

EPPD# 22-178008

WITNESS/SWORN/STATEMENT

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COMPLAINANT:

ADDRESS: 5830 Dyer

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THIS STATEMENT GIVEN VOLUNTARILY TO: CAP DETECTIVES

of the EL PASO POLICE DEPARTMENT BY: D. Guerrero 3321

SOCIAL SECURITY #: On File

ADDRESS: On File

DOB: On File

HOME PHONE NUMBER: On File

WORK PHONE NUMBER: On File

DRIVER'S LICENSE: On File

DATE & TIME: 06/29/2022 1100Hrs

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My name is Officer Dominic Guerrero #3321 and I am currently employed by the El Paso Police Department since my commission date of January 22, 2019. I am currently assigned to the Northeast Regional Command Center' patrol division on the graveyards shift.

On the 27<sup>th</sup> of June 2022, at approximately 0040Hrs I responded to 5830 Dyer at the Seven Eleven in reference to a Welfare Check. I was responding from Dyer and Fred Wilson when I got dispatched. While en-route comments on the call stated someone walked into the Seven Eleven stating he was being followed. The comments on the call card provided a description of a black male wearing a black tank top and black pants. I made it on scene at 0042Hrs and observed the subject described on the call card later identified as Michael Thompson.

I observed Mr. Thompson wearing a black tank top and black pants standing in the doorway of Seven Eleven with the door open facing away from me. Mr. Thompson then turned around and saw me then suddenly took off walking Northwest from the Seven Eleven. I then got out of the patrol unit and told Mr. Thompson to stop running and to walk towards me. Mr. Thompson stopped and faced me saying "You look like a thug, and you're going to kill me." I then told Mr. Thompson I was with the El Paso Police Department and wanted to help him. As I was walking up to Mr. Thompson, Mr. Thompson would take several steps back continuing to say "You're going to kill me." I had asked Mr. Thompson for his name and date of birth, and he provided Michael Thompson with a date of birth of 04/22/1986.

At this point I recognized Mr. Thompson as a man I had seen at the 5600 block of Dyer as he was wearing the same thing a black tank top and black pants, in the middle of the street running. Maybe fifteen minutes before this call came in. Earlier, I made contact with Mr. Thompson. I asked Mr. Thompson where he was going and he said "I'm going home, I live on Thomason". I advised Mr. Thompson to just stay on the sidewalk. I then left the area

and got dispatched to a different call. Mr. Thompson was not acting the way he was acting at Seven Eleven as he was observed only to be running in the street and talking to me.

At the 7-Eleven, Mr. Thompson was not in his right state of mind as he was earlier when I had talked to him, as he was very paranoid and did not recognize me as a police officer, even though I was wearing my full, blue police uniform with a EPPD badge and duty belt. I continued to talk to Mr. Thompson trying to calm him down as he did not want to get close to me. I was able to calm Mr. Thompson down by just talking to him which I was able to get him to walk in front of my patrol unit. I had decided to place Mr. Thompson under an Emergency Detention Order because he was a possible danger to himself or others. This was due to the irrational way he was behaving and my earlier observations of him walking in traffic.

As Mr. Thompson was in the front of the patrol unit I explained to Mr. Thompson I was going to conduct a pat down to check for any weapons.

I told Mr. Thompson to place his hands on the hood of the patrol unit. Instead of following this command, he reached into both his pant pockets and pulled out his phone and an Uber debit card. At the time he did this, I did not know if he was attempting to retrieve a weapon. I told Mr. Thompson not to reach for anything in his pockets and to place his hands on the hood of the patrol unit once again. Mr. Thompson placed his hands momentarily on the hood which I then started my pat down in the front of Mr. Thompson's waist. Mr. Thompson then took his hands off the hood of the patrol unit and I told Mr. Thompson to relax and to stay calm. I then continued my pat down on Mr. Thompson's left pant leg when Mr. Thompson pulled away and started yelling "He's going to kill me." I was not able to complete my pat down. I needed to gain control of Mr. Thompson for my safety and his, since he was seen running on the roadway earlier, so I grabbed Mr. Thompson's arms telling him to calm down which he continued to pull away.

