

REPORT BY OFFICE OF THE BALTIMORE CITY STATE'S
ATTORNEY ON THE CITIZEN FATALITY LOCATED IN THE
4900 BLOCK OF PEMBROOK ROAD



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CITY

TABLE OF CONTENTS

I. INTRODUCTION..... 3

II. OVERVIEW OF THE INCIDENT4-6

III. SUMMARY OF THE EVIDENCE.....6-11

IV. LEGAL ANALYSIS11-12

VI. CONCLUSION.....12

VII. EXHIBITS.....13-24

INTRODUCTION

The Baltimore City State's Attorney's Office (BCSAO) completed its review of the civilian fatality in the 500 block of Highgate Drive. The BCSAO review was conducted by the office's Public Trust and Police Integrity Unit 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 policies and procedures, his 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 March 24, 2019, a Baltimore City Police Officer (hereinafter referred to as the Involved Officer) joined other Baltimore Police Officers who responded to a citizen call for police assistance in which an assault and possible sex crime had occurred.

A resident of the address where the police responded (hereinafter referred to as the Involved Citizen) refused to cooperate with the officers, refused to come out of his home when ordered to, and threatened to kill the police officers.

The Involved Officer (and one other officer next to him) saw the Involved Citizen open his back door. They believed the Involved Citizen to be reaching for a weapon, and the Involved Officer fired his rifle at the Involved Citizen. One bullet struck the Involved Citizen, ultimately leading to his death.

As detailed below, when all available evidence is considered, the Involved Officer's actions did not rise to the level of criminal conduct. The Baltimore City State's Attorney, therefore, declines to pursue criminal charges in this matter.

OVERVIEW OF THE INCIDENT **(Police-Involved Fatal Shooting)**

Close to midnight on March 24, 2019, Officer #1 responded to 4906 Pembridge Avenue for a report of an assault. Officer #1 met with Alleged Victim #1 who claimed that she had been beaten and choked by the Involved Citizen. Officer #1 located the Involved Citizen at his home and attempted to speak with him. However, as Officer #1 first confronted the Involved Citizen at the front door to his house, the Involved Citizen opened his door (with a pit bull dog at his side) and approached Officer #1 and another officer while instructing them to get off of his property. Fearing the dog, the officers retreated to outside the fenced-in area of the Involved Citizen's property. The Involved Citizen then turned to go back into his house, and as he did so he stated, "I'm going to get my gun."

4906 Pembridge Avenue is a traditional townhouse, 3rd from the end unit, with access from the front of the house (on Pembridge) as well as a back door access from the rear (unnamed alley). Several additional officers were called for, and as they arrived they took tactical positions around the Involved Citizen's house, several at the front of the house and two at the rear in the alley.

Officers #2 and #3 were positioned in the alley, one from the north and the other from the south. According to the two officers, the Involved Citizen opened his back door, and with a gun in hand, stated, "if you come on my property, I'm gonna pop you." Both officers confirmed hearing the threat and seeing the gun. This information was shared with all other officers at the scene. The sergeant then radioed, "...the situation has escalated to an armed person."

Officer #1 learned from a nearby civilian that the Involved Citizen had previously killed a police officer. He then radioed all units that, "the suspect is extremely dangerous and has killed a police officer in the past."

Approximately 8 minutes later, dispatch informed officers on scene that an unknown male (presumed at that time to be the Involved Citizen) had just called 911 and informed dispatch that he was going to shoot the police.

The Involved Officer arrived and positioned himself in the back alley near Officer #3, approximately 50-60 feet from the Involved Citizen's back door. The Involved Officer was trained and qualified to be armed with a departmental issued and regulated rifle, and he armed himself with that rifle. He stood in the alley way with his rifle trained on the back door where the Involved Citizen had last been seen.

Approximately 9 minutes after the 911 call, and dispatch had radioed information that the caller was going to shoot the police, and approximately 2 minutes after the Involved Officer had positioned himself in the rear alleyway, the Involved Citizen emerged from the back door again. Officer #2 advised other officers that the Involved Citizen had opened the door, then verbally ordered him, "come out, you're under arrest, hands up" while the Involved Officer simultaneously yelled, "let me see your hands, let me see your hands." The Involved Officer then fired two shots from his rifle. No other officer discharged his firearm.

