

LOS ANGELES POLICE COMMISSION

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POLICE COMMISSIONERS

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ALEXANDER A. BUSTAMANTE
INSPECTOR GENERAL

EXECUTIVE OFFICE
POLICE ADMINISTRATION BUILDING
100 WEST FIRST STREET, SUITE 134
LOS ANGELES, CA 90012-4112

(213) 236-1400 PHONE
(213) 236-1410 FAX
(213) 236-1440 TDD

September 23, 2014

BPC #14-0344

The Honorable City Council
City of Los Angeles
c/o City Clerk's Office
Los Angeles, CA 90012

Dear Honorable Members:

RE: REQUEST FOR PAYMENT OF REWARD OFFER ON CITY COUNCIL FILE NO.
09-0010-S26

At the regular meeting of the Board of Police Commissioners held Tuesday, September 23, 2014, the Board APPROVED the Department's report relative to the above matter.

This matter is being forwarded to you for approval.

Respectfully,

BOARD OF POLICE COMMISSIONERS

A handwritten signature in blue ink that reads "Maria Silva".

MARIA SILVA
Commission Executive Assistant II

Attachment

c: Chief of Police

INTRADEPARTMENTAL CORRESPONDENCE

RECEIVED
SEP 09 2014
POLICE COMMISSION

September 11, 2014
5.4

REVIEWED

TO: Honorable Board of Police Commissioners

FROM: Chief of Police


RICHARD M. TEFANK
EXECUTIVE DIRECTOR
9/9/14
DATE

SUBJECT: **REQUEST FOR PAYMENT OF REWARD OFFER ON CITY COUNCIL
FILE NO. 09-0010-S26**

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE the attached Application for Special Reward Payment.
2. That the Board TRANSMIT to the Mayor and City Council the Application for Special Reward Payment for review and approval.

DISCUSSION

On March 13, 2009, at approximately 3:15 p.m., victims Carlos Hernandez and Alejandro Garcia were walking in front of Piedmont Park, located at 6145 North Figueroa Street, in the Highland Park community of Los Angeles. The victims were approached by several males who were in a larger group inside the park. A physical altercation ensued between the victims and at least two other males. During the altercation, one of the males armed himself with a handgun and shot both victims multiple times. The suspects fled on foot. Citizens in the area contacted the Los Angeles Fire and Police Departments.

On March 13, 2009, Detectives Lisa Governo, Serial No. 25535, and Larry Burcher, Serial No. 27971, Northeast Homicide, were assigned to investigate this murder.

On April 7, 2009, the Los Angeles City Council passed a motion authorizing a \$75,000 reward as an inducement for persons to come forward with information leading to the identification, apprehension, and conviction of the person or persons committing this willful act of murder.

On April 8, 2009, Detectives Governo and Burcher, Councilman Ed Reyes, Captain William Murphy, and the family members of Alejandro Garcia attended a press conference at Northeast Station.

On June 9, 2009, Detectives received information from Carlos Hernandez' mother regarding a female who stated she was an eyewitness to this murder, but was afraid to talk to the police. Ms. Hernandez provided a work location for the eyewitness.

On June 9, 2009, Detectives Governo and Harold DiCroce, Serial No 26857, located the eyewitness, who tearfully explained that she and her husband were at the park with their young

Honorable Board of Police Commissioners

Page 2

5.4

child and witnessed the shooting. The witness was very fearful to talk to the police because she lived in the neighborhood where the shooting occurred. The witness agreed to come to Northeast Station with her husband the following day.

On June 10, 2009, Detectives Governo and Jose Carrillo, Serial No. 23837, interviewed both witnesses. They were afforded the opportunity to view a photo line-up. Both witnesses identified Felix Gomez, a documented "Dog Town" gang member, as the person they saw shoot both victims.

On June 10, 2009, a search warrant was served on the residence of Felix Gomez by Northeast Homicide and the Northeast Criminal Apprehension Team. Felix Gomez was arrested for the murders of Carlos Hernandez and Alejandro Garcia.

