

INTRADEPARTMENTAL CORRESPONDENCE

July 26, 2012

7.7.1

TO: Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: REQUEST FOR PAYMENT OF REWARD OFFER ON CITY COUNCIL FILE
NO. 07-0010-S39

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

It is requested that the Board approve and transmit to the City Council the recommendation that a previously approved reward offer be paid to Claimant A and Claimant B in the sum of \$25,000 each. Both Claimants provided information that was vital to the arrest and conviction of the suspects responsible for the murder of Hector Balderas, City Council File No. 07-0010-S39.

On March 25, 2007, Hector Balderas was walking in the area of Tobias Park located at 9100 Tobias Avenue in Panorama City when two males drove past him. Both males fired numerous shots at Mr. Balderas, striking him and killing him.

Mission Homicide Detectives Gene Parshall and John Macchiarella conducted an extensive investigation, which included the following steps to approve a cash reward for information leading to the arrest and prosecution of the suspects responsible for the murder:

On March 30, 2007, Detective Macchiarella submitted a faxed letter requesting reward approval to Council Member Alarcon's office.

On May 15, 2007, Detective Macchiarella spoke to Juan Camacho from Council Member Alarcon's office and was informed that the reward would most likely be approved on May 22, 2007 and the Councilman would like to hold a press conference regarding the reward. Detectives requested and awaited notification of the reward status.

On June 6, 2007, Detectives Parshall and Macchiarella conducted an interview with Claimant A who had been previously briefly detained in conjunction with a Long Beach shooting. 9mm

casings recovered from the Long Beach shooting were compared to the 9mm casings recovered from the Balderas murder and were determined to have been fired from the same handgun.

Claimant A initially gave limited information about his cousin who fired the shots during the Long Beach shooting but left detectives with the belief that he had information regarding the Balderas murder case. **Detectives elected to inform him about the pending reward authorization in the hopes that he would consider providing information. Claimant A then began to provide information about the Hector Balderas murder. Detectives did not stop him from providing information and felt that it was crucial to identify the suspects as soon as possible rather than ask him to delay giving the information until the reward offer was official.** He went on to give extensive information regarding the murder of Hector Balderas that he said he received from Claimant B. He identified the two suspects as Tony and Mario Madrigal and provided information about where the suspect's vehicle was being concealed.

On June 18, 2007, Detectives Parshall and Macchiarella located and interviewed Claimant B. He initially identified Tony Madrigal as the only suspect but gave an untruthful version of what he knew. Several interviews were conducted with Claimant B and during the course of the investigation he was informed of the possibility of being eligible for the reward. Claimant B eventually gave truthful detailed information about the murder, the weapons used by the suspects and their vehicle. He stated that suspect Mario Madrigal told him that he and his brother Tony Madrigal had committed the murder.

Based on the information provided by the Claimants, detectives conducted extensive work-ups on suspects Mario and Tony Madrigal including listening to jail phone calls where both suspects made further statements incriminating themselves in the murder. Both suspects were verified to be Pacoima gang members. Detectives were able to locate the suspect's vehicle which was in the process of being painted in order to alter its appearance. Suspect Tony Madrigal ultimately admitted that he and Mario shot the victim.

On July 13, 2007, the reward motion was adopted by the City Council.

On July 30, 2007, Detectives Parshall and Macchiarella held a press conference at Mission Station where Councilman Alarcon formally announced the reward of \$50,000.

On August 21, 2007, the murder case was presented to Deputy District Attorney Kathleen Blanchard, of the Hardcore Gang Division. She filed one count of 187 P.C. Murder on each of the suspects, District Attorney Case No. PA059825.

On July 10, 2008, Claimant A testified during the first day of the Preliminary Hearing.

On July 11, 2008, Claimant B testified during the second day of the Preliminary Hearing. Both Defendants were held to answer on the Murder charges.

On April 13, 2010, Mario Madrigal pled guilty to Involuntary Manslaughter and was sentenced to 22 years state prison.

