



**Grand Jury Transcript
September 22, 2020
Recording #1¹**

¹ THIS IS NOT AN OFFICIAL TRANSCRIPT; IT WAS PREPARED FROM AUDIO RECORDINGS OF THE GRAND JURY PROCEEDINGS BY COUNSEL FOR THE NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC (“LDF”).

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Barbara Whaley: Good morning, everyone.

All: Good morning.

Barbara Whaley: Today is September 22nd, 2020. I'm Barbara Whaley, assistant attorney general, and we're here with the Jefferson County grand jury, and we have Detective Jeff Ogg who has previously sworn (inaudible).

{Crosstalk}

Detective Jeff Ogg: Good morning. (Inaudible) as we begin, we are going to listen to some police (inaudible) according to officers. And then (sounds like: after everyone has listened to them, we'll) give you (sounds like: the opportunity to ask questions).

Barbara Whaley: So, beginning with the (inaudible), the body camera videos we're (inaudible) were obtained from various officers who were on scene on March 13th. So, what we're going to hear is excerpts from those officers' body cameras.

Detective Jeff Ogg: Yes ma'am. The first one we're going to listen to is from Officer (sounds like: Brendon Tyson). (Inaudible.)

{Plays excerpts [1:30-2:02]}

Barbara Whaley: Detective, the voice we heard (inaudible)—that was Detective Hankison?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: Play the next one.

{Plays excerpts [2:13-2:36]} (Inaudible) in the hallway fired (inaudible) all three (inaudible). Tell me what's going on. Copy.

Barbara Whaley: Now, at the beginning of that footage, we heard the words: "Those are my (inaudible)." And who would that be?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: And who was that man?

Detective Jeff Ogg: That was Detective Brett Hankison. That was also (inaudible).

Barbara Whaley: And the third?

Detective Jeff Ogg: The third audio we are going to hear is from Sergeant Mike (sounds like: Nobles).

{Plays excerpts [3:05-3:22]}

Barbara Whaley: And the fourth?

Detective Jeff Ogg: This one is from my camera audio between (inaudible).

{Plays excerpts [3:40-4:26]}

Barbara Whaley: I think we can hear (inaudible) Detective (inaudible)...

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: ...as Sergeant Hogan, he was in the apartment (inaudible).

Detective Jeff Ogg: Yes ma'am. Next, we are going to listen to an interview with Detective Brett Hankison, which (inaudible).

Male 1: What did you say he (inaudible)?

Detective Jeff Ogg: He was asking about if they had found (sounds like: the long gun) inside the apartment. He was asking Sergeant Hogan, a member of the SWAT team, if anyone had found the (sounds like: long gun) inside the apartment.

Male 1: A long gun?

Detective Jeff Ogg: A long gun. You will hear more about it in the facts in the interview. This is...

Barbara Whaley: You are now going to play an audio recording of an interview with Detective Brett Hankison.

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: (Sounds like: And who conducted that interview?)

Detective Jeff Ogg: Louisville Metro Police Department SWAT (inaudible).

Barbara Whaley: And when was it conducted?

Detective Jeff Ogg: March 25th. It was at that time.

Amanda Seelye: This is Amanda Seelye with the Louisville Police Department (inaudible) Public Integrity Unit. Today is Wednesday, March 25th 2020, the time is 15:16, we are present at 36 Second Boulevard, Public Integrity office. This will be a recorded statement from Detective Brett Hankison, the statement in reference to VA case number 20-019. Present with me are Detective Brett Hankison and Attorney Steve (sounds like: Schoring) and Sergeant Jason

Lance of the Public Integrity Unit. Detective, are you aware that this statement is being videoed and audio recorded?

Brett Hankison: Yes.

Amanda Seelye: This being with your approval?

Brett Hankison: Yes.

Amanda Seelye: Please state your full name and spell your last name.

Brett Hankison: Brett Hankison. H-A-N-K-I-S-O-N.

Amanda Seelye: What is your code number?

Brett Hankison: 6150.

Amanda Seelye: Where are you currently assigned?

Brett Hankison: The Criminal (inaudible) Additions.

Amanda Seelye: How long have you been with that unit?

Brett Hankison: Since they first created it, maybe a few months ago.

Amanda Seelye: How long have you been with the department?

Brett Hankison: Since 2003.

Amanda Seelye: Are you under the influence of alcohol, drugs or any other intoxicants at this time?

Brett Hankison: No.

Amanda Seelye: Are you taking any kind of medication that will affect your judgement or (inaudible)?

Brett Hankison: No.

Amanda Seelye: I have several statements in reference to the incident that you're here for March the 13th (inaudible). Did you sustain any injuries during this situation?

Brett Hankison: No.

Amanda Seelye: Did you receive any medical treatment?

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Brett Hankison: No.

Amanda Seelye: Detective, tell me what you were wearing during the time of this incident.

Brett Hankison: I was wearing an LMP tactical vest and I believe on the front of it said, "Police K9," and then I believe it says "Police" again. It's the heavy-duty ones that we are issued.

Amanda Seelye: (Sounds like: Did you have on the same one you are wearing right now?)

Brett Hankison: I do not.

Amanda Seelye: Statute of requirements of KRS 67C.326, I am obligated to advise you of your constitutional rights prior to making any further questions.

Brett Hankison: One minute (inaudible), but I had an (inaudible) on too, like my taser all that equipment it doesn't have any signifiers on it (inaudible). It doesn't matter (inaudible).

Amanda Seelye: Before you answer any questions, you must understand your rights. You have the right to remain silent. Anything you say can and will be used against you in a court of law. You have the right to talk to a lawyer prior to being questioned or making any statements, and you have (inaudible) with you while you are being questioned. If you cannot afford to hire a lawyer, one will be appointed by the court to represent you before any question you (sounds like: start to answer). (Inaudible) making any statements at any time by refusing to answer further or by requesting to consult with an attorney prior to continuing your questioning or making statements. At the bottom, you sign this, you've read this statement, you have the right to understand what your rights are. You need to make a statement and answer questions. You have a lawyer present with you at this time. You understand what you are doing. No promises or threats have been made to you. No pressure or (sounds like: force of any kind) have been used against you. So, like I said, this is about the incident that occurred March 13th, 2020, at 3003 Springfield Drive, apartment number 4, In your own words, just tell us what happened, what kind of police action you took and (inaudible).

Brett Hankison: Sure. March 13th was actually my regular day off. We were advised earlier in the week, I think the (sounds like: place faced) (inaudible) sergeant (inaudible) that they were planning the execution for four—at least four—search warrants on that night. The sergeant was requesting bodies but he was also requesting K9, narcotics K9 dogs—one for each location—and whoever was available to respond to him by email. I believe I respond to him then no. A day or so after that I said that I was available (sounds like: to do the dog stuff) (inaudible) entry , so that how I initially I was advised because, working different (sounds like: routines), we're really not so much involved in other particular investigations. So I didn't know anything about the specifics

of the investigation—other than they just needed the dog, which I had—and a narcotics K9 handler and then I knew they were short on bodies. So they needed that. Met at the division that night— I want to say it was around 10 or 11 at our office, we were (inaudible) a large conference room. We were briefed on the specifics—targets, guns, the normal stuff—on the board that somebody had written out for us. The address, that type of stuff. And what location they had broken each- I guess each location had specific people that were assigned for each location—(inaudible) that residence. I think the police (inaudible) platoon had like one detective—they assigned each, like we are going to be the—I guess—the lead detective in each of those spots, so I was already on board for the Springfield address along with the other places I'm sure you're aware of. And we proceeded from the office to St. Andrews and St. Anthony. I believe it's a church that's near that corner there. And we sat up there, somebody already notified EMS, rather to have an EMS wagon standing by. I think I was the last one to arrive in the parking lot there, at the church. The investigators already there, the EMS wagons were already there, and I think Lieutenant Hogan and the rest of the detectives were there. They had told us previously that we were going to execute the warrant simultaneously or just after their execution for the one that was on Elliot. So we basically just listened to the radio as SWAT was getting ready to hit those locations on Elliot and I were getting ready to move up and do the location on Springfield. We proceeded up the hill, parked, I parked in this regular parking spot. Some other officers had parked in the middle of the parking lot, as I had parked just, I guess, north of there, by building B, five or ten spots. I left my dog in the car. The dog was never out of the car; he was in his kennel, and that's commonplace. I'm aware our dogs, single-purpose dogs, are totally under our control on duties. They're responsible for narcotics detection only. They're not trained to chase people or anything like that. So the dog was in his kennel the whole time. We lined up and headed towards the building, and I believe Officer—Detective Campbell—I think he was the VO for the location, because I had never been there. So he shows us the building—the door—and we made entry. We made our way through the common area, I guess, of the fourplex and passed a stairwell, and then just like kind of lined up there. I don't remember who was in front of me, but there was a few detectives in front of me. There were a few detectives in front of me. I was kind of towards the back. But there was a banging on their wall or door or both, yelling, "Police, search warrant." Actually "We have a police search warrant. Let us all in." Actually not sure if police or we just yelled "police" or "search warrant" numerous times. And he was actually banging, I think, on the side of the door because I think the whole building—there was a lot of percussion. At that time, I don't know who was yelling because I was—a guy came out from the apartment directly above him. It was an African American gentleman, maybe in his fifties. And he wanted to know what was going on. I addressed him because I was kind of farther back in the stack, so I could still see up the stairway to him. I spoke with him and explained, you know, we were police and to go back in his apartment. He kind of wanted to argue with me, I think. "What's this about?" I think he wanted a more in-depth explanation, but we were obviously still banging on the door. Whoever was in front was banging

