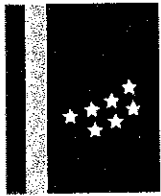


DURHAM



CITY OF DURHAM

1869

CITY OF MEDICINE

To: IAD CASE #1311 C-29
From: L. J. Clayton, Professional Standards Division Commander
Date: January 10, 2014
RE: Update on Preliminary Findings

The following information is a synopsis of the administrative investigation of the death of Jesus Huerta up to this point. The focus of the administrative investigation is to address any violations of Durham Police Department policies and procedures. This investigation is independent of the investigation being conducted by the State Bureau of Investigation. While the investigation itself is still ongoing, the information contained herein is based upon interviews of officers and any other persons directly involved in the incident, as well as evidence and facts obtained up to this point. The Durham Police Department is waiting for additional information including the State Medical Examiner's final report and the Toxicology Report in order to complete our final report.

SYNOPSIS

On Tuesday, November 19, 2013 Officer S. Duncan reported for duty at approximately 5:45 pm to begin a 12-hour night shift on Uniform Patrol. At the time of the incident, Officer Duncan had been with the Department for 16 months and had just recently completed the final independent phase of his field training.

After attending roll-call briefing on this evening, Officer Duncan took control of Car 225. As is standard protocol upon taking control of a police vehicle, Officer Duncan inspected the vehicle to ensure that all emergency equipment was present and functioning properly. This inspection also included a search of the front seat and rear seat areas to ensure that no contraband of any kind had been left in the vehicle by the previous user. Car 225 had not been in use during the 12-hour day shift on that day. The most recent user prior to Officer Duncan was Officer O. Ortiz. Officer Ortiz advised that the only transport he did during his shift was providing a ride to a pregnant citizen. Officer Ortiz advised that he searched the passenger prior to allowing her to sit in the back seat and he searched the backseat after she got out – no contraband was noted.

At approximately 2:10 am on the 19th, the Durham Emergency Communications Center (911) received a runaway juvenile call. This call was dispatched to Uniform Patrol a few minutes later (See Attachment 1 – Computer Aided Dispatch Report (CAD). The preliminary dispatch information is highlighted on page 7). The caller, Jesus Huerta's sister, advised the 911 dispatcher that her brother had attempted suicide in the past, but this information was not relayed in the CAD information sent to Uniform Patrol officers via their mobile computer terminals in the patrol cars. The information from the runaway call dispatch included the following information: "Jesus Huerta,

Hispanic Male, 17 years old. He does not have any medical or mental conditions and is not at risk.” Patrol Officer D. Pickle arrived at the caller’s home on Washington Street and spoke to Silva Fernandez about her missing son, Jesus Huerta. One of Ms. Fernandez’s sons translated for his mother since she spoke little English. Several other patrol officers, including Officer S. Duncan and Officer D. Beck, patrolled the immediate area looking for the missing teenager.

At approximately 2:30 AM, Officer Duncan and Officer Beck encountered two teenagers at Washington Street and Trinity Avenue. Although both teens originally provided false names, it was later determined that the teens were Jesus Huerta and Jaime Perez. The officers advised Communications that they were out with the missing juvenile and another subject at Washington Street and Trinity Avenue. Patrol Sergeant V. Pearsall and Cpl. M. Brown checked in with the officers. Sergeant Pearsall ran Jesus Huerta’s name through a law enforcement database and determined there was an outstanding arrest warrant for trespassing on the runaway teenager. These same databases were used to help confirm the identity of Jaime Perez. Officer Duncan took Mr. Huerta into custody for the misdemeanor warrant and handcuffed him behind his back. Officer Duncan conducted a cursory search, or frisk, of Mr. Huerta’s pant and jacket pockets and placed him in the back of his patrol car. Officer Duncan’s frisk did not reveal any contraband.

Officer Duncan advised that he searched Mr. Huerta by using his hands to sweep both sides of Mr. Huerta’s body, including his waist area. Sgt. Pearsall observed Officer Duncan frisk Mr. Huerta’s clothing but did not see him search further. Cpl. Brown was also present when Huerta was handcuffed by Officer Duncan. Cpl. Brown advised that he observed Officer Duncan pat down/frisk Mr. Huerta. Jaime Perez, who was with Mr. Huerta during this encounter, advised that the officers only patted their pockets and looked in their coats. Mr. Huerta was wearing thin white leather baseball batting-type gloves on both hands. (See attachment 2 photo). Officer Duncan left the gloves on Mr. Huerta. Officer Duncan also took custody of a backpack Mr. Huerta was carrying and placed it in the trunk of his patrol car.

Officer Beck initiated a conversation with Mr. Jaime Perez, who provided a false name of Carlos Lopez. Officer Beck went to the patrol car in which Mr. Huerta was seated in an effort to determine Mr. Perez’s true identity. She observed that Mr. Huerta had moved his cuffed hands from behind his back to having them behind his knees. Officer Beck advised Officer Duncan about Mr. Huerta’s actions. Officer Beck eventually determined Mr. Perez’s real identity and arrested him for Resisting/Delaying and Obstructing a Law Enforcement Officer. Officer Beck transported her arrestee to the Durham County Jail. As Officer Beck was leaving Washington Street, she observed Officer Duncan remove Mr. Huerta from the back seat of his patrol car.

Officer Duncan directed Mr. Huerta to get out of the back seat of the car and told him to put his handcuffs back behind his back. Mr. Huerta initially tried to move his hands back from their position behind his knees but advised that he would need to do it in a sitting position in the back of the patrol car. Officer Duncan let Mr. Huerta sit back in the car where Mr. Huerta was able to return his cuffed hands behind his back. After placing Mr. Huerta back in the patrol car, Officer Duncan drove to Durham Police Headquarters to pick up the misdemeanor trespass warrant. The trip from Washington Street and Trinity Avenue to Durham Police Headquarters is approximately a mile and typically takes around three minutes travel time by car.

Officer Duncan advised that, per police protocol, he had inspected the back of his patrol car, Car 225, for contraband at the beginning of his shift and Mr. Huerta was the first person to be placed in the back seat during his shift. Officer Duncan did not store any of his own personal items or

portable police equipment in the back seat either. Car 225 was not used during the twelve-hour shift prior to Officer Duncan taking control of the car. As stated previously, Officer O. Ortiz, who used the car prior to Officer Duncan, advised that he had searched the patrol car back seat for contraband and it was clear when he parked the car. Officer Ortiz further advised that his only transport during his shift was to provide a ride to a pregnant citizen; however, he did search her prior to the transport, and he searched the car after the transport and it was found to be clear.

The patrol car back seat is a fixed, one-piece, hard plastic seat. There is a plexiglass and metal containment cage between the rear passenger area and the front driver/passenger area. The floor board allows very little access to space under the front seats (See attachment 3 – photos 1, 2, 3, 4, and 5 showing the back seat area of patrol car 225). Car 225 is equipped with an in-car video recording system. The in-car video camera for Car 225 recorded video from the beginning of Officer Duncan's shift when he logged on at 6:05 pm until approximately 2:09 am. The camera system has an automatic shutoff feature that engages if the car is turned off for a certain amount of time to save the car battery. The camera will remain off, unless the officer logs back on; or activates his emergency lighting. It appears that the car was idle for more than 50 minutes, beginning at approximately 01:19 am. Once he restarted the car, Officer Duncan did not log back on to the camera system; consequently the camera was not recording during Mr. Huerta's arrest and transport. Officer Duncan advised that as he was driving to police headquarters, Mr. Huerta continued to move his cuffed hands so much that he had to tell Mr. Huerta several times to stop. Mr. Huerta responded by saying that he had a "wedgie" and was uncomfortable. Officer Duncan advised that he could also hear the sound of something rubbing against the hard plastic backseat area when Mr. Huerta was moving around, but he thought it was possibly the sound of the handcuffs rubbing against the seat. Officer Duncan advised that if he wasn't so close to headquarters, he would have pulled over to do a more extensive search of Mr. Huerta based on the arrestee's behavior in the back of the patrol car. Officer Duncan also advised that he planned on searching Mr. Huerta again once at Police Headquarters and felt that Mr. Huerta's behavior was indicative of someone trying to hide or discard drugs.