As a result of this investigation and the identifications provided by the witnesses, the District Attorney's Office filed two counts of 187(A) PC Murder, and several additional counts related to gang allegations against the defendant.

Due to the fact that the witnesses lived in the area where the crime occurred and in close proximity to the suspect's residence, the witnesses were relocated for their own safety.

On January 26, 2010, the Preliminary Hearing was held in this matter. Both witnesses were called to testify. Each testified truthfully under oath. As a result of the Detectives' investigation and testimony provided by the witnesses, Felix Gomez was held to answer on all counts filed against him.

In June 2014, this case was scheduled to go to trial. The witnesses were prepared to testify in the trial. At the last minute, a deal was reached between the District Attorney's Office and the Defense Counsel, resulting in the defendant pleading guilty to two counts of Manslaughter, as well as the gang and weapon allegations. On May 16, 2014, Defendant Gomez was sentenced to 21 years in prison.

It is the opinion of the investigating Detectives that the two claimants qualify for the reward offer. The information provided by the two witnesses led to the identification, apprehension, and conviction of the defendant. Based on these facts, it is requested that the reward funds be paid to the two witnesses listed in the attached Application for Special Reward Payment.

Should you have any questions, please contact Captain Jeffrey Bert, Commanding Officer, Northeast Area, at (323) 344-5708.

Respectfully,



CHARLIE BECK
Chief of Police

BOARD OF
POLICE COMMISSIONERS
Approved *September 23, 2014*
Secretary *Maria Silva*

Attachments

Mayor's Time Stamp
OFFICE OF THE MAYOR
RECEIVED
2009 APR 15 PM 4:29
CITY OF LOS ANGELES

City Clerk's Time Stamp
CITY CLERK'S OFFICE
2009 APR 15 PM 4:23
CITY CLERK
BY _____
DEPUTY

. SUBJECT TO THE MAYOR'S APPROVAL

COUNCIL FILE NO. 09-0010-S26

COUNCIL DISTRICT _____

COUNCIL APPROVAL DATE APRIL 14, 2009

RE: AN OFFER OF REWARD FOR INFORMATION LEADING TO THE IDENTIFICATION, APPREHENSION, AND CONVICTION OF THE PERSON(S) RESPONSIBLE FOR THE DEATHS OF CARLOS HERNANDEZ AND ALEJANDRO GARCIA ON MARCH 13, 2009

APR 27 2009

LAST DAY FOR MAYOR TO ACT _____
(10 Day Charter requirement as per Charter Section 341)

DO NOT WRITE BELOW THIS LINE - FOR MAYOR USE ONLY

APPROVED


*DISAPPROVED

*Transmit objections in writing
pursuant to Charter Section 341

DATE OF MAYOR APPROVAL OR DISAPPROVAL

APR 17 2009

MAYOR



RECEIVED
CITY CLERK'S OFFICE
2009 APR 17 PM 4:13
CITY CLERK
BY _____
DEPUTY

CITY OF LOS ANGELES
APPLICATION FOR SPECIAL REWARD PAYMENT

DISTRIBUTION
ORIG -- LAPD
DUPE -- City Clerk
DUPE -- Claimant

Neither the filing or submitting of information, nor the receipt or consideration thereof by the City, shall establish legal claim to, or right of recovery of, any reward offered. The provision of payment shall be governed by Chapter 12, Division 19 of the Los Angeles Administrative Code.

1.	PRINT NAME OF APPLICANT: Last, Anonymous	First, Claimant A	Middle
2.	ADDRESS: (Street) Confidential in care of the I/O	(City)	(State - Zip)
3.	TODAY'S DATE: 7/7/2014	4.	OCCUPATION: Housewife
5.	DRIVER'S LICENSE # or CALIF ID #: Confidential	6.	SOCIAL SECURITY #: (For payment purposes)

DESCRIPTION OF CIRCUMSTANCES: (Fill in or mark ALL that apply)

NOTE: The applicant is responsible for providing ALL of the following required information. A claim that does not provide the following required information may be disapproved for insufficient information.