The Involved Officer stayed in a "ready cover" position with his rifle trained on the back door, while other officers radioed about the shots they just heard. There was confusion about who fired

the shots, until approximately 4 minutes after the shots were fired, when the Involved Officer radioed that he had fired the shots, and that he was safe. Sgt. #1 asked for verification as to whether the Involved Citizen had fired shots or not. The Involved Officer replied, "...he came out, he was withdrawing a weapon from his waistband, I fired 2 rounds, he ran back inside. I don't know if he's hit or not."

The Involved Citizen had in fact retreated into his house where, it was later learned, he collapsed a few feet inside the door and died from a single gunshot wound to his lower abdomen (severe bleeding and intestinal damage).

Officers continued to wait for SWAT units until Civilian #1 emerged from the residence and indicated that the Involved Citizen appeared to be asleep on the kitchen floor. SWAT arrived and entered the home, and found the Involved Citizen deceased on the kitchen floor. OCME officials arrived, confirmed death, and took custody of the Involved Citizen's body.

A thorough search of the house was conducted. No gun was ever located. A knife was found in the bedroom, and Civilian #1 admitted that she moved it from downstairs to the upstairs bedroom, but was unable to explain why.

TIMELINE OF THE INCIDENT

2339:01 (3/24)	Dispatch call to 4906 Pembroke Avenue for an assault
2341:50	Dispatch advises that mother's boyfriend beat her up and strangled her
2342:35	Sgt. #1 requests a medic
2352:41	Sgt. #1 suggests leaving the scene and pursuing via District Court Commissioner
2356:24	Officer #1 heard from civilian that the occupant in the house had previously killed a police officer—the officer then radioed that information
2356:45	The Involved Citizen comes out his back door and engages in conversation with Officers #1 and #2. The officers see a gun in the Involved Citizen's hand, and hear him threaten to "pop them" if they go onto his property.
2357:26	Officer #3 radioed that the suspect was armed with a gun.
0000:44 (3/25)	Sgt. #2 radioed, "the situation has escalated to an armed person."
0005:08	Unknown male made 911 call, stating that he was "going to kill police" that information was dispatched to officers on scene
0010:50	The Involved Citizen takes his tactical position at the rear of the house. Officer #3 is next to him. (Sgt. #3, a different officer with the same last name, is further down the alley way, with a visual on the Involved Citizen's back door, but out of the line of fire.)
0013:48	Officer #2 sees the back door open, says "the door's opening" in a soft voice. 1-2 seconds later, he yells, "come out sir, you're under arrest, hands up." At the same time, the Involved Officer yelled, "put up your hands, put up your hands."

0013:53	The Involved Officer fired two shots from his rifle. Officer #2 took cover. The Involved Citizen turned and went back into the house, where he collapsed.
0014:10	Signal 13 announced
0017:00	The Involved Officer radioed that he was the one who fired the shots and that he was not harmed.
0015:00	SWAT command arrives on scene
0017:30	Responding to a supervisor who inquired if the Involved Citizen had fired any shots or not, the Involved Officer responded, "He came out, he was withdrawing a weapon from his waistband, I fired 2 rounds, he ran back inside, I don't know if he's hit or not."
0115:00	SWAT command arrives on scene
0227:00	Perimeter is set, negotiators call inside house.
0240:00	Negotiators reach Civilian #1 inside of the house, they talk to her about coming out of the residence
0254:00	Civilian #1 comes out
0337:00	The Involved Citizen is located by SWAT as they clear the house

SUMMARY OF THE EVIDENCE

FIREARMS ANALYSIS

A Sgt. within the homicide division inspected the Involved Officer's .40 caliber pistol and his M4Carbine rifle. She found that the officer's pistol had not been discharged and that all rounds of ammunition were accounted for.

The inspection of the Involved Officer's rifle revealed that the firearm had 1 round in the chamber and 22 in the magazine, along with 3 full and unused additional magazines each loaded with 25 rounds. She concluded that the Involved Officer's rifle had been fired twice, consistent with what he told other officers at the scene.

Sgt. #3's .40 caliber pistol was also inspected, and verified to have not been discharged.

No other officers' guns were inspected.

