



**LOUISVILLE METRO POLICE DEPARTMENT  
SPECIAL INVESTIGATIONS DIVISION**

**Public Integrity Unit**

CASE NUMBER: 16-054

**CASE FILE CHECKLIST**

<b>INTRODUCTION</b> <i>(appears in front of the case file before any tabs)</i>	✓ or N/A
PIU Case File Cover & Review Form (PIU-001)	✓
PIU Case File Tracking Form (PIU-002)	✓
PIU Case File Checklist (PIU-003)	✓
<b>1. SUMMARY</b>	✓ or N/A
<b>Memorandum addressed to PIU Commander summarizing investigation</b> <i>(This should be included after the case has been presented to the County/Commonwealth Attorney and/or the case is recommended to be closed)</i>	✓
<b>2. INVESTIGATIVE RECORD</b>	✓ or N/A
PIU Investigative Record Form (PIU-004)	✓
<b>3. INVESTIGATIVE REPORTS</b>	✓ or N/A
PIU Investigative Report Form(s) (PIU-005) <i>(All investigative reports submitted regarding the investigation in chronological order)</i>	✓
<b>4. INTERVIEWS</b>	✓ or N/A
<b>Transcriptions of Recorded Statements</b> <i>(all transcribed statements, tabbed individually by name, in chronological order)</i>	✓
<b>Compact Discs of Recorded Statements</b> <i>(all CDs of statements, tabbed individually by name, in chronological order. If the statement has been transcribed, then the CD will be included with under the tab of the transcription)</i>	✓
<b>5. DOCUMENTATION</b>	✓ or N/A
<b>Suspension Information</b> <i>(suspension paperwork, weapon re-issue, etc.)</i>	✓
<b>Arrest / Citation</b> <i>(all documentation pertaining to arrest or citation, including warrants, summons, etc.)</i>	✓
<b>Incident Report (ILEADS)</b>	✓
<b>Administrative Incident Report (AIR)</b>	✓
<b>Search Warrants / Consent Forms</b>	✓
<b>Crime Scene Unit (CSU)</b> <i>(CSU Reports, Photos, Video, Scene Diagram, Property Slips, etc.)</i>	✓
<b>Maps</b>	✓
<b>Crime Lab</b> <i>(Ballistic Reports, Substance Testing, etc.)</i>	✓
<b>Medical</b> <i>(EMS documentation, Hospital, Medical Examiner, Clinical Forensic Exam, etc.)</i>	✓
<b>Financial Records / Information</b>	N/A
<b>Arbitrator / Mobile Video</b>	✓
<b>MetroSafe</b> <i>(CAD, 911 recordings, radio transmissions, rundowns, etc.)</i>	✓
<b>Cell Phone Forensics / Records</b>	N/A
<b>LMPD Specialty Team Information</b> <i>(SWAT, HNT, Bomb Squad, etc.)</i>	N/A
<b>Correspondence</b> <i>(e-mails, etc.)</i>	
<b>6. MISCELLANEOUS</b>	✓ or N/A
<b>Information from Federal or Outside Agencies</b> <i>(FBI, ATF, USMS, other LE, etc.)</i>	N/A
<b>LMDC Documentation</b> <i>(In-Custody Death Reports, etc.)</i>	✓
<b>Media Coverage</b>	✓
<b>Security / Business Surveillance Video</b>	N/A
<b>Social Media</b> <i>(Facebook, Twitter, Instagram, etc.)</i>	✓ N/A
<b>Public Information</b> <i>(court records, PVA, etc.)</i>	✓

# MEMORANDUM

LOUISVILLE METRO POLICE DEPARTMENT

GREG FISCHER  
MAYOR

STEVE CONRAD  
CHIEF OF POLICE

TO: Acting Lieutenant Chad Kessinger  
Public Integrity Unit Commander

FROM: Sergeant Leigh Maroni *LM*  
Public Integrity Unit Investigator

DATE: 03-15-17

RE: Case summary  
PIU #16-054

On Monday, August 08, 2016, at approximately 0159 hours, I received a text message from MetroSafe Communications advising Louisville Metro Police Department (LMPD) officers had been involved in a shooting. At approximately 0206 hours, I received a phone call from Lieutenant Kevin DeSpain who asked if I was okay on the page. I advised him that I had received it and I was up and getting ready to respond.

At approximately 0220 hours, I received a text message from MetroSafe as follows:

*public\_integrity\_unit PIU requested to call 229 at [REDACTED]*

I contacted Car 229 (Sergeant Malcolm Miller) by telephone at 0228 hours at the number provided. Sergeant Miller advised he was on scene. Sergeant Miller advised he had already spoken to Lieutenant DeSpain and asked if I wanted a brief rundown. I said I would like to know a brief synopsis. He said he had two officers that fired shots and one officer who was a witness. He said they had responded to a domestic violence incident called in by the daughter of the female victim who told dispatch that a man was wielding a knife. He said that two of his officers were riding as one unit. He said he was advised that the suspect charged at the officers with the knife and the officers fired. He advised that Officer Brian Smith witnessed the event but did not shoot and Officers Beau Gadegaard and Taylor Banks fired their weapons. He further stated that the mother (victim of the domestic) reportedly made a statement to Sergeant Rob King (9th Mobile Division) that the suspect "charged" at the officers and they "did what they had to do".

I arrived on scene at 0308 hours. Sgt. Kessinger and I did a walk through with Officers Gadegaard and Banks. They were transported to the Public Integrity Office by Peer Support members. I introduced myself to Anita Jones (girlfriend of the decedent, Darnell Wicker) and Danita Jones (daughter of Anita Jones) and requested an interview. Sgt. Kessinger and I began an interview with Anita Jones at 0348 hrs. She stated the following:

- Darnell Wicker has been her boyfriend for 22 years and he lives with her.
- She has had to call police on him "once or twice".
- She was at a BBQ at her daughter's house and Darnell wanted the keys to the apartment and she refused to give them to him because he loses his keys all the time and this was her key.
- She returned home and her door was kicked in and Darnell was inside
- She told him he had to leave
- He refused and she left after telling him she was going to call the police
- She had her daughter call the police
- She told Darnell her daughter was calling the police and he said, "I don't care let them come on."
- While she was in the car, Darnell came outside with a knife in his hand and approached the car on the passenger side where she was seated.
- She said she was talking to Darnell "through the (car) window" and said, "I could hear him and I'm sure he could hear me too."
- He went back inside and returned with a knife and a saw in his hand
- Officers arrived in two separate marked police cars and they were in their police uniforms. She clearly identified them as police officers. And she saw their "flashing lights" on when they arrived.
- The police arrived but never stopped to even talk to her or her daughter before shooting Darnell
- The police yelled "drop it" one time
- The police ran up on him and immediately began shooting
- All three of the officers shot - one time each
- The first officer on scene was a heavy set black guy. She said of the three that responded, there were "two black ones and a white guy."
- When Mr. Wicker stepped out of the door he had a knife in his hand and a saw
- Mr. Wicker never took steps towards the officers
- Mr. Wicker cannot hear
- Mr. Wicker had a knife in his hand, "Because he didn't want to go."
- She had been drinking while at her daughter's BBQ and her last drink was 2-3 hours ago.
- Mr. Wicker does not drink

Several of these statements are factually wrong as demonstrated in the officer's WVS: Officer Smith did stop to talk to her, she told Officer Smith that Mr. Wicker did not live there, the officers said drop it more than once, Wicker did take steps toward them and all three responding officers were Caucasian.

Sergeant Kessinger and I then interviewed Danita Jones at 0428 hours. She made the following statements:

- Mr. Wicker came to Danita's home at 2230 to get the apartment key from her mother and her mother refused to give it to him for whatever reason.
- She drove her mother home around 0119 hours. She was driving a silver Kia Forte. Her mother found the door had been kicked in and her mother told Mr. Wicker to leave and asked Danita to call the police.
- Her mother returned to Danita's car and Mr. Wicker exited the apartment holding two "butcher knives".
- Mr. Wicker was mad and asking her mother if she was really going to do that to him and her mother told him not to be in her house. Mr. Wicker walked back inside the apartment
- Mr. Wicker came back out with two knives and a saw in his hands and he was showing them "like he was ready".
- Mr. Wicker kneeled down and prayed or something then went back inside.
- The first officer stopped to talk to them and they told him he had knives and a saw
- A short time after, the officer pulled his gun and had it down low and began approaching the apartment and Mr. Wicker came out of the door and he had two things in his hands and the officer screamed "Put it down!" and two more officers arrived and told him to put it down and Mr. Wicker had his hands up over his head and made a mad face and they shot him
- The first officer was a white male
- Darnell Wicker does live in the apartment "off and on"
- Wicker came out the door and stepped off the ledge of the step and was waiving the knives and he was shot. He was told to drop them and he waived the knives over his head and he was shot.
- Darnell does not drink
- There has been an escalation of domestic violence between her mother and Mr. Wicker. Her mother has been talking of putting Mr. Wicker out for a long time
- She told dispatch her mother's boyfriend had kicked in the door and he had come out toward them with several knives.
- Her mother told him she had called the police and he didn't put the knives away, "he just sat there like, he was ready."

I did the scene investigation with CSU technicians Rebecca Kimmer, Erin Redfield and April Rush. I observed a black male lying on his right side with his hands handcuffed behind his back. The body was lying directly in front of apartment #4 which faces west toward Broadleaf. Apartment #3 sits directly in the northeast corner of the building while apartment #5 was to the south of Apartment #4 facing west toward Broadleaf. I observed a handsaw with a curved blade approximately 12-16" in length northwest of the decedent's head. East of the saw was a live round and just south of the saw was a magazine from a

handgun. Another handgun magazine was also noted to the southwest of the decedent's feet. CSU had placed screens around the decedent to shield his body from onlookers and the media. Between apartments #4 and #5 I observed a small black charcoal grill, and a table with two chairs. Beside the table was a white bucket containing miscellaneous items as well as two 2-liter bottles of soda. I observed several casings about the area including the area in front of apartment #5. It appeared that the casings had already been marked for identification with business cards. Nothing was moved or collected at this time.

I also noted that there were two marked Crown Victoria vehicles parked in the parking lot facing north. They both had headlamps illuminated. In one car (#6107) I could see a red light from the arbitrator indicating that the in-car camera (Arbitrator) was recording. IBM # 6140 was observed to be a marked 4-door Crown Victoria with license plate [REDACTED]. The interior mobile data terminal (MDT) was open and turned on. A second marked unit with IBM#6107 was also observed with an MDT inside but unknown if it was on. This vehicle was parked closest to the apartment building and it was parked slightly north of the other unit which was just slightly parallel to the west.

I learned from Sergeant Kessinger that Sergeant Arnold Rivera was writing a search warrant on Apartment #4 and Sergeant Gootee, Sergeant Hagedorn and Lt. DeSpain were going to the PIU office to do interviews and meet with Officers Gadegaard, Banks and Smith. While waiting for the search warrant to be drafted and signed, Sergeant Kessinger and I did a walk-through with Officers Gadegaard and Banks and conducted interviews with Anita and Danita Jones.

CSU technician April Rush took a crime scene video with my assistance. We began the video at approximately 0607 hours and started to the north west of the building. "Broadleaf Arms" was the name of the complex. We began at our starting point and walked south. We documented the officer's vehicles which by this time had their headlamps and arbitrator turned off by unknown means. We continued and documented the 4-door Silver Kia Forte parked just in front of Apartment#5. The lights were out and the windows were up on the vehicle. The car had license plate KY [REDACTED] affixed to the back of it. We then approached the scene of the shooting documenting the general area to include casings marked with business cards, at least one live round, 2 magazines from handguns, the saw and the body of the decedent who was wearing a dark short sleeved t shirt, blue jeans, black boots and what appeared to be an extension cord as a belt. He was lying on his right side with the right side of his face on the ground below. He appeared to be within 1-2 feet of the doorstep. We did not enter the home as a search warrant was still in the process of being signed.

CSU began taking photos of the exterior scene and marking individual items of evidence. There were at least 10 casings (markers #1-9 and #13), two fragments (markers#10-11), one live round (marker #15), two handgun magazines (marker #12 and #14) and a saw (also marker #14 as it was close to the magazine)

collected from the outer scene. A full detailed report from CSU will be made part of the file.

I was notified by Sergeant Rivera that the search warrant had been signed at 0630 hours. CSU technician Rebecca Kimmer and I made entry to the home at 0710 hours. I noted a bullet hole to the external northern-most door jamb. I further noted damage to the inner door frame as if it had been forced open. The inner doorjamb had a long crack from top to bottom as if the wood had split as a result of force. The bullet hole appeared to have entered the west wall of the apartment and struck the north wall of the front living room just above a large framed photo on the wall. CSU technician Rebecca Kimmer subsequently recovered the projectile from the wall. A large butcher style knife was located on top of the kitchen refrigerator lying flat on the top of the refrigerator, not within the butcher block of other kitchen knives. No other items of evidentiary value were noted. The home was photographed and the projectile and knife were the only items taken from the home.

Sergeant Scott Gootee and Jon Hagedorn interviewed Officer Brian Smith at the PIU office on 8-8-16. He stated the following:

- Officer Smith stated he was sitting in the McDonald's parking lot located at 4443 Cane Run road when he was dispatched to 4509 Broadleaf Road #4 on a domestic dispute.
- According to Officer Smith the initial information on the call was a male had kicked a door open and the suspect was riding a pink and white bicycle.
- Officer Smith stated that Officer Gadegaard was also dispatched on the run, but was responding from beat 3, which was a good distance from the run location. Officer Smith stated he slowly began making his way to the run location, to give his backup time to get closer. While traveling to the run location, Officer Smith stated he was actively searching for the male on the bicycle in case he had left prior to their arrival.
- Officer Smith stated once he heard officers responding code 3, he approached the run location, where he encountered two females standing by a vehicle. According to Officer Smith the girlfriend of the suspect stated he possessed two knives and a saw and was still inside the apartment.

*Investigator's note: The two females were later identified as Anita Jones the suspect's girlfriend and her daughter Denita Jones.*

- Officer Smith stated, Officers Gadegaard and Taylor arrived on scene and they approached the apartment together. Officer Smith stated the door to

the apartment was slightly opened a few inches. As they got closer, the door opened and the suspect was standing in the doorway with the saw and another unidentified object, causing the officers to draw their weapons.

*Investigator's note: Officer Smith described the saw as a limb saw and having approximately a 12 inch blade.*

- Officer Smith advised investigators the suspect then disappeared back into the apartment for not more than a couple of seconds and then reappeared. Officer Smith describes the suspect as "Gritting his teeth, grrrrrs and swells up." According to Officer Smith, this is when the suspect started to come toward the officers as if he was lunging at them, with the saw in his right hand, about waist level.
- Officer Smith stated the suspect was given several commands to drop the weapon, but the suspect refused to comply. The suspect was approximately 10-12 feet from the officers when two of the officers fired their service weapons (Taylor and Gadegaard).
- Officer Smith stated he did not fire his weapon and he didn't know why. According to Officer Smith, today's environment involving police actions may have played a role for him not firing his weapon. Officer Smith stated he felt threatened and concerned for his safety and that is why the other officers fired their weapons. Officer Smith went on to say, the incident called for the use of deadly force and was confident, all were justified in using such.
- Officer Smith stated as he was trying to secure the scene and was asking the mother and daughter to back up, when the daughter stated to her mother "They had to, they had to, he was waving it around. They told him to stop, but he wouldn't stop."
- According to Officer Smith he heard the daughter say the same thing to bystanders at the scene, explaining to them the cause for the shooting.
- Officer Smith stated a black male arrived on scene and made the statement "Why aren't you doing CPR." Officer Smith stated it only took Emergency Medical Services (EMS) approximately 5 minutes to arrive on scene. In that time period, officers were still trying to secure the scene to render it safe and didn't have time to render aid.

Sergeants Gootee and Hagedorn also interviewed Officer Lonzo McConico who stated the following:

- Officer McConico stated he was the first to arrive on scene after the officer involved shooting.
- Officer McConico stated as he was helping with crowd control at the scene when he had a conversation with Denita Jones. According to Officer McConico, Ms. Jones told him the suspect had called her mother, Anita Jones and wanted a key to the her apartment. Her mother refused and when they arrived home the door had been kicked open and the suspect was inside of the apartment.
- Officer McConico stated Ms. Jones told him she and her mother locked themselves inside of their vehicle and the suspect kept trying to enter the car. Ms. Jones also stated that they watched the suspect come and go from the apartment and arm himself with a saw type weapon and knives. She further stated the suspect, at one point while inside the apartment, was sitting down, in a praying gesture and once officers arrived on scene make the comment "I'm ready."
- According to Officer McConico Ms. Jones stated once the police arrived on scene the suspect was waving the saw around in a threatening manner. She went on to say the police ordered the suspect to drop the weapon and he refused. Officer McConico stated Ms. Jones then made the statement; "The officers did what they had to do."

I interviewed Sergeant Rob King on 8-11-16 at 1537 hours. He advised he was leaving the 9<sup>th</sup> Division Mobile office when he heard a run come out about a shooting in the 2<sup>nd</sup> Division. He said he started in that direction and then stated the following:

- He arrived and saw Sergeant Malcolm Miller who asked him to help separate two black female witnesses.
- He did not have his WVS activated because it was docked at the office prior to leaving for his shift.
- The daughter (Danita Jones) told him she didn't mean for this to happen and Mr. Wicker got on his knees and prayed which Ms. Jones found odd. Ms. Jones told Sgt. King she knew something bad was going to happen.

Sergeant Kristin Downs and I interviewed Sgt. Malcolm Miller on 8-11-16 at the Second Division at 2044 hours. He advised that he arrived on scene and tried to separate witness and assign officers to stay with the witnesses. He said Banks and Gadegaard were riding a two man car that night because they encourage that practice if numbers allow and because Gadegaard's car was in the shop or going to the shop. He said homicide detectives showed up to assist in separating the involved officers. He advised his WVS was not activated because they do not turn their cameras on for officer involved shootings. He said the arbitrator cameras are not uploaded as often as WVS so he is not familiar with them and he doesn't know how to download arbitrator cameras. He said he believed



Smith's arbitrator was on. He said that Officer Smith's beat partner had just left to do a hospital detail so that is why officers from another beat were called to assist him.

Sergeant Downs and I interviewed Officer Helen Johnson at the Second Division on 8-11-16 at 2140 hours. She said she was asked by Sgt. Miller to stay with the younger of the two victims. She said the girl told her she was the daughter of the 911 caller. The girl was in the back seat of her car but she did not have her arbitrator on because it does not work. She did not get the name of the witness but she said that the witness told her that the decedent was her mother's boyfriend of twenty years. She told Officer Johnson he was upset with her mother for not letting him in the house, "Because he was cracked out." The witness told her that he ran after them with knives and he was on drugs and she thought he was high. She told Officer Johnson that she thought he wanted the police to kill him because he had been praying before they arrived and she felt like this was all her fault because she called the police. The witness also told Officer Johnson that Mr. Wicker had been inside cutting potatoes and he came out with a long knife. When police arrived Mr. Wicker waived the knives at them and the police told him to put it down. Officer Johnson said after her mother was interviewed by PIU on scene, the mother approached the witness in Officer Johnson's car and told her "they didn't give him enough time." The younger witness told her mother, "They told him to drop it and they did what they had to do."

Officer Johnson was asked if she had her WVS activated and she said she did not because they have been instructed to turn their cameras off once Homicide arrives on scene.

Paramedic Jeremy Rader was interviewed on 8-12-16 at 1304 hours. He stated upon arrival he saw the patient lying on his right side and he was handcuffed behind his back. He was unconscious, unresponsive with no pulse and his pupils were fixed and dilated. He lifted the patient's shirt and observed multiple gunshot wounds to his torso. He observed what appeared to be lung tissue coming from an exit wound to his back and determined he had sustained massive internal injuries. He observed a limb saw in close proximity to the patient as well as magazines he assumed from officer's weapons near the body. He said his Major, Bill Lohden was on scene prior to his arrival and he withheld treatment until their arrival based on their own protocol. He said due to the patient being "response less" with pupils fixed and dilated they also withheld resuscitative efforts. When asked if LMPD officer had provided resuscitative effort prior to their arrival if the patient's condition have had a different outcome. Mr. Rader said it would not have changed the patient's outcome. Mr. Rader said CPR would have been ineffective due to the massive damage to his thoracic cavity affecting his larger arteries, lungs and heart. Because of this damage to his organs, blood would be allowed to circulate or oxygenate.

Sgt. Kristen Downs and I interviewed Officer Beau Gadegaard on 08-15-16 at the PIU Office in the presence of his attorney Steve Schroering. Officer Gadegaard was Mirandized and gave the following statements:

- He and Officer Banks were leaving the property room when they were dispatched to Broadleaf on a domestic violence case in which a man had kicked in a door and was armed with edged weapons. This is not the beat they were riding, but they were the only available car to back Officer Smith.
- They decided to go code 3 since this was a “hot” run and they were a good distance off. Banks was driving and they were a two man car that night since Gadegaard’s car was in the shop.
- They arrived to see Officer Smith talking with two or three women in the parking lot. As he got out of the car, he saw a man open the door to an apartment. The man made eye contact with him, came out then turned around and went back inside the apartment. He did not see any weapons at the time.
- He heard Officer Smith speaking with the women and heard the women tell Officer Smith the man was armed with knives inside the apartment.
- Officer Smith pulled his weapon and Gadegaard drew his as they approached the apartment. Officer Banks ran up behind them.
- The man (Wicker) opened the door and walked out with a saw in his right hand and they all yelled, “Drop it” several times. The man continued to walk out, took an aggressive stance, looked him in the eye and had a look in his eye “as if he was going to kill me”. Wicker raised his right arm up and brought it across his body and he fired his weapon fearing for the safety of himself and the other officers.
- He shot between 5-8 times, he believed.
- He believed his was within 5-7 feet of Mr. Wicker at the time of the shooting.
- He immediately notified dispatch of the shooting and requested EMS code 3.
- He approached Wicker on the ground, kicked the saw away from him, rolled him and put his hands behind his back. Officer Banks then cuffed him because he just tried to kill them, there was still a weapon nearby and he felt he was still a threat.
- He left Mr. Wicker in the “recovery position”, i.e. on his side with an open airway.
- Fearing there may be a victim or additional suspects in the apartment, he asked Smith to watch Wicker while he and Banks went in the apartment to clear it. They found no one inside.
- He came out and requested EMS again as there was a lot of blood and Mr. Wicker was unconscious. Gadegaard also asked for more cars to come as there was a crowd forming.
- He and Banks did a tactical reload, leaving his magazine on scene.
- He cleaned his hands with hand sanitizer because he had blood on his hands and he put gloves on after cleaning his hands.

- He notified dispatch that Mr. Wicker was no longer breathing.
- He was wearing his class C uniform with a polo shirt, blue BDU pants and an outer vest with a badge and his name on it.
- They arrived in a marked LMPD Crown Victoria.
- He was in the center of the three involved officers with Officer Smith to his left and Officer Banks to his right.
- He heard one of the girls Officer Smith had talked to upon their arrival say to another person, "the police told him to put it down and then he starting swinging and he didn't drop it and they didn't have a choice."
- Sgt. Malcolm Miller was the on duty Sergeant that night.
- He thought he had his WVS activated but discovered it was not on after they cleared the apartment and he felt safe to check. When he discovered it was not on, he immediately turned it on.
- After the shooting Det. Holly Hogan (Homicide) placed him in her car and he was later greeted by Peer Support officers who transported him to PIU.

Sgt. Downs and I interviewed Officer Taylor Banks on 8-15-16 at 1538 hours with his attorney Steve Schroering, at the PIU office. Officer Banks made the following statements after being Mirandized:

- He and Gadegaard were riding in a two-man car that night and they were just leaving the property room. Banks was driving.
- Gadegaard read him the run from the Mobile Data Terminal (MDT) in the car. He heard someone had kicked in a door and was armed with a knife.
- They drove code 3 since they were a distance off
- He saw Officer Smith talking to the victims upon arrival.
- As soon as he got out of the car, Officer Smith drew his weapon
- He did not hear any of the conversation between Smith and the victims; he knew only what was given to them by dispatch.
- The man (Mr. Wicker) opened the door and had what he described as a "3 to 5 foot knife".
- The man swung the knife by his side and took steps toward them and Gadegaard yelled "drop the knife" several times and he took a few more steps toward them and he fired his weapon because he was in fear for his life and the lives of the other officers.
- Gadegaard immediately called for EMS
- He handcuffed Mr. Wicker with the assistance of Gadegaard who placed Mr. Wicker's arms behind his back.
- He and Gadegaard searched the apartment for any additional suspects or victims and found no one.
- They exited and he began to put up crime scene tape to secure the scene.
- Gadegaard called for EMS again advising dispatch that Mr. Wicker had stopped breathing.
- He was asked what seeing Officer Smith drawing his weapon told him. He said it told him, "he's obviously in there with a knife because you don't just draw your gun for no reason."

- He described the knife as a handheld wood saw.
- He saw it in the man's right hand
- He believed Gadegaard checked for a pulse but he never tended to the victim because Gadegaard was doing that and he was updating dispatch on his condition.
- He was wearing a Class C uniform with patches and an outer vest with a badge and a nametag affixed to it.
- His assigned vehicle is a marked LMPD Crown Victoria
- He cleaned his hands on scene with hand sanitizer because he had blood on his hands from the victim. After doing so, he put on gloves.
- He and Gadegaard did a tactical reload and they left their magazines on scene.
- He overheard a female on scene tell someone who was questioning their actions, "He came at them with that knife."
- Sgt. Malcolm Miller arrived and he told him a very brief version of what happened and he had "a bunch of emotions and a bunch of adrenaline" inside.
- When asked why he decided to fire he said, ***"I was in fear for my life and the lives of the other two officers, cause they...it's so..it..the..so close proximities that we were at, I mean three to five yards, I mean, we was a good, a good step and a swing away from him hitting one of us and you know, potentially hit, hitting one of use with that knife and potentially killing us with those knives, one of those...with that knife so we were in fear for our lives so we fired our weapons."***
- His WVS was activated at the time of the shooting
- Homicide detectives arrived and he was escorted to a vehicle by a male detective (name unknown to him but observed to be Det. Brian Royse on WVS) until Peer support arrived and he was transported to PIU.
- When asked why he never rendered aid, he said they had to secure the scene and had a large crowd gathering and he was trying to determine if there were any additional threats and keep people out of the scene.

On 8-16-16 an LMPD Crime Tip came in asking that someone call Jeff McKeller regarding this case as he believed Anita and Danita Jones set Mr. Wicker up to be killed by the police. I phoned Mr. McKeller on 8-19-16. He advised he has known Mr. Wicker for forty years. He said he knew Wicker "was no angel" and said he is "¾ deaf". He said Anita is a "shady character" for not telling the police he couldn't hear and by doing so, she set him up. He said that Darnell could hear if you talked loudly. He said Darnell is known to have a drug problem and his drug of choice is crack cocaine. He said he last saw Darnell two years ago and he and Anita were smoking crack at Darnell's parent's house.

On 9-27-16 I spoke to Major Bill Lohden with EMS. He was the first EMS unit to arrive on scene. He stated he pulled up and saw a little crowd of people gathering under the street light and several officers on scene. He saw the patient mostly face down with handcuffs behind his back. He was trying to figure out

what happened but no one was really saying what happened, he assumed in their own interest. He recalled having to turn the patient to assess him. He said the patient had what he would consider "fatal wounds", centrally located and he observed lung tissue coming from the exit wounds to his back. He had no pulse and his eyes were fixed and dilated which told him he was deceased. He said the patient had "less than a 1% survival rate even if he had been shot in the emergency room." He said his crew showed up on scene and began getting their equipment out but he told them they wouldn't need it. He had them assess the patient as well which is their protocol in trauma cases. They too confirmed no resuscitative efforts were needed. He said the patient likely died a quick death and had officers provided CPR, it would not have affected the outcome. He said CPR would have only looked like they were doing something. He said he was talking to the ladies on scene and told them the patient was deceased and he asked what happened. He said he believed one was the patient's girlfriend. The woman told him she and her daughter had come home (maybe from Bingo) and he was acting crazy. She told him that he did not live there and he wasn't supposed to be there and he kicked in the door and she got in her daughter's car. She told him the patient kept coming up to her window threatening her and she cracked the window and told him she called the cops and he said he "didn't give a fuck" and went back inside. He said he thought she said something about him sitting in a chair outside or something. He said that the younger girl was talking to an African American male who came up asking why the police had to do that and she told him, "They told him, they told him to drop the knife and he wouldn't do it." He said from what he overheard, it sounded like the patient had a knife, he was told to put it down, he didn't and the police shot him.

I spoke to Danielle Cleveland, daughter of Darnell Wicker on two occasions: 8-23-16 and a follow up call on 9-19-16. Ms. Cleveland advised her father and Anita had been together for a while but she was not close to this family. She said her father had been living in that apartment for about six years. She did not know of any domestic trouble between the two. She said Anita's daughter made reference to the fact that her mother had been drinking the night of the incident. She said her father did have difficulty hearing and you would have to be yelling at him or he would have to be looking in your face to read your lips. She did not think he had ever received any medical treatment for his hearing loss but he was supposed to have been making a doctor's appointment to get a hearing aid. She then said if I had further questions I could call her legal team to set up a time to sit down.

A neighborhood canvass was done by PIU Sergeant Kristen Downs and Homicide Detectives Jason Vance, Holly Hogan and Brian Royse. During the canvass we learned the following:

- George Johnson [REDACTED] stated he knew Darnell Wicker consumed alcohol and smoked crack cocaine often. He said Darnell and Anita had a turbulent relationship with "verbal confrontations."

- Wanda L. Jackson [REDACTED] said she heard thumping and bumping from the apartment below [REDACTED] but that is normal.

It should be noted that Darnell Wicker has been arrested several times for POCS (crack cocaine) and assault 3<sup>rd</sup> for assaulting police officers, CCDW and Resisting Arrest:

2000 – Wicker struck Bryan Lockett in the mouth after he tried to cuff him for ditching a crack pipe

2002 – Wicker struck Bryan Lockett multiple times while trying to handcuff him after putting a rock cocaine in his mouth. Cocaine was spit on the ground during the fight and recovered.

2003- Wicker had felony warrants and while Officer Chris Keown and Omar Lee were verifying warrants, Wicker pulled a 7” steak knife. He was told to drop the weapon which he did and then he jumped on the officer and swung at him striking him in the head. He then fled from officers and when officers tried to handcuff him, he would not comply and struggled with officers and had to be maced to gain compliance.

This case was submitted to the Commonwealth Attorney on November 18<sup>th</sup>, 2016. On March 14, 2017 I received a call from Erwin Roberts who advised they were going to hold a press conference on March 15<sup>th</sup> at 1030 hours to present their findings to the public. I received a copy of Commonwealth’s letter stating they would not pursue charges in this case due to their review. Their review concluded, “***The officers complied with LMPD SOP 9.1.13 dealing with the use of deadly physical force and under KRS 503.090, both officers used appropriate deadly physical force.***”

Based on the review by the Commonwealth Attorney, this case will be closed and the investigation is complete.



OFFICE OF  
**THOMAS B. WINE**  
**COMMONWEALTH'S ATTORNEY**

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March 15, 2017

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RE: PIU Case #16-054, Officer Beau Gadegaard (7201)  
Officer Taylor Banks (7293)

Dear Sgt. Maroni:

Thank you for meeting with Erwin Roberts and me on November 18, 2016. Mr. Roberts and I, along with three other prosecutors in the Office of the Commonwealth's Attorney, have reviewed the Public Integrity Unit (PIU) file #16-054 and the investigation of the shooting death of Mr. Darnell T. Wicker. We also thank you for going to the scene with us on January 24, 2017, and to the Property room on February 28, 2017. Thank you also for the follow-up with additional information from the Louisville VA Medical Center.

**MATERIAL REVIEWED**

We reviewed the PIU file which included both audio recorded and transcribed statements of the three officers and the two civilians who witnessed the shooting, Emergency Medical Technicians (EMTs), supporting members of the Louisville Metro Police Department (LMPD), the Medical Examiner's report, evidence collected by and scene video filmed by the LMPD Crime Scene Unit (CSU) technicians, reports from the Kentucky State Police (KSP) Forensic Crime Lab, in-car videos and body cam recordings made by Officer Taylor Banks (Banks)(7293), Officer Beau Gadegaard (Gadegaard) (7201) and Officer Brian Smith (Smith) (7762), as well as body cam recordings of other officers who arrived at the scene after the shooting occurred.

Additional information from counsel representing the estate of Mr. Wicker was reviewed, including but not limited to records from the VA Medical Center (pertaining to Mr. Wicker's hearing), Vision Works, a Use of Force form dated October 15, 2015, and related body cam recordings pertaining to Gadegaard (7201).

We submitted a copy of the postmortem toxicology report to Dr. Greg Davis for his assessment of potential intoxication based on the level of cocaine found in Mr. Wicker's blood, as well as benzoylecgonine found in Mr. Wicker's blood and urine.

Finally, we reviewed the LMPD's Standard Operating Procedures (SOP) § 9.1.13 and Kentucky Revised Statute (KRS) 503.050 et seq, as said sections pertain to self-protection and deadly physical force.

### SUMMARY OF FACTS

To fully appreciate the events surrounding the police shooting which occurred in the early morning hours of August 8, 2016, it is necessary to review events that occurred beginning on the evening of August 7, 2016.

Ms. Denita Jones and Ms. Anita Jones each gave statements on August 8, 2016, describing those events. Various family members and friends were at Denita's home, [REDACTED] for a barbeque. Denita's mother, Anita, was also present. At approximately 10:30 p.m., Mr. Wicker came to the barbeque. He and Anita had dated, or he lived with her, over the last twenty-two years. He wanted a key to Anita's apartment. She refused to give him her key. Anita explained in her statement that even though he lived with her, Mr. Wicker would frequently lose the key and she would be required to pay replacement costs. Mr. Wicker left the party on his bicycle, his usual mode of transportation.

Anita and Denita left Denita's home sometime after 1:00 a.m. on August 8<sup>th</sup>. When they arrived at Anita's home at [REDACTED] they saw Mr. Wicker's bike. Denita stayed at the car and Anita walked up to the door. The left door jamb was splintered, indicative that the door had been kicked in. Anita immediately began telling Mr. Wicker he needed to leave as she asked her daughter to call the police. Initially he responded he wasn't going anywhere. Later, Mr. Wicker brought out a white 5 gallon bucket and some other items. Anita came out to smoke a cigarette as she stood next to Denita's car.

Anita asked her daughter to call the police. Denita could tell from his actions that Mr. Wicker was angry. At 1:35:15 (a.m.), Denita called 911 to advise there was an argument between her mother and her boyfriend, Darnell Wicker. She also advised he had kicked in the door and that he had a knife. Denita reported that Mr. Wicker had gone back inside the apartment.



The 911 call was dispatched as a domestic trouble run. Officer Smith was in the parking lot of McDonald's, 4443 Cane Run Road. He delayed responding to give his backup, Officer Gadegaard, the opportunity to respond. Banks drove the second vehicle with Gadegaard as a passenger. They arrived shortly after Smith.

While waiting for police, Denita observed Mr. Wicker come back out of the apartment, sit in a chair and play with two knives. When he approached them, Anita jumped into the car. The women rolled up the windows and locked the doors. Mr. Wicker asked why they were "doing this to him" and that he was "not a bad guy." Anita again demanded he leave, telling him to "go back where you was (sic) at earlier today" and to "go around and stay where you was (sic) at." She repeatedly told him to leave before the police arrived.

Both women stated that he went back in to the apartment and came out with one or two knives and a saw. Denita also said in her statement that before police arrived, Mr. Wicker "kneeled (sic) down in the chair and prayed or act like he was praying." He then returned to the apartment before the first officer, Smith, arrived.

Upon arrival at the Broadleaf Arms apartment complex, Smith saw Anita and Denita. Smith spoke with them for approximately one minute. Anita identified Mr. Wicker as her boyfriend, but said he did not live there. Smith directed the woman to stay back. As Smith walked toward the apartment, Officers Gadegaard and Banks arrived in the parking lot. They got out of the cruiser and hurried to join Smith. Both Gadegaard and Banks observed Smith with his service weapon as he approached Mr. Wicker. Instinctively, Banks and Gadegaard unholstered their guns as well. Facing Mr. Wicker, Gadegaard was in the center with Smith on the right and Banks on the left; so Smith was closest to the weapon.

As the officers approached Apartment #4, Mr. Wicker opened the door. Smith observed a saw in Mr. Wicker's right hand and an object in the left. There was eye contact with Smith and Gadegaard, and Mr. Wicker briefly stepped back into the apartment. The officers described the apartment lights as being turned on. When he stepped back out of the apartment, Gadegaard and Smith described Mr. Wicker as having a "mean face."

Denita said in her statement that Smith had his gun out but held it down at his side as he approached the apartment door. Mr. Wicker stepped out of the apartment. Smith yelled at Mr. Wicker to drop the knives. "Put it down." She said Mr. Wicker had his hands in the air holding and waving the objects. She was sure he had a saw in his hand. She stated when the officer(s) said "put it down", that Wicker raised his hands and the saw. She said Mr. Wicker failed to drop the saw.

Although Gadegaard yelled at least three times "drop the knife" or "drop it", Mr. Wicker continued to advance. Gadegaard said Mr. Wicker raised his right arm with the saw visible. Gadegaard stated Mr. Wicker's right leg was back which helped conceal the saw blade until he swung it. The officers stated Mr. Wicker moved toward them in an aggressive manner while swinging the saw.

In rapid succession two of the officers, Banks and Gadegaard, fired at Mr. Wicker. Smith never fired his weapon. Banks believed Gadegaard fired first, then he fired. Both Banks and Gadegaard ceased shooting when Mr. Wicker stopped advancing. At the time he fired, Gadegaard believed they were five to seven feet apart and that he fired five to eight times. Banks believed he fired four to seven shots. Banks recalled Mr. Wicker took two to three steps toward the officers.

Anita only remembered the officers yelling one time to drop the knife. All three officers stated they yelled multiple times to "drop the knife" or "drop it". All three recalled the saw was in Wicker's right hand.

While Anita and Denita tried to describe the events, the body cam recordings of Banks and Smith are the best representation of what happened.

Gadegaard immediately called for Emergency Medical Services (EMS) and additional police support. Although one officer briefly checked Mr. Wicker to see if he was alive, no first aid or cardiopulmonary resuscitation (CPR) was administered. Both Gadegaard and Banks went into the apartment after the shooting to look for additional persons. No one was found inside.

Major William Loudon (Loudon) was the first EMT to arrive at the scene (his medical treatment will be described later in this letter). He spoke with a woman he believed to be the girlfriend of the patient (Mr. Wicker). In his interview on September 26, 2016, he recounted that she said she and her daughter had returned from an event (he wasn't sure what it was), that Mr. Wicker did not live at the apartment, that Mr. Wicker had kicked in her door, and that they locked themselves in her daughter's car. According to her, Mr. Wicker came back to the car and threatened her. When she said she already called the cops, Mr. Wicker responded he "didn't give a f---".

EMT Loudon also recalled a younger female who kept trying to diffuse the situation, telling people "they told him to drop the knife but he wouldn't do it."

LMPD Officer Lonzo McConico was the first officer to arrive after the shooting. He helped with crowd control and spoke with Denita Jones. She told him that after officers told Mr. Wicker to put it down, he raised it above his head. She also said they (the officers) did "what they had to do." Many of these statements were made in the back of Officer Helen Louise Walton Johnson's (Johnson) (7154) police cruiser.

Johnson reported that Denita said Mr. Wicker was "cracked out." Additionally, Denita told Johnson that she believed Mr. Wicker was high on drugs and wanted the police to kill him.

CSU collected multiple shell casings, as well as some projectiles at the scene. They also photographed the area and made a video. A total of thirteen spent casings were collected. The Glock pistols used by Gadegaard and Banks, as well as two partially used magazines and two fully loaded magazines were recovered. Each Glock had a live round in the chamber.

On October 11, 2016 it was determined by the KSP crime lab that Gadegaard fired his weapon five times and Banks fired his weapon eight times. The projectiles, some from the scene and some from Mr. Wicker's body were also examined. It could not be determined which had been fired from which officer's gun.

The autopsy completed on November 9, 2016 revealed fourteen gunshot wounds. The sequence in which those wounds occurred could not be determined. Each projectile path was front to back and most show a slightly downward path. It appears six projectiles touched right to left, and five, left to right. The remaining projectiles traveled front to back with no significant left/right deviation. One wound (H) to the right hand was superficial and may have been part of a trajectory of a projectile into the deceased's body.

The toxicology report showed Mr. Wicker's blood was positive for cocaine (60.00 ng/mL) and benzoylecgonine (1810 ng/mL). The level of benzoylecgonine in his urine was 112,565. Those results were submitted by our office to Dr. Gregory J. Davis, MD, FCAP, a professor at the University of Kentucky and former associate Chief Medical Examiner for the Commonwealth of Kentucky. In his report, completed on February 2, 2017, and enclosed with this letter, he noted in a study where persons arrested for impaired driving and only cocaine or benzoylecgonine were detected, the average blood cocaine concentration was 95 ng/mL. The average concentration of benzoylecgonine was 1,010 ng/mL. Dr. Davis noted that blood cocaine concentration "correlate poorly with its toxic effects, as the same blood concentration may be a cause of death in one case and an incidental finding in another." Dr. Davis made it clear that no minimum fatal concentration for cocaine has been established.

Dr. Davis expanded on the excessive use of cocaine:

Cocaine is well-known among forensic pathologists and death investigators for having the capacity to lead to episodes of bizarre behavior with hyperactivity and hyperthermia, known as "cocaine psychosis" or "excited delirium," likely related to cocaine-induced dysregulation of dopamine homeostasis (health) in the brain.

Clinical studies suggest that a high percentage of regular cocaine abusers exhibit symptoms of paranoia and hallucinations. Such observations have been known for well over a century, as neurologists recognized that abusers were subject to paranoid psychosis. The development of such paranoia among cocaine abusers is unpredictable and not dose-related.

Finally, Dr. Davis provided that in his expert opinion;

The investigative findings of Mr. Wicker's alleged behavior and the laboratory findings of cocaine and benzoylecgonine in Mr. Wicker's blood at autopsy are consistent with his being intoxicated by cocaine at the time of his altercation and death on the morning of August 8, 2016. The ultimate question of whether such intoxication caused or contributed to his alleged behavior would be up to the trier of fact, correlating, among other data, his behavior and the presence of cocaine and benzoylecgonine in his blood.

Finally, when Loudon, the first EMT to arrive, treated Mr. Wicker, he found him to be non-responsive, not breathing and to have no pulse. EMT Loudon opined that CPR would not have helped due to the extensive lung damage. During his interview on September 27, 2016, Loudon noted there were several "fatal wounds", centrally located and exit wounds where lung tissue could be seen. Loudon said even if Mr. Wicker had been shot while in the emergency room, his chance of survival was less than one percent.

#### ANALYSIS

LMPD's SOP 9.1.13 describes when deadly force may be used by a member of the police department:

##### **9.1.13 USE OF DEADLY FORCE**

Justification for the use of deadly force must be limited to what reasonably appears to be the facts known, or perceived, by an officer under the circumstances. Facts not known to an officer, no matter how compelling, cannot be considered in later determining whether the use of deadly force was justified. Deadly force, as with all uses of force, may not be resorted to unless other reasonable alternatives have been exhausted, would clearly be ineffective or exigent circumstances exist. Deadly force is authorized in defense of oneself or another when the officer reasonably believes, based on the facts and circumstances, that the person against

whom the force is used poses an immediate threat of death or serious injury to the officer or to another person. . . .

The officer must be able to justifiably articulate his/her actions. . . .

If feasible, verbal warnings should be given before the use of deadly force. Warning shots are not permitted. Deadly force is never authorized to apprehend a fleeing misdemeanor or nonviolent felony suspect (NOBLE). . . .

Officers are authorized to discharge a firearm for the following purposes:

- In defense of human life, including the officer's life, or in defense of any person in immediate danger of serious physical injury or as described in this section.

KRS 503.050<sup>1</sup> and KRS 503.070<sup>2</sup> provide guidelines for use of deadly physical force when protecting oneself or another. Except when force is used against a peace officer, KRS 503.085<sup>3</sup> details the immunity protection enjoyed by one who claims to act in self-defense.

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<sup>1</sup> (1) The use of physical force by a defendant upon another person is justifiable when the defendant believes that such force is necessary to protect himself against the use or imminent use of unlawful physical force by the other person. (2) The use of deadly physical force by a defendant upon another person is justifiable under subsection (1) only when the defendant believes that such force is necessary to protect himself against death, serious physical injury, kidnapping, sexual intercourse compelled by force or threat, felony involving the use of force, or under those circumstances permitted pursuant to KRS 503.055.

<sup>2</sup> (1) The use of physical force by a defendant upon another person is justifiable when: (a) The defendant believes that such force is necessary to protect a third person against the use or imminent use of unlawful physical force by the other person; and (b) Under the circumstances as the defendant believes them to be, the person whom he seeks to protect would himself have been justified under KRS 503.050 and 503.060 in using such protection. (2) The use of deadly physical force by a defendant upon another person is justifiable when: (a) The defendant believes that such force is necessary to protect a third person against imminent death, serious physical injury, kidnapping, sexual intercourse compelled by force or threat, or other felony involving the use of force, or under those circumstances permitted pursuant to KRS 503.055; and (b) Under the circumstances as they actually exist, the person whom he seeks to protect would himself have been justified under KRS 503.050 and 503.060 in using such protection. (3) A person does not have a duty to retreat if the person is in a place where he or she has a right to be.

<sup>3</sup> (1) A person who uses force as permitted in KRS 503.050, 503.055, 503.070, and 503.080 is justified in using such force and is immune from criminal prosecution and civil action for the use of

Basically, a civilian is entitled to use deadly physical force<sup>4</sup> when he believes the use of such force is necessary to protect himself or another against death, serious physical injury<sup>5</sup>, or . . . other felony involving use of force . . . .

KRS 503.090<sup>6</sup> provides similar protection for law enforcement agents trying to make an arrest.

Mr. Wicker also suffered from tinnitus, which according to the Veterans Affairs (VA) medical record could cause anxiety or a small panic attack. In January 2013, Mr.

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such force, unless the person against whom the force was used is a peace officer, as defined in KRS 446.010, who was acting in the performance of his or her official duties and the officer identified himself or herself in accordance with any applicable law, or the person using force knew or reasonably should have known that the person was a peace officer. As used in this subsection, the term "criminal prosecution" includes arresting, detaining in custody, and charging or prosecuting the defendant. (2) A law enforcement agency may use standard procedures for investigating the use of force as described in subsection (1) of this section, but the agency may not arrest the person for using force unless it determines that there is probable cause that the force that was used was unlawful.

(3) The court shall award reasonable attorney's fees, court costs, compensation for loss of income, and all expenses incurred by the defendant in defense of any civil action brought by a plaintiff, if the court finds that the defendant is immune from prosecution as provided in subsection (1) of this section.

<sup>4</sup> "Deadly physical force" means force which is used with the purpose of causing death or serious physical injury or which the defendant knows to create a substantial risk of causing death or serious physical injury. KRS 503.010(1).

<sup>5</sup> "Serious physical injury" means physical injury which creates a substantial risk of death, or which causes serious and prolonged disfigurement, prolonged impairment of health, or prolonged loss or impairment of the function of any bodily organ. KRS 500.080(15).

<sup>6</sup> (1) The use of physical force by a defendant upon another person is justifiable when the defendant, acting under official authority, is making or assisting in making an arrest, and he: (a) Believes that such force is necessary to effect the arrest; (b) Makes known the purpose of the arrest or believes that it is otherwise known or cannot reasonably be made known to the person to be arrested; and (c) Believes the arrest to be lawful. (2) The use of deadly physical force by a defendant upon another person is justifiable under subsection (1) only when: (a) The defendant, in effecting the arrest, is authorized to act as a peace officer; and (b) The arrest is for a felony involving the use or threatened use of physical force likely to cause death or serious physical injury; and (c) The defendant believes that the person to be arrested is likely to endanger human life unless apprehended without delay.

(3) The use of physical force, including deadly physical force, by a defendant upon another person is justifiable when the defendant is preventing the escape of an arrested person and when the force could justifiably have been used to effect the arrest under which the person is in custody, except that a guard or other person authorized to act as a peace officer is justified in using any force, including deadly force, which he believes to be necessary to prevent the escape of a person from jail, prison, or other institution for the detention of persons charged with or convicted of a crime.

Wicker was approved for hearing aids. A pair were made for Mr. Wicker but it doesn't appear he ever picked them up. It would appear Mr. Wicker had no significant hearing impairment which prohibited him from communicating with Anita Jones through a closed car window.

Counsel for Mr. Wicker's estate filed in court records and made statements to the media, that a blurred still photo showed the saw blade was at Mr. Wicker's lower **left** side. The testimony of the three officers was that the blade was in his **right** hand, raised above his head. Denita Jones stated the saw was above his head. Further, the still photographs prior to the one referenced by counsel show the "object" in Mr. Wicker's hand is light from the apartment through the partially opened door, shining through the handle side of the door. The light is partially obscured by a charcoal grill on the patio creating a curved effect.

Depending on the angle of the body cam and Mr. Wicker's movements as he moves forward, the "object" moves in and out of Mr. Wicker's hand.

Finally, counsel for the estate asked that we review a Use of Force form and body cam video of an incident which occurred on October 15, 2015, almost nine months earlier. Without going through every detail, it was determined that Gadegaard used appropriate **physical** force to counter **physical** force, that he had a plan to deal with different contingencies and that he suffered more severe injuries than the suspect who was being arrested on outstanding warrants. A subsequent complaint by the suspect was repudiated by the body cam. Witnesses at the scene stated the suspect suffered from a mental illness and was purposefully antagonist toward officers.

## CONCLUSION

From all the testimony of the three officers, Gadegaard, Banks, and Smith, as well as Anita Jones and her daughter Denita Jones, it is clear that Mr. Wicker ignored a directive to drop his weapon. The command was given multiple times by several uniformed officers and is supported by recordings on Banks' and Smith's body cams. (Notwithstanding the Jones' assertion that only one warning was given).

Further, it is apparent Mr. Wicker was moving toward the officers and that this movement, coupled with him possessing a twenty-inch fixed tree saw blade, a deadly weapon, created a risk of not only serious physical injury, but injury that could be caused within seconds. The parties were less than ten feet apart at the time the officers fired. Officers responding to a domestic violence complaint, one of the more dangerous runs they make, cannot be expected to know what physical impairments a suspect may suffer. Regardless, Mr. Wicker did not suffer from such sight or hearing deficits that he could not see there were officers in uniform or police cars in the apartment parking lot or to hear their commands to "drop it".

It is not clear why, but Wicker appeared to be preparing for a confrontation. According to both Anita and Denita, he went back into the apartment to arm himself with a kitchen knife or knives. Although he could have placed the saw into his tool bucket, he carried it in and out of the apartment. Denita saw him praying before the officers arrived. Anita told him multiple times to leave before the police arrived. His response was he "didn't give a f---". While we are not required to establish Mr. Wicker's state of mind, the high levels of cocaine and benzoylcegonine obviously affected his behavior and judgment. Denita's assessment that he was "cracked out" that day is supported by the toxicology report. While they later expressed the opinion the police did not give Mr. Wicker enough time, on the morning of the shooting, both Anita and Denita said he was swinging the knife back and forth. Denita also opined "they (the police) did what they had to do."

The officers complied with LMPD SOP 9.1.13 dealing with the use of deadly physical force. Under KRS 503.090, both Officers Gadegaard and Banks used appropriate deadly physical force.

At the time that Officer Taylor Banks and Officer Beau Gadegaard discharged their weapons, they perceived a real and substantial threat to their lives and the lives of others and they discharged their weapons in an effort to stop that threat. All the evidence contained in the PIU investigation indicates that Officer Banks' and Officer Gadegaard's actions were consistent with their duties as law enforcement officers and consistent with the laws of self-protection and protection of others in the Commonwealth of Kentucky.

Based upon the aforementioned facts, it is the conclusion of this office that the actions of the officers were consistent with the laws of the Commonwealth, and the matter will not be further reviewed by this office.

Respectfully,

Thomas B. Wine  
Commonwealth's Attorney





**LOUISVILLE METRO POLICE DEPARTMENT**  
**SPECIAL INVESTIGATIONS DIVISION**  
*Public Integrity Unit*

PIU-004  
11/14

CASE NUMBER: 16-054

**INVESTIGATIVE RECORD**

<b>Type of Investigation</b>	Officer Involved Shooting
<b>Subject(s) of Investigation</b>	Beau Gadegaard (7201) and Taylor Banks (7293)
<b>Involved Agency</b>	LMPD
<b>Victim(s) / Complainant(s)</b>	
<b>Other (perp against officer)</b>	Darnell T. Wicker b/m [REDACTED]
<b>Lead Investigator</b>	Sgt. Leigh Maroni

<b>DATE</b>	<b>TIME</b>	<b>EVENT</b>
8-8-16	0159	Notified of an officer involved shooting
8-8-16	0206	TC from Lt. DeSpain
8-8-16	0220	Text asking for PIU to call 229 (Sgt. Malcolm Miller)
8-8-16	0228	TC to Sgt. Miller
8-8-16	0308	Arrived on scene
8-8-16	0317	Walk-through with Ofc Gadegaard and Ofc Banks
8-8-16	0340	Sgt. Malcolm Miller advised that Sgt. Rob King (9 <sup>th</sup> ) had been on scene and he believed that one of the witnesses told him that the deceased subject charged them and "they did what they had to do" or something to that effect.
8-8-16	0339	Introduced self to Denita Jones
8-8-16	0344	Introduced self to Anita Jones
8-8-16	0348	Interviewed Anita Jones
8-8-16	0428	Interview with Denita Jones
8-8-16	0528	Dispatch requested I call Deputy Coroner Eddie Robinson. Called immediately with updates on time we would be ready for him/transportation
8-8-16	0550	CSU arrived on scene (Kimmer, Redfield, Rush)
8-8-16	0607	Began crime scene video with CSU April Rush
8-8-16	0628	Sgt. Miller advised one of his officers had information on the case (Lonzo McConico).
8-8-16	0639	TC to Sgt. Scott Gootee to see if he could interview Officer McConico.
8-8-16	0640	Asked Sgt. Miller to have Officer McConico go to the PIU office.
8-8-16	0645	Continued scene investigation
8-8-16	0710	Entered apartment with CSU
8-8-16	0740	Spoke with Etonya Thomas who arrived on scene. Said she was victim's cousin

8-8-16	0745	Spoke with Andre Thomas (victim's brother) using Etonya's phone. He gave two contact numbers: [REDACTED] Said victim has two daughters, Danielle and Dominique. He said he did not know their married names but he would find them as well as their numbers.
8-8-16	0745	Met with Eddie Robinson on scene
8-8-16	0749	CSU removed handcuffs and bagged victim's hands
8-8-16	0755	CSU removed items from victim's pockets
8-8-16	0800	Requested Fire Dept for washoff via dispatch
8-8-16	0807	Lake Dreamland arrived to do washoff.
8-8-16	0825	Officer John Priddy took Ofc. Banks' car to 2 <sup>nd</sup> Div/Ofc. C. Bradley took Smith's car to Div.
8-8-16	1030	Received Arbitrator cards from involved officers' vehicles from Sgt. Hagadorn.
8-8-16	1045	Debrief with Lt. DeSpain, Sgts. Kessinger, Hagadorn, Watson, Rivera, Downs and Gootee
8-8-16	1130	Received copies of Notification of Suspension Orders from Lt. DeSpain
8-8-16	1233	Requested WVS for all involved officers from LMPD Open Records
8-8-16	1258	Requested 911 calls, Radio traffic and CAD report from LMPD Metrosafe Open Records
8-9-16	0800	Attended the post mortem examination of Darnell Wicker –Dr. Arabdejeif
	0915	Called Sgt. Downs to ask her to take the Arbitrator cards in my office to Ned Wetherby (IT) to have them uploaded.
8-9-16	1245	Met with Lt. DeSpain to advise him of autopsy findings
8-9-16	1400	Called the Medical Examiner's (ME's) office to have them fax a copy of the wound diagram
8-9-16	1413	Received fax from ME of the wound locator
8-9-16	1450	Dropped off copy of Medical paperwork for Coroner Eddie Robinson
8-9-15	1500	Ileads reports taken
8-9-16	1600	Reviewed Officer Smith's WVS
8-9-16	1645	Reviewed Officer Bank's WVS
8-9-16	1730	Reviewed audio statement provided by Officer Brian Smith
8-9-16	1815	Reviewed audio statement provided by Officer Lonzo McConico
8-9-16	1951	TC to Attny Steve Shroering. Meeting with officers set up for Monday 8-15-16 at 1430
8-10-16	0830	Reviewed CAD and found phone number for EMS unit on scene
8-10-16	0951	Called EMT Jeremy Rader and left a voicemail for him to call me about the office involved shooting scene they made
8-10-16	0957	TC Sgt. Rob King –no answer. Text sent immediately following regarding need to interview him
8-10-16	1221	Called Denita Jones and asked her if she would have her brother Arthur call me so I could get a statement from him about his observations on scene.
8-10-16	1225	Called Danielle Cleveland (victim's daughter). Left a message for her regarding my contact name and number should she have questions about her father's case.
8-10-16	1430	Sgt. King called Sgt. Kessinger and advised he would be working at 1600 on 8-11-16 and he would come in for his interview.
8-10-16	0800-1600	Exchanged numerous e mails with Ned Weatherby about the Arbitrator video

8-11-16	0930	Reviewed Arbitrator video
8-11-16	1500	Received CD copies of WVS for Smith and Banks
8-11-16	1537	Interview Sgt. Rob King at PIU office
8-11-16	1640	Sent E mail to EMT Jeremy Rader and Daniel Smith with a cc: to Capt. John Johnson (along with a read receipt request) requesting an interview
8-11-16	1704	TC- Homicide Det. Jason Vance
8-11-16	1711	TC to Sgt. Malcolm Miller – Will meet with him and Ofc Helen Walton Johnson at the 2 <sup>nd</sup> Division tonight at 2030 hours.
8-11-16	1805	TC Homicide Det.Holly Hogan
8-11-16	1817	Sent Request for Gadagaard's WVS (after realizing his was not requested originally)
8-11-16	2030	Second Division Interview with Sgt. Miller and Ofc. Walton Johnson
8-12-06	0930	Reviewed video from Ofc Gadegaard WVS
8-12-16	1304	Interview with Jeremy Rader (EMS) at 900 E. Broadway. Received EMS report
8-12-16	1333	Received e mail from Daniel Smith advising he would be at work Monday night at 2200. I requested to meet Monday night at 2130.
8-12-16	1545	Picked up additional WVS from Sgt. Thornsberry LMPD HQ
8-15-16	1432	Interview with Beau Gadegaard at PIU office
8-15-16	1533	Interview with Taylor Banks at PIU office
8-15-16	2126	Interview with EMS Daniel Smith in my car at the 7 <sup>th</sup> Division parking lot.
8-20-16	1434	TC to Danielle Cleveland –left message with male who answered the phone. Making sure she had gotten my previous message and if not, left a name and number for her to call if she had questions.
8-23-16	0900	Received 2 voice mails from Ms. Cleveland.
8-23-16	1018	Return call to Ms. Cleveland (audiotaped)
8-24-16	0830	Received media clips from PIO Officer Carey Klain
9-5-16	1219	TC from Denita Jones
9-5-16	1414	TC to Denita Jones
9-5-16	1547	TC from Denita Jones
9-5-16	2108	TC to Denita Jones- wants copy of report for her mother
9-19-16	1219	TC to Danielle Cleveland – updates on status of case
9-27-16	2200	Interview with Major Bill Lohden
10-27-16	1554	Phone call received from Wendy Canin at [REDACTED] Insurance Company regarding a policy belonging to Darnell Wicker [REDACTED] with Anita Jones as the beneficiary. She wanted to know if Anita was a suspect in his death.
10-27-16	1659	Returned call to Wendy Canin at [REDACTED] advised she was not a suspect
11-9-16	1310	Met with Larry Rodgers at the Newburg Garage to take possession of Brian Smith's MDT
11-9-16	1530	Placed Smith's MDT in the property room.
11-15-16	1223	Phone call to Danielle Cleveland Regarding case being turned over at the end of or beginning of next week.





# LOUISVILLE METRO POLICE DEPARTMENT

Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT



Type of Investigation Officer Involved Shooting	File No. 16-054	Date of Report: 09/28/2016
Activity: Interview with Major Bill Lohden, EMS	Submitted By Sergeant Leigh Maroni	
	Lead Investigator: Sergeant Leigh Maroni	

### Interview with Major Bill Lohden:

On 9-27-16 at 2200 hours, I met with Major Bill Lohden with Emergency Medical Services (EMS) at 7201 Outer Loop. He was in the middle of EMS shift change at the time of my arrival but at the conclusion we met in a private office. A taped statement began at approximately 2222 hours. Major Lohden was aware that his statement was being audio-recorded and he was in agreement to provide a recorded statement. He advised he has been employed with EMS since 1998 and has been in his current area for approximately five years. He advised that on the night of the incident he was wearing consisted of his class B uniform which is a blue button down and black pants.

Major Lohden advised he saw a car pass him going code 3 around Cane Run and Algonquin on the night in question. He said he checked his screen to see if it was something to which they might respond. He didn't see anything they would respond to on the screen so he kept going downtown. He ended up at 21<sup>st</sup> and St. Louis when dispatch requested EMS to respond to a shooting. He said he asked them on the radio if it was officer involved and they told him no. He asked this because he didn't see any shooting listed in the area prior to seeing the officer going Code 3. He said dispatch later came back and said it was officer involved.

He said he pulled up and a little crowd of people starting to gather under the street light and several officers on scene. He said he grabbed his equipment and approached and he could see the patient who was kind of face down and handcuffed. I asked if the patient was on his stomach and he said, he was mostly face down because he recalled having to physically turn him. He said he was trying to figure out what happened and nobody was really saying much, he assumed this was because it was in the involved officers own interests but he was trying to ask how many times he was shot and if it was officer involved. One officer told another not to say anything. Major Lohden said he was also assessing the patient at the same time as he was asking these questions.

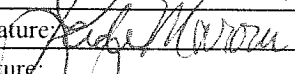
He said he could tell that the patient had several, what he would consider, "*Fatal wounds*". He said they were centrally located and the initial ones he could see where on his back which appeared to be exit wounds with lung tissue coming out of the wound. He said he rolled the patient over and he did not have a pulse and his pupils were fixed and not reactive which told him he was dead. Due to it being trauma related, they did not hook up and EKG. He was not breathing and no pulse. He said he had a less than 1% survival rate even if he had been shot in the emergency room. He said they pronounced him on scene and when his crew showed up and began getting their equipment out, he told him they didn't need it. He had his crew do a second assessment because that is what they do with trauma patients and his crew confirmed too, that no resuscitation was needed. Major Lohden pronounced him but told his paramedic to mark it on the

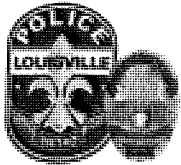
run sheet. I asked given the nature of the patient's injuries, if CPR had been started would it have caused more damage. He said in his professional opinion it wouldn't have made a difference. He said he likely died a quick death. He said CPR and floods of medication would not have helped in this case. The only thing that could potentially have helped would have been a trauma surgeon. He could assume the patient had a rapid blood loss, lung damage and had possibly been struck in an aorta due to the center mass of his injuries. CPR would only have looked like they were doing something but it would not have been effective.

He said he rolled the patient on his side to assess him after checking the wounds to his back. He said he is almost 100% sure the patient was face down but may have been twisted a bit. He denied moving anything else at the scene.

He said he talked to a lady while he was there. He said he believed she said she was the patient's girlfriend. She was standing by the police car. He could tell she was upset. He explained to her that the patient was dead. He asked what happened and she told him that he was acting crazy, that she and her daughter came home from Bingo (or something) and he (the patient) didn't live there and wasn't supposed to be there and had kicked her door in and she had gotten in her daughter's car. The lady told Major Lohden the patient kept coming up to the window threatening her and she cracked the window and told him she was calling the cops and he told her he "didn't give a fuck" and went back inside. After he talked to her he told his crew to get their stuff back in the ambulance and to leave a number with homicide if they needed to talk to them because they needed to get their truck out of there before they were stuck there for hours.

I asked if the lady he was speaking with said anything/or if he saw anything on scene regarding a knife. He said he saw a saw lying next to the patient. He said it had a narrow blade tip, approximately 1 1/2" that got wider. He said it was lying within 2 feet of the patient's head. He did not recall if she mentioned anything about a knife or a saw but said if I had interviewed him two days after he would have been able to answer that but he did not remember on this date. The lady also told him that she cracked the window to talk to him and he heard her say she called the cops. She was telling him that the patient had kicked the door in, the patient doesn't live there and he was inside her house. She told Major Lohden that she locked herself in a car and called the police because she was scared of him and he finally left her alone but went back inside. He then said he believed she said something about him sitting in a chair outside or something. Major Lohden said while this lady was talking to him a younger girl began talking to an African American male who came up and started hollering something like, "why they have to do that?!" He said he overheard the younger female say, "They told him, they told him, they told him to drop the knife and he wouldn't do it." He said it sounded like the patient had a weapon and the police told him to drop it and he didn't and the police shot him. He said it seemed like the younger girl was trying to diffuse the neighborhood from turning violent. He said she was calm and didn't appear upset at all. She was trying to diffuse the crowd from taking it the wrong way. He said the whole time he talked to the older lady, she seemed fine; she was smoking a cigarette and she wasn't crying. He interpreted from the older woman's statements that she told the patient that she called the police and he didn't listen and they (the police) did what they had to do. I asked if they mentioned if he used drugs or alcohol and he said he can't be sure but it seemed like the older lady may have said he had been drinking. Again, he said if he had been interviewed closer to the time of the incident, he may have had a better recollection but he couldn't remember that information on this date. The interview concluded at 2245 hours.

Investigator's Signature:	
Supervisor's Signature:	

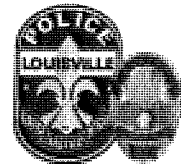


# LOUISVILLE METRO POLICE DEPARTMENT

Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT



<b>Type of Investigation</b> Officer Involved Shooting	<b>File No.</b> 16-054	<b>Date of Report:</b> 10/12/2016
<b>Activity:</b> Phone call to Danielle Cleveland	<b>Submitted By</b> Sergeant Leigh Maroni	
	<b>Lead Investigator:</b> Sergeant Leigh Maroni	

### Phone call to Danielle Cleveland:

On 8-10-16 at 1225 hours, I called Danielle Cleveland (Daughter of Darnell Wicker). She did not answer. I left a voicemail advising her that I was Sergeant Leigh Maroni with the Louisville Metro Police Department's Public Integrity Unit and I had been assigned to work her father's case. I left a telephone number for her to reach me should she have any questions regarding her father's case.

I called Ms. Cleveland again on 8-20-16 at 1434 hours. A male answered the phone. He advised that Ms. Cleveland was not there. I told him who I was and that I was working the case involving Darnell Wicker. I advised him I had left a previous message for Ms. Cleveland but had not heard back from her so I was calling to be sure I had the correct phone number. He assured me I had the correct number and he said he would give her the message to call me.

On 8-23-16 I returned to the office and had two voicemails left by Ms. Cleveland. I called her back on this date at 1018 hours. I began recording the call shortly after she picked up because it dawned on me that she had filed a lawsuit against the department and wanted to be sure the call was documented for accuracy. Ms. Cleveland advised that she had received my message but she had been dealing with a lot since her father's death and she just needed some time to let things settle. I told her I understood completely.

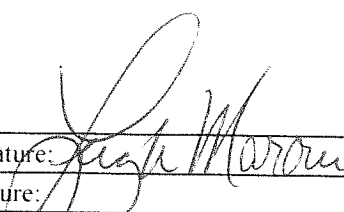
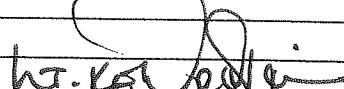
She said she knows Anita Jones through her father. She said she isn't close to her family. She said Anita and her father had been dating for a while and they had lived in that apartment building for about six years. She said they lived together before moving to this apartment. She was not aware of any domestic trouble between the two. I asked if she had been aware of any drinking or drug use by either party. She said she heard Danita make references to the fact that her mother had been drinking and may have been drunk the night of the incident. I asked her about her father's ability to hear. She said that if he were to have a conversation like she and I were, that he would have difficulty hearing. She said, *"You would have to literally be yelling or he's looking at your face to read your lips, yeah, he could not hear really well at all, yeah it's true, and I do know that he was supposed to been trying to make a doctor's appointment to get a hearing aid like within the near future, he was really trying to get that together, because you know a lot of people were sayin' he couldn't hear."*

I asked if he had ever seen a doctor for his hearing problem. She said, *"I'm not for sure."* She said he told her that he was healthy and he rode his bike a lot and was trying to stay fit but he neglected his hearing. She immediately said that if I had any additional questions I could call her legal team and we could sit down and talk if we needed. It was apparent she did not want to

answer any further questions because of her lawsuit. I thanked her for her time and told her to call if she had any questions.

**Phone call to Danielle Cleveland:**

I called Ms. Cleveland again on 9-19-16 to give her updates on where I was in the case. Again the call was recorded for accuracy and at no time were questions pertaining to her father asked.

Investigator's Signature:	
Supervisor's Signature:	

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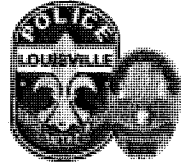


# LOUISVILLE METRO POLICE DEPARTMENT

Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT



Type of Investigation Officer Involved Shooting	File No. 16-054	Date of Report: 09/26/2016
Activity: Phone call to Jeff McKeller	Submitted By Sergeant Leigh Maroni	
	Lead Investigator: Sergeant Leigh Maroni	

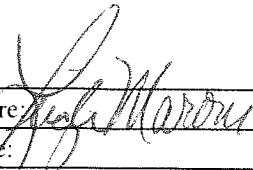
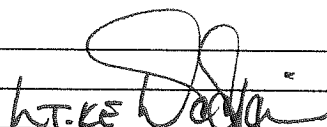
### Phone call to Jeff McKeller:

On 08-16-16 the LMPD tip line received a crime tip on the Darnell Wicker case. The crime tip stated that the tipster suspected that Wicker's girlfriend, Anita Jones and her daughter Danita Jones set up Mr. Wicker to be shot and he would like to speak to someone in Homicide about the matter. The tip left the tipsters name and phone number: Jeff McKeller 502- [REDACTED] He preferred to be reached any time after 1730 most days.

*Investigator's note: It should be noted that on 8-13-16 we received a similar crime tip without the name of the complainant. It is believed that Mr. McKeller made both calls as they are so similar in narrative.*

I phoned Mr. McKeller on 8-19-22 at 1257 hours. The phone call was audio-taped. Mr. McKeller stated that he has known Darnell for over forty years. He said he knew Darnell was no angel but he was hard of hearing and he is 3/4 deaf. He said that he believed Anita is a "shady character" and she should have told the officers he was hard of hearing. He said that he didn't even hear the officers yell "drop it". He said that Darnell could hear but you had to talk very loud for him to hear. I asked if someone was yelling within 10 feet of him if he would be able to hear them. He said, "Maybe, maybe not". He was told that Anita told us that she told Darnell she called the police and he heard her because he got upset and asked her why she was going to do this. He said he didn't believe she did that.

He said that Darnell is known to have a drug problem and his drug of choice is crack cocaine. He said the last time he saw Darnell was two years ago and Darnell was smoking crack with Anita at his parent's house. He said Darnell went to prison and when he got out he "looked pretty straight" when he last saw him at Labor Ready. Mr. McKeller had nothing else to offer. I thanked him for his information and concluded the call at 1303 hours.

Investigator's Signature: 	
Supervisor's Signature:	

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# LOUISVILLE METRO POLICE DEPARTMENT



Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT

<b>Type of Investigation</b> Officer Involved Shooting	<b>File No.</b> 16-054	<b>Date of Report:</b> 09/26/2016
<b>Activity:</b> Interview with EMT Daniel Smith	<b>Submitted By</b> Sergeant Leigh Maroni	
	<b>Lead Investigator:</b> Sergeant Leigh Maroni	

### Interview with EMT Daniel Smith:

On 8-15-16 at approximately 2126 hours, I interviewed EMT Brian Smith with Emergency Medical Services (EMS). The interview was conducted at 7201 Outer Loop in the parking lot of the LMPD 7<sup>th</sup> Division. Mr. Smith advised he was aware the interview was being recorded and that it was with his approval that we did so. He advised that he has been with EMS since February of 2016. On the night of the incident he was wearing his EMS uniform which is black pants and a gray polo shirt.

He said they were dispatched to a shooting but they were not aware it was officer involved until they were about two minutes out. He said his partner is a paramedic so he is the one who would determine if we resuscitate or if he was deceased or not. Their supervisor, Maj. Bill Lohden (paramedic) was already on scene and he had decided to withhold resuscitation based on his medical training. Daniel said he saw a man lying on the ground who was handcuffed with a large amount of blood beneath him. He said there was a (approximately) 13" saw located about a foot away from the gentleman's head and he also saw a handgun magazine on the ground. He said the man was lying on his stomach, maybe on his right side. He was assuming that his supervisor may have turned him to check his condition. The man was not breathing, no pulse and his pupils were fixed and dilated which meets the criteria for them to withhold resuscitative efforts. He said they arrived about 10 minutes after the initial call. He was asked if the officers on scene had begun resuscitative efforts the victim could have survived and he said he did not feel he was medically qualified to answer that question. He said he did not hear any statements from anyone on scene as to what had happened. When asked what they did do at the scene, he said he and his partner met with his supervisor and they checked for his breathing, pulse, and pupils and they checked for wounds. He said he noticed some wounds to his back he could not say if they were entrance or exits. He said they saw lung tissue on his skin which could have come from inside of him. He said this was observed on the man's back. He said he heard them (EMS) say it looked like he had been shot 5-6 times. From there, they withheld efforts and contacted the coroner. He said they stayed on scene for a while. He said it felt like an hour but it was probably more like twenty minutes. The actual times would be in their run sheet. The statement ended at 2134 hours.

Investigator's Signature:	<i>Leigh Maroni</i>
Supervisor's Signature:	<i>LT. KE DeDion</i>

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# LOUISVILLE METRO POLICE DEPARTMENT



Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT

<b>Type of Investigation</b> Officer Involved Shooting	<b>File No.</b> 16-054	<b>Date of Report:</b> 10/07/2016
<b>Activity:</b> Interview with Officer Beau Gadegaard and Officer Taylor Banks	<b>Submitted By</b> Sergeant Leigh Maroni	
	<b>Lead Investigator:</b> Sergeant Leigh Maroni	

### Interview with Officer Beau Gadegaard:

On 8-15-16 at approximately 1426 hours, Sergeant Kristen Downs and I interviewed Officer Beau Gadegaard (#7201) in the presence of his attorney Steve Schroering at the Public Integrity Unit (PIU) office at 810 Barrett Avenue (4<sup>th</sup> floor).

He was aware the interview would be audio-recorded and consented to us doing so. He advised he is currently assigned to the 2<sup>nd</sup> Division and has been since February, March or April of 2015. He was hired with LMPD in June 2014. He said he has been in Law enforcement since 2011 where he was a Sheriff's Deputy for the Jefferson County Sheriff's Office. On the night of this incident, he did not sustain any injuries and therefore, did not need medical assistance. He advised he was wearing his Class C uniform "with an outer vest" on the night of the incident.

*INVESTIGATOR'S NOTE: Class C uniforms consist of a polo shirt with patches on both arms and a badge and name tag sewn on the front. Class C pants consist of dark colored BDU (battle dress uniform) style pants, and a gun belt and black shoes; typically boots. An "outer vest" is just as its name entails: a marked vest with name tag and badge containing body armor panels on the inside that is worn on the outside of the uniform. (Photographs of Officer Gadegaard were taken at the PIU office on the night of the incident and would document exactly what he was wearing at the time of the incident).*

He was read his Miranda Rights and he agreed to give a statement with his attorney present. He signed the waiver and it was witnessed by Sergeant Downs and Attorney Steve Schroering at 1432 hours.

I asked how it was that he ended up on Broadleaf on the night of this incident. He stated that he was with Officer Banks at the property room and Banks was getting a new cord for his camera (The property room is located at 635 Industry –at the corner of 7<sup>th</sup> Street and Industry Road). As they were leaving, a run came out about a man who had kicked in a door on Broadleaf who was armed with a knife or edged weapons. He said it was a domestic with violence run. He said they were a "click" away. I asked for clarification and he said they were several miles away. He believed they were 5-10 minutes out. I told Banks to go code 3 because we were so far off. He said they turned on their lights and siren. He said Brian had called on scene about when they got to Shanks. He said they were about a minute out. He said they turned right on Shanks and right on Broadleaf. He said they couldn't see his car at first and then saw his car and saw that Brian was out of his car talking to two or three girls. He said he then got out and as he was walking toward Brian, he saw a door opened and a black male in the doorway who made eye contact with him and walked a couple feet out of the room and immediately turned back around. He said he

wasn't sure if he saw it from within the car or not but he knew he saw it when he got out of the car. He said he did not see any weapons at that time. He said he heard Brian talking to the "caller" or the "victim that I take it to be." And she said something to the effect of "He's armed with knives and that he is in the apartment." He said he never spoke to them and doesn't think he said anything to them but he saw Brian approach and he (Gadegaard) was to Brian's right. He saw Brian pull his gun out so he pulled out his weapon as they approached the building. He said Officer Banks was kind of running up behind him because he was several feet behind them having had to park the car and lock the car. Officer Gadegaard said he was walking behind Brian and "The gentleman decides to walk out of the, the room or the doors open. He sees us, he walks out, and, and, basically the saw is down to his... in his, in his, in his like right arm down next to his leg and then I say 'Drop it, Drop it, Drop it', Brian and Banks say 'Drop it' like, you know...a lot of times...enough. And um, he then um, he, you know, you know, he then continues to walk towards us and at this point, I actually take a point or lead or I'm the farthest officer out...I'm, I'm the closest to him and my, in my, you know in I guess my perception. I thought I was the farthest out, maybe I wasn't, but I thought I was. Um...Brian's to my left, I'm in the middle, Banks is to my right. And um, I say 'Drop it, drop it' and then he basically is walking and then he like, he basically like bends over, kinda hunkers down like he's getting in like, in this, in this... basically like an aggressive stance and then he looks me in the eyes, like dead in my eyes and I see pure evil, like it looks like he is...he wants to kill me...and Brian, like all of us...Like he...I, I've never seen that, that actual look in someone's eyes before. As he did that, his right arm raised up...and that's and like, that's when I actually saw the entire, entire saw. I actually thought it was a sword the first second I saw it. Um, I just saw a huge metal object. It looked as long as his leg with like teeth on it and then he just brought it across his body once and after he did that...that's actually like when I opened fire. After he like swung the blade across his body and that's...and then that's when I opened fire."

I asked if the suspect was moving toward him at that time or if he was standing still. He said, "He was, he was moving forward and then he raised the blade up. After I stopped shooting, that's when he stopped moving forward. So, he was moving forward, but then he hunkered down and he swung the blade in like an aggressive manner so..."

I asked what he meant by "hunkered down" and he said, "In an aggressive fighting stance so basically, I think his left leg was actually forward and his right leg was back because the blade was actually concealed behind his right leg." I asked him to describe the look of "pure evil" as he saw it. He said, "His teeth were, he said something but I don't know what he said, I honestly don't know what he said. His eyes...his eyes were the biggest thing I could remember, um...they were huge....like his...just, just the whites of his eyes were the biggest thing I'd ever seen...and his eyes were very, very like piercing. Like he just, he wanted to get to me, like purely like he wanted to hurt me."

I asked what he was going to say about his teeth and he said his teeth were just "biting down, like clenching". I asked how many times he thought he had shot and he believed it to be between 5-8 times. He also said he was within 5-7 feet away from the suspect at the time the shots were fired. I had Officer Gadegaard draw out the location of himself, Officer Smith and Officer Banks at the time of the shooting. (This drawing will be included in the case file). He stated Officer Smith was to his left and Banks was to his right. He said, "The knife or, the actual uh, I guess it was a saw, the saw was on the right hand side of his body. I would call that the dead side, or...I'm sorry, on the weapon side so I guess it would be the live side if that makes sense but it probably doesn't, uh, so it was there. So Brian actually, to me, that's one of the biggest things that actually scared me was Brian was closer to his to the side that actually had the weapon...."

I asked him what he recalled after the shooting. He said the subject fell to the ground and he (Gadegaard) immediately got on the radio and said there had been shots fired and they had a man on the ground and they needed EMS. He kicked the saw and he put his gun up, grabbed his hands and turned him over and Banks put the cuffs on him. He said he told Brian that they needed to clear the apartment, *"Because I was scared that you know, that, that somebody else was in there. I didn't know if anybody else was hurt or if there's, or if there's another suspect, a danger, a threat, like, whatever that is, I didn't know...Especially because of that call..."* He said he did not want to clear it without Brian knowing. I asked why and he said, *"Well, because it was a very, it was, it was, it was a very active scene still. There is, there's, there's one: there is um, there is a saw on the ground, you know, you know, like a weapon that anybody could grab and there's people coming out of all these rooms and doors and stuff and um, I was still very, very scared that Brian was going to be out there by himself and like, I didn't want to leave him there cause he was ya know, he was dealing with the, with, with, with all the victims and dealing with the scene; trying to lock it down and there's a guy that's been shot and there's, and there's a saw on the ground next to him within a couple feet so there's a lot for Brian to do."*

He said he and Banks cleared the apartment and found no one else inside. After coming out he got on the radio again and advised EMS to pick it up, "Because he was bleeding a lot. I mean, it was bad." After that, he went to put on his gloves and rolled him over into the recovery position so his tongue would not be blocking his airway. He said his training has taught him that's the best thing you can do for someone with trauma like that. He said he did that so if he went in to cardiac arrest or he could not administer anything else, at least he would be on his side so he could breathe. He said he put is gloves on and went to look at him and there was blood everywhere and he realized there was nothing he could do at that point medically, to help him other than putting him in the recovery position. He said there were people coming out and tactically, it wasn't sound to give any further treatment as there were people out there, one looking directly down at them from the upstairs and he was afraid due to today's climate for himself and his fellow officers. He said he advised radio that the man was no longer breathing and he asked for everyone (EMS and additional officers) to "pick it up" (code 3 -lights and siren) because the crowd was getting larger. He said when he advised radio there were "five of us out here" that he was referring to themselves (three officers) and the two callers which he did not count as possible aggressors to their safety. He said EMS arrived within a few minutes and after that he didn't do too much other than watch the crowd for any potential threats.

I asked him how the subject fell after he was shot. Officer Gadegaard said he believed he fell on his back. He said he believed by the time he got to him he was on his stomach because of he had grabbed his arms. He said he had to have gotten to his stomach on his own because they did not touch him after he fell initially. He said he was the first officer to touch him and he was on his stomach or on his side because he had to grab his arm and rotate it back to cuff him. He said he had to physically move his body to cuff him. After he was cuffed Officer Gadegaard said he left him on his side in the recovery position. I was asked if the man made any statements at any time and he said, "None that I could understand."

I asked if he saw any signs of a disturbance inside the apartment and he said, *"I can't recall, I was looking for bodies, that's all."* I asked specifically if he checked for a pulse and he said he did not believe he did but he was watching his stomach rise. He did not recall any other officers checking for a pulse on scene. I asked him why they were cleaning their hands on the video from the scene. He said this was due to the fact that he had blood on his hands from the man and he was cleaning it off.

Sgt. Downs then asked him to describe his uniform and outer vest. He said they have patches on the sleeves that are the same as any Class A uniform. His outer vest has a cloth patch and a nametag on the exterior. He said his pants are BDU style (cargo type) pants and black boots.

He said Banks was driving since his (Gadegaard's) had been towed to the shop earlier that day. He was asked where Brian and the ladies were talking. He said the ladies were outside of a car in the parking lot of the complex when he saw Brian talking to them. He said Brian's back was toward them so that he could see the door of the apartment. Sgt. Downs showed him some street views of the complex asking where Brian was. He said he and Brian didn't really talk upon his arrival. He said he picked up on it right away. He already knew it was a domestic with violence and weapons were involved. He said the man had already seen them (the police) and retreated back inside. Gadegaard was scared at that time.

I asked if they had their lights and siren engaged when they pulled in to the scene. He said he was pretty sure that Banks had turned off their lights and siren when they turned on to Shanks Lane before Broadleaf (This is a procedure taught to recruits as to not allow an armed suspect/violent offender to know you are coming and place yourself in danger). He advised that Banks drives a "marked" vehicle which has a light bar on top of the roof, stickers identifying it as a Metro Police vehicle.

He was asked if he ever announced that they were the police and Officer Gadegaard could not recall, but he knew he did not announce police, but the man they encountered made direct eye contact with him, *"So he knew it was the police and I was in clear uniform so that's why I didn't say it."*

I asked if someone would have been able to see their police car looking in to the parking lot from apartment #4 and he said he believed they could because, *"After the shooting I was standing there and I could see the police car, so I assume you could."* He said he was within 20' of the doorstep from the time of the shooting until he was escorted to a car by Homicide detectives.

I asked if he heard any of the complainants make statements after the shooting. He said he heard one of the callers say something to the effect of *"the police told him to put it down and then he started swinging and he didn't drop it and they didn't have a choice."* He said he believed the caller was wearing pink or red and that there were only two or three girls out there when he arrived. He could not be certain who said it but believed it was one of the ones talking to Officer Smith when they arrived on scene.

He advised that Sgt. Malcolm Miller was his on duty Sergeant that night. He advised his Sergeant did arrive on scene but he never discussed what happened with him or anyone on scene other than Officer Smith. He said he told Officer Smith that it was good that they came there so quick because the guy (Wicker) actually came at him (Smith) and Officer Smith told him that he would not have gone in there alone. He said that was the extent of their conversation. I asked how it was he left the scene and he said that he believed it was homicide detective who came and got him and took him to her car. He could not recall her name but said she had not been in homicide long. I asked him if it was Det. Holly Hogan and he said that was her name. He said he sat with her a while and he was then greeted by Peer Support who checked on him but again they did not discuss the case.

I asked if his Wearable Video System (WVS) was on at the time of the incident and he said it was not. He said he thought he turned it on but after the incident he looked down and noticed it was not on after they cleared the apartment. That's when he felt safe enough to look down and he noticed it wasn't and he immediately turned it on at that time. I asked why he thought it was on and he said because he generally turns it on as he is getting out of the car. He said he turned off his WVS when Det. Hogan told him he could do so.

I was asked if he has ever patrolled the area in which this incident took place. He said he had and when asked if he had made runs in that specific area he said, *"In the general area, yes but not on that apartment complex I don't believe, in the general area."* He said he did not recognize the man he encountered in this incident. He also did not recognize the females on scene.

Sgt. Downs went back to clarify when he first saw Mr. Wicker. He said they began to approach and as soon as he passed the "threshold" of the two cars (the cars parked in the first two spots facing apartment #4) is when he saw them. *"He immediately popped out of that room, as if he was waiting for us. That's, that's what it seemed like. It was like boom, quick."* He said he came out of the doorway and walked toward them with the sword down behind his leg until he cleared the doorway and they said drop it, brought the saw across his body once and that's when he fired. He said he was in fear and said, "I just thought that he was going to try to kill us." He said he was particularly scared for Brian because he was close. He said Brian appeared closer but he (Gadegaard) was probably closer. He said that Brian was closer to the weapon side (putting Smith at risk to be the first to be struck by the weapon). *"I was really, really scared that Brian was going to, going to get really hurt...or die. So..."*

He was asked if Wicker said anything as they told him to drop it and he said, "He said something, I don't know what he said, I, I don't, I don't know. It was either that or, that or it could have been a grunt, it could have been an aggressive yell, I don't..."

He was asked where the women (he mentioned seeing upon arrival) were at the time of the shooting. He said they were behind them. He said, *"They didn't approach with us cause... Well, actually there was a woman walking there and I, and I grabbed her and said, 'No Stop' like stay back here cause, I didn't want her walking up there because I didn't want her to get hurt and that's when I said, 'No stop, stop' and I gently pushed her back."* He said he thought that woman was wearing a white shirt.

He said when he kicked the saw from Mr. Wicker it was not in his hands after he fell but he believed it was close to his hands. He said he kicked the saw a couple feet northwest of Mr. Wicker's head. He couldn't recall if he kicked the saw first or advised dispatch of shots fired first, but one was right after the other. He said he did not recall which hand he grabbed first to cuff him but he used the practice he was taught in the academy where you pull the arm out and twist it back and it forces a person on their stomach so they can be handcuffed. Banks then cuffed him and he left him in the recovery position. He said he could see his stomach rising and falling and after he cleared the apartment he did not see it rising anymore and he notified dispatch.

Sgt. Downs then asked why they cuffed Mr. Wicker. He said, *"Well, because he's, he's still like a threat um, from... basically, basically from my point of view, he basically just tried to kill us. I was like, I think, still scared for my life and the saw was still, was still within arm's reach of him. Yeah, he's been shot but that doesn't mean he's not going to get up and try to do that to us or the victim's or somebody else. So... Um, with, with uh the weapon being there and with Brian already preoccupied dealing with the victims and dealing with everybody else in the environment, um, the best idea is to cuff him and, you know also, he's, I mean, he'... the guy was under arrest, the guy was under arrest. You know, that's our protocol so, we're going to... so I have to cuff him to clear the apartment cause I, so basically, I have to leave him alone for like a minute or two to clear that apartment and um, I would not feel safe doing that if he wasn't cuffed. If Brian is already preoccupied, so for momentarily, um, I'm not sure if Brian watched him, I imagine he did, um but that would assist Brian and just, you know, just general officer safety."*

He said that the latex gloves he carried are black and he left them on the scene and he actually saw Banks take his off and leave his on scene as well. He was asked if they did anything with their handguns when they came out of the apartment. He said, "Uh, yeah. I actually dropped the mag and, and then, and then I put a fresh magazine in, in my weapon. It just felt really light. I didn't, I didn't check the rounds but I wanted my gun to be up and ready just for officer safety again." He said he did this after he came out of the apartment and it was just a tactical reload and he holstered his weapon. He said he left the magazine where it was on scene and it was dropped north of Mr. Wicker, "Between him and the saw." He said Banks did the same thing to his weapon after he (Gadegaard) did.

He said that the time of the incident was about 0130 hours. He was asked how well lit the area was. He said it was lit well enough for him to see Brian and the two callers down off Shanks Lane but not until he turned north off of Shanks about a block and a half away. He said the apartment (#4) was "backlit" so he could see Mr. Wicker "clear as day". He said the lights inside through the window and the living room when the door was opened provided additional light outside for them to see one another. The statement was concluded at 1520 hours. (Approximately 54 minutes long).

*Investigator's note: Gadegaard's references to "Brian" are how he refers to Officer Smith throughout the interview.*

#### **Interview with Officer Taylor Banks:**

On 8-15-16 at approximately 1538 hours, Sgt. Kristen Downs and I interviewed Taylor Banks (#7293) at the PIU office located at 810 Barret Avenue (4<sup>th</sup> Floor). Also present for this interview was attorney Steve Schroering.

Officer Banks was advised that this interview was being audio recorded and he consented to us doing so. He said he is currently assigned to the Second Division, late watch platoon. He said he has been in the 2<sup>nd</sup> Division since early this year. He has been with LMPD since June 8<sup>th</sup> of 2015. He advised he was wearing his Class C polo with an outer vest that has the LMPD badge and his name on the front of it.

He was read his Miranda Rights at 1541 hours. (*Investigator's note: I initially wrote and stated "1531 hrs" on the form and audio recording however, the correct time was changed on the form to 1541 hours (time read) and 1543 hours (time I signed it) and initialed by me on the form after the recording was stopped.*)

Officer Banks stated he understood his rights and was willing to make a statement with his attorney present. He signed the waiver form which was witnessed by Mr. Schroering and Sgt. Downs. I asked him to start from the beginning and tell me how he was dispatched, where he was and how it was that he got to Broadleaf on the night of the incident. He stated that he and Officer Gadegaard were riding a two man car that night and they were just leaving the property room and Gadegaard told him that they were getting dispatched to a domestic violence run on beat 6. He said all he heard since he was driving was a "domestic with violence" being dispatched. He said Gadegaard read the run to him from their Mobile Data Terminal (MDT) as he continued to drive. He said he was told that someone with a knife had kicked the door in. He said he and Gadegaard looked at each other and Gadegaard suggested they step it up since they were not close and it sounded like a "hot run". He said they stepped it up to code 3 and turned on their lights and sirens. He said Officer Smith had already called on scene and when they got close they advised dispatch they were on scene a few blocks away. He said when he pulled up Brian was talking to the domestic victims. He said, "As soon as we got out of the car, Brian (Officer Smith) drew his gun so we immediately drew our guns cause we hadn't talked to the victims or anything all we knew was what was in the run so uh, we drew our guns and, you know,



*kinda ran up a little bit because Brian was already ru.... not running to the door but was already walking to the door, so we came up and then uh...the...the guy opened the uh, er...like opened the door and came...was standing at the door with a kn...like a ha...had to have been like a 3-5 foot knife, I mean it was big, uh...and then uh...he kinda was standing there and he kinda like swung it by his side a little. He didn't like SWING it swing it, but he swung it by his side and then uh, he took...he took steps toward us. Beau was like, as he was standing there in the door, sorry...Beau was like 'Drop the knife, drop the knife, drop the knife' and then he took a couple steps toward us and then, you know, I, I was in fear for my life and the lives of the other two officers so I fired my weapon. Uh, after we fired our...after the threat was, the threat was done, we uh...we uh...handcuffed the, handcuffed the uh the suspect and uh...we had to clear the apartment because we didn't know if they had...if he...if there was any more victims in there, anymore suspects...we just wanted to know what was in that apartment. Uh, so Beau and I entered the apartment, and uh...started to clear the apartment and uh, nobody was inside the apartment or anything and then uh, we came back out and I...I believe it was Brian that I asked, I said, I said....or maybe it was Beau maybe, I can't remember who it was but I said uh...do... 'do we need to put some crime scene tape up?' and he was like, 'Yeah.' So we go to start securing the crime scene because we had evidence, you know, from where uh, Beau and I had reloaded, we had uh...the large, the large uh knife laying on the ground um...uh...so I go to check to see if I have any crime scene tape. I did not uh...so then Brian went to get the crime scene....we was trying to get the, you know, scene secured as best as we could uh, because you know we had people coming up to where...to where...you know we had family members coming up trying to see what was going on while we were trying, you know, to the best we could, keep the crime scene secure and then uh...uh...Beau had called for EMS as soon as uh, uh, as soon as uh....I'm kinda back-tracking a little bit, but...Beau had called for EMS as soon as the shots were fired, uh...he called for EMS code 3 for uh...a black male, you know with multiple gunshot wounds um....and then, you know I believe he called again and told them to step it up because he had stopped breathing while we were standing there trying to get the scene secured and then EMS showed up and we were kind of, we were split up and that was it."*

He said that they were actually dispatched to the run to back up Officer Smith. He said they were not close because they were responding from Algonquin and McCloskey when they were dispatched. He thought the run was "pending" while they were at the property room. He said they were the only car clear at the time so they dispatched them to respond. He said domestic with violence runs are classified as "high priority" runs. Sgt. Downs asked if that's what he meant when he called it a "hot run".

He said that he had turned off his lights and siren and called out a couple of blocks out before arriving on scene and "That is because if we do get there and something is going on, we aren't trying to talk over the siren and stuff like that." I asked him if that was fairly standard practice and he said it was. He said he had seen Brian talking to two women on scene. He was asked who got out of the car first. He said, "I just put the car in park and got out I don't know if it was Beau or not, I'm assuming we got out simultaneously." He said as they got out of the car Brian drew his gun and started walking toward the apartment.

I asked him what Brian drawing his gun car told him. He said, "It told me that, you know, something obviously, that he's obviously in there with a knife of some sort. They told him something because you don't just, you know, you don't just draw your gun for no reason." I asked if he was assuming a knife because that was the weapon mentioned in the run and he said, "Yes."

He was asked if he could tell what kind of knife was in the man's hand. He said, "To me, it looked like, like a, like a hand, like a wood saw...like a something, it had a wood handle on the

*end of it.*” He was asked in what hand the man had the saw. He said it was in his right hand. He demonstrated how Mr. Wicker was swinging the knife and he motioned his right arm back and forth as it was at his side. He did not recall hearing Mr. Wicker say anything. He was asked if he saw any facial expressions or if there was anything else he noticed. He said he just remembers him swinging the knife back and forth and then taking steps toward them. When asked how many steps Mr. Wicker took he said, *“Two or three.”* I asked if he was running, walking, fast or slow steps and he said, *“They were aggressive steps, they weren’t like, you know like normal steps.”* I asked how they were aggressive. He said, *“They were just like fast paced steps.”*

I asked if he gave any verbal commands and he said he did not recall if he did or not. I asked if he heard anyone giving commands. He said, “Beau was giving very loud commands: ‘Drop the knife, drop the knife.’” I asked how close Beau was to Mr. Wicker and he said, *“I would say three to five yards.”* He said he was right beside Beau so he was about the same distance away. Officer Banks drew out a map of where they were standing indicating Brian was a little closer than they were (the original will be placed in the case file with his statement). I asked if Mr. Wicker ever dropped the knife at their request and he said he did not. Officer Banks thought he fired 4-7 shots. He said he and Officer Gadegaard cuffed Mr. Wicker.

He said that Mr. Wicker fell to his right on his side and he isn’t sure how he landed but he is sure he fell to his right. He said that he and Beau holstered their weapons and Beau said they needed to cuff the man and Beau grabbed his arms and he (Banks) put handcuffs on him. He said they left him on his stomach. He said they cleared the apartment because they didn’t know if there were any more victims or suspects inside. They didn’t find anyone inside. He said he did not notice if there were signs of a struggle because they were only looking for people.

He said as they exited, he and Beau reloaded their weapons and began putting up crime scene tape. I asked if they ever checked for a pulse or rendered aid to the man and he said he believed Beau had checked for a pulse but other than that they did not render aid because they were trying to get the crime scene secured and there were a lot of people coming out of their apartments trying to see what was going on and family members pulling up on scene and there was a large unsecured knife laying on the ground that anyone could have picked up. I asked if he could tell if the man was breathing or not and he said that all he knew was there was a lot of blood. He said that he never checked to see if he was breathing because Beau was doing that.

He said his Class C uniform has patches on the sleeves and his outer vest has a badge and his name on it. He said he drives a “marked” unit with lights and “Metro Police” written on the side. He said his car was parked in the lot and close to the apartment door. He said there was a stairwell that may have blocked it but he couldn’t say for sure.

He was asked why he washed his hands and he said that he had blood on his hands from cuffing the man. He said his immediate supervisor is Sgt. Malcolm Miller. I asked who he was talking to on the WVS when he was telling them what happened. He said it was Sgt. Miller with whom he was talking. I asked him to clarify what he meant when he told Sgt. Miller, “He kinda took steps toward us and we shot.” He said that he was just giving him a brief description of what happened and he was still going through *“a bunch of emotions and a bunch of adrenaline”* so he just tried to keep it brief. He said, *“There was a lot going on.”* I clarified that they are trained that they are not even supposed to talk to one another after a critical incident such as the one in which they were involved and there appeared to be confusion or concern about that on the WVS footage. He said that the three of them even said they didn’t think they were supposed to talk about it and they thought they should separate. He said they followed this general rule by not discussing what had happened at all. I asked him to explain what they meant when they were asking one another *“Are you good?”* He said they were just checking on one another because they had just been involved in a critical incident and he had never been involved in a shooting before and to his

knowledge, neither had the other two officers. He said there were a lot of emotions going on about what had happened and they were checking on each other. I asked him what was going through his mind when he said the words, "Goddammit" on the video. He said he was just thinking "Why didn't he do what we told him to do?" because this would have never happened.

I asked how he left the scene. He said Homicide (detectives) arrived and put them in three separate cars and he asked if he could turn off his camera. He said he went with a man (unknown name) who sat with him for a bit. He said Det. Holly Hogan then sat with him and upon arrival, Peer Support Sgt. Beatty sat with him on scene.

Sgt. Downs then asked a few questions. He said that when Beau read him the run when they left the property room, he read it from the Mobile Data Terminal (MDT). She showed him a street view of the scene from Google Earth. He mapped out on the image where he saw Brian Smith talking to the two ladies (at the rear of the bumper of the cars parked in front of the apartment). He said Officer Smith approached the apartment as soon as they started out of the car. He said he and Beau were parked closer to the stairs and they approached between two cars parked in front of the apartment. He said Beau was ahead of him as they approached. He said he went to Beau's right to get out from behind him. He said they were in a half circle (of sorts). He said he could see the door and there was some sort of lighting because he didn't have to use his weapon's mounted light or a flashlight.

He said that the man came from a door that was halfway open and he opened the door and stood in the doorway. Beau began giving commands to drop the knife and he (Mr. Wicker) took "two to three steps" out of the apartment and they began to shoot because they were in fear for their lives. He said (Mr. Wicker) was swinging the knife to his side. Officer Banks said he heard "drop the knife" multiple times. He said he did not recall making any eye contact or anything because this happened so fast. All he could remember was him walking out the door swinging the knife and taking steps toward them. He said he began firing as soon as he began walking toward them. He thought Beau shot first and then he (Banks) shot him. He did not recall him saying anything or making any noises.

He said Beau kicked the knife (saw) toward the left of Mr. Wicker toward the left sidewalk. He said when he fell he was lying with his head to the North and on his side but somewhat on his belly. He said they handcuffed Mr. Wicker because they didn't know if he had any other weapons on him but they never searched him because they immediately went inside and cleared the apartment. He said when they exited, Beau checked on Mr. Wicker again and he called for EMS to advise that he had stopped breathing. He said he put gloves on after cleaning his hands with hand sanitizer due to having blood on his hands. He said he left his gloves on scene. He said he had black gloves on. He said he and Beau reloaded because they are trained to always have a full magazine in the field. He said he left the magazine he dropped on the ground where he dropped it.

