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| To | Marchell Adams-David, City Manager |
| From | Estella D. Patterson, Chief of Police |
| Department | Police |
| Date | February 16, 2024 |
| Subject | Preliminary Report of February 10, 2024, Officer-Involved Shooting |

An officer-involved shooting occurred on February 10, 2024, in the 800 block of Rock Quarry Road. During this encounter, an individual later identified as Ranses Vacramontes Vargas was shot by Officer M. L. Berg, shortly after Mr. Vargas shot and injured two individuals in an apparent domestic dispute. In addition, an occupant of a nearby vehicle was accidentally struck by gunfire during Officer Berg's firearm discharge. All injured individuals were taken to a local hospital for treatment of serious but non-life-threatening injuries¹. Officer Berg's body-worn camera was active and recording at the time of this incident. The North Carolina State Bureau of Investigation (SBI) is conducting a criminal investigation of the shooting and will present a completed investigation directly to the Wake County District Attorney for review. The Detective Division of the Raleigh Police Department is conducting a separate investigation into the actions of Mr. Vargas. Additionally, the Raleigh Police Department's Office of Professional Standards is conducting an administrative investigation into the incident. When complete, the administrative investigation will be reviewed by members of the RPD Command Staff.

All investigations are ongoing, will be thorough, and will follow the available facts and evidence wherever they lead. Based on the information currently available to the Department, a preliminary review of the incident provides the following:

At approximately 10:30 P.M., on Saturday, February 10, 2024, the Emergency Communications Center (ECC) received a 9-1-1 call regarding "shots fired" in the vicinity of Vardaman Street and Hightower Street, which is near the 800 block of Rock Quarry Road. RPD Officers M.L. Berg and B.W. Keaton were dispatched to the call and began patrolling the area. After no evidence of shooting activity was found on either Vardaman Street or Hightower Street, Officer Berg proceeded to the 800 block of Rock Quarry Road to continue to check the area regarding the call for service.

¹ As of the time of this writing, all of the individuals who were injured during the course of this incident have since been released from the hospital following their initial treatment with the exception of Mr. Vargas.

At approximately 10:50 P.M., while Officer Berg was conducting an investigative detention of an individual in a parking lot located in the 800 block of Rock Quarry Road, multiple shots could be heard coming from the opposite end of the parking lot. Officer Berg transmitted a notification of “shots fired” over the police radio, drew his duty-issued firearm, and began to head towards where the shots were fired.

Preliminary review of Officer Berg’s body-worn camera footage indicates that within seconds of the shots being fired, Officer Berg saw a male subject, wearing dark clothing and holding what appeared to be a firearm in his hand, quickly emerge from between two parked vehicles. The subject was later identified as Ranses Vacramontes Vargas. As Officer Berg approached the area of the fired shots, he immediately asked a passerby who had fired the shots, and that person pointed to Mr. Vargas.

Officer Berg then ordered Mr. Vargas several times to drop the gun he was holding and place his hands on his head. Officer Berg also identified himself as the police. Mr. Vargas did not comply and continued to walk away in the direction of a red pickup truck that was parked at the edge of the parking lot.

As Officer Berg continued to approach and give commands, Mr. Vargas quickly changed his direction of travel and started to run behind the red pickup truck, positioning himself behind the truck while still armed. At the time, it did not appear that the red pick-up truck was occupied, as its lights were not on, and it did not appear to be running. Officer Berg was left standing in the middle of the parking lot without any cover. Officer Berg discharged his firearm in the direction of Mr. Vargas, striking both Mr. Vargas and the truck, as Mr. Vargas continued to move behind the truck. Preliminary results indicate a total of eighteen (18) rounds were fired by Officer Berg. Officer Berg then relayed over his police radio that shots had been fired.

After witnessing movement in the red pickup truck, Officer Berg and Officer Keaton, who had just arrived on scene, pointed their firearms in the direction of the truck and issued commands for the occupants to show their hands. However, once Officer Berg moved closer to the truck, Mr. Vargas could be seen lying on the ground injured beside the truck. It was also then discovered that there were two occupants inside of it.

At approximately 10:53 P.M., Officer Berg secured Mr. Vargas with handcuffs and immediately requested Emergency Medical Services (EMS). An individual later identified as Alejandro Hernandez-Herrera was seated in the driver’s seat of the red pick-up truck and was injured by gunfire when Officer Berg discharged his weapon. Prior to EMS arrival, RPD officers on-scene provided first aid to Mr. Hernandez-Herrera and Mr. Vargas. The other occupant of the red pick-up truck was not injured by gunfire.

While officers were waiting for EMS to arrive, two additional shooting victims, Mirna Alvarez Robles and Esther Ramirez Torres, were discovered. Ms. Robles was found in the driver seat of a grey pick-up truck that was parked directly in front of the strip mall in the 800 block of Rock Quarry Road, while Ms. Torres was found standing outside of the same area. Through investigative means, it was later learned that Mr. Vargas shot Ms. Robles and Ms. Torres just before Officer Berg intervened. Mr. Vargas first shot Ms.

Robles as she was sitting in her vehicle, then shot Ms. Torres as she tried to run away. Mr. Vargas and Ms. Torres had been in a domestic relationship, and she was afraid Mr. Vargas came to the location to do her harm. A firearm was recovered from the ground next to where Mr. Vargas was apprehended. An additional magazine and rounds of ammunition consistent with shell casings collected near the area where Ms. Torres and Ms. Robles were shot, were recovered from Mr. Vargas' pants pockets. Officers on scene rendered aid to all injured persons until EMS arrived at approximately 11:00 P.M.

As a result of Mr. Vargas' actions, arrest warrants were obtained against Mr. Vargas for two counts of Assault with a Deadly Weapon with Intent to Kill Inflicting Serious Injury.

Pursuant to Departmental policy, Officer Berg has been placed on administrative leave. Officer Berg's body-worn camera was operational during this encounter and captured the officer-involved shooting. As is standard protocol and in the spirit of transparency, the Department will seek the release of agency recordings that capture the officer-involved shooting in accordance with N.C.G.S. § 132-1.4A.