Officer Duncan arrived at Police Headquarters with his arrestee, pulling into the main entrance from Chapel Hill Street. Soon after pulling into the entrance, Officer Duncan heard a loud noise that appeared to be a gunshot. The sound was very close and appeared to originate from inside the vehicle. Officer Duncan thought he was being shot at so he jumped out of the vehicle while the vehicle transmission was still in drive. Duncan's patrol car continued moving forward until its front end collided with a parked van in the police parking lot. Officer Duncan also called out on the radio, "In the Parking Lot...Shots Fired!" Officer J. Harris, who was also in the parking lot of Police Headquarters, observed Officer Duncan ducking down near the moving patrol car and then heard Duncan's radio traffic. Officer Harris went over to Officer Duncan who told him that his prisoner was shooting at him. Both officers approached the wrecked patrol car with guns drawn and opened the rear seat door. Mr. Huerta was slumped over in the rear seat with his handcuffs behind his back. Blood was visible on the back seat and a black semi-automatic .45-caliber pistol was lying on the right back seat floor board.

Officer Duncan called out over the police radio with the gunshot wound and requested Emergency Medical Services (EMS). Mr. Huerta was declared deceased at the scene by EMS personnel. The State Bureau of Investigation (SBI) was requested to investigate the in-custody death of Mr. Huerta. In addition, the Durham Police Department's Professional Standards Division, Forensics staff, and Criminal Investigations Division are also involved in the investigation of the incident.

PRELIMINARY FINDINGS

1. Jesus Huerta had discussed committing suicide with some family members, based upon information received during the 911 call. However, that information was not relayed to the patrol officers upon dispatch. Consequently the officers believed they were dealing with a runaway teenager prior to discovery of the active warrant.
2. A search warrant was later obtained for the information contained in Mr. Huerta's phone. A preliminary review of the data contained within his phone shows several text messages referring to guns. Review of this data is ongoing.
3. Car 225 was inspected immediately prior to use by Officer Duncan who found no contraband or weapons. Additionally, there is no reasonable place to conceal a handgun in the backseat area of Car 225.
4. Mr. Huerta was the first and only person transported in Car 225 by Officer Duncan during his shift.
5. Durham Police Forensics performed Gunshot Residue (GSR) tests on Officer Duncan's hands and on the white batting gloves that Jesus Huerta was wearing when he was killed. The State Crime Lab processed the GSR tests and reported that Officer Duncan's hands were negative for gunshot residue and Jesus Huerta's gloves were positive for gunshot residue indicating that Mr. Huerta fired a gun. (See attachment 4 GSR report)
6. The evidence and information collected thus far indicate that Mr. Huerta had a handgun concealed on his person. Officer Duncan did not discover this handgun during his search of Mr. Huerta. Mr. Huerta shot himself with that handgun.
7. All evidence indicates that Mr. Huerta died of a self-inflicted gunshot wound.
8. The Federal Bureau of Alcohol, Tobacco, and Firearms (ATF) conducted a trace on the history of the handgun. The weapon is a Haskell .45 caliber semi-automatic handgun. The last known location of the gun was ABC Dependable Pawn located in Commerce Georgia on December 18, 1991. That pawnshop has been out of business and was identified by the ATF as not complying with the requirement to provide records of firearms transactions. No further information about the gun is available at this time. [See attachment 5 – photo]
9. The Durham Police Department's Professional Standards Division is investigating possible violations of the following policies: General Order 4067 In-Custody Death; General Order 4003 Transporting and Handling of Prisoners; General Order 4064 R-3 Mobile Video Cameras (MVC).

Event Report

Event ID: 2013-446684

Call Ref #: 311

Date/Time Received: 11/19/13 02:10:27

| | | | | | | |
|---|-----------------------|------------------------------------|--------------------------|--------------|-------------|--|
| Rpt #: 13-036942 | Call Source: E911 | Prime A222 Unit: BECK, DAKOTA M | Services Involved | | | |
| | | | LAW | FIRE | | |
| Location: 1215 WASHINGTON ST | | | B | | | |
| X-ST: GREEN ST | | | Jur: CAD | Service: LAW | Agency: DPD | |
| CLARK ST | | | St/Beat: 212 | District: D2 | RA: NTH | |
| Business: | Phone: () - | | GP: L212 | | | |
| Nature: RUNAWAY | Alarm Lvl: 1 | Priority: 3 | Medical Priority: 123B02 | | | |
| Caller: judith | | | Alarm: | | | |
| Addr: 4350 WIRELESS - DURHAM | Phone: (919) 358-2001 | | Alarm Type: | | | |
| Vehicle #: | St: | Report Only: No | Race: | Sex: | Age: | |
| Call Taker: THORPEJ | Console: CON14 | | | | | |
| Geo-Verified Addr.: Yes | Nature Summary Code: | Disposition: 1 | Close Comments: | | | |
| Notes: See Event Notes Addendum at end of this report | | | | | | |

Times

| Call Received: | Time From Call Received | |
|---------------------------------------|---------------------------|---|
| 11/19/13 02:10:27 | | |
| Call Routed: 11/19/13 02:13:08 | 000:02:41 | Unit Reaction: 000:07:16 (1st Dispatch to 1st Arrive) |
| Call Take Finished: 11/19/13 02:13:08 | 000:02:41 | En-Route: 000:01:43 (1st Dispatch to 1st En-Route) |
| 1st Dispatch: 11/19/13 02:14:16 | 000:03:49 (Time Held) | On-Scene: 010:53:45 (1st Arrive to Last Clear) |
| 1st En-Route: 11/19/13 02:15:59 | 000:05:32 | |
| 1st Arrive: 11/19/13 02:21:32 | 000:11:05 (Reaction Time) | |
| Last Clear: 11/19/13 13:15:17 | 011:04:50 | |

Radio Log

| Unit | Empl ID | Type | Description | Time Stamp | Comments | Close Code | User |
|-------|---------|------|-----------------|-------------------|-------------------------------|------------|-----------|
| A214 | 18582 | D | Dispatched | 11/19/13 02:14:16 | Stat/Beat: 214 | | ROSSA |
| A214 | 18582 | E | En-Route | 11/19/13 02:15:59 | | | ROSSA |
| A222 | 17096 | D | Dispatched | 11/19/13 02:16:31 | Stat/Beat: 222 | | Unit:A222 |
| A222 | 17096 | E | En-Route | 11/19/13 02:16:31 | Stat/Beat: 222 | | Unit:A222 |
| PHONE | 0 | D | Dispatched | 11/19/13 02:18:04 | | | ROSSA |
| PHONE | 0 | C | Cleared | 11/19/13 02:20:03 | 16 | 16 | PRICES |
| A225 | 19122 | D | Dispatched | 11/19/13 02:20:44 | Stat/Beat: 225 | | Unit:A225 |
| A225 | 19122 | E | En-Route | 11/19/13 02:20:44 | Stat/Beat: 225 | | Unit:A225 |
| A214 | 18582 | A | Arrived | 11/19/13 02:21:32 | | | Unit:A214 |
| A222 | 17096 | A | Arrived | 11/19/13 02:21:54 | | | Unit:A222 |
| A225 | 19122 | A | Arrived | 11/19/13 02:23:43 | | | Unit:A225 |
| A222 | 17096 | L | Location Change | 11/19/13 02:30:23 | TRINITY/WASHINTON /WITH THE | | ROSSA |
| A225 | 19122 | L | Location Change | 11/19/13 02:30:43 | TRINITY/WASHINTON /WITH THE | | ROSSA |
| A222 | 17096 | T | Transport | 11/19/13 02:48:24 | To: MAGISTRATES OFFICE/1 MALE | | POWELL |
| A222 | 17096 | MILE | Beg Mileage | 11/19/13 02:48:24 | Beg Mileage: 36.1 | | POWELL |
| A225 | 19122 | T | Transport | 11/19/13 02:51:15 | To: HEADQUARTERS | | Unit:A225 |
| A222 | 17096 | A | Arrived | 11/19/13 02:51:34 | | | POWELL |
| A222 | 17096 | MILE | End Mileage | 11/19/13 02:51:34 | End Mileage: 37.1 | | POWELL |
| A225 | 19122 | A | Arrived | 11/19/13 02:53:31 | | | Unit:A225 |

