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7. Original Report Date <b>20 September 2016</b>	8. Supplement Date <b>21 September 2016</b>		9. Correct Incident Classification		
10. Juvenile Case <b>No</b>	11. Multiple Case Clearance <b>No</b>	12. Supplement Confidential <b>Yes</b>	13. Purpose Of Supplement <b>Interview with Officer B. A. Vinson</b>		

REVIEWED BY DET. M. R. GRANDE #2217 ON 24 SEPTEMBER 2016 \_\_\_\_\_

THIS IS DETECTIVE M. R. GRANDE WITH THE CHARLOTTE MECKLENBURG POLICE DEPARTMENT. TODAY'S DATE IS WEDNESDAY SEPTEMBER 21<sup>ST</sup> 2016; THE TIME IS 1:30 P.M. THIS WILL BE A RECORDED STATEMENT IN REFERENCE TO CASE NUMBER 20160920-1554-02. THIS STATEMENT IS BEING TAKEN AT THE LAW ENFORCEMENT CENTER INTERVIEW ROOM 2003 WITH OFFICER B.A. VINSON, HIS CODE NUMBERS 5189. ALSO PRESENT DURING THIS STATEMENT IS GEORGE LAUGHRUN, AN ATTORNEY REPRESENTING OFFICER VINSON, AND SERGEANT S. P. WINTERHALTER WITH CMPD. THIS WILL BEGIN THE STATEMENT.

Grande: Officer Vincent I know you and I just talked briefly a minute ago uh...about the reasons why we're here and I just wanna make sure that you understand that you have not been charged, you're not under arrest concerning the situation that happened yesterday, is that correct?

VINSON: Yes sir.


Grande: And that you came down here with Mr. Laughrun to provide a statement about what you saw, what you heard and what you did yesterday, is that correct?

VINSON: Yes sir.

Grande: Alright. And you also understand that the purpose of this statement is for the criminal investigation portion of what happens and that a parallel Internal Affairs investigation happens, but is not our purpose here.

VINSON: Yes sir.

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22. Investigative Status <input type="checkbox"/> Active <input type="checkbox"/> Inactive <input type="checkbox"/> Closed <input type="checkbox"/> Administrative	25. Case Referred To	26. Reviewing Supervisor, Code, Date		

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Grande: Okay um we got some things to go through first just to make sure I get some information from you and then we're gonna get in to exactly what happened yesterday, in fact I'm gonna give you the floor and let you walk me through it.

VINSON: Okay.

Grande: But before we do that let's go through this first I do have your code number, make sure I'm correct, it's B. A. Vinson and your code number 5189. Correct?

VINSON: That's correct.

Grande: When's your date of hire with CMPD?

VINSON: 7/21/14...2014.

Grande: 14? Okay.

VINSON: Yeah.

Grande: And did you have any prior law enforcement or military experience?


VINSON: I did not.

Grande: What is your current division assignment?

VINSON: Metro Division.

Grande: Are you on patrol are you in a specialized unit with them?

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VINSON: On the Crime Reduction Unit.

Grande: And would that be referred to as the CRU?

VINSON: Yes sir.

Grande: What shift do you work with that unit?

VINSON: We work second shift hours. We work 12 p.m. to 2200.

Grande: And do you have a call sign on the radio that you use?

VINSON: Um, it varies from day to day but um sometimes I sign on as...it's either 6150 or 6158.

Grande: Did you have a call sign yesterday?

VINSON: No, did not.

Grande: Okay. What talk group radio or radio talk group were you using yesterday?

VINSON: We were on SCU...Metro SCU.


Grande: And who is your supervisor?

VINSON: Um Sergeant Pendergraph.

Grande: And I know I saw you yesterday, but were you wearing a uniform when this happened?

VINSON: Um I was not wearing CMPD uniform.

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Grande: Okay. What were you wearing?

VINSON: I had a ...a vest on with my badge in the right corner.

Grande: Like a body armor vest?

VINSON: Yeah, it's like a black...black body armor vest with our uh CMPD issued badge um attached to the front of the vest.

Grande: Okay. What else were you wearing?

VINSON: Um I was wearing brown jeans, a white T-shirt under the vest, and I had some white sneakers on...white Nike's.

Grande: How tall are you and how much do you weigh?

VINSON: Six foot weigh bout 215.

Grande: Okay. How much sleep did you have before your shift yesterday?

VINSON: Um...I went to sleep at 12:30 woke up at 8, so seven and a half hours.


Grande: Did you work any off duty prior to your shift?

VINSON: I did not.

Grande: What vehicle were you operating yesterday?

VINSON: I was in a undercover vehicle, I was in a...it was a blue um Highlander...mini van.

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Grande: Said a Highlander?

VINSON: Yes.

Grande: Okay.

VINSON: Think it's like a Chevy Highlander...something to that effect.

Grande: And were you the driver?

VINSON: I was.

Grande: Were there any passengers with you?

VINSON: Yes sir um Sergeant Pendergraph.

Grande: Anybody else in the vehicle?

VINSON: No sir.

Grande: And you said that's a UC, you're referring to an undercover?

VINSON: Uh yeah I'm sorry, yeah undercover vehicle uh...


Grande: Okay. So it does not have any Police markings <Talkover - inaudible>

VINSON: It doesn't have anything that identifies the vehicle as a city car or...

Grande: Okay.

VINSON: ...a Police car.

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Grande: And the vehicles not equipped with DMVR?

VINSON: It is not.

Grande: Did you have a body worn camera with you?

VINSON: I did not.

Grande: Okay. And we covered your weapon stuff yesterday, so we're not gonna go over that today.

VINSON: Okay.

Grande: Did you take any notes of the incident?

VINSON: I did not.


Grande: Okay. Well that gets us through some of the basic information um and like I said, I wanna give you the floor.

VINSON: Okay.

Grande: That's gonna be the easiest thing to do. Just walk me through in as chronological fashion or order as you can um what you were doing, where you were, the things you saw and heard and ultimately what you did. Try to recall as much detail as you can, when you get done I may ask you some questions. Sergeant Winterhalter may ask you some questions. And Mr. Laughrun may also wanna comment or ask a few questions to fill in. We just wanna make sure we try to get as complete picture um of everything yesterday from your vantage point.

VINSON: Okay.


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Grande: Okay?

VINSON: So we...we start our shift at 10...10 p.m., oh excuse me 12 p.m. in the afternoon um we have roll call in our um...we have a office, a closed office, we have roll call in every day at 12. So usually there is a informal roll call, but usually during roll call we'll talk about what type a operations we wanna try to do that day, if anybody has anything on the agenda they wanna do, ya know, that's kind a your time to voice it. Um, Officer Miranda um advised that he just got forwarded some information on Walter Boyd, who had ...who had felony warrants, outstanding warrants. Um Walter Boyd, I believe, was a VCAT case, but um Miranda got the go ahead from VCAT personally to...that he could sit up on and do surveillance on Walter Boyd. It's...I believe they just didn't want us to knock the residence or do anything like that, but if we saw him we're good to take enforcement action and arrest him. So the information that uh Miranda got was...it came from a report, I forgot the name of the report, it's a Acura reports or whatever. And basically the report said that um Walter Boyd had a cable account at a address off of Old Oaklawn um up in University Division um so uh Miranda thought that might be a good place to set up on Mr. Boyd since he had, ya know, a cable address at that residence um...So we make a plan we um decide we're gonna go up there, take two UC vehicles and we'll have a Police vehicle in close proximity. Um before I went to...they went up there and set up on the apartment before me and Sarge went up there in the Highlander. We went down to um the Academy and we went to Vice um to get some imprest funds reference another case. So we met Miranda and Wiggins up at um ...up...up off of Old Oaklawn... I keep on saying Oaklawn cause I'm from Metro, off of Old Concord after we went to the Academy. Um originally we were set up in the parking lot...you guys have diagrams or anything...but um...

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Grande: Since you mention that...got a um...got two kind of aerial perspectives here.

Laughrun: <Inaudible>...same thing <Talkover - inaudible>

VINSON: <Talkover - inaudible>

Laughrun: That's okay <Talkover - inaudible>

Grande: <Talkover - inaudible>...zoomed out this is more zoomed in.

VINSON: Okay. So this is the...this is the apartment complex right here...

Grande: Okay.


VINSON: ...that Mr. Boyd was supposed to be in, he was supposed to be in like apartment C we thought which was over here in the corner. Originally me and Sergeant pulled up, I was driving he was in the back, back so the van has, obviously, the front passenger...front passenger seat, the rear, two Captain seats and the there's a bench seat in the back. So he was all the way in the back um the van has tint back there so basically to appear that I'm the only person in the vehicle. So um pulled into the lot, I was parked somewhere in the middle of the lot with eyes on parking lot I mean eyes on the apartment complex. Um Officer Miranda...

Grande: Do me a favor...

VINSON: Yeah.

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Grande: If you don't mind, can you maybe just write Boyd maybe in the area where you think he was...

VINSON: Yeah.

Grande: ...and what you were looking at here.

VINSON: So we um... the corner of this apartment...I wish I knew the number...think it was 23 something. Um, intel was that he likes to drive rental cars so he likes to rent Chargers so that's what we were looking for. Um we were set up in here, pulled in, I used the bathroom, Miranda and Wiggins were in another lot. Since we were leaving the lot they came in to keep close cover on the residence, Boyd's residence. So we left...me and Pendergraph went to 7 Eleven, used the bathroom, came back, when I came back up Old Oaklawn since...

Grande: Old Concord?

VINSON: I don't know why I keep on saying <Talkover - inaudible>


Grande: <Talkover - inaudible>

VINSON: Old Concord um...since Miranda and Wiggins who were also in a UC vehicle, unmarked uh undercover vehicle, they were in a blue Expedition they pulled into about the same position that we were in originally...

Winterhalter: Uh huh.

VINSON: ...and we went...we say we'll just be, you know, close cover for you guys we'll go park somewhere else. So I was looking for somewhere to park at where I could still be close, but it wouldn't be too obvious

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having two strange vehicles in the lot. So I pulled up and I pulled down Lexington Street and there's actually a cut... I don't know if you can see it better on another map right here. So there's actually a cut through...

