



MEMO

Police Department

DATE: DECEMBER 29, 2014
TO: SERGEANT TROY BANKS
FROM: DETECTIVE DAVID SMITH
RE: SUMMARY: 245(D)(1) PC/ OFFICER INVOLVED SHOOTING

CASE NUMBER: P14-175-586
DATE OF INCIDENT: Tuesday – November 18, 2014
TIME OF INCIDENT: 1431 hrs
LOCATION: 10479 Keller Avenue, Riverside CA
Private residence
INVOLVED OFFICER: Officer Marco Ortiz #1352
Riverside Police Department
P.A.C.Team
OFFICER INJURIES: None
SUSPECT: MARTINEZ, Vicente Robert- Deceased
HMA 5'09 193 BRO BRO
5433 Bushnell Avenue, Riverside CA
[REDACTED]
SUSPECT'S INJURIES: Gunshot wounds to right arm and torso

RIVERSIDE POLICE DEPT - Restricted Information
Public Records Act Request
ANGIE 12/30/2015 8:18 AM Unauthorized Release PROHIBITED

WITNESS OFFICER: Officer Jeffery Adcox #1463
Riverside Police Department
P.A.C.Team

CIVILIAN WITNESSES: None

CIVILIAN INJURIES: None

SUMMARY

On November 18, 2014, Riverside Police Department (RPD) Narcotics Detective Eric Detmer received information that S-Vicente Robert Martinez DOB: 03-26-80 was in possession of methamphetamine and a handgun. Detective Detmer enlisted the assistance of the Post-Release Accountability and Compliance Team (P.A.C.T) and they set up surveillance at S-Martinez's residence, which was 5433 Bushnell Avenue in the City of Riverside. Narcotics detectives watched the residence while P.A.C.Team members set up in the area to conduct a traffic stop on S-Martinez should they encounter him in his vehicle, which was identified as a gray 2014 Nissan Frontier, CA license "70580R1". P.A.C.Team members Officer Marco Ortiz and partner Officer Jeffrey Adcox were assigned as the primary unit for the traffic stop and were dressed in Riverside Police Department uniform including Riverside Police patches on their shoulders, cloth police badge, bullet proof vest and web gear.

At approximately 1431 hrs, Officers Ortiz and Adcox saw S-Martinez driving his Nissan Frontier a few blocks from the Bushnell address. At the intersection of Keller Avenue and Jones Avenue the officers saw S-Martinez fail to completely stop at the stop sign. They followed him in their unmarked police car, which was a black Ford Explorer equipped with a front push bar, spotlights, a forward facing red light, rear flashers and a siren. Officer Ortiz activated their forward red light to pull him over but S-Martinez failed to stop. Officer Ortiz then activated their audible siren and S-Martinez, although driving the speed limit, still failed to yield. Assisting P.A.C.Team Officers Christina Arangure and Daniel Mercadefe pulled in behind Officers Ortiz and Adcox in their similarly equipped Ford Explorer and they both followed S-Martinez with lights and sirens activated. S-Martinez led the officers to his house at 5433 Bushnell where he turned into the driveway, rapidly accelerated to the end of the driveway and stopped. The officers followed S-Martinez and stopped behind his vehicle.

S-Martinez immediately got out of his vehicle and stood outside of the driver's door, facing the officers, with his hands up in the air. Officers Ortiz and Adcox exited their police car, drew their firearms and began ordering S-Martinez to get on the ground. Instead of getting on the ground S-Martinez walked backwards, away from them and towards his house. He then turned and ran southbound through his yard. Officer Ortiz and Adcox ran after him.