7.	DATE OF INCIDENT: <u>3/13/2009</u>	8.	TIME OF INCIDENT: <u>1515</u> <u> </u> AM <u> </u> PM <u> </u> NOON <u> </u> MIDNIGHT
9.	LOCATION OF INCIDENT: <u>6145 North Figueroa Street, Los Angeles</u>		
10.	TYPE OF CRIME / INVESTIGATION: <u>Homicide</u>		
11.	DESCRIPTION OF INCIDENT: <u>Suspects confronted victims as they walked on the sidewalk, a physical confrontation ensued, during which the suspect armed himself and shot both victims multiple times.</u>		
12.	<input checked="" type="checkbox"/> _____ APPLICANT SIGNATURE	<input type="checkbox"/> _____ PARENT OR GUARDIAN SIGNATURE (under 18 years)	

DO NOT WRITE BELOW THIS LINE - FOR OFFICIAL USE ONLY

INVESTIGATING OFFICER:	Phone #	Name	Serial #	Agency
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NAME OF VICTIM OR CASE:

RECOMMENDATION: APPROVAL DISAPPROVAL INVESTIGATION CHECKLIST ATTACHED: Yes No
 INSUFFICIENT INVOLVEMENT
 INSUFFICIENT INFORMATION

BRIEF EXPLANATION OR COMMENTS:

REVIEWED AND APPROVED BY:

**CITY OF LOS ANGELES
REWARD CLAIM CHECKLIST**

**This form must be submitted with the Department's recommendation concerning payment of the reward.
One checklist must be submitted for each claimant.**

COUNCIL FILE NUMBER: 09-0010-S26 DR/AGENCY FILE NUMBER: 0911-00641/0911-00642

TYPE OF CRIME/INVESTIGATION: Homicide REWARD AMOUNT: \$ 75,000

REWARD EFFECTIVE DATE: 4/14/2009 REWARD EXPIRATION DATE: 10/14/2009

INFO. REC'D WHILE REWARD IN EFFECT: YES NO DATE REC'D: 6/10/2009
(circle one)

CLAIMANT: Anonymous Claimant A CLAIMANT'S OCCUPATION: Housewife
(Name or "Anonymous." If multiple anonymous claimants, indicate as "Claimant A, Claimant B," etc.)

CASE INVEST. BY: LAPD Northeast Homicide OTHER CITY DEPARTMENT: _____
(Div/Section)

Investigator(s) Assigned: Detective Lisa Governo #25535 Telephone: (323) 344-5744

(Name and Serial No.) Telephone: () _____

The above claimant is ELIGIBLE NOT ELIGIBLE to receive payment of a reward pursuant to the Los Angeles Administrative code Division 19, Chapter 12, Sections 19.120 through 19.129.4.

Reason(s) for claimant being NOT ELIGIBLE to receive payment:

Claimant is a City officer, employee, or public officer or employee whose employment includes duties of law enforcement.

Claimant is a dependent of a City Officer, employee, or public officer or employee whose duties include law enforcement.

Claimant has already been compensated by his/her employer or in some other manner for the actions which are the bases for claiming the reward.

The suspect would benefit from payment of the reward to the claimant.

The claimant is acting as an agent for the suspect.

Claimant obtained information for a relative who is a City Officer, employee, or public officer or employee, and that person obtained the information in the course of his/her employment.

Claimant has not provided continued cooperation within the criminal justice system relative to the case for which the offer of reward is made.

Claimant is co-suspect in the crime for which the reward is offered.

Other: _____

Explanation: _____

(If additional space is needed, use back of form.)

