

[REDACTED]

Incident Report
Pasadena Police Department

07-30520

Supplement No
0006

Narrative

Horn: *I am in the front yard right now. I'm....*

Dispatcher: *Put that gun down, there are officers out there without any uniforms on. Do not shoot anybody else, do you understand me?*

Horn: *I understand.*

Dispatcher: *I've got police officers out there that do not have...*

Horn: *I am in the front yard waving my hands right now.*

Dispatcher: *You don't have a gun with you do you?*

Horn: *No. No. No.*

Dispatcher: *All right. Do you see uniformed officers? Ok ay, lay down on the ground and don't do anything else. Lay down on the ground Mr. Horn and do what the officers tell to do right now.*

(Call ends)

A compact disc containing audio recordings of the 911 phone calls made to Dispatch by Horn was logged into the property room as evidence (D-1).

On November 15, 2007, I went to the Identification Division and retrieved Ortiz's cell phone. I observed that there were several missed calls from 'Diamond'. The number for 'Diamond' showed to be [REDACTED]. I checked the phone number through Locate Plus and observed the phone belonged to a subject by the name of 'Diamond Morgan'. I checked Diamond Morgan for a valid Texas driver license or identification card and located an identification card ([REDACTED]). The date of birth on the identification card showed to be [REDACTED]. The address on the identification card showed to be [REDACTED] in Houston.

I contacted Morgan via telephone and ascertained whether or not she knew Ortiz. Morgan advised me that Ortiz is the father of her child. I advised Morgan that I needed to speak with her in person about Ortiz and she stated that she wanted to know why I needed to speak with her about Ortiz. I asked Morgan for her address and she advised me that she currently lives at [REDACTED] in Houston. I asked Morgan if she knew if Ortiz had any other family members in the area and she stated that he did. I asked Morgan for the addresses of Ortiz's relatives and she stated that she would provide that information to me over the phone without know what was going on. I explained to Morgan that I would explain to her what was going on when I spoke with her in person. Morgan asked if I was going to come to her residence now and I told her that I was. Morgan then advised me that her correct address is [REDACTED] Corporate Drive [REDACTED] in Houston. It appeared that Morgan was being deceptive about her address because she did not know why the police would be looking for Ortiz.

I drove to Morgan's residence located at [REDACTED] Corporate Drive [REDACTED] in Houston and advised her that Ortiz had passed away. I asked Morgan if Ortiz had any other family members in the area and she stated that the majority of his family still lived in Colombia. Morgan stated that she believed that Ortiz had a brother in the area, but he was currently incarcerated. Morgan stated

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that she could not recall the name of Ortiz's brother. Morgan proceeded to explain to me that she knew that Ortiz was doing 'bad things'. Morgan stated that Ortiz had left her after the birth of their child because she could not have sex. Morgan stated that Ortiz had a sexual relationship with another woman and [REDACTED]. Morgan stated that she told Ortiz three days ago that he was going to end up dead for the things that he was doing. Morgan stated that Ortiz would target foreigners and undocumented individuals and then rob them. Morgan stated that Ortiz would 'tail' people and then rob them. I asked Morgan why Ortiz would be in Pasadena and she stated that he would always do his crimes 'out of town' because it would be harder for the police to catch him. Morgan stated that at one point she was 'jealous and envious' of Ortiz because she felt like God did not punish him for his sins and God punished everyone else for their sins.

I departed Morgan's apartment and proceeded to the Harris County Medical Examiner's Office to observe the autopsies of Ortiz and DeJesus. I arrived at the Harris County Medical Examiner's Office and met with Doctor Florez. Doctor Florez advised me that she was going to perform the autopsies of Ortiz and DeJesus.

Doctor Florez performed the autopsy of Ortiz first. Doctor Florez advised me that there were a total of eight shotgun pellet entrance wounds and a total of three shotgun pellet exit wounds on Ortiz. Doctor Florez advised me that there were two entrance wounds on the back left shoulder area, one on the back right shoulder area, and five along the upper and middle area of the left side of Ortiz's back. During the autopsy of Ortiz, Doctor Florez recovered a total of five shotgun pellets. Doctor Florez recovered three shotgun pellets from the left breast area, one shotgun pellet from the right front shoulder area, and one shotgun pellet from the left throat area. All five shotgun pellets recovered were consistent with the shotgun pellet that was recovered at the scene. The shotgun pellets recovered from Ortiz's body remained in the custody of the Harris County Medical Examiner's Office.

