

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

Unit Case: IA2018-0401

Date of Incident: May 29, 2018			Date Received: May 30, 2018			Date Expires: November 24, 2018		
Attention: () Internal Affairs File			() Officer's Division Commander					
() Complaint and Administrative Review Board			() CARB Chairman					
Respondent Officer(s): Officer Dezi Rios #0797 (CTA)								
Complainant: The Administration								

Synopsis: This is an Administrative Review of an Officer-Involved Shooting that occurred on May 29th, 2018, at 9440 IH 10 West at approximately 2130 hours involving SAPD Officer Dezi Rios #0797 (CTA) and was handled under SAPD18112376.

Summary: On the evening of May 29th, 2018, Officer Dezi Rios #0797 (CTA) attended a cadet dinner sponsored by the San Antonio Police Officers' Association. The dinner took place at the Ajuua Mexican restaurant located at 11703 Huebner Road. According to Officer Rios' sworn statement given to an SAPD Homicide detective, Rios stated he arrived at the dinner at approximately 1845 hrs and after having dinner, Rios left the restaurant at approximately 2115 hrs. Officer Rios stated, "I did have some drinks at the dinner. I think it was 5. It was mixed drinks and liquor." According to Officer Rios, he was driving [REDACTED]

[REDACTED] According to Officer Rios, he took the on-ramp to [REDACTED] but due to vehicles not allowing him to move over to the highway thoroughfare, he was forced to stay in the far right lane which was the exit lane for Wurzbach Road. He stopped at the stop light at Wurzbach Road and realized he needed to call [REDACTED] to tell her he had left the dinner, but he didn't know where his phone was. Officer Rios pulled into the parking lot of the AllStars Gentlemen's Club located at 9440 IH 10 West and parked. While he was parked, a male named Demontae Walker, accompanied by a female named Destiny Rhodes, pulled up next to Rios on the passenger side of his vehicle and parked. Walker got out of his vehicle, at which time Rios exited his vehicle, as well. A verbal altercation ensued between Walker and Rios. Walker drew a semi-automatic pistol and shot Rios in the [REDACTED]. While Walker went back to the driver's seat of his vehicle, Rios was able to get back to his own vehicle and retrieve his semi-automatic pistol. Rios fired ten rounds through his passenger window at Walker, striking Walker in the back/spine, left shoulder, left chest, left hip, and right forearm. Rhodes was also struck and sustained a graze to the top of her head.

There was only one course of fire performed by Officer Rios. That course of fire consisted of Officer Rios, after being shot by Demontae Walker numerous times, firing his personal firearm from the driver's side/seat area through the front passenger door window at Walker.

This review is being conducted as per SAPD General Manual, Procedure 705, Officer Involved Shootings and Custodial Deaths, Section .08, Post-Event Procedures, Subsection (C) which resulted in the below listed delegations.

Internal Affairs Investigator: Sgt. James D. Jones #3082

Date: September 13, 2018

**San Antonio Police Department
Internal Affairs Unit
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Unit Case: IA2018-0401

Allegation #1:

On May 29th, 2018, at approximately 2130 hours, Officer Dezi Rios #0797 (CTA) was in the parking lot of AllStars Gentlemen's Club located at 9440 IH 10 W. While in that parking lot, Officer Rios became involved in an altercation with another male, and Rios was shot numerous times during that altercation. On June 29th, 2018, Officer Rios gave a sworn statement to an SAPD Homicide Detective about the details of the incident. Officer Rios stated he was on his way home from a Cadet dinner and pulled into the AllStars parking lot to find his phone and call [REDACTED]. An administrative witness reported Rios asked him several times at that dinner to accompany him to AllStars after the Cadet dinner. The Administration alleges Officer Rios was not truthful in his statement to the Homicide detective when he stated he pulled into the AllStars parking lot to call [REDACTED] while on the way home. This incident was documented under SAPD Case #SAPD18112376.

**This conduct may be a violation of the SAPD 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.

Allegation #2:

On May 29th, 2018, at approximately 2130 hours, Officer Dezi Rios #0797 (CTA) was in the parking lot of AllStars Gentlemen's Club located at 9440 IH 10 W. While in that parking lot, Officer Rios became involved in an altercation with another male. According to Rios' sworn statement, the other male said to Rios, "Hey motherfucker, you know you almost killed me back there." Rios responded, "Obviously, I fucking didn't because you're still here. You're a fucking dumbass for pulling over. Get the fuck out of here." The Administration alleges Officer Rios' actions did not conform to the ordinary and reasonable rules of good conduct and behavior and/or brought reproach and discredit on himself and the San Antonio Police Department. This incident was documented under SAPD Case #SAPD18112376.

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

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

Internal Affairs Investigator: Sgt. James D. Jones #3082

Date: September 13, 2018

**San Antonio Police Department
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Allegation #3:

On May 29th, 2018, at approximately 2130 hours, Officer Dezi Rios #0797 (CTA) was in the parking lot of AllStars Gentlemen's Club located at 9440 IH 10 W. While in that parking lot, Officer Rios became involved in an altercation with another male. According to Rios' sworn statement on June 29th, 2018, he stated, "I did have some drinks at the dinner. I think it was 5. It was mixed drinks and liquor." Rios further also stated he arrived at the dinner on May 29th, 2018 at approximately 1845 hrs and believed he left the dinner at approximately 2115 hrs. The Administration alleges Officer Rios had consumed alcoholic beverages to the extent he was rendered unfit to report for duty. This incident was documented under SAPD Case #SAPD18112376.

**This conduct may be a violation of the SAPD Rules and Regulations:
Section 3.11(B) – Use of Intoxicants; Intoxication**

B. INTOXICATION: Members shall not, at any time, be intoxicated while on-duty. Members shall not be intoxicated while in public view. No member, while off-duty, shall drink intoxicating beverages to an extent which renders them unfit to report for duty.

Documentation of Investigation:

	Title of Document	Date of Document	Prepared by
1.	Formal Complaint Notice	September 4, 2018	Captain Timothy Vaughan
2.	Administrative Review Notice	July 12, 2018	Captain Timothy Vaughan
3.	One CD – Homicide Investigative Packet, and 6 DVDs containing BWC videos, Crime Scene photos and videos, Security videos, Statements, 911 calls and radio transmissions, Vehicle photos, and KSAT video	May 30, 2018	Detective R. Barnes
4.	Copy of Blue Team Entry	May 30, 2018	Sergeant Thomas Maurice
5.	Interoffice Correspondence	May 30, 2018	Lieutenant M. Podwika
6.	Email from Officer Spence Jones	July 11, 2018	Officer Spenc Jones
7.	Glock Model 27 Data Sheet	July 11, 2018	Sergeant Joe Gilliam
8.	Copy of Garrity Warning Sheet	August 8, 2018	Sergeant Joe Gilliam
9.	Copy of Administrative Review Sheet	August 8, 2018	Sergeant Joe Gilliam
10.	Copy of Receipt of Documents Reviewed	August 8, 2018	Sergeant Joe Gilliam
11.	Copy of Officer's Response Report	August 8, 2018	Officer Dezi Rios
12.	Non-Respondent Officer's Report	August 27, 2018	Lieutenant Steven Trujillo
13.	Non-Respondent Officer's Report	August 28, 2018	Officer Robert Moreno
14.	Non-Respondent Officer's Report	August 28, 2018	Officer Eric Hernandez
15.	Non-Respondent Officer's Report	August 28, 2018	Officer Adrian Garza

Internal Affairs Investigator: Sgt. James D. Jones #3082

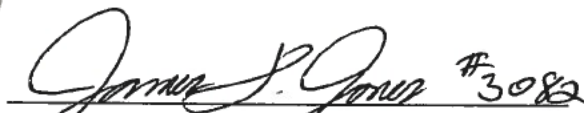
Date: September 13, 2018

**San Antonio Police Department
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16.	Non-Respondent Officer's Report	August 29, 2018	Sergeant Justin Massiatte
17.	Non-Respondent Officer's Report	August 29, 2018	Sergeant Michael Moore
18.	Non-Respondent Officer's Report	August 29, 2018	Officer John Edwards
19.	Non-Respondent Officer's Report	September 3, 2018	Officer Yvonne Mauricio
20.	Non-Respondent Officer's Report	September 4, 2018	Sergeant Don Gatten
21.	Non-Respondent Officer's Report	September 11, 2018	Sergeant Art Lindley
22.	Copy of RCO	August 30, 2018	Sergeant James Jones
23.	Copy of Crime Lab Firearms Report	August 28, 2018	David Pendleton
24.	Garrity Warning Sheet	SAPD General Manual	Sergeant James Jones
25.	Allegations Sheets	September 12, 2018	Sergeant James Jones
26.	Receipt of Documents Viewed	September 12, 2018	Sergeant James Jones
27.	One CD - Officer's Response Report	September 12, 2018	Officer Dezi Rios

Conclusion/Recommendation: Based on the above listed statements, officers' reports, and information, I respectfully submit this Formal Investigation to be presented to the Complaint and Administrative Review Board for their review and recommendation.