Grande: And if you wanna use this to write on that as you're talking...

VINSON: Yeah.

Grande: ...feel free.

VINSON: So we parked and I know...I came down Lexington made a left and pulled in this first spot up here there was a white truck. so I kind a double parked right here...if that make sense...

Grande: <Inaudible>

VINSON: It's not really working. Yeah so I double parked right here <Talkover - inaudible>


Grande: <Talkover - inaudible>

VINSON: Yeah, double parked right here um facing the lot, so if you look at it from here you can actually still see through this cut through right here.

Winterhalter: Right.

VINSON: You actually can still see between two buildings...Boyd's residence. So we pulled in right there um just doing surveillance um looking at the house, nothing's changing. A white Explorer, excuse me, a white Expedition um with like white rims I believe, it pulls...since we're

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pulled in the lot...we're pulled, we're not backed in we're pull...we're pulled straight into the parking spot.

Winterhalter: Uh huh.

VINSON: And there's a truck right here and we're kind a double parked. I'm more closer to the middle. He pulls behind me like down Lexington I believe and he's kind a...he...he stops the car right there and he's kind a blocking me...


Winterhalter: Uh huh.

VINSON: ...and he gets out the car and he walks past my...he parks right there, walks past my car and he's kind a looking at me like...grilling me like...and he's trying to figure out who I was. Um, he walks past me kind a stops short of the cut through and like looks down like he's looking in the grass and then he comes back through and gets back in the white car. That...um...that white Expedition pulled off and went outbound on Old Concord. I thought it was weird that he was doing that, I was kind a like, "Ah...I don't know if...Sarge, you think we're made?" Sarge was laying down in the back trying to figure out did he see you, he was looking in the car <Inaudible>...windows are tinted did he see you? Sarge was like, "I don't know." So he leaves, he comes back about ten minutes later. At this point I straighten my car out. I was like let me just get in one parking space so the trucks in the...in this spot and then I get in the middle spot 'cause there's three parking spaces. So you got the truck to the left, I get in the middle one and there's a open lot, a open spot right next to me.

Grande: Uh huh.

VINSON: Um...<Inaudible>...bigger map so... Lexington.

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Grande: I was gonna say if you wanna do this <Talkover - inaudible>

VINSON: Yeah.

Grande: <Talkover - inaudible>...sketch it.

VINSON: Yeah.


Grande: <Talkover - inaudible>...'cause I know there's a lot a tree's on these aerial pictures.

VINSON: Exactly. Yeah <Inaudible> Okay so...these are the three parking spaces that look...

Winterhalter: Uh huh.

VINSON: ...through the cut so originally there's a white truck here um not...not related, I'm kind a double parked right here in these two spots um that white Expedition, like I said, pulled behind like this, black male gets out kind a walks past my car, he walks past on the passenger side, he's looking in the car kind a ...he looks in the woods and then he gets back in his car and leaves. Ten minutes later that same Expedition comes back down after going outbound Old Concord, coming back in and he pulls ...he pulls in kind a like the same way he was behind me before, but he's opposite and I'm like what is this ...this Expedition's back and I tell Sarge and I was like hey watch out for this Expedition he's back again. So I'm thinking we're made. He proceeds to back into the parking spot. So I'm pulled into the middle spot, he backs in to the spot...to the right of the middle spot, if that makes sense so I'll draw... so if these are the three parking spots that kind a slant...

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Winterhalter: Uh huh.

VINSON: So this is our vehicle, we're pulled in...we're in this van, we're pulled in, this is the front...this is the front of our car. We're...we're pulled in looking through the lot. The truck comes back ...well the truck, the Expedition, the SUV comes back in and he back...he stops right here for a second and then he backs in. So we'll call it the suspect vehicle. So this...this is the front of his vehicle.

Winterhalter: And then the white truck's still in the far right one?

VINSON: Um...yes the white trucks still here. White truck. I wanna say it was like a older model um <Inaudible>.

Grande: And just for the purpose of this statement since this is audio, you've kind a drawn a little diagram of three parking spaces...

VINSON: Correct.


Grande: ...with the white pickup truck on the right space, your undercover Police vehicle in the middle space, and the white Expedition in the left space.

VINSON: Correct.

Grande: Okay.

VINSON: So he pulls in. I'm sitting right here obviously...since this is the driver's side, he's sitting right here and I'm turning back and I'm looking over my left shoulder and I'm trying to figure out what he's doing. So I'm like Pendergraph, can you...he needs to...Pendergraph's obviously

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sitting back here. I was like can you see what's going on? He says... I don't know, I don't know what he's doing. I look back and I've got a pretty decent view of 'em now and he pulls out like a medicine... a orange medicine tube with a safety lock on it. Um there's no like, to my recollection, when... when he held it up it didn't look like there was a... like a prescription on it it... just looked like a... a tube with the prescription taken off. Um which I mean it's not a big deal in itself, I know lots a times people keep marijuana in there, but that's not what I was thinking at the time. So then he pulls out ...he pulls that out, he takes something out of it, he pulls out a pack a cigarillos, rips it open, pulls out a cig... a cigarette or a cigar, and he proceeds to um cut the cigar open. So I tell Pendergraph I was like uh I don't think we're blown I... I say I think we're good, I was like this guy is about to start rolling a blunt. Sure enough he opens his door. So he opens the door, he turns sideways like this kind a facing us, and he starts throwing the guts out of the cigarillo onto... between our two cars. Um he then takes ...he then takes the cigarillo and he starts like rolling it back up. I'm like Sarge this guy's rolling a blunt... I was like, but uh obviously we're there for Walter Boyd. We're not really worried about a little marijuana so I keep on looking back at him though 'cause it... it just... he just seemed, I mean I just wanted to see what he was gonna do besides just smoke right next to us. So then I see, while I'm looking back, I see him go like this... and his hand is a black semi-automatic uh pistol. Um it looked like a compact pistol, like I said, it was a semi automatic. If I had to guess it was probably a .22 or .380, it looked like a smaller caliber um compact semi-automatic pistol was black in color.

Grande: And when you say that you're kind a motioning with your right hand up, was he holding it in his right hand...

VINSON: Yeah.

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Grande: ...or holding in his left?

VINSON: It was in his right hand so...

Grande: Okay.

VINSON: ...he's...it was like this, it was closer to the middle of the car um... I tell Sarge uh hey...94 which means he's got...he's got a gun and I was like, "He's got...he's got a firearm." Sarge is like, "What?" I was like, "Yeah, he's got a gun." So I start backing out...I tell Sarge, I was like, "Hey, we got PC on him from the weed." I was like, "Do you want...do you wanna pin him and jump out on him?" He's like, "Nah, just ...just keep on going." Um so I pull out, I drive...this is a good map now, so we pull out of the parking right here, I pull out I drive down Lexington...I drive to the back of the apartment complex right here. Um Sarge gets on the radio tells Wiggins and Miranda hey we got PC on a car, there's a 94 in the car. He gives the description out white Expedition, black male in the driver's seat...the weapon and obviously weed in the car. Um...they drive...they leave their spot, they drive down Lexington and they come up this way up Lexington and we meet over here in this far corner. Um at that point we were all in plain clothes as we were doing surveillance, we didn't have anything to identify ourselves as Police officers. So once we got out the car everybody suited up, I put my vest on which we talked about earlier um...my black vest with my Police badge out on the front. Um Miranda and Wiggins they wore tactical vests that said Police in white letters and it had a badge on it. Um and Sergeant Pendergraph, he had a um...he had tact vest as well I believe that had Police on it. So we all get dressed um get on the radio and tell um our marked unit which is Hoss...Hostutler and um...can't remember who Hostutler was riding with, I think he's riding with Sinnott. Um he was riding with Sinnott or Skipper, I can't remember. But they were both...all three of

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'em were uniformed Skipper, Hostutler and um...and um Miranda, excuse me, Skipper, Hostutler and Sinnott were all in uniform. I just don't know the combination of the three, which two were in the marked vehicle. So we...we're talking, we're saying hey I'm a pin the car, since I'm driving the um <Inaudible> paper?

Grande: Uh huh.

VINSON: Since I'm driving the van I was like I'll pin, I was like um <Inaudible> we decided that Sarge was gonna be...we'll talk about it in a second. So this is the parking space, we'll draw it again... I'm just gonna draw the two parking spaces this time cause of this spot. At this point this is out of play. So ...here's the parking space, here's the suspect vehicle...this is still the front. Alright, so...game plan is I'm going to drive, pin the vehicle, um Sarge is gonna be lethal cover on the pass...the driver's side of the suspect vehicle which makes sense cause he's in the passenger side of my vehicle. So we're pulled in when he hops out I just gotta put him on the suspect side. Um I was...my primary job was to pin the car and then obviously if I could get out I was gonna try to get lethal coverage as well. Um Wiggins and Miranda are in the Expedition behind us they pull in, Miranda's driving...his job in the Expedition is to be lethal coverage on the passenger side of the vehicle. Wiggins is gonna follow behind Sarge and be...help extract um the suspect out of the vehicle. So... I come...when I come...when I came down, we came down this way, we made that left onto Lexington. So since I was still turning, I couldn't get perfectly straight on. So my vehicle kind a ended up angled...I was more on this side thought but... vehicle gets angled but there's a gap. We're...I'm not the great art...the greatest artist, but there's a gap right here, there's...we're not touching. So um Sergeant Pendergraph gets out the vehicle <Inaudible> our Expedition back here with Miranda and um Wiggins in it, Miranda gets out he goes

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lethal coverage on passenger side, Pendergraph is going lethal on driver's side, Wiggins is coming to extract...and we got patrol car rolling up later probably a few seconds later um with either...I don't remember the combination, three, like I say...either Sinnott and Hoss, I know Hoss was driving so he either had Sinnott in the car with him or he had Skipper um in their marked. Um Miranda gets up as soon as he gets up to...oh I always leave... I left this out, when we were pulling up we saw... Pendergraph gets on the radio when I'm turned <Inaudible>...make the pin, Pendergraph gets on the radio and says hey driver's side door is open and um that's kind a consistent with when he was cutting the guts out...