on the door awhile. I think he went back in. But the officer or Sergeant Mattingly actually said – just leave – just forget or “Don’t talk to him, just leave him alone” or whatever. “Ignore him.” He said something of that nature, but I don’t remember his exact words. And so, then we continued knocking. “We have a police search warrant.” And this went on for probably 30, 45 seconds of banging and announcing, knocking and announcing. And the reason for this, I believe when we were briefed at the top of the board there was – it said no knock warrant. I think because of the propensity for violence, I think that, at the other locations, the guys were found prior and had a violent history. I think this address was also a no-knock—however, we were told that this would be a female that was there. We have a female suspect, and she—somebody said she was heavy-set. They would call her name. But she resided at that location. And that’s all I know. I didn’t know anything about kids or dogs, or anything like that. Back to knocking—K9 announced Detective Nobles had the ram. And I was actually behind him. Sergeant (inaudible) to the doors, so where you’re at, I was to the right. Sergeant Mattingly, Lieutenant James, I believe, and Lieutenant Hoover were here. I was stacked up kind of behind them, back towards Detective Campbell. And Detective—Detective Cosgrove followed that, this side of the stairway somewhere. I don’t remember the exact time because, it was really weird because when you go into the door—the common area—you can’t—there’s not a breezeway that goes all the way through, so we’re just kind of stuck in this. People on this side of the door don’t usually stand behind the cover 1, cover 2. On each side of the door, we’ll have our entry. Two people will come, one and two after. We couldn’t really do that because there’s nowhere for them to stay on the left side of the room or any other place. (Inaudible) we’re abnormal on the regular side of the room—dwelling. So, we’re just kind of bunched up there in that little corner of the—I guess it’s under the breezeway, that area. The common area. Detective Nobles began hitting the door with the ram. He hit it at least two times. Now I want to say the third or fourth time he hit it, he could tell it was starting to buckle. It was buckling near the hinges. And then the third time it went all the way through the door. It came open. And I don’t recall if the door—left to right. I guess I was wrong. It came—the point (inaudible) the main entry area—it came right through. The guy with the ram will always immediately come back out. That way he’s not coming through with the ram because he’s got to protect himself, no shield. No firearm on him, because he is literally committed to the ram. So, he hit the ram the third or fourth time, and then he sent our team back. He spun back towards the parking lot, away, so we could funnel in. And I kind of came around him, and I remember coming around him, in like a clockwise direction. I already had my gun out. I’m ready and had it raised. I’m in the ready position rather, here, I guess a 45-degree angle. And that’s when I noticed how dark it was in the apartment, and I saw an immediate illumination by the fire coming. What I saw at the time was a figure in a shooting stance, and it looked as if he was holding—he or she was holding—an AR-15 or long gun/rifle type of gun. And a couple of things, I guess my brain processed it to understand that the large muzzle flash—it looked like a large muzzle flash on a rifle—it allowed like a lot of percussion I got from it. And then the way he

was holding the gun—and it appeared the way he was holding the gun like we would if we were at the range. Or the best way to describe it is, to me, I guess the way my mind processed it was we were at the range shooting targets, and you know how they will literally have the targets turn and see if you're back there, you know, a threat. And it was—literally I saw that threat target and then the muzzle flash from the gun. I didn't—I don't recall if I fired as I was going back, but I knew where we were at was the worst place you could be, period. There was no other. It was described, I guess, as the fatal flaw of the academy, but that's exactly what it was. There was nowhere really for us. We were all kind of trapped in that common area. Because you have an apartment door behind us and a wall here, door in front of us. There were several things in my way to exit this bad part. So, in my mind, I needed to get out of there as quickly as possible, so I spun out and ran directly back towards where we came from, from the parking lot area. Because I guess that's what they were talking about, past the doorway—or, I'm sorry, past the stairway, the common stairwell. As I made the corner to my left, because I'm trying—I know I heard, but I never looked back, which may have been a mistake, but I never look back to Sergeant Mattingly or Lieutenant Hoover. I just heard John say he was hit, or maybe someone said, "I'm hit" or "he's hit." I don't recall exactly which. And then the firing had gone back and forth. I guess I skipped all that. I'm hearing the firing as I'm going, as I'm making the corner. Now I can see, as I now have a better view. I can hear them say, "He's down" or "John's down," almost at the same time, I guess, as I'm rounding that corner. So, John said he was down or said, "I'm hit." Then it was almost like the firing went from boom, boom, boom, boom, boom at the door, when I'm clearing the hallway, to—it sounded like rapid fire from like an AR-15. Which in my mind at the time, aligned perfectly with what I had seen. I thought I saw a rifle, I thought I saw someone had a shooting stance with the rifle, you know, with the left hand on the gun, bracing it on their shoulder, and squatted down like in a military-style shooting stance. When I made the corner, the firing starts to increase. I can see now. I can see the sliding glass doors with blinds or curtains or—whatever it was, it was closed. And I can see, because of the darkness inside of the apartment, I can see the flash of the muzzle flashes. So, at that time, Sergeant Mattingly's down. I believe they're either pulling or dragging him, but it sounded like a lot of commotion like they couldn't get... I didn't know if they were getting John.

I didn't know if John was down and he couldn't get his body out or if he was—but all I could hear was the firing and I saw the flashes. I thought they were just being executed because I knew they were helping John because John said, "I'm hit, I'm down." And the gunfire intensified. So, I was almost under the impression at the time that they were either all getting sprayed with bullets or, as they were trying to move him out of that breezeway, he was shooting at us through the wall. Or them. So, then I now had a shot and my only option was to return fire, and I did that to the muzzle flashes—and I want to be specific about this, I had already seen where the threat was. I saw where he was positioned in the hallway. He was at the end of the hallway, and I never went in that apartment, other than except a couple feet in with SWAT—later

on I'll get to that. But he was straight ahead as that door came open. He was all the way back in that hallway, as if his back was to the—(sounds like: he hadn't gone any further in that hallway before @23:38)—you can branch off to the bedrooms. So, when I made that corner and I heard and saw what I just described, the muzzle flashes, I returned fire, at the angle that I believed him to still be shooting from. Because I can still see those muzzle flashes and hear, and the fire increased, almost like an automatic type weapon, and in my mind, it was an automatic weapon—was the AR-15. I was certain at that time it was an AR-15. We were trying to fire through at where the target was. Through the sliding glass doors, and it did not stop. I could still see the flashes. I continued to move to my left. And I don't remember if I shot moving or stopped and shot, but I returned fire. And then I continued moving away from the breezeway, and I could now see the bedroom—I don't know if it was a bedroom—the next room over, which would be—now I would be in perfect alignment. I could see the muzzle flash and I could see the intense, like, fire flashing through. And the curtains and blinds I think were closed also so I could see the light in the other room. That—when I returned fire through that window—I guess whatever window it is—it stopped immediately. It was almost like the target has stopped firing. So, I can see, I guess in my peripheral, so now that I'm positioned outside by looking at the sliding glass door, they had gotten John out. They were doing some things in between some cars. I don't know if he fell or I don't know what was going on. It sounded like a big old commotion like if people were wrestling around on the ground. So, I knew there was plenty of people, there was nobody trapped back in the hallway now. I knew there was plenty of people to tend to John. I went to the primary channel. I think I might have got the wrong channel. Because I think I might have got in on 3 when it was supposed to be 2. But I got on the primary channel and said our car number and I said, "I need some cars sent to Springfield. An officer has been shot." And I specifically remember it. I specifically remember that I asked for the B cars to come with—because, I mean, we were done. We were all busy tending to John or whatever. They were getting him out or treating him. I knew Tony had had a tourniquet. I think Lieutenant Hoover might have said that. But I remember hearing somebody. I never—I never even turned around, I don't think, at any point to even look at them. Because my attention was addressed on these two windows and the breezeway. I thought the guy was actually advancing. By the way of the last sound from the last shots I heard from inside the apartment, he was advancing out towards us. I was afraid and I had a super helpless feeling, knowing that I had a handgun and, even though I had my protectives on and this guy had an AR-15, and he was going to just kind of—I felt like pretty helpless. Like there's no way we can challenge this guy while he has an assault rifle. So, I watched the windows. As the B cars started to approach, there's some weird fence in the middle of the parking lot—I don't know how or why—but there's a fence across the parking lot gate. And I can see the B car—hear the B car come up. I can see his lights. I think his name is Officer (sounds like: Combs. @27:15). I didn't know him before this. But I told him to ram the gate. I wanted a car to come down to get to John so he could take him farther out to make it to the ambulance. And I was super

frustrated because EMS was there with us, but EMS was nowhere to be found. And so, I called on the radio, and said, "Please tell EMS to come up the hill. An officer has been shot at 10-30." I said that multiple times. And then I repeated on the radio. And I repeated it a couple times: that "we need big cars with long guns because this guy has an AR-15." So, I took off our hat—the new flashlights we were just issued. I actually sat it on top of one of the cars. And I kept it illuminated on just a random car in the parking lot, towards the sliding glass door. And then I moved over to cover some—the other room windows. Because if that guy comes out and starts shooting back at us, I wanted him to start shooting at that flashlight that didn't have me behind it. I wanted to kind of stay hidden behind cover. It seemed like forever—I know it wasn't—but it seemed like forever. That officer that rammed the gate like I told him to and got to John, and I think they took him farther away or to EMS and they took him to a safer location. Then I just maintained a visual on the apartment and then kind of delegated spots to B cars that were showing up with rifles. Everybody was spaced out really good. They did a really good job. A couple guys had like tripods and their guns, and everybody got behind cover. And I told them what- what windows – or what was in play, what apartment we were looking at.