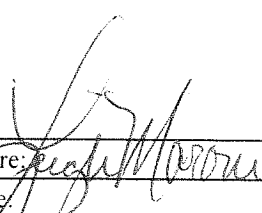
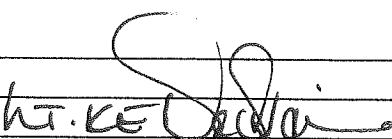
After the shooting he believed he was on scene for about fifteen minutes and he stood in front of Mr. Wicker. I asked if he heard anything being said after the fact. He said a family member pulled up and began to say, "Oh my god, they didn't." He said on the females told the family member, "He came at them (officers) with that knife." He said he wasn't sure who it was but he said it would have to be one of the initial complainants because he caught it on his camera, so it would have to be one of them.

Sgt. Downs asked if there was anything else he thought they could have done instead of shooting and then immediately asked, "Why did you decide to fire?" Officer Banks stated, "I was in fear for my life and the lives of the other two officers, cause they...it's so, it...the...so close proximities that we were at I mean three to five yards, I mean, we was a good, a good step and a

*swing away from him hitting one of us and you know, potentially hit, hitting one of us with that knife and potentially killing one of us with those knives, one of those....with that knife. So, we were in fear for our lives so we fired our weapons."*

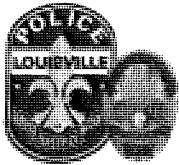
He was then asked why he never rendered aid or give (Mr. Wicker) any assistance or CPR. He said, *"We were trying to secure the scene, we had people coming, we had people coming out of the uh, top, the uh second floor apartments you know, peeking over the railing, trying to see what was going on. We had family members that were, you know starting to show up. We had large, large number of people showing up that, you know, you know....we had unknown, like unknown their, their reasoning to be there, you know....why are they there? Is it family? Are they here to you know..."* Sgt. Downs interjected, *"You didn't know if they were going to present any other kind of threat?"* and Banks said, *"Correct, present any other sort of threats."*

I then asked if he knew if EMS or their back up arrived on scene first. He said he did not know. Neither Sgt. Downs nor I had any follow up questions. He was asked if he had anything else to offer or if we failed to ask him anything he felt would be relevant. He said he had nothing else to offer. This concluded the statement with Officer Banks. The interview ended at approximately 1614 hours (approximately 45 minutes in duration)

Investigator's Signature:	
Supervisor's Signature:	

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LMPD # 05-0002 10-05.



# LOUISVILLE METRO POLICE DEPARTMENT

Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT



Type of Investigation Officer Involved Shooting	File No. 16-054	Date of Report: 09/26/2016
Activity: Interview with Paramedic Jeremy Rader	Submitted By Sergeant Leigh Maroni	
	Lead Investigator: Sergeant Leigh Maroni	

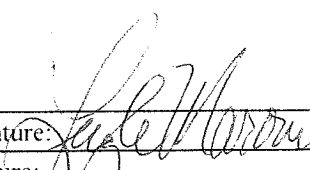
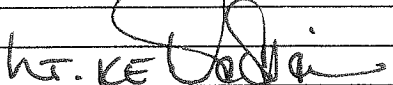
### Interview with Paramedic Jeremy Rader:

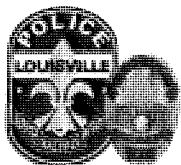
On 8-12-16 at approximately 1304 hours Sgt. Kristen Downs and I interviewed Paramedic Jeremy Rader at EMS Headquarters at Broadway and Campbell. The interview was conducted in a private office on site. The interview was audio taped and Mr. Rader was aware that it was being audiotaped and approved of us doing so. He advised that he is Medic 135A and he is assigned to the Fairdale area. He has been riding this unit since January of this year. He has been employed with EMS for five years. He was wearing his standard issued EMS uniform the night of the event. The uniform consists of black pants and a gray polo shirt. He said he was at University Hospital when he was dispatched to this run. He was advised he was responding to a patient who was unconscious but breathing who had sustained gunshot wounds. He did not know at the time how the patient sustained his wounds. He said once on scene he was led to the patient and saw he was on his right side and handcuffed behind his back. He had a sizable pool of blood beneath him. He was unconscious, not responsive and had no pulse and his pupils were fixed and dilated. He lifted the man's shirt to expose his torso and noted multiple gunshot wounds to his torso and at least one exit wound to his back. He determined the patient had what appeared to be lung tissue coming from the exit wound to his back and he determined he had sustained massive internal injuries. He could not tell how long the patient had been down.

He was asked if anyone made any statements on scene and he said he overheard from LMPD officers on scene that LMPD had responded to a domestic violence call with forced entry and a subject who was refusing to leave. The suspect then exited with a knife or a saw. He said he had observed a folding limb saw next to the deceased and it was in close proximity. He said he also saw magazines he assumed came from the officer's weapons lying nearby. He said his Major Bill Lohden was on scene prior to his arrival and he is unaware if his Major provided treatment prior to his arrival. He said it would not be reflected in his run sheet since his run sheet refers only to his arrival and treatment. He said that he knew Lake Dreamland Fire Department had also been dispatched but Major Lohden cancelled them since he arrived on scene. He said that his Major withheld treatment until their arrival due to their own protocol. He said due to the patient having apnea, being "responseless" and pupils fixed, they would withhold resuscitative efforts. I asked if LMPD officer had provided resuscitative efforts if it would have changed the patients outcome. He said that the patient would have sustained massive damage to his thoracic cavity affecting his larger arteries, lungs and heart and any CPR provided would have been ineffective. Because of the damage to his organs, blood would not be allowed to circulate or oxygenate.

Paramedic Rader said he stayed on scene for about 20-30 minutes and he notified the coroner by phone. He advised one of the detectives on scene he had spoken with the coroner who asked one of the detectives to call him when they were ready for him to respond. He said his partner that night was Technician Daniel Smith.

He denied that other than lifting the patient's shirt, they did not alter the scene in any way. He denied they left any gloves behind on scene and he denied moving the saw or magazines. With nothing else to offer, the statement was concluded at 1316 hours.

Investigator's Signature:		
Supervisor's Signature:		

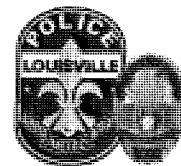


# LOUISVILLE METRO POLICE DEPARTMENT

Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT



<b>Type of Investigation</b> Officer Involved Shooting	<b>File No.</b> 16-054	<b>Date of Report:</b> 10/10/2016
<b>Activity:</b> Interview with Sgt. Malcolm Miller and Officer Helen Johnson	<b>Submitted By</b> Sergeant Leigh Maroni	
	<b>Lead Investigator:</b> Sergeant Leigh Maroni	

### Interview with Sgt. Malcolm Miller:

On 8-11-16 at approximately 2044 hours Sgt. Downs and I began an audio recorded statement with Sgt. Malcolm Miller (#2026) at the 2<sup>nd</sup> Division located at 3411 Bohne Avenue. Sgt. Miller was aware the statement was being audio recorded and he consented to us recording the interview. He advised he has been the 2<sup>nd</sup> Division late watch Sergeant for approximately two years. He has been with Louisville Metro Police Department since 1999.

Sgt. Miller was asked to relay what he could about the events surrounding the incident at 4509 Broadleaf on 8-8-16. He said he heard a call for service around 0130 hours. He heard dispatch call for officers to respond to the Shanks/Shagbark area. Officer Brian Smith called on scene. He knew the run was domestic violence related in which someone claimed her boyfriend had kicked in her apartment door and he was armed with knives. He recalled dispatch putting something out about the suspect had a pink bike and that he may have left the area. He said officers Gadegaard and Banks were riding a two man car that night and they were dispatched as back up. He said he had been paying close attention to the radio because they had another (unrelated) serious run that had already been dispatched (stabbing) prior to this call for service.

He said he heard officer Gadegaard advise dispatch that there had been shots fired and there was a person down. He said he didn't know what that meant exactly but he didn't say much on the radio to keep traffic to a minimum to listen to updates and to the other run involving a stabbing. He said he heard Gadegaard advise the shooting was officer involved and he asked for EMS to step it up. He said he headed to their location and listened for status updates and knew that multiple units responded to their request for assistance. He said when he arrived he checked on his officers and made sure they were okay. He believed EMS arrived around the same time as he did. He said EMS checked on the victim and the victim was pronounced deceased on scene. He said he also checked on the victim and found him to be lying on his side. He said he saw a weapon but because it was dark he thought it was a machete. All he could tell was that it was a sharp edged weapon. He said he believed the decedent was about one foot from the door of the apartment. When asked if he ever talked to the witnesses on scene, he said he tried to comfort them and tried to separate them. He was asked if he talked to the officers involved and he said he talked to Officer Banks but all of them appeared to be in shock and all were asked if they had their cameras on and they all said yes. He said Officer Banks gave him a brief description of what happened. He said he was told that Banks saw Officer Smith approach the doorway and he (Mr. Wicker) was armed. Smith had his gun drawn and down to his side. Gadegaard and Banks pulled their guns and he charged them with a weapon in his hand and they fired shots.

Sgt. Miller said he approached the scene from Shanks Lane (south side of the apartments). He said he stopped his car at the south entrance of the parking lot. He said he only saw two police cars parked side by side and he was trying to determine if he needed to expand the crime scene. He believed he arrived just before EMS. He said the EMS Major arrived and he was followed by the EMS technicians. Sgt. Miller said he saw a mother and daughter and son and he asked some of his officers to separate the witnesses. He said the son kept comforting his mother but he didn't want the son to taint his mother's statement so he kept trying to separate them. He said the officers were in the corner of the apartment and the decedent was on the ground. He was asked what other officers he saw on scene. He gave the following names: Holman (doing the crime scene log), McConico and Colbert (who expanded the crime scene), Helen Johnson (given the task of staying with the daughter). He said the daughter did not want to get in the officer's car but remained with Officer Johnson. He said Andrea Anthony took charge of the mother and son who kept gravitating back toward one another and failed to separate. *(Investigator's note: there was not an officer with Arthur or Anita Jones upon my arrival.*

Sgt. Miller was asked if he heard the witnesses make any statements. He said he recalled the mother (Anita) kept saying she did not want to talk to the media. He said he did see neighbors on the balcony when he arrived but overall the scene was tame and they had no problems. He said he observed casings and dropped magazines on scene. He said Homicide detectives showed up and they separated the involved officers and put them in separate cars. He identified the homicide detectives as Det. Jason Vance, Det. Holly Hogan and Det. Brian Royse. He said he thought he told his officers it was okay to turn off their Wearable Video System (WVS) cameras. He was asked if he had his WVS on and he said he did not turn his on because it was a homicide and an officer involved shootings and he doesn't turn his on for those runs. He was asked about any arbitrator (car camera) footage. He said the arbitrators aren't uploaded as often as the WVS and he isn't that familiar with them in fact, he doesn't know how to download the arbitrator cameras. He said he believes Smith's arbitrator was rolling. He said Banks' car was taken to the shop that morning and he and Banks were riding a two man car because of that and because they try to do that as often as they can. *(Investigator's note: all eight Divisions of LMPD were mandated to ride two man cars after the murder of five officers in Dallas on 7-7-16. It was no longer mandated on 8-8-16 but division commanders still have the option to do so if manpower allows).*

When asked if Officer Smith had a beat partner that night, Sgt. Miller advised that he did but his partner had just left to relieve another officer on a hospital detail so he had no back up on his beat.

With little else to offer the interview concluded at 2127 hours. (This is a general summary of his statement for a detailed account of his statement please see transcript in case file.)


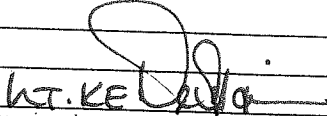
#### **Interview with Officer Helen Johnson:**

Sgt. Kristen Downs and I interviewed Officer Helen Johnson at the 2<sup>nd</sup> Division on 8-11-16 at approximately 2140 hours. She was made aware that the interview would be audio recorded and she consented to us taking a recorded statement. She stated she was on a traffic stop when she heard Gadegaard say he needed cars and to step it up. She said he initially said shots fired, start EMS, the Sergeant and asked them to notify PIU. She said she responded and Sgt. Miller told her to take a witness with her to separate her from the others. She said the witness told her she was the daughter of the caller and she sat in the back seat of her police vehicle. She said she does have an in car camera, but it is not working currently. She said she did not get the name of the witness. When asked what all the witness told her, Officer Johnson said the witness told her that the decedant was her mother's boyfriend of 20 years (She said Officer McConico was with her at the time). She said the witness was repeating what had happened and said the "step-father"

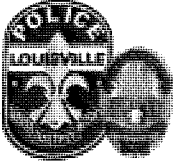


(Wicker) was upset with her mother for not letting him in the house "Because he was cracked out". She told her that he ran after them with knives. She said the witness told her he (Wicker) was on drugs and she believed he was high. She said the witness told her she thought he (Wicker) wanted the police to kill him because he had been praying before they arrived. The witness felt like this was her fault, because she called the police. She said the witness believed he (Wicker) had been living there, but her mother wanted him out. She said her mother went inside and asked him to leave and he followed her out with knives. He then went back inside and came out and began praying. She described the weapon as a long knife and a saw and said he had been inside cutting potatoes. The witness told her when the officers arrived, he (Wicker) came out and waived the knives and the officers told him to put them down.

Officer Johnson said when the mother returned from the interview with us (PIU Sergeants Maroni and Kessinger) she told her daughter that they (police) didn't give him enough time. She heard the daughter tell her, "They told him to drop it and they did what they had to do." She was asked if she had her cameras on and she said they have been told that once homicide gets on scene they are to turn their cameras off. She said the witness with her said she had to use the bathroom so she went with her to use a neighbor's bathroom. With little else to offer, we concluded the statement. The interview concluded at approximately 2154 hours. (This is a general summary of her statement for a detailed account of her statement please see transcript in case file.)

Investigator's Signature	
Supervisor's Signature	

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# LOUISVILLE METRO POLICE DEPARTMENT



Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT

<b>Type of Investigation</b> Officer Involved Shooting	<b>File No.</b> 16-054	<b>Date of Report:</b> 10/12/2016
<b>Activity:</b> Phone call to Homicide detectives Jason Vance and Holly Hogan	<b>Submitted By</b> Sergeant Leigh Maroni	
	<b>Lead Investigator:</b> Sergeant Leigh Maroni	

### Phone call to Det. Jason Vance:

On 8-11-16 at 1704 hours, I called Det. Jason Vance to ask him about his response to the scene. He advised that he got Anita Jones personal information, marked the casings with business cards and did a canvass of the apartments along with Det. Hogan and Det. Royse. He said he had no contact with the daughter on scene as she was already in a police car. He did advise the resident in apartment #21 told him that the couple in Apartment #4 constantly fought verbally. He stated that he was the Acting Sergeant for Homicide on this night. He said they had already been on channel monitoring a "stabbing" run that had been dispatched when the shooting run was broadcast. He said they responded to the scene since they were on duty and PIU would take longer to respond.

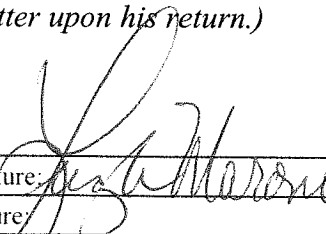

He stated he would submit a letter of his involvement to me upon completion. I thanked him for his time and concluded the call.

### Phone call to Det. Holly Hogan:

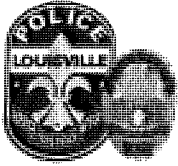
On 08-11-16 at 1805 hours I called Det. Holly Hogan. She stated that she responded to the scene with Det. Jason Vance who was the acting Sergeant and Det. Brian Royse. She said she assisted Det. Royse with a neighborhood canvass and Det. Vance also did other apartments. She said Detective Royse told her he would write the letter on the canvass.

### Follow up:

As of 10-12-16, I have not received a letter from Det. Royse. I phoned the homicide office at 0944 hours and was told he was out of state in training. (See attached e mail to Det. Royse requesting his letter upon his return.)

Investigator's Signature: 
Supervisor's Signature: 

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# LOUISVILLE METRO POLICE DEPARTMENT

Special Investigations Division

Public Integrity Unit



## INVESTIGATIVE REPORT

<b>Type of Investigation</b> Officer Involved Shooting	<b>File No.</b> 16-054	<b>Date of Report:</b> 09/26/2016
<b>Activity:</b> Interview with Sgt. Rob King	<b>Submitted By</b> Sergeant Leigh Maroni	
	<b>Lead Investigator:</b> Sergeant Leigh Maroni	

### Interview with Sgt. Rob King:

On 08-11-16 at 1537 Sgt. Downs and I interviewed Sgt. Rob King (#7665) at the Public Integrity Unit office located at 810 Barret Avenue. The interview was audio recorded. Sgt. King is assigned to the 9<sup>th</sup> Division Mobile Unit. He has been on the department approximately ten years.

On the night of this incident he advised he was wearing his standard 9<sup>th</sup> Division uniform consisting of khaki pants, a blue t shirt and his tactical vest (Tac Vest). He said his tac vest says "Police" on it and has his name on it. It does identify him as a police officer. He stated on the night of this shooting his shift ended at 0200 hours. He said he was leaving his office when he heard something about a person down. He thought one of his units may have rolled up on something. He switched over to Channel 3 and quickly realized the event was in the 1<sup>st</sup> or 2<sup>nd</sup> Division (because they both run off Channel 3). He said he heard someone ask for more cars and say the man was conscious or not breathing. He then heard that there was a crowd forming and the officer was asking for more cars, commanding officers and PIU. He said he started to this area because there is often an officer working in an "acting sergeant" capacity on the 12 hour shifts and he thought he would be able to assist. He said he grabbed his tac vest from the back of his seat and put it on and went to the scene. He said he saw Sgt. Malcolm Miller on scene and asked him what he needed him to do. He said Sgt. Miller asked him to separate the two black females and a black male that Sgt. Miller told him were the witnesses. He said he put the younger female in a black female officer's car. He said her name was Helen but he didn't know her last name. He said the black male told him he was not a witness but he kept talking to his mother. He said he got the mother a cigarette and he offered to get the daughter (Danita Jones) a water because he had some in his car. He said he didn't have his body camera because he had already docked it for the night at the office before he left for the night. He said he didn't want to ask her any questions but he was trying to get her to relax and she started saying she didn't mean for this to happen. She told him she called 911. She further told him that after he (Wicker) was told the police were called that he got on his knees and prayed and she thought that was odd and she said she knew something bad was going to happen.

He said, "Her statements to me were: She felt bad for calling the police, that she thought something bad was gonna happen based on his actions and comments prior to the police comin' after she told him the police were comin'." He said the black male who arrived in the truck wasn't following their instructions to separate from the mother and he kept trying to approach her. He said no one told him anything about the specific incident other than what Danita Jones told him took place prior to the shooting.

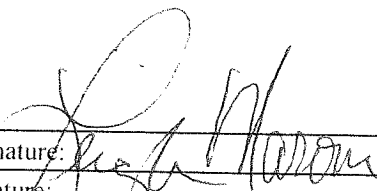

He said he felt that the statements made by the daughter were important to document and he knew Helen, the officer whose car she went to sit in had her body camera and he suggested she tape what she was saying for documentation.

He said he arrived in an unmarked car that is not equipped with an arbitrator camera. He said he did see an EMS supervisor on scene when he arrived.

He said the older lady wasn't actually in a car but she was leaning up against it. He said they eventually got her a chair to sit in in the parking lot. He said he had to tell the son several times not to influence his mother or his sister's statements. He said he would keep coming back and kept talking to them and he said he just picked what battles he had to fight that night.

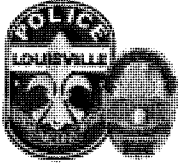
See full transcript in case file for entire statement.

The interview was concluded at 1604 hours.

Investigator's Signature:	
Supervisor's Signature:	

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LMPD # 05-0002 10/05



# LOUISVILLE METRO POLICE DEPARTMENT

## SPECIAL INVESTIGATIONS DIVISION

### Public Integrity Unit



## INVESTIGATIVE REPORT

Type of Investigation Officer Involved Shooting	File No. 16-054	Date of Report: 08/08/2016
Activity: Notification and Response Witness Interviews CSU Scene Investigation	Submitted By Sergeant Chad Kessinger	
	Lead Investigator: Sergeant Leigh Maroni	

### NOTIFICATION AND RESPONSE

On Monday, August 08, 2016, at approximately 0159 hours, I received a text notification from MetroSafe regarding an officer involved shooting located at 4509 Broadleaf Drive Apt.# 4. The notification advised the suspect was shot and not breathing. I received a phone call from Louisville Metro Police Department (LMPD), Public Integrity Unit (PIU) Commander Lieutenant (Lt.) Kevin DeSpain, and was directed to respond to the scene located on Broadleaf Drive. Lt. DeSpain advised PIU Sergeant (Sgt.) Leigh Maroni would be the lead investigator.

I documented my arrival on scene at approximately 0308 hrs. Upon arrival I spoke with Second Division Commander, Major Jimmy Harper, who advised the involved officers had been removed from the scene and seated in LMPD vehicles away from the location on Broadleaf Drive with members of the Peer Support Team. Upon entering the scene, I observed two LMPD marked patrol vehicles (Equipment 6107 & 6140) parked side by side in the parking lot of the apartment building located at 4509 Broadleaf Drive. As I approached the inner perimeter of the scene, crime scene tape was affixed around the area leading to apartment #4. I observed numerous LMPD business cards that marked possible evidence (casings, projectiles etc...) located on the sidewalk and near the stairs. I also observed the body of the deceased subject lying on the sidewalk just outside apartment 4, with what appeared to be a hand saw on the sidewalk.

I was informed by Sgt. Maroni, the deceased information is as follows:

Darnell Wicker B/M [REDACTED]

After viewing the initial scene, I spoke with Second Division Officer Beau Gadegaard (code 7201) and Officer Taylor Banks (code 7293) regarding the walk thru. Both Officers advised they had spoken with Attorney Steve Schroering by phone and agreed to conduct the initial walk thru with investigators (Maroni and Kessinger). The walk thru was conducted at approximately 0320 hours to ensure the crime scene was adequately secured with crime scene tape and to point out where the incident occurred. No further questions were asked pertaining to the investigation. Once completed the involved officers were directed to respond to the PIU Office located at 810 Barret Ave, 4<sup>th</sup> floor, to meet with additional PIU members.

Lt. DeSpain directed PIU Sgt. Arnold Rivera to complete a search warrant for 4509 Broadleaf Drive, Apt. #4, prior to the collection of evidence that may be located inside the residence. For a detailed account of the search warrant and evidence removed, refer to Sgt. Rivera's investigative report included in the file.

### **CRIME SCENE INVESTIGATION**

PIU Sgt. Maroni was tasked with assisting the LMPD Crime Scene Unit (CSU) during the photographing and collection of evidence. For a detailed account of the scene investigation refer to Sgt. Maroni's investigative report.

### **INTERVIEW WITH WITNESS ANITIA JONES**

At approximately 0346 hours PIU Sgt. Maroni and I interviewed Anita Jones at [REDACTED] regarding her account of the incident. Ms. Jones provided investigators with an audio recorded statement that was taken in the form of a sworn statement. Ms. Jones was asked to be seated in my unmarked police vehicle (Jeep Cherokee), but declined asking to remain outside. Ms. Jones remained outside and stood by driver's door during the interview. For a synopsis of the interview refer to Sgt. Maroni's investigative report included in the PIU file.

#### **Anita Jones**

[REDACTED]

### **INTERVIEW WITH WITNESS DENITA JONES**

At approximately 0428 hours, an interview was conducted with Denita Jones at [REDACTED] while seated in the passenger seat of my assigned police vehicle (Jeep Cherokee). She (Jones) provided investigators with an audio recorded statement that was taken in the form of a sworn statement. For a synopsis of the interview refer to Sgt. Maroni's investigative report included in the PIU file.

#### **DENITA JONES**

[REDACTED]

After the interviews were completed, I remained on scene to assist Sgt. Downs and Sgt. Maroni with the scene investigation.

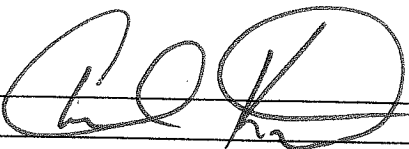
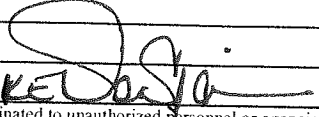
At approximately 0745 hours, Deputy Corner Eddie Robinson arrived at the scene.

At approximately 0820 hours, I released the involved officers marked LMPD patrol cars, equipment # 6107, license plate G1686 and equipment # 6140, license plate G3942 to Second Division Officer John Priddy (code 2530) and Officer Charles Bradley (code 7112).

### **LAKE DREAMLAND FIRE DEPARTMENT**

I noted the arrival of Lake Dreamland Fire Department truck 55 at 0824 hours. Firefighters rinsed off the sidewalk prior to family members returning to the residence. Firefighters Chris Chappell, Robert Lee, James Baines and (Intern) Cameron Andrews were involved in the clean-up. Lake Dreamland Fire Department Headquarters is located at 4603 Cane Run Road Louisville KY. 40216

I then departed from the location at approximately 0840 hours.

Investigator's Signature:   
Supervisor's Signature: 

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PIU 005 11/14.



LOUISVILLE METRO POLICE DEPARTMENT  
Criminal Investigation Section  
INVESTIGATIVE REPORT



<b>Type of Investigation:</b>  PIU Investigation	<b>File No.</b> 16-054	<b>Date of Report</b> 8-10-16
	<b>Submitted By</b> Detective Jason Vance	
<b>Activity:</b> Notification and Response Scene Investigation Canvass	<b>Lead Detective:</b> Sergeant Leigh Maroni	

(Officer Involved Shooting) 4509 Broadleaf Drive, Louisville, Kentucky 40216

**Notification and Response**

On August 8, 2016, at approximately 0135 hours, while monitoring Police Channel Three for a reported stabbing at 837 South 23<sup>rd</sup> Street, officers from the Second Division advised Metro Safe there had been shots fired at 4509 Broadleaf Drive and immediately requested EMS to the location. Metro Safe confirmed Homicide was monitoring the incident. I acknowledged receipt of the information and responded to the scene location. During my response officers requested Metro Safe to have Homicide respond to the scene. Metro Safe confirmed from the scene officers the incident was officer involved. I arrived at the scene at approximately 0155 hours and made contact with the on-duty Sergeant, Malcolm Miller. Sergeant Miller identified Officer Banks, Gardeard and Smith as the officers involved in the incident. I observed the scene secured with yellow police tape. The primary scene was located in the northeast corner of 4509 Broadleaf Drive. I made contact with the LMEMS personnel and obtained the following information: Unit#135A, Run#74345 (J. Rader and D Smith).





Detective Brian Royse, Detective Holly Hogan and I made contact with the involved officers and removed them from the primary scene. I escorted Officer Brian Smith from the primary scene and advised him to turn off his patrol video. Officer Smith remained with me inside the secondary scene until peer support arrived at the location.

### Scene Investigation

The primary scene was identified as the scene area near 4509 Broadleaf Drive Apartment #4. Officer Kristen Holeman code #7175 was the scene log recording officer. At the time of my arrival inside the primary scene, Officer Holeman handed me the scene log and I added my information. I observed the suspect lying on the ground outside apartment number four. I observed a serrated edge tree saw lying next to the suspect. I was advised the incident originated from apartment number four. Officer Holeman remained inside the primary scene for the duration of my investigation at the scene. The apartment building was a two story apartment dwelling with multiple concrete stair/landings leading to the second story apartments. I observed multiple shell casings located on the south side of the concrete stair/landing in front of apartment number five. At approximately 0240 hours I marked the location of each casing with LMPD business cards to clearly identify the evidence. I also observed multiple damaged projectiles located near the shell casings. The projectiles were also identified with business cards. Officer Holeman advised patrol units had made contact with the occupant of apartment number three after the incident occurred. The occupant agreed not to enter the scene and was allowed to remain inside the apartment. Officer Holeman was unsure whether apartment number five was occupied. No further actions were taken in relation to the suspect and this completed actions taken within the primary scene.

During the course of my scene investigation I learned from Officer Holeman that one of the witnesses was standing with her adult son inside the secondary scene. Officer Holeman identified the witness to me. In order to obtain witness information I made contact with the witness. At the time of my contact with the witness she and her adult son were standing next to each other near one of the patrol vehicles inside the secondary scene. The witness identified herself as Anita Jones B/F and provided the following information: DOB [REDACTED]. The witness stated she was the girlfriend of the suspect. The black male standing next to the witness identified himself as the witness's son and provided the following information: Arthur Jones DOB [REDACTED]. Ms. Jones was very emotional and appeared to be agitated by my presence. I thanked both individuals for their information and offered my help with anything they may need. My interview of the witness was an oral interview.

I proceeded to document the vehicles inside the secondary scene in close proximity to the primary scene. See the following information:

\*2000 Red Oldsmobile Bravada SUV

KY [REDACTED]

VIN# [REDACTED]

Registered owner: [REDACTED]

The vehicle was facing eastbound. Primary scene in front of vehicle.

**\*2016 Silver Kia Forte**

KY [REDACTED]

VIN# [REDACTED]

Registered owner: [REDACTED]  
[REDACTED]

\*Identified by Anita Jones as belonging to her daughter (911 caller). The vehicle was facing eastbound. Primary scene in front of vehicle.

**\*2006 Red Cadillac**

KY [REDACTED]

VIN# [REDACTED]

Registered owner: [REDACTED]  
[REDACTED]

\*Parked next to the silver Kia Forte, facing eastbound in front of the concrete stair/landing.

**\*2004 White Chevrolet Suburban**

KY [REDACTED]

VIN# [REDACTED]

Registered owner: [REDACTED]  
[REDACTED]

Parked near the entrance of the parking lot for the apartment community near Broadleaf Drive.

**\*2002 Maroon Dodge Ram**

KY [REDACTED]

VIN# [REDACTED]

Registered owner: [REDACTED]  
[REDACTED]

\*Identified by Arthur Jones as belonging to him. The vehicle was parked behind the white Chevrolet Suburban in the grass next to Broadleaf Drive.

\*At approximately 0325 hours I made contact with members of the Public Integrity Unit and provided what information I had gathered. At which time I was requested by Lieutenant Kevin Despain to assist in the canvass of the apartment building.

**Canvass**

The following information pertains to a canvass of the apartment building I conducted. This is a summarization of the information obtained in the canvass. See the audio recording for further information.

@ 0340 hours

[REDACTED]

Rafer Williams [REDACTED]

DOB: [REDACTED]

[REDACTED]

Mr. Williams stated he had recently moved to the location and was asleep when the incident occurred. Mr. Williams stated he went to bed between 2230-2300 hours. Mr. Williams identified the white Chevrolet Suburban in the parking as his vehicle.

@0355 Hours

[REDACTED]  
Charlotte Money [REDACTED]  
DOB: [REDACTED]  
[REDACTED]

Ms. Money stated she heard gunshots and looked out her window. She stated she observed her neighbor, Ms. Anita, standing with her daughter in the parking lot. She stated she walked over to her to see if she was okay. She identified the suspect as Anita's boyfriend, but was unsure what his name was. She stated the suspect stays at Anita's apartment frequently and rides his bike in the neighborhood. She stated the suspect pulled a lawn mower behind his bike and would cut grass in the community. She stated Anita cares for her daughter's child frequently. He stated Anita's daughter doesn't live at the location. When questioned about any domestic related disputes between Ms. Anita and her boyfriend, she stated she had never witnessed any altercations between them.

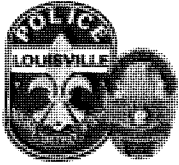
@0405 hours

[REDACTED]  
George Johnson [REDACTED]  
DOB: [REDACTED]  
[REDACTED]

Mr. Johnson stated he heard five gunshots from inside his apartment and walked out to see what had happened. He stated he was concerned due to the fact his brother lives in apartment number six. He stated patrol officers requested he go back into his apartment, so he returned to his apartment. When questioned whether he knew the involved parties he stated he knows Anita and her boyfriend Darnell. He stated everybody calls Darnell "Lawn Mower Man". He stated Anita and Darnell originally lived in apartment number ten until they moved to apartment number four. Mr. Johnson characterized Anita's and Darnell's relationship as turbulent. He stated Darnell consumed alcohol and smoked crack cocaine often. He characterized Anita and Darnell's disputes as verbal confrontations.

\*This concludes my investigation into this matter.

Investigator's Signature: George Johnson # 7599  
Supervisor's Signature: [Signature]

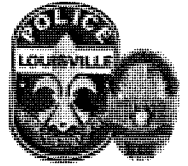


# LOUISVILLE METRO POLICE DEPARTMENT

Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT



<b>Type of Investigation:</b>  <p style="text-align: center;">OFFICER INVOLVED SHOOTING</p>	<b>File No.</b> <p style="text-align: center;">16-054</p>	<b>Date of Report</b> <p style="text-align: center;">August 8, 2016</p>
<b>Activity:</b> Notification and Response, Scene Investigation and Vehicle Canvass, Neighborhood Canvass and Additional Information	<b>Submitted By:</b> Sergeant Kristen Downs  <b>Lead Investigator:</b> Sergeant Leigh Maroni	

### NOTIFICATION AND RESPONSE

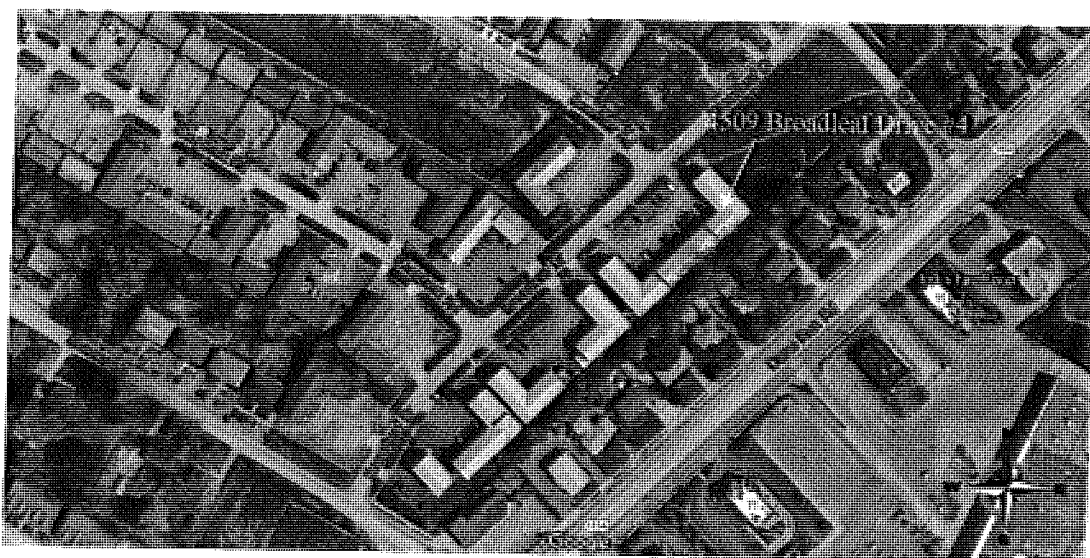
On Monday, August 8, 2016, at approximately 0218 hours, I received notification of an officer involved shooting at 4509 Broadleaf Drive #4 from MetroSafe. The run was initially received at 0135 hours. I later learned that officers with the 2<sup>nd</sup> Division of the Louisville Metro Police Department (LMPD) had been involved in a shooting at that location, and that one subject had been shot outside the apartment. The subject, later identified as Darnell T. Wicker (B/M), died at the scene from multiple gunshot wounds. The officers involved in the shooting were identified as Beau Gadagaard (7201), Taylor Banks (7293) and Brian Smith (7762). I responded to the scene and arrived at approximately 0300 hours. Detectives Jason Vance (7599), Holly Hogan (7971) and Brian Royse (2480) of the Homicide Unit were already on scene. Detectives Hogan and Royse advised me that the officers involved in the incident had been separated and were seated in police vehicles. Major Eddie Jones, Lieutenant Kevin DeSpain, and Sergeants Leigh Maroni, Chad Kessinger, Lowell Watson, Scott Gootee and Arnold Rivera of the Public Integrity Unit (PIU) also responded to the scene. Sergeant Maroni was assigned as the lead investigator. Lieutenant DeSpain requested I stay on scene and assist Sergeant Maroni with the scene investigation. Sergeant Chad Kessinger remained on scene and assisted Sergeant Maroni with several interviews. It should be noted that at approximately 0315 hours, I spoke with Dona Stephenson (4401) of the Crime Scene Unit (CSU). I requested privacy screens and a tent to provide cover for the scene. At approximately 0345 hours, CSU Tech Stephenson and CSU Tech Rebecca Kimmer (8205) arrived and placed the privacy screens and tent within the scene. The actual processing of the scene occurred later.

According to initial information, Mr. Wicker had been threatening family members with a knife or multiple knives. A family member called the police. Officer Smith responded to the scene. Officers Gadagaard and Banks were riding together and responded to assist Officer Smith. When the officers arrived, Mr. Wicker exited the apartment with an edged weapon. The officers ordered Mr. Wicker to drop the weapon. When Mr. Wicker failed to drop the weapon and continued to progress towards the officers, Officers Gadagaard and Banks fired their handguns, striking Mr. Wicker several times. Officer Smith did not fire his handgun. Mr. Wicker died at the scene as a result of the shooting. According to information obtained from MetroSafe, the officers were dispatched to the located at 0141 hours. Officer Smith arrived at approximately 0145 hours. The officers advised that shots had been fired and there was one subject down at approximately 0147 hours. Louisville Metro EMS (LMEMS) Unit 135A was dispatched to the scene. Jeremy

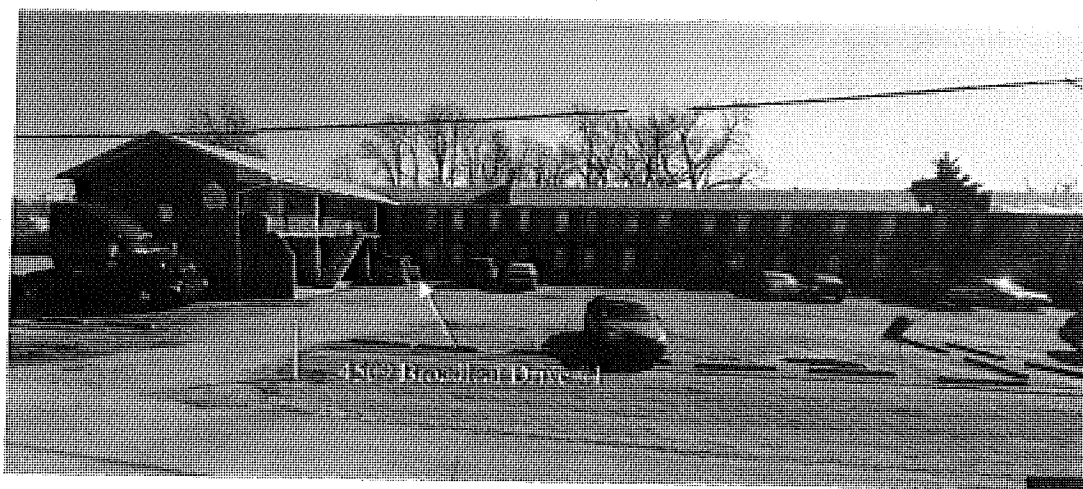
Rader and David Smith were riding together as LMEMS Unit 135A. Their run number was 74345.

### SCENE INVESTIGATION AND VEHICLE CANVASS

The shooting took place at the Broadleaf Arms Apartments, located in the 4500 block of Broadleaf Drive. The shooting occurred directly in front of 4509 Broadleaf Drive #4. The 4500 block of Broadleaf Drive runs between Richmond Road and Shanks Lane, in the southwestern part of Jefferson County. The area consists of several apartment buildings, a lot of which are unoccupied and boarded up. The weather on this day was noted to be partly cloudy, with an approximate temperature of 75° Fahrenheit. Below is an aerial view of the area taken from Google Maps.

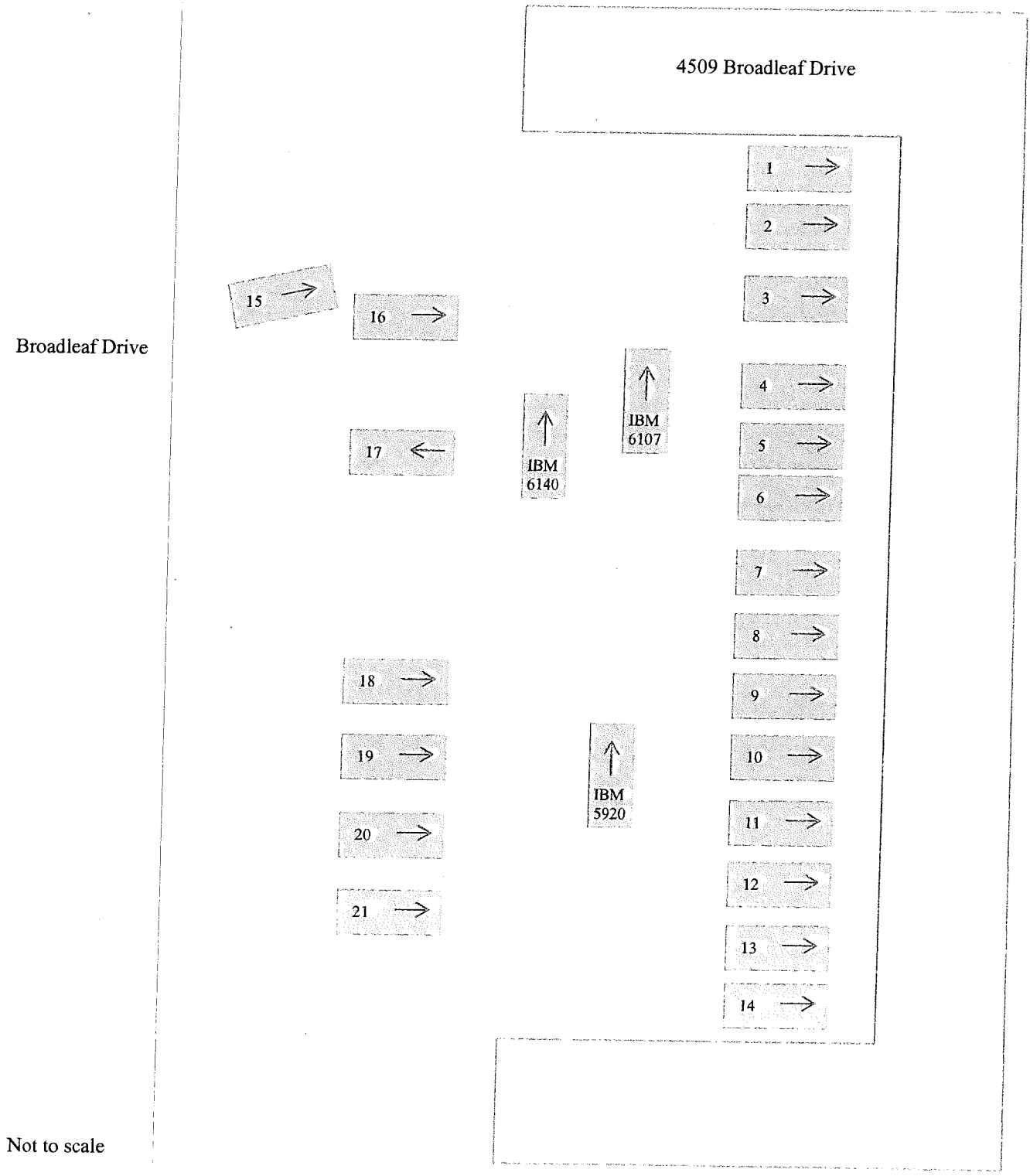


The below image from Google Maps provides a street view of the apartment complex.



Sergeant Rivera left the scene and went to the PIU Office, located at 810 Barret Avenue, to draft a search warrant for the apartment involved in the incident. There were multiple vehicles parked

in the parking lot of the apartment complex at the time of the incident. I have detailed the approximate positions of the vehicles in the following diagram. The diagram is not to scale.



Not to scale

1. 2000 Maroon Oldsmobile Bravada SUV
  - a. License plate of KY [REDACTED] showing an expiration date of 03/17
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED] at [REDACTED]
2. 2016 Silver Kia Forte 4-door
  - a. License plate of KY [REDACTED] showing an expiration date of 11/17
  - b. VIN [REDACTED]
  - c. Registered to Denita Jones or [REDACTED] KY [REDACTED]
3. 2006 Maroon Cadillac 4-door Sedan
  - a. License plate of KY [REDACTED] showing an expiration date of 08/16
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED] at [REDACTED]
4. 2003 White Cadillac Deville 4-door
  - a. License plate of KY [REDACTED] showing an expiration date of 05/17
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED] at [REDACTED]
5. 2000 Maroon GMC Sonoma Pick-up
  - a. License Plate of KY [REDACTED] showing an expiration date of 05/17
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED]
6. 2003 Blue Chrysler PT Cruiser 4-door
  - a. License plate of [REDACTED] showing an expiration date of 11/16
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED]
7. 2001 Silver Hyundai Accent 4-door
  - a. License plate of KY [REDACTED] showing an expiration date of 06/17
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED] Louisville, KY [REDACTED]
8. 2004 Bronze Nissan Quest Van
  - a. License plate of KY [REDACTED]
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED] at [REDACTED]
9. 2001 Blue Oldsmobile Aurora 4-door
  - a. License plate of [REDACTED]
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED] in at [REDACTED]
10. 1998 White Jeep Grand Cherokee SUV
  - a. License plate of KY [REDACTED] showing an expiration date of 09/16
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED]
11. 1994 Brown Chevrolet Pick-up
  - a. License plate of KY [REDACTED], showing an expiration date of 12/13
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED] at [REDACTED]
  - d. [REDACTED] Kentucky Operator's License (OL) shows an address of [REDACTED]
12. 2002 Blue Chevrolet Trail Blazer SUV
  - a. License plate of KY [REDACTED] showing an expiration date of 10/16

- b. VIN [REDACTED]
  - c. Registered to [REDACTED] at [REDACTED]
13. 2003 Black Hyundai Elantra 4-door
- a. License plate of KY Temporary [REDACTED], showing an expiration date of 08/28/16
  - b. [REDACTED] listed on the temporary license plate
  - c. [REDACTED]
14. 2011 Silver Dodge Caliber 4-door
- a. License plate of KY [REDACTED] showing an expiration date of 11/17
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED]
15. 2002 Maroon Dodge Pick-up
- a. License plate of KY [REDACTED]
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED]
16. 2004 White Chevrolet Suburban SUV
- a. License plate of KY Temporary [REDACTED], showing an expiration date of 08/29/16
  - b. [REDACTED] listed on the temporary license plate
  - c. VIN [REDACTED]
17. 1990 Red GMC Sierra 1500 Pick-up (with a blue driver's door)
- a. License plate of [REDACTED] showing an expiration date of 02/16
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED]
  - d. [REDACTED]  
Louisville, KY 40214.
18. 1999 Gold Toyota Avalon 4-door
- a. License plate of KY [REDACTED], showing an expiration date of 12/16
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED]
19. 1996 Blue and White Ford Econoline 150 Van
- a. License plate of KY [REDACTED], showing an expiration date of 09/15
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED] at [REDACTED] Street, Louisville, KY 40211
20. 2006 Silver Chrysler Town and Country Van (with a flat rear driver's side tire)
- a. License plate of KY [REDACTED], showing an expiration date of 05/16
  - b. VIN [REDACTED]
  - c. Front license plate of KY Disabled Vehicle [REDACTED]
  - d. Registered to [REDACTED], Louisville, KY 40216
21. 2011 Gold Toyota Camry 4-door
- a. License plate of [REDACTED], showing an expiration date of 04/17
  - b. VIN [REDACTED]
  - c. Registered to [REDACTED] Louisville, KY 40216

IBM 6140, IBM 6107 and IBM 5920 are marked LMPD police vehicles. IBM 6140 was driven to the scene by Officer Smith. IBM 6107 was driven to the scene by Officer Banks. IBM 5920 was driven to the scene by Officer Helen Walton Johnson (7154).



## NEIGHBORHOOD CANVASS

Prior to starting the scene investigation, Detectives Vance, Hogan and Royse and I conducted a canvass of the apartment complex. I obtained the following results:

- [REDACTED] At approximately 0330 hours, I spoke with Sibyl A. Johnson (B/F). Ms. Johnson advised a DOB of [REDACTED]. It should be noted that I spoke with Ms. Johnson outside the scene when I was alerted to her presence by Detective Hogan. Ms. Johnson had been at work and was trying to get to her apartment. She said her husband, later identified as Johnny Barger [REDACTED] and children were home. I walked Ms. Johnson to her door, which was on the second floor, just above the scene. Ms. Johnson went inside her apartment and later walked back outside with her husband. At approximately 0341 hours, I spoke to Mr. Barger and Ms. Johnson. Mr. Barger said he didn't hear anything but advised that he takes prescription medication. Mr. Barger and Ms. Johnson said they have lived at the location for five to six years. They said they knew the couple downstairs as "Ms. Nita" and "Darnell." Mr. Barger provided a DOB of [REDACTED] a Kentucky Operator's License Number (OLN) of [REDACTED] and a contact number of [REDACTED]. She advised that her mother lives in the apartment below her and her aunt lives in the apartment next to her.
- [REDACTED] At approximately 0333 hours, I spoke with Wanda L. Jackson [REDACTED]. Ms. Jackson advised a DOB [REDACTED] and a contact number of [REDACTED]. Ms. Jackson said she heard "thumping and bumping" from the apartment below, but said that's normal. She said she knows "Anita" and "Darnell." She said "Anita" has lived there longer than "Darnell." Ms. Jackson said she did not hear any screaming, but fighting between "Anita" and "Darnell" was normal. She also advised that "Anita" wasn't home earlier today. It should be noted that Ms. Jackson is Ms. Johnson's aunt.
- [REDACTED] At approximately 0338 hours, I spoke with Victoria D. Jessup [REDACTED]. Ms. Jessup advised a DOB of [REDACTED] and a contact number of [REDACTED]. Ms. Jessup said she had been home alone since around 1800 hours. She said she heard about five gun shots. She advised she did not hear any yelling. Ms. Jessup said she has lived at the location for about a year and a half. She said she knows "Nita" and "Darnell," but only well enough to speak to them in passing.
- [REDACTED] At approximately 0740 hours, I spoke with Kenneth A. Groves [REDACTED]. He has a DOB of [REDACTED] SSN of [REDACTED] and a contact number of [REDACTED]. Mr. Groves said he has been home alone and was asleep. He said he was "knocked out" and didn't hear anything.
- [REDACTED] At approximately 0800 hours, I spoke with Bobby A. Johnson [REDACTED]. Mr. Johnson advised a DOB [REDACTED]. He has a SSN of [REDACTED]. He declined to provide a contact number. He said he had been in bed. He said he didn't hear anything. He also advised that he lives at the location alone.
- [REDACTED] At approximately 0803 hours, I checked the location and found that the apartment is vacant.
- [REDACTED] At approximately 0823 hours, I knocked on the door of the apartment, but I received no answer. It should be noted that this is the apartment Ms. Johnson advised her mother lived in.

This concludes the individuals I spoke with during my canvass of the area. Additional information will be provided by Detectives Vance, Hogan and Royse.

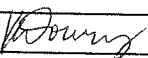
## ADDITIONAL INFORMATION

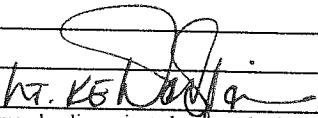
I noted the following information while I was at the scene.

- At approximately 0500 hours, Denita L. Jones (B/F), the daughter of Anita L. Jones (B/F), requested I get a pack of Pall Mall cigarettes out of her vehicle, which was within the scene. Her vehicle was the Kia Forte 4-door, silver in color, with a license plate of KY [REDACTED]. The vehicle is marked as "2" on the diagram of the vehicle canvass. She told me the cigarettes were in a bag located on the passenger floorboard and handed me her keys. I retrieved a pack of cigarettes from a plastic bag located on the passenger floorboard. I observed several cold cans of alcoholic beer along with paper bags containing prescription medication in the same plastic bag as the pack of cigarettes. I locked the vehicle and gave the pack of cigarettes and keys to Ms. Jones.
- At approximately 0522 hours, I spoke with Erin Redfield (8141) of CSU. I requested the response of CSU to start processing the outside scene. I also requested the Leica Geosystem to scan and document the scene. At approximately 0550 hours, CSU Techs Kimmer, Redfield and April Rush (8263) arrived at the scene. CSU Tech Jim Sparks (4849) also responded to operate the Leica scanner.
- At approximately 0745 hours, Deputy Coroner Eddie Robinson arrived on scene. At approximately 0751 hours, with the approval of Deputy Coroner Robinson and Sergeant Maroni, CSU Tech Redfield removed the handcuffs from Mr. Wicker. CSU Tech Redfield then placed brown paper bags around Mr. Wicker's hands. I noted that Mr. Wicker was wearing a black t-shirt, light blue jeans with a black cord as a belt and black "Lugz" brand shoes. A notepad and an orange marker were collected from the back right pocket of Mr. Wicker's jeans. At approximately 0804 hours, Mr. Wicker was rolled over. A projectile was located under him.
- At approximately 0825 hours, Officer John Priddy (2530) and Officer Charles Bradley (7112) picked up IBM 6107 and IBM 6140 from the scene.
- At approximately 0825 hours, the Lake Dreamland Fire Department responded to wash the scene off. The Lake Dreamland Fire Department is located at 4603 Cane Run Road.

At approximately 0850 hours, I left the scene and went to the PIU Office.

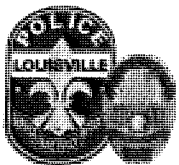
The investigation is on-going at this time.

Investigator's Signature: 

Supervisor's Signature: 

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LMPD # 05-0002 10/05



# LOUISVILLE METRO POLICE DEPARTMENT

Special Investigations Division

Public Integrity Unit

## INVESTIGATIVE REPORT



Type of Investigation Officer Involved Shooting	File No. 16-054	Date of Report: 08/08/2016
Activity: Notification and Response; Interviews of Officers Brian Smith and Lonzo McConico	Submitted By Sergeant Scott Gootee	
	Lead Investigator: Sergeant Leigh Maroni	

### NOTIFICATION AND RESPONSE

On Monday, August 8, 2016, at approximately 0159 hours, I received a call out notification from MetroSafe advising that Officers from the Louisville Metro Police Department's Second Division were involved in a shooting while investigating a Domestic Violence call for service. Specifically, the notification advised Officers were at 4509 Broadleaf Drive Apartment #4, when the incident occurred. Additionally, the notification advised the suspect was still at the scene and was not breathing.

I responded to the scene and noted my arrival time of 0319 hours. The scene had been secured with crime scene tape consisting of an outer and inner perimeter. Sergeants Chad Kessinger, Leigh Maroni, Kristen Downs and Lieutenant Kevin DeSpain had already arrived on scene. Lieutenant DeSpain advised me that Sergeant Leigh Maroni would be the lead investigator. According to Lieutenant DeSpain, Officers Beau Gadegaard (7201), Taylor Banks (7293) and Brian Smith (7762), responded to the location on Domestic Violence trouble run. When the officers arrived on scene, a male suspect walked out of the apartment door armed with a knife. The officers shouted multiple verbal commands to the suspect to drop the weapon. The subject ignored the commands and then charged toward the officers. The officers fired their weapons striking the suspect. The suspect was pronounced deceased at the scene by Louisville Metro Emergency Medical Services (LMEMS).

Lieutenant DeSpain informed me to report to the Public Integrity Unit (PIU) office and team with Sergeant John Hagedorn and conduct interviews as involved parties arrived. I noted my departure from the scene at 0331 hours and arrive at the PIU office at 0403 hours.

### INTERVIEW OF OFFICER BRIAN SMITH

Officer Brian Smith (7762), who is assigned to LMPD's Second Division Second Platoon, was interviewed at the PIU office located at 810 Barret Avenue, 4<sup>th</sup> floor. Officer Smith was involved in the above mentioned incident but did not fire his weapon. The interview focused on Officer Smith's actions he had taken during the incident and any statement made to him by any potential witnesses. The statement was digitally recorded and the audio recording will be contained within this file. The interview began at 0509 hours. The following is a summary of the information obtained from Officer Smith during the interview:

- Officer Smith stated he was sitting in the McDonald's parking lot located at 4443 Cane Run road when he was dispatched to 4509 Broadleaf Road #4 on a domestic dispute.

- According to Officer Smith the initial information on the call was a male had kicked a door open and the suspect was riding a pink and white bicycle.
- Officer Smith stated that Officer Gadegaard was also dispatched on the run, but was responding from beat 3, which was a good distance from the run location. Officer Smith stated he slowly began making his way to the run location, to give his backup time to get closer. While traveling to the run location, Officer Smith stated he was actively searching for the male on the bicycle in case he had left prior to their arrival.
- Officer Smith stated once he heard officers responding code 3, he approached the run location, where he encountered two females standing by a vehicle. According to Officer Smith the girlfriend of the suspect stated he possessed two knives and a saw and was still inside the apartment.

*Investigator's note: The two females were later identified as Anita Jones the suspect's girlfriend and her daughter Denita Jones.*

- Officer Smith stated, Officers Gadegaard and Taylor arrived on scene and they approached the apartment together. Officer Smith stated the door to the apartment was slightly opened a few inches. As they got closer, the door opened and the suspect was standing in the doorway with the saw and another unidentified object, causing the officers to draw their weapons.

*Investigator's note: Officer Smith described the saw as a limb saw and having approximately a 12 inch blade.*

- Officer Smith advised investigators, the suspect then disappeared back into the apartment for not more than a couple of seconds and then reappeared. Officer Smith describes the suspect as "Gritting his teeth, grrrrrs and swells up." According to Officer Smith, this is when the suspect started to come toward the officers as if he was lunging at them, with the saw in his right hand, about waist level.
- Officer Smith stated the suspect was given several commands to drop the weapon, but the suspect refused to comply. The suspect was approximately 10-12 feet from the officers when two of the officers fired their service weapons (Taylor and Gadegaard).
- Officer Smith stated he did not fire his weapon and he didn't know why. According to Officer Smith, today's environment involving police actions may have played a role for him not firing his weapon. Officer Smith stated he felt threatened and concerned for his safety and that is why the other officers fired their weapons. Officer Smith went on to say, the incident called for the use of deadly force and was confident, all were justified in using such.
- Officer Smith stated as he was trying to secure the scene and was asking the mother and daughter to back up, when the daughter stated to her mother "They had to, they had to, he was waving it around. They told him to stop, but he wouldn't stop."
- According to Officer Smith he heard the daughter say the same thing to bystanders at the scene, explaining to them the cause for the shooting.

- Officer Smith stated a black male arrived on scene and made the statement “Why aren’t you doing CPR.” Officer Smith stated it only took Emergency Medical Services (EMS) approximately 5 minutes to arrive on scene. In that time period, officers were still trying to secure the scene to render it safe and didn’t have time to render aid.


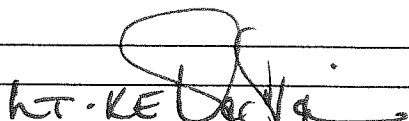
It was determined Officer Smith had no further information and the interview was concluded at 0526 hours. The interview was audio recorded and will be made a part of the file.

**INTERVIEW OF OFFICER LONZO MCCONICO**

Officer Lonzo McConico (7312), who is assigned to LMPD’s Second Division Second Platoon, was interviewed at the PIU office located at 810 Barret Avenue, 4<sup>th</sup> floor. Officer McConico responded to the scene on the above mentioned incident. The interview focused on statements made to Officer McConico by witnesses at the scene. The statement was digitally recorded and the audio will be contained within this file. The interview began at 0735 hours. The following is a summary of the information obtained from Officer Smith during the interview:

- Officer McConico stated he was the first to arrive on scene after the officer involved shooting.
- Officer McConico stated as he was helping with crowd control at the scene when he had a conversation with Denita Jones. According to Officer McConico, Ms. Jones told him the suspect had called her mother, Anita Jones and wanted a key to the her apartment. Her mother refused and when they arrived home the door had been kicked open and the suspect was inside of the apartment.
- Officer McConico stated Ms. Jones told him she and her mother locked themselves inside of their vehicle and the suspect kept trying to enter the car. Ms. Jones also stated that they watched the suspect come and go from the apartment and arm himself with a saw type weapon and knives. She further stated the suspect, at one point while inside the apartment, was sitting down, in a praying gesture and once officers arrived on scene make the comment “I’m ready.”
- According to Officer McConico Ms. Jones stated once the police arrived on scene the suspect was waving the saw around in a threatening manner. She went on to say the police ordered the suspect to drop the weapon and he refused. Officer McConico stated Ms. Jones then made the statement; “The officers did what they had to do.”

It was determined Officer McConico had no further information and the interview was concluded at 0748 hours. The interview was audio recorded and will be made a part of the file.

Investigator’s Signature:	
Supervisor’s Signature:	



# LOUISVILLE METRO POLICE DEPARTMENT



## Special Investigations Division Public Integrity Unit INVESTIGATIVE REPORT

Type of Investigation Officer Involved Shooting	File No. 16-054	Date of Report: 08/08/2016
Activity: Notification and Response; Search Warrant Application	Submitted By Sergeant Arnold Rivera	
	Lead Investigator: Sergeant Leigh Maroni	

### NOTIFICATION AND RESPONSE

On Monday, August 8, 2016, at approximately 0159 hours, I received a call out notification from MetroSafe advising that Officers from the Louisville Metro Police Department's Second Division were involved in a shooting while investigating a Domestic Violence call for service. Specifically, the notification advised Officers were at 4509 Broadleaf Drive Apartment #4, when the incident occurred. Additionally, the notification advised the suspect was still at the scene and was not breathing.

I responded to the scene and noted my arrival time of 0340 hours. I met with Lieutenant Kevin DeSpain who advised me that Sergeant Leigh Maroni would be the lead investigator. Lieutenant DeSpain also advised that a search warrant for the premises would need to be obtained prior to processing the scene for evidence.

I then met with Sergeant Kristen Downs who advised that Officers Beau Gadegaard (7201), Taylor Banks (7293) and Brian Smith (7762), responded to the location on Domestic Violence trouble run. When the officers arrived on scene, a male suspect walked out of the apartment door armed with a knife. The officers shouted multiple verbal commands to the suspect to drop the weapon. The subject ignored the commands and then charged toward the officers. The officers fired their weapons striking the suspect. The suspect was pronounced deceased at the scene by Louisville Metro Emergency Medical Services (LMEMS).

I then spoke with Sergeant Leigh Maroni who advised that she had interviewed Ms. Anita Jones B/F DOB [REDACTED] at the scene. Ms. Jones identified the suspect, Darnell Wicker B/M DOB [REDACTED], as her boyfriend of 20 years. Ms. Jones advised that while she was at another location, she received a phone call from Mr. Wicker demanding the keys to her apartment 4509 Broadleaf Drive Apartment #4. Ms. Jones stated she then travelled back to her apartment and found the door had been kicked in. Ms. Jones looked inside and observed Mr. Wicker inside who was armed with a knife. Ms. Jones then retreated to the parking lot of the apartment complex and asked her daughter, Denita Jones B/F DOB [REDACTED] to call for police assistance. Ms. Jones advised that when officers arrived on scene, Mr. Wicker exited the apartment armed with a knife in one hand and a saw in the other. Ms. Jones then heard shouting followed by gunfire.

After obtaining the information from Sergeant Maroni, I departed the scene at 0420 hours to go to the Public Integrity Unit office and draft an application for a search warrant.

### SEARCH WARRANT

I arrived at the Public Integrity Unit office at approximately 0500 hours and began drafting an application for a search warrant. At 0603 hours, I arrived at the Jefferson County District Court and notified the on-duty clerk to contact the on-call judge. At 0630 hours, I was sworn in by Judge Katie King by phone and she directed me to sign the affidavit and to direct the clerk to

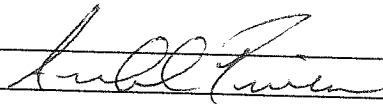
email her the affidavit, search warrant and order to seal. At 0634 hours, I was advised by the on-duty clerk that the search warrant had been granted and she forwarded the signed documents to my e-mail.

At 0655 hours, I contacted Sergeant Kristen Downs by phone and advised her that the warrant had been signed. I also advised Sergeant Downs that I would be returning to the scene with the signed copies of the search warrant.

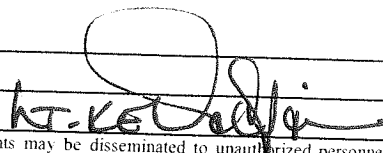
I returned to the incident location and noted my arrival time as 0725 hours. I then met with Sergeant Maroni and provided her with the signed copies of the search warrants. At 0745 hours, Deputy Coroner Eddie Robinson arrived at the scene and took over the corps investigation. I then assisted in removing the crime scene tape surrounding the scene and departed the scene at 0830 hours.

End of Report

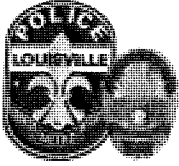
Investigator's Signature:



Supervisor's Signature:



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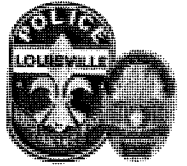


# LOUISVILLE METRO POLICE DEPARTMENT

## SPECIAL INVESTIGATIONS DIVISION

### Public Integrity Unit

#### INVESTIGATIVE REPORT



Type of Investigation Officer Involved Shooting	File No. 16-054	Date of Report: 08/08/2016
Activity: Notification and Response Witness Interviews CSU Scene Investigation	Submitted By Sergeant Chad Kessinger	
	Lead Investigator: Sergeant Leigh Maroni	

#### NOTIFICATION AND RESPONSE

On Monday, August 08, 2016, at approximately 0159 hours, I received a text notification from MetroSafe regarding an officer involved shooting located at 4509 Broadleaf Drive Apt.# 4. The notification advised the suspect was shot and not breathing. I received a phone call from Louisville Metro Police Department (LMPD), Public Integrity Unit (PIU) Commander Lieutenant (Lt.) Kevin DeSpain, and was directed to respond to the scene located on Broadleaf Drive. Lt. DeSpain advised PIU Sergeant (Sgt.) Leigh Maroni would be the lead investigator.

I documented my arrival on scene at approximately 0308 hrs. Upon arrival I spoke with Second Division Commander, Major Jimmy Harper, who advised the involved officers had been removed from the scene and seated in LMPD vehicles away from the location on Broadleaf Drive with members of the Peer Support Team. Upon entering the scene, I observed two LMPD marked patrol vehicles (Equipment 6107 & 6140) parked side by side in the parking lot of the apartment building located at 4509 Broadleaf Drive. As I approached the inner perimeter of the scene, crime scene tape was affixed around the area leading to apartment #4. I observed numerous LMPD business cards that marked possible evidence (casings, projectiles etc...) located on the sidewalk and near the stairs. I also observed the body of the deceased subject lying on the sidewalk just outside apartment 4, with what appeared to be a hand saw on the sidewalk.

I was informed by Sgt. Maroni, the deceased information is as follows:  
Darnell Wicker B/M [REDACTED]

After viewing the initial scene, I spoke with Second Division Officer Beau Gadegaard (code 7201) and Officer Taylor Banks (code 7293) regarding the walk thru. Both Officers advised they had spoken with Attorney Steve Schroering by phone and agreed to conduct the initial walk thru with investigators (Maroni and Kessinger). The walk thru was conducted at approximately 0320 hours to ensure the crime scene was adequately secured with crime scene tape and to point out where the incident occurred. No further questions were asked pertaining to the investigation. Once completed the involved officers were directed to respond to the PIU Office located at 810 Barret Ave, 4<sup>th</sup> floor, to meet with additional PIU members.

Lt. DeSpain directed PIU Sgt. Arnold Rivera to complete a search warrant for 4509 Broadleaf Drive, Apt. #4, prior to the collection of evidence that may be located inside the residence. For a detailed account of the search warrant and evidence removed, refer to Sgt. Rivera's investigative report included in the file.



### CRIME SCENE INVESTIGATION

PIU Sgt. Maroni was tasked with assisting the LMPD Crime Scene Unit (CSU) during the photographing and collection of evidence. For a detailed account of the scene investigation refer to Sgt. Maroni's investigative report.

### INTERVIEW WITH WITNESS ANITA JONES

At approximately 0346 hours PIU Sgt. Maroni and I interviewed Anita Jones at [REDACTED] regarding her account of the incident. Ms. Jones provided investigators with an audio recorded statement that was taken in the form of a sworn statement. Ms. Jones was asked to be seated in my unmarked police vehicle (Jeep Cherokee), but declined asking to remain outside. Ms. Jones remained outside and stood by driver's door during the interview. For a synopsis of the interview refer to Sgt. Maroni's investigative report included in the PIU file.

#### **Anita Jones**

### INTERVIEW WITH WITNESS DENITA JONES

At approximately 0428 hours, an interview was conducted with Denita Jones at [REDACTED] while seated in the passenger seat of my assigned police vehicle (Jeep Cherokee). She (Jones) provided investigators with an audio recorded statement that was taken in the form of a sworn statement. For a synopsis of the interview refer to Sgt. Maroni's investigative report included in the PIU file.

#### **DENITA JONES**

After the interviews were completed, I remained on scene to assist Sgt. Downs and Sgt. Maroni with the scene investigation.

At approximately 0745 hours, Deputy Corner Eddie Robinson arrived at the scene.

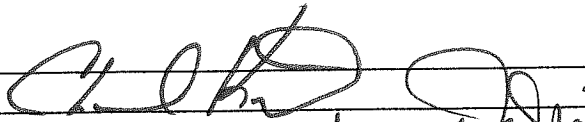
At approximately 0820 hours, I released the involved officers marked LMPD patrol cars, equipment # 6107, license plate G1686 and equipment # 6140, license plate G3942 to Second Division Officer John Priddy (code 2530) and Officer Charles Bradley (code 7112).

### LAKE DREAMLAND FIRE DEPARTMENT

I noted the arrival of Lake Dreamland Fire Department truck 55 at 0824 hours. Firefighters rinsed off the sidewalk prior to family members returning to the residence. Firefighters Chris Chappell, Robert Lee, James Baines and (Intern) Cameron Andrews were involved in the clean-up. Lake Dreamland Fire Department Headquarters is located at 4603 Cane Run Road Louisville KY. 40216

I then departed from the location at approximately 0840 hours.

Investigator's Signature:



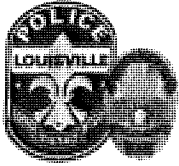
Supervisor's Signature:



W. KELLEY

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PIU 005 11/14.



# LOUISVILLE METRO POLICE DEPARTMENT

## SPECIAL INVESTIGATIONS DIVISION

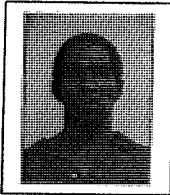
### Public Integrity Unit

## INVESTIGATIVE REPORT



Type of Investigation Officer Involved Shooting	File No. 16-054	Date of Report: 08-10-16
Activity: Notification and Response, Administrative Unload, Photographs, GSR Test, Video Download, and Retrieval of SD Cards.	Submitted By: Sergeant Lowell Watson (2416)	
	Lead Investigator: Sergeant Leigh Maroni (6711)	

### DECEASED



Darnell T. Wicker B/M

ADD: 4509 Broadleaf Drive #4  
Louisville, KY 40218

### INVOLVED OFFICER #1

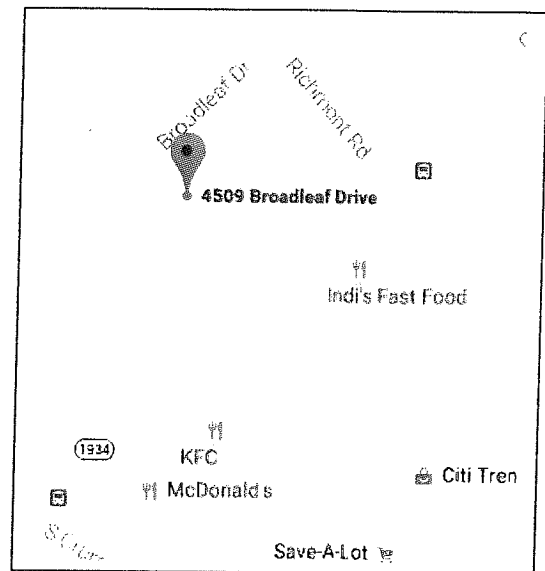
Officer Taylor Banks W/M  
CODE #: 7293  
ADD: Louisville Metro Police Department  
633 W. Jefferson Street, Louisville, KY 40202

### INVOLVED OFFICER #2

Officer Beau Gadegaard W/M  
CODE #: 7201  
ADD: Louisville Metro Police Department  
633 W. Jefferson Street, Louisville, KY 40202

### INVOLVED OFFICER #3

Brian Smith W/M  
CODE #: 7762  
ADD: Louisville Metro Police Department  
633 W. Jefferson Street, Louisville, KY 40202



## NOTIFICATION AND RESPONSE

On Monday, August 8, 2016, at approximately 0247 hours, I was contacted via telephone by Lieutenant Kevin DeSpain (Car# 1500, Code #: 2729) who informed me of an officer involved shooting at 4509 Broadleaf Drive in the LMPD 2<sup>nd</sup> Division. I responded to the scene from my residence at approximately 0310 hours. I arrived on scene at approximately 0340 hours where I met with Sergeant Arnold Rivera (Car #:1509, Code #: 2091) who gave me a brief overview of what had transpired. Sergeant Rivera told me Officer Beau Gadegaard (Car #: 225C, Code #: 7201), Officer Taylor Banks (Car#: 223C, Code #: 7293), and Officer Brian Smith (Car #: 226B, Code #: 7762) responded to a Domestic Violence call at Apartment #4 where a subject was threatening his family with a knife. When officers arrived on scene, they came in contact with the decedent, who was later identified as Darnell T. Wicker. Wicker, whose personal information is noted in the onset of this report, was armed with a knife and another edged weapon, possibly a machete or another large knife. He disregarded verbal commands and came at officers with the weapons. Officers fired shots, striking Wicker several times and he was pronounced deceased at the scene by LMEMS. I then met with Lieutenant DeSpain, who directed me to respond to the Public Integrity Unit (PIU) office to coordinate photographs, a round count, and Gunshot Residue (GSR) tests for the involved officers. I left the scene at approximately 0410 hours and arrived at the PIU office at approximately 0425 hours.

## ADMINISTRATIVE UNLOAD, PHOTOGRAPHS & GSR TESTS

CSU Technician Dona Stephenson (Car #: 983B, Code #: 4401) was already at the PIU office when I arrived. I began conducting administrative unloading of the officer's weapons that were present at the scene during the time of shooting. CSU Technician Stephenson also photographed each of the officers and performed Gunshot Residue (GSR) tests.

### **Officer Taylor Banks (7293)**

Officer Taylor Banks was identified as an involved officer, who fired several shots during the incident. At approximately 0506 hours, Officer Banks administratively unloaded his duty weapon in my presence, which was photographed by CSU Technician Stephenson. Officer Banks' weapon is described as a GLOCK, model 22, .40 caliber semi-automatic pistol, [REDACTED] with a tactical light attached. The magazine inserted into the pistol was observed as being loaded with fifteen (15) live .40 caliber rounds. The weapon itself was observed to have one (1) live .40 caliber round in the chamber. One (1) additional magazine was observed as being loaded with fifteen (15) live .40 caliber rounds. The weapon with tactical light attached was collected by CSU Technician Stephenson and placed into evidence as part of the investigation, along with the engaged magazine and ammunition that was loaded in the weapon and the additional magazine and ammunition. The magazine that was in the weapon when Officer Banks fired the shots was dropped at the scene after the shooting when he performed a tactical reload.

Officer Banks declined to provide an interview at this time.

### **Officer Beau Gadegaard (7201)**

Officer Beau Gadegaard was identified as an involved officer, who fired several shots during the incident. At approximately 0521 hours, Officer Gadegaard administratively unloaded his duty weapon in my presence, which was photographed by CSU Technician Stephenson. Officer Gadegaard's weapon is described as a GLOCK, model 22, .40 caliber semi-automatic pistol, [REDACTED] with a tactical light attached. The magazine inserted into the pistol was observed as being loaded with fifteen (15) live .40 caliber rounds. The weapon itself was observed to have one (1) live .40 caliber round in the chamber. One (1) additional magazine was observed as being loaded with fifteen (15) live .40 caliber rounds. The weapon with tactical light attached was collected by CSU Technician Stephenson and placed into evidence as part of the investigation, along with the engaged magazine and ammunition that was loaded in the weapon and the additional magazine and ammunition. The magazine that was in the weapon when Officer Gadegaard fired the shots was dropped at the scene after the shooting when he performed a tactical reload.

Officer Gadegaard declined to provide an interview at this time.



**Officer Brian Smith (7762)**

Brian Smith was identified as a witness officer, who was present during the incident. At approximately 0540 hours, Officer Smith administratively unloaded his duty weapon in my presence, which was photographed by CSU Technician Stephenson. Officer Smith's weapon is described as a GLOCK, model 22, .40 caliber semi-automatic pistol, [REDACTED]. The magazine inserted into the pistol was observed as being loaded with fifteen (15) live .40 caliber rounds. The weapon itself was observed to have one (1) live .40 caliber round in the chamber. Two (2) additional magazines were observed to be loaded with fifteen (15) live .40 caliber rounds each. The weapon, along with all magazines and ammunition were returned to Officer Smith after being photographed.

Officer Smith provided a statement to PIU investigators. For a synopsis of the interview refer to the investigative report submitted by Sergeant Scott Gootee (Car #: 1508, Code #: 2471).

**WVS DOWNLOAD, RETRIEVAL OF SD CARDS**

At approximately 0643 hours, Sergeant Jon Hagedorn (Car #: 1505, Code #: 2872) and I responded to the LMPD 2<sup>nd</sup> Division Substation located at 3419 Bohn Avenue to ensure involved officers downloaded their Wearable Video System (WVS). After the downloads were complete, Sergeant Hagedorn collected the SD card from the Mobile Video System (MVS) from LMPD marked vehicle 6107 at 0840 hours. Officer Banks and Officer Gadegaard were riding as a two-man car, with Officer Banks driving. I collected the SD card from the MVS of LMPD marked vehicle 6140 at 0842 hours. Vehicle 6140 was operated by Officer Smith.

Investigator's Signature:	
Supervisor's Signature:	

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PIU 005 11/14.



# LOUISVILLE METRO POLICE DEPARTMENT

## SPECIAL INVESTIGATIONS DIVISION

### Public Integrity Unit

#### INVESTIGATIVE REPORT



<b>Type of Investigation</b> OFFICER INVOLVED SHOOTING	<b>File No.</b> 16-054	<b>Date of Report:</b> 08/09/2016
<b>Activity:</b> Notification, Initial Response, Information from Detective Jason Vance, Interaction with Denita Jones, Conversation with Steve Schroering, Loaner Weapons, Suspension of Police Powers, Investigative Briefing	<b>Submitted By</b> Lieutenant Kevin DeSpain	
	<b>Lead Investigator:</b> Sergeant Leigh Maroni	

#### NOTIFICATION

On Monday, August 08, 2016, at approximately 0158 hours, I received a text message from MetroSafe Communications advising Louisville Metro Police Department (LMPD) officers had been involved in a shooting. The text message was received as follows:

**officer\_involved\_incident 2 ND DIV / OFFICER INVOLVED: OFFICER INVOLVED SHOOTING AT DOMESTIC 4509 BROADLEAF DRIVE APT 4. NO OFFICERS INJURED. SUSP SHOT NOT BREATHING AT THIS TIME.**

At approximately 0203 hours, I contacted MetroSafe Supervisor Michael Weimer by telephone. Supervisor Weimer advised that 2<sup>nd</sup> Division officers had responded to a domestic run at 4509 Broadleaf Drive, Apartment #4 and had advised shots had been fired. He advised the suspect would not be transported and was apparently deceased. Supervisor Weimer advised he did not know the names of the officers involved, but advised the commanding officer on-scene was Sergeant Malcolm Miller. I advised Supervisor Weimer the Public Integrity Unit (PIU) would be responding to investigate the incident.

I contacted PIU Sergeant Leigh Maroni at approximately 0205 hours by telephone. Sergeant Maroni advised me she was aware of the PIU Call-Out and would be responding. I informed her she would be the lead investigator. At approximately 0206 hours I contacted PIU Sergeant Chad Kessinger by telephone directing him to respond to the scene to assist Sergeant Maroni. I then prepared to respond to the scene from my residence.

At approximately 0218 hours, I received a text message from MetroSafe as follows:

**public\_integrity\_unit PIU requested to call 229 at [REDACTED]**

I immediately contacted Car 229, Sergeant Malcolm Miller by telephone at the number provided. Sergeant Miller advised he was on scene and that the girlfriend of the suspect who had been shot by police was within the inner perimeter of the crime scene and he was having difficulty in persuading her to move to the outer perimeter. He stated she was distraught and wanted to remain near her deceased boyfriend. I instructed Sergeant Miller to secure the crime scene as compassionately as possible, but that it was imperative to preserve any and all evidence as it remained. Sergeant Miller informed me that 2<sup>nd</sup> Division officers were dispatched on domestic trouble with violence, on a subject who was swinging a knife at his girlfriend and the daughter of the girlfriend. He advised as officers arrived they encountered the subject with a knife in his

hand. He stated the officer drew their weapons on the suspect and ordered the suspect to drop the knife. Sergeant Miller stated three (3) officers had responded and two (2) of the officers fired multiple times, striking the subject. He informed me the involved officers were Officer Beau Gadegaard and Officer Taylor Banks. Sergeant Miller stated Officer Brian Smith was also present with his weapon drawn, but did not fire.

At approximately 0231 hours, I received a telephone call from Major Eddie Jones, Special Investigations Division (SID) Commander. I relayed what information I had received to Major Jones, who advised he would be responding to the scene as well. I noted my departure from my residence at 0242 hours.

### **INITIAL RESPONSE**

I arrived at the outer perimeter of the scene at approximately 0306 hours, parking my assigned police vehicle on the street in the 4500 block of Broadleaf Drive. I noted the arrival of Sergeant Kessinger, shortly thereafter at approximately 0308 hours. I noted the presence of several marked LMPD vehicles parked on the street and in the parking lot of the apartment building located at 4509 Broadleaf Drive. I noted the apartment building to be two (2) stories and with exterior stairs leading to the second story, which had an exposed balcony running the length of the building. All apartments appeared to have individual entrances. The inner perimeter was established in the N/E corner of the building, with crime scene tape securing the area in front of apartment #4 to the stairs leading to the second floor. 2<sup>nd</sup> Division Officer Kierstin Holman was posted at the inner perimeter maintaining the crime scene log. I did not enter the inner perimeter, but I could observe the body of the deceased subject lying on the sidewalk directly in front of the entrance to apartment #4. I observed what appeared to be business cards marking potential items of evidence, possibly shell casings on the sidewalk near the stairs. I spoke briefly with PIU Sergeant Kristen Downs near the inner perimeter and it was determined that Sergeant Downs would assist Sergeant Maroni with the scene investigation in conjunction with the LMPD Crime Scene Unit (CSU).

While in near the inner perimeter of the scene, I briefly spoke with Major Eddie Jones, SID Commander, and I noted the presence of 2<sup>nd</sup> Division Commander, Major James Harper and Lieutenant Colonel (LTC) Kim Kraeszig, Patrol Services Commander. I learned that the involved officers had been removed from the scene and were seated in vehicles down the street on Broadleaf Drive with Peer Support Team members. I located Sergeant Malcolm Miller and directed him to have the involved officers transported to the PIU Office, 810 Barret Avenue. I then directed PIU Sergeant Scott Gootee, who was present at the scene to report to the PIU Office. I contacted PIU Sergeant Jon Hagedorn, by telephone and directed him to also report to the PIU Office.

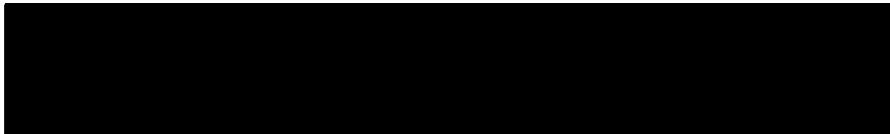
### **INFORMATION FROM DETECTIVE JASON VANCE, LMPD HOMICIDE UNIT**

Detective Jason Vance, LMPD Homicide Unit, was on scene and provided me with the following information concerning possible witnesses:

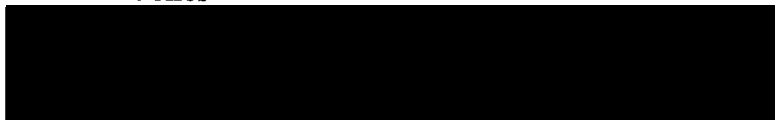
He informed me that Anita Jones was the girlfriend of the suspect, and she was present during the incident. Ms. Jones had been in or near a vehicle at the scene. He described the vehicle as a silver KIA, KY registration [REDACTED]. Detective Vance believed the owner of the vehicle was Anita Jones daughter (Denita Jones). Detective Vance also provide me with the name of Arthur Jones, who is the son of Anita Jones. He advised that Arthur Jones arrived after the shooting had taken place. He advised Mr. Jones arrived at the location in a red Dodge Ram pick-up truck, KY registration [REDACTED]. Detective Vance advised me that both of the individuals were still on

scene, as well as Anita Jone's daughter (Denita Jones), but advised he did not know the daughter's name.

**Anita Jones**



**Arthur Jones**



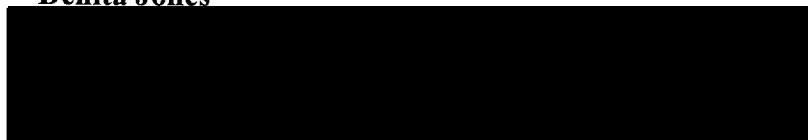
Detective Vance informed me that Louisville Metro Emergency Medical Services (LMEMS), Med Unit #135A had responded to the scene following the shooting and pronounced the subject deceased. He advised LMEMS Med Unit #135A was comprised of EMT Jeremy Rader and EMT Daniel Smith. LMEMS Run #74345.

It was determined that Sergeant Maroni and Sergeant Kessinger would conduct an interview with Anita Jones at the scene. For a synopsis of the interview refer to the investigative report submitted by Sergeant Maroni.

**INTERACTION WITH MS. DENITA JONES**

I located the daughter of Anita Jones, at the scene and identified her as:

**Denita Jones**



I requested that Ms. Jones provide a statement to PIU investigators regarding what she observed. She agreed to provide a statement. She was concerned about the welfare of her children, who were at home, but informed me that she had been told by police officers to refrain from making telephone calls while at the scene. I allowed her the use of my cell phone to speak with her children at approximately 0347 hours.

Denita Jones was subsequently interviewed at the scene by Sergeant Maroni and Sergeant Kessinger. For a synopsis of the interview refer to the investigative report submitted by Sergeant Maroni.

At approximately 0412 hours, I advised Officer Holman that I was departing the scene. I arrived at the PIU Office at approximately 0434 hours. Upon my arrival I noted the presence of several Peer Support Team members as well as representatives from the Fraternal Order of Police (FOP) Lodge 214, who had responded in support of the involved officers. Attorney Steve Schroering was also present and requested that I speak with him.

**CONVERSATION WITH ATTORNEY STEVE SCHROERING**

At approximately 0440 hours, Mr. Schroering advised me he had spoken with Officer Beau Gadegaard and Officer Taylor Banks, and he would be representing the officer as their legal counsel. Mr. Schroering informed me that he had advised his clients to provide a statement to



PIU investigators, but that he was deferring the statements to a later date, yet to be determined. He stated he also advised his clients to submit to photographs and other investigative requests while at the PIU Office.

Following my conversation with Mr. Schroering, I observed CSU Technician Dona Stephenson photographing the involved officers and collecting a gunshot residue test (GSR) from both officers, as PIU Sergeant Lowell Watson assisted. An administrative unloading of the officer's weapons was also conducted. The involved officers' weapons, magazines and ammunition were collected as evidence by CSU Technician Stephenson.

Officer Brian Smith, who was present during the shooting, was interviewed at the PIU Office as a police witness by Sergeant Gootee and Sergeant Hagedorn. For a synopsis of the interview refer to the investigative report submitted by Sergeant Gootee. Following the interview, Officer Smith was photographed by CSU Technician Stephenson and a GSR was collected. Sergeant Watson conducted an administrative unloading of Officer Smith's duty weapon. The weapon was then returned to Officer Smith as it was determined that he did not fire at the suspect.

#### **LOANER WEAPONS PROVIDED TO INVOLVED OFFICERS**

I provided a loaner weapon to Officer Taylor Banks, at approximately 0507 hours. The weapon received by Officer Banks was a Glock, model 22, .40 caliber, semi-automatic pistol, [REDACTED]. I also provided Officer Banks with a magazine and one (1) box of .40 caliber ammunition (50 rounds).

At approximately 0521 hours, I provided a loaner weapon to Officer Beau Gadegaard. The weapon received by Officer Gadegaard was a Glock, model 22, .40 caliber, semi-automatic pistol, [REDACTED]. I also provided Officer Gadegaard with a magazine and one (1) box of .40 caliber ammunition (50 rounds).

#### **NOTICE OF SUSPENSION OF POLICE POWERS**

At approximately 0550 hours, I served Officer Beau Gadegaard (7201) with a Notice of Suspension of Police Powers on behalf of Chief Steve Conrad. The notice was served in my office, within the PIU Offices.

I served Officer Taylor Banks (7293) with a Notice of Suspension of Police Powers on behalf of Chief Conrad at approximately 0606 hours. The notice was served in my office, within the PIU Offices.

After serving the Notice of Suspension of Police Powers, Officers Gadegaard and Banks were accompanied to the 2<sup>nd</sup> Division Sub-Station, 3419 Bohne Avenue by Sergeants Hagedorn and Watson to ensure the download of their wearable video systems (WVS). The officers were then released. Colonel Michael Sullivan, Deputy Chief of Police, Major Eddie Jones and I reviewed WVS footage of the officer involved shooting in my office. A copy of the footage will be maintained within the case file.

At approximately 0735 hours, Sergeant Gootee and I conducted an interview with 2<sup>nd</sup> Division Officer Lonzo McConico at the PIU Office. The interview was audio recorded and will be maintained within the case file. The interview concluded at approximately 0748 hours. For a synopsis of the interview refer to the investigative report submitted by Sergeant Gootee.

**INVESTIGATIVE BRIEFING**

At approximately 1045 hours, PIU investigators met in the PIU Office to conduct a briefing regarding the investigation. The briefing included myself, and Sergeants Kristen Downs, Scott Gootee, Jon Hagedorn, Leigh Maroni, Lowell Watson and Arnold Rivera. Sergeant Kessinger also joined the briefing after it began. Based on the interviews that had been conducted up to that point, evidence collected at the scene and WVS footage, the following information was disseminated among the investigators:

At approximately 0135 hours, MetroSafe received a call from **Ms. Denita Jones**, advising that her mother, **Ms. Anita Jones** was having a dispute with her boyfriend, **Mr. Darnell Wicker** at 4509 Broadleaf Drive, Apt. #4. According to preliminary CAD information, Denita Jones advised that Mr. Wicker had kicked in the door to Apt. #4 and had a knife. MetroSafe dispatched LMPD 2<sup>nd</sup> Division officers to respond to **Domestic Trouble with Violence**.

**Officers Brian Smith, Beau Gadegaard and Taylor Banks** arrived on scene speaking briefly with Denita Jones and Anita Jones. Shortly after their arrival, Darnell Wicker exited apartment #4 with what appeared to be a knife and/or hand saw, which may have appeared to be a long edged weapon. Mr. Wicker was waving the item around in front of him, and then raised the item above his head as he advanced toward the officers. Officers can be heard on the WVS footage giving clear, loud commands to “drop the knife! Drop it!!”, and then firing multiple times as the subject failed to comply with the officers commands. Mr. Wicker was struck by multiple rounds. Officers secured the subject in handcuffs, and then cleared the apartment. Louisville Metro Emergency Medical Services (LMEMS) was summoned and pronounced the subject deceased at the scene.

Approximately thirteen (13) spent .40 caliber shell casings were recovered at the scene, as well as one (1) spent projectile and two (2) projectile fragments. Two (2) Glock magazines were recovered at the scene. One magazine contained ten (10) live rounds, the second magazine contained six (6) live .40 caliber rounds. One additional live round was also recovered at the scene. Additionally, a hand saw measuring approximately 18-24 inches was recovered at the scene next to the Mr. Wicker’s body.

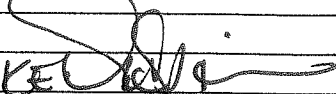

**Deceased**

Darnell T. Wicker

[REDACTED]

ADDRESS: 4509 Broadleaf Drive, Apt. #4, Louisville, KY 40216

The briefing concluded at approximately 1120 hours. Afterward, PIU investigators continued their efforts of pursuing investigative follow-up tasks determined during the briefing.

Investigator’s Signature:	
Supervisor’s Signature:	

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# LOUISVILLE METRO POLICE DEPARTMENT

## SPECIAL INVESTIGATIONS DIVISION

### Public Integrity Unit



## INVESTIGATIVE REPORT

Type of Investigation OFFICER INVOLVED SHOOTING	File No. 16-054	Date of Report: 08/09/2016
Activity: Notification, Initial Response, Interview of Anita Jones, Interview of Denita Jones, Scene Investigation	Submitted By Sergeant Leigh Maroni	
	Lead Investigator: Sergeant Leigh Maroni	

### Notification:

On Monday, August 08, 2016, at approximately 0159 hours, I received a text message from MetroSafe Communications advising Louisville Metro Police Department (LMPD) officers had been involved in a shooting. The text message was received as follows:

***officer\_involved\_incident 2 ND DIV / OFFICER INVOLVED: OFFICER INVOLVED SHOOTING AT DOMESTIC 4509 BROADLEAF DRIVE APT 4. NO OFFICERS INJURED. SUSP SHOT NOT BREATHING AT THIS TIME.***

At approximately 0206 hours, I received a phone call from Lieutenant Kevin DeSpain who asked if I was okay on the page. I advised him that I had received it and I was up and getting ready to respond.

At approximately 0220 hours, I received a text message from MetroSafe as follows:

***public\_integrity\_unit PIU requested to call 229 at [REDACTED]***

I contacted Car 229 (Sergeant Malcolm Miller) by telephone at 0228 hours at the number provided. Sergeant Miller advised he was on scene. Sergeant Miller advised he had already spoken to Lieutenant. DeSpain and asked if I wanted a brief rundown. I said I would like to know a brief synopsis. He said he had two officers that fired shots and one officer who was a witness. He said they had responded to a domestic violence incident called in by the daughter of the female victim who told dispatch that a man was wielding a knife. He said that two of his officers were riding as one unit. He said he was advised that the suspect charged at the officers with the knife and the officers fired. He advised that Officer Brian Smith witnessed the event but did not shoot and Officers Beau Gadegaard and Taylor Banks fired their weapons. He further stated that the mother (victim of the domestic) reportedly made a statement to Sergeant. Rob King (9<sup>th</sup> Mobile Division) that the suspect "charged" at the officers and they "did what they had to do".

### Response/On Scene:

I arrived on scene at 0308 hours. I pulled in on the north side of the scene driving south. I parked my car near the south-west corner of Richmond and Broadleaf. *Investigator's note: It should be noted that this intersection was roped off with yellow crime scene tape. I entered this location by utilizing my police lights.* Upon arrival, I noted seeing peer support officers: Lieutenant Mike

O'Neil, Sergeant Scott Beatty and Officer Amy Matthis. Further, I observed Homicide detectives Brian Royse and Holly Hogan nearby. All officers were positioned on Broadleaf, north of the scene. I was advised by Detective Royse that the involved officers were separated and in separate vehicles. I was phoned by Sergeant Kessinger who advised he was also on scene but standing in the parking lot near the immediate scene. I immediately walked to meet with him. I noted Detective Jason Vance was in the inner perimeter along with Lieutenant DeSpain, Sergeant Scott Gootee, Sergeant Kristen Downs and Sergeant Kessinger. I noted there to be two black females and a black male in the inner perimeter. I noted two marked police cars in the parking lot facing north. The vehicles were identified as [REDACTED]. They were unoccupied and one of them (#6107) had an arbitrator running while the other did not.

I noted that Officer K. Holman was in charge of the Crime Scene Log. I observed another marked police car with Officer Helen Johnson in the driver's seat also on the lot. Near officer Johnson's car was a black female approximately 30, slim build wearing white pants and a black and white top. Another black female in what appeared to be her fifties was seen in shorts and a red t shirt. She was sitting in an outdoor chair next to a black male wearing camouflage cargo shorts and a white t shirt. Officer K. Holman advised me they were the decedent's family.

Sergeant Kessinger informed me that we would do a "walk through" with the involved officers. Sergeant Kessinger approached Officer Gadegaard and introduced himself while I introduced myself to Officer Taylor Banks. Officer Banks was seated in an unmarked Ford 500 with Sergeant Scott Beatty (Peer Support) when I approached him and asked him to exit the vehicle. Sergeant Kessinger brought Officer Gadegaard to where we were standing and I introduced myself to him on scene. Sergeant Kessinger asked them if they had spoken with attorney Steve Schroering and they both advised they had. Sergeant Kessinger then asked them if Mr. Schroering was okay on them doing a walk through and they advised that he was okay with this. Sergeant Kessinger advised that this was a simple procedure and required only a "yes" or "no" answer and it was simply to determine where exactly the shooting took place. He specifically told them not to elaborate and to only say "yes" or "no" to his questions. The four of us approached the scene by walking south down Broadleaf and walking east into the parking lot. The officers were asked if the scene where the victim was located was the general location of where the incident took place and they advised, "Yes." They were asked if anything pertaining to this incident occurred outside the general area of where we were standing (approximately 15' from the decedent) and they said, "No." They were asked if they ever went in to the apartment and they said, "Yes." They were then escorted back to the cars. They were both transported separately to the Public Integrity Office (PIU) at 810 Barrett Avenue.

At 0339 hours, I introduced myself to Denita Jones who was standing at the front right of Officer Helen Johnson's car (Officer Johnson was seated in the driver's seat of her car). I advised Ms. Jones that I was Sergeant Maroni with the LMPD Public Integrity Unit. I advised her that I would be investigating the case involving the officers. I asked if she would give a statement regarding the events as she witnessed them. She asked for a minute and said she needed to get some air. I told her that was fine and I would go talk to her mother in the meantime.

At approximately 0340 hours, I approached Anita Jones who was sitting in a lawn chair in the parking lot behind the involved officer's cars but within 15 feet of the apartments. Seated next to her was a black male with a beard wearing camouflage cargo shorts and a white t-shirt. I advised her that I was Sergeant Maroni with the LMPD Public Integrity Unit and I would be investigating the case involving the officers. I asked her if I could speak with her and she shook

her head. I told her that it was very important to hear her account of the events as she was an eye witness. Again she shook her head. I told her that I would give her some time to collect herself and I would try to talk to her again in a little while. I went with Sergeant Kessinger to his vehicle which was parked on the far right (south) side of the apartments which were numbered "4515" although it was the same building. We were approached by Anita Jones who said she would talk to us. Ms. Jones was asked if she would sit in the car so it would be quieter and she refused saying she needed to stand and get some air. I sat in the driver's seat while Sergeant Kessinger stood outside the driver's door with Ms. Jones.

### Interview with Anita Jones:

The interview with Ms. Jones was in the form of a sworn statement on 8-8-16. It began at 0348 hours and was audio-taped. It took place outside of 4515 Broadleaf (the same apartment complex but the south side of the building). I was sitting in the driver's seat of Sergeant Kessinger's car. Ms. Jones preferred to stay outside of the care while giving her statement while Sergeant Kessinger stood outside with her. Ms. Jones acknowledged the following:

- The interview was being audio recorded
- She approved of it being audio recorded
- No one had threatened her in order to obtain the interview
- The statement was of her own free will
- The statement was a sworn statement
- She agreed to tell us the truth the whole truth and nothing but the truth

Ms. Jones advised her full name is Anita Louise Jones with a [REDACTED] She stated she lives at [REDACTED] She gave a phone number of [REDACTED] She signed the Official Statement Form at 0350 hours. I witnessed her signature along with Sergeant Kessinger who notarized the statement. Ms. Jones is currently unemployed. I asked Ms. Jones how it was that the police were at this location tonight. She stated that her daughter called them. When asked why her daughter called them, she said she (her daughter) pulled up to drop her off and it was her boyfriend and he *"Had done kicked my door in and was already inside and I asked him to leave and get out and uh...he had some potatoes frying and I cut the stove off and moved them off of the burner and I walked back outside to the car to my daughter and uh...he's coming out with a knife and a saw and I said you better put that stuff up and get on....go on back around to your friend's house before the police get here, so he sits in front of the house in that green chair by my door and I sat in the car with her...me and her. And when the police pulled...by the time they getting ready to pull up, he had done already walked back in the house so he didn't actually see them pull up. He had walked back in the house and he had the door like that wide open. And then when he stepped back out they had already ran up to the door and he had the knife in his hand and they said, 'Drop it' but they didn't give him a chance to even drop it they just, they started firing immediately. One shot one, one shot one, and one shot one, all three of them."*

She was asked if after the police arrived if they ever stopped to talk to her first and she said, *"No, they just ran straight up to my door. I was going to get out of my daughter's passengers side of the car and he said, 'No Miss, get outta the way' and they ran straight up, I mean ran straight up, ran straight up and said 'drop it', but they never gave him a chance to even...it's like, if you gonna bend to set something down or if you gonna just let this phone go right now. They didn't even give him a chance, they just said, 'drop it' and they just started firing, all three of them: bam, bam, bam, bam just like that."*

I asked what her boyfriend's name was and she said, "*Darnell Wicker and that was uncalled for, that was uncalled for and that was wrong.*" She said Darnell's date of birth is [REDACTED] and said he lives with her. She said they've been together for 22 years. She said they didn't even come to the car, she tried to get out of the car to let them know she was the one who called the police and they wouldn't even let her out of the car they just said, "*Get outta the way Miss*" and started firing.