Officer Ortiz and Officer Adcox chased S-Martinez as he ran to a chain link fence separating his yard and the neighbors at 10479 Keller. S-Martinez climbed the fence and fell into the backyard of the Keller address. Officer Ortiz and Officer Adcox ran up to the fence and ordered S-Martinez to stay on the ground. Instead, S-Martinez got up and continued running

in a southerly direction towards the Keller residence. Officer Ortiz and Officer Adcox jumped the fence and separated slightly as they entered the Keller back yard. After approximately 50 feet Officer Ortiz saw S-Martinez turn towards them holding a black semi-automatic handgun in his right hand and he pointed it at them. Officer Ortiz fired at S-Martinez (8) times with his department issued .40 caliber semi-automatic handgun, striking him (5) times. Officer Adcox did not fire his weapon.

P.A.C.Team Officers Arangure and Mercadefe were just scaling the fence between the Bushnell address and the Keller address backyard when the shooting occurred and did not witness the shooting. The officers requested medical aid and attempted first aid but S-Vicente Martinez was pronounced deceased by Riverside Fire personnel at the scene. Responding patrol officers secured the area.

The gun S-Martinez possessed was located on the ground approximately 34 feet from him. The gun was examined and found to be a .40 caliber, Springfield, semi-automatic handgun. The gun's magazine was fully loaded with (11) live .40 caliber rounds and there was no round in the chamber. The serial number was checked through CLETS and the gun was reported stolen in 2011 from a residence in Murrieta California and reported to the Riverside County Sheriff's Department.

Officers and Detectives conducted a neighborhood canvas and there were no civilian witnesses to the shooting.

Riverside Police Robbery Homicide Investigators processed the crime scene at 10479 Keller and 5433 Bushnell. The Riverside County Sheriff Coroner responded and took possession of S-Vicente Martinez and the belongings still on his person.

WITNESS OFFICER STATEMENT

Officer Jeffery Adcox

On November 18, 2014, Detective Jim Simons and Detective Adrian Tillet interviewed Officer Jeffery Adcox at the Riverside Police Department's Magnolia Station.

Officer Adcox told them that he is currently assigned to the P.A.C.Team and usually is partnered up with fellow P.A.C.Team Officer Marco Ortiz. Today they were asked to assist Detective Eric Detmer of the Riverside Police Department Narcotics Unit in a surveillance of a subject identified as S-Vicente Martinez. Detective Detmer had information that S-Martinez was in possession of methamphetamine and a handgun at his home address of 5433 Bushnell in the City of Riverside. S-Martinez was supposed to be driving a gray Nissan Frontier pickup truck.

Officer Adcox said that the other members of the P.A.C.Team and members of the RPD Narcotics Unit drove to the area of 5433 Bushnell and learned that the vehicle was not there. Officer Ortiz and Officer Adcox were riding together in their unmarked Police Ford Explorer. Officer Ortiz was driving and Officer Adcox was the front passenger. They decided to wait in the area to see if the vehicle returned and if S-Martinez was in it.

Officer Adcox said that at approximately 1430 hrs they heard one of the Narcotics Unit detectives say over the radio that the gray Nissan Frontier was currently driving on Jones

towards Keller Avenue. Officer Adcox said they could see the vehicle now and they observed the Frontier roll through the stop sign at Jones and Keller in what he described as a "california stop." They activated their red light and siren and S-Martinez did not pull over. Instead he started motioning to them with his left hand out of his window. Officer Adcox said it appeared he was indicating to them he was going to pull over when there was a clear area, but he never pulled over. Instead S-Martinez lead them to his residence at 5433 Bushnell. When they got to the address S-Martinez pulled into the driveway, accelerated to the end and stopped.

S-Martinez abruptly got out of his vehicle and stood outside of his door with his hands up in the air. Officer Adcox said Officer Ortiz and he exited their police car at about the same time as S-Martinez exited his truck. They drew their firearms, pointed them at S-Martinez and began yelling at him to "get on the ground." Officer Adcox said that at that time S-Martinez's hands appeared to be empty. The officers continued to command S-Martinez to get on the ground but S-Martinez turned and began running in an easterly direction.

Officer Adcox said he holstered his weapon and began to run after S-Martinez. Officer Adcox said Officer Ortiz and he chased S-Martinez while yelling for him to stop until S-Martinez came to a chain link fence, which he attempted to climb over. Officer Adcox said he saw S-Martinez get caught on the top of the fence and fall over into the neighboring yard, landing on his stomach. Officer Adcox said he was close enough to almost grab S-Martinez as he was going over the fence but couldn't quite reach him.

