Gun Features. Grid with columns for Subject NO and various weapon/gun attributes.

Make Model Cal/Gauge

SAN ANTONIO POLICE DEPARTMENT Offense/Incident/Supplemental Report (Continuation)

(48) CASE NO. **90770137-02**

VEHICLE INFORMATION	(74) <input type="checkbox"/> Suspect Recovered	Driver Was (Code)	Lic No.	State	Yr.	Type	Year	Make	Model	Style	VIN No.	
	(75) Color 1 (Solid or Top) Color 2		(76) Special Vehicle Features (check all that apply)									
	1 <input type="checkbox"/> Beige	9 <input type="checkbox"/> Cream	17 <input type="checkbox"/> Pink	1 <input type="checkbox"/> Level Altered	9 <input type="checkbox"/> Damage to Front	17 <input type="checkbox"/> Special Wheels/Tires (Mags, Wide Tires, Etc.)	2 <input type="checkbox"/> Black	10 <input type="checkbox"/> Gold	18 <input type="checkbox"/> Red	2 <input type="checkbox"/> Sticker/Decal on Body/Bumper	10 <input type="checkbox"/> Damage to Rear	18 <input type="checkbox"/> Extra Antenna(s)/Mirrors
	3 <input type="checkbox"/> Blue/Light	11 <input type="checkbox"/> Gray	19 <input type="checkbox"/> Silver	3 <input type="checkbox"/> Sticker/Decal on Window	11 <input type="checkbox"/> Damage to Side	19 <input type="checkbox"/> Tinted Windows	4 <input type="checkbox"/> Blue	12 <input type="checkbox"/> Green/Light	20 <input type="checkbox"/> Tan	4 <input type="checkbox"/> Rust or Primer	12 <input type="checkbox"/> Painted Inscription on Body	20 <input type="checkbox"/> Other
	5 <input type="checkbox"/> Blue/Dark	13 <input type="checkbox"/> Green	21 <input type="checkbox"/> Turquoise	5 <input type="checkbox"/> Decorative Paint	13 <input type="checkbox"/> Vinyl Top		6 <input type="checkbox"/> Bronze	14 <input type="checkbox"/> Green/Dark	22 <input type="checkbox"/> White	6 <input type="checkbox"/> Window Broken	14 <input type="checkbox"/> Door Panel(s) Removed	
	7 <input type="checkbox"/> Brown	15 <input type="checkbox"/> Maroon	23 <input type="checkbox"/> Yellow	7 <input type="checkbox"/> Missing Parts	15 <input type="checkbox"/> Torn Seat(s) Headliner		8 <input type="checkbox"/> Copper	16 <input type="checkbox"/> Orange	24 <input type="checkbox"/> Other	8 <input type="checkbox"/> Loud Mufflers	16 <input type="checkbox"/> Camper Top	
	(77) Further Vehicle Description										(78) Description Reliability <input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Poor	

RECOVERED VEHICLE	(79) District Recovered	(80) Disposition of Vehicle 1 <input type="checkbox"/> Auto Pound 2 <input type="checkbox"/> Release to Owner	(81) Method Used 1 <input type="checkbox"/> Towed/Carried 2 <input type="checkbox"/> Hot Wired	3 <input type="checkbox"/> Key in Vehicle 4 <input type="checkbox"/> Other
	(82) Condition of Vehicle 1 <input type="checkbox"/> Stripped 2 <input type="checkbox"/> Wrecked	3 <input type="checkbox"/> Burned 4 <input type="checkbox"/> No Apparent Damage	(83) Stripped or Missing or Parts 1 <input type="checkbox"/> Engine 2 <input type="checkbox"/> Transmission	3 <input type="checkbox"/> Battery 4 <input type="checkbox"/> Body Parts 5 <input type="checkbox"/> Tires

CRIME AGAINST PERSON M.O.	(84) Pre-Incident Contact	(85) Suspect/Complainant Location	(86) Suspect. Pretended to be	(87) Suspect Solicited/Offered
	1 <input type="checkbox"/> Bar 2 <input type="checkbox"/> Party 3 <input type="checkbox"/> Place of Entertainment (Movie, etc.) 4 <input type="checkbox"/> Residence (own/Other) 5 <input type="checkbox"/> Shopping 6 <input type="checkbox"/> School 7 <input type="checkbox"/> Park/Recreational Fac. 8 <input checked="" type="checkbox"/> Complainant Knows Susp. 9 <input type="checkbox"/> None 10 <input type="checkbox"/> N/A	1 <input type="checkbox"/> Suspect a Pedestrian 2 <input type="checkbox"/> Suspect in a Vehicle 3 <input type="checkbox"/> Complainant a Pedestrian 4 <input type="checkbox"/> Complainant in Vehicle 5 <input checked="" type="checkbox"/> N/A	1 <input type="checkbox"/> Customer 2 <input type="checkbox"/> Seeking Someone 3 <input type="checkbox"/> Aiding Complainant 4 <input type="checkbox"/> Blind/Crippled, etc. 5 <input type="checkbox"/> Delivery/Repairman 6 <input type="checkbox"/> Renting 7 <input type="checkbox"/> Military Person 8 <input type="checkbox"/> Police Officer 9 <input type="checkbox"/> Other 10 <input checked="" type="checkbox"/> N/A	1 <input type="checkbox"/> Aid for Vehicle 2 <input type="checkbox"/> Ride 3 <input type="checkbox"/> Use Phone 4 <input type="checkbox"/> Information 5 <input type="checkbox"/> Money 6 <input type="checkbox"/> Sex 7 <input type="checkbox"/> Asked for Merchandise 8 <input type="checkbox"/> Drugs 9 <input type="checkbox"/> 3-Card Monty 10 <input type="checkbox"/> Pigeon Drop 11 <input type="checkbox"/> Home Repair 12 <input type="checkbox"/> Other Type Con Game 13 <input type="checkbox"/> Other 14 <input checked="" type="checkbox"/> N/A

(88) Suspect Actions	(89) Forced Complainant to	(90) Weapon - Means of Attack
1 <input type="checkbox"/> Demanded Money 2 <input type="checkbox"/> Made Gestures 3 <input type="checkbox"/> Rip Out Telephone 4 <input type="checkbox"/> Used Note 5 <input type="checkbox"/> Used Lookout/Accomplice 6 <input type="checkbox"/> Fired Shots 7 <input type="checkbox"/> Purse Snatched 8 <input type="checkbox"/> Assault(S)	9 <input type="checkbox"/> Took Comp's Clothing 10 <input type="checkbox"/> Raped Complainant 11 <input type="checkbox"/> Fought Complainant 12 <input type="checkbox"/> Raped More Than Once 13 <input type="checkbox"/> Ripped/Cut Clothing 14 <input type="checkbox"/> Used Lubricant 15 <input checked="" type="checkbox"/> Other 16 <input type="checkbox"/> N/A	1 <input type="checkbox"/> Lie Down 2 <input type="checkbox"/> Enter Restroom 3 <input type="checkbox"/> Rear Of Building 4 <input type="checkbox"/> Disrobe 5 <input type="checkbox"/> Place Property In Sack 6 <input type="checkbox"/> Unnatural Sex Acts 7 <input type="checkbox"/> No Force 8 <input type="checkbox"/> Other 9 <input checked="" type="checkbox"/> N/A

(91) Force Inflicted	(92) Vehicle Involvement	(93) Means of Escape
1 <input type="checkbox"/> Handcuff/Tie Comp. 2 <input type="checkbox"/> Bum/Scald Comp. 3 <input type="checkbox"/> Rip Out Telephone 4 <input type="checkbox"/> Covered Comp. Face 5 <input type="checkbox"/> Cut/Stab Comp. 6 <input type="checkbox"/> Pull/Grab Comp. 7 <input type="checkbox"/> Shot Comp. 8 <input type="checkbox"/> Choke/Strangle Comp.	8 <input type="checkbox"/> Blindfold/Gag Comp. 9 <input type="checkbox"/> Hit Comp. Prior To Act 10 <input type="checkbox"/> Hit Comp. During Act 11 <input type="checkbox"/> Hit Comp. After Act 12 <input type="checkbox"/> Other 13 <input checked="" type="checkbox"/> None	1 <input type="checkbox"/> Vehicle Alone 2 <input type="checkbox"/> Vehicle Cohorts 3 <input type="checkbox"/> Bicycle 4 <input type="checkbox"/> Foot 5 <input type="checkbox"/> Unknown 6 <input checked="" type="checkbox"/> N/A

(94) Complainant's Occupation	(95) Place of Employment	(96) Uniform Worn <input type="checkbox"/> Yes <input type="checkbox"/> No
-------------------------------	--------------------------	---

(97) Explain Other Responses by Box No

(88) AP1 threatened C with act of violence with intent to place him in fear of imminent serious bodily injury
(94) C at home with family

(99) List Significant M.O. by Box No.		1	2	3	4	5
(100) SUBJECT #	CONTACT DATA	CODES				
1	2	3	0	1	2	3
	Duration		1-15	16-30	Over 30	
	Video Camera		Yes	No		
	Search	None	Probable Cause	Consensual	Incident to Arrest	Inventory
	Contraband	None	Evidence	*Block Not Used	Recovered Stolen	Found
	Reason for Contact	Traffic	Dispatched	Field Contact	Suspicious Conduct	Other
	Disposition of Contact	Released	Written Warning	Traffic Citation	Misdemeanor Citation	Custodial Arrest
	Known Criminal History		Yes	No		
	3rd Party Information		Other Officer/Agency	Complainant/Citizen	None	

(100) Additional Detail Information:

Dispatched

Additional Sheets Attached

DOCUMENT # 10

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SAN ANTONIO POLICE DEPARTMENT

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PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/03

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

REPORTING OFFICER: 1106 BELVER, MATTHEW

O F F E N S E I N F O R M A T I O N

OFFENSE: 709905 HARASSMENT OF PUBLIC SERVANT

DATES OF OCCURRENCE

SUN 10-11-09 0330

OFF. LOC : 00401 FRIO ST S

DISTRICT : 2360

TYPE PREM: SNGL FMLY

WEATHER: COOL / DRY

COMP. NAME: BELVER, M.

TITLE R/S ID? DOB

SAPD #1106 L M

RES ADDR: 00000

APT NO.:

CITY/ST:

AC/PHONE: / -

BUS ADDR: SAPD

APT NO.:

CITY/ST:

AC/PHONE: / -

CALL# DETECTIVES ASSIGNED BADGE CALL# DETECTIVES ASSIGNED BADGE

ARRESTED PERSON 01

CODE NAME

NICKNAME/ALIAS

AP01 RAMOS, SAMMY REY

ADDR: 00815 INKS FARM

SAN ANTONIO TX

CHARGES: TERR. THRT/RES./HARR. PUB SERV

RAC SEX AGE DOB HEIGHT WEIGHT HAIR COLOR EYE COLOR
H M / 601/ 139/ BROWN BROWN

DESCRIPTION RELIABLITY: EXCLNT

ARRESTED PERSON 02

CODE NAME

NICKNAME/ALIAS

AP02 RAMOS, LUIS A.

ADDR: 00815 INKS FARM

SAN ANTONIO TX

CHARGES: INT. W/PUBLIC DUTIES

RAC SEX AGE DOB HEIGHT WEIGHT HAIR COLOR EYE COLOR
H M / 601/ 205/ BLACK BROWN

DESCRIPTION RELIABLITY: EXCLNT

W I T N E S S E S A N D O T H E R S

CODE TITLE R/S ID? DOB

C NAME: BELVER, M.

SAPD #1106 L M

RES ADDR:

APT NO.:

CITY/ST:

AC/PHONE: / -

BUS ADDR: SAPD

APT NO.:

CITY/ST:

AC/PHONE: / -

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SAN ANTONIO POLICE DEPARTMENT

EXTRA COPY

PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/03

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

CODE	NAME	RES ADDR	CITY/ST	BUS ADDR	CITY/ST	APT NO.:	TITLE	R	S	ID?	DOB
W01	VAZQUEZ, JACKIE	05721 STIFFKEY	SAN ANTONIO TX				O'S DAUGHT	L	F		[REDACTED]
							AC/PHONE:	210	/	334-8862	B
							AC/PHONE:		/	-	
CODE	NAME	RES ADDR	CITY/ST	BUS ADDR	CITY/ST	APT NO.:	TITLE	R	S	ID?	DOB
O00	CAMPOS, LUIS	05721 STIFFKEY	SAN ANTONIO TX					L	M		[REDACTED]
							AC/PHONE:	210	/	334-8862	B
							AC/PHONE:		/	-	

D E T A I L S

NOTIFIED OF PROVISIONS OF TEXAS CRIME VICTIM ACT:

DISPATCHED TO THE LISTED LOCATION FOR A REPORT OF THREATS INVOLVING GUNS. UPON ARRIVAL I CONTACTED O AND W. W STATED SHE WAS IN THE HOUSE AT THE LISTED LOCATION WHEN SHE HEARD A LOUD DISTURBANCE IN WHICH INDIVIDUALS WERE SCREAMING AND SHOUTING PROFANITY AND FROM WHICH LOUD BANGING NOISES WERE EMANATING. W, REALIZING SHE WAS EXPECTING HER SISTER HOME AT ANY MOMENT, WOKE O SO THE TWO COULD INVESTIGATE WHAT WAS HAPPENING OUTSIDE THEIR RESIDENCE. ONCE OUTSIDE, W OBSERVED AP1 AND ANOTHER MALE (NEITHER W NOR O COULD IDENTIFY THE SECOND MALE) SCREAMING AT W'S SISTER AND HER BOYFRIEND FROM OUTSIDE THE BOYFRIEND'S TRUCK. AP1 WAS SCREAMING FOR THE BOYFRIEND TO GET OUT OF THE TRUCK SO AP1 COULD FIGHT HIM. BOTH W AND O RECOGNIZED AP1 AS AN INDIVIDUAL CONTINUALLY TERRORIZING PEOPLE IN THE NEIGHBORHOOD AND WHICH SEVERAL OF O'S NEIGHBORS HAD REPORTED TO POLICE FOR A VARIETY OF CRIMES INCLUDING BURGLARY AND CRIMINAL MISCHIEF. AT THIS POINT, O INSTRUCTED AP1 TO LEAVE HIS DAUGHTER AND HER BOYFRIEND ALONE AND TO GET AWAY FROM THE BOYFRIEND'S TRUCK. AP1 THEN REDIRECTED HIS ANGER AT O AND BEGAN, ACCORDING TO BOTH O AND W, WALKING TOWARD O IN AN AGGRESSIVE MANNER (WITH FISTS CLINCHED SCREAMING HE WAS GOING TO "FUCK UP YOUR SHIT" TO (O). O CONTINUED TO TELL AP1 TO SIMPLY LEAVE O AND HIS FAMILY ALONE, BUT AP1 REFUSED TO LISTEN. AP1 INSTEAD KEPT WALKING TOWARD O TELLING O HE WAS GOING TO "BEAT YOU TO DEATH AND THEN GET A GUN AND KILL YOUR WHOLE FAMILY". O QUICKLY INSTRUCTED W TO CALL POLICE AND THEN INFORMED AP1 THAT THE POLICE WOULD SOON ARRIVE. ACCORDING TO O, AP1 THEN TOLD HIM IT DID NOT MATTER BECAUSE HE WAS GOING TO GET A GUN AND "KILL YOUR FAMILY". AP1 THEN LEFT THE LOCATION JUST MOMENTS PRIOR TO MY ARRIVAL.

AT THIS TIME, O AND W INFORMED ME I HAD JUST MISSED AP1'S

PRESENCE, BUT THEY KNEW H. , HOME ADDRESS (ONLY ONE S. MET OVER) AND WERE IN FEAR AP1 WOULD RETURN TO THE LISTED LOCATION AND MAKE GOOD ON HIS FINAL PROMISE TO O SHOULD BE NOTED THAT W WAS ESPECIALLY TRAUMATIZED BY AP1'S ACTIONS AND WAS TEARFUL AND VISIBLY SHAKEN UPON MY CONTACT WITH HER). ADDITIONALLY, W STATED AP1 PREFERS TO STAY OUT VERY LATE AND I MIGHT OBSERVE HIM

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SAN ANTONIO POLICE DEPARTMENT
PRELIMINARY INVESTIGATION REPORT

PAGE 03 OF 04
EXTRA COPY
CASE NO: 90 770137/03

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

ROAMING THE NEIGHBORHOOD STREETS. I THEN WENT TO THE ADDRESS O AND W PROVIDED ME FOR AP1'S LOCATION. ONCE THERE I KNOCKED ON THE FRONT DOOR AND ANNOUNCED MYSELF AS POLICE. I THEN CONTACTED AP1, ASKED HIM TO STEP OUTSIDE, AND REQUESTED HIS NAME AND BIRTHDATE. AP1 PROVIDED ME THIS INFORMATION AND UPON, THIS CONFIRMATION, I PLACED AP1 UNDER ARREST. AS I WAS ATTEMPTING TO HANDCUFF AP1, AP2 APPEARED FROM THE RESIDENCE AND ASKED WHAT WAS HAPPENING. I INFORMED AP1 THAT AP1 WAS BEING ARRESTED. AP2 THEN GRABBED AP1 BY THE ARM AND ATTEMPTED TO PULL HIM BACK INSIDE THE HOUSE WHILE STEPPING BETWEEN AP1 AND I. I IMMEDIATELY INSTRUCTED AP1 TO STEP ASIDE, AND WHEN HE REFUSED, I PUSHED HIM BACK INTO THE DOORWAY OF THE HOUSE. AT THIS TIME I WAS ABLE TO FINISH HANDCUFFING AP1 AND, ONCE COMPLETE, I INFORMED AP1 HE WAS BEING ARRESTED ALSO. AP1 THEN BEGAN SCREAMING OBSCENITIES AT ME AS I HANDCUFFED AP2 AND WALKED BOTH AP1 AND AP2 BACK TO MY MARKED PATROL VEHICLE.

AFTER PLACING AP2 INSIDE MY PATROL VEHICLE, I THEN ATTEMPTED TO PLACE AP1 INSIDE THE VEHICLE AS WELL (ON THE OPPOSITE SIDE OF AP2). I OPENED THE REAR DRIVER'S SIDE DOOR IN ORDER FOR AP1 TO MAKE ENTRY INTO THE VEHICLE, HOWEVER AP1 REFUSED. I WAS ABLE TO PLACE AP1 IN THE BACK SEAT, BUT AP1, ONCE SEATED, BEGAN KICKING AT THE DOOR OF THE VEHICLE. IN A FINAL ATTEMPT TO PUSH THEM INSIDE THE VEHICLE. AP1, IN RESPONSE, KICKED ME SEVERAL TIMES IN THE LEG AND THE SIDE. AFTER A FEW MOMENTS I WAS FINALLY ABLE TO CONTROL AP1'S LEGS AND PUSH THEM COMPLETELY INSIDE THE VEHICLE. NEXT, I TRANSPORTED AP1 AND AP2 TO 401 S. FRIO FOR BOOKING. DURING TRANSPORT, AP1 CONTINUOUSLY BERATED ME WITH PROFANITY AND ACCUSATIONS THAT I WAS A "FUCKING RACIST". AP1'S TIRADE CONTINUED UPON ARRIVAL AT 401 S. FRIO AND CULMINATED WHEN, AFTER REMOVING AP1 FROM MY PATROL VEHICLE, AP1 SPIT DIRECTLY AND DELIBERATELY IN MY FACE. I INFORMED AP1 IMMEDIATELY THAT SUCH ACTION WAS A CRIMINAL OFFENSE. AP1 STATED, "I DON'T GIVE A FUCK!" I THEN ESCORTED AP1 AND AP2 INTO THE MAGISTRATE'S OFFICE FOR BOOKING.

IN THE END, I DETERMINED AP1 THREATENED TO COMMIT AN OFFENSE INVOLVING VIOLENCE TO O WITH THE INTENT TO PLACE O IN FEAR OF IMMINENT SERIOUS BODILY INJURY. ADDITIONALLY, AP1 INTENTIONALLY PREVENTED A PERSON HE KNEW WAS A PEACE OFFICER FROM EFFECTING HIS TRANSPORTATION BY USING FORCE AGAINST SAID OFFICER. FINALLY, WITH THE INTENT TO ASSAULT,

HARASS, AND ALARM, AP1 CALLED A PERSON HE KNEW TO BE .
PUBLIC SERVANT TO CONTACT HIS SALIVA WHILE SAID PUBLIC
SERVANT WAS LAWFULLY DISCHARGING AN OFFICAL DUTY AND AS
RETRALIATION FOR THE PUBLIC SERVANT'S PERFORMANCE OF AN
OFFICIAL DUTY. AP2, I DETERMINED, WITH CRIMINAL NEGLIGENCE
DISRUPTED AND IMPEDED A PEACE OFFICER WHILE THE PEACE
OFICER WAS PERFORMING A DUTY IMPOSED OR GRANTED BY LAW.

P E R S O N M O I N F O R M A T I O N

PRE-INCIDENT CONTACT: COMP KN SUSP
SUSPECT/COMPLAINANT LOCATION: N/A
SUSPECT PRETENDED TO BE: N/A

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SAN ANTONIO POLICE DEPARTMENT

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PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/03

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

SUSPECT SOLICITED/OFFERED: N/A
SUSPECT ACTIONS: OTHER
AP1 THREATENED C WITH ACT OF VIOLENCE WITH INTENT TO PLACE HIM IN FEAR OF
SERIOUS BODILY INJURY
FORCED COMPLAINANT TO: N/A
MEANS OF ATTACK: N/A
FORCE INFLICTED: NONE
VEHICLE INVOLVEMENT: N/A
MEANS OF ESCAPE: N/A
COMPLAINANT WAS: OTHR
C AT HOME WITH FAMILY

P R O P E R T Y M O I N F O R M A T I O N

D I S P A T C H I N G I N F O R M A T I O N

DISPATCH CODE: 14 DISTRB

REQUEST FOR SERVICE

DISPATCH TO: 05721 STIFFKEY DR
DISTRICT 5270
REPORT UNIT: RMC

RECEIVED: 10-11-09 0238
DISPATCH: - -
ARRIVED: - -
CLEARED: - -

REPORTED BY: UNK/FEM

ADDRESS: [REDACTED] APT: PHONE: [REDACTED]

OFFICERS DISPATCHED
BELVER, MATTHEW

BADGE
1106-R

OFFICERS DISPATCHED

BADGE

REPORT ENTERED BY: 10

10-20-09 1341

APPROVING: 0000

SUPERVISOR: 3999 APPROVAL, RPT SGT

REPORT ENTERED BY: 0000 CORTINAS, ROSALINDA

10-20-09 1409

COPIES OF REPORT TO: CID

Gang Related Suspected Hate Crime Domestic Violence Drive-by Shooting
 Routing of Reports: Homicide Robbery Forgery Intelligence Arson Youth T.I.D.
 Check Appropriate Box (Original to Records):

(3) Offense/Event: **PC 22.11 Harassment of Public Servant**
 (4) Location of Offense (Number, Street, Apt. Number): **401 S. Frio**
 Apt #: _____ (5) District: **2360**

(6) Dates of Occurrence: **10/11/09** (MM/DD/YY)
 (7) Hours of Occurrence: **0330**
 (8) Reporting Officer (Name/Badge): **M. Belver #1106**
 Signature: _____ Reporting Date: **10/11/09**

(9) Firm Name Address Phone: _____ (10) Approving Authority (Name, Badge Date): _____

(11) Code: C - Complainant, W - Witness, R - Reporting Person, G - Guardian, M - Manager/Owner, O - Other
 Best Address: _____ Phone: _____ D-Day: _____ N-Night: _____ B-Both: _____

Code	Name (Last, First, MI)	Title	Race - Sex - DOB	Res.	Bus.	D-Day	N-Night	B-Both
C	Belver, M.	SAPD #1106	L M [Redacted]	Res.	Bus. SAPD			
W	[Redacted]		[Redacted]	Res. [Redacted]				B
O	[Redacted]		[Redacted]	Res. [Redacted]				B

Inj. Per. Code: _____ (12) Victim Taken to: _____ (13) Transported By: _____ (14) Describe Injuries: _____ (15) Condition: _____

Property Section

Codes	S - Stolen	D - Damaged	L - Lost	F - Found	R - Recovered	E - Evidence
Code	Description (Brand/Make)	Article	Model/Caliber/Color	Serial Number	OAN Number	Estimated Value

List Additional items on SAPD Form 2-PCU

I on the above listed date and time, had legal custody, and was the legal owner of the property listed here-in, which corporeal, personal property was wrongfully taken, without my consent, and I desire to prosecute the party, or parties, responsible.
 X _____ X _____ Date: _____
 (Signature of Owner/Manager) (Signature of Reporting Officer)

Forgery Evidence: One Forged Check/Card on the Account of _____ Dated _____ Pay to the order of _____
 Check Number _____ In the Amount of \$ _____ Drawn on the _____ Bank
 Account/Card Number _____ And signed with the Makers Signature of _____

(16) Prop Tag Number: _____ (17) Property Receipt Made: Yes No
 (18) Photograph Taken: Yes No (19) OAN applied it (TYPE): DL SSN DOB OTHER
 (20) Total Stolen Value: _____

(21) Size of Property Taken Was: Concealable Hand Carried Needed Assistance
 (22) Obvious Property Not Taken: Jewelry Money Furs Guns Radio/TV/Stereo Personal Accessories Other

Vehicles/Bicycle Information

(23) Stolen Crim. Misch. Burg Vehicle Unauth. Use Access. Theft Theft LPD Impound Vehicle Abandoned Vehicle

License Number: _____ State / Yr / Type: _____ Year: _____ Make: _____ Model: _____ Style: _____ VIN: _____

Bicycle Serial Number: _____ Make: _____ Model: _____ Type Frame: Boys Girl Type Brake: Hand Foot Wheel Size: _____ Speed: _____

(24) Color 1 (Solid or Top): _____ Color 2: _____ (25) Special Vehicle Features: Enter Number(s) From Below

1. Beige	9. Cream	17. Pink	1. Level Altered	9. Damage to Front	17. Special Wheels/Tires (Mags, Wide Tires, Etc.)
2. Black	10. Gold	18. Red	2. Sticker/Decal on Body/Bumper	10. Damage to Rear	18. Extra Antenna(s)/Mirrors
3. Blue/Light	11. Gray	19. Silver	3. Sticker/Decal on Window	11. Damage to Side	19. Tinted Windows
4. Blue	12. Green/Light	20. Tan	4. Rust or Primer	12. Painted Inscription on Body	20. Other
5. Blue/Dark	13. Green	21. Turquoise	5. Decorative Paint	13. Vinyl Top	
6. Bronze	14. Green/Dark	22. White	6. Window Broken	14. Door Panel(s) Removed	
7. Brown	15. Maroon	23. Yellow	7. Missing Parts	15. Torn Seal(s) Headliner	
8. Copper	16. Orange	24. Other	8. Loud Mufflers	16. Camper Top	

(26) Further Vehicle/Bicycle Description: _____

(27) Insurance Company: _____ Policy Number: _____ (28) Value of Vehicle/Bicycle: _____ (29) Vehicle/bicycle Insured?: Yes No

- (30) Type Premises
- | | | | | |
|------------------------|----------------------------|----------------------------|----------------------------|-----------------|
| 1. Single Family House | 5. Chain/Convenience Store | 9. Bar/Lounge | 13. Car/Bus/Truck | 17. Park |
| 2. Apartment | 6. Liquor Store | 10. Bank/Saving & Loan | 14. Office | 18. Parking Lot |
| 3. Hotel/Motel | 7. Gas/Service Station | 11. Finance Company | 15. Street/Roadway | 19. Restaurant |
| 4. Other Residential | 8. Other Retail Sales | 12. Other Commercial House | 16. School/Public Building | 20. Other |

CRIME AGAINST PROPERTY M.O.	(31) Direction	(33) Entry/Exit Description	(34) Method of Entry	(35) Instrument/Tool Used for Entry
	Entry Only	Point of Entry/Exit	1. Pried	1. Blackjack/Club
	1. North	13 / 13 Unknown	2. Broke	2. Bodily Force
	2. South	14 / 14 Other	3. Cut	3. Bolt Cutter
(32) Location	(Burglary M.V.)	4. Chop/Pound	4. Chain, Locks/Vice Grips	11. Key/Pick/Plastic
Entry Only	16 Vent Window	5. Removed	4. Coal Hanger/Wire	12. Knife
1. Front	17 Door Window	6. Concealment	5. Pry Bar	13. Lock-Puller
2. Right Side	18 Door	7. Threats	6. Cutting Torch	14. Pliers
3. Left Side	19 Hood	8. Fraud	7. Drill	15. Pry Bar
4. Rear	20 Trunk	9. Attempt Only	8. Explosives/Chemicals	16. Rock/Brick
	21 Windshield/Back Glass	10. Unlocked	9. Glass Cutter	17. Screwdriver
		11. Open For Trade	10. Gun (Describe)	18. Unknown
		12. Unknown		19. Other
		13. Other		20. N/A
		14. N/A		

(36) Suspects Actions	(37) Complainant Was	(38) Crime Elements
1. Ate/Drank on Premises	1. At Funeral/Church/Wedding	1. Alarm Inoperative
2. Attempted Defeat/Defeated Alarm	2. At Home	2. Victim of Similar Crime
3. Crime not Complete	3. At Work/School	3. Object of Attack- Abandoned or Under Construction
4. Crime Skillfully Done	4. Absent (Ad in Paper)	4. N/A
5. Knew Location of Hidden Valuable	5. Moving	
6. Malicious Destruction	6. Out of Town	
7. Removed Prints/Gloves	7. Place of Entertainment	
8. Tripped Alarm/Returned Later	8. Present	
9. Turned Lights on/off	9. Shopping	
10. Used Tools Found at Scene	10. Other	
11. Other	11. N/A	
12. N/A		

Forgery and Credit Card Abuse	(39) I.D. Presented by Actor	I.D. Numbers	(40) Witness's Statement	List Witnesses on Front	Pin Number / Initials
	1. Drivers License		1. Can Teller/Cashier Identify Actor?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Service Agent /
	2. Social Security		2. Is Teller/Cashier Known?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Crime Analyst /
	3. Credit Card		3. Does Teller/Cashier Recall Transaction?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Data Entry Clk /
	4. Other		4. Are There Witnesses Who Can identify Actor?	<input type="checkbox"/> Yes <input type="checkbox"/> No	

(41) Explain "Other" Responses by Box Number

(42) List Significant M. O. by Box Number

2. 3. 4. 5.