| Unit | Empl ID | Type | Description | Radio Log | | Close Code | User |
|------|---------|------|-----------------|-------------------|---|------------|-----------|
| | | | | Time Stamp | Comments | | |
| A224 | 17694 | D | Dispatched | 11/19/13 02:54:27 | Out Evt: [E] at 1821 NORTH POINTE DR | | POWELL |
| A224 | 17694 | E | En-Route | 11/19/13 02:54:27 | Out Evt: [E] at 1821 NORTH POINTE DR | | POWELL |
| A221 | 17141 | D | Dispatched | 11/19/13 02:54:32 | Out Srv: [16] at | | POWELL |
| A221 | 17141 | E | En-Route | 11/19/13 02:54:32 | Out Srv: [16] at | | POWELL |
| A221 | 17141 | T | Transport | 11/19/13 02:54:40 | To: HEADQUARTERS | | POWELL |
| A224 | 17694 | T | Transport | 11/19/13 02:54:45 | To: HEADQUARTERS | | POWELL |
| A522 | 7752 | D | Dispatched | 11/19/13 02:55:20 | Stat/Beat: 522 | | POWELL |
| A522 | 7752 | A | Arrived | 11/19/13 02:55:20 | Stat/Beat: 522 | | POWELL |
| A522 | 7752 | L | Location Change | 11/19/13 02:55:22 | HQ | | POWELL |
| A110 | 9430 | E | En-Route | 11/19/13 02:55:52 | Stat/Beat: 110 | | Unit:A110 |
| A110 | 9430 | D | Dispatched | 11/19/13 02:55:52 | Stat/Beat: 110 | | Unit:A110 |
| A214 | 18582 | L | Location Change | 11/19/13 02:55:53 | HQ | | POWELL |
| A300 | 5488 | D | Dispatched | 11/19/13 02:56:04 | Stat/Beat: 300 | | Unit:A300 |
| A300 | 5488 | E | En-Route | 11/19/13 02:56:04 | Stat/Beat: 300 | | Unit:A300 |
| A200 | 4386 | D | Dispatched | 11/19/13 02:57:10 | Stat/Beat: 200 | | POWELL |
| A200 | 4386 | A | Arrived | 11/19/13 02:57:10 | Stat/Beat: 200 | | POWELL |
| A210 | 8848 | D | Dispatched | 11/19/13 02:57:14 | Stat/Beat: 210 | | POWELL |
| A210 | 8848 | A | Arrived | 11/19/13 02:57:14 | Stat/Beat: 210 | | POWELL |
| A224 | 17694 | A | Arrived | 11/19/13 02:57:33 | | | Unit:A224 |
| BK2 | 6133 | D | Dispatched | 11/19/13 02:57:35 | | | POWELL |
| BK2 | 6133 | E | En-Route | 11/19/13 02:57:35 | | | POWELL |
| A300 | 5488 | A | Arrived | 11/19/13 02:57:50 | | | WILLSA |
| BK2 | 6133 | T | Transport | 11/19/13 02:58:04 | To: HEADQUARTERS | | POWELL |
| A200 | 4386 | L | Location Change | 11/19/13 02:58:11 | HQ | | POWELL |
| A110 | 9430 | A | Arrived | 11/19/13 02:58:14 | | | Unit:A110 |
| A210 | 8848 | L | Location Change | 11/19/13 02:58:15 | HQ | | POWELL |
| POL2 | 0 | D | Dispatched | 11/19/13 02:58:47 | Out Evt: [A] at 1821 NORTH POINTE DR | | POWELL |
| POL2 | 0 | A | Arrived | 11/19/13 02:58:47 | Out Evt: [A] at 1821 NORTH POINTE DR | | POWELL |
| A112 | 19154 | D | Dispatched | 11/19/13 02:58:51 | Stat/Beat: 112 | | Unit:A112 |
| A112 | 19154 | A | Arrived | 11/19/13 02:58:51 | Stat/Beat: 112 | | Unit:A112 |
| A122 | 17994 | D | Dispatched | 11/19/13 02:58:57 | On Evt: [A] at 1000 N MIAMI BLVD | | Unit:A122 |
| A122 | 17994 | A | Arrived | 11/19/13 02:58:57 | On Evt: [A] at 1000 N MIAMI BLVD | | Unit:A122 |
| A110 | 9430 | L | Location Change | 11/19/13 02:59:00 | HQ | | PRICES |
| A112 | 19154 | L | Location Change | 11/19/13 02:59:05 | HQ | | PRICES |
| A122 | 17994 | L | Location Change | 11/19/13 02:59:11 | HQ | | PRICES |
| POL2 | 0 | L | Location Change | 11/19/13 02:59:25 | HQ | | POWELL |
| A222 | 17096 | T | Transport | 11/19/13 03:00:06 | To: HEADQUARTERS | | POWELL |
| A222 | 17096 | MILE | Beg Mileage | 11/19/13 03:00:06 | Beg Mileage: 37.2 | | POWELL |
| A112 | 19154 | M | Misc. Radio | 11/19/13 03:00:31 | WILL SCRIBE | | PRICES |
| A222 | 17096 | A | Arrived | 11/19/13 03:02:49 | | | ROSSA |
| A222 | 17096 | MILE | End Mileage | 11/19/13 03:02:49 | End Mileage: 37.7 | | ROSSA |
| K92 | 4433 | D | Dispatched | 11/19/13 03:05:25 | | | PRICES |
| K92 | 4433 | A | Arrived | 11/19/13 03:05:25 | | | PRICES |
| A113 | 19126 | D | Dispatched | 11/19/13 03:05:28 | Stat/Beat: 113 | | PRICES |
| A113 | 19126 | A | Arrived | 11/19/13 03:05:28 | Stat/Beat: 113 | | PRICES |
| A113 | 19126 | L | Location Change | 11/19/13 03:05:32 | HEADQUARTERS | | PRICES |
| A113 | 19126 | L | Location Change | 11/19/13 03:05:39 | HQ | | PRICES |
| K92 | 4433 | L | Location Change | 11/19/13 03:05:45 | HQ | | PRICES |
| A300 | 5488 | C | Cleared | 11/19/13 03:08:37 | | 16 | Unit:A300 |
| A222 | 17096 | RPT | Report Only | 11/19/13 03:17:36 | Additional Report DPD Report #13-036943 | | POWELL |
| A212 | 10049 | D | Dispatched | 11/19/13 03:37:40 | Stat/Beat: 212 | | ROSSA |
| A212 | 10049 | A | Arrived | 11/19/13 03:37:40 | Stat/Beat: 212 | | ROSSA |
| A124 | 17690 | D | Dispatched | 11/19/13 03:46:41 | Stat/Beat: 124 | | Unit:A124 |
| A124 | 17690 | A | Arrived | 11/19/13 03:46:41 | Stat/Beat: 124 | | Unit:A124 |

