



# *News Release*

## **Dallas Police Department**

**Police Media Relations Unit**

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### **Chief David O. Brown Disciplines Employees**

Dallas Police Chief David O. Brown disciplined the following officers during hearings this morning.

1. 911 Call Taker Moises Limon, #107901, was involved in the following incident:

On May 13, 2013, 911 Call Taker Limon was arrested for Driving While Intoxicated (DWI) in the City of Carrollton. Mr. Limon did not notify his supervisors of his DWI arrest. An Internal Affairs investigation concluded that Mr. Limon drove a vehicle while under the influence of alcohol and failed to report this arrest to his supervisors.

911 Call Taker Limon was terminated for his actions. He was hired in July of 2007 and was assigned to the Communications Services Section.

2. Senior Corporal Frank Della, #7103, was involved in the following incident:

On September 7, 2013, Senior Corporal Della while off-duty attended a concert during which time he consumed alcoholic beverages. After the concert, he picked up a parking barricade in the parking lot and threw it, striking a parked vehicle. The owners of the vehicle, a male and female, observed the incident as they approached their vehicle. A verbal argument ensued between Senior Corporal Della and the owners, at which time Senior Corporal Della grabbed the female by the shoulders. Senior Corporal Della produced his badge and identified himself as a police officer to the couple and then walked away while the female called 911. While the couple followed him through the parking lot, Senior Corporal Della stopped and took a physical stance towards the couple to fight. The confrontation drew the attention of security officers. One of the security officers stated that he had to physically restrain Senior Corporal Della from fighting the male. Shortly after a supervisor arrived at the scene, Senior Corporal Della stopped cooperating with the investigation. Multiple officers and witnesses stated that Senior Corporal Della was intoxicated or under the influence of alcohol. He was offered a field sobriety test which he refused.

Senior Corporal Della was arrested for Public Intoxication, Class B Misdemeanor Criminal Mischief, and Class C Misdemeanor Assault. An Internal Affairs Investigation concluded that on September 7, 2013, Senior Corporal Della was intoxicated while in public view, engaged in adverse conduct when he caused damage to another person's

vehicle, made offensive contact with another person, and was involved in a disturbance which resulted in a police response.

Senior Corporal Della was terminated for his actions. He was hired in August of 1994 and was assigned to the North Central Patrol Division.

3. Senior Corporal James Reynolds, #7452, was involved in the following incident:

On May 29, 2013, Senior Corporal Reynolds was on a meal break with his recruit at a location near a shopping center where an off-duty officer was working. The off-duty officer requested assistance over the police radio for help with a combative prisoner. Several officers marked enroute to the location in emergency status with lights and sirens activated.

A supervisor who was monitoring the Automated Vehicle Locator map during the incident noticed Senior Corporal Reynolds, who was approximately three tenths of a mile from the location, did not respond to the request for assistance. The recruit officer with Senior Corporal Reynolds stated that he heard the call and believed the officer calling for assistance sounded stressed and excited, but he was told by Senior Corporal Reynolds that they were not going to respond to the call. Senior Corporal Reynolds told the supervisor that he did not hear anything on the radio to indicate the call was an assist officer, and since other officers were responding, he told his recruit that they would not respond. An Internal Affairs Investigation concluded that Senior Corporal Reynolds failed to aid a fellow officer.

Senior Corporal Reynolds was demoted to the rank of police officer for his actions. He was hired in September of 1996 and was assigned to the Southwest Patrol Division.

4. Senior Corporal William Wesley, #5923, was involved in the following incident:

On July 28, 2013, Senior Corporal Wesley became involved in a disturbance with his live-in girlfriend. During the disturbance a physical fight ensued and Senior Corporal Wesley struck his girlfriend in the head with his hands. Grand Prairie police responded to a 911 call at the location from Senior Corporal Wesley's girlfriend. Their investigation resulted in the arrest of Senior Corporal Wesley for Family Violence Assault, Class A Misdemeanor. An Internal Affairs investigation concluded that Senior Corporal Wesley engaged in adverse conduct when he was involved in a domestic disturbance which resulted in a police response.