(43) Details of the Offense/Event **Dispatched to the listed location for a report of threats involving guns. Upon arrival I contacted O and W. W stated she was in the house at the listed location when she heard a loud disturbance in which individuals were screaming and shouting profanity and from which loud banging noises were emanating. W, realizing she was expecting her sister home at any moment, woke O so the two could investigate what was happening outside their residence. Once outside, W observed AP1 and another male (neither W nor O could identify the second male) screaming at W's sister and her boyfriend from outside the boyfriend's truck. AP1 was screaming for the boyfriend to get out of the truck so AP1 could fight him. Both W and O recognized AP1 as an individual continually terrorizing people in the neighborhood and which several of O's neighbors had reported to police for a variety of crimes including burglary and criminal mischief. At this point, O instructed AP1 to leave his daughter and her boyfriend alone and to get away from the boyfriend's truck. AP1 then redirected his anger at O and began, according to both O and W, walking toward O in an aggressive manner (with fists clinched screaming he was going to "fuck up your shit" to O). O continued to tell AP1 to simply leave O and his family alone, but AP1 refused to listen. AP1 instead kept walking toward O telling O he was going to "beat you to death and then get a gun and kill your whole family". O quickly instructed W to call police and then informed AP1 that the police would soon arrive. According to O, AP1 then told him it did not matter because he was going to get a gun and "kill your family". AP1 then left the location just moments prior to my arrival.**

At this time, O and W informed me I had just missed AP1's presence, but they knew his home address (only one street over) and were in fear AP1 would return to the listed location and make good on his final promise to O (it should be noted that W was especially traumatized by AP1's actions and was tearful and visibly shaken upon my contact with her). Additionally, W stated AP1 prefers to stay out very late and I might observe him roaming the neighborhood streets. I then went to the address O and W provided me for AP1's location. Once there I knocked on the front door and announced myself as police. I then contacted AP1, asked him to step outside, and requested his name and birthdate. AP1 provided me this information and, upon this confirmation, I placed AP1 under arrest. As I was

PRTS Sergeant Badge # Date Time Supplement Attached

Check One
Yes - Victim Notified of Provision of Victim Compensation Act (Art. 6309 - 1V, T. C. S.)
No - Explain in Details

SUPPLEMENT REPORT
SAN ANTONIO POLICE DEPARTMENT

Offense Incident Accident

Page 3 of 5

Case Number 90770137-03

Offense/Event
Harassment of Public Servant

Location of Offense (Number, Street, Apt. Number)
401 S. Frio

District
2360

Dates of Occurrence
10/11/09

(MM/DD/YY)

Hours of Occurrence
0330

Reporting Officer (Name/Badge)
M. Belver #1106

Signature

Reporting Date
10/11/09

Additional Details:

attempting to handcuff AP1, AP2 appeared from the residence and asked what was happening. I informed AP2 that AP1 was being arrested. AP2 then grabbed AP1 by the arm and attempted to pull him back inside the house while stepping between AP1 and I. I immediately instructed AP2 to step aside and, when he refused, I pushed him back into the doorway of the house. At this time I was able to finish handcuffing AP1 and, once complete, I informed AP2 he was being arrested also. AP1 then began screaming obscenities at me as I handcuffed AP2 and walked both AP1 and AP2 back to my marked patrol vehicle.

After placing AP2 inside my patrol vehicle, I then attempted to place AP1 inside the vehicle as well (on the opposite side of AP2). I opened the rear driver's side door in order for AP1 to make entry into the vehicle, however, AP1 refused. I was able to place AP1 in the backseat, but AP1, once seated, began kicking at the door of the vehicle. In a final attempt to get AP1 inside my patrol vehicle, I grabbed both of AP1's legs and tried to push them inside the vehicle. AP1, in response, kicked me several times in the leg and the side. After a few moments I was finally able to control AP1's legs and push them completely inside the vehicle. Next, I transported AP1 and AP2 to 401 S. Frio for booking. During transport, AP1 continuously berated me with profanity and accusations that I was a "fucking racist". AP1's tirade continued upon arrival at 401 S. Frio and culminated when, after removing AP1 from my patrol vehicle, AP1 spit directly and deliberately in my face. I informed AP1 immediately that such action was a criminal offense. AP1 stated, "I don't give a fuck!" I then escorted AP1 and AP2 into the magistrate's office for booking.

In the end, I determined AP1 threatened to commit an offense involving violence to O with the intent to place O in fear of imminent serious bodily injury. Additionally, AP1 intentionally prevented a person he knew was a peace officer from effecting his transportation by using force against said officer. Finally, with the intent to assault, harass, and alarm, AP1 caused a person he knew to be a public servant to contact his saliva while said public servant was lawfully discharging an official duty and as retaliation for the public servant's performance of an official duty. AP2, I determined, with criminal negligence disrupted and impeded a peace officer while the peace officer was performing a duty imposed or granted by law.

Continuation of Incident Report Recovered Vehicle Field Interview
 Offense Report Supplemental Report

(48) CASE NO 90770137-03

Location 401 S. Frio Date 10/11/09 Time 0330 Officer M. Belver Badge 1106

(49) CODES SP - Suspected Person AP - Arrested Person WP - Wanted Person MP - Missing Person FC - Field Contact ED - Emergency Detention

Table with columns: Code, Name (Last, First Middle), Race, Sex, Age or DOB, Height, Weight, Hair, Eyes. Includes entries for AP1 (Ramos, Sammy Rey) and AP2 (Ramos, Luis A.) with their respective physical characteristics and charges.

Table for SUBJECTS PERSONAL HISTORY. Columns: (50) Hair Length, (51) Hair Style, (52) Facial Hair, (53) Speech Manner, (54) Speech Characteristic. Includes checkboxes for various hair styles and speech patterns.

Table for SUBJECTS PERSONAL HISTORY. Columns: (55) General Appearance, (56) Tattoo Description, (57) Scars-Subject NO, (58) Deformity, (59) Complexion. Includes checkboxes for appearance, tattoo locations, scars, and complexion.

Table for SUBJECTS PERSONAL HISTORY. Columns: (60) Teeth, (61) Eyes, (62) Right-Left Handed, (63) Build, (64) Subject Wore, (65) Description Reliability, (66) Outstanding Description Boxes. Includes checkboxes for dental, eye, handedness, build, clothing, and reliability.

(67) Possible Cause of Absence (68) Competency (Physical) (69) Competency (Mental) (70) Possible Destination

(71) Further Subject(s) Description(s): (Explain "Other" Responses by Box and Subject Numbers). Table with columns: Box No., Subj Code.

WEAPON DESCOR. Table with columns: (72) Weapon, (73) Gun Features. Includes checkboxes for weapon types (Handgun, Shotgun, Rifle, etc.) and gun features (Chrome/Nickel, Single Barrel, etc.).

(48) CASE NO

90770137-03

VEHICLE INFORMATION	(74) <input type="checkbox"/> Suspect Recovered	Driver Was (Code)	Lic No.	State	Yr.	Type	Year	Make	Model	Style	VIN No.
	(75) Color 1 (Solid or Top)		Color 2		(76) Special Vehicle Features (check all that apply)						
	1 Beige 2 Black 3 Blue/Light 4 Blue 5 Blue/Dark 6 Bronze 7 Brown 8 Copper	9 Cream 10 Gold 11 Gray 12 Green/Light 13 Green 14 Green/Dark 15 Maroon 16 Orange	17 Pink 18 Red 19 Silver 20 Tan 21 Turquoise 22 White 23 Yellow 24 Other	1 <input type="checkbox"/> Level Altered 2 <input type="checkbox"/> Sticker/Decal on Body/Bumper 3 <input type="checkbox"/> Sticker/Decal on Window 4 <input type="checkbox"/> Rust or Primer 5 <input type="checkbox"/> Decorative Paint 6 <input type="checkbox"/> Window Broken 7 <input type="checkbox"/> Missing Parts 8 <input type="checkbox"/> Loud Mufflers	9 <input type="checkbox"/> Damage to Front 10 <input type="checkbox"/> Damage to Rear 11 <input type="checkbox"/> Damage to Side 12 <input type="checkbox"/> Painted Inscription on Body 13 <input type="checkbox"/> Vinyl Top 14 <input type="checkbox"/> Door Panel(s) Removed 15 <input type="checkbox"/> Torn Seat(s) Headliner 16 <input type="checkbox"/> Camper Top	17 <input type="checkbox"/> Special Wheels/Tires (Mags, Wide Tires, Etc.) 18 <input type="checkbox"/> Extra Antenna(s)/Mirrors 19 <input type="checkbox"/> Tinted Windows 20 <input type="checkbox"/> Other					

RECOVERED VEHICLE	(77) Further Vehicle Description	(78) Description Reliability <input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Poor
	(79) District Recovered	(80) Disposition of Vehicle 1 <input type="checkbox"/> Auto Pound 2 <input type="checkbox"/> Release to Owner

CRIME AGAINST PERSON M.O.	(81) Method Used 1 <input type="checkbox"/> Towed/Carried 2 <input type="checkbox"/> Hot Wired	3 <input type="checkbox"/> Key in Vehicle 4 <input type="checkbox"/> Other
	(82) Condition of Vehicle 1 <input type="checkbox"/> Stripped 2 <input type="checkbox"/> Wrecked	3 <input type="checkbox"/> Burned 4 <input type="checkbox"/> No Apparent Damage

(84) Pre-Incident Contact 1 <input type="checkbox"/> Bar 2 <input type="checkbox"/> Party 3 <input type="checkbox"/> Place of Entertainment (Movie, etc.) 4 <input type="checkbox"/> Residence (own/Other) 5 <input type="checkbox"/> Shopping 6 <input type="checkbox"/> School 7 <input type="checkbox"/> Park/Recreational Fac. 8 <input checked="" type="checkbox"/> Complainant Knows Susp. 9 <input type="checkbox"/> None 10 <input type="checkbox"/> N/A	(85) Suspect/Complainant Location 1 <input type="checkbox"/> Suspect a Pedestrian 2 <input type="checkbox"/> Suspect in a Vehicle 3 <input type="checkbox"/> Complainant a Pedestrian 4 <input type="checkbox"/> Complainant in Vehicle 5 <input checked="" type="checkbox"/> N/A	(86) Suspect. Pretended to be 1 <input type="checkbox"/> Customer 2 <input type="checkbox"/> Seeking Someone 3 <input type="checkbox"/> Aiding Complainant 4 <input type="checkbox"/> Blind/Crippled, etc. 5 <input type="checkbox"/> Delivery/Repairman 6 <input type="checkbox"/> Renting 7 <input type="checkbox"/> Military Person 8 <input type="checkbox"/> Police Officer 9 <input type="checkbox"/> Other 10 <input checked="" type="checkbox"/> N/A	(87) Suspect Solicited/Offered 1 <input type="checkbox"/> Aid for Vehicle 2 <input type="checkbox"/> Ride 3 <input type="checkbox"/> Use Phone 4 <input type="checkbox"/> Information 5 <input type="checkbox"/> Money 6 <input type="checkbox"/> Sex 7 <input type="checkbox"/> Asked for Merchandise 8 <input type="checkbox"/> Drugs 9 <input type="checkbox"/> 3-Card Monty 10 <input type="checkbox"/> Pigeon Drop 11 <input type="checkbox"/> Home Repair 12 <input type="checkbox"/> Other Type Con Game 13 <input type="checkbox"/> Other 14 <input checked="" type="checkbox"/> N/A
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(88) Suspect Actions 1 <input type="checkbox"/> Demanded Money 2 <input type="checkbox"/> Made Gestures 3 <input type="checkbox"/> Rip Out Telephone 4 <input type="checkbox"/> Used Note 5 <input type="checkbox"/> Used Lookout/Accomplice 6 <input type="checkbox"/> Fired Shots 7 <input type="checkbox"/> Purse Snatched 8 <input type="checkbox"/> Assault(S)	9 <input type="checkbox"/> Took Comp's Clothing 10 <input type="checkbox"/> Raped Complainant 11 <input type="checkbox"/> Fondled Complainant 12 <input type="checkbox"/> Raped More Than Once 13 <input type="checkbox"/> Ripped/Cut Clothing 14 <input type="checkbox"/> Used Lubricant 15 <input checked="" type="checkbox"/> Other 16 <input type="checkbox"/> N/A	(89) Forced Complainant to 1 <input type="checkbox"/> Lie Down 2 <input type="checkbox"/> Enter Restroom 3 <input type="checkbox"/> Rear Of Building 4 <input type="checkbox"/> Disrobe 5 <input type="checkbox"/> Place Property In Sack 6 <input type="checkbox"/> Unnatural Sex Acts 7 <input type="checkbox"/> No Force 8 <input type="checkbox"/> Other 9 <input checked="" type="checkbox"/> N/A	(90) Weapon - Means of Attack 1 <input type="checkbox"/> Gun (Describe) 2 <input type="checkbox"/> Knife/Cut/Stab Instrument 3 <input type="checkbox"/> Rock Or Brick 4 <input type="checkbox"/> Explosives 5 <input type="checkbox"/> Strangulation 6 <input type="checkbox"/> Bodily Force- Hand/Feet 7 <input type="checkbox"/> Bum/Scald 8 <input type="checkbox"/> Blackjack/Club 9 <input type="checkbox"/> Gas/Carbon Monoxide 10 <input type="checkbox"/> Poison/Drugs/Liquor 11 <input type="checkbox"/> Threats Against Complainant/Family 12 <input type="checkbox"/> Mutual Consent 13 <input type="checkbox"/> Vehicle (Describe) 14 <input type="checkbox"/> Other 15 <input checked="" type="checkbox"/> N/A
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(91) Force Inflicted 1 <input type="checkbox"/> Handcuff/Tie Comp. 2 <input type="checkbox"/> Burn/Scald Comp. 3 <input type="checkbox"/> Covered Comp. Face 4 <input type="checkbox"/> Cut/Stab Comp. 5 <input type="checkbox"/> Pull/Grab Comp. 6 <input type="checkbox"/> Shot Comp. 7 <input type="checkbox"/> Choke/Strangle Comp.	8 <input type="checkbox"/> Blindfold/Gag Comp. 9 <input type="checkbox"/> Hit Comp. Prior To Act 10 <input type="checkbox"/> Hit Comp. During Act 11 <input type="checkbox"/> Hit Comp. After Act 12 <input type="checkbox"/> Other 13 <input checked="" type="checkbox"/> None	(92) Vehicle Involvement 1 <input type="checkbox"/> Hid In Rear Seat 2 <input type="checkbox"/> Comp Forced Into Veh 3 <input type="checkbox"/> Comp's Vehicle Taken 4 <input type="checkbox"/> Comp Parking /Garaging 5 <input type="checkbox"/> Forced Comp's Vehicle To Curb 6 <input type="checkbox"/> Cover/Bend/Alter License Plate 7 <input type="checkbox"/> Forced Way Into Vehicle 8 <input type="checkbox"/> Disabled Comp's Vehicle 9 <input checked="" type="checkbox"/> N/A	(93) Means of Escape 1 <input type="checkbox"/> Vehicle Alone 2 <input type="checkbox"/> Vehicle Cohorts 3 <input type="checkbox"/> Bicycle 4 <input type="checkbox"/> Foot 5 <input type="checkbox"/> Unknown 6 <input checked="" type="checkbox"/> N/A
--	--	--	--

(94) Complainant Was 1 <input type="checkbox"/> Opening/Closing Business 2 <input type="checkbox"/> Physically/ Mentally Handicapped 3 <input type="checkbox"/> Intoxicated 4 <input type="checkbox"/> Tourist	5 <input type="checkbox"/> Gambling 6 <input type="checkbox"/> Alone 7 <input checked="" type="checkbox"/> Other 8 <input type="checkbox"/> N/A
--	--

(95) Complainant's Occupation

(96) Place of Employment

(97) Uniform Worn Yes No

(98) Explain Other Responses by Box No

(88) AP1 threatened C with act of violence with intent to place him in fear of imminent serious bodily injury

(94) C at home with family

(99) List Significant M.O. by Box No. 1 2 3 4 5

(100) SUBJECT #	CONTACT DATA					CODES				
1	2	3	0	1	2	3	4	5	6	7
			Duration	1-15	16-30	Over 30				
			Video Camera	Yes	No					
			Search	None	Probable Cause	Consensual	Incident to Arrest	Inventory	Refused Search	
			Contraband	None	Evidence	*Block Not Used*	Recovered Stolen	Found	Narcotics	
			Reason for Contact	Traffic	Dispatched	Field Contact	Suspicious Conduct	Other		
			Disposition of Contact	Released	Written Warning	Traffic Citation	Misdemeanor Citation	Custodial Arrest	Field Contact	
			Known Criminal History	Yes	No					
			3rd Party Information	Other Officer/Agency	Complainant/Citizen	None				

(100) Additional Detail Information:

Dispatched

Additional Sheets Attached

10-20-09 1414

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SAN ANTONIO POLICE DEPARTMENT

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PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/04

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: HOMICIDE

REPORTING OFFICER: 1106 BELVER, MATTHEW

O F F E N S E I N F O R M A T I O N

OFFENSE: 530009 INTERFERE W/DUTIES PUB SERVANT

DATES OF OCCURRENCE
SUN 10-11-09 0250

OFF. LOC : 00815 INKS FARM

DISTRICT : 5270

TYPE PREM: SNGL FMLY

WEATHER: /

COMP. NAME: BELVER, M.

TITLE R/S ID? DOB

SAPD #1106 L M

RES ADDR: 00000

APT NO.:

CITY/ST:

AC/PHONE: / -

BUS ADDR: SAPD

APT NO.:

CITY/ST: SAN ANTONIO TX

AC/PHONE: 210 / -

CALL# DETECTIVES ASSIGNED BADGE CALL# DETECTIVES ASSIGNED BADGE

ARRESTED PERSON 01

CODE N A M E

NICKNAME/ALIAS

AP01 RAMOS, SAMMY REY

ADDR: 00815 INKS FARM

SAN ANTONIO TX

CHARGES: TERR. THRT/RES./HARR. PUB SERV

RAC SEX AGE DOB HEIGHT WEIGHT HAIR COLOR EYE COLOR
H M / [REDACTED] 601/ 139/ BROWN BROWN

DESCRIPTION RELIABLITY: EXCLNT

ARRESTED PERSON 02

CODE N A M E

NICKNAME/ALIAS

AP02 RAMOS, LUIS A

ADDR: 00815 INKS FARM

SAN ANTONIO TX

CHARGES: INT. W/PUBLIC DUTIES

RAC SEX AGE DOB HEIGHT WEIGHT HAIR COLOR EYE COLOR
H M / [REDACTED] 601/ 205/ BLACK BROWN

DESCRIPTION RELIABLITY: EXCLNT

W I T N E S S E S A N D O T H E R S

CODE TITLE R S ID? DOB

C NAME: BELVER, M.

SAPD #1106 L M

RES ADDR:

APT NO.:

CITY/ST:

AC/PHONE: / -

BUS ADDR: SAPD

APT NO.:

CITY/ST: SAN ANTONIO TX

AC/PHONE: 210 / -

DOCUMENT# 10

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SAN ANTONIO POLICE DEPARTMENT

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PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 770137/04

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: HOMICIDE

CODE			TITLE	R	S	ID?	DOB
W00	NAME:	[REDACTED]	O'S DAUGHT	L	F		[REDACTED]
	RES ADDR:	[REDACTED]	APT NO.:				
	CITY/ST:	SAN ANTONIO TX	APT NO.:				
	BUS ADDR:	[REDACTED]	AC/PHONE:	210	/	[REDACTED]	B
	CITY/ST:	[REDACTED]	AC/PHONE:		/	-	
CODE			TITLE	R	S	ID?	DOB
000	NAME:	[REDACTED]		L	M		[REDACTED]
	RES ADDR:	[REDACTED]	APT NO.:				
	CITY/ST:	SAN ANTONIO TX	APT NO.:				
	BUS ADDR:	[REDACTED]	AC/PHONE:	210	/	[REDACTED]	B
	CITY/ST:	[REDACTED]	AC/PHONE:		/	-	

D E T A I L S

NOTIFIED OF PROVISIONS OF TEXAS CRIME VICTIM ACT:

DISPATCHED TO THE LISTED LOCATION FOR A REPORT OF THREATS INVOLVING GUNS. UPON ARRIVAL I CONTACTED O AND W. W STATED SHE WAS IN THE HOUSE AT THE LISTED LOCATION WHEN SHE HEARD A LOUD DISTURBANCE IN WHICH INDIVIDUALS WERE SCREAMING AND SHOUTING PROFANITY AND FROM WHICH LOUD BANGING NOISES WERE EMANATING. W, REALIZING SHE WAS EXPECTING HER SISTER HOME AT ANY MOMENT, WOKE O SO THE TWO COULD INVESTIGATE WHAT WAS HAPPENING OUTSIDE THEIR RESIDENCE. ONCE OUTSIDE, W OBSERVED AP1 AND ANOTHER MALE (NEITHER W NOR O COULD IDENTIFY THE SECOND MALE) SCREAMING AT W'S SISTER AND HER BOYFRIEND FROM OUTSIDE THE BOYFRIEND'S TRUCK. AP1 WAS SCREAMING FOR THE BOYFRIEND TO GET OUT OF THE TRUCK SO AP1 COULD FIGHT HIM. BOTH W AND O RECOGNIZED AP1 AS AN INDIVIDUAL CONTINUALLY TERRORIZING PEOPLE IN THE NEIGHBORHOOD AND WHICH SEVERAL OF O'S NEIGHBORS HAD REPORTED TO POLICE FOR A VARIETY OF CRIMES INCLUDING BURGLARY AND CRIMINAL MISCHIEF. AT THIS POINT, O INSTRUCTED AP1 TO LEAVE HIS DAUGHTER AND HER BOYFRIEND ALONE AND TO GET AWAY FROM THE BOYFRIEND'S TRUCK. AP1 THEN REDIRECTED HIS ANGER AT O AND BEGAN, ACCORDING TO BOTH O AND W, WALKING TOWARD O IN AN AGGRESSIVE MANNER (WITH FISTS CLINCHED SCREAMING HE WAS GOING TO "FUCK UP YOUR SHIT" TO (O). O CONTINUED TO TELL AP1 TO SIMPLY LEAVE O AND HIS FAMILY ALONE, BUT AP1 REFUSED TO LISTEN. AP1 INSTEAD KEPT WALKING TOWARD O TELLING O HE WAS GOING TO "BEAT YOU TO DEATH AND THEN GET A GUN AND KILL YOUR WHOLE FAMILY". O QUICKLY INSTRUCTED W TO CALL POLICE AND THEN INFORMED AP1 THAT THE POLICE WOULD SOON ARRIVE. ACCORDING TO O, AP1 THEN TOLD HIM IT DID NOT MATTER BECAUSE HE WAS GOING TO GET A GUN AND "KILL YOUR FAMILY". AP1 THEN LEFT THE LOCATION JUST MOMENTS PRIOR TO MY ARRIVAL.

AT THIS TIME, O AND W INFORMED ME I HAD JUST MISSED AP1'S

PRESENCE, BUT THEY KNEW HIS HOME ADDRESS (ONLY ONE STREET OVER) AND WERE IN FEAR AP1 WOULD RETURN TO THE LISTED LOCATION AND MAKE GOOD ON HIS FINAL PROMISE TO O SHOULD BE NOTED THAT W WAS ESPECIALLY TRAUMATIZED BY AP1'S ACTIONS AND WAS TEARFUL AND VISIBLY SHAKEN UPON MY CONTACT WITH HER). ADDITIONALLY, W STATED AP1 PREFERS TO STAY OUT VERY LATE AND I MIGHT OBSERVE HIM

10-20-09 1414

SAN ANTONIO POLICE DEPARTMENT
PRELIMINARY INVESTIGATION REPORT

PAGE 03 OF 04
EXTRA COPY
CASE NO: 90 770137/04

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: HOMICIDE

ROAMING THE NEIGHBORHOOD STREETS. I THEN WENT TO THE ADDRESS O AND W PROVIDED ME FOR AP1'S LOCATION. ONCE THERE I KNOCKED ON THE FRONT DOOR AND ANNOUNCED MYSELF AS POLICE. I THEN CONTACTED AP1, ASKED HIM TO STEP OUTSIDE, AND REQUESTED HIS NAME AND BIRTHDATE. AP1 PROVIDED ME THIS INFORMATION AND UPON, THIS CONFIRMATION, I PLACED AP1 UNDER ARREST. AS I WAS ATTEMPTING TO HANDCUFF AP1, AP2 APPEARED FROM THE RESIDENCE AND ASKED WHAT WAS HAPPENING. I INFORMED AP1 THAT AP1 WAS BEING ARRESTED. AP2 THEN GRABBED AP1 BY THE ARM AND ATTEMPTED TO PULL HIM BACK INSIDE THE HOUSE WHILE STEPPING BETWEEN AP1 AND I. I IMMEDIATELY INSTRUCTED AP1 TO STEP ASIDE, AND WHEN HE REFUSED, I PUSHED HIM BACK INTO THE DOORWAY OF THE HOUSE. AT THIS TIME I WAS ABLE TO FINISH HANDCUFFING AP1 AND, ONCE COMPLETE, I INFORMED AP1 HE WAS BEING ARRESTED ALSO. AP1 THEN BEGAN SCREAMING OBSCENITIES AT ME AS I HANDCUFFED AP2 AND WALKED BOTH AP1 AND AP2 BACK TO MY MARKED PATROL VEHICLE.