Winterhalter: Uh huh.

VINSON: ...he kind a had the door open, he's kind a tilted out the side. So when we pull up everybody hops out, Pendergraph goes lethal on the sus...on...driver's side, Miranda goes lethal on passenger side, Wiggins is following suit, suspect closes the door, bam, closes the door and I'm assuming he locks the door 'cause his hands go like this and then his hands go down. Everybody's yelling, "Police! Show me your hands. Show me your hands. Po-lice! Let me see your hands." Um he takes the car, his hands come back up and was like he's about to drive...grabbed the collar of the drive...of the steering wheel um the shifter was on the collar looked like he was about to drive it. So I'm thinking he's bout to put the vehicle in drive and drive off so at this point I'm locked out in A frame on the driver's side of the van and I've got my gun pointed at him. As soon as I see him...him take his hands like he's about to put it in the driver's seat I hop back in the van which was still running and I closed that gap, there's a little bit of a gap between our two cars, but I close the gap and I get all the way up on him. I get back out the car...

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Winterhalter: Where is Sergeant Pendergraph at this point?

VINSON: He's...he's still up here.

Winterhalter: Is he posted on the windshield...

VINSON: No he's...he's...

Winterhalter: ...or is he in front of the car?

VINSON: ...he's...he's...he's on driver's side.

Winterhalter: He's on the driver's side?

VINSON: Yeah just like Miranda's on passenger side <Talkover - inaudible>

Winterhalter: <Talkover - inaudible>...at the...

VINSON: Yeah, yeah.


Winterhalter: ...side view mirror?

VINSON: Correct.

Winterhalter: Somewhere around there?

VINSON: So...Miranda starts yelling, "Gun, gun, gun! Gun, gun, gun!" Everybody's still yelling, "Show us your hands! Show us your hands! Police! Police!" Miranda keeps on saying, "Gun, gun, gun!" He's pulling on the handle, he can't get ...he can't get the door open 'cause it's locked. He calls for a baton...he's like, "I need a baton to break the window." Hostutler runs around...he runs around from the driver's side

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of the vehicle and goes all the way around to the back and gets to the back passenger side of the vehicle. He pulls his baton out, he strikes the window once, it doesn't break. You just hear a loud bang. He strikes it again. Pow! You hear the glass break. The whole time this is happening before Hostutler started banging on the glass, you just see the suspect...he's just got this look on his face like he's...it's almost like he's...he's intense, but he's not there at the same time. I can't really explain how he's looking it was just like...I don't know if he was trying to figure out what he was gonna do, but he just looked like he...he didn't care what we were saying like he...he wasn't gonna comply, he kept his hands down, Miranda's yelling, "Gun, gun, gun! Um...we're not getting anywhere and I feel like we're just...we're just stuck. Everybody's stuck...everybody's saying the same thing and nothing's happening. We're not getting any results. So that's when Miranda finally starts saying, "Hey, break the glass." Hoss hits it once like I said before, he hits it twice...glass breaks. As soon as the glass breaks, the suspect gets out of the vehicle and he comes out and mot...moves to the front of his vehicle with the gun in his right hand and he squares up towards me. So at this point when he comes out...

Grande: Here, let me give you another piece of paper <Inaudible>

VINSON: (Sneezes) Excuse me. <writing> So when...when Miranda starts yelling, "Gun, gun, gun," Pendergraph falls back, I'm assuming, 'cause he's no longer here. I'm assuming he fell back to get cover. So you've got Hostutler and...I'm thinking Hostutler on the back with the back passenger, you got Miranda on the passenger window, you've got nobody on driver's side...and then I'm assuming Pendergraph and Wiggins...Wiggins was back here. Um, I go right here...I'm in the A frame of the vehicle, unsupported, but I'm just using the car as cover um I'm locked out on the suspect. When the window breaks, the

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suspect moves the...out of the vehicle and comes right here. So we've got Pendergraph somewhere back here...got Wiggins with him.

Grande: And when you say right here, you've kind a drawn a line <Talkover - inaudible>

VINSON: Yeah.

Grande: <Talkover - inaudible>...like the front <Talkover - inaudible>

VINSON: So...yeah, so ...


Grande: <Talkover - inaudible>

VINSON: ...he got...if he...if you get out...out...out of a car he moved to like the front left fender...

Grande: Okay.


VINSON: ...nd proceeded in front of the vehicle. So he got out and came ...he came...he came towards Wiggins and Pendergraph. Hostutler and Miranda moved to the back side of the car. So you've got officer's right here, you've got officer's right here, you've got the suspect coming towards these officers, and you've got me right here. I was in the A...A pillar of the car. When he moves up like this, I move up and I get to the...over the hood of the car, I mean over the hood of the van like I'm...so between me and him is my hood and I don't know, a few feet maybe a few yards...three or four yards and he's standing right there with the gun in his hand. Um...he had this look like...he was deciding what he was gonna do. He wasn't...he wasn't running, if he wanted to try to get away, he had...there's a hill right here and you have apartment complexes. He came towards us instead of getting

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out the car and running. So he came out, squared up on us and he had this look in his eye like he was trying to decide what he was about to...who...what he was gonna do...like it was about to happen right now. He said he...he didn't say anything but he had just this...I don't know, I've never seen that look before, it was like he just wasn't...wasn't there and he's...he just had like this evil look. And he...so we're...at this point we've been giving him verbals the whole time he's in the car. When I pulled up I saw he had a gun that's why we're in this situation from the get go...before we planned the op. Miranda's yelling, "Gun, gun, gun!" He decides to come out the car with the gun in hand. He's still not complying...not listening to anything we're saying. And at this point he looks at me <Inaudible> I'm across the van...he looks at me and then he looks at...he looks over in Pendergraph and Wiggins' direction. He looks in Miranda and Hoss' direction and then he turned back to me. While this is all going on we're still yelling, "Police! Drop the gun, drop the gun...drop the gun, drop the gun!" I felt like if I didn't do anything right then at that point it's like he...he was gonna shoot me or he's gonna shoot one a my buddies um and it was gonna happen right now. So I reacted, I was the only one that had a decent backdrop. Um Miranda and Hoss were over here, Wiggins and Pendergraph were over here and neither one of them tried to take the shot. It'd be...it could be a blue on blue incident. So I fired, I fired my weapon over the hood of the car. I think I fired four times um...he dropped, the gun fell out his hand, he fell on the ground. Um...Hoss and Wiggins moved in, I came around, they started treat...working on him. Um we made sure the weapon was secure over here. They start working CPR on him. Pendergraph got on the radio, switched over to University Main and...got on the radio um and let 'em know, ya know, "Suspect down. We need Medic. We need officers out here 10-18." We're working on him...their working on him while he's on the ground. I see a black gun um looked just like the gun I had seen earlier. It's on the ground he's laid on the ground on

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his stomach. He's got...I see...what appeared to be a ankle holster um which...what I'm assuming that's what the gun was in before he pulled it out. But I see a ankle holster on his ankle while he's laying down. Hoss and Miranda are ripping his clothes off trying to find the bullet holes, trying to work on him. Um sounds like he has a sucking chest wound just from when he's breathing, it sounds like air is getting out. We didn't have anything to patch that with, but we're calling Medic. Um at this point officer's start showing up we're trying to...we're trying to secure the crime scene. Medic asked if it's...if the scene secure for them to roll in. I get on the radio and I said it is. I get on the radio and tell 'em that we need more officers out here to secure the...to secure the crime scene...you got family members coming from this direction yelling and...carrying...I think his wife was out there and they were all yelling and moving in. So I'm calling for officers to help secure the scene. Um...at that point Sarge...I'm checking on everybody to make sure everybody's alright. Sarge grabs me and tells me to just go sit down. Um...and, you know, just let everybody else take over since now officers were showing up on scene...and um...that's why we're here today.

Grande: Okay. Well I appreciate you going through all that. I know that it was a lot to cover. I do have some questions to go over.

VINSON: Okay.

Grande: Um some of them may be difficult um but it's important that we try to get all the details out as we possibly can and give you a chance to kind of explain the situation um as best as you possibly can. During this whole incident, did there...anything else come up with the Walter Boyd briefing and...and your primary objective for being out there to begin with.

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VINSON: As far as...?

Grande: Was there any connection between what happened here and your investigation with Walter Boyd?

VINSON: <Talkover - inaudible>...unless anything comes to light at...at this time, when this was occurring, there's no connection to my knowledge of the suspect here and of Walter Boyd. It was just...he pulled next to us, he had marijuana and he had a gun in his hand. So that...I don't know, I mean I can't speculate, but I don't know if there's any relation at all. I can't say yes or no.

Grande: Okay. So...the contact that you all had with this individual was separate from your primary objective out there...

VINSON: Correct.


Grande: ...looking for Mr. Boyd?

VINSON: Correct.

Grande: Okay. Let me give you a chance to kind of explain this. What was the purpose for making contact with this individual in the car...in this Expedition?

VINSON: Okay. Um...obviously he had the marijuana which usually...obviously that's illegal. But being that we had an investigation going on right here, we didn't wanna jeopardize our investigation over here for a little bit a weed. Um, once I saw the firearm, now we've got drugs and guns and we've got probable cause on the vehicle 'cause of the marijuana and he's got a gun so that's what brought us to him to investigate

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further what was going on in that situation with him and...and the nar...narcotics um and then obviously it escalated to what it did.

Grande: Okay. Can you describe this individual in the Expedition? What was he wearing, what'd he look like?

VINSON: Um he was a black male um...I had to give him...he was heavier set. Um he wasn't like fat, but he was definitely bigger. Um he was probably six foot, 6'1...he was darker skin. I...I can't remember exactly what he was wearing. Um...um...um I...if I had to guess I would say blue jean shorts and a white T-shirt, but I...I can't remember what he was wearing. Um I know for a fact that he was ...it was the same vehicle and it was the same male that I saw get out the car earlier when we first pulled up and was behind us. Um, other than that I can't... but he had a low haircut um...