Jason Lance: What apartment were you looking at?

Brett Hankison: I think SWAT came over the radio, and I think it was my sergeant actually—it was Lieutenant Phan and then SWAT. I think he is the one that came up with on the radio and said to me, "Brett can you send me – we're on the way. Can you send me pictures of the apartment, like what you have?" And so, I take two pictures and text it to my sergeant so he sees us coming with us with the rest of the SWAT guys there so they would know what they were encountering. They were briefed separately from us; they were briefed at SWAT reference to the brief—three warrants on the Elliot in the same block. I don't know if their knowledge of any of our- of our briefing or logistics at the location. So that's what he asked for, and I texted him that picture.

We did a callout for anybody left in the apartment or anybody still in the apartment. And that's when the guy- the gentleman that I've never seen—he was an African-American male subject that came out, and I think he had a cell phone in his hand. He came out and we did like, a felony walk back, traffic stop type thing where I had him walk back. K9 Officer Nimmo arrives with his dog and I think that- the guy was just not very- He just wasn't listening. He wasn't doing the things that were the opposite. He was just like, you know, It's hard to walk backwards and hear that kind of thing. And I don't recall exactly what he said. But I think when the dog got there, he actually really started to listen because the dog was barking or whatever. I put him on his knees in between two cars and I handcuffed him. One of the officers grabbed his other hand. We handcuffed him, and I asked him if he was injured, and he said he was not. I asked him if he needed medical attention—he did not—and asked him who else was up in the apartment. He said his girlfriend, and I believe he said she was dead inside the apartment. And he asked me what

was going on or whatever. I'll refer that conversation to body cams because I think that's all on the patrol. I don't remember exactly what I said. It was that conversation. Are you hurt, do you need medication assistance. She's dead. And he said, "My girlfriend is dead inside the apartment," and immediately my mind was like, "Did we come to something that already happened?" That's what was running through my mind, was, "Did he—did him and his girlfriend have did he kill his girlfriend prior to us getting there, is what I kind of in my mind at the time thought. And he said, no, she was shooting at you with her 9 or her 9 millimeter. I don't remember his exact words. But I'll refer to the body cam. But he said she was the one that shot at us and she was dead in the apartment. The B car, or whoever it was, transported him away and the SWAT team arrived. I want to say the time because time's kind of a blur. Within maybe five minutes, the SWAT team arrived and made entry and cleared the rest of the apartment. And I kind of followed in behind them, but maybe into the breezeway—a couple steps in the breezeway and they said it was clear and they started to back out or come back out of the apartment.

Jason Lance:

So, let's just start where you left off. You said that you came in the breezeway once SWAT secured the apartment. Did you enter the apartment?

Brett Hankison:

I think I took like two steps in the apartment—

Jason Lance

Okay, and were you given information related to, you know, the apartment or the occupants in the apartment?

Brett Hankinson

I believe one of the- somebody said there's a deceased subject here. And I could see directly where I had been prior where I had seen the – the shooting – the shooter standing. There was now a female laying kind of in a slumped position, and she appeared deceased in that location. I never went up to her, made contact with her.

Jason Lance:

At that point did you – did you – what did you? Just kind of go through that as far as where you went.

Brett Hankison:

I mean we took two steps in, I believe, like where you would wipe your feet off. And then I think the SWAT guy said, "It's clear," or something like that. That conversation happened and I turned back around and came back out. I never like went into the apartment.

Jason Lance

Where did you go after you left the apartment?

Brett Hankinson

Back out to the parking lot.

Jason Lance

Where did you go from there?

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Brett Hankison I think still remained in the parking lot. I didn't get my car or anything. I was kind of maybe wandering back and forth. I think they had already had Jon either in the EMS or he was gone at that point.

Jason Lance: Did you take anymore police action after that?

Brett Hankison: No.

Jason Lance: Did you ultimately end up in the DIU office? Where did you go before the DIU office?

Brett Hankison: The hospital.

Jason Lance: Did you go by yourself or did you ever make contact with peer support that night other than at the PIU office?

Brett Hankison I believe -- and I don't know who (Inaudible) peer support, but I believe there was one person at the hospital that was from peer support and the chief was there and shook hands with the chief and he said, you know, we're glad you're okay. Jon looks good or Jon's going to make it, that type. Because he was -- the chief was there prior to me getting there. And I spoke with him there at -- at the -- right outside Jon's room.

I went in. Jon's family was there. I think Detective McKinney. And Jon was conscious. I think he was probably medicated or some sort. But gave him a hug, told him he was good. That was kind (Inaudible).

Jason Lance: Have a couple photos here and they're both of the same area. But the first photo is labeled for the record photo number one. It is a photo of the entire area, you know, where the incident location took place. So we've labeled the actual apartment building where the incident occurred, as apartment -- or building A that indicates for reference B. Did you see, I mean, there's a -- I wouldn't say considerable distance but it is (inaudible) this a little good ways - a little ways from the apartment, the gates which separates the two different apartment communities.

Prior to the incident when you-all making your approach in your vehicles, how would you characterize the apartment living community to get to this point? Is it easily accessed or is it --

Brett Hankison: It's extremely difficult and confusing. I personally had been -- we had one, a search warrant when I was in major case a couple years prior on the street here. And I do not remember the name of it, but I remember passing it, I'm, like, hey, we've done a warrant at the dead end of this street, and I think there's a church or something down there. And I remember passing that, and

I said, that looks familiar. And we came actually up this hill. I'm not good at direction. I think that's north.

Jason Lance: East.

Brett Hankison: East. Okay. We came, I guess, south up -- up St. Anthony maybe. And I'm not familiar with the Third Division at all. Up St. Anthony and up a hill, and then we actually came up here and came all the way across, and then we winded down through. This cannot be (Inaudible). So that's why, I was maybe the last, or second to last car in that stack of cars or the caravan. But we ended up. So building A is here. I parked maybe right near the end of the building. There's a dumpster here. And I parked in just a regular parking place here. But we came from -- to answer your question, I guess --

Jason Lance: No, you are.

Brett Hankinson: Okay

Jason Lance: It's a hard place to get to.

Brett Hankinson: Right. We were in this kind of south, and this is where I unloaded from. They kind of pulled up more and just parked in the middle of the parking lot, the police were, they just kind of parked there. But I found an open parking place and parked in that spot.

Jason Lance: You -- you talked about a rendezvous point beforehand. And to your knowledge, was -- and you said Mike Campbell was the eyes, you know, he had eyes on the target location.

Brett Hankison: He was the one that was (Inaudible) the case. Like I said, we were kind of summoned because they just needed bodies and they specifically needed my -- or a dog for each location. So that's why. But he was the point of contact and I believe the VO for -- for that -- for that address.

Jason Lance: Okay. And this photo here, photo number 2, is just a closer-up of the actual building where the incident took place. This is -- so I'll identify it. For the record, this is -- this opening here is the breezeway that leads into the apartments in question, apartment number 4. And to describe the apartment buildings, it's a two-story apartment building and there's four apartments upstairs and there's four apartments downstairs, totally a number of eight apartments. And then this building is split in half. If you look at the building at the top, there would be -- because of the layout as you saw that night, apartment 4 was on the east of that opening and then apartment 5 would be on the west side and then there's two apartments on the north side, 3 and 2, right. No. I didn't mean to say 5. I meant 1. So it's 1, 2, 3 and 4.

Brett Hankison: I know what you meant.

Jason Lance: So -- so there's dwellings behind on the one side of the apartment, and there's dwellings on the south side, so north and side as well, apartment buildings. So you guys make -- you guys are approaching the target location, and then you-all enter this breezeway or opening to access, you know, to get to where the door is.

Brett Hankison: Right.

Jason Lance: So, as you said, you're completely you're not completely in the very back of the stack, but you're in -- you're in the rear of the stack, if you will. And for simplicity purposes, we're going to talk about the door in question, apartment 4, and we'll look at as we're looking at a door, so left and right side. So before we ever get to entry, you know, you guys are -- you have a verbal exchange with a resident on the second floor. Can you go into detail about that exchange, I mean, kind of as much as you can remember.