I asked her why her daughter called the police. She said, "*I told her to*". She said because she (Anita) went in the house and because he kicked her door in. Anita said she had been at her daughter's house all day for a barbeque. Anita said Darnell came to her daughter's house to try to get the key to the apartment and she refused to give him the key and she figured he went back to where he was at. She said this happened an hour or two before she came home. She said he doesn't have a key because every key he gets he loses. She said that he had already kicked in her door and she told him to leave before the police got there because she was having her daughter call them. She said he told her, "*I ain't goin' nowhere*" and she said that she was calling the police and he said, "*I don't care, let them come on.*" She said she left the apartment and returned to her daughter's car. She said that he came out behind her standing in front of the door with a knife in his hand. She said he started walking to the car hollering, "*You really wanna do this? You really wanna do this?*" and she got in the car and shut the door and her daughter locked it. She said she was talking to him with the windows raised up. He came up to the car and she told him to go back to where he had been staying earlier. She said, "*That's when he was talking through the window but I could still hear him and I'm sure he could hear me too. He said, 'You sure you really wanna do this?' and I said, do what? Just go on...leave my house and go on before the police get here so that's when I stayed in the car and he walked back to the house, walked in the door. By then, that's when the police came and uh, he came out with the uh, little saw and the knife in his hand.*"

I asked to which type of saw she was referring. She said, "*Just like a hand saw, a little small hand saw.*" I asked what he was doing with that and she said, "*Just holding it in his hand with a knife in one hand.*" She said when he came back out the police were already there. She said, "*But when he stepped out he didn't know they was there. But when he stepped out they just ran. By then when I seen them lights flashing I opened the door up to get out and then that's when he said 'No Miss, get outta the way, get outta the way' and they just come running...I mean they was running up to him and they said, 'drop it' and then they just went pow, pow, pow, pow pow. They said drop it but they didn't give him a chance to drop it before they started firing their guns.*"

I asked her how many times she heard them tell him to drop it. She said she heard it one time. She then said, "*And see, my old man, he's deaf in one ear and barely can hear out the other ear, so he probably couldn't hear them anyway.*" She was asked again how many shots she heard and she said, "*Three, there were three officers and there were three guns.*" She then said the police never bothered to talk to her but when she saw them coming, she got out of the car thinking they were going to come up to talk to her but they came up running and told her to get out of the way. She said that she had been in her daughter's Kia Forte parked in front of the apartment. She said even if he did hear them they only told him to drop it once. She said the police ran up on the same side of the car that she was.

She was asked if she had ever had to call the police on her boyfriend before and she said, "*Yeah once or twice or something.*" She said after the shots were fired, more police starting coming up

and they started separating them. She was asked if she knew which officer fired first. She said it seemed like they all fired at the same time. She was asked which initial officer arrived on scene and she said, *"A heavy set black guy."* She said he was in front of the other two. She said it happened so fast but she knew the first officer was black and she wasn't sure about the other two. She said she knew there was a white one so she thought she was looking at *"two black ones and a white guy"* and the officers backed them up and made them get away.

*Investigator's note: The recording device fell from my lap to the ground and the battery came out. It was immediately re-inserted and turned back on as quickly as possible.*

Sergeant Kessinger began asking follow up questions. He asked her what she told her boyfriend after he came outside with the knife. She said, *"I told him the police was on they way and he needed to put that knife down and all that and get your stuff and leave."* When asked what his reaction was, she said, *"He didn't say nothing, he just sat down on the chair on the outside and just sat there."* She said she hollered out the door, *"You better go on and leave before the police get there."* She said she and her daughter both stayed in the car. She said the second time she told him to leave he sat in the chair and then he got up and went back into the house. She said by the time he came back out the police were already there and she went to get out of the car and they yelled get outta the way and began shooting. She acknowledged that the police that arrived were driving two separate marked Louisville police cars. She said their lights were on when they pulled in the lot. She said that they had approached with their guns drawn. She said she did not know why their guns were drawn. She said she was not in the car when her daughter first called the police because she had gone in the house to tell him to leave, *"But she said she probably told them that he had a knife."* She said after they police arrived and were going up to the door, Mr. Wicker stepped out. She was asked what he had in his hand when he stepped out and she said, *"the knife."* When asked if he had anything else she said, *"The uh... little uh, saw."* She was asked to describe the saw. She said, *"It's just a little saw but the blade would be about this long, maybe about that wide and the handle about as big as my hand or smaller....a little bitty hand saw."* She said he was *"coming out the doorway but he had already stepped out by the time they was running up on him so he didn't know what was going on."* She was asked to describe the officers that night and what they were wearing and she said, *"Uniforms....police uniforms, what they got on out there now."* She said she clearly identified them as officers as they were running past her. She said they didn't stop to talk to her so they didn't know she was the one who called the police because before she could get out of the car they pushed her back and yelled *"get back, get back."* She said the officers were closer to Mr. Wicker than she was at the time of the shooting and that she could clearly hear them say *"Drop it"*. She said, *"But I can hear and he can't."* She was asked if she knew which officer told him to drop it. She said, *"I don't know, I think it was the black one. She said she thought he was the one that fired first. When asked how she knew that, she said, "Because he was the one that came up running past me first."* She was then asked if she saw which officer fired first and she said, *"Yeah."* She said nothing was said after the shots were fired. She said Mr. Wicker stayed in the doorway and he never walked toward the officers at any time. She said he was walking out at the same time the officers were walking up. She then said when he stepped out the door, the officers were already running toward him. She said the officers would have been already at her car door when he stepped out of the door. When asked why he had a knife in his hand she said, *"Because he didn't wanna go. He didn't have nowhere to go."* She was asked why he would have a knife in his hand and she said, *"I guess because he felt threatened because I was gonna make him leave for the night."* She denied he ever threatened her or her daughter by saying he was going to cut them or stab them. She was asked why he would have a saw in his hand. She said he grabbed the saw from a bucket near the outdoor table when he was sitting out there.

She said he had picked up the saw before she even got there. She then said he came out with the knife and then went back inside with the knife and the saw. She denied seeing him lunge or charge at the officer. She denied she ever told anyone they lunged or charged at the officer. She was asked what lights she saw when the officers arrived. She said, "The flashing ones" I asked if she meant the red and blue lights and she said, yes. She was asked how quickly after the officers arrived that the shots were fired. She said, "It wasn't even a split of a second, it wasn't even, it couldn't have been a second no longer than a minute or nothing like that." She was then asked again if she saw their red and blue lights on or if it was their headlights. She then said she didn't know. She was asked about when she saw Mr. Wicker at her daughter's house if she thought if he had anything to drink that day. She said he doesn't drink at all. She admitted she had been drinking beer at her daughter's house and the last drink she had was 2-3 hours ago. The interview was concluded at 0420 hours.

*Investigator's note: The interview was audio recorded and a complete transcribed copy will be added to the file upon completion.*

### **Interview with Danita Jones:**

Sergeant Kessinger and I then took a recorded/sworn statement from Danita Jones. The statement was conducted in Sergeant Kessinger's vehicle (an unmarked Jeep Cherokee). Ms. Jones sat in the front passenger seat, I sat in the driver's seat and Sergeant Kessinger was in the rear middle seat. The interview began at 0428 hours and took place outside of 4515 Broadleaf (same location as her mother's interview). Danita Jones acknowledged the following:

- The statement was being audio recorded
- No one threatened her in order to obtain the interview
- She approved of the interview being audio recorded
- The statement was made of her own free will
- The statement was a sworn statement
- She agreed to tell the truth, the whole truth and nothing but the truth

She advised that her date of birth is [REDACTED] and she lives at [REDACTED]. She is employed by Rite Aid as a shift supervisor. She gave a phone number of [REDACTED] and a cell number of [REDACTED]. Ms. Jones was asked what had led up to the police being called to this location tonight. She said she was having a barbeque at her house. Mr. Wicker came over to her home around 2230 and wanted her key. She said her mother walked to the kitchen and told him she wasn't giving it to him for whatever reason and he left. They finished having their barbeque and she brought her mother home at 0119 she believed. When they arrived they could see the bike Mr. Wicker always rides so her mother knew he was in there. She said her mother went to the door and it was unlocked and her mother could tell he had kicked in the door. She said on the left side the whole little (door) frame was out. Her mother told him she didn't know why he was in the house and he had to get out. She said she stayed in the car. She said he came out with a white bucket as if he was ready to leave in case the police did come. She said he went back inside and her mother came out smoking a cigarette outside her car by the window. She said, "He comes out and sits in a green chair in front of her door with two, I guess, large like, butcher knives um...and started playing with those, like intimidating, crossing his legs and just sitting there."

I asked if they had already called the police before he came outside with the bucket. She said as soon as they pulled up, her mother knew he was there and she told her to call the police. She said



she hesitated and held the phone and she saw her mother walk to the door and heard her mother say *"Why are you here?"* Danita said she couldn't really hear what he was saying because he was *"grumbling... like mad"*. So that's when her mother left him in there and came and stood outside Danita's car and smoked a cigarette. She said both her and her mother's windows were rolled down and she was talking to her mother telling her that he had knives. She said she guessed her mother felt comfortable or whatever but she told her to *"Get in the car!"* She said because he started walking over to her mother with the two knives, her mother jumped in the car and she locked the doors and rolled the windows up. She said Darnell stayed outside the car and said, *"Are you really going to do this to me? I'm not that bad of a guy, I'm not that bad."* She said her mom told him, *"I told you not to be in my house"* and he started grubling and got mad again and went back inside. She said then he came back out with *"two knives and what looked like a saw or something"*. She said he started showing them around and Danita thought Darnell must have thought they were playing like she (Danita) had called her brother or something, *"so he was ready for him, I guess"*. She then said, *"He kneeled down in the chair and prayed or acted like he was praying, got back up and went back in the house. At that time, the first officer pulled up, walked up to us and asked us what was going on. We were both kinda talking and hysterical. He said, 'Hold on. One person at a time.' I said hold on mom, calm down. I started talking, I basically told him we had a barbeque, I was just dropping her off, he was in the house, it went from there. I explained to him that he did have two kitchen knives and some type of saw uh.at that time, he did pull out his gun had it down kinda low and was walking up. I uh...I mean it just happened so quick. He was walking up, he comes out of the door at that time, it was cracked about that much but closed he opens up the door fully wide with these two things in his hands, it mighta been three I'm not sure. The officer screams, 'Put it down!' Um...I mean it was going so quick because when he hollered put it down it was like two more officers pulling up at the same time. I mean it was just so quick. As he told him to put it down, he kinda, he has em up here (demonstrating over her head) so when he says put em down he does this (making a face) and the next thing you hear is pow, pow, pow. And then they pushed my mom out of the way because she was trying to walk up there and I grabbed her and we walked back over towards like, the little red dumpster right there at the end of the driveway. Um, and then everything just went from there. I asked them if I could have my purse and my keys and he said, 'Wait one moment' ...couldn't touch anything and he would get it for me and that was it."*

She acknowledged that initially only one officer showed up. I asked her to describe him and she said he was kinda stocky, white, about 5'7" and he was bald. I asked her to clarify who we were talking about in terms of the man with the knives and she said, *"Darnell Wicker"*. She said he is her mother's boyfriend and they have been together for twenty years. She said that he lives there off and on. When asked if Darnell responded when the officer told him to put them down, she said, *"No, he didn't get to say anything. I mean it, they... they really didn't give him enough time but I don't know if that was because he had em in the air or what, but they did say put em down but they didn't give him enough time so, I... so to speak and they were probably where we are and he was where those thing are over there, those meter things."*

I asked her if Darnell was walking when he had the knives over his head and she said, *"It was, it was just very....kinda. I mean it was maybe like a stumble forward...he didn't get to, he didn't get to move. I mean he came out the door, he stepped off that ledge right there and as soon as he stepped off that ledge he said, 'Put it down'. Um, he did like this (overhead) like, he had em like in the air."* I asked her what he was doing with them in the air? Waiving them? And she said, *"Just like, yeah... and he didn't just drop em or lay em down so they just shot him."*

Sergeant Kessinger asked her what he was waiving over his head. She said he had two of something in his hand. She said *“As soon as he walked out the door, he kinda looked up like oh the officer is here and he (the officer) hollered ‘Put it down’ and he did like this, like waiving, right over his head to the officer and by that time, they just went ‘pop’ and the other ones, like kinda all in one went pop, pop, pop, it was like three shots.”*

She said he was waiving the knives right when he came out the door and after he came out, he had them down at arm’s length (demonstrating hands at her waist). She said, *“Like when he comes out the door, he has two things like this (waiving overhead) and then he got startled because when he looked up he saw the officer coming up on him. He did like this the officer said, ‘put it down’ and instead of him just dropping it he goes like this (raising his hands up) and that’s when they sho...”* She said his hands went from waist level to overhead. She said, *“Like I said, it just went so fast, he didn’t really didn’t get a reaction to drop it. It was more like if he didn’t comply... he didn’t comply, he put em in the air and they just shot. I mean...”*

I asked if she could see who shot first and she said she couldn’t because it all sounded like it happened at the same time. She said the one guy went off first and it was like the others were like a second behind him. She said as he was falling he still had it in his hand and they ran up and kicked it out of his hand because he was still moving. She heard one of the officers say *“I told you to put it down”* but she didn’t hear Darnell saying anything but she couldn’t really see him. She said she was in shock and she just grabbed her mom and they moved back toward the dumpster. She said her mother kept trying to walk over to see. Danita said she just started the cry because she felt bad because she was the person that called the police. She was asked if she had seen Darnell drinking anything and she said he is not a drinker. He doesn’t drink at all.

I asked her if they had ever been any issues between her mother and Darnell before and she said, *“It’s kinda like it’s escalating like that slow domestic violence where it starts out and then... I mean she wouldn’t really tell me stuff. But when she would it would be old and she would be like oh, he would jump in my face or something like that, because she would tell him, you know it’s the typical trying to get a guy to work, trying to bring in stuff and he wouldn’t do it so, if you would tell him oh well if you’re not gonna help around the house then I’m gonna give you a month to move or something like that and him keep hearing that was kinda, still playin’ in his head. So, like I told her, just do it don’t tell anybody what you are gonna do. A lot of stuff happened like that when you tell somebody stuff and like she kept saying, becusae I was out there bawling, she said, ‘you’re taking it harder than me’ and I’m like, I said I understand but I didn’t want him to get shot and she’s like, ‘yeah but he tells me he’s gonna kill me and...before the police get here they would...that I wouldn’t even make it and if you call your son their not gonna make it in time.”* I asked her if this is stuff he said to her tonight and she said it was stuff he had told her mother before and she was just telling her this to calm her down and her mother told her anything could have happened.

She saw no altercation between them tonight other than her going in and asking him to leave. She said her mother drinks a little bit and sometimes she just talks. So she didn’t think Darnell was taking her mother seriously. She said her mother has been saying she was going to put Darnell out for four years but she can’t just put him out without giving him legal notice.

She was asked what happened after the shooting. She said she was just told to back up and she believed it was the first officer on scene that she asked if she could get her purse and turn her car off because she didn’t want it to die on her. She said he told her he would get her keys and purse for her. She said she thinks he had to go off scene because it was the black officer who came on

scene that brought her some water and he got her the purse for her. From there they were moved out of the way because they had to start taping up. She said they put them in separate cars.

Sergeant Kessinger asked if she could recall what she told dispatch when she called for police. She said she initially called and said she was at her mom's house and her boyfriend had kicked in her door and she wanted him out. As she was sitting there, she told them that he had come outside and he had one knife and he put it in his lap and he crossed his legs and played around in that little bucket like he was going to leave. She then told them that he now had two knives and he was running in and out of the house. She said at first she thought he was just hiding them in the house so if the police made him leave he would come back or something *"but then he came back out and sat on the porch with them like he was ready."* She said her mom was like I'm calling the police, *"I would have thought he'd have put them up but no, he just sat there like I'm waiting."* She said the dispatcher told her she was sending the police and if anything changed to call her back. She said they waited like ten minutes and the officer arrived and they both stepped out of the car and started telling him what was going on. He said Darnell didn't even know the officer was out there at that time because he had gone back inside the house. So when he came back out to sit in the chair he got surprised cause the officer was already coming up on him. She said the first officer came up slowing with his big bright light on so he could spot and see where we were. She was asked if at any point any officer ran past them without asking them what was going on. She said after the second car arrived, the first officer began to approach to say please put it down and they ran out of their car and had to push her mother out of the way because she was trying to follow the first officer and they said, *"Ma'am wait a minute"* and they pushed her over toward her car.

She said when the first officer arrived on scene, she didn't even go in to the fact that he kicked the door in. She said she just told him he's got knives sitting over there. She said she told him he had two knives and a saw type thing. By the time she got that out, he was coming out the door with it. She said she would have thought he would have put it down by then but he didn't. She said the first officer approached to say *"hey, can you put that down"* but because they had already told him that he had a weapon, he had his gun drawn. She said the officer didn't have his gun up, he had it down. She said the second car arrived and the other officers came up pretty quick. The first officer said put it down and the others said put it down and then pop, pop, pop. She said the first officer initially had his gun holstered and he was talking on his *"walkie-talkie"* like thingy. She did not recall what he said on it. He said he didn't take his gun out until he was finished talking to them and he saw the door begin to come open. She said the officer did not raise his gun until he got to the front of her Kia. She said he could see full knives at that time and that's when he had it out at him and he said *"Put it down."* She said she was in a position where she could hear the officer. She said, *"And he was yelling so I could hear him pretty good, the cop."* She heard that officer say it once and then the second officer blendedly said it too and there was no pause before she heard shots fired. She was asked to describe the knife. She said, *"It's like the biggest one you get in your little knife set, I guess it's like a butcher knife or something like that, not the carving one but the wide one and it gets skinny at the end. And I think he had two of those. Same type of knives. I think it's like the Michael Meyers knife, I don't know."*

I asked if she heard Darnell say anything. She said he didn't say anything she said he just made a face. *"Like a hard face, Like a mean face basically"*. She was asked if they told him they called the police. She said her mom told him when she went inside that she was calling the police and told him again when she came out to the car that she called the police. She said he turned around and stormed off like a bratty kid like he wasn't going to talk to them anymore because they really

called them (the police). She said at best all the police would have done would be to escort him off the property.

*She was asked what Darnell had done to intimidate her and her mother. She said, "Because he kept sitting in the chair and waiving his knives at us um... I said, like telling us he was ready in a sense or for...for whatever, I don't know. Um, I don't...I, I just took it more that he thought we were playin', that we didn't call the police and that maybe I had called my brother that was gonna come over here and get him out or something and he was gonna be ready with these knives. I just didn't really take it that he had em ready for the police officers. But like I said, I, I, I don't know he got, he got on the ground, he prayed. I, I don't know what he was thinkin'. I just don't know."*

She said she drives the silver Kia Forte and it is still parked in the spot she left it. I thanked her for her time and we went off tape at 0455 hrs.

Danita Jones' statement will be transcribed and placed in the file upon receipt.

### **Scene Investigation:**

I arrived on scene at 0308 hours and waited with officers on the north side of the apartments until I met with Sergeant Chad Kessinger at 0317 hours. I walked south to the location of the parking lot. At that point I walked to the scene of the shooting and observed a black male lying on his right side with his hands handcuffed behind his back. The body was lying directly in front of apartment #4 which faces west toward Broadleaf. Apartment #3 sits directly in the northeast corner of the building while apartment #5 was to the south of Apartment #4 facing west toward Broadleaf. I observed a handsaw with a curved blade approximately 12-16" in length northwest of the decedent's head. East of the saw was a live round and just south of the saw was a magazine from a handgun. Another handgun magazine was also noted to the southwest of the decedent's feet. CSU had placed screens around the decedent to shield his body from onlookers and the media. Between apartments #4 and #5 I observed a small black charcoal grill, and a table with two chairs. Beside the table was a white bucket containing miscellaneous items as well as two 2-liter bottles of soda. I observed several casings about the area including the area in front of apartment #5. It appeared that the casings had already been marked for identification with business cards. Nothing was moved or collected at this time.

I also noted that there were two marked Crown Victoria vehicles parked in the parking lot facing north. They both had headlamps illuminated. In one car (#6107) I could see a red light from the arbitrator indicating that the in-car camera (Arbitrator) was recording. IBM # 6140 was observed to be a marked 4-door Crown Victoria with license plate G3042. The interior mobile data terminal (MDT) was open and turned on. A second marked unit with IBM#6107 was also observed with an MDT inside but unknown if it was on. This vehicle was parked closest to the apartment building and it was parked slightly north of the other unit which was just slightly parallel to the west.

I learned from Sergeant Kessinger that Sergeant Arnold Rivera was writing a search warrant on Apartment #4 and Sergeant Gootee, Sergeant Hagedorn and Lt. DeSpain were going to the PIU office to do interviews and meet with Officers Gadegaard and Banks and Smith. While waiting for the search warrant to be drafted and signed, Sergeant Kessinger and I did a walk-through with Officers Gadegaard and Banks and conducted interviews with Anita and Danita Jones.

At approximately 0550 CSU technicians Rebecca Kimmer, Erin Redfield and April Rush arrived on scene. They advised Dona Stephenson had responded to the PIU office to photograph and collect evidence from the involved officers. I showed the technicians the general scene and they began to gather their equipment.

CSU technician April Rush took a crime scene video with my assistance. We began the video at approximately 0607 hours and started to the north west of the building. "Broadleaf Arms" was the name of the complex. We began at our starting point and walked south. We documented the officer's vehicles which by this time had their headlamps and arbitrator turned off by unknown means. We continued and documented the 4-door Silver Kia Forte parked just in front of Apartment#5. The lights were out and the windows were up on the vehicle. The car had license plate KY [REDACTED] affixed to the back of it. We then approached the scene of the shooting documenting the general area to include casings marked with business cards, at least one live round, 2 magazines from handguns, the saw and the body of the decedent who was wearing a dark short sleeved t shirt, blue jeans, black boots and what appeared to be an extension cord as a belt. He was lying on his right side with the right side of his face on the ground below. He appeared to be within 1-2 feet of the doorstep. We did not enter the home as a search warrant was still in the process of being signed.

CSU began taking photos of the exterior scene and marking individual items of evidence. There were at least 10 casings (markers #1-9 and #13), two fragments (markers#10-11), one live round (marker #15), two handgun magazines (marker #12 and #14) and a saw (also marker #14 as it was close to the magazine) collected from the outer scene. A full detailed report from CSU will be made part of the file.

I was notified by Sergeant Rivera that the search warrant had been signed at 0630 hours. CSU technician Rebecca Kimmer and I made entry to the home at 0710 hours. I noted a bullet hole to the external northern-most door jamb. I further noted damage to the inner door frame as if it had been forced open. The inner doorjamb had a long crack from top to bottom as if the wood had split as a result force. The bullet hole appeared to have entered the west wall of the apartment and struck the north wall of the front living room just above a large framed photo on the wall. CSU technician Rebecca Kimmer subsequently recovered the projectile from the wall. A large butcher style knife was located on top of the kitchen refrigerator lying flat on the top of the refrigerator, not within the butcher block of other kitchen knives. No other items of evidentiary value were noted. The home was photographed and the projectile and knife were the only items taken from the home.

#### **Phone conversation with Andre Thomas:**

While on scene a black female approached with purpose and said, "That's my cousin" while I was talking to Danita and Anita Jones. I asked them if they knew her and neither of them claimed to know her. She advised her name was Etonya Thomas [REDACTED] who lives at [REDACTED]. She gave a phone number of [REDACTED]. She said she had gotten a phone call advising her that her cousin had been shot. I asked her if her cousin had any relatives we could contact. She said she was on the phone right now with his brother Andre Thomas. I asked if I could speak with him and she handed me her phone. I introduced myself to Mr. Thomas. I asked him if Mr. Wicker had any children. He advised that he did have children and their names were Danielle and Dominique. He said they had the last name of Wicker until they got married. He was unsure of their married names but he would try to locate them. I advised him that the Coroner would be contacting him to get this information and to provide additional information

after the autopsy and to make arrangements for Mr. Wicker's body to be released to a funeral home if so chosen. I thanked him for the information and asked if he had any questions but he did not. I gave him the coroner's name and asked for a contact number to give to him. He advised he could be reached at [REDACTED]

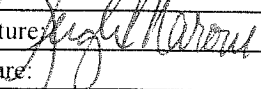

**Additional:**

Deputy Coroner Eddie Robinson arrived on scene at approximately 0745 hours. He advised he had spoken to EMS paramedic Jeremy Rader who pronounced the deceased at 0200 hours. He provided a run number of #74345 and had been riding as 135A with D. Smith. Once the Coroner arrived on scene the decedent's handcuffs were removed (0749 hours) and his hands were bagged (0751 hours). The victim was transported to the Medical examiner's office via T.I.E.S Borden Mortuary Services.

I requested the fire department to respond for mitigation wash off at 0800. At 0807 Lake Dreamland arrived on scene to clean the blood from the scene.

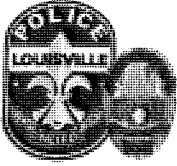
At approximately 0825 hours, Second Division officers C. Bradley and J. Priddy arrived to drive the involved officer's cruisers back to the division. Sergeant Hagedorn met the officers at the division upon arrival and collected the arbitrator cards for both vehicles. I received these cards from Sergeant Hagedorn back at the PIU office at 1030 hours.

The Arbitrator cards were provided to Ned Wetherby of I.T. by Sgt. Downs on 8-9-16. Mr. Netherby was only able to extract video from Taylor Banks' arbitrator and a copy of the footage will maintained in the file. I received a copy to view on 8-11-16.

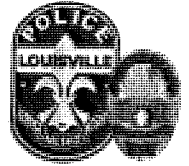
Investigator's Signature: 	
Supervisor's Signature:	LT. KE [REDACTED]

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PIU 005 11/14.



**LOUISVILLE METRO POLICE DEPARTMENT**  
**Major Crimes Division – Homicide Unit**  
**INVESTIGATIVE REPORT**



<b>Type of Investigation:</b>  <b>PIU Investigation</b>	<b>File No.</b> <b>16-054</b>	<b>Date of Report</b> <b>08/10/2016</b>
	<b>Submitted By:</b> <b>Detective Brian Royse</b>	
<b>Activity: Initial Notification &amp; Response, Neighborhood Canvass</b>	<b>Lead Detective:</b> <b>Sergeant Leigh Maroni</b>	

**Officer Involved Shooting-**  
**4509 Broadleaf Drive, Louisville, KY., 40216**

**INITIAL NOTIFICATION & RESPONSE**

On August 08, 2016, at approximately 0135 hours, LMPD 2<sup>nd</sup> Division officers were called to 4509 Broadleaf Drive on a report of a domestic situation. Shortly after arrival on scene, officers advised MetroSafe dispatch shots had been fired and requested LMEMS to the location. Detective Jason Vance, Holly Hogan, and I were already on the radio channel for a separate incident and monitored the radio transmissions of the shooting incident. MetroSafe dispatch ascertained the incident was an officer involved shooting. Officers on scene requested the Homicide Unit be notified and to respond to the scene.

Detective Hogan and I departed the Homicide Office and noted our arrival time on scene to be approximately 0200 hours. Upon arrival we found Detective Vance had already arrived on scene and begun conducting an initial scene investigation. Detective Hogan and I learned Officer Beau Gadegaard (7201) and Officer Taylor Banks (7293) had fired shots during the incident. We located both officers inside the primary scene and escorted them into the secondary scene. We had the officers sit in separate, unmarked police vehicles to wait for members of the LMPD Public Integrity Unit (PIU) to arrive. Detective Hogan and I stayed with Officers Gadegaard and Banks until members of the LMPD Peer Support Unit arrived. It was later learned Officer Brian Smith (7762) was dispatched on the initial domestic incident and was the first officer to arrive on scene. Officer Smith had not fired during the incident. Detective Vance escorted Officer Smith from the primary scene into the secondary scene and had him sit in a separate, unmarked police vehicle.

Members of the PIU arrived on scene and requested that Detective Vance, Hogan, and I continue to assist with the investigation by conducting a canvass of the apartment complex within the primary scene.

**NEIGHBORHOOD CANVASS**

The following is a record of the neighborhood canvass conducted by myself and Detective Hogan.

**4509 Broadleaf Drive**

Contact was made with a Loraine Robinson. Ms. Robinson stated she was inside her apartment and heard approximately 5 gunshots. She did not look outside and could not provide any other pertinent information. She provided a contact number of [REDACTED]

Contact was made with an Emma Douglas and Edward Douglas. Mr. and Mrs. Douglas stated they were inside their apartment when they heard approximately 5 gunshots. They did not look outside and could not provide any other pertinent information. They provided a contact number of [REDACTED]

No contact was made.

No contact was made.

Contact was made with a Tonya McNeal. Ms. McNeal stated she was inside her apartment and heard several gunshots. She did not look outside and could not provide any other pertinent information. She provided a contact number of [REDACTED]

Contact was made with a Nita Foster. Ms. Foster was asleep and advised he did not hear or see anything. She could not provide any other pertinent information and provided a contact number of 502-[REDACTED]

Contact was made with a Bernard Bradberry. Mr. Bradberry was reluctant to speak advising he heard a few gunshots but did not see anything. He provided a contact number of [REDACTED]

No contact was made.

No contact was made.

No contact was made.

No contact was made.

No contact was made.

Contact was made with a William Groves. Mr. Groves stated he was asleep and did not wake up until he heard responding police sirens. He had nothing further to add and provided a contact number of [REDACTED]

No contact was made.

No contact was made.

No contact was made.

Investigator's Signature: [REDACTED]

Supervisor's Signature: [REDACTED]

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LMPD # 05-0002 10/05





LOUISVILLE METRO POLICE DEPARTMENT  
PUBLIC INTEGRITY UNIT  
OFFICIAL STATEMENT

CASE NUMBER: 16-054

Today's date is 8-8-16 The time is 0348 hours.

This is an interview with Anita Jones (R/S) B/R

This interview is being conducted at:

Public Integrity Unit, 810 Barret Avenue, Louisville, KY 40204

Other Location: 4515 Broadleaf Drive

Present during this interview is;

Sgt (Title) Anita Jones (Name)  
Chad Kessinger & Leigh Maroni (Name)

- Q1  Are you aware this interview is being audio and/or video recorded? YES
- Q2  Has anyone threatened you in order to obtain this interview? NO
- Q3  Are you giving this interview of your own free will? YES
- Q4  Please, state your full name, and spell your last name. What is your date of birth? Anita Louise Jones
- Q5  State your home address including the zip code. 4509 Broadleaf Dr #4 40216
- Q6  Is this the same as your mailing address? (If no) Mailing address?
- Q7  State your home telephone number with the area code. (502)
- Q8  State your mobile and an alternate phone number with area codes. S/A
- Q9  Are you employed? NO
- Q10  State your employer and the position you hold there. N/A
- Q11  What is your work telephone number? N/A
- Q12  Are you aware the following interview will be a sworn statement? YES

PLEASE RAISE YOUR RIGHT HAND

Do you, Anita Jones, solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth, so help you God?

I UNDERSTAND THE ABOVE OATH THAT I HAVE TAKEN.

<u>x Anita Jones</u> Signature	<u>8/8/16</u> Date	<u>0350</u> Time
<u>Leigh Maroni</u> Witness signature	<u>8/8/16</u> Date	<u>0350</u> Time

Subscribed and sworn to me by Anita Jones

This 8 day of August, 2016

Notary Public, State at Large

My Commission Expires

This is Sergeant Leigh Maroni with the Public Integrity Unit. Today's date is August 8, 2016. The time is now 0346. This will be a statement with Anita ...

Maroni: ... and your last name, ma'am?

Jones: Jones.

Maroni: Okay. I'm gonna put on here 08/08, I'm just gonna fill out this form, 08/08/16, 0348 ...

Jones: Man, this is awful ...

Maroni: This is Broadleaf Drive, correct?

Jones: Correct.

Today's date is 08/08/16, the time is now I'm gonna put 0348 hours. This is an interview with Anita Jones, black female.

Maroni: What's your date of birth, Ms. Jones?

Jones: [REDACTED]

Maroni: The interview is being conducted at Broadleaf, 4515 ...

Jones: That's not my address ...

Maroni: No, that's not your address, but that's just where we're doing the interview, okay.

Present during this interview is Anita Jones, myself Sergeant Maroni and Sergeant Chad Kessinger.

Maroni Q1 Ms. Jones, are you aware this interview is being audio recorded?

Jones Yes.

Maroni Q2 Has anyone threatened you in order to obtain this interview?

Jones No.

Maroni Q3 Are you giving this interview of your own free will?

Jones Yes.

- Maroni Q4 Please, state your full name, and spell your last name.
- Jones Anita Louise Jones J-O-N-E-S.
- Maroni Q5 What is your date of birth?
- Jones [REDACTED]
- Maroni Q6 State your home address including the zip code.
- Jones 4509 Broadleaf Drive, Apt. 4, Louisville, Kentucky 40216. God, this is horrible.
- Maroni Q7 Is this the same as your mailing address?
- Jones Yes.
- Maroni Q8 State your home telephone number with the area code.
- Jones [REDACTED]
- Maroni Q9 State your mobile and an alternate phone number with area codes. It's the same as the [REDACTED] number?
- Jones Yeah.
- Maroni Q10 I'll put same as above. And are you employed?
- Jones No.
- Maroni Q11 Are you aware the following interview will be a sworn statement?
- Jones Yes.
- Maroni Q12 Please raise your right hand. Do you, Anita Jones, solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth, so help you God?
- Jones I do.
- Maroni Q13 I just need you to sign and date, ma'am, that this is your statement. ... The time is 0350 that you signed this, okay, and I'm gonna witness it here. ... Ms. Jones, my understanding is, well, that the police were out here obviously. Can you tell me how that happened, what the police were doing out here?

Jones My daughter called 'em.

Maroni Q14 Okay, and why did your daughter call 'em?

Jones We pulls up in her car to drop me off, and the (inaudible) my boyfriend and he had already done kicked my door in and was already inside, and I asked him to leave and get out,, and he had some taters fried and I cut the stove off and moved 'em off the burner, and I walked back outside to the car to my daughter, and he's comin' out with a knife and a saw, and I said you better put that stuff up, and go on back around your friend's house before the police get here, so he sets in front of the house in that green chair by my door, and I sat in the car with her, me and her, and then when the police, by the time they're getting ready to pull up, he had done already walked back in the house, so he didn't actually see 'em pull up, he had walked back in the house and had the door wide open, and then when he stepped back out, they had already done ran up to the door, and he had the knife in his hand, and they said drop it, but they never gave him a chance to even drop it, and they just started firing immediately, one shot one, one shot one, and one shot one, all three of 'em ...

Maroni Q15 All three of 'em shot?

Jones But they didn't even give him a chance, when they holler drop it, they didn't even give him a chance to drop it, and he wasn't runnin' toward them or nothin', he just stepped out the door with it, and they said drop it, but they didn't even give him a chance to even, if he bent down to lay it down, or if he just let it go out his hand, like if I drop this phone, they didn't let him get a chance, they just starting firing immediately, all three of 'em, one one, one one, one ...

Maroni Q15 When the police arrived, did they ever talk to you first?

Jones No, they just ran straight up to my door and told me, I was getting ready to get out of my door, the passenger's side of the car and he said no Miss, get out the way and they ran straight up, I mean ran straight up and said drop it, but they never gave him a chance to even, like if you gonna bend to set some'm down, or if you're gonna just let this phone go right now, they didn't even give him a chance, they said drop it, and they just started firing, all there of 'em, bam, bam, bam, bam, just like that.

Maroni Q16 What's your boyfriend's name?

- Jones Darnell Wicker, and that was uncalled-for, that was uncalled-for, that was wrong, I don't care what nobody say.
- Maroni Q17 Do you know his date of birth?
- Jones [REDACTED] is his birthday and he'd be [REDACTED] in a few, week or so ...
- Maroni Q18 And where does he live?
- Jones He live with me.
- Maroni Q19 Oh, he lives in your house, okay ...
- Jones We been together 22 years. But they didn't even give him chance, they said drop it, but they didn't even give him a chance, like if you're gonna lay some'm down, like get down like that, or if you just stand up and drop this phone straight out of my hand, they didn't give him a chance to do none of that, they just started firing, they didn't even come up to the car, when I was trying to get out the car to let 'em know I was the one called, they said get out the way miss, and that was it, just started firing.
- Maroni Q20 Now when you got here, you aid your daughter called the police because ...
- Jones We was sin the car together ...
- Maroni Q21 Right. But she called the police because ...
- Jones I told her to, 'cause ...
- Maroni Q22 For what reason?
- Jones Because when I went in the house after he kicked the door in ...
- Maroni Q23 Oh, he kicked the door in?
- Jones Yeah, and I said you done kicked my damn door in, I said you better get your ass outta here and go on back around where you been all night, 'cause I was just comin' home form a barbecue at my daughter's, so I'd been gone all day, okay, so he came over to my daughter's to try to get the key, I said no I'm not givin' you my key, maybe a hour or two later, I mean, before then that I stayed even longer before I came back home, so I figured he went on back where he was at, 'cause he wasn't at my house, because he came and get the key, so he hadn't done it yet, but I stayed over there

maybe a hour or two after he came by, and then when I came home he had already was inside.

Maroni Q24

And he doesn't have a key, he's lived here with you ...

Jones

Every time I give him one, he lose, every time I give him a key he lose it, I done paid 30-something dollars for mailbox keys and new keys to the landlord, they charge you for this, and it ain't cheap.

Maroni Q25

So he'd already kicked the door in, and that's what alerted you ...

Jones

And I told you, when I went in I said you need to get outta my house before the police get here 'cause I'm havin' my daughter call 'em ...

Maroni Q26

And why did you want him out?

Jones

'Cause he done kicked my door in ...

Maroni Q27

... because he kicked the door in?

Jones

...a and I don't want him in my, you don't do that, you don't do nothin' like that, and so I told him to leave, and he said I ain't goin' nowhere, I said well, I'm callin' the house, I'm gonna have Nita call the police, he said I don't care, let 'em come on, and then I came on out of the house and went back to her car, but I had the door shut, I hadn't opened it, and then he came out behind me, but not runnin' up on me or nothin', standing, came out the door, standing right in front of the door, but not comin' to the car toward me, with a knife in his hand, okay, and then he started walkin' toward the car hollerin' you really wanna do this, you really wanna do this, then I got in the car and shut the door and my daughter locked it, and I was talkin' to him with the windows raised up, I said you just need to go back where you was at earlier today and go on around and stay where you was at, and that's when he talked through the window, but I could still hear him, so I'm sure he heard me too, and he said you really wanna do this, I said do what, just go on, leave my house and go on before the police get here, and so that's when I stayed in the car he walked back to the house, went in the door, by then that's when the police came, and he came out with the little saw and the knife in his hand ...

Maroni Q28

What kind of saw are you talking about?

Jones

Just a little hand saw, a little small hand saw.

Maroni Q29

What was he doing with that?

- Jones Just holding it in his hand with a knife in one hand, then when he came out, they was already here, but when he stepped out he didn't know they was there, but they stepped out and they just ran, and by then when I seen them lights flashin' I opened the door up to get tout, and then that's when he said no miss get out the way, get out the way, and they just come runnin', I mean, they was runnin' up to him, and they said drop, it, and then they just went pow, pow, pow, pow, pow, each one of 'em, they said drop it, but they didn't give him a chance to drop it before they started firing the guns.
- Maroni Q30 How many times do you think you heard 'em say drop it?
- Jones Just once, that's all they said.
- Maroni Q31 Okay, so you heard drop it one time?
- Jones That's it, drop it, that was it, and see, my old man he's deaf in one ear and barely can hear out the other ear, so he probably couldn't even hear 'em anyway.
- Maroni Q32 And then how many gunshots do you think you heard?
- Jones There, all there, it was three officers, one shot at him with their guns, and see he's deaf in one ear totally, and he can't hear out the other ear, and they didn't even bother talkin' to me, I'm getting out the car thinkin' they're gonna come up to talk to me, he gonna tell me get tout the way, get tout the way, and that's why I got out when I seen them comin' so I could talk to them, they didn't give me a chance, they said get out the way, get out the way.
- Maroni Q33 And you said you saw the lights ...
- Jones ... and I got out the car ...
- Maroni Q34 ... do you mean their vehicle lights?
- Jones Right, and I got out the car they just ran, they come up runnin' on foot, running, and I got out, thought they're gonna walk up normally to talk to me, but they just came out runnin', and I got out, and they said get out the way, get out the way miss, get out the way, and they just ran up and holler drop it, one time, and see, Darnell can't hear, he's totally deaf in one ear and barely can hear out the other ear, and all they said it was once, and if he did hear them which I doubt, 'cause you gotta talk real, real loud, because even if he did hear 'em they gave him no chance to drop it, even if

he was gonna bend down to lay it on the ground, or just take his, where I'm sitting straight up and let it go out of my hand, he wouldn't have had that chance, they just started shooting him, all three of 'em, one of 'em shooting three times, one bullet each, all there of 'em.

Maroni Q35

Which car were you in with your daughter?

Jones

Right dead in front of my house.

Maroni Q36

The gray one?

Jones

Mmmm-hmmm, the Forte. And he probably didn't hear 'em, he can't hear, one of his ears, he's totally deaf in one ear, that's why I was getting out the car when I seen 'em coming up, so I thought, figured they was gonna talk to me or you know, shit they said get out the way and just ran straight up there and said drop it one time, and he probably didn't even hear 'em 'cause like I said one of his ears is totally and completely deaf, and the other one ain't no better, and then either way it go, they only said drop it once, and I doubt if he heard it 'cause he's so hard of hearing, but if he did, if he stand up with this, like this in your hand, and I don't bend down just drop it, didn't even give him a chance to let this phone out of my hand to open my hand to let it fall, they didn't even give him a chance to do that, they just started firing, just like that and I mean, they came up runnin', baby, runnin', and I'm getting' out the car to talk to 'em to tell 'em I called or whatever, all they said to me was get out the way miss, and just ran straight up there.

Maroni Q37

Okay. And were you in the front passenger's seat of your daughter's car?

Jones

Mmmm-hmmm, on the same side they came out runnin' on, that's why I opened the door so I could talk to 'em and tell 'em what's what, they told me get out the way miss, and that was it.

Maroni Q38

Have you ever had to call the police on your boyfriend before?

Jones

Yeah, once, twice, or somethin', but not like that, I just say it was wrong, it was unnecessary, because nine times out of ten he probably didn't even hear 'em say it, but let's say he did, let's say he did, wasn't no chance for him to even take his phone, standing like I'm standing, and drop it out of my hand, if I'm gonna let it go, they didn't even give him that chance, or you're gonna bend down to lay some'm down, he didn't have no chance, he was



standing up like he was, if he was gonna just let it go, like I'm gonna let this phone go and hit the ground, already done shot him ...

Maroni Q39                      After the shots were fired, what happened after that?

Jones                              Nothin', just more police start comin' from everywhere and everywhere and everywhere, and tellin' me to get over here, stay over here, and divided my daughter up over here, and all that.

Maroni Q40                      And di you talk to anybody out here, any officers out here?

Jones                              NO, not until way after, when they came up to us and tackled to, after they separated us and all that and stuff like that.

Maroni Q41                      And did you see which officer fired first or ...

Jones                              They did it so fast, seem like all of 'em fired at the same damn time for mine, it was just bam, bam, bam, bam, you know, just bam, bam, bam, like they did it all at once, like at one time the shots went off at one time ...

Maroni Q42                      Was there one initial officer that made the initial approach or were they all kinda runnin' out at the same time?

Jones                              There was a heavysset black guy ...

Maroni Q43                      Heavysset black guy. Okay.

Jones                              Wasn't real fat, but he was ...

Maroni Q44                      And he was the first one?

Jones                              In the front of the other two, they went so fast I can't even, I don't know if he was, I know one of 'em, the first one was black, I don't know if the other ones were black, I know it was a white one, so I was lookin' at maybe it was two black ones and a white guy, it was so quick, then they backed us up, made me get away ...

**PART 1 ENDS.**

**PART 2 BEGINS.**

Jones                              ... They could have just tazed him. When he went to my door, I was standing at the car trying to get out the car to talk to them, but they come runnin', and I'm tryin' to open the door thinkin' they gonna come talk to me, they go get out the way, get out the way,

and ran up boom, boom, boom, boom and that was it, so fast make your head spin.

Kessinger Q45

Okay, now when he came outside with the knife, when you saw him, what did you tell him?

Jones

I told him the police was on their way, you need to put that knife down and all that, and get your stuff and leave.

Kessinger Q46

And what was his reaction to that?

Jones

He didn't say nothin, he just sat down in the chair on the outside and just sat there and I said, I holler out the door again, I said you better go on and leave before the police get there and ...

Kessinger Q47

So was you sitting in the car waiting for the police ...

Jones

Yes.

Kessinger Q48

... or did you go back in your house?

Jones

No.

Kessinger Q49

You stayed in the car?

Jones

Mmmm-hmmm.

Kessinger Q50

Did your daughter stay in the car with you?

Jones

Mmmm-hmmm.

Kessinger Q51

Okay. And what was his reaction the second time you told him to leave?

Jones

Nothin', he just sat there in the chair, and then he go up and went back in the house, came back out, and when he came back out by then with the same knife, that's when they had already came, and I was getting ready to get tout to meet them to talk to them, but they just said get out the way Miss, get out the way and ran straight up to him, and holler put it down, and I doubt he heard 'em because he can't hear, but if he did, they didn't give him no chance to even put it down and they just started firing just that fast, just like that, that quick.

Kessinger Q52

Okay. When he went back inside the house, did you go back in to try to get him to leave for a third time?

Jones No.

Kessinger Q53 Okay, So you waited for the police to arrive?

Jones Right.

Kessinger Q54 And when the police arrived, uh, is that their police car that's parked in this lot by your door?

Jones I would think so, yeah.

Kessinger When we're look' up that way ...

Jones It should be, yeah.

Kessinger Q55 ... which, can you describe the police cars up there for me?

Jones It's nothin but two of 'em.

Kessinger Right, the ones that, when the officers arrived ...

Jones It would have to be this one on the far side to the cars ...

Kessinger Q56 Okay. Would it be accurate to say those are two Louisville Police marked police cars?

Jones Mmmm-hmmm.

Kessinger Q57 And when they arrived, when they parked there, you said you saw 'em get out, is that correct?

Jones I seen the lights ...

Kessinger Q58 You seen the lights when they pulled in?

Jones ... before anybody got out, and I got ready to get out, by then they had all just started runnin'.

Kessinger Q59 Like you said earlier, uh, they were kinda runnin', so they were movin' with a purpose to get somewhere pretty quick ...

Jones Right, with their guns already pulled out.

Kessinger Q60 Okay. Why do you think their guns were pulled out already?

Jones I don't have no idea.

Kessinger Q61 Do you know, was you there when your daughter called 911 or when she called the police?

Jones No, I had went in the house to tell him he need to get out of my house for kickin' my door in, 'cause she probably told 'em that he had a knife.

Kessinger Q62 Okay, now did the officers ever knock on the door?

Jones No, how they gon' knock on the door? He steps out the door and they just ...

Kessinger Q63 When they arrived as they were going up to the house he steps out?

Jones Right. Exactly.

Kessinger Q64 And when he steps out this time, he's holding what in his hand?

Jones The knife.

Kessinger Q65 And is there anything else he's holding?

Jones The little saw.

Kessinger Q66 Can you describe the saw to me?

Jones Just a little saw, the blade would be about this long, maybe about that wide with a handle about big as my hand or smaller, little bitty hand saw.

Kessinger Q67 Okay. So he's got a hand saw in one hand, he's got a knife in the other hand, okay, and he's standing in the doorway, is that correct?

Jones No, he's comin' out the door getting ready, but he had stepped out by the time they ran up on him, so he didn't know what was goin' on.

Kessinger Q68 Can you describe the officers and what they were wearing tonight when they arrived ...

Jones Uniforms ...

Kessinger ... when you see 'em coming ...

- Jones Police uniforms, what they all got on out there now.
- Kessinger Q69 So you clearly identified it was officers as they were running past you?
- Jones Yes. But I was getting out and I tried to say, they said no Miss get back, get back, they didn't give me a chance to talk to 'em, they didn't say a word.
- Kessinger Q70 They were running past you, correct, so they didn't know you lived at that address, they didn't know you were the one that called, that called the police?
- Jones I was getting out the car to tell 'em ...
- Kessinger Right. Yes, ma'am.
- Jones .. and I got all the way out the car and before I could say I'm the one that called y'all, they pushed me back and said get back, get back.
- Kessinger Q71 Okay. Now how close were you when this all took place, how close were you to your apartment when the officers and the gentleman were, before the incident occurred?
- Jones Let's say this car right here, this one right here, I'm getting out the car door, from there to that door right there, no, I'm talkin' about the (inaudible), you have to step out to see what I'm sayin', let's sayin ...
- Maroni Q72 Okay, that silver car?
- Jones Yeah, let's say I'm getting' out that car door, a and they come runnin' up past me, and he's comin' out the door, that close, like that ...
- Kessinger Q73 So do you think the officers were closer to him standing in the doorway than they were to you at the time that this happened?
- Jones Oh, yeah.
- Kessinger Q74 Could you hear the officers pretty well talking to him?
- Jones They didn't talk to him, they just said drop it and pow pow pow pow ...

Kessinger Q75            Could you hear 'em pretty well say that from where you were at?

Jones                      Yeah, but I can hear, he can't.

Kessinger                 Right, I'm just trying to ...

Jones                      Just heard 'em say drop it.

Kessinger Q76            Do you know which officer said drop it?

Jones                      I don't know, I think it was the black one, I think he fired first, but I wouldn't even know what he looked like in his face.

Kessinger Q77            Now, how do you know that the black officer fired first?

Jones                      'Cause he's the one that came up and ran past me first with his gun out.

Kessinger Q78            Okay, now did you actually see ...

Jones                      The guns, I saw the guns in all of 'em's hand when they ran past me.

Kessinger Q79            Yes, ma'am, you saw the guns, but did you see the officers shoot?

Jones                      First, yeah.

Kessinger Q80            All right, once he fired, was anything being said?

Jones                      No. Nobody said nothin' else, it was just pow-pow-pow, three different officers, there shots out of each one of their guns, no one said anything or nothin' whatsoever in the world.

Kessinger Q81            Did he stay in the doorway or did he ever walk towards the officers that you know of?

Jones                      No, no, no, when they hit him he just fell.

Kessinger Q82            Do you think that the saw the officers as they were pulling in or did they come out just about the same time ...

Jones                      About the same time, I don't think he seen 'em pullin' in.

Kessinger Q83            Was he standing on the porch watching the officers walk up?

Jones                      No, when he stepped out the door, they was already runnin' toward

- him.
- Kessinger Q84      And how close were they to one another do you think?
- Jones                Shit, I don't know.
- Kessinger            You don't have to be exact, it's just an approximate.
- Jones                We'll say about like what I told you, by the time he stepped out, they would have been at the front of that, by the time he stepped out and they holler drop it when he passed my door, so I say it would have been about right at the car door when they, when he stepped out ...
- Kessinger Q85      Okay, lemme ask you this, did he ever say why he had a knife in his hand?
- Jones                'Cause he didn't wanna go, 'cause he don't have nowhere else to live, nowhere to go ...
- Kessinger Q86      I'm sorry, what do you mean he doesn't have anywhere to go?
- Jones                Unless he wanna go to a mission or wherever else.
- Kessinger Q87      But why would he have a knife, did he tell you why he would have a knife carrying it around?
- Jones                No, he wasn't carrying it around, he got it out of my ...
- Kessinger Q88      Yes, ma'am, right, but he carried it outside, I'm sorry, that's all I'm tryin' to ...
- Jones                I guess because he felt threatened because I was gonna make him leave and put him out ...
- Kessinger Q89      At any time, did he ever threaten you or your daughter while you were here?
- Jones                No, just was holding it, no, he never said I'm gonna cut you, if that's what you mean, I'm gonna stab you or anything, or hurt you ...
- Kessinger Q90      Do you know why he would have a saw in his hand, did he ever say why he would grab a saw as well?
- Jones                He had got a saw outta this little bucket sitting behind the door.

- Kessinger Q91                    And where was that, outside? Okay. So where was it positioned, you said he was sitting in that green chair?
- Jones                                No, it was in a bucket sitting there, he had to take it out the bucket.
- Kessinger Q92                    But was it by the chair that he was sitting in?
- Jones                                No. It's over by the table, other side. (inaudible).
- Kessinger Q93                    By the table, okay. Did he say anything to the officers that you ever heard?
- Jones                                He didn't have a chance to say nothin', baby, he never got a chance to open his mouth to say anything, they just holler drop it, and he didn't have a chance, like you hold that book in your hands and I say drop it, you wouldn't have a chance to let it go, and they started shooting just like that, exactly just like that, I could have this phone down beside me like this, look how close it is to the ground, if I say drop it, I could drop it, right, not hold it up here, I'm sayin' down like this, he didn't even have a chance to even drop it, they just shot ...
- Maroni Q94                        When he came out, at what point did he pick up the saw?
- Jones                                He had already picked it up before they even got here.
- Maroni Q95                        And did he take it back inside with him?
- Jones                                Did he walk in the house with it? Yeah, but he already had the knife in his hand for the first time, then he walked back in there with the knife and the saw and came back out and sat in the chair.
- Maroni Q96                        And then he sat in the chair?
- Jones                                Mmmm-hmmm.
- Maroni Q97                        And then he went back in at some point?
- Jones                                Mmmm-hmmm, and that's when they came and then he just stepped back out the door and they just shot him, just like that, they holler drop it, and they didn't even give him a chance ...
- Maroni Q98                        Did you ever see him lunge or charge or anything, at any of the officers?



Jones No, ma'am. No, ma'am

Maroni Never.

Jones He probably didn't hear 'em say drop it because he can't hardly hear.

Maroni Q99 Did you ever tell anybody that you saw him charge or lunge at the officers?

Jones No... no, no, no, no. No, I did not. Didn't have a chance, he couldn't even drop that book out of his hand, if they said drop it, he wouldn't even got a chance to let it go before they start shooting.

Maroni Q100 So I guess how much time passed from the time that they arrived on scene, when they arrived on scene you said you saw their lights, what lights are you talking about?

Jones The lights flashing now.

Maroni Q101 the red and blue lights?

Jones Mmmm-hmmm. It took maybe about to get here, period, maybe about ...

Maroni no, I mean, once they got here, um, and they got out of their cars, how long was it ...

Jones No, they didn't get out of their cars, they got out of their cars running immediately.

Maroni Q102 Well, that's what I'm asking, when they got out of their cars how much time would you say passed before shots were fired?

Jones Oh, it wasn't maybe a split second, it couldn't have even been a second, no longer like a minute or nothin' like that, it was a split second.

Maroni Q103 So less than one minute.

Jones Hell, yeah, they got out runnin' straight up there, all three of 'em, and they had their guns already out ... but when they holler drop it, they didn't even give him a chance to let it go or drop it out of his hands before they even start shooting, to lay it down or drop it out of your hands, how are you gonna say drop it and you're not given



Jones From now prior to getting home, I'll say about two or three hours ago. I can't believe this, I don't know how I'm gonna, what I'm gonna do, I cannot believe this. I can't deal with this, I don't know what to do, I can't go in that house, are they gonna leave all that blood out in front of my house, what they gonna do?

Maroni Well, let's go on and finish this statement ...

Jones I'm gonna have to move, 'cause my landlord gonna put me out anyway.

Maroni Ms. Jones, I'm gonna go ahead and conclude the interview, lemme look on my phone the time is now 4:20.

**END OF STATEMENT**



**LOUISVILLE METRO POLICE DEPARTMENT  
PUBLIC INTEGRITY UNIT  
OFFICIAL STATEMENT**

CASE NUMBER: 16-054

Today's date is 8-8-16 The time is 0428 hours.

This is an interview with Denita Jones (R/S) R/R

This interview is being conducted at:

Public Integrity Unit, 810 Barret Avenue, Louisville, KY 40204

Other Location: 4515 Broadleaf Drive

Present during this interview is;

Scps (Title) Denita Jones (Name)  
Leigh Maroni + Chad Kessinger (Name)

- Q1  Are you aware this interview is being audio and/or video recorded? yes
- Q2  Has anyone threatened you in order to obtain this interview? NO
- Q3  Are you giving this interview of your own free will? yes
- Q4  Please, state your full name, and spell your last name. What is your date of birth? Denita Louise B.
- Q5  State your home address including the zip code. [REDACTED]
- Q6  Is this the same as your mailing address? (If no) Mailing address?
- Q7  State your home telephone number with the area code. [REDACTED]
- Q8  State your mobile and an alternate phone number with area codes. SAN
- Q9  Are you employed? yes
- Q10  State your employer and the position you hold there. [REDACTED] - Shift supervisor
- Q11  What is your work telephone number? [REDACTED]
- Q12  Are you aware the following interview will be a sworn statement? yes

**PLEASE RAISE YOUR RIGHT HAND**

Do you, Denita Jones, solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth, so help you God?

**I UNDERSTAND THE ABOVE OATH THAT I HAVE TAKEN.**

<u>x Denita Jones</u> Signature	<u>8/8/16</u> Date	<u>0430</u> Time
<u>Leigh Maroni</u> Witness signature	<u>8/8/16</u> Date	<u>0430</u> Time

Subscribed and sworn to me by Denita Jones

This 8 day of August, 2016

[Signature]  
Notary Public, State at Large

[Signature]  
My Commission Expires

Today's date is 08/08/16, the time is now 0428 hours. This is an interview with Danita Jones, black female. It's being conducted at 4515 Broadleaf Drive. Present during this interview is Danita Jones and Sergeants Leigh Maroni and Chad Kessinger.

Maroni Q1 Ms. Jones, are you aware this interview is being audio recorded?

Jones Yes.

Maroni Q2 Has anyone threatened you in order to obtain this interview?

Jones No.

Maroni Q3 Are you giving this interview of your own free will?

Jones Yes.

Maroni Q4 Please, state your full name, and spell your last name.

Jones Danita Louise Jones, J-O-N-E-S.

Maroni Q5 What is your date of birth?

Jones [REDACTED]

Maroni Q6 State your home address including the zip code.

Jones [REDACTED]

Maroni Q7 Is this the same as your mailing address?

Jones Yes.

Maroni Q8 State your home telephone number with the area code.

Jones Same as my cell, [REDACTED]

Maroni Q9 The next one, state your mobile or alternate phone number I'll put same as above. Are you employed?

Jones Yes.

Maroni Q10 State your employer and the position you hold there.

Jones I work at [REDACTED] I'm a shift supervisor.

Maroni Q11 Do you have a work phone number?

- Jones I don't know it by heart. I think it's [REDACTED]
- Maroni Q12 Are you aware the following interview will be a sworn statement?
- Jones Yes.
- Maroni Q13 Please raise your right hand. Do you, Danita Jones, solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth, so help you God?
- Jones Yes.
- Maroni Q14 I just need you to sign there, I'm gonna put the date on here as 08/08, and the time is 0430, and then I will witness it here. ... Okay, Ms. Jones, I guess if you could just start from the beginning on how things evolved from tonight.
- Jones Okay, well, I was having a barbecue at my house, he had come over there about 10:30, um, and wanted her key, she had already had it around her neck, she walked to the kitchen, told him she wasn't giving it to him, for whatever reason they had come back, she was like he wanted my key, I didn't give it to him, he left out the door, went on where he was, we finished doing what we were doing, I was barbecuing, I brought her home about 1:19 I think, uh, when we pulled up we could see his bike that he always rides right in front of the house, so she knew he was in there, when she walked up to the door it was unlocked, she went in, she could tell that he had kicked in the door, 'cause on the left side the whole little frame was out, so she started automatically telling him I don't know why you're in my house, you need to get out, he started to then, I stayed in the car, he started then to take like a white bucket and some other stuff and bring it outside like as if he was getting ready to leave if the police did come, um, he went back in the house, she came out and started smoking a cigarette beside my window at the car and then he comes out and sits in a green chair in front of her door with two I guess large like butcher knives and started playin' with those like intimidating, crossing his legs and just sitting there ...
- Maroni Q15 Lemme back you up real quick. You said she went in and he got a bucket and stuff, like if the police did come, had you all called the police at this point?
- Jones I was in the car, when she got out the car, we already knew his bike was there, she said call the police, um, I kind of hesitated and

held the phone for a minute to wait for her to go over to the door, when she went over to the door that's when she opened it up, he came to the door, she was like why are you in here ...

Maroni Q16

Could you hear this?

Jones

Yeah, and she was like, they were standing right in the door at that time, um, and she was like why are you here, I couldn't really hear what he was saying 'cause he was like grumbling like mad, uh, so then she came out and left him right in there, pulled the door open and came over and stood beside the car and smoking a cigarette, um ...

Maroni Q17

Your side of her side?

Jones

Her side, [passenger's side, I was in the driver's side, um, I had my window rolled down, and her window was rolled down as well 'cause she was standing outside and I was talkin' to her, I was sitting there tellin' her that he ...

Maroni Q18

Oh, she came out smoking a cigarette?

Jones

Mmmm-hmmm, I as tellin' her he's got knives, um, sitting there on the step, 'cause I guess she just kind of felt comfortable and I don't know, but I was like get in the car 'cause he started walkin' over towards her with the two knives and she jumped in and I locked the door and rolled the windows up, he stood right here and he was like are you really gonna do this to me, I'm not that bad of a guy, I'm not that bad, she said I told you not to be in my house, he started grumbling and got mad again, walked back into the house, started playin' around (inaudible), we stayed in the car at that time, um, then he comes back out with two knives and looked like a saw or somethin', just some big orange-looking thing, orange or red, um, and started showing that around like I don't know what, I kind of thought like he maybe thought we were playin' and that I had called my brother or somethin' so he was ready for him I guess, I don't know, then he kneeled down in the chair and prayed or act like he was praying, got back up and went back in the house, at that time the first officer pulled up, walked up to us and asked us what was goin' on, we were both kinda talkin' and hysterical, he said hold on, one person at a time, I said hold on mom calm down, I started talkin', I basically told him that we had a barbecue, I was just droppin' her off, he was in the house, it went from there, I then explained to him that he did have two kitchen knives and some type of saw, um, at that time he did pull out his gun, had it down kinda low and was walkin' up, um, I mean, it just

happened so quick, he's walkin' up, he comes out of the door at that time, it was cracked about that much, but closed, he comes out, opens up the door fully wide these two things in his hand, might have been three, I'm not sure, the officer screams put it down, um, I mean, it was goin' so quick because when he hollered put it down it was like two more officers pullin' up at the same time, I mean, it was just so quick, as he told him to put it down, he has 'em up here, so when he says put 'em down, he does this, and then next thing you hear is pow, pow, pow, and then they push my mom out the way 'cause she was trying to walk up there and I grabbed her and we walked back over towards the little red dumpster right there at the end of the driveway, um, and then everything just went from there, I asked 'em could I have my purse and my keys, he said wait one moment, couldn't touch anything, and he would get it for me, and that was it.

Maroni Q19

So at the beginning, it was one officer that showed up?

Jones

Right.

Maroni Q20

Can you describe that officer?

Jones

Oh, god, all I know, I mean, well, not you, but they all have bald heads, but kind of a little stocky ...

Maroni Q21

Black or white?

Jones

White. Um, a little stocky, maybe 5' 7", I didn't even look at his name, and then ...

Maroni Q22

But he was bald or looked bald?

Jones

Yeah, he was bald.

Maroni Q23

And he was by himself, and he said put 'em down?

Jones

Yeah, he sort of, you know ...

Maroni Q24

And who are we talkin' about here, the man with the knives, what's his name?

Jones

Darnell Wicker, that's my mom's boyfriend.

Maroni Q25

No relation to you at all?

Jones

No. They just been together for 20 years.



- Maroni Q26 Does he live here with your mom?
- Jones Yes, off and on, yeah.
- Maroni Q27 So the one officer arrived on scene, do you know, uh, and he was stocky, 5' 7", bald ...
- Jones Uh-huh.
- Maroni Q28 .. and he said put it down, and Darnell, did he say anything back?
- Jones No, he didn't get to say anything, I mean, they really didn't give him enough time, but I don't know if that was because he had 'em in the air or what, but they did say put 'em down, but they didn't give him enough time, so to speak, and they were probably where we are, and he was where those things are over there, those meter things, yeah, 'cause like I said the first cop was kind of coming up quick, and he was like put 'em down, and he did something like that, 'cause he was already coming out the door with 'em and ...
- Maroni Q29 Was he walking when he had his hands up with the knives or ...
- Jones It was just very, kind of, I mean, it was maybe like a stumble forward, he didn't get to move, I mean, he came out the door, he stepped off threat ledge right there, and soon as he stepped off the ledge, he said put it down, um, he did like this, like he had 'em like in the air ...
- Maroni Q30 And what was he doing with 'em in the air?
- Jones Just like that.
- Maroni Q31 Waving 'em?
- Jones Yeah, like that, and he said put 'em down, and then he didn't just drop 'em or lay 'em down so they just shot him, that was pretty much it.
- Kessinger Q32 And I don't mean to interrupt you, but what I want to do is have you describe to me, 'cause your hands, you're waving them above your head and I just wanna make sure that we get an accurate account of this. What did he have above his head?
- Jones It looked like the two, 'cause I'm getting confused from when he had that saw thing, and he might have had all three of 'em, I don't

know what he was doin' actually, but I know it was two of something it looked like, and as soon as he walked out the door, he kind of looked up like oh the officer's here, and he hollered put it down, he did like this, like waving right over his head to the officer, and by that time they just went pop, and then the other ones like kind of all in one pop, pop, pop, it was like three shots.

Kessinger Q33

You said he's waving, and that's when he's waving the knives or the ...

Jones

Mmmm-hmmm, right when he came out the door, mmmm-hmmm.

Kessinger Q34

And when he exited the door, did he have, where did he have the knives or the saw at when he came out the door and saw the officers?

Jones

Um, probably about just arm, like right here, just arm length, just in his arms, like just walking out the door ...

Kessinger

Okay, so you shoved your hands down to your side ...

Jones

Like, I'm gonna grab your phone ...

Maroni

That's fine.

Jones

... but like when he comes out the door he has two things like this, and then he got startled 'cause when he looked up he seen the officer coming up on him, he did like this, the officer said put it down, tellin' him just droppin' it he goes like this, and that's when they shot ...

Maroni Q35

He raised 'em up?

Jones

Yeah, that's when they ...

Kessinger Q36

So they were about his waist level or stomach level, in that area, would that be accurate?

Jones

Mmmm-hmmm. Yes. But like I said, it went, it just went so fast, he really didn't get a reaction to drop it, it was more like if he didn't, he didn't comply, he put 'em in the air, and they just shot, and ...

Maroni Q37

And I know it happened fast, could you see who shot first?

Jones

Oh, no, not really, it kind of all sounded at the same time, like the

one guy went off first, and then like I said 'cause they were like a second behind him, like right on him, coming out the car, and it was like pop, pop, pop, pop, so it was like a start and then they kind of blended in, and then like you said, with his hands being here when they shot him, he's kind of like that as he's felling, and then he still had it in his hand, and they ran up and kicked it out of his hand, 'cause he was still movin', and you know, I thought the officer said I told you to put it down, I couldn't hear him saying anything, I couldn't see him at that time 'cause I was in shock and I just grabbed my mom and moved back towards the dumpster, she kept tryin' to walk over to see, and I was like no, just come over here, and I just busted out crying 'cause I felt so bad because I was like I was the person that called 'em, and I didn't want him to get shot, but I was just like oh my god ...

Maroni Q38

Do you know if Darnell was, I know you only saw him briefly at the barbecue, did you see him drinking anything?

Jones

NO, he's not a drinker, he doesn't drink at all, when we got here, he was in there frying some french fries.

Maroni Q39

Has there ever been any kind of issues between him and your mom before?

Jones

I mean, it's kind of escalating like that slow domestic violence where it starts out, and then I mean, she wouldn't really tell me stuff, but when she would it would be old and she would be like oh he would jump in my face or somethin' like that because she would tell him, he's just a typical, trying to get a guy to work, trying to bring in stuff, and he wouldn't do it, so if you would tell 'em oh well if you're not gonna help around the house then I'm gonna give you a month to move or somethin' like that, and him keep hearing that was kind of still playin' in his head so like I told her, just do it, don't tell anybody what you're gonna do, a lot of stuff happen like that when you tell somebody tuff and like she kept sayin' because I'm out there bawling she's like you're taking it harder than me, and like I said, I understand, but I didn't want him to get shot, and she's like yeah but he tells me he's gonna kill me and before the police get there, they wouldn't even make it, and if you call your son they're not gonna make it here in time and that stuff that she never told me, so ...

Maroni Q40

Did he say that to her that night?

Jones

No, this is just what she's tellin' me, tryin' to calm me down,

'cause I was crying and she was like you know anything could have happened, and I'm like yeah but ...

Maroni Q41

Did you see any altercation at all between the two?

Jones

Mmmm-hmmm ...

Maroni Q42

Just verbal.

Jones

He didn't touch her, she went in and told him hey I'm about to call the police and you know, she really sometimes, she drinks a little bit, and she kind of just talks, and that's how he always kind of took her, I think he didn't take her seriously, so I think that's really what it was, and she's been sayin' that stuff for four years, that she's gonna put him out, and she can't just put him out, because you know, the law as far as somebody being in your house you have to give 'em a 30-day notice and all that, so but she's been sayin' that, and then a drink over, and she's sober tomorrow and they're all back fine, you know, so, but ...

Maroni Q43

After the shots were fired, do you recall what the officers did after that?

Jones

They just told me to back, up, I tried to walk over to get my purse and my keys 'cause I didn't want my car to die, and he said, I'm pretty sure it was the first officer, he was like I'll get your keys and I'll get your purse for you, um, and then after that I think he kind of forgot or they made him go off scene or somethin' because then the black officer came up, the one that got me the water, and he got my purse for me, and then we were just moved out the way 'cause they had to start taping up and so they just pulled us in separate cars.

Maroni

Chad, do you have anything?

Kessinger Q44

I just have a few questions. Now when you called the police tonight, canyon recall just what you told 'em what was goin' on and why they were coming out here?

Jones

Mmmm-hmmm. Um, I initially called and I said, um, that I was at my mom's house and when we got here, her boyfriend had kicked in her door, um, and she wanted him out. As I was sitting there I started to tell her, because then he came out and sat in that green chair right by her door and at that time he had one knife, um, and he sat there, he put it on his lap and he crossed his lap, he played around in that little bucket I talked about, and I told her everything,

he's bringing a bucket out, um, he's playin' in it like he was getting his belongings to leave, and then he pulls another knife out, and I said now he's got two knives and he's sitting there, and he kept just runnin' in and out the house, at first I thought he was like hiding 'em in the house, so if the police made him leave, he would come back or somethin', I don't know, but then he came back out and sat on the porch like he was ready, so she was like I'm callin' the police, I would have thought he'd put 'em up or, no, he just sat there like I'm waiting, so then I told her he's just sitting there, she said okay, if anything changes they're on their way, call us back, um, we sat there about maybe ten minutes, um, and then the officer rode up, we both stepped out of the car and started tellin' him what was goin' on, he didn't even know the officer was out there at that time 'cause he had got up in the chair and went back playin' around in the house, so when he came back out I guess he was gonna sit back down in the chair, he got surprised, because the officer was already coming up on him.

Kessinger Q45

Okay, and you said you both, when the first officer arrived, how did he show up, did he knock on the window, or did you see him pull up?

Jones

He was pullin' up slowly, comin' up with is big bright light on, um, on the front of the car so he could spot and see where we were, we were both in the car so when we seen him pull up, I got out first, walked around to the back, and then my mom came around that way, and he came out, stepped out, and just basically started sayin' what's goin' on.

Kessinger Q46

Okay. And at any time, did any offices run by either you or your mom without talking to you?

Jones

Yes, when they were coming up, the two officers, I wanna say one was a female, but I'm not sure, but I know it was two males and I wanna say a female, but I'm not sure about that last, um, but like I said the other gentleman was already running over there to tell him hey sir please put it down, as they rode up they ran out of the car, they had to push my mom to the side because she was trying to follow the first officer to be like, you know, what's goin' on, and they was like ma'am wait a minute, and they pushed her over right towards my car, we had made it from, the officer was parked here, his car was here, I was parked in the little Kia in the parking spot, so we are like right back here when the officer goes past her to talk to him, she's standing right here and she walks to run behind kind of to see what's goin' on, and the other officer just says wait a minute ma'am, back up, and ran up, and they were like put it

down, put it down, and next thing pop, pop, pop, and it was over that quick.

Kessinger Q47

So the first officer arrived on scene spoke with you all and kind of got an idea of what was going on and what happened ...

Jones

Mmmm-hmmm.

Kessinger Q48

And what did you all tell that officer when he arrived?

Jones

When he got there, I just basically, I didn't even go into kicking in the door, I said he's got knives over there, sitting, I told him he had two knives and a saw type thing, by the time I could get all that tout he was comin' back out the door with it, I would have thought maybe he had put it down by that time but he didn't, he was comin' back out I guess to sit in the chair, and that's when the officer approached him to tell him hey can you put that down, um, but by I guess already us tellin' him he had a weapon, he had already pulled his gun out to walk up beside the car, uh, but he didn't have it up, he just had it down, and he was like sir could you put those down, um, he didn't, the other ones was runnin' up at that same time, and I guess they could see maybe the knives from right where they were, 'cause they ran up pretty quick or maybe they seen his gun out, I'm not sure, they ran up, they were like he said put it down, put it down came second from the second cop, and then pop, pop, pop was all you heard.

Kessinger Q49

Okay. So when the first officer that arrived, when he was talkin with you and your mom at the beginning, his weapon was not out?

Jones

Mmmm-mmmm.

Kessinger Q50

So when I say it wasn't out, it was still in his holster?

Jones

Mmmm-hmmm. He was playin' with his little thingy up here, wash holding it ...

Kessinger Q51

Like a microphone or a camera?

Jones

Yeah, I think it's his little walkie-talkie thing, he was talking on it saying something.

Kessinger Q52

Do you remember what he was saying?

Jones

No.

- Kessinger Q53                    Now at what point did he reach to grab his weapon and put it down, and what you were showing me is your hand down to your side, at what point did he do that?
- Jones                                Right when he was about to walk over to the door, um, he finished talking to us, he seen the door start to come open, so he puts his hand, grabs it out, and starts to walk that way, and that's when he was like 'put it down.'
- Maroni Q54                        And you're using your left hand, was he left-handed or are you just demonstrating with your left hand? If you don't know, you don't know.
- Jones                                I wanna say I think his gun was on this side, so when he grabbed it, he grabbed it like that, that's what I'm thinking, yeah, 'cause he turned that a-way, he was standing, yeah, I'm thinking it was son this side and that's why he grabbed it, and was going down beside the car with it down.
- Kessinger Q55                    And when did the officer, when he walked up it was down to his side, and when he first saw the gentleman in the doorway, when did the officer raise his gun up, do you remember?
- Jones                                I say when he got about right into the front of my Kia, he had it down goin' down the side, as he hit here, he could see full knives at that time, so he had it out at him, and that's when he said put it down, and he didn't, I heard pop, by that time the other two cops was already runnin' up and pop, pop, pop.
- Kessinger Q56                    Now when he said put it down, from where you were standing, could you hear pretty well?
- Jones                                Mmmm-hmmm.
- Kessinger Q57                    Do you think the gentleman ...  
Jones                                And he was yellin', so I could hear him good, the cop.
- Kessinger Q58                    Okay. The cop was yellin'?
- Jones                                Mmmm-hmmm.
- Kessinger Q59                    And he was yellin' what?
- Jones                                Put it down.
- Kessinger Q60                    How many times do you recall him yellin' put it down?

- Jones He only said it once, the other cop beside him said it blendedly right after once, and like I said there wasn't any pause, it was put it down and then pop, pop, pop.
- Kessinger Q61 Can you describe the knives to me that you saw?
- Jones Yeah, they're like the big, it's like the biggest one you get in your little knife set, the little, I guess it's like a butcher knife or somethin' like that, not the carving knife, but the wide one, and it gets skinny at the end, and I think he had two of those same type of knives, I think it's like the Michael Myers knife, I don't know.
- Kessinger That's all the questions I have.
- Maroni Q62 At any time, did you ever hear Darnell say anything to the officers?
- Jones Mmmm-mmmm, he didn't say anything. He just made a face.
- Maroni Q63 What do you mean by that?
- Jones Just like, I don't know, a hard face, like a mean face basically, it's his little grumpy face I call it, it's just so depressing.
- Kessinger Q64 And did you all tell him, again the police, that you all called the police and that they were coming?
- Jones Yeah, she told him the first time she told him, well, when he walked back up to the window when she was smoking her cigarette and he was comin' over with the knives and I told her to get into the car, I locked the doors and rolled the window back up, he's sitting and he was like I'm not that bad, are you really gonna do this to me, and she's like yeah I'm calling the police, and then he stormed off like a little bratty kid, like okay well I'm not gonna even try and talk to you anymore because you really called 'em, I mean, they probably would have just escorted him off the property if at best, but ...
- Kessinger Q65 I know earlier you said he was trying to intimidate you all. Can you explain to me how he was trying to do that?
- Jones I think by sitting, I mean, because he kept sitting in the chair and waving his knives at us, um, like I said, like telling us he was ready in a sense for whatever, I don't know, um, and I just took it more that he thought we were playin', that we didn't call the police, and



that maybe I had called my brother that was gonna come over here and get him out or somethin' and he was gonna be ready with these knives, I just didn't really take it that he had 'em ready for the police officers, but like I said, I don't know, he got on the ground, he prayed, I don't know what he was thinkin', I just don't know.

Maroni Q66

And your car, what kind of car do you drive?

Jones

It's a Kia Forte, silver.

Maroni Q67

And it's parked where it was?

Jones

Right there in the front, yeah.

Maroni

Okay. I don't think I have anything else at this point. I appreciate your time, and I know you've been through a lot tonight, but it's important to hear what happened.

Jones

I understand.

Maroni

Unless you have anting I'll go ahead and go off tape.

Kessinger

I don't have any more questions.

Maroni

Okay. And we'll now go off tape, and the time is now 0455.

**END OF STATEMENT**

**POLICE OFFICER RECORDED STATEMENT FORM**  
**WITNESS**

**OPENING**

This is Sgt S. Gostee of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is Monday Aug 08 2016.

The time is: 0509.

We are present at: 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** \_\_\_\_\_

This will be a recorded statement from Officer B. Smith.

This statement is in reference to PIU case # 16-054.

Present with me are Officer Smith, Attorney Schoong, and Sgt. Hagedorn of the Public Integrity Unit.

Officer, are you aware that this statement is being video and audio taped?

Does this meet with your approval? Y

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name.

What is your code number? 7762

Where are you currently assigned? 2nd

How long have you been in that Unit? 8 yrs

How long have you been on the Department? 8 yrs

Are you under the influence of alcohol, drugs or any other intoxicants at this time?  
(If so, what are they?) N

Are you taking any kind of medication that would affect your judgment or your ability to think clearly? N

Did you sustain any injuries during this situation? (If so, please describe.) *N*

Did you receive medical treatment? (If so, where and by whom?) *N*

What type of uniform or clothing were you wearing at the time of this incident? *Class C*

Do you have the same uniform or clothing on right now? *Y*

**RIGHTS WAIVER**

Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation; however you are not the subject of this investigation. Knowing this are you willing to give us a statement at this time.

**START THE STATEMENT/INTERVIEW**

**ENDING THE STATEMENT**

Are there any questions we have not asked you or any other information you have that may be beneficial to this case?

Is there anything you want to state for the record before we end?

Is everything you told me the truth to the best of your knowledge?

We will now conclude the statement. The time is: *0525*.

This is Sergeant Scott Gootee of the Louisville Metro Police Department's Public Integrity Unit. Today's date is Monday, August 8, 2016. The time now is 0509. We are present at 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Unit Office. This will be a recorded statement from Officer Brian Smith. This statement is in reference to PIU case #16-054. Present with me are Officer Smith, attorney Steve Schroering and Sergeant of the Public Integrity Unit.

- Gootee Q1                      Officer, are you aware that this statement is being audio taped?
- Smith                              Yes, sir.
- Gootee Q2                      Does this meet with your approval?
- Smith                              Yes, sir.
- Gootee Q3                      Please state your full name and spell your last name.
- Smith                              Officer Brian E. Smith, S-M-I-T-H.
- Gootee Q4                      What is your code number?
- Smith                              7762.
- Gootee Q5                      Where are you currently assigned?
- Smith                              Second Division.
- Gootee Q6                      How long have you been in that Unit?
- Smith                              Eight years.
- Gootee Q7                      How long have you been on the Department?
- Smith                              Eight years.
- Gootee Q8                      Are you under the influence of alcohol, drugs or any other  
intoxicants at this time?
- Smith                              No, sir.
- Gootee Q9                      Are you taking any kind of medication that would affect your  
judgment or your ability to think clearly?
- Smith                              No, sir.

Gootee Q10 Did you sustain any injuries during this situation?

Smith No, sir.

Gootee Q11 Did you receive medical treatment?

Smith No, sir.

Gootee Q12 What type of uniform or clothing were you wearing at the time of this incident?

Smith My duty uniform.

Gootee What is that, is that a Class ...

Smith C, I believe. Is that C?

Hagedorn I think so.

Gootee Q13 Do you have the same clothing on right now?

Smith Yes, sir.

Gootee Q14 Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation. However, you are not the subject of this investigation. Knowing this, are you willing to give us a statement at this time?

Smith Yes, sir.

Gootee Q15 All right, Officer Smith we're here today to discuss the events that happened on today's date at approximately 0150 something around in that time, you guys responded to a domestic or whatever, can you kind of in your own words, and be as descriptive as possible, tell us what happened.

Smith Yes. I was parked idle behind McDonald's, the address is actually 4443 Cane Run, it's the lot behind McDonald's just tout in the open just chilling out, um, the call came out as a domestic of I guess a male subject kicked the door in, and they said, mentioned something about he was on a pink and white bicycle, um, my backup Officer Gadegaard was coming from 3's beat somewhere up there I believe, he's a 3 beat car anyway, so I knew he had some distance to cover to back me, so I sat there for a couple of minutes just waiting 'cause it's right around the corner is where I was

goin', uh, and then I started creeping[ toward, and I crossed McDonald's, I crossed Cane Run, and I parked right across from McDonald's and I waited there longer, I was waiting for that pink bicycle to roll by, and it didn't, so I could hear Code 3 comin', so I went ahead and put it in gear and I crept around, and I'm creeping looking for a pink bicycle, I really though the pink bicycle went mobile, in my head it was anyway, um, I pull up into the parking lot and I see two females standing behind a car, I hit 'em with the spotlight and I could hear Code 3 comin' closer, I get out and they approach me in front of my cruiser in that area, and they were both talkin' at the same time and I said ladies calm down a minute, one at a time, one at a time, and she said he kicked the door in, he has, I thought she said two knives and a saw, and I said who, and she said my boyfriend the elderly female said, I thought she said, and I said, and then I think the younger female, I said well wait for him to go home or something like that I said, so he doesn't live there, she said no he doesn't live here, and then at that time Gadegaard rolls up, I feel him rollin' up, and I know he does, I didn't make eye contact necessarily, but he gets out, and I said well okay well stay here, and the door's cracked at the apartment that they were talking to, that they were referring to, and as we're approaching, the ladies are following me, and I said ladies back up, please, back up, and as we're still walking, the three of us are still walking up, the door opens, it's already open but it's about that far, it opens up, he comes out and he's got the saw in his hand and it looked like another object, and then he sees us, and he immediately turns and goes back in and we draw, and then as we're approaching he opens the door and comes out and he just grits his teeth and just swells up and starts to take a step and that's when shots were fired.

Gootee Q16

Now when the call first came out, the domestic call, did it advise of any weapons or anything of that nature?

Smith

I don't know if it did or not, it may have, but now I don't really recall, I don't really recall at this point, I don't know if I've put it through my head so many times, I don't know if it was during the radio dispatching or if it was what I read on the MDT or if it was what the ladies told me.

Gootee Q17

So you said that you were the first on scene?

Smith

I was first on scene.

Gootee Q18

And there was two ladies, do you know who they were?

Smith

I believe, it was a brief conversation, 'cause once they established

that, uh, he did not live there and that he kicked the door in and he was armed, I knew we had to secure him, uh, I believe that the elderly female was his girlfriend and that the younger female was the elderly woman's daughter, that's at least what I fixed in my head.

- Gootee Q19                      Did they say such on the scene, I mean, they knew he had a weapon, correct?
- Smith                              I'm pretty they said, yeah, they knew he had a weapon.
- Gootee Q20                      Because that's what you just said.
- Smith                              Yeah, uh, I'm pretty sure they said that's her boyfriend, the elderly woman's boyfriend, um, yeah, and they told me he was armed, I know they told me he was armed there at that point, I don't recall, I don't remember the dispatch, put it that way ...
- Gootee Q21                      And how long had you been talking to them before, was it Beaugard ...
- Smith                              Gadegaard, Beau is his ...
- Gootee                              I'm sorry ...
- Smith                              Um, I was talking to them as I heard his Code 3 comin' up, and then I heard the car stop, heard the doors opening and shut, know it's time to approach, he must have heard 'em say armed, I mean, you know, and I said okay well stay here, and as we walk up, we didn't even make eye contact, we didn't converse, we just all approached, and then whenever we saw him the first time we all drew, or at least I did, I mean, I assume they did too, and then he disappeared behind the door, a second or two later he comes out pissed at the world and grits and takes a step and just kind of almost growls.
- Gootee Q22                      Now when you were talking to him about the weapons, did she say that he was still inside?
- Smith                              Yes.
- Gootee Q23                      So you knew that he was inside and possibly ...
- Smith                              Yes, I knew he was inside.
- Gootee Q24                      Okay. And my question was did the other officers, did they hear

Smith the same, her say that he had weapons or ...  
I know at what specific point they could have been within earshot,  
I don't know that.

Gootee Q25 Okay. But you saw that the door was cracked as you approached?

Smith I saw the door cracked, right.

Gootee Q26 About how far away were you when you approached and he came  
out the first time?

Smith Man, it couldn't have been any more than 10, 12 feet it seemed  
like, it was pretty close, I mean, it was no more than 15 feet,  
couldn't have been.

Gootee Q27 So he came out the first time, did he have a weapon or anything in  
his hand?

Smith Yeah, he had the saw in his hand and it looked like he had  
something else in his hand as well.

Gootee Q28 But you don't remember?

Smith NO, I remember it was something, but I don't know what it was. I  
know he had the saw, and it seemed like something else, and then  
he disappeared, and he came out with the saw in his right hand.

Gootee Q29 When he went back in, did he close the door behind him?

Smith Just kind of pushed it to, and it came about that close from closing,  
and I mean, about the same way it was as we originally  
approached, it didn't shut all the way.

Gootee Q30 About how long was he in before he reappeared?

Smith Oh, wow, two seconds, I mean, it seemed like two or three seconds  
tops, he just went in there and just immediately came right back  
out it seemed like.

Gootee Q31 And when he came back out, can you kind of describe how he was  
holding the weapon?

Smith Uh, right hand, like you would almost hold a pistol 'cause it's  
shaped like that, it's like a limb saw, and it's like, he does that.

Gootee Q32 Well, just for the record, did he have it down by his waist?



Smith By his waist, yeah, pointed almost like, pointed down if you will.

Gootee Q33 And you made a lunging movement forward ...

Smith He stepped towards us, yes, he most certainly stepped towards us.

Gootee Q34 Okay. Um, about how far away were you at this point?

Smith I thought you was talkin' about while ago, between 10 and 15 feet.

Gootee Q35 Oh, same distance?

Smith Yeah. Once we made eye contact with him the first time, we stopped, we didn't proceed in, he just, at least I did, whenever we came out and we saw, we draw, and he disappears, and if we took a step forward it was one, because he wasn't in there two or three seconds long, and he came right back out, and then we stop again, and we all start barking orders drop it, drop it, drop it, drop it, drop it, pop, pop, pop, pop, pop, pop.

Gootee Q36 That was my next question, what orders did you, was it just drop it?

Smith Drop it, drop it, drop it.

Gootee Q37 Was there any, I mean, you obviously were dressed in your Class A or Class C's or whatever and identified, did you ever identify yourself as police, Police drop it, or was it just drop it, drop it, drop it ...

Smith It could have just been drop it, drop it, probably just drop it, drop it, I don't remember specifically, but I remember barking orders.

Gootee Q38 And he refused to drop?

Smith He refused.

Gootee Do you have anything?

Hagedorn Q39 Yeah, a couple of things. Just so we are on audio here, so we can paint a picture, could you describe this all for me, you said like a limb saw, about how long was the blade?

Smith The blade was probably 12 inches long, I'm guessing, the handle probably drops down four, five inches.

Hagedorn Q40  
Smith Was it one of those like collapsible ones or one that's fixed ...  
I don't think so, because I got a saw like that at home as a matter  
of fact, and it's just a limb saw, it's a simple limb saw, when you  
go cutting through the woods.

Hagedorn Q41 All right. Perfect. You said earlier that there were two females,  
one was older, could you guess at their ages if you had to?

Smith The elderly female, 55-ish, 60 ...

Hagedorn Q42 And the younger?

Smith 30.

Hagedorn Q43  
Smith Um, and the male that was in there, about the same age ...  
As the elderly female I would guess, maybe 60 ...

Hagedorn Q44 From where he came out of the house, um, would he have been  
able to see a police car, red and blue lights?

Smith I didn't, Gadegaard may have had his blues on, I don't remember, I  
did not, I had a spotlight on it.

Hagedorn Q45 But even if red and blues weren't on, was a police vehicle in sight  
when he exited?

Smith It may have been shielded by pedestrian or cars from people who  
lived there, it may have been shielded.

Hagedorn Q46 Okay. How far was the closest police car to the ...

Smith Could have been Gadegaard's, um, 30 to 50 feet, I don't know, not  
far, I mean, it was right there in the middle of the parking lot.

Hagedorn Q47 Now you said when you were there, when you finally pulled up  
and you first got out, you heard Code 3 coming, so it would be safe  
to assume anyone else in that area could have heard sirens also at  
that time?

Smith Oh, yeah.

Hagedorn That's all I got.

Gootee Q48 And you did not fire?

Smith I did not fire.

Gootee Q49 Is there a reason why you didn't?

Smith I ran that over in my head a hundred times sitting here ...

Gootee I just didn't know if there was a crossfire situation or ...

Smith I've been a cop for 18 years, I've had a lot of people challenge you, grit their teeth, drop it, you give 'em a good stern order and they drop it, um, I'm not gonna lie, with what's goin' on in the world today you almost give 'em another half a second, so I don't know how else to explain it.

Gootee Q50 I don't have anything else. Steve? Okay. Um, are there any questions that we have not asked you or any information that you have that may be beneficial to this case?

Smith Well, yeah, I would like to add, um, I believe it was the younger female as we were, after it happened, it was almost like the two females were in shock, they were just like lookin' around the car and they were just, they were almost emotionless for a few seconds, and then it started settling in, and I said ma'am back up, back up please, and I knew he was gonna be 10-80 and he was 10-80, and I said back up, please, and then the elderly female started to really getting hysterical, and then the younger female said they had to, they had to, he was waving it around, he had, they had to, they told him to stop, and he wouldn't stop, and she said it at that time, and then I heard her say it from a distance, maybe to neighbors, I don't know who, or maybe to the elderly female again at a different location, uh, maybe a couple of minutes later, but she was uttering those words and trying to explain it to the elderly female it seemed like to me.

Gootee Q51 So the one female was basically ...

Smith I believe it was the younger one that was actually saying the words, and then a minute or two later a male subject, large black male subject rolls in in his truck, almost comes in sideways, and I'm only guessing he may have been the son of the suspect, and he's like keeping eyes on us like on no, you know, he's getting upset, and it was just us three, we're all kind of almost in shock ourselves, and we're trying to contain it, and then people are starting to come out, people are starting to come out of apartments now peeking around, and then I remember the male subject saying why aren't you doing CPR, and I said sir just back up, please, we'll

wait for EMS, he said they're not here, why aren't you doing it, I said sir back up, please, okay, and then EMS rolls in ...

Gootee Q52 Do you know about how many shots were fired, I mean, can you recall, I know you didn't shoot but ...

Smith I couldn't count 'em, it was all just, I'm gonna say ten-ish, seemed like it went quick, but it was right on top of each other and it was two weapons ...

Gootee Q53 And I know you said you didn't fire, but I mean, why do you think the other two fired?

Smith They felt threatened, they had to, I mean, I felt threatened,. I just, I cannot explain, I was justified, I know that, and I've been in hundreds of justified situations in 18 years, and I just didn't, and I got lucky.

Gootee Very good.

Hagedorn Q54 One other question just came to mind, so since the question of you know CPR was brought up by this subject, how much time do you think passed before EMS arrived?

Smith I don't know, man, that's a tough one, five minutes, six, seven minutes maybe.

Hagedorn Q55 And in that time, did you feel like it was a safe situation for you to go in and start rendering any type of aid?

Smith no, he was in bad shape, he was all 9), he was 9) pretty good, and he took one hard gasp and he never breathed again, we had to take the time to secure the residence because we did not, I did not ask the ladies is there anybody else in there besides him, and Gadegaard took the, he had the peace of mind to say we need to secure the building, I said okay well go ahead and I got the outside, and then they went in and they secured, and they came out, um, that happened too as well, so no, I mean, he was 10-80, he took one hard gasp that I saw and that was about it.

Hagedorn Q56 When EMS arrived, did you see what they did?

Smith They checked his pulse, and they said he's 10-80.

Hagedorn Okay. That's all I got.

Gootee Steve?

Schroering

No, sir.

Gootee Q57

All right. Is there anything else you want to state for the record before we end?

Smith

No, sir.

Gootee Q58

Okay. Is everything you've told me the truth to the best of your knowledge?

Smith

Yes, sir.

Gootee

Okay, if that's it, nobody has anything, we'll go ahead and end, time now is 0526.

**END OF STATEMENT**



- Employee
- Employee Home
- Employee Basic
- Education
- Employment
- Information
- Demographics
- Termination
- Supervisor
- Contact Info
- Emergency Contact
- Pay History
- Photo
- Personnel Dates
- Actions
- Reports
- Logs

Personnel Record

**Name:** SMITH, BRIAN      **AOC CODE:** 7762      **Rank/Title:** POLICE OFFICER      **EmployeeNo:** 31215

**Personnel Record**

**First Name:** BRIAN      **Middle Name:** E      **Last Name:** SMITH

**AOC CODE:** 7762      **Employee No:** [REDACTED]      **Agency:** LMPD

**Current Title:** POLICE OFFICER      **Current Code:** 082210

**Sworn:**       **Parttime:**       **Reserve:**

**Assigned Supervisor:** MILLER, MALCOLM      **Working Supervisor:** MILLER, MALCOLM      **CNS Supervisor:** MILLER, MALCOLM

**Training Coordinator:**

Organization

Current WorkGroup	Grp	Pos	WorkGroup	WorkGroup Code	WorkPosition Name
Working	796	12783	2ND DIVISION 1		
			2ND DIVISION 1		
			2ND DIV 2ND PLATOON 1	2ND DIV 2ND PLT SQUAD 3	226B
			2ND DIV 2ND PLT SQUAD 3		
Assigned	796	12783	2ND DIVISION 1		
			2ND DIVISION 1		
			2ND DIV 2ND PLATOON 1	2ND DIV 2ND PLT SQUAD 3	226B
			2ND DIV 2ND PLT SQUAD 3		

**POLICE OFFICER RECORDED STATEMENT FORM**  
**WITNESS**

**OPENING**

This is Sgt S. Gotee of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is Monday Aug 08 2016.

The time is: 0735.

We are present at: 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** \_\_\_\_\_

This will be a recorded statement from Officer Lonzo McConico.

This statement is in reference to PIU case # 16-054.

Present with me are Officer McConico, Attorney \_\_\_\_\_, and Sgt. DeSpain of the Public Integrity Unit.

Officer, are you aware that this statement is being video and audio taped?

Does this meet with your approval?

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name.

What is your code number? 7312

Where are you currently assigned? 2nd

How long have you been in that Unit? 5 mo

How long have you been on the Department? 8 mo

Are you under the influence of alcohol, drugs or any other intoxicants at this time?  
(If so, what are they?)

Are you taking any kind of medication that would affect your judgment or your ability to think clearly?



Did you sustain any injuries during this situation? (If so, please describe.) *N*

Did you receive medical treatment? (If so, where and by whom?) *N*

What type of uniform or clothing were you wearing at the time of this incident? *Class C*

Do you have the same uniform or clothing on right now? *Y*

### **RIGHTS WAIVER**

Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation; however you are not the subject of this investigation. Knowing this are you willing to give us a statement at this time. *Y*

### **START THE STATEMENT/INTERVIEW**

### **ENDING THE STATEMENT**

Are there any questions we have not asked you or any other information you have that may be beneficial to this case?

Is there anything you want to state for the record before we end?

Is everything you told me the truth to the best of your knowledge?

We will now conclude the statement. The time is: 0748.

This is Sergeant Scott Gootee of the Louisville Metro Police Department's Public Integrity Unit. Today's date is Monday, August 8, 2016. The time now is 0735. We are present at 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Unit Office. This will be a recorded statement from Officer Lonzo McConico. This statement is in reference to PIU case #16-054. Present with me are officer McConico and Lieutenant Despain of the Public Integrity Unit.

- Gootee Q1                      Officer, are you aware that this statement is being audio taped?
- McConico                      Yes, sir.
- Gootee Q2                      Does this meet with your approval?
- McConico                      Yes, sir.
- Gootee Q3                      Please state your full name and spell your last name.
- McConico                      My name is Lonzo McConico, and my last name is spelled M-C-C-O-N-I-C-O.
- Gootee Q4                      What is your code number?
- McConico                      7312.
- Gootee Q5                      Where are you currently assigned?
- McConico                      I am assigned to the Second Division.
- Gootee Q6                      How long have you been in that Unit?
- McConico                      I've been there about five months now, January ...
- Gootee Q7                      How long have you been on the Department?
- McConico                      Eight months now.
- Gootee Q8                      Are you under the influence of alcohol, drugs or any other intoxicants at this time?
- McConico                      No, sir.
- Gootee Q9                      Are you taking any kind of medication that would affect your judgment or your ability to think clearly?
- McConico                      No, sir.

Gootee Q10 Did you sustain any injuries during this situation?

McConico No.

Gootee Q11 Did you receive medical treatment?

McConico No.

Gootee Q12 What type of uniform or clothing were you wearing at the time of this incident?

McConico Police uniform.

Gootee Q12A Is that classified as what, what type uniform, is that Class C?

McConico Yes.

Gootee Q13 Do you have the same uniform or clothing on right now?

McConico Yes.

Gootee Q14 Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation. However, you are not the subject of this investigation. Knowing this, are you willing to give us a statement at this time?

McConico Yes.

Gootee Q15 Officer McConico, we're here today to discuss the events that occurred on today's date roughly, you know, 1:45 in the morning, 1:50, whatever time it was it came out, you responded to the scene. Can you in your own words, and be as descriptive as possible, what you did once you arrived on scene, what you saw, who you talked to, what you heard, and so on and so forth.

McConico Okay, well, after it happened I was pretty much the first officer that was on scene after the shooting, um, I tried to help with the crowd control as much as I could, and while helping with the crowd control I was talkin' to a lady that was the mother's daughter, well she pretty much described what happened and she said that when she came in with her mother, the guy prior to them arriving there was asking about a key to get inside the apartment, and she said no, and when they got there, the door had been kicked in, so they watched him as he was going in and out and she said

that he came to the vehicle, and he tried to open the door, but she had the door locked and the windows up, so he couldn't get in prior to the officers' being there, and then she watched him as he was goin' in and out of the apartment, he grabbed like a saw type deal, like a hand saw or something like that that had teeth on it, and he grabbed some other stuff like knives or something like that, and she said that he kept going in and out and then finally he sat down, I guess there was a chair sitting there, and he sat there with his legs crossed, and then he started like kind of like a hand motion with the saw or whatever he had, and then she said that he walked in and he was like, kind of like he was praying or something like that, and then he walked back out and was like I'm ready, that's what she said, I'm ready, and soon as the police got there that's when the whole altercation had happened, she said that the police told him, you know, put it down, put it down, and she said that he had it over his head or somewhere up in here, she gave me the hand motion like this, and then she said that they told him to put it down, put it down, and he wouldn't listen and they did what they had to do.

Gootee Q16

Just for the record, you had your arm above your shoulder in a ...

McConico

Yes, kind of like in a threatening manner.

Gootee Q17

Did you witness any of the force used by t the officers?

McConico

No.

Gootee Q18

Do you know about how long the shooting had occurred before you arrived?

McConico

Uh, I would say within minutes, I can't give an exact time because what I heard over the radio they was asking for police to respond Code.

Gootee Q19

When you arrived on scene, who was there?

McConico

The three officers that were involved and the people that they were dealing with.

Gootee Q20

Okay. And you only had one conversation with a lady who you believe was the daughter of the victim?

McConico

No, it was her mother's boyfriend or something like that ...

Gootee Q20A

I'm sorry, the victim of the domestic violence or whose apartment it was, is that ...

McConico                      Yeah, it was the daughter's mother's boyfriend that got ...

Gootee Q21                      And you said a guy and a key, I'm assuming that you're referring to the deceased?

McConico                      The mother had a key, and he was trying to get into her apartment, and she told him no.

Gootee Q22                      And so he just kicked the door in at that point?

McConico                      Yeah, he kicked the door in and entered into the apartment.

Gootee Q23                      Okay. And you said that they made the statement that he came to the vehicle?

McConico                      Something about he came to the vehicle, that's what she told me, he came to the vehicle trying to open the door.

Gootee Q24                      Were they inside the vehicle?

McConico                      They were inside the vehicle, 'cause they had just pulled up from a get-together or whatever, so I guess he was trying to get inside the vehicle, whatever they were trying to do, but she had locked the doors and she had the windows up so he couldn't get in.

Gootee Q25                      Okay. So they were protected.

McConico                      Yes.

Gootee Q26                      And they were watching him. After he kicked the door in, they were watching him come in and out of the apartment grabbing things?