Grande: After you saw him back in, you mentioned that you observed him rolling a blunt.


VINSON: Yes.

Grande: What, based on your experience, your training or anything, would lead you to believe that that was marijuana that he was dealing with?

VINSON: Okay, um just from prior knowledge of just working where I work um when people, they call it gutting, they...they'll cut the tobacco out, they'll cut open a cigar and dump out tobacco um and then they'll...they'll place marijuana in the wrapper that was left from the cig...from the cigar and um then they'll roll it up. Um and that's always been, for me in my personal experience, every time I've seen that or that's been...there's been guts on the ground from tobacco there's always been marijuana in the wrapper. Um, like I said before, I saw

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him cut the cigar open saw him placing something inside the wrapper and then I saw him rolling it up.

Grande: Okay. And that's when you informed Sergeant Pendergraph of what you saw...

VINSON: Yeah about him rolling, what we would call, a blunt...a cigar full of marijuana.

Grande: Okay, and then you saw the firearm afterwards?

VINSON: Correct.

Grande: What did he do with the firearm when you saw him holding it?

VINSON: He held it up like this and it kind a looked like the slide was back um...and then once he held it up, he put it back down. I don't know if he put it in the console I don't know if...he put it in the ankle holster that was on him. But he had...the gun was up in the light like this, I got a good view of it, I saw it was black, saw it was a smaller pistol and then he put it back down.


Grande: Okay. And you let Sergeant Pendergraph know about that as well and asked him if he could see it through the windows. Is that what you said?

VINSON: Yeah.

Grande: And then you backed out of that parking space, you describe to go to the back of the parking lot...

VINSON: Correct.

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Grande: ...of the apartment complex and you radioed for the other officers and I guess you, basically, had what sounded like a...a briefing?

VINSON: Yeah we had like a quick um fluid briefing on how we were gonna do a vehicle take down on this...on the suspect.


Grande: Okay. And is that where assignments were kind a given out saying he's here and this is where everybody's gonna go?

VINSON: Yeah so it...yeah it was kind a set up, he's right here...um obviously I...me and Sergeant Pendergraph, we're gonna be the pin car because we had more intel as far as exactly where his vehicle was at...

Grande: Uh huh.

VINSON: ...parked right next to him. Um Wiggins and Miranda, who were in the Expedition, they were gonna be behind us and just how it usually works out is, you know, you'll have...you have two cars pinning like our assignments were that's usually how you'll do a take down. So the driver's primary concern is getting the car up there and getting it pinned. Front passenger always goes...it depends if the cars nosed in or backed away from us. In this case we were nose to nose, so front passenger and pinning vehicle goes lethal on driver's side. The rear Expedition, you know, depending on which way the cars facing like before...in this case, it had to be the driver of the Expedition ended up going lethal on the passenger side and then the pass...actual passenger in the second vehicle ended up being caught on the...the driver's side, to be the extractor.

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Grande: Okay. Were the marked officer's part of this little briefing back here or were they <Talkover - inaudible>

VINSON: They were not, but they were briefed on the radio um...that we're doing a vehicle take down and they were given the exact location of vehicle and um...they rolled in simultaneously <Talkover - inaudible>

Grande: As you approached?

VINSON: Yes.

Grande: Okay. And as you're briefing you mention some other assignments and I think when you went through this before, you said other officers were gonna have lethal cover, um...what tools or what weapons did you have on your person um during this whole, I guess, operation?

VINSON: I had our...department issued firearm...Smith and Wesson M&P 40. Um, that's what everybody else was carr...everybody was carrying their duty weapon and um...that's what was used for the ...for the lethal coverage on...

Grande: Okay.


VINSON: ...the vehicle.

Grande: Did...did you have anything else, pepper spray, taser...

VINSON: Um...

Grande: ...anything else like that <Talkover - inaudible>

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VINSON: I did not, I was working at...in a undercover capacity at the time. So generally we'll just carry our firearm so...so we can conceal it and then if we need to have it out we can have it out. We carry our firearm and obviously our badge. Um once we went back here to brief, that's when we all got suited up so we could be easily identified as Police, put my vest on, I put my badge up by my face. Um...I exposed my firearm um the whole nine.

Grande: When you got suited up, I think you explained before that that included the body armor vest. Did that also include anything else like taser or pepper spray any other...

VINSON: It did not no.


Grande: Okay, you didn't have any of those at your disposal?

VINSON: No.

Grande: Okay. Um, how much time passed from when you left the Expedition and went back to that briefing and then returned back to the Expedition?

VINSON: Um I would say two minutes...two or three, it was quick um...'cause while we were...while we were calling it in we were driving back and...so as soon as Miranda...and we just got back there, we all hopped out, got suited up, talked about where everybody was going and then we were right back on there um right back to the incident location. So I mean I can't give you exact timeframe...definitely less than five minutes I would say two...two, three...two or three minutes, two minutes.

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Grande: Okay. While you're back there doing the briefing, was anybody maintaining any kind of visual observation of the Expedition?

VINSON: No.

Grande: So nobody was watching him so...for y'all briefing back here, you don't know what he was doing or if he was still there or if he left or anything like that is that correct?

VINSON: Correct.


Grande: So you return back to the area, was he parked in basically the same place?

VINSON: Yeah his vehicle had not moved. He was...like I said before, when I backed out how he had the door open a little bit um and we were pulling back up to re-approach, Pendergraph was saying, "Door is open." So I mean, he was parked in the same spot um and uh he was in the position of the vehicle.

Grande: Okay. And so then y'all stop your car, you get positioned, everybody kind a gets into their places as you kind a described um how much time passed from when you first made that contact when all the officers made the contact to when Miranda started yelling. "Gun, gun, gun?"

VINSON: So as soon as Miranda got out to...got out a this vehicle and made it up to the passenger side of...of...as soon as he got out of his Expedition and made it up to the suspect vehicle on the passenger side, he looked in and he immediately started yelling, "Gun, gun, gun, gun, gun!" That's when Sergeant Pendergraph, I believe, 'cause he wasn't there anymore, fell back for cover. Um I feel like he was on the

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car forever. He was there long enough for Hostutler to get out the car. He's yelling, "I need a baton, I need a baton." Hostutler runs all the way around and brings the baton to the passenger side. So I can't...I can't give you like a exact timeframe, but I mean...

Grande: Well if we try to make a timeline...

VINSON: Yeah.

Grande: ...so to speak, you're the first vehicle that gets to him, is that correct?

VINSON: Correct.

Grande: I mean 'cause you park there, you go nose to nose with him.

VINSON: Yeah.

Grande: And Wiggins and uh Miranda...

VINSON: Yeah.


Grande: ...park behind you off the...I think this other diagram over here showed...they're kind a behind you.

VINSON: Yeah.

Grande: And then sometime in here the marked vehicle pulls up?

VINSON: That's correct.

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Grande: Okay. So by...from the time you stopped and you and Sergeant Pendergraph made contact, how much time passed between when Miranda got around and alerted you all to <Talkover - inaudible>

VINSON: So Miranda and Pendergraph...Pendergraph obviously got there first he had a quicker path. Miranda probably got there a second after him. Um both of them...if...from the time of the pin to the time they got to the side of the vehicle, I would say less than three or four seconds.

Grande: Okay. So pretty much immediately?

VINSON: Yes, that's correct.

Grande: And he starts calling for a baton and Officer Hostutler runs around the back of...

VINSON: Yeah...so...


Grande: ...the vehicle...

VINSON: ...he's...

Grande: ...to the passenger side?

VINSON: ...obviously this... like I talked about before, his hands were down uh Miranda sees the butt of a gun, he's yelling, "Gun, gun, gun!" Um the guys hands come...come up like he's gonna put the car in drive. Um I then get...hop in the car, I close the gap and he puts his hands back down, he's not complying. Miranda's still yelling out, "Gun!" He's calling for a baton. Hostutler runs around um strikes the car once, strikes the car twice, glass breaks, suspect gets out of the vehicle and

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then aggresses to the front of his Expedition between...he aggresses right here towards um Pendergraph <Talkover - inaudible>

Grande: Okay we're...we're...we're gonna get to that point in just a minute.

VINSON: <Talkover - inaudible>

Grande: Um so Hostutler runs around, how much time do you think it took that to happen?

VINSON: Um, like I said before, it's almost like we were frozen. Um I would say...it had to be...he had to be yelling "gun" for fifteen seconds.

Grande: Okay.

VINSON: It was a while, it was fifteen, twenty seconds of just yelling "gun, gun, gun"...and we weren't getting anywhere, we couldn't get in the car. Um...nothing was happening we were just stuck.

Grande: Well I think that's my question there you mentioned before that it kind a seemed like nothing was happening and you were stuck almost like a stalemate.

VINSON: Yeah.


Grande: How much time transpired... how many...how long were verbal commands given to this guy in the car?

VINSON: While he was in the car?

Grande: Uh huh.

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VINSON: I mean...if I had to guess it's...close to thirty seconds.

Grande: Okay.

VINSON: It was...um...or longer 'cause I had time to...while he's yelling I had time to get out my car, get in the car, reposition the car, get back out a the car, get back in position, and at this point we still...no compliance so...

Grande: Okay. How far away from the driver do you think you were when you got out of your car?

VINSON: When he was still in the vehicle?

Grande: Uh huh.

VINSON: Um seven yards.

Grande: Okay.


VINSON: If that.

Grande: Describe the weather and the lighting conditions.

VINSON: It was daytime it was um...summertime, daytime...so it was about, I don't know, 3:30 in September. Um the sun was out um the lighting was...was good lighting, it wasn't too shaded or anything like that.

Grande: Okay. So while these verbal commands are...are going you say that, at one point, he reached up to the gear shift lever. Did he make any other motions did he look like he was trying to say anything? What else did you observe?

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VINSON: No he was just looking...he was looking at...he was like kind a looking off in the distance kind a looked like...he looked at me a few times especially when I was moving the car. But he ...he um...he never said anything or never...besides reaching down, he wasn't <Inaudible>...trying to figure out...the car in park, he wasn't...

Grande: Okay.

VINSON: ...he wasn't saying anything.

