

REPORT BY OFFICE OF THE BALTIMORE CITY STATE'S
ATTORNEY ON THE OFFICER INVOLVED-SHOOTING
LOCATED AT 300 NORTH CHARLES STREET



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CITY

TABLE OF CONTENTS

I. INTRODUCTION..... 3

II. OVERVIEW OF THE INCIDENT 4-6

III. SUMMARY OF THE EVIDENCE.....6-13

IV. LEGAL ANALYSIS 14

VI. CONCLUSION.....15

VII. EXHIBITS.....16-25

INTRODUCTION

The Baltimore City States Attorney's Office (BCSAO) completed its review of the officer involved shooting. The BCSAO review was conducted by the office's Public Trust and Police Integrity Division and focused exclusively on determining whether criminal charges relating to the officer's conduct were warranted. PTPIU's review did not examine issues such as the officer's compliance with internal INVOLVED OFFICERS policies and procedures, their training or tactics, or any issues related to civil liability; however, internal policies and procedures and training are factors that were considered in evaluating the officer's conduct. This report should not be interpreted as expressing any opinions on non-criminal matters.

In brief, on January 16, 2018, Baltimore Police Officers responded to a robbery in progress at the 7-11 store on Charles Street. One of the Involved Citizens was armed with a 9 mm luger pistol. The Officers approached the front door of the 7-11 but were re-directed by the clerk to a side entrance. The Involved Citizens attempted to leave through the side door but the door was locked and would not open. Unable to find an escape from the back of the store, the Involved Citizens went to the front of the store where an officer, who at that time was entering the front door, confronted them. One of the Involved Citizens pointed the gun at the officer, and gunfire was exchanged between the officer and the citizen. The Involved Citizens and the police officers both took cover. Finally, one of the Involved Citizens decided to again attempt to exit through the front door. He successfully exited through the door and fled the scene. Officers pursued the Involved Citizen and while pursuing him, another exchange of gunfire occurred between the officers and the Involved Citizen. Eventually, the Involved Citizen escaped.

While the Officers attention was focused on the armed, taller Involved Citizen who had fled up N. Charles Street, the shorter Involved Citizen, wearing the grey head covering, went out the front door of the 7-Eleven and ran the other way down Saratoga Street. Officers gave chase, and CitiWatch attempted to track the Involved Citizen, but they soon lost him.

As detailed below, all available evidence supports the conclusion that the law enforcement officer's actions were taken in self-defense. The Baltimore City State's Attorney, therefore, declines to pursue criminal charges in this matter.

OVERVIEW OF THE INCIDENT

*(Three Officers Discharged their Firearms During a Commercial Armed Robbery -
No Injuries and Unknown Involved Citizens)*

At approximately 1:10 a.m. on January 16, 2018, a CitiWatch camera operator started monitoring the two Involved Citizens through CitiWatch cameras because they appeared to be casing the 7-Eleven on 300 N. Charles and Saratoga Street in downtown Baltimore City, and they also matched the description of Involved Citizens who had committed recent robberies (two robbers where one was tall and the other shorter). After he started monitoring them, the CitiWatch operator observed that right before they went into the 7-Eleven the taller Involved Citizen appeared to put on a mask, and once they got into the store it looked like he got out a weapon. At that point, the CitiWatch operator notified BPD officers that there appeared to be a robbery in progress at the 7-Eleven store. Officers responded immediately and arrived on the scene within a couple of minutes.

Once the two Involved Citizens entered the 7-Eleven they announced a robbery to the two clerks working in the store. The Involved Citizens remain at large and have not been identified at this time. The taller of the two Involved Citizens had his face partially covered and brandished a handgun with an extended magazine. The shorter Involved Citizen wore a grey head covering and did not brandish a weapon. After checking whether there was anyone else in the back of the store, the Involved Citizens moved a store clerk behind the counter and then took \$137 from the store registers.

Store surveillance video shows that, as the Involved Citizens were walking towards the front door of the 7-Eleven, emergency lights from the arriving officer's vehicles began to reflect off the store windows. When the Involved Citizens saw the police arriving, they asked one of the clerks if there was an emergency exit in the back, and then, at gunpoint, told the clerk to take them to the back emergency exit. When they got to the back of the store, the Involved Citizens told the clerk to open the emergency exit. The clerk states that he tried to open the door, but he could not. They also heard the police on the other side of the door.

When the officers had approached the front door, the other 7-Eleven clerk, who was still at the front of store, signaled to them that the Involved Citizens were attempting to flee from a door that was located on the side of the building. Officers then went to the side door to confront the Involved Citizens, and in BWC video a shadow of a person attempting to open the door can

be seen through the semi-transparent door. However, the person did not open it because it was locked.

Unable to get the door open, the Involved Citizens attempted to shoot out the locks on the door and, at this point, a number of shots can be heard on BWC video. Unable to find an escape from the back of the store, the Involved Citizens went back to the front of the store where they were confronted by Officer #1, who at that time was entering the front door. Store surveillance video shows that the taller Involved Citizen pointed the pistol that he was openly carrying directly at Officer #1. At this point, there was an exchange of gunfire with Officer #1 and a muzzle flash from the Involved Citizen's gun can be seen in the 7-Eleven surveillance video. None of the Officers were hit and it is unknown if either of the Involved Citizens were hit. The Involved Citizens then retreated to the back of the store again while the Officers took cover behind a white van and other places outside of the store.