Brett Hankison: I remember he came out and wanted to know kind of aggressively or not friendly-like, it wasn't like a nosy neighbor. It was more of a, I guess, questioning us as to why we were there or -- I don't remember the exact conversation except he was -- we -- I told him personally to go back in his apartment numerous times, police. And he -- I think -- I feel like he shut the door and then opened it right back up. And I told him again to go back in the apartment. That's when Jon -- or Sergeant Mattingly said, just -- just -- just ignore him, or whatever the case was, because he -- he had come out. He wasn't out over top of us. He was more -- I could see him in his doorway, but he had maybe taken a couple steps out of the apartment.

Jason Lance: Can you describe him as a black male in his 50s? He was an older guy?

Brett Hankison: Yeah.

Jason Lance: When you say older, do you mean, like, gray-hair older or...

Brett Hankison: Just facial, he looked older. I don't remember if he had any -- even if he had any hair.

Amanda Seelye: So were you looking up at the top of, like, was he further down by the steps or were you looking up?

Brett Hankison: I was maybe -- as the steps go up, I was maybe halfway back the steps and looking up at him. So I can -- we can see each other and address each other. They were kind of under -- under -- that part of the stack was under. So they couldn't even see him to address him. I think it was maybe me and -- maybe

me and Detective Campbell were the only -- the only ones that I remember could see.

Amanda Seelye

Okay

Jason Lance:

So you have your verbal exchange with the second floor resident. At some point, you know, Mattingly or whoever decides, you know, this is drawing too much attention away from what we're supposed to be focused on. And then how long do you think you guys knocked and announced on the door as far as, like, you know, you were verbalizing that you're the police, that, you know, it was legal for you to be there, search warrant.

Brett Hankison:

We kept -- I kept -- I know I kept repeating. Some other people just had said it, I believe, or announced, also. But I remember saying it at least five to seven times. And in that time frame it probably took, because of the exchange, interruption I guess from this guy, we waited maybe 30 to 45 seconds for somebody to come to the door, and nobody came to the door.

Jason Lance:

So there was a decision made by command on the scene that you guys weren't going to wait any longer, that you were going to force entry?

Brett Hankison:

Correct. And I don't know if Sergeant Mattingly made that call or was that Hoover made that call, but they were further up in the stack than I was.

Jason Lance:

So at the time of entry or the time the force is put on the door, what I'd like to do is I'd like to, to the best of your knowledge, so if this is the door, okay, and to the left you have who?

Brett Hankison:

I think Sergeant Mattingly, Lieutenant Hoover, Tony James -- I remember Tony James -- I forgot to say this in the other part. I think it's relevant. Tony James, when we were walking up, I believe Tony James had a bunker or a shield that's a ballistic shield, which we rarely, if ever, carry it. I don't even know who has one except people that are assigned to SWAT teams. But I remember Tony had one when we were walking up through -- or walking up to the apartment after we got out of our cars.

They're all to my left that I can remember. I don't remember where Myles was at the time or Detective Cosgrove, if he's to my right or left. But he's -- I feel like he was -- he was behind Nobles, closer to -- closer to where I was. And Nobles was the one with the door to his right as pointing me from, you know, from his left side to right side.

Jason Lance:

So, would you be in front of Myles Cosgrove, or behind? Because we're talking about a 30 -- we'll just give it -- I don't know the exact measurement, but we'll do -- we'll do the max, a 36-inch door opening. So it's basically about

little -- maybe if not exact, the width of this table. And we know Mattingly was on the left-hand side because he had first light, right?

Brett Hankison

Right

Jason Lance

And Nobles had already breached the door. And the door, for the record, the door handle was on the right-hand side. Therefore, the hinge would swing back on the left-hand side, so it opened right to left, is that correct?

Brett Hankison

I do not remember

Jason Lance

So just-

Brett Hankison

I don't know which way it came open.

Jason Lance

Yeah. We'll just say that's-

Brett Hankison

Okay

Jason Lance:

-- because that's the way it opened. So at that point we have Sergeant Mattingly, Tony James or Lieutenant Hoover in somewhat unknown order. And on the right side of the door we have I think Nobles, who has the breaching tool. He is not armed because he had the breaching tool. And is it you, then Cosgrove or is it Cosgrove then you?

Brett Hankison:

I don't know if we were standing beside each other or we switched when -- or we moved when Nobles came back and if we moved around him. I can't say Myles is on my right or left because I don't know.

Jason Lance:

Okay. So once the door is breached and it's opened, you know, talk -- tell us about that again.

Brett Hankison:

ure. As soon as the door's breached, I came either from the ready or down ready. And that's, like I described with the targets at the range, it was like an immediate threat. And I saw a large figure and down, hunched down with what appeared to be a long rifle, and I saw the large muzzle flashes, you know, got the percussion from the gun. I think that's a combination of a bunch of things. The sound had nowhere to go, and the fact that it was a direct line shot to us.

Jason Lance:

So help me understand this. I'm going to stand up just for a visual. So if this is the door opening, we know Mattingly is somewhere in this -- on the left-hand side because we're always referring to looking at the door.

Nobles is now done his job, he's out of the way. Are you right here next to Mattingly or is it Cosgrove and then you? Remember, we basically have just enough room for two people.

Brett Hankison: I knew Jon was to my left. That's all I remember. And when I came around, I don't know if he came in as I did or he was already standing in that light or the opening of the door because I don't remember if -- much, if any, from this edge of the door to that wall, if there's hardly any room at all. Maybe there was -- I don't know if it's flat or there's some room for them -- for Tony and Jon to stand off to the side, sort of this little offset of the door. I don't recall.

Jason Lance: So at the point that entry is beginning, you see -- you see muzzle flash and what you think is a long rifle pointed at you.

Brett Hankison: A large figure in the shooting stance with a rifle.

Jason Lance: And could you tell, you know, who or what the figure was? Did you -- I mean, you assumed it was a person or?

Brett Hankison: And could you tell, you know, who or what the figure was? Did you -- I mean, you assumed it was a person or? -- of all I could see was -- all I could see was the fire from the muzzle and I could see a large -- a large figure. But it appeared to be in a military style, like, shooting stance, like it was just -- they were waiting on us to get that last few hits in to get the door open to fire.

Jason Lance: So at that point -- and, again, I want you to correct me if I'm saying something that's not right. At that point you said you -- you referenced in what you said earlier. Are you aware or not aware that Mattingly's been shot? You just know that a threat's being used against you?

Brett Hankison: I saw a threat and heard it but my -- like I told you, I knew we were in a crappy position where we were at because we could not get off the sides or get out of -- out of the line of fire easily. So that's when I immediately -- I do not remember if I addressed the threat with -- with gunfire or if I just spun around and get out of there when I felt -- because I knew that was -- I wasn't going to stay in that spot for too long, being from obvious reasons.

And as I'm clearing coming down the breezeway, I either hear mention of, like I referred to earlier, somebody or Jon said, "I've been hit," and they were down.

Jason Lance: So, at that point, a threat has been issued against you and now an officer has been shot.

Brett Hankison: Correct. I knew both of those things prior to making this corner, I guess, (sounds like: on the patio).

Jason Lance: So you come out and then, you know, for a visual and for me, you know, you have the stairwell that's open. And what I mean by open is that there's metal steps that you can see through. And you've now come up to this point, which you can't see it from the shadow in the picture, but the staircase comes down and you're standing -- are you standing right here? I'm going to let you.

Brett Hankison: I made this corner. And I don't remember -- I don't even know what this thing is right here but --

Jason Lance: This is a -- it's kind of hard to see because it's a satellite picture. But this is like a handicap ramp. And there's not much of a -- maybe a single step down. But you can see right here, and THEN this is the sidewalk. And this is just like a void area, like maybe they had some like decorative rock or some landscape rock or whatever in there.

Brett Hankison: Sure. I came out -- I hooked this end, and I don't remember how far I came out. I wouldn't think I would have come far enough into the -- into to lot, like, to the actual paved portion of the blacktop. And I returned -- because I knew my threat was here. We were here. I (Inaudible) my threat through at the muzzle flashes that were coming -- that were illuminating this sliding glass door right in front of us.

Jason Lance: So when you're standing -- you're literally -- I mean, you say right in front of you, is literally right in front of you, like, it's the sidewalk is attached to the patio that we're speaking about.

Brett Hankison: Right. I see muzzle flash still. And this is the point where I think it actually increased where I -- where I kind of got caught up a minute ago, because I don't think Jon -- I don't think they had gotten him out of this -- out of this breezeway yet. And it actually intensified. It went from, you know, I don't even know an estimate, I mean, shots, but it was a volley of shots and then it was a boom, boom, boom, boom, boom, boom, boom, boom. And I was, you know, like I said, I was -- I thought they were taking fire here down because I knew they were all in this shitty spot. And -- and whether he was shooting at them through this wall, I didn't know at the time. But I kind of felt like he was -- they were just -- they were sitting ducks.