Grande: Did you see the gun at this point?

VINSON: I did not...

Grande: Okay.


VINSON: ...'cause I was, I mean his hands...his hands were down...

Grande: Uh huh.

VINSON: ...underneath the ...under the dashboard. I'm looking at the car, so I can't see anything that's happening underneath the dashboard. Um...I knew for a...I knew that, from my knowledge, there was a gun in the vehicle 'cause I had seen the gun two minutes before all this transpired. Um so when Miranda was yelling, "Gun, gun, gun," I...I assume that that was the same gun that I had seen two minutes before.

Grande: Okay. And I forgot to ask earlier, was his car running or was it turned off, if you recall?

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VINSON: I don't recall I don't. Um...I can't recall.

Grande: Okay. So y'all were there giving these verbal commands repeatedly so maybe thirty seconds or whatever, how...however long it took and then he started to exit the vehicle.

VINSON: Yeah.

Grande: Were you still there at the A post of the van when he started to exit the vehicle?

VINSON: So when he exits the vehicle and he comes out he's not like...he just comes out normal not like he's about to run he just walks out the car and walks around with the gun in his hand like this and um...

Grande: When you say "like this" you're...

Laughrun: <Coughing>...Pardon me.


Grande: ...you're kind a motioning with your right hand over to your side?

VINSON: Yeah, so it was kind a like by his waist in his hand. Um...like wasn't close to his body it was kind a like...like he was...like if you were turning it would be, I don't know, 45 degrees or whatever you wanna call it. Um he walks around to the front of the car um...

Grande: Let me...let me ask you this question, we talked about the gun, how exactly was he holding it how...how good of a look did you get at how he was holding it?

VINSON: Um...what do you mean when you say how was he holding it?

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Grande: Was he holding it by the barrel? Was he holding it by the grip?

VINSON: No, he was...

Grande: Was he...<Talkover - inaudible>

VINSON: ...holding it by like...he was holding the firearm like you would hold a...a firearm, a semi automatic if you're going to fire it.

Grande: Okay.

VINSON: His hand was on the grip. His finger I don't know exactly where his trigger finger was, but it was close, if not on the trigger. It was...he was holding the gun like you would hold it if you ...if you wanted to fire it.


Grande: Okay. How far away from him were you at this point?

VINSON: Um, he was up off the car, I mean I'm up on my hood, well not on the hood, but I'm close to the front left tire of the van. He's probably...I don't know, three or four yards off the car, maybe more. Um...maybe more like four or five yards off the car. So then you've got the...the gap of the car plus the five yards, so I mean we were less than...I would say close to ten yards, no more than ten yards away.

Grande: Okay. Could you see him from head to foot or could you only see a portion of him <Talkover - inaudible>

VINSON: I could see...when I came around the...and got on the hood I could <Inaudible>... go by the hood. I could see his whole...from foot to head I could see his whole body.

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Grande: Okay. And how was he walking away from the vehicle?

VINSON: Um he wasn't in a hurry. He wasn't...he wasn't like ...like he was about to run, he wasn't jittery. It's almost like he...before he got out the car he took a...when he had...when Hoss hit the car it's almost like he took a deep breath like he's relaxed...just took a deep breath and he got out the car. And the whole time he was getting out we're yelling, ya know, "Show us your hands! Show us your hands." At this point when he...the door is open, so I just see him getting out I can't see anything until he gets in front of the door. When he comes around, he squares up with me and I see the gun in his hand and we're still yelling, ya know, "Drop the gun, drop the gun! Police, Police! Drop the gun!" He's not complying. He's look...like I said before he stares at me, he stares over in Pendergraph's direction, he stares back in Wiggins' direction, and then he stares back at me. It's almost like it was... I felt like he was...I felt like he was trying to decide who he wanted to shoot first...what his plan of attack was. It's like he was going through it...it was...it seemed like it was forever, but it was like <snaps> that.


Grande: Why do you say that?

VINSON: Why do I say what?

Grande: You feel like he was trying to, I guess, formulate some sort of plan of attack. What...what makes you think that?

VINSON: Because we've got three off...we've got officer's here, we've got officer's here, we've got officers here, if he wanted to get away he would a ran where no Police were, he had a wide open gap right here. If he wanted to comply he would a came out with his hands up with no gun. If he wanted to comply when he was in the car he would a had

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his hands up...“Hey I’ve got a gun in my ankle. I’ve got a gun in the car.” And he woulda had his hands up. He came out with the gun and he squared up with me...and he looked at the other officers and then looked back at me. So it wasn’t as though he was trying to figure out how do I comply with Police, he wasn’t trying to figure out how he could get away, he was trying to figure out how he was gonna shoot it out.

Grande: Okay. Now let’s talk about probably the most important part of this whole thing. When you made that decision to fire your weapon at him, what exactly was he doing?


VINSON: He was an imminent threat to me, I thought he was gonna either shoot or injure me or shoot or injure one of my buddies like if I didn’t do anything right now, at that moment, I knew that...I mean my life could be over with.

Grande: Did he say anything after he exited the vehicle?

VINSON: He didn’t say anything when he exited the vehicle. He didn’t say anything, to my knowledge, when he was in the vehicle. There was...he didn’t...he didn’t say anything at all throughout the whole ...he just had this look on his face like...it’s almost like he was thinking like he was...he was just intense, he had like this intense gaze. Um he wasn’t talking, he wasn’t complying and he’s coming out the car with his gun.

Grande: You mentioned that officers were giving verbal commands, were you giving any verbal commands?

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VINSON: Yes, so...originally when we pulled up and Miranda's yelling, "Gun, gun, gun," I'm yelling uh, "Show...show us your hands! Police! Show us your hands! Police!" Um...

Grande: Let me just make... You're not saying ...are you saying please  
<Talkover - inaudible>

VINSON: Po-lice...Po-lice.


Grande: Okay.

VINSON: Po-lice. Um...identifying ourselves, we're yelling, "Show us your hands. Po-lice." Um...when he gets out the car my verbal commands...are... while he's behind the door, while he's coming around the door, I'm still saying, "Show us your hands! Show us your hands!" When he comes out the car with the gun in his hand, at that point I'm yelling, "Drop the gun! Drop the gun! Drop the gun!" And then that's when...those were the verbals like was given before I fired my weapon.

Grande: Okay. You mentioned that he had, what looked like, an ankle holster on...describe it to me.

VINSON: So it was...it...it was cloth, it was wrapped around his...I can't remember what ankle it was wrapped around. I just saw it when we...when we were...when he fell after he got hit, shot, and we were trying to perform first aid on him we were cutting his clothes off to see where his injuries were at, I could see a ankle holster um...I wanna say it was Army green, I can't remember the exact color, but it was a cloth material um and I mean it was a holster, it was...I don't know how to explain it better than that then, you know, it was...molded to fit a...a firearm.

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Grande: Okay. And you saw a gun on the ground after he fell?

VINSON: Correct.

Grande: Describe it to me.

VINSON: It was a black semi-automatic...um looked like a compact uh...a semi-automatic pistol, black in color...it was smaller, so I'm assuming it was probably a .380 or .22.

Grande: Okay. I think you mentioned this before but just to make sure, did it appear to be the same gun...

VINSON: It did.

Grande: ...that you saw earlier?

VINSON: Yes, it was the black...it was a smaller, it was a black semi-auto...semi...semi-automatic pistol and that's what I saw him hold up when he was in the vehicle initially.

Grande: Okay. Were...was there anything else on the ground that you observed around him?


VINSON: Um...no noth...nothing like uh...I mean he was bleeding, there's blood but there was no like...nothing, no personal effects.

Grande: No objects.

VINSON: No objects.

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Grande: Okay.

VINSON: Besides the firearm.

Grande: Okay. After this happened did you make a search of the vehicle?

VINSON: I did not um...I know some officers did um...I think uh Miranda looked inside the vehicle um. I initially, when they were doing the take down they had cleared <Inaudible> look in the vehicle, they had a idea that nobody else was in the vehicle. But after he got shot then I don't know...I don't remember what officer but I...know a officer went to clear make sure nobody else was in the vehicle.

Grande: Okay. And I should've asked this earlier, when you had first seen him and even after that when you all made contact, did you see him using anything like a cell phone, a tablet um or anything that might appear to be one of those objects?

VINSON: I <Inaudible>...I...I don't know, I...I do...I feel like I remember him making a phone call or being on the phone for a little bit um...


Grande: When did that happen, was that...

VINSON: <Talkover - inaudible>

Grande: ...when you first saw him?

VINSON: <Talkover - inaudible>...I'm just speculating now, I don't...I can't...a hundred percent say if he was on a phone or I don't know if he...he could a been texting from his waist or I don't know, I...I didn't see...I never saw him talk the whole time throughout the course of...I don't know if he was fidgeting with the phone earlier or what but...

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Grande: Yeah go back to when he first arrived and you said he got out a the car and just kind a walked around <Talkover - inaudible>

VINSON: <Talkover - inaudible>...first time <Talkover - inaudible>

Grande: Did you see him...

VINSON: No I didn't...

Grande: ...with anything in his hands?


VINSON: No um...there was nothing in his hands um, like I said, I think he had like a white T-shirt on and some jeans. He kind a looked into the car and then what I felt like he was doing, I felt like just from prior experience, I felt like he was look...trying to figure out who we were and then he walked to the front of our car and kind a looked in the grass like he was trying to play it off, like that's the reason he really got out. That's what I felt like um but I don't know I'm speculating but...so after he walked by our car, the whole time he's walking by I'm looking at him, he's looking at me like walking, looking at me and then he like looks in the grass and then he turns back around and looks at me again the whole way back to his...back to his car, he leaves. Like I say he came ...comes back about ten minutes later.

Grande: Uh huh. Okay.

Winterhalter: George you wanna ask anything, or do you want me to finish up real quick?

Laughrun: <Inaudible>...whatever you want Sarge <Inaudible> whatever you prefer <Talkover - inaudible>

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Winterhalter: That way if you got any questions <Talkover - inaudible>

Laughrun: <Talkover - inaudible>

Winterhalter: Um...