AFTER PLACING AP2 INSIDE MY PATROL VEHICLE, I THEN ATTEMPTED TO PLACE AP1 INSIDE THE VEHICLE AS WELL (ON THE OPPOSITE SIDE OF AP2). I OPENED THE REAR DRIVER'S SIDE DOOR IN ORDER FOR AP1 TO MAKE ENTRY INTO THE VEHICLE, HOWEVER AP1 REFUSED. I WAS ABLE TO PLACE AP1 IN THE BACK SEAT, BUT AP1, ONCE SEATED, BEGAN KICKING AT THE DOOR OF THE VEHICLE. IN A FINAL ATTEMPT TO PUSH THEM INSIDE THE VEHICLE. AP1, IN RESPONSE, KICKED ME SEVERAL TIMES IN THE LEG AND THE SIDE. AFTER A FEW MOMENTS I WAS FINALLY ABLE TO CONTROL AP1'S LEGS AND PUSH THEM COMPLETELY INSIDE THE VEHICLE. NEXT, I TRANSPORTED AP1 AND AP2 TO 401 S. FRIO FOR BOOKING. DURING TRANSPORT, AP1 CONTINUOUSLY BERATED ME WITH PROFANITY AND ACCUSATIONS THAT I WAS A "FUCKING RACIST". AP1'S TIRADE CONTINUED UPON ARRIVAL AT 401 S. FRIO AND CULMINATED WHEN, AFTER REMOVING AP1 FROM MY PATROL VEHICLE, AP1 SPIT DIRECTLY AND DELIBERATELY IN MY FACE. I INFORMED AP1 IMMEDIATELY THAT SUCH ACTION WAS A CRIMINAL OFFENSE. AP1 STATED, "I DON'T GIVE A FUCK!" I THEN ESCORTED AP1 AND AP2 INTO THE MAGISTRATE'S OFFICE FOR BOOKING.

IN THE END, I DETERMINED AP1 THREATENED TO COMMIT AN OFFENSE INVOLVING VIOLENCE TO O WITH THE INTENT TO PLACE O IN FEAR OF IMMINENT SERIOUS BODILY INJURY. ADDITIONALLY, AP1 INTENTIONALLY PREVENTED A PERSON HE KNEW WAS A PEACE OFFICER FROM EFFECTING HIS TRANSPORTATION BY USING FORCE AGAINST SAID OFFICER. FINALLY, WITH THE INTENT TO ASSAULT,

HARASS, AND ALARM, AP1 CALLED A PERSON HE KNEW TO BE
PUBLIC SERVANT TO CONTACT HIS SALIVA WHILE SAID PUBLIC
SERVANT WAS LAWFULLY DISCHARGING AN OFFICAL DUTY AND AS
RETIATION FOR THE PUBLIC SERVANT'S PERFORMANCE OF AN
OFFICIAL DUTY. AP2, I DETERMINED, WITH CRIMINAL NEGLIGENCE
DISRUPTED AND IMPEDED A PEACE OFFICER WHILE THE PEACE
OFICER WAS PERFORMING A DUTY IMPOSED OR GRANTED BY LAW.

P E R S O N M O I N F O R M A T I O N

PRE-INCIDENT CONTACT: COMP KN SUSP
SUSPECT/COMPLAINANT LOCATION: N/A
SUSPECT PRETENDED TO BE: N/A

10-20-09 1414

SAN ANTONIO POLICE DEPARTMENT

PAGE 04 OF 04

PRELIMINARY INVESTIGATION REPORT

EXTRA COPY

CASE NO: 90 770137/04

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: HOMICIDE

SUSPECT SOLICITED/OFFERED: N/A
SUSPECT ACTIONS: OTHER
AP1 THREATENED C WITH ACT OF VIOLENCE WITH INTENT TO PLACE HIM IN FEAR OF
SERIOUS BODILY INJURY
FORCED COMPLAINANT TO: N/A
MEANS OF ATTACK: N/A
FORCE INFLICTED: NONE
VEHICLE INVOLVEMENT: N/A
MEANS OF ESCAPE: N/A
COMPLAINANT WAS: OTHR
C AT HOME WITH FAMILY

P R O P E R T Y M O I N F O R M A T I O N

D I S P A T C H I N G I N F O R M A T I O N

DISPATCH CODE: 14 DISTRB

REQUEST FOR SERVICE

DISPATCH TO: 05721 STIFFKEY DR
DISTRICT 5270
REPORT UNIT: RMC

RECEIVED: 10-11-09 0238
DISPATCH: - -
ARRIVED: - -
CLEARED: - -

REPORTED BY: UNK/FEM

ADDRESS: [REDACTED] APT: PHONE: [REDACTED]

OFFICERS DISPATCHED
BELVER, MATTHEW

BADGE
1106-R

OFFICERS DISPATCHED

BADGE

REPORT ENTERED BY: 10

10-20-09 1341

APPROVING: 0000

SUPERVISOR: 3999 APPROVAL, RPT SGT

REPORT ENTERED BY: 0000 CORTINAS, ROSALINDA

10-20-09 1414

COPIES OF REPORT TO: HOMICIDE

DOCUMENT# 10

530009

70

San Antonio Police Department				(1) Weather Conditions at Time of Offense				(2) Case Number																																																			
<input checked="" type="checkbox"/> OFFENSE <input type="checkbox"/> INCIDENT <input type="checkbox"/> SUPPLEMENTAL REPORT				<input type="checkbox"/> Warm <input checked="" type="checkbox"/> Cool <input checked="" type="checkbox"/> Dry <input type="checkbox"/> Wet <input type="checkbox"/> Unknown				90770137-04																																																			
<input type="checkbox"/> Gang Related		<input type="checkbox"/> Suspected Hate Crime		Routing of Reports <input type="checkbox"/> Homicide <input type="checkbox"/> Robbery <input type="checkbox"/> Forgery <input type="checkbox"/> Intelligence <input type="checkbox"/> Arson <input type="checkbox"/> Youth <input type="checkbox"/> T.I.D.		<input type="checkbox"/> Domestic Violence		<input type="checkbox"/> Drive-by Shooting		Check Appropriate Box (Original to Records) <input type="checkbox"/>																																																	
(3) Offense/Event				(4) Location of Offense (Number, Street, Apt. Number)				Apt #		(5) District																																																	
PC 38.15 Interference w/Public Duties				315 Inks Farm						5270																																																	
(6) Dates of Occurrence		(7) Date of Occurrence		(8) Reporting Officer (Name/Badge)				Signature		Reporting Date																																																	
10/11/09		10/25/09		M. Belver #1106						10/11/09																																																	
(9) Firm Name Address Phone						(10) Approving Authority (Name, Badge Date)																																																					
(11) Code		C - Complainant W - Witness		R - Reporting Person G - Guardian		M - Manager/Owner O - Other		Best Address		Phone																																																	
Code		Name (Last, First, MI)		Title		Race - Sex - DOB		Res.		D-Day N-Night B-Both																																																	
C		Belver, M. SAPD #1106						Res.																																																			
		Race		L		Sex M DOB		Bus. SAPD																																																			
W								Res.		B																																																	
		Race				Sex DOB		Bus.																																																			
O								Res.		B																																																	
		Race				Sex DOB		Bus.																																																			
Inj. Per.		Code		(12) Victim Taken to		(13) Transported By		(14) Describe Injuries		(15) Condition																																																	
Property Section		Codes S - Stolen D - Damaged L - Lost F - Found R - Recovered E - Evidence																																																									
		Code		Description (Brand/Make)		Article		Model/Caliber/Color		Serial Number		OAN Number																																															
List Additional Items on SAPD Form 2-PCU																																																											
I on the above listed date and time, had legal custody, and was the legal owner of the property listed herein, which corporeal, personal property was wrongfully taken, without my consent, and I desire to prosecute the party, or parties, responsible.																																																											
X _____ X _____				(Signature of Owner/Manager)				(Signature of Reporting Officer)				Date: _____																																															
Forgery Evidence		One Forged Check/Card on the Account of _____ Dated _____ Pay to the order of _____																																																									
		Check Number _____ In the Amount of \$ _____ Drawn on the _____ Bank																																																									
		Account/Card Number _____ And signed with the Makers Signature of _____																																																									
(16) Prop Tag Number		(17) Property Receipt Made		(18) Photograph Taken		(19) OAN applied.it (TYPE)		(20) Total Stolen Value																																																			
		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> DL <input type="checkbox"/> SSN <input type="checkbox"/> DOB <input type="checkbox"/> OTHER																																																					
(21) Size of Property Taken Was		(22) Obvious Property Not Taken																																																									
<input type="checkbox"/> Concealable <input type="checkbox"/> Hand Carried <input type="checkbox"/> Needed Assistance		<input type="checkbox"/> Jewelry <input type="checkbox"/> Money <input type="checkbox"/> Furs <input type="checkbox"/> Guns <input type="checkbox"/> Radio/TV/Stereo <input type="checkbox"/> Personal Accessories <input type="checkbox"/> Other																																																									
Vehicles/Bicycle Information		(23) <input type="checkbox"/> Stolen <input type="checkbox"/> Crim. Misch. <input type="checkbox"/> Burg Vehicle <input type="checkbox"/> Unauth. Use <input type="checkbox"/> Access, Theft <input type="checkbox"/> Theft LPO <input type="checkbox"/> Impound Vehicle <input type="checkbox"/> Abandoned Vehicle		License Number		State / Yr / Type		Year		Make		Model		Style		VIN																																											
				Bicycle Serial Number		Make		Model		Type Frame		Type Brake		Wheel Size		Speed																																											
										<input type="checkbox"/> Boys <input type="checkbox"/> Girl		<input type="checkbox"/> Hand <input type="checkbox"/> Foot																																															
(24) Color 1 (Solid or Top)		(25) Special Vehicle Features Enter Number(s) From Below																																																									
Color 2		<table border="0"> <tr> <td>1 Beige</td> <td>9 Cream</td> <td>17 Pink</td> <td>1. Level Altered</td> <td>8. Damage to Front</td> <td>17. Special Wheels/Tires (Mags, Wide Tires, Etc.)</td> </tr> <tr> <td>2 Black</td> <td>10 Gold</td> <td>18 Red</td> <td>2. Sticker/Decal on Body/Bumper</td> <td>10. Damage to Rear</td> <td>18. Extra Antenna(s)/Mirrors</td> </tr> <tr> <td>3 Blue/Light</td> <td>11 Gray</td> <td>19 Silver</td> <td>3. Sticker/Decal on Window</td> <td>11. Damage to Side</td> <td>19. Tinted Windows</td> </tr> <tr> <td>4 Blue</td> <td>12 Green/Light</td> <td>20 Tan</td> <td>4. Rust or Primer</td> <td>12. Painted Inscription on Body</td> <td>20. Other</td> </tr> <tr> <td>5 Blue/Dark</td> <td>13 Green</td> <td>21 Turquoise</td> <td>5. Decorative Paint</td> <td>13. Vinyl Top</td> <td></td> </tr> <tr> <td>6 Bronze</td> <td>14 Green/Dark</td> <td>22 White</td> <td>6. Window Broken</td> <td>14. Door Panel(s) Removed</td> <td></td> </tr> <tr> <td>7 Brown</td> <td>15 Maroon</td> <td>23 Yellow</td> <td>7. Missing Parts</td> <td>15. Torn Seat(s) Headliner</td> <td></td> </tr> <tr> <td>8 Copper</td> <td>16 Orange</td> <td>24 Other</td> <td>8. Loud Mufflers</td> <td>16. Camper Top</td> <td></td> </tr> </table>										1 Beige	9 Cream	17 Pink	1. Level Altered	8. Damage to Front	17. Special Wheels/Tires (Mags, Wide Tires, Etc.)	2 Black	10 Gold	18 Red	2. Sticker/Decal on Body/Bumper	10. Damage to Rear	18. Extra Antenna(s)/Mirrors	3 Blue/Light	11 Gray	19 Silver	3. Sticker/Decal on Window	11. Damage to Side	19. Tinted Windows	4 Blue	12 Green/Light	20 Tan	4. Rust or Primer	12. Painted Inscription on Body	20. Other	5 Blue/Dark	13 Green	21 Turquoise	5. Decorative Paint	13. Vinyl Top		6 Bronze	14 Green/Dark	22 White	6. Window Broken	14. Door Panel(s) Removed		7 Brown	15 Maroon	23 Yellow	7. Missing Parts	15. Torn Seat(s) Headliner		8 Copper	16 Orange	24 Other	8. Loud Mufflers	16. Camper Top	
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(26) Further Vehicle/Bicycle Description																																																											
(27) Insurance Company				Policy Number				(28) Value of Vehicle/Bicycle		(29) Vehicle/bicycle Insured?																																																	
										<input type="checkbox"/> Yes <input type="checkbox"/> No																																																	

ENTERED

SAPD Form 2-2Rev. (Jun 07) PC

DOCUMENT # 10

2. San Antonio Police Department		Case Number 90770137-04								
(30) Type Premises ① Single Family House 5. Chair/Convenience Store 9. Bar/Lounge 13. Car/Bus/Truck 17. Park 2. Apartment 6. Liquor Store 10. Bank/Saving & Loan 14. Office 18. Parking Lot 3. Hotel/Motel 7. Gas/Service Station 11. Finance Company 15. Street/Roadway 19. Restaurant 4. Other Residential 8. Other Retail Sales 12. Other Commercial House 16. School/Public Building 20. Other										
CRIME AGAINST PROPERTY M.O.	(31) Direction		(33) Entry/Exit Description		(34) Method of Entry		(35) Instrument/Tool Used for Entry			
	Entry Only 1. North 2. South 3. East 4. West		Point of Entry/Exit 1/1 Door 13/13 Unknown 2/2 Window 14/14 Other 3/3 Wall 15/15 N/A 4/4 Garage 5/5 Fence 6/6 Roof 7/7 Floor (Burglary M.V.) 8/8 Skylight 16 Vent Window 9/9 Fire Escape 17 Door Window 10/10 Duct/Vent 18 Door 11/11 Sliding Glass Door 19 Hood 12/12 Adjacent Building 20 Trunk 21 Windshield/Back Glass		1. Pried 2. Broke 3. Cut 4. Chop/Pound 5. Removed 6. Concealment 7. Threats 8. Fraud 9. Attempt Only 10. Unlocked 11. Open For Trade 12. Unknown 13. Other 14. N/A		1. Blackjack/Club 2. Bodily Force 3. Bolt Cutter 4. Chain, Locks/Vice Grips 5. Coat Hanger/Wire 6. Cutting Torch 7. Drill 8. Explosives/Chemicals 9. Glass Cutter 10. Gun (Describe)		11. Key/Pick/Plastic 12. Knife 13. Lock-Puller 14. Pliers 15. Pry Bar 16. Rock/Brick 17. Screwdriver 18. Unknown 19. Other 20. N/A	
	(32) Location									
	Entry Only 1. Front 2. Right Side 3. Left Side 4. Rear									
	(36) Suspects Actions		(37) Complainant Was		(38) Crime Elements					
1. Ate/Drank on Premises 2. Attempted Defeat/Defeated Alarm 3. Crime not Complete 4. Crime Skillfully Done 5. Knew Location of Hidden Valuable 6. Malicious Destruction		7. Removed Prints/Gloves 8. Tripped Alarm/Returned Later 9. Turned Lights on/off 10. Used Tools Found at Scene 11. Other 12. N/A		1. At Funeral/Church/Wedding 2. At Home 3. At Work/School 4. Absent (Ad in Paper) 5. Moving 6. Out of Town		7. Place of Entertainment 8. Present 9. Shopping 10. Other 11. N/A		1. Alarm Inoperative 2. Victim of Similar Crime 3. Object of Attack- Abandoned or Under Construction 4. N/A		
Forgery and Credit Card Abuse	(39) I.D. Presented by Actor		(40) Witness's Statement		List Witnesses on Front		Pin Number / Initials			
	1. Drivers License _____ I.D. Numbers _____		1. Can Teller/Cashier Identify Actor? <input type="checkbox"/> Yes <input type="checkbox"/> No		_____		Service Agent /			
	2. Social Security _____		2. Is Teller/Cashier Known? <input type="checkbox"/> Yes <input type="checkbox"/> No		_____		Crime Analyst /			
	3. Credit Card _____		3. Does Teller/Cashier Recall Transaction? <input type="checkbox"/> Yes <input type="checkbox"/> No		_____		Data Entry Clk /			
4. Other _____		4. Are There Witnesses Who Can Identify Actor? <input type="checkbox"/> Yes <input type="checkbox"/> No		_____		_____				
(41) Explain "Other" Responses by Box Number										
(42) List Significant M. O. by Box Number										
(43) Details of the Offense/Event Dispatched to the listed location for a report of threats involving guns. Upon arrival I contacted O and W. W stated she was in the house at the listed location when she heard a loud disturbance in which individuals were screaming and shouting profanity and from which loud banging noises were emanating. W, realizing she was expecting her sister home at any moment, woke O so the two could investigate what was happening outside their residence. Once outside, W observed AP1 and another male (neither W nor O could identify the second male) screaming at W's sister and her boyfriend from outside the boyfriend's truck. AP1 was screaming for the boyfriend to get out of the truck so AP1 could fight him. Both W and O recognized AP1 as an individual continually terrorizing people in the neighborhood and which several of O's neighbors had reported to police for a variety of crimes including burglary and criminal mischief. At this point, O instructed AP1 to leave his daughter and her boyfriend alone and to get away from the boyfriend's truck. AP1 then redirected his anger at O and began, according to both O and W, walking toward O in an aggressive manner (with fists clinched screaming he was going to "fuck up your shit" to O). O continued to tell AP1 to simply leave O and his family alone, but AP1 refused to listen. AP1 instead kept walking toward O telling O he was going to "beat you to death and then get a gun and kill your whole family". O quickly instructed W to call police and then informed AP1 that the police would soon arrive. According to O, AP1 then told him it did not matter because he was going to get a gun and "kill your family". AP1 then left the location just moments prior to my arrival. At this time, O and W informed me I had just missed AP1's presence, but they knew his home address (only one street over) and were in fear AP1 would return to the listed location and make good on his final promise to O (it should be noted that W was especially traumatized by AP1's actions and was tearful and visibly shaken upon my contact with her). Additionally, W stated AP1 prefers to stay out very late and I might observe him roaming the neighborhood streets. I then went to the address O and W provided me for AP1's location. Once there I knocked on the front door and announced myself as police. I then contacted AP1, asked him to step outside, and requested his name and birthdate. AP1 provided me this information and, upon this confirmation, I placed AP1 under arrest. As I was										
PRTS Sergeant _____ Badge # <u>3017</u> Date _____ Time _____ Supplement Attached <input checked="" type="checkbox"/>										

 Check One
 Yes - Victim Notified of Provision of Victim Compensation Act (Art. 8309 - V. T. C. S.)
 No - Explain in Details (Details)

SUPPLEMENT REPORT
SAN ANTONIO POLICE DEPARTMENT

Offense Incident Accident

Page 3 of 5

Case Number 90770137-04

Offense/Event
Interference w/Public Duties

Location of Offense (Number, Street, Apt. Number)
815 Inks Farm

District
5270

Dates of Occurrence
10/11/09

(MM/DD/YY)

Hours of Occurrence
0250

Reporting Officer (Name/Badge)
M. Belver #1106

Signature

Reporting Date
10/11/09

Additional Details:

attempting to handcuff AP1, AP2 appeared from the residence and asked what was happening. I informed AP2 that AP1 was being arrested. AP2 then grabbed AP1 by the arm and attempted to pull him back inside the house while stepping between AP1 and I. I immediately instructed AP2 to step aside and, when he refused, I pushed him back into the doorway of the house. At this time I was able to finish handcuffing AP1 and, once complete, I informed AP2 he was being arrested also. AP1 then began screaming obscenities at me as I handcuffed AP2 and walked both AP1 and AP2 back to my marked patrol vehicle.

After placing AP2 inside my patrol vehicle, I then attempted to place AP1 inside the vehicle as well (on the opposite side of AP2). I opened the rear driver's side door in order for AP1 to make entry into the vehicle, however, AP1 refused. I was able to place AP1 in the backseat, but AP1, once seated, began kicking at the door of the vehicle. In a final attempt to get AP1 inside my patrol vehicle, I grabbed both of AP1's legs and tried to push them inside the vehicle. AP1, in response, kicked me several times in the leg and the side. After a few moments I was finally able to control AP1's legs and push them completely inside the vehicle. Next, I transported AP1 and AP2 to 401 S. Frio for booking. During transport, AP1 continuously berated me with profanity and accusations that I was a "fucking racist". AP1's tirade continued upon arrival at 401 S. Frio and culminated when, after removing AP1 from my patrol vehicle, AP1 spit directly and deliberately in my face. I informed AP1 immediately that such action was a criminal offense. AP1 stated, "I don't give a fuck!" I then escorted AP1 and AP2 into the magistrate's office for booking.

In the end, I determined AP1 threatened to commit an offense involving violence to O with the intent to place O in fear of imminent serious bodily injury. Additionally, AP1 intentionally prevented a person he knew was a peace officer from effecting his transportation by using force against said officer. Finally, with the intent to assault, harass, and alarm, AP1 caused a person he knew to be a public servant to contact his saliva while said public servant was lawfully discharging an official duty and as retaliation for the public servant's performance of an official duty. AP2, I determined, with criminal negligence disrupted and impeded a peace officer while the peace officer was performing a duty imposed or granted by law.

SAN ANTONIO POLICE DEPARTMENT

Offense/Incident/Supplemental Report (Continuation)

Continuation of Incident Report Offense Report Supplemental Report Recovered Vehicle Field Interview (48) CASE NO 90770137-04

Location 815 Inks Farm Date 10/11/09 Time 0250 Officer M. Belver Badge 1106

(48) CODES SP - Suspected Person AP - Arrested Person WP - Wanted Person MP - Missing Person FC - Field Contact ED - Emergency Detention

AP1 Ramos, Sammy Rey Race W B H M S M Age or DOB [redacted] Height 601 Weight 139 Hair Bro Eyes Bro

AP2 Ramos, Luis A. Race W B H M S M Age or DOB [redacted] Height 601 Weight 205 Hair Blk Eyes Bro

Address and Phone Alias Charges

(50) Hair Length Subject NO (51) Hair Style Subject NO (52) Facial Hair Subject NO (53) Speech Manner Subject NO (54) Speech Characteristic Subject NO

(55) General Appearance Subject NO (56) Tattoo Description Subject NO (57) Scars - Birthmarks Subject NO (58) Deformity Subject NO (59) Complexion Subject NO

(60) Teeth Subject NO (61) Eyes Subject NO (62) Right-Left Handed Subject NO (63) Build Subject NO (64) Subject Wore Subject NO (65) Description Reliability Subject NO (66) Outstanding Description Boxes Subject NO

(67) Possible Cause of Absence (68) Competency (Physical) (69) Competency (Mental) (70) Possible Destination

(71) Further Subject(s) Description(s): (Explain "Other" Responses by Box and Subject Numbers)

Table with columns Box No. and Subl Code. Multiple empty rows.

WEAPON DESCR. (72) Weapon Subject NO (73) Gun Features Subject NO

Make Model Cal/Gauge

(48) CASE NO 90770137-04

VEHICLE INFORMATION	(74) <input type="checkbox"/> Suspect Recovered	Driver Was (Code)	Lic No.	State	Yr.	Type	Year	Make	Model	Style	VIN No.
	(75) Color 1 (Solid or Top)		Color 2		(76) Special Vehicle Features (check all that apply)						
	1 Beige 2 Black 3 Blue/Light 4 Blue 5 Blue/Dark 6 Bronze 7 Brown 8 Copper	9 Cream 10 Gold 11 Gray 12 Green/Light 13 Green 14 Green/Dark 15 Maroon 16 Orange	17 Pink 18 Red 19 Silver 20 Tan 21 Turquoise 22 White 23 Yellow 24 Other	1 <input type="checkbox"/> Level Altered 2 <input type="checkbox"/> Sticker/Decal on Body/Bumper 3 <input type="checkbox"/> Sticker/Decal on Window 4 <input type="checkbox"/> Rust or Primer 5 <input type="checkbox"/> Decorative Paint 6 <input type="checkbox"/> Window Broken 7 <input type="checkbox"/> Missing Parts 8 <input type="checkbox"/> Loud Mufflers	9 <input type="checkbox"/> Damage to Front 10 <input type="checkbox"/> Damage to Rear 11 <input type="checkbox"/> Damage to Side 12 <input type="checkbox"/> Painted Inscription on Body 13 <input type="checkbox"/> Vinyl Top 14 <input type="checkbox"/> Door Panel(s) Removed 15 <input type="checkbox"/> Torn Seat(s) Headliner 16 <input type="checkbox"/> Camper Top	17 <input type="checkbox"/> Special Wheels/Tires (Mags, Wide Tires, Etc.) 18 <input type="checkbox"/> Extra Antenna(s)/Mirrors 19 <input type="checkbox"/> Tinted Windows 20 <input type="checkbox"/> Other					

RECOVERED VEHICLE	(77) Further Vehicle Description	(78) Description Reliability <input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Poor
	(79) District Recovered	(80) Disposition of Vehicle 1 <input type="checkbox"/> Auto Pound 2 <input type="checkbox"/> Release to Owner

CRIME AGAINST PERSON M.O.	(82) Condition of Vehicle 1 <input type="checkbox"/> Stripped 2 <input type="checkbox"/> Wrecked	3 <input type="checkbox"/> Burned 4 <input type="checkbox"/> No Apparent Damage	(83) Stripped or Missing or Parts 1 <input type="checkbox"/> Engine 2 <input type="checkbox"/> Transmission	3 <input type="checkbox"/> Battery 4 <input type="checkbox"/> Body Parts 5 <input type="checkbox"/> Tires	6 <input type="checkbox"/> Wheels 7 <input type="checkbox"/> Radio 8 <input type="checkbox"/> Seats	9 <input type="checkbox"/> License Plate(s) 10 <input type="checkbox"/> Other	
	(84) Pre-Incident Contact 1 <input type="checkbox"/> Bar 2 <input type="checkbox"/> Party 3 <input type="checkbox"/> Place of Entertainment (Movie, etc.) 4 <input type="checkbox"/> Residence (own/Other) 5 <input type="checkbox"/> Shopping 6 <input type="checkbox"/> School 7 <input type="checkbox"/> Park/Recreational Fac. 8 <input checked="" type="checkbox"/> Complainant Knows Susp. 9 <input type="checkbox"/> None 10 <input type="checkbox"/> N/A	(85) Suspect/Complainant Location 1 <input type="checkbox"/> Suspect a Pedestrian 2 <input type="checkbox"/> Suspect in a Vehicle 3 <input type="checkbox"/> Complainant a Pedestrian 4 <input type="checkbox"/> Complainant in Vehicle 5 <input checked="" type="checkbox"/> N/A	(86) Suspect. Pretended to be 1 <input type="checkbox"/> Customer 2 <input type="checkbox"/> Seeking Someone 3 <input type="checkbox"/> Aiding Complainant 4 <input type="checkbox"/> Blind/Crippled, etc. 5 <input type="checkbox"/> Delivery/Repairman 6 <input type="checkbox"/> Renting 7 <input type="checkbox"/> Military Person 8 <input type="checkbox"/> Police Officer 9 <input type="checkbox"/> Other 10 <input checked="" type="checkbox"/> N/A	(87) Suspect Solicited/Offered 1 <input type="checkbox"/> Aid for Vehicle 2 <input type="checkbox"/> Ride 3 <input type="checkbox"/> Use Phone 4 <input type="checkbox"/> Information 5 <input type="checkbox"/> Money 6 <input type="checkbox"/> Sex 7 <input type="checkbox"/> Asked for Merchandise	8 <input type="checkbox"/> Drugs 9 <input type="checkbox"/> 3-Card Monty 10 <input type="checkbox"/> Pigeon Drop 11 <input type="checkbox"/> Home Repair 12 <input type="checkbox"/> Other Type Con Game 13 <input type="checkbox"/> Other 14 <input checked="" type="checkbox"/> N/A		