Upon the completion of Ortiz's autopsy, Doctor Florez performed the autopsy of DeJesus. Doctor Florez advised me that there were a total of eight shotgun pellet entrance wounds in the middle and left side of the left side of DeJesus' back. Doctor Florez advised me that there were total of six shotgun pellet exit wounds. Doctor Florez advised me that there were three exit wounds in the middle of the left side of DeJesus' chest and three exit wounds near the left breast and armpit area. Doctor Florez also advised me that there were several shotgun pellet entry and exit wounds on DeJesus' left arm. During the autopsy of DeJesus, Doctor Florez recovered a total of two shotgun pellets. Doctor Florez recovered one shotgun pellet from the left breast area and one shotgun pellet from the left wrist area. Both shotgun pellets recovered were consistent with the shotgun pellet that was recovered at the scene. The shotgun pellets recovered from DeJesus' body remained in the custody of the Harris County Medical Examiner's Office.

On November 16, 2007, I received a phone call from Rhonda Booker, whom I had met previously at the apartment located at [REDACTED] Briar Forest. Booker was now claiming that she and DeJesus had been married. Booker advised me that she did not say anything the night that I was at the apartment because she did not want to cause a scene. I asked Booker why she felt that she and DeJesus were married and she stated that they had lived together for an extended period of time. I advised Booker that to be considered 'common-law', but subjects had to proclaim to be married. Booker stated that DeJesus was her husband and she was his wife.

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Booker stated that Storey and DeJesus were not engaged and had only been together for a couple of weeks. I advised Booker that she would have to prove that she and DeJesus were married.

I received a phone call from Rebeca Rojas, whom I had previously met at the apartment located at [REDACTED] Briar Forest. Rojas advised that she needed information from this case to file a lawsuit against the subject that had shot DeJesus. I advised Rojas that I had provided her the case number and that would be the only information that I could release due to the fact that it was an on-going investigation. I asked Rojas why she had failed to mention that Booker was married to DeJesus and she stated Booker and DeJesus had lived together for over a year so she thought that under Texas law they were considered common-law. I explained to Rojas that Booker and DeJesus would have had to hold themselves out as husband and wife, and she stated that she was unsure if they did that. Rojas stated that she pretty much kept to herself.

I received a phone call from Morgan who stated that she wanted to file a lawsuit against the subject that shot Ortiz. Morgan stated that Ortiz should not have been doing what he was doing, but "Horn should not have shot him either". I explained to Morgan that filing a lawsuit was a civil process and not a police process.

On November 17, 2007, I contacted Public Information Spokesman Vance Mitchell and advised him that the photographs of the deceased subjects from the shooting were not of the correct subjects. Mitchell advised me that the Harris County Sheriff's Office had released those photos to the media.

I received a phone call from Special Agent R. Oliver with the Bureau of Alcohol, Tobacco, Firearms, and Explosives. Special Agent Oliver advised me that he had been working several burglary cases and home invasions involving Colombians. Special Agent Oliver stated that he had heard that it was first believed that the deceased subjects were Puerto Rican, but were later determined to be Colombian. I explained to Special Agent Oliver that one of the subjects had an 'identification card' with a name and date of birth and the country of origin listed as Puerto Rico. I further explained to Special Agent Oliver that the same male subject had a Colombian Consular Registration card in his possession with a different name and different date of birth. I also explained to Special Agent Oliver that I had learned that the male subject's family all lived in Colombia. Special Agent Oliver further informed that it was common for the Colombians involved in the burglaries and home invasions to claim to be Puerto Rican. Special Agent Oliver stated that the Colombian subjects would purchase Puerto Rican identities and use their newly acquired Puerto Rican identity. I briefly explained to Special Agent Oliver the details of the shooting and explained to him that I believed that there was a third person possibly in a getaway vehicle. Special Agent Oliver advised me that in the burglaries that he had investigated in the past, there was usually another suspect in a getaway vehicle posted near the entrance of the neighborhood. Special Agent Oliver stated that the suspect in the getaway vehicle acted as a lookout and would contact the other suspects involved via two-way radio or cell phone if law enforcement arrived in the area. Special Agent Oliver advised me that he had received a tip from a confidential informant that the third subject involved in this case was named [REDACTED]. Special Agent Oliver advised me that he would attempt to contact another confidential informant and attempt to learn the full identity [REDACTED]

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