Store surveillance video shows that after the exchange of gunfire, the Involved Citizens frantically looked for a back exit out of the store, but were again unable to find a way out the back. The armed, taller Involved Citizen then went back to the front, and by himself went out the front door, while openly carrying his pistol in his hand. Once the Involved Citizen went out the front door, Officers, who had been taking cover primarily on the Saratoga Street side of store, gave pursuit and there was a second exchange of gunfire between the Involved Citizen and Officers #2 and #3. None of the Involved Officers were hit, and it is unknown whether the Involved Citizen, who was ultimately able to escape, was hit by the officers' bullets. After the gunfire exchange, the Involved Citizen continued to flee down N. Charles Street with Officers in pursuit, but the officers soon lost him.

Officer #4 was with the other officers on N. Charles Street, but he did not fire his weapon because he was not in a good position to take a shot. In his later statement to investigators, Officer #4 stated that he saw the Involved Citizens turn in the middle of the street and fire at the officers.

In BWC video recorded after the incident, Officer #2 is heard telling Lt. #1 that as he came around the corner the Involved Citizen "reached back and discharged at us a second time, at which time I was discharging at him..." Officer #2 later also stated that as they, "chased him [the Involved Citizen] around the corner he definitely reached back and fired a few more at us as we came around the corner..."

On Officer #2's BWC camera, Officer #3 can be seen stating, while making a shooting motion with his hand and finger, that the Involved Citizen, "literally went back and went just bam, bam, bam."

Later investigation found four (4) spent 9mm Luger shell casings on N. Charles Street that came from the Involved Citizen's gun. Firearms analysis found that these four (4) 9mm Luger spent shell casings were fired from the same unknown firearm that had shot the nine (9) 9mm Luger spent shell casings recovered from inside the 7-Eleven. In total, during the 2nd gunfire exchange on N. Charles Street, Officer #3 fired fourteen (14) shots, and Officer #2 fired ten (10) shots.

While the Officers attention was focused on the armed, taller Involved Citizen who had fled up N. Charles Street, the shorter Involved Citizen, wearing the grey head covering, went out the front door of the 7-Eleven and ran the other way down Saratoga Street. Officers gave chase, and CitiWatch attempted to track the Involved Citizen, but they soon lost him.

SUMMARY OF THE EVIDENCE

FIREARMS ANALYSIS

The Involved Officer's Firearms Analysis Unit analyzed the firearms evidence recovered from the scene and came to the following relevant conclusions:

- The thirteen (13) recovered 9mm Luger cartridge cases were fired from the same unknown firearm.
- Ten (10) .40 S&W spent cartridge cases were fired with same firearm that had the class characteristics most common to Glock and S&W Series firearms.
- Fourteen (14) .40 S&W spent cartridge cases were fired with same firearm that had the class characteristics most common to Glock and S&W Series firearms.
- Five (5) .40 S&W spent cartridge cases were fired with same firearm that had the class characteristics most common to Glock and S&W Series firearms.

LOCATION OF THE 9MM LUGER SHELL CASINGS

A total of thirteen (13) 9mm Luger spent shell casings that the evidence indicates were fired from the taller Involved Citizen's firearm were recovered from the scene. The Physical Evidence Inventory lists the following locations for where the 9mm Luger casings were recovered:

- Two (2) 9mm Luger casings were recovered from the 7-Eleven store floor.
- Three (3) 9mm Luger casings were recovered from the 7-Eleven 1st floor rear office.
- Four (4) 9mm Luger casings were recovered from the 7-Eleven 2nd floor hallway.
- Two (2) 9mm Luger casings were recovered from the street in front of 313 N Charles Street.
- Two (2) 9mm Luger casings were recovered from the sidewalk in front of 315 N Charles Street.

KGA/CAD

The KGA radio transmissions that were reviewed appear consistent with the CAD report.

The following are relevant CAD entries:

1:08:27	Suspects walk into view from Pleasant & Charles
1:10:04	Suspects look into/walk past store
1:10:59	Suspects enter store
1:10:11	CitiWatch calls out 10-31 armed robbery at 7-11 300 N Charles
1:11:11	Officer 10-61
1:11:50	Officer 10-23
1:12:18	Officer 10-61
1:12:18	Officer audio begins
1:12:20	Officer audio begins
1:12:41	Suspects attempt to exit the rear door
1:12:45	Officers 10-23, Officer 10-61
1:12:51	Discharging in the front doorway
1:13:17	Continued discharging from within the store
1:13:58	Armed suspect exits store, flees north
1:14:06	Suspect fires upon officers
1:14:12	Unarmed suspect exits, store, flees west
1:14:27	Officer 10-61

1:15:09

Officer 10-61

BODY WORN CAMERA (“BWC”) VIDEO**1. Officer #2: Body Worn Camera Video, January 16, 2018**