So that's when I returned fire, like I said, through here. And I don't know if I stopped to return fire or if I was shot. I feel like I shot from two different locations. I shot a volley of shots here, and then when I still see when I moved over closer to here where this red car's parked at, I can still this light lighting up in the hallway or bed -- whatever room this is, this window lighting up, flashes and gunfire. And that's when I decided to put additional rounds through here. Because I knew the threat was straight on from this door and straight across from this window. That's the last place I saw the guy shooting with the gun. And that's where I felt at that time to protect myself, to protect my -- my partners that had already been shot, I returned fire through the

window. And as soon as I returned fire through that window, the threat stopped. The gunfire stopped.

Jason Lance: So at that point you just, you know, back -- back out, take a position of cover. And then -- and then as you stated, that, you know, you just kind of pull a job, other guys were, you know, treating Sergeant Mattingly for his injury. And you just provided cover.

Brett Hankison: Correct. They triaged him here. I think there was some cars parked here in these spots. They triaged him somewhere out here. And I think once the beat car got there, I think they moved him that way. But I never paid much -- I just - and not that I didn't care obviously. But because I knew they had their job to do was take care of him, get him out of there.

I also knew none of them were talking on the radio, I didn't hear anybody. So I wanted to know why EMS was still down here at the church and we needed them up here obviously. It was kind of confusing I know for everybody, the directions to get up there. And then I dispatched -- or the officers there, I kind of gave them a job, told, you know, told them what -- what was in play.

I also, what I kind of skipped -- kind of skipped over earlier, is that I was also afraid we were going to have -- I wasn't familiar with this complex. I had never been there, I don't think, to my recollection, I've never been at this complex. I did not know that this apartment didn't end here somewhere in the middle. I was afraid this guy or whoever, girl or guy or whoever, the shooter was going to go outside. I know for a fact we didn't have the back covered, which I thought was weird, why didn't we have the back covered.

I might have sent somebody around back or yelled that on the radio, we need the back covered. That was my concern, the guy was going to be gone out the back window, because I did not know where that complex ended on that side.

Jason Lance: Would you -- would you say you had very little information really at all?

Brett Hankison: I mean, just what I heard from the briefing.

Jason Lance: I mean, was there briefing detailed? Other than, you know, the obvious, the car, you know, the location itself.

Brett Hankison: I felt like we -- I felt like we had more information about the Elliott address. It was pretty detailed. But honestly, I didn't -- other than names, which I knew none of the names they mentioned. I think they had their names or pictures up on the board. I was not familiar with any of them. I had never been in contact with them.

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Jason Lance: And during the briefing, did -- maybe not the briefing, but did you-all from the briefing on, did you-all -- how did you-all consider this location? I've heard it referred to as a soft location, a soft target.

Brett Hankison: That's what was --that's what it was referred to a couple times. And I think the reason for that is that -- that SWAT was not going to do this. They knew that she had been getting packages delivered here. And I believe they had followed a target or two to or from this place. I was given that at the briefing. But I didn't know any further anything about that. The guys I was with, we were all from -- I mean, we're all in CID. We all were Metro narcotics, we were all kind of the -- the older guys were put with it because this was going to be the easy location. I felt that's my opinion.

Jason Lance: Right. So the CID is broken into smaller little groups.

Brett Hankison: ...Right.

Jason Lance: And you're not in the group that was -- HAD the investigation pertaining to this location.

Brett Hankison: And neither was anybody there. We were just kind of a hodgepodge OF people thrown together. BUT the place-based -- or the place-based contact was Detective Campbell.

Jason Lance: And this location was --even the lead -- even the lead considered not a real, like, high priority.

Brett Hankison: I think there was a -- if I remember correctly, they either said the score out loud or the score on the matrix was minimal, which doesn't require a SWAT consultation or brief -- or SWAT to do it.

So, yes, approaching that or especially when we were down here at the church, I guess your question is, did I anticipate it as a soft entry? Yes. And we don't use that term very often because usually it's an unknown. And then there's a high risk and then SWAT does that. But it was a female, little or no record. And I don't believe she had a history of any guns or firearms or anything like that at all.

Amanda Seelye: Did you get much information about the apartment itself, like, the location, the parking lot, the building?

Brett Hankison: I believe there was picture of it on the board of the front of it, which was maybe a Google photo. I don't know. But I mean there was 4 bikes and there was a door to the right and a handicap ramp. I don't remember anything out of the ordinary that would make me believe there was a reason

this would have been a problematic or tactical situation (sounds like: that would arise) from the briefing.

Amanda Seelye: The other guys that you were with—do you normally work with them?

Brett Hankison: I do not. They were all in -- they're all in different (Inaudible) from me, I think. Everybody's kind of sprinkled around from the airport unit to (Inaudible) to DCS to command staff.

Jason Lance: And just so we -- I'm correct here, if I understand this, is that, you know, you base the information you forwarded on to patrol and when patrolman showed up, the rifle information based off something you visually saw. Which is why you disseminated that information for officer safety and patrol officers who may responded, is that correct?

Brett Hankison: Yes. And the reason I did that was, like you said, what I saw, a hundred percent that guy had a -- at that time a hundred percent sure he had a long -- a long gun. And I knew it wasn't a shot -- I'm kind of familiar with shotguns from hunting as a kid. I knew it was not a shotgun. One, because shotguns don't shoot that fast and don't shoot with the same -- the same percussion. And with the beat cars were coming, I did not want the beat cars to pull up here and start taking long rifle rounds. I wanted them to come up mentally prepared to be able to challenge from a distance with a long gun with a long gun. Obviously you don't want the pea shooter like I had behind a car taking cover, I didn't want to put them in danger I wanted them to tactically be safe, because I knew all my guys were gone or I felt like they were, had moved from here, that way, either with a beat car -- (Inaudible) because

that was -- and I felt like I was the only one left. I don't know who else stayed with me at the time. I think maybe Myles was still there. But he was off maybe -- maybe kind of giving direction to the guys coming because obviously the beat car you come up, you're coming to a 10-30, officer's been shot, you know, you don't have any idea. It's chaos. But I wanted them to know what -- what the threat -- did the -- I mean, this was a threat, this was a threat, this was a threat in the hallway because I really thought the guy was advancing either at us as we were leaving or as they were getting Jon out of that hallway. And I was fearful he would just come out with, you know, with a rifle.

Amanda Seelye: Do you know if anything was moved around the scene when you were out there, just while you were guys out walking around for safety, was the scene altered at all?

Brett Hankison: I know that -- I did not know how many shots, I did not count. I think some people actually counted while they were shooting, but I did not count or, no, that wasn't even a priority obviously. But when I moved back after I fired, when I moved back for cover, I wanted to reload. So I -- on one of these car trunks or hoods, I don't remember which it was or where exactly it was, I did -

- I kept my eyes up and reloaded. And then I put my -- why I didn't just drop it, I don't know, but I put my magazine from my gun back into my -- one of my pouch -- the empty well in my magazine well on my gun belt. And so I had a full mag if he continues to come out and advance toward us.

Jason Lance: And this is after you completed your fire, correct?

Brett Hankison Correct

Amanda Seelye: When you said you went from there to the hospital, did you secure your dog? Did you take him from there?

Brett Hankison: He stays with me. He can stay back there for hours. He's used to it. Sometimes he rides in there for hours without a break. We didn't stop and give him a restroom break or anything.

Amanda Seelye: So when you come back to PIU, do you still have your dog?

Brett Hankison: Correct.

Jason Lance: Did you review any body cam footage related to his at all?

Brett Hankison: No.

Jason Lance: Not you like pulling your -- your account up, but, like, were you able to review it in any form or fashion?

Brett Hankison: No. I don't know how to -- I don't know how to pull up other -- I guess you can pull up other people's body cam, but I'm not real good about that, like, how to do it.

Amanda Seelye: Any questions? Is there any questions we have not asked you or any other information you have that would be beneficial to this case?

Brett Hankison: I think we talked about everything.

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

Brett Hankison: No.

Amanda Seelye Is everything you're telling me the truth to the best of your knowledge?

Brett Hankison: Yes.

{Recording ends}

Barbara Whaley: Detective Fogg, what we just heard there, interview with Detective Hankison, to reiterate, Detective Hankison said that he saw the figure at the end of the hallway with an AR 15?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: And that was one figure he thought he saw?

Detective Jeff Ogg: Mm-hmm (affirmative).

Barbara Whaley: Also, did he say that he didn't know that the door opened to the left or to the right?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: Then he moved around and said to you in front of the sliding glass door, where he said he saw muzzle flashes—through that sliding glass door?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: With the vertical blinds and curtains?

Detective Jeff Ogg: Yes, that's right.

Barbara Whaley: Is that what we saw yesterday. And then did he say that he returned fire through that sliding glass door at the angle where he had seen the shooter at the end of the hallway with the AR15?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: And then did he say then the flashes continued and that he moved down to in front of the bedroom window and fired -- and saw flashes through that bedroom window?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: And that he kept firing through that bedroom window? Again, at the angle where he thought the person with the AR-15 was?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: And then that he—is that the bedroom window we saw yesterday with the black curtain on it?