Sergeant James D. Jones #3082
Internal Affairs Investigator

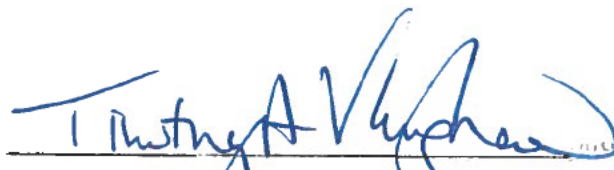
9-13-18

Date


Lieutenant Michael Mosley #4058
Internal Affairs Unit Director

9-20-18

Date


Captain Timothy A. Vaughan #5038
Professional Standards Section Commander

09/25/18

Date

Internal Affairs Investigator: Sgt. James D. Jones #3082

Date: September 13, 2018

SANTONIO POLICE DEPARTMENT
INTERNAL AFFAIRS UNIT
INTEROFFICE CORRESPONDENCE

TO: Officer Dezi Rios #0797 (CTA)

FROM: Captain Timothy A. Vaughan, Professional Standards Section Commander

COPIES: Chief of Staff Division Commander
Training Academy Section Commander
Lieutenant Michael Mosley, Internal Affairs Unit Director

DATE: September 4, 2018

Formal Complaint Notice

A Formal Complaint has been filed against you regarding an incident that occurred on May 29, 2018 at 9440 IH 10 W, San Antonio, Texas. The Internal Affairs Unit received information or documentation during an Administrative Review of an Officer Involved Shooting that has resulted in the allegation(s) of:

R&R 3.02 – Truthfulness of Members

R&R 3.04(C) – Responsibility to Serve the Public; Conduct and Behavior

R&R 3.11(B) – Use of Intoxicants; Intoxication

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

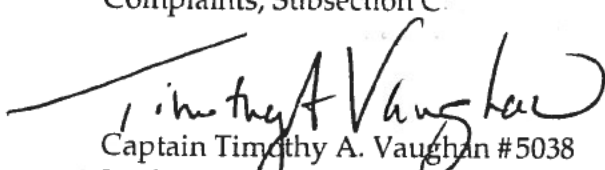
IA2018-0401

SAPD18112376

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, 2016), Article 28 (Disciplinary Actions) Section 15 and Article 29 (Internal Security Interview Procedure) Section 2. Internal Affairs Investigations.

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

Please be advised that an Internal Affairs investigator will contact you regarding the aforementioned complaint. You may be eligible to request the expedited disciplinary track. Please refer to Procedure 303, Disciplinary Procedures, Section .05, Formal Complaints, Subsection C.


Captain Timothy A. Vaughan #5038
Professional Standards Section Commander

SAN ANTONIO POLICE DEPARTMENT
INTERNAL AFFAIRS UNIT
INTEROFFICE CORRESPONDENCE

TO: Officer Dezi Rios #0797 (CIA)

FROM: Captain Timothy A. Vaughan, Professional Standards Section Commander

COPIES: Chief of Staff Division Commander
Training Academy Section Commander
Lieutenant Michael Mosley, Internal Affairs Unit Director

DATE: July 12, 2018

Administrative Review Notice

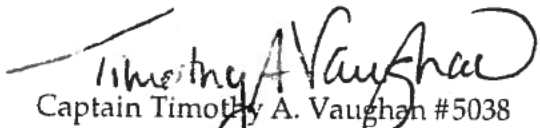
The Internal Affairs Unit has received information or documentation indicating that you were involved in an incident that occurred on May 29, 2018, at 9440 IH 10 W, San Antonio, Texas, which has been classified as an Officer Involved Shooting. Departmental Procedures require that an Administrative Review be conducted. The Internal Affairs Unit will conduct a thorough and objective review of the incident and forward the finding to the Complaint and Administrative Review Board. Please refer to the following case or file numbers in connection with this incident:

IA2018-0401
SAPD18112376

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, 2016), Article 28 (Disciplinary Actions) Section 15 and Article 29 (Internal Security Interview Procedure) Section 2. Internal Affairs Investigations.

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

Please be advised that an Internal Affairs investigator will contact you regarding the aforementioned complaint.


Captain Timothy A. Vaughan #5038
Professional Standards Section Commander

DOCUMENT # _____

Formal IA No: IA2018-0401 Received: May 30, 2018 21:30

Case No: 18112376

Classification/Sub-classification: Administrative Review / Officer Involved Shooting

Involved citizen:

Demontae Walker

Linked address(es):

Home Address: 6676 UTSA Blvd 6305 San Antonio TX 78230

Destiny Rhodes

Linked address(es):

: 6676 UTSA Blvd 6305 San Antonio TX 78230

Officers involved:

Officer Dezi J Rios [0797]

Officer current info:

Bureau:

Division:

Section:

Snapshot - Officer information at time of incident:

PIN: [REDACTED]

Bureau:

Division:

Section:

Office Assignment: CTA

Rank/title: Officer

Age: 35 Years of employment: 11 Years with unit: 3

Off duty: Yes Off duty employed: No

Summary:

Officer involved shooting

Officer Rios was off-duty and became in what appears to be a road rage incident. Officer Rios drove his vehicle in the All-Stars parking lot located at 9440 IH 10 west and the suspect/complainant followed and parked besides Officer Rios. Words were exchanged and it escalated to both firing a handgun at each other. It appears Officer Rios was struck six times in the [REDACTED]. The suspect/complainant was hit what appeared to be one time in the abdomen. The Sp/Complainant had a female passenger. The passenger was grazed by a bullet in the head.

Investigative tasks:

Due dt

Done dt

Type

Jul 22, 2018

45 day Summary Due

DOCUMENT # _____

Assigned To: Sergeant Joseph Gilliam

Aug 26, 2018 90 day Investigative Report Due

Assigned To: Sergeant Joseph Gilliam

Sep 25, 2018 60 days until case expires

Assigned To: Sergeant Joseph Gilliam

Nov 24, 2018 Case Expires

Assigned To: Sergeant Joseph Gilliam

When/where:

Date/time occurred: May 29 2018 21:30

Incident Location: 9440 IH 10 West San Antonio TX 78230 Precinct: 7120
County: Council District 8

Linked files:

Off Rios Prelim pack (pdf)
SAPD18112376 9440 IH 10 W Prelim (pdf)

Status/assignment information:

Status: Active Priority: AR OIS

Opened: 06/07/2018 Assigned: 06/07/2018 Due: 11/25/2018

Completed:

Disposition:

Unit assigned: Internal Affairs
Handled at field/unit level: No
Investigator assign: Sergeant Joseph Gilliam
Supervisor assign: Lieutenant Michael Mosley
Source of information: Administration

Organizational component(s):

Office Assignment: CTA

Entered by: Sergeant Thomas Maurice on May 30, 2018 at 00:41



*San Antonio Police Department
Interoffice Correspondence*



May 30, 2018

TO: Chief William P. McManus
Chief of Police (COP)

THRU: Assistant Chief Anthony L. Treviño
Operations Support Bureau Commander (CSB)

Deputy Chief Jimmy D. Reyes
Investigations Division Commander (IDC)

Captain Anthony Maziak
Major Crimes Section Commander (ICS)

Lieutenant Rene Gallegos
Homicide Unit Director (ICH)

FROM: Lieutenant Matthew Podwika # 4084
Night CID Unit Director (IND)

SUBJECT: Officer Involved Shooting/SAPD18112376

Location: 9440 IH 10W/All Star's Gentlemen's Club

Date and Time of Occurrence: 05/29/18-2130 hrs.

