

ARMED ROBBERY REPORT

SYNOPSIS: I witnessed an armed robbery of a liquor store and arrested the suspect without incident.

NARRATIVE: On Tuesday, 10/25/05, about 2100 Hrs. I was parked at the N/E corner of Second and South "L" Streets in an abandoned gas station, writing a report. I was directly north of Gardella Liquors, located at the S/E corner of Second and South "L" Street. I was in full uniform and in a fully marked police car.

My attention was drawn to a young HMA, later ID'd as MARTINEZ, who walked rapidly into Gardella Liquors. When MARTINEZ reached the counter where the clerk was standing, he reached to the small of his back with his right hand, produced what appeared to be a small handgun and pointed it at the clerk's face. MARTINEZ gestured with his left hand toward the cash register while still pointing the handgun at the clerk, who was the only other person in the store. The store was brightly lit and I had an unobstructed view of the interior of the store.

I could see the clerk throw his hands up as if to surrender. MARTINEZ gestured again at the register and the clerk opened the cash register, remove a stack of money from the register and place it into a paper sack that he took from the counter. He then handed the paper sack with the money to MARTINEZ. I radioed dispatch with a description of the robbery-in-progress and watched as the suspect ran from the store, directly toward my position. At no time during this incident did I lose sight of MARTINEZ.

I drew my sidearm, took a position of cover behind my car door and when the suspect got to my side of Second Street, I activated my spotlights and headlights, verbally identified myself as a police officer and ordered MARTINEZ to drop the gun. He immediately dropped the gun and proned himself out on the sidewalk.

When Ofc. FRIDAY, #714 and Ofc. MARTIN, #744 arrived as backup, I searched MARTINEZ. He was still clutching the paper sack in his left hand. I recovered it and saw that it contained \$76.00 in U.S. Currency. The gun was recovered from the sidewalk where MARTINEZ had dropped it. The weapon was a S&W snub-nosed .38 Special revolver. It was not loaded. MARTINEZ declined to give a statement after I read him his Miranda Rights. All he did was repeat "stupid, stupid."

The clerk, John SMITH saw the arrest and walked over to our location. He told me the following: He said he was getting ready to close when MARTINEZ entered the store. SMITH said MARTINEZ told him "give me the money punk, or I'll kill you." SMITH said he was in fear of being shot so he did as MARTINEZ told him, put it into a paper bag and gave it to MARTINEZ. SMITH then watched as MARTINEZ ran from the store. SMITH said he then tripped the robbery alarm and watched MARTINEZ run across Second Street.

SMITH said he was not injured. He identified MARTINEZ as the man who had just robbed him and identified the money and paper bag as belonging to Gardella Liquors. SMITH also told me that he has never seen MARTINEZ before and did not willingly give him the money. While I was talking with SMITH, other units made an area check for other suspects or a suspect vehicle with negative results. A check for warrants revealed that MARTINEZ was wanted by Reno, Nevada, Police Department for armed robbery. (RPD #05-11205)

The money was taken to the station, photocopied and then released to SMITH on a PD-06 form. The paper sack and revolver were booked into evidence. MARTINEZ was transported and booked at Santa Rita Jail without incident by Officers FRIDAY and MARTIN.

OTHER INFORMATION: A check of dispatch radio tapes show the following time line: 2100:32 Hrs: I called in the armed robbery. 2100:43 Hrs: Dispatch received the armed robbery alarm from Gardella Liquors. 2101:19 Hrs: I radioed I had one at gunpoint across from Gardella Liquors. 2101:28 Hrs: FRIDAY and MARTIN arrived on scene. 2102:30 Hrs: MARTINEZ in custody.

RECOMMENDATIONS: I am requesting the DDA review this report for a complaint against MARTINEZ for 211PC, Armed Robbery, and 12022 PC, Committing a Felony while Armed.

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