McConico                      Yeah, they were watching.

Gootee Q27                      Now was the saw and the knives and stuff, did that come from within the apartment did they say?

McConico                      Yeah.

Gootee Q28                      Okay. And I know this is kind of subjective, but when she said that he's ready, did they know what he was talkin' about as far as "ready?"

McConico I don't know, to tell you the truth, that's what she said, she's like he was in a praying manner, and then he kind of did one of those like I'm ready, like a gesture, as if I'm ready to fight.

Gootee Q29 Okay. You didn't talk to anybody else, any of the officers or anything like that?

McConico NO, I asked the other officers were they okay because, you know, when I arrived on scene, they kind of looked shaken up and I was jus like is everything all right?

Gootee Q30 Did they say anything to you?

McConico No.

Gootee Q31 They didn't tell you, did they give you any commands on how you could help out or anything like that?

McConico They was just like help out with crowd, 'cause I mean, it was people starting to gather, so I was like all right.

Gootee Q32 Did you have any issues with the crowd? Okay. Do you have anything?

Despain Q33 The three officers that were involved, you said that you responded, and you were the first one to respond for that call, how did the call come across the radio?

McConico It was just like radio can you have me some officers start to my position Code 3, so, and then he said EMS Code 3 too, so I was like all right, well you can go ahead and disregard where I was, 'cause I was on a run too, I was like go ahead and disregard me, and I'll go ahead and start that way, so I went on ahead and put myself on it and proceeded to their location.

Despain Q34 Did he notify Radio that the shots had been fired ...  
McConico Yeah.

Despain Q35 ... and that they were involved, it was an officer-involved ...

McConico I don't remember distinctly if he said that they were involved as far as they had done anything, I don't remember all that, but I do remember him sayin' that shots had been fired.

Despain Q36 Okay. So when you get there, you're the first officer on scene

besides the three that were involved.

McConico Mmmm-hmmm.

Despain Q37 Do you know their names?

McConico As far as the three officers?

Despain Yes.

McConico It was Banks, Taylor Banks, uh, I think his name is Beau Gadegaard, and I don't know the other guy, he's a Beat-6 car.

Despain Q38 You said Beat-6?

McConico Yeah.

Despain Q39 And when you were talking to, and lemme make sure I got this right, so the gentleman that was shot by the police, his girlfriend is there, and she is in the car with her daughter ...

McConico Yeah.

Despain Q40 Okay. And you spoke to the daughter?

McConico The daughter.

Despain Q41 And so the daughter is telling you everything that occurred, she says at one point he's already kicked in the door when they come home, he's there kicked in the door ...

McConico Yeah, it was already kicked in, and he was kind of like he walked out and was goin' towards their car and I guess tried to get in the car.

Despain Q42 And he was trying to get into their car, and at one point he goes back inside and he gets some items, you said one that looked like they thought it was a saw ...

McConico It's like a hand saw, I mean, it had a grip on it, and then it had, it was long, and then it had teeth on it like you would do like limbs ...

Despain Q43 And what else did she say that he had?

McConico Some blades, I don't know ...

Despain Q44 Blades?

McConico                      Yeah, like I guess knives or somethin'.

Despain Q45                      Okay. And at some point while he's in there, he says I'm ready, is that what she told you?

McConico                      Yeah, she said that he said, he said somethin' about like he's ready or somethin like that and then he kind of gave like a gesture, like he was swingin' 'em around like as if he was ready ...

Despain Q46                      And was the police on scene then?

McConico                      I don't know, I don't know if he was already on scene or not, she didn't say that part.

Despain                      Okay.

Gootee Q47                      Did she say that she saw him, when the police did arrive on scene, how he was acting?

McConico                      NO, she didn't really describe like as far as too much in depth how he was really acting, she just kind of gave me kind of like a, you know, bits and pieces, she was still kind of shaken up as well too, so ...

Gootee Q48                      Did she ever say that he had charged the officers or anything like that?

McConico                      No, she just said that he, I mean, I guess you could say he was charging because he went to 'em and she said that he gave a hand motion like this, and he was goin' towards 'em.

Gootee Q49                      So she did see the officer interact with the suspect?

McConico                      Yes.

Despain Q50                      Did she ever give you her name or anything?

McConico                      NO, she just said that I am the daughter of the mother, that's my mother and that was her boyfriend or something like that.

Despain Q51                      She never named her mother either?

McConico                      NO.

Despain Q52                      What about the subject that was shot, did she ever name him?



McConico No, she didn't say his name.

Gootee Q53 And he was kneeling inside the apartment?

McConico Kneeling inside the apartment?

Gootee Yeah, didn't you say he was praying, kneeling and praying ...

McConico He did like a praying gesture, like as if he's like you know ...

Gootee Q54 Was that inside or outside?

McConico Yeah, she said like he did like a praying gesture ...

Gootee Q55 So they were parked close enough to where they could hear him say I'm ready?

McConico I guess, I mean, where they were, we're like okay, there's two police cars here, and I think their car was like up in here somewhere, so I mean, and I mean, the door was like right there.

Gootee Q56 Did you see any parts of the scene, di you see the body or anything?

McConico I had seen it but I didn't really stay up there like to get a full like on view of everything on scene, and I just walked away because ...

Gootee Q57 What did you notice about the scene?

McConico He'd been shot.

Gootee Q58 Did you noticed anything else?

McConico No, I just looked, seen that he was there shot and I ...

Gootee Q59 Did you see any weapons?

McConico Yeah, there was a blade probably about that long ...

Gootee Q60 For the record, about how long are you gesturing?

McConico I would say ...

Gootee It looked to me about two or three foot is what you're ...

McConico Yeah, it was about like that, and it had a grip on it, I mean, looked

like that they kicked it or something away from him.

Gootee Q61                      Anything else? NO other weapons or ...

McConico                        I didn't see any other weapons, I don't know if there were, 'cause only thing I seen that really stood out to me was that big long one that was sitting there, and I was like okay.

Gootee Q62                      When you arrived on scene and you said it was minutes later, was he moving or talkin' or gasping for air or anything like that?

McConico                        No.

Gootee Q63                      Did you have your body cam on?

McConico                        NO, I didn't have mine on.

Gootee Q64                      And did you alter the scene in any way?

McConico                        No.  
Gootee                            I don't have anything? Do you?

Despain Q65                     Was he obviously deceased at that point or did you know?

McConico                        I wasn't really like trying to look at him like that to see.

Despain                         That's all I've got.

Gootee Q66                      I don't have anything else. Are there any questions we have not asked you or any other information that you have that may be beneficial to this case?

McConico                        No.

Gootee Q67                      Is there anything you want to state for the record before we end?

McConico                        No.

Gootee Q68                      Is everything you've told me the truth to the best of your knowledge?

McConico                        Yes.

Gootee                            Okay, if there's nothing else, then we'll go ahead and end, the time now is 0748.

**END OF STATEMENT**



- Employee
- Employee Home
- Employee Basic
- Education
- Employment
- Information
- Demographics
- Termination
- Supervisor
- Contact Info
- Emergency Contact
- Pay History
- Photo
- Personnel Dates
- Actions
- Reports
- Logs

Personnel Record

**Name:** MCCONICO, LONZO      **AOC CODE:** 7312      **Rank/Title:** POLICE OFFICER      **EmployeeNo:** 38371

Personnel Record

**First Name:** LONZO      **Middle Name:**      **Last Name:** MCCONICO  
**AOC CODE:** 7312      **Employee No:** [REDACTED]      **Agency:** LMPD  
**Current Title:** POLICE OFFICER      **Current Code:** 082210  
**Sworn:**       **Parttime:**       **Reserve:**   
**Assigned Supervisor:** TATUM, TIFFANY      **Working Supervisor:** TATUM, TIFFANY      **CNS Supervisor:** TATUM, TIFFANY  
**Training Coordinator:**

Organization

Current WorkGroup	Grp	Pos	WorkGroup	WorkGroup Code	WorkPosition Name
Working	796	12734	2ND DIVISION \		
			2ND DIV 2ND PLT SQUAD 3	221B	
Assigned	796	12734	2ND DIVISION \		
			2ND DIV 2ND PLT SQUAD 3	221B	

**POLICE OFFICER RECORDED STATEMENT FORM**

**OPENING**

This is Sgt. Leigh Marom of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is 8-15-16.

The time is: 1538.

We are present at: 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** \_\_\_\_\_

This will be a recorded statement from Officer Taylor Banks.

This statement is in reference to PIU case # 16-054.

Present with me are Officer Taylor Banks, Attorney Steve Schroering and Sgt. Kristen Downs of the Public Integrity Unit.

Officer, are you aware that this statement is being ~~video~~ and audio taped? yes ma'am

Does this meet with your approval? yes ma'am

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name. Taylor Scott Banks

What is your code number? 7293

Where are you currently assigned? 2nd Division - 2nd Platoon (latewatch)

How long have you been in that Unit? - since this year

How long have you been on the Department? June 8, 2015

Are you under the influence of alcohol, drugs or any other intoxicants at this time? NO ma'am  
(If so, what are they?)

Are you taking any kind of medication that would affect your judgment or your ability to think clearly? NO ma'am

Did you sustain any injuries during this situation? (If so, please describe.) *NO ma'am*

Did you receive medical treatment? (If so, where and by whom?) *N/A*

What type of uniform or clothing were you wearing at the time of this incident? *Class C PTO w/*

Do you have the same uniform or clothing on right now?

*NO - Full Class A*

*outer vest w/ a badge & my name on the front of it.*

**RIGHTS WAIVER**

Because of the statutory requirements of KRS 15.520, I am obligated to advise you of your constitutional rights prior to asking any further questions. Obtain rights waiver.

**START THE STATEMENT/INTERVIEW**

**ENDING THE STATEMENT**

Are there any questions we have not asked you or any other information you have that may be beneficial to this case? *NO ma'am*

Is there anything you want to state for the record before we end? *NO ma'am.*

Is everything you told me the truth to the best of your knowledge? *yes ma'am*

We will now conclude the statement. The time is: *1614*.

YOUR RIGHTS

PLACE: 810 Barnett Ave

DATE: 8-15-11

TIME: 1531 1541 (LM)

Before we ask you any questions, you must understand your rights.

- 9B 1. You have the right to remain silent.
- 9B 2. Anything you say can and will be used against you in a Court of Law.
- 9B 3. You have the right to talk to a lawyer prior to any questioning or the making of any statements, and to have him present with you while you are being questioned.
- 9B 4. If you cannot afford to hire a lawyer, one will be appointed by the Court to represent you before any questioning, if you desire one.
- 9B 5. You may stop the questioning or making of any statements at any time by refusing to answer further or by requesting to consult with an attorney prior to continuing with questioning or the making of any statements.

WAIVER OF RIGHTS

OR have had it read to me (LM)

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

SIGNED: X [Signature]

WITNESS: [Signature]

WITNESS: K Downy K DOWNS 2419

TIME: 1533 1543 (LM)

[Signature] #6711

This is Sergeant Leigh Maroni of the Louisville Metro Police Department's Public Integrity Unit. Today's date is 8/15/16. The time is now about 1538. We are present at 810 Barret Avenue, fourth floor, in the Public Integrity Office. This will be a recorded statement from Officer Taylor Banks. This statement is in reference to PIU case #16-054. Present with me are Officer Taylor Banks, Attorney Steve Schroering and Sergeant Kristen Downs of the Public Integrity Unit.

- Maroni Q1                      Officer, are you aware that this statement is being audio taped?
- Banks                              Yes, ma'am.
- Maroni Q2                      Does this meet with your approval?
- Banks                              Yes, ma'am.
- Maroni Q3                      And just some background information. Can you please state your full name and spell your last name.
- Banks                              Taylor Scott Banks, B-A-N-K-S.
- Maroni Q4                      What is your code number?
- Banks                              7293.
- Maroni Q5                      Where are you currently assigned?
- Banks                              Second Division.
- Maroni                              Are you on the First or Second Platoon?
- Banks                              It'd be late watch would be the Second Platoon.
- Maroni Q6                      How long have you been in that Unit?
- Banks                              Late watch, uh ...
- Maroni                              Or just in the Second Division.
- Banks                              Since I would say, I'm not really sure when I switched from the First to the Second on training phase, but maybe in March, I'm not a hundred percent positive.
- Maroni                              That's fine, but sometime this year?
- Banks                              Yes, ma'am, it was definitely this year.



Maroni Are you solo or are you still riding with a training ...

Banks I'm solo, yes, ma'am.

Maroni Q7 How long have you been on the Department?

Banks Since June 8 or last year.

Maroni Q8 Are you under the influence of alcohol, drugs or any other intoxicants at this time?

Banks No, ma'am.

Maroni Q9 Are you taking any kind of medication that would affect your judgment or your ability to think clearly?

Banks No, ma'am.

Maroni Q10 Did you sustain any injuries during this situation?

Banks No, ma'am.

Maroni Q11 And I'll put N/A for did you receive medical treatment. What type of uniform or clothing were you wearing at the time of this incident?

Banks I was wearing my Class C polo with a uh, outer vest that has our badge and my name on the front of it.

Maroni Q12 Do you have the same uniform or clothing on now?

Banks No, I do not.

Maroni Is that because you're in full Class A?

Banks Yes, ma'am.

Maroni Q13 At this point, I'm just gonna go over your rights with you, okay, and I'm gonna fill this out that we're at 810 Barret Avenue, the date is 08/15/16, and I'm gonna put the time as 1531 hours. Before we ask you any questions, you must understand your rights. 1) You have the right to remain silent. 2) Anything you say can and will be used against you in a court of law. 3) You have the right to talk to a lawyer prior to any questioning or the making of any statements and to have him present with you while you are

being questioned. 4) If you cannot afford to hire a lawyer, one will be appointed by the court to represent you before any questioning, if you desire one. 5) You may stop the questioning or making of any statements at any time by refusing to answer further or by requesting to consult with an attorney prior to the continuing with the questioning or the making of any statements. Do you understand all of those right?

Banks

Yes, ma'am.

Maroni

Do you have any questions aBout any of those rights?

Banks

NO, ma'am.

Maroni

If you wouldn't mind just by each one of these numbers, just put your initials that they've been read to you. ... And this is the waiver portion, and it says I have read the statement of my rights (and I'm gonna add in here or I've had it read to me), and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me. No pressure or coercion of any kind has been used against me. And if you agree with that, and you want to continue with the questioning, I just ask that you sign that portion right there. ... And I'll have your attorney sign it too as a witness. ... Thank you. ... I'll have Sergeant Downs witness it. ...

Banks

I'm good, thank you.

Maroni Q14

And I'm gonna put the time is now 1533 hours, and I'm gonna sign below. ... 1533 hours, I put that we started the interview, okay, and Officer Banks what I'll just kind of ask you to do is kind of start from the beginning in terms of what you heard being dispatched or how it was, where you were and how it was that you got to Broadleaf.

Banks

Okay, uh, Bo and I were riding a two-man car that night, we were just leaving the Property Room, and he was like we're being dispatched on a domestic on 6 and I was like okay, so all I really heard cause I was driving was a domestic with violence come out, uh, and then he kind of read the run to me as we were driving that, you know, someBody with a knife had kicked the door in, and we kind of kept driving, we were like man, he kind of looked at me and I looked at him, and he was like you know we're a long way off, we may need to step it up cause that sounds like a hot run, so we stepped it up to Code 3 which is lights and sirens and, uh, when

we got there we called on scene a couple of blocks, cause Brian had already called on scene and, uh, when we got on scene, uh, I pulled up, and Brian was talking to the victims of the domestic I'm assuming, and then as soon as we got out of the car Brian drew his gun, so we immediately drew our guns cause we hadn't talked to the victim or anything, all we knew was what was in the run, so we drew our guns and, you know, kind of ran up a little bit cause Brian was already not runnin' to the door, was already walkin' to the door, so we came up, and then the guy like opened the door and was standing at the door with like a, had to be like a three to five foot knife, I mean, it was big, uh, and then he kind of was standing there, and he kind of like swung it by his side, he didn't like swing it-swing it, but he swung it by his side, and then he took steps towards us, uh, Beau was like, as he was standing in the door, sorry, Beau was like drop the knife, drop the knife, drop the knife, and then he took a couple of steps towards us, and then you know, I was in fear for my life and the lives of the other two officers, so I fired my weapon. Uh, after the threat was done, we handcuffed the suspect and we had to clear the apartment because we didn't know if there was any more victims in there, any more suspects, we just wanted to know what was in that apartment, uh, so Beau and I entered the apartment and, uh, started to clear the apartment, uh, nobody was inside the apartment or anything, and then we came back out, and I believe it was Brian that I asked, uh, I said, or Beau maybe, I can't remember who it was, but I said, uh, do we need to put some crime scene tape up, and he was like yah, so we go to start securing the crime scene because we had, you know, evidence from where Beau and I had reloaded, we had the large knife layin' on the ground, um, so I go check to see if I have any crime scene tape, I did not, uh, so then Brian went to get the crime scene, we was tryin' to get the, you know, the scene secured as best as we could, uh, because we had people, you know, comin up to where, you kw, we had family members coming up trying to see what was goin' on, we were tryin' to the best we could keep the crime scene secured, and then Beau had called for EMS as soon as, I'm kind of backtracking a little bit, but Beau had called for EMS as soon as the shots were fired, uh, he called for EMS Code 3 for a black male with multiple gunshot wounds, um, and then you know, I believe he called again asking 'm to step it up because he had stepped breathing while we were standing there trying to get the scene secured and then EMS showed up and we were kind of split up, and that was it.

Maroni Q15

Okay. You all were at the Property, or were you initially dispatched to this ...

Banks To the actual ...

Maroni .. the domestic?

Banks Yes, ma'am.

Maroni Q16 You were actually dispatched on it ...

Banks Yes, ma'am.

Maroni ... to back up Brian?

Banks Yes, ma'am.

Maroni Q17 Do you know why they dispatched you? Were you close?

Banks No, we were at Algonquin and McCloskey I think when the initial, when the initial run came out, uh, it was already, I believe it was pending when we were at the Property Room, and then once we cleared the Property Room we were the only car clear to go with Brian, so they dispatched us.

Maroni Q18 Okay. Because you were the only car available?

Banks Correct.

Maroni Q19 And are those classified as a high priority run, a domestic with violence?

Banks Yes, ma'am.

Downs Q20 Is that what you meant when you called it a hot run?

Banks Yes, ma'am.

Maroni Q21 And you stepped it up to Code 3, and when you say code 3, does that mean lights and siren?

Banks Lights and siren, yes.

Maroni Q22 And when you arrived on scene, do you recall if your lights and siren were still engaged?

Banks No, I actually turned my sirens off, and we called on scene a couple of blocks, just so that you know if we do get there and something is goin' on, you know, we're not tryin' to talk over the

sirens and stuff like that so ...

Maroni Q23                      And that's pretty standard is that not?

Banks                            Yes, ma'am.

Maroni Q24                      And you said that you saw Brian talking to two people in the parking lot?

Banks                            Yes.

Maroni Q25                      And then, um, did you get out of the car first, or did Bo get out of the car first?

Banks                            I believe, I mean, I just put the car in park, and got out, I don't know if it was Bo, I'm assuming we got out simultaneously.

Maroni                            If you don't know, just say I don't know, I don't want you to guess but ...

Banks                            Okay, I don't know.

Maroni Q26                      Okay. Um, and you said that we drew guns, you saw Brian drew his gun, was that before you got on scene like as soon as you got on scene, he had his gun out, or after you got ...

Banks                            Whenever we pulled on scene and we got out of the car, Brian drew his gun and started walking towards the apartment so ...

Maroni Q27                      What did that tell you?

Banks                            That told me that you know, something obviously, that he's obviously in there with a knife of some sort, they told him something because you don't just, you know, you don't just draw your gun for no reason so ...

Maroni Q28                      And you're assuming knife because that was in the run that Beau read to you that was dispatched?

Banks                            Yes, ma'am.

Maroni Q29                      So if the officer that's on scene that you're backin gup draws his weapon, is it fair to say, paraphrasing what you just said, is it fair to say that he felt there was a threat or that there was something, the reason for ...

Banks Yes, ma'am, there was a reason, yes.

Maroni Q30 So you drew your gun too?

Banks Yes, ma'am.

Maroni Q31 And when you say that the gentleman came out and he had this knife, it was a long blade, could you tell what kind of knife it was?

Banks To me it looked like a wood saw, like something that had a handle on the end of it.

Maroni Q32 So you could tell what looked like a saw to you ...

Banks Yes, ma'am.

Maroni Q33 Do you recall what hand it was in?

Banks It was in his right hand.

Maroni Q34 And you said, and I know we can't demonstrate because this isn't videotape, but you said he swung it by his side, can you kind of explain that better or show me, maybe I can explain it better, or I'll let you do it first ...

Banks Like if I'm him standing up at the door, you know, he was standing there, he had the knife in his right hand holding it by the handle, and like he was just standing there like swinging it like this, like back and forth, back and forth by his side just like this.

Maroni Q35 Did he say anything to you?

Banks I don't recall him saying anything.

Maroni Q36 So he was standing there swinging it back and forth by his side, was he making any other gesture? was he, anything else that he was doing that caused you alarm or ...

Banks I just remember him swinging the knife back and forth and then taking steps toward us, that's all.

Maroni Q37 And do you recall how many steps he took towards you?

Banks Two or three.

Maroni Q38 Okay. And was he kind of in a running motion? was he walking?

was he fast, slow, how would you describe it?

Banks Uh, I mean, they were aggressive steps, they weren't like you know, like normal steps.

Maroni Q39 And how were they aggressive?

Banks They were just like fast paced steps.

Maroni Q40 Okay. And at that point what happened?

Banks Uh, at that point I was in fear for my life and the lives of the other two officers on scene, so I fired my weapon.

Maroni Q41 Okay. Do you know if you gave any commands?

Banks I honestly don't recall if I gave any commands.

Maroni Q42 Did you hear anyone giving commands?

Banks Beau was giving very loud commands drop the knife, drop the knife ...

Maroni Q43 And how close would you say Beau was to the man?

Banks I would say three to five yards ...

Maroni Q44 And how close would you say you were?

Banks I was right beside Beau, so three to give yards as well.

Maroni Q45 And what about Brian?

Banks Uh, I mean, we were all three like simultaneously like this was, I know there's not video, but with this setup it was like me, Beau, Brian ...

Maroni We can draw it on a piece of paper if that helps you.

Banks So like if this is the apartment complex and this is the room, this is suspect, me, Beau, Brian ...

Maroni Q46 Brian was even up a little closer. Okay, could you write me, Beau, Brian on there, so I know who you're talking about. ... So he gave loud commands, and you could hear those, and at any point did he drop the knife?

Banks No.

Maroni Q47 Okay. And you said you fired, do you know how many times you fired ...

Banks I would say four to seven shots.

Maroni Q48 And at that point you said, uh, you all then cuffed the victim, um, who are you talking about?

Banks Uh, the guy that was shot, we handcuffed him.

Maroni Q49 Or the suspect. Okay, however you wanna call it, the gentleman on scene. Who cuffed the victim or ...

Banks Beau and I.

Downs Q50 Can you describe that a little bit like ...

Banks Like how we handcuffed him?

Downs Q51 Yeah. So you stopped shooting ...

Maroni Q52 Like how did he fall ...

Banks We stopped shooting ...

Maroni Q52A How did he fall, go from there ...

Banks He fell, like he fell to the right on his side, and then I guess rolled over on his stomach, I'm not really sure how he fell, uh, but I do know he fell to the right and was on his stomach whenever ...

Maroni Q53 To his right?

Banks To his right, yes, and then me and Bo holstered and Beau ran up and said we gotta cuff this guy, so he grabbed his arms and I put handcuffs on him.

Maroni Q54 Do you know how he was positioned when you all, after you cuffed him?

Banks I believe he was still the same way just with his hands behind his back layin' on the ground face down.



Maroni Q55                      Was he on his stomach?

Banks                              Yes.

Maroni Q56                      And then what happened after that, then you said you went in and cleared the apartment?

Banks                              Yes, ma'am.

Maroni Q57                      Why did you all clear the apartment?

Banks                              Uh, we didn't know if there was any other victims inside, we didn't know if there was any more suspects inside, uh, we just wanted to know that there was nobody else in that apartment, uh ...

Maroni Q58  
Banks                              Did you find anybody, yes aid there was nobody inside ...  
There was nobody else inside.

Maroni Q59                      Did you see any signs of a struggle or anything or did you even notice?

Banks                              We didn't even notice, we were just looking for any people, we were just looking for any other victims or suspects inside and we didn't see that, so we went right back out.

Maroni Q60                      Okay. And then you exited. And once you all exited, do you recall what happened?

Banks                              I believe that's when Beau and I reloaded and we started trying to get the crime scene secured.

Maroni Q61                      At any point, did you ever check the victim or try to check for a pulse or try to render aid in any way?

Banks                              Uh, I believe Beau checked for a pulse, um, but other than that, we did not render aid for the simple fact that we were trying to get the crime scene secured, there were people, this is a two floor apartment complex, there were people coming out of rooms in the upstairs trying to see what was goin' on, there were people comin' out of the bottom apartments trying to see what was goin' on, we had family members that were pullin' up trying to figure out what had happened, so we had, you know, and then we also had a large knife, hand saw that was unsecured, that was still layin on the ground for anybody to just walk out and pick up, so ...

Maroni Q62                      And could you tell at any point the victim's medical condition, his vitals, could you tell if he was breathing, could you tell anything about his condition?

Banks                             All I knew about the victim would be the fact that you know, there was a lot of blood, I mean, for pistol wounds that was ...

Maroni Q63                     I just meant like if he was breathing or any of that, but a lot of blood ...

Banks                             Right. I never went down and checked to see if he was breathing, that was Bo doing the pulse and stuff like that, but ...

Maroni Q64                     And you're in uniform, the Class C uniform, I know you said it was a polo shirt with a vest and you said it has a badge on it, and your name?

Banks                             Yes, ma'am.

Maroni Q65                     Does it have patches on the sleeve?

Banks                             My actual polo has patches, the same patches that I'm wearing today on the side.

Maroni Q66                     And were you driving, was it your car that you all were driving?

Banks                             Yes, ma'am.

Maroni Q67                     Do you have a marked car or an unmarked car?

Banks                             It's a marked unit.

Maroni Q68                     Marked unit, meaning ..

Banks                             It has the lights, it has Metro Police on the side ...

Maroni Q69                     Do you know if your car was visible from the door of that apartment?

Banks                             I know there was a stairwell there that could have blocked it, but I'm not sure if it was ...

Maroni                             If you don't know that's ...

Banks                             Right.

Maroni Q70 But I guess my question too would be your car was parked in that parking lot, right ...

Banks Yes, ma'am.

Maroni Q71 ... it wasn't parked a block away or anything like that so ...

Banks No, I pulled up in the parking lot.

Maroni Q72 I know you didn't pull right up in front of the door or anything ...  
Banks Right.

Maroni Q73 ... but it was in close proximity ...

Banks Right. I was right on the side I believe, uh, well, that could have been another car pulled up, so I don't know if I was by Brian's car or not, there were so many cars there at the end of it, I couldn't tell you.

Maroni Q74 At one point on the scene, you guys are on the video that we've seen, you guys are kind of washing your hands. Why are you washing your hands?

Banks I had blood on my hands, and I wanted to get the blood off my hands.

Maroni Q75 And what was the blood from?

Banks It was from the suspect.

Maroni Q76 From when you cuffed him?

Banks Yes, ma'am.

Maroni And just for the record, I'm referring to him as the victim because he's deceased so that's why ...

Banks Okay.

Maroni Q77 And then at that point, do you recall, who was your immediate supervisor that night?

Banks Sergeant Malcolm Miller.

Maroni Q78 He wasn't an acting, right, he's your actual Sergeant?

Banks He is my actual Sergeant.

Maroni Q79 And he arrived on scene?

Banks Yes, ma'am.

Maroni Q80 Okay. On the video, it also shows on there, you're talking to somebody, and you're telling them a little bit about the incident, do you recall who you were talking to?

Banks That was Sergeant Miller.

Maroni Q81 Sergeant Miller?

Banks Yes, ma'am.

Maroni Q82 And on that, you said something to the effect of, you know, that you all had gotten there, and I'm paraphrasing, that you all had gotten there and you aw Brian had his gun out and you all took your guns out, and I think you've explained that, and then you aid that the came out and he kind of took steps towards us, and we shot him, okay, um, just to clarify that statement, what, I mean ...

Banks I was just giving sarge a brief description of what happened, uh, I was still, like I had a bunch of emotions going, a bunch of adrenaline, and I was just like trying to just give sarge a very brief description of what happened, so, and I had, there was a lot going on.

Maroni Q83 Right. And I guess on that tape or on that WVS, we call it the wearable video system, um, you all aren't even sure if you all should even talk to each other ...

Banks Right.

Maroni Q84 ... and I think there's some confusion about that, did you all talk about like are we even supposed to say anything or, I mean, were you concerned about that or ...

Banks Right. I think at some point, uh, one of us, it wasn't me, either Beau or Brian was like we're not supposed to talk to each other at all, like we need to like separate, so ...

Maroni Q85 And for the most part, did you guys kind of stay ...

Banks Right. After it was all said and done, we didn't talk to each other about what went on at all.

Maroni Q86 I know you guys were checking on each other, are you good ...

Banks Right.

Maroni .. can you explain that?

Banks We were just, you know, making sure, like you know, that we were all right, you know, like it was, that's the first time, you know, I had ever been in a situation like that first time, you know, Beau had ever been in, I think Beau had ever been in a situation like that, and Brian I'm not sure, but we were just making sure that we were okay, you know, a lot of emotions goin' on, we were just, you know, just checking on each other.

Maroni Q87 And I heard you saying on there, and I think it was you making statements periodically throughout the video, um, like "goddammit" ...

Banks Right.

Maroni ... and why were you saying that,. What was going through your mind?

Banks Just like holy moly, that happened quick, you know, like I didn't, you know, what was going through my mind was like you know, like just why didn't he, you know, why didn't he do what we told him to do, you know, so that was just, like I believe after I shot, I said it, so I was just like you know, like going through my mind like why didn't he just, why didn't he do what we told him to do, and then this would have never happened, you know, that's what was goin' through my mind.

Maroni Q88 And do you recall when you left the scene, like how you left the scene or ...

Banks You're talking about the actual scene?

Maroni Q89 Yeah. Like how was it that you left, did you stay there all night?

Banks( No. Homicide came up and was like we're gonna put you all in three separate cars and, uh, I believe that I asked, I was like can I turn my camera off cause I didn't wanna turn the camera off until I was told to, um, he said yes, and then we all went to get in three separate cars.

Maroni Q90 Do you remember who you went with?

Banks I went with a man, and then he sat with me for a little bit, and then a female, I believe it was Holly Hogan, Detective Hogan came and sat with me, and then peer support showed up, and Sergeant Beatty sat with me for the remainder.

Maroni Okay. Do you have anything right now?

Downs Q91 Uh, just a couple of things to make sure I'm clear on. You said that you were leaving the Property Room and you're driving, right?

Banks Yes, ma'am.

Downs Q92 And Beau, you're talking Beau, you're talking about Officer Gadegaard ...

Banks Yes.

Downs Q93 And you said he read the urn to you, what's he reading it from?

Banks He's reading it from our like in-car computer.

Downs Q94 So we call 'em the MDT's, the mobile data terminal ...

Banks MDT's, yes.

Downs Q95 So he's able to read exact what the run says?

Banks Yes, ma'am.

Downs Q96 And then he's, so that's when you learn that there's knife and someone's kicked in a door ...

Banks Yes, ma'am.

Downs Q97 And just so, cause it's easier for me, and I'm a lot more visual on looking at it, this is just kind of a Google Earth screenshot of, you know, a street view, okay, and this is December 2015 so obviously the cars are not where they are, no semi there, I believe probably even the same red SUV is parked in this spot, and then there's another vehicle in this spot, it's a smaller silver car, you all are pulling up over this way. When you all get there, where is Officer Smith, Brian Smith and where are the females that he's talking to?

Banks Uh, he was like right in here.

Downs Q98 So you're kind of showing the area behind the rear of the vehicles?

Banks Yes.

Downs Q99 And these two vehicles, they were pulled in forward, so this would be their bumper, the rear bumper, so he's at the rear bumper talking to the females ...

Banks Correct.

Downs Q100 Do you remember anything about the two ladies he was talking to?

Banks I just know that they were females, like I literally, the only time I ever talked to them was they were trying, one of 'em was trying to get me to turn her car lights off so her battery didn't die, and I was like please just for now, you know, stay back, so that we can get everything taken care of, and then I promise you, you know, we'll get everything you need taken care of.

Downs Q101 So as you're getting out of the car, at what point do you think, if you remember, at what point does Officer Smith start to approach the apartment?

Banks As soon as we started getting out of the car.

Downs Q102 Did he say anything to you, or motion like come on, let's go, I mean, was there any exchange between you guys?

Banks No, I don't remember that.

Downs Q103 Nothing that you remember?

Banks Nothing that I recall.

Downs Q104 How do you approach up to the apartment, if you can ...  
Banks I believe we came from, like my car was parked like ...

Downs Q105 Closer towards the stairs?

Banks Closer towards the stairs, and then we came up and I believe we went straight through these two cars right here.

Downs Q106 So between what was, and just because I remember that night, that

was the maroon SUV and the silver vehicle, so you think you came up between those two maybe?

Banks I believe so, yeah.

Downs Q107 Okay. So when you're coming up, um, where are you in relation to Officer Smith and Officer Gadegaard?

Banks When I, uh, Beau was runnin in front of me or was, yeah, was in front of me, and then I was behind him, and then whenever he approached us at the door, I kind of veered to the right to get out of, you know, to get out from behind Beau, and then you know, that's when we made our little like, Beau is right here and then me and then, you know, Brian ...

Downs Q108 So you're kind of like in a triangular view of that front door ...

Banks Kind of, yeah, like a little like half circle kind of ...

Downs Q109 When you're coming up, do you remember if the door was open or not?

Banks I don't remember if the door was open.

Downs Q110 Do you remember lights and stuff, could you see or how were the lighting conditions at that point, it was 1, 1:30 in the morning, it was nighttime, right?

Banks I didn't use, there had to have been some sort of lighting, because I didn't use the light, I didn't have a flashlight out, I didn't use my weapon mounted light or anything.

Downs Q111 So you could see, by not using that, you know that you could see pretty well?

Banks Correct, that I could see.

Downs Q112 At what point, you don't remember whether the door was open or not, but can you tell me again, he appears in the door, can you go over that again just so I'm clear on that ...

Banks Right, like this is the apartment right here ...

Downs Yes, sir.

Banks Okay, um, like I said, he came from like if you're approaching the



door he came from the right of the door, so I think the door was actually like halfway open, halfway closed at the time, now that I think about it, and he came from around the door, like from the right over here, and then opened the door almost standin' in like the doorway ...

- Downs Q113                      In the doorway?
- Banks                              ... when we approached.
- Downs Q114                      Okay. What happens at that point?
- Banks                              At that point Beau's like drop the knife, drop the knife, drop the knife, and he took the two to three steps towards us and we were in fear for our lives, so we shot.
- Downs Q115                      So he steps out of the apartment?
- Banks                              Correct.
- Downs Q116  
Banks                              And he's got the saw and it's hanging down there ...  
Correct, swinging it back and forth by his side.
- Downs Q117                      Okay. Um, and you do remember that Officer Gadegaard was yelling for him, ordering him to drop the knife?
- Banks                              Multiple times.
- Downs Q118                      Does he make eye contact with you guys or do you recall?
- Banks                              I don't remember any of that, it happened so fast I don't remember eye contact or anything, all I remember is seeing him at the door with the knife swinging it, taking steps towards us.
- Downs Q119                      At what point do you start to fire your weapon, your handgun?
- Banks                              Uh, when he starts walking towards us, I believe Beau shot first then I was second to shoot, but when he started walking towards us, that's when I fired.
- Downs Q120                      Okay. Do you recall if he was saying anything, making any noises or anything at all?
- Banks                              I don't recall.
- Downs Q121                      And you said you shot four to seven times roughly as far as you

can remember?

Banks Yes, ma'am.

Downs Q122 Kind of walk me through the very next thing after once he falls to the ground.

Banks Once he falls, Beau is like hey we gotta handcuff him, so me and Beau, you know, go up, we holster, we go up, um, Beau kicks the knife away from him, um, and then we go to handcuff him, Beau grabbed his arms, I grab handcuffs and put handcuffs on him, and then we go in to clear the apartment.

Downs Q123 When you say Beau kicked the knife away from him, which way does he kick it, to the right or left of him?

Banks To the left, it was like layin' over to the left on like the little sidewalk.

Downs Q124 So you're facing the apartment, he kicked it to the left?

Banks Right.

Downs Q125 And how was, I'll just refer to him as Mr. Wicker, How was Mr. Wicker at that point, how was he laying on the ground?

Banks He was layin', his head was facing, you know, if you're looking at the apartment, to the left.

Downs Q126 Towards Ridgemont, this is Ridgemont Drive or towards the north?

Banks Correct, yeah, north, he was layin' north, um, and he was layin like on his side, like on his belly, like face down ...

Downs Q127 So was he layin' on his side or on his stomach?

Banks Well, like ...

Downs Well, I just want to make sure because we're doing a recording so we want to make sure that it's clear ...

Banks I mean, I guess if you're layin' on your side and then you, like it was half side, half stomach kind of, it wasn't like he was fully like face planted like ...

Downs Q128                    So he wasn't completely laying on his stomach ...

Banks                            ... completely laying on his side ...

Downs Q129                    .. he was sort of on his side.

Banks                            Correct.

Downs Q130                    Okay. And so that's when Officer Gadegaard pulls his arms behind his back and you pull out your handcuffs?

Banks                            Correct.

Downs Q131                    And you handcuff him.

Banks                            Yes.

Downs Q132                    Why did you al handcuff him?

Banks                            Cause we didn't know if he had any other weapons on him, um, you know, we never did search him because he was handcuffed and right dafter that we went right into the apartment ...

Downs Q133                    To clear the apartment.

Banks                            To clear the apartment.

Downs Q134                    Do you recall where the females that Officer Smith originally talked to were at this point or did you know where they were?

Banks                            I knew where they were, but at the point like all this was goin' on, I don't know exactly where they were at, I'm assuming they stayed ...

Downs Q135                    But you k now they're still out there somewhere.

Banks                            Correct.

Downs Q136                    Okay. Um, and Officer smith, do you recall what he was doing or where he was?

Banks                            Uh, I believe he stayed outside the whole time, um, until Bo and I came out and then I was like we need to get some crime scene tape up and then, uh, I went to my car to check to see if I had any and I didn't, so then Brian started securing the scene, putting crime scene tape up.

Downs Q137                    So you all went in to clear the apartment, and you didn't locate any other persons in there, and you come back out, uh, at what point does someone, either of you three, check on Mr. Wicker, as far as to check his status and see his condition?

Banks                            I believe it was after we got done clearing the apartment, Bo went up and tried to see if he was alert and he was not, and then Bo called for EMS again tellin' 'em to step it up, that he had stopped breathing, he wasn't alert.

Downs Q138                    So Beau had already called one time for EMS, and that's when he was breathing at that point?

Banks                            Correct. Once we initially fired and he fell, the threat was gone, Beau called on the radio and said, uh, you know, shots fired, start me some ore cars, uh, also start EMS Code 3 for a black male with multiple gunshot wounds.

Downs Q139                    Okay. Um, at any point did you put gloves on or anything like that?

Banks                            I did.

Downs Q140                    At what point was that, and ...

Banks                            I believe it was after I had hand sanitized, put the hand sanitizer on my hands, and then I put gloves on.

Downs Q141                    And that's the hand sanitizer, because you had blood on your hands?

Banks                            Yes, ma'am.

Downs Q142                    Okay. And so then you put gloves on, and because we did find some gloves at the scene, I was just wondering, did you leave your gloves there?

Banks                            Yes, ma'am.

Downs Q143                    Do you recall, some people are very specific in that they use black gloves or purple gloves or whatever kind of Latex gloves, do you recall what, or what kind ...

Banks                            I have black ones.

Downs Q144                      You have black ones, and you used both gloves, both hands I guess?

Banks                              Yes, ma'am.

Downs Q145                      The other thing, when you all come out of the apartment, you said something about reloading I think, or at what point did you all do that, and why did you?

Banks                              Well, it's kind of like training, you know, you always want to have a full magazine whenever you're out, so we just did a field reload just to get a full magazine in there.

Downs Q146                      And by field reload, can you describe that, what ...

Banks                              literally you just drop whatever rounds you have in your gun ...

Downs Q147                      Whatever magazine you ...

Banks                              Whatever magazine you have, and then take a magazine that we carry on our belt, the 15, a full magazine and put it in.

Downs Q148                      "and what did you do with the magazine you dropped?"

Banks                              I left it.

Downs Q149                      You left it laying on the ground?

Banks                              Yes, ma'am.

Downs                              Okay. Go ahead, see if you got some more ...

Maroni Q150                      You were on scene, how long would you say you were on scene after the shooting?

Banks                              After the shooting?

Maroni                              Yeah, approximately.

Banks                              15 minutes.

Maroni Q151                      So you were there for 15 minutes, were you kind of in the general area of the apartment ...

Banks                              No, I was ...

Maroni Q152 ... or were in a car the whole time or where were you?

Banks Are you talking about like from the time I got in the car and left-left or like ...

Maroni No, like after the shooting you remained on scene for ...  
Banks Oh, okay, yeah, like 15 minutes, yeah, and then I stood right in front of the suspect the whole time.

Maroni Q153 I call 'em victim, I'm an old homicide detective, so I'm just used to calling a deceased person a victim so, okay, so you were there. You actually saw the two women there that Brian initially had contact with. Did you over hear anything from them, were they making any statements, did you hear them screaming, did you hear them say anything?

Banks There was a guy that pulled up, I don't know if he was, you know, a family member or what, but he pulled up and he started sayin', uh, oh my god they didn't, and then one of the females was like, uh, he came at them with that knife, he came at them with that knife, and then I believe she kept, uh, on the, uh, I'm not sure what else like that she said, but she said some other things, uh, but I do know that she said he came at them with that knife.

Maroni Q154 Anything else that you heard from any other witnesses or anybody else out there that stands out to you?

Banks No.

Downs Q155 Do you remember which female that was?

Banks NO, I don't.

Maroni Q156 And are you sure it was one of the victims, the original reporting, or the victims that called for service, are you sure it was one of them that made that statement?

Banks I'm not sure-sure, but I mean, it was on my camera, so I mean, they were the only people that had any sort of contact with, so it would have had to have been them.

Downs Q157 Was it the same person who asked you to turn the car off, or was that a different person, if you recall?

Banks The person that asked me to turn her car off was one of the initial people that Brian was talking to.

Downs Q158                    And was that the woman that asked you to turn her car off at some point afterwards, was that the woman you heard say these things or no? If you don't remember, that's okay.

Banks                            Um, I don't remember. I do remember talking to her, because she asked me whenever I went over to check for the crime scene tape, she'd asked me if I could, uh, she could go up to her car and like turn the lights off I think, and I was like ma'am, just for now, you know, please just stay back, you know, we're trying to ...

Downs Q159                    So he comes out of the apartment, he's armed with a long knife, whether it's some kind of tree saw or wood saw of some sort ...

Banks                            Yes, ma'am.

Downs Q160                    You said it was three to five feet?

Banks                            Yes, ma'am.

Downs Q161                    You guys already have your guns drawn at this point? Is there anything else with that situation, is there anything else that you all could have done or that, I guess my question is, why did you decide to fire?

Banks                            I was in fear for my life and the lives of the other two officers, the close proximities that we were at, I mean, three to five yards, I mean, we was a good step and a swing away from him hitting one of us and, you know, potentially hitting one of us with that knife and potentially killing us with that knife, so we were in fear for our lives, so we fired our weapons.

Downs Q162                    I guess the other question that I would have is why didn't you ever go check on render any kind of aid or assistance or CPR or anything like that?

Banks                            We were trying to secure the scene, we had people coming out of the top, the second floor apartments, you know, peeking over the railing, trying to see what was going on, we had family members that were, you know, starting to show up, we had a large number of people showing up that, you know, we had unknown their reasoning to be there, you know, why are they there, is it family, are they here to, you know ...

Downs Q163                    So you didn't know if they were gonna present any other kind of threat?

Banks Correct, present any other sort of threats.

Maroni Q164 I guess once your backup got there, the officers that he had called for to step it up, do you know if EMS arrived prior to their arrival, or if they got there first?

Banks Uh, I don't know, I really don't.

Maroni Do you have anything, Mr. Schroering?

Schroering No.

Maroni Nothing from you, anything else, nothing else?

Downs No, not unless there's anything else you heard anybody else saying that night ...

Banks No, ma'am.

Maroni Q165 Are there any questions we've not asked you or any other information you have that may be beneficial to this case?

Banks No, ma'am.

Maroni Q166 Is there anything you want to state for the record before we end?

Banks No, ma'am.

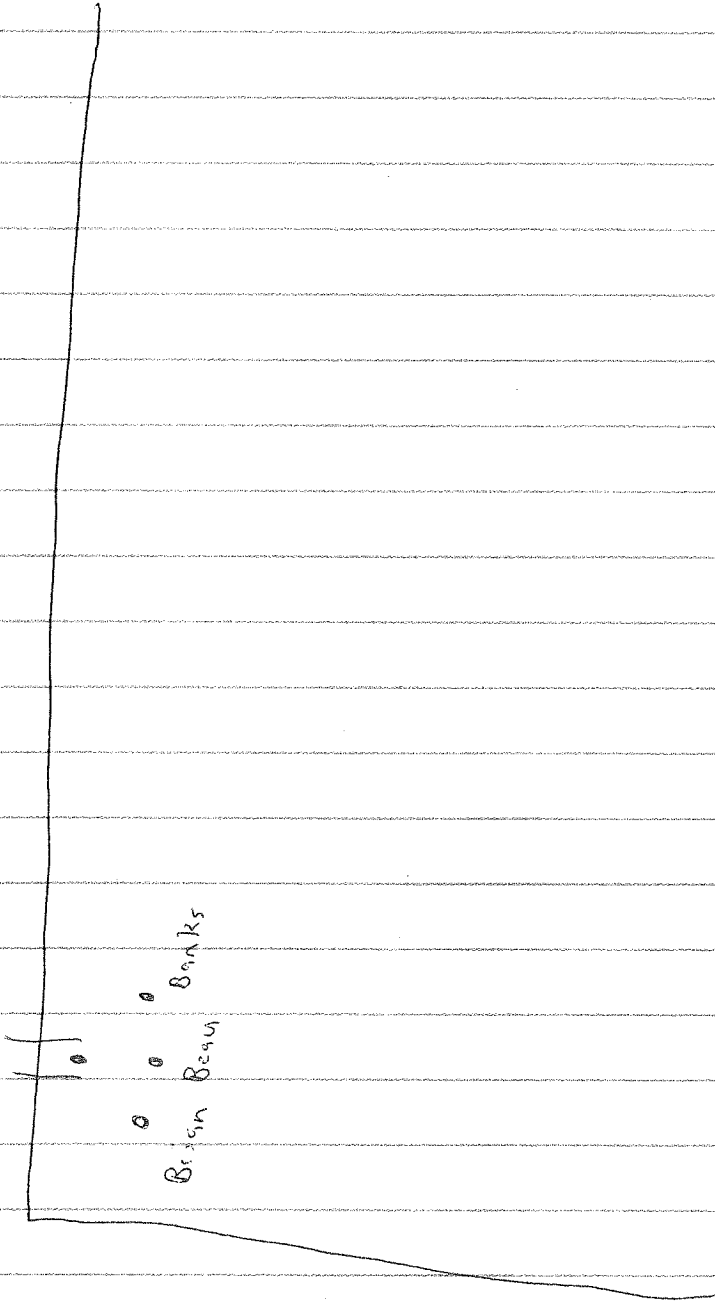
Maroni Q167 Is everything you've told me the truth to the best of your knowledge?

Banks Yes, ma'am.

Maroni We will now conclude the statement, the time is 1614.

**END OF STATEMENT**





\* Drawing by + by of Taylor Banks  
by Leigh Maroni





- Employee
- Employee Home
- Employee Basic
- Education
- Employment information
- Demographics
- Termination
- Supervisor
- Contact Info
- Emergency Contact
- Pay History
- Photo
- Personnel Dates
- Actions
- Reports
- Logs

Personnel Record

**Name:**  
BANKS, TAYLOR

**AOC CODE:**  
7293

**Rank/Title:**  
POLICE OFFICER

**EmployeeNo:**  
38356

Personnel Record

**First Name:** TAYLOR  
**AOC CODE:** 7293  
**Current Title:** POLICE OFFICER  
**Sworn:**   
**Assigned Supervisor:** MILLER, MALCOLM

**Middle Name:** S  
**Employee No:** [REDACTED]  
**Current Code:** 082210  
**Parttime:**   
**Working Supervisor:** MILLER, MALCOLM

**Last Name:** BANKS  
**Agency:** LMPD  
**Reserve:**   
**CNS Supervisor:** MILLER, MALCOLM

Training Coordinator:

Organization

Current WorkGroup	Grp : Pos	WorkGroup	WorkGroup Code	WorkPosition Name
Working	796 : 12747	2ND DIVISION \	2ND DIV 2ND PLT SQUAD 3	<u>223C</u>
		2ND DIVISION \		
Assigned	796 : 12747	2ND DIVISION \	2ND DIV 2ND PLT SQUAD 3	<u>223C</u>
		2ND DIVISION \		

**YOUR RIGHTS**

PLACE: 810 Bancet 4th Floor - DM

DATE: 8-15-16

TIME: 1430

Before we ask you any questions, you must understand your rights.

- BTG 1. You have the right to remain silent.
- BTG 2. Anything you say can and will be used against you in a Court of Law.
- BTG 3. You have the right to talk to a lawyer prior to any questioning or the making of any statements, and to have him present with you while you are being questioned.
- BTG 4. If you cannot afford to hire a lawyer, one will be appointed by the Court to represent you before any questioning, if you desire one.
- BTG 5. You may stop the questioning or making of any statements at any time by refusing to answer further or by requesting to consult with an attorney prior to continuing with questioning or the making of any statements.

**WAIVER OF RIGHTS**

*or I have had it read to me*

*LM*

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

SIGNED: X Beam [Signature]

WITNESS: [Signature]

WITNESS: Downy K. DOWNS 2419

TIME: 1432 hrs

[Signature] 6711

**POLICE OFFICER RECORDED STATEMENT FORM**

**OPENING**

This is Sgt. Leigh Marrow of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is 8-15-16.

The time is: 1426.

We are present at: 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** \_\_\_\_\_

This will be a recorded statement from Officer Beau Gadegaard.

This statement is in reference to PIU case # 16-054.

Present with me are Officer Gadegaard, Attorney Steve Schroering and Sgt. Kristen Downs of the Public Integrity Unit.

Officer, are you aware that this statement is being ~~video~~ and audio taped? yes ma'am

Does this meet with your approval? yes ma'am

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name. Beau Gadegaard.

What is your code number? 7701

Where are you currently assigned? 2nd Div/2nd Platoon (late watch)

How long have you been in that Unit? march/april 2014

How long have you been on the Department? June 2014 - Police JC50 - 2011

Are you under the influence of alcohol, drugs or any other intoxicants at this time? No ma'am  
(If so, what are they?)

Are you taking any kind of medication that would affect your judgment or your ability to think clearly? I am not

Did you sustain any injuries during this situation? (If so, please describe.) *NO ma'am*

Did you receive medical treatment? (If so, where and by whom?) *N/A*

What type of uniform or clothing were you wearing at the time of this incident? *Class<sup>c</sup> outer vest.*

Do you have the same uniform or clothing on right now? *NO ma'am -*

### **RIGHTS WAIVER**

Because of the statutory requirements of KRS 15.520, I am obligated to advise you of your constitutional rights prior to asking any further questions. Obtain rights waiver.

### **START THE STATEMENT/INTERVIEW**

### **ENDING THE STATEMENT**

Are there any questions we have not asked you or any other information you have that may be beneficial to this case? *I'm glad everyone went home*

Is there anything you want to state for the record before we end? *NO ma'am*

Is everything you told me the truth to the best of your knowledge? *YES ma'am*

We will now conclude the statement. The time is: *1530 hrs.*

This is Sergeant Leigh Maroni with the Louisville Metro Police Department's Public Integrity Unit. Today's date is 08/15/16. The time is now 1426 hours. We are present at 810 Barret Avenue, fourth floor, in the Public Integrity Office. This will be a recorded statement from Officer Beau Gadegaard. This statement is in reference to PIU case #16-054. Present with me are officer Gadegaard, Attorney Steve Schroering and Sergeant Kristen Downs with the Public Integrity Unit.

Maroni Q1                      Officer Gadegaard, are you aware that this statement is being audio taped?

Gadegaard                      Yes, ma'am.

Maroni Q2                      Does this meet with your approval?

Gadegaard                      Yes, ma'am.

Maroni Q3                      Um, just a little background, please state your full name and spell your last name.

Gadegaard                      Beau Gadegaard, G-A-D-E-G-A-A-R-D.

Maroni Q4                      What is your code number?

Gadegaard                      It is 7201.

Maroni Q5                      Where are you currently assigned?

Gadegaard                      Second Division on late watch.

Maroni Q5A                      Would that be the Second Platoon?

Gadegaard                      Yes, ma'am.

Maroni Q6                      How long have you been in the Second Division?

Gadegaard                      Since March or April of 2015, or February, somewhere in that range.

Maroni Q7                      How long have you been on the Department?

Gadegaard                      I've been on Metro since June of 2014 is when I went to the Academy, I've been a cop since 2011, August 2011.

Maroni                              So you've been on Louisville Metro since 2014?

Gadegaard                      Yes, ma'am.



Maroni And you were a police officer before?

Gadegaard Yes.

Maroni Where was that?

Gadegaard Jefferson County Sheriffs Office.

Maroni You got hired there in 2011?

Gadegaard Yes, ma'am.

Maroni Q8 Are you under the influence of alcohol, drugs or any other intoxicants at this time?

Gadegaard No, ma'am.

Maroni Q9 Are you taking any kind of medication that would affect your judgment or your ability to think clearly?

Gadegaard I am not.

Maroni Q10 Did you sustain any injuries during this situation?

Gadegaard No, ma'am.

Maroni Q11 Did you receive medical treatment? I assume not...

Gadegaard No, ma'am.

Maroni Q12 What type of uniform or clothing were you wearing at the time of this incident?

Gadegaard Class C's with the outer vest, I guess Class C's with the polo.

2 The outer vest, is that like a tact vest or is that just a ...

Gadegaard Normal, not a tact vest ...

Maroni Q13 Do you have the same uniform or clothing on now?

Gadegaard No, ma'am.

2 Right ow it appears that you're wearing full Class A.

Gadegaard

Yes, ma'am.

Maroni Q14

Because of the statutory requirements of KRS 15.520, I am obligated to advise you of your Constitutional Rights prior to asking any further questions. And I'm just gonna put up here at the top we're at 810 Barret, fourth floor PIU, the date is the 15<sup>th</sup>, and the time now is 1430 hours. Before we ask you any questions, you must understand your rights. 1) You have the right to remain silent. 2) Anything you say can and will be used against you in a court of law. 3) You have the right to talk to a lawyer prior to any questioning or the making of any statements and to have him present while you are being questioned. 4) If you cannot afford to hire a lawyer, one will be appointed by the court to represent you before any questioning, if you desire one. 5) You may stop the questioning or making of any statements at any time by refusing to answer further or by requesting to consult with an attorney prior to continuing with the questioning or the making of any statements. Do you understand all of those rights?

Gadegaard

Yes, ma'am.

Maroni Q15

And with that in mind, would you just put your initials next to each one of these numbers indicating that I've read those to you and that you understand those rights. ... Do you have any questions about any of those rights prior to going on?

Gadegaard

No, ma'am.

Maroni Q16

Okay. This portion just says Waiver of your rights. I have read the statement of my rights (and I'm gonna add or I have had it read to me), and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me. No pressure or coercion of any kind has been used against me. And just for the record, I am gonna state that your lawyer is present again, and that is Mr. Steve Schroering, and if you would agree to continue with the questioning, then I would need you to sign there. ... And then I'll have Kristen witness it, too, along with Mr. Schroering. ... Okay, and then I'm gonna note that the time is now 1432 hours and I'm gonna sign below. ... I'm just going to put the start of the actual interview at 1432 hours, this is just for me. Okay, Officer Gadegaard, I don't really know you, so just the formalities with the questions in terms of what took place the night of the incident that's under review, okay, if you want and if you don't mind just

kind of start from the beginning in terms of what you heard being dispatched and how it was that you ended up on Broadleaf.

Gadegaard

Okay, um, actual I was over at the Property Room with Banks, uh, Banks actually was there getting a cord for his camera, it was broken, so he was getting a cord for his camera and, um, we basically left the Property Room and we were going back to the division I think or to go eat, and we're pretty close to the Property Room, uh, you know, and the run came out, um, it was a man basically kicked in the door to I think it was Apt. 4 over off Broadleaf and he was armed with a knife or edged weapons. Um, it was basically you know just like a domestic with violence run and, um, so we're a click away, we're out, by that time I think We're at Algonquin and Dixie ...

Maroni Q17

When you say we're a click away, what do you mean by that?

Gadegaard

Like several miles away.

Maroni Q18

So you weren't close?

Gadegaard

NO, we weren't close by any means, like you know, by that time probably at least five, eight or ten minutes out, and that's pretty long comparing that it's not even my beat, I ride Beat-5 generally over in Park Hill and this is down off Cane Run, so it's a while, um sorry, "Click" it's a military term...

Maroni

Some things I may understand, but for the record I'm just trying to clarify.

Gadegaard

I understand. Um, so then I told Banks I said hey Banks like, you know, we need to pick this up, go just faster or go Code 3, so we activated our lights and sirens and went Code 3, I think it was Dixie and Algonquin or 22 and Algonquin area about there, uh, we drove down to Wilson and Cane Run, went left, went all the way down to Shanks, turned right on Shanks. Uh, before we turned right onto Shanks I think Brian called on scene, um, so we were at that time maybe a minute or like 30 seconds out from Brian.

Maroni Q19

Okay. Who was driving?

Gadegaard

Banks was, I was passenger.

Maroni

You were saying I was going Code 3 so I'm just trying to clarify.

Gadegaard

We were going Code 3.

Maroni Q20

So Banks was driving.

Gadegaard

Yes, Banks was driving, um, so Brian calls on scene over at the apartments, maybe we're a minute out or so I guess, um, so then we turned right onto Shanks, um, then we turned right again on to Broadleaf, and at first we didn't see his car and we're like you know, I mean, I was like you know, I don't see him, I looked down the way or down Broadleaf and then on the right-hand side I see his car, and then Brian's out of his car and Brian's talking to I think two or three girls, so we go up there, um, you know, Banks parks the car, I get out of the car, and basically as I'm walking up to Brian, on the right-hand side back in the apartment complex the door is open, and there's a black male that is in the doorway, he basically makes eye contact with me and like he walks a couple of feet out of the room, and then he immediately like just turns back around ...

Maroni Q21

And are you seeing this from the car or as you got out of the car?

Gadegaard

I don't know if I saw it in the car, I know I saw it when I got out, I might have seen it, I just know for sure once I got out of the car, I definitely saw him walking out, he basically made eye contact with us and me for sure, and he immediately turned back away and went back into the apartment complex. Um, at that time I didn't see any weapons at all, um, so I'm walking up to Brian, and Brian says, he's basically talking to the caller or the victim that I take it to be and, um, she says something to the matter that he's armed with knives and that he is in the apartment, uh, I never really spoke to him, I don't think I said a word to him, um, so then we turn right towards the apartment complex, Brian's walking up, I'm to his right and then Brian pulls his gun out, I pull my gun out, and we're basically approaching the building, uh, Banks is kind of runnin' up behind me because he had to park the car and lock the car doors, so he's a couple feet behind us, so I'm behind Brian and we're basically walkin', and then the gentleman decides to walk out of the room or the door's open, he sees us, he walks out, and basically the saw is down in his like right arm down next to his leg, and then I say drop it, drop it, drop it, Brian and Banks say drop it, like you know, a lot of times, enough, and he then, you know, he then continues to walk towards us, and at this point I actually take a point or lead or I'm the farthest officer out, I'm the closest to him in I guess my perception ...

Maroni Q22

Of the three of you?

Gadegaard Yes, you know, I thought I was the farthest out, maybe I wasn't, but I thought I was, um, Brian's to my left, I'm in the middle, Banks is to my right, and I say drop it, drop it, and then he basically is walking and then he like, he basically like bends over and hunkers down like he's getting in like this, basically like an aggressive stance, and then he looks me in the eyes, like dead in my eyes and I see pure evil, like it looks like he wants to kill me and Brian, like, all of us, I've never seen that actual look in like somebody's eyes before, as he did that this right arm raised up and that's when I actually saw the entire saw, I actually thought it was a sword the first second I saw it, um, I just a huge metal object, it looked as long as his leg with like teeth on it, and then he just brought it across his body once, and after he did that, that's actually when I opened fire, after he like swung the blade across his body, and then that's when I opened fire.

Maroni Q23 Was he moving at you at that time, or was he standing still?

Gadegaard He was moving forward, and then he raised the blade up. After I stopped shooting, that's when he stopped moving forward, so he was moving forward, but then he hunkered down and then he swung the blade in an aggressive manner, so ...

Maroni Q24 So did he swing the blade before you shot?

Gadegaard Yes, yes, he was swinging the blade and then I actually shot.

Maroni Q25 And when you say he hunkered down, do you mean like in a kneeling position or ...

Gadegaard No, in like an aggressive fighting stance, so basically, um, I think his left leg was actually forward, his right leg was back because the blade was actually concealed behind his right leg, and then he got down like that after he was walking forward and then he swung it across his body.

Maroni Q26 You said he was in an aggressive stance, and he looked at you, and you saw pure evil. Can you describe his face or what, uh, if he said anything or ...

Gadegaard He said something, I don't know what he said, I honestly don't know what he said, um, his eyes was the biggest thing that I can remember, um, they were huge, like just the whites of his eyes were the biggest thing I've ever seen, uh, and his eyes were just very piercing, like he wanted to get to me, he purely wanted to hurt me ...

Maroni Q27                      And you said something about his teeth?

Gadegaard                      His teeth were basically just like biting down or just like clenching his teeth.

Maroni Q28                      Clenched? And he then brought the saw blade across his body like it was at you?

Gadegaard                      Correct.

Maroni Q29                      And that's when you opened fire?

Gadegaard                      Yes.

Maroni Q30                      Do you know how many times you shot?

Gadegaard                      I think five to eight maybe, approximately. He was very close when this happened, um, he was approximately maybe five to seven feet, I mean, if I was able to lay down, if he was like stationary, if I was able to lay down I could probably touch his toe, it was pretty close, I mean ...

Maroni Q31                      So you think you were five to seven feet you said ...

Gadegaard                      Approximately, five, seven, yeah, that's probably accurate, pretty close.

Maroni Q32                      I'm kind of confused. When you said you came out of the car, where were you in terms of, if I can have you just kind of map it out, if you're okay with that, in terms of where, let's see, this is the apartment in question here, in terms of where Brian was, where you were, and where Banks was, can you just ...

Gadegaard                      At the time of the shooting or before the shooting?

Maroni                              At the time of the shooting.

Gadegaard                      Okay, if this is bad guy, our cars are down here, the victims are down here, um, the door is right here, he's directly like from the door off to the right-hand side just a little bit, um, Brian is right here ...

Maroni                              Can you put BS 'cause you and Brian have the same initials, or BR as Brian ...

Gadegaard                      BR, I'll put me here, and then I'll Banks, so Brian, me, Banks, um,

the knife or the actual, I guess it was a saw was on the right-hand side of his body, I call that the dead side or on the side that's on the weapon side or I guess the live side, make sense? Or it probably doesn't... um, so it was there, so Brian actually to me, that's one of the biggest things that actually scared me was Brian was closer to the side that actually had the weapon, um, so Brian's there, I'm here and, um, it's probably more like this, I'm pretty much like squared up to him and, uh, Banks is off to my right, to his left, so Banks was off at an angle, does that make sense?

Maroni Q33

It does, yeah, and I don't wanna like, but I'm must gonna for my purposes, if you don't mind, I'm gonna draw Brian Smith, and then Banks, since you put BN, I'm gonna put Taylor Banks, and I'll put my initials here, my initials here, and then I'll put "me," and my initials here. ... And then after the shooting, what do you recall from there?

Gadegaard

After the shooting, he just fell to the ground, um, I then immediately got on the radio, I just basically advised Radio that we had a lot of shots fired, that I have a black male down, I think I said I need EMS Code 3, a black man's been shot or whatever I said of that nature, and then we go to put him in cuffs ...

Maroni Q34

Who's "we?"

Gadegaard

Me and Banks, and then I actually kicked the saw out of the way first before I go up to put him in cuffs, um, I put my gun up, I go to grab his hands, I basically like turn him over to grab his hands, uh, Banks actually cuffs him with his cuffs, um, after we do that I tell Brian that I need to clear the room or the actual open door of the apartment, uh, because I was scared that you know, that somebody else was in there, I didn't know if anybody was hurt or if there's another suspect, a danger, a threat, but whatever that is, I didn't know, especially because of that call and, you know, so then I tell Brian that, because I didn't wanna clear without Brian knowing, 'cause ...

Maroni Q35

Why is that?

Gadegaard

Well, because it was a very active scene still, one, there's a saw on the ground, like you know, like a weapon that anybody could grab, and there's people coming out of all these rooms and doors and stuff and, um, I was like still very scared that Brian was gonna be out there by himself and like I didn't wanna leave him there, uh, 'cause he was dealing with all the victims and then dealing with the scene, like trying to lock it down and there's a guy that's been

shot and there's, you know, a saw on the ground next to him within a couple of feet, so there's a lot for Brian to do. Uh, so basically after Brian said okay you're good, me and Banks entered the room, and we basically cleared the entire apartment to the best of our ability, um, we came back out, that's when I actually got on the radio again and advised EMS to pick it up, um, you know, because he was bleeding a lot and I mean, it was bad, and I think I even said that it's bad, like EMS needs to come now or something to that nature. Um, after we do that, I go to put my gloves on and I actually roll him over to basically like the recovery position, so that way his tongue would basically not be blocking his airway, if you actually put somebody on their side and they go into cardiac arrest then that's the best thing you can do for 'em in advanced trauma like that that I've been trained and all that stuff, so I did that to him, so that way if he did go into cardiac arrest or if I couldn't administer anything else at least he's on his side, so he can breathe... bare minimum, so I put my gloves on, I go to look at him and there's blood everywhere, I mean, there's a lot of blood, and at that point I realize that there's nothing that I can do at that point, at least medically to help him any more besides putting him in that recovery position, um, and at the time I put on my gloves, you know, I looked at him, and then immediately people started coming out of the room more and more, and there's still a saw there on the ground, so basically first off tactically it was not sound to go and do anything more to this guy when there's people coming out of every single room almost, and there was a guy, I mean, directly above us like just staring down at us and I was worried that if I did something to this guy, to the guy that was shot, if I was to do anything to him at all and take my eyes off of unknown threats that something bad could happen, especially in like today's climate, I mean, I was very, very, I was still scared for myself, Brian and Banks as well, um, so after I do that, I get back on the radio, I say radio he doesn't appear to be like alive any more or to be, I think I said breathing actually, I think I said breathing, I need everybody to pick it up, I need you know all the EMS to pick it up and then I actually called for more cars too, because the crowd was getting larger, and I think I said something like there's five of us out here on the radio, and I think I meant us there officers and then the two callers too, basically included them with us because we needed to basically to protect them too, so didn't count them as aggressors if that makes any sense, hopefully that does.

Maroni

Okay, say that again?

Gadegaard

Basically I counted them as us and not like you know ...



Maroni Q36 Not a threat?

Gadegaard Yeah, so after that, really I mean it was, uh, I think it was EMS ended up getting there within a couple of minutes, and after that it was nothin' much, I didn't really do much more else besides just stand there and watch the crowd, make sure there wasn't any threats.

Maroni Q37 When he first initially fell to the ground, do you remember what position he fell in?

Gadegaard Uh, he fell on his back I believe, side or back and he rolled to his back, one of the two.

Maroni Q38 Okay. So when you got to him, he was on his back?

Gadegaard No, he was son his back. When I got to him though, he was, um, I had to grab his arm and roll him over, so he had to been on his stomach by the time I got to him, but like I remember seeing him on his back before I got to him, so he must have rolled over very quickly.

Maroni Q39 And did he roll over on his own or was that when you and Banks approached him that he rolled, or somebody else rolled him?

Gadegaard He rolled over by like himself, because nobody touched him, and so I was basically the first officer to touch him, nobody else touched him.

Maroni Q40 Okay. When you first touched him, he was on his stomach?

Gadegaard He was son his stomach or side, kind of like at a angle if that makes sense, because I had to grab his arm and rotate it back to be able to cuff him, so his hands weren't able to be cuffed, I had to like physically move his body to cuff him.

Maroni Q41 And actually you held his arms back or whatever ...

Gadegaard I held his arms ...

Maroni Q42 ... and Banks cuffed him?

Gadegaard Yes, ma'am.

Maroni Q43 And then in what position did you all leave him as he was cuffed?

Gadegaard As he was cuffed, I basically put him on his side, you know, in the recovery position like I said so his air ...

Maroni Q44 So that was before you went in...

Gadegaard Yes, so his airway would then open up and, um, hopefully stop the bleeding, what we could do.

Maroni Q45 And you put him in the recovery position then?

Gadegaard Yes.

Maroni Q46 Did he make any statements at any point, did he say anything?

Gadegaard Nothing that I could understand, no.

Maroni Q47 Then you all went and checked the apartment ...

Gadegaard Yes.

Maroni Q48 ... but you got with Smith first to make sure he was gonna be safe outside, because you had the weapon and multiple people coming out ...

Gadegaard Yes, ma'am.

Maroni Q49 Okay. And you checked the apartment. Did you find anything in the apartment, I mean, any other person?

Gadegaard I was looking for people, that's all I was looking for.

Maroni Q50 Nobody was in the apartment?

Gadegaard No, ma'am.

Maroni Q51 Okay. Did you see any signs of a disturbance or anything in there or did you even pay attention?

Gadegaard I can't recall, I was looking for bodies, that's all.

Maroni Q52 All right. And then you came out and he was already in the recovery position then, right?

Gadegaard Yes, I believe so.

Maroni Q53                      Okay At an point, did you ever check for a pulse?

Gadegaard                      I don't think I checked for a pulse, I just watched his stomach rise and that's ...

Maroni Q54                      Okay. Do you know if any of the other officers on scene that were with you ever checked for a pulse or ...

Gadegaard                      I don't believe so.

Maroni Q55                      What about any of the officers that responded after you all?

Gadegaard                      I don't believe so.

Maroni Q56                      Do you know at what point EMS showed up vs. backup officers, you know if you had backup first or if EMS showed up?

Gadegaard                      You know, I don't remember.

Maroni Q57                      If you don't remember that's fine, I don't want you to guess. Okay. So you could see his stomach rise and fall ...

Gadegaard                      Mmmm-hmmm.

Maroni Q58                      And at one point you realized he was no longer breathing, and you advised radio of that?

Gadegaard                      Yes, ma'am.

Maroni Q59                      And then at one point you guys are, I guess on the video it looks like you all are cleaning your hands and your arms off and things like that, why were you doing that?

Gadegaard                      Actually I had his blood on my hands, um, after I grabbed him to cuff him or to put him in the cuffing position, there was a lot of blood so I didn't put my gloves on until he was cuffed or until I go you of the apartment and all that stuff, um, so that's what it was.

Maroni                              Do you have anything you want to chime in on right now?

Downs Q60                      Yeah, just going back, you said you were in your Class C with polo and outer vest, can you describe that more so because I even get confused about what all our class uniforms are, how it's marked, do you have patches on the shoulders, what does it look like?

Gadegaard Yes, I do have patches on the side, um, it's the exact same patch as this as the Class A patch, same color, everything, um, I just basically wear like a polo T-shirt with an outer vest which has my name on it, has the badge on ...

Downs Q61 Like a cloth badge?

Gadegaard .. a cloth badge on that, uh, pants were just I think .511 with the proper BDU pants, boots, black boots ...

Downs Q62 Cargo pants, pockets on the side, okay ...

Gadegaard Yes, uh, so yeah, and it said Metro police on the patches.

Downs Q63 And does it say anything on the back of it?

Gadegaard The shirt, yes, but the shirt would not be, was not seen because the outer vest was over top of the shirt, so on the back it would have been a plain black ...

Downs Q64 Just like your Class A is ...

Gadegaard Yes, ma'am.

Downs Q65 .. from the back it would appear plain on the back ...

Gadegaard Yes, ma'am.

Downs Q66 .. but you would have had your two shoulder patches and the cloth badge ...

Gadegaard Yes, ma'am.

Downs Q67 Okay. And so it was Banks who was driving, was he driving your car or his car or ...

Gadegaard His car, ma'am, mine was in the shop or was towed to the shop that day actually.

Downs Q68 So you guys were riding together that day?

Gadegaard Mmmm-hmmm.

Downs Q69 When you all get there, you said that Brian was talking to two or three females you think.

Gadegaard Yes, ma'am.

Downs Q70 Where was he in talking to them, were they outside of a car, inside of a car, where ...

Gadegaard They were outside the car, uh, just in a parking lot of that apartment tin question, whatever it is, his back was towards us I believe, so he could watch the door and talk to them, if I remember right, um, so yeah, everybody is outside the apartment, not in a car, on foot ...

Downs Do you want to do the aerial or like a street view to show, just draw it out ...

Maroni I think the street view is probably better.

Downs Q71 Okay. This is just a street view, this is from, obviously not that, this is from like December, so this is Broadleaf, this is the apartment complex, right ...

Gadegaard Mmmm-hmmm.

Downs Q72 Okay. So obviously cars are in different locations, there wasn't a semi truck there or anything, so I believe this small SUV should have been in this parking space, right, right next to the steps, and then there was another smaller car here, which is a little silver vehicle.

Gadegaard Okay.

Downs Q73 When you're saying that Brian Smith was talking to the females, is he out here in the parkin lot or within the car ...

Gadegaard Yes, right about this area ...

Downs Q74 So they are at the rear of the vehicles talking?

Gadegaard Yes.

Downs Q75 And then this door is open, now that's the apartment door in question, that door is open ...

Gadegaard Yes, the door was open.

Downs Q76 So he's there talking to two or three females ...

Gadegaard Mmmm-hmmm.

Downs Q77 Do you remember anything at that point, like did Brian already have his gun out or ...

Gadegaard He did not have his gun out as I approached, um, I actually saw him take out his gun once he turned to walk towards the apartment, at that point that's when I pulled mine out too.

Downs Q78 And what did he tell you, you're coming up and then Banks is still parking the car, so what's he telling you, he's talking to them, what' he telling you, if you recall ...

Gadegaard I don't think we even talked I don't think, I don't think we did, I gathered what was goin' on pretty quickly, um, for the most part, so I don't ...

Downs Q79 And what did you think was going on at this point when you're getting out, you're following him ...

Gadegaard A domestic run obviously with violence, but what actually really scared me is that I saw the suspect in the room walk out of the room, see all of us, and then he immediately turned back in, so that's immediately I knew like something's bad, because obviously I didn't see anything in his hand, like a weapon or anything, 'cause if we saw a weapon I his hands then I think our approach, our tactics would have been a lot different, um, but we didn't, I didn't see that at least, I don't know what anybody else saw, but I didn't see anything in his hands, um, but the fact that he came out and then went back in, uh, really, really kind of like scared me a little bit 'cause you know, I don't think he was gonna run, you know, it was just different, I don know how to describe that, I wish I could, maybe it was just his demeanor or his walk was different, but after that we just walked towards the apartment, and that's when everything else happened like I said, um, did that answer your question, I'm not sure, if that ...

Downs Q80 Yeah, I just didn't know if he had told you like hey we're gonna look for him, like how you ...

Gadegaard Brian asked her where, you know, where this guy's at, and then I believe that she said he's in there, and then we put two and two together and we saw the guy come out and go back I, that's when I figured, you know, that's him, so ...

Downs Did you have?

Maroni Q81                      When you all were on your way there, you said you went Code 3 and that means lights and siren, is that correct?

Gadegaard                      Yes, ma'am.

Maroni Q82                      When you pulled up, do you know if you had your lights and siren still engaged or if you all turned 'em off, shut 'em off or ...

Gadegaard                      I'm pretty sure Banks turned 'em off as we turned onto Shanks, so before Broadleaf, I know that the sirens weren't on ...

Maroni Q83                      That's pretty standard when you approach ..

Gadegaard                      Yes, because we don't want to give away that we're coming.

Maroni Q84                      Okay. And when you got there, you all were in a marked unit or an unmarked unit?

Gadegaard                      Marked unit.

Maroni Q85                      Okay. And it's got lights on, a light bar on the top of it and the stickers identifying it's a Metro Police car ...

Gadegaard                      Yes, ma'am.

Maroni Q86                      Was Banks also in uniform that night?

Gadegaard                      Yes.

Maroni Q87                      And Smith, was he also in uniform that night?

Gadegaard                      Yes.

Maroni Q88                      And was his uniform similar to yours in terms of having a patch and a badge ...

Gadegaard                      Yes, ma'am.

Maroni Q89                      Do you know, did you ever say Police, or was it so, everything just go ...

Gadegaard                      I don't recall, I know I didn't say police, he basically made direct eye contact with me, um, so he knew it was the police, I was in clear uniform, so that's why I didn't say it.

Maroni Q90 And in terms of your positioning in the parkin lot, um, from that door, could you see your police car?

Gadegaard Um, yes, I believe he could, uh, after the shooting I was standin' there, I could see the police car, so I would assume you could.

Maroni Q91 I know you probably didn't pull up right in front into a parking spot or anything ...

Gadegaard Oh no.

Maroni Q92 You said there were two or there witnesses talking to Smith out there at the time, and after the shooting, um, did you leave immediately after the shooting, or ...

Gadegaard I didn't leave, no, I did not.

Maroni Q93 Did you stay like in close proximity to the door or ...

Gadegaard I probably didn't move more than approximately like 20 feet of him.

Maroni Q94 Of the radius of that, okay, did you hear any of the witnesses making any statements or comments after the fact?

Gadegaard I did.

Maroni Q95 And what did you hear?

Gadegaard Uh, I think it was the caller said something to the nature like you know, basically the police told him to put it down and then he started swinging, and he didn't drop it, and they didn't have a choice, something close to that.

Maroni Q96 And when you say you think that was the caller, how do you know that was the caller?

Gadegaard Um, well, there was only two or three girls out there, I think the caller was wearing pink or red I think, um, I thought it was her that was saying that, um, I kind of just glanced over there to make sure Brian was okay, I was looking at a lot of people and basically like a lot of things moving, so I couldn't really identify which person particularly it was, but I knew it was one of the original two or three that was out there talking to Brian Smith when we first arrived on scene.



Maroni Q97                      And you heard them say that he was swinging, they told him to put it down ...

Gadegaard                      And he didn't, they didn't have a choice, I'm pretty sure that's what I heard.

Maroni Q98                      And was it just one of the girls that said that, do you know, or both?

Gadegaard                      I don't know, ma'am.

Maroni Q99                      That's okay, if you don't know, okay ... do you know who is your immediate supervisor, or was your immediate supervisor that day, did you have an acting sergeant or your regular duty sergeant?

Gadegaard                      It would be Sergeant Malcolm Miller.

Maroni Q100                     And did he ever show up on scene?

Gadegaard                      He did.

Maroni Q101                     Did you ever make any statement to him at all about what happened?

Gadegaard                      No.

Maroni Q102                     Okay. Did you ever talk to anybody on scene in terms of what happened?

Gadegaard                      I don't think I did, no. Well, I talked to Brian Smith actually, uh, yeah, I talked to Brian, um, I basically told Brian, I was like man, it's good that we came here like so quick because the guy actually came out at you, he goes like oh man like I wouldn't have gone in there, I said yeah I know but he came out at you, so I guess that's the extent of the conversation we had with him on scene.

Maroni Q103                     But none of the other backup officers or anybody?

Gadegaard                      No.

Maroni Q104                     And do you recall when you left the scene or how you left the scene?

Gadegaard                      Um, I went and like I sat in the car with a person from I think it was Homicide, uh, sat with them for a while.

Maroni Q105 Did you recognize that person?

Gadegaard Um, yeah, and her name like slip in my head off the top, I forgot her name, she's been there not long, uh ...

Maroni Q106 Would you recognize her name if I told you?

Gadegaard Yeah.

Maroni Q106A Holly Hogan?

Gadegaard Yes.

Maroni That's who it looked like in the video.

Gadegaard Yeah, there you go, yeah, I guess I sat with her for a while and, uh, talked to peer support, not about what happened but just, they were checking on me.

Maroni Q107 And did you have your camera on during the incident, like when you got there, or ...

Gadegaard It was not on the second I got there, I actually thought it was on, um, so basically all the stuff happened, clearing the apartment, and then all of us coming out of the apartment, that's the first chance I actually felt safe enough to look down and that's when I saw the green light flashing, and I was like oh shoot it's not on, so that's when I immediately turned it on once I realized it wasn't on, um, I thought it was on, I guess it wasn't so ...

Maroni Q108 And you thought it was on, why did you think it was on?

Gadegaard 'Cause I typically turn it on on all my runs ...

Maroni Q109 Is it like once you get to the run or is it en route to the run that you typically ...

Gadegaard I generally do it when I'm getting out of the car, I tap it, I thought I tapped it, uh, I don't know so, but like I said once I knew it was safe and stuff, that's when I, once I didn't feel immediately in danger any more and he was in cuffs and all that stuff, and then I knew Brian was okay and we got out, that's when I realized it wasn't on and that's when I turned it on so, and I didn't turn it off until I was back in the car with Homicide ..

Maroni Q110 Was that with Homicide?

Gadegaard And they told me to go ahead and turn it off so ...

Maroni Q111 Have you ever ridden this beat at all in the Second Division ...

Gadegaard Mmmm-hmmm.

Maroni Q112 Have you ever made runs over in this area before?

Gadegaard Um, in the general area, yes, not on that apartment complex I don't believe, but in the general area.

Maroni Q113 And did you recognize the man at all?

Gadegaard No.

Maroni Q114 Do you recognize the two girls in the, okay, never dealt with them enough anyway or ever ...

Gadegaard No, ma'am.

Maroni ... you wouldn't recognize 'em, okay. You have anything?

Downs Q115 I just want to go back, so when you all are approaching the apartment, she's indicated that he's in there, at what point do you think, if you can remember, um, kind of walking back through it, Brian Smith you said is on your left, you're in the middle and that Banks is on your right, at what point does he appear in the doorway again, or is that as you all are, do you remember, 'cause he's going back in, right, so he's ...

Gadegaard Correct. We basically approached the apartment complex or the room, uh, and he was not visible at all, um, once I cleared like the threshold of those two parked cars, I think I went in between the two of 'em, once we cleared that he immediately popped out of that room as if he was waiting for us, that's what it seemed like, I mean, it was boom, quick.

Downs Q116 Okay. And so these two cars, they were pulled forward, they were pulled in ...

Gadegaard Yes, ma'am.

Downs Q117 .. and so you were basically in front of these two cars, like the front bumper area ...

Gadegaard Correct, ma'am.

Downs Q118 Okay. And then that's when you saw him appear in the doorway?

Gadegaard Mmmm-hmmm.

Downs Q119 Did he come out of the doorway?

Gadegaard He did come out of the doorway, he came out of the doorway and was actually walking towards us, uh, with the saw down behind his leg concealed ...

Downs Q120 So he had it down by his side kind of ...

Gadegaard The first second, yeah, until he cleared the doorway, and then that's when you know where I draw, 'cause I can see something in his hand, and I can see it was a blade, I didn't know what it was, I knew it was a long blade, um, and that's when I said drop it, drop it, drop it, and then he like stepped down in like fighting stance and that's when it basically came across his body like one time, I think it was one time, and that's when I opened fire 'cause after he did that aggressive movement, and being, I was definitely in fear, I mean, you know, I just thought that he was going to try to kill us, um, and especially for Brian, 'cause Brian was so close to him, I mean, it appeared closer to him, I think I was actually closer, but he was closer to the weapon side if that makes sense, he was closer to, if he was to swing and come at us, it would probably hit Brian and then hit me, so I was really, really scared that Brian was going to get really hurt or die, so ...

Downs Q121 And so you thought you were maybe five to seven feet away from him at this point?

Gadegaard Approximately, yeah, but yeah, definitely no more than ten, I mean, no more than ten so ...

Downs Q122 And so at this point you were all yelling for him to drop it, um, does he ever say anything?

Gadegaard He said something, I don't know what he said, I don't know.

Downs Q123 You were focusing ...

Gadegaard Either that, or it could have been a grunt, it could have been an aggressive yell ...

Downs Q124                      Like a growl or anything?

Gadegaard                      That would make sense.

Downs Q125                      Okay. Do you know where the women were at this point?

Gadegaard                      I think they were behind us over in this area over here.

Downs Q126                      They stayed back this way?

Gadegaard                      Yes, ma'am, they didn't approach with us 'cause well, actually there was a woman walking there, and I grabbed her and I said no, stop, like stay back here, 'cause I didn't want her walking up there 'cause I didn't want her to get hurt, and I said no, stop, stop, and I gently pushed her back.

Downs Q127                      Was it one of the women that Brian was talking with?

Gadegaard                      She was wearing a white shirt I believe.

Downs Q128                      Okay. So she starts to approach the apartment with you all ...

Gadegaard                      Yes, ma'am.

Downs Q129                      .. and you tell her to stay back ...

Gadegaard                      Yes, ma'am, 'cause I didn't want her to get hurt if he's aggressive, he appeared that way so ...

Downs Q130                      So you fire five to eight times, um, and then he falls to the ground ...

Gadegaard                      Mmmm-hmmm.

Downs Q131                      .. .and then you got on the radio and you said you thought that he originally fell on his back ...

Gadegaard                      Correct yes, ma'am.

Downs Q132                      And at what point I guess if you could tell me again, in as much detail as you can remember, he's fallen to the ground, and you said you were the one that actually kicked the saw away from him ...

Gadegaard                      Correct.

Downs Q133                      .. .can you just kind of describe that, was it still in his hand, had it

dropped by his feet, where was it ...

Gadegaard

It was not in his hand, it was close to his hands I believe, um, his head is facing, I'm not sure which direction this is, his head is facing this way ...

Downs Q134

North, towards Ridgemont ...

Gadegaard

Yes, it was facing that way, um, the saw would be on, if he's laying on his back, towards his right arm, towards that area, I go up and I kick the saw and the saw goes a couple feet north of him, northwest of him I guess it would be, um, so that's what happened with the saw.

Downs Q135

Okay. Then what happens after that?

Gadegaard

Uh, I actually just leave the saw there, I call on the radio or I called before, I forgot which one it was snow, and I'm grabbing his left hand, whichever hand is closest to me, the one that's basically closest to the weapon, I grab that first and then I just pull it around and I put that hand behind his back and I grab the other hand and I'm just hold his hands there and just holding his hands waiting for Banks to cuff him.

Downs Q136

And I know it's hard to describe, and if we had video it would be a lot easier to demonstrate, but I just want to make sure that it's clear to anyone, so he's on his back, he's like this, you said you had to grab his arm and spin it around, but in order to cuff him, I mean, how do you ...

Gadegaard

Well, yeah, I grab it and it's basically like a maneuver I learned down at Richmond, uh, you know, basically the police academy down there, you just pull the arm out and then you roll it around towards their back, that basically makes them go onto their stomach or their side, whichever way you're gonna cuff, and then you just cuff that way, I don't know if that makes senses or not.

Downs Q137

I'm just trying to make sure that it's clear for the recording how exactly he ends up, if he was on his back how does he end up handcuffed ...

Gadegaard

I just pull his arm out and I make his body roll over with like pulling his arm out, just roll him over to the side, and I twist it back towards his back to cuff him, I was explaining that ...

\Downs Q138

Did anybody else help roll him, or was it ...

Gadegaard It was just me, uh, Banks applied the cuffs.

Downs Q139 And it was Banks who cuffed him?

Gadegaard Yes, Banks cuffed him, I just held his hands there while he cuffed him, and from that he was in the recovery position, and that's where I left him.

Downs Q140 So just by doing that, you end up putting him on his side anyway.

Gadegaard Yes, ma'am.

Downs Q141 And is he still, you said that you don't recall checking for a pulse at that point, are you able to see that his stomach is moving, you said you were watching for the rise and fall of his stomach or ...

Gadegaard At that point I believe it was 'cause that's before I went into the apartment complex, when I came out of the apartment complex, um, I don't think it was nay more, that's when I called for EMS to pick it up because he's not breathing, so I think that's ...

Downs Q142 And I have to ask you because I think the question's gonna come up, you know, why did you all cuff him at that point?

Gadegaard Well, uh, because he's still a threat, from basically from my point of view, basically tried to kill us, I was scared for my life and the saw was still within arm's reach of him, uh, yeah, he has been shot but you know, that doesn't mean that he's not going to get up and try to do that to us or the victims or to somebody else, so with the weapon being there, and with Brian already preoccupied dealing with the victims, dealing with everybody else in the environment, um, you know, basically got to cuff him and also, I mean, the guy's under arrest ...

Downs Q143 Just securing him so you all can ...

Gadegaard The guy's under arrest, you know, that's our protocol, so we're going to, so I have to cuff him to clear that apartment, because basically I have to leave him alone for a minute or two to clear that apartment and, um, I would not feel safe doing that if he wasn't cuffed, if Brian's already preoccupied, so for momentarily, uh, I'm not sure if Brian watched him, I imagine he did, um, but that would assist Brian in just, you know, and just general officer safety.

Downs Q144 And you said that when you came back out is when you put gloves

on ...

Gadegaard Correct.

Downs Q145 ... meaning like disposable Latex gloves?

Gadegaard Latex gloves, yes, ma'am.

Downs Q146 Do you know, because some people carry it, there were some out there, and some people carry, they always carry black ones or whatever color they are, do you know by chance if yours are black or purple or blue, just in case to distinguish.

Gadegaard Mine are black and I actually took mine off and I left 'em on the scene, 'cause I wanted to leave everything that happened on the scene on the scene for everybody to collect and then I actually saw Banks take his gloves off too, but I think actually I told Banks I said hey Banks like I left mine here, and he took his off and left his there too.

Downs Q147 Okay. So at some point Banks also put gloves on?

Gadegaard Yes, ma'am, he did it immediately once I put my gloves on, he put his on too.

Downs Q148 Was there anything else you all did, either prior to entering the apartment or when you came out, um, as far as your handgun?

Gadegaard Uh, yeah, like I actually dropped a mag, and then I put a fresh magazine in my weapon, it just felt really light, I didn't check the rounds, but I wanted my gun to be up and ready just for officer safety again, um ...

Downs Q149 When was that, was that before you entered the apartment or after?

Gadegaard No, it was after I came out of the apartment, and that was the first time I had a second to drop it and then I loaded a new mag and then I put the gun up, um, that's the last time my gun came out of the holster that night.

Downs Q150 Okay. So that was just like a tactical reload and drop the magazine ...

Gadegaard Just tactical, yes, I just ...

Downs Q151 .. and you left it where it was ...



Gadegaard I just left the magazine, uh, north of him between him and the saw I believe, that's where I left the magazine, and then Banks did the exact same thing a couple of minutes later I think or whenever he did it but ...

Downs Q152 Was there anything else that night that you heard anybody else saying or any of the two females, anything like that or anything else from the run that you recall?

Gadegaard Um, I can't think of anything right off the top of my head, I can't think of anything.

Downs Q153 In this area, obviously what time of the morning, it happened at night, but it's technically AM hours, right?

Gadegaard I think it was like 1:30 or 1 something ...

Downs Q154 So between 1 and 1:30 in the morning, do you recall when you all pulled up how lit this area was?

Gadegaard Um, it was lit enough for me to see Brian and the two callers down off of Shanks, so you know, I didn't see them off, you know, off the bat, but once we were pointed that way, like pointing north, I could see them from down off Shanks so clearly visible, and that's a good block and a half.

Downs Q155 So once you all were up here and he was coming back out of the apartment with the saw, um, or at the point you didn't know whether it was a sword or a saw, you could see him, he could see you all, there was no ...

Gadegaard Correct, because this apartment was just lit up, like it was backlit, so I mean, I could see him clear as day going in and then coming out.

Maroni Q156 You're talking about his apartment or the one next door?

Gadegaard His apartment was lit up as in lights ...

Downs Q157 When you say backlit, lights are on inside?

Gadegaard Yes.

Downs Q158 So it's providing light for you all outside because through the windows and open door?

Gadegaard Correct.

Downs Do you have anything else?

Maroni Do you have anything, sir?

Schroering No, thank you.

Maroni Q159 Are there any questions that we've not asked you or any other information that you have that could be beneficial to this case?

Gadegaard I'm just glad everybody went home okay, that's it.

Maroni Q160 Is there anything you want to state for the record before we end?

Gadegaard No, ma'am.

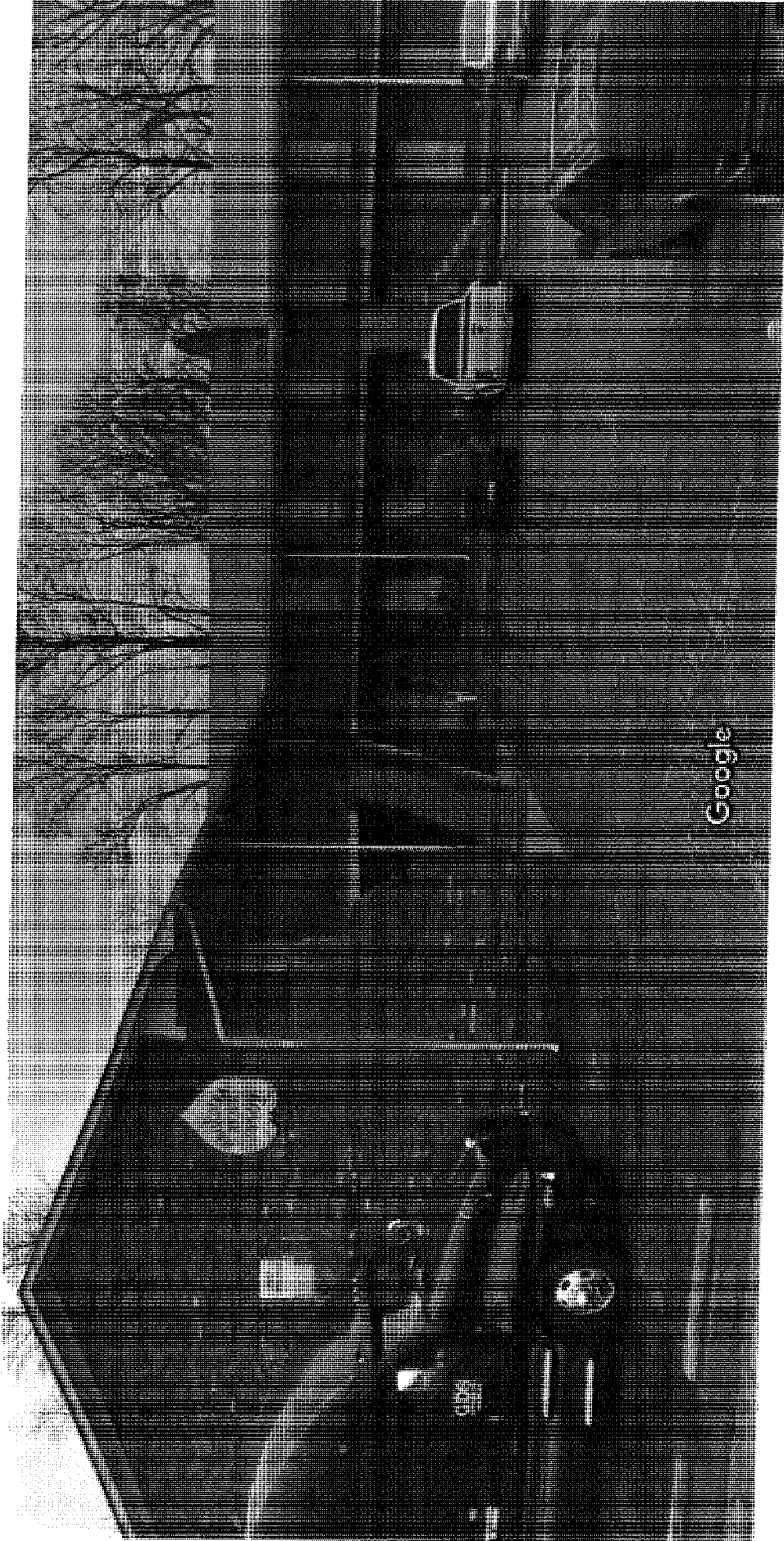
Maroni Q161 Is everything you've told me the truth to the best of your knowledge?

Gadegaard Yes, ma'am.

Maroni We will now conclude the statement, the time is now 1520 hours.

**END OF STATEMENT**

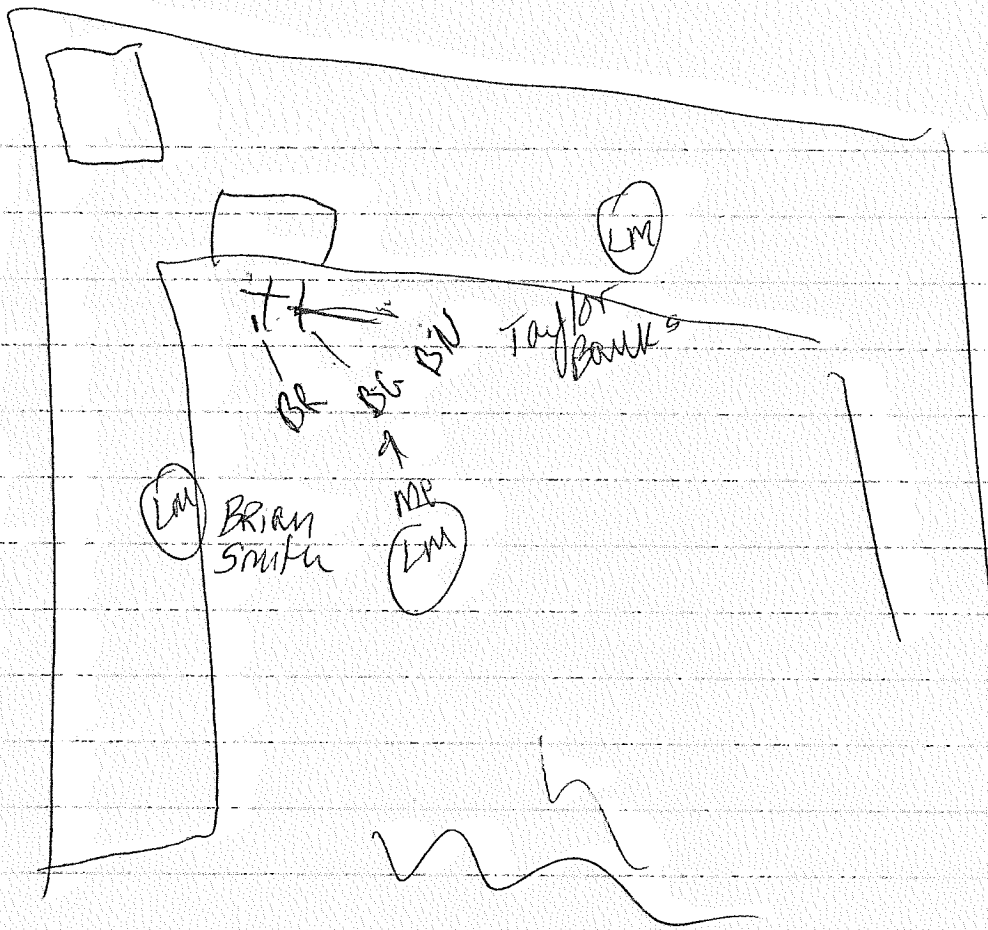
# Google Maps Broadleaf Dr



Louisville, Kentucky  
Street View - Dec 2015

Image capture: Dec 2015 © 2016 Google

USED DURING INTERVIEW GADEGARD 08/15/16 K DOWNS



\* Drawing w/ ofc Beau Gadegaard.  
w/ Leigh Maroni



- Employee
- Employee Home
- Employee Basic
- Education
- Employment
- Information
- Demographics
- Termination
- Supervisor
- Contact Info
- Emergency Contact
- Pay History
- Photo
- Personnel Dates
- Actions
- Reports
- Logs

Personnel Record

**Name:** GADEGAARD, BEAU      **AOC CODE:** 7201      **Rank/Title:** POLICE OFFICER      **EmployeeNo:** 36332

**Personnel Record**

**First Name:** BEAU      **Middle Name:** T      **Last Name:** GADEGAARD

**AOC CODE:** 7201      **Employee No:** [REDACTED]      **Agency:** LMPD

**Current Title:** POLICE OFFICER      **Current Code:** 082210

**Sworn:**       **Parttime:**       **Reserve:**

**Assigned Supervisor:** MILLER, MALCOLM      **Working Supervisor:** MILLER, MALCOLM      **CNS Supervisor:** MILLER, MALCOLM

**Training Coordinator:**

Organization

Current	WorkGroup	Grp	Pos	WorkGroup	WorkGroup Code	WorkPosition Name
Working	796	12759	2ND DIVISION \			
			2ND DIV 2ND PLATOON \	2ND DIV 2ND PLT SQUAD 3	225C	
Assigned	796	12759	2ND DIVISION \			
			2ND DIV 2ND PLATOON \	2ND DIV 2ND PLT SQUAD 3	225C	

This is Sergeant Leigh Maroni of the Louisville Metro Police Department's Public Integrity Unit. Today's date is August 11, 2016. The time is now 1537. We are present at 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office. This will be a recorded statement from Sergeant Robert King. This statement is in reference to PIU case #16-054. Present with me are Sergeant Rob King and Sergeant Kristen Downs of the Public Integrity Unit.