Laughrun: Would you mind if I mark these?

Grande: Sure.

Laughrun: <Talkover - inaudible>

Winterhalter: Well it's just um...

Laughrun: <Talkover - inaudible>...1, 2, 3, 4, 5 <Talkover - inaudible>

Winterhalter: <Talkover - inaudible>

Laughrun: <Talkover - inaudible>...order you showed him, is that okay?

Grande: <Talkover - inaudible>

Winterhalter: <Talkover - inaudible>...map 1, map 2, map 3 <Inaudible>


Laughrun: <Talkover - inaudible>...this way and then... is that okay?

Grande: That's fine.

Laughrun: Okay.

Grande: <Inaudible>. Like that?

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Laughrun: Yeah is that okay <Talkover - inaudible>...I didn't mean to cut you off.

Winterhalter: Nah, you're good. Alright you just went for a... a long stretch there, take a deep breath I just wanna ask a few follow-up questions. Okay?

VINSON: Yes sir.

Winterhalter: I'm gonna expand upon a couple things <Inaudible> Um...talk to me about...I know on the form we ask if you had your body worn camera on and you indicated no. Are you issued <Inaudible>

VINSON: I am issued a body worn camera that...

Winterhalter: <Talkover - inaudible>...everyone on CRU has one <Talkover - inaudible>

VINSON: Yes.

Winterhalter: Okay.

VINSON: Uh huh.


Winterhalter: Um do you guys ever deploy in a uniform capacity with the CRU?

VINSON: We do...we do um whenever we're in uniform obviously um like the unmarked officers that were out there.

Winterhalter: Uh huh.

VINSON: Um we wear body cameras. Um when we're in a UC, undercover capacity, UC, capacity like myself was yesterday um we don't wear

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body cameras um. Trying to...if we drive unmarked cars we're not wearing body cameras, we're trying to be undercover and blend into our environment.

Winterhalter: Okay. Tell me about um...I know that you were in a undercover capacity yesterday, tell me about your UC experience within the division.

VINSON: Um I've been on CRU for I guess two months, um...of those two months I've been...I've been doing C...I've been doing undercover. I do most of our ...most of our surveillance in the area um...just due to the fact that I work in Metro it's just...it's a high African American population and I tend to...fit in more with the environment. So I tend to take care of most of our undercover and surveillance work.

Winterhalter: And did you deploy differently yesterday then you had any of those other times in the two months?


VINSON: I did not, I tend to wear um ya know street clothes, I'll have my firearm um on me, I'll have it so I can...conceal if I need to under my shirt. Um I'll have my badge with me uh my radio with me and I'll have some type of vest...whether it be a vest that we wear like I was wearing yesterday that goes under our uniform...

Winterhalter: Uh huh.

VINSON: ...or whether it's a tactical vest with maybe plates in it um...

Winterhalter: Okay and that's what I was gonna ask. Are you issued a tac...tactical vest?

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VINSON: We...we...uh we had tactical vest purchased for us um...by our Captain for...

Winterhalter: For the division?

VINSON: For the division.

Winterhalter: <Inaudible>...for CRU?

VINSON: Yes.

Winterhalter: Okay. So you're issued one...

VINSON: We're issued...

Winterhalter: <Talkover - inaudible>...given your...

VINSON: Yeah.

Winterhalter: ...function yesterday you didn't...


VINSON: Correct.

Winterhalter: ...you didn't have it <Talkover - inaudible>

VINSON: Yeah we have...three or four vests. So since my primary job was we weren't planning to go out there and do a take off or...I say a take off just...

Winterhalter: <Talkover - inaudible>

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VINSON: ...we do a vehicle take down, that wasn't our objective. Um...if that would've been the capacity that we were going out there in we might a been uniformed or suited up differently. But my primary objective was to be surveillance and undercover. So that being said I just had my regular vest...

Winterhalter: Uh huh.

VINSON: ...I didn't have um...

Winterhalter: How many um CRU members are there?

VINSON: There are nine of us including our Sergeant.

Winterhalter: Okay.

VINSON: There's eight officers and the Sergeant.

Winterhalter: <Talkover - inaudible>...got ya. Um...I understand you're getting on the job training for the two months is ...have you had any training experience beyond the Academy in undercover surveillance um tactical operations...


VINSON: I've been through our...

Winterhalter: <Talkover - inaudible>...takedowns or anything like that?

VINSON: Yeah so we have um monthly CRU, Crime Reduction Unit, training at the Academy...

Winterhalter: Uh huh.

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VINSON: ...where we'll do...we'll activities such as um work on vehicle takedowns um we do stuff in the shoot house for serving warrants. Um actually our last...think we had training last week, we actually...at the end of training the last 30, 45 minutes we just worked on vehicle takedowns and the techniques that we use during vehicle takedowns.

Winterhalter: And is that, I know it used to be um where CRU units from different divisions would come together and <Talkover - inaudible>

VINSON: Yeah.

Winterhalter: ...together...

VINSON: So that's what it...

Winterhalter: ...kind a maximize <Talkover - inaudible>

VINSON: Yeah so...

Winterhalter: <Inaudible>...type a training that you've been attending?

VINSON: Correct so it's um...they do it based off of service area.

Winterhalter: Right.


VINSON: Half the CRU's in the city will train one day, the other half will train another day so...

Winterhalter: And that was um at CMPD Academy?

VINSON: That is at CMPD.

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Winterhalter: <Talkover - inaudible>

VINSON: Correct.

Winterhalter: Um other than in the training capacity have you had an opportunity to um actually um...do a vehicle takedown?

VINSON: Um other than training uh...no um that was the first one I was a part since I've been on the team...that I was a part of that actually...there few opportunities where we set up vehicle take downs and...

Winterhalter: <Talkover - inaudible>

VINSON: ...it ended up happening another way.

Winterhalter: <Talkover - inaudible>

VINSON: But that was the first time that we...since I've been on the team that was...well, since I was there that a vehicle takedown was executed.

Winterhalter: Okay. Um and uh the van that you were driving, the...do I need to speak up?


Grande: No, I'm just moving it away from his pad.

Winterhalter: Um...

Laughrun: Sorry.

Winterhalter: ...the...the van you were driving was that...did that have any equipment in it at all? I know it was unmarked, but is it...

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VINSON: No so...

Winterhalter: ...like a rental...a rental car that you drive around or does it have...

VINSON: Yeah so... we'll get...we...

Winterhalter: ...lights and sirens and...?

VINSON: No it doesn't have any...it's just...

Winterhalter: <Talkover - inaudible>

VINSON: ...an old raggedy van.

Winterhalter: <Talkover - inaudible>...ragged out van?

VINSON: Yeah, we get 'em from dealerships, they let us...I guess it's a tax write off for them or whatever so...


Winterhalter: Okay.

VINSON: We drive ...the cars they're not suited for...they're not suited any capacity for like radios or anything like that.

Winterhalter: Okay. Um... couple other things before I shift gears. Um...so in...when in a uniform capacity and the uniformed CRU members deploy with their outward tact vest carriers, are these carriers that are...have the ability and are ...and / or are equipped with, ya know Mag pouches...

VINSON: Yeah.

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Winterhalter: ...taser, that type a thing?

VINSON: Correct.

Winterhalter: Okay.

VINSON: Um we've got um...we've got tactical vest that have spot for Mag pouches and radio um <Talkover - inaudible>

Winterhalter: But those are issued to the...to the unit...

VINSON: Correct.

Winterhalter: ...not officer specific?

VINSON: Correct. So we have eight or nine officers <Talkover - inaudible>

Winterhalter: And you got half of that...

VINSON: ...three or four tactical vests.


Winterhalter: Okay. And, to your knowledge, the guys who were in a uniform capacity yesterday had those items on those...<Talkover - inaudible>

VINSON: To my knowledge.

Winterhalter: Okay. Um alright let's shift gears just a little bit, to the...the parking spaces itself.

VINSON: Okay.

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Winterhalter: Um...when...when you pulled up to the spot, do you remember...did...you know, was the leasing office open, was it visitor spots...

VINSON: Um...

Winterhalter: ...or was it a leasing spot?

VINSON: ...uh...

Winterhalter: Was there anybody else that came and went from there, or was he the only one that kind a came and went?

VINSON: He was the...he was the only car that was...that I saw...

Winterhalter: Yeah.

VINSON: ...that was moving um...

Winterhalter: And was there anything else other than what you've described that kind a drew your suspicion to him initially?


VINSON: Oth...other than the fact that um obviously I...when he first blocked us in...

Winterhalter: Uh huh.

VINSON: ...and got out the car that kind a raised our hairs like...what's this guy doing? Um we didn't know if he knew we were Police or...

Winterhalter: Right.

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VINSON: ...what so that kind a tuned me into...I got a really good look at him then 'cause...

Winterhalter: Uh huh.

VINSON: ...I got a good look at the car, I got a good look at him 'cause it kind a not freak us out, but it like...

Winterhalter: Right.

VINSON: ...had our alerts going like what's this guy doing so...

Winterhalter: So in the vehicle then this guy kind a blocks you in then later on he comes up and he...what...is there a conversation or further conversation between you and Pendergraph like, "Hey, man. If he comes back up to the car we're gonna have to <Talkover - inaudible>

VINSON: Yeah.


Winterhalter: <Talkover - inaudible>...we're gonna have to badge him, we're gonna have to get out with him anything like <Talkover - inaudible>

VINSON: Yeah so at...at that point when um...the first time he um...he did what he did and drove off, when he came and backed in and started like rolling a blunt...

Winterhalter: Uh huh.

VINSON: ...we were still kind a like what...what is he doing? Um...Pendergraph got a badge ready and um we were gonna...yeah just in case we needed to flash him or identify ourselves.

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Winterhalter: <Talkover - inaudible>...you said earlier that you thought oh we must be straight because <Talkover - inaudible>

VINSON: Yeah he start...yeah he started smoking...

Winterhalter: <Talkover - inaudible>

VINSON: ...a blunt. Exactly.

Winterhalter: Okay. Um now you described kind a looking back and that's when you first saw the gun in his hand um...and I think you've detailed that ...that a couple times. There wasn't any kind of tint on the Expedition that you remember, front or back?