AUTOPSY OF THE INVOLVED CITIZEN

The OCME performed an autopsy of the Involved Citizen. The pathological diagnosis found a single gunshot wound of the abdomen. The entrance point was on the right side of the lower abdomen, and was recovered from the right buttock. The direction was front to back, left to right, and slightly upward. The Involved Citizen suffered significant internal bleeding.

The opinion of the Assistant Medical Examiner, as signed off by the Chief Medical Examiner, is that the Involved Citizen died as a direct result of the single gunshot wound he suffered.

The toxicology report noted that the Involved Citizen's toxicology tests indicated that his ethanol concentration was .19 in his blood cavity, .29 in his vitreous humor, and .30 in his urine.

WEAPONS

The Mobile Crime Lab responded to the location of the officer involved shooting and photographed the scene as well as the Involved Citizen. A Crime Lab Tech recovered a 7” hunting knife in the bedroom. No other weapons were found during the search.

CADS/KGA

The KGA radio transmissions were reviewed for this legal review and the KGA appears consistent with the CAD report. The following are relevant KGA & CAD entries:

2339:01	Call is dispatched to 4906 Pembridge Avenue for an Assault
2341:50	Supplemental Information, caller advises she was beat up and strangled
2342:35	6A10 (Sgt. #2) requests medic
2352:41	6A09 (Sgt. #3) advises if suspect is inside and victim’s injuries are not life threatening, to go get the warrant to avoid a barricade situation
2356:24	6A14 (Officer #1) advises all units that the suspect is extremely dangerous and has killed a police officer in the past
2357:26	Unknown unit (likely Officer #2 or #3) that suspect is at the rear door pointing a handgun
0005:08	Unknown male (likely the Involved Citizen) calls and says he’s going to shoot police
0014:00	Unknown unit (likely Sgt. #2) calls out “shots fired”
0014:09	Signal 13 dropped
0017:02	6A20 The Involved Officer advises that he fired 2 rounds and not sure if he hit the suspect, suspect was back inside of the home

BODY WORN CAMERA (“BWC”) VIDEO

The following officers activated their BWCs, all of which have been reviewed.

1. The Involved Officer—has multiple videos, as his BWC seemed to cut out frequently. The relevant video began at 0009:34 hours on March 25, 2019, and lasted for 9 minutes and 36 seconds.
2. Sgt. #2—also has multiple videos, no known reason.
3. Officer #3—has 2 videos.
4. Officer #2—has 2 videos.
5. Officer #1—one video.

The BWCs of all officers support the “timeline” and list of “KGA/CAD” entries.

WITNESSES STATEMENT SUMMARIES

LAW ENFORCEMENT WITNESSES

1. Sergeant #2, BPD SIRT Interview, March 25, 2019

Sgt. #2 was interviewed by SIRT Detectives in the homicide unit offices on March 25, 2019 at approximately 0740 hours.

Sgt. #2 responded to the Pembridge Avenue location for a report of an aggravated assault in progress. He was the first on scene, and met with Victim #1 as she ran towards him and a medic unit, wearing only a bra and pants. She advised that she had been assaulted by the Involved Citizen inside of his residence. She also advised that the Involved Citizen had dogs and possibly a knife. After backup arrived, he approached the front door to confront the Involved Citizen. The Involved Citizen appeared at the door and began threatening him and Officer #1, telling the officers to not follow him as he turned and entered into his residence. The dog was barking and appeared dangerous, so they were forced to retreat to an area outside of the fenced-in yard.

Sgt. #2 notified Sgt. #4 of the situation. He (#4) then heard officers at the back door radio that the Involved Citizen had armed himself with a gun. Sgt. #2 then advised the medical units to take cover. He later heard two gunshots coming from the rear of the residence, and soon after SWAT arrived and took control of the scene. He later learned that the Involved Officer had fired the two shots.

2. Police Officer #3, BPD SIRT Interview, March 25, 2019

At approximately 0318 hours on March 25, 2019, Officer #3 was interviewed by SIRT Detectives. This interview occurred in the homicide unit offices.

Officer #3 responded to the Pembridge Avenue location and went to the rear alley way of the residence, where he met up with Officer #2. At that time, Officer #2 advised that he had not seen anyone exit the Involved Citizen's house.