Officer Adcox said he drew his firearm again and began ordering S-Martinez to get on the ground, but S-Martinez got up and continued running away from them into the neighbor's back yard. Officer Adcox said he holstered his gun again and climbed over the fence. Officer Ortiz climbed over at about the same time.

Officer Adcox said he began to run in the direction that S-Martinez had fled and he chose a path along a barn or garage type structure. His view of S-Martinez was partially obscured by some small trees or bushes but he could see that S-Martinez was in an area to the front of the structure. Officer Ortiz chose a different path out to Officer Adcox's left.

Officer Adcox said he could then see that S-Martinez had a black semi-automatic handgun in his right hand and he was pointing it at him. Before he could draw his gun again and fire he heard (7) to (8) gunshots to his left and saw S-Martinez fall to the ground.

Officer Adcox said that S-Martinez ended up on his stomach with his left hand underneath him and his right hand was near his head. He approached S-Martinez, pulled his left arm out from underneath him and handcuffed his hands behind his back.

INVOLVED OFFICER'S STATEMENT

Officer Marco ORTIZ

On November 18, 2014, Detective Greg Rowe and I interviewed Officer Marco Ortiz at the Riverside Police Department's Magnolia Station.

Officer Ortiz told us after the briefing at the Magnolia Police Station they positioned themselves in the area of S-Martinez's residence to conduct a traffic stop if they observed S-

Martinez in his vehicle and had probable cause to stop him. Officer Ortiz said Officer Jeffery Adcox and he were designated as the primary unit for that stop.

Officer Ortiz told us that when they got into the area Detective Detmer advised them on the radio that the subject vehicle wasn't at the house, so they parked their unit in a parking lot on Keller Avenue, east of Jones Avenue, while the Narcotics detectives watched the residence. Officer Ortiz was driving and Officer Adcox was the front passenger.

Officer Ortiz said as they were sitting there they saw the gray Nissan Frontier northbound on Jones, coming up to the intersection at Keller. They pulled out onto Keller to intercept it and as they approached the intersection they saw the Frontier go through the stop sign without coming to a complete stop. Officer Ortiz said he clearly saw and recognized the driver and lone occupant of the Frontier as S-Vicente Martinez.

Officer Ortiz said they pulled in behind the Frontier as they traveled northbound on Jones and confirmed the license plate. They then activated their forward facing red light and rear flashers to stop S-Martinez for the stop sign violation. Officer Ortiz said he noted that the driver's side window was down on the Frontier and he could see S-Martinez looking back at him in his side view mirror. S-Martinez stuck his right arm out the window with his index finger up in the air. Officer Ortiz said he believed that S-Martinez was indicating that he would stop soon. Instead, S-Martinez made no attempt to pull over, so they activated their siren. Officer Ortiz said S-Martinez was traveling the speed limit, but not stopping. S-Martinez then stuck his arm out of his window again, but continued driving. When they reached Campbell Avenue S-Martinez made a quick left on Campbell and then made a left turn onto Bushnell. At this point Officer Ortiz said he noticed Officers Christina Arangure and Daniel Mercadefe pull in behind them in an identically equipped black Ford Explorer with their lights and siren on. Now both police cars were behind S-Martinez with lights and siren activated in what Officer Ortiz described as a "slow speed pursuit."

Officer Ortiz said they followed S-Martinez until they came to his residence at 5433 Bushnell. S-Martinez turned into the driveway, rapidly accelerated to the end of the driveway and stopped. Officer Ortiz said they stopped behind S-Martinez's vehicle, exited their unit and drew their handguns. S-Martinez exited his vehicle and stood outside of his door, facing them, with his hands up in the air. Officer Ortiz said he yelled at S-Martinez to "Get on the ground" several times. Instead of getting on the ground S-Martinez began walking backwards, away from them, then turned and ran southbound through his yard.