APPROVED BY _____ RANK/TITLE _____

LOS ANGELES POLICE DEPARTMENT

0000353



WILLIAM J. BRATTON
Chief of Police

ANTONIO R. VILLARAIGOSA
Mayor

P.O. Box 30158
Los Angeles, CA 90030
Telephone: (213) 485-2549
Fax: (213) 847-0669
TDD #: (213) 485-6407
Ref #: 4.4

April 7, 2009

The Honorable Ed P. Reyes
Councilman, First District
City Hall, Room 410
Los Angeles, CA 90012

Dear Councilmember Reyes:

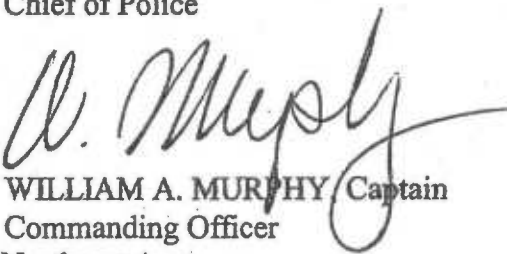
On Friday, March 13, 2009, at approximately 1525 hours, Carlos Hernandez, a 15-year-old male and his friend, Alejandro Garcia, a 16-year-old male, were fatally shot while walking on Figueroa Street near Avenue 61, in the Highland Park community of Los Angeles. The Los Angeles Police Department is continuing the investigation into these murders however, despite their efforts have not yet identified a suspect or suspects.

The Los Angeles Police Department is requesting the assistance of the community and is asking the Los Angeles City Council to approve a reward of \$75,000 for information leading to the arrest and conviction of the person or persons responsible for the murder of Mr. Hernandez and Mr. Garcia.

Should you have any questions regarding this request or require additional information, please contact Detective II Larry Burcher, Northeast Homicide, at (213) 847-4261.

Very truly yours,

WILLIAM J. BRATTON
Chief of Police


WILLIAM A. MURPHY Captain
Commanding Officer
Northeast Area

MOTION

On March 13, 2009 at approximately 3:25 pm, 15 year-old Carlos Hernandez and 16 year-old Alejandro Garcia were fatally shot while walking on Figueroa Street near Avenue 61, in the Highland Park community of Los Angeles. The Los Angeles Police Department is continuing the investigation into these murders but since no suspect has been identified, a monetary reward may motivate individuals to come forward with information.


The person or persons responsible for this crime represent an ongoing threat to the safety of the people of Los Angeles; therefore it is appropriate for the City of Los Angeles to offer a reward for information leading to the identification, apprehension and conviction of the person or persons responsible for the deaths of Carlos Hernandez and Alejandro Garcia.

I THEREFORE MOVE that by adoption of this Motion, the City Council provide an offer of reward for information leading to the identification, apprehension, and conviction of the person or persons responsible for the deaths of Carlos Hernandez and Alejandro Garcia, residents of the City of Los Angeles, on March 13, 2009, and in support thereof, make the following findings pursuant to Division 19, Chapter 12, Article 1 of the Los Angeles Administrative Code:

1. That the deaths of Carlos Hernandez and Alejandro Garcia were caused by the willful misconduct of one or more persons.
2. That this offer of reward is consistent with and taken for the immediate protection of the public peace, health and safety of local residents, as well as visitors to the City, and is consistent with the need to arrest and convict the person or persons who, because of not being apprehended, could by their actions further terrorize and present a continuing and immediate menace to the rights of persons in the City.
3. That what happened to Carlos Hernandez and Alejandro Garcia, is an especially disturbing crime and therefore, as a matter of public policy, the City hereby offers a reward as an added inducement for persons to come forward with information leading to the identification, apprehension and conviction of the person or persons responsible for the deaths of Mr. Hernandez and Mr. Garcia.
4. That the sum of \$75,000 shall be the aggregate maximum sum of any payment or payments of a City reward in this instance.
5. That the offer of reward shall be in effect for six months from the date of the advertisement of the reward by the City Clerk.

I FURTHER MOVE that the City Clerk be directed to cause notices and/or advertisements to be duly published according to the requirements of Division 19, Chapter 12, Article 1 of the Los Angeles Administrative Code, and to thereby cause the offer of reward to become effective.

PRESENTED BY: _____


ED REYES
Councilmember, 1st District

SECONDED BY: _____