Maroni Q1                      Sergeant, are you aware that this statement is being audio taped?

King                              Yes, ma'am.

Maroni Q2                      Does this meet with your approval?

King                              Yes.

Maroni Q3                      Please state your full name and spell your last name.

King                              Robert King, K-I-N-G.

Maroni Q4                      What is your code number?

King                              7665.

Maroni Q5                      Where are you currently assigned?

King                              Ninth Mobile Division.

Maroni Q6                      How long have you been in that Unit?

King                              Back as a sergeant since February so seven months, six months.

Maroni Q7                      How long have you been on the Department?

King                              Almost ten years.

Maroni Q8                      Are you under the influence of alcohol, drugs or any other intoxicants at this time?

King                              No.

Maroni Q9                      Are you taking any kind of medication that would affect your judgment or your ability to think clearly?

King                              No.

Maroni Q10 Did you sustain any injuries during this situation?

King No.

Maroni Q11 What type of uniform or clothing were you wearing at the time of this incident?

King My Ninth Mobile, my khaki pants and my blue T-shirt with my tact vest.

Maroni Q12 And your blue T-shirt or your tact vest particular, that was worn over your blue T-shirt, is that right?

King Yes, it says Police and it's got my name ...

Maroni Q13 So it does identify you as a police officer?

King Yes, ma'am.

Maroni Q14 Do you have the same uniform or clothing on right now that you were wearing that night?

King( Minus my tact vest, yes, ma'am.

Maroni Q15 Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation. However, you are not the subject of this investigation. Knowing this, are you willing to give us a statement at this time?

King Yes, ma'am.

Maroni Q16 Okay. And I guess, how did you first learn about the situation, and we're talking about the officer-involved shooting.

King Right, just we work till 2:00 and I was in the office doing paperwork, um, I was leavin', I was literally, I didn't have my tact vest on, it was sin the back seat of my car I'm riding down 4<sup>th</sup> Street heading toward the expressway and I hear on the radio, because we monitor basically the First, Second, Fourth and Fifth Divisions, and I heard somethin' about person down, I got a person down, so I'm like okay, with four channels I'm not sure which one it is, if somebody rolled up on something, I have no idea, so I switched over to Channel 3 which is Second Division and First Division and so I quickly realized it was somewhere in the First or Second, and I heard, I don't know who it was, said I got a person



down, um, start me some cars, start EMS, he's conscious, he's not breathing' or whatever he said, and I'm like still it didn't, he wasn't specific about what exactly happened, I still thought maybe he rolled up on somethin', so I'm still goin' down 3<sup>rd</sup> Street toward 264 passing Winkler and all that, and right when I get to like Oakdale, Churchill Downs area, he gets on the radio and he said start me some cars, I got a crowd, start Cos, start PIU and I'm like what just happened, so I didn't know if, just, so I'm like, so in the meantime one of my guys Ryan Whitford was up in the office, he's on the phone, he called me, he goes are you listening to the radio, I'm like yeah, I said I'm heading that way just because, you know, at that time of night, I don't know, a lot of these 12-hour days a lot of these sergeants are acting's or not, and I'm like well I'm here, so I get on 264 and I'm code 3, I'm getting off, by the time I get to Cane Run Road he tells the radio slow everybody down, we're 10-86, but keep me some cars coming, so I come in and I pull in behind, like the scene's over like this way, I parked down the street, my lights are on, I get tout, I grab my tact vest, I put it on, I grab my (inaudible) because I wear like a gun belt, so all I had was my gun and my bags and I'm like crap, crap, so I put my tact vest on to be (inaudible) goin' on, make sure my vest on, and then to obviously be noticeable as the police, so I had my radio and by that time Malcolm Miller's there, I think he's the sergeant on duty and so I'm like I know Malcolm, we've worked together for a while and I'm like dude I'm h ere, what do you need me to do, so at that point he was, the three officers that were there, they were kind of huddled up in the corner, um, there was officers, he was trying to get officers with them just like you know you're supposed to, he's on the phone, radio, he had a lot goin' on, so the two witnesses, I don't know their names, the older lady and the younger lady they're standing there kind of talkin' to each other with a taller black guy and I'm like, Malcolm's like those are the witnesses so I'm like well I'll separate 'em, I'll take care of your witnesses, you take care of this and I will get, so there's two cars sitting there and at the time the younger lady was just so distraught, crying, just hysterical, I sat her in the back, opened the door, and I sat her in the car, her feet were out, you know, her purse was in the back of the car, and she's just bawling just hysterical, so mom, I guess mom's the other lady and I guess it's her son, he's holding her talking to her, and I'm like sir, not to sound rude, I know there's a lot goin' on, but you know, these are witnesses, I really can't have you talkin' to her, and he's like why, you know, I said you can stay with her, but I'd really rather you not talk to her, so by that time I found two officers, one was I think was Helen, I'm not sure of her last name, a new officer, she's a black lady, I said hey where's your car, she's like over there, I said

go get your car, park it over here, and she went and got her car because once we found out these two cars were part of the scene, I got the girl out of the car and I moved her down probably 50 feet behind, you know, it was still a taped-off area, I put her in there, and mom was just, she was just, you know, obviously something crazy going on, so I wasn't asking 'em questions, I was just making sure do you need water, just trying to be, calm 'em down, that's all I was tryin' to do, that was my focus, I wasn't really worried about who was comin', who was over here, I was just keeping' them two from talkin', so the son kept walkin', like he'd walk away, and then he'd come back, and I'm like sir, what is your involvement, 'cause I said are you a witness, and he's like no, no, I didn't see nothin', I was like so either you can stay with mom and hang out with her, or you need to go over here, you can't just keep, this is a scene, so I didn't try to force the issue, but at some point I'm like dude what are you doing, 'cause he keeps tellin' me well I didn't see nothin, but yet he's talkin' to mom about some'm, I'm like I told you sir quit talkin' to mom, and it wasn't like he was, there was a lot of conversation, I really couldn't hear because he was, I was in the middle of both of 'em, so finally we get mom and him over away from the two cars in the scene, mom wants a cigarette, we find her a cigarette, we get somebody to give her a lighter, and we're just, I'm just tryin' to keep everybody happy. So at some point I'm talking to the daughter, and I'm like you need water, and she's like, again I'm not askin' her specific questions, I'm just, because I know how this works and I didn't have my camera because I was off, so I didn't wanna get anything, I just didn't, I mean, my camera, when I left the office I always dock it for the night, so when I got in my car I was goin' home, I had no intention of doin' any type of, it just happened, so I didn't wanna ask her any questions because that's not my job. So she said, she goes well I didn't want this to happen, I'm like ma'am, I said, and then she basically, again I'm like ma'am just relax, and then I'm like well, I was trying to get her to relax, but again it's live, it's ten minutes after it happened, she's talkin', so she says I didn't mean for this to happen, and I'm like I'm sorry, I said I'm sorry it happened, sorry you're in this situation, she goes well I called 911, and I'm like okay, she goes, and then she said something that was kind of like, and again this is the thing that kind of like whoa, she said that before he came into the apartment, you know, she didn't use the words, but he was acting, he had two knives in his hands just acting all crazy, so I guess at some point mom and daughter leave the apartment because she says they're sitting in the car in front of the apartment, and there's the little Kia, Rio or Hyundai sitting with its lights on sitting right in front of like the apartment door, and she's like he got on his knees and he prayed and he said this is

it, I'm done, and she's like what did he mean, so she goes he must have had, and her words were, and I'm not gonna (inaudible) paraphrase, but she basically said well he prayed, she thought that was strange that he, she goes I'm callin' the cops and he's like I'm praying' and so she goes I knew somethin' bad was gonna happen.

Maroni Q17

And what did she say, he got down on his knees and he prayed and said somethin', you paraphrased, and what?

King

She said that like she goes I called the cops and he goes this could be it, or somethin' to that effect where she's like, and then she really got upset because she's like well I called the police, I'm the one that, I said ma'am you did everything right, I said people make choices, I said you made the right choice to call for help and that's what the police do, whatever happens after that was, it's there, so I'm sitting there talkin', I'm tryin' to get her calm and then the son, he's talkin' to mom and he's tryin' to be like mom you don't need to say nothin', you don't need to say nothin', I said sir this is the third and fourth time I'm tellin' you, quit talkin' to mom, and I think my getting the story line between mom and daughter, he wasn't there and they called him, because I don't know if he was driving, was he driving the big brown truck that was parked in the dirt?

Maroni

If it's the same guy I'm thinking of ...

King

Big tall guy, glasses, beard ...

Maroni

Yes.

King

Anyway, well there was a truck parked like in the middle, like someone would just pull up and I'm like so you didn't see it, and he's like no I didn't see nothin, and so I'm like then again you can talk to mom about love, life's gonna be good, but quit talkin' to her about stuff that you didn't know and he's like well she called me for help and I'm like well we're here now, you know, and all the other witnesses that were, the people that lived in that apartment, I mean, not one person said anything negative, like I went to the lady that as the owner, bigger black lady, she actually, I said ma'am do you have a lighter, she's like oh I got a lighter, she gave me a lighter for mom, a cigarette, and of course again I'm not asking questions, I'm just makin' sure mom and daughter are fine, so the daughter's like she's all upset and she's just like man he just didn't listen, so I mean, so I guess she's sitting in the car or wherever, like I said I don't know where she was sitting when all this went down, but you know, her statements to me were: she felt

bad for callin' the police, that she thought some'm bad was gonna happen based on his actions and comments prior to the police comin' after she told him the police were comin', and the fact that they weren't even in the apartment, they were out of the apartment, so they weren't, I don't know if they were, and they were scared, because they weren't in the apartment, they were in the car sitting there while he was in the apartment, and so that's why, you know, when she made those comments that, you know, she told, I apologize I don't know the guy's name, but she said when he prayed, you know, mom and I are like what's he, something's not normal, and so that's why I thought that's a pretty significant comment to make in his state of mind before the police got there, and she described, she didn't like describe the knife but she said he had a knife in one hand and some big old thing, I mean, I don't know, 'cause again I wish I had my camera I would have, so I mean, obviously just the facts that, you know, that's just what she told me, then again after Helen the officer got there with mom and then I can't remember the other officer that was watching the other one, then once I knew, and then the son again he's very demanding and he kept comin' in and I'm like, finally I'm just like Malcolm somebody needs to take care of him because I'm about ready to, because he's not doing anything we're tellin' him, then I assumed that was his truck because his attitude was well I come over here to help mom, 'cause the way he parked, 'cause you know, he wasn't in a space, he was just like someone would show up, like we would show up real fast, park the car, get out and run and again I don't know when he got there, but from my personal opinion he wasn't there to witness anything, he was there after the fact, because you know, my opinion that the daughter and the mom their attitude would have been little different if he would have been there to, because they were sittin in the car apparently so I mean, that's my, from what just, the couple comments she's made that, 'cause the car was runnin', the lights were on, that kind of thing so ...

Maroni Q18

Okay. And your car, the car that you drove there, um, is it a marked vehicle?

King

Unmarked.

Maroni Q19

So I take it, it does not have an Arbitrator camera in it, is that right?

King

No.

Maroni Q20

At any time, did she, or the younger woman or the older woman

make any statements in terms of the specific event, other than he just didn't listen, any spontaneous utterance?

King

Nothin'. No.

Maroni Q21

Did you at any point see anybody, when you got there, do you know now if EMS had been on scene yet?

King

When I got there, there was an EMS supervisor there I think, a big guy, I think he's a major or what, I recognize him, he was there, um, and so when I got there, there wasn't many officers there, I was there pretty quick, um, the scene as, they had taped off the scene up by the apartment door, but the parking lot was still open, um, and I know when I got there, Malcolm had just gotten there, and he was like goin' on, so I made sure, I said let's rope off the entire, I made the scene as big as we could make it just to keep people, gawkers from lookin' in and getting close, um, and then I said once like Major Harper got there, I think Curtis Lipsey he showed up to help too because you know like I said we're all in the same boat, we're all tryin' to help each other, um, and then once the scene just got kind of, some of you all start showin' up, um, I told Malcom do you need anything else, and then I left, so I was there till about 3:340 and then I left and, um, like I said once the officers that had, that were that division had the witnesses in their cars, I didn't go back and talk to, 'cause once we got them, the conversation I had with the young lady was only, you know, she was all upset, I mean, she was just, I mean, you could just, I mean, she was just bawling, and by the time we got her calm and got her in the car till we got her in another car, it was probably, I mean, ten minutes, it wasn't like I was there for a half hour talkin' to her, you know, and again I know the other officer she had a camera, Helen, I'm not sure of the last name, but that's why I was like y'all need to tape this because the things they say, y'all got, you can document everything, me I can't, so that was my other thought, I was like you know she keeps talkin', you know, then we need to make sure that she's, it's documented, again like I said my impression was the brother wasn't there, he got there after the fact.

Maroni Q22

Do you know whose car the older lady went in, or do you know if she did go into the car?

King

Well, she was leaning up against the car, she never went to sit, and finally we got her a chair and we sat her literally in a chair, um, in between some cars in the actual parking space, because she didn't want, and again I'm not trying to push it, if the daughter wanted to sit somewhere like that we would have been happy to do that too, I

think at one point we even let the daughter out to go pee, and she went into the apartment and Helen walked with her, I said just go up there with her and make sure she's fine, don't need to like check the bathroom, anything like that, but just go up there and make sure she can go to the bathroom, so I mean, that was the only really, I mean, like I said I think mom had, somehow she wasn't in great health, she couldn't walk stairs or somethin' so we finally just got her a chair from an apartment or under the steps, 'cause I remember her sitting in a chair in the middle of the parking lot, and I'm like ma'am you sure you don't want to sit in the car, and she's like honey I'm fine, and so I'm like okay, and I never really talked to mom, you know, like I said my only interaction with mom and son or whoever, I think it was a son was just he kept meddling', and again I don't know exactly what their conversation was but every time I'd hear or just kind of glance I'm like sir quit, let mom, mom needs to talk to the investigators, but he was trying, he was very influential, I mean, there's no doubt.

Maroni Q23

Did you at any point talk to any of the involved officers?

King

No. The only officer on scene that I spoke with was the young lady that had the crime log 'cause I went up before I left, I said make sure you put my code number in there, they need to talk to me, and that's all I, Malcolm knew I was there, but just for the official record, I said you need to make sure that I'm on there based on what the lady had told me, I know y'all had a lot goin' on that night and I was like well they can just catch up to me later.

Maroni

Do you have anything?

Downs Q24

When you were talking about the daughter said he got down on his knees, I just want to make sure I understood it right, that was, she said I called the police, I told him I called the police, and then he got down on his knees?

King

If I remember correctly, that's kind of the order that it happened.

Downs Q25

So he got down on his knees and started praying once he knew that the police were coming, is that right?

King

Right. That's my understanding, now again, you know, she's all ...

Downs Q26

And he said somethin' about this, what was it again?

King

Her words, she was paraphrasing what he had said, that "this could be it' or 'this is the end' and she really thought that, she had that

feeling, she kinda said that I knew something bad was gonna happen, and again, I'm just paraphrasing what she told me, and she felt bad because she thought that she was the one that caused ...

Downs Q27

A domino kind of effect ...

King

I said ma'am you did the right thing.

Downs Q28

Was her mother within earshot of her ...

King

No.

Downs Q29

... they were separated, right?

King

Well, yeah, like I said for the most, mom was with son, and she was over there leaning by a car, and daughter was like sitting in, I mean, she was physically like, she could hardly stand up, and I didn't want her falling, so I opened the police car door and I sat her in the car, door was open, and she's just sitting here, and you could tell she was like, I thought she was gonna throw up, she was so upset, and mom was like off in the distance, and so I was just leaning in the door like ma'am you need some water, 'cause I had some water in my car, and I was just trying to get her to relax, just because I knew Malcolm had a lot goin' on, and the quicker we get her calm, the better, mom would probably feel better, because the daughter was making mom upset and then the daughter would see mom, it was just one of those, just like if you saw your mom upset, you know, it makes you worse, and so I was just, my questions were geared toward her well-being, it wasn't nothin' to do with what happened, but she just kept tellin' me things and I'm just like, I didn't wanna be rude, but again I didn't wanna, I wasn't askin' questions, 'cause you know, I know how that works ...

Downs Q30

Just there listening ...

King

Right, just being a good listener.

Downs Q31

Um, and then you said at some point the daughter, the female officer like escorted her towards an apartment?

King

Yes, she went upstairs in one of the apartments to go to the bathroom?

Downs Q32

So it was an upstairs apartment, not anywhere near ...

King

No, I don't know if you remember, it's like a L shape or whatever

it was, a U-shape, there's a part with steps in the middle, concrete steps in the middle of the complex, she went up there, and I didn't pay attention what door she went in, 'cause she went upstairs to the bathroom and she left her purse on the car, I mean, she was just, so I'm standing there watching her purse 'cause I'm like well ...

Downs Q33

Do you know about how long you stayed, you said you got there around 3:30?

King

Well, I left at 3:30.

Downs Q34

You left at 3:30.

King

I got there, I mean, the call came out, I don't know what time the exact call came out, 1:30, I called on the radio on scene, put me on that urn or whatever because, you know, I just wanted to make sure everybody knew that I was there, especially before I even got there, I was like put me on that run, because I didn't know what was goin' on, if there was more officers, I had no idea, and since we're workin' why not so ...

Maroni Q35

I guess that's all I've really got. Are there any questions that we haven't asked you or any other information that you have that may be beneficial to this case?

King

I mean, no, and I think, just the daughter's, you know, right after I get there, you know, it just happened, so she's, I think she's very truthful, I think she's very, I think there's no time to really think of any other, what really happened, um, and that's why when she said what she said about him prayin', um, it kind of like, it kind of sunk into her that maybe he had a premonition of what was gonna happen, and she felt bad that she was the, like you said started the domino effect of calling 911, and I never, you know, I never asked were you scared or anything like that, but just because that wasn't my job, my job is to make sure she stayed away from om and quit talkin', and then when she told me that he prayed, and then that really once the police got there, and then you know, of course whatever she told you all, but you know, she just said that she felt that she was the one that caused all this, and I think I made the comment like ma'am everybody makes choices, you know, you did the right thing to call us 'cause that's what we do, we're here to help, after that it's not in our hands, and then she's, you know, like I said my conversation with her lasted, I mean, it wasn't even a conversation, it was more one-sided, I was listening, she was talkin', probably ten minutes at the most because again I was just, she was sitting in the car and she's upset, she wants to call people



and I'm like ma'am hold on who are you callin', we can't call anybody, you know, I said here's why, just like any other investigation you know we need to make sure that what you're, that we don't need influences, just like you know, like the officers are gonna be taken somewhere too, they can't talk to anybody either because this is important, we gotta do it right, and she's like okay, so I remember she put her phone in her purse and then like I said the son kept comin' back and forth, and he never really got the daughter, I don't know if that's his sister or how they're tied together, but he got to mom and, uh, again I know three or four times I told him specifically quit talkin' to your mom about, I think I even pulled him aside and was like look, I know you care about her, and I know she's gonna be fine, you can sit with her, but it's very important that she tells the investigators what happened without any influence, I said just like anything else, just like, you know, I may have, of course I'm not required, but I said Tom Brady, you gotta talk to him about the balls, you know, you can't have any influence, and he's like okay, okay, okay, but then he kept just doin' it anyway, so at some point I'm like just fight the battles worth fighting so ...

Maroni Q36 Is there anything you want to state for the record before we end?

King No, I think it's all pretty much the best I can remember.

Maroni Q37 Is everything you told me the truth to the best of your knowledge?

King Yes, ma'am.

Maroni We will now conclude the statement, the time is 4:04 or 1604.

**END OF STATEMENT**

**POLICE OFFICER RECORDED STATEMENT FORM**  
**WITNESS**

**OPENING**

This is Sgt. Leigh Maroni of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is 8-11-16.

The time is: 1:537.

We are present at: 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** \_\_\_\_\_

This will be a recorded statement from Officer Sgt. Rob King.

This statement is in reference to PIU case # 16-054.

Present with me are Officer Sgt. King, Attorney N/A,  
and Sgt. Kristen Downs of the Public Integrity Unit.

Officer, are you aware that this statement is being video and audio taped? yes

Does this meet with your approval? yes

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name. Robert King

What is your code number? 7665

Where are you currently assigned? 9th Mobile Div.

How long have you been in that Unit? Feb 2016 (6-7 months)

How long have you been on the Department? 10 yrs

Are you under the influence of alcohol, drugs or any other intoxicants at this time? No  
(If so, what are they?)

Are you taking any kind of medication that would affect your judgment or your ability to think clearly? No

Did you sustain any injuries during this situation? (If so, please describe.) *No*

Did you receive medical treatment? (If so, where and by whom?) *N/A*

What type of uniform or clothing were you wearing at the time of this incident? *Khaki pants, blue T-shirt + TAC Vest*

Do you have the same uniform or clothing on right now?  
*Yes Minus the TAC Vest*

### RIGHTS WAIVER

Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation; however you are not the subject of this investigation. Knowing this are you willing to give us a statement at this time.

### START THE STATEMENT/INTERVIEW

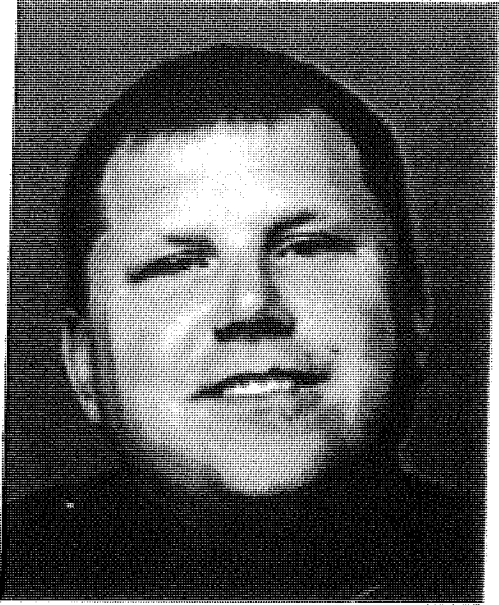
### ENDING THE STATEMENT

Are there any questions we have not asked you or any other information you have that may be beneficial to this case? *No - Just the daughter seemed to be truthful - seemed she had a premonition of what was going to happen + she felt bad b/c she called the police. Was only with her 10 minutes.*

Is there anything you want to state for the record before we end? *No*

Is everything you told me the truth to the best of your knowledge? *yes*

We will now conclude the statement. The time is: 1604.



- Employee
- Employee Home
- Employee Basic
- Education
- Employment
- Information
- Demographics
- Termination
- Supervisor
- Contact Info
- Emergency Contact
- Pay History
- Photo
- Personnel Dates
- Actions
- Reports
- Logs

Personnel Record

**Name:** KING, ROBERT      **AOC CODE:** 7665      **Rank/Title:** POLICE SERGEANT      **EmployeeNo:** 29649

Personnel Record

**First Name:** ROBERT      **Middle Name:** J      **Last Name:** KING  
**AOC CODE:** 7665      **Employee No:** [REDACTED]      **Agency:** LMPD  
**Current Title:** POLICE SERGEANT      **Current Code:** 0B2180  
**Sworn:** ✓      **Parttime:**      **Reserve:** [REDACTED]  
**Assigned Supervisor:** HIBBS, WILLIAM      **Working Supervisor:** HIBBS, WILLIAM      **CNS Supervisor:** HIBBS, WILLIAM  
**Training Coordinator:**

Organization

Current WorkGroup	Grp : Pos	WorkGroup	WorkGroup Code	WorkPosition Name
Working	339 : 0	PATROL SERVICES \ 9TH DIVISION \ STREET PLATOON 4	STREET PLATOON 4	
Assigned	339 : 0	PATROL SERVICES \ 9TH DIVISION \ STREET PLATOON 4	STREET PLATOON 4	

This is Sergeant Leigh Maroni of the Louisville Metro Police Department's Public Integrity Unit. Today's date is August 11, 2016. The time is now 2044. We are present at 3411 Boehne Avenue, the Second division substation. This will be a recorded statement from Sergeant Malcolm Miller. This statement is in reference to PIU case #16-054. Present with me is Sergeant Miller and Sergeant Kristen Downs of the Public Integrity Unit.

- Maroni Q1                      Sergeant, are you aware this statement is being audio taped?
- Miller                              Yes, ma'am.
- Maroni Q2                      Does this meet with your approval?
- Miller                              Yes, ma'am.
- Maroni Q3                      Please state your full name and spell your last name.
- Miller                              My full name is Malcolm M-A-L-C-O-L-M, Xavier X-A-V-I-E-R, Miller M-I-L-L-E-R.
- Maroni Q4                      What is your code number?
- Miller                              My code number is 2026.
- Maroni Q5                      Where are you currently assigned?
- Miller                              I am currently assigned to the Second Division Second Platoon, third squad.
- Maroni Q6                      How long have you been in that Unit as a sergeant?
- Miller                              I have been in this unit as a sergeant for two years.
- Maroni Q7                      How long have you been on the Department?
- Miller                              I have been on the department since 1999.
- Maroni Q8                      Are you under the influence of alcohol, drugs or any other intoxicants at this time?
- Miller                              No, ma'am.
- Maroni Q9                      Are you taking any kind of medication that would affect your judgment or your ability to think clearly?

Miller No, ma'am.

Maroni Q10 Did you sustain any injuries during this situation?

Miller NO, ma'am.

Maroni Q11 Did you receive medical treatment?

Miller No, ma'am.

Maroni Q12 What type of uniform or clothing were you wearing at the time of this incident?

Miller I was wearing a Class B uniform similar to the one that I have on currently.

Maroni Q13 And that's my next question, do you have the same uniform or clothing on right now?

Miller Not the same, but the same as in the description.

Maroni Q14 Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation. However, you are not the subject of this investigation. Knowing this, are you willing to give us a statement at this time?

Miller Yes, ma'am.

Maroni Q15 Basically if you could just tell me how you first learned about this situation and what transpired.

Miller Well, I was monitoring the radio on Monday, August 8, um, approximately 1:30 in the morning, um, I overheard a call for service directing officers to the Shanks/Shagbark area, uh, I assumed it was that I'm a little unfamiliar with that area with all the streets, Broadleaf I assumed it was there, those apartments, um, while monitoring the radio I heard Officer Brian Smith, that's his primary assigned area, he was 226-Baker respond to the area, he wasn't too far off, he called on scene, um, shortly thereafter the officers, the unit with Officer Gadegaard and Tailor stated that they would go and back him up.

Maroni Q16 Do you know what that call for service was specifically, did you hear that or not?

Miller I did hear the call for service, the call for service was domestic related, it stated that a boyfriend had broken into his girlfriend's apartment and was armed with knives, multiple knives, um, she stated that, and I believe this is according to dispatch, the person, the subject involved that was armed was riding a pink bicycle and he may have left on the bike, um, so those two units, uh, being a two-man with Officer Gadegaard and Taylor responded to that run, I think they were riding as 223-Baker I think, I'm not certain on that, 223 or 225-Baker ...

Maroni I have a copy of your run-down form that night, would that help you at all?

Miller Yeah, I didn't put 'em in the car together, um, but I think they were 223-Charlie is probably what they were, um, at that point, yes, they were 223-Charlie. Um, at that point, maybe a few minutes after Officer Smith showed up on scene, they called on scene shortly thereafter, um, I was monitoring another run that I thought was serious, um, when I heard Officer Gadegaard come on the air and state that he had shots fired, one down. I wasn't exactly sure what that meant, I waited before getting on the air because in case there was an unrelated incident to the domestic that I didn't want to be talking on the air when they needed the air, so I just let, I started their way, in their direction, started towards the Shanks and Shagbark area, um, and they advised while I was en route that it was in fact an officer-involved shooting, they also got on the air and asked for EMS, the ETA, um, they gave a description of the downed subject's breathing, um, they gave constant status updates, officers from throughout our division and the First Division stated they were going to assist and at that point not too long after that I was able to arrive and work on first making sure my officers were okay, and then further securing the scene, separating witnesses and calling all the appropriate units that needed to be contacted.

Maroni Q17 The first thing you did, you said well you got there and you checked to make sure your officers were okay ...

Miller Yes.

Maroni Q18 ... was EMS on scene before you got there or did they arrive after, or do you know?

Miller I think they arrived from a different direction about the same time that I did, I parked a distance away so that I could block the street from another direction, but I think they arrived maybe right as I got there. Um ...



Maroni Q19 I have to ask, did you ever go and check on the victim?

Miller The victim was deceased, I did go and check on his status, it was, uh, very apparent from his injuries that he was deceased, um, from my experience.

Maroni Q20 What did you see in terms of the victim at that point?

Miller I saw the victim laying on his side, almost in a fetal position but not quite, and I saw a weapon that, at first glance to me because it was dark, it appeared to be a machete, so that was my first inkling of what it was, I believed that it was a sharp-edged weapon, um, and I saw him, um, maybe a foot from the doorway, um, I saw the officers all standing by in what I assumed the position of which it occurred.

Maroni Q21 And at any point, did you talk to any witnesses on scene or, I know you had a lot on your plate that night; you were the only sergeant on the scene, from my understanding.

Miller Yes, ma'am, my discussion with the witnesses was more or less trying to comfort them, because I understand it was a traumatic situation, I was trying to comfort them but also get them to understand that we had an investigation to do, um, to benefit them as well as benefit my officers, um, so I did separate them or do my best to separate 'em, I got my officers to take one in one direction, one here, try to make them as comfortable as possible, so that we could make the investigation as smooth as we could, given the circumstances.

Maroni Q22 Did they ever make any statements when you were comforting them about the incident itself, or any spontaneous utterances or anything that you can recall that they may have said?

Miller The actual owner of the property, the mother, and I don't know her name, she only made a statement, and I can't put it in verbatim, but I can say that she made a statement as though she was saying that had she not called the police, he wouldn't have been shot.

Maroni Q23 And you thought that was the mother or the lady that lived there?

Miller That was the mother, she was stating that she was basically blaming herself for him getting shot, that's what I'm getting at, she was blaming herself for him getting shot.

Maroni Q24                      And at any time, did you talk to the officers in reference to what happened?

Miller                              Um, Officer Taylor, um, they were all pretty much in shock, Officer Taylor is who I talked to, um, or not Officer Taylor, officer Taylor Banks, um, mainly I was trying to comfort them, um, I asked them did they have their cameras on, and they all stated yes, and Officer Banks came to me, um, while I was trying to really give them some comfort 'cause they were traumatized, they were really, really shook up, and Officer Banks gave me a brief description of what happened.

Maroni Q25                      Do you recall what he said?

Miller                              He stated that they came up after officer Brian Smith did, he and Officer Gadegaard, they saw Officer Smith approach the doorway, um, where the subject was, where the suspect was inside, and he was armed, when they came up they saw that officer Brian Smith had his service weapon in his hand to his side and he was talking to the suspect, he said that the suspect charged them, he said that they pulled their guns because they saw him with his gun out, he said the suspect charged them and they fired shots, he charged them with his weapons in hand or with a weapon in hand, and they fired shots, they fired until the threat was over.

Downs Q26                      And I don't know, it may be helpful to just kind of draw the little apartment complex out, but I'm just curious if you can kind of in more detail describe when you, like which angle did you approach from?

Miller                              I came in from the Shanks side ...

Downs Q27                      And what side's that?

Miller                              That's south, that would be south, I came in from the south and pulled in because of my unfamiliarity, I worked down here as an officer but then coming back after ten years, being gone for ten years, I was a little rusty, still a little rusty even in the daytime for that beat, so I came down and I turned into what I was expecting, it was Broadleaf and boom, there's Broadleaf, so I came in from that, I came in from that direction and went north, um, I pulled up past the first, I think there's a first set of apartments, and the second set of apartments is where the actual shooting took place.

Downs Q28                      So you're driving north on Broadleaf?

Miller Yes.

Downs Q29 Okay. So you stopped your car and blocked the road?

Miller Yes.

Downs Q30 And so how far away are you when you're, at what point did you stop your car, you know how you can turn into the apartment complex from either the north side or south side from where you're at there ...

Miller Right. I stopped at the south entrance to that actual apartment complex.

Downs Q31 And so then when you get out, if you can like in detail describe what do you see when you're getting out.

Miller Um, I see two officers' cars pulled up into the parking lot side by side, I see officers in the corner, I see tape, officers putting police line tape up, um, at this point I'm really trying to take a good overview of what I had and seeing whether or not I need to expand my crime scene, um, so as I go in there I'm really trying to take account of who is there as well, I noticed EMS, I know the EMS major that showed up, I don't know him by name, but I know who he is, I see him there, they're walking toward the corner, um, as a matter of fact, now that I'm really playing it out in that fashion I'm able to understand that, um, I probably arrived there before EMS, I think the EMS major might have gotten there first, but the actual medic, I think they got there second, or they got there after I did, um, because we started, I stated I needed tape here and tape there and tape here and I wanted to expand it bigger, I said I need it bigger, I need it bigger, um, so I was directing my officers that were there initially to expand the crime scene, at that point I see the mother and daughter, I identify who they are, I see some officers, I immediately say you need to grab her, you need to grab her, they need to be separated, there's also a son there that I get identification that he wasn't involved, and I try to separate him from his mother, um, that became a lot of what I had to deal with was keeping her from being tainted by someone who was comforting her, and try to help the investigation by giving somebody that's willing to talk, um, some kind of comfort without them talking amongst themselves, so I went over to the immediate area of the crime scene, I went over there, we're making sure that we have, I see one of my officers has started a log, um, and then I go into talking to, I see the suspect on the ground, uh, I take a good look at kind of the whole totality of things, asked officers are you

okay, you're not hurt, you're not hurt, you okay, we're gonna be all right, just reassuring them that what they've gone through they're gonna make it through, um, then at that point, um, just before I walk away to ensure that the witnesses are separated and that the crime scene is expanded, Officer Banks talks to me, and I didn't ask him any questions, I just let him tell me what happened.

Downs Q32

And just so I make sure I understand, the EMS major was walking up as you're pulling up getting out of the car, so he was there either at about the same time or ...

Miller

At about the same time or right at the same time, um, and then he came up to me as I'm walking around calling people and directing people around, he walks up to me and says I had to wait for them to call it ...

Maroni Q33

The EMS major did?

Miller

Yes, he comes to me and says I had to wait for the medic to arrive to call it.

Downs Q34

So he says that he has to wait for the medic, is the medic there?

Miller

The medic, that was as I walked away, I don't know what kind of time frame we're talking, they might have walked in right behind me, I turned my back to the whole thing and was dealing with the witnesses and the expansion of the crime scene, um, and any number of other things, and by the time I turned back around, the EMS major, he comes and talks to me, and I look, and the medic, they're there, so I didn't ...

Downs Q35

Are they dealing with the victim ...

Miller

Yes.

Downs

... so they're dealing with him right now.

Miller

Yes ...

Downs

.. and checking him and actually calling it I guess at that point?

Miller

Right.

Maroni Q36

Now when you say call it ...

Miller Call it means that they had to make sure that he was actually deceased, pronounced him dead at the scene.

Downs Q37 And I know that there were a million things going on and you're directing a bunch of people in different directions, do you remember when you pulled up who all was there besides Gadegaard, Smith and Banks, do you remember who else you saw there?

Miller Um, Gadegaard, Banks, Smith, Holman ...

Downs Q38 So Holman was there before you?

Miller I'm pretty sure Holman was, she had the crime log, crime scene log.

Downs Q39 And so they had started a log before you got there?

Miller They had started a log before I got there, um, Gadegaard, Holman, Smith, I'm pretty sure McConnico he was there, I think the others, they came right about the same time, if not after I got there, so that would have been, yeah, all the others that actually, 'cause I had them block off things and stuff like that, so that was, um, I'm trying to think who else it was, um, Culver was the other, I had him expand the crime scene, initially he and McConnico were getting tape, expanding the crime scene 'cause I think I did it like three times, I was like no, no, that's not what I want, I want it bigger.

Downs Q40 So Culver was there either right before or right about the same time?

Miller( Right before or right about the same time, I'm not sure.

Downs Q41 And so you task McConnico and Culver with expanding, with taping and making sure the tape was up?

Miller Yes.

Downs Q42 Okay. Do you remember, so Holman had the log ...

Miller She had the log.

Downs Q43 ... do you remember any other people that you gave specific tasks to, I mean, I don't know that I would remember, I'm just saying do you remember by chance ...

Miller Yes, I do, I gave Officer Helen Walton-Johnson, I gave her the task of having the daughter, so she had her down at her car, she stood there with her, the daughter did not want to get in the car, that's fine, but you're gonna stay down here, um, the mother, I had Andy Anthony, she had the mother, um, so she stood there with the mother and the son, and I said that the son could stay there with the condition that there was no talking about, and most of the time I really tried to really keep a good eye on mom, that was my main thing, because the daughter was the one that was the initial call, she was the one that called for service, so I made sure, I really watched 'em, and I don't know if son might have whispered something to her, but he was ...

Downs Yeah, he's gonna be comforting ...

Miller .. and she most of the time hugged and said she didn't want to talk to the media and stuff like that, that was the main thing she said, she didn't want to talk to the media, I don't wanna talk to the media, I don't want the camera in my face, I don't want that, and I was assuring her that there would be no camera in her face, that she didn't have to talk to any of them at all, that was not an option at that point.

Downs Q44 So officer Walton-Johnson, her vehicle was pulled into the parking lot, is that correct?

Miller That was after, that was I think after I got there she pulled in around me, 'cause there was there cars at that point and they took the daughter back to the car.

Downs Q45 And when you aid Officer Anthony was standing with the mother and the son, was she ...

Miller ... right next to either Brian's car or Taylor Banks' or Gadegaard's car, whoever that was.

Downs Q46 So she didn't pull her car up in there ...

Miller NO, she didn't ...

Downs Q47 .. she just stood there with them?

Miller She just stood there with them.

Downs Q48 Did they have tape already up in a smaller area when you first got there ...

Miller They did.

Downs Q49 .. .and that's when you had 'em do an outer perimeter?

Miller I had 'em really,' cause I wasn't sure, um, just due to my experience, crowds gather, they wanna trample, this is an apartment complex, albeit a small one, but trying to keep people, they'll say I have the right to come in and out of my door, I needed to expand it.

Downs Q50 Were there a lot of people out when you got there?

Miller There were a number of people, I think everyone that was actually a resident there seemed to, that was home seemed to have actually been out on their balconies and stuff, but they didn't offer a lot of, they didn't offer a lot of resistance, they were very tame, it was very tame, very quiet, actually it was really quiet, officers were very quiet, there wasn't any, there was very little talking, I think I was about the only one runnin' their mouth at the time.

Downs Q51 When you walked up there, so you see the witnesses and you've directed officers to each stand by with each witness, when you're walking up you said you saw the officers in various positions of where it might have happened, do you remember who was where, or where they were in proximity to the scene or ...

Miller Officer Smith was to the left of the door, um, Officer Gadegaard was center, Officer Taylor Banks was to the right, and at this point I didn't know how they approached the door, um, I just saw how they were lined up, I wasn't sure how they made their approach, but I know that I took a look down at the shell chasings and I took a look down at, making sure that nobody stepped on 'em or manipulated, making sure everything stayed where it needed to be, um, I saw mags, dropped magazines, um, and from that point I really backed out, I didn't want to disturb anything, and I was asking that they back out and we just keep the one person there because there was nobody coming in and out, we had a person that's holding the crime log and we can just maintain that.

Downs Q52 And was that Holman?

Miller That was Holman, it wasn't too much longer after that that Homicide showed up and were able to separate the officers and put them in cars, I mean, that happened really quick, um, Detective Jason Vance showed up and he was able to help me out with that, um, Officer Bryan Royse or Detective Bryan Royse and Detective

Holly Hogan, they were able to show up and help us separate the officers, put them in cars, and people are really, um, I think that helped out a lot, especially with that, um ...

Downs Q53

So you were able to, the officers were all put in separate cars?

Miller

They were all separated, put in cars, there wasn't any talking done, uh ...

Downs Q54

And when you said that they were left, center, and right, are they, I guess they're in between the, there were two vehicles parked in the front, those front parking spaces, like I think that one was like a little SUV or small truck ...

Miller

Yes.

Downs

.. and then the silver car, a little Kia ...

Miller

Yes, ma'am.

Downs Q55

They were in between the car and the apartment or where were they?

Miller

They were on the other side, so there's the upstairs stairwell that takes you to the top, they were on the other side of the stairs, so they were close to, the incident happened, I mean, from what I estimated, it happened between ten and seven feet ...

Downs Q56

So when you say they were left, center, and right ...

Miller

In the corner ...

Downs Q57

In the very corner?

Miller

In the very corner, um, Officer Smith was, they were not in the parking lot, they were clearly in front of the door, um, they were ...

Maroni Q58

Around the deceased?

Miller

Around the deceased. Officer Smith, Officer Gadegaard and Officer Banks, they were right there within, I mean, seven to ten feet.

Downs Q59

But right near ...

Miller

In the immediate area, they were in the immediate area, um, so that



led me to believe that it happened very close, um, that he had sprung out of the door and charged 'em.

Downs Q60 Do you know, did they have their, you said they did all have their cameras on or they thought they all had their cameras on or something?

Miller I asked, I said do you guys have your cameras on, and I got a response of yes, I don't remember who it was, but that was my main, I said hey you guys got your cameras on, right, yes, and I think I said to them you can turn 'em off now, um ...

Downs Q61 Okay, so you were there, situation is under control at that point ...

Miller Yes.

Downs Q62 And so you told them that they were okay to go ahead and turn 'em off?

Miller I think I told 'em they were okay to go off, I'm not a hundred percent certain on that, primarily because there was a little distraction there, there was a little bit of distraction, um ...

Downs Just going by whatever, what you can remember.

Miller Right. I don't like using this term, but in my head I told them to turn it off, whether that came out or not ...

Downs I've done that before, I think I said, you know, where you think you say it and you're like did I say that especially with everything going on, yes ...

Miller With how serious this is, I'd much rather say for certain that I did something, but in my head...

Maroni I don't want you to say you did if you're not sure.

Miller Yeah, I'm not sure.

Maroni Q63 Obviously after this, I don't know if you've watched the news or you've followed any of the press conferences or anything like that are you aware that the WVS or the cameras or body cameras had been released?

Miller Yes, ma'am.

Maroni Q64 Did you at any point ever watch those or watch that?

Miller Um, I did.

Maroni Q65 On that video, um, the officers are kind of, I don't know if it's hand sanitizer or what, but they're kind of cleaning up, do you know what that was in reference to or why they were wiping down their hands?

Miller I'm unaware, I'm unaware of, I think I was mainly focused, I'll let you guys ask me any questions.

Maroni That's fine, I mean, you had a lot going on, and you may, you know, I'm just asking your opinion from watching the WVS, I have my own opinions on what they were probably doing, but ...

Downs If you don't have any first-hand of why ...

Maroni .. that's fine, and you didn't see it anyway so, um okay. Um, I don't know that I can think of anything else right now.

Downs Q66 Did either Officer Smith or Gadegaard, did they say anything to you, I know you said that Officer Banks talked to you, but did Officer Smith or Gadegaard talk to you about it at all or ...

Miller No, ma'am.

Downs Q67 Did any of the other officers say anything that they had observed or heard while they were there, like Officer Holman was there before you obviously, did she make any statements about anything that she observed or anything?

Miller No, she did not, um, I think Officer Andy Anthony was talking to me about what the mother was, that's how I got some of what she said, you know, I don't wanna talk to anybody, what I'd heard the mother say was I don't wanna talk to the news, and I went up and was goin' back and forth, but I think Officer Anthony might have heard somebody say, heard more of what the mother was saying at the scene.

Downs Q68 Was there ever, and correct me if, this may have been something that I just heard wrong, was there at some point a question of whether or not the mother had an injury on her or had been cut at all?

Miller There was a question, but I asked her had she been injured, is everybody okay, had she been injured, and neither one of them

said they needed medical attention, furthermore, we had EMS there, EMS probably went up to 'em, they were there for a while, I'm sure that they went, we had 'em separated, so they had time to go, the major was walking around, not in the immediate, right there within the scene, but not in the immediate area, so I'm sure that they were offered some kind of assistance, but because I was walking over here or walking over there and ...

Maroni Q69

Do you have a camera assigned to you?

Miller

I do.

Maroni Q70

Do you know if your camera was rolling that night?

Miller

I did not, and the reason is because I looked at it as a homicide investigation, and that was prior to me arriving, and then when it was an officer involved shooting, I just didn't turn it on.

Downs Q71

Do you know if officer Anthony or Officer Johnson ...

Miller

I think most of us didn't because of the, you know, we show up on a homicide scene and the camera's off, so that's one thing that we're pretty serious about, we don't wanna mess up anybody's investigation.

Maroni Q72

How often do your guys and girls upload their Arbitrator?

Miller

Most of us do it every day, um, most of us do it every day, they do it before, because we have a large number of officers that don't have take-home cars, they don't have assigned vehicles, they have to leave their cameras here, and so they leave 'em overnight most of 'em do, um, so they do it pretty frequently.

Maroni Q73

We're talking about car video as well.

Miller

Car videos.

Downs Q73A

Their Arbitrators in their vehicles.

Miller

I'm very ignorant of that ...

Maroni

I am too, that's why I'm trying to ask.

Miller

I'm very ignorant of that, most of them, um, most of the Arbitrators, the ones that they, I'm sure they have to do it pretty frequently, but a lot of the cars now don't even have ...

Downs The newer ones don't, some of 'em they're puttin' 'em out without the Arbitrators.

Miller Yeah, like I have a Arbitrator in my car but I don't know how to download it, uh, so because I have a camera, I rely on the camera, 'cause it captures the same thing, um, so that's kind of where I come from in a supervisory role, but most of the guys that do traffic stops and they have a Arbitrator, I imagine they have to do it pretty frequently. I don't get anything, 'cause we do get notified when people haven't uploaded or handled the Arbitrator correctly or done stops forms, and I don't get a whole lot of those.

Downs Q74 Do you know if, would you be able to give us a list of which cars the other responding officers are driving that we would be able to look specifically if they had any video, or do they switch around cars, I mean, I guess in particular, um, Officer Walton-Johnson, is she in an assigned pool car or ...

Miller She's in an assigned pool car, I can tell you this, that I purposely I had to go after the fact get officer Smith's keys, he does have a Arbitrator, his camera was actually still rolling well into, it was still rolling while we were, I think by the time you guys might have even got there, no, it was before you guys got there, but I had to get the keys for his car and turn his Arbitrator off, and that was well after, well into the investigation, so his car was at least rolling, um, as far as Banks and Gadegaard, their memory card was taken that morning, um, as far as anyone else, uh, Officer Johnson, um, I'm not sure if she had hers rolling, um ...

Downs Q75 But she has an assigned car though?

Miller She does have an assigned car, um, as far as everyone else, I don't think there was anyone lese that had their car within a place where they would have actually captured anything, McConnico was the next person, McConnico and Holman, but they were parked out on the street, they were parked out on Broadleaf and I think they were parked in maybe opposite directions or I don't exactly ...

Downs Yeah, I remember that Officer Johnson, her vehicle was in the lot by the time we got there, so that's why I didn't know specifically about hers ...

Miller Yes, absolutely.

Downs Any other questions?

Maroni I can't think of any. You?

Downs Q76 Lemme just flip back through to just make sure there's nothing that we've missed here. ... I guess why were Banks and Gadegaard riding two-man that night, do you know?

Miller Um, partially because one of their cars, I think it was Officer Gadegaard, his car was in the shop, it had been towed or was being towed to the shop in the morning, um, the other thing is we encourage them to ride two-man simply because of, um ...

Downs Immediate backup right there ...

Miller Immediate backup, absolutely.

Downs Q77 Did Officer Smith have anybody else ride, I know you said they called off they ere gonna back him up ...

Miller He did not. They were gonna go back him up. He was by himself.

Downs Q78 Was he riding that beat by himself?

Miller No, well, at the time he was by himself, his beat partner, we had a hospital detail going on, his beat partner was at the hospital, they had just switched out, they'd switched out and that was the first run that he got after he left the hospital, so he made the run and, uh, the other officer was at the hospital sitting on the suspect.

Downs Q79 And you may or may not know, do you know if the officers were familiar with that location or if they'd made a lot of runs there before, or are you aware?

Miller I can tell you that I don't think they were familiar, uh, Officer Smith, when you're dealing with those apartment complexes, there's any number of people that have the same problems, so I don't think he was familiar with them in particular, that tone, where you hear, and I hear the runs come out, I'm usually pretty familiar with hearing okay apartment, well it's the same guy, okay.

Downs I think every division you've got those runs where it's like you know ...

Miller We know the address, I don't think that that was one that rung a bell for me either. WE don't get a whole lot of runs on Broadleaf.

Downs Anything else?

Maroni I don't think so. Are there any other questions that we've not asked you, or any other information that you have that may be beneficial to the case?

Miller No, ma'am, not to my knowledge at this point.

Maroni Q80 Is there anything you'd like to state for the record before we end?

Miller No, ma'am.

Maroni Q81 Is everything you've told me the truth to the best of your knowledge?

Miller Yes, ma'am.

Maroni Will now conclude the statement, and the time is now 2127.

**END OF STATEMENT**

## Louisville Metro Police Department Use Of Force Report

**Incident Entered By:** Police Sergeant Malcolm Miller

### Incident Details

---

<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
8/8/2016	8/8/2016	01:45
<b>Record ID #</b>	<b>Incident Control #</b>	<b>IA No</b>
35968	80-16-067279	
<b>Date/Time Entered</b>		
8/8/2016 09:21		

### Incident Summary

---

Officers responded to a domestic with violence involving a man armed with a knife. Upon arrival officers were advised by the victim that the subject was inside her apartment armed with knives. Officers approached the door of the apartment when the subject exited with two knives in his hands. Officers gave loud verbal directions for the subject to drop the knives. The subject refused to comply and charged officers. Officers fired multiple shots striking the subject and stopping the threat. PIU will be investigating the incident and has the WVS footage. CSU has photos of the scene.

### Incident Location

---

- 4509 Broadleaf DR, Suite/Apt: 4, louisville, KY 40211

### Use of Force Specific Information

---

<b>Reason for Use of Force</b>	<b>Service Being Rendered</b>	
Active Aggression	Call for Service	
<b>Weather Condition</b>	<b>Lighting Condition</b>	<b>Distance to Citizen</b>
Clear	Street Lights	7 feet to 10 feet
<b>Citizen Injured</b>	<b>Citizen Taken to Hospital</b>	<b>Citizen Arrested</b>
Yes	No	No
<b>More than 1 Citizen Involved</b>		
No		
<b>Citizen's Build</b>	<b>Citizen's Height</b>	
Medium	5'10" to 6'0"	
<b>Officer Assessment of Citizen Condition During Incident</b>		
<b>Officer(s) Injured</b>	<b>Officer(s) Taken to Hospital</b>	
No	No	

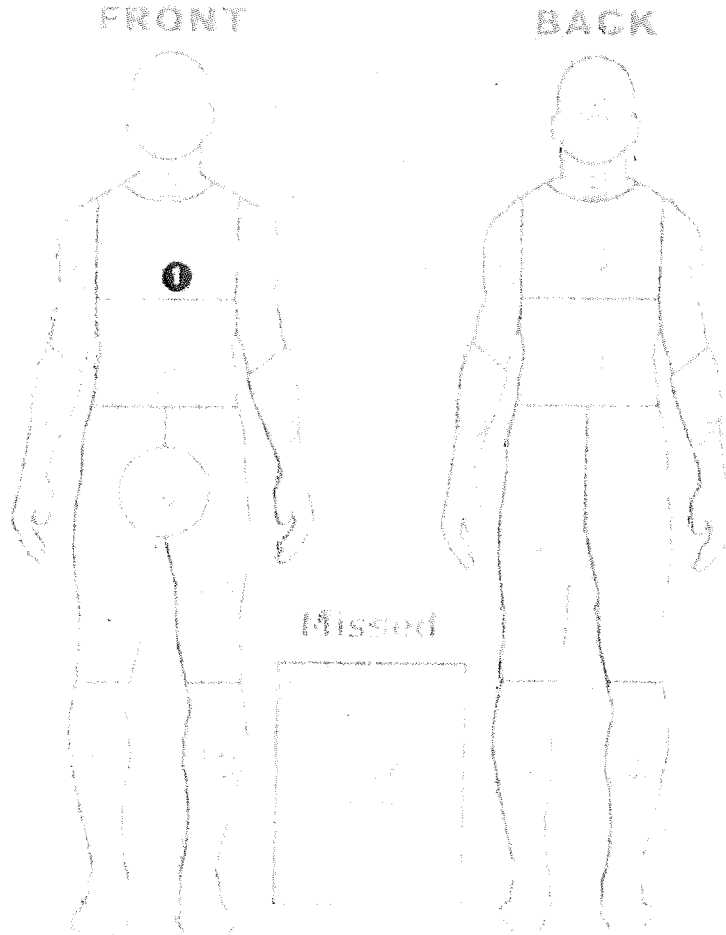
### Reporting/Involved Citizen Information

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**DARNELL T WICKER**

- De-escalation Techniques - Was force effective: No
- Deadly Force Used - Was force effective: Yes

Force Used	Effective?	Regions	Points of contact
Verbal Directions	No		
De-escalation Techniques	No		
Deadly Force Used	Yes	7	1



**Police Officer Beau Gadegaard - Employee Code Number: 7201**

**Assignment at time of incident:** Patrol Bureau/2nd Division/2nd Division/2nd Platoon/233E

**Force used by this officer against the citizen**

- De-escalation Techniques - Was force effective: No
- Verbal Directions - Was force effective: No
- Deadly Force Used - Was force effective: No

Force Used	Effective?	Regions	Points of contact
De-escalation Techniques	No		
Verbal Directions	No		
Deadly Force Used	No	7	1



					Police Sergeant Kevin Trees, Police Sergeant Edward Wagner, Police Sergeant Carmine Zoeller, Asst Police Chief-Lt Col Gregory Burns Jr, Police Chief Steven Conrad, Police Officer Christopher Davis, Police Lieutenant Kelly Higgs, Police Major Leon Jones Jr, Police Officer Mickey King, Asst Police Chief-Lt Col Kimberly Kraeszig, Police Sergeant Brian Kuriger, Police Lieutenant William Mottley, Police Lieutenant Michael Oneil, Police Major David Ray, Police Officer George Rodman, Police Lieutenant Micah Scheu, Asst Police Chief-Lt Col Robert Schroeder, Police Lieutenant Tracie Shugart, Attorney William Sims, Unassigned William Smock, Deputy Police Chief Michael Sullivan, Police Officer Erik Velten, Police Officer William Wolf
--	--	--	--	--	--

**Sender's Instructions:** For your review.

**Recipient's Comments/Response:** Force used was appropriate due to the subjects actions.

8/23/2016	Police Lieutenant Larry Massey Jr	Police Major Raymond Harper	(none)	
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**Sender's Instructions:** For your review.

**Recipient's Comments/Response:** [Open routing]

**Entering Officer Signature Line**

\_\_\_\_\_  
 Police Sergeant Malcolm Miller

**Chain of Command Signature Lines**

\_\_\_\_\_  
 Police Lieutenant Larry Massey Jr

**POLICE OFFICER RECORDED STATEMENT FORM**

**OPENING**

This is Sgt. Leigh Maroni of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is 8-11-16.

The time is: 2044.

We are present at: 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** 3411 Bohne Ave (2nd)

This will be a recorded statement from <sup>Sgt.</sup> Officer Malcolm Miller.

This statement is in reference to PIU case # 16-054.

Present with me are <sup>Sgt. Miller</sup> Officer \_\_\_\_\_, Attorney N/A,  
and Sgt. Kristen Downs of the Public Integrity Unit.

Officer, are you aware that this statement is being video and audio taped? yes

Does this meet with your approval? yes

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name. Malcolm Xavier Miller

What is your code number? 2026

Where are you currently assigned? 2nd DN 2nd PIT 3rd Squad.

How long have you been in that Unit? 2 yrs.

How long have you been on the Department? 1999

Are you under the influence of alcohol, drugs or any other intoxicants at this time? NO  
(If so, what are they?)

Are you taking any kind of medication that would affect your judgment or your ability to think clearly? NO

Did you sustain any injuries during this situation? (If so, please describe.) *NO*

Did you receive medical treatment? (If so, where and by whom?) *N/A*

What type of uniform or clothing were you wearing at the time of this incident? *Class B*

Do you have the same uniform or clothing on right now? *Same Description*

### **RIGHTS WAIVER**

Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation; however you are not the subject of this investigation. Knowing this are you willing to give us a statement at this time.

### **START THE STATEMENT/INTERVIEW**

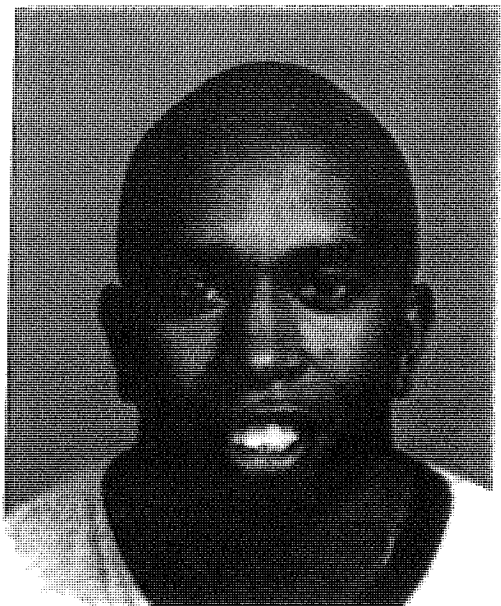
### **ENDING THE STATEMENT**

Are there any questions we have not asked you or any other information you have that may be beneficial to this case? *NO*

Is there anything you want to state for the record before we end? *NO*

Is everything you told me the truth to the best of your knowledge? *YES*

We will now conclude the statement. The time is: *2:27*.



<p>Employee</p> <p>Employee Home</p> <p>Employee Basic</p> <p>Education</p> <p>Employment</p> <p>Information</p> <p>Demographics</p> <p>Termination</p> <p>Supervisor</p> <p>Contact Info</p> <p>Emergency Contact</p> <p>Pay History</p> <p>Photo</p> <p>Personnel Dates</p> <p>Actions</p> <p>Reports</p> <p>Logs</p>	<p>Personnel Record</p> <p><b>Name:</b> MILLER, MALCOLM</p> <p><b>AOC CODE:</b> 2026</p> <p><b>Rank/Title:</b> POLICE SERGEANT</p> <p><b>EmployeeNo:</b> 18255</p> <p>Personnel Record</p> <p><b>First Name:</b> MALCOLM</p> <p><b>AOC CODE:</b> 2026</p> <p><b>Current Title:</b> POLICE SERGEANT</p> <p><b>Sworn:</b> <input checked="" type="checkbox"/></p> <p><b>Assigned Supervisor:</b> HENSLER, ROBERT</p> <p><b>Training Coordinator:</b></p> <p><b>Middle Name:</b> X</p> <p><b>Employee No:</b> [REDACTED]</p> <p><b>Current Code:</b> 082180</p> <p><b>Parttime:</b> <input type="checkbox"/></p> <p><b>Working Supervisor:</b> HENSLER, ROBERT</p> <p><b>Last Name:</b> MILLER</p> <p><b>Agency:</b> LMPD</p> <p><b>Reserve:</b> <input type="checkbox"/></p> <p><b>CNS Supervisor:</b> HENSLER, ROBERT</p>
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Organization

Current WorkGroup	Grp	Pos	WorkGroup	WorkGroup Code	WorkPosition Name
Working	796	12803	2ND DIVISION \ 2ND DIV 2ND PLATOON \ 2ND DIV 2ND PLT SQUAD 3	2ND DIV 2ND PLT SQUAD 3	<u>228</u>
			2ND DIVISION \ 2ND DIV 2ND PLATOON \ 2ND DIV 2ND PLT SQUAD 3	2ND DIV 2ND PLT SQUAD 3	<u>228</u>
Assigned	796	12803	2ND DIVISION \ 2ND DIV 2ND PLATOON \ 2ND DIV 2ND PLT SQUAD 3	2ND DIV 2ND PLT SQUAD 3	<u>228</u>
			2ND DIVISION \ 2ND DIV 2ND PLATOON \ 2ND DIV 2ND PLT SQUAD 3	2ND DIV 2ND PLT SQUAD 3	<u>228</u>

This is Sergeant Leigh Maroni of the Louisville Metro Police Department's Public Integrity Unit. Today's date is 08/11/16. The time is now 2140. We are present at 3411 Bohne Avenue in the Second Division substation. This will be a recorded statement from Officer Johnson. This statement is in reference to PIU case #16-054. Present with me are officer Johnson and Sergeant Kristen Downs of the Public Integrity Unit.

Maroni Q1                      Officer, are you aware that this statement is being audio taped?

Johnson                      Yes, ma'am.

Maroni Q2                      Does this meet with your approval?

Johnson                      Yes, ma'am.

Maroni Q3                      Please state your full name and spell your last name.

Johnson                      Helen Louise Walton Johnson, last name J-O-H-N-S-O-N.

Maroni Q4                      What is your code number?

Johnson                      7154.

Maroni Q5                      Where are you currently assigned?

Johnson                      Second Division.

Maroni Q6                      How long have you been in that Unit?

Johnson                      A year and a half.

Maroni Q7                      How long have you been on the Department?

Johnson                      The academy start?

Maroni                      Yeah, hire date.

Johnson                      December 9, 2013.

Maroni Q8                      Are you under the influence of alcohol, drugs or any other intoxicants at this time?

Johnson                      No, ma'am.

Maroni Q9                      Are you taking any kind of medication that would affect your judgment or your ability to think clearly?

Johnson No, ma'am.

Maroni Q10 Did you sustain any injuries during this situation?

Johnson No, ma'am.

Maroni Q11 Did you receive medical treatment?

Johnson No, ma'am.

Maroni Q12 What type of uniform or clothing were you wearing at the time of this incident?

Johnson Class B.

Maroni Class B?

Johnson Yes.

Maroni Q13 Do you have the same uniform or clothing on right now?

Johnson Yes.

Maroni Q14 Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation. However, you are not the subject of this investigation. Knowing this, are you willing to give us a statement at this time?

Johnson Yes, ma'am.

Maroni Q15 Okay. First things first I guess, um, what do you recall about the incident that took place on Broadleaf, how it came out, do you recall how it was dispatched or how you came to that location?

Johnson I was son a traffic stop, and then I heard Gadegaard say that he needed some more cars, I cleared from my traffic stop and was en route, and then I heard that he wanted us to pick up the speed to get there, um, then I heard him call off on the radio and say that it was shots fired, they needed EMS and to call PIU and get a sergeant en route. Then once I arrived they already had, they were securing the scene and sergeant told me to go take one of the witnesses over to my vehicle.

Maroni Q16 Okay. Do you recall which witness that was?

Johnson It was the victim's daughter, them other, like you know the mother's daughter.

Maroni Q17 Okay. And did she actually get in your vehicle?

Johnson No, she got in for probably five minutes, then she said she wanted to stand up, stand outside.

Maroni Q18 Okay. And when she was sin your vehicle, where was she positioned in your car?

Johnson In the back seat.

Maroni Q19 And is your car equipped with an Arbitrator or video camera?

Johnson Yes, but it doesn't work.

Maroni Q20 Okay. And while she was in your car, did you ever catch her name or anything?

Johnson No, ma'am.

Maroni Q21 Do you recall what she was wearing?

Johnson No, ma'am.

Maroni Q22 I guess how did you know that she was the daughter of the other lady?

Johnson She started speaking with us, and she was sayin' that that was her mother's boyfriend of 20 years.

Maroni Q23 When you said she started speaking with us, was there anybody else with you?

Johnson It was me and Officer McConico.

Downs Q24 Did Officer McConico stay with you there the whole time while you were with her?

Johnson No, he was actually, he probably just heard what we were talkin' about 'cause she was actually just talkin' to me, but he was around my vehicle.

Maroni Q25 And were you in the vehicle or outside?



Johnson No, I was outside the vehicle.

Maroni Q26 And what other statements did she make to you about ...

Johnson Um, she basically was sayin', she kept repeating, um, what happened, and then she was sayin' that her stepdad was angry with the mother because she wouldn't let him (inaudible) in the house because he was cracked out, and when they got to the house he was supposedly cooking some potatoes or something I guess, and she said that when they got there, they got into a argument, um, she took her mother, got her in the vehicle, he came outside runnin' after them with a knife, um, they said that they were callin' the police and when they got on the phone he went back in the house, and then she said that he had a bunch of knives in his, he was sitting in a chair, had a bunch of knives in his lap, then she said before police arrived he came back outside, prayed, and then he went back upstairs, and then she said that when officers arrived he came out, they told him drop the weapon, and he started like waving the knives, and then that's when they shot, and then she told us that, um, the officers told him to drop the knives, he didn't, and officers did what they had to do, that's what she said.

Maroni Q27 Okay. And she said that he was angry because her mom wasn't letting him in the house because he was cracked out?

Johnson Yes, he was on drugs, and she said that he was on drugs.

Downs Q28 Did she use the phrase "cracked out"?

Johnson Yes, and she said that he, um, she said she thinks that, okay she said she thinks that he was high on drugs that night, and that she wanted officers to kill him, 'cause he came outside and prayed before they came on the scene.

Maroni Q29 She said he wanted officers ...

Johnson Yeah, she said it seemed like he wanted to die tonight because how, um, he came outside and prayed before they arrived on scene.

Maroni Q30 When she's telling you this, what's her demeanor?

Johnson She was, um, you could tell she was, she said that she felt bad because she felt like it was her fault since she called the police.

Maroni Q31 Okay. Did she say anything about whether or not he actually lived

there, did she make any statements?

Johnson

I think she told me that he did live there, but the mother didn't want him living there anymore, and that's why she was surprised when they got home and he was cooking in the kitchen.

Maroni Q32

Okay. Did she say whether or not she heard, um, I think you referred to him as a stepfather, that she heard him say anything to police or anything like that?

Johnson

NO, I didn't hear her.

Downs Q33

Just so I wanna make sure that I understand what she was telling you, so they get there, she's with her mom, and he's inside, did she say they go inside or her mom went inside, or do you remember?

Johnson

Um, I think they went inside and asked him to leave, she told me, and then she took her mom 'cause she said he had the knives and that's when they went to the car, and that's when he followed them out with the knives.

Downs Q34

So he follows them out, they go sit in the car and call the police ...

Johnson

Yes.

Downs Q35

What did she say he did after that he went back inside or that's when he prayed or what ...

Johnson

Sher said he went back inside, um, and then he came back out, and he started praying, and she said, um, that's when he went back in and the police pulled up after that.

Downs Q36

Did she describe how he was praying?

Johnson

NO, she just said he was praying, um, she's basically saying he knew something was gonna happen, he wanted somethin' to happen.

Downs Q36

So he goes back inside, um, did she talk about the knives at all or ...

Johnson

She just said he had a long knife, like a saw, and then she said he was cutting potatoes, so basically he had all the knives that he was using that night in his lap, sitting there on the ...

Downs Q37

Like kitchen type knives.

Johnson Yes.

Downs Q39 And then did she talk about when the officers actually arrived and how he came back out or anything like that?

Johnson She said that then they arrived, she seen him come outside and was just waving the knives, and when they told him to put it down, he kept waving 'em and that's when they shot, and she said the officers did what they had to do, that's all she kept saying.

Downs Q40 Was she saying that to you or to anyone else?

Johnson She was sayin' that to me, I'm pretty sure McConico heard it, and then we heard it again when I guess after the mother talked with you guys, the mother was comin' back over there and she was like ell they didn't give him a chance and she said mom, well, they told him to drop the knives and he didn't, and she told her mom, um, they did what they had to do, and the mom kept sayin' well they didn't give him enough time and so that's ...at the end that's what she was saying

Downs Q41 So she was also telling her mom that?

Johnson Yeah, she was telling her mom that, yes.

Downs Q42 Do you remember where the brother, and I say the tall guy ...

Johnson The brother, he was right there with the mother.

Downs Q43 Do you recall anything else that the mother said that you heard or that ...

Johnson No, because I kept 'em separated the whole night, and then at the end when I was leavin', that's when the mother was sayin' that and she responded back.

Downs Q44 Did you talk to anybody else out there ...

Johnson No.

Downs Q45 ... any of the other officers or anything like that?

Johnson No, I was just by my vehicle.

Downs Q46 You were just dealing with the daughter?

Johnson Yeah, I was dealing with her, yes, that was it.

Downs Q47 Did you have your body camera on?

Johnson No, 'cause they said when homicide get on scene, you're supposed to cut 'em off, so I didn't have it on.

Maroni Q48 That when homicide detectives get on scene or at a homicide scene?

Johnson Yeah, at a homicide scene when they get ton scene, we're supposed to turn our cameras off, so I didn't have mine on.

Downs Q49 And you said your Arbitrator doesn't work?

Johnson She wasn't talkin' inside the car, she waited till she stepped outside and started talkin', I guess it made her feel (inaudible) ...

Downs Q50 Is there anything else that she said or, when you aid she was sitting in your car did she get all the way in with the doors closed or did she just sit in the doorway?

Johnson Mmmm-hmmm, she got all the way in with the doors closed and I had the window while I was standing outside and then she was like can I step out 'cause she had to use the restroom and that's when I let her.

Downs Q51 Did you walk her to the restroom or ...

Johnson Yes, I was still by the door, she used the neighbor's restroom and I stood by his door, then she came back out.

Downs Q52 Was it upstairs or downstairs?

Johnson Downstairs.

Downs Q53 But I recall, I remember being out there and your car was more on I guess the south side of the complex, right?

Johnson Yes.

Downs Q54 Was it a neighbor down that direction?

Johnson Yes, he was sitting outside on the steps, the neighbor whose restroom she used.

Maroni Q55 Did you talk to I guess any of the officers that were involved at any point after that?

Johnson no, I haven't, no, I was just gonna leave 'em alone.

Downs Q56 Is there anything else that you remember form that night or remember seeing or anything like that ...

Johnson No, ma'am.

Downs Q57 ... or any of the neighbors that were some of 'em were out, some of 'em hung out in their doorways, do you remember them saying anything or anything relative to the investigation or anything?

Johnson No, I didn't hear them say anything, just the girl talking.

Maroni Q58 Any other questions that we have not asked you or any other information that you have that may be beneficial to the case?

Johnson No, ma'am.

Maroni Q59 Is there anything that you want to state for the record before we end?

Johnson No, ma'am.

Maroni Q60 Is everything you told me the truth to the best of your knowledge?

Johnson Yes, ma'am.

Maroni We'll now conclude the statement, and the time is now 2154 hours.

**END OF STATEMENT**

**POLICE OFFICER RECORDED STATEMENT FORM**

**OPENING**

This is Sgt. Leigh Maroni of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is 8-11-16.

The time is: 2140.

We are present at: 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** 3411 Bonnie Ave (2nd Div)

This will be a recorded statement from Officer Walter Johnson.

This statement is in reference to PIU case # 16-054.

Present with me are Officer Walter Johnson, Attorney N/A, and Sgt. Kristen Downs of the Public Integrity Unit.

Officer, are you aware that this statement is being video and audio taped? yes

Does this meet with your approval? yes

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name. Helen Louise Walton Johnson

What is your code number? 7154

Where are you currently assigned? 2nd Div.

How long have you been in that Unit? 1 1/2

How long have you been on the Department? 2013

Are you under the influence of alcohol, drugs or any other intoxicants at this time? NO  
(If so, what are they?)

Are you taking any kind of medication that would affect your judgment or your ability to think clearly? NO

Did you sustain any injuries during this situation? (If so, please describe.) *NO*

Did you receive medical treatment? (If so, where and by whom?) *N/A*

What type of uniform or clothing were you wearing at the time of this incident? *Class B*

Do you have the same uniform or clothing on right now? *yes*

### **RIGHTS WAIVER**

Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation; however you are not the subject of this investigation. Knowing this are you willing to give us a statement at this time.

### **START THE STATEMENT/INTERVIEW**

### **ENDING THE STATEMENT**

Are there any questions we have not asked you or any other information you have that may be beneficial to this case? *NO*

Is there anything you want to state for the record before we end? *NO*

Is everything you told me the truth to the best of your knowledge? *yes*

We will now conclude the statement. The time is: *2154*.





Employee

Employee Home

Employee Basic

Education

Employment

Information

Demographics

Termination

Supervisor

Contact Info

Emergency Contact

Pay History

Photo

Personnel Dates

Actions

Reports

Logs

Personnel Record

**Name:** WALTON JOHNSON, HELEN      **AOC CODE:** 7154      **Rank/Title:** POLICE OFFICER      **EmployeeNo:** 36814

Personnel Record

**First Name:** HELEN      **Middle Name:** L      **Last Name:** WALTON JOHNSON  
**AOC CODE:** 7154      **Employee No:** [REDACTED]      **Agency:** LMPD  
**Current Title:** POLICE OFFICER      **Current Code:** 082210  
**Sworn:**       **Parttime:**       **Reserve:**   
**Assigned Supervisor:** AMOS, MIKE      **Working Supervisor:** AMOS, MIKE      **CNS Supervisor:** AMOS, MIKE  
**Training Coordinator:**

Organization

Current WorkGroup	Grp	Pos	WorkGroup	WorkGroup Code	WorkPosition Name
Working	796	12752	2ND DIVISION \ 2ND DIVISION \ 2ND DIV	2ND DIV 2ND PLT SQUAD 3	224B
			2ND PLATOON \ 2ND DIV 2ND PLT SQUAD 3		
Assigned	796	12752	2ND DIVISION \ 2ND DIVISION \ 2ND DIV	2ND DIV 2ND PLT SQUAD 3	224B
			2ND PLATOON \ 2ND DIV 2ND PLT SQUAD 3		

This is Sergeant Leigh Maroni of the Louisville Metro Police Department's Public Integrity Unit. Today's date is 8/12/16. The time is now 1304 hours. We are present at EMS Division 4 at and Campbell. This will be a recorded statement from Jeremy Rader. This statement is in reference to PIU case #16-054. Present with me are Mr. Rader with EMS as well as Sergeant Kristen Downs of the Public Integrity Unit.

Maroni Q1                      Mr. Rader, are you aware that this statement is being video and audiotaped? (only audio)

Rader                              I am.

Maroni Q2                      Does this meet with your approval?

Rader                              Yes.

Maroni Q3                      Please state your full name and spell your last name.

Rader                              Jeremy Lee Rader, last name R-A-D-E-R.

Maroni Q4                      Do you have a specific code number here with EMS or assigned to a particular unit that you ride?

Rader                              As far as my standby location I'm ...

Maroni Q5                      Do you ride with the same truck unit every night or does it vary?

Rader                              I'm assigned to Fairdale nights, it's Medic 135-Adam.

Maroni Q5A                      So Medic 135-Adam's like your car number? Okay.

Maroni Q6                      And you said you're currently assigned to the Fairdale?

Rader                              Yes, Fairdale area.

Maroni Q7                      How long have you been in that Unit or that area?

Rader                              I've been in to that unit in January of this year.

Maroni Q8                      How long have you been with EMS in total?

Rader                              Five years.

Maroni Q9                      Are you under the influence of alcohol, drugs or any other intoxicants at this time?

Rader                              I am not.

Maroni Q10                      Are you taking any kind of medication that would affect your judgment or your ability to think clearly?

Rader                              I am not.

Maroni Q11                      Did you happen to sustain any injuries on Broadleaf?

Rader                              No.

Maroni Q12                      Therefore, you didn't receive medical treatment, is that correct?

Rader                              Correct.

Maroni Q13                      What type of uniform or clothing were you wearing at the time of this incident?

Rader                              Our standard issued uniform, our black pants, gray polo.

Maroni Q14                      Do you have the same uniform or clothing on right now?

Rader                              I do.

Maroni Q15                      Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation. However, you are not the subject of this investigation. Knowing this, are you willing to give us a statement at this time?

Rader                              Yes.

Maroni Q16                      And I guess my question would be how were you dispatched, if you can recall to the run on Broadleaf and what happened once you got there?

Rader                              When we received the run, we were in the parking lot of University Hospital, we had just cleared a run and left a patient there, um, we were initially responding to a person who was unconscious but breathing, and had sustained a gunshot wound, at the time of dispatch we were not clear that the wounds were, how he sustained those wounds.

Maroni Q17                      And when you go ton scene, what did you observe?

Rader                              We were moving our stretcher and equipment from the back and

approached the scene and were led to the patient, we found the patient lying on his right side, he was in handcuffs, uh, he had a sizable pool of blood beneath him and he was unconscious at that time, he was not breathing, he had no detectible pulses, I assessed (inaudible) his pupillary reflex was found to be that this pupils were fixed and dilated and we lifted his shirt and exposed his upper torso, we found what appeared to be multiple GSW wounds to his anterior torso ...

Maroni Q18                      When you say GSW wounds are you referring to gunshot wounds?

Rader                              Yes. And we also noted what appeared to be, what we interpreted at the time to be exit wounds on his posterior torso.

Maroni Q19                      And do you mean his back?

Rader                              Yes.

Maroni Q20                      Did you have, do you recall how many you saw or ...

Rader                              I know that we saw one posterior and they were multiple to the anterior section, I do not recall the exact number.

Maroni Q21                      Okay. And based on your experience and knowledge, could you determine by any stretch of the matter how long he might have been down?

Rader                              NO, I cannot.

Maroni Q22                      And did anyone on scene make any statements to you about what led up to this event?

Rader                              I was informed or overheard that LMPD had responded to some sort of domestic situation, that the gentleman had apparently forced entry into a residence and was refusing to leave said residence, um, I was informed that he exited the residence and at that time was said to have been in possession of a knife or a saw, I did see what appeared to be what I would call a limb saw, a folding limb saw for landscaping purposes was next to the deceased within close proximity, and there was also a magazine which I assume was from an LMPD officer's firearm next to the patient as well.

Maroni Q23                      And do you recall who, I know you said you think you overheard that, do you recall who was talking?

Rader                              NO, just form multiple officers on scene.

Maroni Q24                      And you didn't happen to remember a name or a description, do you?

Rader                            No. I had further discussions with my immediate supervisor Major Bill lohden was on scene, and he was actually on scene prior to, previous to my arrival.

Maroni Q25                      And you had discussions with him, and what did that consist of?

Rader                            More or less about, you know, the subject forcing entry and being armed at the time that he exited and you know, what we saw as far as the weapon laying next to the deceased and the magazine and such.

Maroni Q26                      Okay. Do you know if your major provided any treatment of any sort prior to your arrival?

Rader                            I do not.

Maroni Q27                      Do you know, that wouldn't be reflected in your urn sheet anyway, would it, because it's your document.

Rader                            NO. I do know that Lake Dreamland fire I believe was dispatched to the run at some point, and that upon Major Lohden's arrival he cancelled the fire department response, so I believe at that point he would have been withholding resuscitative efforts until my arrival.

Maroni Q28                      And why would he be withholding resuscitative, is that protocol?

Rader                            That is our protocol, in traumatic cardiac arrest, once certain criteria are met, him being apneic and pulseless and unresponsive and such, he could be, resuscitative efforts can be withheld and a determination can be made at a later point.

Maroni Q29                      Okay. And di you all at any point do any resuscitative, make any resuscitative efforts?

Rader                            We did not.

Maroni Q30                      Had someone done resuscitative efforts prior to your arrival, given the condition that the victim was in, do you feel that that would made a difference in his outcome or his treatment?

Rader                            With the location of his wounds being to the upper torso and what I noted in my documentation in reference to his posterior wounds, he had what appeared to be lung tissue expelled from his posterior

wounds, so I would suspect that he had some sort of massive damage to his thoracic cavity, some damage to his lungs possibly, some of his larger arteries or veins and possibly, you know, to his heart as well, uh, with the damage to his thoracic cavity and his cardiovascular system it would make CPR pretty much ineffective, there's not gonna be an ability to circulate blood effectively or oxygenated blood at that point.

Maroni Q31

And upon your arrival and your assessment of the victim, about how long did you remain on scene after that?

Rader

I would estimate maybe 20 to 30 minutes or so.

Maroni Q32

And do you know if you all notified the coroner or if ...

Rader

I notified the coroner myself, I spoke with him via public service on my cell phone, and after I spoke with him I informed one of the LMPD detectives on scene that he had been notified and the coroner told me to advise the detective on scene that, just have him call the coroner's office when he was ready for him.

Maroni

Okay. Do you have anything?

Downs Q33

When you said "we," who did you mean?

Rader

My partner, technician Daniel Smith.

Downs Q34

So just the two of you all in the EMS wagon?

Rader

Yes.

Downs Q35

And then your major?

Rader

Yes.

Downs Q36

So those were the only three Louisville Metro EMS people there?

Rader

Yes.

Downs Q37

And then I guess the only other question I had was once you arrived on scene and throughout your assessment and then leaving, did you alter the scene in any way, leave anything behind, take anything away, I guess was anything changed or altered by your presence as far as the victim's clothing or anything like that?

Rader

As far as assessing the person himself, all we did was lift his shirt

to assess the wounds to his torso and then that was enough, I think I've seen that it's come out that he had wounds other places to his body, but the wounds we found to his torso there was no reason for us to move further clothing and look for things elsewhere, we'd seen enough at that point and decided not to disturb the scene any further.

Downs Q38

So there were, that you're aware of, you all didn't leave anything behind, any gloves or anything like that?

Rader

No.

Downs Q39

Okay. And or move anything else on the scene as far as where the landscaping saw, nothing else was moved by you all?

Rader

No, we did not touch any magazines or the limb saw or anything.

Downs

Okay. That's all I have.

Maroni Q40

Are there any questions that we have not asked you or any other information that you have that may be beneficial to this case?

Rader

Not that I can think of at this time.

Maroni Q41

Is there anything you would want to state for the record before we end?

Rader

Not at this time.

Maroni Q42

And is everything you've told me the truth to the best of your knowledge?

Rader

Yes.

Maroni

We will now conclude the statement and the time is now 1316 hours.

**END OF STATEMENT**

**POLICE OFFICER RECORDED STATEMENT FORM**  
**WITNESS**

**OPENING**

This is Sgt. Lugh Marami of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is 8-12-14.

The time is: 1304.

We are present at: ~~810 Barret Avenue~~, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** EMS Div #4 Broadway + Campbell - 900 E. Broadway

This will be a recorded statement from Officer Jeremy Rader EMS

This statement is in reference to PIU case # 16-054.

Present with me are Officer Jeremy Rader, Attorney N/A,  
and Sgt. Kristen Downs of the Public Integrity Unit.

Officer, are you aware that this statement is being video and audio taped? I am

Does this meet with your approval? yes

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name.

What is your code number? Fairdale area 135A

Where are you currently assigned? Fair

How long have you been in that Unit? Jan 2014

How long have you been on the Department? 5 YRS

Are you under the influence of alcohol, drugs or any other intoxicants at this time? NO  
(If so, what are they?)

Are you taking any kind of medication that would affect your judgment or your ability to think clearly? NO



Did you sustain any injuries during this situation? (If so, please describe.) *NO*

Did you receive medical treatment? (If so, where and by whom?) *N/A*

What type of uniform or clothing were you wearing at the time of this incident? *Stand. ISS uniform*

Do you have the same uniform or clothing on right now? *yes*

**RIGHTS WAIVER**

Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation; however you are not the subject of this investigation. Knowing this are you willing to give us a statement at this time. *yes*

**START THE STATEMENT/INTERVIEW**

*rec'd him while in the hosp. Lot. 1/11/14 Resp to unconscious but breathing. GSW - unsure how sust. Pt on Rt side in handcuffs - unconscious breathing, fixed & dilated. Winded shirt - Multiple GSW to torso & exit wound to back multiple to anterior & at least 1 posterior. I overheard car's resp to pt - forced inj. & refusing to leave. Evicted residence in poss. of a knife or saw. I saw limb saw & magazine next to patient. Multiple ofc on scene. Maj Bill London who was on scene prior to my arrival. Maj. cancelled. Remained 20 or 30 mins.*

**ENDING THE STATEMENT**

Are there any questions we have not asked you or any other information you have that may be beneficial to this case? *NOT that I can think of at this time. I notified the coroner*

Is there anything you want to state for the record before we end? *NOT at this time*

*My partner - Daniel Smith was also with me.*

Is everything you told me the truth to the best of your knowledge? *yes*

We will now conclude the statement. The time is: *1314*

*After scene 2 all we did was lift his shirt*

*\* & gloves left behind & equip left behind.*

**POLICE OFFICER RECORDED STATEMENT FORM**  
**WITNESS**

**OPENING**

This is Sgt. Leigh Marom of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is 8-15-14.

The time is: 21:26.

We are present at: 810 Barrett Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** 7201 Outer Loop

This will be a recorded statement from Officer Daniel Smith (EMS)

This statement is in reference to PIU case # 16-054.

Present with me are Officer Daniel Smith, Attorney \_\_\_\_\_,  
and Sgt. \_\_\_\_\_ of the Public Integrity Unit.

Officer, are you aware that this statement is being ~~video~~ and audio taped? yes

Does this meet with your approval? yes

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name. Daniel Smith

What is your code number? 135A that night

Where are you currently assigned? EMS

How long have you been in that Unit? Feb 2014

How long have you been on the Department?

Are you under the influence of alcohol, drugs or any other intoxicants at this time?  
(If so, what are they?) NO

Are you taking any kind of medication that would affect your judgment or your ability to think clearly? NO

Did you sustain any injuries during this situation? (If so, please describe.) *NO*

Did you receive medical treatment? (If so, where and by whom?) *N/A*

What type of uniform or clothing were you wearing at the time of this incident? *Same As I*

Do you have the same uniform or clothing on right now? *am now polo shirt black pant.*

**RIGHTS WAIVER**

Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation; however you are not the subject of this investigation. Knowing this are you willing to give us a statement at this time. *yes.*

**START THE STATEMENT/INTERVIEW**

**ENDING THE STATEMENT**

Are there any questions we have not asked you or any other information you have that may be beneficial to this case? *NOT that I'm aware of.*

Is there anything you want to state for the record before we end? *NO.*

Is everything you told me the truth to the best of your knowledge? *yes.*

We will now conclude the statement. The time is: *2:34*.

**POLICE OFFICER RECORDED STATEMENT FORM**  
**WITNESS**

**OPENING**

This is Sgt Luigi Maroni of the Louisville Metro Police Department's Public Integrity Unit.

Today's date is 9-27-16.

The time is: 2222.

We are present at: 810 Barret Avenue, 4<sup>th</sup> Floor, in the Public Integrity Office.

**Other Location:** 7201 Outer Loop

This will be a recorded statement from Major Officer Bill Lohden.

This statement is in reference to PIU case # 16-054.

Present with me are Officer Major Bill Lohden, Attorney N/A, and Sgt. N/A of the Public Integrity Unit.

Major Officer, are you aware that this statement is being ~~video~~ and audio taped? YES

Does this meet with your approval? yes

**BACKGROUND INFORMATION ON OFFICER**

Please state your full name and spell your last name. William G. Lohden

What is your code number? 1736B

Where are you currently assigned? Channel 2 - 165 West - Downtown to Hardin

How long have you been in that Unit? 5 yrs.

How long have you been on the Department? 1998

Are you under the influence of alcohol, drugs or any other intoxicants at this time?  
(If so, what are they?) NO

Are you taking any kind of medication that would affect your judgment or your ability to think clearly? NO

Did you sustain any injuries during this situation? (If so, please describe.) *NO*

Did you receive medical treatment? (If so, where and by whom?) *N/A*

What type of uniform or clothing were you wearing at the time of this incident? *Class B unif.*

Do you have the same uniform or clothing on right now? *Blue Button up / Blue pants*

**RIGHTS WAIVER**

Because of the statutory requirements of KRS 15.520, I am obligated to advise you that this is a criminal investigation, not an administrative investigation; however you are not the subject of this investigation. Knowing this are you willing to give us a statement at this time. *Yeah*

**START THE STATEMENT/INTERVIEW**

**ENDING THE STATEMENT**

Are there any questions we have not asked you or any other information you have that may be beneficial to this case? *Nothing - after that got crew out of here.*

Is there anything you want to state for the record before we end? *NO*

Is everything you told me the truth to the best of your knowledge? *Yeah*

We will now conclude the statement. The time is: *1245*

McKeller Hello?

Maroni Hello, may I speak to Jeff McKeller?

McKeller Speaking, may I help you?

Maroni Hi Jeff, this is Sergeant Leigh Maroni with the Louisville Metro Police, Public Integrity Unit, how are you?

McKeller Okay. How about yourself?

Maroni I'm doing okay. Um, I'm calling to follow up on a crime tips that we received and it had your name in there, and that you could be reached, um, about the Darnell Wicker case ...

McKeller Yes, ma'am.

Maroni Q1 Um, what can you tell me about that or what all do you know about that?

McKeller Well, I've known Darnell for over 40 years, and I know Darnell was no angel, but he was hard of hearing, he was three quarters of the way deaf, and they did not mention to that to anybody during that whole process, and you know, he didn't even hear 'em say drop it, that how bad his hearing was, you know, so you know, I'm not really blaming the officers, but you know, that's something that should have been known before the officers responded, you know, that's something the daughter and the mother should have said, and she's kind of a shady character herself so, um, you might wanna look in on that, 'cause even after he got shot they didn't even react to it hardly, you know, but I just don't want Darnell to be remembered in a bad way when this wasn't all his fault, and I don't want these officers severely punished for something that wasn't all their fault either.

Maroni Q2 Okay. Um, the crime tip says that you thought Anita and her daughter Danita set him up to be shot, and is that what ...

McKeller That's what I believe ...

Maroni Q3 ... that they didn't tell him he was hard of hearing, is that what you mean by that?

McKeller Yeah, I mean, by them not tellin' the police he was hard of hearing, you know, and the officers don't know this, that put Darnell in dire danger, you know ...

- Maroni Q4                      Well, if a police officer is yelling at him, do you think that's somethin', and they're within like say ten feet of him, is that something he's gonna hear?
- McKeller                        Maybe, maybe not.
- Maroni Q5                      Okay, 'cause I know that she had told him, or she told the officers on scene that you know, she told him that she had called the police ...
- McKeller                        He might not even have heard that either.
- Maroni Q6                      ... and he heard her, and he said why are you doing this to me ...
- McKeller                        Now that I don't believe that, I don't believe she told him that.
- Maroni Q7                      How did he mainly communicate then if he was hard of hearing?
- McKeller                        He could talk, but you had to get pretty loud with him so he could hear you, you know, like I said I've known Darnell a long time, I remember when he started losing his hearing and, uh, if you wasn't on his right side and you had to talk pretty loud he really couldn't hear you, 'cause I mean, I've worked with him ...
- Maroni Q8                      So you have to talk loud for him to be able to hear you?
- McKeller                        I mean, louder than what they said drop it.
- Maroni Q9                      So you pretty much have to scream at him?
- McKeller                        Yeah. And like I said when she made that 911 call, she made no reference to him being hard of hearing.
- Maroni Q10                     So you've known him for 40 years?
- McKeller                        40-plus years, I'm 48, and I can't remember really not knowing Darnell, and he never was really into violence or anything, and I know he's got a couple of things, he got into it, you know, he wasn't being perfect, so ...
- Maroni Q11                     When was the last time you talked to him?
- McKeller                        It's been a while 'cause I had moved out form where we were workin', I think a couple, two, three years, and I know he was known to have a drug problem, last time I seen him he looked like

he was pretty clean so, now on her end I don't know if she still did dope or not ...

- Maroni Q12                      And when you say he was known to have a drug problem, what was he using when you last saw him?
- McKeller                        Crack cocaine.
- Maroni Q13                      Okay. And you said she may or may not have a problem herself?
- McKeller                        Yes, ma'am.
- Maroni Q14                      When you knew her, have you ever known her to have a drug problem?
- McKeller                        Well, last time, well, before I got back in touch with Darnell, it's been several years, and the last time I had seen him, uh, he was smoking crack in his parents' old house with her, so that's been some time ago, and I know he'd been to prison since then too, and I seen him after he got out, he looked pretty straight, and the last time I seen him at Labor Ready he was pretty straight, so I don't know if she ever stopped doin' it though.
- Maroni Q15                      Okay. And do you know how long ago he got out?
- McKeller                        Oh, man, I'm not really sure any more. I'm not really sure, I have to think on that one.
- Maroni Q16                      Is there anything else that you think that we should know about either of the parties involved or what may have happened or anything that was said after the fact?
- McKeller                        Not at this moment, but I will keep my eyes and ears open.
- Maroni                            Yeah, please do, and I'm not sure if my caller ID came up on your phone today, but you can feel free to call me back at this number at any time.
- McKeller                        Okay. Let me get your name one more time.
- Maroni                            Sure, it's Leigh Maroni.
- McKeller                        Okay. Officer Maroni. All right, ma'am, I'll keep my eyes and ears open.
- Maroni                            Great, thanks so much.



McKeller

Thank you.

Maroni

Bye-bye.

McKeller

Bye.

**End of phone call**


# MEMORANDUM

LOUISVILLE METRO POLICE DEPARTMENT

GREG FISCHER  
MAYOR

STEVE CONRAD  
CHIEF OF POLICE

**TO:** Officer Beau Gadegaard (7201)  
2nd Division

**FROM:** Steve Conrad  
Chief of Police 

**DATE:** August 8, 2016

**RE:** NOTIFICATION OF SUSPENSION OR LIMITATION  
OF POLICE POWERS

This is to advise that your police powers are hereby SUSPENDED / LIMITED (circle one) until further notice, for the following reason:

- ILLNESS \_\_\_\_\_
- INJURY (OFF-DUTY) \_\_\_\_\_
- INJURY (ON-DUTY) \_\_\_\_\_
- LIGHT DUTY \_\_\_\_\_
- OTHER PIU Investigation 16-054 (OIS)

\*If police powers are limited, you are hereby ordered not to initiate any police action until such time as you are able to resume your regular activities.

Date Served: 08/08/2016  
Time Served: 0550 HRS

**Equipment surrendered:**

- Flashlight
- Radio
- Badge
- Service Weapon
- Vehicle
- I.D. Card
- Shotgun

PERSONAL WEAPON



Lieutenant Kevin E. DeSpain

Name of Commanding Officer Serving



Officer Beau Gadegaard

Employee

**\*Upon returning to work you must report to the LMPD HR to get your powers restored.**

cc: Human Resources  
Division/Unit  
Chief's Office  
Professional Standards Unit  
Police Attorney

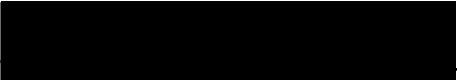
FIREARMS SIGN OUT SHEET

PIU Case Number: \_\_\_\_\_ Report Number: \_\_\_\_\_

OFFICER'S NAME: GADEGAARD, BEAU

SIGNATURE: Beau Gadegaard

CODE NO: 7201

CONTACT NO: 

Reason weapon was replaced:

Shooting investigation PIU 16-054  
 Other \_\_\_\_\_

Date: \_\_\_\_\_ Time: 0521 HRS

Seized Weapon Issued Weapon

Make: GLOCK Model: 22

Make: GLOCK Model: 22

Caliber: .40

Caliber: .40

Serial Number: 

Serial Number: 

Number of Mag(s): 2 - OFFICE  
1 - SCENE

Number of Mag(s) issued: 1

Rounds in Magazines:

Mag In Weapon: 15 + 1 CHAMBER

Rounds issued: 50

Extra Mag 2: 15

Extra Mag 3: \_\_\_\_\_

How many rounds do you normally carry in weapon: 15 + 1 CHAMBER  
46 TOTAL

Rounds not accounted for: \_\_\_\_\_

STREAMLIGHT WEAPON MOUNTED FLASHLIGHT ALSO SEIZED.

PIU Commander Signature: LT. KELLY

Weapon returned by: \_\_\_\_\_

Date: \_\_\_\_\_


# MEMORANDUM

LOUISVILLE METRO POLICE DEPARTMENT

GREG FISCHER  
MAYOR

STEVE CONRAD  
CHIEF OF POLICE

**TO:** Officer Taylor Banks (7293)  
2nd Division

**FROM:** Steve Conrad   
Chief of Police

**DATE:** August 8, 2016

**RE:** NOTIFICATION OF SUSPENSION OR LIMITATION  
OF POLICE POWERS

This is to advise that your police powers are hereby SUSPENDED LIMITED (circle one) until further notice, for the following reason:

- ILLNESS \_\_\_\_\_
- INJURY (OFF-DUTY) \_\_\_\_\_
- INJURY (ON-DUTY) \_\_\_\_\_
- LIGHT DUTY \_\_\_\_\_
- OTHER PIU Investigation 16-054 (OIS)

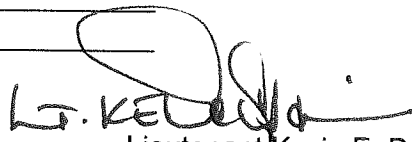
\*If police powers are limited, you are hereby ordered not to initiate any police action until such time as you are able to resume your regular activities.

Date Served: 08/08/2016  
Time Served: 0606 HRS

**Equipment surrendered:**

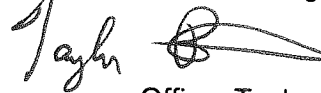
- Flashlight
- Radio
- Badge
- Service Weapon
- Vehicle
- I.D. Card
- Shotgun

PERSONALLY OWNED FIREARM



Lieutenant Kevin E. DeSpain

Name of Commanding Officer Serving



Officer Taylor Banks

Employee

**\*Upon returning to work you must report to the LMPD HR to get your powers restored.**

cc: Human Resources  
Division/Unit  
Chief's Office  
Professional Standards Unit  
Police Attorney

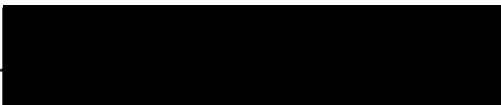
FIREARMS SIGN OUT SHEET

PIU Case Number: \_\_\_\_\_ Report Number: \_\_\_\_\_

OFFICER'S NAME: BANKS, TAYLOR

SIGNATURE: Taylor

CODE NO: 7293

CONTACT NO: 

Reason weapon was replaced:

Shooting investigation PIU 16-054

Other \_\_\_\_\_

Date: 08/08/2016 Time: 0507 HRS

Seized Weapon Issued Weapon

Make: GLUCK Model: 22

Make: GLUCK Model: 22

Caliber: .40

Caliber: .40

Serial Number: 

Serial Number: 

Number of Mag(s): 2 - OFFICE  
1 - SCENE

Number of Mag(s) issued: 1

Rounds in Magazines:

Rounds issued: 50

Mag In Weapon: 15 + 1 CHAMBER

Extra Mag 2: 15

Extra Mag 3: AT SCENE

How many rounds do you normally carry in weapon: 15 + 1 IN CHAMBER  
46 TOTAL

Rounds not accounted for: UNK

↓ WEAPON MOUNTED LIGHT ALSO SEIZED.