| Unit | Empl ID | Type | Description | Time Stamp | Radio Log | | Close Code | User |
|------|---------|------|-----------------|-------------------|-------------------------------|--|------------|-----------|
| | | | | | Comments | | | |
| A124 | 17690 | L | Location Change | 11/19/13 03:46:59 | HEADQUARTERS | | | Unit:A124 |
| A200 | 4386 | A | Arrived | 11/19/13 03:54:24 | | | | Unit:A200 |
| BK2 | 6133 | A | Arrived | 11/19/13 04:05:57 | | | | POWELL |
| A221 | 17141 | A | Arrived | 11/19/13 04:15:42 | | | | Unit:A221 |
| A220 | 6348 | D | Dispatched | 11/19/13 04:17:09 | Stat/Beat: 220 | | | ROSSA |
| A220 | 6348 | A | Arrived | 11/19/13 04:17:09 | Stat/Beat: 220 | | | ROSSA |
| A212 | 10049 | L | Location Change | 11/19/13 04:18:39 | HEADQUARTERS /OUTER PERIMETER | | | Unit:A212 |
| A500 | 6134 | D | Dispatched | 11/19/13 04:19:44 | Stat/Beat: 500 | | | Unit:A500 |
| A500 | 6134 | A | Arrived | 11/19/13 04:19:44 | Stat/Beat: 500 | | | Unit:A500 |
| K92 | 4433 | C | Cleared | 11/19/13 04:20:10 | | | 16 | Unit:K92 |
| MOB1 | 6249 | D | Dispatched | 11/19/13 04:36:26 | | | | ROSSA |
| MOB1 | 6249 | E | En-Route | 11/19/13 04:36:26 | | | | ROSSA |
| A500 | 6134 | C | Cleared | 11/19/13 04:36:34 | | | 16 | Unit:A500 |
| MOB1 | 6249 | T | Transport | 11/19/13 04:38:01 | To: HEADQUARTERS | | | ROSSA |
| MOB1 | 6249 | A | Arrived | 11/19/13 04:45:29 | | | | ROSSA |
| A220 | 6348 | L | Location Change | 11/19/13 04:48:27 | HQ | | | PRICES |
| A122 | 17994 | C | Cleared | 11/19/13 05:21:16 | | | 16 | Unit:A122 |
| A110 | 9430 | C | Cleared | 11/19/13 05:31:49 | | | 16 | Unit:A110 |
| D324 | 18088 | D | Dispatched | 11/19/13 05:47:42 | Stat/Beat: 321 | | | WILSON |
| D324 | 18088 | A | Arrived | 11/19/13 05:47:42 | Stat/Beat: 321 | | | WILSON |
| D223 | 19155 | D | Dispatched | 11/19/13 05:48:17 | Stat/Beat: 223 | | | Unit:D223 |
| D223 | 19155 | E | En-Route | 11/19/13 05:48:17 | Stat/Beat: 223 | | | Unit:D223 |
| D223 | 19155 | L | Location Change | 11/19/13 05:48:43 | HEADQUARTERS | | | Unit:D223 |
| D213 | 18606 | D | Dispatched | 11/19/13 05:48:54 | Stat/Beat: 213 | | | Unit:D213 |
| D213 | 18606 | E | En-Route | 11/19/13 05:48:54 | Stat/Beat: 213 | | | Unit:D213 |
| D213 | 18606 | L | Location Change | 11/19/13 05:49:02 | HEADQUARTERS | | | Unit:D213 |
| A113 | 19126 | C | Cleared | 11/19/13 05:49:09 | | | 16 | Unit:A113 |
| D211 | 18594 | D | Dispatched | 11/19/13 06:01:28 | Stat/Beat: 211 | | | Unit:D211 |
| D211 | 18594 | E | En-Route | 11/19/13 06:01:28 | Stat/Beat: 211 | | | Unit:D211 |
| D223 | 19155 | A | Arrived | 11/19/13 06:04:37 | | | | Unit:D223 |
| D124 | 18050 | D | Dispatched | 11/19/13 06:07:55 | Stat/Beat: 124 | | | Unit:D124 |
| D124 | 18050 | E | En-Route | 11/19/13 06:07:55 | Stat/Beat: 124 | | | Unit:D124 |
| D211 | 18594 | A | Arrived | 11/19/13 06:08:44 | | | | Unit:D211 |
| D225 | 5466 | D | Dispatched | 11/19/13 06:09:22 | Stat/Beat: 225 | | | WILSON |
| D225 | 5466 | E | En-Route | 11/19/13 06:09:22 | Stat/Beat: 225 | | | WILSON |
| D114 | 19385 | D | Dispatched | 11/19/13 06:11:10 | Stat/Beat: 114 | | | Unit:D114 |
| D114 | 19385 | E | En-Route | 11/19/13 06:11:10 | Stat/Beat: 114 | | | Unit:D114 |
| A112 | 19154 | R | Return to Qtr | 11/19/13 06:12:12 | | | | WILSON |
| D112 | 18043 | D | Dispatched | 11/19/13 06:12:21 | Stat/Beat: 112 | | | WILSON |
| D112 | 18043 | E | En-Route | 11/19/13 06:12:21 | Stat/Beat: 112 | | | WILSON |
| A112 | 19154 | A | Arrived | 11/19/13 06:12:22 | | | | WILSON |
| A112 | 19154 | L | Location Change | 11/19/13 06:12:26 | HQ | | | WILSON |
| A522 | 7752 | C | Cleared | 11/19/13 06:15:17 | | | 16 | Unit:A522 |
| D124 | 18050 | C | Cleared | 11/19/13 06:15:31 | | | 16 | Unit:D124 |
| D522 | 13673 | D | Dispatched | 11/19/13 06:20:09 | Stat/Beat: 522 | | | Unit:D522 |
| D522 | 13673 | A | Arrived | 11/19/13 06:20:09 | Stat/Beat: 522 | | | Unit:D522 |
| A124 | 17690 | C | Cleared | 11/19/13 06:23:16 | 16 | | 16 | WILSON |
| A112 | 19154 | C | Cleared | 11/19/13 06:24:14 | | | 16 | Unit:A112 |
| D114 | 19385 | L | Location Change | 11/19/13 06:25:04 | HEADQUARTERS | | | Unit:D114 |
| A212 | 10049 | C | Cleared | 11/19/13 06:28:07 | | | 16 | Unit:A212 |
| D112 | 18043 | A | Arrived | 11/19/13 06:46:07 | | | | Unit:D112 |
| D112 | 18043 | L | Location Change | 11/19/13 06:55:09 | HEADQUARTERS | | | Unit:D112 |
| D213 | 18606 | A | Arrived | 11/19/13 07:00:19 | | | | Unit:D213 |
| D324 | 18088 | C | Cleared | 11/19/13 07:20:10 | | | 16 | SANDOV |

| Unit | Empl ID | Type | Description | Time Stamp | Radio Log | | Close Code | User |
|------|---------|------|-----------------|-------------------|---------------------------------|--|------------|-----------|
| | | | | | Comments | | | |
| A222 | 17096 | C | Cleared | 11/19/13 08:05:42 | | | 1 | WILSON |
| A221 | 17141 | C | Cleared | 11/19/13 08:05:55 | | | 16 | Unit:A221 |
| D223 | 19155 | C | Cleared | 11/19/13 08:10:04 | 10 | | 10 | THORPE |
| A214 | 18582 | C | Cleared | 11/19/13 08:24:38 | | | 16 | Unit:A214 |
| A224 | 17694 | C | Cleared | 11/19/13 08:26:42 | | | 16 | Unit:A224 |
| D18 | 5615 | D | Dispatched | 11/19/13 08:31:21 | Out Evt: [A] at 1033 STATLER DR | | | WILSON |
| D18 | 5615 | A | Arrived | 11/19/13 08:31:21 | Out Evt: [A] at 1033 STATLER DR | | | WILSON |
| FUN | 0 | D | Dispatched | 11/19/13 08:31:30 | | | | WILSON |
| FUN | 0 | C | Cleared | 11/19/13 08:36:31 | 16 | | 16 | THORPE |
| D223 | 19155 | D | Dispatched | 11/19/13 08:52:05 | Stat/Beat: 223 | | | Unit:D223 |
| D223 | 19155 | A | Arrived | 11/19/13 08:52:05 | Stat/Beat: 223 | | | Unit:D223 |
| A200 | 4386 | C | Cleared | 11/19/13 08:58:09 | 16 | | 16 | WILSON |
| A210 | 8848 | C | Cleared | 11/19/13 09:00:44 | | | 16 | WILSON |
| A220 | 6348 | C | Cleared | 11/19/13 09:00:49 | 16 | | 16 | WILSON |
| D18 | 5615 | L | Location Change | 11/19/13 09:03:58 | HQ | | | WILSON |
| D522 | 13673 | C | Cleared | 11/19/13 09:20:09 | | | 16 | Unit:D522 |
| D112 | 18043 | C | Cleared | 11/19/13 09:34:23 | | | 16 | Unit:D112 |
| D213 | 18606 | C | Cleared | 11/19/13 09:45:01 | | | 16 | Unit:D213 |
| D225 | 5466 | L | Location Change | 11/19/13 09:47:17 | 505 W CHAPEL HILL ST | | | Unit:D225 |
| D223 | 19155 | C | Cleared | 11/19/13 09:49:41 | | | 16 | Unit:D223 |
| D211 | 18594 | C | Cleared | 11/19/13 09:59:34 | | | 16 | Unit:D211 |
| BK2 | 8727 | C | Cleared | 11/19/13 09:59:35 | | | 16 | Unit:BK2 |
| OR | 0 | D | Dispatched | 11/19/13 10:10:10 | | | | WILSON |
| A225 | 19122 | C | Cleared | 11/19/13 10:10:20 | | | 16 | WILSON |
| D225 | 5466 | C | Cleared | 11/19/13 10:11:46 | | | 16 | Unit:D225 |
| OR | 0 | C | Cleared | 11/19/13 10:13:30 | 16 | | 16 | THORPE |
| POL2 | 0 | C | Cleared | 11/19/13 10:13:49 | 16 | | 16 | WILSON |
| MOB1 | 6249 | C | Cleared | 11/19/13 10:30:41 | | | 16 | WILSON |
| D114 | 19385 | T | Transport | 11/19/13 10:33:52 | To: BROADWAY | | | WILSON |
| D114 | 19385 | C | Cleared | 11/19/13 10:48:46 | | | 16 | Unit:D114 |
| D18 | 5615 | C | Cleared | 11/19/13 13:15:17 | | | 16 | WILSON |