Patrol District: 7120

Council District: 8

Officer Involved: Rios, Dezi # 0797 CTA
35 Years old
11 years 7 month veteran
[REDACTED]
210-207-6262

SP1: Walker, Demontae BM 06/24/92
6676 UTSA Blvd # 6305

V: Rhod, [REDACTED] BF 08-30-98
6676 UTSA Blvd # 6305

Weapons: Officer Rios: Glock 27 .40 caliber

Demontae Walker: Taurus 9mm

Injuries-Officer Rios: Gunshot wounds to Abdomen, Pelvis, Back, Left hand

Injuries-Devonte Walker: Gunshot wound to abdomen and head

Injuries-Destiny Rhodes: Graze wound to head from gunshot

Witness 1: Covey-Lohman, John WM [REDACTED] (doorman)
9440 IH 10 W

Witness 2: DeLaCuz, Rudy WM [REDACTED]
4034 Coral Sunrise

Witness 3: Salas, Christopher WM [REDACTED]
2335 Basse Rd

Preliminary Information

I heard over the police radio that an off duty officer had been shot at the above listed location.

Officers were dispatched to the parking lot of All Star's Gentlemen's Club at 9440 IH 10 W for a shooting. Officers arrived and found SP1 shot inside of a vehicle in the parking lot. A short time later an officer keyed up and stated that there was an off duty officer also shot. V was also found by officers inside of the club, and it was determined she had a gunshot wound to the head. The parties who were shot received initial medical attention from TACMED units and then EMS. All parties were transported by EMS to University Hospital. Lieutenant William Grayson (SVU) from the Officer Involved Shooting Team was notified and all command notifications were made.

Night CID Detectives and Officer Involved Shooting Team Detectives made the scene and began gathering preliminary information. The information gathered showed the following sequence of events. Officer Rios was driving eastbound on IH 10 in the area of UTSA Blvd in his personal vehicle. At some point, Officer Rios apparently interfered with SP1's vehicle by not allowing him to make a lane change when he wanted to. Gestures and possibly words were exchanged between Officer Rios and SP1. Officer Rios exited IH 10 W at Wurzbach and pulled into the All Stars parking lot. Officer Rios and SP1 began to argue. SP1 pulled a handgun and either shot or shot at Officer Rios. Officer Rios, who was at the front of the vehicles with SP1, began to crawl back to the driver's side of his vehicle to retrieve his firearm. As he retrieved it, SP1 began to fire his firearm at Officer Rios through the passenger side window of Officer Rios' vehicle. Officer Rios fired back at SP1 using his firearm, striking him at least once. Officer Rios was struck multiple times. V was grazed by a round, possibly fired by Officer Rios. V ran inside of All Star's for help. Officer Rios crawled to the front door area of the club where he was either held down or handcuffed until officers arrived.

Search warrants were obtained for both vehicles. CSI had both vehicles towed to the 9th Street Pound for processing. No statement was taken from Officer Rios due to the fact he was in surgery with life threatening injuries. No statement was taken from SP1 because of his injuries. An audio statement was taken from V at University Hospital where she was taken for her injuries. V was listed

as such due to the actions of the SPI placing her in imminent danger of death or serious bodily injury due to his actions. Statements were taken from witnesses at the Homicide Office and all showed consistency with the events. Each of them showed SPI to be the initial shooter. The Officer Involved Shooting Team will continue to gather information about this incident.

Joseph Gilliam (SAPD)

From: Spenc Jones (SAPD)
Sent: Wednesday, July 11, 2018 2:36 PM
To: Joseph Gilliam (SAPD)
Cc: Justin Massiatte (SAPD)

Sir,

I have listed below the weapons that Officer Rios is currently qualified to carry.

Duty Weapon History

LastName	FirstName	SAP_Num	T_PID	Serial #	Score	Date	Instructor
Rios	Dezi			99		11/29/2017	Joshua Thomas

Covert1 History

LastName	FirstName	SAP_Num	T_PID	MFR	Model #	Serial #	Cal	Score	Date	Instructor
Rios	Dezi			GLOCK	27		.40	97	11/29/2017	Joshua Thomas

Thank you,

Spenc Jones

Firearms Instructor
San Antonio Police Department
12200 S.E. Loop 410
San Antonio, Texas 78221
Office: 210-207-6243
Mobile: 210-382-0236
Email: spenc.jones@sanantonio.gov
"Dust off and come back for more." - 5FDP





Search Site

Search



Dealer / Range Locator

Media Kit

Dealers

Enter Zip Code

[Home](#)[Confidence](#)[Heritage](#)[Technology](#)[Products](#)[Team](#)[Store](#)[News](#)[Jobs](#)

Which GLOCK are You?

[Pistols](#)[Accessories](#)[Outdoor](#)

9 x 19mm

40

10mm Auto

.45 Auto

.45 G.A.P.

.380 Auto

.357

Cutaway

Training

Practice

Reset

GLOCK 27

SUBCOMPACT

Small, light, accurate, powerful all accurately describe the GLOCK 27. With its comfortable dimensions and the proven advantages of the GLOCK pistol family, the G27 is popular with police, business and off duty. That's why so many law enforcement agencies issue this subcompact pistol as a backup or as their official backup pistol.



Compare

360°

CALIBER / SYSTEM

DIMENSIONS

WEIGHTS

TRIGGER PULL / TRAVEL

BARREL RIFLING / LENGTH OF TWIST

MAGAZINE CAPACITY



.40 S&W Action



LENGTH:

10.0 in (254 mm)



WIDTH:

5.0 in (127 mm)



LENGTH BETWEEN SIGHTS:

5.7 in (145 mm)



UNLOADED:

6.1 lb (2.8 kg)

LOADED:

7.5 lb (3.4 kg)

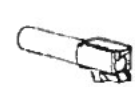


TRIGGER PULL:

21 lb (9.5 kg)

TRIGGER TRAVEL:

4.2 in (107 mm)



BARREL RIFLING:

6.0 in (152 mm)

LENGTH OF TWIST:

1:10 in (25.4 mm)



STANDARD:

OPTIONAL:

[Available Pistol Accessories >](#)[View all GLOCK pistol models >](#)

Garrity Warning Sheet

San Antonio Police Department General Manual Section 200 - Rules and Regulations

SECTION 3.00 INDIVIDUAL RESPONSIBILITIES:

3.02 TRUTHFULNESS OF MEMBERS:

Members shall speak the truth at all times. Reports and written communications from any member shall also reflect the truth.

3.27 GIVING INFORMATION IN INTERNAL INVESTIGATIONS:

A. DUTY TO GIVE INFORMATION:

A member shall, when requested, answer questions, render statements, or surrender material relevant to a Professional Standards Section investigation.

B. GARRITY WARNING:

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

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

San Antonio Police Department General Manual Procedure 303 - Disciplinary Procedures

.10 COMPLAINT INTERVIEWS

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

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

My signature below confirms I have read and I understand the above Rules and Procedures

Devin J. Rios
Officer's Printed Name

[Signature]
Officer's Signature

8/8/18
Date

DOCUMENT # _____

San Antonio Police Department
Internal Affairs Office
Administrative Review Sheet

Complainant's Name: The Administration

Responding Officer: Officer Dezi Rios #0797 (CTA)

Internal Affairs Investigator: Sergeant Joe Gilliam #3272 (CIA)

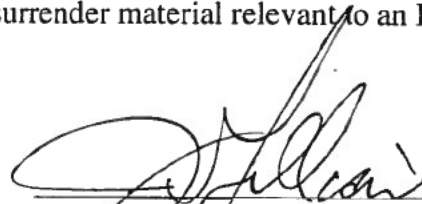
I.A. Formal Case Number: IA2018-0401

This is an **Administrative Review** of an Officer Involved Shooting that occurred on May 29, 2018, at approximately 2131 hours involving SAPD Officer Dezi Rios #0797 (CTA). The shooting occurred at 9440 IH 10 W, San Antonio, Texas and was handled under SAPD18112376. This review is being conducted as per **SAPD General Manual, Procedure 705, Officer Involved Shootings, Section .08, Post-Event Procedures, Subsection (C)**.

C. All officer involved shootings and custodial death incidents are reviewed by the Internal Affairs Unit for evidence of non-criminal misconduct and forwarded to the Complaint and Administrative Review Board for an administrative review.

This memorandum is to inform you that Sergeant Joe Gilliam #3272 is the assigned investigator. The findings of this investigation will be forwarded to the Chief's Complaint and Administrative Review Board for an Administrative Review. A written response is required from you regarding the above incident as per **Rule and Regulation 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 an Internal Affairs investigation.