01:12:08	Arrives at scene and gets out of patrol car.
01:12:41	Passes the front of the 7-Eleven and goes down to the side door to confront an Involved Citizen attempting to escape out the back door of the 7-Eleven. Officers can be heard identifying themselves as police. The Involved Citizen appears to back away from the door.
01:12:52	A number of shots can be heard that appear to come from inside the 7-Eleven. (Likely when the Involved Citizen attempted to shoot out the lock of the door).
01:13:32	Officer #2 takes cover behind a van and covers the back door where the Involved Citizens tried to escape.
01:14:06	Officer #2 runs over to the N. Charles Street in pursuit of the Involved Citizen who went out the front door escaped up N. Charles Street.
01:14:15	Officer #2 takes a firing position on N. Charles Street and fires a number of shots up the street.
01:14:19 – 01:21:18	Runs down N. Charles Street in pursuit of the taller Involved Citizen. Spends the next few minutes searching the streets for the Involved Citizen who had ran up N. Charles Street.
01:22:50	Officer #2 tells Lt. #1 what happened. In relevant part, Officer #2 states that as he came around the corner from the front of the store “he [the Involved Citizen] reached back and discharged at us a second time, at which time I was discharging at him...”
01:31:40	Officer #2 states, that “when you [Officer #3] chased him around the corner he definitely reached back and fired a few more at us as we came around the corner...”

2. Officer #3: Body Worn Camera Video, January 16, 2018

01:12:45	BWC begins with Officer #3 running to the front of the 7-Eleven.
01:12:50	Officer #3 follows another officer into the 7-Eleven and it is likely that the first exchange of gunfire occurs. (However, the BWC is blurry and there is no audio so it is difficult to make out what is happening just based on this BWC).
01:13:09	Officer #3 takes cover behind a van and patrol car at the side of the 7-Eleven.
01:13:15	Audio begins
01:13:49	Officer #3 moves across the street and appears to be covering the front door of the 7-Eleven.
01:14:03	Runs over to N. Charles Street (likely after seeing the taller Involved Citizen run out the door and down N. Charles Street).
01:14:07	Discharges his firearm down N. Charles Street. (The BWC is too blurry to see exactly what he is shooting at). Appears to replace his magazine.
01:14:17	Starts running down N. Charles Street and checking side streets for the Involved

	Citizen.
01:21:26	Returns to 7-Eleven and helps secure the scene for the remainder of the BWC

3. Officer #1: Body Worn Camera Video, January 16, 2018

01:14:27	BWC Video begins after the exchange of gunfire.
01:15:03	Officer #1 gets in a patrol car and joins in the pursuit of the Involved Citizen wearing the gray head covering.
01:15:44	Gets out of the patrol car and starts searching side streets for the Involved Citizen.
01:27:10	Returns to 7-Eleven and helps secure the scene and interview bystanders.
01:50:50	Gets into a patrol vehicle and sits for the remainder of the BWC.

4. Officer #4: Body Worn Camera Video, January 16, 2018

01:12:17	BWC begins with Officer #4 driving to the scene.
01:12:43	Arrives and gets out his patrol car and goes to the side door where the Involved Citizens are attempting to escape.
01:12:53	A number of shots are heard. (Likely from inside the store as the Involved Citizen attempts to shoot out the door lock).
01:13:06	Officer #4 takes cover behind a white van.
01:14:04	Runs over to the N. Charles Street side of the 7-Eleven in pursuit of the taller Involved Citizen who has run down N. Charles Street.
01:14:11	Takes cover behind a car and does not appear to shoot down N. Charles Street with Officer #2 and Officer #3.
01:14:22	Gets into a patrol car to search for the shorter Involved Citizen who had run down Saratoga Street. Continues the pursuit down side streets on foot.
Remainder of the BWC	Continues searching for the Involved Citizens for the remainder of the BWC.

WITNESSES STATEMENT SUMMARIES

LAW ENFORCEMENT WITNESSES

1. Police Officer #5, Interview on January 16, 2018

Officer #5 provided the following relevant information:

CitiWatch called out an armed robbery in progress at the 7-Eleven store. They went up to the door of 7-Eleven and the Involved Citizens were still in there and he saw only one of them with a gun. It was the tall one who had a gun. When they opened the door to the 7-Eleven the Involved Citizens fired his gun at them. Officer #5 didn't return fire, but Officer #1 did. The shorter Involved Citizens had a black jacket and a light gray

hoodie. The taller one was wearing a black jacket and was about six feet tall. Officer #5 only saw the taller Involved Citizen with a gun. Officer #1 went into the 7-Eleven first and Officer #5 went after him when the shooting started. The Involved Citizen was standing near the register when he started firing his weapon. Officer #5 wasn't sure how many shots were fired. They then retreated and took cover outside behind a van and the Involved Citizens went to the back of the store to try to escape. Two officers went to the back of the store to respond to the door where the Involved Citizens were trying to get out. Then one Involved Citizen came out of the front and ran up N. Charles Street, and later the other Involved Citizen came out and ran down Saratoga Street. Officer #5 didn't personally see either Involved Citizen leave the 7-Eleven, he just heard about it from other officers. Officer #5 chased the shorter of the two Involved Citizens but lost him. Officer #5 didn't discharge his weapon because when they first went into the 7-Eleven Officer #1 was in front of him and in his line of fire. Officer #1 got all the way into the store before the shooting started. Officer #5 was still in the doorway when it started. The armed Involved Citizen had a gun with an extended magazine on it.