Senior Corporal Wesley was terminated for his actions. He was hired in November of 1988 and was assigned to the Southwest Patrol Division.

5. Sergeant Rafael Rodriguez, #7254, was involved in the following incident:

On November 13, 2013, Sergeant Rodriguez became involved in a disturbance with his estranged wife at her residence. Sergeant Rodriguez confronted his estranged wife and a male individual as they walked out of the garage. A verbal altercation ensued at which time Sergeant Rodriguez went to his vehicle and retrieved a handgun. Sergeant Rodriguez displayed the weapon in a threatening manner and made threats towards his estranged wife. Grapevine police responded and subsequently made a Deadly Conduct

charge against Sergeant Rodriguez. On December 19, 2013, Sergeant Rodriguez was arrested. An Internal Affairs investigation concluded that Sergeant Rodriguez engaged in adverse conduct when he was involved in a disturbance which resulted in a police response and subsequent arrest for Deadly Conduct. The investigation also concluded that Sergeant Rodriguez was armed with a weapon which he was not qualified to carry.

Sergeant Rodriguez was terminated for his actions. He was hired in August 1995 and was assigned to the Northwest Patrol Division.

6. Senior Corporal Amy Wilburn, #8111, was involved in the following incident:

On December 9, 2013, Senior Corporal Wilburn and other officers drove behind a vehicle that they had been told was taken in an earlier robbery by armed suspects who had fired shots at the owner of the vehicle. While the vehicle was moving slowly, the driver jumped out and began running and the passenger remained inside the vehicle. The other officers began to pursue the driver while Senior Corporal Wilburn ran toward the vehicle with her weapon still holstered. As Senior Corporal Wilburn opened the driver's door, she appeared surprised at the sight of the suspect sitting in the passenger seat and almost immediately drew her weapon and fired once, striking the suspect once in the side. The Internal Affairs investigation concluded that Senior Corporal Wilburn violated the Department's Use of Deadly Force policy when she fired upon an unarmed person without fear or justification. This conclusion is based upon the following:

- An independent witness that observed the entire shooting incident stated that the suspect, Mr. Walker, was sitting upright and had his hands up in the air the entire time, indicating surrender. The witness stated at no time did Mr. Walker lower his hands until after he was shot.
- No weapon or contraband was found in the location where Senior Corporal Wilburn indicated the suspect, Mr. Walker, was hiding his hand.
- At no time after the vehicle was located, did officers lose sight of the vehicle nor broadcast that any suspect had exited the vehicle until Officer Terry reported that the driver fled from the vehicle on foot.
- Senior Corporal Wilburn did not conduct a felony traffic stop to clear or challenge the vehicle, which contained possibly armed suspects.
- Senior Corporal Wilburn rushed the vehicle and did not maintain distance without taking the time a reasonable officer would approaching a vehicle with armed suspects.
- Senior Corporal Wilburn approached the vehicle alone after observing Officers Terry and Correa pursue the driver of the suspect vehicle.
- After opening the driver's door of a still moving vehicle, Senior Corporal Wilburn observed Mr. Walker in the passenger seat and immediately drew and fired her weapon.

- Senior Corporal Wilburn immediately holstered her weapon and did not stay on target as a reasonable officer would with a potentially armed and dangerous suspect.
- Officer Wilburn immediately entered the vehicle without proper cover or with her weapon at the ready under the same circumstances that a reasonable officer in fear of their life would approach an armed suspect.
- As she arrived at the passenger door of the suspect, whom she believed to have a weapon, she exposed herself to the possibly armed suspect without her weapon drawn and not in a tactical manner and before the vehicle had been cleared for weapons. A reasonable officer in fear for their safety would not have approached the vehicle in this manner.
- Mr. Walker stated that he had his hands in the air when Senior Corporal Wilburn approached the vehicle. He stated he was not resisting and was not reaching for anything.

Senior Corporal Wilburn was terminated for her actions. She was hired in September 2001 and was assigned to the Southeast Patrol Division.

Under civil service rules, all employees have the right to appeal their discipline.

As in all officer involved shooting incidents, this case will be referred to the Dallas County District Attorney's office for presentation to the Grand Jury.