Respondent's Signature


Investigator's Signature

0797 8/8/18
Badge # Date

3272 8/8/18
Badge # Date

DOCUMENT # _____

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

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

RIOS, DEZI

Officer's Name (Last, First, MI)

#0797 / OFFICER

Badge No /Rank

CTA

Unit Assignment

210-207-6262

Work Telephone

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

	<u>Title of Document</u>	<u>Date of Document</u>	<u>Prepared by</u>
1	IA2018-0401 IA pro entry	05-30-18	Sgt. Tom Maurice
2	Incident Data Report SAPD-2018-0595148	05-29-18	Visinet
3	Interoffice Correspondence from Lt. Podwika to Chief McManus	05-30-18	Lt. Matthew Podwika
4	SAPD18112376 Offense Report	05-29-18	Det. Jerald Keif
5	SIS & statement from John Cavey-Lohmen	05-30-18	Sgt. David Evans
6	SIS & statement from Rudy De La Cruz	05-29-18	Det. Randall Hines
7	SIS & statement from Christopher Salas	05-29-18	Det. Randall Hines
8	SIS & statement from Earl Craft	05-30-18	Sgt. David Evans
9	Officer ID sheet	05-30-18	SAPD Activity
10	Statement from Officer Dezi Rios	06-29-18	Det. Rachel Barnes
11	Email to Joe Gilliam from Spenc Jones	07-11-18	Off. Spenc Jones
12	Glock Model 27 data sheet	07-11-18	Glock website
13	Administrative Review Notice IA2018-0401	07-12-18	Cpt. Timothy A. Vaughan
14	CD – ICH case file SAPD18112376	06-29-18	Det. Rachel Barnes
15	CD – ICH audio interview Demontae Walker	06-29-18	Det. Rachel Barnes
16	CD – ICH audio interview Destiny Rhodes & phone audios	06-29-18	Det. Rachel Barnes
17	CD – ICH audio interviews Moreno, Stevens	06-29-18	Det. Rachel Barnes
18	DVD – Rhodes phone download	06-29-18	Det. Rachel Barnes
19	DVD – All-stars Surveillance Video	06-29-18	Det. Rachel Barnes
20	DVD – Rendon BWC	06-29-18	Det. Rachel Barnes
21	DVD – Rendon BWC	06-29-18	Det. Rachel Barnes
22	DVD – Keif BWC	06-29-18	Det. Rachel Barnes
23	DVD – Robles BWC	06-29-18	Det. Rachel Barnes

24	DVD – Elizondo BWC	06-29-18	Det. Rachel Barnes
25	DVD – Calderon BWC	06-29-18	Det. Rachel Barnes
26	DVD – Crime Scene Video	06-29-18	Det. Rachel Barnes
27	CD – CSI photos - Perez	06-29-18	Det. Rachel Barnes
28	CD – CSI photos – Patten / Cardenas	06-29-18	Det. Rachel Barnes
29	CD – CSI photos – Enriquez	06-29-18	Det. Rachel Barnes
30	CD – CSI photos – Knodson / Sanchez	06-29-18	Det. Rachel Barnes

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: 8/08/18

Internal Affairs Investigator:  Signature Date: 8/8/18

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

I.A. Formal Case Number: IA2018-0401

SAPD Case Number: SAPD18112376

Place of Occurrence: 9440 IH 10 W		District of Occurrence: 7120	Type of Complaint: Officer Involved Shooting
Complainant's Name (Last, First, MI): Administrative Review		Address: 315 S. Santa Rosa	Phone Number: 210-207-7365
Day of Occurrence: Tuesday	Date/Time of Occurrence: 05-29-18 / 2131 hrs	Date/Time Reported: 05-29-18 / 2131 hrs	How Reported: 911

TYPE OR PRINT ONLY

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

1	Have you read Rule 3.02, Truthfulness of Members, of the San Antonio Police Department General Manual? Do you understand it? Answer: Yes / Yes
2	Is you attorney or a representative of the Association (SAPOA) present with you during this interview? Answer: No
3	If yes, identify by name the attorney or representative of the Association (SAPOA). Answer:
4	Did you review the documentation provided by Sergeant Gilliam? Answer: Yes
5	Did you read the Administrative Review Sheet regarding this incident? Answer: Yes
6	Have you received a Garrity Warning Sheet? If so, did you understand the Garrity Warning Sheet? Answer: Yes
7	Do you recall the events on the night of May 29, 2018 when you were involved in a off-duty officer involved shooting? Answer: Yes
8	Where were you coming from? What direction were you traveling prior to this event? Answer: Ajuua's Restraunt on Huebner. From Ajuua's I traveled eastbound on IH 10 W briefly until I exited Wurzbach road. I never left the far right lane, which is an entrance and exit ramp.
9	Was there any disturbance with Demontae Walker prior to the shooting? If so, when, where, and why was there a disturbance? Answer: The disturbance occurred in the parking lot at 9440 IH 10 W. I was not aware of any time I cut-off Mr. Walker prior to the incident at the parking lot. The disturbance occurred at

Officer's Printed Name Officer Dezi Rios	Signature and Badge Number  #797	Date Submitted 8/8/18
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**San Antonio Police Department
Internal Affairs Unit
Officer's Response Report**

approximately 2130 due to Mr. Walker parking next to my vehicle and complaining of me cutting him off on the highway.

10 Why did you stop at the All-Stars Gentlemen's club parking lot?

Answer: I was looking for my cell phone which I believed I may have left at Ajuua's Restraunt

11 Did you see Demontae Walker pull into the parking lot?

Answer: No, I saw him after he parked next to me

12 At what point did you and Demontae Walker first make contact with one another?

Answer: The first contact I made with Demontae Walker was in the parking lot at the listed address. I did not know of any driving incident prior to him telling me I cut him off.

13 What was the initial contact like? What was Demontae Walker's demeanor? What was your demeanor?

Answer: The initial contact seemed confrontational by Mr. Walker, but I did not know if the appeared anger was directed at me until I heard him say, "Hey motherfucker, you know almost killed me back there!" I responded back assertively and defensively stating, "Obviously I fucking didn't because you're still here. You're a fucking dumbass for pulling over. Get the fuck out of here."

14 Did you get out of your vehicle? If so, why?

Answer: Yes, as soon as Mr. Walker exited his vehicle and walked toward the back of my vehicle I exited and walked toward the front of mine. I did not want to stay in my vehicle when he exited his because I didn't want to be at a position of disadvantage in case Mr. Walker had bad intentions. I did not want to be trapped in my vehicle and not have the ability to respond.

15 Demontae Walker alleges you were challenging him to a fight, is this true?

Answer: No, I believed Mr. Walker wanted to fight me after I called him a dumbass in front of the female in his vehicle. Once I saw her, I believed Mr. Walker was going to fight me and I stepped back and widened my stance in preparation for him to come at me.

16 Did Demontae Walker give you any indication that he wanted to fight?

Answer: Yes, Mr. Walker stated, "Oh you want to fucking go? You want to go?" He then stepped toward me from in-between the vehicles but still near the rear of the vehicle and pulled out a gun.

17 Is there anything you would like to add to your response regarding this event?


Answer: Mr. Walker did not look directly at my face for an extended period of time when he was yelling at me from behind the vehicle, instead he was scanning my whole body, which I didn't understand, until he pulled a gun out and immediately fired from the hip.

18 Is there any evidence or other information that Sergeant Gilliam should be made aware of concerning this investigation? If so, please detail the information and how it is relevant to this investigation.

Answer: No

19 Do you understand that if you become aware of any additional information relevant to this investigation that you should notify Sergeant Gilliam so that it can be thoroughly investigated?

Answer: Yes

Officer's Printed Name Officer Dezi Rios	Signature and Badge Number  # 797	Date Submitted 8/8/18
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**San Antonio Police Department
Internal Affairs Unit
Non-Respondent Officer's Report**

I.A. Formal Case Number: IA2018-0401

SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	
Administration		315 S. Santa Rosa	
Day of Occurrence		Date and Time of Occurrence	Date and Time Reported
Tuesday		05-29-18 2130 hrs	
			Phone Number
			210-207-7484
			How Reported
			Person

TYPE OR PRINT ONLY

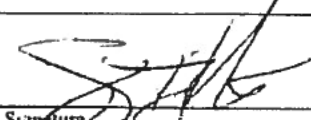
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According to SAPD General Manual Procedure 303.09(A), "Each individual officer must realize and accept the responsibility of confidentiality in order to avoid compromising the integrity of the disciplinary process. Officers shall not discuss details of any complaint with persons outside of the disciplinary process." Do you understand General Manual Procedure 303.09(A)?