2. Police Officer #4, *Interview on January 16, 2018*

Officer #4 provided the following relevant information:

Officer #4 was riding that night with Officer #3 when the incident occurred. CitiWatch called an armed robbery in progress at the 7-Eleven on N. Charles Street. Officers #4 and #3 responded because they were only a few blocks away. When Officer #4 arrived at the scene the Involved Citizens were trying to go out the back door and there were three other officers trying to cut them off. Officer #4 got out and stood cover. The Involved Citizens then realized that the police were at the back door and so they went back up to the front door. Other officers then went to the front door and there was an exchange of gunfire at the front door. Officer #4 stayed and secured the back door on Saratoga Street. CitiWatch then called out that one of the Involved Citizens had exited the store and was running up N. Charles Street. Officer #4 and other officers gave chase and he saw the Involved Citizen turn in the middle of the street and fired down at the officers. Officer #4

was in the cross fire, took cover and did not return fire, but the other officers fired back. Officer #4 did not shoot because he was just not in a good spot to fire. CitiWatch then said the other Involved Citizen had left the store and was going down Saratoga Street. Officer #4 went to chase that Involved Citizen and got in his patrol car to try to follow him. Officer #4 only really saw the taller Involved Citizen and remembers seeing him turn around and fire at them while he was running up N. Charles Street. Officer #2 returned fire at the Involved Citizen on N. Charles Street. Officer #4 did not see any other witnesses around. Officer #4 wasn't sure how many shots were fired, but both the Involved Citizens and the other two officers fired a lot of rounds.

3. Lt. #1, Interview on January 16, 2018.

Lt. #1 provided the following relevant information:

When Lt. #1 pulled up to the 7-Eleven all the other officers were pursuing the Involved Citizens and so she went into the 7-Eleven, checked the store employees, and started to clear the store. When she walked inside, she could see bullet holes and spent casings on the floor of the store. She also observed where the Involved Citizens had attempted to shoot out the back door in their attempt to escape. The store employees were lying on the ground when she entered the store. The employees did not appear injured.

Officers #3 and #2 told her that they had discharged their weapons and about fifteen minutes later Officer #1 texted her to advise her that he had also discharged his weapon. Officer #1 appeared the most shaken-up from the incident. Officer #1 later advised Lt. #1 that there was a delay in activating his BWC because while he had initially thought that he had activated his BWC, it turned out it was not on, and he activated it as soon as he realized it was not on.

4. CitiWatch Operator #1, (CitiWatch Camera),

CitiWatch Operator #1 provided the following relevant information:

Operator #1's duty at CitiWatch was to monitor the downtown area CitiWatch cameras. On the night of the incident, he was monitoring the area. At about 1:09 a.m., he saw two males walking south on Charles St. that matched the description of Involved Citizens

who had committed recent robberies (two robbers where one was tall and the other was shorter). He also saw that they were possibly casing the 7-Eleven so he got more cameras operating in the area. It looked like right before they went into the 7-Eleven the taller one put on a mask, and once they got into the store it looked like the taller one got out a weapon. At this point, he called out there was robbery in progress. When Officers responded to the scene, he continued to monitor the cameras and the situation. When he saw the Involved Citizens leave the store separately, he advised the officers on the scene that they had left the store. CitiWatch tried to follow the Involved Citizens through CitiWatch cameras as they fled, but eventually they lost them. He could see that the taller Involved Citizens had a gun with an extended magazine.

5. CitiWatch Employee #2, (CitiWatch Camera),

CitiWatch Employee #2 provided the following relevant information:

He was CitiWatch Employee #1's supervisor on the night of the incident. After CitiWatch Employee #1 advised of the robbery in progress, he assisted him and helped operate the radio to communicate with KGA and the officers. He also monitored the situation through CitiWatch cameras. Through the CitiWatch cameras he saw one of the Involved Citizens hold what looked like a semiautomatic pistol.

INVOLVED OFFICER STATEMENTS

The Involved Officers did not make any formal statements to SIRT detectives.

CIVILIAN WITNESSES

1. CW #1, *Interview on January 16, 2018*

CW#1 provided the following relevant information:

CW#1 was working in the 7-Eleven that night when he saw two guys walk into the store. One guy was tall and wearing a mask and the other guy was shorter. The tall guy had a gun, but the second, shorter guy did not have a gun. They first checked the back to see if anyone was there. They then they started to take the money out of the two registers and

put it into a bag.

While they were taking the money, the Involved Citizens saw the police beginning to arrive at the front. When they saw the police, the Involved Citizens asked him if there was an emergency exit in the back. One Involved Citizens then put a gun to CW#1's back and told him to show the Involved Citizens the emergency exit. When they got to the back of the store the Involved Citizens told him to open the back emergency exit. He tried to open the door, but he could not and they heard the police on the other side of the emergency exit door. After CW#1 could not get the door open, he lay on the floor in the back office and heard many gunshots inside the store, but did not know what was going on and does not know exactly how many shots there were. He stayed in the office and didn't see the Involved Citizens leave the store.