VINSON: No um...I saw through his...I was looking through the driver's side window...

Winterhalter: Okay.

VINSON: ...and to my knowledge there was no tint on the driver's side window I saw straight through...

Winterhalter: <Talkover - inaudible>...clear straight through...


VINSON: ...the sun was shining through the car.

Winterhalter: ...you see him doing his thing?

VINSON: Yeah.

Winterhalter: Okay. Um do you think ...I know you described as...his right hand comes up he's holding it up kind a towards the ceiling is how you were

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motioning, was it...he's kind a inspecting it, looking at it, is he showing it to yall like hey I'm...I'm...

VINSON: I don't...I don't know what...

Winterhalter: ...I've got a gun, hey...I mean anything like that? Was there any look associated with <Talkover - inaudible>

VINSON: He never looked back at...at me. I don't...I don't think he looked at Sarge <Inaudible> Sarge couldn't see him.

Winterhalter: And he's just kind a holding <Talkover - inaudible>

VINSON: He was looking straight ahead he was holding his gun and it looked...I got a really good look at the gun, it looked like the slide was back cause it looked like I could see the barrel...

Winterhalter: <Talkover - inaudible>


VINSON: ...angled up, I'm not a hundred percent, but it looked like the slide was back consistent with somebody loading a gun um and I mean that's...that's how I load my gun is I hold it like this and...I insert the magazine, that's kind a how...if you're right handed, he had his right hand it was kind a up like that like he was loading it or...

Winterhalter: Okay um... when you first got to the complex before...how long did you do the surveillance for prior to going to the 7 Eleven?

VINSON: Okay so we were in the lot for...we were in the main lot, we were probably there for 30, 45 minutes um...

Winterhalter: So then you go to 7 Eleven...

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VINSON: Correct.

Winterhalter: ...they take... Wiggins and them take up your position...

VINSON: Correct.

Winterhalter: ...you come back to this...

VINSON: To...uh come back to...

Winterhalter: <Talkover - inaudible>...earlier and how long were you there before he...his first arrival?

VINSON: Um not long maybe um...maybe five, ten minutes. It wasn't long cause I was like...'cause I remember thinking man this is a good spot to...right after that thinking man this is sketchy 'cause now I'm...thinking it was a good spot 'cause I could see through the apartment and then shortly after that I remember thinking this is sketchy 'cause what's this guy doing.

Winterhalter: Uh huh.

VINSON: So it...<Talkover - inaudible>


Winterhalter: <Talkover - inaudible>

VINSON: ...we weren't there long.

Winterhalter: <Talkover - inaudible>...very long and then he does, he checks you out, he leaves for I think you said maybe ten minutes <Talkover - inaudible>

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VINSON: Yeah.

Winterhalter: <Talkover - inaudible>...comes back and that's when he backs into the space.

VINSON: Correct.

Winterhalter: Alright lets shift gears to...think you described the tactical plan um yeah you moved over, you described the tactical plan and who...who was actually...ya know I understand that it's...um Miranda, it was his initial op to find the um...

VINSON: Boyd.


Winterhalter: ...Boyd subject, ya know, you kind a developed the PC on this guy and you have the supervisor on scene, I mean who's crafting this plan in the adjacent parking lot and making assignments?

VINSON: Oh okay when we go...so Sarge and Miranda, mostly Sarge, are...everybody's talking but...

Winterhalter: Right, just hashing it out.

VINSON: ...you know, usually ...usually somebody that will speak up whether it's... I mean I'm talking because I have in...me and Sarge have the best knowledge... 'cause we got firsthand knowledge so Sarge is talking about, you know, roles...we both agree kind a...I don't remember the exact dialogue, but it was either him or me both agree that we were good with the pin veh...the pin vehicle. Um we talked about Miranda and Wiggins coming in behind us and being lethal on either side. Um usually with takedowns you don't wanna...you can't

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really rehearse it too bad because it's fluid so you know that...I mean you know if you're pin guy you know you're gonna...you're pinning, you know if you're in the pin car and you're passenger you know you're going to your closest side...

Winterhalter: <Talkover - inaudible>

VINSON: It's...its fluid, it works off of ...depending on which way the cars placed.

Winterhalter: Okay and were the marked units...during that discussion, were the marked units ever considered for more of a primary function in the actual takedown?


VINSON: Um, no, I think it was more <Inaudible> usually with a takedown you'll have um...you'll have a marked roll in generally at the same time ...

Winterhalter: Uh huh.

VINSON: ...as your primar...um...just from what I've seen a Police car is um...is gonna attract attention. If you're doing something wrong, you see a Police car, you're gonna change your behavior. Um when you do takedowns with undercover vehicles its more of the element of surprise, when you pin a person they're still in mid brain trying to figure out what's going on. That's the perfect time for the Police car to roll up lights and siren which is what happened yesterday and...well lights and...get out so it was never discussed to have the marked unit being the primary or have a larger role. The marked unit was just there to help identify ourselves as the Po-lice.

Winterhalter: And do the extraction or <Talkover - inaudible>

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VINSON: Correct.

Winterhalter: And that was an intentional decision made to maintain some kind of cover...

VINSON: The in...integrity of the covert operation.

Winterhalter: Okay. Um...okay fast forward just a little bit. We have...now we know uh Miranda's yelling "gun" um you're at the A frame of your vehicle looking into the windshield, Pendergraph is at the windshield or at the...side view mirror looking down as what you described as the cover officer um and you say that suspect raises his hands to the gearshift...

VINSON: Yeah so...

Winterhalter: So Miranda's seeing the...indicating gun, gun, gun the hands come to the gearshift, does he have his gun in his hands when they come up to your view?


VINSON: No...no. So I can't...I can't ...I...I'm trying to recall like the...the chronological order of things. I'm not a hundred percent if it was...well him just not complying first...

Winterhalter: Uh huh.

VINSON: ...I think him not complying I was trying to get him to show his hands, hands, hands...he's not showing 'em and then he comes up and as like to go put a car in drive then that's when I reposition the car...

Winterhalter: Uh huh.

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VINSON: ...then I think his hands go back down and then I think it's gun, gun, gun, gun...I don't think it was the other way around, I think I might a misspoke so...I think um he...the gun, gun, gun started being yelled after he...like I said I repositioned the car and then he put his hands back down.

Winterhalter: Okay.

VINSON: If that makes sense.

Winterhalter: So when you...you first jump out of the car throw it in park there's a gap...

VINSON: Correct.

Winterhalter: <Talkover - inaudible>...jump out, you think he's gonna move forward, you go back and you try to reposition, close the gap, get back out...take um cover onto him and that's...

VINSON: Gun, gun, gun...

Winterhalter: ...when you're hearing that...


VINSON: Yeah.

Winterhalter: ...and you had seen empty hands, but then his hands went out of view...

VINSON: Yes...

Winterhalter: ...for a period of time?

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VINSON: Correct. So it went from me getting there, I was pulling up and knowing that there's a gun in the car and him not complying to him coming up like this to his hands coming back down to me hearing ...gun, gun, gun so um...

Winterhalter: Okay. Um in this...in these repetitions you've done, training experience you've done and how you described um is...is that in this situation the front seat passenger is going to be the cover officer and provide cover to the extracting team...

VINSON: Correct so...

Winterhalter: ...and whatnot and just tell me, describe to me, what that role means to you.

VINSON: Okay so if you're...we call...we call it lethal...which...or you can call it cover...

Winterhalter: Lethal cover.


VINSON: Lethal cover um you're primary function is...depending on what side the vehicle you...you end up on based off of which way the vehicles are facing, your primary job is to on your side you're looking down and you've got your pointed down into the car <Inaudible>...

Winterhalter: Uh huh.

VINSON: <Talkover - inaudible>...situation. Your primary job is to look for hands, look for weapons, make sure nobody's reached for anything...

Winterhalter: Uh huh.

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VINSON: If it turns into a lethal force situation your job is to take force...to...to handle that situation whether it be escalate or deescalate so that's... all our safety is...is...depending on the...the lethal cover officers if that makes sense.

Winterhalter: Uh huh.

VINSON: So and you have one on both sides, you have one for the passenger side, you have one for the driver's side and they're also the lethal cover for when your extractors come up to get the occupants of the vehicle out. They're the one's that's...cause when you're going to extract, obviously, your weapons not out so...

Winterhalter: Right and you're hands free <Talkover - inaudible>

VINSON: You're hands free.

Winterhalter: At some point in one of these sketches...you've indicated that your lethal cover has retreated and repositioned somewhere else.

VINSON: Yeah.

Winterhalter: Is that accurate?


VINSON: Um to the best of my knowledge, yeah.

Winterhalter: He...he was no longer <Talkover - inaudible>

VINSON: I just know...

Winterhalter: When you got out a the car he was <Talkover - inaudible>

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VINSON: I know when I got...I don't know when it happened or how it happened um I know when I got out...when he got out the car, lethal wasn't there because lethal would've stopped him from getting out of the car; that's...as part of lethal cover you wanna get up on the car <Inaudible>...lean on the door <Talkover - inaudible>

Winterhalter: And identify if there's a weapon in <Talkover - inaudible>

VINSON: Yeah, and also you're leaning on the door, so you control when the occupants come out, if that makes sense. And he was able to get out when he wanted to even though we didn't tell him to get out so... Um I don't know when it happened, but I know lethal on driver's side was not um...was not there. And I don't know if that's...I don't know if that was because...I can't speculate, I don't know if it was 'cause Miranda was...

Winterhalter: <Talkover - inaudible>

VINSON: ...yelling gun and Sarge didn't wanna have a crossfire situation so he stepped back so Miranda could take the shot if necessary. I don't know if that was the logic or...or what.

Winterhalter: We don't want you to speculate we just want you to...


VINSON: Yeah.

Winterhalter: ...like we said, ya know, once...what the...

VINSON: My train of thought.

Winterhalter: Yeah when you're...yeah when you make a plan and this is this person's function, you know...

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VINSON: Yeah.