Answer: Yes

I attended the cadet dinner held on the above date. The dinner was held at Ajua's restaurant in the outside patio area. It is my understanding SAPOA sponsors the dinner for graduating cadets and has invited and allowed members from the Training Academy to attend also; from my recollection inviting Academy staff has been done in the past. It is my understanding Training Academy staff attends as a way of welcoming, congratulating, and supporting soon to be officers and their guests of a job well done in an environment away from work. My attendance, along with supporting the cadets, was to show support for Academy staff on increasing morale, building trust with the instructors, and developing a work based relationship with intent to foster unity among our unit. This is done within the work environment but I viewed this as another opportunity away from the workplace.

In regards to Officer Dezi Rios, I did observe him there at the cadet dinner. I did observe a [REDACTED] alongside Officer Rios during the dinner. I do not know how Officer Rios arrived at the restaurant but seeing the [REDACTED] with him, lead me to believe they came together possibly in a

Steven Trujillo #4030		8/27/2018
Officer's Printed Name/Badge #	Signature	Date

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

I.A. Formal Case Number: IA2018 0401
SAPD Case Number: SAPD18112376

vehicle. I do recall observing Officer Rios with a beverage in his hand. It was a short clear glass with what looked to be soda water (Coke) or possibly a mixed drink. I did not hear what he ordered. Alcohol was being ordered and served at the dinner. He didn't appear to be "chugging" or "swallowing" the beverage. I recall this specifically because he was socially mingling with Academy staff walking around the table where we all sat. I recall my observations because some of the cadets stood up and did a staff impersonation of him while he stood to the rear of their skit.

Shortly after the food was served and everyone ate, we left. I left seconds after Sergeant Justin Massiatte left. I said goodbye to everyone (whether it was a handshake or a wave of the hand from across the table) and left; it was still daylight outside. I left prior to most of the Academy staff; Officer Rios and his guest were still at the restaurant when I departed. Approximately 45 minutes to 1 hour later, I received a call regarding Officer Rios' incident.

The following officers were observed at the cadet dinner by me.

Justin Massiatte	Yvonne Mauricio	Michael Moore
Dezi Rios	Robert Moreno	Eric Hernandez
Adrian Garza	Arthur Lindley	Mike Helle
Don Gatten		

Sgt. James Jones asked me if I observed Officer Rios drinking only that one drink.

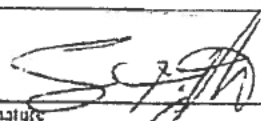
Answer: I truly could not answer. I wasn't paying attention to how many drinks Officer Rios was drinking or had drank. It could have been that one, it may have been another.

Sgt. Jones asked me if I observed Officer Rios buy that drink or any other drinks, and if so, did I remember how he paid for the drink(s).

Answer: I do not know if Officer Rios bought and paid for the drink or drinks.

Sgt. Jones asked me if I observed Officer Rios socializing or "hanging out" with a particular individual(s) besides [REDACTED] while at the dinner.

Answer: From my observations, Officer Rios was socializing with everyone. I couldn't recall if he focused on certain individual(s).

Steven Trujillo #4030 Officer's Printed Name/Badge #	 Signature	8/27/2018 Date
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**San Antonio Police Department
Internal Affairs Unit
Non-Respondent Officer's Report**

I.A. Formal Case Number: IA2018-0401

SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	
Administration		315 S. Santa Rosa	
		Phone Number	
		210-207-7484	
Day of Occurrence	Date and Time of Occurrence		Date and Time Reported
Tuesday	05-29-18 2130 hrs		How Reported
			Person

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Answer: YES

On this date Sgt. Jones came to my office to discuss an incident involving Officer Dezi Rios on the night of the cadet dinner at Ajuua's Mexican restaurant. Officer Rios arrived to the party after most of the staff was already there. Officer Rios greeted all at the table and then took a seat across the table from myself and [REDACTED]. Officer Rios did order a mixed drink but I had no idea what type of drink he had ordered. Once his server delivered his drink Officer Rios went around the restaurant "socializing" with other staff and cadets. Officer Rios is known to be very social at these types of events. I do not know if Officer Rios ordered anymore drinks or not or how many drinks he may have consumed. Officer Rios did ask me and [REDACTED] to join him at All-Stars after the dinner several times throughout the evening. Officer Rios had invited us to join him at All-Stars after the cadet dinner in the past as well. [REDACTED] and I have never accepted the invitation to join Officer Rios at All-Stars. Shortly after dinner arrived, Officer Rios's [REDACTED] arrived and sat with myself and [REDACTED] as we personally know [REDACTED]. Officer Rios ate dinner and then went around socializing again, as we stayed with [REDACTED]. Once we finished eating dinner, [REDACTED] and I decided to leave due to us having to work early the next day.

ROBERT D MORENO	<i>Robert D Moreno</i>	8/28/2018
Officer's Printed Name/Badge #	Signature	Date

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

I.A. Formal Case Number: IA2018-0401
SAPD Case Number: SAPD18112376

We said our goodbyes to all present and left the restaurant sometime after 2100 hours. It was on our way home that I received several calls from SAPD officers that Officer Rios had been shot. I immediately turned around and headed to University Hospital.

ROBERT D. MORENO	<i>Robert D. Moreno</i>	8/28/2018
Officer's Printed Name/Badge #	Signature	Date

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

I.A. Formal Case Number: IA2018-0401
SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	Phone Number
Administration		315 S. Santa Rosa	210-207-7484
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Tuesday	05-29-18 2130 hrs		Person

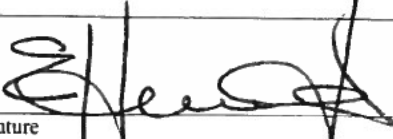
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Answer: Yes

On August 28th, 2018 Sgt. James Jones came by the Training Academy and asked if he could speak to me. We came to my office where he asked me if I was at the Cadet Dinner the night Officer Dezi Rios was shot. I advised Sgt. Jones that I in fact was at the dinner with [REDACTED]. He then asked me if I remembered seeing Dezi drink that night. I advised Sgt. Jones that I did see Dezi drink but I didn't remember what he was drinking nor did I remember how much. I told him I believed it was only a couple and it looked like a coke but it could have been a mixed drink. Sgt. Jones then asked me if Dezi ever invited me to "All-Stars" before, to which I answered "no." Dezi and I have been drinking together but he has never asked to me to go with him to "All-Stars" or any strip club. I told Sgt. Jones that Dezi and I are "Shields Brothers" and I think Dezi understands that I am religious and wouldn't put me in that spot. I also told Sgt. Jones that it wasn't a secret that Dezi goes to strip clubs and that does not make him a bad person. He then asked who else was there and if I remember where everyone was sitting. I tried my best to remember where everyone was sitting but I couldn't exactly remember the locations. Sgt. Jones then advised me to write what I had just told him verbally to the best of my recollection.

Eric Hernandez 0397		8/28/2018
Officer's Printed Name/Badge #	Signature	Date

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

I.A. Formal Case Number: IA2018-0401

SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	Phone Number
Administration		315 S. Santa Rosa	210-207-7484
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Tuesday	05-29-18 2130 hrs		Person

TYPE OR PRINT ONLY

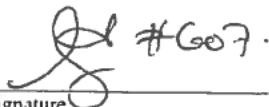
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Answer: Yes

Sgt Jones came to my office at the SAPD Training Academy and asked me questions about Officer Rios drinking alcoholic beverages on the night of Officer Rios's shooting. I did see Officer Rios drinking a beer but it was unknown to me which name brand of beer he was consuming. Officer Rios had been sitting at the end of the table of where I was sitting; It was unknown to me if Officer Rios had consumed more beer.

Officer Rios had departed roughly five minutes prior to me departing the restaurant. Officer Rios did not invite me to a gentlemen's club prior to him leaving the restaurant, and he never has.