2. CW#2, Interview on January 16, 2018.

CW#2 provided the following relevant information:

CW#2 was working in the 7-Eleven when guys walked in the store and pulled a gun. The males were wearing masks and one was tall and the other was short. Only one of the two, the taller male, had the gun. When the Involved Citizens walked in they told him to sit down and ordered his coworker to open the register. The short guy held the plastic bag they were putting the money from the cash register. While they were taking the money from the register, they saw the police start arriving outside. The Involved Citizens were in the store for approximately 2-3 minutes before the police arrived. When the Involved Citizens saw the police they told his coworker to show them the back emergency door. When Involved Citizens were in the back of the store, he heard two gunshots inside of the store. The first two gunshots he heard were in the rear of the store, and then he heard gunshots from the front of the store. The taller Involved Citizens left the store first, then the shorter one left the store. After the Involved Citizens left the police officers came into the store. CW#2 did not call the police, but when he saw them outside he waved to them. He doesn't remember how many gunshots he heard. When the Involved Citizens first came in they told him not move and then the short Involved Citizens told him to sit down by the register.

LEGAL ANALYSIS

In *Graham v. Connor*, 490 U.S. 386 (1989), the Supreme Court set the standard for when a police officer's use of force is justified. If the officer's actions are "objectively reasonable" in light of the facts and circumstances confronting the officer, without regard to their underlying intent or motivation, the force is justified. See *Graham v. Connor*. Maryland law also recognizes self-defense as a complete defense to a crime. An officer acts in self-defense if all of the following factors are present:

1. The officer was not the aggressor;
2. The officer believed that he was in immediate and imminent danger of bodily harm;
3. The officer's belief was reasonable; and
4. The officer used no more force that reasonably necessary to defend himself.

Officers #1, 2 and 3 meet the four legal factors listed above and the standard set forth by the Supreme Court to justify discharging their weapons at the Involved Citizen. CCTV video shows a robbery in progress. Officers were dispatched to the scene. BWC video shows two men attempting to rob the store. One of the men is armed. As the police surrounded the store, the taller Involved Citizen, exited through the front door, shooting at the police. The police returned fired. A foot pursuit ensued. During the foot pursuit, the taller Involved Citizen again discharged his weapon at the officers. The officers returned fire.

Under these circumstances, where the Involved Citizens were committing an armed robbery, and discharged a weapon at the officers on two occasions, there is sufficient evidence to support a finding that Officers #1, 2 and 3's use of deadly force towards the Involved Citizen was objectively reasonable to protect himself from the immediate and imminent danger of death or serious physical injury from the Involved Citizen.

CONCLUSION

Given that BWC video shows: (1) an armed robbery was in progress, (2) an Involved Citizen armed with a firearm shooting at the police while trying to escape out of the store and (3) a foot pursuit between the Involved Citizen in which he again discharged his firearm at the police, it would be objectively reasonable for the officers to conclude that their safety was at risk. The decision to use force was justified under the Maryland law of self-defense and the standard put forth by the Supreme Court in *Graham v. Connor*.

The officer's action in this case did not rise to a level of criminal culpability. Therefore, the State declines to prosecute the officer.



CitiWatch Camera (1:10:46) After appearing to case the 7-Eleven before the robbery, the two Involved Citizens enter the front door. (Picture enhanced to make it brighter.)



Store Surveillance Camera (1:11:01): The two Involved Citizens entering the 7-Eleven. The taller Involved Citizen entering first appears to be holding a pistol. The second Involved Citizen, wearing the gray head covering, is following him in.