Detective Jeff Ogg: Yes, it is.

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Amanda Seelye And did he say that when he started shooting through that bedroom window, that then the flashes stopped?

Detective Jeff Ogg: That's correct, Ms. Whaley.

 {Pause}

Barbara Whaley: Do you all have questions?

Male 1: Did you say both of those sliding glass doors and the windows in the back had a black curtain on them?

Detective Jeff Ogg: The curtain's inside on the sliding glass door.

Male 1: That's right.

Detective Jeff Ogg: The sliding glass door, it has an curtain, a long full-length curtain and vertical blinds behind the curtain. In the bedroom, bedroom window there is --

Male 1: I'm (Inaudible) because -- because (Inaudible). So that black window, that black curtain that she has in the back is (Inaudible) so you can't get (Inaudible).

Detective Jeff Ogg: As I said, the curtain in the window is black. The curtain in the sliding glass door, it's not black.

Male 1: (Inaudible). That's not what he said (Inaudible).

Detective Jeff Ogg: That's inside the south bedroom.

Male 1: (Inaudible).

Detective Jeff Ogg Which is Ju'Niyah Palmer's bedroom.

Male 1: (Inaudible).

Detective Jeff Ogg: ...Mm-hmm (affirmative).

Female 1: He said that he saw the flashes from the muzzle in the living room area (Inaudible) sliding door. And returned fire toward the muzzle flash that he saw. And then he said (Inaudible) flash (Inaudible). So he returned fire at that window. And that's when the shooting stopped. So he also said that he aimed his fire outside, that (Inaudible) toward a figure at the far end of the hall, which is (Inaudible). The configuration of the walls in the house (Inaudible) of that hall with that trajectory standing inside.

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Detective Jeff Ogg: Correct.

Female 1: So, he also said that when he returns fire outside that (inaudible) figure was far into the home. (Inaudible) house, why would (inaudible) fire into that hall (inaudible) stand inside?

All: {Crosstalk}

Female 1: Standing out here firing at the sliding glass door -- the sliding glass door a muzzle flashes. And he said aimed toward the end of the hall (Inaudible).

All: {Crosstalk}

Male 1: I'm sorry. Were you saying...?

Barbara Whaley: (Inaudible) the south bedroom if he was firing outside through the south bedroom window toward the muzzle flash that he'd seen, it still couldn't have gotten to the end of the hall. I'm talking about the far end of the hall, not just the foyer. (Inaudible) walls (Inaudible). The trajectory doesn't (Inaudible).

{Crosstalk}

Male 1: (Inaudible) he said he saw the shooter in that hall.

Detective Jeff Ogg: That's correct.

Female 1: But when he was shooting from outside here through the sliding door aiming for the muzzle flash, that's great. If he saw it, that would work. But then he said he saw the muzzle flash through the bedroom window here and he shot there. But he also said both times that the figure was at the end of the hall. And he couldn't have shot from out here and gotten there. Nor could he have shot from here and gotten there

Detective Jeff Ogg: Well, that was his statement.

Female 1: Okay, I'm just saying I don't (inaudible).

Detective Jeff Ogg: (Sounds like: Unless you're standing in the bedroom window.)

Female 1: I don't see where his Miranda rights with such intensity. Everybody else (inaudible) Miranda rights (inaudible).

{Crosstalk}

Detective Jeff Ogg: I can't speak to that.

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Male 1: All of them had their Miranda rights read to them.

Female 1: (Sounds like: We've heard) Miranda rights over and over.

Barbara Whaley: Other questions?

Male 3: Other (inaudible). At that time (inaudible).
{Crosstalk}

Detective Jeff Ogg: Are you talking about this (sounds like: one or hole) here?

Female 1: Yes.

Male 3: Yes.
{Crosstalk}

Male 3: Trajectory-wise, if he was standing outside of that balcony and he was shooting (inaudible) to the hall, there would have been long throws, I guess.

Detective Jeff Ogg: (Inaudible). I said that he was here. (Inaudible). At some point you've still got—earlier, at some point—part of the big picture.

Male 3: What I'm saying is, if he was shooting from here and he was shooting that man (inaudible) going this direction.

Detective Jeff Ogg: At this point we don't need too much (inaudible).

Female 2: (Inaudible) detective testifying that he was.

Detective Jeff Ogg: (Inaudible) based on trajectories.

(Maybe) Barbara Whaley: Did I understand that is the first account that can be (Inaudible).

Detective Jeff Ogg: I believe you're correct, yes.

Female 2: All other accounts is just for Mattingly and Cosgrove.

Detective Jeff Ogg: And that's -- you are hearing several accounts of what happened. And so that's the challenge here, is to try and keep everything as part of the entire picture. Yes.

Male 3: (Inaudible). Asked him where he went after the incident. He said he went to the hospital. They kind of ask him where he went after the incident. I

think he said he spoke to his chief. Was that about the extent of it? He mentioned there was some peer support.

Detective Jeff Ogg: I believe -- I believe after a shooting incident Louisville provides a peer support group to all three officers involved in this incident.

Male 3: Right, it didn't sound like he...

Barbara Whaley: He talked to (inaudible).

Male 1: He doesn't reference that.

(Maybe) Detective Jeff Ogg: Yes, that's what (inaudible).

Male 3: According to him he's standing next to Cosgrove, and Cosgrove says he -- this guy's kind of standing next to him. They don't know they're standing next to each other (Inaudible). The problem I have is Cosgrove and this guy right here said that they saw the shooter in a stance at the end of the hallway. How can he see that (Inaudible)?

{Crosstalk}

Detective Jeff Ogg: (Inaudible). You have to the listen to the statements from the officers. You kind of put it together in your mind.

Male 3: (Inaudible). The next question is one of them said they were the first person on the doorway (inaudible) but this guy says he was the first person on the doorway. Are there any ideas? I'm not saying that (inaudible). (Inaudible) in the shooter stance. It can't be both at the same time. I'm not saying (inaudible)...both at the same time.

Female 3: (Sounds like: Judge or just) the credibility of these interviews--(inaudible) these interviews? Of the statements made in these interviews (inaudible)/

Detective Jeff Ogg: Yes ma'am.

Female 2: My question is about the stack because we were just observing (inaudible). In the evidence that you're presenting, is there an official stack that was laid out anywhere that will be provided or is it all based on their accounts?

Detective Jeff Ogg: Their accounts.

Male 1: We will hear from Mr. (inaudible).

{Crosstalk}

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Male 3: The shield to be there when there wasn't SWAT there. Is that -- is that normal? (Inaudible).

Detective Jeff Ogg: Yes, it was.

Male 3: (Sounds like: And it was inscribed there.) Is that normal? Is that his normal (inaudible)?

Detective Jeff Ogg: Detective James carried it that day. I don't know what's normal for LMPD. But what we do know now is from what we've heard is Detective James had that shield. He was -- he was -- he was here.

{Crosstalk}

Male 1: (Inaudible)

Barbara Whaley (Inaudible)

Male 1: He was here.

Barbara Whaley He was (inaudible).

Detective Jeff Ogg: That goes back to different accounts of the stack. But the shield was not put in place specifically what we've heard so far.

Male 3: It was just that he had stated that he didn't recall. He thought it unusual that there would be (Inaudible).

{Crosstalk}

Detective Jeff Ogg: And I don't know -- we don't have this information. I don't know at some point in the past Detective James had been on SWAT. We don't have that information. So I don't know that information. We can't speak to that, because we won't give out that information specifically.

{Laughter}

Barbara Whaley: Are we ready to go to the next interview? Did you obtain a copy of the audio recording of the interview of Detective Mike Campbell?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: And when was that interview conducted?

Detective Jeff Ogg: That interview was the night of March the 13th.

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Barbara Whaley: The night of the shooting?

Detective Jeff Ogg: Yes ma'am.

Barbara Whaley: And who conducted that?

Detective Jeff Ogg: That interview was conducted by Anthony Wilder and Sergeant Omar Lee of the Louisville Metro Police Department's Public Integrity Unity.

Sergeant (Lainey): This is Sergeant (sounds like: Lainey) of the Louisville Metro Police Department. I spoke with the integrity unit today. Today is 3/13/2020, the time is 06:05 hours. We are present at 3672 Taylor Boulevard at the integrity office. This will be a recorded statement for Detective Mike Campbell. This statement is a reference to appearing in case 20-019. Present with me are Detective Campbell and Sergeant Omar Lee of the Public Integrity Unit. Detective, are you aware this is being video- and audio-taped?

Detective Mike Campbell: Yes.

Sergeant (Lainey): Is this (inaudible) for your approval?

Detective Mike Campbell: Yes.

Sergeant (Lainey): Please state your full name and spell your last name.

Detective Mike Campbell: Michael Campbell. C-A-M-P-B-E-L-L.

Sergeant (Lainey): What is your code number?

Detective Mike Campbell: 2186.

Sergeant (Lainey): And where are you currently assigned?

Detective Mike Campbell: I'm assigned to the Criminal Interdiction Division, the Place-Based Investigation squad, PBI squad.