ADRIAN GARZA 607	 #607	8/28/2018
Officer's Printed Name/Badge #	Signature	Date

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

I.A. Formal Case Number: IA2018-0401
SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	Phone Number
Administration		315 S. Santa Rosa	210-207-7484
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Tuesday	05-29-18 2130 hrs		Person


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Answer: Yes

On Wednesday, August 29, 2018, Sgt. J. Jones from Internal Affairs came into my office to discuss Dezi Rios's incident. Specifically, the discussion focused on Officer Rios's consumption of alcoholic beverages during the cadet dinner on 05-29-18 at 2130hrs. While at the cadet dinner, I observed Officer Rios with one drink, I do not know if he had more than one. Officer Rios may have been intoxicated; however I did not view it as a concern because [REDACTED] were present. I assumed Officer Rios and [REDACTED] drove in a single vehicle and [REDACTED] would be his designated driver. I left the cadet dinner before Officer Rios left the restaurant. At no point did Officer Rios invite me to a Gentlemen's club, nor did I see him invite anyone else to that club. Sgt. Jones asked me if Officer Rios has ever invited me to a Gentlemen's club, but he never has.

Massiello, Justin #3241	 3241	8/29/2018
Officer's Printed Name/Badge #	Signature	Date

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

I.A. Formal Case Number: IA2018-0401

SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	Phone Number
Administration		315 S. Santa Rosa	210-207-7484
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Tuesday	05-29-18 2130 hrs	08/29/18 @ 0846 hrs	Person

TYPE OR PRINT ONLY


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Answer: Yes

Sgt James Jones asked me to complete a report on my attendance at the Cadet Dinner on 5/29/18 at Ajuua's Restaurant. I arrived there with [REDACTED] sometime around 1845-1900 hrs. I attended the dinner in the place of Sgt Tina Baron because there were "cadet issues" between a male and female cadet and potential issues that could have arisen from their spouses who were also scheduled to attend as well. I focused on Cadet Victoria Richwalski and Cadet Randall Baker while I was at the dinner. Cadet Richwalski's [REDACTED] attended the dinner but Cadet Baker's [REDACTED] did not.

There was a romantic relationship between the two cadets with the [REDACTED] knowing of this relationship and I was advised by one of the Academy Instructors weeks before the dinner that Cadet Richwalski's [REDACTED] mentioned something in the past to his [REDACTED] about "shooting up" something, but I cannot remember the exact wording. I attended the dinner to make sure the two parties did not cause a disturbance that could have brought discredit on the Academy and the Police Department. The entire time I was at the dinner, I focused my attention on the two cadets as they were sitting at separate tables but the two men made eye contact several times throughout the night. Cadet Richwalski and her [REDACTED] left the restaurant about 2015 to 2030 hrs and Cadet Baker left.

Sgt Michael Moore #3078		8/29/2018
Officer's Printed Name/Badge #	Signature	Date

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

I.A. Formal Case Number: IA2018-0401
SAPD Case Number: SAPD18112376

on his motorcycle approximately 2040-2100. I left shortly after Cadet Baker left after [REDACTED] finished her conversation with some of the Academy Staff.

I remember seeing Ofc Dezi Rios at the dinner with [REDACTED] and he did a beverage in his hand at some point of the night, but I could not recall what type (alcoholic, non-alcoholic, soda, or even water) because I focused my attention on the two cadets the entire night who I believed could have been a problem because of their romantic relationship. Because there was mention of one of the parties possibly making a threat, I had my duty weapon concealed on my person just in case there was a threat to anyone at the dinner. I am not sure if I left before or after Ofc Rios and [REDACTED] did. After I arrived at the hospital, I realized Ofc Rios was not with [REDACTED] because [REDACTED] had not witnessed him getting shot. Several weeks after the shooting, I found out that Ofc Rios had gone to gentleman clubs in the past but I don't know how much he frequents them.

Sgt Michael Moore #3078

Officer's Printed Name/Badge #

Signature

8/29/2018

Date

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

I.A. Formal Case Number: IA2018-0401
SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	Phone Number
Administration		315 S. Santa Rosa	210-207-7484
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Tuesday	05-29-18 2130 hrs		Person

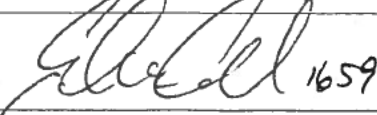
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Answer: Yes

Sgt. Jones came to the academy to discuss the cadet dinner on May 29th 2018. I attended the cadet dinner with [REDACTED] and [REDACTED]. I observed Ofc. Rios and [REDACTED] arrive late and observed Ofc. Rios drinking. I do not know how many beverages Ofc. Rios consumed. I have only known Ofc. Rios for a short amount of time, but know he has an outgoing personality. Ofc. Rios appeared to be enjoying himself more than everyone else in attendance. [REDACTED] and I were one of the first to leave the cadet dinner. Once I arrived home, I received a text message from Ofc. Escobar stating Ofc. Rios had been shot. I forwarded the message to Sgt. Moore and Ofc. Hernandez and also asked was everything OK. Later, I saw on social media what transpired in the parking lot of Allstars. I have been at the academy since March of this year. I have never been asked by Ofc. Rios to attend the strip club or any other functions.

John M Edwards 1659	 1659	8/29/2018
Officer's Printed Name/Badge #	Signature	Date

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

I.A. Formal Case Number: IA2018-0401
SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	Phone Number
Administration		315 S. Santa Rosa	210-207-7484
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Tuesday	05-29-18 2130 hrs		Person

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Answer: yes

I was ordered by Sergeant Jones to report to Internal Affairs on the listed date. On May 20th I attended the Cadet dinner with Lieutenant Steven Trujillo. We arrived to the event at approximately 1900 hours. Upon our arrival, I seated myself to the right of Lieutenant Trujillo. After a short time, I observed Officer Dezi Rios' [REDACTED] arrive to the event with [REDACTED]. I do not personally know Officer Rios' [REDACTED] but after seeing the [REDACTED] I observed the resemblance assuming [REDACTED] was the [REDACTED] to Officer Rios. Officer Dezi Rios arrived shortly thereafter alone. Officer Rios greeted several members of the academy staff and seated himself to my right. Officer Rios and I began to converse about my [REDACTED] recent graduation with the Army. Since Officer Rios served and was a "jumper" I was sharing my [REDACTED] recent experience with his preparation to jump. Officer Rios was providing guidance and direction to share with my [REDACTED]. While we were conversing, Officer Rios was served an alcoholic beverage by the restaurant staff. Our conversation lasted approximately 15 minutes. At that point, I directed my attention to Lieutenant Trujillo. I then began to converse with the [REDACTED] of Officer Garza who sat across from me. We left the event at approximately 2030/2100 hours. I seem to recall Officer Rios leaving prior to us, but I am not certain. I recall myself and Lieutenant Trujillo leaving after the cadet presentation. Sgt. Jones

Officer's Printed Name/Badge #	Signature	Date
Umarre Mauricio 576	[Signature] 576	9/3/2018

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

I.A. Formal Case Number: IA2018-0401
SAPD Case Number: SAPD18112376

asked me if I recall hearing Officer Rios asking anyone to attend All Stars with him and my response is I do not. Officer Rios appeared to me himself at the event. Officer Rios is very humorous and was laughing along with everyone at the table. He did not appear to be intoxicated.

Officer's Printed Name/Badge #	Signature	Date
Llano Mauricio 516	Llano Mauricio 516	9/3/2018

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

I.A. Formal Case Number: IA2018-0401
SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	Phone Number
Administration		315 S. Santa Rosa	210-207-7484
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Tuesday	05-29-18 2130 hrs		Person

TYPE OR PRINT ONLY

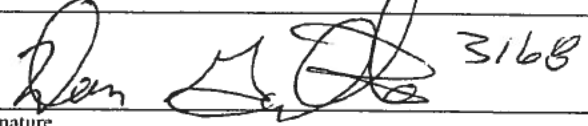
It is my understanding that this report is made for administrative internal police department purposes only, and will not be used against me in a criminal investigation. This report is made by me after being requested to do so by a lawful supervisory officer. It is my understanding that by refusing to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

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Answer: Yes.

I was contacted by Sergeant Jim Jones from Internal Affairs and ask to talk about an incident that occurred on May 29, 2018. This was the cadet dinner sponsored by the SAPOA. I am an Executive Board member and was at the dinner as a SAPOA representative. I arrived to the dinner sometime between 5 and 6 PM. I said hello to all the academy staff that arrived to the dinner. I sat at a table with the other Executive Board members. Our table was on the other side of the patio area from where Officer Dezi Rios and other SAPD instructors were sitting. I had dinner, spoke with the Executive Board members about some personal issues going on in my life ([REDACTED]) ate dinner, and watched the cadets roast the instructors. After the roasting of the instructors I left the restaurant and went home. This was approximately 7pm. I think the restaurant has cameras and these times could be confirmed by them. I then received a phone call a short time later advising me that Dezi Rios had been shot during a road rage incident.