Because Mr. Thompson was not listening and not complying with my commands, I requested another unit to assist at approximately 0046Hrs. I tried to place handcuffs on Mr. Thompson as he was starting to be uncooperative by not listening to my commands. I was able to wrap my arms around Mr. Thompson and drop both of us onto the ground, landing on the right side of my body. I had control of Mr. Thompson's arms as we were both on the ground. I tried to roll Mr. Thompson onto his stomach but Mr. Thompson continued to use his feet to turn his body. I released Mr. Thompson's left hand so I can reach for my handcuffs that were located in the back of my duty belt but Mr. Thompson would then use his left arm to try and push his body up attempting to stand up. I then regained control of Mr. Thompson's left arm, but I still needed to get complete control of him. I did not have that complete control because he was kicking with his legs. I wanted to get Mr. Thompson onto his stomach in order to gain full control.

Throughout the struggle it felt like forever for officers to arrive on scene. I was then able to get Mr. Thompson onto his stomach and started laying on top of Mr. Thompson until other units to arrive. Once I got Mr. Thompson onto his stomach, Officer Spencer and Officer Sneed working together and an off duty officer (Officer J Cobos #231 Texas Tech PD) that was working at 5631 Dyer (Walmart) arrived on scene at the same time.

While I was still on top of Mr. Thompson Officer Sneed had Mr. Thompson's right arm and I still had both of his arm. Officer Spencer then told me to move my leg as he was going to deploy his taser which I heard the taser deploy which was not affective. Mr. Thompson continued to be combative and refused to be handcuffed. I saw officer Sneed had control of

Mr. Thompson's right arm so I let go only have control of his left arm. I then moved my legs to get on one knee on his back leg and my left need onto the ground reaching for my handcuffs to place Mr. Thompson in custody. As I was trying to handcuff Mr. Thompson's left arm he was still tucking his arm underneath his body. I continued to pull Mr. Thompson's left arm to remove it from being tucked into his chest area. After several times I was able to pull Mr. Thompson's left arm from his chest and handcuffed his left wrist. Officer Sneed already had control of Mr. Thompson's right hand which I was able to handcuff Mr. Thompson.

As soon as I handcuffed Mr. Thompson I got off of him and Officer Sneed and Officer Arias sat Mr. Thompson on the ground and we waited for FMS to arrive on scene. Officer Spencer requested FMS and a supervisor to the scene. While we were waiting for FMS Mr. Thompson was still yelling saying people were trying to kill him. I first conducted a warrants check on Mr. Thompson and Mr. Thompson had one traffic warrant outstanding. I then called Emergence Health Network to see which hospital was next for an EDO who advised Las Palmas West.

FMS then arrived on scene and I advised him Mr. Thompson had been tased and if they can assist on taking out the prongs from Mr. Thompson's upper back. I don't remember seeing which officers were placing Mr. Thompson in the back of the patrol unit as I was briefing Sgt. Aguilera of the incident. I had advised Sgt. Aguilera I was going to EDO Mr. Thompson and then work up a warrant for resisting arrest. I then saw Officer Sneed pulling out Mr. Thompson out of the patrol unit and FMS asking to take the handcuffs off of Mr. Thompson. I took the handcuffs off of Mr. Thompson and FMS started CPR and conducting medical care to Mr. Thompson. I then get into the rescue unit (R12) and ride with FMS to UMC at approximately 0123Hrs. While at UMC I am standing by for any update from the doctors. Dr. Richer then told me that Mr. Thompson time of death was at 0147Hrs. I then notified Sgt. Aguilera of the states of Mr. Thompson.

I HAVE READ THE ABOVE STATEMENT AND FIND IT TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

 3321

Subscribed and sworn to before me, the undersigned authority, on this 29<sup>th</sup> day of June 2022.

 #3061

WITNESSES:

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