PIU Commander Signature: LT. KEL  
Weapon returned by: \_\_\_\_\_ Date: \_\_\_\_\_

Division: 2 DISTRICT

# Incident/Investigation Report **UNAPPROVED**

Beat: 236

Agency: LMPD

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Incident Information

Date/Time Reported 08/08/2016 02:00	Date/Time From 08/08/2016 01:35	Date/Time To 08/08/2016 01:40	Officer (6711) MARONI, LEIGH A
Incident Location 4509 BROADLEAF DR Apt. 4, LOUISVILLE, KY 40216			

## Charges

<b>1</b>	Charge Type State	Description WANTON ENDANGERMENT-1ST DEGREE	Statute 13201	UCR 13A	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type PARKING LOT / GARAGE	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. Knife/cutting Instru (ax, Etc) 2. 3.
Entry	Exit	Criminal Activity N			
Bias Motivation	Bias Target	Bias Circumstances		Hate Group	

## Victims

Seq. # <b>1</b>	Type INDIVIDUAL	Injuries None	Residency Status Resident		Ethnicity Non-Hispanic	
Name (Last, First, M) JONES, ANITA L			Race B	Sex F	DOB [REDACTED]	Age [REDACTED]
Employer Name/Address [REDACTED]					Home Phone [REDACTED]	
Victim of Crimes 1					Business Phone [REDACTED]	
					Cell Phone	

Division: 2 DISTRICT

# Incident/Investigation Report **UNAPPROVED**

Beat: 236

Agency: LMPD

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Offenders

Seq. # <b>1</b>	Type INDIVIDUAL	Name (Last, First, M) WICKER, DARNELL THOMAS						
AKA			Race B	Sex M	DOB [REDACTED]	Age [REDACTED]	Height	Weight
[REDACTED]							Home Phone	
Employer Name/Address							Business Phone	
Scars, Marks, Tattoos or other distinguishing features								
Physical Characteristics								

### Suspect Details

DESCRIPTION #1 - Race = B, Sex = M, [REDACTED] Hair = BLACK, Eye = BROWN, Veh Lic. State = KY

DESCRIPTION #2 - Race = B, Sex = M, [REDACTED] Veh Lic. State = KY

## Witnesses

Seq. # <b>1</b>	Name (Last, First, M) JONES, DENITA L	Race B	Sex F	DOB [REDACTED]	Age [REDACTED]
[REDACTED]					Home Phone
Employer Name/Address					Business Phone
Witness Type ACTUAL				Cell Phone	

### Witness Notes

daughter of Anita L. Jones

Division: 2 DISTRICT

# Incident/Investigation Report **UNAPPROVED**

Beat: 236

Agency: LMPD

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Property

Seq. # <b>1</b>	Description			Serial Number		Make/Model	
Owner				License / State		Color	
Status		Status Officer		Quantity	Units of Measure		Value
Gun Type		Caliber	Finish		Grip		Gun Stock
Condition	Gun Test Yes No	Test Type		Sight Test Yes No	Sight Type		

Property Notes

Seq. # <b>1</b>	Description			Serial Number		Make/Model	
Owner				License / State		Color	
Status		Status Officer		Quantity	Units of Measure		Value
Gun Type		Caliber	Finish		Grip		Gun Stock
Condition	Gun Test Yes No	Test Type		Sight Test Yes No	Sight Type		

Property Notes

Seq. # <b>1</b>	Description			Serial Number		Make/Model	
Owner				License / State		Color	
Status		Status Officer		Quantity	Units of Measure		Value
Gun Type		Caliber	Finish		Grip		Gun Stock
Condition	Gun Test Yes No	Test Type		Sight Test Yes No	Sight Type		

Property Notes



Division: 2 DISTRICT

Beat: 236

Agency: LMPD

# Incident/Investigation Report **UNAPPROVED**

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Property

<b>Seq. #</b> <b>1</b>	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>					<b>License / State</b>		<b>Color</b>	
<b>Status</b>			<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>	<b>Gun Test</b> Yes No	<b>Test Type</b>			<b>Sight Test</b> Yes No	<b>Sight Type</b>		
<b>Property Notes</b>								
<b>Seq. #</b> <b>2</b>	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>					<b>License / State</b>		<b>Color</b>	
<b>Status</b>			<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>	<b>Gun Test</b> Yes No	<b>Test Type</b>			<b>Sight Test</b> Yes No	<b>Sight Type</b>		
<b>Property Notes</b>								
<b>Seq. #</b> <b>2</b>	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>					<b>License / State</b>		<b>Color</b>	
<b>Status</b>			<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>	<b>Gun Test</b> Yes No	<b>Test Type</b>			<b>Sight Test</b> Yes No	<b>Sight Type</b>		
<b>Property Notes</b>								

Division: 2 DISTRICT

# Incident/Investigation Report **UNAPPROVED**

Beat: 236

Agency: LMPD

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Property

<b>Seq. #</b> <b>2</b>	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>					<b>License / State</b>		<b>Color</b>	
<b>Status</b>			<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b>	<b>Test Type</b>		<b>Sight Test</b>	<b>Sight Type</b>		
		Yes No			Yes No			
<b>Property Notes</b>								
<b>Seq. #</b> <b>3</b>	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>					<b>License / State</b>		<b>Color</b>	
<b>Status</b>			<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b>	<b>Test Type</b>		<b>Sight Test</b>	<b>Sight Type</b>		
		Yes No			Yes No			
<b>Property Notes</b>								
<b>Seq. #</b> <b>3</b>	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>					<b>License / State</b>		<b>Color</b>	
<b>Status</b>			<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b>	<b>Test Type</b>		<b>Sight Test</b>	<b>Sight Type</b>		
		Yes No			Yes No			
<b>Property Notes</b>								

Division: 2 DISTRICT

# Incident/Investigation Report **UNAPPROVED**

Beat: 236

Agency: LMPD

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Property

<b>Seq. #</b> 4	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>					<b>License / State</b>		<b>Color</b>	
<b>Status</b>			<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b> Yes No	<b>Test Type</b>		<b>Sight Test</b> Yes No	<b>Sight Type</b>		
<b>Property Notes</b>								
<b>Seq. #</b> 4	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>					<b>License / State</b>		<b>Color</b>	
<b>Status</b>			<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b> Yes No	<b>Test Type</b>		<b>Sight Test</b> Yes No	<b>Sight Type</b>		
<b>Property Notes</b>								
<b>Seq. #</b> 5	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>					<b>License / State</b>		<b>Color</b>	
<b>Status</b>			<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b> Yes No	<b>Test Type</b>		<b>Sight Test</b> Yes No	<b>Sight Type</b>		
<b>Property Notes</b>								

Division: 2 DISTRICT

Beat: 236

Agency: LMPD

# Incident/Investigation Report **UNAPPROVED**

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Property

<b>Seq. #</b> <b>5</b>	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>				<b>License / State</b>		<b>Color</b>		
<b>Status</b>		<b>Status Officer</b>			<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b> Yes No		<b>Test Type</b>		<b>Sight Test</b> Yes No		<b>Sight Type</b>
<b>Property Notes</b>								
<b>Seq. #</b> <b>6</b>	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>				<b>License / State</b>		<b>Color</b>		
<b>Status</b>		<b>Status Officer</b>			<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b> Yes No		<b>Test Type</b>		<b>Sight Test</b> Yes No		<b>Sight Type</b>
<b>Property Notes</b>								
<b>Seq. #</b> <b>6</b>	<b>Description</b>				<b>Serial Number</b>		<b>Make/Model</b>	
<b>Owner</b>				<b>License / State</b>		<b>Color</b>		
<b>Status</b>		<b>Status Officer</b>			<b>Quantity</b>	<b>Units of Measure</b>		<b>Value</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>		<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b> Yes No		<b>Test Type</b>		<b>Sight Test</b> Yes No		<b>Sight Type</b>
<b>Property Notes</b>								

Division: 2 DISTRICT

Beat: 236

Agency: LMPD

# Incident/Investigation Report **UNAPPROVED**

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Property

<b>Seq. #</b> 7	Description				Serial Number		Make/Model	
Owner					License / State		Color	
Status			Status Officer		Quantity	Units of Measure		Value
Gun Type		Caliber	Finish		Grip		Gun Stock	
Condition		Gun Test Yes No	Test Type		Sight Test Yes No	Sight Type		
Property Notes								
<b>Seq. #</b> 7	Description				Serial Number		Make/Model	
Owner					License / State		Color	
Status			Status Officer		Quantity	Units of Measure		Value
Gun Type		Caliber	Finish		Grip		Gun Stock	
Condition		Gun Test Yes No	Test Type		Sight Test Yes No	Sight Type		
Property Notes								
<b>Seq. #</b> 8	Description				Serial Number		Make/Model	
Owner					License / State		Color	
Status			Status Officer		Quantity	Units of Measure		Value
Gun Type		Caliber	Finish		Grip		Gun Stock	
Condition		Gun Test Yes No	Test Type		Sight Test Yes No	Sight Type		
Property Notes								

Division: 2 DISTRICT

# Incident/Investigation Report **UNAPPROVED**

Beat: 236

Agency: LMPD

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Property

<b>Seq. #</b> <b>8</b>	Description				Serial Number		Make/Model	
Owner				License / State		Color		
Status		Status Officer			Quantity	Units of Measure		Value
Gun Type		Caliber	Finish		Grip		Gun Stock	
Condition		Gun Test Yes No	Test Type		Sight Test Yes No	Sight Type		
Property Notes								
<b>Seq. #</b> <b>9</b>	Description				Serial Number		Make/Model	
Owner				License / State		Color		
Status		Status Officer			Quantity	Units of Measure		Value
Gun Type		Caliber	Finish		Grip		Gun Stock	
Condition		Gun Test Yes No	Test Type		Sight Test Yes No	Sight Type		
Property Notes								
<b>Seq. #</b> <b>9</b>	Description				Serial Number		Make/Model	
Owner				License / State		Color		
Status		Status Officer			Quantity	Units of Measure		Value
Gun Type		Caliber	Finish		Grip		Gun Stock	
Condition		Gun Test Yes No	Test Type		Sight Test Yes No	Sight Type		
Property Notes								

Division: 2 DISTRICT

# Incident/Investigation Report **UNAPPROVED**

Beat: 236

Agency: LMPD

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

## Property

<b>Seq. #</b> <b>10</b>	<b>Description</b>		<b>Serial Number</b>		<b>Make/Model</b>
<b>Owner</b>			<b>License / State</b>		<b>Color</b>
<b>Status</b>		<b>Status Officer</b>		<b>Quantity</b>	<b>Units of Measure</b>
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>	<b>Grip</b>	<b>Gun Stock</b>
<b>Condition</b>	<b>Gun Test</b> Yes No	<b>Test Type</b>		<b>Sight Test</b> Yes No	<b>Sight Type</b>
<b>Property Notes</b>					

## Related Name Relationships

JONES, ANITA L	is	BOYFRIEND/GIRLFRIEND	to	WICKER, DARNELL THOMAS
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## Assisting Officers

- (2026) MILLER, MALCOLM X
- (2530) PRIDY, JOHN G
- (2905) ANTHONY, ANDREA D
- (7762) SMITH, BRIAN E
- (7042) COLBERT, DWIGHT L
- (7154) WALTON JOHNSON, HELEN L
- (7175) HOLMAN, KIERSTIN K
- (7274) ADEN, MATTHEW D
- (7312) MCCONICO, LONZO

Division: 2 DISTRICT

Incident/Investigation Report **UNAPPROVED**

Beat: 236

Agency: LMPD

Case Number: 80-16-067279

Case Status: OPEN ACTIVE

**Notes/Narratives**

**PUBLIC NARRATIVE**

-----

Caller called 911 after her mother discovered the suspect (her mother's boyfriend) kicked in the door to her apartment. Upon asking him to leave he refused. Mother then left the apartment to have her daughter call the police. Suspect followed her out with a large butcher knife and began to wave it around asking her, "are you really going to do this to me?" Victim the got in the car and her daughter rolled up the windows and locked the door to keep him from entering the car. Suspect went back in to the apartment and came out with two knives and continued to wave them around in an intimidating and threatening manor and eventually went back inside the apartment.

=====

**INVESTIGATIVE NARRATIVE**

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**COMMONWEALTH OF KENTUCKY  
CHILD ABUSE, ADULT ABUSE, AND DOMESTIC ABUSE  
STANDARD REPORT**

JC-3 (Rev. 6/92)

**AGENCY**

AGENCY	ENFORCEMENT REPORTING AGENCY: <u>Louisville Metro Police Dept.</u>		ORI AGENCY ID: <u>0508000</u>	AGENCY INCIDENT REPORT NO.: <u>80-16-061279</u>
	ADDRESS/CITY: <u>633 W. Jefferson</u> COUNTY: <u>Jefferson</u>		DATE REPORTED: <u>08.08.16</u>	TIME: <u>0135</u>
NATURE	<input checked="" type="checkbox"/> DOMESTIC VIOLENCE/ABUSE {KRS 403.785(1) KRS 209.030(2)} <u>WE 1ST 508.060</u>		<input type="checkbox"/> SELF NEGLECT {KRS 209.030(2)}	
	<input type="checkbox"/> PHYSICAL ABUSE/NEGLECT (ADULT) {KRS 209.030 (2)}		<input type="checkbox"/> NEGLECT BY CARETAKER {KRS 209.030(2)}	
DATE	DATE OF INCIDENT: <u>08.08.2016</u>		LOCATION/ADDRESS: <u>4509 Broadleaf Dr #4 Louisville, KY 40216</u>	
	TIME: <u>0135</u>	COUNTY OF OCCURRENCE: <u>Jefferson</u>		
VICTIM	NAME: Last <u>Jones</u> First <u>Anita</u> M. <u>L.</u>		RACE: <u>B</u>	SEX: <u>F</u>
	[REDACTED]		LOCATION IF LEFT SCENE: <u>on scene</u>	
RELATIONSHIP TO PERPETRATOR: <input type="checkbox"/> SPOUSE <input type="checkbox"/> FORMER SPOUSE <input type="checkbox"/> UNMARRIED, CHILD IN COMMON <input checked="" type="checkbox"/> UNMARRIED, OTHER <input type="checkbox"/> CHILD <input type="checkbox"/> STEPCHILD <input type="checkbox"/> PARENT <input type="checkbox"/> GRANDPARENT <input type="checkbox"/> OTHER				
ADVISED VICTIM OF RIGHTS (KRS 403, KRS 421) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		GIVEN RIGHTS INFO (JC-3) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
PERPETRATOR	NAME: Last <u>Wicker</u> First <u>Darnell</u> M. <u>T</u>		RACE: <u>B</u>	SEX: <u>M</u>
	[REDACTED]		LOCATION IF LEFT SCENE: <u>Deceased on scene</u>	
OUTSTANDING PROTECTIVE ORDER? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NOTICE/SERVICE MADE? <input type="checkbox"/> YES <input type="checkbox"/> NO		PERPETRATOR AT SCENE WHEN OFFICER ARRIVED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
NARRATIVE: (specify incident details) List witnesses/address/phone. <u>Victim had her adult daughter call 911 after she came home to find her boyfriend had kicked in the door to their apartment and he refused to leave when she asked him to do so. Perpetrator grabbed a large butcher knife and victim wanted out of her apartment to her daughter's car. Perp followed victim and at one point began waving two knives around asking her, "are you really going to do this to me?" Perp then went to sit down then came back with a hand saw. Police arrived on scene and told perp to put the knife/saw down. He refused. She came to work with them and they shot him on scene where he died as a result.</u>				
NATURE INCIDENT/INJURY	VICTIM INJURED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	INJURIES VISIBLE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	MEDICAL ATTENTION <input type="checkbox"/> YES <input type="checkbox"/> AT: <input checked="" type="checkbox"/> NO <input type="checkbox"/> REFUSED	
	DESCRIBE INJURIES OR COMPLAINT OF PAIN: <u>N/A</u>		WEAPONS INVOLVED: <input type="checkbox"/> gun <input type="checkbox"/> hands/feet <input checked="" type="checkbox"/> knife <input checked="" type="checkbox"/> other <u>Hand Saw</u>	
CRIME SCENE PHOTOS <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		PROPERTY DAMAGE AT SCENE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DESCRIBE DAMAGE: <u>Door jamb split + bullet hole to victim's door jamb</u>	
PERSON CALLING FOR ASSISTANCE: (Name, Address, Phone) <u>Demita Louise Jones</u> [REDACTED] <input type="checkbox"/> VICTIM <input checked="" type="checkbox"/> FAMILY MEMBER: <u>Victim's daughter</u> <input type="checkbox"/> NEIGHBOR <input type="checkbox"/> OTHER:				
REPORTING OFFICER	REPORT OF ABUSE/NEGLECT <input checked="" type="checkbox"/>		REPORT AND ARREST <input type="checkbox"/>	ARREST DATE: _____
	CHARGE(S): (include Violation of Protective Order) <u>WE 1ST 508.060</u>			
NAME: <u>Leigh Marom</u>		BADGE/ID NO. <u>6711</u>		
COMMENTS: _____				
GIVE VICTIM INFORMATION - TEAR AT PERFORATED LINE				

**1544843**

CONTROL NUMBER

Division: 2 DISTRICT

# Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-16-067382

Case Status: OPEN ACTIVE

## Incident Information

Date/Time Reported 08/09/2016 16:30	Date/Time From 08/08/2016 01:35	Date/Time To 08/08/2016 02:00	Officer (6711) MARONI, LEIGH A
Incident Location 4509 BROADLEAF DR Apt. 4, LOUISVILLE, KY 40216			

## Charges

<b>1</b>	Charge Type State	Description WANTON ENDANGERMENT-1ST DEGREE-POLICE OFFICER	Statute 13221	UCR 13A	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type PARKING LOT / GARAGE	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. Knife/cutting Instru (ax, Etc) 2. 3.
Entry	Exit	Criminal Activity N			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

## Victims

<b>1</b>	Type POLICE (LAW)	Injuries None	Residency Status Resident	Ethnicity Non-Hispanic
Name (Last, First, M) BANKS, TAYLOR 7293 [RESTRICTED]			Race W	Sex M
Address 633 W JEFFERSON ST, LOUISVILLE, KY 40202				Home Phone
Employer Name/Address				Business Phone
Victim of Crimes 1			Cell Phone	

<b>2</b>	Type POLICE (LAW)	Injuries None	Residency Status Resident	Ethnicity Non-Hispanic
Name (Last, First, M) GADEGAARD, BEAU 7201 [RESTRICTED]			Race W	Sex M
Address 633 W JEFFERSON ST, LOUISVILLE, KY 40202				Business Phone
Employer Name/Address				Cell Phone
Victim of Crimes 1			Cell Phone	

Division: 2 DISTRICT

# Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-16-067382

Case Status: OPEN ACTIVE

## Victims

Seq. # <b>3</b>	Type POLICE (LAW)	Injuries None	Residency Status Unknown		Ethnicity Non-Hispanic
Name (Last, First, M) SMITH, BRIAN 7762 [RESTRICTED]			Race W	Sex M	
Address 633 W JEFFERSON ST, LOUISVILLE, KY 40202					
Employer Name/Address					Business Phone
Victim of Crimes 1		Cell Phone			

## Offenders

Seq. # <b>1</b>	Type INDIVIDUAL	Name (Last, First, M) WICKER, DARNELL THOMAS			
AKA		Race B	Sex M		Height
					Weight
					Home Phone
Employer Name/Address					Business Phone
Scars, Marks, Tattoos or other distinguishing features					
Physical Characteristics					

### Suspect Details

Division: 2 DISTRICT

## Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-16-067382

Case Status: OPEN ACTIVE

### Related Name Relationships

BANKS, TAYLOR 7293 [RESTRICTED]	is	STRANGER	to	WICKER, DARNELL THOMAS
GADEGAARD, BEAU 7201	is	STRANGER	to	WICKER, DARNELL THOMAS
SMITH, BRIAN 7762 [RESTRICTED]	is	STRANGER	to	WICKER, DARNELL THOMAS

### Assisting Officers

(2026) MILLER, MALCOLM X

(2530) PRIDY, JOHN G

(2905) ANTHONY, ANDREA D

(7762) SMITH, BRIAN E

(7042) COLBERT, DWIGHT L

(7154) WALTON JOHNSON, HELEN L

(7175) HOLMAN, KIERSTIN K

(7274) ADEN, MATTHEW D

(7312) MCCONICO, LONZO

Division: 2 DISTRICT

## Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-16-067382

Case Status: OPEN ACTIVE

### Notes/Narratives

#### PUBLIC NARRATIVE

-----  
Officers were called to respond to a domestic at the listed location involving a subject that was armed with a knife and a hand saw. Upon arrival, the suspect came outside and began waving the knives at the direction of the officers.

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#### INVESTIGATIVE NARRATIVE

-----  
Officers gave commands to put the knives down, but he approached them and they shot him. See report number 80-16-067383 as well as 80-16-067279 which will be linked to this incident.

Division: 2 DISTRICT

# Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-16-067383

Case Status: OPEN ACTIVE

## Incident Information

Date/Time Reported	Date/Time From	Date/Time To	Officer
08/09/2016 01:35	08/08/2016 01:35	08/08/2016 02:00	(6711) MARONI, LEIGH A
Incident Location			
4509 BROADLEAF DR Apt. 4, LOUISVILLE, KY 40216			

## Charges

<b>1</b>	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
		DEATH INVESTIGATION - LMPD INVOLVED	DI001	999	<input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		OTHER / UNKNOWN		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
Bias Motivation		Bias Target	Bias Circumstances	Hate Group	

## Victims

Seq. #	Type	Injuries	Residency Status	Ethnicity			
<b>1</b>	INDIVIDUAL	None	Unknown	Non-Hispanic			
Name (Last, First, M)				Race	Sex	DOB	Age
WICKER, DARNELL THOMAS				B	M	08/14/1958	57
Address					Home Phone		
4509 BROADLEAF DR APT. 4, LOUISVILLE, KY 40216							
Employer Name/Address					Business Phone		
Victim of Crimes			Cell Phone				

Division: 2 DISTRICT

# Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-16-067383

Case Status: OPEN ACTIVE

## Offenders

<b>Seq. #</b> <b>1</b>	<b>Type</b> POLICE (LAW)	<b>Name (Last, First, M)</b> BANKS, TAYLOR 7293 [RESTRICTED]					
<b>AKA</b>		<b>Race</b> W	<b>Sex</b> M	<b>DOB</b> [REDACTED]	<b>Age</b> [REDACTED]	<b>Height</b>	<b>Weight</b>
<b>Address</b> 633 W JEFFERSON ST, LOUISVILLE, KY 40202						<b>Home Phone</b>	
<b>Employer Name/Address</b>						<b>Business Phone</b>	
<b>Scars, Marks, Tattoos or other distinguishing features</b>							
<b>Physical Characteristics</b>							

### Suspect Details

<b>Seq. #</b> <b>2</b>	<b>Type</b> POLICE (LAW)	<b>Name (Last, First, M)</b> GADEGAARD, BEAU 7201 [RESTRICTED]					
<b>AKA</b>		<b>Race</b> W	<b>Sex</b> M	<b>DOB</b> [REDACTED]	<b>Age</b> [REDACTED]	<b>Height</b>	<b>Weight</b>
<b>Address</b> 633 W JEFFERSON ST, LOUISVILLE, KY 40202						<b>Home Phone</b> [REDACTED]	
<b>Employer Name/Address</b>						<b>Business Phone</b>	
<b>Scars, Marks, Tattoos or other distinguishing features</b>							
<b>Physical Characteristics</b>							

### Suspect Details

Division: 2 DISTRICT

## Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-16-067383

Case Status: OPEN ACTIVE

### Related Name Relationships

WICKER, DARNELL THOMAS	is	STRANGER	to	BANKS, TAYLOR 7293 [RESTRICTED]
WICKER, DARNELL THOMAS	is	STRANGER	to	GADEGAARD, BEAU 7201

### Assisting Officers

(2026) MILLER, MALCOLM X

(2530) PRIDY, JOHN G

(2905) ANTHONY, ANDREA D

(7762) SMITH, BRIAN E

(7042) COLBERT, DWIGHT L

(7154) WALTON JOHNSON, HELEN L

(7175) HOLMAN, KIERSTIN K

(7274) ADEN, MATTHEW D

(7312) MCCONICO, LONZO



Division: 2 DISTRICT

## Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-16-067383

Case Status: OPEN ACTIVE

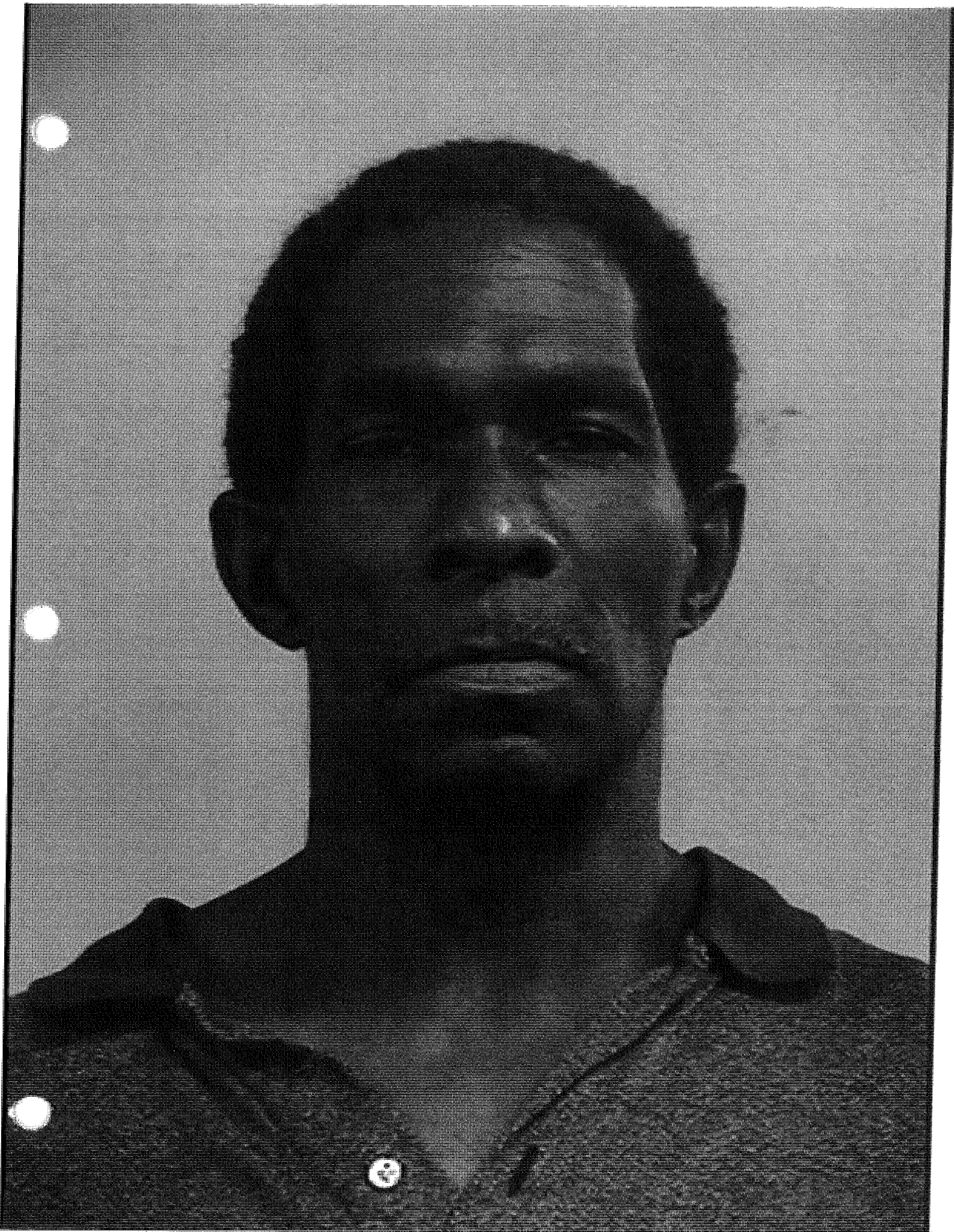
### Notes/Narratives

#### PUBLIC NARRATIVE

Officers responded to the listed location on a domestic in which a subject was armed with a knife. Upon responding, the subject exited the door of his apartment and was armed with a long bladed instrument. Officers told subject to "put it down" and subject refused and officers fired their weapons striking the victim several times causing his death.

#### INVESTIGATIVE NARRATIVE

See report number 80-16-067279 and 80-16-067382 which are related reports that will be linked to this report.



Property #: 0350  
41686

STATE OF KENTUCKY

CITATION 227301  
KSP 206 (REV. 1/1/88)

COURT

OFFENDER/VIOLATOR

AGENCY <b>LOUISVILLE DIVISION OF POLICE</b>	ORI: <b>KY 0560200</b>
NAME (L-F-M) SKIP A SPACE BETWEEN NAMES <b>WICKER DARNELL T</b>	ATTN. <input type="checkbox"/>
ALIAS	EMERGENCY PHONE
PLACE OF EMPLOYMENT/OCCUPATION	CITY:
STATE:	
KENTUCKY RESIDENT STATUS: F <input checked="" type="checkbox"/> FULL-TIME; P <input type="checkbox"/> PART-TIME; N <input type="checkbox"/> NON RESIDENT	
MARITAL STATUS	
VICTIM'S RELATIONSHIP TO OFFENDER	
ETHNIC ORIGIN <input type="checkbox"/> HISPANIC <input checked="" type="checkbox"/> NON HISPANIC	

VEHICLE

EVERY 10 DAY COPY OF RECORD OF JEFFERSON DISTRICT COURT	VEH. YEAR	COLOR	TOP/BOTTOM	ALCOHOL/DRUG INVOLVEMENT (SPECIFY) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> UNK <b>COCAINE</b>
REG. <b>AUG 10 2016</b>	REGISTRATION NO.	VEHICLE IDENTIFIERS	MPH	IN MPH ZONE

DATE/TIME

VIOLATION DATE	VIOLATION TIME	EXACT LOCATION OF VIOLATION/ARREST	B.A. RESULTS
		<b>JACKSON ST. CATHERINE</b>	
DATE OF ARREST	TIME OF ARREST	MILES	DIRECTION
<b>12 17 00</b>	<b>0250</b>		
		CITY	COUNTY OF VIOLATION
		<b>LOUISVILLE</b>	<b>JEFF</b>

CHARGE(S)

VIOLATION CODE	ASCF	STATUTE/ORD.	CHARGE(S)	#	PLEA	FIND-ING	FINAL VIOLATION CODE	DISPN. CODE	FINE	COSTS	FEE	JAIL/ PRISON	PROB. TIME
42203		218A.1415	POCS1ST	1									
13113		508.025	ASLT3	2									
50230		527.100	TWPE	3									
42076		218A.800(2)	POP	4									

COURT

COURT DATE	COURT TIME <input type="checkbox"/> AM <input type="checkbox"/> PM	PAYABLE <input type="checkbox"/> COURT	COURT LOCATION <b>ARRESTED</b>	COURT CASE NO.	DISPN. DATE	TRIAL <input type="checkbox"/> B <input type="checkbox"/> J <input type="checkbox"/> N	CLERK'S INITIALS
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POST-ARREST COMPLAINT

433 E OAK IS KNOWN FOR HIGH DRUG/CRIME ACTIVITY.  
OFFICER OBSERVED SUBJ. COMING OUT OF REAR OF 433 E. OAK  
WHEN OFFICER PULLED UP SUBJ. QUICKLY WALKED AWAY FROM OFFICER.  
OFFICER ASKED SUBJ. WHERE HE WAS GOING AND SUBJ. STARTED TO SEE "BAM"  
IN JACKSONWOOD. OFFICER IS FAMILIAR W/ BAR WHO'S LAST NAME IS CREGG-ODD, WHO IS  
HANDWUN FOR TRAFFICKING CRACK COCAINE. WHEN OFFICER WENT TO PAY SUBJ. DOWN  
FOR WEAPONS SUBJ. PITCHED A CRACK PIPE W/ ~~CRACK~~ SUSPECTED COCAINE INSIDE  
BEHIND CAR TO LOWER FROM OFFICER. OFFICER ATTEMPTED TO PUT WRIST ON SUBJ. AND SUBJ. MET  
OFFICER IN MOUTH W/ HAND CAUSING PHYSICAL INJURY TO OFFICER. SUBJ. THEN RAN AND OFFICER  
CAUGHT SUBJ. AND SUBJ. BEGAN TO FEEL UP, STRIKING OFFICER. NUMEROUS TIMES  
BEFORE OFFICER COULD GAIN CONTROL AND CUFF SUBJ.

CASE

NAME OF WITNESS	ADDRESS	CITY/STATE	ADDRESS
CASE NO. 1	2	3	4
CARRIED FOR UCR BY CONTRIBUTOR: <input type="checkbox"/>		OTHER AGENCY: <input type="checkbox"/> SPECIFY	
<input type="checkbox"/> FINGERPRINTS		<input checked="" type="checkbox"/> EVIDENCE HELD	
<input type="checkbox"/> PHOTOS			
OFFICERS SIGNATURE <b>X LUCKETT J. B. Lockett</b>	BADGE/I.D. NUMBER <b>2004</b>	ASSIGNMENT <b>511A</b>	YEAR <b>0</b>
CONTROL NUMBER <b>A694975</b>			TYPE <b>2</b>

WICKER, DARNELL T  
 Bk#: 2002016926  
 Bk Dt: 05-29-2002 2129  
 Loc:

CIN: 227301  
 227301  
 COMMONWEALTH OF KENTUCKY

JUVENILE OFFENDER

**UNIFORM CITATION**

KSP 206 (REV. 1/1/88)

COURT

OFFENDER/VIOLATOR	AGENCY <b>LOUISVILLE DIVISION OF POLICE</b>	ORI: <b>KY 0510200</b>
	NAME (L-F-M) SKIP A SPACE BETWEEN NAMES <b>WICKER DARNELL T</b>	ATTN: <input type="checkbox"/>
	ALIAS	HOME PHONE EMERGENCY PHONE

VEHICLE	VEH. MAKE <b>BUICK</b>	VEH. YEAR <b>2004</b>	VEH. COLOR <b>BLACK</b>	TOP/BOTTOM	ALCOHOL/DRUG INVOLVEMENT (SPECIFY) <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <input type="checkbox"/> UNK <b>COCAINE</b>
	VEH. REG. STATE <b>KY</b>	VEH. REG. YEAR <b>2004</b>	REGISTRATION NO.	VEHICLE IDENTIFIERS	MPH IN MPH ZONE VIOL. KEY

DATE/TIME	VIOLATION DATE <b>05/29/02</b>	VIOLATION TIME <b>2:05</b>	EXACT LOCATION OF VIOLATION/ARREST <b>D.C. 1000 Bldg. S. HANCOCK</b>	B.A. RESULTS
	DATE OF ARREST <b>05/29/02</b>	TIME OF ARREST <b>2:05</b>	MILES <b>LOUISVILLE</b>	DIRECTION <b>JEFF</b>

CHARGE(S)	VIOLATION CODE	ASCF	STATUTE/ORD.	CHARGE(S)	#	PLEA	FINDING	FINAL VIOLATION CODE	DISPN. CODE	FINE	COSTS	FEE	JAIL/PRISON	PROB. TIME
44203			218.015	POSSE	1									
50230			524.100	TURP	2									
19113			508.025	AGT 3	3									
02404			520.090	RA	4									

COURT	COURT DATE	COURT TIME <input type="checkbox"/> AM <input type="checkbox"/> PM	PAYABLE <input type="checkbox"/> COURT	COURT LOCATION <b>ARRESTED</b>	COURT CASE NO.	DISPN. DATE	TRIAL <input type="checkbox"/> B <input type="checkbox"/> J <input type="checkbox"/> N	CLERK'S INITIALS
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**POST-ARREST COMPLAINT**

OFF. OBSERVED KNOWN CRACK ADDICT (ABOVE SUBS) RESTING BKG OUT OF JACKSONWOODS APT'S WHICH ARE KNOWN FOR NARCOTICS SALBS. AS SUBS. OBSERVED OFC. SUBS. PUT A ROCK OF SUGAR COCAINE INTO MOUTH. AS OFFICER ATTEMPTED TO CUFF SUBS, SUBS. BEGAN TO FIGHT OFFICERS STRIKING OFFICERS MULTIPLE TIMES W/ FEETS. SUBS. CONT. TO STRUGGLE UNTIL OFF. COULD CUFF SUBS. OFC. RECOVERED SUSP. ROCK OF CRACK COCAINE FROM GROUND IN FEET SUBS. SPIT OUT OF MOUTH DURING FEAT.

\*ASST. OFC. E. JOHNSON 0551 13. DATED 05/29/02.

CASE	NAME OF WITNESS	ADDRESS	CITY/STATE		
	NAME OF WITNESS	ADDRESS			
	CASE NO.	1	2	3	4
	CARRIED FOR UCR BY CONTRIBUTOR: <input type="checkbox"/>	OTHER AGENCY: <input type="checkbox"/> SPECIFY	<input type="checkbox"/> IN-CAR VIDEO	<input type="checkbox"/> FINGERPRINTS	EVIDENCE FIELD <input checked="" type="checkbox"/>

OFFICERS SIGNATURE <b>X WICKER DARNELL T</b>	BADGE/I.D. NUMBER <b>2004</b>	ASSIGNMENT <b>544</b>	YEAR <b>2</b>	CONTROL NUMBER <b>D661890</b>	TYPE <b>2</b>
---	----------------------------------	--------------------------	------------------	----------------------------------	------------------

41042893

WICKER, DARNELL T

#k#: 2003024118

#k Dt: 08-12-2003 1844

Loc:

CIN: 227

COMMONWEALTH OF KENTUCKY

JUVENILE OFFENDER

# INFORM CITATION

KSP 206 (REV. 1/1/88)

COURT

AGENCY <b>LOUISVILLE DIVISION OF POLICE</b>	ORI: <b>KY 0560200</b>
NAME (L-F-M) SKIP A SPACE BETWEEN NAMES <b>WICKER, DARNELL, T.</b>	ATTN. <input type="checkbox"/>
ALIAS	HOME PHONE
	EMERGENCY PHONE

OFFENDER/VIOLATOR

VEHICLE INFORMATION

VEH. YEAR	COLOR	TOP/BOTTOM	ALCOHOL/DRUG INVOLVEMENT (SPECIFY) <input type="checkbox"/> NO <input type="checkbox"/> YES <input checked="" type="checkbox"/> UNK
REG. # <b>105</b>	REG. YEAR	REGISTRATION NO.	VEHICLE IDENTIFIERS
MPH	IN MPH ZONE	VIOL. KEY	

VEHICLE

DATE/TIME

VIOLATION DATE	VIOLATION TIME	EXACT LOCATION OF VIOLATION/ARREST <b>501 E. ST. CATHERINE</b>	B.A. RESULTS
DATE OF ARREST <b>08/13/03</b>	TIME OF ARREST <b>1725</b>	MILES	DIRECTION
CITY <b>LOUISVILLE</b>		COUNTY OF VIOLATION <b>Jefferson</b>	SECTOR

CHARGE(S)

VIOLATION CODE	ASCF	STATUTE/ORD.	CHARGE(S)	#	PLEA	FIND-ING	FINAL VIOLATION CODE	DISPN. CODE	FINE	COSTS	FEE	JAIL/ PRISON	PROB. TIME
13113		508.025	ASLT 3rd DCA										
02400		525.060	D.C.	2									
01501		527.020	CCDW	3									
02404		520.090	AKA	4									

COURT

COURT DATE	COURT TIME <input type="checkbox"/> AM <input type="checkbox"/> PM	PAYABLE <input type="checkbox"/> <input type="checkbox"/> COURT	COURT LOCATION <b>ARREST</b>	COURT CASE NO.	DISPN. DATE	TRIAL <input type="checkbox"/> B <input type="checkbox"/> J <input type="checkbox"/> N	CLERK'S INITIALS
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POST-ARREST COMPLAINT

**POST-ARREST COMPLAINT**  
 Subject observed at above location by officer and known to be wanted subject for removal felony warrants. When subject approached by officer and told to sit down he replied no, what I do? subject advised officer was conducting investigation in order to verify warrants subject had on him. Subject became loud shouting at officer I didn't do anything causing alarm and an ovation to witnesses below and passerby's at witnesses Business. Subject asked if he had any weapons and ordered to sit down by officer. Subject pulled out a large 7 inch steak knife with schraded blade, subject is convicted felon. When ordered to drop knife subject did as instructed and then jumped at officer striking him and swinging on officer. As swinging officer striking me in the right side of my head and causing damage to right leg.

CASE

NAME OF WITNESS			
NAME OF WITNESS			
CASE NO.	1	2	3
CARRIED FOR UCR BY CONTRIBUTOR: <input type="checkbox"/>	<input type="checkbox"/> IN-CAR VIDEO		<input type="checkbox"/> FINGERPRINTS
OTHER AGENCY: <input type="checkbox"/> SPECIFY	<input type="checkbox"/> PHOTOS		EVIDENCE HELD
OFFICERS SIGNATURE <b>X C. LEON / O. LEE</b>	BARGE / D. NUMBER <b>2055 / 2606</b>	ASSIGNMENT <b>532A / 532</b>	YEAR <b>3</b>
			CONTROL NUMBER <b>F668154</b>
			TYPE <b>2</b>

WICKER, DARNELL T  
 #k#: 2003024118  
 #k Dt: 08-12-2003 1844  
 Loc:

CIN: 221 227301  
 COMMONWEALTH OF KENTUCKY  
 JUVENILE OFFENDER

**INFORM CITATION**

KSP 206 (REV. 1/1/88)

**COURT**

**LOUISVILLE DIVISION OF POLICE**

ORI: KY 0560200

NAME (L-F-M) SKIP A SPACE BETWEEN NAMES

WICKER, DARNELL T.

ATTN.

HOME PHONE

ALIAS

EMERGENCY PHONE

OFFENDER/VIOLATOR

CERTIFIED COPY OF RECORD VEH. YEAR COLOR TOP/BOTTOM ALCOHOL/DRUG INVOLVEMENT (SPECIFY)  
 JEFFERSON DISTRICT COURT REG. YEAR REGISTRATION NO. VEHICLE IDENTIFIERS MPH IN MPH ZONE VIOL KEY  
 AUG 10 2003

DAVID L. NICHOLSON, CLERK VIOLATION DATE VIOLATION TIME EXACT LOCATION OF VIOLATION/ARREST B.A. RESULTS  
 8/10/03 1725 D.C. 400 BLK. GWENDOLYN

DATE/TIME DATE OF ARREST TIME OF ARREST MILES DIRECTION CITY COUNTY OF VIOLATION SECTOR  
 08/12/03 1725 LOUISVILLE Jefferson

CHARGE(S)	VIOLATION CODE	ASCF	STATUTE/ORD.	CHARGE(S)	#	PLEA	FIND-ING	FINAL VIOLATION CODE	DISPN. CODE	FINE	COSTS	FEE	JAIL/ PRISON	PROB. TIME
	01403		512.040	CM 3rd	1									
	01403		512.040	CM 3rd	2									
					3									
					4									

COURT COURT DATE COURT TIME COURT LOCATION COURT CASE NO. DISPN. DATE TRIAL CLERK'S INITIALS  
 PAYABLE  COURT  AM  PM  
 ARREST

POST-ARREST COMPLAINT  
 of uniform pants. Subject then fled southbound from location officer lee then chased subject to above location where subject tripped on sidewalk. Subject instructed not to move. when officer lee went to handcuff subject he resisted arrest by not complying with orders that he was under arrest and not to move. Subject struggled with officer trying to get back up and run. Subject Maced by officer lee to affect arrest. Officer lee pants leg left side damaged during struggle.

YEAR CONTROL NUMBER TYPE  
 3 F668153 2

CASE NAME OF WITNESS NAME OF WITNESS CASE NO. 1 2 3 4  
 CARRIED FOR UCR BY CONTRIBUTOR:  OTHER AGENCY:  SPECIFY  IN-CAR VIDEO  FINGERPRINTS  PHOTOS EVIDENCE HELD  
 OFFICERS SIGNATURE X C. K. DOWN / O. T. E. E. BADGE/I.D. NUMBER 2055/2686 ASSIGNMENT 532A/1532

AD 42892

**Louisville Metro Police Department**

**Field Contact ID 164885 Detail Report**

Agency: LMPD                      Case #:  
Date: 01/18/2013                  Time: 2200  
Reason for Contact: PERSONAL OBSERVATION

Location of Contact: [REDACTED]

Location Comment:

Officer: (7818) BISHOP, CONRAD K JR

**Contact Information:**

Name: WICKER, DARNELL (B M)

DOB: [REDACTED]                  Age: 0

Hair:                                  Eye:                                  Height:                                  Weight:

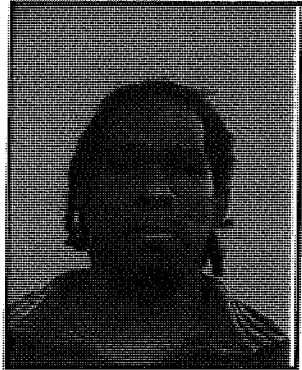
Address: [REDACTED]

Phone #:

Work Phone #:

OLN #: [REDACTED]  
Local ID: [REDACTED]  
FBI ID: [REDACTED]

SSN #: [REDACTED]  
State ID: [REDACTED]  
Federal OLN:



Admitted Record

Admitted Notes:

SMT:    Alert:

**Vehicle Information:**

Vehicle License:                                  State:                                  License Year:  
Vehicle Year: 0                                  Style:                                  License Type:  
Make:    Model:                                  Color:

**Remarks:**

Loiterin at [REDACTED]





Louisville Metro Police Department  
Field Contact ID 25309 Detail Report

Agency: LMPD Case #:  
Date: 10/04/2009 Time: 1815  
Reason for Contact: PERSONAL OBSERVATION  
Location of Contact: [REDACTED]  
Location Comment: [REDACTED]  
Officer: (2167) COOPER, CHARLES W III

**Contact Information:**

Name: WICKER, DARNELL (B.M.)  
DOB: [REDACTED]  
Hair: [REDACTED] Eye: [REDACTED] Height: [REDACTED] Weight: [REDACTED]  
Address: [REDACTED]  
Phone #: [REDACTED] Work Phone #: [REDACTED]  
OLN #: [REDACTED] SSN #: [REDACTED]  
Local ID: [REDACTED] State ID: [REDACTED]  
FBI ID: [REDACTED] Federal OLN: [REDACTED]  
Admitted Record   
Admitted Notes:  
SMT: [REDACTED] Alert: [REDACTED]



**Vehicle Information:**

Vehicle License: [REDACTED] State: [REDACTED] License Year: [REDACTED]  
Vehicle Year: 0 Style: [REDACTED] License Type: [REDACTED]  
Make: [REDACTED] Model: [REDACTED] Color: [REDACTED]

**Remarks:**

Officer observed Wicker riding south on 40th St from Muhammad Ali Blvd. Wicker was riding a bicycle and guiding a second bicycle. A check revealed no report of stolen on either bicycle.  
#1 24" Roadmaster boy's bicycle, silver. [REDACTED]  
#2 24" Huffy girl's bicycle, pink and silver. [REDACTED]



Division: 2 DISTRICT

Beat: 236

Agency: LMPD

# Incident/Investigation Report

Case Number: 80-13-004936

Case Status: OPEN INACTIVE

## Incident Information

Date/Time Reported 01/20/2013 20:13	Date/Time From 01/18/2013 06:00	Date/Time To 01/20/2013 18:00	Officer (7920) FRISBY, CHRISTOPHER E
[REDACTED]			

## Charges

<b>1</b>	Charge Type State	Description BURGLARY - 2ND DEGREE	Statute 22061	UCR 220	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE / HOME	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. 2. 3.
Entry FRONT DOOR	Exit	Criminal Activity			
Bias Motivation	Bias Target	Bias Circumstances	Hate Group		

## Victims

<b>1</b>	Seq. #	Type INDIVIDUAL	Injuries None	Residency Status Resident	Ethnicity Non-Hispanic
Name (Last, First, M) BUSH, JENNIFER R		Race B	Sex F	[REDACTED]	
Employer Name/Address				Home Phone	
[REDACTED]				Business Phone	
Victim of Crimes 1		[REDACTED]			

Division: 2 DISTRICT

# Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-13-004936

Case Status: OPEN INACTIVE

## Offenders

<b>Seq. #</b> 1	<b>Type</b> INDIVIDUAL	<b>Name (Last, First, M)</b> WICKER, DARNELL					
<b>AKA</b>			<b>Race</b> B	<b>Sex</b> M		<b>Height</b>	<b>Weight</b>
<b>Employer Name/Address</b>						<b>Home Phone</b>	
<b>Scars, Marks, Tattoos or other distinguishing features</b>						<b>Business Phone</b>	
<b>Physical Characteristics</b> HAIR LENGTH - Short; HAIR STYLE - Braids; BUILD - Muscular; HAIR LENGTH - Short; HAIR STYLE - Braids; BUILD - Muscular; SPEECH - Stutter; LEFT OR RIGHT HANDED - Right Handed							

### Suspect Details

## Property

<b>Seq. #</b> 1	<b>Description</b> TOSHIBA SATELLITE				<b>Make/Model</b> TOBISHA / SATELLITE	
<b>Owner</b> BUSH, JENNIFER R			<b>License / State</b>		<b>Color</b> BLACK	
<b>Status</b> STOLEN/ETC		<b>Status Officer</b> (7920) FRISBY, CHRISTOPHER E		<b>Quantity</b> 1.00	<b>Units of Measure</b>	<b>Value</b> \$600.00
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>	<b>Gun Stock</b>
<b>Condition</b>		<b>Gun Test</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>Test Type</b>		
				<b>Sight Test</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>Sight Type</b>
<b>Property Notes</b>						

Division: 2 DISTRICT

# Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-13-004936

Case Status: OPEN INACTIVE

## Property

<b>Seq. #</b>	<b>Description</b>	<b>Serial Number</b>	<b>Make/Model</b>
<b>2</b>	APPLE IPAD MINI		APPLE / IPAD MINI
<b>Owner</b>		<b>License / State</b>	<b>Color</b>
BUSH, JENNIFER R			BLACK
<b>Status</b>	<b>Status Officer</b>	<b>Quantity</b>	<b>Units of Measure</b>
STOLEN/ETC	(7920) FRISBY, CHRISTOPHER E	1.00	
<b>Value</b>			
\$400.00			
<b>Gun Type</b>	<b>Caliber</b>	<b>Finish</b>	<b>Grip</b>
<b>Gun Stock</b>			
<b>Condition</b>	<b>Gun Test</b>	<b>Test Type</b>	<b>Sight Test</b>
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Property Notes</b>			
<b>Seq. #</b>	<b>Description</b>	<b>Serial Number</b>	<b>Make/Model</b>
<b>3</b>	BEATS HEADPHONES		BEATS
<b>Owner</b>		<b>License / State</b>	<b>Color</b>
BUSH, JENNIFER R			WHITE
<b>Status</b>	<b>Status Officer</b>	<b>Quantity</b>	<b>Units of Measure</b>
STOLEN/ETC	(7920) FRISBY, CHRISTOPHER E	1.00	
<b>Value</b>			
\$200.00			
<b>Gun Type</b>	<b>Caliber</b>	<b>Finish</b>	<b>Grip</b>
<b>Gun Stock</b>			
<b>Condition</b>	<b>Gun Test</b>	<b>Test Type</b>	<b>Sight Test</b>
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Property Notes</b>			
<b>Seq. #</b>	<b>Description</b>	<b>Serial Number</b>	<b>Make/Model</b>
<b>4</b>	WOMENS MOVADO WATCH		MOVADO
<b>Owner</b>		<b>License / State</b>	<b>Color</b>
BUSH, JENNIFER R			
<b>Status</b>	<b>Status Officer</b>	<b>Quantity</b>	<b>Units of Measure</b>
STOLEN/ETC	(7920) FRISBY, CHRISTOPHER E	1.00	
<b>Value</b>			
\$700.00			
<b>Gun Type</b>	<b>Caliber</b>	<b>Finish</b>	<b>Grip</b>
<b>Gun Stock</b>			
<b>Condition</b>	<b>Gun Test</b>	<b>Test Type</b>	<b>Sight Test</b>
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Property Notes</b>			

Division: 2 DISTRICT

## Incident/Investigation Report

Beat: 236

Agency: LMPD

Case Number: 80-13-004936

Case Status: OPEN INACTIVE

### Related Name Relationships

BUSH, JENNIFER R

is

ACQUAINTANCE

to

WICKER, DARNELL

### Notes/Narratives

#### PUBLIC NARRATIVE

Victim states that between listed date and times, listed suspect gained entry unlawfully through the front door and stole listed property.

#### INVESTIGATIVE NARRATIVE

Suspect used to do yard work for vic. Suspect began acting weird and stopped doing yard work. Suspect then would show up at all hours wanting to borrow money (\$10) and to do various odd jobs. Vic believes suspect took some property out of the shed awhile back. Suspect lives in close proximity. Victim states that she barely stays on Buckeye and mostly stays with her boyfriend. Vic comes and goes and did not stay at home between listed times. Vic stated she came home on 1-18 and the front door was open, but was unsure if she left it unlocked or one of her kids did. Vic did not go through house to check for missing property. Officer did not see any damage to door.

Division: 4 DISTRICT

# Incident/Investigation Report

Beat: 412

Agency: LMPD

Case Number: 80-08-096687

Case Status: CLOSED/CLEARED

## Incident Information

Date/Time Reported	Date/Time From	Date/Time To	Officer
12/18/2008 23:29	12/18/2008 23:29	12/18/2008 23:29	(7594) RECCIUS, BRIAN J
Incident Location			
S CLAY ST / E OAK ST, LOUISVILLE, KY 40203			

## Charges

<b>1</b>	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
		POSS CONT SUB-1ST DEGREE-1ST OFFENSE-COCAINE	42203	35A	<input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input checked="" type="checkbox"/> Drugs <input checked="" type="checkbox"/> Computers		HIGHWAY / ROAD / ALLEY		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
		PROCESSING/ CONCEALING			3.
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
<b>2</b>	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
		POSS CONT SUB-3RD DEGREE-1ST OFFENSE-DRUG UNSPECIFIED	42261	999	<input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		HIGHWAY / ROAD / ALLEY		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

## Victims

Seq. #	Type	Injuries	Residency Status		Ethnicity
<b>1</b>	SOCIETY/ PUBLIC	None			
Name (Last, First, M)			Race	Sex	DOB
COMM OF KY SOCIETY					Age
					00
Address				Home Phone	
LOUISVILLE, KY					
Employer Name/Address				Business Phone	
Victim of Crimes		Cell Phone			
1,2					

Division: 4 DISTRICT

Beat: 412

Agency: LMPD

Case Number: 80-08-096687

Case Status: CLOSED/CLEARED

# Incident/Investigation Report

## Offenders

<b>Seq. #</b> 1	<b>Type</b> INDIVIDUAL	<b>Name (Last, First, M)</b> WICKER, DARNELL			
<b>AKA</b>		<b>Race</b> B	<b>Sex</b> M	[REDACTED]	
[REDACTED]					<b>Home Phone</b>
<b>Employer Name/Address</b>					<b>Business Phone</b>
<b>Scars, Marks, Tattoos or other distinguishing features</b>					
<b>Physical Characteristics</b> HAIR LENGTH - Short; HAIR STYLE - Braids; BUILD - Muscular; HAIR LENGTH - Short; HAIR STYLE - Braids; BUILD - Muscular; SPEECH - Stutter; LEFT OR RIGHT HANDED - Right Handed					

### Suspect Details

## Property

<b>Seq. #</b> 1	<b>Description</b> SUSP CRACK 0.6 GRAM		<b>Serial Number</b>		<b>Make/Model</b>
<b>Owner</b>			<b>License / State</b>		<b>Color</b>
<b>Status</b> SEIZED		<b>Status Officer</b> (7594) RECCIUS, BRIAN J		<b>Quantity</b> 0.60	<b>Units of Measure</b> GM
				<b>Value</b> \$0.00	
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>	<b>Grip</b>	
				<b>Gun Stock</b>	
<b>Condition</b>		<b>Gun Test</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>Test Type</b>	
				<b>Sight Test</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
				<b>Sight Type</b>	
<b>Property Notes</b> Property quantity changed from 1 to 0.60 by User 8006 12/18/2008					



Division: 4 DISTRICT

# Incident/Investigation Report

Beat: 412

Agency: LMPD

Case Number: 80-08-096687

Case Status: CLOSED/CLEARED

## Property

<b>Seq. #</b> <b>1</b>	<b>Description</b>	<b>Serial Number</b>	<b>Make/Model</b>
<b>Owner</b>		<b>License / State</b>	<b>Color</b>
<b>Status</b>	<b>Status Officer</b>	<b>Quantity</b>	<b>Units of Measure</b> <b>Value</b>
<b>Gun Type</b>	<b>Caliber</b>	<b>Finish</b>	<b>Grip</b> <b>Gun Stock</b>
<b>Condition</b>	<b>Gun Test</b> Yes   No	<b>Test Type</b>	<b>Sight Test</b> Yes   No <b>Sight Type</b>
<b>Property Notes</b>			
<b>Seq. #</b> <b>2</b>	<b>Description</b> 6 WHITE PILLS	<b>Serial Number</b>	<b>Make/Model</b>
<b>Owner</b>		<b>License / State</b>	<b>Color</b>
<b>Status</b> SEIZED	<b>Status Officer</b> (7594) RECCIUS, BRIAN J	<b>Quantity</b> 6.00	<b>Units of Measure</b> DU <b>Value</b> \$0.00
<b>Gun Type</b>	<b>Caliber</b>	<b>Finish</b>	<b>Grip</b> <b>Gun Stock</b>
<b>Condition</b>	<b>Gun Test</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>Test Type</b>	<b>Sight Test</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <b>Sight Type</b>
<b>Property Notes</b>			
<b>Seq. #</b> <b>2</b>	<b>Description</b>	<b>Serial Number</b>	<b>Make/Model</b>
<b>Owner</b>		<b>License / State</b>	<b>Color</b>
<b>Status</b>	<b>Status Officer</b>	<b>Quantity</b>	<b>Units of Measure</b> <b>Value</b>
<b>Gun Type</b>	<b>Caliber</b>	<b>Finish</b>	<b>Grip</b> <b>Gun Stock</b>
<b>Condition</b>	<b>Gun Test</b> Yes   No	<b>Test Type</b>	<b>Sight Test</b> Yes   No <b>Sight Type</b>
<b>Property Notes</b>			

Division: 4 DISTRICT

## Incident/Investigation Report

Beat: 412

Agency: LMPD

Case Number: 80-08-096687

Case Status: CLOSED/CLEARED

### Assisting Officers

(7598) TINELLI, AARON V

### Notes/Narratives

#### PUBLIC NARRATIVE

See arrest Narrative #L236301

#### INVESTIGATIVE NARRATIVE

# ARREST REPORT

Fingerprinted	R84 Completed
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input checked="" type="checkbox"/> No	<input type="checkbox"/> No

IDENTIFICATION	1 ORI # <b>KY0568000</b>		2 AGENCY NAME <b>Louisville Metro Police Department</b>		3a. ARREST # <b>L236301</b>		3b. CASE # <b>80-08-096687</b>		4 SFX			
	5 LAST, FIRST, MIDDLE NAME <b>Wicker, Darnell</b>						6 ALIAS AKA					
	7 SEX <input checked="" type="checkbox"/> M <input type="checkbox"/> F		8 RACE <input checked="" type="checkbox"/> W <input type="checkbox"/> B <input type="checkbox"/> A <input type="checkbox"/> I		9 HGT.		10 WGT. <b>0</b>		11 EYE		12 HAIR	
	13 SKIN		14 <input type="checkbox"/> SCARS		<input type="checkbox"/> MARKS		<input type="checkbox"/> TATTOOS		<input type="checkbox"/> AMPUTATIONS			
	15 PLACE OF BIRTH (CITY, COUNTY, STATE)						16 SSN <b>11179</b>					
20 SID #		21 FINGERPRINT CLASS KEY MAJOR PRIMARY SCDV SUB-SECONDARY FINAL HENRY CLASS NCIC CLASS						22 DL #		23 ST		
26 <input type="checkbox"/> RESIDENT <input checked="" type="checkbox"/> NON-RESIDENT		28 RESIDENCE PHONE				29 OCCUPATION (BE SPECIFIC)						
30 EMPLOYER (NAME OF COMPANY/SCHOOL)				31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)				32 BUSINESS PHONE				

ARREST	33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP) <b>S Clay St Louisville, Ky 40203</b>				34 SECTOR #		35 ARRESTED FOR YOUR JURISDICTION? <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> IN STATE <input type="checkbox"/> OUT STATE <input type="checkbox"/> AGENCY				
	36 CONDITION OF ARRESTEE: <input type="checkbox"/> DRUNK <input type="checkbox"/> SOBER <input type="checkbox"/> DRUGS		37 RESIST ARREST? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		38 INJURIES? <input type="checkbox"/> NONE <input type="checkbox"/> OFFICER <input type="checkbox"/> ARRESTEE		39 ARMED? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		40 DESCRIPTION OF WEAPON		
	41 DATE OF ARREST <b>12/18/2008</b>		42 TIME OF ARREST <b>23:55</b>		43 DAY OF ARREST <input type="checkbox"/> S <input type="checkbox"/> M <input type="checkbox"/> T <input type="checkbox"/> W <input checked="" type="checkbox"/> F <input type="checkbox"/> S		44 TYPE ARREST <b>ON-VIEW ARREST</b>		45 ARRESTED BEFORE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		
	48 CHARGE-1 <b>Poss Cont Sub-1st</b>		47 UCR CODE <b>35A</b>		50 STATE CODE/LOCAL ORD. <b>42203</b>		51 WARRANT #		DISPOSITION		52 DATE ISSUED
	48 CHARGE-2 <b>Poss Cont Sub-3rd</b>		49 UCR CODE <b>35A</b>		53 STATE CODE/LOCAL ORD. <b>42261</b>		54 WARRANT #		DISPOSITION		55 DATE ISSUED
50 CHARGE-3		57 UCR CODE		60 STATE CODE/LOCAL ORD.		61 WARRANT #		DISPOSITION		62 DATE ISSUED	
58 CHARGE-4		59 UCR CODE		63 STATE CODE/LOCAL ORD.		64 WARRANT #		DISPOSITION		65 DATE ISSUED	

Total Charges this Arrest: (2)				68 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)							
68 ARREST DISPOSITION <b>Cleared By Arrest</b>				69 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)							

VEHICLE	70 VYR <b>1985</b>		71 VMA <b>VOLVO</b>		72 VMO		73 VST		74 VCO TOP <b>SILVER</b>		75 TAG #		76 LIS <b>KY</b>		77 LIY <b>0</b>	
	78 VIN										79 IMPOUNDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		80 STORAGE LOCATION/IMPOUND #			
	VEHICLE RELATED TO: <b>Wicker, Darnell</b>								VEHICLE RELATION: <b>Person In Vehicle</b>							
81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED																

JUVENILE	82 JUVENILE DISPOSITION: <input type="checkbox"/> HANDLED AND RELEASED <input type="checkbox"/> REF. TO WELFARE AGENCY <input type="checkbox"/> REF. TO ADULT COURT <input checked="" type="checkbox"/> REF. TO JUVENILE COURT <input type="checkbox"/> REF. TO OTHER POLICE AGENCY										83 RELEASED TO					
	84 PARENT OR GUARDIAN (LAST, FIRST, MIDDLE NAME)						85 ADDRESS (STREET, CITY, STATE, ZIP)						86 PHONE			
	87 PARENTS EMPLOYER				88 OCCUPATION				89 ADDRESS (STREET, CITY, STATE, ZIP)				90 PHONE			

RELEASE	91 DATE AND TIME OF RELEASE				92 RELEASING OFFICER NAME				93 AGENCY/DIVISION				94 ID #						
	95 RELEASED TO				96 AGENCY/DIVISION				97 AGENCY ADDRESS										
	98 PERSONAL PROPERTY RELEASED TO ARRESTEE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PARTIAL				99 PROPERTY NOT RELEASED/HELD AT:				100 PROPERTY #										
	101 REMARKS (NOTE ANY INJURIES AT TIME OF RELEASE)																		
	102 SIGNATURE OF RECEIVING OFFICER												103 SIGNATURE OF RELEASING OFFICER				LOCAL USE		
												STATE USE							

MULTIPLE CASES CLOSED		104 CASE #		105 SFX		106 CASE #		107 SFX		108 CASE #		109 SFX		110 ADDITIONAL CASES CLOSE NARRATIVE <input type="checkbox"/> Y <input type="checkbox"/> N	
111 ARRESTING OFFICER (LAST, FIRST, M.) <b>Reccius, Brian J</b>				112 ID # <b>7594</b>		113 ARRESTING OFFICER (LAST, FIRST, M.)				114 ID #		115 SUPERVISOR <b>Starks</b>		116 WATCH CMDR. ID #	

<b>ADDITIONAL ARREST NARRATIVE CONTINUED</b>	<b>117 DATE AND TIME OF ARREST</b>		<input type="checkbox"/> AM	<b>118a. CASE #</b>	<b>119 SFX</b>
	12/18/2008	23:55	<input checked="" type="checkbox"/> MIL	80-08-096687	
			<b>118b. ARREST #</b> L236301		

**120 ADDITIONAL ARREST INFORMATION**

officer observed above subject driving above vehicle with out seat belt. Officer asked subject if anything illegal was in the vehicle. subject admitted to taking Hydrocodone Pills that were not prescribed to him. Also officer found on the floorboard a small amount of suspected crack cocaine.

Division: 4 DISTRICT

# Incident/Investigation Report

Beat: 412

Agency: LMPD

Case Number: 80-03-628924

Case Status: CLOSED/CLEARED

## Incident Information

Date/Time Reported	Date/Time From	Date/Time To	Officer
08/12/2003 17:30	08/12/2003 17:10	08/12/2003 17:25	(2055) KEOWN, CHRIS W
Incident Location			
S JACKSON ST / GWENDOLYN ST, LOUISVILLE, KY 40203			

## Charges

<b>1</b>	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
		ASSAULT-3RD DEGREE-POLICE/PROBATION OFFICER-IDENTIFY WEAPON	13113	13A	
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons 1. Personal Weapons (hands, 2. 3.
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		HIGHWAY / ROAD / ALLEY		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Entry	Exit	Criminal Activity		N	
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
NONE (NO BIAS)					
<b>2</b>	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
		CRIMINAL MISCHIEF-3RD DEGREE	01403	290	
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons 1. 2. 3.
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		HIGHWAY / ROAD / ALLEY		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Entry	Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
NONE (NO BIAS)					

## Victims

Seq. #	Type	Injuries	Residency Status		Ethnicity	
<b>1</b>	INDIVIDUAL	None			Non-Hispanic	
Name (Last, First, M)			Race	Sex	DOB	Age
KEOWN, CHRISTOPHER 2055			W	M	[REDACTED]	36
Address					Home Phone	
633 W JEFFERSON ST, LOUISVILLE, KY 40202					[REDACTED]	
Employer Name/Address					Business Phone	
Victim of Crimes			Cell Phone			
1,2						

Division: 4 DISTRICT

# Incident/Investigation Report

Beat: 412

Agency: LMPD

Case Number: 80-03-628924

Case Status: CLOSED/CLEARED

## Offenders

<b>Seq. #</b> <b>1</b>	<b>Type</b> INDIVIDUAL	<b>Name (Last, First, M)</b> WICKER, DARNELL					
<b>AKA</b>			<b>Race</b> B	<b>Sex</b> M	[REDACTED]	<b>Height</b>	<b>Weight</b>
[REDACTED]						<b>Home Phone</b>	
<b>Employer Name/Address</b>						<b>Business Phone</b>	
<b>Scars, Marks, Tattoos or other distinguishing features</b>							
<b>Physical Characteristics</b> HAIR LENGTH - Short; HAIR STYLE - Braids; BUILD - Muscular; HAIR LENGTH - Short; HAIR STYLE - Braids; BUILD - Muscular; SPEECH - Stutter; LEFT OR RIGHT HANDED - Right Handed							

### Suspect Details

## Property

<b>Seq. #</b> <b>1</b>	<b>Description</b> UNIFORM PANTS		<b>Serial Number</b>		<b>Make/Model</b> GALLS	
<b>Owner</b> KEOWN, CHRISTOPHER 2055			<b>License / State</b>		<b>Color</b> BLUE	
<b>Status</b> DESTROYED/ DAMAGED/		<b>Status Officer</b>		<b>Quantity</b> 2.00	<b>Units of Measure</b>	<b>Value</b> \$140.00
<b>Gun Type</b>		<b>Caliber</b>	<b>Finish</b>		<b>Grip</b>	<b>Gun Stock</b>
<b>Condition</b>		<b>Gun Test</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		<b>Test Type</b>		<b>Sight Test</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Sight Type</b>						
<b>Property Notes</b>						

Division: 4 DISTRICT

## Incident/Investigation Report

Beat: 412

Agency: LMPD

Case Number: 80-03-628924

Case Status: CLOSED/CLEARED

### Related Name Relationships

KEOWN, CHRISTOPHER 2055

is

STRANGER

to

WICKER, DARNELL

### Notes/Narratives

#### PUBLIC NARRATIVE

[PUBLIC NARRATIVE]

VICT REPORTS BETWEEN ABOVE DATES AND TIMES AS SUBJECT BEING INVESTIGATED AS POSSIBLE 10-85, PERP SHOVED OFFICER AND SWUNG AT VICTIM WITH CLOSED FISTS STRIKING VICT IN RIGHT SIDE OF HEAD. PERP THEN FLED SCENE AND WAS APPREHENDED BY LISTED WITNESS.

#### INVESTIGATIVE NARRATIVE

# ARREST REPORT

Fingerprinted  Yes  No  
R84 Completed  Yes  No

IDENTIFICATION	1 ORI #	2 AGENCY NAME	3a ARREST #	3b CASE #	4 SFX						
	KY0568000	Louisville Metro Police Department	F668176	80-03-628924							
	5 LAST, FIRST, MIDDLE NAME				6 ALIAS AKA						
	Wicker, Darnell										
	7 SEX	8 RACE	9 HGT.	10 WGT.	11 EYE	12 HAIR	13 SKIN	14 SCARS	15 MARKS	16 TATTOOS	17 AMPUTATIONS
	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input checked="" type="checkbox"/> W <input type="checkbox"/> B		0-0				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	15 PLACE OF BIRTH (CITY, COUNTY, STATE)						16 SSN				
							1-1-1-7-9				
	20 SID #	21 FINGERPRINT CLASS				22 IDENTIFICATION COMMENTS				23 ST	
		HENRY CLASS								KY	
24 NCIC CLASS											
26 <input checked="" type="checkbox"/> RESIDENT <input type="checkbox"/> NON-RESIDENT				28 RESIDENCE PHONE				29 OCCUPATION (BE SPECIFIC)			
30 EMPLOYER (NAME OF COMPANY/SCHOOL)				31 BUSINESS ADDRESS (STREET, CITY, STATE, ZIP)				32 BUSINESS PHONE			

ARREST	33 LOCATION OF ARREST (STREET, CITY, STATE, ZIP)				34 SECTOR #		35 ARRESTED FOR YOUR JURISDICTION? <input type="checkbox"/> YES <input type="checkbox"/> NO					
	411 Gwendolyn St Louisville, Ky 40203						<input type="checkbox"/> IN STATE AGENCY <input type="checkbox"/> OUT STATE AGENCY					
	36 CONDITION OF		37 RESIST ARREST?		38 INJURIES?		39 ARMED?		40 DESCRIPTION OF WEAPON			
	<input type="checkbox"/> DRUNK <input checked="" type="checkbox"/> SOBER		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<input type="checkbox"/> NONE <input type="checkbox"/> OFFICER <input type="checkbox"/> ARRESTEE		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N					
	ARRESTEE: <input type="checkbox"/> DRINKING <input type="checkbox"/> DRUGS											
	41 DATE OF ARREST		42 TIME OF ARREST		43 DAY OF ARREST		44 TYPE ARREST TAKEN INTO CUSTODY		45 ARRESTED BEFORE?			
	08/12/2003		17:25		MIL		CUSTODY		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
	46 CHARGE-1		47 UCR CODE		50 STATE CODE/LOCAL ORD.		51 WARRANT #		DISPOSITION		52 DATE ISSUED	
	Criminal Mischief-3rd		290		01403							
	48 CHARGE-2		49 UCR CODE		53 STATE CODE/LOCAL ORD.		54 WARRANT #		DISPOSITION		55 DATE ISSUED	
Assault-3rd		13A		13113								
56 CHARGE-3		57 UCR CODE		60 STATE CODE/LOCAL ORD.		61 WARRANT #		DISPOSITION		62 DATE ISSUED		
Resisting Arrest		90Z		02404								
58 CHARGE-4		59 UCR CODE		63 STATE CODE/LOCAL ORD.		64 WARRANT #		DISPOSITION		65 DATE ISSUED		
Tampering With Physical		90Z		50230								
Total Charges this Arrest: (4)				66 ARRESTED WITH (1) ACCOMPLICE (FULL NAME)								
66 ARREST DISPOSITION				66 ARRESTED WITH (2) ACCOMPLICE (FULL NAME)								
Cleared By Arrest												

VEHICLE	70 VYR	71 VMA	72 VMO	73 VST	74 VCO	75 TAG #	76 LIS	77 LIY			
	TOP					BOTTOM					
	78 VIN						79 IMPOUNDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		80 STORAGE LOCATION/IMPOUND #		
	VEHICLE RELATED TO:						VEHICLE RELATION:				
81 OTHER EVIDENCE SEIZED/PROPERTY SEIZED									<input type="checkbox"/> CONTINUED IN NARRATIVE		

JUVENILE	82 JUVENILE DISPOSITION: <input type="checkbox"/> HANDLED AND RELEASED <input type="checkbox"/> REF. TO WELFARE AGENCY <input type="checkbox"/> REF. TO ADULT COURT <input checked="" type="checkbox"/> REF. TO JUVENILE COURT <input type="checkbox"/> REF. TO OTHER POLICE AGENCY				83 RELEASED TO											
	84 PARENT OR GUARDIAN (LAST, FIRST, MIDDLE NAME)				85 ADDRESS (STREET, CITY, STATE, ZIP)				86 PHONE							
	87 PARENTS EMPLOYER				88 OCCUPATION				89 ADDRESS (STREET, CITY, STATE, ZIP)				90 PHONE			

RELEASE	91 DATE AND TIME OF RELEASE		92 RELEASING OFFICER NAME				93 AGENCY/DIVISION				94 ID #				
	95 RELEASED TO				96 AGENCY/DIVISION				97 AGENCY ADDRESS						
	98 PERSONAL PROPERTY RELEASED TO ARRESTEE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> PARTIAL				99 PROPERTY NOT RELEASED/HELD AT:				100 PROPERTY #						
	101 REMARKS (NOTE ANY INJURIES AT TIME OF RELEASE)														
	102 SIGNATURE OF RECEIVING OFFICER								103 SIGNATURE OF RELEASING OFFICER				LOCAL USE		
												STATE USE			

MULTIPLE CASES CLOSED	104 CASE #	105 SFX	106 CASE #	107 SFX	108 CASE #	109 SFX	110 ADDITIONAL CASES CLOSE NARRATIVE <input type="checkbox"/> Y <input type="checkbox"/> N		
111 ARRESTING OFFICER (LAST, FIRST, M.)		112 ID #	113 ARRESTING OFFICER (LAST, FIRST, M.)		114 ID #	115 SUPERVISOR		116 WATCH CMDR.	
Keown, Chris W		2055				ID #		ID #	



<b>ADDITIONAL ARREST NARRATIVE CONTINUED</b>	<b>117 DATE AND TIME OF ARREST</b>		<input type="checkbox"/> AM	<b>118a. CASE #</b>	<b>119 SFX</b>
	08/12/2003	17:25	<input checked="" type="checkbox"/> PM <input type="checkbox"/> MIL	80-03-628924	
			<b>118b. ARREST #</b> F668176		

**120 ADDITIONAL ARREST INFORMATION**

**[ARREST NARRATIVE]**

SUBJ OBS AT ABV LOCATION BY OFCR AND KNOW TO BE WANTED FOR SEVERAL FELONY WARRANTS. WHEN SUBJ APPROACHED BY OFFICER AND TOLD TO SIT DOWN HE REPLIED NO WHAT I DO? SUBJ ADVISED OFCR WAS CONDUCTING INVESTIGATION IN ORDER TO VERIFY WARRANTS SUBJ HAD ON HIM. SUBJ BECAME LOUD SHOUTING AT OFCR, I DIDN'T DO ANYTHING CAUSING ALARM AND ANNOYANCE TO WITNESS BELOW AND PASSERBYS AT WITNESSES BUSINESS. SUBJ ASKED IF HE HAD ANY WEAPONS AND ORDERED TO SIT DOWN BY OFCR. SUBJ PULLED OUT A LARGE 7-IN. STEAK KNIFE WITH SCRADED BLADE SUBJ IS CONVICTED FELON. WHEN ORDERED TO DROP KNIFE, SUBJ DID AS INSTRUCTED AND THEN JUMPED AT OFCR PUSHING HIM AND SINGING ON OFCR ASSAULTING OFCR STRIKING ME IN THE RIGHT SIDE OF MY HEAD AND CAUSING DAMAGE TO RIGHT LEG OF UNIFORM PANTS. SUBJ THEN FLED S/B FROM LOC. OFCR LEE THEN CHASED SUBJ TO ABV LOC WHERE SUBJ TRIPPED ON SIDEWALK. SUBJ INSTRUCTED NOT TO MOVE. WHEN OFCR LEE WENT TO HANDCUFF SUBJ HE RESISTED ARREST BY NOT COMPLYING WITH ORDERS THAT HE WAS UNDER ARREST AND NOT TO MOVE. SUBJ STRUGGLED WITH OFCR TRYING TO GET BACK UP AND RUN. SUBJ MACED BY OFCR O LEE TO AFFECT ARREST. OFCR LEE'S PANTS LEG LEFT SIDE DAMAGED DURING STRUGGLE [REDACTED] BW #135812 \*\*\*\* SUBJ HAD ADDED C\*\*\* SEARCHED BY OFCR JOHNSTON 0171-1844.

COMMONWEALTH OF KENTUCKY  
JEFFERSON DISTRICT / CIRCUIT COURT

**ORDER**

IT IS HEREBY ORDERED:

Pursuant to KRS 61.878(1)(h), the search warrant and supporting affidavit authorizing the search of :

4509 Broadleaf Drive Apartment #4 Louisville, J

in Jefferson County, Kentucky, shall be sealed until such time as law enforcement actions is completed or a decision is made to take no action.

So ordered this 8<sup>th</sup> Day of August, 2016.

  
\_\_\_\_\_  
JUDGE  
JEFFERSON DISTRICT / CIRCUIT COURT

AOC-82-335

Commonwealth of Kentucky  
Court of Justice

Ky. Const. §10; RCr 13.10



AFFIDAVIT FOR  
SEARCH WARRANT

Case No. \_\_\_\_\_

Court: District/ Circuit

County: Jefferson

The affiant, Sergeant Arnold Rivera

, a peace officer of

Louisville Metro Police Department

being first duly sworn, states that he has and there is reasonable and probable grounds to believe and affiant does believe that there is now on the premises known and numbered as  
4509 Broadleaf Drive Apartment #4, Louisville, Jefferson County, Kentucky 40216

and more particularly described as follows:

A two story multi-family apartment building with a red brick exterior. The structure sits on the east side of Broadleaf Drive. All of the apartments have exterior doors that face west. The building has the number 4509 affixed to the exterior. Apartment #4 is in the north west corner of the building and faces west; the door is red in color with the number 4 affixed to the door. There are two windows on each side of the door.

and/or in a vehicle or vehicles described as:

and/or on the person or persons of:

the following described personal property, to wit:

Any and all trace evidence including but not limited to: blood, semen, saliva, physiological fluids and secretions, hair, fibers, fingerprints, palm prints, foot prints, shoe prints, relevant clothing, weapons and/or firearms and any other devices capable of discharging a projectile, projectiles, ammunition, bullet casings and fragments, dirt, dust, soil, paint samples, glass and/or plastic fragments, tools used to gain access to locked premises, or containers, including garbage cans, and any other items containing traces of any of the above mentioned articles; any and all computers, cell phones, or any other devices that may contain electronic data (any electronic item seized to be forensically examined), and any written information or printed material that may contain information relating to the suspect or victim. The authorization of the forensic examination of the electronic items seized extends to any agency or lab working at the direction or request of Louisville Metro Police Department (LMPD), regardless of the jurisdiction or physical location of that agency or lab.

(Continued on back)

Affiant states that there is probable and reasonable cause to believe and affiant does believe that said property constitutes (check appropriate box or boxes):

- stolen or embezzled property;
- property or things used as the means of committing a crime;
- property or things in the possession of a person who intends to use it as a means of committing a crime;
- property or things in the possession of a person to whom it was delivered for the purpose of concealing it or preventing its discovery and which is intended to be used as a means of committing a crime;
- property or things consisting of evidence which tends to show that a crime has been committed or that a particular person has committed a crime.

Affiant has been an officer in the aforementioned agency for a period of 13 years and the information and observations continued herein were received and made in his capacity as an officer thereof.

On the 8<sup>th</sup> day of August, 20 16 at approximately 1:59 a.m.  p.m. ,

affiant received information from/observed:

On Monday, August 8, 2016, at approximately 0159 hours, affiant was notified that officers with the Louisville Metro Police Department's Second Division were involved in shooting while investigating a Domestic Violence call for service. Specifically, the notification advised Officers were at 4509 Broadleaf Drive Apartment #4.

Acting on the information received, affiant conducted the following independent investigation:

Affiant responded to the scene and obtained additional information from Sergeant Kristen Downs. Sergeant Downs advised that Officers Beau Gadegaard (7201), Taylor Banks (7293) and Brian Smith (7762), responded to the location on a Domestic Violence Trouble run. Specifically, the call for service advised that the caller's mother was having a dispute with her boyfriend, Darnell Wicker [REDACTED] who had kicked in the door to the apartment and was inside armed with a knife. When the officers arrived on scene, Darnell Wicker walked out of the apartment door armed with a knife in one hand and a saw in the other. Officers gave multiple verbal commands to Mr. Wicker to drop the weapons. Mr. Wicker ignored the commands and then charged toward the officers. The officers fired their weapons striking Mr. Wicker. Mr. Wicker was pronounced deceased at the scene by Louisville Metro Emergency Services (EMS), personnel.

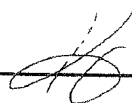
Affiant then spoke with Sergeant Leigh Maroni who advised that she interviewed Ms. Anita Jones [REDACTED] at the scene. Ms. Jones identified Mr. Wicker as her boyfriend of 20 years. Ms. Jones advised that while she was at another location, she received a call from Mr. Wicker demanding the keys to her apartment [REDACTED]. Ms. Jones stated she then travelled back to her apartment and found the door had been kicked in. Ms. Jones looked inside and observed Mr. Wicker inside who was armed with a knife. Ms. Jones then retreated to the parking lot of the apartment complex and asked her daughter, Denita Jones B/F DOB [REDACTED] to call for police assistance. Ms. Jones advised that when officers arrived on scene, Mr. Wicker exited the apartment armed with a knife in one hand and a saw in the other. Ms. Jones advised she then heard shouting followed by gunfire.


(Continued on next page.)

Affiant has reasonable and probable cause to believe that grounds exist for the issuance of a Search Warrant, based on the aforementioned facts, information and circumstances and prays that a Search Warrant be issued, that the property be seized, or any part thereof, and brought before any court and/or retained subject to order of said court.

  
\_\_\_\_\_  
Officer

Subscribed and sworn before me on this the 8<sup>th</sup> day of August,  
20 16 . 0630 a.m.  p.m. .

  
\_\_\_\_\_  
District Judge  
Title

<p>AOC-79-340</p> <p>Commonwealth of Kentucky Court of Justice</p> <p>Ky. Const. §10; RCr 13.10</p>	 <p><b>SEARCH WARRANT</b></p>	<p>Case No. _____</p> <p>Court: <u>District / Circuit</u></p> <p>County: <u>Jefferson</u></p>
---	--	---

TO ALL PEACE OFFICERS IN THE COMMONWEALTH OF KENTUCKY:

Proof by affidavit having this day been made before me by Sergeant Arnold Rivera

a peace officer of Louisville Metro Police Department

that there is probable and reasonable cause for the issuance of this Search Warrant as set out in the affidavit attached hereto and made a part hereof as if fully set forth herein; you are commanded to make immediate search of the premises known and numbered as

4509 Broadleaf Drive Apartment #4, Louisville, Jefferson County, Kentucky 40216

and more particularly described as follows:

A two story multi-family apartment building with a red brick exterior. The structure sits on the east side of Broadleaf Drive. All of the apartments have exterior doors that face west. The building has the number 4509 affixed to the exterior. Apartment #4 is in the north west corner of the building and faces west; the door is red in color with the number 4 affixed to the door. There are two windows on each side of the door.

and/or in a vehicle or vehicles described as:

and/or on the person or persons of:

the following described personal property:

Any and all trace evidence including but not limited to: blood, semen, saliva, physiological fluids and secretions, hair, fibers, fingerprints, palm prints, foot prints, shoe prints, relevant clothing, weapons and/or firearms and any other devices capable of discharging a projectile, projectiles, ammunition, bullet casings and fragments, dirt, dust, soil, paint samples, glass and/or plastic fragments, tools used to gain access to locked premises, or containers, including garbage cans, and any other items containing traces of any of the above mentioned articles; any and all computers, cell phones, or any other devices that may contain electronic data (any electronic item seized to be forensically examined), and any written information or printed material that may contain information relating to the suspect or victim. The authorization of the forensic examination of the electronic items seized extends to any agency or lab working at the direction or request of Louisville Metro Police Department (LMPD), regardless of the jurisdiction or physical location of that agency or lab.

(Continued on back)

and if you find the above described property or any part thereof you will seize the property and deliver it forthwith to me or any other court in which the offense in respect to which property or things taken is triable, or retain it in your custody subject to order of said court.

August 8 \_\_\_\_\_, 20 16

  
\_\_\_\_\_  
Jefferson District Court

Executed on this the \_\_\_\_\_<sup>5th</sup> day of August, 20 14, by Officer  
J. Maroni, of the UMPD, badge  
number 6711, by searching said premises/vehicle/persons described herein and by seizing the following:

0710 hours (entered)

large butcher knife - top of Refrigerator in Kitchen

Projectile from North wall of ER wall

**Burks, Jennifer**


---

**From:** Burks, Jennifer  
**Sent:** Monday, August 08, 2016 6:38 AM  
**To:** [REDACTED]  
**Subject:** search warr.  
**Attachments:** Scan\_2016\_08\_08\_06\_34\_23\_277.pdf

Jennifer Burks  
Assistant Supervisor  
Office of Circuit Court Clerk  
District Criminal Division 3rd Shift  
Louis D. Brandeis Hall of Justice  
600 W. Jefferson St.  
Louisville, KY 40202  
502-595-3060 VOIP 56128  
jenniferburks@kycourts.net

Original  
Affidavit signed by  
Sgt. Rivera.  
Email transmission  
of Black & white copy of  
S.W. order to seal of Affidavit  
Printed by clerk.



<p>AOC-82-335</p> <p>Commonwealth of Kentucky Court of Justice</p> <p>Ky. Const. §10; RCr 13.10</p>	 <p>AFFIDAVIT FOR SEARCH WARRANT</p>	<p>Case No. _____</p> <p>Court: <u>District/ Circuit</u></p> <p>County: <u>Jefferson</u></p>
---	---	--

The affiant, Sergeant Arnold Rivera, a peace officer of Louisville Metro Police Department,

being first duly sworn, states that he has and there is reasonable and probable grounds to believe and affiant does believe that there is now on the premises known and numbered as 4509 Broadleaf Drive Apartment #4, Louisville, Jefferson County, Kentucky 40216

and more particularly described as follows:  
 A two story multi-family apartment building with a red brick exterior. The structure sits on the east side of Broadleaf Drive. All of the apartments have exterior doors that face west. The building has the number 4509 affixed to the exterior. Apartment #4 is in the north west corner of the building and faces west; the door is red in color with the number 4 affixed to the door. There are two windows on each side of the door.

and/or in a vehicle or vehicles described as:

and/or on the person or persons of:

the following described personal property, to wit:  
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- property or things used as the means of committing a crime;
- property or things in the possession of a person who intends to use it as a means of committing a crime;
- property or things in the possession of a person to whom it was delivered for the purpose of concealing it or preventing its discovery and which is intended to be used as a means of committing a crime;
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affiant received information from/observed:

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Acting on the information received, affiant conducted the following independent investigation:  
Affiant responded to the scene and obtained additional information from Sergeant Kristen Downs. Sergeant Downs advised that Officers Beau Gadegaard (7201), Taylor Banks (7293) and Brian Smith (7762), responded to the location on a Domestic Violence Trouble run. Specifically, the call for service advised that the caller's mother was having a dispute with her boyfriend, [REDACTED] who had kicked in the door to the apartment and was inside armed with a knife. When the officers arrived on scene, Darnell Wicker walked out of the apartment door armed with a knife in one hand and a saw in the other. Officers gave multiple verbal commands to Mr. Wicker to drop the weapons. Mr. Wicker ignored the commands and then charged toward the officers. The officers fired their weapons striking Mr. Wicker. Mr. Wicker was pronounced deceased at the scene by Louisville Metro Emergency Services (EMS), personnel.

Affiant then spoke with Sergeant Leigh Maroni who advised that she interviewed Ms. Anita Jones [REDACTED] at the scene. Ms. Jones identified Mr. Wicker as her boyfriend of 20 years. Ms. Jones advised that while she was at another location, she received a call from Mr. Wicker demanding the keys to her apartment [REDACTED] Ms. Jones stated she then travelled back to her apartment and found the door had been kicked in. Ms. Jones looked inside and observed Mr. Wicker inside who was armed with a knife. Ms. Jones then retreated to the parking lot of the apartment complex and asked her daughter, Denita Jones B/F DOB [REDACTED] to call for police assistance. Ms. Jones advised that when officers arrived on scene, Mr. Wicker exited the apartment armed with a knife in one hand and a saw in the other. Ms. Jones advised she then heard shouting followed by gunfire.

(Continued on next page.)

Affiant has reasonable and probable cause to believe that grounds exist for the issuance of a Search Warrant, based on the aforementioned facts, information and circumstances and prays that a Search Warrant be issued, that the property be seized, or any part thereof, and brought before any court and/or retained subject to order of said court.

*Amal Tiwari*  
Officer

Subscribed and sworn before me on this the 8<sup>th</sup> day of August,  
20 16 . 0630 a.m.  p.m. .

\_\_\_\_\_  
\_\_\_\_\_  
Title

COMMONWEALTH OF KENTUCKY  
JEFFERSON DISTRICT / CIRCUIT COURT

**ORDER**

IT IS HEREBY ORDERED:


Pursuant to KRS 61.878(1)(h), the search warrant and supporting affidavit authorizing the search of :

4509 Broadleaf Drive Apartment #4 Louisville, J

in Jefferson County, Kentucky, shall be sealed until such time as law enforcement actions is completed or a decision is made to take no action.

So ordered this 8<sup>th</sup> Day of August, 2016.

  
\_\_\_\_\_  
JUDGE  
JEFFERSON DISTRICT / CIRCUIT COURT

<p>AOC-79-340</p> <p>Commonwealth of Kentucky Court of Justice</p> <p>Ky. Const. §10; RCr 13.10</p>	 <p><b>SEARCH WARRANT</b></p>	<p>Case No. _____</p> <p>Court: <u>District / Circuit</u></p> <p>County: <u>Jefferson</u></p>
---	--	---

TO ALL PEACE OFFICERS IN THE COMMONWEALTH OF KENTUCKY:

Proof by affidavit having this day been made before me by Sergeant Arnold Rivera,

a peace officer of Louisville Metro Police Department

that there is probable and reasonable cause for the issuance of this Search Warrant as set out in the affidavit attached hereto and made a part hereof as if fully set forth herein; you are commanded to make immediate search of the premises known and numbered as

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and more particularly described as follows:

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(Continued on back)

and if you find the above described property or any part thereof you will seize the property and deliver it forthwith to me or any other court in which the offense in respect to which property or things taken is triable, or retain it in your custody subject to order of said court.

August 8 \_\_\_\_\_ , 20 16

\_\_\_\_\_  
Jefferson District  
\_\_\_\_\_  
Judge  
Court

Executed on this the \_\_\_\_\_ day of \_\_\_\_\_ , 20 \_\_ , by Officer  
\_\_\_\_\_  
\_\_\_\_\_ , of the \_\_\_\_\_ , badge  
number \_\_\_\_\_ , by searching said premises/vehicle/persons described herein and by seizing the following:

<p>AOC-82-335</p> <p>Commonwealth of Kentucky Court of Justice</p> <p>Ky. Const. §10; RCr 13.10</p>	 <p>AFFIDAVIT FOR SEARCH WARRANT</p>	<p>Case No. _____</p> <p>Court: <u>District/ Circuit</u></p> <p>County: <u>Jefferson</u></p>
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(Continued on next page.)

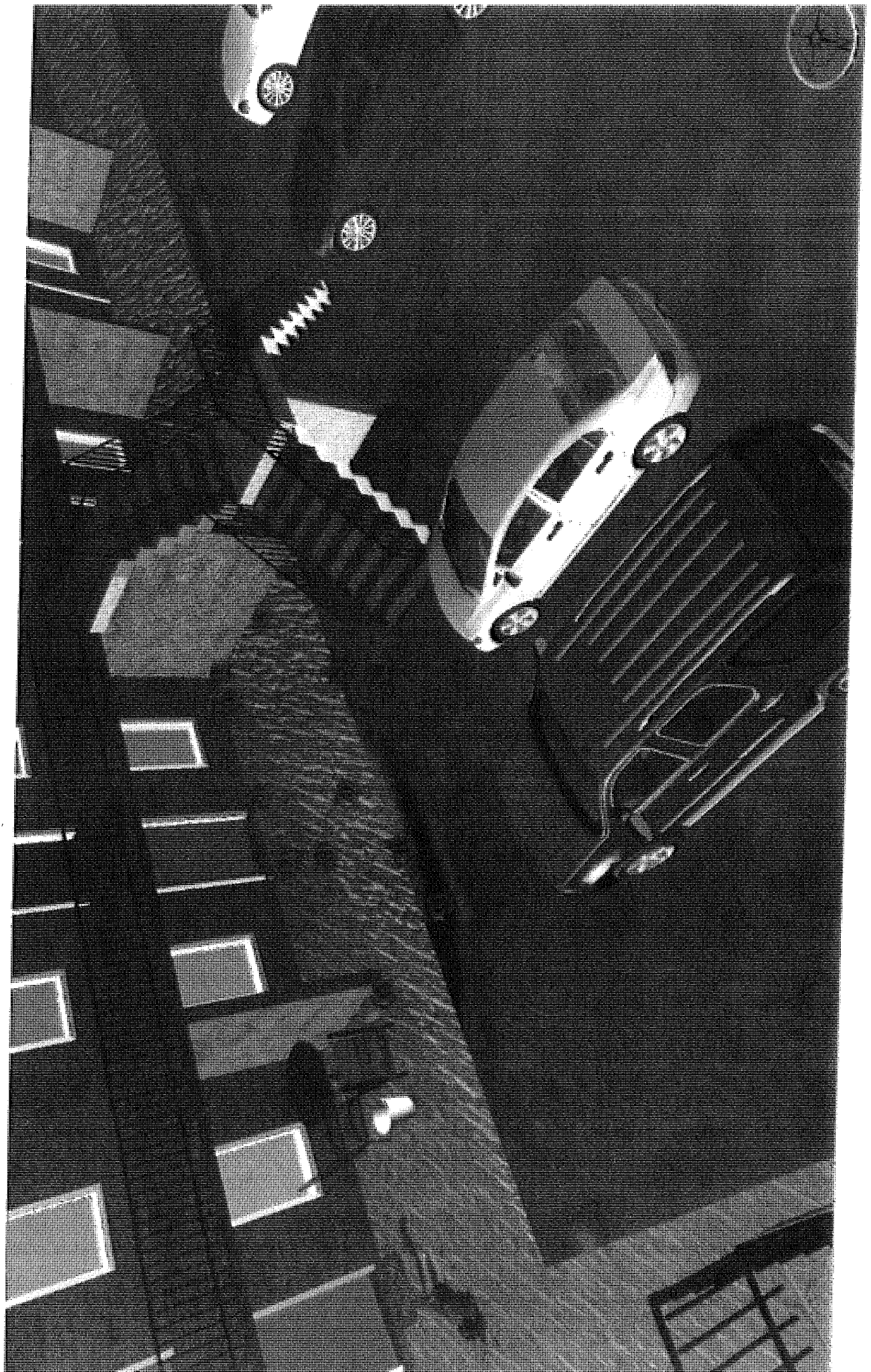


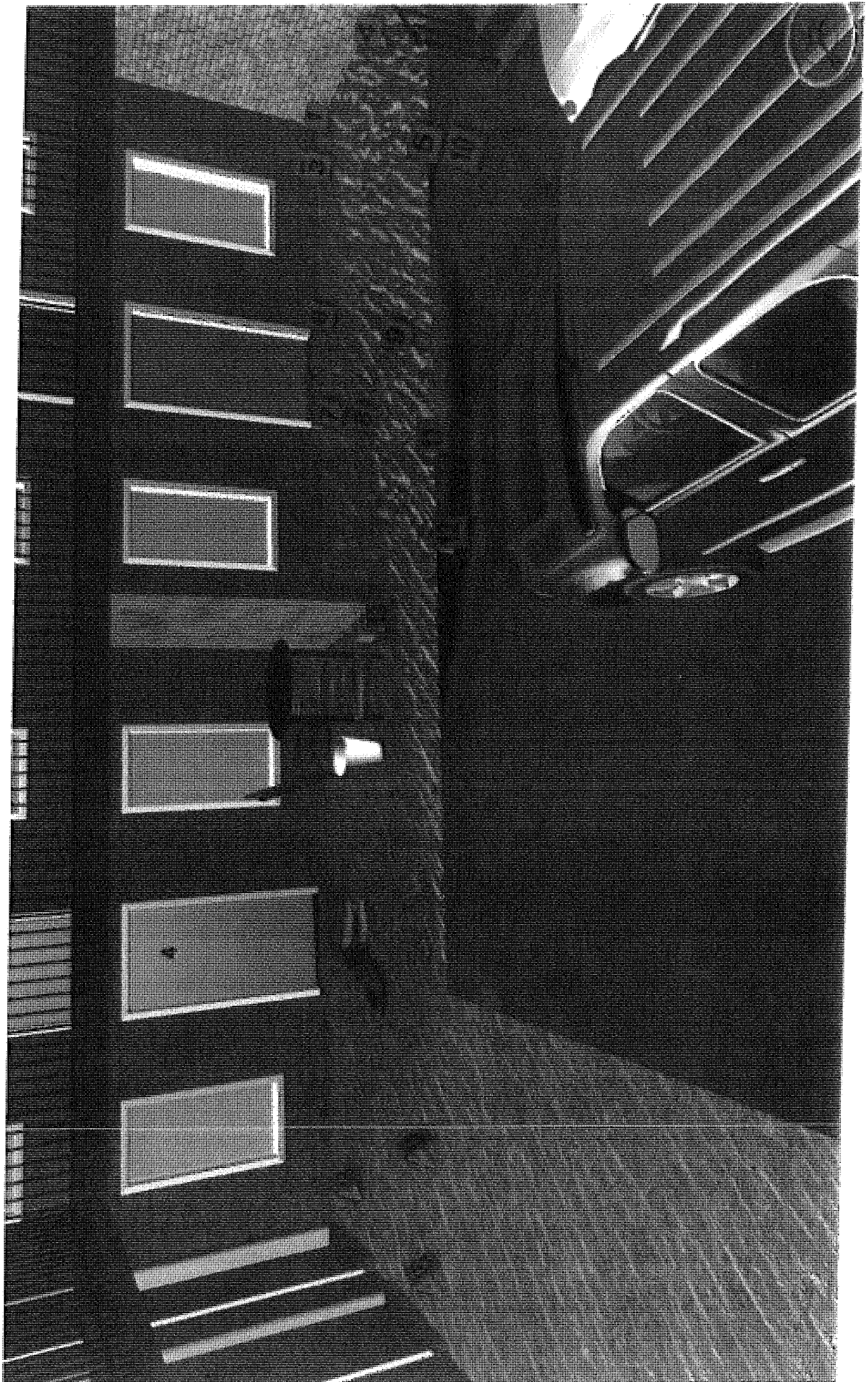
Affiant has reasonable and probable cause to believe that grounds exist for the issuance of a Search Warrant, based on the aforementioned facts, information and circumstances and prays that a Search Warrant be issued, that the property be seized, or any part thereof, and brought before any court and/or retained subject to order of said court.

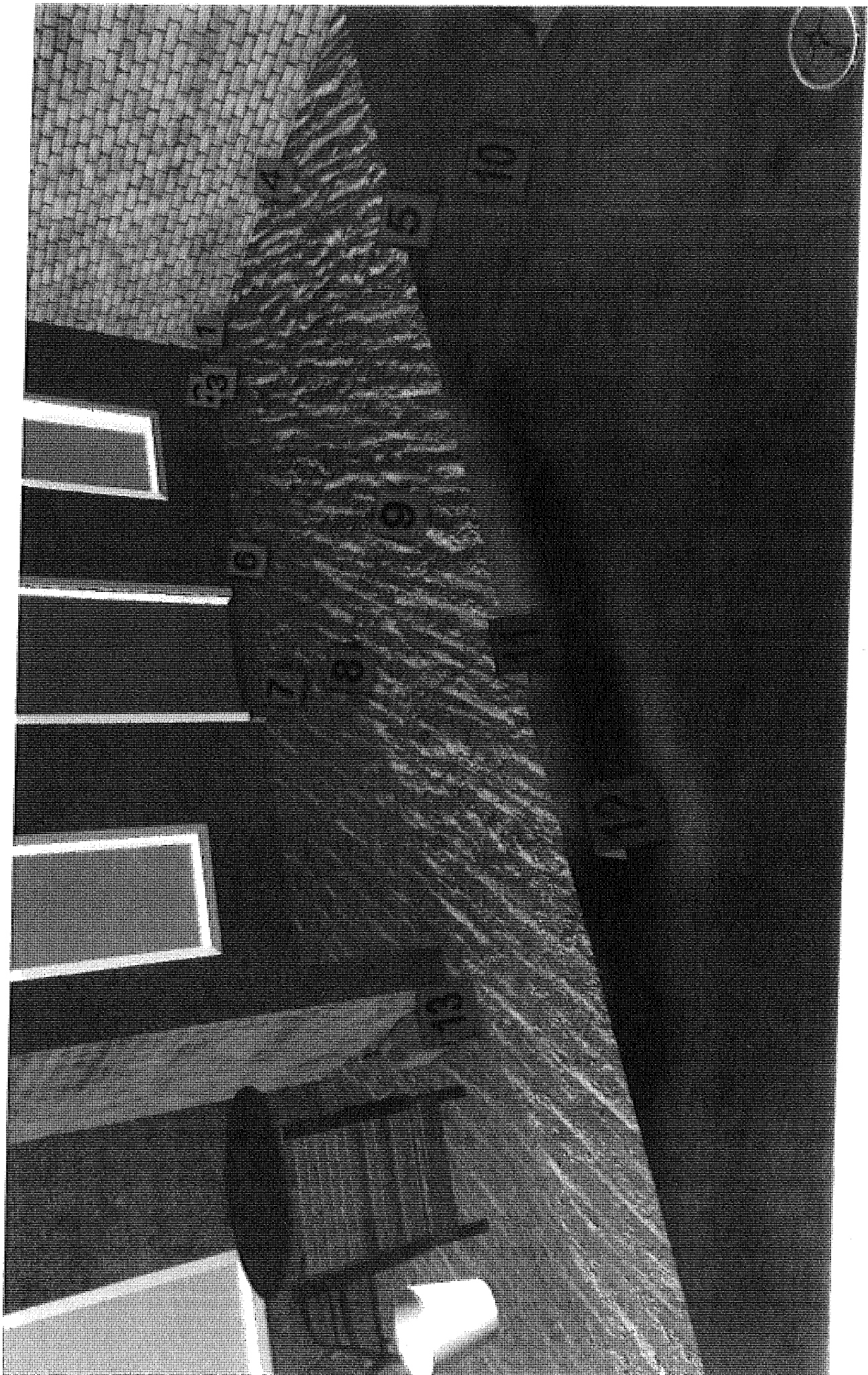
*Arnold P. ...*  
Officer

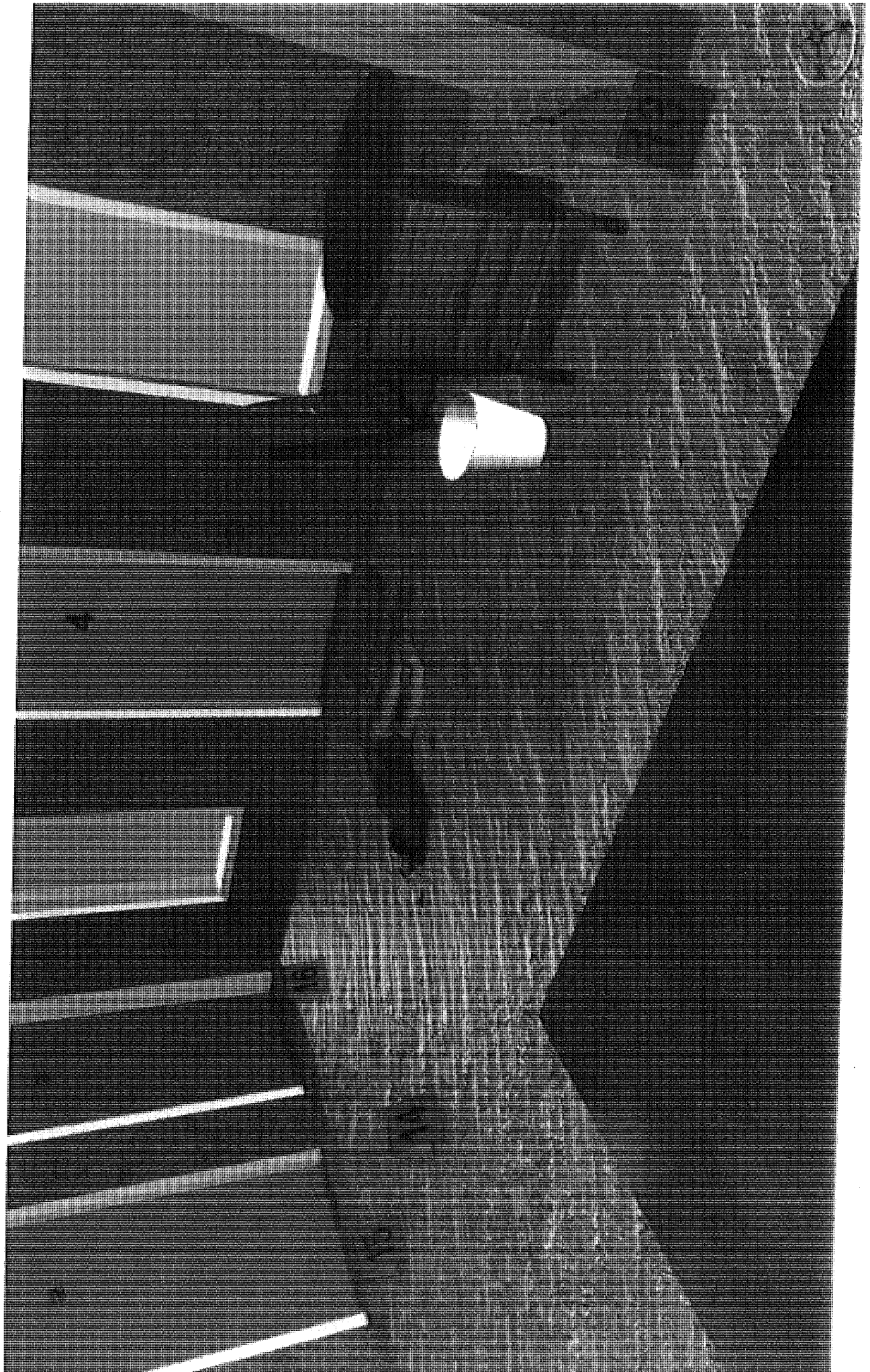
Subscribed and sworn before me on this the 8<sup>th</sup> day of August,  
20 16 . 0630 a.m.  p.m. .