(88) Suspect Actions 1 <input type="checkbox"/> Demanded Money 2 <input type="checkbox"/> Made Gestures 3 <input type="checkbox"/> Rip Out Telephone 4 <input type="checkbox"/> Used Note 5 <input type="checkbox"/> Used Lookout/Accessory 6 <input type="checkbox"/> Fired Shots 7 <input type="checkbox"/> Purse Snatched 8 <input type="checkbox"/> Assault(S)	9 <input type="checkbox"/> Took Comp's Clothing 10 <input type="checkbox"/> Raped Complainant 11 <input type="checkbox"/> Fondled Complainant 12 <input type="checkbox"/> Raped More Than Once 13 <input type="checkbox"/> Ripped/Cut Clothing 14 <input type="checkbox"/> Used Lubricant 15 <input checked="" type="checkbox"/> Other 16 <input type="checkbox"/> N/A	(89) Forced Complainant to 1 <input type="checkbox"/> Lie Down 2 <input type="checkbox"/> Enter Restroom 3 <input type="checkbox"/> Rear Of Building 4 <input type="checkbox"/> Disrobe 5 <input type="checkbox"/> Place Property In Sack 6 <input type="checkbox"/> Unnatural Sex Acts 7 <input type="checkbox"/> No Force 8 <input type="checkbox"/> Other 9 <input checked="" type="checkbox"/> N/A	(90) Weapon - Means of Attack 1 <input type="checkbox"/> Gun (Describe) 2 <input type="checkbox"/> Knife/Cut/Stab Instrument 3 <input type="checkbox"/> Rock Or Brick 4 <input type="checkbox"/> Explosives 5 <input type="checkbox"/> Strangulation 6 <input type="checkbox"/> Bodily Force- Hand/Feet 7 <input type="checkbox"/> Burn/Scald 8 <input type="checkbox"/> Blackjack/Club	9 <input type="checkbox"/> Gas/Carbon Monoxide 10 <input type="checkbox"/> Poison/Drugs/Liquor 11 <input type="checkbox"/> Threats Against Complainant/Family 12 <input type="checkbox"/> Mutual Consent 13 <input type="checkbox"/> Vehicle (Describe) 14 <input type="checkbox"/> Other 15 <input checked="" type="checkbox"/> N/A
--	---	---	---	--

(91) Force Inflicted 1 <input type="checkbox"/> Handcuff/Tie Comp. 2 <input type="checkbox"/> Burn/Scald Comp. 3 <input type="checkbox"/> Covered Comp. Face 4 <input type="checkbox"/> Cut/Stab Comp. 5 <input type="checkbox"/> Pull/Grab Comp. 6 <input type="checkbox"/> Shot Comp. 7 <input type="checkbox"/> Choke/Strangle Comp.	8 <input type="checkbox"/> Blindfold/Gag Comp. 9 <input type="checkbox"/> Hit Comp. Prior To Act 10 <input type="checkbox"/> Hit Comp. During Act 11 <input type="checkbox"/> Hit Comp. After Act 12 <input type="checkbox"/> Other 13 <input checked="" type="checkbox"/> None	(92) Vehicle Involvement 1 <input type="checkbox"/> Hid In Rear Seat 2 <input type="checkbox"/> Comp Forced Into Veh 3 <input type="checkbox"/> Comp's Vehicle Taken 4 <input type="checkbox"/> Comp Parking /Garaging 5 <input type="checkbox"/> Forced Comp's Vehicle To Curb 6 <input type="checkbox"/> Cover/Bend/Alter License Plate 7 <input type="checkbox"/> Forced Way Into Vehicle 8 <input type="checkbox"/> Disabled Comp's Vehicle 9 <input checked="" type="checkbox"/> N/A	(93) Means of Escape 1 <input type="checkbox"/> Vehicle Alone 2 <input type="checkbox"/> Vehicle Cohorts 3 <input type="checkbox"/> Bicycle 4 <input type="checkbox"/> Foot 5 <input type="checkbox"/> Unknown 6 <input checked="" type="checkbox"/> N/A
--	--	--	--

(95) Complainant's Occupation	(96) Place of Employment	(97) Uniform Worn <input type="checkbox"/> Yes <input type="checkbox"/> No
-------------------------------	--------------------------	---

(98) Explain Other Responses by Box No

(88) AP1 threatened C with act of violence with intent to place him in fear of imminent serious bodily injury
(94) C at home with family

(99) List Significant M.O. by Box No.			1	2	3	4	5		
1	2	3	CONTACT DATA						
			0	1	2	3	4	5	
			Duration	1-15	16-30	Over 30			
			Video Camera	Yes	No				
			Search	None	Probable Cause	Consensual	Incident to Arrest	Inventory	Refused Search
			Contraband	None	Evidence	*Block Not Used*	Recovered Stolen	Found	Narcotics
			Reason for Contact	Traffic	Dispatched	Field Contact	Suspicious Conduct	Other	
			Disposition of Contact	Released	Written Warning	Traffic Citation	Misdemeanor Citation	Custodial Arrest	Field Contact
			Known Criminal History		Yes	No			
			3rd Party Information		Other Officer/Agency	Complainant/Citizen	None		

(100) Additional Detail Information:

Dispatched

Additional Sheets Attached

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: Sgt. C.L. Walker #3203

LOCATION TAKEN: University Hospital

DATE: 10-16-09 / 0915 AM

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

My name is Chase Meneley and I am 21 years old. I am a cadet at the San Antonio Police Academy. I have some college and I read, write, speak, and understand English. I am talking with Sgt. Walker about a prisoner I escorted into the jail that is complaining on the officer that arrested him.

On Saturday night, October 10th to Sunday morning, October 11, I was on a ride along with Officer T. Coleman. Officer Coleman is assigned to dogwatch at the Prue Rd. Substation. During my ride along, Officer Coleman took me to the jail to show me around. We went inside and he showed me around. He also explained the booking process.

As we were leaving the jail, we were walking across the parking lot toward Officer Coleman's patrol car, and we heard a guy yelling. I couldn't understand what he was saying. Our backs were turned to him when we heard him and we were a pretty good ways down the parking lot. Officer Coleman's patrol car was on the opposite end of the parking lot from where the guy was yelling. Officer Coleman's car was parked to the right as you are walking out of the jail and the patrol car where the guy was yelling was to the left as you walk out of the jail.

Officer Coleman and I walked over to where the guy was yelling. We saw a Hispanic male handcuffed to the rear toward the front of a patrol car leaning forward toward the hood. The officer was at the driver's side door. I do not know the officer's name. The prisoner was yelling to Officer Coleman "This officer beat my ass, this officer beat my ass." Officer Coleman was trying to calm the male down. Officer Coleman told the other officer that he would take the guy inside. Officer Coleman escorted the guy into the jail and I followed.

Once inside the jail, Officer Coleman told the guy to sit on the bench. He told me to watch the guy while he put his gun in the lock box. The guy was just running his mouth. He wasn't even making any sense. He was calling me "White cop." The arresting officer came inside with the guy's brother who was also under arrest. Once he was inside we left.

Sgt. Walker showed me a lineup numbered 1694 and asked if I recognized any of the officers. No sir.

Sgt. Walker asked me if I saw any officer mistreat or assault the male that Officer Coleman and myself escorted into the jail. No sir.

Sgt. Walker asked me to describe an injuries I could remember the male we escorted into the jail having. I don't remember seeing any injuries.

Sgt. Walker asked me if I heard the male we escorted into the jail complain of any injuries. No. I heard him say that the officer had kicked his ass but that was outside when we first approached him. I did not hear him say anything else about being assaulted or about being injured but we weren't there very long. As soon as the arresting officer came in we left.

Sgt. Walker asked me to describe as well as I can the location and manner in which the patrol car the guy was standing at the front of was parked. The car was backed into a parking spot against the back fence. The patrol car was to the left of the back door of the jail and down about four or five parking spaces.



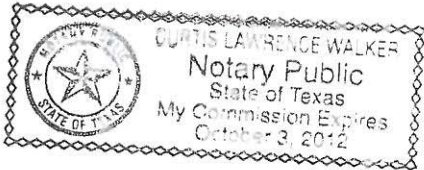
Sgt. Walker asked me if the parking lot was full which would have necessitated the parking of the patrol car the male was transported in its location away from the back door. I don't remember for sure. I know there were patrol cars parked behind the jail but whether open spaces were available closer to the back door I don't know. I didn't pay that much attention to the parking.

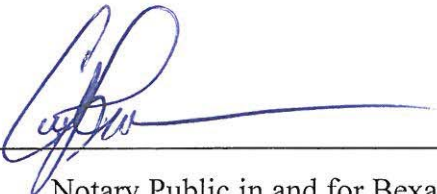
I have read my statement and it is all true and correct. **Sgt. Walker** has informed me Under the Texas Penal Code, a person commits Aggravated Perjury, a Third Degree Felony, if, with intent to deceive and with knowledge of the statements meaning: (1) They make a false statement under oath, or swears 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.

SIGNATURE: 

Sworn to and subscribed to me before this 16 day of October A.D., 2009

SEAL




Notary Public in and for Bexar County, Texas

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: C.L. Walker #3203

LOCATION TAKEN: 800 Dolorosa #402

DATE: October 22, 2009 / 1000

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

My name is Jacqueline Vazquez and I am eighteen years old; my date of birth is [REDACTED] I live at 5721 Stiffkey and my phone number is 837-6578. I am a junior in high school and I can read, write, speak, and understand English.

On the night this happened, Saturday, October 10, 2009, I had gone to Joe's Volcano with my sister, Ana Vasquez and one of her male friends. I don't know his name. Some friends dropped me off at home between 2:00 Am and 2:30 Am on Sunday morning, October 11, 2009. My friend's left when they dropped me off. Ana got home a few minutes after I did. Ana came in to the house but then I saw her going right back outside. I asked where she was going and she said a friend of hers named David was there and she was going to go outside to talk to him. I stayed in the house. I went to my bedroom and went to bed.

About ten minutes after I had gone to bed I heard my mom go outside and call Ana in. I heard my mom yelling "get out of here, get out of here" but she was saying it in Spanish. A few minutes later she yelled at me to call the cops. All of this was in Spanish. My mom doesn't speak English. I ran out of my room and saw my mom standing on the front porch right outside the front door. I asked my mom what was wrong. My mom told me again to call the cops. I asked my mom again what was wrong and she told me in Spanish to look outside. I looked outside and I saw Sammy Ramos arguing with my sister, Ana. They were in the middle of the street in front of my house and Sammy was right up in Ana's face. David was in his truck. I saw that Sammy had a gun in his right hand. Sammy was holding the gun up and sidewise like gangster style. He wasn't just holding the gun out he was waving it all around as we was arguing with Ana. Sammy was telling my sister "fuck you stupid bitch don't you know who I am? I'm Ramos! You don't fuck with [REDACTED] [REDACTED] I saw two other Hispanic males jump out of some hedges on the side of my house. Both of these males ran toward the middle of the street where Sammy and my sister were arguing. One of them had a gun. It was a pistol and it was all black. The gun that Sammy had looked the same. Both of the guns were pistols and they were both solid black.

I was on my cell phone calling 911. My cell phone number is [REDACTED]. I was standing on the porch trying to describe to the 911 operator what was going on. I told the operator we needed cops as soon as possible. I told her there were some guys arguing with my sister and they have weapons. The operator asked me if I was sure they had weapons and I told her that I could see the guns. The operator was having a hard time understanding me because I was yelling at Sammy and his friends to leave. My mom and dad had ran out to the street to help my sister. Sammy's friend, I don't know his name but the one with the gun, had turned toward my parents and he was pointing the gun back and forth at my mom and my dad. My dad was telling him to calm down and put the gun down. Sammy started yelling at my mom and my sister and everybody. Sammy said "Bitch, watch me, I'm going to shoot all of yall and I'm going to burn your house down." The other guy with the gun got all up in my dad's face. My dad ran inside; he told me they had guns. I told him I knew they had guns.

Two other guys, Mike Caballero, and Joe Caballero, came running down the street to our house. They live on the cul-de-sac at the end of our street. Mike told Sammy "bitch, put your guns away, who the fuck do you think you are pointing guns at girls." Sammy went over to David's truck and shattered the passenger side rear window. David's truck is like a little red Jeep. It is old. All five of the guys ran off to the cul-de-sac after Sammy broke the window. Sammy yelled "Fuck you bitch" as he was running away. There is a gap between

1

Jacqueline Vazquez
Signature

DOCUMENT# 12

San Antonio Police Department
Internal Affairs Unit

the houses at the end of the cul-de-sac that goes over to the next subdivision. Sammy's house is in the cul-de-sac in the next subdivision on the other side of the gap. You just run through the gap and Sammy's house is on the right.

Two police officers in two different cars showed up about ten minutes after Sammy and his friends ran off. One of the cops was getting out of his car when he apparently got a different call. I heard him say something about a call and then I heard the other officer say "it's Ok, I've got this." We told the police officer what happened. We told the police officer that Sammy and the other guy had guns out and that they pointed the guns at my sister, Ana, and my mom and dad. We pointed Mike Caballero's house out and the officer. The officer went straight down to Mike's house and arrested Mike. The officer brought Mike back to our house in a cop car. The officer asked if Mike was one of the guys. I told the officer that Mike was at our house during the disturbance but that he didn't do anything. The officer got attitude. He told me "So you sent me over there for no apparent reason to arrest some guy that had nothing to do with it." I told the officer that we didn't send him over there, we were just telling him what happened and he went over there. A neighbor of ours who had her house burglarized last year walked over and put her two cents in. She said something to the officer about nothing ever gets done and that when the officers show up its too late and they never catch any of the guys. The officer got all up in my face. My neighbor, Michelle Flores, is the one that said something to the officer but he got in my face and told me "you're trying to tell me that us officers don't do our job. I'm proving to you that something is going to be done just to please you." The officer walked over to his car and let Mike go.

The officer told me if I could personally show him where Sammy lives he would take action from there. I told the officer I would have my dad drive me over to Sammy's house and I would show him where Sammy lives. The officer said "I take that back, I don't need you to show me where he lives." I asked the officer why he just asked me if I could show him Sammy's house and he said "I take that back, I don't need you to show me where he lives." It was like the officer was playing games with me. Right after he said that he said "never mind, let's go then".

My dad and I drove over to Sammy's street with the officer following us. We parked across the street from Sammy's house and about two houses down. We could see Sammy's house and his front door clearly from where we were. The officer pulled up and I pointed at Sammy's house. The officer pulled slightly into Sammy's neighbor's driveway with the bright lights from the cop car shining on Sammy's neighbor's house. After about two minutes the officer got out of the car and I told him he was at the wrong house and I pointed to Sammy's house. The officer backed out and moved his car to where he was parked diagonally in the street in front of Sammy's house. The officer turned off his bright lights before he got out of his car but he still had the headlights on.

I saw the officer walk up to Sammy's front door and bang on the door with his flashlight. He had a long, black, flashlight. He was shining the light into the windows next to the door. I could hear him saying something but I couldn't hear what he was saying. I was still sitting in my dad's car and I had the window down. The door opened after about two or three minutes. The officer was standing in the doorway. I saw Sammy's brother come up close to the officer and then I saw the officer turn the male around and handcuff him. Sgt. Walker asked me what is "close". I would say Sammy's brother was about a foot away from the officer. The officer put Sammy's brother to the side on the porch and he stayed on the porch the whole time until the officer put him and Sammy into his patrol car. Sammy's brother didn't do anything to the officer before he was handcuffed. Once Sammy's brother was handcuffed, the officer stepped into Sammy's house. I couldn't see the officer once he stepped into Sammy's house. The officer wasn't in Sammy's house very long. I would say less than ten seconds. The officer backed out of the house and he had Sammy handcuffed. Sammy was walking backward in front of the officer. Sammy was squirming around and I could hear Sammy saying "bitch, get your fucking hands off me." The officer didn't say anything he just hit him. He hit Sammy in the back of the head

San Antonio Police Department
Internal Affairs Unit

with his flashlight. I could hear it loud and clear and I saw Sammy's head go forward. Sammy got even more mad. I heard Sammy say "Man bitch, what the fuck is your problem." The officer grabbed the guy he had handcuffed first with one hand and he had Sammy with the other hand. He shook them and then he walked them out to the patrol car. Sammy was yelling the whole time. The officer told Sammy to stop his talking. The officer put Sammy's brother into the patrol car first. I saw Sammy kick the side of the patrol car. The officer put Sammy into the patrol car.

The officer walked over to my dad's car on the driver's side. I told the officer that I didn't know who the first guy he arrested was. My neighbor, Michelle Flores, was sitting in the backseat and she said the guy was Sammy's brother. I told the officer he was not at my house and he had nothing to do with this. The cop said "Oh, I arrested him because he was being an asshole to me." That is exactly what he said. Sgt. Walker asked me if I was sure that this is exactly what the officer said. Yes, that is exactly how he said it. The officer then asked me if the second guy was Sammy Ramos the guy that had been at my house. I told him yes. The officer took our information and then he left with Sammy and his brother.

Sgt. Walker asked me if I saw Sammy's brother interfere with the officer in any way. No sir. Sammy's brotehr didn't even say a word or do anything when he was on the porch.

Sgt. Walker asked me if I saw Sammy's brother grab Sammy by the arm, or any other part of his body, and try to pull Sammy away from the officer when the officer was arresting him. No sir.

I want to say that when the officer went into Sammy's house, Michelle Flores, told me that the officer is not allowed to go into the house. I asked Michelle why and she said that he didn't have a warrant. I don't know how Michelle knows this. I know she is a college student but I don't know what kind of classes she is taking.

Sgt. Walker asked me if there was anything else I wanted to add to my statement. I want to say that Sammy was yelling for his mother when he was being out in the cop car but she never came out so I would think she was probably sleeping and didn't even know that her sons were being taken to jail. The front door to the house was left wide open when the officer left. I think that was wrong. I think the officer should have at least woke Sammy's parents up. I wouldn't want an officer to take me and leave my door wide open at that time of the morning.

Sgt. Walker asked me if I have any issues with this officer. No.

Sgt. Walker asked me if I have any issues with police officers in general. No sir. I have never been I trouble with the police.

Sgt. Walker asked me if the officer had anything onhis hands. Yes, he had black gloves. He also had a black, stretchy, pantyhose looking thing on his head.

Sgt. Walker showed me a photo lineup with the number 1694 at the top. Sgt. Walker asked me if I recognized anybody from the photographs. I pointed to photograph number three and told Sgt. Walker this is the offier I was talking about. Sgt. Walker todl me I identified Officer Matthew Belver.

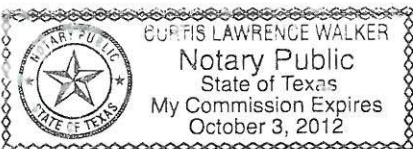
I have read my statement and it is all true and correct. Sgt. Walker has informed me Under the Texas Penal Code, a person commits Aggravated Perjury, a Third Degree Felony, if, with intent to deceive and with knowledge of the statements meaning: (1) They make a false statement under oath, or swears to 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.

SIGNATURE: Jaqueline Vazquez

Sworn to and subscribed to me before this 22 day of OCTOBER A.D.,

2009SEAL

Curtis
Notary Public in and for Bexar County, Texas



Signature

San Antonio Police Department
Professional Standards Section
Statement Information Sheet

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

NAME: Jacqueline Vazquez

HOME ADDRESS: 5721 Stiffkey

CITY: San Antonio

STATE: Tx ZIP: 78228

PHONE: (210) 837-6578 RACE: H SEX: F AGE: 18 D.O.B.: 

CELLULAR PHONE: _____ E-MAIL ADDRESS: _____

DRIVER'S LICENSE NO.:  S.S.N.: 

PLACE OF EMPLOYMENT: Stride Rite

BUSINESS ADDRESS: NW Loop 1604 BUSINESS PHONE: (210) 543-7085

JOB TITLE: Sales Associate

MARRIED: NO NAME OF SPOUSE: N/A

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

NAME: ~~ADANA~~ Lee Vazquez RELATIONSHIP: sister PHONE: (210) 269 2438

ADDRESS: 5721 Stiffkey CITY: San Antonio STATE: Tx

PLACE OF EMPLOYMENT: N/A WORK PHONE: N/A

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
COUNTY OF BEXAR

STATEMENT TAKEN BY: Sgt. M. Tobin #3270

LOCATION TAKEN: 800 Dolorosa, Suite #402

DATE: October 22, 2009, 1010 hours

BEFORE ME, the undersigned authority in and for the State and County aforesaid, on this day personally appeared Luis G. Campos, who being by me duly sworn upon his oath deposes and says:

My name is Luis G. Campos. I am 54 years old and my birthday is [REDACTED] I graduated from John F. Kennedy High School in 1975. I cannot read and can write English a little bit. [REDACTED] I am here in the Internal Affairs office to tell what I witnessed on October 11, 2009, in San Antonio, Bexar County, Texas.

On October 11, 2009, around 3:00 a.m., I was in bed. My wife, Josefina, came in and woke me up. She told me that a guy was going to hit my daughter. I got dressed and ran outside. I saw two guys arguing with my daughter. The guys were hispanic and about 18 or 19 years old. My daughter, Ana knew one of the guys. When I went outside one of the guys pointed a gun at me. The other guy also pointed a gun at us. They told us that they were going to do a driveby, burn our house and kill us. I cannot describe the guy because all I remember was he was pointing a gun at me. I remember hearing the gun being cocked. I backed off and we got Ana and we went back inside the house. A couple of my friends were walking down the street at that time. One friend's name is Joe and the other guy I cannot remember his name. They are brothers and they live at the corner house on my street. The house is white with blue trim. They drive a truck and a van. They told the other two guys to chill and leave and so they left.

My other daughter, Jackie called the police and they came over. Sgt. Tobin showed me a color photo array #1694 and I pointed to the officer in position number 3 as the officer that came to my house. Sgt. Tobin told me that the officer's name is Officer Matthew Belver. We told Officer Belver that the guys that came over had guns and had treated me, my daughter and my wife with the guns. Jackie told Officer Belver that she knew where the guys lived. Officer Belver told us to

Luis G Campos 1

get into our car and show him where the guys lived. Me, Jackie and Michele got into my car and showed Officer Belver where the guys lived. The guys live on the next street over. I don't know the name of the street. Officer Belver drove to the side of us and asked which house it was where the guys lived. Jackie pointed out the house to him. Officer Belver went up to the front door. He knocked on the door. He was banging on the door with a flashlight. I saw him hitting the door with his flashlight and could hear it banging on the door. There was no light on at the front door and it was dark. Someone came and opened the door but I didn't see who it was. The guy that opened the door was talking back to the officer so the officer handcuffed him and arrested him. He left that guy at the front door and went inside the house. He got the skinny guy, who had the gun, out of the house and handcuffed him too. That guy started talking ugly to Officer Belver. Officer Belver then took the guys to his patrol car and put them in the back. The skinny guy was calling out to his mom. I remember Officer Belver hit the skinny guy once because he was talking so ugly to the officer. I don't want him to get into any trouble because I respect the officers. I didn't see where Officer Belver hit the skinny guy because it was dark. I don't know if he hit him with anything or just his arm or fist. I could not see exactly what happened but do know that he only hit the skinny guy one time. The skinny guy just kept talking ugly to the officer. I could hear him from my car and he was in the officer's car. That was it. Officer Belver took the guys to jail.

Sgt. Tobin asked me if I saw one brother pulling on Officer Belver trying to get him away from the other brother. No, I don't remember anything like that happening.

Sgt. Tobin asked me if the skinny guy had handcuffs on when Officer Belver hit him. Yes he did. Officer Belver was having a hard time getting the skinny guy into the car because he was trying to keep from going in the car. The other brother got into the car without a problem.

Sgt. Tobin read this statement to me in front of Sgt. Lori Goss because I cannot read. It is all true and I do not wish to change or add anything to the statement.

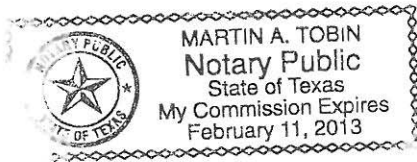
Luis B. Campion

Sgt. Tobin has informed me 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.

SIGNATURE: Luis G Lopez

Sworn to and subscribed to me before this 22 day of OCTOBER A.D., 2009

SEAL



Martin A. Tobin
Notary Public in and for Bexar County, Texas


San Antonio Police Department
Professional Standards Section
Statement Information Sheet

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



NAME: Luis G. Campos

HOME ADDRESS: 5721 STIFFKEY DR.

CITY: SAN ANTONIO STATE: TX ZIP: 78228

PHONE: _____ RACE: L SEX: M AGE: 54 D.O.B.: 

CELLULAR PHONE: 254-2779' E-MAIL ADDRESS: _____

DRIVER'S LICENSE NO.:  S.S.N.: 

PLACE OF EMPLOYMENT: HEB / McDonald's (CULEBRA/TEZEL)

BUSINESS ADDRESS: CULEBRA/1604 BUSINESS PHONE: _____

JOB TITLE: _____

MARRIED: YES NAME OF SPOUSE: JOSEPHINA V. CAMPOS

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

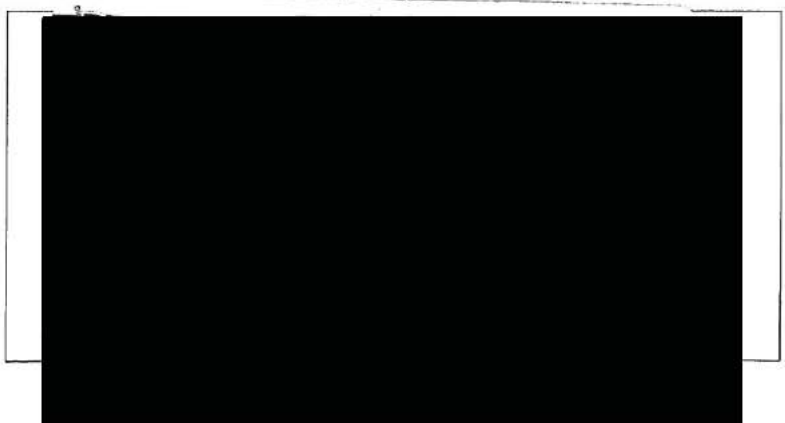
NAME: _____ RELATIONSHIP: _____ PHONE: _____

ADDRESS: _____ CITY: _____ STATE: _____

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.

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San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: C.L. Walker #3203
LOCATION TAKEN: 800 Dolorosa #402
DATE: November 02, 2009 / 1705 hours

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

My name is Michelle Flores and I am eighteen years old; my date of birth is [REDACTED] I live at 5707 Stiffkey and my phone number is 210-882-6560. I am a student at San Antonio College and I can read, write, speak, and understand English. I am at the Internal Affairs Office making a statement about what I saw when I was in the car with Jackie Vasquez.

I'm not sure what date this occurred but it was on a Saturday night and I want to say it was around the eleventh of October. There was an assault that happened at Jackie's house that night. I did not see that take place. Jackie lives three houses from my house. I went to her house when the police were already there. I then rode with Jackie and her dad, Luis Campos, to show the police officer where Sammy lives. I don't know Sammy's last name. I know Sammy because I used to work with him at McDonalds and he lives real close to us. Jackie and her sister, Ana, told me that Sammy was involved in the assault at Jackie's house.

Sgt. Walker asked me why I chose to use the word "assault" and asked if I was told that there was a physical confrontation at Jackie's house. No, I think an assault is when somebody threatens to harm you. That is what Jackie said. She said Sammy was threatening them.

I rode to Sammy's house in the back seat of Jackie's dad's car. It is a maroon-ish-red four door. I was sitting in the back seat on the passenger side. Jackie's dad drove and the police officer followed us. Jackie pointed the house out to the officer when we got to Sammy's house. The officer was pointing his light at Sammy's next door neighbor's house at first but then Jackie told him it was the wrong house and she pointed out Sammy's house. The officer parked his car in the street so that the lights were shining on Sammy's house.

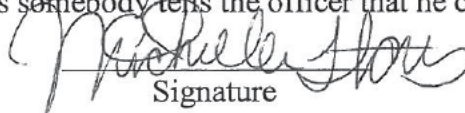
I saw the officer go up to the front door and knock for a while. The officer was knocking real loud. I would say the officer knocked for about two minutes before Sammy's brother came to the door. I don't know Sammy's brother's name. I have seen him before and I recognized the guy that answered the door as Sammy's brother. Sammy's brother said something to the police. I don't know what he was saying. Sammy's brother stepped out onto the porch and the officer arrested him. The officer walked Sammy's brother to the police car. The officer went back up to the house and stepped inside the house. The officer came back outside the house and then Sammy came out less than a minute later. Sammy and the officer had some words. I couldn't hear what they were saying but I could hear them talking. I could hear Sammy more because he was talking pretty loud. I heard a noise that sounded like a thud. I didn't see it but Jackie said that the officer hit Sammy. I saw Sammy on the ground; I don't know how he got on the ground. The officer helped Sammy up and then escorted him to the police car. The officer came over to Jackie's dad's car and talked to Jackie for a minute. I don't remember what they talked about. A car was coming by so I put my head down so that nobody would recognize me. After the car went by I told Jackie that the officer had left the front door open at Sammy's house. I asked her if we should go tell Sammy's mom and close the door but she said no.