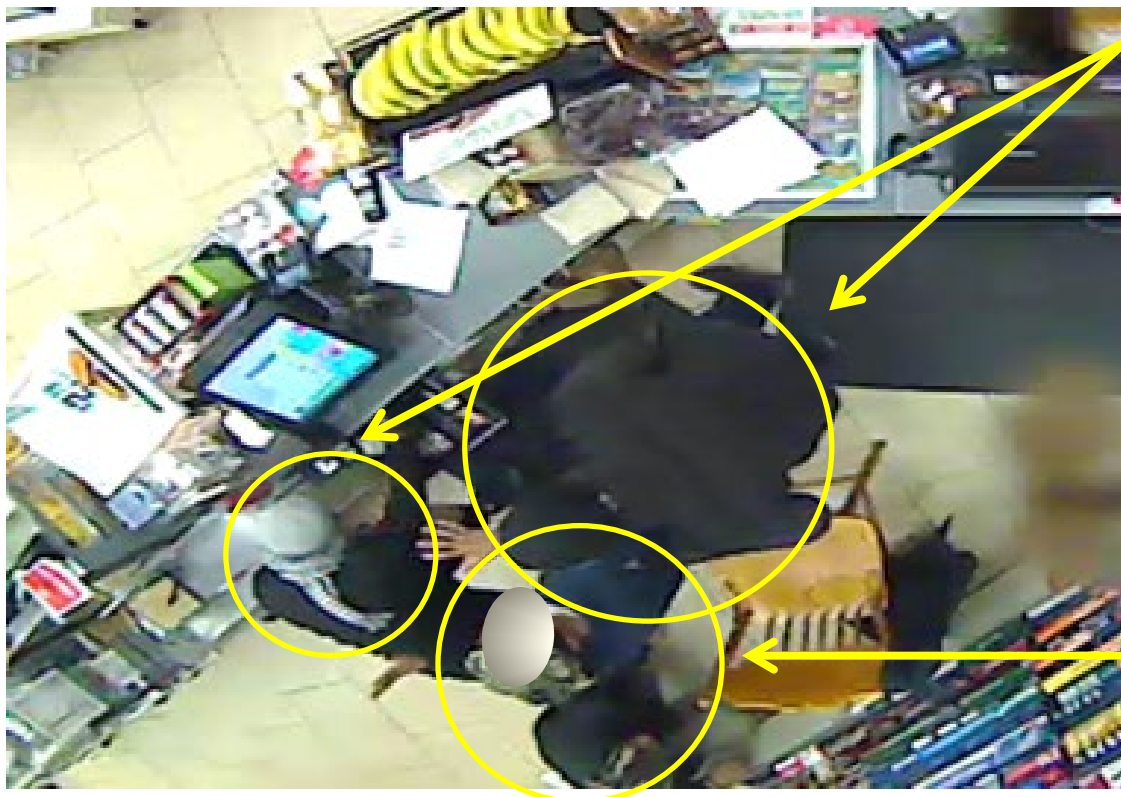


Involved Citizen wearing the gray head covering

Taller, Armed Involved Citizen

Store Clerk

Store Surveillance Camera (1:11:03): The armed Involved Citizen points the handgun at the clerk and announces a robbery.



Involved Citizens

Store Clerk

Store Surveillance Camera (1:11:35): Both Involved Citizens are behind the counter with a store clerk. They are taking the money out of the register and putting it into what looks like a plastic bag from the store.



Involved Citizens

Store Clerks

Store Surveillance Camera (1:12:05) The Involved Citizens were going towards the front door, but appeared to see the police arriving and so have begun moving towards the back of the store to find another way out.



(1:12:25) Taking a clerk to look in the back of the store to look for a way to escape.



(1:12:31) A Store Clerk is using a hand gesture to tell the police outside the front door that the Involved Citizens are trying to get out through a back door on that side of the building.

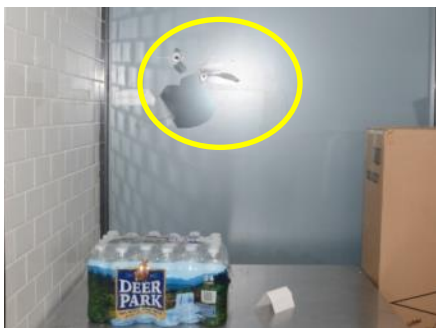


CitiWatch Camera (1:12:40): Police officers are at the side of the building where the Involved Citizens are inside attempting to escape out a side door.

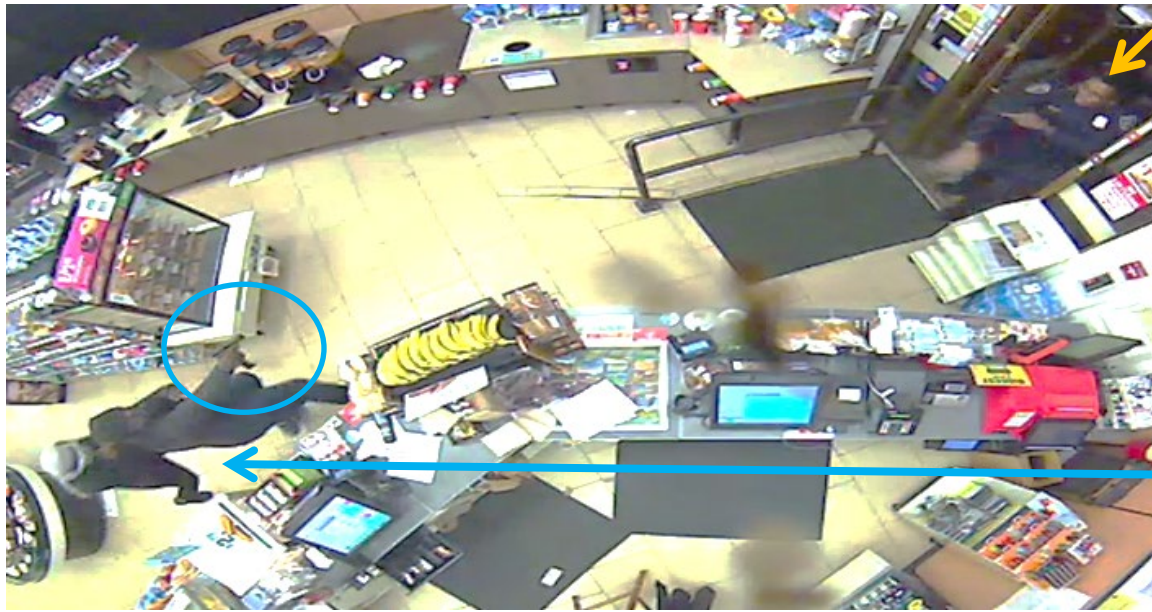


Shadow of a person trying to open the door.

Police officers are at the side of the building where a shadow of a person on the other side is seen attempting to open the door. Moments after this screenshot, gunshots are heard from inside the store as the Involved Citizens attempt to shoot open the door.



Crime scene photographs showing bullet holes from where the Involved Citizen attempted to shoot their way out.



Officer Warren

Involved Citizens

Store Surveillance Camera (1:12:52): After being unable to get out a back door, the Involved Citizens returned to the front of the store and are being confronted by Officer Warren standing at the front door. The first Involved Citizen is pointing his pistol at the officers.



Involved Citizen pointing his pistol at the officers.