*[Signature]*  
District Judge  
Title











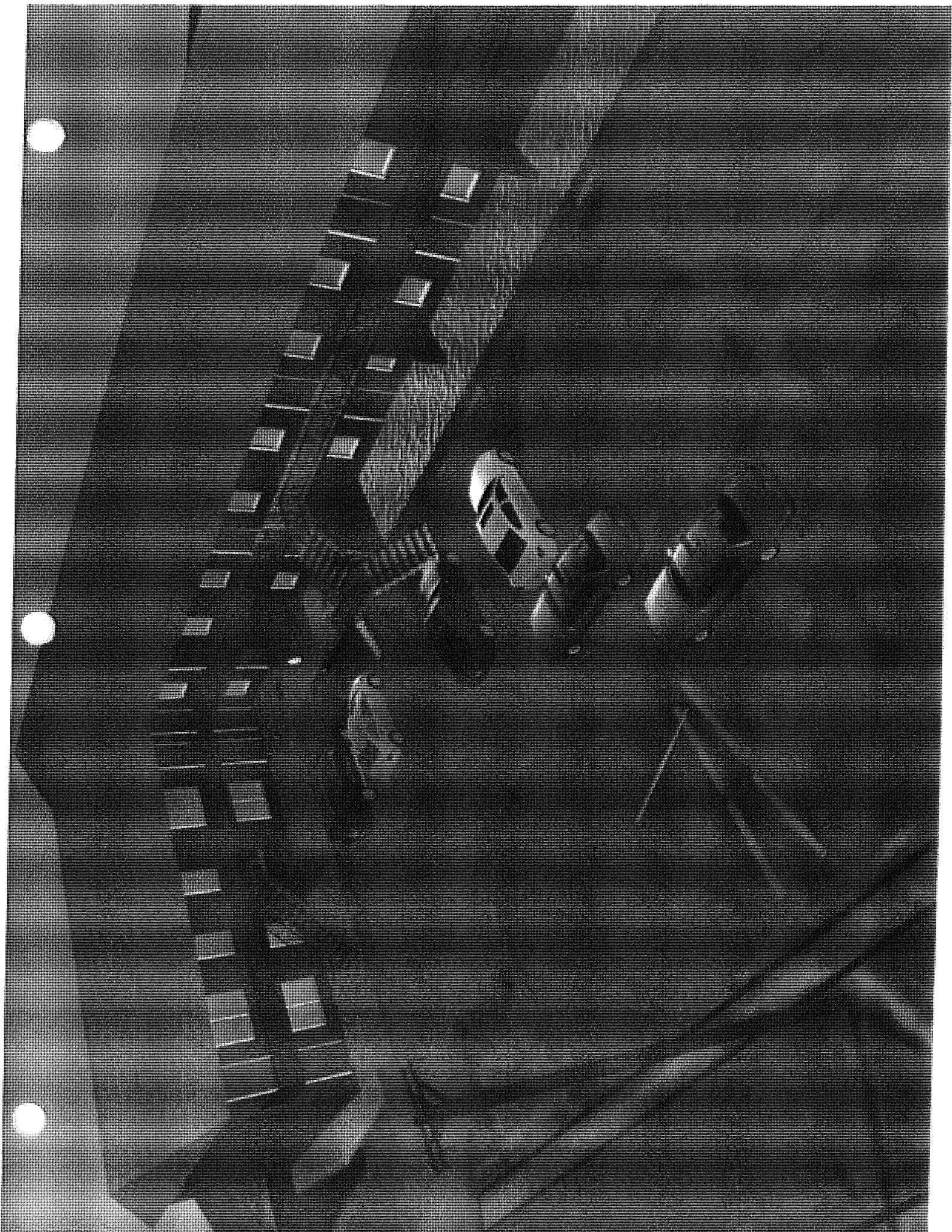


BOYDLE BLDG  
UNIVERSITY OF TEXAS

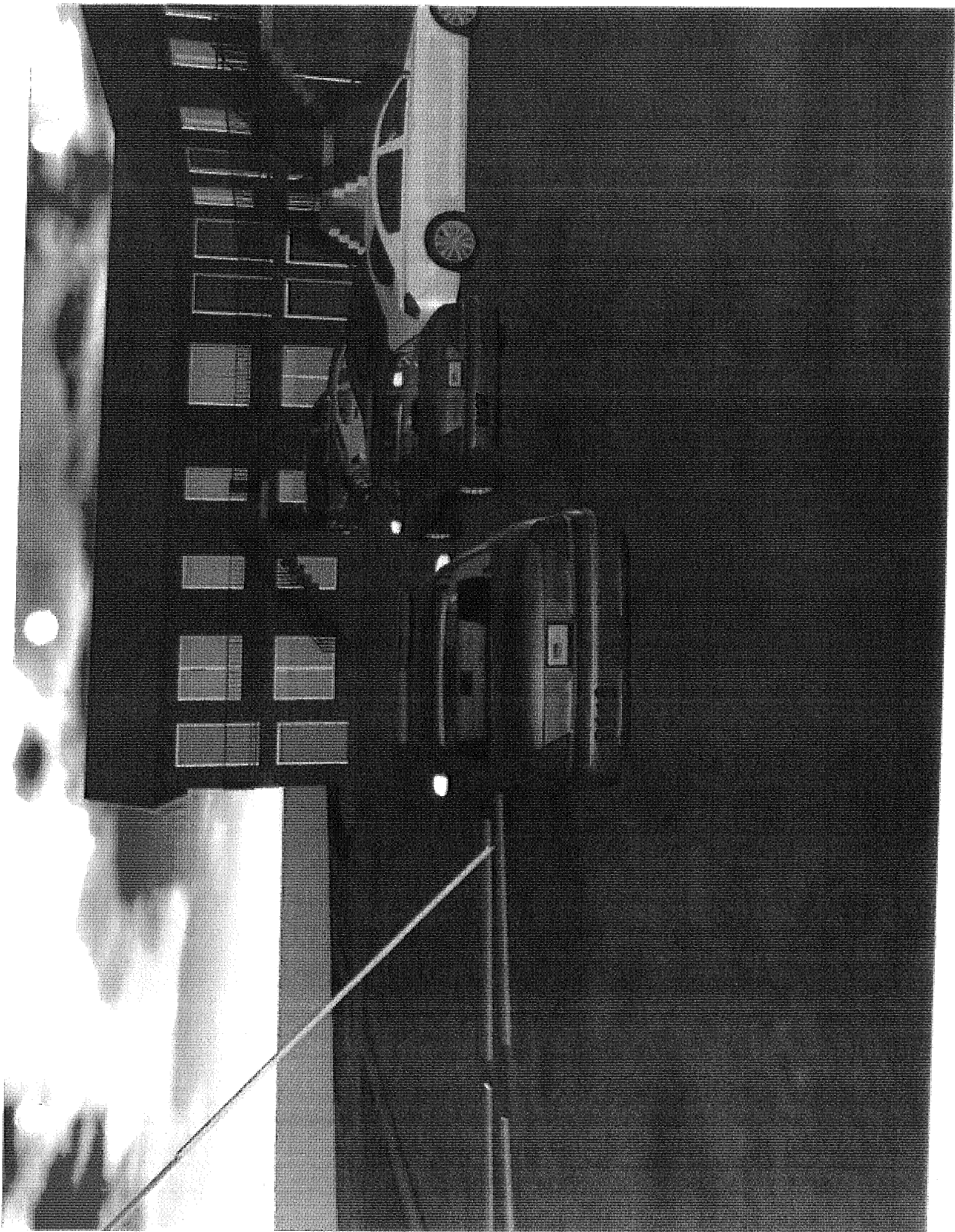


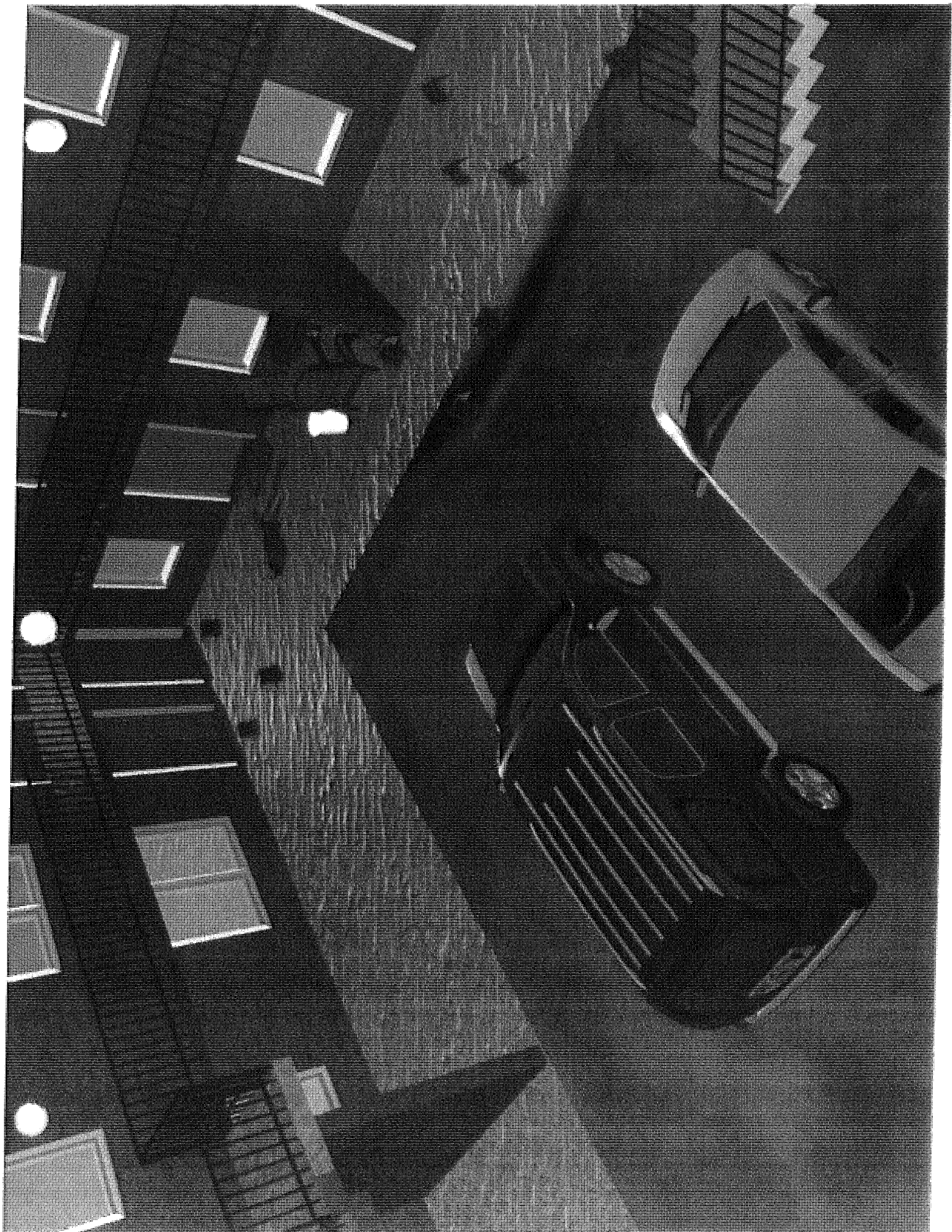
BOYDLE BLDG

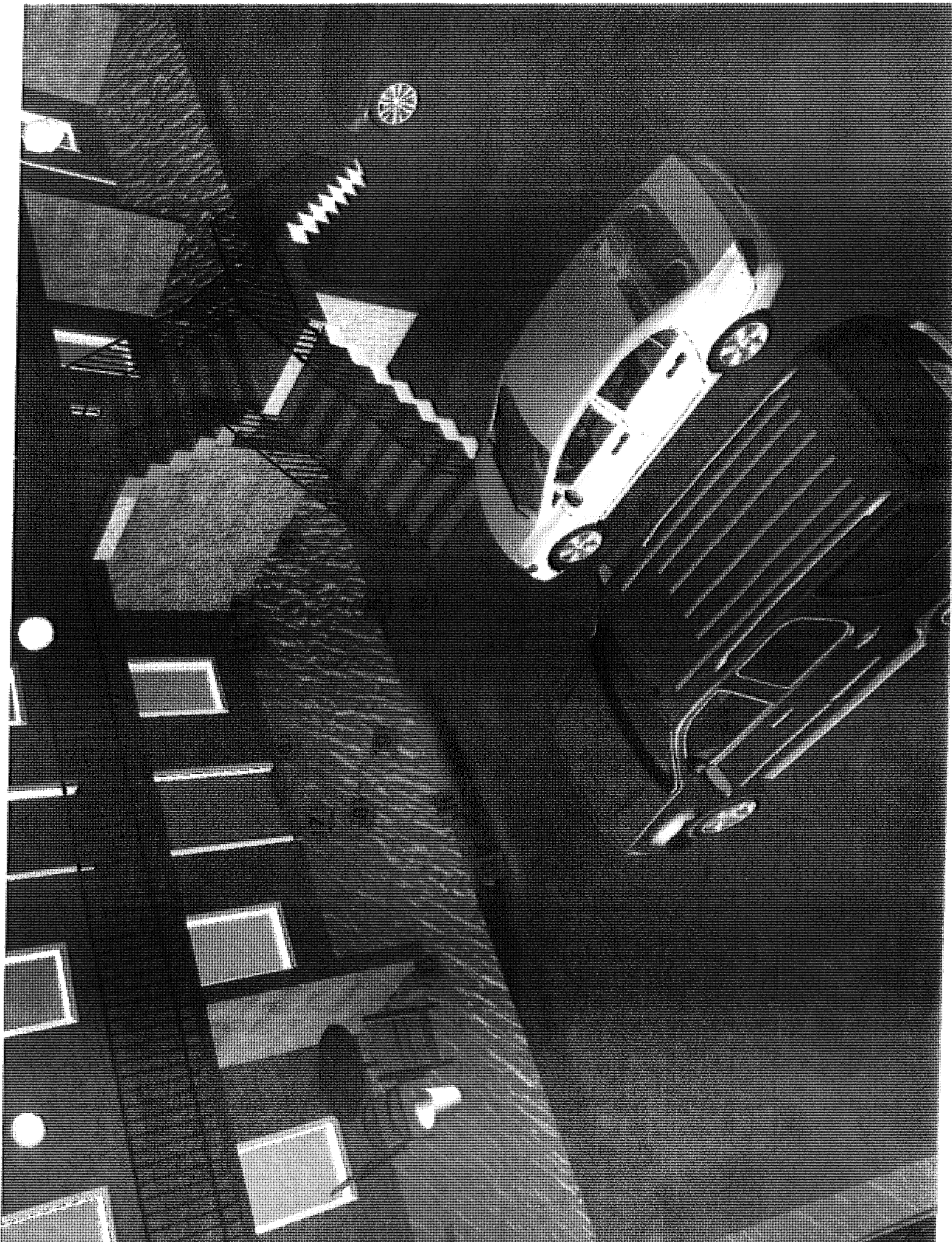
BOYDLE BLDG

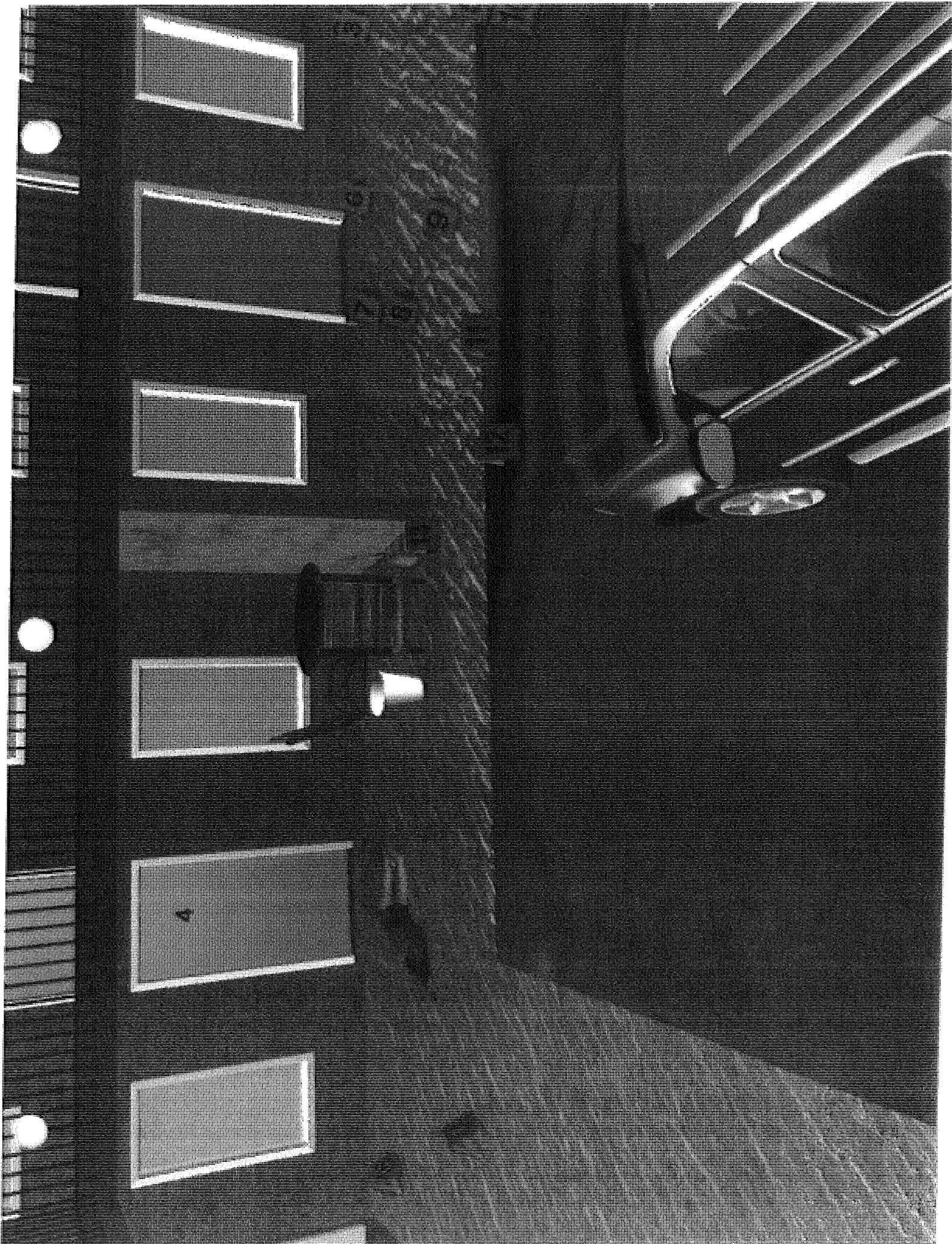


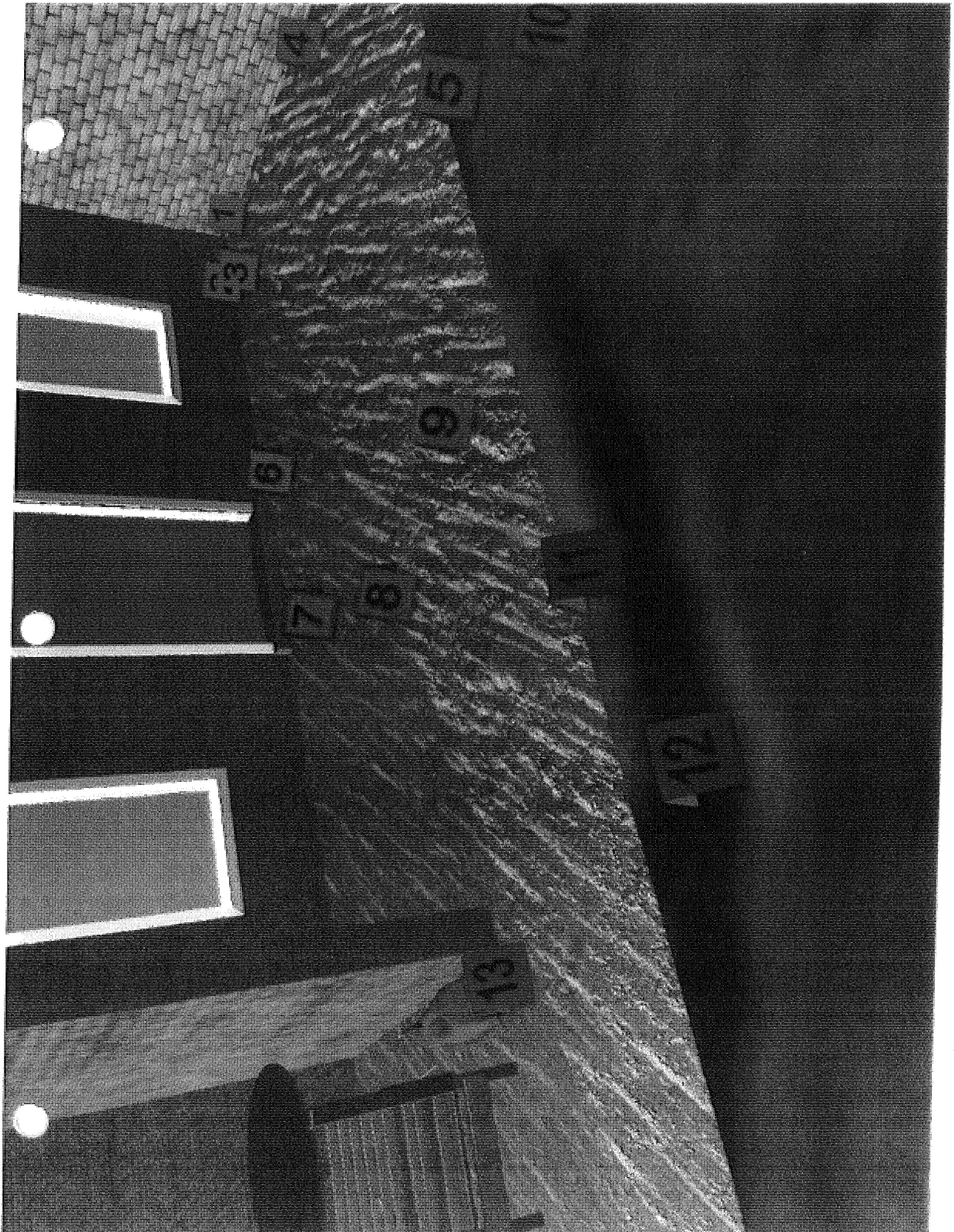


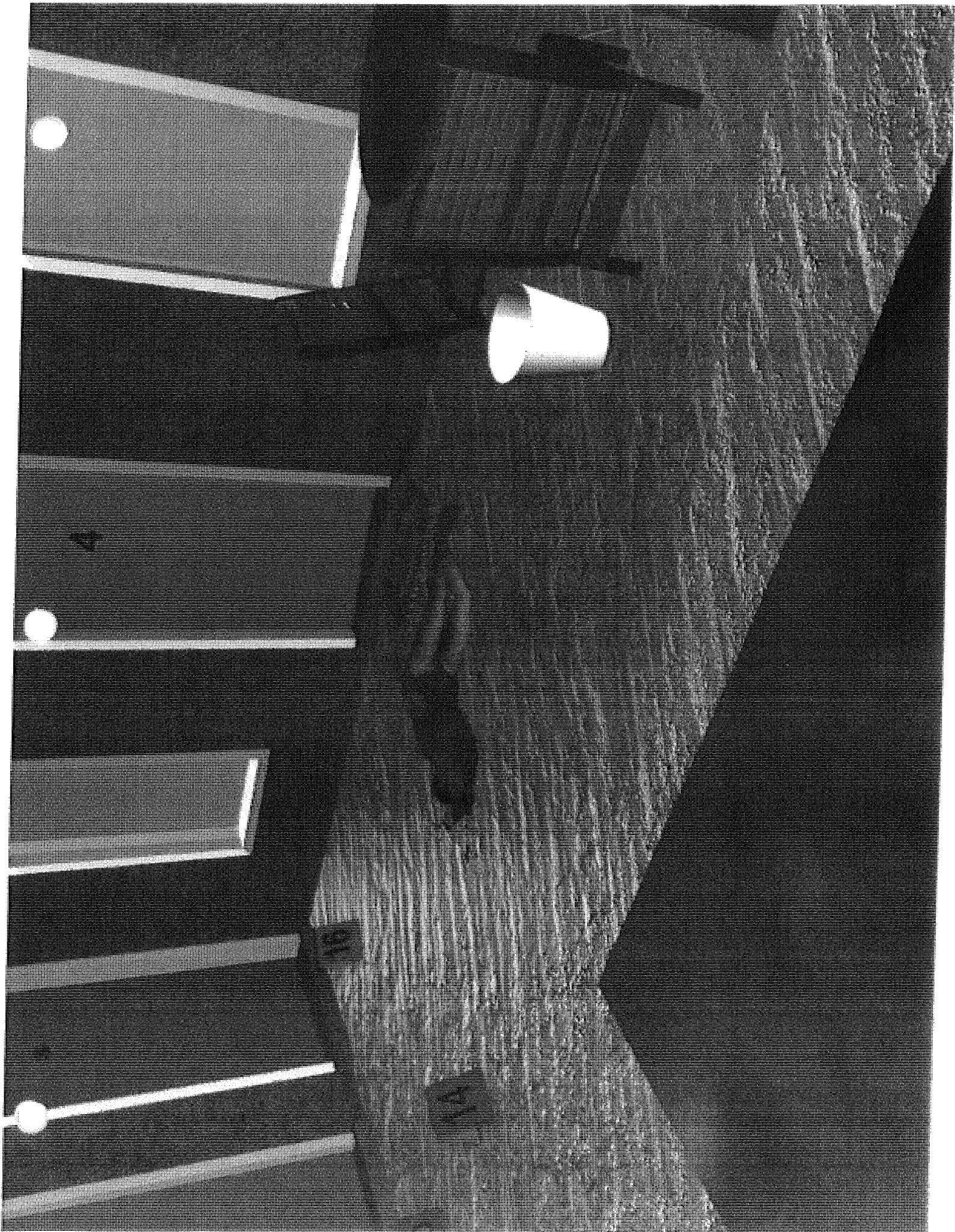




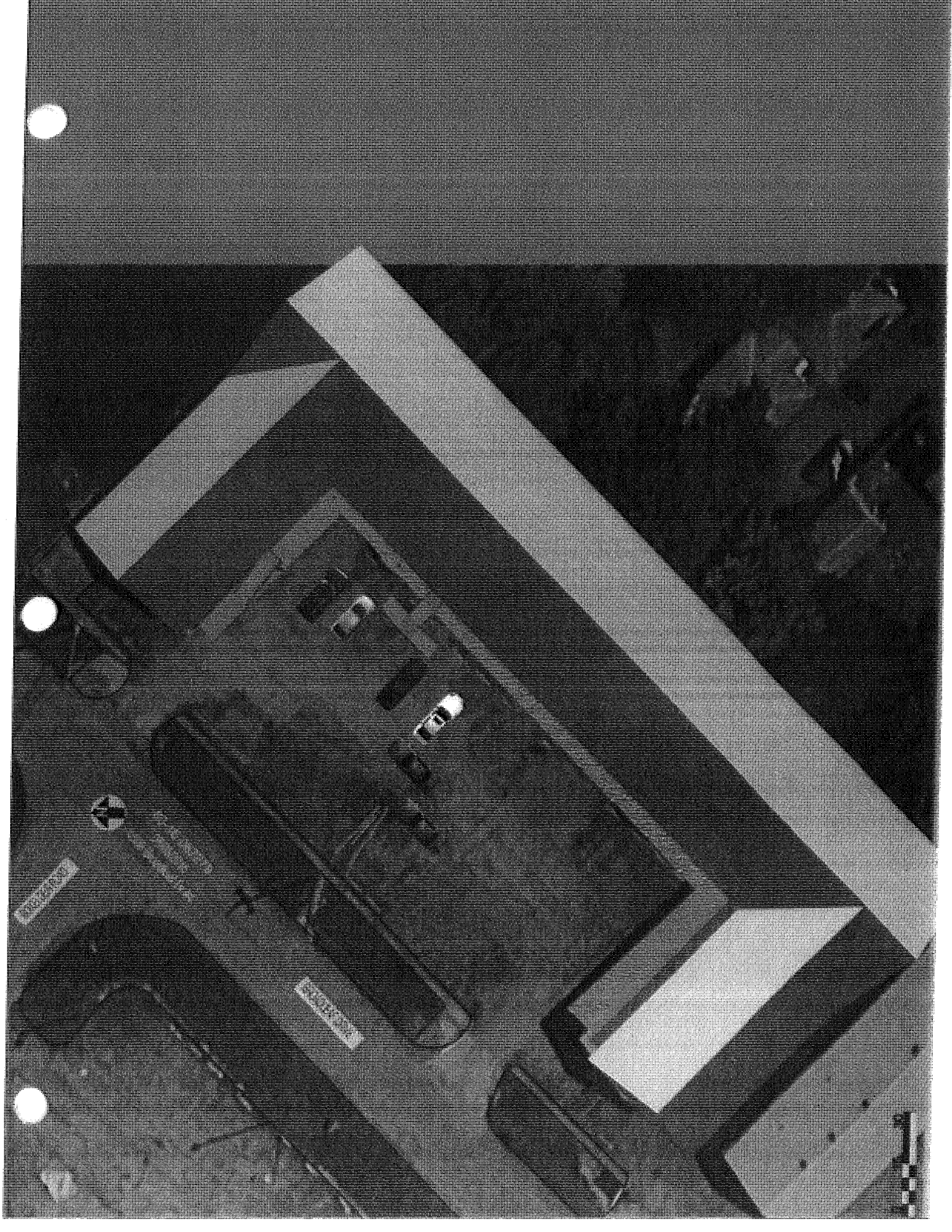














**PROPERTY AND EVIDENCE VOUCHER**

Agency Name <i>Louisville Metro Police Department</i>		ORI <i>KY KY0568000</i>	Date / Time Reported <i>08/09/2016 01:35 Tue</i>	Case No. <i>80-16-067383</i>
Owners Name (Last, First, Middle - DOB)		Address		Phone
Found in possession of		Address		Phone
Location from which property was obtained  Address <i>4509 BROADLEAF DR - 4, Louisville, KY 40216-</i>			Collecting Officer  <i>(6711) MARONI, LEIGH A</i>	
No.	Property ID Number	Description of articles <i>(Include model, serial no., identifying marks, condition, etc.)</i>		Property Value
<i>1</i>	<i>5680618</i>	<i>PANASONIC LAPTOP</i>  <i>PANASONIC</i> <span style="background-color: black; color: black;">XXXXXXXXXX</span> <i>GRAY/BLACK</i>		<i>\$0.00</i>
<i>2</i>	<i>0</i>			<i>\$0.00</i>

Narrative		
Officer's Name <i>(6711) MARONI, LEIGH A</i>	Supervisor Name <i>(8073) STARCHER, CANDICE L</i>	Case Status <i>Open Active</i>
Officer's Signature	Submitted Date	Case Disposition

## Maroni, Leigh A

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**From:** Perrine, Melissa L  
**Sent:** Monday, November 07, 2016 8:35 AM  
**To:** Maroni, Leigh A  
**Subject:** 80-16-067279ORI-DSTEP Exs 1-11  
**Attachments:** 80-16-067279ORI-DSTEP Exs 1-11.docx

Please see attached CSU Report

Sorry for the delay

Melissa L Perrine

Louisville Metro Police Department  
Major Crimes Division/ Forensics/ CSU  
633 W Jefferson St  
Louisville, KY 40202

O 502-574-7036  
F 502 574 7199

[Melissa.Perrine@louisvilleky.gov](mailto:Melissa.Perrine@louisvilleky.gov)

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# Louisville Metro Police Department Crime Scene Unit Report

Date: August 08, 2016 Day: Monday  Original  Supplement  
 CSU #: 80-16-067279ORI-DSTEP ICN #: 80-16-067279  
 Offense(s): Police Involved Shooting  
 Notified/Dispatched by: Metro safe via telephone  
 Time Received: 0421 Arrival Time: 0441 Cleared Time: 0551  
 Detective(s) at Scene: N/A  
 Lead Detective/Division/Unit: Sergeant Leigh Maroni Code #: 6711  
Dona Stephenson, Erin Redfield, Code #: 4401, 8141,  
 CSU Technician(s): April Rush 8263

### Crime Scene Information:

Location of Scene: 4509 Broadleaf #4 Date of Occurrence: 08/08/2016  
 Type of Premise:  Residence  Roadway  Business  Vehicle  Other  
 Weather Condition:  Inside  Snow  Rain  Clear  Other

### Victim's Information:

Victim's Name: <u>Officer Taylor Banks (#7293)</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>KY</u>	Zip Code:	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Hands Bagged? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No GSR Done on Victim? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Victim's Name: <u>Officer Beau Gadegaard (#7201)</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>KY</u>	Zip Code:	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Hands Bagged? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No GSR Done on Victim? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Victim's Name: <u>Officer Brian Smith (#7762)</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>KY</u>	Zip Code:	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Hands Bagged? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No GSR Done on Victim? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			

**Suspect Information:**

Suspect's Name	Race	Sex	DOB	Address	GSR
Darnell Wicker	Black	Male			<input type="checkbox"/>
					<input type="checkbox"/>

**Photography:**

Photographing Technician(s): Dona Stephenson

**Video:**

Video Technician(s) or Detective: N/A

**Crime Scene Mapping:**

Crime Scene Measurements and Diagram Completed By: N/A

**Evidence Processing:**

Processed for Latent Prints?  Yes  No

Type	Description	Latent Prints Obtained?		Where processed?	
		Yes	No	<input type="checkbox"/> Scene <input type="checkbox"/> ATG	<input checked="" type="checkbox"/> CSU <input type="checkbox"/> Other
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Evidence Processing: Test Firing/NIBIN/IBIS Entry:**

Weapon test fired?  Yes  No

NIBIN/IBIS Entry?  Yes  No

**Exhibits Collected:**

Exhibit #	Description
<b>Collected at 810 Barrett Avenue Public Integrity Office 4<sup>th</sup> floor.</b>	
1	Gunshot residue evidence collection kit obtained from Officer Taylor Banks (#7293)
2	One live round head stamped "Federal 40 S & W" removed from chamber of Exhibit 3 by Officer Taylor Banks (#7293)
3	One black semi-automatic "Glock" pistol, Glock .22 Gen4, Austria .40, made in Austria Glock Inc, [REDACTED] Smyrna GA. with streamlight collected from Officer Beau Gadegaard (#7201)
4	One black "Glock" magazine that contains fifteen live rounds removed from Exhibit 3 by Officer Taylor Banks (#7293).
4A	Fifteen live rounds head stamped "Federal 40 S & W" removed from Exhibit 4 by Sergeant Lowell Watson (#2416)
5	One black "Glock" magazine that contains fifteen live rounds.
5A	Fifteen live rounds head stamped "Federal 40 S & W" removed from Exhibit #5 by Sergeant Lowell Watson (#2416)
<b>CONTINUED Page 3</b>	

6	Gunshot residue evidence collection kit obtained from Officer Beau Gadegaard (#7201)
7	One live round head stamped "Federal 40 S & W" removed from chamber of Exhibit 8 by Officer Beau Gadegaard (#7201)
8	One black semi-automatic "Glock" pistol , Glock .22 Gen4, Austria .40,made in Austria Glock Inc, ██████████ Smyrna GA. with streamlight collected from Officer Beau Gadegaard (#7201)
9	One black "Glock" magazine that contains fifteen live rounds removed from Exhibit 8 by Sergeant Lowell Watson (#2416)
9A	Fifteen live rounds head stamped "Federal 40 S & W" removed from Exhibit 9 by Sergeant Lowell Watson (#2416)
10	One black "Glock" magazine that contains fifteen live rounds.
10A	Fifteen live rounds head stamped "Federal 40 S & W" removed from Exhibit 10 by Sergeant Lowell Watson (#2416)
11	Gunshot residue evidence collection kit obtained from Officer Brian Smith (#7762)

**Narrative:**

On Monday August 08, 2016 at approximately 0421 hours, Crime Scene Technician Dona Stephenson responded to 810 Barrett Avenue Public Integrity Office per telephone request of MetroSafe radio operator. Upon arrival met with Sergeant Lowell Watson who requested the following be performed:

At approximately 0450 hours, the following was performed:

- Digital images taken of Officer Taylor Banks (#7293).
- Obtained Exhibit 1 from Officer Taylor Banks (#7293).
- Collected Exhibits 2, 3, 4, 4A, 5 and 5A.

At approximately 0511 hours the following was performed:

- Digital images taken of Officer Beau Gadegaard (#7201).
- Obtained Exhibit 6 from Officer Beau Gadegaard (#7201).
- Collected Exhibits 7, 8, 9, 9A, 10 and 10A.

At approximately 0533 hours, the following was performed:

- Digital images taken of Officer Brian Smith (#7762).
- Obtained Exhibit 11 from Officer Brian Smith (#7762)

**CONTINUED Page 4**

On the same date at approximately 0758 hours, the following was performed in the crime scene lab:

- Digital images taken of Exhibits 2, 3, 4, 4, 4A, 5, 5A, 7, 8, 9, 9A, 10 and 10A.

On the same date at approximately 1013 hours, the following was performed in the crime scene lab:

- Exhibits 1, 2, 3, 4, 4A, 5, 5A, 6, 7, 8, 9, 9A, 10 and 11 were secured in the evidence locker.

On Tuesday August 09, 2016 at approximately 0112 hours, Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, 9A, 10A & 11 were removed from the Evidence locker, transported and released to the property room clerk M. Spencer of Louisville Metro Police Department by Crime Scene Technician E. Redfield #8141

On Wednesday August 10, 2016 at approximately 0245 hours, Exhibits 4A, 5A & 10 were removed from the Evidence locker, transported and released to property room clerk C. McFall of Louisville Metro Police Department by Crime Scene Technician Trainee A. Rush #8263.

Technician's Name: Dona Stephenson Code #: 4401  
Technician's Name: Erin Redfield Code #: 8141  
Technician's Name: Trainee April Rush Code #: 8263  
Supervisor's Name: \_\_\_\_\_ Code #: \_\_\_\_\_  
Date: \_\_\_\_\_

## **Maroni, Leigh A**

---

**From:** Perrine, Melissa L  
**Sent:** Friday, October 21, 2016 12:44 PM  
**To:** Maroni, Leigh A  
**Subject:** 80-16-067279SPAR Exs 35-52 Autopsy  
**Attachments:** 80-16-067279SPAR Exs 35-52 Autopsy.docx

Please see attached CSU Report

Melissa L Perrine

Louisville Metro Police Department  
Major Crimes Division/ Forensics/ CSU  
633 W Jefferson St  
Louisville, KY 40202

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[Melissa.Perrine@louisvilleky.gov](mailto:Melissa.Perrine@louisvilleky.gov)

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# Louisville Metro Police Department Crime Scene Unit Report

AUTOPSY REPORT (KY OCME) Darnell Wicker

Date: 08/09/2016 Day: Tuesday  Original  Supplement  
 CSU #: 80-16-067279SPAR ICN #: 80-16-067279  
 Offense(s): Officer Involved Shooting  
 Notified/Dispatched by: Self-Initiated  
 Time Received: 0730 Arrival Time: 0800 Cleared Time: 1203  
 Detective(s) at Scene: Sergeant L. Maroni  
 Lead Detective/Division/Unit: Sergeant L. Maroni / PIU Code #: 6711  
 CSU Technician(s): Technician J. Sparks Code #: 4849

**Crime Scene Information:**

Location of Scene: 4509 Broadleaf Drive #4 Date of Occurrence: 08/08/2016

**Victim's Information:**

Victim's Name: <u>Officer Tyler Banks Code #: 7293</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Name: <u>Officer Beau Gadegaard Code #: 7201</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Name: <u>Officer Brian Smith Code #: 7762</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			

**Suspect Information:**

Suspect's Name	Race	Sex	DOB	Address	GSR
Darnell Wicker	Black	Male	08/14/1958	4509 Broadleaf Drive #4	<input type="checkbox"/>
					<input type="checkbox"/>



**Photography:**

Photographing Technician(s): Technician J. Sparks

**Exhibits Collected:**

Exhibit #	Description
	<b>Evidence collected at 10511 LaGrange Road - Pathology (ME #16-1130)</b>
#35	Kraft bag with possible blood; obtained from Suspect's Left hand
#36	Kraft bag with possible blood; obtained from Suspect's Right hand
#37	Fingernail clippings with possible blood; obtained from Suspect's Left hand
#38	Fingernail clippings with possible blood; obtained from Suspect's Right hand & fingernail clippers
#39	Suspect blood standard
#40	Suspect hair standard
#41	Black "Calvin Klein Free" short sleeved t-shirt, size Large; with possible blood & bullet defects
#42	Pair of blue "Chico's Platinum" denim pants with black electrical cord as a belt, size 2.5 Reg; with possible blood & bullet defects
#43	Pair of black "Prospirit" gym shorts, size Large; with possible blood & bullet defects
#44	Pair of black "Lugz" shoes, size 13 and with possible blood
#45	Projectile; located in the Suspect's body bag (came from Suspect's mid Left thigh)
#46	Projectile; located in the Suspect's lower Right back
#47	Projectile; located in the Suspect's upper Left back
#48	Projectile; located in the Suspect's mid Left back
#49	Projectile; located in the Suspect's lower Left buttock
#50	Projectile; located in the Suspect's mid Right thigh
#51	Projectile; located in the Suspect's proximal Right thigh
#52	Projectile; located in the Suspect's abdomen

**Narrative:**

On **Tuesday, August 09, 2016**, at approximately 0730 hours, CSU proceeded to the Kentucky Office of the Chief Medical Examiners (KY OCME) at 10511 LaGrange Road. Upon arrival, met with Sergeant L. Maroni of the Public Integrity Unit (PIU). Autopsy procedures commenced at approximately 0800 hours and the following was performed:

- Photographed the Suspect

At approximately 1000 hours, collected the following from Pathologist, Dr. D. Arabadjief:

- Exhibits #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51 & #52
- Photographed Exhibits #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51 & #52

**NOTE:** Exhibit #45 was initially located in the body bag when Suspect presented to the KY OCME. Dr. D. Arabadjief states that Exhibit #45 was initially located in the Suspect's mid Left thigh based on radiological evidence.

At approximately 1130 hours, obtained one set of Suspect ID prints

**CONTINUED Page 3**

At approximately 1203 hours, transported Exhibits #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51, #52 and one set of Suspect ID prints back to the CSU Office at 633 West Jefferson Street

At approximately 1300 hours, secured Exhibits #41, #42, #43 & #44 in the CSU Drying Cabinet

At approximately 1315 hours, secured Exhibits #35, #36, #37, #38, #39, #40, #45, #46, #47, #48, #49, #50, #51 & #52 in the CSU Evidence Locker

At approximately 1500 hours, forwarded one set of Suspect ID prints to the LMPD Forensic Latent Analysis Unit

On **Tuesday, August 16, 2016**, at approximately 1300 hours, the following was performed:

- Removed Exhibits #41, #42, #43 & #44 from the CSU Drying Cabinet
- Secured Exhibits #41, #42, #43 & #44 in the CSU Evidence Locker

On **Friday, August 26, 2016**, at approximately 1600 hours, the following was performed:

- Removed Exhibits #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51 & #52 from the secured CSU Evidence Locker

At approximately 1700 hours, **Technician T. Gutterman** transported Exhibits #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51 & #52 to the LMPD Property Room at 635 Industry Road and released custody of the evidence to clerk J.B. Dalisay at approximately 1735 hours

Technician's Name: J. Sparks Code #: 4849  
Technician's Name: T. Gutterman Code #: 9701  
Supervisor's Name: \_\_\_\_\_ Code #: \_\_\_\_\_  
Date: \_\_\_\_\_

## Maroni, Leigh A

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**From:** Perrine, Melissa L  
**Sent:** Wednesday, October 12, 2016 1:32 PM  
**To:** Maroni, Leigh A  
**Subject:** 80-16-067279KIMM Exs 12-34  
**Attachments:** 80-16-067279KIMM Exs 12-34.docx

Please see attached CSU Report

Melissa L Perrine

Louisville Metro Police Department  
Major Crimes Division/ Forensics/ CSU  
633 W Jefferson St  
Louisville, KY 40202

O 502-574-7036  
F 502 574 7199

[Melissa.Perrine@louisvilleky.gov](mailto:Melissa.Perrine@louisvilleky.gov)

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# Louisville Metro Police Department Crime Scene Unit Report

Date: 08/08/2016 Day: Monday  Original  Supplement  
 CSU #: 80-16-067279KIMM ICN #: 80-16-067279  
 Offense(s): Officer Involved Shooting  
 Notified/Dispatched by: Sergeant K. Downs by telephone  
 Time Received: 0524 Arrival Time: 0549 Cleared Time: 0826  
 Detective(s) at Scene: Sergeant K. Downs, Sergeant C. Kessinger, and Sergeant L. Maroni / PIU  
 Lead Detective/Division/Unit: Sergeant L. Maroni / PIU Code #: 6711  
Technician R. Kimmer Code #: 8205  
Technician Trainee A. Rush 8263  
Technician E. Redfield 8141  
 CSU Technician(s): Technician J. Sparks 4849

### Crime Scene Information:

Location of Scene: 4509 Broadleaf Drive #4 Date of Occurrence: 08/08/2016  
 Type of Premise:  Residence  Roadway  Business  Vehicle  Other  
 Weather Condition:  Inside  Snow  Rain  Clear  Other  
 Temp.: 70 degrees  
 \*\*According to WeatherUnderground.Com\*\*

### Victim's Information:

Victim's Name: <u>Officer Tyler Banks Code #: 7293</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Victim's Name: <u>Officer Beau Gadegaard Code #: 7201</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Victim's Name: <u>Officer Brian Smith Code #: 7762</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Name: <u>Anita L. Jones</u>			
Victim's Address: <u>4509 Broadleaf Drive #4</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code:	
Race: <u>Black</u>	Sex: <u>Female</u>	DOB: <u>12/25/1962</u>	Age: <u>53</u>

**Suspect Information:**

Suspect's Name	Race	Sex	DOB	Address	GSR
Darnell Wicker	Black	Male			<input type="checkbox"/>

**Photography:**

Photography Technician(s): Technician R. Kimmer

**Video:**

Video Technician(s) or Detective: Technician Trainee A. Rush with Sergeant L. Maroni

**Crime Scene Mapping:**

Crime Scene Measurements and Diagram Completed By: Technician J. Sparks

**Evidence Processing:**

Processed for Latent Prints?  Yes  No

Type	Description	Latent Prints Obtained?		Where processed?	
		Yes	No	<input type="checkbox"/> Scene	<input checked="" type="checkbox"/> CSU
Exhibits 27 and 31	Applied Ultra Blue 2000 Fluorescent Magnetic latent fingerprint powder to Exhibits 27 and 31 for the development of possible latent prints, obtaining negative results.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> ATG	<input type="checkbox"/> Other

**Evidence Processing: Test Firing/NIBIN/IBIS Entry:**

Weapon test fired?  Yes  No

NIBIN/IBIS Entry?  Yes  No

**Exhibits Collected:**

Exhibit #	Description
	<b>The following Exhibits were collected and / or obtained at 4509 Broadleaf Drive #4, by Technician R. Kimmer, Technician E. Redfield, and Technician Trainee A. Rush:</b>
12	Scene video.
13 (Marker 1)	Two (2) spent casings with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
14 (Marker 2)	Two (2) spent casings with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
15 (Marker 3)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
16 (Marker 4)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.

CONTINUED Page 3

17 (Marker 5)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
18 (Marker 6)	Two (2) spent casings with the headstamp, 'FEDERAL 40 S & W', located on the doormat and sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
19 (Marker 7)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
20 (Marker 8)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
21 (Marker 9)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
22 (Marker 10)	Possible projectile, located on the pavement in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
23 (Marker 11)	Possible projectile, located on the pavement in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
24 (Marker 12)	Black 'GLOCK 1633-03' magazine, unknown size, located on the pavement in front of Apartment #4, collected by Technician Trainee A. Rush and Technician E. Redfield.
24A	Ten (10) live rounds with the headstamp, 'FEDERAL 40 S & W', removed from Exhibit 24 in the CSU Evidence Lab, by Technician E. Redfield.
25 (Marker 13)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #4, collected by Technician Trainee A. Rush and Technician E. Redfield.
26 (Marker 14)	Black 'GLOCK 1633-03' magazine, unknown size, located on the sidewalk in front of Apartment #3, collected by Technician Trainee A. Rush and Technician E. Redfield.
26A	Six (6) live rounds with the headstamp, 'FEDERAL 40 S & W', removed from Exhibit 26 in the CSU Evidence Lab, by Technician E. Redfield.
27 (Marker 14)	Orange and black hand saw, unknown brand, unknown size, located on the sidewalk in front of Apartment #3, collected by Technician Trainee A. Rush and Technician E. Redfield.
28 (Marker 15)	One (1) live round with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in the front of Apartment #3, collected by Technician Trainee A. Rush and Technician E. Redfield.
29 (Marker 16)	One (1) possible projectile, located on the pavement in front of Apartment #3, collected by Technician Trainee A. Rush and Technician E. Redfield.
30	One (1) possible projectile, located in the living room and cut from the living room of Apartment #4, collected by Technician R. Kimmer.
31	Black and silver knife, unknown brand, size: 13 1/2 blade length: 3 1/2, 'STAINLESS STEEL', located on top of the the refrigerator in Apartment #4, collected by Technician J. Sparks.
32	Black 'ASP' brand metal handcuffs, unknown size, with possible blood, removed from the following suspect: Darnell Wicker, collected by Technician Trainee A. Rush and Technician E. Redfield.
33	One (1) paper notepad, appears to be 'HELLO KITTY' brand, unknown size, with various handwritten notes, and One (1) orange pen, unknown brand, size: .07mm, with possible blood, removed from the right back pocket of the following suspect: Darnell Wicker, collected by Technician Trainee A. Rush and Technician E. Redfield.
<b>CONTINUED Page 4</b>	

34	One (1) possible projectile, with possible blood, located under the suspects body, collected by Technician Trainee A. Rush and Technician E. Redfield.

**Narrative:**

**On Monday, August 08, 2016, at approximately 0524 hours, Sergeant K. Downs telephoned the CSU Office requesting CSU respond to 4509 Broadleaf Drive #4. Upon arrival Technician R. Kimmer, Technician Trainee A. Rush, and Technician E. Redfield met with Sergeant L. Maroni who requested the following be performed:**

- Technician Trainee A. Rush obtained Scene Video with Sergeant L. Maroni, which now becomes Exhibit 12 (See Exhibits Collected Section).
- Technician R. Kimmer photographed the scene including the following
  - Silver 2011 four door FORD Crown Victoria  
LOUISVILLE METRO POLICE #6140  
KY G3042  
VIN: [REDACTED]
  - Silver 1999 four door FORD Crown Victoria  
LOUISVILLE METRO POLICE #6107  
KY G1686  
VIN: [REDACTED]
  - Silver 1999 four door KIA FORTE  
KY [REDACTED]  
VIN: [REDACTED]
- Technician Trainee A. Rush and Technician E. Redfield collected Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, and 33.
- Technician R. Kimmer collected Exhibit 34.
- Technician Trainee A. Rush and Technician E. Redfield bagged the hands.

**At approximately 0826 hours, the following was performed by Technician R. Kimmer:**

- Exhibits 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34 were transported to and secured in the CSU Evidence Lab.

**At approximately 0901 hours, the following was performed in the CSU Evidence Lab, by Technician Trainee A. Rush:**

- Exhibit 12 was secured in the LMPD Video Vault.

**At approximately 0918 hours, the following was performed in the CSU Evidence Lab, by Technician Trainee A. Rush and Technician E. Redfield:**

- Photographed Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34.
- Processed Exhibits 27 and 31 Ultra Blue 2000 Fluorescent Magnetic latent fingerprint powder, obtaining negative results (See Evidence Processing Section).

**At approximately 1031 hours, the following was performed in the CSU Evidence Lab, by Technician R. Kimmer:**

- Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34 were secured in the CSU Evidence Locker.

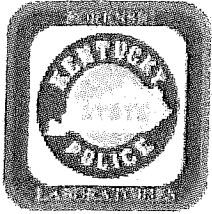
**On Sunday, August 14, 2016, at approximately 0507 hours, the following was performed in the CSU Evidence Lab, by Technician R. Kimmer:**

- Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34 were removed from the CSU Evidence Locker.

**On Monday, August 15, 2016, at approximately 0415 hours, Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34 were transported to the LMPD Property Room and released to Property Room Clerk D. Richmond, by Technician R. Kimmer.**

Technician's Name:	<u>Technician R. Kimmer</u>	Code #:	<u>8205</u>
Technician's Name:	<u>Technician J. Sparks</u>	Code #:	<u>4849</u>
Technician's Name:	<u>Technician Trainee A. Rush</u>	Code #:	<u>8263</u>
Technician's Name:	<u>Technician E. Redfield</u>	Code #:	<u>8141</u>
Supervisor's Name:	_____	Code #:	_____
Date:	_____		





Jefferson Laboratory Branch  
3600 Chamberlain Lane, Suite 410  
Louisville, KY 40241  
Telephone #: (502) 426-8240  
Fax #: (502) 426-4531

LABORATORY #: 16-J-05672 REPORT #: 1  
AGENCY: LMPD PIU  
COUNTY: Jefferson  
AGENCY CASE #: 80-16-067279  
CASE OFFICER: L. Maroni  
RE: Taylor Banks - [V]  
Beau Gadegaard - [V]  
Brian Smith - [V]  
Darnell Wicker - [S]

## REPORT OF FORENSIC LABORATORY EXAMINATION

### MATERIAL SUBMITTED: (submitting agency exhibit numbers are in parentheses)

- Item 1 (3): GLOCK semiautomatic 40 S&W pistol, model 22 Gen4, serial number [REDACTED]
- Item 2 (4): One pistol magazine.
- Item 3 (4A): Fifteen 40 S&W cartridges.
- Item 4 (8): GLOCK semiautomatic 40 S&W pistol, model 22 Gen4, serial number [REDACTED]
- Item 5 (9): One pistol magazine.
- Item 6 (9A): Fifteen 40 S&W cartridges.
- Item 7 (13): Two 40 S&W cartridge cases.
- Item 8 (14): Two 40 S&W cartridge cases.
- Item 9 (15): One 40 S&W cartridge case.
- Item 10 (16): One 40 S&W cartridge case.
- Item 11 (17): One 40 S&W cartridge case.
- Item 12 (18): Two 40 S&W cartridge cases.
- Item 13 (19): One 40 S&W cartridge case.
- Item 14 (20): One 40 S&W cartridge case.
- Item 15 (21): One 40 S&W cartridge case.
- Item 16 (22): One projectile.
- Item 17 (23): One projectile.
- Item 18 (25): One 40 S&W cartridge case.
- Item 19 (29): One projectile.
- Item 20 (30): One projectile.
- Item 21 (34): One projectile.
- Item 22 (45): One projectile.
- Item 23 (46): One projectile.
- Item 24 (47): One projectile.
- Item 25 (48): One projectile.
- Item 26 (49): One projectile.
- Item 27 (50): One projectile.
- Item 28 (51): One projectile.
- Item 29 (52): One projectile.

### EXAMINATION REQUESTED:

Firearm Identification

Continued on Page 2

J. Scott Doyle

Page 1 of 2

**RESULTS AND CONCLUSIONS:**

Items 1 and 4 were found to be functional firearms.

Items 2 and 5 were found to function normally with Items 1 and 4.

No examinations of Items 3 and 6 were conducted or specifically requested.

The five 40 S&W cartridge cases contained in Items 7, 8 and 9 were fired in Item 1.

The eight 40 S&W cartridge cases contained in Items 10-15 and 18 were fired in Item 4.

Items 16, 17 and 19-29 (40 caliber bullets) could neither be identified nor eliminated as having been fired from the same firearm or Items 1 and 4 due to insufficient individual microscopic marks for identification purposes.

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**Date of Completion:** October 11, 2016

*J. Scott Doyle*

J. Scott Doyle  
Forensic Scientist Specialist II

Unless otherwise noted in the report, this evidence is available for release.

J. Scott Doyle



Page 2 of 2



LAB #: 16-J-05672  
CASE #: 80-16-067279

**EXAMINATION NOTES**

START DATE: 10.06.2016  
EXAMINER: Jeffrey S. Doyle

**DESCRIPTION OF PACKAGING**

**Outer Packaging**

- Items 1 and 2 were submitted in an e-tape sealed white gun box (Container A).
- Items 3, 6, 20 and 21 were submitted in separate e-tape sealed manila evidence envelopes.
- Items 4 and 5 were submitted in an e-tape sealed white gun box (Container B).
- Items 7-12 were submitted in an e-tape sealed manila evidence envelope (Container C).
- Item 13-15 and 18 were submitted in an e-tape sealed manila evidence envelope (Container D).
- Item 16, 17 and 19 were submitted in an e-tape sealed manila evidence envelope (Container E).
- Items 22-25 were submitted in an e-tape sealed manila evidence envelope (Container F).
- Items 26-29 were submitted in an e-tape sealed manila evidence envelope (Container G).
- Yellow BEAST barcode labels were affixed to the outer packaging and initialed.

**Inner Packaging**

- Items 1 and 4 were not further packaged.
- Items 2 and 5 were further packaged in an e-tape sealed brown paper bag.
- Items 3 and 6 were not opened.
- Items 7-29 were further packaged separately in small e-tape sealed white boxes.
- All inner packaging was marked with the lab number, item number and initialed.

**EVIDENCE SUBMITTED** (Submitting agency item / exhibit numbers are in parentheses)

**Item 1 (3)**

- The item contains a GLOCK semiautomatic 40 S&W pistol, model 22 Gen4, serial number [REDACTED]
- The item was marked with the lab number, item number and initials.

**Item 2 (4)**

- The item contains a GLOCK 40 S&W pistol magazine.
- The item was marked with the lab number, item number and initials.

**Items 3 and 6 (4A and 9A)**

- Each item is described as containing fifteen FEDERAL 40 S&W cartridges.
- The items were not opened.

**Item 4 (8)**

- The item contains a GLOCK semiautomatic 40 S&W pistol, model 22 Gen4, serial number [REDACTED]
- The item was marked with the lab number, item number and initials.

**Item 5 (9)**

- The item contains a GLOCK 40 S&W pistol magazine.
- The item was marked with the lab number, item number and initials.

**Items 7, 8 and 12 (13, 14 and 18)**

- Each item contains two 40 S&W cartridge cases headstamped "FEDERAL 40 S&W".
- The items were marked with the lab number and item numbers (7A1/7A2, 8A1/8A2 and 12A1/12A2).

**Items 9-11, 13-15 and 18 (15-17, 19-21 and 25)**

- Each item contains one 40 S&W cartridge case headstamped "FEDERAL 40 S&W".
- The items were marked with the lab number and item number (9A1-11A1, 13A1-15A1 and 18A1).

**Items 16, 17 and 19-29 (22, 23, 29, 30, 34 and 45-52)**

- Each item contains one 40 caliber JHP bullet.
- The item was marked with the lab number and item number (16A, 17A and 19A-29A).



LAB #: 16-J-05672  
CASE #: 80-16-067279

**EXAMINATION NOTES**

START DATE: 10.06.2016  
EXAMINER: Jeffrey S. Doyle

**EXAMINATIONS CONDUCTED**

**Item 1**

- External Examination
  - The finish of the pistol is in good condition and displays average wear. Attached to the lower rail is a Stream Light brand flashlight.
  - The black polymer frame/grip displays average wear.
- Action Testing
  - The slide of the pistol moves freely.
  - The magazine contained in Item 2 was found to fit into and function normally with the pistol.
  - The barrel of the pistol was inspected and found to be in good condition and free of obstructions.
- Test Firing
  - The pistol was loaded with three FEDERAL 40 S&W cartridges and test fired. The pistol functioned properly. All three cartridges chambered, fired, extracted and ejected normally.
  - Test standards were marked with the lab number and 1T1-1T2. Cartridge case standards were submitted as 1.1 and released with the pistol.
- Standards Validation
  - Cartridge case and bullet standards fired in Item 1 were examined microscopically. Cartridge case standards displayed sufficient individual characteristics for identification purposes. Bullet standards lacked sufficient microscopic marks for identification purposes.

**Item 2**

- The GLOCK brand 40 S&W magazine fit into and functioned normally with Item 1.

**Items 3 and 6**

- No examination were conducted or specifically requested.

**Item 4**

- External Examination
  - The finish of the pistol is in good condition and displays average wear. Attached to the lower rail is a Stream Light brand flashlight.
  - The black polymer frame/grip displays average wear.
- Action Testing
  - The slide of the pistol moves freely.
  - The magazine contained in Item 5 was found to fit into and function normally with the pistol.
  - The barrel of the pistol was inspected and found to be in good condition and free of obstructions.
- Test Firing
  - The pistol was loaded with three FEDERAL 40 S&W cartridges and test fired. The pistol functioned properly. All three cartridges chambered, fired, extracted and ejected normally.
  - Test standards were marked with the lab number and 4T1-4T2. Cartridge case standards were submitted as 4.1 and released with the pistol.
- Standards Validation
  - Cartridge case and bullet standards fired in Item 4 were examined microscopically. Cartridge case standards displayed sufficient individual characteristics for identification purposes. Bullet standards lacked sufficient microscopic marks for identification purposes.

**Item 5**

- The GLOCK brand 40 S&W magazine fit into and functioned normally with Item 4.



LAB #: 16-J-05672  
CASE #: 80-16-067279

EXAMINATION NOTES

START DATE: 10.06.2016  
EXAMINER: Jeffrey S. Doyle

**EXAMINATIONS CONDUCTED (Cont'd.)**

**Items 7-15 and 18**

- The thirteen 40 S&W cartridge cases display elliptical firing pin impressions with drag and heavy shear marks from a rectangular firing pin aperture.
- The cartridge cases were compared microscopically to each other and to cartridge case standards fired in Items 1 and 4. Items 7A1/7A2, 8A1/8A2 and 9 were identified as having been fired in Item 1 and Items 10, 11, 12A1/12A2, 13-15 and 18 were identified as having been fired in Item 4. Very consistent firing pin aperture shear marks were noted. See figures 1 and 2.

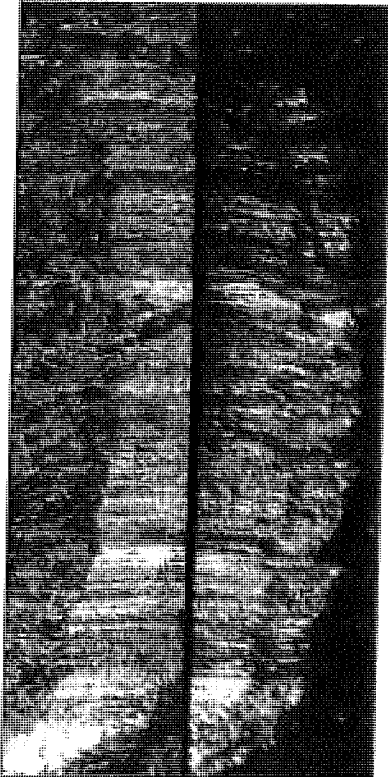


Figure 1- Shear marks: Item 1T3 (left) and Item 9 (right).

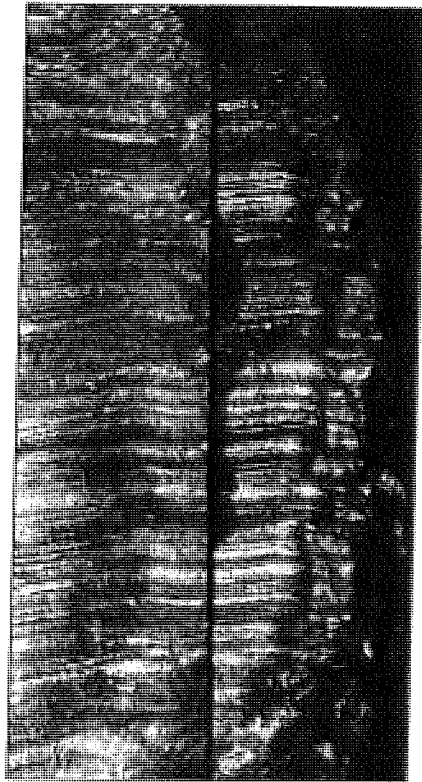


Figure 2- Shear marks: Item 4T2 (left) and Item 10 (right).

**Item 16, 17, 19-29**

- Each item contains one 40 caliber JHP bullet. All display 6/RIGHT Polygonal rifling impressions.
- The thirteen bullets were compared to each other and to bullet standards fired from Items 1 and 4. All comparisons were inconclusive. The bullets lacked sufficient individual microscopic marks for identification purposes. Some light striae were noted on hill impressions but insufficient correspondence was noted.
- Items 16, 17 and 19-29 could neither be identified nor eliminated as having been fired from the same firearm or Items 1 and 4.



LAB #: 16-J-05672  
CASE #: 80-16-067279

**EXAMINATION NOTES**

START DATE: 10.06.2016  
EXAMINER: Jeffrey S. Doyle

---

**CONCLUSIONS**

Items 1 and 4 were found to be functional firearms.

Items 2 and 5 were found to function normally with Items 1 and 4.

No examinations of Items 3 and 6 were conducted or specifically requested.

The five 40 S&W cartridge cases contained in Items 7, 8 and 9 were fired in Item 1.

The eight 40 S&W cartridge cases contained in Items 10-15 and 18 were fired in Item 4.

Items 16, 17 and 19-29 (40 caliber bullets) could neither be identified nor eliminated as having been fired from the same firearm or Items 1 and 4 due to insufficient individual microscopic marks for identification purposes.



LAB #: 16-J-05672  
CASE #: 80-16-067279

EXAMINATION NOTES

START DATE: 10.06.2016  
EXAMINER: Jeffrey S. Doyle

PISTOL DATA: ITEM 1	
<b>Marked in Laboratory:</b>	16J05672 1A jsd
<b>Brand:</b>	GLOCK
<b>Model:</b>	22 Gen4
<b>Cartridge:</b>	40 S&W
<b>Serial Number:</b>	[REDACTED]
<b>Serial Number Location:</b>	Metal insert in frame, barrel and slide
<b>Finish:</b>	Tenifer slide and barrel
<b>Grips:</b>	Polymer
<b>Barrel Length:</b>	4.5 inches
<b>Bore Condition:</b>	Good
<b>Bore Residue:</b>	Light residues
<b>Action Type:</b>	Semiautomatic
<b>Magazine Type:</b>	Detachable box
<b>Magazine Capacity:</b>	15+1 using Item 2
<b>FP Type / Condition:</b>	Elliptical / okay
<b>SA Trigger Pull (lbs.):</b>	n/a
<b>DA Trigger Pull (lbs.):</b>	6.8 lbs.
<b>Rifling Pattern:</b>	6/RIGHT Polygonal
<b>Land Width:</b>	n/a
<b>Groove Width:</b>	n/a
<b>Extractor Location:</b>	3 o'clock
<b>Ejector Location:</b>	8 o'clock
<b>Breechface Pattern:</b>	Shear marks
<b>Safety Features:</b>	Trigger, drop and internal firing pin block- OKAY
<b>Overall Operation:</b>	Good
<b>Other Markings:</b>	n/a
<b>Remarks:</b>	

PROFILE VIEW

SERIAL NUMBER


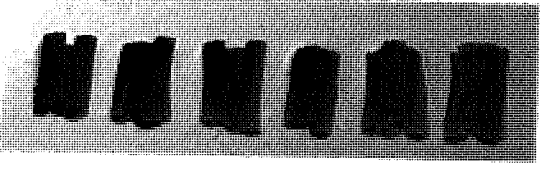


LAB #: 16-J-05672  
 CASE #: 80-16-067279

EXAMINATION NOTES

START DATE: 10.06.2016  
 EXAMINER: Jeffrey S. Doyle

PISTOL DATA: ITEM 4

<b>Marked in Laboratory:</b>	16J05672 4A jsd	
<b>Brand:</b>	GLOCK	
<b>Model:</b>	22 Gen4	
<b>Cartridge:</b>	40 S&W	
<b>Serial Number:</b>	[REDACTED]	
<b>Serial Number Location:</b>	Metal insert in frame, barrel and slide	
<b>Finish:</b>	Tenifer slide and barrel	
<b>Grips:</b>	Polymer	
<b>Barrel Length:</b>	4.5 inches	
<b>Bore Condition:</b>	Good	
<b>Bore Residue:</b>	Light residues	
<b>Action Type:</b>	Semiautomatic	
<b>Magazine Type:</b>	Detachable box	
<b>Magazine Capacity:</b>	15+1 using Item 2	
<b>FP Type / Condition:</b>	Elliptical / okay	<b>Profile View</b>
<b>SA Trigger Pull (lbs.):</b>	n/a	
<b>DA Trigger Pull (lbs.):</b>	6.8 lbs.	
<b>Rifling Pattern:</b>	6/RIGHT Polygonal	
<b>Land Width:</b>	n/a	
<b>Groove Width:</b>	n/a	
<b>Extractor Location:</b>	3 o'clock	
<b>Ejector Location:</b>	8 o'clock	
<b>Breechface Pattern:</b>	Shear marks	
<b>Safety Features:</b>	Trigger, drop and internal firing pin block- OKAY	
<b>Overall Operation:</b>	Good	
<b>Other Markings:</b>	n/a	<b>Serial Number</b>
<b>Remarks:</b>		






LAB #: 16-J-05672  
CASE #: 80-16-067279

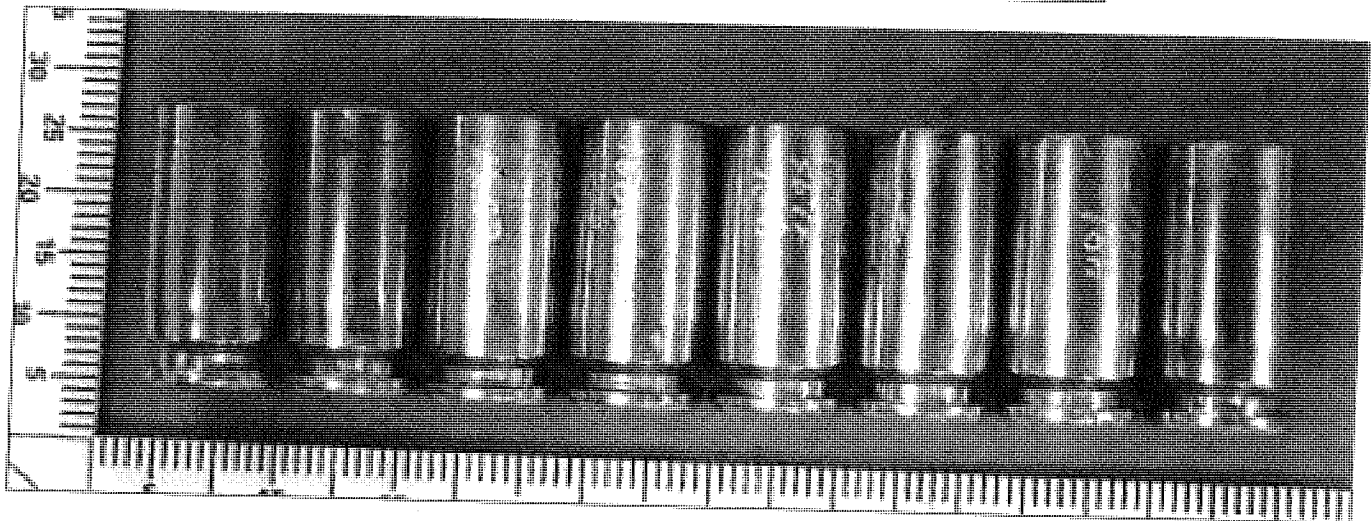
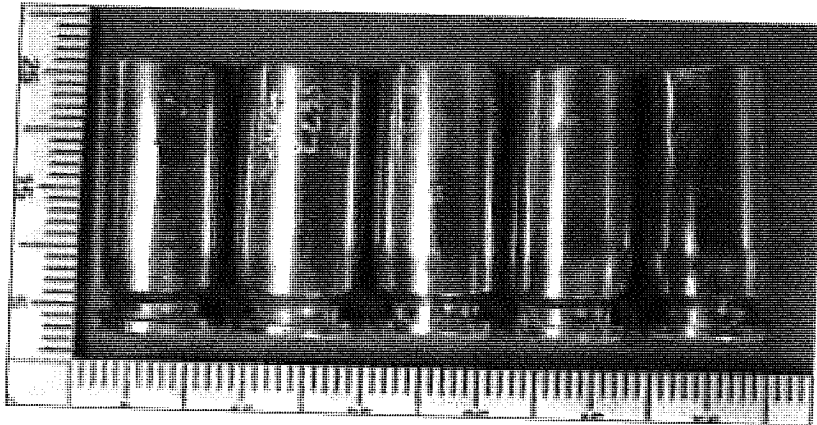
EXAMINATION NOTES

START DATE: 10.06.2016  
EXAMINER: Jeffrey S. Doyle

CARTRIDGE CASE DATA: ITEM 7-15 AND 18

Marked in Laboratory:	16J05672 7A1/7A2, 8A1/8A2, 9A-11A, 12A1/12A2, 13A-15A & 18A	
Number of Casings:	13	
Brand:	FEDERAL	
Cartridge Designation:	40 S&W	
Case Finish / Material:	Nickel	
Primer Finish / Sealant:	Nickel	
Cannelure:	None	
Firing Pin Shape:	Elliptical w/drag	
Breech Marks:	Shear marks	
Extractor Marks:	3	
Ejector Marks:	8 near primer pocket	
Misc. Micro Marks:	None noted	
Condition:	Good	
Trace Material:	None	
Identification Value:	Good	
Remarks:		

HEADSTAMP





LAB #: 16-J-05672  
 CASE #: 80-16-067279

**EXAMINATION NOTES**

START DATE: 10.06.2016  
 EXAMINER: Jeffrey S. Doyle

<b>BULLET DATA: ITEM 16, 17 &amp; 19-29</b>	
<b>Marked in Laboratory:</b>	16J05672 16A, 17A & 19A-29A
<b>Diameter:</b>	.40 inches
<b>Caliber Class:</b>	40
<b>Weight:</b>	All but Item 20 weighed between 118-152 grains. Item 20 is the only bullet not mushroomed and it weighs 156.2 grains.
<b>Likely Original Weight:</b>	155 grains
<b>Likely Cartridge:</b>	40 S&W
<b>Nose Configuration:</b>	JHP
<b>Base Configuration:</b>	Closed/flat
<b>Apparent Composition:</b>	Copper/lead
<b>Cannelure:</b>	None
<b>Brand:</b>	FEDERAL
<b>Visible Rifling:</b>	All
<b>Rifling Pattern:</b>	6/RIGHT Polygonal
<b>Land Imp. Width:</b>	n/a
<b>Groove Imp. Width:</b>	n/a
<b>Condition:</b>	See image below. All petals were flattened back against the base as received. Picture below is after cleaning the bullets and having bent the petals out at right angles.
<b>Trace Material:</b>	Bio material on 19-29 (cleaned)
<b>Identification Value:</b>	poor
<b>Remarks:</b>	

See below

*PROFILE VIEW*





# KENTUCKY STATE POLICE

## Request for Evidence Examination PIU Firearms Submission



Investigating Officer: Sergeant L. Maroni - PIU

Agency: Louisville Metro Police Crime Scene Unit

Address: 633 West Jefferson Street

City: Louisville Zip: 40202

Phone: (502) 574-7036 Fax: (502) 574-7199

Email: Jim.sparks@louisvilleky.gov

Phone:

Laboratory #: \_\_\_\_\_

CSU Case #: 80-16-067279

ICN #: 80-16-067279

ORI #: KY 056PIU

Victim(s): 1 - Ofc. Taylor Banks  
2 - Ofc. Beau Gadegaard  
3 - Ofc. Brian Smith

Offense: Shooting

Suspect/Accused(s): Darnell Wicker (Deceased)

Offense Date: 08/08/2016

Location of Offense: \_\_\_\_\_

Offense City/County: Lou. / Jefferson Co.

Exhibits: (Initial exhibits received)

	<b>Evidence collected at 810 Barret Avenue – Public Integrity Office</b>	<b>Property ID</b>
#3	One black semi -automatic "Glock" pistol , Glock .22 Gen4, Austria .40,made in Austria Glock Inc., serial # [REDACTED] myrna GA. with StreamLight; collected from Officer Beau Gadegaard (#7201)	5642930
#4	One black "Glock" magazine	5642930
#4A	Fifteen live rounds head stamped "Federal 40 S & W"	5643292
#8	One black semi -automatic "Glock" pistol , Glock .22 Gen4, Austria .40,made in Austria Glock Inc., serial # [REDACTED] Smyrna GA. with StreamLight; collected from Officer Beau Gadegaard (#7201)	5642934
#9	One black "Glock" magazine	5642934
#9A	Fifteen live rounds head stamped "Federal 40 S & W"	5642936
	<b>Evidence collected at the scene of 4509 Broadleaf Drive</b>	
#13	Two (2) spent casings with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5	5645417
#14	Two (2) spent casings with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5	5645417
#15	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5	5645417
#16	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5	5645417
#17	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5	5645417
#18	Two (2) spent casings with the headstamp, 'FEDERAL 40 S & W', located on the doormat and sidewalk in front of Apartment #5	5645417
#19	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5	5645418
#20	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5	5645418
#21	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5	5645418
#22	Possible projectile, located on the pavement in front of Apartment #5	5645419

#23	Possible projectile, located on the pavement in front of Apartment #5	5645419
#25	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #4	5645418
#29	One (1) possible projectile, located on the pavement in front of Apartment #3	5645419
#30	One (1) possible projectile, located in the living room and cut from the living room of Apartment #4	5645421
#34	One (1) possible projectile, with possible blood, located under the Suspect's body	5645422
<b>Evidence collected at 10511 LaGrange Road - Pathology</b>		
#45	Projectile; located in the Suspect's body bag (came from Suspect's mid Left thigh)	5643568
#46	Projectile; located in the Suspect's lower Right back	5643568
#47	Projectile; located in the Suspect's upper Left back	5643568
#48	Projectile; located in the Suspect's mid Left back	5643568
#49	Projectile; located in the Suspect's lower Left buttock	5643569
#50	Projectile; located in the Suspect's mid Right thigh	5643569
#51	Projectile; located in the Suspect's proximal Right thigh	5643569
#52	Projectile; located in the Suspect's abdomen	5643569

**Case History:**

Officers responded to a domestic case in which subject was armed with a knife. Subject was told to put the knife down and took steps in the officers' direction and they fired their weapons striking the subject and he died on scene.

**Examinations Requested:**

**Firearms analysis requested:**

**Functionality:** Examine Exhibits #3 & #8 for functionality, using Exhibits #4, #4A, #9 & #9A as necessary

**Comparison:** Examine Exhibits #13, #14, #15, #16, #17, #18, #19, #20, #21, #22, #23, #25, #29, #30, #34, #45, #46, #47, #48, #49, #50, #51 & #52 to determine if fired from either Exhibits #3 & #8, using Exhibits #4, #4A, #9 & #9A as necessary

Forward to A.F.I.S.       Forward for additional analysis (specify) \_\_\_\_\_

Submitting Officer Signature: \_\_\_\_\_ Date: October 05, 2016

Print Submitting Officer Technician J. Sparks

*For Laboratory use only*

Received from: \_\_\_\_\_ Received By: \_\_\_\_\_ Date/Time: \_\_\_\_\_

KSP-026 1/2001



# Louisville Metro Police Department

## Request For KSP Lab Examination

**ALL FIELDS MUST BE COMPLETED!!!**

CSU Technician: Dona Stephenson  
 CSU #: 80-16-067279

Date: 9-22-16

ICN:

Unit Case File #: 16-054

Victim: Taylor Banks  
 Beau Gadegaard  
 Brian Smith

R/S/DOB:

Address: 633 W. Jefferson St

Suspect: Darnell Wicker

R/S/DOB: b/m

Arrested: 10-80

Offense: Police Involved Shooting

Date of offense: 8-20-16

Location of offense: 4509 Broadleaf Dr #4

Investigating officer: Leigh Maroni

Code #: 6711

Unit/Division: PIU

Investigating officer's email address: Leigh.Maroni@louisvilleky.gov

Phone #: 574-8739

Transported to:  CSU  Property Room By:

	Exhibit #	Description
1	3	Glock -Banks
2	8	Glock- Gadegaard
3	13-21	spent casings
4	22-23	projectiles
5	25	spent casing
6	29-30	projectile
7	34	projectile
8	45-52	projectile
9		
10		

Examination requested: please test Ex:3 and 8 to see if they are functional firearms and compare them to the the spent casings and projectiles to determine which weapon fired which projectiles and which casings came from which weapon.

Case history: Officers responded to a domestic case in which subject was armed with a knife. Subject was told to put the knife down and took steps in the officers direction and they fired their weapons striking the subject and he died on scene.

DNA testing must be approved by division/section commander:

\_\_\_\_\_  
 Division/Section Commander

\_\_\_\_\_  
 Date



Louisville Metro Police Department  
Latent Fingerprint Supplementary Report

CLEARED  
SEP 07 2016

To: CSU Commander  
To: L. Maroni

Date of Offense: 8-8-16  
Date and Time of Report: 9-7-16

Complainant's Name: Darnell Wicker

Complainant's Address: 4509 Broadleaf Dr. # 4

Offense: Officer Involved Shooting Location of Offense: Same

Division: PIU

CSU #: 80-16-067279

Latent Print Unit #: 16-106181

ICN #: 80-16-067279

Received in Latent Print Unit by: E.F. Jones

Assigned to: Ernest F. Jones #8167

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Post-Mortem inked fingerprints from the above case were compared to the exemplar fingerprints of Wicker, Darnell  
KYSID# [REDACTED] and were found to be the same.

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Report submitted by:

ID Examiner: [Signature]

Date and Time: 9-7-16 0950

Analysis reviewed by:

ID Examiner: Michele R Crawford

Date and Time: 09/12/16 0954

Supervisor: [Signature]

Date and Time: 9-13-16 0656

Autopsy Report Form



Louisville Metro Police Department  
Special Investigations Division  
Public Integrity Unit

Submitted by: Sgt. Leigh Maroni Code # 6711

File # 16-054 Report # 80-16-067383 Offense Date : 8-8-16

Subject's Name : Darnell T. Wicker R/S/A : B/M/57

Date of Autopsy : 8-9-16 Location : 10511 LaGrange Road ME's office

Autopsy Start Time : 0800 Autopsy End Time : 1140

M. E. Number : 16-1130

Autopsy Conducted By : Dr. Darius Arabadjief

M. E. Personnel Present : Chris Holsclaw

C.S.U. Personnel Present : Jim Sparks

Subject's Clothing: Black t shirt, Blue jeans, Black 3/4 boots, black shorts

Evidence Collected: Blood, hair, prints, clippings, projectiles, clothing, photographs

Preliminary Finding: **Homicide due to Multiple gunshot wounds**

Comments: **Toxicology and full Autopsy report pending**

Signature *Leigh Maroni*

## Maroni, Leigh A

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**From:** Maroni, Leigh A  
**Sent:** Friday, August 12, 2016 10:57 AM  
**To:** LMPDBCR@louisvilleky.gov  
**Subject:** RE: Copies of WVS

Sorry, I left off the specific officers. It's Beau Gadegaard (7201) and Kierstn Holman (7175) and D.Colbert (7042). The report number is 80-16-0067279

**From:** Maroni, Leigh A  
**Sent:** Thursday, August 11, 2016 6:15 PM  
**To:** [LMPDBCR@louisvilleky.gov](mailto:LMPDBCR@louisvilleky.gov)  
**Subject:** FW: Copies of WVS

We need the WVS from Officers ) from the date of 8-8-16 from 4509 Broadleaf Drive #4 for PIU case 16-054. Please contact me when they are ready and I will gladly pick them up.

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
810 Barret Avenue  
Louisville, KY 40204  
502-612-7047



V16-5233

**Thornsberry, Jerry**

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**From:** Maroni, Leigh A  
**Sent:** Monday, August 08, 2016 12:33 PM  
**To:** LMPD Video System Request  
**Subject:** Copies of WVS

We need the WVS from Officers Brian Smith (7762) and Taylor Banks (7293) from the date of 8-8-16 from 4509 Broadleaf Drive #4 for PIU case 16-054. Please contact me when they are ready and I will gladly pick them up.

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
810 Barret Avenue  
Louisville, KY 40204  
502-612-7047

**Maroni, Leigh A**

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**From:** LMPD Video System Request  
**Sent:** Monday, August 08, 2016 12:33 PM  
**To:** Maroni, Leigh A  
**Subject:** Automatic reply: Copies of WVS

"We are in receipt of your request for body camera footage. We will research your request and provide you the requested footage as quickly as possible. If you have any questions please advise."

**\*\*\*\*ATTENTION PLEASE\*\*\*\***

Please advise, Send **ALL** future request to the new address [LMPDVideoSystemRequest@louisvilleky.gov](mailto:LMPDVideoSystemRequest@louisvilleky.gov)

**LMPD Mobile Video System Video Request and WearableVideoSystem** distribution list will be removed on 07/31/2016

If you have any questions please call 502-574-7903

**P16325499 - 1039 - SHOOTING - SHOOT STAB - SHOOTING  
4509 BROADLEAF DR LVIL,4**

System Comments Normal View

Date/Time	Terminal	Operator	
08/08/16 01:35:15	911ms108	36462	EVENT CREATED - Type: 1031 - VIOLENCE - DOMESTIC TROUBLE - DOMESTIC TROUBLE WITH VIOLENCE, Location: 4509 BROADLEAF DR LVIL,4, Agency: LMPD, Group: 2, Beat: 236, Status: P, Priority: 2
08/08/16 01:35:15	911ms108	36462	INITIAL CALL - Call Source: 2-PHONE, Caller Name: DONITA, Caller Phone Number: [REDACTED], Caller Address: [REDACTED]
08/08/16 01:35:15	911ms108	36462	EVENT REMARK - ADV HER MOTHER AND BOYFRIEND HAVING DISPUTE BOYFRIEND, HAS KICKED DOOR IN, NOW HAS A KNIFE IN HIS HAND DARNELL WICKER, BM,MISSING ON FRONT TEETH, DRK SHIRT, BJ SUBJ ON PINK/DRK BLU BIKE
08/08/16 01:35:23	911ms120	32410	EVENT UPDATED - First Viewed Time: 08/08/16 01:35:23, Rms Transfer Time: 08/08/16 01:35:23,
08/08/16 01:35:47	911ms108	36462	EVENT REMARK - SUBJ IS NOW GOING INSIDE LOC
08/08/16 01:41:33	911ms138	4829	EVENT UPDATED - Last Status Change Time: 08/08/16 01:41:33, Pending Alarm Time: 08/08/16 01:46:33, Status Code: S,
08/08/16 01:41:39	911ms138	4829	EVENT UPDATED - Total Assigned Units: 1,
08/08/16 01:41:39	911ms138	4829	EVENT UPDATED - First Unit Dispatched Time: 08/08/16 01:41:39, Status Code: A,
08/08/16 01:41:39	911ms138	4829	EVENT UPDATED -
08/08/16 01:41:39	911ms138	4829	UNIT UPDATED - Unit: 226B, Status: DP, Location: 4509 BROADLEAF DR LVIL,4, Employees: 7762
08/08/16 01:41:41	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 01:41:41, Total Assigned Units: 2,
08/08/16 01:41:41	911ms138	4829	UNIT UPDATED - Unit: 223C, Status: DP, Location: 4509 BROADLEAF DR LVIL,4, Employees: 7293
08/08/16 01:41:57	\$223C	7293	EVENT UPDATED - First Unit Enrouted Time: 08/08/16 01:41:57, Rms Transfer Time: 08/08/16 01:41:57,
08/08/16 01:41:57	\$223C	7293	UNIT UPDATED - Unit: 223C, Status: ER, Location: 4509 BROADLEAF DR LVIL,4, Employees: 7293
08/08/16 01:42:44	\$226B	7762	UNIT UPDATED - Unit: 226B, Status: ER, Location: 4509 BROADLEAF DR LVIL,4, Employees: 7762
08/08/16 01:45:55	911ms138	4829	EVENT UPDATED - First Unit Arrived Time: 08/08/16 01:45:55, Primary Employee Id: 7293, Primary Unit Id: 223C, Rms Transfer Time: 08/08/16 01:45:55,
08/08/16 01:45:55	911ms138	4829	UNIT UPDATED - Unit: 223C, Status: AR, Location: 4509 BROADLEAF DR LVIL,4, Employees: 7293
08/08/16 01:47:11	911ms138	4829	EVENT REMARK - ONE MAN DOWN SHOTS FIRE
08/08/16 01:47:26	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 01:47:26, Total Assigned Units: 3,
08/08/16 01:47:26	911ms138	4829	UNIT UPDATED - Unit: 221B, Status: DP, Location: 4509 BROADLEAF DR LVIL,4, Employees: 7312
08/08/16 01:47:35	911ms138	4829	EVENT REMARK - BM SHOT NUMEROUS TIME
08/08/16 01:48:18	911ms138	4829	EVENT REMARK - OK FOR EMS CODE 3
08/08/16 01:48:24	911ms138	4829	EVENT REMARK - NOT CON BUT BREATHING
08/08/16 01:48:49	911ms138	4829	EVENT UPDATED - Total Assigned Units: 4,
08/08/16 01:48:49	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 01:48:49, Total Assigned Units: 5,
08/08/16 01:48:49	911ms138	4829	UNIT UPDATED - Unit: 223A, Status: DP, Location: 4509 BROADLEAF DR LVIL,4, Employees: 7175
08/08/16 01:48:49	911ms138	4829	UNIT UPDATED - Unit: 225B, Status: DP, Location: 4509 BROADLEAF DR LVIL,4, Employees: 7274

08/08/16 01:48:52	911ms112	18390	EVENT REMARK - ACFS, NEIGHBOR C/O SEV SHOTS BEING FIRED JUST NOW
08/08/16 01:49:05	911ms123	31069	EVENT REMARK - Duplicate Event:Location = 4509 BROADLEAF DR LVIL, 4, Cross Street 1 = BOXELDER RD, Cross Street 2 = SHAGBARK RD, Type = 27A01 27B04 1031 STAB/GSW/PEN. TRAUMA (NON-RECENT > 6 HRS. PERIPHERAL WOUNDS) STAB/GSW/PEN. TRAUMA (UNK / 3PC) DOMESTIC TROUBLE WITH VIOLENCE, Caller Name = DONITA, Caller Ph Number = (██████████) Call Source = 2-PHONE, Alarm Level = 1
08/08/16 01:49:05	911ms123	31069	EVENT REMARK - ADV HER MOTHER AND BOYFRIEND HAVING DISPUTE BOYFRIEND, HAS KICKED DOOR IN, NOW HAS A KNIFE IN HIS HAND DARNELL WICKER, BM,MISSING ON FRONT TEETH, DRK SHIRT, BJ SUBJ ON PINK/DRK BLU BIKE SUBJ IS NOW GOING INSIDE LOC ONE MAN DOWN SHOTS FIRE BM SHOT NUMEROUS TIME OK FOR EMS CODE 3 NOT CON BUT BREATHING ACFS, NEIGHBOR C/O SEV SHOTS BEING FIRED JUST NOW Duplicate Event:Location = 4509 BROADLEAF DR LVIL, 4, Cross Street 1 = BOXELDER RD, Cross Street 2 = SHAGBARK RD, Type = 27A01 27B04 1031 STAB/GSW/PEN. TRAUMA (NON-RECENT > 6 HRS. PERIPHERAL WOUNDS) STAB/GSW/PEN. TRAUMA (UNK / 3PC) DOMESTIC TROUBLE WITH VIOLENCE, Caller Name = DONITA, Caller Ph Number = (██████████) Call Source = 2-PHONE, Alarm Level = 1
08/08/16 01:49:05	911ms123	31069	EVENT REMARK - End of Duplicate Event data
08/08/16 01:49:12	911ms138	4829	EVENT UPDATED - Total Assigned Units: 6,
08/08/16 01:49:12	911ms138	4829	UNIT UPDATED - Unit: 229, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees: 2026
08/08/16 01:49:28	911ms108	36462	EVENT REMARK - ACFS HEARD 5 GUN SHOTS, POSS MACHINE GUN ██████████
08/08/16 01:49:33	911ms139	4868	EVENT REMARK - 973 OK
08/08/16 01:49:45	911ms138	4829	EVENT UPDATED - Agency Event Subtype Code: SHOOTING, Agency Event Subtype Code Desc: SHOOTING, Agency Event Type Code: 1039, Agency Event Type Code Desc: SHOOT STAB, Common Event Revision Number: 2, Loi Available Time: 08/22/16 01:35:15, Max Arrive Time: 5, Max Pending Time: 1, Pending Alarm Time: 08/08/16 01:42:33, Priority: 0, Priority Changed Time: 08/08/16 01:49:45, Rms Transfer Time: 08/08/16 01:49:45,
08/08/16 01:50:15	911ms138	4829	EVENT UPDATED - Common Event Revision Number: 3, Rms Transfer Time: 08/08/16 01:50:15, Total Assigned Units: 7, ZipCode: 40216,
08/08/16 01:50:15	911ms138	4829	UNIT UPDATED - Unit: 221C, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees: 7042
08/08/16 01:50:27	911ms138	4829	EVENT REMARK ██████████ FOR 9616
08/08/16 01:50:37	911ms138	4829	UNIT UPDATED - Unit: 221C, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 7042
08/08/16 01:50:39	911ms138	4829	UNIT UPDATED - Unit: 221B, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 7312
08/08/16 01:52:19	\$229	2026	UNIT UPDATED - Unit: 229, Status: ER, Location: 4509 BROADLEAF DR LVIL4, Employees: 2026
08/08/16 01:52:46	911ms140	9779	EVENT UPDATED - Rms Transfer Time: 08/08/16 01:52:46, Total Assigned Units: 8,
08/08/16 01:52:46	911ms140	9779	UNIT UPDATED - Unit: 224B, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees: 7154
08/08/16 01:53:11	911ms138	4829	EVENT REMARK - PT NOT BREATHING
08/08/16 01:53:20	911ms138	4829	EVENT REMARK - STARTING FIRE DUE TO DISTANC
08/08/16 01:53:25	911ms138	4829	UNIT UPDATED - Unit: 223A, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 7175
08/08/16 01:53:26	911ms138	4829	UNIT UPDATED - Unit: 224B, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 7154
08/08/16 01:53:28	911ms138	4829	UNIT UPDATED - Unit: 225B, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 7274
08/08/16 01:53:30	911ms138	4829	EVENT REMARK - E
08/08/16 01:53:44	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 01:53:44, Total Assigned Units: 9,

08/08/16 01:54:30	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 01:54:30, Total Assigned Units: 10,
08/08/16 01:54:30	911ms138	4829	UNIT UPDATED - Unit: 1958, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 01:55:37	911ms148	0	UNIT UPDATED - Unit: 221C, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 7042
08/08/16 01:55:39	911av101	0	UNIT UPDATED - Unit: 221B, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 7312
08/08/16 01:55:47	911ms138	4829	UNIT UPDATED - Unit: 221B, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 7312
08/08/16 01:55:47	911ms138	4829	UNIT UPDATED - Unit: 221C, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 7042
08/08/16 01:55:55	911ul102	0	UNIT UPDATED - Unit: 223C, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 7293
08/08/16 01:56:00	911ms138	4829	UNIT UPDATED - Unit: 223C, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 7293
08/08/16 01:58:25	911anc101	0	UNIT UPDATED - Unit: 223A, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 7175
08/08/16 01:58:26	911ms122	0	UNIT UPDATED - Unit: 224B, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 7154
08/08/16 01:58:28	911ms122	0	UNIT UPDATED - Unit: 225B, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 7274
08/08/16 01:58:31	911ms138	4829	UNIT UPDATED - Unit: 223A, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 7175
08/08/16 01:58:32	911ms138	4829	UNIT UPDATED - Unit: 225B, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 7274
08/08/16 01:58:32	911ms138	4829	UNIT UPDATED - Unit: 224B, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 7154
08/08/16 02:05:43	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 02:05:43, Total Assigned Units: 11,
08/08/16 02:05:43	911ms138	4829	UNIT UPDATED - Unit: 225A, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees: 2905
08/08/16 02:07:18	911ms123	4366	EVENT REMARK - NTFY CORONER [REDACTED] MEDIC RADAR
08/08/16 02:09:54	911ms138	4829	UNIT UPDATED - Unit: 1958, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 02:13:04	911ms138	4829	EVENT UPDATED - Total Assigned Units: 12,
08/08/16 02:13:04	911ms138	4829	UNIT UPDATED - Unit: 121E, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees: 7058
08/08/16 02:13:07	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 02:13:07, Total Assigned Units: 11,
08/08/16 02:13:07	911ms138	4829	UNIT UPDATED - Unit: 121E, Status: AV, Location: , Employees: 7058
08/08/16 02:14:07	911ms123	4366	EVENT REMARK - 1736B ADV THIS IS OFCR INVOLVED
08/08/16 02:14:54	911ms148	0	UNIT UPDATED - Unit: 1958, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 02:15:05	911ms143	31255	UNIT UPDATED - Unit: 1958, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 02:16:45	911ms138	4829	EVENT REMARK - [REDACTED] FOR 229 NEEDS PIU AND PIO TO CALL HIM
08/08/16 02:18:00	911ms141	30789	EVENT UPDATED - Rms Transfer Time: 08/08/16 02:18:00, Total Assigned Units: 12,
08/08/16 02:18:00	911ms141	30789	UNIT UPDATED - Unit: 1133, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 02:18:09	911ms141	30789	EVENT REMARK - 1133 RESPONDING FOR PEER SUPPORT
08/08/16 02:23:29	911ms138	4829	UNIT UPDATED - Unit: 226B, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 7762
08/08/16 02:23:32	911ms138	4829	UNIT UPDATED - Unit: 225A, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 2905

08/08/16 02:23:34	\$1133	7578	UNIT UPDATED - Unit: 1133, Status: DC, Location: 4509 BROADLEAF DR LVIL4, Employees: 7578
08/08/16 02:23:35	\$1133	7578	UNIT UPDATED - Unit: 1133, Status: UE, Location: 4509 BROADLEAF DR LVIL4, Employees: 7578
08/08/16 02:23:36	\$1133	7578	UNIT UPDATED - Unit: 1133, Status: UC, Location: 4509 BROADLEAF DR LVIL4, Employees: 7578
08/08/16 02:23:37	\$1133	7578	UNIT UPDATED - Unit: 1133, Status: DC, Location: 4509 BROADLEAF DR LVIL4, Employees: 7578
08/08/16 02:23:46	\$1133	7578	UNIT UPDATED - Unit: 1133, Status: ER, Location: 4509 BROADLEAF DR LVIL4, Employees: 7578
08/08/16 02:28:29	911qid103	0	UNIT UPDATED - Unit: 226B, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 7762
08/08/16 02:28:32	911jcs0105	0	UNIT UPDATED - Unit: 225A, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 2905
08/08/16 02:28:35	911ms138	4829	UNIT UPDATED - Unit: 226B, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 7762
08/08/16 02:28:35	911ms138	4829	UNIT UPDATED - Unit: 225A, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 2905
08/08/16 02:52:56	\$221C	7042	UNIT UPDATED - Unit: 221C, Status: ER, Location: 4509 BROADLEAF DR LVIL4, Employees: 7042
08/08/16 03:07:55	\$221B	7312	UNIT UPDATED - Unit: 221B, Status: ER, Location: 4509 BROADLEAF DR LVIL4, Employees: 7312
08/08/16 03:28:31	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 03:28:31, Total Assigned Units: 11,
08/08/16 03:28:31	911ms138	4829	UNIT UPDATED - Unit: 1958, Status: AV, Location: , Employees:
08/08/16 03:28:52	911ms138	4829	UNIT UPDATED - Unit: 229, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 2026
08/08/16 03:28:54	911ms138	4829	UNIT UPDATED - Unit: 221B, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 7312
08/08/16 03:28:56	911ms138	4829	UNIT UPDATED - Unit: 221C, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 7042
08/08/16 03:33:52	911ms122	0	UNIT UPDATED - Unit: 229, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 2026
08/08/16 03:33:54	911anc101	0	UNIT UPDATED - Unit: 221B, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 7312
08/08/16 03:33:56	911ms122	0	UNIT UPDATED - Unit: 221C, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees: 7042
08/08/16 03:36:10	911ms138	4829	UNIT UPDATED - Unit: 221B, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 7312
08/08/16 03:36:12	911ms138	4829	UNIT UPDATED - Unit: 221C, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 7042
08/08/16 03:36:13	911ms138	4829	UNIT UPDATED - Unit: 229, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 2026
08/08/16 03:38:52	\$221C	7042	UNIT UPDATED - Unit: 221C, Status: UC, Location: , Employees: 7042
08/08/16 03:38:52	\$221C	7042	UNIT UPDATED - Unit: 221C, Status: UC, Location: , Employees: 7042
08/08/16 03:38:53	\$221C	7042	UNIT UPDATED - Unit: 221C, Status: UC, Location: , Employees: 7042
08/08/16 03:38:53	\$221C	7042	UNIT UPDATED - Unit: 221C, Status: UC, Location: , Employees: 7042
08/08/16 03:39:28	911ms150	9582	EVENT REMARK - PIO 20 MINS TO SCENE
08/08/16 03:43:12	\$221C	7042	UNIT UPDATED - Unit: 221C, Status: UC, Location: , Employees: 7042
08/08/16 03:43:12	\$221C	7042	UNIT UPDATED - Unit: 221C, Status: UC, Location: , Employees: 7042
	\$221C	7042	UNIT UPDATED - Unit: 221C, Status: UC, Location: , Employees: 7042

08/08/16 03:43:13			UNIT UPDATED - Unit: 225A, Status: ER, Location: 4509 BROADLEAF DR LVIL4, Employees: 2905
08/08/16 03:43:57	\$225A	2905	
08/08/16 03:45:15	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 03:45:15, Total Assigned Units: 10,
08/08/16 03:45:15	911ms138	4829	UNIT UPDATED - Unit: 221C, Status: AV, Location: , Employees: 7042
08/08/16 04:08:21	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 04:08:21, Total Assigned Units: 9,
08/08/16 04:08:21	911ms138	4829	UNIT UPDATED - Unit: 221B, Status: AV, Location: , Employees: 7312
08/08/16 04:26:11	911ms138	4829	EVENT UPDATED - Rms Transfer Time: 08/08/16 04:26:11, Total Assigned Units: 8,
08/08/16 04:36:57	\$229	2026	UNIT UPDATED - Unit: 229, Status: UC, Location: 4509 BROADLEAF DR LVIL4, Employees: 2026
08/08/16 05:06:16	911ms107	36994	CASE NUMBER ASSIGNED - R8016067279
08/08/16 05:06:16	911ms107	36994	DISPOSITION ASSIGNED - RPT
08/08/16 05:07:20	911ms107	36994	EVENT REMARK - CODE 2419 REQST RPT #
08/08/16 05:37:31	911ms139	4868	EVENT UPDATED - Last Status Change Time: 08/08/16 01:35:15, Pending Alarm Time: 08/08/16 01:36:15, Total Assigned Units: 9,
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08/08/16 05:37:31	911ms139	4868	UNIT UPDATED - Unit: 981B, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 05:48:54	911ms146	9785	UNIT UPDATED - Unit: 982B, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 05:48:54	911ms146	9785	UNIT UPDATED - Unit: 981B, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 05:53:54	911stm102	0	UNIT UPDATED - Unit: 982B, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 05:53:54	911stm102	0	UNIT UPDATED - Unit: 981B, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees:
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08/08/16 06:29:44	911ms146	9785	UNIT UPDATED - Unit: 986, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 06:29:46	911ms146	9785	UNIT UPDATED - Unit: 986, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 06:34:46	911ms114	0	UNIT UPDATED - Unit: 986, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 06:35:11	911ms146	9785	UNIT UPDATED - Unit: 986, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees:
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08/08/16 06:54:38	911ms150	19360	EVENT REMARK - PIU UNIT ONSCENE CALL DEP. CORONER ROBINSON A [REDACTED]
08/08/16 07:16:51	911ms141	9457	EVENT UPDATED - Rms Transfer Time: 08/08/16 07:16:51, Total Assigned Units: 9,
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08/08/16 07:50:00	\$214A	2530	UNIT UPDATED - Unit: 214A, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees: 2530

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08/08/16 07:54:33	911ms138	9678	UNIT UPDATED - Unit: 216B, Status: DP, Location: 4509 BROADLEAF DR LVIL4, Employees: 7112
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08/08/16 07:55:19	911ms138	9678	UNIT UPDATED - Unit: 214A, Status: CU, Location: 4509 BROADLEAF DR LVIL4, Employees: 2530
08/08/16 08:02:05	\$216B	7112	UNIT UPDATED - Unit: 216B, Status: UC, Location: , Employees: 7112
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08/08/16 08:18:30	911ms146	9785	EVENT UPDATED - Rms Transfer Time: 08/08/16 08:18:30, Total Assigned Units: 9,
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08/08/16 08:18:31	911ms146	9785	UNIT UPDATED - Unit: 1502, Status: AR, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 08:18:41	911ms146	9785	EVENT REMARK - 1086 FOR FD
08/08/16 08:23:31	911jcs0102	0	UNIT UPDATED - Unit: 1502, Status: ~, Location: 4509 BROADLEAF DR LVIL4, Employees:
08/08/16 08:25:56	911ms146	9785	EVENT UPDATED - Total Assigned Units: 8,
08/08/16 08:25:56	911ms146	9785	EVENT UPDATED - Total Assigned Units: 7,
08/08/16 08:25:56	911ms146	9785	EVENT UPDATED - Rms Transfer Time: 08/08/16 08:25:56, Total Assigned Units: 6,
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08/08/16 09:07:36	911ms138	9678	EVENT UPDATED - Rms Transfer Time: 08/08/16 09:07:36, Total Assigned Units: 5,
08/08/16 09:15:58	911ms138	9678	EVENT UPDATED - Rms Transfer Time: 08/08/16 09:15:58, Total Assigned Units: 4,
08/08/16 09:15:58	911ms138	9678	UNIT UPDATED - Unit: 214A, Status: AV, Location: , Employees: 2530
08/08/16 09:29:45	911ms138	9678	EVENT UPDATED - Total Assigned Units: 3,
08/08/16 09:29:45	911ms138	9678	UNIT UPDATED - Unit: 223C, Status: AV, Location: , Employees: 7293
08/08/16 09:29:53	911ms138	9678	EVENT UPDATED - Total Assigned Units: 2,
08/08/16 09:29:53	911ms138	9678	UNIT UPDATED - Unit: 229, Status: AV, Location: , Employees: 2026



08/08/16 09:29:53			
08/08/16 09:29:55	911ms138	9678	EVENT UPDATED - Rms Transfer Time: 08/08/16 09:29:55, Total Assigned Units: 1,
08/08/16 09:29:55	911ms138	9678	UNIT UPDATED - Unit: 226B, Status: AV, Location: , Employees: 7762

**Maroni, Leigh A**

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**From:** Maroni, Leigh A  
**Sent:** Monday, August 08, 2016 12:58 PM  
**To:** MetroSafeOpenRecords Mailbox  
**Subject:** CAD Request

We are working the officer involved shooting that took place last night. I would like to request any and all 911 calls for service, non-compressed CAD logs (those in actual time) and radio tape from the time of the call on 8-8-16 at 0135 until the time PIU is notified/arrives on scene. This is in reference to PIU case 16-054.