Sgt. Walker asked me if I saw Sammy's brother grab Sammy's arm while the officer was trying to arrest Sammy. No, I didn't see that.

Sgt. Walker asked me if I saw Sammy's brother interfere with the officer in any way while the officer was trying to arrest Sammy. No.

Sgt. Walker asked me if I told Jackie that the officer wasn't supposed to go in the house when he went into Sammy's house. Yes, I said that. I had a business class my senior year in high school. In a class discussion the teacher said the officer has to have a search warrant unless somebody tells the officer that he can come in.

1


Signature

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

Sgt. Walker showed me a photo lineup. The number on the top of this lineup is 1694. Sgt. Walker asked me if I recognized the officer that was there that night. I pointed to photograph number three and told Sgt. Walker this is the officer that was there. Sgt. Walker told me I identified Officer Matthew Belver.

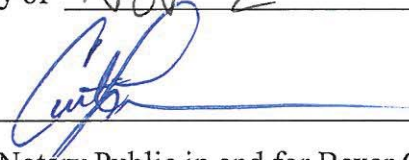
I asked Sgt. Walker if he is a real cop because he had this thing on his head. It was like a black thing. I don't know what you call it.

I have read my statement and it is all true and correct. Sgt. Walker has informed me 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.

SIGNATURE: 

Sworn to and subscribed to me before this NOV 2 day of NOV-2 A.D., 2009

SEAL ni I.D.


Notary Public in and for Bexar County, Texas

2 
Signature

San Antonio Police Department
Professional Standards Section
Statement Information Sheet

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

NAME: Michelle Flores
HOME ADDRESS: 5707 Sherryway
CITY: San Antonio STATE: TX ZIP: 78228
PHONE: 210 882 6520 RACE: Hispanic SEX: F AGE: 18 D.O.B.: [REDACTED]
CELLULAR PHONE: (710) 882 65700 E-MAIL ADDRESS: [REDACTED]
DRIVER'S LICENSE NO.: _____ S.S.N.: [REDACTED]

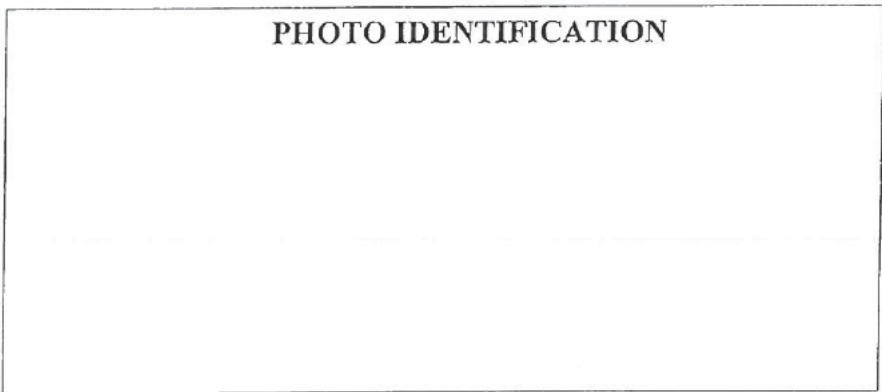
PLACE OF EMPLOYMENT: Bill Miller
BUSINESS ADDRESS: 410 Colebra BUSINESS PHONE: (210) 523-9901

JOB TITLE: MaKer
MARRIED: NO NAME OF SPOUSE: n/a

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:
NAME: Ricardo Flores RELATIONSHIP: brother PHONE: (210) 591-0074
ADDRESS: College Station CITY: Kerrville STATE: TX
PLACE OF EMPLOYMENT: n/a does not have a job WORK PHONE: n/a

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San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: C.L. Walker #3203

LOCATION TAKEN: 800 Dolorosa #402

DATE: 11-12-2009 / 0930

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

My name is Joseph Caballero and I am eighteen years old; my date of birth is [REDACTED] I live at 5702 Stiffkey with my mother, Connie Ojeda; my little brother, Samuel Caballero; and my little sister, Corinne Caballero. My cell phone number is 210-430-3079. I am attending GED classes and I can read, write, speak, and understand English. I am at the Internal Affairs Office talking with Sgt. Walker about an incident where the cops came to my neighborhood because of an argument between neighbors.

An exchange of bad words between Sammy Ramos and Ana Vasquez started this whole thing. What happened was Sammy and I were walking down the street and Ana was in a car in front of her house talking to her boyfriend. Ana lives on Stiffkey, the same street I live on. Ana said something to Sammy about being a thug or a person on the streets all the time. Sammy told her "fuck you bitch" and they started arguing back and forth. Ana's parents came out after about a minute and asked what was going on. Ana told her parents that we were talking shit to her and her boyfriend. Sammy told her that she started talking shit to him when we were just walking by not doing anything. Ana's dad said he was going to call the cops. Sammy told him to call the cops. Sammy told him that he would wait for the cops because he hadn't done anything. I was trying to get Sammy to just leave. I kept telling him to just go home. After several minutes I left Sammy and walked home.

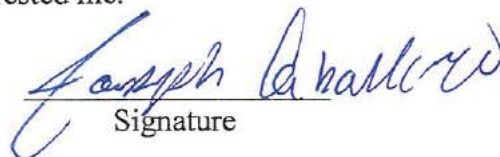
My house is in the cul-de-sac at the end of Ana's street. I was standing outside at my house and could see a lot of what was going on. I saw two more guys walk up and I could tell the argument was getting louder and there was more commotion. I went inside my house because I thought it was getting blown up bigger than it needed to be and I didn't want any part of it anymore.

A police officer came banging on my door a little while later. I didn't answer the door. The officer started banging louder and louder until he woke up my mom. My mom answered the door and let the officer into the house. I was in the kitchen. The officer came in to the kitchen and shined his flashlight on me and told me to sit down at the table. All of the lights in the house were off at the time. The officer asked me if I knew what happened. I started to answer the officer. I told him "We were walking down the street" and he cut me off. The officer told me I was lying and that I was going to jail. The officer arrested me and took me to his car. I know he checked my record and then he took me back to Ana's house. The officer got out of his vehicle for about a minute and talked to Ana's parents; I think her mother for sure. The officer then came back over to the patrol car. He opened the door and told me to get out. He took the handcuffs off of me. While he was taking the handcuffs off he told me "If I were you, I would kill these bitches. They are trying to blame you for what is happening and they don't know what they are talking about. Two or three days from now I don't care what you do, Mike, but for now, go back to your house and don't come out again tonight". I thanked the officer and put my hand out to shake his hand but he just looked at me. He refused to shake my hand so I just walked away and went to my house. The officer called me "Mike" because I had told him my name was Mike. Michael is my middle name and Mike is what everybody knows me by.

Sgt. Walker asked me if the officer was wearing anything on his head or on his hands. Yes, he had black gloves on and he had a black dew rag on his head.

Sgt. Walker showed me a photo lineup. The number at the top of the lineup is 1694. Sgt. Walker asked me if I recognized anybody from this lineup. I pointed to the photograph on the right side of the top row and told Sgt. Walker this is the officer that came to my house and arrested me.

1


Signature

DOCUMENT # 15

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

Sgt. Walker asked me if there was a gun involved in the disturbance at Ana's house. I did not see a gun that night. Sometime after it was all over, Sammy told me that one of the two guys that walked up after I left had a pistol.

I have read my statement and it is all true and correct. Sgt. Walker has informed me 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.

SIGNATURE: Joseph Canallero

Sworn to and subscribed to me before this _____ day of _____ A.D., 2009

SEAL

No ID
Canallero
3203
11/12/09

Notary Public in and for Bexar County, Texas

Joseph Canallero
Signature

San Antonio Police Department
Professional Standards Section
Statement Information Sheet

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

NAME: JOSEPH CABALLERO

HOME ADDRESS: 5702 STIFFKEY

CITY: SAN ANTONIO, TX

STATE: TEXAS ZIP: 78228

PHONE: _____ RACE: H SEX: M AGE: 18 D.O.B.: 

CELLULAR PHONE: 210-430-3079 E-MAIL ADDRESS: _____

DRIVER'S LICENSE NO.: _____ S.S.N.: 

PLACE OF EMPLOYMENT: La Fiesta, #16

BUSINESS ADDRESS: _____ BUSINESS PHONE: _____

JOB TITLE: _____

MARRIED: _____ NAME OF SPOUSE: _____

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

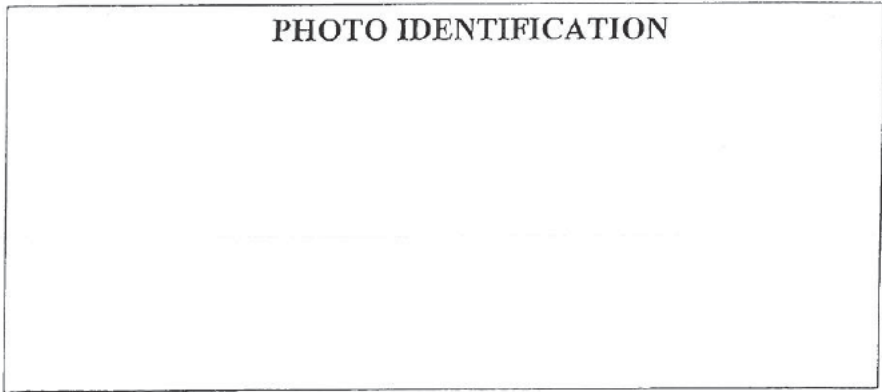
NAME: _____ RELATIONSHIP: _____ PHONE: _____

ADDRESS: _____ CITY: _____ STATE: _____

PLACE OF EMPLOYMENT: _____ WORK PHONE: _____

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San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: Sgt. A. Ruks #3027

LOCATION TAKEN: 800 Dolorosa #402

DATE: 11-12-09 0920 hrs.

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

My name is Connie Ojeda. I am 37 years old. My date of birth is [REDACTED] I live at 5702 Stiff Key. I can read, write and understand the English language. What I am telling Sergeant Ruks is the truth.

I came to Internal Affairs today at the request of Sergeant Curtis Walker. I am talking to Sergeant Ruks about an incident that happened on October 11, 2009 at around 3:00 am. My husband had left for work at around 1:30 am. I was locking up the house and getting ready to go to bed, when I heard the doorbell ring. It was my son, Joseph Caballero, who is 18 years old. We call Joseph "Mike". I have another son, Joe Caballero that is 20 years old who does not live with me. Joseph did not have his key, so I let him inside. Joseph was in the kitchen, getting something to eat and talking on the phone. A few minutes later, I heard banging on my door, actually the window in my front door. I went to the door and opened it. There was a San Antonio Police officer standing there. It was a tall, Anglo officer. He looked upset, frustrated and angry. The officer walked inside my house the second I opened the door and stood just inside the doorway. The officer said, "Joe?" I asked him "junior or senior?" The officer said, "Joe Caballero." I told him that Joe Senior had just left for work, and that Joe Junior didn't live there. The officer said, "You better not be lying to me!" He said, "I'm going to check your house and I'm going to arrest you if you're lying!" When he told me that, I told him to go ahead and look. The officer started walking further inside, and when he saw Joseph in the kitchen, he asked him, "Who are you? Joseph told him he was Mike, and I told him that this was my son, Joseph. The officer told him to sit down at the kitchen table, and Joseph sat. The officer told Joseph to tell him what happened. Joseph said, "Umm..." The officer cut him off, saying, "You're lying, you are under arrest." Joseph stood up and the officer put handcuffs on him. I asked the officer why my son was under arrest, what did he do? The officer told me that the neighbors (Anna and Jackie) said my son had a gun. The officer asked me where the gun was. I told him there was no gun. Joseph told the officer he didn't have a gun. The officer took my son outside and put him the back seat of his police car. I went to Anna and Jackie's house and they were standing outside, along with their parents and two other neighbors. I asked them what was going on, why was my son under arrest.

They told me that Anna had been outside with a boy in the boy's truck and that my son's friend Sam had gotten into an argument with Anna. They told me that my son was trying to make Sam leave and stop arguing. Anna said that my son had not done anything; it was Sam who had done wrong. The officer drove up with my son in the back. The officer got out of his car and was asking Anna and Jackie what my son had done. They told him that my son had not done anything, that Sam had done it. The officer said, "Well, I work for you, you tell me what you want me to do." He said, "I arrested him, now what do you want me to do?" They told him that they wanted him to arrest Sam. The officer asked them if they knew where Sam lived, and they said yes. The officer said he would follow them (Anna and Jackie) to Sam's house and that he would let my son go. The officer took my son out of the car, took off the handcuffs and told him he was free to go home. The officer followed Anna, Jackie and their father and another neighbor and they went to Sam's house.

I stood there talking to Anna and Jackie's mother, and my son went home. A few minutes later, Anna, Jackie and their father came back home. Anna and Jackie said that the officer arrested Sam and his brother. They said the officer was pushing Sam around and hitting him and that Sam was screaming for his mom. The officer was telling him to yell all he wanted; his mom was not going to help him.

That is pretty much all I saw, I did not see the officer again that night.

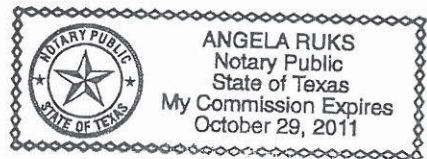
Sergeant Ruks showed me a group of color photographs of police officers, but I did not recognize any of them.

I have read my statement and it is all true and correct. Sergeant Angela Ruks has informed me 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.

SIGNATURE: *Car [Signature]*

Sworn to and subscribed to me before this 12th day of November A.D., 2009

SEAL



Angela Ruks
Notary Public in and for Bexar County, Texas


San Antonio Police Department
Professional Standards Section
Statement Information Sheet

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

NAME: Connie Ojeda

HOME ADDRESS: 5702 Stiffkey

CITY: San Antonio STATE: Texas ZIP: 78228

PHONE: 210-707-5817 RACE: H SEX: FM AGE: 37 D.O.B.: 

CELLULAR PHONE: 210-707-5817 E-MAIL ADDRESS: -

DRIVER'S LICENSE NO.:  S.S.N.: 

PLACE OF EMPLOYMENT: LA fiesta

BUSINESS ADDRESS: _____ BUSINESS PHONE: 767-9161

JOB TITLE: Meat wrapper

MARRIED: _____ NAME OF SPOUSE: _____

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

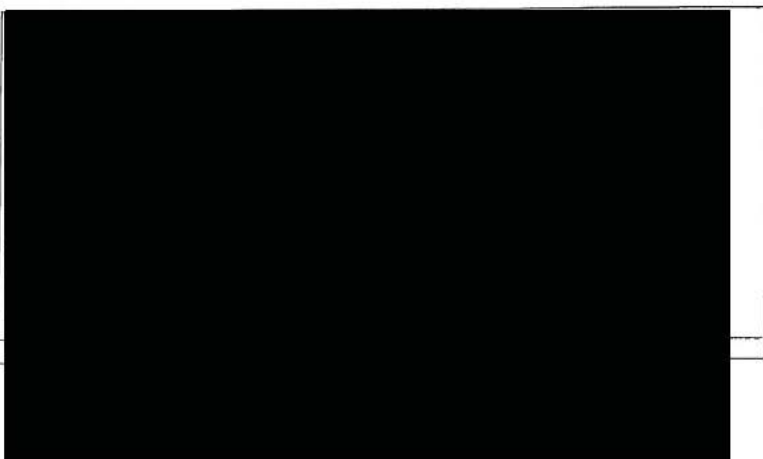
NAME: Maria Ojeda RELATIONSHIP: Mother PHONE: 909-9775

ADDRESS: 619 S San Augustino CITY: SA STATE: TX

PLACE OF EMPLOYMENT: _____ PHONE: _____

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797-9004

San Antonio Police Department
Internal Affairs Unit
Sworn Statement

THE STATE OF TEXAS
COUNTY OF BEXAR

STATEMENT TAKEN BY: Sgt. Michael Riggs #3071
LOCATION TAKEN: 800 Dolorosa Suite 402
DATE: 10-29-09

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

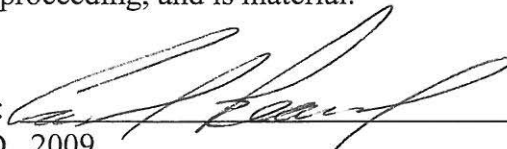
My name is Carl Beard. I am a Crime Scene Investigator working with the San Antonio Police Department. I have been called to Internal Affairs and asked if I had any information regarding an incident that took place in the back of the Detention Center located at 401 S. Frio on October 11, 2009.

On October 11, 2009, at around 0300 hours I had just completed logging in Evidence in the SAPD Property Room and as I was leaving the property room I drove past the rear of the Detention Center. As I was driving by I heard someone yelling. I looked over and saw a male prisoner, handcuffed and leaning over what I believe was the trunk of a police car. The officer was at the right side of the police car and appeared to be getting something from the backseat. The police car was parked facing the West fence line so I was looking out my passenger window. My window was rolled up but the prisoner was yelling so loudly I could hear him clearly. The prisoner was yelling, "Please Help me." It did not appear that the prisoner was injured, I saw no blood or abrasions, and the officer did not appear to need any assistance so as a civilian employee, it was not my place to stop and address the prisoner.

Sgt. Riggs showed me a photo of an adult male and I identified him as the prisoner I have described in this statement. Sgt. Riggs advised me that the prisoner was making a force complaint against the arresting officer. At the time I saw the prisoner, I did not see any visible injury.

Sgt. Riggs showed me a photo lineup of SAPD officers but I was not able to identify any of them as the officer I saw on October 11, 2009 at the Detention Center. I only got a glimpse of the officer and it was just to see that he was ok.

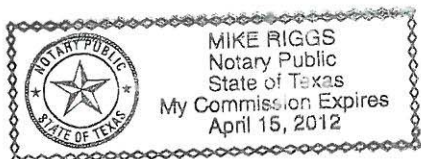
I have read my statement and it is all true and correct. Sgt. Riggs has informed me Under the Texas Penal Code, a person commits Aggravated Perjury, a Third Degree Felony, if, with intent to deceive and with knowledge of the statements meaning: (1) They make a false statement under oath, or swears to 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.

SIGNATURE: 

Sworn to and subscribed to me before this 29th day of October A.D., 2009.

SEAL


Notary Public in and for Bexar County, Texas



San Antonio Police Department
Professional Standards Section
Statement Information Sheet

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

NAME: Carl Beard

HOME ADDRESS: [REDACTED]

CITY: [REDACTED] STATE: [REDACTED] ZIP: [REDACTED]

PHONE: [REDACTED] RACE: White SEX: M AGE: 24 D.O.B. [REDACTED]

CELLULAR PHONE: [REDACTED] E-MAIL ADDRESS: [REDACTED]

DRIVER'S LICENSE NO.: [REDACTED] S.S.N.: [REDACTED]

PLACE OF EMPLOYMENT: City of San Antonio

BUSINESS ADDRESS: 515 S. Frio St. BUSINESS PHONE: (210) 207-7652

JOB TITLE: Crime Scene Investigator

MARRIED: [REDACTED] NAME OF SPOUSE: [REDACTED]

NEAREST RELATIVE OTHER THAN HUSBAND/WIFE:

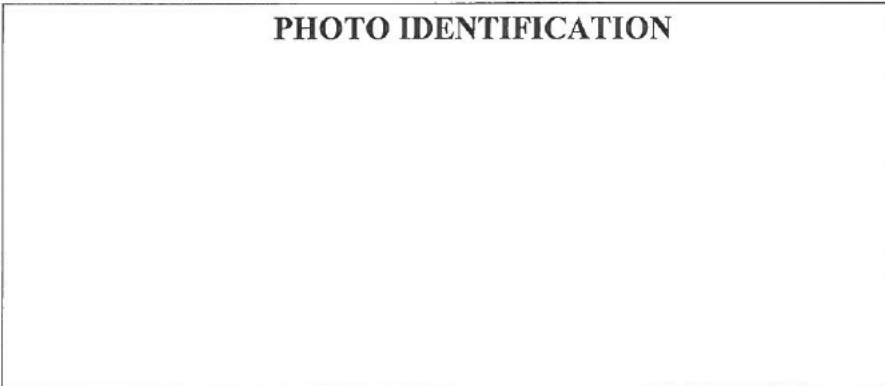
NAME: [REDACTED] RELATIONSHIP: [REDACTED] PHONE: [REDACTED]

ADDRESS: [REDACTED] CITY: [REDACTED] STATE: [REDACTED]

PLACE OF EMPLOYMENT: [REDACTED] WORK PHONE: [REDACTED]

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

I. A. Formal Case Number: FC2009-227
SAPD Case Number: 90770137

Place of Occurrence 401 S. Frio		District of Occurrence 2360	Type of Complaint Formal—Force / Entry
Complainant's Name (Last, First, MI) Ramos, Sammy		Address 815 Inks Farm	Phone Number 309-7775
Day of Occurrence Sunday	Date and Time of Occurrence October 11, 2009 / 0300	Date and Time Reported October 12, 2009 / 1737	How Reported Statement


TYPE OR PRINT ONLY

Details: On the morning of 10/11/2009 I was working my shift and had cadet rider Meneley, Chase with me. We had just walked out of the magistrate's office after showing the cadet the inside of the location. We were walking back to our patrol car, which was parked in front of the property room, when I heard a commotion coming from the other end of the parking lot. I looked over and saw what appeared to be another officer having difficulties with a prisoner. I walked over to assist the officer. Sgt. Walker showed me a photo lineup, numbered 1694, consisting of six photographs. I identified the officer in photograph number three as the officer that appeared to be having difficulty with his prisoner. Sgt. Walker said I identified Officer Matthew Belver.

I don't recall whether Officer Belver's patrol car was backed in or whether he had pulled in. As I approached Officer Belver and his prisoner I saw that the prisoner was standing on the parking lot end of the patrol car as opposed to the fence side. I don't know if that was the front or the rear of the patrol car but the prisoner was standing on the building side of the car not the fence side. The prisoner was flopping around and yelling. By flopping around I mean that he was standing up but he was twisting side to side about 180 degrees and moving around a lot. I walked up to the prisoner and took hold of his elbow, he was handcuffed behind his back. Officer Belver was near the passenger side doors of his patrol car. I cannot remember the exact words used but the prisoner was claiming that force had been used on him. I did not notice any visible injuries on the prisoner. This prisoner seemed very upset with Officer Belver so I escorted him into the magistrates office. He was cooperative with me. Off. Belver had another prisoner in his car and he escorted that prisoner into the magistrates office. I walked the first prisoner into the mags and once inside I left him with Officer Belver and the jail staff.

Sgt. Walker asked me if I saw Officer Belver use any force against either of the prisoners. No sir.

Sgt. Walker asked me if either of the prisoners told me that Officer Belver had hit or struck them. I can't remember the exact words that the one guy used. The guy that I escorted into the Magistrates Office indicated that Officer Belver had used force against him. I don't remember specifically what he said but I took whatever he said to mean that he had been hit by Officer Belver. I looked at the male and didn't see any injuries. I didn't think anything of it. I have heard this before.

Officer's Printed Name Officer Timothy Coleman # 1067	Signature and Badge Number  #1067	Date Submitted 10-19-09
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**San Antonio Police Department
Internal Affairs Unit
Non-Respondent Officer's Report
(Supplement Sheet)**

I.A. Formal Case Number: FC2009-227

Sgt. Walker asked me to describe the behavior of the male I escorted into the Magistrates Office. The male was upset. He kept saying that Officer Belver had went inside his house and arrested him. He was whining.

Sgt. Walker asked me whether I wrote a report in reference to this case. No, I didn't. I looked at the male but didn't see any signs of being hit. There were no visible injuries. I assumed he was just upset about being arrested.

him

Sgt. Walker asked me if the male ever complained about being injured. No, he never complained about being hurt or injured.

Officer's Printed Name	Signature and Badge Number	Date Submitted
Officer Timothy Coleman # 1067	<i>[Signature]</i> #1067	10-19-09

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

I. A. Formal Case Number: FC2009-227
SAPD Case Number: 90770137

Place of Occurrence		District of Occurrence	Type of Complaint	
401 S. Frio		2360	Formal—Force / Entry	
Complainant's Name (Last, First, MI)		Address		Phone Number
Ramos, Sammy		815 Inks Farm		309-7775
Day of Occurrence	Date and Time of Occurrence		Date and Time Reported	How Reported
Sunday	October 11, 2009 / 0300		October 12, 2009 / 1737	Statement


TYPE OR PRINT ONLY

Details: This is my second Non-Respondent Report at Internal Affairs in reference to this case. Sgt. Walker told me that according to an Offense Report written under case 90770137-03, upon arrival at the Magistrates Office, Sammy Ramos spit "directly and deliberately" in Officer Belver's face. Sgt. Walker said this appears to have happened just before I walked up and escorted Sammy Ramos into the Magistrates Office.

Sgt. Walker asked me if Officer Belver told me that Sammy Ramos had spit in his face or had warned me to be careful so that he didn't spit in my face. No, I wasn't told Mr. Ramos was a Spitter.

Sgt. Walker asked me if I had any indication whatsoever that Sammy Ramos had spit in Officer Belver's face. At the time I contacted Officer Belver and his prisoner I did not see Officer Belver wiping or cleaning his face.

If Mr. Ramos spit on Officer Belver, it happened before I had exited the Magistrate's Office and walked out to his car.

Officer's Printed Name	Signature and Badge Number	Date Submitted
Officer Timothy Coleman # 1067	 #1067	10-27-09

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

I. A. Formal Case Number: FC2009-227
SAPD Case Number: 90770137

Place of Occurrence 815 Inks Farm		District of Occurrence 5270	Type of Complaint Formal	
Complainant's Name (Last, First, MI) Ramos, Sammy Ramos, Luis Cardenas, Cathy		Address 815 Inks Farm 815 Inks Farm 815 Inks Farm		Phone Number 210-309-7775 210-309-7775 210-309-7775
Day of Occurrence Sunday	Date and Time of Occurrence Oct. 11, 2009 / 0300	Date and Time Reported October 12, 2009		How Reported Statement


TYPE OR PRINT ONLY

Details: I am at the Internal Affairs Office at Sgt. Walker's request. Sgt. Walker asked me to write this report to explain my actions in the investigation of a Harassment of a Public Servant case under case number 90770137-03.

I was assigned this case on October 14, 2009. I received and reviewed the offense report. The case was a felony arrest case. According to the Offense Report there were no additional witnesses to contact. I checked the keycard and found that no Crime Scene Investigator had been assigned and therefore there would be no photographs for me to request. I prepared a Charge and Disposition Report and forwarded the case to Sgt. Jimmie Cole for his approval and then to the Bexar County District Attorney's Office for prosecution.

Sgt. Walker asked me why I did not speak with the arrested person, Sammy Ramos. In felony arrest cases, the actor has already been Magistrated and has requested counsel. We cannot speak with individuals under these circumstances without their attorney present. Our policy is to obtain statements from witnesses when possible, order photographs, and request supplements, and then send the case to the District Attorney.

Sgt. Walker asked me if I received any reports or documentation from the Night Detectives in reference to this case. No, I did not.