The two officers, #2 and #3, secured the rear of the residence, each taking tactical positions opposite of each other. Officer #3 then heard the back door open and heard Officer #2 yell, "gun." Officer #2 took cover and then looked, and saw what he believed to be the Involved Citizen holding a gun. Officer #3 then quoted the Involved Citizen as stating, "If you come on my property I'm going to pop you" in the direction of Officer #2, and while still holding the gun. The Involved Citizen then turned towards him and pointed the gun at him (Officer #3) and said the same thing, "If you come on my property I'm going to pop you."

Officer #3 described the handgun to be silver in color. The Involved Citizen went back inside the residence. Sgt. #3 then arrived and took over for Officer #3, instructing him (#3) to go do traffic control at a nearby intersection. As Officer #3 was walking in the area of the front of the address, he heard two gun shots. He then attended to traffic control.

3. Police Officer #2, BPD SIRT Interview, March 25, 2019

On March 25, 2019, at approximately 0825 hours, Detectives interviewed Officer #2 in the offices of the homicide unit.

Officer #2 was dispatched to the Pembridge Avenue address as a back-up unit for an assault call. When he arrived, he was briefed by other officers on scene that an assault had occurred and that the suspect had run back into his residence. Sgt. #2 instructed Officer #2 to go to the rear of the location in case the suspect attempted to run out the back door.

Officer #2 heard that an incident with dogs was happening out front, so he responded there to assist, but was instructed to return to the rear. As he did that, he heard Officer #1 advise via KGA that he had received information from the victim that the Involved Citizen had killed a police officer previously.

The Involved Citizen then appeared out of the back door, lifted his shirt and showed what appeared to be the butt end of a handgun. Officer #2 did not see the suspect raise the weapon at that time, but saw the Involved Citizen use his fingers to point at the officers while saying, "I'm gonna pop you if you step on my property." At that time, the Involved Citizen grabbed his firearm and put it down along his leg. Officer #2 stated that at that time he took cover behind his police vehicle, and communicated to other officers (via radio) that he had just seen the suspect armed with a handgun, and that the suspect had retreated into his house.

The Involved Officer arrived and armed himself with his AR-15. The Involved Officer got into position, and Officer #2 maintained cover along with the Involved Officer when he observed the Involved Citizen come back onto the back porch of the property, where he raised the weapon with his right hand in the direction of the officers. Officer #2 gave verbal commands, and then heard two gunshots. Initially he thought the Involved Citizen had shot at him, but then quickly realized that the Involved Officer had fired the shots. He and the Involved Officer held their positions until SWAT arrived and cleared the interior of the house.

4. Police Officer #1, BPD SIRT Interview, March 25, 2019

Officer #1 was interviewed at 1022 hours on March 25, 2019, at the offices of the BPD homicide unit. He was interviewed by SIRT Detectives.

Officer #1 went to the Pembridge Avenue location for an aggravate assault, and once he arrived he and Sgt. #2 attempted to confront the accused suspect, the Involved Citizen, at his residence. When the Involved Citizen opened his front door, he approached the officers with what appeared to be a dangerous dog, while he (the Involved Citizen) was yelling, "This is my property, get the fuck out, this is my property." The dog was aggressive and he and Sgt. #2 had to retreat and use the fence for safety.

Officer #1 attempted to talk to the Involved Citizen, who continually stated, "fuck you, fuck you." The Involved Citizen then retreated into the house and closed the door, only to open it again and state, "I am going to shoot you, I'm coming back out with my gun," and then he closed the door.

Officer #1 spoke with Victim #1, who reported that she had been inappropriately touched by the Involved Citizen, and later violently assaulted about her neck. She then told Officer #1 that the Involved Citizen had previously killed a police officer 20 years ago, information that Officer #1 then conveyed (via radio) to other officers.

Officer #1 learned that Officers #2 and #3 had seen the Involved Citizen armed with a gun, and that they had been threatened by the Involved Citizen in the back alley. Soon after, Officer #1 heard two gun shots.

CIVILIAN WITNESSES

1. Civilian #1, BPD Interview, March 25, 2019

On March 25, 2019, at approximately 0650 hours, Civilian #1 was interviewed by Detectives from the SIRT division. The interview occurred at the BPD homicide section offices.