| Unit | Empl ID | Type | Description | Time Stamp | Event Log | | Close Code | User |
|------|---------|------|----------------------|-------------------|---------------------------------|--|------------|-----------|
| | | | | | Comments | | | |
| | | TR | Time Received | 11/19/13 02:10:27 | By: E911 | | | THORPE |
| | | ENT | Entered Street | 11/19/13 02:10:27 | 4350 WIRELESS - DURHAM CHAPEL | | | THORPE |
| | | CHG | Changed Street | 11/19/13 02:10:31 | 4350 WIRELESS - DURHAM CHAPEL | | | THORPE |
| | | ENT | Entered AddSt | 11/19/13 02:10:35 | B | | | THORPE |
| | | ENT | Entered Nature | 11/19/13 02:11:24 | RUNAWAY | | | THORPE |
| | | LPS | Law Pri. Started | 11/19/13 02:11:24 | Case Started | | | THORPE |
| | | CHG | Changed CallerNm | 11/19/13 02:11:56 | SPRINT PCS-->judith | | | THORPE |
| | | ARM | Added Remarks | 11/19/13 02:11:56 | | | | THORPE |
| | | FIN | Finished Call Taking | 11/19/13 02:13:08 | | | | THORPE |
| | | ARM | Added Remarks | 11/19/13 02:13:09 | | | | THORPE |
| | | ARM | Added Remarks | 11/19/13 02:18:22 | | | | ROSSA |
| | | ARM | Added Remarks | 11/19/13 02:19:31 | | | | PRICES |
| | | ARM | Added Remarks | 11/19/13 02:20:07 | | | | Unit:A214 |
| | | ARM | Added Remarks | 11/19/13 02:20:18 | | | | PRICES |
| | | ARM | Added Remarks | 11/19/13 02:21:24 | | | | PRICES |
| | | CHG | Changed PrimeUnit | 11/19/13 02:47:41 | A214 --> A222 | | | Unit:A222 |
| | | RPT | Requested Report# | 11/19/13 02:47:56 | DPD Report #13-036942 Unit:A222 | | | Unit:A222 |
| | | ARM | Added Remarks | 11/19/13 02:48:24 | | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 02:48:24 | | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 02:51:38 | | | | POWELL |

| Unit | Empl ID | Type | Description | Time Stamp | Event Log Comments | Close Code | User |
|------|---------|------|----------------------|-------------------|--------------------------------------|---------------|---------|
| | | ARM | Added Remarks | 11/19/13 02:53:59 | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 02:54:18 | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 02:54:25 | | | PRICES |
| | | ARM | Added Remarks | 11/19/13 02:55:04 | | | POWELL |
| | | FF | Fast Forward to FIRE | 11/19/13 02:55:07 | FIRE | | POWELL |
| | | SP | Spawned | 11/19/13 02:55:10 | Spawned FIRE event #2013446705 | | POWELL |
| | | ARM | Added Remarks | 11/19/13 02:55:27 | | | ALLISON |
| | | ARM | Added Remarks | 11/19/13 02:55:30 | | | PRICES |
| | | ARM | Added Remarks | 11/19/13 02:55:35 | | | SMITHK |
| | | ARM | Added Remarks | 11/19/13 02:55:42 | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 02:56:13 | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 02:57:10 | | | ARCH |
| | | ARM | Added Remarks | 11/19/13 02:57:53 | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 03:00:06 | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 03:03:23 | | | ROSSA |
| | | ARM | Added Remarks | 11/19/13 03:17:36 | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 03:19:14 | | | POWELL |
| | | ARM | Added Remarks | 11/19/13 03:21:03 | | | ARCH |
| | | RSW | Reset Watchdog Timer | 11/19/13 03:24:35 | Units: A222,A225,A224 >>> 45Min. | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 03:26:39 | Units: A214 >>> 45Min. | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 03:26:45 | Units: A522 >>> 45Min. | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 03:29:19 | Units: A110 >>> 45Min. | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 03:29:27 | Units: | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 04:09:34 | Units: A212 >>> 45Min. | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 04:09:49 | Units: A222,A225,A200,BK2,A212,A224 | | BALLEN |
| | | RSW | Reset Watchdog Timer | 11/19/13 04:14:36 | Units: | | ROSSA |
| | | SP | Spawned | 11/19/13 04:34:55 | Spawned LAW event #2013446739 | | DILLAR |
| | | ARM | Added Remarks | 11/19/13 04:34:55 | | | DILLAR |
| | | RSW | Reset Watchdog Timer | 11/19/13 04:45:45 | Units: | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 04:45:52 | Units: A221 >>> 30Min. | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 04:48:30 | Units: A220 >>> 600Min. | | PRICES |
| | | RSW | Reset Watchdog Timer | 11/19/13 04:50:27 | Units: | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 05:16:15 | Units: A110 >>> 45Min. | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 05:16:21 | Units: | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 05:20:49 | Units: | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 06:01:44 | Units: | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 06:09:55 | Units: | | WILSON |
| | | ARM | Added Remarks | 11/19/13 06:16:57 | | | WILSON |
| | | SP | Spawned | 11/19/13 06:17:22 | Spawned FIRE event #2013446763 | | WILSON |
| | | ARM | Added Remarks | 11/19/13 06:17:23 | | | WILSON |
| | | ARM | Added Remarks | 11/19/13 06:17:57 | | | ALLISON |
| | | ARM | Added Remarks | 11/19/13 06:32:43 | | | WILSON |
| | | ARM | Added Remarks | 11/19/13 06:32:44 | | | ARCH |
| | | ARM | Added Remarks | 11/19/13 06:34:07 | | | ARCH |
| | | ARM | Added Remarks | 11/19/13 06:34:51 | | | ARCH |
| | | RSW | Reset Watchdog Timer | 11/19/13 06:47:11 | Units: A210 >>> 999Min. | | WILSON |
| | | RSW | Reset Watchdog Timer | 11/19/13 06:47:15 | Units: A220,A210,A214,D114,D213,POL2 | | WILSON |
| | | RSW | Reset Watchdog Timer | 11/19/13 06:51:42 | Units: D522 >>> 900Min. | | WILSON |
| | | LPO | Law Pri. Re-Open | 11/19/13 06:54:17 | Case Re-Opened | | WILSON |
| | | RSW | Reset Watchdog Timer | 11/19/13 07:25:30 | Units: A220,A210,A214,D112,D114,POL2 | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 07:31:00 | Units: | | ROSSA |
| | | RSW | Reset Watchdog Timer | 11/19/13 07:57:07 | Units: A220,A210,A214,D112,D114,POL2 | | THORPE |
| | | RSW | Reset Watchdog Timer | 11/19/13 08:17:52 | Units: | | WILSON |
| | | ARM | Added Remarks | 11/19/13 08:31:28 | | | WILSON |