Officer's Printed Name Det. G. Garavelli #2076	Signature and Badge Number  2076	Date Submitted 12-03-09
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___ of ___

DOCUMENT# 20

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


I. A. Formal Case Number: FC2009-227
 SAPD Case Number: 90770137

Place of Occurrence		District of Occurrence	Type of Complaint	
401 S. Frio		2360	Formal—Force / Entry	
Complainant's Name (Last, First, MI)		Address		Phone Number
Ramos, Sammy		815 Inks Farm		309-7775
Ramos, Luis		815 Inks Farm		309-7775
Cardenas, Cathy		815 Inks Farm		309-7775
Day of Occurrence	Date and Time of Occurrence		Date and Time Reported	How Reported
Sunday	October 11, 2009 / 0300		October 12, 2009 / 1737	Statement

TYPE OR PRINT ONLY

Details:

At the above date and time I recall being at the Magistrates office and leaving. I then noticed Officer Belver standing outside of his patrol car. I got Officer Belvers attention and started a conversation. During the conversation Officer Belver advised me that his prisoner had spit in his face. I asked Officer Belver if he needed me to write an Assault on a Police Officer report for him and he stated he had it taken care of. After the brief contact with Officer Belver I left and went back into service. I was asked by Sergeant Riggs, how was Officer Belvers demeanor? I recall Officer Belver being talkative, calm and collected, he did not appear overly upset or angry.

Officer's Printed Name	Signature and Badge Number	Date Submitted
Officer Jerod Haby	 # 1554	12-10-2009

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

I. A. Formal Case Number: FC2009-227
 SAPD Case Number: 90770137

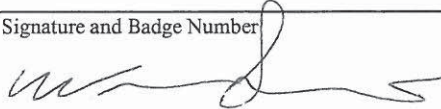
Place of Occurrence 815 Inks Farm 401 S. Frio		District of Occurrence 2360	Type of Complaint Formal—Force / Entry
Complainant's Name (Last, First, MI) Ramos, Sammy		Address 815 Inks Farm	Phone Number 309-7775
Day of Occurrence Sunday	Date and Time of Occurrence October 11, 2009 / 0300	Date and Time Reported October 12, 2009 / 1737	How Reported Statement

TYPE OR PRINT ONLY

Details: The respondent, Officer Matthew Belver, has requested that a Non-Respondent Report be obtained from you in this case. SAPD AVL records indicate you responded to a call at 5721 Stiffkey on October 11, 2009. You arrived at 02:47:34 hours and departed at 02:48:52 hours. Please detail your knowledge and activities pertaining to this case.

On the morning of 11 October 2009 I was working as 5102C. There were several calls holding and our officers were moving from call to call. I remember the call coming out on Stiffkey where it was a gun disturbance where several males were at the location with guns. The dispatcher was looking for someone who could go to the location. I believe Officer Belver was working 5110C or 5112C. Officer Belver spoke up and said he would cross over in to the 52 side to handle the call. I listened and there was no cover available and I believe no cover was sent. I drifted in that direction and arrived close to the same time as Officer Belver. I walked up to where the residents were attempting to talk to Belver. I believe there were three to four individuals there and they all seemed very upset. The older male was very upset and scared and was worried about his family and I believe it was his daughter. Officer Belver had to calm them several times. At that time an E-tone came out for a shooting with two hit in Indian Creek in the area of Fair Crown and Fair Meade area. I tapped Officer Belver on the shoulder and asked him if he was going to be okay. I did this because of the emotional state of the individuals and how they were in fear that there was validity in what they were saying and that there was little doubt about their account of what happened. Belver said he would be okay and I even asked him again if he was sure. He said he would be okay. I then left the location and went to the shooting call in the Indian Creek area. The way the residents on Stiffkey were acting and the obvious fear they showed, I had no doubt that there was an encounter with the suspects and the displaying of firearms.

Since this night we have had several encounters with the individuals at Inks Farm where they have been involved in criminal activity in the neighborhood and have had confrontations with neighbors as well as the police. On 8 February 2010 I submitted an Informational Log as well as a packet of reports outlining the ongoing problem we are having. The resistance toward the police regarding Inks Farm has escalated and continues to be an ongoing problem. Mrs Cardenas on Friday night requested a SGT and I handled the call. Within minutes she started complaining about Belver and the call which happened over four months past. In my IA Log I mentioned the concern over the escalating attitudes towards the police at that location and the belief it will continue or get worse.

Officer's Printed Name Sgt. W. Smith #3352	Signature and Badge Number  3352	Date Submitted 02-10-10
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___ of ___

DOCUMENT# 22

SAN ANTONIO POLICE DEPARTMENT
SAPD NO. 23 (Rev. Oct. 93, Type Only)

CHARGE AND DISPOSITION REPORT
(Confidential Information)

Assignment Number: 90770137/03
Offense Number: 709905

3. Defendant (Last name, First, Middle) RAMOS, SAMMY REY		4. Race - Sex L/M		Date of Birth [REDACTED]	4a. SID Number 0938712
5. Address of Defendant 815 INKS FARM SAN ANTONIO, TX 78228		6. S.A.P.D. Number	7. Charge PC 22.11 HARASSMENT OF A PUBLIC SERVANT		Off/Booking Code 709905
8. Arrested By PATROL			9. Investigated By DET. G. GARVELLI #2076		
10. Complainant's Name (Last name, First, Middle) BLEVER, M. 1106		11. Address of Complainant 7000 CULEBRA SAN ANTONIO, TX 78238		12. Phone 210-207-7420	
13. Property Tag Numbers					
14. Witness/s		15. Address of Witness/es		16. Witness/es Phone	
17. Type of Reports Submitted to District Attorney All reports in SAPD Records Unit Included.					
<input checked="" type="checkbox"/>	OFFENSE REPORT	<input type="checkbox"/>	INCIDENT REPORTS	<input type="checkbox"/>	SUPPLEMENTARY REPORTS
<input type="checkbox"/>	CRIME SCENE REPORTS	<input type="checkbox"/>	CRIME SCENE PHOTOS	<input type="checkbox"/>	CRIME SCENE VIDEO
<input type="checkbox"/>	SEARCH WARRANT INFO	<input type="checkbox"/>	ARREST WARRANT INFO	<input type="checkbox"/>	GRAND JURY INFO
<input type="checkbox"/>	WITNESS STATEMENTS	<input type="checkbox"/>	ACTOR'S STATEMENTS	<input checked="" type="checkbox"/>	CRIMINAL HISTORIES
<input type="checkbox"/>	COPIES OF PHOTO LINE-UPS	<input type="checkbox"/>	OTHER PHOTOS	<input type="checkbox"/>	MEDICAL REPORTS
<input type="checkbox"/>	MEDICAL RELEASE	<input type="checkbox"/>	RELATED INFO	<input type="checkbox"/>	
18. Officer / Badge Number DET. G. GARVELLI #2076		19. Time and Date 10/21/2009 @ 0900		20. Approving Authority SGT. J. COLE #3026	
22. Received in D.A.'s Office by <i>[Signature]</i>		23. Time and Date OCT 22 2009		21. Unit HOMICIDE	
24. D.A. Case Number - Remarks					

RECEIVED
OCT 22 2009
By _____

PROSECUTION GUIDE

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Harassment of a Public Servant

ASSIGNMENT NO: 90770137/03
OFFENSE NO: 709905
DATE REPORTED: 10/11/2009

ROUTING: HOMICIDE

SAN ANTONIO POLICE DEPARTMENT

Last name of Complainant, First, Middle Initial M. Belver #1106 SAPD	Address of Complainant 7000 Culebra		Phone Number 210-207-7420
Place of Occurrence-Street on- at or Number 401 S. Frio	Dist. Occurrence 2360	Date & Time of Occurrence 10/11/2009 @ 0330	Date & Time of this Report 10/21/2009 @ 0900

Additional Detail of Offense-Progress of Investigation-Disposition of Evidence, Property, Etc...

COMPLAINANTS

C1 Belver, M. #1106 SAPD

7000 Culebra
San Antonio, TX 78238
210-207-7420

NO PHOTO

ARRESTED PERSONS

AP1 Ramos, Sammy Rey

SID # 0938712

L/M [REDACTED]
815 Inks Farm
San Antonio, TX 78228

NO PHOTO

PC 22.11 Harassment of a Public Servant, PC. 22.07 Terroristic Threat, PC. 38.15 Interference with Duties of a Public Servant - Arrested 10/11/2009

AP2 Ramos, Luis Antonio

SID # 0914896

L/M [REDACTED]
815 Inks Farm
San Antonio, TX 78228



PC 38.15 Interference with Duties of a Public Servant - Arrested 10/11/2009

UCR STATUS	UNFOUNDED () REPORT	CLEARED BY (XX) ARREST	CLEARED BY () JUVENILE ARREST	CLEARED BY EXCEPTION () OF OTHER MEANS	CHANGE OF () OFFENSE	PROGRESS OF () INVESTIGATION
Officer Making Report (Badge No.)	Approving Authority		Unit Case No.	Unit Assigned to Follow -up		
Detective G. Garvelli #2076	Sergeant J. Cole #3026		90770137/03	Homicide		

SAN ANTONIO
POLICE DEPARTMENT

TYPE ONLY

SUPPLEMENTARY REPORT
SAPD Form 3-L Rev. (9-90)

PROSECUTION GUIDE

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Harassment of a Public Servant

ASSIGNMENT NO: 90770137/03
OFFENSE NO: 709905
DATE REPORTED: 10/11/2009

ROUTING: HOMICIDE

SAN ANTONIO POLICE DEPARTMENT

Last name of Complainant, First, Middle Initial M. Belver #1106 SAPD		Address of Complainant 7000 Culebra		Phone Number 210-207-7420
Place of Occurrence-Street on- at or Number 401 S. Frio	Dist. Occurrence 2360	Date & Time of Occurrence 10/11/2009 @ 0330	Date & Time of this Report 10/21/2009 @ 0900	

Additional Detail of Offense-Progress of Investigation-Disposition of Evidence, Property, Etc...

OTHERS

O₁ Vasquez, Jackie

L/F [REDACTED]
5721 Stiffkey
San Antonio, TX 78228

NO PHOTO

Witness 01 in SAPD Case # 90770137/01 - Terroristic Threat

O₂ Campos, Luis

L/M [REDACTED]
5721 Stiffkey
San Antonio, TX 78228

NO PHOTO

Complainant in SAPD Case #90770137/01 - Terroristic Threat

OFFICERS

<u>Officer</u>	<u>Unit</u>	<u>Reports</u>	<u>Duties</u>
M. Belver #1106	5110C	Offense	Responding / Reporting officer
G. Garvelli #2076	8506	Pros. Guide	Follow Up Investigation

UCR STATUS	UNFOUNDED () REPORT	CLEARED BY ARREST (XX)	CLEARED BY JUVENILE ARREST ()	CLEARED BY EXCEPTION OF OTHER MEANS ()	CHANGE OF OFFENSE ()	PROGRESS OF INVESTIGATION ()
Officer Making Report (Badge No.)	Approving Authority		Unit Case No.	Unit Assigned to Follow -up		
Detective G. Garvelli #2076	Sergeant J. Cole #3026		90770137/03	Homicide		

SAN ANTONIO
POLICE DEPARTMENT

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Harassment of a Public Servant

ASSIGNMENT NO: 90770137/03
OFFENSE NO: 709905
DATE REPORTED: 10/11/2009

ROUTING: HOMICIDE

SAN ANTONIO POLICE DEPARTMENT

Last name of Complainant, First, Middle Initial M. Belver #1106 SAPD	Address of Complainant 7000 Culebra	Phone Number 210-207-7420
Place of Occurrence-Street on- at or Number 401 S. Frio	Dist. Occurrence 2360	Date & Time of Occurrence 10/11/2009 @ 0330
		Date & Time of this Report 10/21/2009 @ 0900

Additional Detail of Offense-Progress of Investigation-Disposition of Evidence, Property, Etc...

DISPATCH INFORMATION / KEYCARD

CITY OF SAN ANTONIO

PAGE 01

NEXT CASE:

CASE RECORD

DISP SVC	CASE	X-ASGMNT	OFFENSE-DESC	DATE	TIME	USER-ID	STATION	UNITS
C	90770137		14G DISTRB	10-11-09	0238	XXXX	**	**

R-CASE

PUNIT	DIST	OVR	HSE/BLK	STREET/PLACE	APT NO	BLDG	INTERSECTION	TYP	PRI	911
	5270		05721	STIFFKEY DR				A		

COMPLAINANT/REPORTED BY	HSE NO	STREET	NAME	APT NO	TELEPHONE	CASE FLAG
UNK/FEM						

DETAILS:

C STATES 3 KNWN MALES WALKED TO LOC W/GUNS...
INDVS ARGUING W/C'S SISTER & MOTHER...ALL OUTSIDE LOC.
UNK INTOX...

AP HITTING HIS HEAD ON WINDOW 0317

PRELIMINARY INVESTIGATION - OFFENSE REPORT

Dispatched to the listed location for a report of threats involving guns. Upon arrival I contacted O and W. W stated she was in the house at the listed location when she heard a loud disturbance in which individuals were screaming and shouting profanity and from which loud banging noises were emanating. W, realizing she was expecting her sister home at any moment, woke O so the two could investigate what was happening outside their residence. Once outside, W observed API and another male (neither W nor O could identify the second male) screaming at W's sister and her boyfriend from outside the boyfriend's truck. API was screaming for the boyfriend to get out of the truck so API could fight him. Both W and O recognized API as an individual continually terrorizing people in the neighborhood and which several of O's neighbors had reported to police for a variety of crimes including burglary and criminal mischief. At this point, O instructed API to leave his daughter and her boyfriend alone and to get away from the boyfriend's truck. API then redirected his anger at O and began, according to both O and W, walking toward O in an aggressive manner (with fists clinched screaming he was going to "fuck up your shit" to O). O continued to tell API to simply leave O and his family alone, but API refused to listen. API instead kept walking toward O telling O he was going to "beat you to death and then get a gun and kill your whole family". O quickly instructed W to call

UCR STATUS	UNFOUNDED () REPORT	CLEARED BY (XX) ARREST	CLEARED BY () JUVENILE ARREST	CLEARED BY EXCEPTION () OF OTHER MEANS	CHANGE OF () OFFENSE	PROGRESS OF () INVESTIGATION
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Officer Making Report (Badge No.) Detective G. Garvelli #2076	Approving Authority Sergeant J. Cole #3026	Unit Case No. 90770137/03	Unit Assigned to Follow-up Homicide
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SAN ANTONIO
POLICE DEPARTMENT

TYPE ONLY

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Harassment of a Public Servant

ASSIGNMENT NO: 90770137/03
 OFFENSE NO: 709905
 DATE REPORTED: 10/11/2009

ROUTING: HOMICIDE

SAN ANTONIO POLICE DEPARTMENT

Last name of Complainant, First, Middle Initial M. Belver #1106 SAPD	Address of Complainant 7000 Culebra		Phone Number 210-207-7420
Place of Occurrence-Street on- at or Number 401 S. Frio	Dist. Occurrence 2360	Date & Time of Occurrence 10/11/2009 @ 0330	Date & Time of this Report 10/21/2009 @ 0900

Additional Detail of Offense-Progress of Investigation-Disposition of Evidence, Property, Etc...

police and then informed AP1 that the police would soon arrive. According to O, AP1 then told him it did not matter because he was going to get a gun and "kill your family". AP1 then left the location just moments prior to my arrival.

At this time, O and W informed me I had just missed AP1's presence, but they knew his home address (only one street over) and were in fear AP1 would return to the listed location and make good on his final promise to O (it should be noted that W was especially traumatized by AP1's actions and was tearful and visibly shaken upon my contact with her). Additionally, W stated AP1 prefers to stay out very late and I might observe him roaming the neighborhood streets. I then went to the address O and W provided me for AP1's location. Once there I knocked on the front door and announced myself as police. I then contacted AP1, asked him to step outside, and requested his name and birth date. AP1 provided me this information and, upon this confirmation, I placed AP1 under arrest. As I was attempting to handcuff AP1, AP2 appeared from the residence and asked what was happening. I informed AP2 that AP1 was being arrested. AP2 then grabbed AP1 by the arm and attempted to pull him back inside the house while stepping between AP1 and I. I immediately instructed AP2 to step aside and, when he refused, I pushed him back into the doorway of the house. At this time I was able to finish handcuffing AP1 and, once complete, I informed AP2 he was being arrested also. AP1 then began screaming obscenities at me as I handcuffed AP2 and walked both AP1 and AP2 back to my marked patrol vehicle.

After placing AP2 inside my patrol vehicle, I then attempted to place AP1 inside the vehicle as well (on the opposite side of AP2). I opened the rear driver's side door in order for AP1 to make entry into the vehicle, however, AP1 refused. I was able to place AP1 in the backseat, but AP1, once seated, began kicking at the door of the vehicle. In a final attempt to get AP1 inside my patrol vehicle, I grabbed both of AP1's legs and tried to push them inside the vehicle. AP1, in response, kicked me several times in the leg and the side. After a few moments I was finally able to control AP1's legs and push them completely inside the vehicle. Next, I transported AP1 and AP2 to 401 S. Frio for booking. During transport, AP1 continuously berated me with profanity and accusations that I was a "fucking racist". AP1's tirade continued upon arrival at 401 S. Frio and culminated when, after removing AP1 from my patrol vehicle, AP1 spit directly and deliberately in my face. I informed AP1 immediately that such action was a criminal offense. AP1 stated, "I don't give a fuck!" I then escorted AP1 and AP2 into the magistrate's office for booking.

In the end, I determined AP1 threaten to commit an offense involving violence to O with the intent to place O in fear of imminent serious bodily injury. Additionally, AP1 intentionally prevented a person he knew was a peace officer from effecting his transportation by using force against said officer. Finally, with the intent to assault, harass, and alarm, AP1 caused a person he knew to be a public servant to contact his saliva while said public servant was lawfully discharging an official duty and as retaliation for the public servant's performance of an official duty. AP2, I determined, with criminal negligence disrupted and impeded a peace officer while the peace officer was performing a duty imposed or granted by law.

UCR STATUS UNFOUNDED () REPORT CLEARED BY (XX) ARREST CLEARED BY () JUVENILE ARREST CLEARED BY EXCEPTION () OF OTHER MEANS CHANGE OF OFFENSE () PROGRESS OF INVESTIGATION ()

Officer Making Report (Badge No.) **Detective G. Garvelli #2076** Approving Authority **Sergeant J. Cole #3026** Unit Case No. **90770137/03** Unit Assigned to Follow-up **Homicide**

SAN ANTONIO
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Harassment of a Public Servant

ASSIGNMENT NO: 90770137/03
OFFENSE NO: 709905
DATE REPORTED: 10/11/2009

ROUTING: HOMICIDE

SAN ANTONIO POLICE DEPARTMENT

Last name of Complainant, First, Middle Initial M. Belver #1106 SAPD	Address of Complainant 7000 Culebra	Phone Number 210-207-7420
Place of Occurrence-Street on- at or Number 401 S. Frio	Dist. Occurrence 2360	Date & Time of Occurrence 10/11/2009 @ 0330
		Date & Time of this Report 10/21/2009 @ 0900

Additional Detail of Offense-Progress of Investigation-Disposition of Evidence, Property, Etc...

EVIDENCE

Call for Service Keycard SAPD Case # 90770137
Offense Report #90770137 /01 /02 /03 /04: Officer M. Belver #1106
Actor 01 Criminal History: Sammy Ramos
Actor 02 Criminal History: Luis Ramos

DETAILS of INVESTIGATION

ON DATE 10/14/2009:

I received and reviewed the case. There were no photos taken of the offense and no other witnesses to the offense of Harassment of a Public Servant. There was no /02 report in the reports I received and I checked records for this report to no avail. According to Officer Belver's report, both others (Vasquez, Jackie and Campos, Luis) stayed at their residence on Stiffkey and did not witness the offense of Harassment of a Public Servant which occurred at 401 S. Frio. Officer Belver's report does not indicate any other witnesses to this offense.

CONCLUSION

On October 11th 2009 at approximately 0330 hours, Defendant 1, Sammy Ramos (SID: 0938712) committed PC 22.11 Harassment of a Public Servant by intentionally causing his saliva to come into contact with the Complainant, Officer M. Belver #1106 SAPD, in retaliation for the Complainant exercising an official duty as a peace officer employed by the City of San Antonio. I am forwarding this case to the District Attorney's office for prosecution.

CLEARED BY ARREST

ANY QUESTIONS PLEASE CONTACT ME AT 207-4134

UCR STATUS	UNFOUNDED () REPORT	CLEARED BY (XX) ARREST	CLEARED BY () JUVENILE ARREST	CLEARED BY EXCEPTION () OF OTHER MEANS	CHANGE OF () OFFENSE	PROGRESS OF () INVESTIGATION
Officer Making Report (Badge No.)	Approving Authority		Unit Case No.	Unit Assigned to Follow-up		
Detective G. Garvelli #2076	Sergeant J. Cole #3026		90770137/03	Homicide		

SAN ANTONIO
POLICE DEPARTMENT

TYPE ONLY

SUPPLEMENTARY REPORT
SAPD Form 3-L Rev. (9-90)

DOCUMENT # 23

NEXT CASE:

CASE RECORD

DISP	SVC	CASE	X-ASGMNT	OFFENSE-DESC	DATE	TIME	USER-ID	STATION	UNITS
C		90770137		14G DISTRB	10-11-09	0238	XXXX	**	**

PUNIT	DIST	OVR	HSE/BLK	STREET/PLACE	APT NO	BLDG	INTERSECTION	TYP	PRI	911
	5270		05721	STIFFKEY DR					A	

REPORTED BY	HSE NO	STREET NAME	APT NO	TELEPHONE	CASE	FLAG
UNK/FEM						

DETAILS:


C STATES 3 KNWN MALES WALKED TO LOC W/GUNS...
 INDVS ARGUING W/C'S SISTER & MOTHER...ALL OUTSIDE LOC...
 UNK INTOX...

AP HITTING HIS HEAD ON WINDOW 0317

LIC/ LIS/ VYR/ VMA/ VMO/ VST/ VCO/ OVER/
 DISPOSITION 10-11-09 0241 XXXX HS ISN 8739626 LAST UPD 10-11-09 0734 XXXX EJ
 CASE COMPLETE - AWAITING REPORT
 PRESS PA1 FOR NEXT PAGE

**INTERNAL AFFAIRS
INTEROFFICE CORRESPONDENCE**

TO : Case File

FROM : Sergeant C.L. Walker #3203 

CC : _____

DATE : 11-02 -09

SUBJ : FC2009-227 Memo—Officers at Magistrates Office

SAPD Avl systems showed eighteen officer's vehicles at the Magistrates Office at 0326 hours on October 11, 2009 (Officer Belver's arrival time). Four officers arrived at the Magistrates Office between 0326 hours and 0339 hours and five of the officers departed the Magistrates Office. It was impossible to know whether the officers were inside or outside. All officers were contacted to determine who, if anybody had seen anything. The officers are listed below along with the date I made contact with them.

Officer	Badge	Date of Contact	
Pianfetti, David (TCC)	1565	10-17-09	No information
Barahona, Victor (NPB)	1543	10-14-09	No information
Sense, Joshua (PPC)	1238	10-17-09	No information
Arzola, Jose (CPC)	1502	10-19-09	No information
Armstrong, Matthew (TCC)	0124	10-14-09	No information
Lundy, Curtis (SPC)	0389	10-14-09	No information
Hernandez, Noah (TCC)	0561	10-15-09	No information
Gallegos, Gabriel (TCC)	0923	10-29-09	No Information
Flores, Domingo (TCC)	1569	10-14-09	No information
Dietrich, Justin (EPC)	1318	10-19-09	No information
Martin, Matthew (EPC)	1140	10-29-09	No information
Silva, John (TRU)	0693	10-29-09	No information
Muniz, Christopher (TRU)	0517	10-14-09	No information
Coleman, Timothy (PPC)	1067	10-19-09	Non-Resp. Report
Villarreal, Jose (SPC)	1596	10-14-09	No information
Salinas, Johnny (NPC)	1590	10-21-09	No information
Luevano, David (TCC)	0586	10-17-09	No Information
Lewis, Curtis (TCA)	0846	10-20-09	No information

Arrivals:

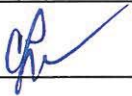
Beard, Carl (ICE)	9433	10-29-09	Statement taken
Vasquez, Priscilla (ICE)	9432	10-19-09	No information
Reich, Travis (WPB)	1364	10-19-09	No information
Windsor, Grant (NPC)	1623	10-27-09	No information

Departures:

Armstrong, Matthew; Arzola, Jose; Salinas, Johnny; Vasquez, Priscilla; and Coleman, Timothy.

**INTERNAL AFFAIRS
INTEROFFICE CORRESPONDENCE**

TO : Case File

FROM : Sergeant C.L. Walker #3203 

CC : _____

DATE : 11-20-09

SUBJ : FC2009- 173 Memo—Detention Center Personnel

I interviewed the Detention Center personnel to determine whether anybody may have been outside and witnessed any of the activity alleged in this case and to determine whether anybody recalled hearing Sammy or Luis Ramos complain about the alleged treatment once inside the facility.

On Tuesday, October 27, 2009, I contacted the following personnel at the Magistrate's Office:

Irma Castillo—Ms. Castillo said she was working the monitors inside the detention center between 0100 hours and 0300 hours and did not know anything about this incident.

Melinda DelaGarza—Ms. DelaGarza was working but did not know anything about this incident.

Vidal Zapata—Mr. Zapata's initials are on Luis Ramos' intake form indicating he personally handled Luis. Mr. Zapata had no recollection of Luis or Sammy. In addition to the intake form, I showed Mr. Zapata a photograph of Luis and pointed out Officer Belver's photograph to him from a photo lineup. Mr. Zapata had no recollection. He stated he handles a lot of prisoners and a lot of them claim to have been mistreated by police.

Sgt. Maldonado—Sgt. Maldonado was the on-duty supervisor for the night shift on October 10-11, 2009 but had no knowledge of this incident.

On Wednesday, October 28, 2009, I contacted the following personnel at the Magistrate's Office:

Rosa Bocenegro—Ms. Bocenegro said she was unaware of anybody being assaulted by an officer in the parking lot and she was unaware that anybody had claimed to have been assaulted by an officer in the parking lot. She stated half the guys that come in to the detention center say they were beat up, thrown to the ground, or something. I asked if she remembered hearing any officer report to detention center personnel that he had been spit on. Ms. Bocenegro said she did not. She said she would have remembered that and it would have been noted on an intake form.

**INTERNAL AFFAIRS
INTEROFFICE CORRESPONDENCE**

On Thursday, October 29, 2009, I contacted the following personnel at the Magistrate's Office:

Brandon Zacharie—Mr. Zacharie was unaware of this incident. Mr. Zacharie said he was working and did not hear an officer report being spit on.

Lisa Barrera—Ms. Barrera completed the Intake Form for Sammy Ramos but had no knowledge of the incident. Ms. Barrera knows Officer Belver and stated he did not tell her Sammy Ramos had spit on him. Ms. Barrera said she would have noted that type of behavior on the Intake Form. Ms. Barrera said she rarely goes outside the building during her shift.

Cory Perez—Mr. Perez had no information on this incident. He stated he had not even heard about it.

Alvaro Ramirez—Mr. Ramirez had no knowledge of the incident.

DAILY PERSONNEL REPORT

DAY: SATURDAY		DATE: 10 - 10 - 09	
A - SHIFT 0600 - 1430 MINIMUM STRENGTH (5)			
NAME	REPLACEMENT	LEAVE TYPE	ASSIGNMENT
BERRONES, L.		1	
BOCANEGRA, R.		2	
FLORES, A.		3	
HERRERA, T.		RD	
LOPEZ, V.		4	
MOORE, V.		RD	
RODRIGUEZ, D.		5	
ROMERO, H.		RD	
SUPERVISOR:			
DURAN, F.		RD	
WILLIS, N.			
B - SHIFT 1400 - 2230 MINIMUM STRENGTH (5/7)			
ACOSTA, L.		1	
BARRIENTES, E.		2	
CASTILLO, I.		3	
DELAROSA, D.	MOT: RAMIREZ (18-22)	RD (6)	
GUZMAN, J.		4	
PENA, A.		RD	
PUENTE, H.		5	
ZACHARIE, B.	MOT: MOORE (18-22)	RD (7)	Flores w/F
SUPERVISOR:			
DIAZ, R.		RD	
VITALE, D.			
C - SHIFT 2200 - 0630 MINIMUM STRENGTH (8)			
BARRERA, L.		1	
BOBBITT, K.		RD	
CULBERSON, T.	MOT: BOCANEGRA	RD (7)	Barrrientes w/f (2230-0200)
DAHLSTEIN, M.	MOT: CASTILLO	RD (8)	
DELAGARZA, M.		2	
FERNANDEZ, A.		RD	
HAMILTON, B.	MOT: BERRONES	AN (6)	Zacharie w/f
PEREZ, C.		3	
RAMIREZ, A.		4	
ZAPATA, V.		5	
SUPERVISOR:			
GUERRERO, A.		RD	
MALDONADO, A.	Sgt.		