Civilian #1 indicated that she has been in a relationship with the Involved Citizen for approximately 18 years, and was inside of 4906 Pembridge Avenue with the Involved Citizen and alleged Victim #1, a younger woman who had been staying with them (Citizen #1 and the Involved Citizen) for a short period of time. The three of them had been drinking alcohol for most of the day, and were “tipsy.” Civilian #1 told the Involved Citizen to go upstairs and sleep, but he refused—so she went upstairs instead. Later, she heard arguing downstairs between the Involved Citizen and alleged Victim #1. She wasn’t sure, but thought that the argument was over the Involved Citizen wanting to have sex with the alleged Victim #1. She could hear the argument and even saw some of it, noting that there was some degree of physical violence—but she stayed out of it and retreated upstairs.

After Victim #1 left, Civilian #1 looked outside and saw a police vehicle approaching the property. She went to the door, but the Involved Citizen ordered her to leave the door closed. She again retreated upstairs.

Civilian #1 claims to not have heard or seen anything else prior to hearing two gunshots (which was approximately 32 minutes after the first officer arrived). After hearing the gunshots, she went downstairs and found the Involved Citizen laying on the kitchen floor. She touched him and he was still warm. She thought he was asleep. There was no visual sign of trauma (gunshot).

Civilian #1 then said she took a knife that was lying on the ottoman and took it upstairs and placed it in a dresser drawer in the bedroom. She could not explain why she did that. Eventually, she exited the residence and met with the police officers.

2. Alleged Victim #1, BPD Interview, March 25, 2019

Alleged Victim #1 was interviewed by SIRT detectives on March 25, 2019, at approximately 0621 hours, also at BPD homicide section offices.

The alleged Victim #1 indicated that she, Civilian #1 and the Involved Citizen had been drinking together all day. She explained that she believed that Civilian #1 was the girlfriend of

the Involved Citizen, and that she (Victim #1) had never had any type of intimate relationship with the Involved Citizen.

The alleged Victim #1 stated that at some point in the evening, the Involved Citizen became belligerent towards herself and Civilian #1. She (Victim #1) called a friend and asked to be picked up and taken away, but the Involved Citizen grabbed her phone and took it from her. A physical assault then took place, in which the Involved Citizen attempted to choke her. The alleged Victim #1 escaped and went to a neighbor's house, 3 doors down from the Involved Citizen's house.

Once officers arrived, she told them that she was only aware of a knife belonging to the Involved Citizen being in the house, but that she also knew of an incident a number of years ago in which the Involved Citizen shot a police officer.

The alleged Victim #1 did not see what happened between the Involved Civilian and the officers but that she did see the officers "in position" outside. She did hear the gunshots.

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*. Graham requires consideration of what the officer reasonably believed at the moment he pulled the trigger.

In this case, the Involved Officer was aware of the following facts:

-The Involved Officer arrived on scene after several other officers, and most of what he knew, or thought he knew, came from those other officers or dispatchers.

-The Involved Civilian was accused of violent and felonious crimes that allegedly occurred just prior to the initial police presence.

-The Involved Civilian was refusing to cooperate with the officers on scene from the very onset and was verbally and openly threatening to kill the officers.

-The Involved Civilian had a dog that was vicious and by the Involved Civilian's side when he first confronted the officers.

-That someone, likely the Involved Civilian, had just called 911 and stated that he was going to kill police officers.

-That the Involved Civilian had previously served time for murdering a police officer.

-That the Involved Civilian had, moments before the Involved Officer arrived on scene, walked out his back door with a handgun, pointed it two different officers, and verbally threatened to kill both officers.

-That the Involved Civilian walked out his back door again, and was "reaching" for a weapon when the Involved Officer fired his two shots.

Officer #2 who was standing right next to the Involved Officer when he fired his weapon, stated that he believed the Involved Citizen was reaching for a weapon when the Involved Officer fired his weapon. Although several officers claim that they saw the Involved Citizen reach for a gun, and/or actually pulled a gun out and pointed it at several officers, there likely was no gun. Given that Graham requires consideration of what the officer reasonably believed at the time he pulled the trigger, it is clear that the Involved Officer reasonably believed that the Involved Citizen was armed, dangerous, had threatened to kill officers and had been involved in a previous violent incident with an officer.