Winterhalter: ...is that, ya know, your mindset like okay if...there's a lethal threat, there's a lethal...ya know <Talkover - inaudible>

VINSON: <Talkover - inaudible>

Winterhalter: <Talkover - inaudible>...point, if it...then obviously scenario changes then roles change.

VINSON: Exactly.

Winterhalter: Um, did you um see, identify, hear this woman on scene either filming, screaming, talking...tears, immediately before or after or during?

VINSON: So after...the...shooting happened and he's down we're securing the weapon and we're just...we have a officer on the weapon, we're working on the guy, I hear...somebody say...either, "That's my husband," or, "I'm his wife. He better not be dead. He better be okay. I'm his wife." And then that's when I look up she's kind a...where the...the hill that I was talking about um...<Inaudible>...yeah, so she was kind a like in that area like on the side of the apartment.

Winterhalter: Okay.


VINSON: ...I guess what you could call the...not the Baker side but the <Talkover - inaudible>

Winterhalter: <Talkover - inaudible>...

VINSON: Yeah, yeah she's...

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Winterhalter: <Talkover - inaudible>...other truck was?

VINSON: Yeah she's...

Winterhalter: I got ya.

VINSON: ...right there and I'm yelling for her to stay back, stay back, stay back I don't want...ya know, family coming up or I don't know if she's armed or whatever. So I'm yelling for her to stay back, she's yelling, "That's my husband. She better...he better be okay." We're calling Medic, she's...we're telling her...I mean...we're...while we're calling Medic she's saying. "Y'all need to call a Medic!" She's just carrying on showing out um...which I mean I ...understandable, I mean she...apparently came out and supposably her husband is shot, so she was just worked up. Um that's the only female I can remember. I remember telling family members...I don't know if they're family members, I remember telling people coming out um...I remember there being yelling, but I just...

Winterhalter: Okay.


VINSON: ...really remember the black female who was identifying herself as his wife.

Winterhalter: Okay. Thank you. I'm good, George.

Laughrun: Thanks. I just wanna ask you this. When Sergeant asked you a question about when he exited the car, did anybody at the scene ever tell him to get out of the car?

VINSON: No.

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Laughrun: He was not...

VINSON: No.

Laughrun: ...that was not part of the plan for him to exit the vehicle...

VINSON: Correct.

Laughrun: ...unless you guys commanded him to, correct?

VINSON: Correct.

Laughrun: And he was not ever told to the command to get out of the car, correct?

VINSON: Correct. We were more focused with trying to see his hands um as opposed to having him get out the vehicle.


Laughrun: Now Sergeant asked you a question too about you went back for the planning meeting. Did you tell the other officers that were having cover or part of the extraction team or the marked unit that you had seen a firearm in that <Talkover - inaudible>

VINSON: Yeah. That was relayed over the radio that...that caused the initial meeting and this it was talked about again in person when we were...<Talkover - inaudible>

Laughrun: <Talkover - inaudible>...everybody on the team knew that that...Expedition, the suspect had a weapon in the car...

VINSON: That's correct.

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Laughrun: ...you'd seen it, you'd laid eyes on it?

VINSON: Yes sir.

Laughrun: No question it was a gun?

VINSON: Yes sir.

Laughrun: Okay. Now when you... when somebody asked for the baton to break the window, did that come from the marked unit do you know?

VINSON: Yeah so the ...like I said it was kind a fluid. The same time we pulled in...

Laughrun: <Talkover - inaudible>... Here maybe?

VINSON: Yeah, so the marked unit comes in lights <Inaudible>...lights on, he runs around in uniform, comes around, raised the baton, he's banging on the window while the blue lights are going off.

Laughrun: And did Hoss knock <Inaudible>...the one who broke the window?


VINSON: That's correct.

Laughrun: It was an ASP baton?

VINSON: That's correct.

Laughrun: <Talkover - inaudible>...okay. And nobody else from the cover team, you included, had any type of other duty weapons or any tools, anything like that to try to break the window. Is that a fair statement?

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VINSON: That's correct.

Laughrun: Okay. Alright let me ask you one final question...uh Detective uh...asked you earlier that when you fired the shot, the first of the four shots, what was going through your mind exactly?

VINSON: Honest to God, I didn't wanna die and didn't want my partners to die, I didn't want anybody to get shot um I just ...I just knew he was about to shoot somebody.

Laughrun: Had a gun in his hand...

VINSON: He had a gun in his hand, he wasn't...he wasn't complying, he squared up with me, he didn't come out the car like he was trying to run. He didn't have the gun in his hand and take off running, he didn't come out with hands up he came out with the gun turned towards me with the gun in his hand and looked at me...looked at all the other officers and then looked back at me.

Laughrun: When you say he squared up if...if the detective is you can you just show us how he squared up?

VINSON: So he...


Laughrun: The detective is you, how would he have squared up?

VINSON: So he was...

Laughrun: Thank you.

Grande: Uh huh.

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VINSON: ...about <Inaudible>...trying to do a inverted... So he got out the car, he comes around like this and this is his...this is where there's no Police officers at...

Laughrun: There's a hill...where the hill is?

VINSON: Correct.

Laughrun: Okay.

VINSON: This is where Pendergraph and Wiggins are, Miranda and um...Hoss are behind him...

Laughrun: Alright.

VINSON: ...I'm right there and he turns like this. And we're yelling, "Drop the gun! Drop the gun! Drop the gun!" He looks this way, he looks this way and he looks back at me like this...and that's when I fired my weapon.


Laughrun: Okay. And the whole time never complied with any of your commands is that correct?

VINSON: That's correct.

Laughrun: In fact, locked himself in the vehicle so much so that Officer Miran...or Detective Miranda could not get the door open, is that correct?

VINSON: That's correct, the door was actually originally open and when we pulled up and pinned him he closed his driver's side door and locked the doors.

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Laughrun: And you saw Detective Mir...or Officer Miranda, I'm sorry, trying to pull on the door, correct?

VINSON: Correct <Talkover – inaudible>

Laughrun: <Talkover - inaudible>...just like you were doing here?

VINSON: Yeah he had his gun in his hand he was pulling on the door.

Laughrun: And it wouldn't open?

VINSON: That's correct.

Laughrun: Okay. Would there ever be...and I'm asking a crazy question, would there ever be any thought to try to break the weapon with your firearm, is that ...<Talkover - inaudible>

VINSON: No that's...that's not acceptable.


Laughrun: Okay. Thank you guys that's all...thank you.

Grande: Yeah, I think I have one final question uh I think we covered a lot of this in different things that you said, but I wanna ask it a little bit different way. Um...what other options did you feel that you had at the moment you made the decision to act?

VINSON: None. I felt like if I didn't fire right then I was gonna die or ...my...my buddies, my partners, my teammates were gonna die.

Grande: Okay. <Talkover - inaudible>

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Laughrun: <Talkover - inaudible>...follow up on one, I'm sorry.

Grande: Yes sir.

Laughrun: Did you ever see him look at a device, an object...anything and stare at it like he was maybe concentrated on at any time?

VINSON: I did not.

Laughrun: Like, for example, I think the Sergeant asked you do you ever see him with a phone or anything like that, did he ever look like he was sitting there concentrating on a phone, a Kindle, an iPad, a phone...paperback book or book, newspaper...anything at all like that?


VINSON: Not...not to my knowledge um...when I was looking at him he was...he didn't have anything other...and the only thing that I saw in his hands were, obviously, the gun when the shooting happened, the gun held up when he was in the car, I saw a medicine bottle which ...is consistent with what <Inaudible>...people put weed in when they take the prescription off. I saw a cigarillo packet in his hand and I saw him rolling a cigar uh blunt um...but those are only things I saw in his hands. I saw nothing else in his hands.

Laughrun: Let me ask you one final, we've marked on exhibit number four suspect vehicle, your vehicle when you first pulled in, you're up here, Sergeant Pendergraph is here.

VINSON: Correct.

Laughrun: Does the van have any back windows here that the Sergeant could've seen out?

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VINSON: He does...it does but um...I...I feel like maybe the...I don't know how...I...I don't know what his vantage point was 'cause Sarge was facing this way...

Laughrun: Okay.

VINSON: ...his feet were facing towards the Explorer. So I don't know...

Laughrun: And you have a direct line of sight on exhibit four from where you are to where the suspect...

VINSON: Correct.

Laughrun: ...is sitting, correct?

VINSON: Correct.

Laughrun: Direct line of sight, correct?

VINSON: Between two windows that were not tinted, my front window is not tinted, his back window's not tinted.

Laughrun: And you saw his door...

VINSON: Correct.


Laughrun: ...from where you are right here, correct?

VINSON: Yeah.

Laughrun: Okay. Thank you that's all, thank you.

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Winterhalter: How long do you think...from the time he got the medicine bottle, take out the cigarello...gut it, stuff it, lick it, roll it...he's doing that in his lap, correct?

VINSON: Yeah he's...

Winterhalter: I mean he's...how long are...how long do you think that process takes?

VINSON: Um a few minutes...um a few minutes, one or two, it doesn't take long. Uh...I think that the thing that took him the longest was getting all the...the guts out, the tobacco guts, but I mean rolling in and uh putting the marijuana in it that doesn't take long at all.

Winterhalter: Does it look like he's doing it in his lap?


VINSON: Yes. He turns...like I said before, he opened the door and turned, has his feet out and was doing it like that almost outside of the vehicle.

Winterhalter: Okay.

Grande: Okay. Officer Vinson, we've covered a lot of material and I appreciate you walking us through this. Is there anything else we have not asked about that you feel is important and you wanna add?

VINSON: Um...no, I mean other than just the...the fact that he was...it was almost like he...he had every opportunity to comply um from the get go, from when he closed the door, locks the door...after we had already identified ourselves as Police to when we're telling him to show his hands and he's refusing to when he gets out the car with the gun to when he has a chance, he has a gap to escape so when he

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turned and squared up on me with the gun in his hand he...he had every opportunity to ...to comply and he did not and he forced me...put me in a situation where I had no other options but to use lethal force.

Grande: Okay. We'll go ahead and end this statement then, the time now is 3:05.

MG/SW/rge

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