PL-Personal Lv, RD- Relief Day, W/F - Work for, AN-Annual Lv, CT-Comp Time

**INTERNAL AFFAIRS
INTEROFFICE CORRESPONDENCE**

TO : Case File

FROM : Sergeant C.L. Walker #3203 *CL*

CC : _____

DATE : 10-28 -09

SUBJ : FC2009-227 Memo—Detention Center Video

I spoke with Mike Peters on October 28, 2009. He advised that due to a hard drive failure there is no Detention Center video for the date of this occurrence, October 11, 2009.

**INTERNAL AFFAIRS
INTEROFFICE CORRESPONDENCE**

TO : Case File

FROM : Sergeant C.L. Walker #3203 *CLW*

CC : _____

DATE : 11-20 -09

SUBJ : FC2009-227 Memo—Communications

Joel Nelson found three communications relative to this case. This memo is not a transcript of the communications and is intended only to be a guide to the subject of the communications. The Communications can be found on the I.A. Pro Database.

The first communication, labeled 0238-0239 hours, is the call being dispatched:

Dispatcher—Alright I've got a gun disturbance going off at 5721 Stiffkey if any unit can break away for that.

Off. Belver---110 where is that gun disturbance?

Dispatcher—In 270's sir, 5721 Stiffkey Dr. Complaint states that three known males walked up to the location with guns and arguing with the sister and mother.

Off. Belver---OK, I'll keep you advised of what I find.

Dispatcher—Copy sir, it's on your screen.

The second communication, labeled 0316 hours, is Officer Belver obtaining a first-half time check and advising the dispatcher he has a male banging his head:

Off. Belver---And 5110, I've got two adult males to 401...(unintelligible) guy banging his head.

Dispatcher—Copy 5110, time check 0317 and also 0317 where your Ap is hitting his head. A male (probably Sammy Ramos) can be heard yelling in the background.

The third communication, labeled 0324 hours, is Officer Belver obtaining his second half time check:

Off. Belver---110 second half, 5462 sir.

Dispatcher—Copy 110, 0326 sir.

**INTERNAL AFFAIRS
INTEROFFICE CORRESPONDENCE**

TO : Case File

FROM : Sergeant C.L. Walker #3203 *CLW*

CC : _____

DATE : 11-23 -09

SUBJ : FC2009-227 Memo—Canvass Report

Sgt. Martin Tobin and I conducted a neighborhood canvass of the 800 block of Inks Farm on November 23, 2009. We made the following contacts:

Rodriguez, Luis [REDACTED]
822 Inks Farm 436-4470

Mr. Rodriguez had no information. He knew the male's from 815 Inks Farm had been arrested but had no information.

Rodriguez, Juan [REDACTED]
818 Inks Farm 833-6212

Mr. Rodriguez had no information and was unaware of the incident.

Reyna, Daniel [REDACTED]
814 Inks Farm 378-4430

Mr. Reyna had no information and was unaware of the incident.

Lara, Graciela [REDACTED]
810 Inks Farm 530-8610

Ms. Lara had no information and was unaware of the incident.

Unknown
806 Inks farm

No answer.

Velasquez, Amparo [REDACTED]
802 Inks Farm 595-6518

Ms. Velasquez had no information and was unaware of the incident.

**INTERNAL AFFAIRS
INTEROFFICE CORRESPONDENCE**

Santoyo, Kevin
754 Inks Farm

██████████
434-0491

Mr. Santoyo had no information and was unaware of the incident.

Unknown
803 Inks Farm

No answer.

Unknown
807 Inks Farm

No answer.

Unknown
811 Inks Farm

No Answer

Mireles, Maria
819 Inks Farm

██████████
257-9949

Ms. Mireles had no information and was unaware of the incident.

Ramirez, Emanuel 19 years old
823 Inks Farm none

Mr. Ramirez is a Spanish speaker. Through an interpreter in the residence, Mr. Ramirez indicated he knew nothing about the incident. (Note: The occupants of this residence were visibly uncomfortable with our presence).

San Antonio Police Department
Internal Affairs Office
Allegation Sheet

Complainant's Name: Ramos, Sammy L.M. [REDACTED]
Administration/Ramos, Luis L.M. [REDACTED]
Cardenas, Cathy L.F. [REDACTED]

Responding Officer: Officer Matthew Belver #1106 (WPC)

Internal Affairs Investigator: Sergeant C.L. Walker # 3203

I.A. Formal Case Number: FC2009-227

During an investigation of a complaint filed by Complainants, Sammy and Luis Ramos, it has been determined that based on the complainant's allegations, you are now a respondent in this case. This memorandum is to inform you of the specific allegations against you, and that Sergeant Walker 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 response is required from you regarding the following allegations.

Allegation No. 1: It is alleged by Complainants Sammy and Luis Ramos, that at approximately 0300 hours on Sunday, October 11, 2009, Officer Matthew Belver #1106 (WPC) entered their residence at 815 Inks Farm without consent, without a search warrant, and without exigent circumstances, for the purpose of effecting a misdemeanor arrest. Officer Belver arrested Sammy Ramos for a class "B" Terroristic Threat. There is no signed Consent Form on file at SAPD Records. (90770137/01)

This conduct may be a violation of the San Antonio Police Department's General Manual:
Procedure 502.03(E) Warrantless Arrests, Searches, & Seizures-Policy

Procedure 502.03(E) Officers make warrantless searches and seizures only by the authorities listed in Section .09 of this procedure

Procedure 502.09 Warrantless Search Authorities/Guidelines

A. Search by Consent

1. A consent search is a warrantless search and occurs when a person voluntarily allows a peace officer to search his/her body, premises, or belongings.
 2. Consent is not voluntary if it is obtained by threat, force, or by falsely claiming that the search can be conducted without consent.
 3. Upon giving consent to search, the consenting person relinquishes any right to object to the search on constitutional grounds.
 4. Officers, prior to conducting a search by consent, will complete and have the consenting person sign SAPD Form 2091-A, Consent for Search of Private Premises.
-

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

- B. Frisk Search
 - 1. An officer may frisk a person for weapons at any time without a warrant if the officer has reason to fear for his/her safety.
 - 2. The officer must be able to explain why the person was frisked. The officer need not point to any one thing that would justify the frisk, but should refer to several things, each of which, when taken alone may seem harmless, but when considered together by an officer who is trained or experienced in dealing with criminal suspects, raises a reasonable suspicion that the person poses a threat to the officer's safety.
- C. Search of a Vehicle Under a Movable Vehicle Exception
 - 1. A vehicle stopped on public property by a peace officer may be searched without a warrant if the peace officer has probable cause to believe the vehicle contains items subject to seizure.
 - 2. The items subject to seizure must be items connected with criminal activity.
 - 3. The officer's determination of probable cause must be based on objective facts that could justify the issuance of a search warrant by a judge or magistrate.
- D. Crime Scene Search
 - 1. While at a crime scene, officers may seize any evidence, fruits of the crime, or contraband that falls within the scope of the Plain View Doctrine.
 - 2. Officers may conduct a quick and limited "protective sweep" search for the safety of officers and persons in the area.
 - a. The protective sweep search may be made when an officer reasonably believes that the area harbors an individual posing a danger to those at the scene.
 - b. Officers may conduct a limited frisk search of a person for weapons at a crime scene if there are articulable facts indicating a person may be armed.
 - c. Officers may also make a limited search of persons at a crime scene if there are articulable facts that a person may be about to destroy evidence.
 - 3. In the absence of the Plain View Doctrine or exigent circumstances, officers shall obtain a warrant to search a crime scene.
 - 4. A search warrant is not necessary if a crime scene is located in a public place.
- E. Exigent Circumstances - Where the Public Safety is Endangered
 - 1. If exigent circumstances exist, the search warrant requirement is dispensed.
 - 2. Under exigent circumstances officers may search persons, property, or containers they believe posses or contain some immediately dangerous weapon or instrument.

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

3. In situations where the public is in danger, officers may conduct a search of persons, places, or things without a warrant if there would not be a reasonable amount of time to obtain a warrant.

F. Inventory Searches

1. An inventory search of an impounded or seized vehicle may be conducted without a warrant in accordance with Procedure 607, Impounding Vehicles. The inventory search is an administrative procedure intended to

inventory and secure the contents in a vehicle. The inventory procedure is intended to protect the following:

- a. The owner's property while it remains in police custody;
 - b. The police against claims or disputes over lost, stolen, or vandalized property; and
 - c. The police and others from potential danger.
2. If criminal evidence, contraband, or other property subject to seizure is discovered during the inventory of a vehicle, there must be a valid administrative reason for the inventory for the property to be admissible in court.

G. Other Search Situations Authorized by Constitutional Provisions

1. Any property or items listed in the Texas Code of Criminal Procedure, Article 18.02, that could be seized with a search warrant may be seized without a search warrant under the Plain View Doctrine if an officer:
- a. Recognizes the property or items as seizable property or items;
 - b. Has a legal right to be in a position to view the property or items; and
 - c. Does not intrude on any person's reasonable expectation of privacy to seize the property or items.
2. If the property or items are in a place the officer cannot legally enter without a warrant or consent, the property or items cannot be seized without a warrant unless there is danger of imminent destruction or removal of the property.



Respondent's Signature

1106

Badge #

12-10-09

Date



Investigator's Signature

3203

Badge #

12-10-09

Date

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

Allegation No. 2: It is alleged by Complainant Sammy Ramos, that at approximately 0300 hours on Sunday, October 11, 2009, Officer Matthew Belver #1106 (WPC) arrested Sammy Ramos without an arrest authority. Officer Belver arrested Sammy Ramos at the Ramos residence at 815 Inks farm for Terroristic Threats; a misdemeanor violation that did not occur in Officer Belver's presence or view. (90770137).

This conduct may be a violation of the San Antonio Police Department's General Manual:
General Manual Procedure 502.03(D) Warrantless Arrests, Searches, & Seizures-Policy

Procedure 502.03(D) Officers make warrantless arrests only by the authorities listed in Section .04 of this procedure.

Procedure 502.04 WARRANTLESS ARREST AUTHORITIES

- A. State Statutes
 - 1. Alcohol Beverage Code
 - Chapter 101, Article 101.02 Any Violation of Alcohol Beverage Code
 - 2. Code of Criminal Procedure
 - a. Chapter 8, Article 8.04 Dispersing Riot
 - b. Chapter 14
 - (1). Article 14.01 Offense within View
 - (2). Article 14.02 Within View of Magistrate
 - (3). Article 14.03(a)(1) Suspicious Places and Circumstances;
 - (4). Article 14.03(a)(2) Assault - Bodily Injury;
 - (5). Article 14.03(a)(3) Violation of Protective Order - May Arrest;
 - (6). Article 14.03(a)(4) Family Violence - Bodily Injury; and
 - (7). Article 14.03(b) Violation of Protective Order – Shall Arrest.
 - (8). Article 14.04 Fleeing Felon
 - c. Chapter 18, Article 18.16 Preventing Consequences of Theft
 - d. Chapter 51, Article 51.13 Uniform Criminal Extradition Act
 - 3. Health and Safety Code
 - Chapter 462, Section 462.041 Chemically Dependent Person

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

Allegation No. 3: It is alleged by Complainant Sammy Ramos, that at approximately 0300 hours on Sunday, October 11, 2009, Officer Matthew Belver #1106 (WPC) slapped him on the side of the head after Mr. Ramos was handcuffed. This allegedly occurred at the Ramos residence at 815 Inks Farm after Officer Belver arrested Mr. Ramos on a Terroristic Threats charge. It is further alleged that upon arriving at the Magistrates Office at approximately 0326 hours, Officer Belver repeatedly hit Sammy Ramos in the head and face and kicked him several times. This allegedly occurred outside the patrol car, in the parking lot, at the rear of the Magistrates office. (90770137)

This conduct may be a violation of the San Antonio Police Department's General Manual:
Rules and Regulations, Section 3.26 Treatment of Prisoners.

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

Badge #

12-10-09

Date

Investigator's Signature

3203

Badge #

12-10-09

Date

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

Allegation No. 4: On Sunday, October 11, 2009, at approximately 0300 hours, Complainants Sammy and Luis Ramos were arrested from their residence at 815 Inks Farm by Officer Matthew Belver #1106 (WPC). It is alleged that following their arrests, Officer Belver failed to safeguard their personal property when he refused to close and secure the open front door of their residence.

This conduct may be a violation of the San Antonio Police Department's General Manual:
Procedure 601.12(A) Prisoner's Property

Procedure 601.12(A): The arresting officer is responsible for all personal property belonging to a prisoner.

Respondent's Signature

1106

Badge #

12-10-09

Date

Investigator's Signature

3203

Badge #

12-10-09

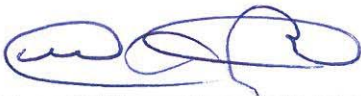
Date

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

Allegation No. 5: It is alledged by the Administration / Luis Ramos, that at approximately 0330 hours on Sunday, October 26, 2009, Officer Matthew Belver #1106 falsified a police report by writing that Luis Ramos interferred with Officer Belver's arrest of Luis's brother, Sammy Ramos, when Officer Belver knew Luis did not interfere with the arrest. Officer Belver's report indicates Luis Ramos appeared from inside the residence, grabbed Sammy Ramos by the arm, and attempted to pull him back into the residence when Officer Belver was attempting to arrest Sammy. Witnesses support Luis Ramos' assertion that he was already outside, on the front porch, when Officer Belver retrieved Sammy Ramos from inside the residence and Luis did not interfere with the arrest.

This conduct may be a violation of the San Antonio police Departments General Manual: **Rules and Regulations 3.02 Truthfulness of Members.**

Rules and Regulations Section 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.



Respondent's Signature

1106

Badge #

12-10-09

Date



Investigator's Signature

3203

Badge #

12-10-09

Date

Garrity Warning Sheet

General Manual Rules and Regulations

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 he is advised:

1. That the report is for departmental purposes only;
2. That the report will not be used against him in any subsequent criminal investigation or prosecution; and
3. That should he 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.

Effective Date: November 1, 2001

General Manual Procedure 303 Disciplinary Procedures

.07 **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 W. Belver

Officer's Printed Name



Officer's Signature

12-10-09

Date

DOCUMENT# 31

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

In accordance to the Collective Bargaining Agreement, Article 28 Subsection 1 (C), provides for review of certain documents at the time a respondent officer is providing a response to allegations presented to him by the Internal Affairs Unit.

Belver, Matthew

1106 / Officer

Officer's Name (Last, First, MI)

Badge No./Rank

WPC

207-7420


Unit Assignment

Work Telephone

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

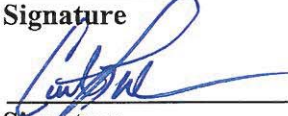
<u>Title of Document</u>	<u>Prepared By</u>	<u>Date of Document</u>
Formal Complaint Notice	Capt. A. Muro	10-26-09
Formal Complaint Acceptance Form	Sgt. C.L. Walker	10-12-09
Sworn Statement (Sammy Ramos)	Sgt. C.L. Walker	10-12-09
Sworn Statement (Sammy Ramos)	Sgt. C.L. Walker	10-12-09
Sworn Statement (Sammy Ramos)	Sgt. C.L. Walker	10-29-09
Sworn Statement (Luis Ramos)	Sgt. C.L. Walker	10-14-09
Rough Sketch of Detention Center Parking Lot	Sgt. C.L. Walker	10-29-09
Sworn Statement (Cathy Cardenas)	Sgt. C.L. Walker	11-02-09
Keycard	Computer Generated	10-11-09
Offense Report (90-770137 01, 02, 03, and 04)	Off. M. Belver	10-11-09
Witness Statement (Cadet Chase Meneley)	Sgt. C.L. Walker	10-16-09
Witness Statement (Jacqueline Vasquez)	Sgt. C.L. Walker	10-22-09
Witness Statement (Luis Campos)	Sgt. M. Tobin	10-22-09
Witness Statement (Michelle Flores)	Sgt. C.L. Walker	11-02-09
Witness Statement (Joseph Caballero)	Sgt. C.L. Walker	11-12-09
Witness Statement (Connie Ojeda)	Sgt. C.L. Walker	11-12-09
Witness Statement (CSI Carl Beard)	Sgt. M. Riggs	10-29-09
Non-Respondent Report	Off. T. Coleman	10-19-09
Non-Respondent Report	Off. T. Coleman	10-27-09
Non-Respondent Report	Det. G. Garavelli	12-03-09
Homicide Case File (90-770137-03)	Det. G. Garavelli	12-03-09
Memo—Officers at Magistrates Office	Sgt. C.L. Walker	11-02-09
Memo—Detention Center Personnel	Sgt. C.L. Walker	11-20-09
Daily Personnel Report (Detention Center)	Detention Ctr. Personnel	10-10-09
Memo—Detention Center Video	Sgt. C.L. Walker	10-28-09
Memo—Communications	Sgt. C.L. Walker	11-20-09
Memo—Canvass Report	Sgt. C.L. Walker	11-23-09
I.A. Allegation Sheet	Sgt. C.L. Walker	10-26-09
I.A. Garrity Warning Sheet	Computer Generated	N/A
I.A. Receipt of Documents Viewed	Sgt. C.L. Walker	11-23-09
Detention Center Registration Form (Sammy Ramos)	Det. Ctr. L. Barrera	10-11-09
Master Name File Printout (Sammy Ramos)	Computer Generated	N/A
Mugshot Database Report (No Photo of Sammy Ramos)	Computer Generated	10-19-09
Detention Center Registration Form (Luis Ramos)	Det. Ctr. Zapata	10-11-09
Master Name File Printout (Luis Ramos)	Computer Generated	N/A
Mugshot Database Photo (Luis Ramos)	Computer Generated	10-14-09
AVL Printouts	Sgt. C.L. Walker	10-13-09
(2) CDR-Photographs	Sgt. C.L. Walker	N/A

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: 12-10-09

Internal Affairs Investigator: 

Signature

Date: 12-10-09

Unit Case Number FC2009-227

**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report**

I.A. Formal Case Number: FC2009-227
SAPD Case Number: (90770137)

Place of Occurrence		District of Occurrence	Type of Complaint
815 Inks Farm / 401 S. Frio		5270 / 2360	Formal
Complainant's Name (Last, First, MI)		Address	Phone Number
Ramos, Sammy		815 Inks Farm	242-0019
Administration / Ramos, Luis		214 W. Nueva / 815 Inks Farm	207-7484 / 242-0019
Cardenas, Cathy		815 Inks Farm	242-0019
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Sunday	10-11-2009 / 0238	10-12-2009 / 1737	Statement

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 officers. It is my understanding that by refusing to obey an order to write this report, I can be disciplined for insubordination, and that the punishment for insubordination 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.

Question No. 1: Have you read the Sworn Statement, Letter of Complaint, or Administrative Complaint that has been filed against you? Do you understand the general nature of the complaints against you?

Yes, Yes.

Question No. 2: **Have you read Rule and Regulation 3.02, Truthfulness of Members, of the San Antonio Police Department General Manual and do you understand this Rule and Regulation?**

Yes, Yes.

Question No. 3: Are you recording this interview with Sergeant Walker? Answer "Yes" or "No." If "Yes," did you notify Sergeant Walker?

No.

Question No. 4: Have you brought a supervisor, attorney, and/or an association representative with you for this interview? Answer "Yes" or "No." If "Yes," identify this person.

Yes, Karl Brehm CLEAT.

Officer's Signature and Badge Number  #1106	Date Submitted 12-10-09
M. Belver #1106 (WPC)	

**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)**

I.A. Formal Case Number: FC2008-081

Question No. 5: You authored several reports, dated 10-11-09, under case number 90770137, in reference to this case. Are these reports a complete and accurate account of your knowledge and activities pertaining to this case?

Yes.

Question No. 6: Did you complete a Use of Force Report in regard to this case? Answer "Yes" or "No." If your answer is "No," please detail your reason(s) for not doing so.

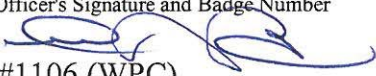
No. No more force was necessary to secure both of the prisoners than was required by empty/open hand techniques.

Question No. 7: Did you complete an Injured Prisoner Report in regard to this case? Answer "Yes" or "No." If your answer is "No," please detail your reason(s) for not doing so.

No. Neither of the two prisoners demonstrated visible injuries upon being accepted by detentions officers at 401 S. Frio nor were either of the two prisoners complaining of internal injuries at that time. Furthermore, since no force was used greater than was necessary upon using empty/open hand techniques, there was no expectation or necessity for the completion of an Injured Prisoner Report Form.

Question No. 8: Did you complete a Consent to Search Form in regard to this case? Answer "Yes" or "No." If your answer is "No," please detail your reason(s) for not doing so.

No. I did not require a Consent to Search Form for the residence at 815 Inks Farm because I did not enter the residence. Upon arriving at the residence I knocked on the front door and announced myself as police. Mr. Sammy Ramos answered the door and, upon verifying his identity and asking to speak with him outside, I began to place Mr. Sammy Ramos in custody. While attempting to place Mr. Sammy Ramos in custody, Mr. Luis Ramos appeared in the doorway and questioned what exactly was occurring. Mr. Luis Ramos then attempted to separate Mr. Sammy Ramos from me by grabbing Mr. Sammy Ramos' arm and pushing me away from Mr. Sammy Ramos. This action lead to the arrest of Mr. Luis Ramos.

<p>- 2 -Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-10-09</p>
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**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)**

I.A. Formal Case Number: FC2008-081

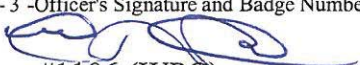
Question No. 9: In a sworn, written, statement provided to Sgt. A. Ruks on November 12, 2009, Connie Ojeda stated, *"A few minutes later, I heard banging on my door, actually the window in my front door. I went to the door and opened it. There was a San Antonio Police officer standing there. It was a tall, Anglo officer. He looked upset, frustrated and angry. The officer walked inside my house the second I opened the door and stood just inside the doorway. The officer said, "Joe?" I asked him "junior or senior?" The officer said, "Joe Caballero." I told him that Joe Senior had just left for work, and that Joe Junior didn't live there. The officer said, "You better not be lying to me!" He said, "I'm going to check your house and I'm going to arrest you if you're lying!" When he told me that, I told him to go ahead and look".*

Is this an accurate description of your activities at the Ojeda household located at 5702 Stiffkey? Answer "Yes" or "No." If your answer is "No," please detail what is incorrect in Ms. Ojeda's statement.

No. After receiving information from the complainant and witnesses regarding the whereabouts of the individuals who threatened the complainant and his family with a gun and had promised to return after my departure, I went to Mrs. Ojeda's residence to ask if either "Joe" or Mr. Sammy Ramos were there. Upon arriving at Mrs. Ojeda's residence, I knocked on the door and announced myself as police. After Mrs. Ojeda opened the door, I asked if either "Joe" or "Sammy Ramos" were present in the house. Mrs. Ojeda then asked, "Joe junior or senior?" I then stated, "Junior." She told me he was not at the location nor was his friend Mr. Sammy Ramos. I then asked her if she would consent to allowing me to enter her residence and verify her statement. I, at no time threatened her or her family. She stated, upon my request, "Sure, go ahead and look."

Question No. 10: Did you enter the Ojeda / Caballero residence? Answer "Yes" or "No." If your answer is "Yes," under what authority, or with whose permission, did you enter the residence?

Yes. Mrs. Ojeda, the owner of the house, gave me permission to enter her residence.

<p align="center">- 3 -Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC) #1106</p>	<p>Date Submitted</p> <p align="center">12-10-09</p>
--	--

San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)

I.A. Formal Case Number: FC2008-081

Question No. 11: In a sworn, written, statement provided to Sgt. Walker on November 12, 2009, Joseph caballero stated that you told him, *"If I were you, I would kill these bitches. They are trying to blame you for what is happening and they don't know what they are talking about. Two or three days from now I don't care what you do, Mike, but for now, go back to your house and don't come out again tonight"*.

Did you make this statement or say word to this effect? Answer "Yes" or "No." If your answer is "Yes" please explain your reason(s) for making this statement.

No.

Question No. 12: On the morning of October 11, 2009, who initially answered your knocking at the door and became your first contact at the Ramos' residence located at 815 Inks Farm?


Mr. Sammy Ramos.

Question No. 13: You booked Sammy Ramos into the San Antonio Detention Center on the following charges: Terroristic Threat, Resist Arrest- Search-Transportation, and Harassment of a Public Servant.

You booked Luis Ramos into the San Antonio Detention Center on the following charge: Interference W/Duties of a Public Servant.

Considering your knowledge of the incident and your experiences with Sammy and Luis Ramos at the time of their arrests and transportation, were these charges appropriate?

Yes.

<p>- 4 -Officer's Signature and Badge Number</p> <p> #1106</p> <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-10-09</p>
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**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)**


I.A. Formal Case Number: FC2008-081

Question No. 14: Sworn Statements of Luis Ramos (provided 09-14-09), Jacqueline Vazquez (10-22-09), Luis G. Campos (10-22-09), and Michelle Flores (taken 11-02-09), indicate Luis Ramos answered the door at 815 Inks Farm and was standing outside the Ramos residence when you entered the Ramos residence to effect the arrest of Sammy Ramos.

In your Offense Report you stated, "I then went to the address C (Luis Campos) and W (Jacqueline Vasquez) provided me for API's (Sammy Ramos) location. Once there I knocked on the front door and announced myself as police. I then contacted API (Sammy Ramos), asked him to step outside, and requested his name and birth date. API (Sammy Ramos) provided me with this information and upon, this confirmation, I placed API (Sammy Ramos) under arrest".

Can you explain the discrepancies?

After listening to the information regarding what I considered an immediate breach of the peace (and would likely result in additional confrontations and/or assaults), I went to the 800 block of Inks Farm in search of Mr. Sammy Ramos based on the description of Mr. Sammy Ramos' house provided by Mr. Luis Campos and Miss Jacqueline Vazquez. Additionally, Mr. Luis Campos and Miss Jacqueline Vazquez, against my recommendation, followed me to the 800 block of Inks Farm and, once there, pointed out Mr. Sammy Ramos' house from a distance. I then instructed them to return home immediately. However, believing they would again not listen to me, I instructed them to at least remain at a far distance from Mr. Sammy Ramos' house. I then went to the front door of the house Mr. Campos and Miss Vazquez had identified and knocked on the front door, announcing myself as police. The front porch of the house was very dark with no lighting. Mr. Sammy Ramos answered the door and immediately began yelling at me that he "had done nothing wrong" and that I "had no right to be there". The individual who answered the door also matched the description of Mr. Sammy Ramos provided to me by Mr. Luis Campos and Miss Jacqueline Vazquez. Without entering the house but stepping forward into the doorway, I asked the individual who answered the door if he was Sammy Ramos. He stated yes, but, again, I "had no right to be there." I asked Mr. Sammy Ramos to step outside and as he moved forward through the doorway I took custody of Mr. Sammy Ramos and began to handcuff him.

<p>- 5 - Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-10-09</p>
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San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)

I.A. Formal Case Number: FC2008-081

Question No. 15: According to the sworn, written, statement of Luis Ramos provided to Sgt. Walker on September 14, 2009, Luis stated *"I answered the front door and saw that it was a police officer at the door. The officer asked me if I was Sammy Ramos. I told him I was Luis Ramos and as I tried to step outside, he pushed the open the door and walked inside. My brother, Sammy, was sleeping on the couch. The officer was yelling 'is this Sammy ramos, is this Sammy Ramos' the officer was trying to wake Sammy by yelling his name. I asked the officer if he had a warrant and he said "yes." I just stood there in shock. The officer continued to try to wake Sammy but he wasn't waking up. I asked the officer if he had a warrant. The officer said the warrant was outside in his car and he told me to step outside and put my hands behind my back. I assumed the officer was just trying to control the situation by asking me to step outside. I stepped outside and and waited on the porch"*.