Sergeant (Lainey): Place based?

Detective Mike Campbell: Yes.

Sergeant (Lainey): You said PBI?

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Detective Mike Campbell: Yes, so (inaudible) on the PBI squad.

Sergeant (Lainey): All right. I know this unit and division was recently created. How long have you been in that unit?

Detective Mike Campbell: Since January 2020.

Sergeant (Lainey): And for the organization, how long have you been in that (inaudible)?

Detective Mike Campbell: For about two years.

Sergeant (Lainey): How long have you been in the department?

Detective Mike Campbell: Over 22 years. Between 22 and 23.

Sergeant (Lainey): Are you under the influence of alcohol, drugs, or any other intoxicants at this time?

Detective Mike Campbell: No.

Sergeant (Lainey): Are you taking any kind of medication that would affect your judgement or your ability to think clearly?

Detective Mike Campbell: No.

Sergeant (Lainey): Did you sustain any injuries during this situation?

Detective Mike Campbell: No.

Sergeant (Lainey): Did you receive medical treatment?

Detective Mike Campbell: No.

Sergeant (Lainey): What type of uniform or clothing were you wearing at the time of this incident?

Detective Mike Campbell: I was wearing this black t-shirt, some green cargo pants, and a black tac vest with "Police" across the front.

{Pause}

Sergeant (Lainey): And with the exception of the tac vest, you're in the same clothing right now?

Detective Mike
Campbell: Yes.

Sergeant (Lainey): Because of the statutory requirements KIRS 15.520 I'm obligated to advise you that this is a criminal investigation, not an administrative investigation. However, you are not necessarily the subject of this investigation. Knowing this, are you willing to give us a statement at this time?

Detective Mike
Campbell: Yes.

Sergeant (Lainey): All right. Earlier this morning members of the CID unit were I believe executing a search warrant, and you were present.

Detective Mike
Campbell: Yes.

Sergeant (Lainey): Just in your own words, if you could just start where you think the logical starting point is and to describe everything that happened tonight? And then just kind of walk us through what you witnessed.

Detective Mike
Campbell: We were executing a narcotics search warrant at 3003 Springfield Drive, apartment 4. I was going to be the verification officer. So prior to the other unit -- other detectives getting to the location to execute the search warrant, we were attempting to do simultaneous search warrants on Springfield Drive and on Elliott Avenue. So I was watching the location prior to the search warrant, the other units getting there. As they -- as they executed the search warrant on Elliott Avenue, they came down the hill on Springfield Drive. I pulled in behind the train of cars. We exited the cars. We walked up to the apartment 4, the door of apartment 4.

The main -- one of the targets of the search warrant, the main initial target of the investigation, the main target of the search warrant I believe was at Elliott Avenue. We knocked on this door repeatedly. It was dark. We knocked on the door. You can see there was a light on, like a television or something on in the -- in the living room. We could see it from the outside window, sliding window.

We knocked on the door. We announced, police, multiple times. And we -- we paused at the door, everyone's paused at the door. Then when we decided -- when they decided to breach the door, they hit it. I believe Mike Nobles was on the ram. He hit the door two or three times. I believe it was three times and

the door popped up. And as the door popped open, we began to receive shots from the --from inside the apartment.

I was at the -- I was the last person back-- I was the last person in line. I couldn't see the person shooting. But I could see -- I could hear the gunshots and I could see the reactions of Sergeant Mattingly.

And so we started to pull back. I moved to between the two parked cars facing the breezeway where I could see the door and both the sliding glass door that faces the parking lot and the opening of the door to the apartment. Everybody else starts running back trying to get to cover, better cover. Lieutenant Hoover was -- was dragging Mattingly back. There were several gunshots. Lieutenant Hoover was dragging Mattingly back because he had suffered a gunshot wound to the upper leg.

We stopped briefly between the cars. They tried to get a tourniquet on Sergeant Mattingly.

Then we moved him. There was a white SUV parked in the center of the -- in the center of the parking lot that wasn't ours. But it was parked there. And Lieutenant Hoover and I believe Tony James, Detective James and Nobles, Detective Nobles moved -- moved Sergeant Mattingly behind the vehicle, the truck that was parked in the middle of the -- it was better cover. They applied the tourniquet.

I held -- I held my attention on the window and the door. You could hear somebody in there. But we were trying to get him -- we were trying to get medical attention to Sergeant Mattingly. Somebody brought up a car. They put Sergeant Mattingly in the trunk of the car. And they drove him out the front to the ambulance that --ambulance that was waiting at the end of the street.

At that point, Myles Cosgrove and -- Myles Cosgrove or Hankison had called for the SWAT team to come up and help clear it, that they were all on Elliott Avenue that's on the other side of town. So we could hear people moving around. We could hear a person moving around inside the apartment. So we start calling to him, and he came out the front door. Detective Hankison gave the commands. He walked back. By that time, as he was exiting the -- exiting the apartment, several patrol, uniformed officers were on the scene by that time. They -- they got him back, handcuffed him and then they moved him to a marked car that was waiting out there.

Sergeant (Lainey):

Okay.

{Pause}

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- Sergeant (Lainey): From your position, were you able to determine which officers returned fire?
- Detective Mike Campbell: No. I was on the back edge of the building, in the breezeway. I didn't see. I could see what I thought were rounds coming out. I was in a bad position. So I backed up between the cars. So I don't know for sure who actually returned fire or not.
- Sergeant (Lainey): Okay. Do you know any of the targets that were supposed to be in that apartment?
- Detective Mike Campbell: Breonna Taylor and Jamarcus Glover. They were supposed to there.
- Sergeant (Lainey): And, I'm sorry. What was the first name?
- Detective Mike Campbell: Jamarcus. During the course of our investigation, which it was a narcotics investigation, we saw -- Jamarcus was observed picking up packages from that location and he used -- used that location as his address on -- on some other documentation. So we thought he lived there, was one of the places he was living there and getting drugs delivered to him.
- Sergeant (Lainey): Approximately how many shots do you think were fired from inside of the apartment?
- Detective Mike Campbell: I have no idea. Several. It was just a lot of gunfire. I can't give you a number for sure. More than -- felt -- it seemed like more than five gunshots I heard. But, I mean, there was a lot of gunfire. And I'm sure some of it was returning fire. So I couldn't determine the difference. I couldn't tell the difference.
- Sergeant (Lainey): Do you know where Sergeant Mattingly was positioned at in the stack when they were breaching?
- Detective Mike Campbell: As -- he was -- he was like in the one spot. He was going to be the first person through. So when the door popped open, Mattingly was in the doorway.
- Sergeant (Lainey): When the subject came out, did he make any statements that you heard?
- Detective Mike Campbell: He made a statement about his girlfriend shooting -- shooting out. And he said he heard us -- they heard us a knock. But I was focused on the door and if there was anybody else coming out of that door. So I didn't -- I didn't talk to him really. I know he was talking to some of the other detectives briefly and some of the officers that were out there.
- Sergeant (Lainey): And once this situation calmed down and the scene was considered safe, kind of situation calmed down and the scene was considered safe, was there

any discussion or did you hear other people talking about, did anybody see who actually fired the shots or anything?

Detective Mike Campbell: No, we didn't. I didn't discuss that with anyone. And I was not in a position to see who fired shots—see the person who was shooting out.

Sergeant (Lainey): Sergeant Lee.

Sergeant Omar Lee: Yes. I'm a little slow, so I apologize. On the stack, how many was in the stack?

Detective Mike Campbell: There was seven of us.

Sergeant Omar Lee: Seven total out there. Okay. So seven total. And there was four in the stack to make entry. And you're talking about door -- so when you got the scene, it was door number 4.

Detective Mike Campbell: It's under the staircase. As you -- as you walk into the breezeway, it's on your right.

Sergeant Omar Lee: So that's the breezeway. Staircase is to your right, and it's underneath there.

Detective Mike Campbell: Mm-hmm (affirmative).

Sergeant Omar Lee: So you're under the stairs. Were all seven of you kind of in the stack or were a few in the stack, few in the back, few in the front?

Detective Mike Campbell: Yeah. I was walking up and we had stopped in the -- we had stopped in the breezeway. So we weren't bunched up real tight. We were spread out. We knocked on the door. We -- we were doing several warrants tonight. This one was going to be -- we didn't think the target was there. This one was going to be the easy one we thought.

Sergeant Omar Lee: Got you. So, who knocked at the door?

Detective Mike Campbell: Sergeant Mattingly knocked repeatedly and we announced "Police, police, police." Other detectives were saying "Police." We were really loud. So, we knocked and announced that we were the police multiple times.

Sergeant Omar Lee: Okay. And then who was --do you recall who was number two in the stack?

Detective Mike Campbell: So the person with the ram was Nobles. Hoover was up close. So he was probably the third or fourth person back. Mattingly was at the door. And then I was the last person, I believe. So -- and there had to be Tony James and --

Sergeant Omar Lee: James was in front of you?