I tried to fax this but apparently I have the wrong number. Please let me know if you need further and THANK YOU!

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
810 Barret Avenue  
Louisville, KY 40204  
502-612-7047

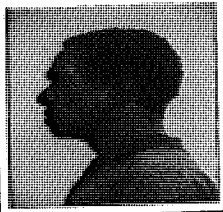
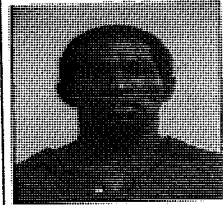
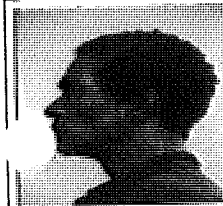
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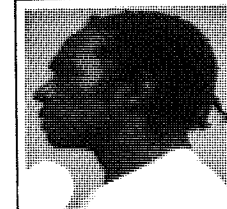
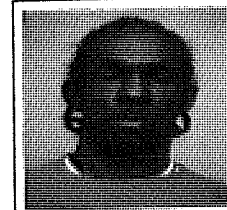
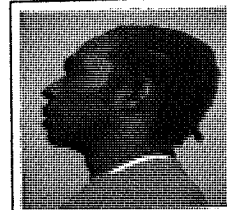
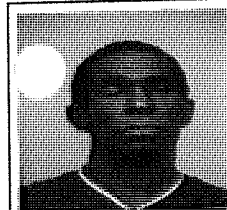
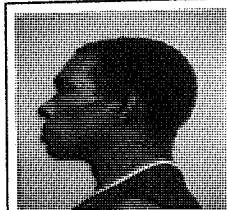
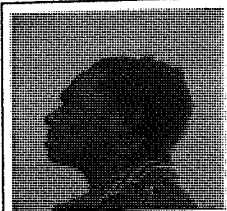
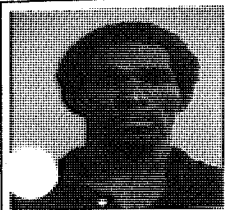
WICKER, DARNELL T (LMDC)

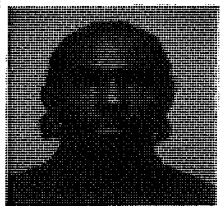
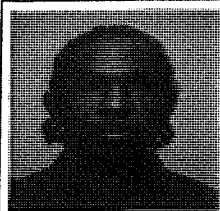
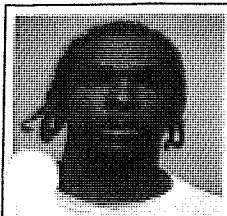
## Personal Information

Date Of Birth : [REDACTED] SSN : [REDACTED]  
Telephone No : [REDACTED] Driver's License No :  
Home Address : [REDACTED] State No :  
Age : 56 FBI No : [REDACTED]  
Gender : MALE Marital Status : Divorced  
Height : 5'08" Race : Black-origins of Africa  
Weight : 200 lbs Religion : Baptist (all forms)  
Eye Color : Brown Ethnicity Code :  
Citizenship : United States of America Jurisdiction Authority Code :  
Build : US Citizen Indicator : Yes  
Complexion : Birth Place : LOUISVILLE  
Hair Color : Black Hair Style :  
Hair Length : Facial Hair :

## Mugshot Information

Location	Description
	
	
	





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<b>Booking Information</b>
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<b>Booking Agency :</b> LMDC	<b>Booked By :</b> Graham Dianne
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[LMDC]

WICKER, DARNELL T

Inmate Number: 00227301

Cell: -NA-

Custody Status: -NA-

State No: -NA-

Date of Birth:

Phone:

SBI No:

SSN:

Tax No: -NA-

DL No.: -NA-

FBI No:

Details | History | Alias | Gang Affiliation | Employment | Contacts | Properties | Photos | Alerts | Scar Mark Tattoo

History Details:

Record Type	Activity Case #	Activity Description	Activity Date	Released Date	Hold For Agency	Committed By Agency
Booking	201430562	GIVING OFFICER FALSE NAME OR ADDRESS	10/21/2014	11/03/2014		LOUISVILLE METRO POLICE
Booking	201327267	CRIMINAL TRESPASS - 2ND DEGREE	08/30/2013	08/31/2013		LOUISVILLE METRO POLICE
Booking	2008044032	POSS CONT SUB 3RD DEG 1ST OFFENSE (DRUG	12/18/2008	12/18/2008		LOUISVILLE METRO POLICE
Booking	2003024118	CRIMINAL GANG RECRUITMENT-WND OR SUB.	08/12/2003	09/09/2003		LOUISVILLE PD



[LMDC]

WICKER, DARNELL T

Inmate Number: 00227301

Cell: -NA-

Custody Status: -NA-

State No: -NA-

SSN: [REDACTED]

Date of Birth: [REDACTED]

Tax No: -NA-

Phone: [REDACTED]

DL No: -NA-

SBI No: [REDACTED]

FBI No: [REDACTED]

Details History Alias Gang Affiliation Employment Contacts Properties Photos Alerts Scar Mark Tattoo

History Details:

Record Type	Activity Case #	Activity Description	Activity Date	Released Date	Hold For Agency	Committed By Agency
Booking	2003008857	-	03/26/2003	04/09/2003		LOUISVILLE PD
Booking	2002016926	POSS CONT SUB 1ST DEG, 1ST OFF (COCAINE)	05/29/2002	05/31/2002		LOUISVILLE PD
Booking	2001037318	FLAGRANT NON SUPPORT	11/21/2001	11/21/2001		LOUISVILLE PD
Booking	2000041686	CRIMINAL GANG RECRUITMENT-WND OR SUB.	12/13/2000	12/27/2000		LOUISVILLE PD



[IMDC]

WICKER, DARNELL T

Inmate Number: 00227301

Cell: -NA-

Custody Status: -NA-

State No: -NA-

SSN: [REDACTED]

Date of Birth: [REDACTED]

Tax No: -NA-

Phone: [REDACTED]

DL No.: -NA-

SBI No: [REDACTED]

FBI No: [REDACTED]

Details | History | Alias | Gang Affiliation | Employment | Contacts | Properties | Photos | Alerts | Scar Mark Tattoo

History Details:

Record Type	Activity Case #	Activity Description	Activity Date	Released Date	Hold For Agency	Committed By Agency
Booking	1998846061	THEFT BY UNLAWFUL TAKING OR DISPOSITION	11/25/1998	01/04/1999		CIRCUIT COURT PICKUP
Booking	1996603408	DRUG PARAPHERNALIA-BUY/POSSESS-1ST OFF	02/02/1996	11/23/1997		LOUISVILLE PD
Booking	1993313561	VIOLATION OF AIR POLLUTION STANDARDS AN	04/18/1993	04/18/1993		JEFFERSON COUNTY POLICE
Booking	1991113909	DISREGARDING TRAFFIC CONT. DEV. (TRAFFIC/I	11/24/1991	11/24/1991		LOUISVILLE PD



Daughters of man killed by police speak out

# Daughters of man killed by police speak out

Beth Warren, @BethWarrenCJ 6:43 p.m. EDT September 29, 2016



(Photo: Alton Strupp/The CJ)

After hearing that Louisville Metro Police officers shot and killed her father, Danielle Cleveland made a large sign that read: "Rest in Peace Dad, I love you." She was determined to rush to police headquarters and stand outside. Even if she stood alone.

"I was going to be out there yelling," she said during a rare interview Thursday with the Courier-Journal. "I channeled it into, 'What would my dad do?' I calmed down."

Cleveland, 36, said her sister, Dominique Wicker, 30, opted to give a measured response, issuing a public statement days after (/story/news/crime/2016/08/09/family-police-shooting-victim-speak-out/88489860/) police

shot Darnell Thomas Wicker, highlighting some of his achievements but also raising a series of questions about his Aug. 8 death (/story/news/local/2016/08/11/religious-leaders-discuss-police-shooting/88555006/). They set a tone for peace while they await answers – not protests, which have turned violent in some cities after officer-involved shootings.

"While these incidents quickly become part of a national conversation on race, policing and policy, we ask that everyone remember we are dealing with a real person, with real loved ones," they wrote in a letter to reporters. "It is not our desire, nor is it fruitful, for our family to become a part of an ongoing media frenzy that pits segments of our society against one another."

► **READ MORE: Longmeyer sentenced to almost 6 years (/story/news/politics/2016/09/29/longmeyer-sentenced-70-months-prison/89949684/)**

► **READ MORE: U of L: Internal hoops investigation ongoing (/story/sports/college/louisville/2016/09/29/university-louisville-internal-basketball-investigation-still-going/91276180/)**

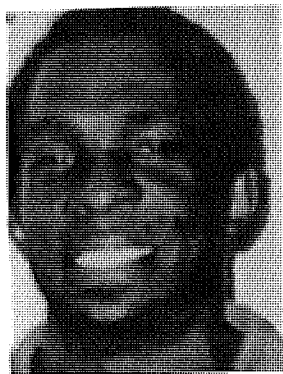
Wicker's daughters noted that most officers "have good intentions" and even commended Police Chief Steve Conrad for releasing the (/story/news/local/2016/08/08/police-shoot-kill-armed-man-sw-louisville/88385524/)body-cam (/story/news/local/2016/08/08/police-shoot-kill-armed-man-sw-louisville/88385524/) footage (/story/news/local/2016/08/08/police-shoot-kill-armed-man-sw-louisville/88385524/) hours after the shooting, writing: "We believe Chief Conrad's swift transparency was an act of good leadership that should not be overlooked."

Cleveland clarified on Thursday: "Just because we're not out there acting a fool doesn't mean we're not that mad."

She said she spent the first few days after her father's death screaming, sobbing and barely sleeping. When she last talked to him, he suggested gathering everyone together for a family reunion, since he relished barbecues and trips to the park with his grandkids. Now, the family would gather for his funeral.

The 57-year-old was remembered as a humble, loving father and grandfather, proud of his military service in the Army, stationed at Fort Knox in the mid-1980s and who also served in Germany and Hawaii. He lifted weights, ran, ate a healthy diet and frequently rode his bicycle and enjoyed restoring old Volvos and working as a handyman.

He had a tool box by his side and a tree saw in his hand when officers rushed to a unit at the Broadleaf Arms Apartments, where he sometimes stayed with his girlfriend. The girlfriend's daughter called 911 to report a domestic disturbance, saying had Wicker kicked the door in and she and her mother wanted police to make him leave. She and her mother remained in a car in the parking lot, later criticizing police (/story/news/local/2016/08/09/girlfriend-man-shot-police-speaks-out/88451990/) for shooting too quickly.



(Photo: Courtesy Wicker family)

Wicker's daughters said they have many lingering questions about the shooting and the circumstances surrounding their father's death. Among them: Why did officers shoot so quickly – less than 10 seconds after exiting the patrol car? Did officers consider less deadly alternatives? Why it take so long to summon emergency aid?"

"I need to get my questions answered," Cleveland said. "I need to be rational, to think clearly." Wicker, who sat by her side during a conversation Thursday, nodded.

Wicker said she learned that attribute from her father, who was laid-back and positive and known for tickling her when she was younger and doling out sage advice as she grew into adulthood. For instance, he cautioned her to follow her desires and not money when she considered a career as a pharmacist. Now she's fulfilled, crafting handmade soaps.

# Body cam shows cops ordering man to drop weapon

Matthew Glowicki and Justin Savers, @\_JustinSavers 10:58 a.m. EDT August 9, 2016



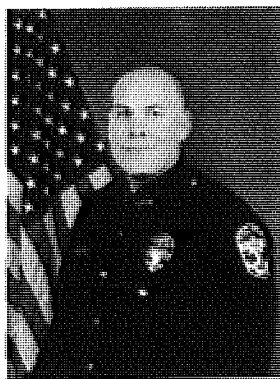
(Photo: Matthew Glowicki, the C.J)

Louisville Metro Police released (<https://www.youtube.com/watch?v=-K6VU0g3X6U>) body camera footage late Monday from three officers, two of whom fatally shot a man early Monday morning during a domestic disturbance after police said he refused to drop a large blade.

"Even with the release of the body camera footage, you need to understand that a thorough and complete investigation is required to understand exactly what occurred," said police chief Steve Conrad.

Police were called around 1:35 a.m. to the Broadleaf Arms Apartments in the 4500 block of Broadleaf Drive on reports of domestic violence. Conrad said dispatchers told officers that a male subject busted in the door of an apartment and was armed with a knife.

Officers Taylor Banks, Beau Gadegaard and Brian Smith responded to the call. Banks and Smith's cameras were the only ones rolling at the time of the shooting, while Gadegaard's captures the aftermath. Only one of the videos shows the man, and even then, only his lower half is visible.



(Photo: Louisville Metro Police Department)

The body camera video, released on social media by the department less than 24 hours after the shooting, shows Smith speaking with a woman who identifies herself as the apartment resident and the deceased man's girlfriend.

She, alongside her daughter, tell Smith the boyfriend is armed with a knife and a saw and that they arrived at the apartment and saw he had kicked down the door.

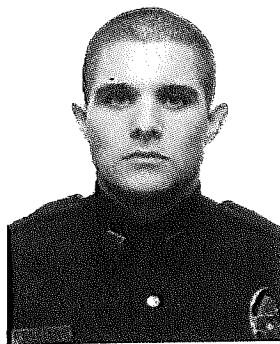
The three officers were approached by the man who came out of the apartment door armed with a "large curved bladed object," according to the chief.

Body camera video shows Banks was out of his police car for less than 10 seconds when gunfire rang out.

The officers told the man to drop the weapon, which appears to be a handsaw. He did not, the chief said, and stepped toward the officers. Conrad said one of the officers appeared to be between 5 and 7 feet away from

the man when shots were fired.

Banks and Gadegaard then fired multiple shots that hit the man. The video appears to show the officers yelling "drop it" at least five times, followed by the sounds of at least eight shots. The officers were not injured.



(Photo: Louisville Metro Police Department)

The officers "immediately called for EMS" and then handcuffed the man before searching the apartment and securing the scene. Conrad said the officers went back to the wounded man and called again for an ambulance.

"They asked EMS to step up their response at one point because the suspect was no longer breathing or alert," Conrad said.

The video shows that a bystander asked the officers why they weren't providing first aid to the man. The limited video does not appear to show any officer performing life-saving measures.

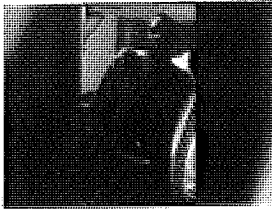
"While our officers are trained to provide aid in most situations, as I stated earlier," Conrad said, "every situation is unique and it is only through that thorough investigation that we will be able to understand and fully determine whether or not these officers provided the appropriate level of aid in that situation."

A woman on the video is heard yelling, "They told him to put it down and then he started swinging it back and forth."

Almost nine minutes elapses between the shots and when a medical professional gets to the body, according to the video.

# Neighbors react to officer-involved shooting

Kayla Moody, WHAS 10:51 PM. CDT August 08, 2016



LOUISVILLE, Ky. (WHAS11) -- Neighbors say the man fatally shot by two Metro police officers early Monday morning was well-known in his southwest Louisville apartment complex.

The man's family has identified him as Darnell Wicker, 57. LMPD Chief Steve Conrad said three officers were responding to a domestic disturbance at Broadleaf Arms apartments when they confronted Wicker.

Conrad said Wicker was armed with a knife and a sharp tool that appeared to be a machete or saw. Two of the officers opened fire on Wicker, shooting him multiple times, after he reportedly ignored their orders to drop the weapons.

Wicker died at the scene. None of the officers were injured during the confrontation.

Mary Proctor and her grandchildren placed flowers next to Wicker's lawnmower Monday afternoon, turning it into a makeshift memorial. Proctor said neighbors at the Broadleaf Arms apartment complex playfully called Wicker "Lawnmower Man" because he would often mow lawns for cash.

"He was a good man. Regardless what he do, he was a good man," Proctor said.

The two officers who fired shots, Ofc. Taylor Banks and Ofc. Beau Gadegaard, are on paid administrative leave which is common following officer-involved shootings. The third officer, Ofc. Brian Smith, is considered a witness to the incident.

All three officers were wearing body cameras. LMPD released the video Monday evening on its public YouTube channel. The shooting will be investigated by the department's Public Integrity Unit, which will turn over its findings to the Commonwealth's Attorney's Office for review.

WHAS



LMPD releases body cam video from SW Lou. shooting

(/news/local/lmpd-releases-body-cam-video-from-sw-lou-shooting/291152503)

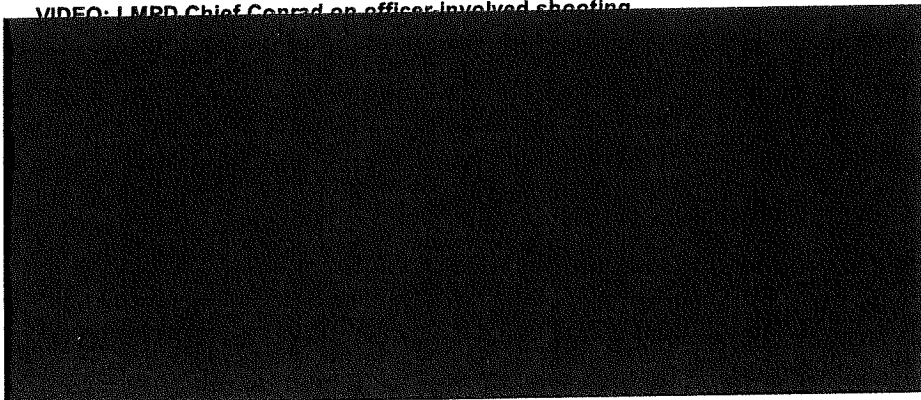
WHAS



Names of officers involved in SW Lou. shooting released

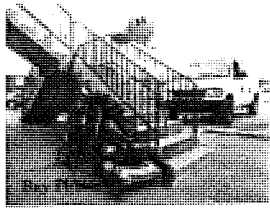
(/news/local/names-of-officers-involved-in-shively-shooting-released/291004568)

VIDEO: LMPD Chief Conrad on officer-involved shooting



# Girlfriend: Police too rash in fatal shooting

Justin Savers, @\_JustinSayers 7:36 p.m. EDT August 9, 2016



(Photo: Marty Pearl/Special to The C-J)

The girlfriend of a man fatally shot by Louisville Metro Police (</story/news/local/2016/08/08/police-shoot-kill-armed-man-sw-louisville/88385524/>) criticized the officers on Tuesday, saying that they didn't give Darnell Thomas Wicker a good chance to drop his weapons and that they took too long to call for help.

Meanwhile, Wicker's daughters praised Police Chief Steve Conrad's quick release of the body cam footage of the shooting, though they questioned the circumstances (</story/news/crime/2016/08/09/family-police-shooting-victim-speak-out/88489860/>) surrounding their father's death.

"We don't know what was in the hearts and minds of those officers as they set out for work yesterday," Wicker's daughters, Danielle and Dominique, said in a statement. "We are sure this was not part of the plan.

However the lack of intent does not make us less responsible for the outcomes of our actions."

Wicker, 57, was fatally shot by officers while they were responding to a domestic violence call at the Broadleaf Arms Apartments early Monday morning. According to the body cam video released Monday evening by police (</story/news/local/2016/08/08/police-shoot-kill-armed-man-sw-louisville/88385524/>), he was armed with a knife and what appeared to be a saw.

Officers Taylor Banks and Beau Gadegaard, who have been with the department since June 2015 and June 2014, respectively, fired their weapons, while a third officer, Brian Smith, did not fire. Banks and Gadegaard were placed on leave pending an investigation.

Anita Jones, Wicker's girlfriend of 22 years; Jones' daughter, Denita Jones; and son, Arthur Jones, held a news conference Tuesday to give their eyewitness accounts of what happened. They said they waited a day so they could hear from police investigators, see the video and reflect.

Anita and Denita Jones, who were present during the entire incident and initially called police, said officers instructed Wicker to drop the weapons but did not give him time to actually drop them before he was shot. They both said that they never felt like they were going to be harmed.

"They just said, 'Drop your weapons,' and then it was pow, pow, pow, pow, pow," Anita Jones said. "He had no chance to drop the weapon. He had no time to even drop the weapon. When they said drop your weapon, it was 'pow, pow, pow, pow' that fast. Exactly like that. He had no chance at all."

The Joneses said they were at a barbecue Monday night before they returned to the apartment complex and saw that Anita Jones' door had been kicked in. They suspected it was Wicker since his bike was parked in front and he had done it before.

Anita Jones got out of the car and asked Wicker, who was completely deaf in one ear and hard of hearing in the other, to leave the home. When he refused, she asked her daughter to call police because it had worked in the past to get him to leave. Anita Jones went back into the car, which was still running, and joined her daughter while they waited for police. Denita Jones told police that Wicker had a weapon.

"He's never been violent, he's just hard-headed," Denita Jones said. "He just does stuff that makes me mad. We've been through this a couple times, but he's never been violent."

The Joneses said Wicker came out of the apartment carrying the weapons, which were tools for his job as a landscaper, and yelled at Anita Jones through the window of the vehicle. He then retreated to a lawn chair in front of the home, sat and prayed, and then went back inside the residence before police arrived.

They said when police arrived, Smith began calmly speaking with them while the other two officers went to the home. Wicker, who they said was unaware police had arrived, stepped out of the home and was immediately instructed to drop his weapons. The witnesses estimated Wicker took one step and only a few seconds elapsed before he was shot.

"I didn't want that to actually happen," said a tearful Anita Jones. "I just wanted the situation to be OK. I didn't want them to shoot. I didn't think that was gonna happen and that made me feel sad."

Wicker's daughters told the CJ late Tuesday that their father wasn't perfect, but that he proudly served his country in the Army. Their father "was a hard worker and loving individual who worked as a handyman to take care of himself and loved ones."

Wicker's daughters said their father was taken from them "in the most tragic way, and will never get his day in court." They also questioned why it took so many gunshots to "neutralize one old man," why it took so long to summon emergency aid and what it means when an officer said that "he started kinda swinging around a bit, kinda came at us, so we shot."

The Joneses said that after the shooting, officers rolled Wicker over and handcuffed him while they secured the scene. They called for emergency medical services twice but did not administer any life-saving techniques. Arthur Jones, who arrived at the home within five minutes after he was called by his sister, questioned the officers about their lack of aid.

"No matter how this turns out, they can't tell me that this situation could have ended up totally different," he said. "He had knives. He could not do any harm to anybody unless you get within his reach or he comes to where he can reach you."

The Joneses raised other concerns of how police handled the situation, including the use of force, police training, whether the video was edited and whether the officers showed remorse for their actions.

The body camera video, released on social media by the department less than 24 hours after the shooting, corroborates many of the facts of the accounts given by the Joneses. Conrad urged the public on Monday to wait for a full investigation before drawing any opinions from the video.

Wicker's daughters said: "While these incidents quickly become part of a national conversation on race, policing and policy, we ask that everyone remember we are dealing with a real person, with real loved ones. It is not our desire, nor is it fruitful, for our family to become a part of an ongoing media frenzy that pits segments of our society against one another.

"Even with the release of the body camera footage, you need to understand that a thorough and complete investigation is required to understand exactly what occurred," he said.

Reporter Justin Sayers can be reached at 502-582-4252 or [jsayers@gannett.com](mailto:jsayers@gannett.com). Reporter Phillip M. Bailey contributed to this story.

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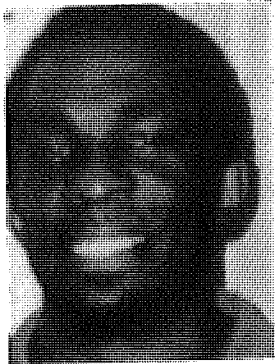
(Photo: Marty Pearl/Special to The C-J)

Read or Share this story: <http://cjky.it/2b0nUpO>

# Family of police shooting victim speak out

Phillip M. Bailey, @phillipmbailey

11:15 p.m. EDT August 9, 2016



(Photo: Courtesy Wicker family)

The daughters of Darnell Thomas Wicker, a Louisville man shot and killed by Metro Police this week, said Tuesday evening their father wasn't perfect but that he was hard-working U.S. military veteran who was robbed of his due process.

In a one-page statement, Wicker's two children, Danielle, 35, and Dominique, 30, said their father worked as a handyman to take care of himself and loved ones. He served in the Army and was stationed at Ft. Knox in the mid-1980s including stays in Germany and Hawaii, Danielle said in a brief phone interview Tuesday.

"While these incidents quickly become part of a national conversation on race, policing and policy, we ask that everyone remember we are dealing with a real person, with real loved ones," they said. "It is not our desire, nor is it fruitful, for our family to become a part of an ongoing media frenzy that pits segments of our society against one another."

Wicker, 57, was fatally shot by Metro Police officers Taylor Banks and Beau Gadegaard while they were responding to a domestic violence call at the Broadleaf Arms Apartments in southwest Louisville early Monday morning. He was armed with a knife and what appeared to be a saw, [according to police \(/story/news/local/2016/08/08/police-shoot-kill-armed-man-sw-louisville/88385524/\)](https://www.courier-journal.com/story/news/local/2016/08/08/police-shoot-kill-armed-man-sw-louisville/88385524/).

Banks and Gadegaard, who have been with the department since June 2015 and June 2014, respectively, fired their weapons, while a third officer, Brian Smith, a 9-year veteran, did not fire his weapon. Banks and Gadegaard were placed on paid administrative leave pending an investigation.

Wicker's daughters commended Metro Chief of Police Steve Conrad for releasing the body cam footage so quickly. "We believe Chief Conrad's swift transparency was an act of good leadership that should not be overlooked," Danielle and Dominique said.

Wicker's younger brother Aundrea Thomas said the two were close growing up. While in school they played in the band at Bates Memorial Baptist Church when they were in high school. Wicker played the trumpet while he played the drums.

"He would never miss church," Thomas said.

While Thomas was a homebody, his older sibling enjoyed being outdoors and worked as a handyman. "He was always good with his hands," he said. "You couldn't keep him in the house. I'm the opposite. I'm a chef."

Thomas, 56, said the two had lost touch in recent years and that he found out his brother had died when a cousin knocked on his door to tell him police had shot him. He said he isn't taking sides but that he isn't mad at police officers or Wicker's girlfriend, Anita Jones, whose daughter called police to the apartment Monday morning.

"My brother's old enough to know – after the military, after what's been on TV – not to go at officers with anything in (your) hands. Not even a pencil," Thomas said.

But Wicker's daughters said they have many lingering questions about the shooting and the circumstances surrounding their father's death. Among them is why it took so many gunshots to neutralize "one old man"; did officers consider less deadly alternatives; why it took so long to summon emergency aid; and what an officer meant when he said, "he started kinda swinging around a bit, kinda came at us, so we shot."

A review of Jefferson County court records show no emergency protective orders were filed against Wicker. However, he was convicted for cocaine possession and assaulting either a police or a probation officer in 2001 and 2003, respectively.

Mayor Greg Fischer called for calm Monday (<https://twitter.com/louisvillemayor/status/762790151902732289>), urging the community to wait until a full police investigation is complete before drawing any conclusions. Wicker's daughters said Tuesday most Louisville police officers "have good intentions" but that their father was "taken from us in the most tragic way, and he will never get his day in court."

"While Mayor Fischer has asked us to trust the process ... we ask that we don't allow our appreciation of the good officers to exempt those involved in this incident from the consequences of their actions," the Wicker family said.

Reporter Phillip M. Bailey can be reached at (502) 582-4475 or [pbailey@courier-journal.com](mailto:pbailey@courier-journal.com). Reporters Beth Warren and Matt Glowicki contributed to this story.

86 90  
68

Scattered Clouds Feels Like 86°



# LMPD officers shoot and kill armed man in southwest Louisville

Posted: Aug 08, 2016 2:30 AM EDT  
Updated: Aug 08, 2016 12:24 PM EDT

By Maura Sirianni **CONNECT**

LOUISVILLE, Ky. (WDRB) -- A man is dead after being shot by Louisville Metro Police in southwest Louisville.

LMPD Chief Steve Conrad says three officers were responding to a domestic dispute at an apartment on Broadleaf Drive about 1:30 a.m. Monday. That's off Cane Run Road near Crums Lane.

Conrad says the man came out of the apartment armed with a knife and what he called "another edged weapon" that may have been a tree saw or a machete.

Officers told him to drop his weapons, but instead, the man allegedly charged the officers. Chief Conrad says two officers shot the man to protect their lives. The man died at the scene.

Friends of the suspect say it was all a misunderstanding.

"He wasn't a disrespectful person," said a woman who identified herself as Lashauna. "He was a real good guy. He was hard of hearing in one ear so what I'm hearing is that maybe he wasn't hearing everything they were saying or whatnot."

All three officers were wearing body cameras. Chief Conrad says that footage will be reviewed and released.

The two officers involved were put on administrative leave, which is standard procedure. The officer that did not shoot will be treated as a witness.

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8/8/2016

# LMPD officers shoot and kill armed man in southwest Louisville - WDRB 41 Louisville News

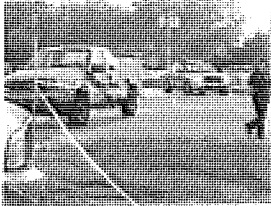
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# Man shot, killed in Shively ID'd by family

WHAS11.com Staff, WHAS 11:28 AM. CDT August 08, 2016



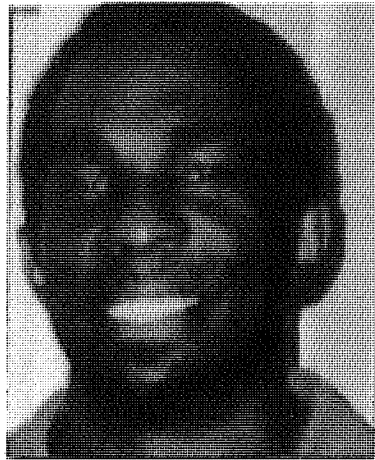
LOUISVILLE (WHAS11) -- Two LMPD officers are on paid leave after shooting a man they said was armed with a knife and machete-like blade.

It happened early Monday morning, about 1:30 a.m., on Broadleaf Drive in Shively. Police said the officers were responding to a domestic dispute at an apartment.

Three officers were involved in this deadly shooting and all three of them were wearing body cameras which will show the moments leading up to the shooting. It's being reviewed here at LMPD.

"The officers have been placed on administrative leave which is common after an officer-involved shooting. The two officers that actually fired the shots have been placed on leave, the third officer who did not fire is at this time considered a witness," LMPD Chief Steve Conrad said.

Police still aren't releasing any information about the man who was shot, or about the officers involved. Family identified the victim as Darnell Wicker, 57.



Darnell Wicker

People who live in the apartment complex said the violence is unusual, saying their landlord is loving, but doesn't put up with crime.

Conrad said all of this information is preliminary and could change once he watches the body cam video. He said the video will be made public later on Monday or Tuesday.



WHAS

Kentucky officials: Man shot, killed by Louisville police

([news/crime/man-shot-killed-by-louisville-police/290482048](https://www.whas.com/news/crime/man-shot-killed-by-louisville-police/290482048))

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## Maroni, Leigh A

---

**From:** Maroni, Leigh A  
**Sent:** Thursday, August 11, 2016 10:21 AM  
**To:** Klain, Carey  
**Subject:** Video from Media

Carey,

I was hoping to get copies of any interviews done with witnesses or family from any media outlet regarding the officer involved shootings from 9405 Broadleaf Dr #4. The date of the incident was 8-8-16. Any assistance on this would be greatly appreciated.

Thank you!

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
810 Barret Avenue  
Louisville, KY 40204  
502-612-7047

## **Maroni, Leigh A**

---

**From:** Maroni, Leigh A  
**Sent:** Wednesday, August 10, 2016 12:37 PM  
**To:** Miller, Malcolm  
**Subject:** Broadleaf OIS

Malcolm,

I need to get a witness statement from you regarding the officer involved shooting on Broadleaf. I know you are on latewatch so I can meet with you late if necessary. Let me know when is a good time for you and we will work it out. We will be moving next week (Tuesday) so we won't be in the office. My cell phone is listed below if you want/need to call me. Thanks

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
810 Barret Avenue  
Louisville, KY 40204  
502-612-7047

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CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL T.	[REDACTED]	M B

001 01-CR-000431		CHARGE 200 AMENDED
JEFFERSON	PROBATION VIOLATION (FOR FELONY OFFENSE)	
07/07/2003	*** GRANTED	
09/29/2003	5 YRS.; PRISON;	
	memo: C.C. PAID 7/13/01 RCPT#R11-11482 pd card mailed 8-13-03	
	Case Cross Ref.: 02/20/2001 00-F-223953	

002 01-CR-000431		CHARGE 200 AMENDED
JEFFERSON	POSS CONT SUB, 1ST DEGREE, 1ST OFFENSE - COCAINE	
02/20/2001	*** GUILTY	
02/26/2001	COST \$583.60; 1 YRS.; PRISON; 1 YRS. SUSP.; 5 YRS SUPV PROB.; STATE PROBATION;	
	memo: C.C. PAID 7/13/01 RCPT#R11-11482 pd card mailed 8-13-03	

003 01-CR-000431		CHARGE 200 AMENDED
JEFFERSON	ASSAULT-3RD DEGREE-POLICE/PROBATION OFFICER-IDENTI	
02/20/2001	*** GUILTY	
02/26/2001	5 YRS.; PRISON; 5 YRS. SUSP.; 5 YRS SUPV PROB.; STATE PROBATION;	
	memo: C.C. PAID 7/13/01 RCPT#R11-11482 pd card mailed 8-13-03	



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CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL THOMAS	[REDACTED]	M B

001 01-NS-000733		CHARGE 200 AMENDED
JEFFERSON	*OBS* NON SUPPORT-1ST OFFENSE	
12/11/2001	*** GUILTY	
12/11/2001	365 DAYS; JAIL; CPD OTHER;	
	memo: OLD CASE 93-NS 625805-21-2002, 730019, 365 DTS C.D 2 YRS.,08-13-03 730019, 365 DTS,,	

002 01-NS-000733		CHARGE 200 AMENDED
JEFFERSON	FLAGRANT NON SUPPORT	
08/21/2001	*** AMENDED DOWN	

12/11/2001

memo: OLD CASE 93-NS 6258

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CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL T	[REDACTED]	M B

001 02-F-006266		CHARGE 200 AMENDED
JEFFERSON	POSS CONT SUB, 1ST DEGREE, 1ST OFFENSE - COCAINE	
05/29/2002	*** <b>INDICTMENT BY GRAND JURY / INFORMATION</b>	
08/27/2003		
	memo: VIOLTIME=09:05PM ARRSTDT=05/29/02 rocket docket date 9/2/03 IND/03CR2206	

002 02-F-006266		CHARGE 200 AMENDED
JEFFERSON	TAMPERING WITH PHYSICAL EVIDENCE	
05/29/2002	*** <b>DISMISSED</b>	
08/22/2003		

003 02-F-006266		CHARGE 200 AMENDED
JEFFERSON	ASSAULT-3RD DEGREE-POLICE/PROBATION OFFICER-IDENTI	
05/29/2002	*** <b>DISMISSED</b>	
08/22/2003		

004 02-F-006266		CHARGE 200 AMENDED
JEFFERSON	RESISTING ARREST	
05/29/2002	*** <b>DISMISSED</b>	
08/22/2003		

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CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL T	[REDACTED]	M B

001 03-CR-002206		CHARGE 200 AMENDED
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JEFFERSON | POSS CONT SUB, 1ST DEGREE, 1ST OFFENSE - COCAINE  
 08/27/2003 | \*\*\* GUILTY  
 09/03/2003 | 4 YRS.; PRISON; CONSECUTIVE; CONCURRENT;  
 memo: THESE CHARGES TO RUN CONCURRENT W/EACH, BUT MUST RUN  
 CONSECUTIVE WITH 5 YRS IN 01 CR 0431 FOR A TOTAL OF 9 YEARS.  
 Case Cross Ref.: 08/27/2003 03-F-009653  
 Case Cross Ref.: 08/27/2003 02-F-006266

002|03-CR-002206 | CHARGE 200 AMENDED  
 JEFFERSON | ASSAULT-3RD DEGREE-POLICE/PROBATION OFFICER-IDENTI  
 08/27/2003 | \*\*\* GUILTY  
 09/03/2003 | 4 YRS.; PRISON; CONSECUTIVE; CONCURRENT;  
 memo: THESE CHARGES TO RUN CONCURRENT W/EACH, BUT MUST RUN  
 CONSECUTIVE WITH 5 YRS IN 01 CR 0431 FOR A TOTAL OF 9 YEARS.



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6711LW 8/10/2016 2:59:47 PM

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CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL T	[REDACTED]	M B

001|03-F-009653 | CHARGE 200 AMENDED  
 JEFFERSON | CRIMINAL MISCHIEF-3RD DEGREE  
 08/12/2003 | \*\*\* DISMISSED  
 08/22/2003 | memo: VIOLTIME=05:25PM ARRSTDT=08/12/03

002|03-F-009653 | CHARGE 200 AMENDED  
 JEFFERSON | CRIMINAL MISCHIEF-3RD DEGREE  
 08/12/2003 | \*\*\* DISMISSED  
 08/22/2003 |

003|03-F-009653 | CHARGE 200 AMENDED  
 JEFFERSON | ASSAULT-3RD DEGREE-POLICE/PROBATION OFFICER-IDENTI  
 08/12/2003 | \*\*\* INDICTMENT BY GRAND JURY / INFORMATION  
 08/27/2003 | memo: rocket docket date 9/2/03 IND/03CR2206

004|03-F-009653 | CHARGE 200 AMENDED  
 JEFFERSON | \*OBS\* DISORDERLY CONDUCT  
 08/12/2003 | \*\*\* DISMISSED  
 08/22/2003 |

005|03-F-009653 | CHARGE 200 AMENDED

JEFFERSON | CARRYING A CONCEALED DEADLY WEAPON (M)  
08/12/2003 | \*\*\* DISMISSED  
08/22/2003 |

006|03-F-009653

CHARGE 200 AMENDED

JEFFERSON | RESISTING ARREST  
08/12/2003 | \*\*\* DISMISSED  
08/22/2003 |



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6711LW 8/10/2016 2:59:47 PM

Information from this system cannot be used for employment, licensing, eligibility for government programs or any public dissemination. This responsibility resides solely with the Kentucky Court of Justice. Any violation will result in immediate suspension of access.

CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL THO	[REDACTED]	M B

001|03-M-003104

CHARGE 200 AMENDED

JEFFERSON | \*OBS\* THEFT BY UNLAWFUL TAKING/DISP-SHOPLIFTING  
02/12/2003 | \*\*\* DISMISSED  
06/18/2003 |  
memo: VIOLTIME=01:40AM



CourtNet Version 1.0.4

6711LW 8/10/2016 2:59:47 PM

Information from this system cannot be used for employment, licensing, eligibility for government programs or any public dissemination. This responsibility resides solely with the Kentucky Court of Justice. Any violation will result in immediate suspension of access.

CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL THO	[REDACTED]	M B

001|08-F-014621

CHARGE 200 AMENDED

JEFFERSON | POSS CONT SUB, 1ST DEGREE, 1ST OFFENSE - COCAINE  
12/17/2008 | \*\*\* DISMISSED  
03/12/2009 |  
memo: Stip Prob Cause - LABVIOLTIME = 2355 ARRSTDT = 12/17/2008

002|08-F-014621

CHARGE 200 AMENDED

JEFFERSON | \*OBS\* POSS CONT SUB, 3RD DEGREE, 1ST OFF - DRUG UNSPECIFIED  
12/17/2008 | \*\*\* DISMISSED  
03/12/2009 |



memo: Proof, Stip Prob Cause d presented prf hydrocodineVIOLTIME = 2355 ARRSTDT = 12/17/2008

CourtNet

CourtNet Version 1.0.4

6711LW 8/10/2016 2:59:47 PM

Information from this system cannot be used for employment, licensing, eligibility for government programs or any public dissemination. This responsibility resides solely with the Kentucky Court of Justice. Any violation will result in immediate suspension of access.

CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL THO	[REDACTED]	M B

001 08-T-046595		CHARGE 200 AMENDED
JEFFERSON	IMPROPER REGISTRATION PLATE	
06/06/2008	*** DISMISSED	
07/07/2008		
	memo: Proof filed 06/30/2008 see case jacket Corrected	

CourtNet

CourtNet Version 1.0.4

6711LW 8/10/2016 2:59:47 PM

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CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL T	[REDACTED]	M B

001 13-F-009705		CHARGE 200 AMENDED
JEFFERSON	SHOCK PROBATION IN MISDEMEANOR CONVICTIONS	
11/03/2014	*** GRANTED	
11/03/2014		
	memo: ARRSTDT = 08/30/2013	

002 13-F-009705		CHARGE 200 AMENDED
JEFFERSON	PROBATION VIOLATION (FOR MISDEMEANOR OFFENSE)	
10/23/2014	*** GRANTED	
10/23/2014	180 DAYS; JAIL; HOME INC: 180 DAYS.;	
	memo: ok to shock once pifARRSTDT = 08/30/2013	

003 13-F-009705		CHARGE 200 AMENDED
JEFFERSON	PROBATION VIOLATION (FOR MISDEMEANOR OFFENSE)	
08/01/2014	*** WITHDRAWN	
10/23/2014		

memo: MTR - - FAILURE TO PAY RESTITUTIO NARRSTDT = 08/30/2013

---

004	13-F-009705		CHARGE 200 AMENDED
	JEFFERSON	TBUT OR DISP ALL OTHERS U/\$500	
	02/06/2014	*** <b>GUILTY</b>	
	02/06/2014	180 DAYS; JAIL; 180 DAYS CD;	
		memo: ARRSTDT = 08/30/2013CD 2 YRS,	

---

005	13-F-009705		CHARGE 200 AMENDED
	JEFFERSON	CRIMINAL TRESPASS-2ND DEGREE	
	08/09/2013	*** <b>DISMISSED</b>	
	02/06/2014		
		memo: MergeARRSTDT = 08/30/2013	

---

006	13-F-009705		CHARGE 200 AMENDED
	JEFFERSON	*OBS* THEFT BY UNLAWFUL TAKING/DISP-ALL OTHERS	
	08/09/2013	*** <b>AMENDED DOWN</b>	
	02/06/2014		
		memo: ARRSTDT = 08/30/2013	


---



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6711LW 8/10/2016 2:59:48 PM

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CourtNet Disposition	Defendant / Respondent	SCH NO:
WICKER, DARNELL THO		M B

---

001	14-M-019381		CHARGE 200 AMENDED
	JEFFERSON	*OBS* GIVING OFFICER FALSE NAME OR ADDRESS	
	10/21/2014	*** <b>GUILTY</b>	
	10/23/2014	2 DAYS; JAIL; 2 DAYS CREDIT TIME;	
		memo: VIOLTIME = 0100 ARRSTDT = 10/21/2014CTS COSTS,	

---



CourtNet Version 1.0.4



CourtNet Version 1.0.4

6711LW 8/10/2016 2:59:48 PM

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<b>CourtNet Disposition</b>	<b>Defendant / Respondent</b>	<b>SCH NO:</b>
WICKER, DARNELL	██████████	M B

001	98-CR-003102		CHARGE 200 AMENDED
	JEFFERSON	ESCAPE-2ND DEGREE IDENTIFY FACILITY	
	12/10/1998	*** GUILTY	
	12/14/1998	1 YRS.; PRISON;	
		memo: DEFT WAIVED PSI	
		Case Cross Ref.: 12/10/1998 97-F-010030A	



CourtNet Version 1.0.4

**Louisville Metro Police Department**  
**Field Contact ID 224202 Detail Report**

---

**Agency:** LMPD      **Case #:** 80-16-067383  
**Date:** 08/16/2016      **Time:** 2200  
**Reason for Contact:** 574-LMPD CRIME TIP  
**Location of Contact:** 4509 BROADLEAF DR , LOUISVILLE, KY 40216  
**Location Comment:**  
**Officer:** (8050) OGAN, TRACY D

**Contact Information:**

**Name:** WICKER, DARNELL THOMAS (B M)

**DOB:** [REDACTED]

**Hair:**

**Eye:**

**Height:**

**Weight:**

**Address:** [REDACTED]

**Phone #:**

**Work Phone #:**

**OLN #:**

**SSN #:** [REDACTED]

**Local ID:**

**State ID:**

**FBI ID:**

**Federal OLN:**

**Admitted Record**

**Admitted Notes:**

**SMT:**

**Alert:**

No Photo On File

**Vehicle Information:**

**Vehicle License:**

**State:**

**License Year:**

**Vehicle Year:** 0

**Style:**

**License Type:**

**Make:**

**Model:**

**Color:**

**Remarks:**

Tipster suspect that the victim's girlfriend Anita Jones and her daughter Denita Jones set up the victim to be shot and he would like to speak with someone from Homicide about the matter.

Tipster - [REDACTED] and he can be reached at [REDACTED] preferably after 1730hrs any day.

**Field Contact ID 224202**

**INVOLVED, OTHER 1**

**Name:** JONES, ANITA L (B F)

**DOB:** [REDACTED] **Age:** [REDACTED]

**Hair:** [REDACTED] **Eye:** [REDACTED] **Height:** [REDACTED] **Weight:** [REDACTED]

**Address:** [REDACTED]

**Phone #:** [REDACTED] **Work Phone #:** [REDACTED]

**DL #:** [REDACTED] **SSN #:** [REDACTED]

**Alert ID:** [REDACTED] **State ID:** [REDACTED]

**FBI ID:** [REDACTED] **Federal OLN:** [REDACTED]

**SMT:** [REDACTED] **Alert:** [REDACTED]

**Notes:**

**Field Contact ID 224202**

**INVOLVED, OTHER 2**

**Name:** JONES, DENITA L (B F)

**DOB:** [REDACTED] **Age:** [REDACTED]

**Hair:**                      **Eye:**                      **Height:**                      **Weight:**

**Address:** [REDACTED]

LOUISVILLE, KY [REDACTED]

**Phone #:**    **Work Phone #:**

**DL #:** [REDACTED]    **SSN #:** [REDACTED]

**Alert ID:**    **State ID:**

**FBI ID:**    **Federal OLN:**

**SMT:**    **Alert:**

**Notes:**

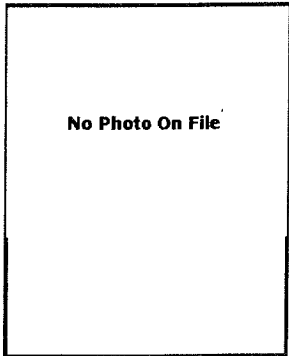
**Louisville Metro Police Department**

**Field Contact ID 224085 Detail Report**

Agency: LMPD                      Case #: 80-16-067279  
Date: 08/13/2016                  Time: 2059  
Reason for Contact: 574-LMPD CRIME TIP  
Location of Contact: 4509 BROADLEAF DR, LOUISVILLE, KY 40216  
Location Comment: APT 4  
Officer:                                (8270) NEVITT, JENNIFER E

**Contact Information:**

Name: JONES, ANITA L (B F)  
DOB: [REDACTED]                  Age: [REDACTED]  
Hair:                                  Eye:                                  Height:                                  Weight:  
Address: [REDACTED]  
Phone #: [REDACTED]                  Work Phone #:  
OLN #: [REDACTED]                      SSN #: [REDACTED]  
Local ID:                                  State ID:  
FBI ID:                                      Federal OLN:



Admitted Record

Admitted Notes:

SMT:

Alert:

**Vehicle Information:**

Vehicle License:                      State:                                  License Year:  
Vehicle Year: 0                          Style:                                  License Type:  
Make:                                      Model:                                  Color:

**Remarks:**

Homicide Darnell Wicker [REDACTED]  
Tipster states listed suspect is responsible for death of Darnell Wicker.  
Tipster states Darnell Wicker was deaf and non-violent man.  
Tipster states Anita Jones was a woman living with Darnell Wicker and stated before he was shot that she planned to collect insurance money.  
Tipster states Anita Jones was the abuser, not Darnell Wicker.  
Tipster states Anita Jones planned the whole thing - do not look at the officers - suspect planned to have police

## Field Contact ID 224085

---

officers on guard and be prepared to shoot Darnell Wicker.  
Tipster could not provide any additional information.



**Field Contact ID 224085**

---



Louisville Metropolitan Police Department  
Crime Scene Entry Log



Date 8/8/16 Time 0150 Location 4509 BROADLEAF DRIVE #4

Dispatch Time 0141 Arrival Time 0145 Initial Scene Entry Time \_\_\_\_\_

First Officer On Scene \_\_\_\_\_

1. Scene Officer K. Holman Code # 7175 Time Start \_\_\_\_\_ Time End \_\_\_\_\_

2. Scene Officer \_\_\_\_\_ Code # \_\_\_\_\_ Time Start \_\_\_\_\_ Time End \_\_\_\_\_

Scene Altered In Any Way: Yes \_\_\_\_\_ No \_\_\_\_\_ Reason: \_\_\_\_\_

Name	Code #	Assignment	Time In	Time Out	Reason for Entry
L. McConico	7312	221B			
D. Colbert	7042	222C			
B. Smith	7762	226B			INVOLVED OFFICER
B. Gadegaard	7201	225C			INVOLVED OFFICER
T. Banks	7293	223C			INVOLVED OFFICER
K. Holman	7175	223A			
M. Miller	2026	229			RESPONDING CO
M. Ader	7274	225B			
J. Vance	7599	961			HOMICIDE
B. Royse	2480	973			HOMICIDE
H. HOGAN	7971	963A			HOMICIDE
R. King	7665	950			ASSISTANCE W/ SCENE
<sup>Major</sup> J. Harper	2752	200	0300		DIVISION COMMANDER
E. Jones	6346	6	0305		PIU
Lt. DeSpain	2729	1500	0306	0412	PIU
Sgt. Kessinger	2945	1501	0308	0823	PIU

Time Scene Released \_\_\_\_\_

Signature Of Scene Log Officer \_\_\_\_\_



Louisville Metropolitan Police Department  
Crime Scene Entry Log



Date 08/08/16 Time 0150 Location 4509 BROADLEAF DRNE #4

Dispatch Time 0141 Arrival Time 0145 Initial Scene Entry Time \_\_\_\_\_

First Officer On Scene \_\_\_\_\_

1. Scene Officer K. HOLMAN Code # 7175 Time Start \_\_\_\_\_ Time End \_\_\_\_\_

2. Scene Officer \_\_\_\_\_ Code # \_\_\_\_\_ Time Start \_\_\_\_\_ Time End \_\_\_\_\_

Scene Altered In Any Way : Yes \_\_\_\_\_ No \_\_\_\_\_ Reason : \_\_\_\_\_

Name	Code #	Assignment	Time In	Time Out	Reason for Entry
Sgt. Goozee	2471	1508	0319	0331	PIU
Sgt. Maroni	6711	1502	0319	0823	PIU
H. Hogan	7971	963A			HOMICIDE (REPEATED ENTRY)
B. Rouse	2480	973			HOMICIDE (REPEATED ENTRY)
A. Anthony	2905	225A			
A. Rivera	2091	1509	0331 / 0730	0420 / 0823	PIU
L. Watson	2416	1504	0345	0412	PIU
K. Downs	2419	1507	0300	0823	PIU
R. Kimmer	8205	982B	0550	0823	CSU
E. Redfield	8141	981B	0550	0823	CSU
A. Rush	8263	981B	0550	0823	CSU
Sgt Turner	2972	980A	0600	0823	CSU
J. Sparks	4849	986	0640	0823	CSU
DEPUTY CORONER E. ROBINSON	—	CAR 611	0745	0820	CORONER
AARON BROWN	—	—	0810	0820	TIES
MIKE SABO	—	—	810	0820	TIES

Time Scene Released 0823

Signature Of Scene Log Officer [Signature] 2419


**Maroni, Leigh A**

---

**From:** Royse, Brian  
**Sent:** Monday, October 17, 2016 11:27 AM  
**To:** Maroni, Leigh A  
**Subject:** 16-054  
**Attachments:** 16-054 Royse -PIU Letter.docx

Leigh,  
I completed my investigative letter some time ago and forwarded it to Donny for approval. I believe Jason's letter was complete as well and Donny put them through inter-departmental. I have attached a copy and am sending another signed copy through inter-departmental to you today.

**Detective Brian Royse  
MCD/Homicide Unit  
633 W. Jefferson Street**



## Maroni, Leigh A

---

**From:** Maroni, Leigh A  
**Sent:** Thursday, October 13, 2016 9:48 AM  
**To:** Royse, Brian  
**Subject:** Officer Involved Shooting -Broadleaf 8-8-16

Brian,

Can you write a letter on your involvement in the Officer Involved Shooting on 8-8-16 on Broadleaf? Officers Gadegaard, Banks and Smith were the involved officers. Vance and Hogan said you guys did a neighborhood canvass. I got Jason's letter and Holly thought you were doing one on the rest of the apartments. I need it ASAP because the Chief's office wants this case wrapped up as soon as possible as there is a pending lawsuit against the department as well as the officers.

Also, there has been a "STAY" put on any evidence to include any handwritten notes. Can you please forward any notes you have on this case if you still have them? Your letter may have already been written and I just don't have it yet either way let me know. I called and they advised you were out of town in training. Get with me when you get back.

Thank you!

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
3672 Taylor Blvd  
Louisville, KY 40215

## Maroni, Leigh A

---

**From:** Sparks, Jim  
**Sent:** Wednesday, October 05, 2016 11:45 AM  
**To:** Wampler, Eric  
**Cc:** Maroni, Leigh A  
**Subject:** ETU Lab Request  
**Attachments:** 80-16-067279LAB-SPAR.doc

**Importance:** High

Sergeants,

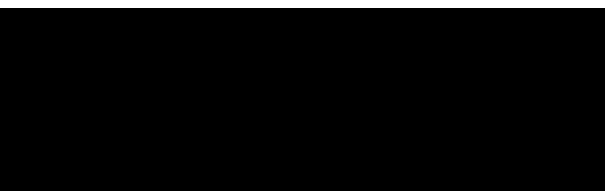
I have completed the PIU lab request for Sgt. Maroni. I will go to the property room today and transport this case to Scott Doyle at the Lab this afternoon. If either of you have any questions, please feel free to contact me anytime.

**James M Sparks, CCSA**  
**Crime Scene Technician**  
Louisville Metro Police Department  
Forensic Division – Crime Scene Unit  
633 West Jefferson Street  
Louisville, KY 40202



**From:** Wampler, Eric  
**Sent:** Wednesday, October 05, 2016 10:35 AM  
**To:** Sparks, Jim  
**Subject:** FW: ETU Lab Request

**Sergeant Eric Wampler**  
Louisville Metro Police Department  
Major Crimes Division  
Forensics/Crime Scene Unit  
633 West Jefferson Street  
Louisville, KY 40202



**From:** Maroni, Leigh A  
**Sent:** Wednesday, October 05, 2016 9:58 AM  
**To:** Wampler, Eric  
**Subject:** FW: ETU Lab Request

Eric, I send a Lab Request to Dona on the 22<sup>nd</sup> of September on an Officer Involved Shooting case. The Chief's office wants this expedited ASAP. Is there a way we can get someone to send this lab out immediately?

Thanks for any help you can provide.

Leigh

**From:** Maroni, Leigh A  
**Sent:** Monday, October 03, 2016 9:12 AM  
**To:** Kimmer, Rebecca  
**Subject:** FW: ETU Lab Request

I sent this to Dona,

Is she on leave? I never heard anything back from her.

**From:** Maroni, Leigh A  
**Sent:** Thursday, September 22, 2016 1:41 PM  
**To:** Stephenson, Dona  
**Subject:** ETU Lab Request

## Maroni, Leigh A

---

**From:** Despain, Kevin E  
**Sent:** Wednesday, October 05, 2016 11:02 AM  
**To:** Jones, Eddie  
**Cc:** Maroni, Leigh A  
**Subject:** FW: Wicker Reports

Major,

I went ahead and called Scott Doyle at the Jefferson Lab, just to make him aware the items are on the way. He advised he would put a rush on the gun requests. He will send us an estimate of how long that will take.

KD

**From:** Maroni, Leigh A  
**Sent:** Wednesday, October 05, 2016 10:25 AM  
**To:** Jones, Eddie  
**Cc:** Despain, Kevin E  
**Subject:** Wicker Reports

Major Jones,

I sent e mails to Sgt. Wampler (CSU) today to have the labs sent off to KSP.

Dona Stevenson is the lead. I sent the labs to her 9-22-16. As of yet, they have not been written up or sent off as she is on medical leave and I was not made aware of this until recently as her e mail does not have an "out of office" notification and I have not received a response from her as if she had even checked her e mail. Upon completion of the request and transport to KSP, I will immediately notify Scott Doyle to have this process expedited.

I called the Medical Examiner's office today and spoke with Ramona (secretary). She spoke with Dr. Aribdejief who is still awaiting the toxicology before finalizing his report. I have requested it be send ASAP and also sent an e mail to Deputy Coroner Eddie Jones to send it ASAP should he get it first.

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
3672 Taylor Blvd  
Louisville, KY 40215



## Maroni, Leigh A

---

**From:** Maroni, Leigh A  
**Sent:** Wednesday, October 05, 2016 9:58 AM  
**To:** Wampler, Eric  
**Subject:** FW: ETU Lab Request  
**Attachments:** ETU Lab Request.doc

Eric, I send a Lab Request to Dona on the 22<sup>nd</sup> of September on an Officer Involved Shooting case. The Chief's office wants this expedited ASAP. Is there a way we can get someone to send this lab out immediately?

Thanks for any help you can provide.  
Leigh

**From:** Maroni, Leigh A  
**Sent:** Monday, October 03, 2016 9:12 AM  
**To:** Kimmer, Rebecca  
**Subject:** FW: ETU Lab Request

I sent this to Dona,

Is she on leave? I never heard anything back from her.

**From:** Maroni, Leigh A  
**Sent:** Thursday, September 22, 2016 1:41 PM  
**To:** Stephenson, Dona  
**Subject:** ETU Lab Request

**Maroni, Leigh A**

---

**From:** Maroni, Leigh A  
**Sent:** Wednesday, October 05, 2016 10:11 AM  
**To:** Robinson, Eddie  
**Subject:** Wicker- Autopsy

Hi Eddie,

The Chief's office has requested that I call the ME's office to see when they anticipate the release of Mr. Wicker's Autopsy report. I know they are waiting for toxicology labs before finalization. Can you scan a copy or get it to me as soon as you receive it?

Thanks!  
Leigh

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
3672 Taylor Blvd  
Louisville, KY 40215



## Maroni, Leigh A

---

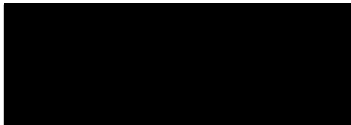
**From:** Maroni, Leigh A  
**Sent:** Wednesday, October 05, 2016 10:18 AM  
**To:** Wampler, Eric  
**Subject:** Wicker CSU 80-16-0677279

Eric,

I have not received any CSU reports on this case. It happened on 8-8-16. I know CSU is inundated with work, I'm not complaining. Chief just wants this sent to the Commonwealth Attorney ASAP. I had Melissa send me the drafts so that I could at least get the labs sent off. We don't have to have the CSU reports as fast as we need to get the labs back. I will call Scott Doyle once the property and lab request is taken to their office to see if he can expedite it.

Again,  
Thanks

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
3672 Taylor Blvd  
Louisville, KY 40215



## Maroni, Leigh A

---

**From:** Maroni, Leigh A  
**Sent:** Monday, October 03, 2016 9:12 AM  
**To:** Kimmer, Rebecca  
**Subject:** FW: ETU Lab Request  
**Attachments:** ETU Lab Request.doc

I sent this to Dona,

Is she on leave? I never heard anything back from her.

**From:** Maroni, Leigh A  
**Sent:** Thursday, September 22, 2016 1:41 PM  
**To:** Stephenson, Dona  
**Subject:** ETU Lab Request

## Maroni, Leigh A

---

**From:** Maroni, Leigh A  
**Sent:** Tuesday, September 27, 2016 9:49 AM  
**To:** LeJeune, Adelle  
**Subject:** transcripts

Adelle,

I sent over two other transcripts for file #16-054: Officer Gadegaard and Officer Banks. I don't see them in the shared folder and I never got them back. Just checking to be sure you received them. Get back to me at your convenience. Thanks!

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
810 Barret Avenue  
Louisville, KY 40204  
[REDACTED]

## Maroni, Leigh A

---

**From:** Maroni, Leigh A  
**Sent:** Thursday, September 22, 2016 1:41 PM  
**To:** Stephenson, Dona  
**Subject:** ETU Lab Request  
**Attachments:** ETU Lab Request.doc

## Maroni, Leigh A

---

**From:** Perrine, Melissa L  
**Sent:** Thursday, September 22, 2016 1:15 PM  
**To:** Maroni, Leigh A  
**Subject:** RE: CSU reports  
**Attachments:** 80-16-067279ORI-DSTEP.DOCX; 80-16-067279KIMM.DOCX; 80-16-067279SPAR.DOCX

These are all DRAFTS, Dona still has hers on hold

Hope you are doing well Tooooooo

Sorry we all behind


PS Dona is on sick leave and Jim is on vacation

**From:** Maroni, Leigh A  
**Sent:** Thursday, September 22, 2016 12:51 PM  
**To:** Perrine, Melissa L  
**Subject:** CSU reports

Hi Melissa,

I hope you are well. I haven't received anything in terms of CSU reports from case 80-16-067279. Dona was the lead on it and it happened on 8-20-16 at 4509 Broadleaf Drive. I need to get some exhibit numbers to send off requests for ballistics. It's an Officer Involved Shooting case. Not sure if you have any of these or can send me a draft just to have the numbers or not.....

Thanks for any help you can provide.  
Leigh

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
810 Barret Avenue  
Louisville, KY 40204  




# Louisville Metro Police Department Crime Scene Unit Report

Date: August 08, 2016

Day: Monday

Original     Supplement  
80-16-067279ORI-

ICN #: DSTEP

CSU #: 80-16-067279ORI-DSTEP

Offense(s): Police Involved Shooting

Notified/Dispatched by: Metro safe via telephone

Time Received: 0421    Arrival Time: 0441

Closed Time: 0551

Detective(s) at Scene: N/A

Lead Detective/Division/Unit: Sergeant Leigh Maroni  
Public Integrity Unit

CSU Technician(s): Dona Stephenson

*Drafts*

**Crime Scene Information:**

Location of Scene: 4509 Broadleaf #4

Type of Premise:     Residence     Roadway     Business     Vehicle

Weather Condition:     Inside     Snow     Rain     Clear     Other

**Victim's Information:**

Victim's Name: Officer Taylor Banks (#7293)

Victim's Address: 633 West Jefferson Street

City: Louisville    State: KY    Zip Code:

Race: White    Sex: Male    DOB:    Age:

Elimination Prints Taken?     Yes     No     Post Mortem

Victim's Hands Bagged?     Yes     No    GSR Done on Victim?     Yes     No

Victim's Name: Officer Beau Gadegaard (#7201)

Victim's Address: 633 West Jefferson Street

City: Louisville    State: KY    Zip Code:

Race: White    Sex: Male    DOB:    Age:

Elimination Prints Taken?     Yes     No     Post Mortem

Victim's Hands Bagged?     Yes     No    GSR Done on Victim?     Yes     No

Victim's Name: Officer Brian Smith (#7762)

Victim's Address: 633 West Jefferson Street

City: Louisville    State: KY    Zip Code:

Race: White    Sex: Male    DOB:    Age:

Elimination Prints Taken?     Yes     No     Post Mortem

Victim's Hands Bagged?     Yes     No    GSR Done on Victim?     Yes     No

**Suspect Information:**



Suspect's Name	Race	Sex	DOB	Address	GSR
Darnell Wicker	Black	Male			<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>
					<input type="checkbox"/>

**CSU #:** 80-16-067279ORI-DSTEP

**Photography:**

Photographing Technician(s): Dona Stephenson

**Video:**

Video Technician(s) or Detective: N/A

**Crime Scene Mapping:**

Crime Scene Measurements and Diagram Completed By: N/A

**Evidence Processing:**

Processed for Latent Prints?  Yes  No

Type	Description	Latent Prints Obtained?		Where processed?	
		Yes	No	Scene	ATG
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Scene	<input checked="" type="checkbox"/> CSU
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> ATG	<input type="checkbox"/> Other
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Scene	<input type="checkbox"/> CSU
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> ATG	<input type="checkbox"/> Other
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Scene	<input type="checkbox"/> CSU
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> ATG	<input type="checkbox"/> Other

**Evidence Processing: Test Firing/NIBIN/IBIS Entry:**

Weapon test fired?  Yes  No

NIBIN/IBIS Entry?  Yes  No

**Exhibits Collected:**

Exhibit #	Description
	<b>Collected at 810 Barrett Avenue Public Integrity Office 4<sup>th</sup> floor.</b>
1	Gunshot residue test obtained from Officer Taylor Banks (#7293)
2	One live round head stamped "Federal 40 S & W" removed from chamber of Exhibit 3 by Officer Taylor Banks (#7293)
3	One black semi-automatic "Glock" pistol, Glock .22 Gen4, Austria .40, made in Austria Glock Inc, serial # [REDACTED], Smyrna GA. with streamlight collected from Officer Beau Gadegaard (#7201)
4	One black "Glock" magazine that contains fifteen live rounds. removed from Exhibit 3 by Officer Taylor Banks (#7293).
4A	Fifteen live rounds head stamped "Federal 40 S & W" removed from Exhibit 3 by Sergeant Lowell Watson (#2416)
5	One black "Glock" magazine that contains fifteen live rounds.
5A	Fifteen live rounds head stamped "Federal 40 S & W" removed by Sergeant Lowell Watson (#2416)
6	Gunshot residue test obtained from Officer Beau Gadegaard (#7201)

7	One live round head stamped "Federal 40 S & W" removed from chamber of Exhibit 8 by Officer Beau Gadegaard (#7201)
8	One black semi -automatic " Glock" pistol , Glock .22 Gen4, Austria .40,made in Austria Glock Inc, serial ██████████ Smyrna GA. with streamlight collected from Officer Beau Gadegaard (#7201)
9	One black "Glock" magazine that contains fifteen live rounds.removed from Exhibit 9 by Sergeant Lowell Watson (#2416)
9A	Fifteen live rounds head stamped "Federal 40 S & W" removed from chamber of Exhibit 8 by Sergeant Lowell Watson (#2416)
10	One black "Glock" magazine that contains fifteen live rounds.
10A	Fifteen live rounds head stamped "Federal 40 S & W" removed by Sergeant Lowell Watson (#2416)
11	Gunshot residue test obtained from Officer Brian Smith (#7762)

**CSU #:** 80-16-067279ORI-DSTEP

**Narrative:**

On Monday Sunday at approximately 0421 hours, Crime Scene Technician Dona Stephenson responded to 810 Barrett Avenue Public Integrity Office per telephone request of Metro safe radio operator. Upon arrival met with Sergeant Lowell Watson who requested the following be performed:

At approximately 0450 hours, the following was performed:

Digital images taken of Officer Taylor Banks (#7293).

Obtained Exhibit 1 from Officer Taylor Banks .

Collected Exhibits 2, 3, 4, 4A, 5 and 5A.

At approximately 0511 hours the following was performed:

Digital images taken of Officer Beau Gadegaard (#7201).

Obtained Exhibit 6 from Officer Beau Gadegaard (#7201).

- Collected Exhibits 7, 8, 9, 9A, 10 and 10A from 1 from Officer Beau Gadegaard (#7201)

At approximately 0533 hours, the following was performed:

Digital images taken of Officer Brian Smith.

Obtained Exhibit 11 from Officer Brian smith.

On the same date at approximately 0758 hours, the following was performed in the crime scene lab:

Digital images taken of Exhibits 2, 3, 4, 4, 4A, 5, 5A, 7, 8, 9, 9A, 10 and 10A.

On the same date at approximately 1013 hours, the following was performed in the crime scene lab:

Exhibits 1, 2, 3, 4, 4A, 5, 5A, 6, 7, 8, 9, 9A, 10 and 11 were secured in the evidence locker.

On the same date at approximately hours, Exhibits were transported and released to property room clerk of Louisville Metro Police Department.

Technician's Name: Dona Stephenson Code #: 4401  
Technician's Name: \_\_\_\_\_ Code #: \_\_\_\_\_  
Supervisor's Name: \_\_\_\_\_ Code #: \_\_\_\_\_  
Date: \_\_\_\_\_



# Louisville Metro Police Department Crime Scene Unit Report

Date: 08/08/2016 Day: Monday  Original  Supplement

CSU #: 80-16-067279KIMM ICN #: 80-16-067279

Offense(s): Officer Involved Shooting

Notified/Dispatched by: Sergeant K. Downs by telephone

Time Received: 0524 Arrival Time: 0549 Cleared Time: 0826

Detective(s) at Scene: Sergeant K. Downs, Sergeant C. Kessinger, and Sergeant L. Maroni / PIU

Lead Detective/Division/Unit: Sergeant L. Maroni / PIU Code #: 6711

Technician R. Kimmer Code #: 8205

Technician Trainee A. Rush 8263

Technician E. Redfield 8141

CSU Technician(s): Technician J. Sparks 4849

### Crime Scene Information:

Location of Scene: 4509 Broadleaf Drive #4 Date of Occurrence: 08/08/2016

Type of Premise:  Residence  Roadway  Business  Vehicle  Other

Temp.: 70 degrees

Weather Condition:  Inside  Snow  Rain  Clear  Other \*\*According to WeatherUnderground.Com\*\*

### Victim's Information:

Victim's Name: <u>Officer Tyler Banks Code #: 7293</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Hands Bagged? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No GSR Done on Victim? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Victim's Name: <u>Officer Beau Gadegaard Code #: 7201</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Hands Bagged? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No GSR Done on Victim? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Victim's Name: <u>Officer Brian Smith Code #: 7762</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			

Victim's Name: **Anita L. Jones**

Victim's Address: [REDACTED]

City: **Louisville** State: **Kentucky** Zip Code: \_\_\_\_\_

Race: **Black** Sex: **Female** DOB: [REDACTED] Age: [REDACTED]

Elimination Prints Taken?  Yes  No  Post Mortem

Victim's Hands Bagged?  Yes  No GSR Done on Victim?  Yes  No

**Suspect Information:**

Suspect's Name	Race	Sex	DOB	Address	GSR
Darnell Wicker	Black	Male	[REDACTED]	[REDACTED]	<input type="checkbox"/>

**CSU #: 80-16-067279KIMM**

**Photography:**

Photographing Technician(s): Technician R. Kimmer

**Video:**

Video Technician(s) or Detective: Technician Trainee A. Rush with Sergeant L. Maroni

**Crime Scene Mapping:**

Crime Scene Measurements and Diagram Completed By: Technician J. Sparks

**Evidence Processing:**

Processed for Latent Prints?  Yes  No

Type	Description	Latent Prints Obtained?		Where processed?	
		Yes	No	<input type="checkbox"/> Scene	<input checked="" type="checkbox"/> CSU
Exhibits 27 and 31	Applied Ultra Blue 2000 Fluorescent Magnetic latent fingerprint powder to Exhibits 27 and 31 for the development of possible latent prints, obtaining negative results.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> ATG	<input type="checkbox"/> Other

**Evidence Processing: Test Firing/NIBIN/IBIS Entry:**

Weapon test fired?  Yes  No

NIBIN/IBIS Entry?  Yes  No

**Exhibits Collected:**

Exhibit #	Description
	<b>The following Exhibits were collected and / or obtained at 4509 Broadleaf Drive #4, by Technician R. Kimmer, Technician E. Redfield, and Technician Trainee A. Rush:</b>
12	Scene video.
13 (Marker 1)	Two (2) spent casings with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
14	Two (2) spent casings with the headstamp, 'FEDERAL 40 S & W', located on the

(Marker 2)	sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
15 (Marker 3)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
16 (Marker 4)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
17 (Marker 5)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
18 (Marker 6)	Two (2) spent casings with the headstamp, 'FEDERAL 40 S & W', located on the doormat and sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
19 (Marker 7)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
20 (Marker 8)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
21 (Marker 9)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
22 (Marker 10)	Possible projectile, located on the pavement in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
23 (Marker 11)	Possible projectile, located on the pavement in front of Apartment #5, collected by Technician Trainee A. Rush and Technician E. Redfield.
24 (Marker 12)	Black 'GLOCK 1633-03' magazine, unknown size, located on the pavement in front of Apartment #4, collected by Technician Trainee A. Rush and Technician E. Redfield.
24 A	Ten (10) live rounds with the headstamp, 'FEDERAL 40 S & W', removed from Exhibit 24 in the CSU Evidence Lab, by Technician E. Redfield.
25 (Marker 13)	One (1) spent casing with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in front of Apartment #4, collected by Technician Trainee A. Rush and Technician E. Redfield.
26 (Marker 14)	Black 'GLOCK 1633-03' magazine, unknown size, located on the sidewalk in front of Apartment #3, collected by Technician Trainee A. Rush and Technician E. Redfield.
26A	Six (6) live rounds with the headstamp, 'FEDERAL 40 S & W', removed from Exhibit 26 in the CSU Evidence Lab, by Technician E. Redfield.
27 (Marker 14)	Orange and black hand saw, unknown brand, unknown size, located on the sidewalk in front of Apartment #3, collected by Technician Trainee A. Rush and Technician E. Redfield.
28 (Marker 15)	One (1) live round with the headstamp, 'FEDERAL 40 S & W', located on the sidewalk in the front of Apartment #3, collected by Technician Trainee A. Rush and Technician E. Redfield.
29 (Marker 16)	One (1) possible projectile, located on the pavement in front of Apartment #3, collected by Technician Trainee A. Rush and Technician E. Redfield.
30	One (1) possible projectile, located in the living room and cut from the living room of Apartment #4, collected by Technician R. Kimmer.
31	Black and silver knife, unknown brand, size: 13 1/2 blade length: 3 1/2, 'STAINLESS STEEL', located on top of the the refrigerator in Apartment #4, collected by Technician J. Sparks.

32	Black 'ASP' brand metal handcuffs, unknown size, with possible blood, removed from the following suspect: Darnell Wicker, collected by Technician Trainee A. Rush and Technician E. Redfield.
33	One (1) paper notepad, appears to 'HELLO KITTY' brand, unknown size, with various handwritten notes, and One (1) orange pen, unknown brand, size: .07mm, with possible blood, removed from the right back pocket of the following suspect: Darnell Wicker, collected by Technician Trainee A. Rush and Technician E. Redfield.
34	One (1) possible projectile, with possible blood, located under the suspects body, collected by Technician Trainee A. Rush and Technician E. Redfield.

**CSU #:** 80-16-067279KIMM

**Narrative:**

**On Monday, August 08, 2016, at approximately 0524 hours, Sergeant K. Downs telephoned the CSU Office requesting CSU respond to 4509 Broadleaf Drive #4. Upon arrival Technician R. Kimmer, Technician Trainee A. Rush, and Technician E. Redfield met with Sergeant L. Maroni who requested the following be performed:**

- Technician Trainee A. Rush obtained Scene Video with Sergeant L. Maroni, which now becomes Exhibit 12 (See Exhibits Collected Section).
- Technician R. Kimmer photographed the scene including the following
  - Silver 2011 four door FORD Crown Victoria  
LOUISVILLE METRO POLICE #6140  
KY [REDACTED]  
VIN: [REDACTED]
  - Silver 1999 four door FORD Crown Victoria  
LOUISVILLE METRO POLICE #6107  
KY G1686  
VIN: [REDACTED]
  - Silver 1999 four door KIA FORTE  
KY [REDACTED]  
VIN: [REDACTED]
- Technician Trainee A. Rush and Technician E. Redfield collected Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, and 33.
- Technician R. Kimmer collected Exhibits 34 and 35.
- Technician Trainee A. Rush and Technician E. Redfield bagged the hands.

**At approximately 0826 hours, the following was performed by Technician R. Kimmer:**

- Exhibits 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34 were transported to and secured in the CSU Evidence Lab.

**At approximately 0901 hours, the following was performed in the CSU Evidence Lab, by Technician Trainee A. Rush:**

- Exhibit 12 was secured in the LMPD Video Vault.

**At approximately 0918 hours, the following was performed in the CSU Evidence Lab, by Technician Trainee A. Rush and Technician E. Redfield:**

- Photographed Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34.
- Processed Exhibits 27 and 31 Ultra Blue 2000 Fluorescent Magnetic latent fingerprint powder, obtaining negative results (See Evidence Processing Section).

**At approximately 1031 hours, the following was performed in the CSU Evidence Lab, by Technician R. Kimmer:**

- Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34 were secured in the CSU Evidence Locker.

**On Sunday, August 14, 2016, at approximately 0507 hours, the following was performed in the CSU Evidence Lab, by Technician R. Kimmer:**

- Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34 were removed from the CSU Evidence Locker.

**On Monday, August 15, 2016, at approximately 0415 hours, Exhibits 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 24A, 25, 26, 26A, 27, 28, 29, 30, 31, 32, 33, and 34 were transported to the LMPD Property Room and released to Property Room Clerk D. Richmond, by Technician R. Kimmer.**

Technician's Name:	Technician R. Kimmer	Code #:	8205
	Technician J. Sparks		4849
	Technician Trainee A. Rush		8263
Technician's Name:	Technician E. Redfield	Code #:	8141
Supervisor's Name:	_____	Code #:	_____
Date:	_____		





# Louisville Metro Police Department Crime Scene Unit Report

## AUTOPSY REPORT (KY OCME)

Date: 08/09/2016 Day: Tuesday  Original  Supplement

CSU #: 80-16-067279SPAR ICN #: 80-16-067279

Offense(s): Officer Involved Shooting

Notified/Dispatched by: Self-Initiated

Time Received: 0730 Arrival Time: 0800 Cleared Time: 1203

Detective(s) at Scene: Sergeant L. Maroni

Lead Detective/Division/Unit: Sergeant L. Maroni / PIU Code #: 6711

CSU Technician(s): Technician J. Sparks Code #: 4849

### Crime Scene Information:

Location of Scene: 4509 Broadleaf Drive #4 Date of Occurrence: 08/08/2016

### Victim's Information:

Victim's Name: <u>Officer Tyler Banks Code #: 7293</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Name: <u>Officer Beau Gadegaard Code #: 7201</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			
Victim's Name: <u>Officer Brian Smith Code #: 7762</u>			
Victim's Address: <u>633 West Jefferson Street</u>			
City: <u>Louisville</u>	State: <u>Kentucky</u>	Zip Code: <u>40202</u>	
Race: <u>White</u>	Sex: <u>Male</u>	DOB:	Age:
Elimination Prints Taken? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Post Mortem			

### Suspect Information:

Suspect's Name	Race	Sex	DOB	Address	GSR
Darnell Wicker	Black	Male			<input type="checkbox"/>
					<input type="checkbox"/>

**Photography:**

Photographing Technician(s): Technician J. Sparks

**Evidence Processing:**

Processed for Latent Prints?  Yes  No

Type	Description	Latent Prints Obtained?		Where processed?	
		Yes	No	<input type="checkbox"/> Scene	<input type="checkbox"/> CSU
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> ATG	<input type="checkbox"/> Other

**Evidence Processing: Test Firing/NIBIN/IBIS Entry:**

Weapon test fired?  Yes  No

NIBIN/IBIS Entry?  Yes  No

**Exhibits Collected:**

Exhibit #	Description
<b>Evidence collected at 10511 LaGrange Road - Pathology (ME #16-1130)</b>	
#35	Kraft bag with possible blood; obtained from Suspect's Left hand
#36	Kraft bag with possible blood; obtained from Suspect's Right hand
#37	Fingernail clippings with possible blood; obtained from Suspect's Left hand
#38	Fingernail clippings with possible blood; obtained from Suspect's Right hand & fingernail clippers
#39	Suspect blood standard
#40	Suspect hair standard
#41	Black "Calvin Klein Free" short sleeved t-shirt, size Large; with possible blood & bullet defects
#42	Pair of blue "Chico's Platinum" denim pants with black electrical cord as a belt, size 2.5 Reg; with possible blood & bullet defects
#43	Pair of black "Prospirit" gym shorts, size Large; with possible blood & bullet defects
#44	Pair of black "Lugz" shoes, size 13 and with possible blood
#45	Projectile; located in the Suspect's body bag (came from Suspect's mid Left thigh)
#46	Projectile; located in the Suspect's lower Right back
#47	Projectile; located in the Suspect's upper Left back
#48	Projectile; located in the Suspect's mid Left back
#49	Projectile; located in the Suspect's lower Left buttock
#50	Projectile; located in the Suspect's mid Right thigh
#51	Projectile; located in the Suspect's proximal Right thigh
#52	Projectile; located in the Suspect's abdomen

**Narrative:**

On **Tuesday, August 09, 2016**, at approximately 0730 hours, CSU proceeded to the Kentucky Office of the Chief Medical Examiners (KY OCME) at 10511 LaGrange Road. Upon arrival, met with Sergeant L. Maroni of the Public Integrity Unit (PIU). Autopsy procedures commenced at approximately 0800 hours and the following was performed:

- Photographed the Suspect

At approximately 1000 hours, collected the following from Pathologist, Dr. D. Arabadjief:

- Exhibits #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51 & #52
- Photographed Exhibits #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51 & #52

**NOTE:** Exhibit #45 was initially located in the body bag when Suspect presented to the KY OCME. Dr. D. Arabadjief states that Exhibit #45 was initially located in the Suspect's mid Left thigh based on radiological evidence.

At approximately 1130 hours, obtained one set of Suspect ID prints

At approximately 1203 hours, transported Exhibits #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51, #52 and one set of Suspect ID prints back to the CSU Office at 633 West Jefferson Street

At approximately 1300 hours, secured Exhibits #41, #42, #43 & #44 in the CSU Drying Cabinet

At approximately 1315 hours, secured Exhibits #35, #36, #37, #38, #39, #40, #45, #46, #47, #48, #49, #50, #51 & #52 in the CSU Evidence Locker

At approximately 1500 hours, forwarded one set of Suspect ID prints to the LMPD Forensic Latent Analysis Unit

On **Tuesday, August 16, 2016**, at approximately 1300 hours, the following was performed:

- Removed Exhibits #41, #42, #43 & #44 from the CSU Drying Cabinet
- Secured Exhibits #41, #42, #43 & #44 in the CSU Evidence Locker

On **Friday, August 26, 2016**, at approximately 1600 hours, the following was performed:

- Removed Exhibits #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51 & #52 from the secured CSU Evidence Locker

At approximately 1700 hours, **Technician T. Gutterman** transported Exhibits #35, #36, #37, #38, #39, #40, #41, #42, #43, #44, #45, #46, #47, #48, #49, #50, #51 & #52 to the LMPD Property Room at 635 Industry Road and released custody of the evidence to clerk J.B. Dalisay at approximately 1735 hours

Technician's Name: J. Sparks Code #: 4849  
Technician's Name: T. Gutterman Code #: 9701  
Supervisor's Name: \_\_\_\_\_ Code #: \_\_\_\_\_  
Date: \_\_\_\_\_

## Maroni, Leigh A

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**From:** Maroni, Leigh A  
**Sent:** Thursday, September 22, 2016 12:51 PM  
**To:** Perrine, Melissa L  
**Subject:** CSU reports

Hi Melissa,

I hope you are well. I haven't received anything in terms of CSU reports from case 80-16-067279. Dona was the lead on it and it happened on 8-20-16 at 4509 Broadleaf Drive. I need to get some exhibit numbers to send off requests for ballistics. It's an Officer Involved Shooting case. Not sure if you have any of these or can send me a draft just to have the numbers or not.....

Thanks for any help you can provide.  
Leigh

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
810 Barret Avenue  
Louisville, KY 40204  


## Maroni, Leigh A

---

**From:** Weatherby, Ned  
**Sent:** Thursday, August 18, 2016 10:52 AM  
**To:** Maroni, Leigh A  
**Subject:** RE: arbitrator cards

There is nothing on the cards when they upload the files go to server and they wipe

---

**From:** Maroni, Leigh A  
**Sent:** Thursday, August 18, 2016 10:51 AM  
**To:** Weatherby, Ned  
**Subject:** arbitrator cards

Just wanted to see if you still have those arbitrator cards we gave you and If I can come get them to be put in property. I wont' get them until tomorrow or next week if that helps.

## Maroni, Leigh A

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**From:** Maroni, Leigh A  
**Sent:** Thursday, August 11, 2016 4:40 PM  
**To:** Rader, Jeremy L; Smith, Daniel K.  
**Cc:** Johnson, John A  
**Subject:** Officer Involved shooting

Gentlemen,

I need to interview you both about your response to the officer involved shooting that occurred on 8-8-16 at approximately 0135 hours at 9405 Broadleaf Drive #4. You responded as Unit 135A on Run #74345. I need to get brief witness statements from you regarding your time on scene. I will also need a copy of your run report if you can provide one. Please e mail me or call me at the below listed cell number to set up a time that is good for you. I can come in during your evening shift or early in the morning before you get off if necessary. Thank you and stay safe.

Sgt. Leigh Maroni  
LMPD –Public Integrity Unit  
810 Barret Avenue  
Louisville, KY 40204  
[REDACTED]

## Maroni, Leigh A

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**From:** Johnson, John A  
**To:** Maroni, Leigh A  
**Sent:** Thursday, August 11, 2016 4:43 PM  
**Subject:** Read: Officer Involved shooting

Your message

To: Johnson, John A  
Subject: Officer Involved shooting  
Sent: Thursday, August 11, 2016 4:40:24 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Thursday, August 11, 2016 4:43:01 PM (UTC-05:00) Eastern Time (US & Canada).



**Calls For Service Report**    Call ID: *P16109126*

Printed: September 27, 2016

<b>1. Agency</b> LMPD	<b>2. Person Received Complaint</b>	<b>3. Date/Time Received</b> 03/16/2016 21:23 <b>4. Time Dispatched</b> 21:24	<b>5. Time Arrived</b> 21:35 <b>6. Time Complete</b> 21:43	<b>7. Case #</b> -
<b>8. Nature Of Incident</b>	DOMESTIC TROUBLE			
<b>9. Location Of Incident</b>	4509 BROADLEAF DR, LOUISVILLE, KY 40216			
<b>10. Victim or Caller</b>	ANITA JONES			
<b>11. Classification</b>	<b>12. How Received</b> '2-PHONE' I/CAD	<b>13. Disposition</b> CLEAR WITH NO REPORT	<b>14. Officer</b> Rader, Charles W III	<b>15. Date Submitted</b> 03/16/2016

**Notes:** TROUBLE W/BOYF, TRYING TO TAKE COMP'S TV

\*\* LOI search completed at 03/16/16 21:23:38  
 SUBJ=DARNELL WICKER, BM, 56YOS  
 \*\* Event P16109126 was viewed at: 03/16/16 21:24:06  
 \*\* >>>> by: 4866 on terminal: 911ms138  
 LSW BLK SHIRT, DIRTY BJ'S, BLK BOOTS, BLK PACKPACK  
 LEFT ON DRK BLU BICYCLE, UNK DOT  
 NO EPO/DVO  
 \*\* Event P16109126 closed.

**Calls For Service Report**    Call ID: *P16269765*

Printed: September 27, 2016

<b>1. Agency</b>  LMPD	<b>2. Person Received Complaint</b>  Miller, Robyn	<b>3. Date/Time Received</b> 07/01/2016 10:32 <b>4. Time Dispatched</b> 10:45	<b>5. Time Arrived</b> 10:51 <b>6. Time Complete</b> 10:53	<b>7. Case #</b>  -
<b>8. Nature Of Incident</b>	TROUBLE			
<b>9. Location Of Incident</b>	4509 BROADLEAF DR, LOUISVILLE, KY 40216			
<b>10. Victim or Caller</b>				
<b>11. Classification</b>	<b>12. How Received</b> `2-PHONE` I/CAD	<b>13. Disposition</b> CLEAR WITH NO REPORT	<b>14. Officer</b> Bradley, Charles A	<b>15. Date Submitted</b> 07/01/2016

**Notes:** \*\* Event P16269765 was viewed at: 07/01/16 10:32:28  
 CLLER WHISPERING  
 C/T UNABLE TO MAKE OUT WHAT IS BEING SAID  
 \*\* >>>> by: 4811 on terminal: 911ms104  
 \*\* LOI search completed at 07/01/16 10:32:28  
 \*\* STATION ALERTED -- Approved By LMPD Supervisor  
 \*\* Event P16269765 closed.

February 2, 2017

Erwin Roberts, Esq  
Office of the Commonwealth's Attorney  
514 West Liberty Street  
Louisville, Kentucky 40202

Re: **Toxicologic Findings of Mr Darnell T. Wicker**

Dear Mr Roberts:

I am a physician licensed to practice medicine in Kentucky, Indiana, and North Carolina. I am Professor of Pathology and Laboratory Medicine and Professor in the Department of Toxicology and Cancer Biology in the University of Kentucky College of Medicine. I am certified by the American Board of Pathology in Anatomic Pathology, Clinical Pathology, and Forensic Pathology, and I have testified as an expert in forensic medicine, pathology, and toxicology in numerous State Courts in Kentucky, Ohio, Tennessee, Indiana, Virginia, West Virginia, North Carolina, Alabama, Florida, Michigan, Iowa, Missouri, New York, New Jersey, and Colorado as well as in United States Federal Court and the Republic of Singapore.

You have asked that I consult with you regarding Mr Wicker, with particular attention to his potential state of intoxication at the time of his altercation and shooting on August 8, 2016 at approximately 1:58 AM.

I have had an opportunity to review the following materials:

- Louisville Metro Police Department Special Investigations Division Case Report
- Office of the Chief Medical Examiner Report of Postmortem Examination of Mr Wicker, ME-16-1130
- AIT Toxicology Report of cavity blood and urine procured from Mr Wicker's body at autopsy, indicating:
  - Blood cocaine concentration 60.0 ng/mL
  - Blood benzoylecgonine concentration 1810 ng/mL
  - Urine benzoylecgonine concentration 112,565 ng/mL

Cocaine is one of the most potent of the naturally-occurring CNS stimulants and is frequently abused for its stimulant effects.<sup>1</sup> The symptoms of acute intoxication may include anxiety, agitation, confusion, hyperactivity, irritability, sweating, and a rapid heart rate.<sup>2</sup> Benzoylecgonine is a primary metabolite of cocaine.<sup>3</sup>

In 61 individuals arrested for impaired driving and in whom cocaine and benzoylecgonine were the only drugs detected, Jones et al<sup>4</sup> found a mean (average) blood cocaine concentration of 95 ng/mL with a median concentration of 70 ng/mL. The mean concentration of benzoylecgonine was 1,010 ng/mL with a median concentration of 700 ng/mL. Typical signs of drug influence noted by the arresting police officers included bloodshot and glossy eyes, agitation, difficulty in sitting still, and incoherent speech.

Blood cocaine concentrations correlate poorly with its toxic effects, as the same blood concentration may be a cause of death in one case and an incidental finding in another.<sup>5</sup> Its toxicity is idiosyncratic and unpredictable, and no minimum fatal concentration for cocaine has been established.<sup>6</sup>

Cocaine is well-known among forensic pathologists and death investigators for having the capacity to lead to episodes of bizarre behavior with hyperactivity and hyperthermia, known as "cocaine psychosis" or "excited delirium," likely related to cocaine-induced dysregulation of dopamine homeostasis (health) in the brain.<sup>7</sup>

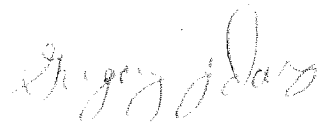
Clinical studies suggest that a high percentage of regular cocaine abusers exhibit symptoms of paranoia and hallucinations.<sup>8</sup> Such observations have been known for well over a century, as neurologists recognized that abusers were subject to paranoid psychosis.<sup>9</sup> The development of such paranoia among cocaine abusers is unpredictable and not dose-related.<sup>10</sup>

The investigative findings of Mr Wicker's alleged behavior and the laboratory findings of cocaine and benzoylecgonine in Mr Wicker's blood at autopsy are consistent with his being intoxicated by cocaine at the time of his altercation and death on the morning of August 8, 2016. The ultimate question of whether such intoxication caused or contributed to his alleged behavior would be up to the trier of fact, correlating, among other data, his behavior and the presence of cocaine and benzoylecgonine in his blood.

The opinions noted above are based upon my education, training, and experience as a medical doctor, clinical pathologist, and forensic pathologist and are offered to a reasonable degree of medical certainty.

I reserve the right to expand or modify these opinions upon receipt of additional materials pertinent to this case or upon questioning by the Commonwealth's Attorney, other Counsel, or the Court.

Sincerely yours,



Gregory J. Davis, MD, FCAP  
Professor and Director, Forensic Consultation Service  
Professor, Department of Toxicology and Cancer Biology  
Assistant State Medical Examiner, Commonwealth of Kentucky  
Former Associate Chief Medical Examiner, Commonwealth of Kentucky

1. Baselt RC. *Disposition of Toxic Drugs and Chemicals in Man*, 10<sup>th</sup> ed. Seal Beach, CA: Biomedical Publications; 2014:511.
2. *Ibid*, 512.

3. Ibid, 511.
4. Jones AW, Holmgren A, Kugelberg FC. Concentrations of cocaine and its major metabolite benzoylecgonine in blood samples from apprehended drivers in Sweden. *Forensic Sci Int.* 2008; 177:133-139.
5. Dolinak D. Toxicology. In: Dolinak D, Matshes E, Lew E, eds. *Forensic Pathology: Principles and Practice.* Boston, MA: Elsevier; 2005:494.
6. Ibid.
7. Ibid.
8. Karch SB, Drummer OH. Cocaine. In: Karch SB, Drummer OH. *Karch's Pathology of Drug Abuse*, 5<sup>th</sup> ed. Boca Raton, FL: CRC Press; 2016:145.
9. Ibid.
10. Ibid.