Officer

INVOLVED

CitiWatch Camera (1:12:51): Camera view from outside the store at approximately the same time as the above screenshot. Right before the exchange of gunfire the Involved Citizen's pistol is pointed directly at the officers.



Store Camera (1:12:53): Camera is positioned above the front door showing the exchange of gun fire. The Involved Citizen fires as he retreats to the back of the store. The muzzle flash from the Involved Citizen's gun is visible.



Store Camera (1:12:53): Camera is aimed at the front door showing an Officer pointing his firearm at the Involved Citizens.



Store Camera (1:12:17): After the exchange of gunfire with police, the Involved Citizens went to the back of the store again looking for a way out. The above screen shot shows the armed Involved Citizen frantically running back and forth, apparently looking for an exit.

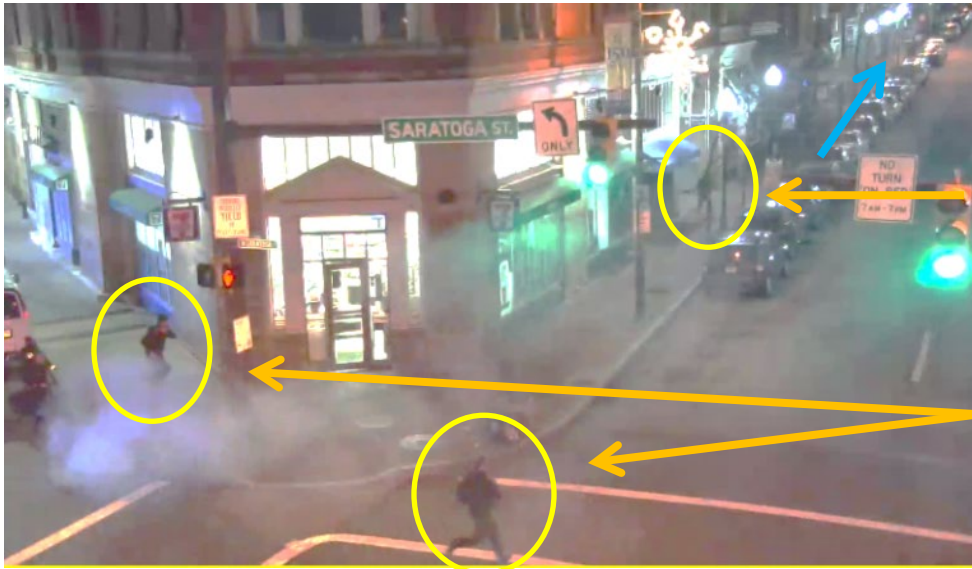


Store Camera (1:13:55): After failing again to find a way out the back, the armed Involved Citizen goes out the front door openly carrying a pistol.



CitiWatch (1:13:58):
 The taller armed Involved Citizen goes out the front door and runs towards the right of the screen onto N.Charles Street.

INVOLVED OFFICERS were taking cover behind the van on



CitiWatch (1:14:03):
 The armed Involved Citizen running north (blue arrow direction) on N. Charles Street.

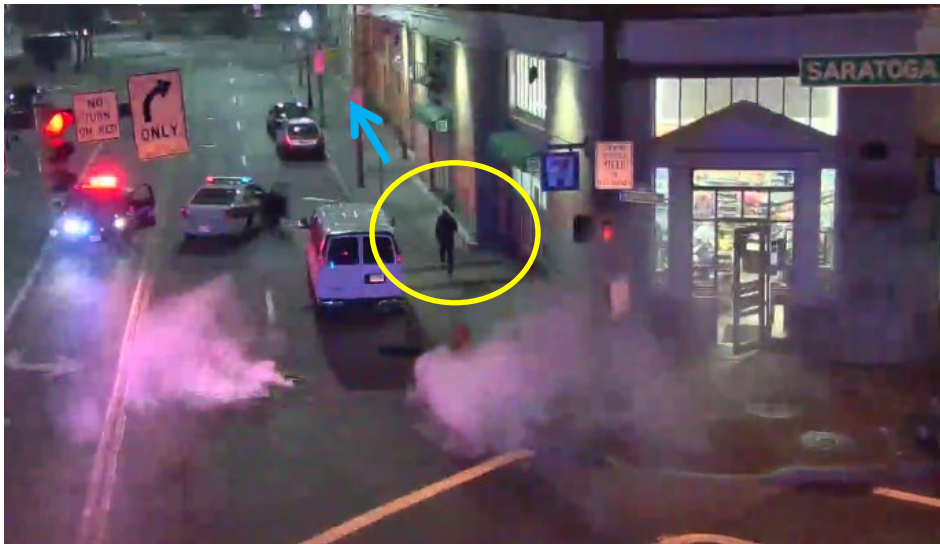
INVOLVED OFFICERS Officers are seen coming from the