I was asked if I observed Dezi Rios drinking at the cadet dinner. I did not see him drink anything at all not even water and I didn't see him eat either. Again I had my own personal issues pending and was a little preoccupied with that.

Sgt. Don Gatten #3168	 3168	9/4/2018
Officer's Printed Name/Badge #	Signature	Date

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

I.A. Formal Case Number: IA2018-0401

SAPD Case Number: SAPD18112376

Place of Occurrence		District of Occurrence	Type of Complaint
9400 IH 10W		7120	Administrative Complaint
Complainant's Name (Last, First, MI)		Address	Phone Number
Administration		315 S. Santa Rosa	210-207-7484
Day of Occurrence	Date and Time of Occurrence	Date and Time Reported	How Reported
Tuesday	05-29-18 2130 hrs		Person

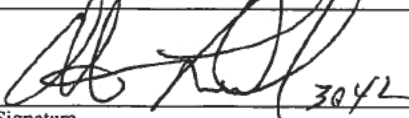
TYPE OR PRINT ONLY

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Answer: Yes

I was called to IA by Sgt Jim Jones and asked about the Cadet Dinner that I attended where Officer Desi Rios was involved in a shooting afterwards. I was asked about the night and then asked to put that in this report. I did see Officer Rios at the Dinner. He and I were seated at opposite ends of the Head Table. I sat with [REDACTED] near Sgt. Don Gatten. I saw Officer Rios with a glass in his hand at some point during the Dinner but I do not know what was in the glass. I do not recall getting close enough to him to determine if he was drinking alcoholic beverages. After we ate, [REDACTED] and I left and went home. I believe it was before Officer Rios left because it was while I was at home later that I heard that he had been involved in a shooting. This is all I can recall about this evening.

Sgt. Arthur Lindley #3042		9/11/2018
Officer's Printed Name/Badge #	Signature	Date

ANTONIO POLICE DEPARTMENT

REPORTING OF CRIMINAL OFFENSES BY DEPARTMENT MEMBERS

Control Number: _____

This form may be used by all department members. Complete this form and submit it by utilizing one of the two options noted in **General Manual Procedure 922**.

Jones, James D.
Name (Last, First, MI)

#3082/ Sergeant
Badge No./Rank

CIA
Unit Assignment

207-7713
Work Telephone

Supervisor's Name

Supervisor's Work Telephone

Briefly summarize the specific criminal offense(s) that is requested for review. Include the name(s) of the department employee(s) committing the offense, as well as witnesses, all pertinent details (who, what, when, how), and any supporting evidence.

Please see attached memo.

Complainant's Signature: James D. Jones #3082 Date: 8-29-18

Note: A complainant has a right to use the reporting procedure without prejudice or reprisal.

Name of Supervisor Receiving Report: J. ENBOIST 408 Date Report Received: 08/30/18

Signature: [Signature] 408

A copy of the signed form is provided to the member at the time it is signed by the supervisor, a copy is kept in the Office of the Chief, and the original is routed to the Intelligence Detail.

☒ Member's Copy

☐ Office of the Chief

☐ Intelligence Detail

**INTERNAL AFFAIRS
INTEROFFICE CORRESPONDENCE**

TO : IA2018-0401

FROM : Sgt. James D. Jones #3082

CC : _____

DATE : 08-29-18

SUBJ : Report accompanying RCO

On August 23, 2018 I was assigned to conduct an administrative investigation of an Officer-Involved Shooting. The officer involved in the shooting was Officer Dezi Rios #0797. In Officer Rios' sworn statement to a Homicide detective, Rios stated he was [REDACTED]

[REDACTED] Officer Rios gave details of his route and events on his way home. He stated he remembered he needed to call [REDACTED] to tell her he was on his way home from the restaurant and happened to pull into the parking lot of the All-Stars Gentlemen's Club to find his phone and make the call.

While investigating this case, it was discovered that Officer Rios solicited a co-worker to go to All-Stars which directly contradicts with the sworn statement he provided to Homicide.

Sgt. James D. Jones #3082
Internal Affairs Investigator



**BEXAR COUNTY
CRIMINAL INVESTIGATION LABORATORY**

7337 Louis Pasteur
San Antonio, TX 78229-4565
Office: (210)335-4100
Fax: (210)335-4101



FIREARMS REPORT

August 28, 2018

COPY

Rachel Barnes
San Antonio Police Department
315 South Santa Rosa
San Antonio, TX 78207

CIL Case #: 18-04327
Case Record #: 1
SAPD Case #: 18112376
Complainant(s):
Dezi Rios
Suspect(s):
Demontae Walker
Aggravated Assault

EVIDENCE RECEIVED:

Submission #1

Evidence received from Megan T. Cousins, San Antonio Police Department, on June 7, 2018.

- 1-1: One .40 S&W caliber Glock, model 27, semi-automatic pistol, serial number LFG225. (E26)
- 1-2: One .40 S&W caliber pistol magazine. (E26)
- 2-1: One 9mm Luger caliber Taurus, model PT111 G2, semi-automatic pistol, serial number TL067943. (E25)
- 2-2: One 9mm Luger caliber pistol magazine with three unfired 9mm Luger caliber cartridges. (E25)
- 2-3: One unfired 9mm Luger caliber cartridge. (E25)
- 3-1: One fired 9mm Luger caliber cartridge case. (E3)
- 3-2: One fired 9mm Luger caliber cartridge case. (E4)
- 3-3: One fired 9mm Luger caliber cartridge case. (E5)
- 3-4: One fired 9mm Luger caliber cartridge case. (E6)
- 3-5: One fired 9mm Luger caliber cartridge case. (E7)
- 3-6: One fired .40 S&W caliber cartridge case. (E9)
- 4-1: One fired .40 S&W caliber cartridge case. (E1)
- 4-2: One fired .40 S&W caliber cartridge case. (E2)
- 4-3: One fired .40 S&W caliber cartridge case. (E3)
- 4-4: One fired .40 S&W caliber cartridge case. (E4)
- 4-5: One fired .40 S&W caliber cartridge case. (E5)
- 4-6: One fired .40 S&W caliber cartridge case. (E6)
- 4-7: One fired .40 S&W caliber cartridge case. (E11)
- 4-8: One fired .40 S&W caliber cartridge case. (E12)
- 4-9: One fired .40 S&W caliber cartridge case. (E13)
- 5-1: One fired .40 caliber jacketed bullet. (E1)
- 5-2: One fired .40 caliber jacketed bullet.
- 5-3: One large fragment of a fired .40 caliber jacketed bullet. (E14)

**BEXAR COUNTY CRIMINAL INVESTIGATION LABORATORY
FIREARMS**

CIL Case # 18-04327

August 28, 2018

- 5-4: One fired .40 caliber jacketed bullet. (E15)
- 5-5: One small bullet jacket fragment. (E7)
- 5-6: One fired .40 caliber jacketed bullet. (E24)

RESULTS AND CONCLUSIONS:

The Item 1-1 pistol was test fired using the Item 1-2 magazine with laboratory ammunition and was found to be in working order. Test fired cartridge cases from the Item 1-1 pistol are suitable for entry into the National Integrated Ballistic Information Network (NIBIN).

The Item 2-1 pistol was test fired using the Item 2-2 magazine with laboratory ammunition and was found to be in working order. The Item 2-2 and Item 2-3 unfired cartridges were suitable for use with the pistol. Test fired cartridge cases from the Item 2-1 pistol are suitable for entry into the National Integrated Ballistic Information Network (NIBIN).

The Item 3-1, Item 3-2, Item 3-3, Item 3-4, and Item 3-5 cartridge cases were compared to tests fired in the Item 2-1 pistol and were determined to have been fired in that pistol.

The Item 3-6, Item 4-1, Item 4-2, Item 4-3, Item 4-4, Item 4-5, Item 4-6, Item 4-7, Item 4-8, and Item 4-9 cartridge cases were compared to tests fired in the Item 1-1 pistol and were determined to have been fired in that pistol.

The Item 5-1, Item 5-2, Item 5-3, Item 5-4, and Item 5-6 bullets were compared to tests fired from the Item 1-1 pistol. They could neither be identified nor eliminated as having been fired from the Item 1-1 pistol due to limited individual characteristics but similar class characteristics.