| Unit | Empl ID | Type | Description | Time Stamp | Event Log Comments | Close Code | User |
|------|---------|------|----------------------|-------------------|-------------------------------------|---------------|--------|
| | | ARM | Added Remarks | 11/19/13 08:31:37 | | | WILSON |
| | | ARM | Added Remarks | 11/19/13 08:37:21 | | | THORPE |
| | | ARM | Added Remarks | 11/19/13 08:37:46 | | | THORPE |
| | | ARM | Added Remarks | 11/19/13 08:38:32 | | | WILSON |
| | | VAL | Viewed Alerts | 11/19/13 09:00:06 | Location Information | | MITCHE |
| | | VCH | Viewed Call History | 11/19/13 09:00:42 | Location Information | | MITCHE |
| | | VCH | Viewed Call History | 11/19/13 09:00:52 | Location Information | | MITCHE |
| | | RSW | Reset Watchdog Timer | 11/19/13 09:03:40 | Units: D112 >>> 999Min. | | WILSON |
| | | RSW | Reset Watchdog Timer | 11/19/13 09:03:48 | Units: D112,D114,POL2 >>> 999Min. | | WILSON |
| | | RSW | Reset Watchdog Timer | 11/19/13 09:03:51 | Units: D18 >>> 999Min. | | WILSON |
| | | ARM | Added Remarks | 11/19/13 09:08:22 | | | WILSON |
| | | ARM | Added Remarks | 11/19/13 09:09:18 | | | WILSON |
| | | RSW | Reset Watchdog Timer | 11/19/13 09:22:32 | Units: A225,MOB1,BK2,D223,D213,D211 | | CARSON |
| | | RSW | Reset Watchdog Timer | 11/19/13 09:54:44 | Units: D18 >>> 999Min. | | WILSON |
| | | ARM | Added Remarks | 11/19/13 09:58:53 | | | WILSON |
| | | ARM | Added Remarks | 11/19/13 09:58:56 | | | WILSON |
| | | ARM | Added Remarks | 11/19/13 10:10:05 | | | WILSON |
| | | RSW | Reset Watchdog Timer | 11/19/13 10:12:04 | Units: OR >>> 999Min. | | WILSON |
| | | ARM | Added Remarks | 11/19/13 10:13:17 | | | THORPE |
| | | ARM | Added Remarks | 11/19/13 10:13:27 | | | THORPE |
| | | ARM | Added Remarks | 11/19/13 10:33:39 | | | WILSON |
| | | VAL | Viewed Alerts | 11/19/13 11:16:07 | Location Information | | HAWKIN |