Detective Mike Campbell: Yeah. And closer to that it had to be Myles Cosgrove was out there, also. Cosgrove, he was probably three or -- he was probably three -- if Hoover was four, Cosgrove was three, I think. But I was the last person. I'm not completely -- I can't give a perfect rundown.

Sergeant Omar Lee: I gotcha. Been in some of those stacks. Can't remember them all. But just kind of trying to paint a better picture.

Detective Mike Campbell: Hoover was kind of close up there. I was almost to the door. I was just in the breezeway.

Sergeant Omar Lee: You're basically under the steps?

Detective Mike Campbell: Yes. I think I was just inside at the end of the steps where I could see in.

Sergeant Omar Lee: Okay. And you could -- so when -- you said you did hear shooting once -

Detective Mike Campbell: The door.

Sergeant Omar Lee: -- so the door -- so they hit it with the ram. Said it takes two hits?

Detective Mike Campbell: Two, maybe three hits, door pops open.

Sergeant Omar Lee: Okay. The door pops open, and you can distinctively tell that there was gunshots.

Detective Mike Campbell: Coming from inside.

Sergeant Omar Lee: Inside. Okay. And then you don't -- but you don't really know how many or anything?

Detective Mike Campbell: No. I started to move back because we weren't going in, and I wanted to move to better cover. And there's a -- there's a big sliding window there.

Sergeant Omar Lee: The little patio right there?

Detective Mike Campbell: Yes.

Sergeant Omar Lee: So, you slid to avoid that window?

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Detective Mike Campbell: To avoid that window and move to the engine of one of those cars parked in the driveway -- I mean, the parking lot there.

Sergeant Omar Lee: You took cover behind the car?

Detective Mike Campbell: Uh-huh. Actually I slipped. I think Hankison -- me and Hankison tied up. And we slipped and then Mattingly is being pulled back.

Sergeant Omar Lee: Do you know where Hankison was—front, middle, back of the stack?

Detective Mike Campbell: He was probably in the middle somewhere. He was in front of me. So when we all started pulling back, I thought he was in front of me when we all backpedaled out of there.{Pause}

Sergeant Omar Lee: And so then you're kind of -- so you kind of maintained there and using the vehicle as cover, you kind of maintained there as the guy gets called out.

Detective Mike Campbell: Mm-hmm (affirmative).

Sergeant Omar Lee: And then they're rendering first aid to Sergeant Mattingly?

Detective Mike Campbell: He's—by the time the guy was coming out, he was gone.

Sergeant Omar Lee: They were gone. Okay, so they've already moved him out of the scene. The guy came out. You don't hear him say—you do hear him say a couple things.

Detective Mike Campbell: Yeah. He's talking to some of the detectives briefly. I mean, nobody's interviewing him really or anything.

Sergeant Omar Lee: Right, just...

Detective Mike Campbell: Just talking...

Sergeant Omar Lee: -spontaneous statement.

Detective Mike Campbell: Yeah. And so the patrol person took him and secured him in a vehicle.

Sergeant Omar Lee: And you're kind of still maintaining cover on the house in case he anybody else is in, you know anybody else in there. You-all don't know who else is there, whatever.

Detective Mike Campbell: Right

Sergeant Omar Lee: OKAY. And you don't see anybody else come out of the residence.

Detective Mike Campbell: I don't see anybody else come out. SWAT -- by that time SWAT gets there and then they clear it.

Sergeant Omar Lee: Okay. So, you never actually made entry into the apartment at this point?

Detective Mike Campbell: After the shoot --after they cleared it, I went up and talked, checked, tried to make contact with all the apartments to make sure they were okay. There was a lot of gunshots.

Sergeant Omar Lee: In checking the other residents to make sure they were okay, did any of them hear anything or say anything that we need to go back and follow up on that you can recall?

Detective Mike Campbell: No. They just said they heard shots, a bunch of shots. I talked to the people on the second floor. I believe Luke Phan talked to people on the -- Sergeant Phan talked to people on the first floor because he had gotten there by that time.

Sergeant Omar Lee: Is he out there as a SWAT commander, I'm assuming, as a sergeant on SWAT?

Detective Mike Campbell: No. He's sergeant in narcotics, on the narcotics side.

Sergeant Omar Lee: Oh, is he? Okay. I'm sorry. I thought he was in SWAT.

Detective Mike Campbell: He is, but he was...

Sergeant Omar Lee: Got you. Two roles.

Detective Mike Campbell: Yeah. but he -- I think he was on the other warrant and he had gotten out there about the same time the SWAT team got there.

Sergeant Omar Lee: So this was a kind of trying to hit four different targets?

Detective Mike Campbell: Five different targets.

Sergeant Omar Lee: Five different targets. Kind of simultaneously?

Detective Mike Campbell: Yeah, close together. There was four spots on Elliott Avenue and this spot on Springfield Drive.

Sergeant Omar Lee: Now assuming that you're trying to get them all simultaneously, they're all kind of connected within the drug trade?

Detective Mike Campbell: Yes.

Sergeant Omar Lee: The subject that did come out, did you see him, by chance? Could you identify who it was or do you know who he was?

Detective Mike Campbell: No.

Sergeant Omar Lee: Or who he was?

Detective Mike Campbell: I have (sounds like: no idea).

Sergeant (Lainey): Okay. Once the door popped open, was there an opportunity -- and you may not fully know this the way I'm going to ask it. But was there an opportunity, or did you hear anybody give any verbal commands to anybody as far as to, you know, show your hands or anything like that?

Detective Mike Campbell: No. As soon as the door popped open, rounds were coming through. It was like pop, and then pop, pop, pop. It was like boom, pop, pop, pop, pop, pop.

Sergeant (Lainey): Okay. So just to kind of paraphrase and make sure I've got everything, you were part of the team that went to 3003 Springfield Drive, apartment number 4. That was one location of multiple search warrants that were being served tonight. You were there prior to doing surveillance, and then the rest of the team showed up. You fell in at the rear of the vehicles and at the rear of the stack. You-all approached the door, knocked and announced several times, gave opportunity to answer the door. The decision was made to breach. I think you said Mike Nobles you think had the ram.

Detective Mike Campbell: I believe Mike Nobles had the ram.

Sergeant (Lainey): Struck the door. Once the door flew open, Sergeant Mattingly was the first one in the stack and in the doorway. And as soon as the door popped open, shots were being fired from inside. And then at that point there was multiple shots being fired and you're not able to determine how many total shots or how many from each specific person.

Detective Mike Campbell: Correct.

Sergeant (Lainey): At that point officers began to scramble for cover. And I think you said it was Lieutenant Hoover was pulling Mattingly back to cover.

Detective Mike Campbell: Right.

Sergeant (Lainey): Once everybody kind of got to cover, you provided cover on the house, other officers began treating Sergeant Mattingly. They put him on the trunk of a car that was brought into kind of lift, carry him out of the scene to EMS. Additional police uniformed officers responded, assisted with setting the perimeter. You-all began hailing, and a subject came out, was taken into custody. At some point you overheard him saying that his girlfriend had shot and he had heard you-all knocking. And then SWAT -- by then SWAT had showed up and cleared the rest of the house.house.

Detective Mike Campbell: That's accurate.

Sergeant (Lainey): The gentleman that came out—were you able to get a description of him?

Detective Mike Campbell: A tall, black male, looked to be in his late 30's, maybe 40's.

Sergeant (Lainey): Do you recall any of his clothing?

Detective Mike Campbell: No. I mean, he was clothed, he was fully clothed, but I don't recall anything in particular.

{Pause}

Sergeant (Lainey): Okay. Sergeant Lee, is there any other thing you can think of?

Sergeant Omar Lee: I thought I had a follow-up, but it slipped my mind. So I'm going to say I do not.

Sergeant (Lainey): Are there any other questions that we have not asked your or any other information that you have that you believe that could be beneficial to this case?

Detective Mike Campbell: No.

Sergeant (Lainey): Is there anything you want to state for the record before we end?

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Detective Mike Campbell: No.

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

Detective Mike Campbell: Yes.

Male Speaker: Alright. We will conclude this statement. The time is now 06:30 hours.

Barbara Whaley: You don't have any questions for (inaudible)?

Male 1: Yes. (Inaudible).

Barbara Whaley: {Laughing}

Male 1: One thing I would like to ask is about Detective Campbell's situation. He's in last, and (inaudible) in third (inaudible). (Inaudible) so the door breached and he was the first one in. That (inaudible) shot (inaudible) first offense (inaudible). He was saying they (inaudible) this detective, Campbell (inaudible) won't (inaudible) put an end to that (inaudible). As far as discipline, let him (inaudible).

Detective Jeff Ogg: That's what I said.

Female Speaker: [Laughing]

Male 3: I just want to make sure that (inaudible).
{Laughing}

Male 2: I got one other question. Did he say he heard -- he said that the boyfriend stated that he heard them knock?

Detective Ogg: Yes.

Male 2: He said he heard the—he said that (inaudible) stating that he heard them knock.

Detective Ogg: That's what he says, yes.

Barbara Whaley: Several times. Yes, that's what I was getting ready to say. It's time for a break.

{Static as recorder is being turned off}