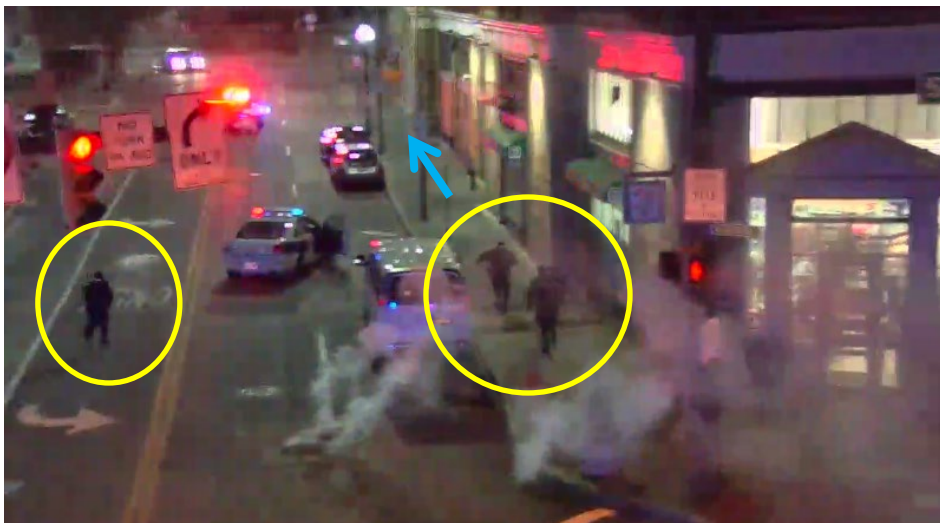
CityWatch (1:14:07):
 The Involved Officers taking cover and returning fire up Charles Street at the Involved Citizen. (The blue arrow shows the direction they are firing).



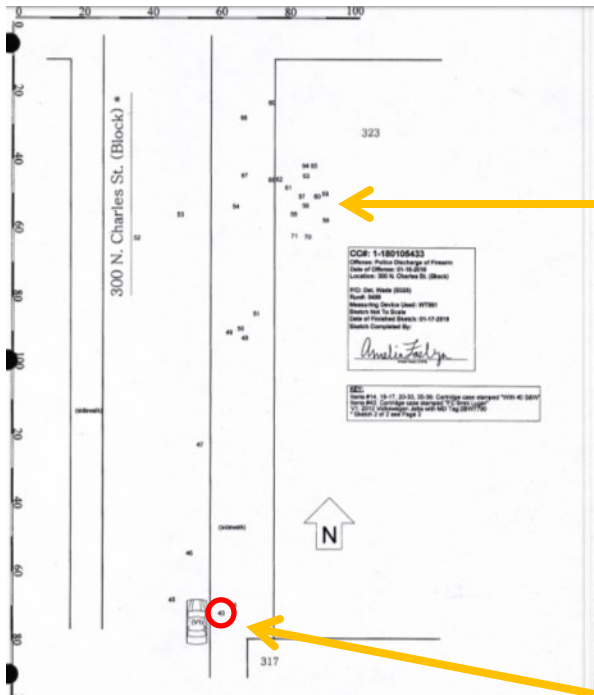
Store Camera (1:14:13): The Involved Citizen wearing the gray head covering going out the front door of the 7-Eleven a few seconds after the taller Involved Citizen had gone out the front door.



Citi Watch (1:14:17): The Involved Citizen wearing the gray heading covering escapes down Saratoga street while the officers are focused on the taller Involved Citizen on the other side of the 7-Eleven on N. Charles St. (Blue arrow shows direction he is running in.)

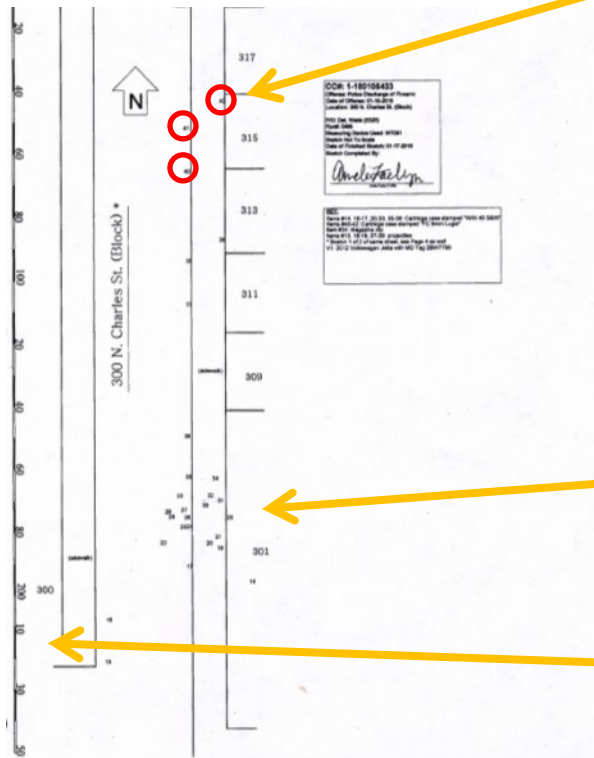


CitiWatch (1:14:37): Officers pursuing the Involved Citizen wearing the gray head covering fleeing down W. Saratoga St.



The top of the diagram show locations of evidence markers where projectile and bullet fragments were recovered.

The red circles show where 9mm Luger spent shell casings were recovered. The locations indicate that the taller Involved Citizen discharged his weapon while he was running north on N. Charles St.



Evidence markers primarily showing the location where the Involved Officers' WIN .40 S&W spent shell casings were recovered.

The front door of the 7-Eleven.

A reproduction of two separate crime scene sketches (not to scale) showing where the 9MM Luger spent shell casings were recovered in relation to the front door of the 7-Eleven.