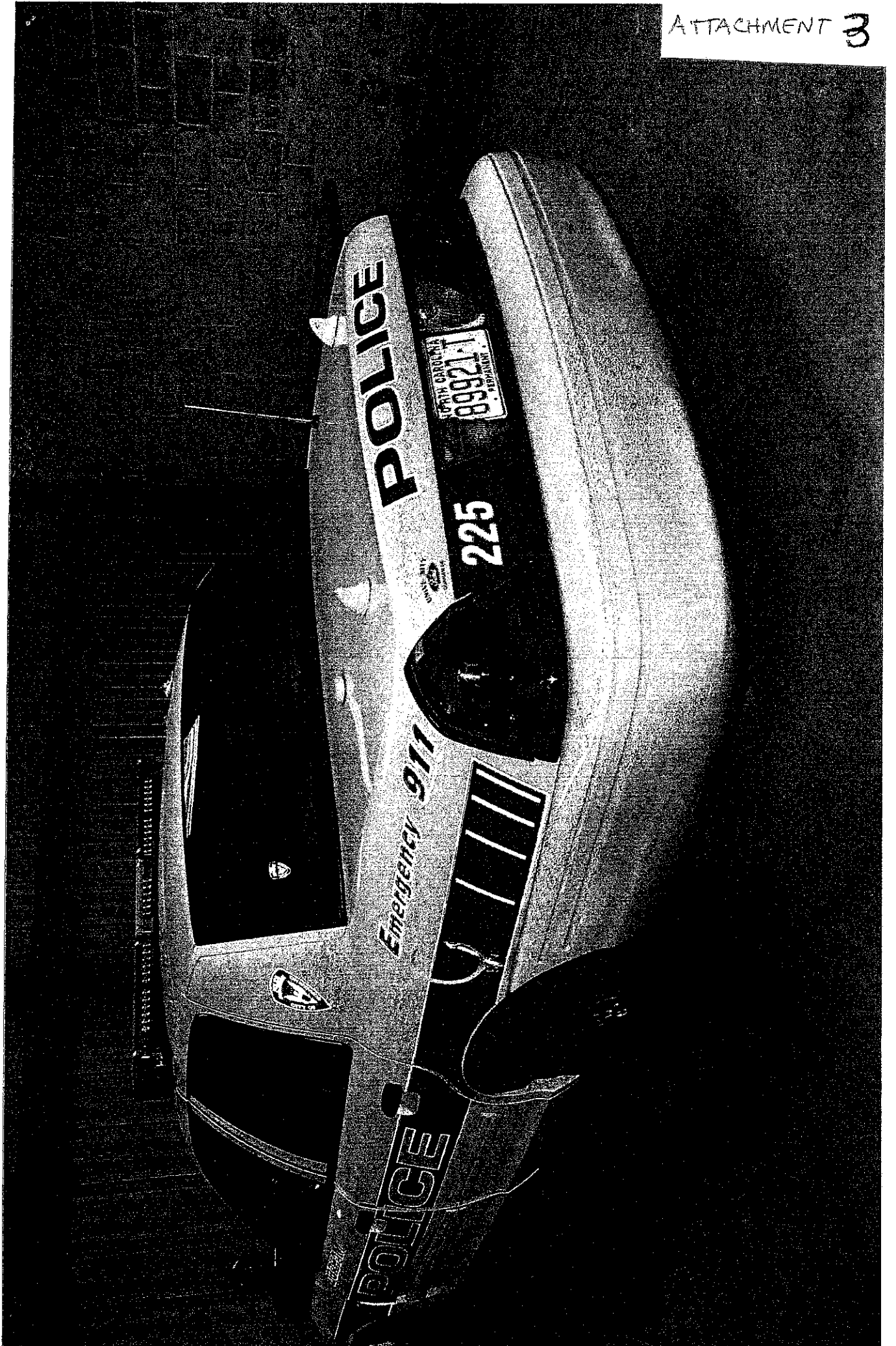
Event Notes Addendum

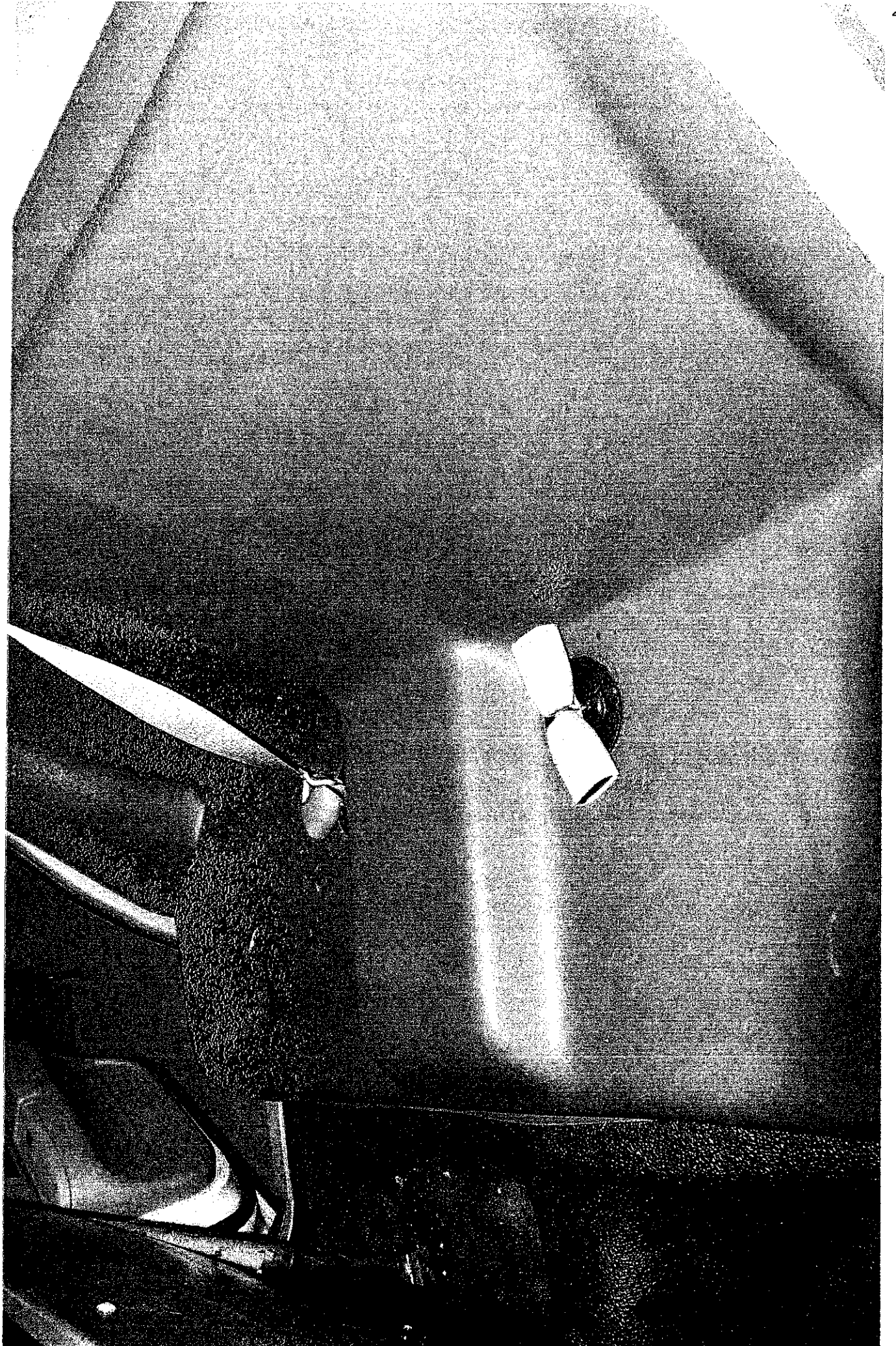
Notes: (D114) IC CLEARED ... [11/19/13 10:33:39 WILSONC]
 BIG JOHNS 10-17 TO HQ [11/19/13 10:13:27 THORPET]
 BIG JOHNS 10-17 [11/19/13 10:13:17 THORPET]
 (D114) BIG JOHN - OR TO BROAD STR [11/19/13 10:10:05 WILSONC]
 (D114) IC [11/19/13 09:58:56 WILSONC]
 (BK2) COMM D114 [11/19/13 09:58:53 WILSONC]
 (BK2) 22 BIG JOHNS FOR NOW [11/19/13 09:09:18 WILSONC]
 (BK2) CITY TOW ... TO HQ [11/19/13 09:08:22 WILSONC]
 (BK2) IC [11/19/13 08:38:32 WILSONC]
 QUALITY 10-17 TO HQ [11/19/13 08:37:46 THORPET]
 QUALITY 10-17 45 MINS [11/19/13 08:37:21 THORPET]
 FUN TO HQ [11/19/13 08:31:37 WILSONC]
 (D18) REQUEST QUAILTY [11/19/13 08:31:28 WILSONC]
 [FIRE] CHAP1 NOTIFIED FOR SPANISH SPEAKING CHAPLIN [11/19/13 06:34:51 ARCH]
 CHAP1 DE [11/19/13 06:34:07 ARCH]
 [FIRE] (M2) SPANISH APEAKING CHAPLIN IF POSSIBLE [11/19/13 06:32:44 ARCH]
 (A200) IC TO BK2 [11/19/13 06:32:43 WILSONC]
 [FIRE] ****OPS! ***** [11/19/13 06:17:57 ALLISONS]
 Event spawned for FEMS Event ID:390 [11/19/13 06:17:23 WILSONC]
 1215 WASHINGTON ... [11/19/13 06:16:57 WILSONC]
 Event spawned for DPD Event ID:366 [11/19/13 04:34:55 DILLARD]
 [FIRE] (M4) NO FURTHER 10-90'S [11/19/13 03:21:03 ARCH]
 IR FOR GSW.....13-036943...ALSO SAME FOR 10-50 [11/19/13 03:19:14 POWELL]
 A222 Generated Additional Report # 13-036943 [11/19/13 03:17:36 POWELL]
 [A222-TRANSPORT] {A222} End Mileage: 37.7 [11/19/13 03:03:23 ROSSA]
 [A222-TRANSPORT] {A222} Beg Mileage: 37.2 [11/19/13 03:00:06 POWELL]
 (A200) IN COMMAND [11/19/13 02:57:53 POWELL]
 [FIRE] UDTS: {M7} ACKNOWLEDGMENT OF INFO [11/19/13 02:57:10 ARCH]
 (A225) 18 YOA NOT BREATHING [11/19/13 02:56:13 POWELL]
 (A221) CLR SIG20 [11/19/13 02:55:42 POWELL]

[FIRE] *****OPS1 [11/19/13 02:55:35 SMITHK]
(A225) 18YOM NOT BREATHING [11/19/13 02:55:30 PRICES]
[FIRE] ****OPS1**** [11/19/13 02:55:27 ALLISONS]
(A225) CLR SIG20 A GSW 18 YOA [11/19/13 02:55:04 POWELL]
(A225) HQ PVA SHOTS FIRED DONT BELIEVE HURT [11/19/13 02:54:25 PRICES]
(A225) IN THE PARKING LOT...SHOTS FIRED... [11/19/13 02:54:18 POWELL]
(A225) HQ [11/19/13 02:53:59 POWELL]
[A222-TRANSPORT] {A222} End Mileage: 37.1 [11/19/13 02:51:38 POWELL]
[A222-TRANSPORT] {A222} Beg Mileage: 36.1 [11/19/13 02:48:24 POWELL]
[A222-TRANSPORT] {A222} 1 MALE [11/19/13 02:48:24 POWELL]
blk and red jacket, wht shirt Aeropostale, blu jeans [11/19/13 02:21:24 PRICES]
attempting to get clothing or DOT [11/19/13 02:20:18 PRICES]
4 [11/19/13 02:20:07 Unit:A214]
subj Jesu Huerta -- hisp male, good english [11/19/13 02:19:31 PRICES]
(A214) CALL BACK TO GET DESCRIPTION AND NAME [11/19/13 02:18:22 ROSSA]
RESPONSE: PRIORITY 3
Questions: The caller is not on scene.
This is a 3rd party caller.
This incident just happened: a few mins ago
This incident involves a MISSING PERSON.
The age of the person is: 17 yoa
S/he does not have any medical or mental conditions.
S/he is not AT RISK.
It is suspected that s/he is a RUNAWAY. [EPD] [11/19/13 02:13:09 THORPEJ]
Caller Statement: callers brother has ranaway from home
Chief Complaint: Missing / Runaway / Found Person
[EPD] [11/19/13 02:11:56 THORPEJ]