Honorable Board of Police Commissioners

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On April 13, 2010, Tony Madrigal pled guilty to Voluntary Manslaughter and was sentenced to 12 years state prison.

As a result of the pending reward notification, the Claimants provided crucial information that led to the arrest of suspects Mario and Tony Madrigal. The reward was also instrumental in convincing the Claimants to attend and testify during subsequent court hearings.

It is the opinion of the Investigating Officer and the Deputy District Attorney assigned to this case, that the information provided by the Claimants was vital in the arrest and conviction of the suspects, making them eligible to receive payment.

Respectfully,

A handwritten signature in black ink, appearing to read 'C. Beck'.

CHARLIE BECK
Chief of Police

Attachments

CITY OF LOS ANGELES
APPLICATION FOR SPECIAL REWARD PAYMENT

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

Neither the filing nor 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 B Middle

2. ADDRESS: Confidential- in care of I/O

3. TODAY'S DATE: 6/21/12 4. OCCUPATION: Laborer

5. DRIVER'S LICENSE # or CALIF ID #: Confidential 6. SOCIAL SECURITY #: (For payment purposes) Confidential

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: 3/26/2007 8. TIME OF INCIDENT: 1851 ____ AM ____X____ PM
____ NOON ____ MIDNIGHT

LOCATION OF INCIDENT: 9100 Tobias Ave, Panorama City

TYPE OF CRIME / INVESTIGATION : Homicide

9. DESCRIPTION OF INCIDENT: Two suspects drove past the victim and shot him multiple times causing his demise

12. X APPLICANT SIGNATURE 13. X PARENT OR GUARDIAN SIGNATURE (under 18 years)

DO NOT WRITE BELOW THIS LINE - FOR OFFICIAL USE ONLY

INVESTIGATING OFFICER: Name Parshall, Gene Serial # 30601 Agency LAPD Mission
Phone # 818-838-9954

NAME OF VICTIM OR CASE: Victim: Balderas, Hector

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

BRIEF EXPLANATION OR COMMENTS: Claimant B provided information that identified the suspects involved in the murder, the handguns used and vehicle used. Claimant provided testimony during the preliminary hearing resulting in the conviction of both suspects.

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: 07-0010-S39

DR/AGENCY 0719-10117

TYPE OF CRIME/INVESTIGATION: Homicide

REWARD AMOUNT: \$ 50,000

REWARD EFFECTIVE DATE: 7-31-2007

REWARD EXPIRATION DATE: 9-31-2007

INFO. REC'D WHILE REWARD IN EFFECT: YES ☒ NO ☐
(circle one)

DATE REC'D: 6-18-07 and continuous through 1-29-09

CLAIMANT: Anonymous Claimant B

CLAIMANT'S OCCUPATION: Laborer

(Name or "Anonymous." If multiple anonymous claimants, indicate as "Claimant A, Claimant B," etc.).

CASE INVEST. BY: LAPD LAPD Mission Division Homicide
(Div/Section)

OTHER CITY DEPARTMENT: _____

Investigator(s) Assigned: Parshall, G. #30601
Macchiarella, J. 35095

Telephone: (818) 838-9954

Telephone: (818) 832-0609

(Name and Serial No.)

The above claimant is X 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 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 is a dependent of a City Officer, employee, or public officer or employee whose duties include law enforcement

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

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

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

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

☐ Other: _____

☐ The claimant is acting as an agent for the suspect.

Explanation: Investigating Officers interviewed Claimant B who gave some initial information about one of the suspects. During subsequent interviews, Investigating Officers informed him of the pending reward. The Claimant subsequently gave additional information about the suspects. After the reward was published, the Claimant continued to give information including testifying at the preliminary hearing. The pending reward was the only incentive for the truthful and continued cooperation of Claimant B. The Claimant's testimony resulted in the conviction of both suspects.