Officer Ortiz said they followed S-Martinez and saw him "dive" over a flimsy chain link fence into the neighbor's yard (at 10479 Keller). The fence had no top crossbar and S-Martinez got caught up in it and fell on the ground on the other side. Officer Ortiz said he was about five feet behind him, on the other side of the fence, and was yelling at S-Martinez to stay on the ground, but S-Martinez got up and ran southbound through the Keller residence backyard.

Officer Ortiz said he holstered his weapon so he could climb the fence. Officer Adcox went over first and stayed to the right, near a garage wall. Officer Ortiz went over the fence next and he veered out to the left around some small fruit trees. Officer Ortiz said he was "kind of losing sight" of S-Vicente Martinez because of the trees between them but he saw him accidently bump into a small tree as he fled and begin to lose his balance. S-Martinez then spun around, facing the officers as he stumbled backwards. As S-Martinez backed up Officer Ortiz said S-Martinez's right hand came up with a black handgun in it and he was pointing it in

Officer Adcox's direction. Officer Ortiz estimated S-Martinez was about 20 feet away from him at this point.

Officer Ortiz said it occurred to him that S-Martinez had numerous opportunities to rid himself of the handgun during the slow speed pursuit, and he hadn't, and he now believed that S-Martinez was going to shoot at them. Officer Ortiz said he couldn't remember if he had his gun out already or if he drew it, but he fired at S-Martinez. He couldn't tell if his rounds were striking him but S-Martinez fell to the ground with his left hand underneath him and his right hand straight out from his side. As the officers moved up Officer Ortiz said he saw that the gun was no longer in S-Martinez's hand. Ortiz said as they slowly approached he noticed the handgun about 20 to 30 feet away to S-Martinez's right, lying in the driveway. Officer Ortiz and Officer Adcox approached S-Martinez and Officer Adcox handcuffed him.

WEAPONS CHARTING

Detective Adrian Tillet and Evidence Tech Susan Lane were assigned to chart Officer Ortiz's weapons at the Magnolia Station.

Officer Marco Ortiz was carrying a department issued Glock, model 22, .40 caliber, semi-automatic pistol with two spare magazines on his duty belt. He also had a loaded Smith and Wesson, .38 caliber, revolver as back-up weapon secreted in his vest. As a result of the charting it was learned that (8) rounds were missing from the magazine in his Glock duty weapon. His two spare magazines and his .38 back-up weapon were still full to capacity.

Officer Jeffery Adcox, Officer Christina Arangure and Officer Daniel Mercadefe's weapons were also charted and all of their weapons and spare magazines were full to capacity.

SCENES / EVIDENCE

Detective Jim Brandt and Detective Mike Medici processed the crime scenes at 5433 Bushnell and 10479 Keller assisted by Evidence Techs Tim Ellis, Lian Velin and Selena McKay-Davis.

5422 Bushnell

5433 Bushnell is an unattached residence located to the rear of the property behind 5431 Bushnell. A long cement driveway services both residences. S-Vicente Martinez's Nissan Frontier was located parked at the end of the driveway in front of 5433 Bushnell. Officer Ortiz and Officer Adcox's Ford Explorer, Unit #3404, was parked behind the Frontier and Officer Mercadefe's and Officer Arangure's Ford Explorer, Unit # 3405, was parked behind unit #3404. No other evidence was located outside.

Sergeant Dave Ruddy, Detective Eric Detmer and other members of the RPD Narcotics Unit searched S-Vicente Martinez's residence after S-Vicente Martinez's wife, Tamra Luna, gave verbal and written consent to Detective Greg Rowe and me. They located a functioning surveillance system with live cameras pointing at the driveway. On a table in the living room they located a black speed-loader for a semi-automatic handgun and on the couch a handheld scanner.

In a bedroom that Tamra Luna said was S-Vicente Martinez's alone they located a ballistic vest, two sets of brass knuckles and a nylon pistol holster.