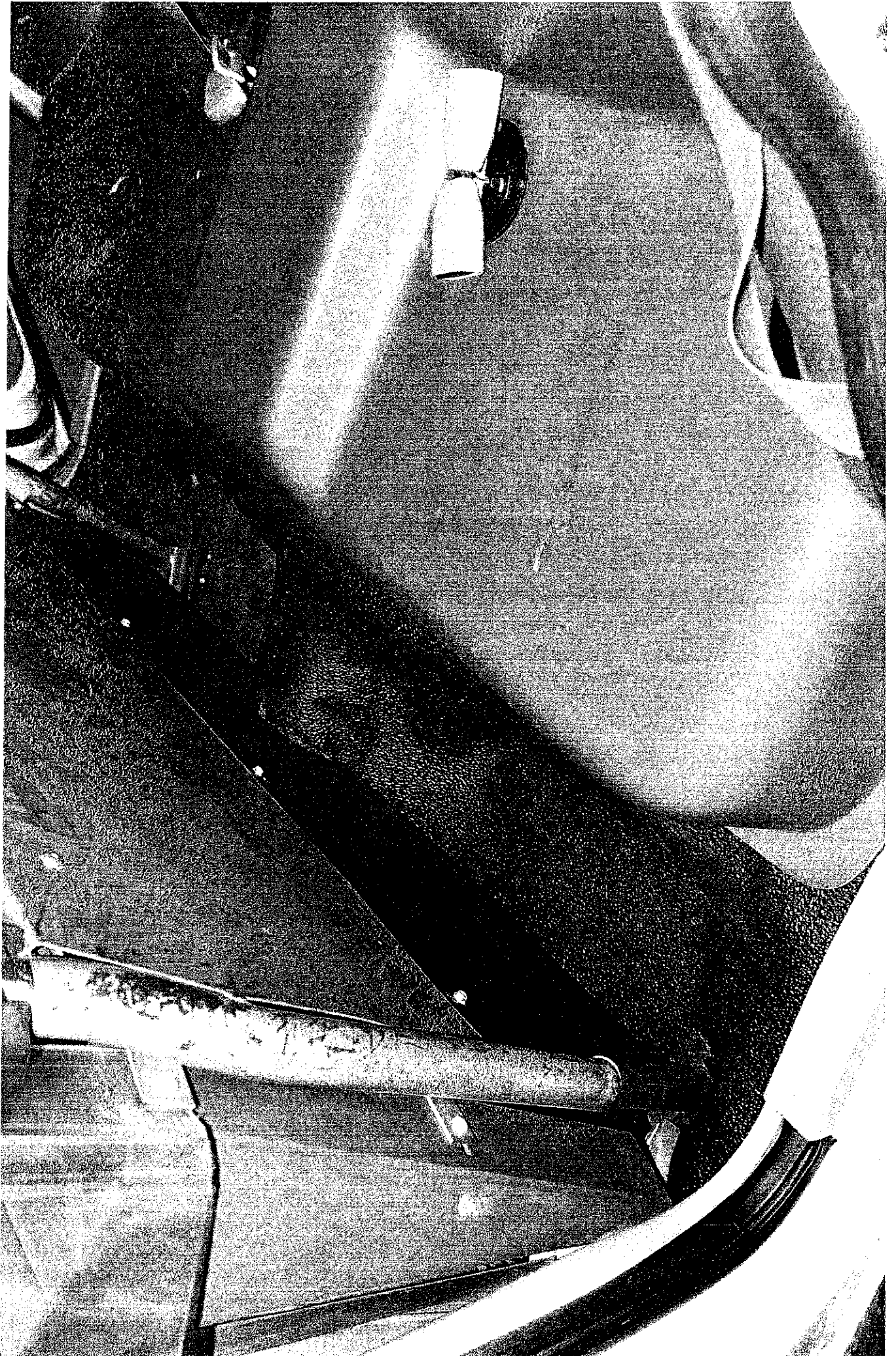
Attachment 2

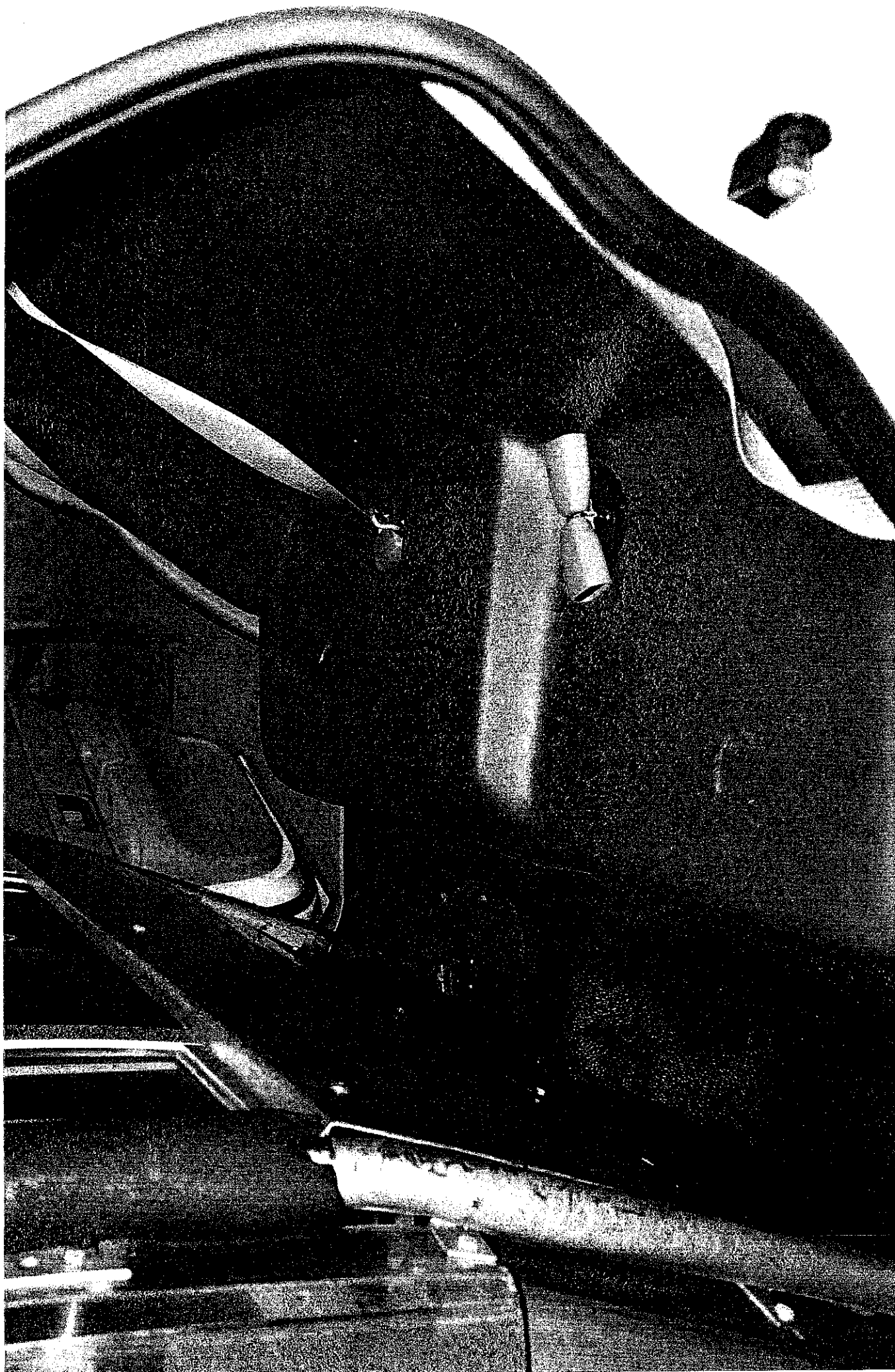












North Carolina State Crime Laboratory
Department of Justice
Raleigh
Laboratory Report

TO: J. Barr
Durham Police Department
921 Holloway Street
Durham, NC 27701
DATE: December 12, 2013
CRIME LAB NO.: R201317918
SBI FILE NO.: 2013-02166
AGENCY FILE NO.: 13-036943
EXAMINED BY: Elizabeth K. Patel
DATE OF OFFENSE: November 19, 2013
LOCATION: Durham County
TYPE OF CASE: Death In Custody
SUBJECT(S): Jesus Huerta

ITEM(S) SUBMITTED BY TONICA HERRON ON DECEMBER 6, 2013:

Item # 3: gloves-pair white/blk worth woman's (Your item 7)
Item # 6: Gunshot Residue Kit collected from the gloves worn by Jesus Huerta (Your item 29)
Item # 8: Gunshot Residue Kit collected from Officer Samuel Duncan (Your item 34)

TYPE EXAMINATION REQUESTED:

GUNSHOT RESIDUE

RESULTS OF EXAMINATION:

Item #3: Examination of item #6 revealed the presence of characteristic particles of gunshot residue; therefore, this item was not analyzed.

Item #6: Examination of the adhesive lifts collected from the gloves worn by Jesus Huerta revealed the presence of particles characteristic to gunshot residue. Characteristic particles on an item could have originated from being in close proximity to a firearm when it was discharged, being in contact with another item with gunshot residue on it or from some other source which produces similar particles.

Item #8: Barium, antimony and lead, indicative of gunshot residue, were not present in significant concentrations on the handwipings submitted. It is noted, however, that this does not eliminate the possibility that the subject could have fired a gun.

DISPOSITION OF EVIDENCE:

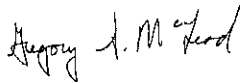
The evidence will be retained for pick-up.

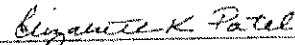
I, Roy Cooper, Attorney General of the State of North Carolina, hereby certify that the form identified as: North Carolina State Crime Laboratory, North Carolina State Bureau of Investigation, Department of Justice, Laboratory Report is a form approved by me for the purpose stated in G.S. 90-95(g) and approved by me in compliance with the said statute.

THIS REPORT IS TO BE USED ONLY IN CONNECTION WITH AN OFFICIAL CRIMINAL INVESTIGATION.

COPIES TO:
M. T. Denning, SAC, SBI Records, Honorable Leon Stanback, DA, Sheila Quick Minschew

This report contains the opinions/interpretations of the examiner(s) who issued the report. All supporting documentation generated during the examination is released with the report.


Gregory S. McLeod, Director


Elizabeth K. Patel

Confidential: This is an official file of the North Carolina State Crime Laboratory, North Carolina State Bureau of Investigation. To make public or reveal the contents thereof to any unauthorized person is a violation of the General Statutes of North Carolina.

2