Is Luis Ramos account of the incident truthful and accurate? Answer "Yes" or "No." If your answer is "No," detail everything that is untruthful or inaccurate?

No. Upon knocking on the door at 815 Inks Farm, Mr. Sammy Ramos answered and opened the door. After contacting and attempting to handcuff Mr. Sammy Ramos, Mr. Luis Ramos came to the door questioning what was occurring and attempting to prevent me from effecting Mr. Sammy Ramos' arrest. I, at no time, told either of the Ramos brothers I had a warrant or that a warrant was "in my car". The first Ramos brother I contacted at the location was Mr. Sammy Ramos not Mr. Luis Ramos who admits in his own sworn statement he was sleeping in the back bedroom of the house while Mr. Sammy Ramos was asleep on the couch nearest to the front door.

Question No. 16: Did you tell Luis Ramos that you had a warrant? Answer "Yes" or "No." If your answer is "Yes," why did you make that statement?

No.

<p>- 6 -Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-10-09</p>
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San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)

I.A. Formal Case Number: FC2008-081

Question No. 17: Sworn Statements of Luis Ramos (provided 09-14-09), Jacqueline Vazquez (10-22-09), Luis G. Campos (10-22-09), and Michelle Flores (11-02-09), indicate Luis Ramos did not interfere in any way with your arrest of Sammy Ramos.

In your Offense Report you stated, "As I was attempting to handcuff AP1 (Sammy Ramos), AP2 (Luis Ramos), appeared from the residence and asked what was happening. I informed [the offense report incorrectly reads AP1] AP2 (Luis Ramos) that AP1 (Sammy Ramos) was being arrested. AP2 (Luis Ramos) then grabbed AP1 (Sammy Ramos) by the arm and attempted to pull him back inside the house while stepping between AP1 (Sammy Ramos) and I".

Can you explain the discrepancies?


As stated by Mr. Luis Campos in his sworn statement, the front porch of the location was dark and had no lighting and the witnesses were viewing the scene from a far distance away. Mr. Campos, Miss Vazquez, and Miss Flores then incorrectly believed Mr. Luis Ramos first answered the door when, in fact, Mr. Sammy Ramos had answered the door. Furthermore, Mr. Luis Ramos's actions and/or movements in his attempt to prevent or obstruct my arrest of Mr. Sammy Ramos were not of such a nature as to be easily visible under poor lighting from a relatively far distance. Mr. Luis Ramos did not swing his arms or legs wildly rather his interference involved an attempt to quickly separate me from his brother by simply placing his body between myself and his brother in order to allow his brother to reenter the residence.

Question No. 18: Did you enter the Ramos residence, located at 815 Inks Farm, on October 11, 2009? Answer "Yes" or "No." If your answer is "Yes" please detail the authority under which you made entry and your purpose or intent for entering the residence.

No.

Question No. 19: Under what arrest authority did you arrest Sammy Ramos?

I arrested Mr. Sammy Ramos under the authority granted peace officers by the Code of Criminal Procedure to arrest individuals, without a warrant, who are reasonably believed to have been guilty of an immediate breach of the peace. Additionally, while speaking with Mr. Luis Campos, the complainant, I was told by Mr. Campos he intended to go the Mr. Sammy Ramos' location and confront him.

<p>- 7 - Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-10-09</p>
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**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)**

I.A. Formal Case Number: FC2008-081

Question No. 20: Under what arrest authority did you arrest Luis Ramos?

Mr. Luis Ramos committed an offense in my presence and/or view. He was, therefore, arrested under that authority provided by the Code of Criminal Procedure.


Question No. 21: Did you slap, hit, or by any means strike Sammy Ramos, after he was handcuffed but prior to leaving his residence? Answer "Yes" or "No." If your answer is "Yes" please detail your use of force and explain your reason(s) for using that force.

No.

Question No. 22: If your answer to the preceding question was "No," are you aware of any action you may have taken that Luis Ramos, Jacqueline Vasquez, and Luis Campos, may have mistaken as you striking Sammy Ramos?

Mr. Luis Campos admits to not being able to see very well but he believes that I did strike Mr. Sammy Ramos with something, perhaps an arm or fist while his daughter Jacqueline states I used a flashlight. There is no evidence of any type of injury consistent with a flashlight strike or any other struck because I did not strike Mr. Sammy Ramos at all. Mr. Sammy Ramos has never claimed any type of injury or assault consistent with being struck by a flashlight. Ms. Flores in her sworn statement states she did not see any type of strike, but only heard a thud which, in turn, Jacqueline Vasquez told her was my alleged flashlight strike. I do not think any of the witnesses actually know what was exactly going on because of the poor lighting and, instead, they are speculating as to what happened because of Mr. Sammy Ramos' continuous screaming over the fact he was being arrested.

While attempting to place Mr. Sammy Ramos in the backseat of my patrol vehicle following his arrest, Mr. Sammy Ramos kicked me several times in the leg and side. Finally, after being unable to close the patrol vehicle door, I was forced to grab Mr. Sammy Ramos' legs and push them inside the patrol vehicle. This was necessary because Mr. Sammy Ramos continuously kicked the door open as I attempted to close it.

<p>- 8 -Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-10-09</p>
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**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)**

I.A. Formal Case Number: FC2008-081

Question No. 23: In a sworn statement provided to Sgt. Walker on October 22, 2009, Jacqueline Vazquez stated *"I told the officer I didn't know who the first guy he arrested was. My neighbor, Michelle Flores, was sitting in the back seat and she said the guy was Sammy's brother. I told the officer he was not at my house and he had nothing to do with this. The cop said "Oh, I arrested him because he was being an asshole to me".*

Did you make the statement "Oh, I arrested him because he was being an asshole to me" or words to that effect?

No.

Question No. 24: In a sworn statement provided to Sgt. Walker on September 14, 2009, Luis Ramos stated *"Sammy told the officer, 'You left the front door to my house open, can you go close it?' The officer got out of the patrol car, opened Sammy's door (patrol car door) then slammed the door and said 'there, now your door is closed. The officer got back into the car and we took off".*

Is this an accurate description of your action(s) and statements regarding the door being left open? Answer "yes" or "No." If your answer is "Yes," please detail your reason for taking that action and making this statement?

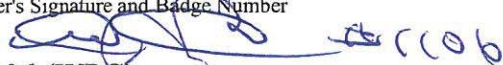
No.

Question No. 25: If your answer to the preceding question was "No," are you aware of any action you may have taken that Luis Ramos may have mistaken for your alleged actions referenced in question 24?

No.

Question No. 26: Did you leave the Ramos residence with Luis and Sammy Ramos under arrest without first securing the front door of their residence? Answer "Yes" or "No." If your answer is "Yes," please explain your reason(s) for not securing the residence.

No. I believed I had secured the door and was unaware of the possibility of it being open until Mr. Sammy Ramos began screaming at me that the "fucking door to my house was left open." Mr. Sammy Ramos was so volatile and was screaming profanities so loudly at me I did not believe what he was saying was true. Additionally, when Mr. Sammy Ramos began screaming I had left his home's front door open, I was already gone from the location and was fearful Mr. Sammy Ramos' actions were a ruse to take me back to his residence.

<p>- 9 -Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-10-09</p>
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**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)**

I.A. Formal Case Number: FC2008-081

Question No. 27: In a sworn statement provided to Sgt. Walker on September 14, 2009, Luis Ramos stated *"Once we arrived at the jail the officer pulled into the back area where the police cars park but he didn't park by the door, he parked over to the side and backed in. The officer told Sammy that he was going to put his nightstick and gun in his trunk. The officer said after he had done that he was going to take Sammy out of the car, remove the handcuffs, and kick his ass"*.

Did you tell Sammy Ramos that you were going to "take him out of the car, remove the handcuffs, and kick his ass" or words to that effect?

No.

Question No. 28: Upon arriving at the detention center, but prior to entering, did you remove Sammy Ramos handcuffs? Answer "Yes" or "No." If your answer is "Yes," please detail your reason(s) for taking this action.

No.

Question No. 29: Did you slap, hit, kick, or by any means, strike Sammy Ramos in the rear parking lot of the detention center? Answer "Yes" or "No." If your answer is "Yes" please detail your use of force and explain your reason(s) for using that force.

No.

Question No. 30: Describe specifically the types and amounts of force you used during this incident.

No force was used on either of the Ramos brothers at the detention facility. The only force used (empty/open hand technique) was used at the Ramos' residence. Upon exiting my patrol vehicle at the detention center, Mr. Sammy Ramos laid on the ground. I then helped him to his feet before escorted he and his brother inside.

Question No. 31: Did you use any other force not specifically detailed in the preceding paragraph or in your answers to these interrogatories? Answer "Yes" or "No." If your answer is "Yes" detail the force you used, your reason(s) for using the force, and identify the individual(s) the force was used against.

No.

<p>- 10 -Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-20-09</p>
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**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)**

I.A. Formal Case Number: FC2008-081

Question No. 32: Did you receive any injuries as a result of this incident? If your answer is "Yes," please describe the injuries you received and described any measures taken to document the injuries, such as photographs or medical treatment.

No.

Question No. 33: Were Sammy or Luis Ramos injured as a result of this incident? Answer "Yes" or "No." If your answer is "Yes," please describe the injuries he received and describe any measures taken to document the injuries, such as photographs or medical treatment.


No.

Question No. 34: Officer Timothy Coleman #1067 (PPC) escorted Sammy Ramos into the detention center from your patrol vehicle. Did you warn or advise Officer Coleman that Sammy Ramos had just spit in your face? Answer "Yes" or "No." If your answer is "No, " please detail your reason for not warning or advising Officer Coleman that Sammy Ramos had spit in your face.

No. During transport to 401 S. Frio, Mr. Sammy Ramos informed me he was going to "spit in my face" because he "had no respect for me". Upon arrival at 401 S. Frio, I parked my patrol vehicle and removed Mr. Sammy Ramos. As he was being removed, Mr. Sammy Ramos spit directly and deliberately in my face after which he laid on the ground screaming, "I told you I was going to do it!" I immediately wiped his saliva from my face and, after getting Mr. Sammy Ramos back on his feet, I requested he stand at the front of my patrol vehicle. I then went around the back of my vehicle to attend to Mr. Luis Ramos. At this time, another officer arrived and escorted Mr. Sammy Ramos inside the detention center. While attending to Mr. Luis Ramos, I neglected to tell the other officer that Mr. Sammy Ramos had spit in my face.

Question No. 35: Once inside the detention center, Detention Guard, Lisa Barrera, prepared the intake paperwork for Sammy Ramos. Did you advise Lisa Herrera, or any other detention center personnel, that Sammy Ramos had spit in your face? Answer "Yes" or "No." If your answer is "No, " please detail your reason for not warning or advising detention center personnel that Sammy Ramos had spit in your face. If your answer is "Yes," please identify the person you provided this information to.

No. Once inside the detention facility, I attended to the booking of Mr. Luis Ramos while Mr. Sammy Ramos had already begun the intake process.

<p>- 11 - Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-30-09</p>
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**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)**

I.A. Formal Case Number: FC2008-081

Question No. 36: Did you ask Sammy Ramos if he had any communicable diseases? Answer "Yes" or "No." If your answer is "No," please explain why you did not.

No. However, I did listen as detention officers questioned Mr. Sammy Ramos regarding whether or not he had any communicable diseases. He told them no, he did not.

Question No. 37: Did you take any action to clean or decontaminate your face after being spit on? Answer "Yes" or "No." If your answer is "Yes," please explain the actions you took to clean or decontaminate your face and detail when and where this occurred.

Yes. After booking the Ramos brothers, I returned to my patrol vehicle where I used liquid sanitizer and sanitizing wipes to decontaminate my face and hands. Also, at this time I saw a coworker and informed him I had just been spit upon by one of my arrestees. The Officer's name is Jerod Haby and he is currently a patrolman on WPC.

Question No. 38: In accordance with General Manual Procedure 708.03, A, 10, did you immediately notify the appropriate follow-up unit, in this case the Night Detectives Unit, that you had a felony offense in which an arrest had been made? Answer "Yes" or "No." If your answer is "Yes," please detail the method in which you made notification and identify the person(s) with whom you spoke. If your answer is "No," please detail the reason(s) you did not notify the follow-up unit.

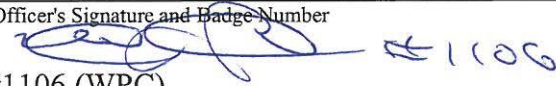
No. In the chaos of arresting, transporting, and booking both of the Ramos brothers, I neglected to notify Night CID of the felony offense.

Question No. 39: Are you aware of any witnesses Sgt. Walker should contact in this matter?

Jerod Haby, WPC

Question No. 40: Do you understand that it is your responsibility to contact Sgt. Walker should new information regarding this case come to your attention?

Yes.

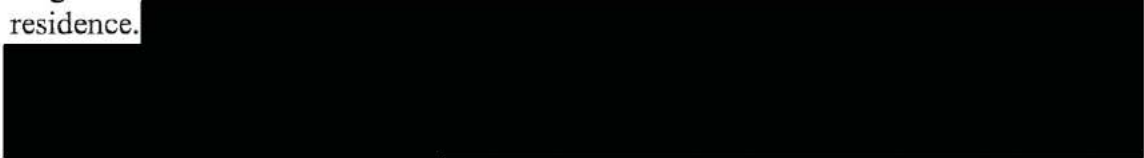
<p>- 12 - Officer's Signature and Badge Number</p>  <p>M. Belver #1106 (WPC)</p>	<p>Date Submitted</p> <p>12-20-09</p>
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San Antonio Police Department
Internal Affairs Unit
Officer's Response Report
(Supplement Sheet)

I.A. Formal Case Number: FC2008-081

Question No. 41: Do you have any other information that you feel may be pertinent to this investigation?
Answer "Yes" or "No." If "Yes," provide the information at this time.

Yes. Since Mr. Sammy Ramos' arrest on October 11th, he has continued to be the serial menace described to me not only by Mr. Luis Campos and his family, but also by neighbors living on the streets adjacent to and surrounding Mr. Sammy Ramos' residence.



This information simply supports the belief I held on the night in question after speaking with Mr. Luis Campos and his family—that Mr. Sammy Ramos committed an immediate breach of the peace when he entered onto Mr. Campos' property and threatened Mr. Campos and his family with a gun and promised to return immediately after police had departed.

Question No. 42: Sgt. Walker asked as a follow-up question how I had notified Ofifcer Jerod Haby that Sammy Ramos had spit in my face.

I notified Officer Haby in person. He was sitting in his vehicle writing a report behind the Detention Center. This was less than 10 minutes after Sammy Ramos spit in my face.

Question No. 43: Sgt. Walker asked me if I saved this Response Report, or any other Internal Affairs data, onto my flash drive.

No, I did not. I only used my flash drive to reference warrantless arrest authority case law due to having data I had previously researched on the flash drive.

<p>- 13 -Officer's Signature and Badge Number</p>  # 1106 M. Belver #1106 (WPC)	<p>Date Submitted</p> 12-20-09
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**SAN ANTONIO POLICE DEPARTMENT
INTERNAL AFFAIRS
RECEIPT OF DOCUMENTS VIEWED**

In accordance to the Collective Bargaining Agreement, Article 28 Subsection 1 (C), provides for review of certain documents at the time a respondent officer is providing a response to allegations presented to him by the Internal Affairs Unit.

Belver, Matthew

1106 / Officer

Officer's Name (Last, First, MI)

Badge No./Rank

WPC

207-7420

Unit Assignment

Work Telephone

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

Title of Document

Prepared By

Date of Document

Interoffice Correspondence

Off. B. Thomas

12-31-09

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:

 #1106

Date:

1-3-20

Signature

Internal Affairs Investigator:



Date:

1-7-10

Signature

Unit Case Number

FC2009-227

SAPD Form 1-RD PC (Dec 99)

DOCUMENT# 34



*San Antonio Police Department
Interoffice Correspondence*



Date: 12.31.09

TO: Sgt. Walker

THRU:

THRU:

THRU:

THRU:

ATTN:

FROM: Officer Barbara Thomas, 0918

SUBJECT: Arrest Authority

In this situation, where the offense was not committed within the officer's presence or view, there are two warrantless arrest authorities that the officer may have relied upon if the conditions justifying either existed.

The first scenario, provided for under:

CCP 14.03(a)(1) Persons found in suspicious places and under circumstances which reasonably show that such persons have been guilty of some felony, violation of Title 9, Chapter 42, Penal Code, breach of the peace, or offense under Section 49.02, Penal Code, or threaten, or are about to commit some offense against the laws;

If the officer had probable cause to believe the person had committed an offense under the listed codes and the officer did not have time to procure a warrant, this statute may have been available to the officer. However, based on the limited information before me (the officer's reports) it does not appear that the conditions required under 14.03(a)(1) were present.

The second scenario, provided for under:

CCP 14.04 Where it is shown by satisfactory proof to a peace officer, upon the representation of a credible person, that a felony has been committed, and that the offender is about to escape, so that there is no time to procure a warrant, such peace officer may, without warrant, pursue and arrest the accused;

If the officer had probable cause to believe that the person had committed a felony and was about to escape, the officer would have been justified in arresting the person from his home. Again, based on the limited information before me (the officer's reports), it does not appear that the conditions required under 14.04 were present.

Unless there was some other extenuating circumstance that would have justified the arrest, I have not found a statute that would have allowed for the initial arrest at the time the arrest was made.

Presently, the constitutional justification for an arrest is probable cause. In the State of Texas, a peace officer must meet not only the constitutional requirement, but the officer must also have a statute that authorizes the arrest.

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

In accordance to the Collective Bargaining Agreement, Article 28 Subsection 1 (C), provides for review of certain documents at the time a respondent officer is providing a response to allegations presented to him by the Internal Affairs Unit.

Belver, Matthew

1106 / Officer

Officer's Name (Last, First, MI)

Badge No./Rank

WPC

207-7420

Unit Assignment

Work Telephone

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

Title of Document

Prepared By

Date of Document

Memo—Upgrade of Charge

Sgt. C.L. Walker

01-14-10

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:

 #1106

Date:

1-15-10

Signature

Internal Affairs Investigator:



Date:

01-15-10.

Signature

Unit Case Number

FC2009-227

**INTERNAL AFFAIRS
INTEROFFICE CORRESPONDENCE**

TO : Case File

FROM : Sergeant C.L. Walker #3203 *CLW*

CC : _____

DATE : 01-13-10

SUBJ : FC2009- 173 Memo—Upgrade of Charge

I met with Officer Belver at the beginning of his shift on January 07, 2010. The purpose of this meeting was to allow Officer Belver the opportunity to view an Interoffice Correspondence from Officer Barbara Thomas, the SAPD Arrest, Search, and Seizure training Instructor. This Interoffice Correspondence had been added to the case file after he had viewed the initial Documents Viewed document and after he had responded to the interrogatories on the Officer's Response Report. There was no interview or interrogatories associated with this meeting which I had previously cleared with CLEAT Attorney Mike Rickman.

During this meeting Officer Belver asked if he could have an officer that occupied Officer Thomas' position prior to her appointment submit his own opinion concerning the issue(s) Officer Thomas addressed. I told Officer Belver that I would add any such document to the case file. I have not received any document to this effect or been contacted in regards to this issue.

Officer Belver also advised me that he had spoken with the Bexar County District Attorney's Office and learned that the misdemeanor Terroristic Threats charge he initially booked Sammy Ramos on had been upgraded to a felony. I asked Officer Belver to call me with the name of the prosecutor so the case file could be updated.

As of January 14, 2009, Officer Belver has not called me with the name of the prosecutor he spoke with. I was able to verify with Homicide Detective Greg Garavelli that he received instruction from the District Attorney's Office to submit the case as a felony Aggravated Assault-Deadly Weapon. Det. Garavelli said he submitted the case as requested but could not recall the name of the prosecutor that made the request. The Master Name File page has not been updated to reflect the new charge.

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

In accordance to the Collective Bargaining Agreement, Article 28 Subsection 1 (C), provides for review of certain documents at the time a respondent officer is providing a response to allegations presented to him by the Internal Affairs Unit.

Belver, Matthew

1106 / Officer

Officer's Name (Last, First, MI)

Badge No./Rank

WPC

207-7420

Unit Assignment

Work Telephone

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

Title of Document

Prepared By

Date of Document

Non-Respondent Report

Sgt. W. Smith

02-10-10

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:

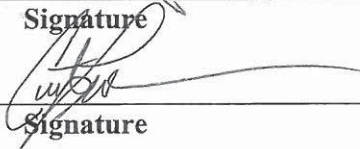
 #1106

Date:

2-10-10

Signature

Internal Affairs Investigator:



Date:

2-10-10

Signature

Unit Case Number

FC2009-227

MAGI. RATE SERVICES/DETENTION CE. ER
ARRESTED PERSON REGISTRATION/PROPERTY FORM

AP 11-09

N/P

M / F DATE: 10-11-09 TIME: 0936 SEAL#: N/P

NAME: Ramos, Sunny R. DOB: [REDACTED] SID#: [REDACTED]
DESCRIPTORS: White (Red) tank, blk shorts INTAKE #: 1364141

JOB #: COUNTY HIT: Y N PHOTO: Y N PROPERTY INVENTORY UPON ARRIVAL

uncoperative PHOTO TAKEN: Y N 1. CASH AMOUNT: \$ 0 YES NO

CHARGE(S): 2. WALLET YES NO

A. Sight Arrests: 3. TDL / ID YES NO

a. Felonies: 4. KEYS YES NO

b. Class A/B: Terr. Threats / Res Arr. 5. PURSE YES NO

c. Class C - Non Traffic - PI Yes 6. WATCH YES NO

d. Class C - Non Traffic: 7. KNIFE YES NO

e. Class C - Traffic: 8. RING(S) #: YES NO

B. Warrants: 9. CELL PHONE YES NO

a. Felonies: 10. SHOES / STL TOE (Tagged): YES NO

b. Class A/B: 11. OTHER ITEMS: YES NO

(City of San Antonio Warrants):

1. Capias (approx #):

2. (J.P. - approx #):

3. Alias (approx #):

CLASSIFICATION: (circle one) ARRESTEE: I CERTIFY THAT THE INVENTORY LISTED

CODE: 1 2 3 4 6 7 ABOVE IS CORRECT: (X) uncooperative

DETECTION OFFICER: ABOVE INVENTORY RECEIVED

(X) LRB24 / C/68

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

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

GUN BOX #: - DISTRICT: 5270 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: K

B. AP/PROPERTY TRANSP BY: SAPD / BCSO Off Badge # Date: 10-11-09 Time Out: 1915

C. PROPERTY RETURNED TO AP - (RELEASED BY JUDGE) 1 2 3 4 5 6 7 8 9 10 11 NP

ARRESTEE (I CERTIFY THAT I HAVE RECEIVED ALL OF THE ABOVE PROPERTY) (X) [Signature]

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):

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 #):

101209 173323

H351

SID N A M E DATE AGENCY
0938712 RAMOS, SAMMY REY 101109 19798

LOC A D D R E S S / P H O N E 101109 IDENTIFICATION NBRS
00815 INKS FARM SAPD
SAN ANTONIO TX 78228 BCSO 0472934
DPS 7240448

D E S C R I P T I V E D A T A H351
RAC SEX CMP HGT WGT HAIR EYES POB - CITY/STATE MAR DATES OF BIRTH
L M M 601 139 BRO BRO YY [REDACTED]

OCCUP CODES/COMMENTS MICROFILM REF

SCARS/MARKS SOC-SEC TDL FINGERPRINT CLASS
SC BACK [REDACTED]
SC L HND [REDACTED]
SC L ARM [REDACTED]
TAT L WRS
TAT L SHLD NCIC:

M I S C E L L A N E O U S N U M B E R S

BEHAV CODES:

2101 RAMOS, SAMMY R 101209 DPS
2102 RAMOS, SAMMY 101209 DPS
2103 RAMOS, SAMMY RAY 101209 DPS
2104 000000
2105 000000
2106 000000
2107 000000
2108 000000
2109 000000
2110 000000
2111 000000
2112 000000
2113 000000
2114 000000
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2149							000000
4201	00815	INKS FARM	SAN ANTONIO	TX 78228	0000000	010200	

Mug Shot Database

Enter the offender's last name, first name and date of birth (format: YYYY-MM-DD, i.e. 1962-10-28):

Last Name	<input type="text" value="ramos"/>
First Name	<input type="text" value="sammy"/>
DOB	<input type="text" value=""/>

[Submit Query](#) [Reset](#)

Last Name	First Name	DOB	Charge	Photo Date	Photo
No records returned.					

[BACK](#) | [HOME](#)

MAGISTRATE SERVICES/DETENTION CENTER ARRESTED PERSON REGISTRATION/PROPERTY FORM

NP

M / **F** DATE: 10-11-09 TIME: 0337 SEAL#: _____
 NAME: Ramos, Luis DOB: _____ SID#: _____
 DESCRIPTORS: White SS Red shorts INTAKE #: 136 4128

JOB # 2671016 COUNTY HIT: Y N PHOTO: Y N
 PHOTO TAKEN: Y N

CHARGE(S):
A. Sight Arrests:
 a. Felonies: _____
 b. Class A/B: Interfering w / Police Duties
 c. Class C - Non Traffic - PI Yes
 d. Class C - Non Traffic: _____
 e. Class C - Traffic: _____
B. Warrants:
 a. Felonies: _____
 b. Class A/B: _____
 (City of San Antonio Warrants):
 1. Capias (approx #): _____
 2. (J.P. - approx #): _____
 3. Alias (approx #): _____

PROPERTY INVENTORY UPON ARRIVAL		
1. CASH AMOUNT: \$ <u>NONE</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) #:	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:	YES	<input checked="" type="radio"/> NO

CLASSIFICATION: (circle one)
 CODE: 1 2 3 4 6 7

ARRESTEE: I CERTIFY THAT THE INVENTORY LISTED ABOVE IS CORRECT: [Signature]
 DETENTION OFFICER: ABOVE INVENTORY RECEIVED
 VZ #15

AGENCY: SAPD BCSO OTHER: _____
 ARREST/TRANSP OFF: [Signature] BGDGE # 1106
 GUN BOX #: _____ DISTRICT: 5270
 Money Taken to Prop Rm: \$ _____ AO Init: _____
 AO'S COMMENTS: _____
 POC PHONE# _____

SEAL # VERIFIED BY (Init & Bdge #) R260
 DOES AP CLAIM TO BE SICK / INJ? YES NO
 DO'S COMMENTS: _____

PROPERTY / ARRESTEE DISPOSITION
 A. DISPOSITION OF AP: JAIL / PR-B / S-B / HOSP / Other: k
 B. AP/PROPERTY TRANSP BY: SAPD / BCSO Off Badge # _____ Date: 10/11/09 Time Out: 1530
 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)
 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): _____ SIGNATURE: (X) _____
 PROPERTY RELEASED TO: _____
 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 #): _____

101409 091234

H419

SID 0914896 N A M E RAMOS, LUIS ANTONIO DATE 081708 AGENCY 09070

LOC 00815 INKS FARM SAN ANTONIO TX 78228 100308 689-8940 IDENTIFICATION NBRS SAPD 0475238 BCSO 0453999 DPS 8239802

DESCRPTIVE DATA H419 RAC SEX CMP HGT WGT HAIR EYES POB - CITY/STATE MAR DATES OF BIRTH L M M 602 190 BLK BRO SAN ANTONI TX

OCCUP CODES/COMMENTS MICROFILM REF

SCARS/MARKS TAT LF ARM SOC-SEC DL FINGERPRINT CLASS

NCIC:

M I S C E L L A N E O U S N U M B E R S

BEHAV CODES:

1300 TRADE STAR INC, 011309 32723
1400 10119 BROADWAY SAN ANTONIO TX 78217 9307827 010200
2101 RAMOS, LUIS ANTONIO 030209 DPS
2102 000000
2103 000000
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2149								000000	
2201	02119	HOLLOW		SAN ANTONIO		TX 78227	0000000	100308	
3301	RAMOS,	KATHY						031109	33507
3401	00815	INKS FARM		SAN ANTONIO		TX 78228	9091133	031109	
3402	00815	INKS FARM		SAN ANTONIO		TX 78228	0000000	010200	
4201	00815	INKS FARM		SAN ANTONIO		TX 78228	0000000	100308	