CONCLUSION

Given the following: (1) Officers were called to the scene by a 3rd party, and were there for legitimate police reasons, (2) After assessing what happened, the officers had probable cause to believe that the Involved Citizen had committed, or had attempted to commit, various crimes, including assault and sex crimes, potentially arising to the level of being a felony—allowing for on-scene arrest; (3) Officers #3 and #2 were positioned in the alley behind the Involved Citizen’s house when they saw what they believed was the Involved Citizen appearing on the back porch and pointing a gun at them, while verbally threatening to kill them. (4) The Involved Officer was a qualified Rifleman who was assigned to “cover” the back door after the incident involving Officers #3 and #2 moments earlier; (5) the Involved Citizen reappeared in the same spot where Officers #3 and #2 believed they saw the Involved Citizen armed with a gun and threatening to kill them moments earlier, and when he reappeared both Officers #3 and the Involved Officer thought the Involved Citizen was reaching for a weapon, 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.

OVERVIEW OF THE VIDEO/PHOTO EVIDENCE OF THE INCIDENT



Above, two officers were knocking on the Involved Citizen's door and instructing him to come out. This is when the Involved Citizen first comes out, with his pit-bull at his left hand side. The Involved Citizen is instructing the officers to "get the fuck off my property" repeatedly. The Involved Citizen and his dog advance at the officers as the officers retreat. The Involved Citizen maintained control over his dog at this point by holding him by his collar with his left hand.

Below, the officers have fully backed off of the Involved Citizen's property and the Involved Citizen has reached the gate, along with his dog, to continue confronting the officers.





Viewed by strostle (baltimoresao.evidence.com) on 27 Dec 2019

This still-frame picture is from Officer #3's BWC. According to Officer #3, as confirmed by Officer #2 (located approximately where the blue star is located), the Involved Citizen came out of his house (below the blue arrow) armed with a gun, pointed it at the officers, and stated that he was going to kill the officers if they walked onto his property. Officers radioed that they had seen the Involved Citizen with a gun, which was reinforced when a supervisor radioed that the situation had just escalated to an armed suspect.



The Involved Citizen on his back porch threatening Officer #2 by saying “if you come into my yard, I am going to kill



Officer #2 is speaking with the Involved Citizen very politely, “Come out Sir, You are under arrest.”



The Involved Citizen goes back into his house for a quick second and then re-appears



Involved Citizen on back porch

Officer talking to Involved Citizen



The Involved Citizen continues to threaten the officer, then takes his arm across his body and appears to pull an object out of his clothing (the white/shiny spot). Officer#2 immediately reacts by backing up, yelling “what is in your hand?” and calling into his radio that the Involved Citizen “just displayed a handgun.”



Above, the Involved Officer has just walked up next to Officer #2, who is pointing out where the Involved Citizen back door is located. It is 0010 hours, 31 minutes after the first call for service. Below, the position the Involved Officer took, showing his initial view of the back door.





The same basic picture as the previous one, but showing the angle the Involved Officer had with his rifle raised in front of him.



This is the exact moment that shots are fired. Above is the Involved Officer's BWC, blocked by his arm/jacket. There is no angle that shows what the Involved Officer could, or couldn't, see at this moment. Below is Officer #2s BWC 3 seconds prior, as the Involved Citizen has opened the back door. This still-shot picture is the closest any BWC comes to showing the Involved Citizen in the 5 second window between opening the door and being shot.





This picture is taken several hours after the shooting. The Involved Officer was standing approximately where the **RED star burst** is located, and the **blue arrow** shows where his target, the Involved Citizen, was located when he came out of his door. The distance between the Involved Officer and the Involved Civilian at the time the rifle was fired is approximately 50-60 feet.



This picture is of the back door where the Involved Civilian was shot. The Involved Officer fired two shots with his rifle, one of which is believed to have struck the wall underneath the window (in the blue circle) and the other one that struck the Involved Citizen in the lower abdomen (represented by the blue star burst). The height of the damage done to the wall and the height of where the Involved Citizen was struck in the lower abdomen would be approximately the same if the Involved Citizen was standing in the doorway (as officers claim) when he was shot.



This is the knife that was found in the bedroom dresser. Civilian #1 and alleged Victim #1 referenced this knife; however, Civilian #1 openly acknowledged that while the Involved Citizen was lying on the ground in the kitchen, she took the knife from an ottoman and placed it upstairs. She could not explain why.