The Item 5-5 fragment was of no value for firearms identification.

REMARKS:

These Items will be returned to the Evidence Receiving Section. Test fired cartridge cases from the Item 1-1 and Item 2-1 pistols have been included for NIBIN entry.

Reported By:

David Pendleton

David Pendleton
Forensic Scientist

☐ Garrity Warning Sheet

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

SECTION 3.00 INDIVIDUAL RESPONSIBILITIES

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

3.27 GIVING INFORMATION IN INTERNAL INVESTIGATIONS:

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

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

1. The report is for departmental purposes only;
2. The report will not be used against them in any subsequent criminal investigation or prosecution; and

☐ Should they fail to give a written report, a lawful order to do so will be given, and failure to follow such an order will result in disciplinary action.

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

.10 COMPLAINT INTERVIEWS

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

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

I have read and I understand the above Rules and Procedures

Dezi J. Rios

Officer's Printed Name

[Signature] #777

Officer's Signature

9/12/18

Date

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

Complainant's Name: The AdministrationResponding Officer: Officer Dezi Rios #0797 (CTA)Internal Affairs Investigator: Sergeant James Jones #3082 (CIA)I.A. Formal Case Number: IA2018 - 0401

During an investigation of a complaint filed by the Administration, it has been determined that you are now a respondent in this case. This memorandum is to inform you of the specific allegation(s) against you, and that Sergeant James Jones is the assigned investigator. The findings of this investigation will be forwarded to the Complaint and Administrative Review Board for a review and recommendation. A written response is required from you regarding the following allegation(s).

Allegation #1:

On May 29th, 2018, at approximately 2130 hours, Officer Dezi Rios #0797 (CTA) was in the parking lot of AllStars Gentlemen's Club located at 9440 IH 10 W. While in that parking lot, Officer Rios became involved in an altercation with another male, and Rios was shot numerous times during that altercation. On June 29th, 2018, Officer Rios gave a sworn statement to an SAPD Homicide Detective about the details of the incident. Officer Rios stated he was on his way home from a Cadet dinner and pulled into the AllStars parking lot to find his phone and call [REDACTED]. An administrative witness reported Rios asked him several times at that dinner to accompany him to AllStars after the Cadet dinner. The Administration alleges Officer Rios was not truthful in his statement to the Homicide detective when he stated he pulled into the AllStars parking lot to call [REDACTED] while on the way home. This incident was documented under SAPD Case #SAPD18112376.

**This conduct may be a violation of the SAPD 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

Badge # 797Date 9/12/18

Investigator's Signature

Badge # #3082Date 9-12-18

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

Complainant's Name: The Administration

Responding Officer: Officer Dezi Rios #0797 (CTA)

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

I.A. Formal Case Number: IA2018 - 0401

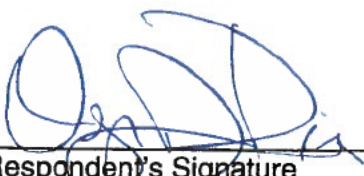
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Allegation #2:


On May 29th, 2018, at approximately 2130 hours, Officer Dezi Rios #0797 (CTA) was in the parking lot of AllStars Gentlemen's Club located at 9440 IH 10 W. While in that parking lot, Officer Rios became involved in an altercation with another male. According to Rios' sworn statement, the other male said to Rios, "Hey motherfucker, you know you almost killed me back there." Rios responded, "Obviously, I fucking didn't because you're still here. You're a fucking dumbass for pulling over. Get the fuck out of here." The Administration alleges Officer Rios' actions did not conform to the ordinary and reasonable rules of good conduct and behavior and/or brought reproach and discredit on himself and the San Antonio Police Department. This incident was documented under SAPD Case #SAPD18112376.

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

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


Respondent's Signature

797 9/12/18
Badge # Date


Investigator's Signature

#3082 9-12-18
Badge # Date

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

Complainant's Name: The Administration

Responding Officer: Officer Dezi Rios #0797 (CTA)

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

I.A. Formal Case Number: IA2018 - 0401


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Allegation #3:


On May 29th, 2018, at approximately 2130 hours, Officer Dezi Rios #0797 (CTA) was in the parking lot of AllStars Gentlemen's Club located at 9440 IH 10 W. While in that parking lot, Officer Rios became involved in an altercation with another male. According to Rios' sworn statement on June 29th, 2018, he stated, "I did have some drinks at the dinner. I think it was 5. It was mixed drinks and liquor." Rios further also stated he arrived at the dinner on May 29th, 2018 at approximately 1845 hrs and believed he left the dinner at approximately 2115 hrs. The Administration alleges Officer Rios had consumed alcoholic beverages to the extent he was rendered unfit to report for duty. This incident was documented under SAPD Case #SAPD18112376.

**This conduct may be a violation of the SAPD Rules and Regulations:
Section 3.11(B) – Use of Intoxicants; Intoxication**

B. INTOXICATION: Members shall not, at any time, be intoxicated while on-duty. Members shall not be intoxicated while in public view. No member, while off-duty, shall drink intoxicating beverages to an extent which renders them unfit to report for duty.


Respondent's Signature

797 9/12/18
Badge # Date


Investigator's Signature

#3082 9-12-18
Badge # Date

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

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

Rios, Dezi
Officer's Name (Last, First, MI)

#0797 / Police Officer
Badge No./Rank

CTA
Unit Assignment

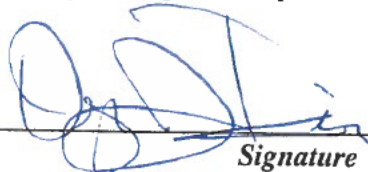
(210) 207-6262
Work Telephone

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

	Title of Document	Date of Document	Prepared by
1.	Formal Complaint Notice	September 4, 2018	Captain Timothy Vaughan
2.	Administrative Review Notice	July 12, 2018	Captain Timothy Vaughan
3.	One CD – Homicide Investigative Packet, and 6 DVDs containing BWC videos, Crime Scene photos and videos, Security videos, Statements, 911 calls and radio transmissions, Vehicle photos, and KSAT video	May 30, 2018	Detective R. Barnes
4.	Copy of Blue Team Entry	May 30, 2018	Sergeant Thomas Maurice
5.	Interoffice Correspondence	May 30, 2018	Lieutenant M. Podwika
6.	Email from Officer Spence Jones	July 11, 2018	Officer Spence Jones
7.	Glock Model 27 Data Sheet	July 11, 2018	Sergeant Joe Gilliam
8.	Copy of Garrity Warning Sheet	August 8, 2018	Sergeant Joe Gilliam
9.	Copy of Administrative Review Sheet	August 8, 2018	Sergeant Joe Gilliam
10.	Copy of Receipt of Documents Reviewed	August 8, 2018	Sergeant Joe Gilliam
11.	Copy of Officer's Response Report	August 8, 2018	Officer Dezi Rios
12.	Non-Respondent Officer's Report	August 27, 2018	Lieutenant Steven Trujillo
13.	Non-Respondent Officer's Report	August 28, 2018	Officer Robert Moreno
14.	Non-Respondent Officer's Report	August 28, 2018	Officer Eric Hernandez
15.	Non-Respondent Officer's Report	August 28, 2018	Officer Adrian Garza
16.	Non-Respondent Officer's Report	August 29, 2018	Sergeant Justin Massiatte
17.	Non-Respondent Officer's Report	August 29, 2018	Sergeant Michael Moore
18.	Non-Respondent Officer's Report	August 29, 2018	Officer John Edwards
19.	Non-Respondent Officer's Report	September 3, 2018	Officer Yvonne Mauricio
20.	Non-Respondent Officer's Report	September 4, 2018	Sergeant Don Gatten
21.	Non-Respondent Officer's Report	September 11, 2018	Sergeant Art Lindley
22.	Copy of RCO	August 30, 2018	Sergeant James Jones
23.	Copy of Crime Lab Firearms Report	August 28, 2018	David Pendleton
24.	Garrity Warning Sheet	SAPD General Manual	Sergeant James Jones
25.	Allegations Sheets	September 12, 2018	Sergeant James Jones
26.	Receipt of Documents Viewed	September 12, 2018	Sergeant James Jones

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

Respondent Officer:

 792
Signature

Date:

9/12/18

Internal Affairs Investigator:

 #3082
Signature

Date:

9-12-18