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

APPROVED BY _____

RANK/TITLE _____

CITY OF LOS ANGELES
APPLICATION FOR SPECIAL REWARD PAYMENT

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

Neither the filing nor 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: Confidential- in care of I/O

3. TODAY'S DATE: 6/21/12 4. OCCUPATION: Laborer

5. DRIVER'S LICENSE # or CALIF ID #: Confidential 6. SOCIAL SECURITY #: Confidential
(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: 3/26/2007 8. TIME OF INCIDENT: 1851 ____ AM ____X____ PM
____ NOON ____ MIDNIGHT

LOCATION OF INCIDENT: 9100 Tobias Ave, Panorama City

TYPE OF CRIME / INVESTIGATION: Homicide

9. DESCRIPTION OF INCIDENT: Two suspects drove past the victim and shot him multiple times causing his demise

12. X APPLICANT SIGNATURE 13. X PARENT OR GUARDIAN SIGNATURE (under 18 years)

DO NOT WRITE BELOW THIS LINE - FOR OFFICIAL USE ONLY

INVESTIGATING OFFICER: Name Parshall, Gene Serial # 30601 Agency LAPD Mission
Phone # 818-838-9954

NAME OF VICTIM OR CASE:
Victim: Balderas, Hector

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

BRIEF EXPLANATION OR COMMENTS: Claimant A provided information that identified the suspects involved in the murder, the handguns used and vehicle used. Claimant provided testimony during the preliminary hearing resulting in the conviction of both suspects.

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: <u>07-0010-S39</u>	DR/AGENCY <u>0719-10117</u>
TYPE OF CRIME/INVESTIGATION: <u>Homicide</u>	REWARD AMOUNT: \$ <u>50,000</u>
REWARD EFFECTIVE DATE: <u>7-31-2007</u>	REWARD EXPIRATION DATE: <u>9-31-2007</u>
INFO. REC'D WHILE REWARD IN EFFECT: YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> (circle one)	DATE REC'D: <u>6-6-2007, 8-27-2007</u>
CLAIMANT: <u>Anonymous Claimant A</u> (Name or "Anonymous." If multiple anonymous claimants, indicate as "Claimant A, Claimant B," etc.).	CLAIMANT'S OCCUPATION: <u>Laborer</u>
CASE INVEST. BY: LAPD <u>LAPD Mission Division Homicide</u> (Div/Section)	OTHER CITY DEPARTMENT: _____
Investigator(s) Assigned: <u>Parshall, G. #30601</u> <u>Macchiarella, J. 35095</u>	Telephone: (<u>818</u>) <u>838-9954</u> Telephone: (<u>818</u>) <u>832-0609</u>
(Name and Serial No.)	

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

- | | |
|--|---|
| <p><input type="checkbox"/> Claimant is a City officer, employee, or public officer or employee whose employment includes duties of law enforcement.</p> <p><input type="checkbox"/> Claimant is a dependent of a City Officer, employee, or public officer or employee whose duties include law enforcement</p> <p><input type="checkbox"/> Claimant has already been compensated by his/her employer or in some other manner for the actions which are the bases for</p> <p><input type="checkbox"/> The suspect would benefit from payment of the reward to the claimant.</p> <p><input type="checkbox"/> The claimant is acting as an agent for the suspect.</p> | <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> Claimant has not provided continued cooperation within the criminal justice system relative to the case for which the offer of reward is made.</p> <p><input type="checkbox"/> Claimant is co-suspect in the crime for which the reward is offered.</p> <p><input type="checkbox"/> Other: _____</p> |
|--|---|

Explanation: Investigating Officers informed Claimant A of the pending reward before it was adopted and published by the City Council. The Claimant subsequently gave information about the suspects. After the reward was published, the Claimant continued to give information including testifying at the preliminary hearing. The pending reward was the only incentive for the initial and continued cooperation of Claimant A. The Claimant's testimony resulted in the conviction of both suspects.

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

APPROVED BY _____ RANK/TITLE _____