Inside the master bedroom they located two locked safes. Mrs. Luna opened the largest one and detectives found a shotgun, a .22 caliber rifle and ammunition for both. Mrs. Luna requested that the detectives seize the items because she did not know who they belonged to. She then opened the smaller safe and detectives saw it contained two handguns. They were both legally registered to Tamra Luna so they were left at the scene.

10479 Keller

S-Vicente Martinez's body was located lying face-up in the back yard of 10479 Keller. His wallet and a few personal items from his pockets were on the ground next to him. A loaded .40 caliber, Springfield, semi-automatic handgun was found lying on the cement driveway in the back yard approximately 34 feet west of his body and group of (8) expended .40 caliber shell casings were located on the ground approximately 12 feet north of him. Detectives found an expended projectile next to S-Vicente Martinez's head and lead fragments in the same general area.

2004 Nissan Frontier

S-Vicente Martinez's Nissan Frontier was towed to the Magnolia Police Station. On November 20, 2014, Detective Mike Medici searched the vehicle along with Evidence Tech Susan Lane.

Detective Medici located a fixed blade hunting style knife in the driver's door panel and another fixed blade knife concealed under the seat cover on the driver's seat. On the front passenger seat he located a collapsible baton in a nylon holder. In the center console he located numerous 'shaved' keys' commonly used to steal cars, and a plastic bag of BBs.

VIDEO

No surveillance video, COBAN video or audio of the incident was located.

AUTOPSY

Detectives Greg Rowe and Adrian Tillet attended the autopsy of S-Vicente Martinez on November 19, 2014 at the Riverside County Sheriff Coroner's Office in Perris California assisted by RPD evidence Tech Lian Velin.

Riverside Sheriff Coroner Forensic Pathologist Dr. Park conducted the autopsy and preliminarily determined that S-Vicente Martinez had (5) gunshot entry wounds; (1) to the right elbow area, (2) to the left side hip area, (1) to the left side torso under the arm and (1) to the upper left back. (1) exit wound was noted in the right chest.

Riverside County Coroner's Tech Craig Wills searched S-Vicente Martinez's clothing and recovered a plastic baggie of suspected methamphetamine from his right front pants pocket. RPD Evidence tech Lian Velin collected it as evidence. On November 20, 2014, I weighed and tested the substance at the Magnolia Police Station. The substance weighed approximately

15.0 grams with packaging. I tested it with a presumptive test kit and received a positive reaction for methamphetamine.

See Coroner's Protocol for Cause of Death

DEPARTMENT OF JUSTICE (DOJ)

Officer Marco Ortiz's semi-automatic, .40 caliber, model 22, Glock pistol was sent to the Department of Justice (DOJ) Crime lab in Riverside along with evidence collected at the scene on Keller, including; (8) expended .40 caliber casings, (1) expended lead projectile, (1) expended bullet fragment and the loaded .40 caliber Springfield semi-automatic pistol. Also submitted were (3) expended projectiles recovered from S-Martinez's body at autopsy.

DOJ Criminalist Mark Traughber examined the evidence and determined that Officer Ortiz's pistol fired all (8) expended .40 caliber casings found at the scene on Keller and Officer Ortiz's pistol *could* have fired the expended projectile and the fragment collected at that same scene. He also determined that Officer Ortiz's pistol *could* have fired the expended projectiles recovered at autopsy. The expended projectile and fragments recovered on Keller and the expended projectiles collected at autopsy did not have enough sufficient individual characteristics for identification to a single firearm, but Criminalist Traughber *did* rule out S-Martinez's pistol as firing them due to differences in class characteristics.

Criminalist Traughber examined and test fired S-Martinez's .40 caliber semi-automatic Springfield pistol that was collected on Keller and found it functioned properly and was capable of being fired.

SUSPECT VICENTE MARTINEZ'S CRIMINAL HISTORY

S-Vicente Martinez has an extensive criminal history dating back to 1996. 



See S-Vicente Martinez's RAP sheet for more details of his arrest history.