

TRANSCRIPT OF POST-INCIDENT INTERVIEW OF OFFICER
THEODORE HUNTSMAN (LVMPD 000185 – LVMPD 000230)

EXHIBIT 4

**LAS VEGAS METROPOLITAN POLICE DEPARTMENT
EMPLOYEE STATEMENT**

**CIRT 2019-009
Event# LLV190300010224**

1 **NAME OF PERSON GIVING STATEMENT:** Officer Theodore Huntsman, P# 16848 (TH)
2 Involved Employee

3
4 **LOCATION OF INTERVIEW:** Critical Incident Review Team Office
5 400C South Martin Luther King Boulevard
6 Las Vegas, Nevada 89106

7
8 **DATE & TIME OF INTERVIEW:** 03-06-2109 @ 1056 Hours

9
10 **PERSON INTERVIEWING:** Detective Claybourne Howell, P# 9634 (CH)

11
12 **ALSO PRESENT:** Detective Guy Turner, P# 13518

13
14
15 **REPRESENTATIVE:** PPA Chad Lyman, P# 8262
16

17
18
19 **ATTEST:**

20
21 **I do hereby certify that I have truly and correctly transcribed the audio recording in the above-**
22 **entitled matter.**

23
24 **Transcriptionist name here**

25 **Date @ Time hours**
26

27
28
29 **CH:** Operator this is Detective Howell, P# 9634, conducting a subject employee interview
30 with Officer Theodore Huntsman as part of an administrative investigation under CIRT
31 number 2019-009 and Event LLV190300010224. This case is assigned to Detective
32 Guy Turner. You are being questioned in an official investigation by the LVMPD
33 regarding a use of force that you were involved in that occurred on 3-3 of 2019 at
34 approximately 0320 hours. It al- it is alleged you used force while attempting to handcuff

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1 a subject. After the subject was handcuffed he later passed away at the hospital. You
2 will be questioned regarding your tactics and decision making during the incident. This
3 interview is being conducted at 400 Martin Luther King Boulevard, Building C, Suite 307
4 at 1056 hours on 3-6 of 2019. Also present at this time are Detective Guy Turner, P#
5 13518 and PPA Representative Chad Lyman, P# 86- 8262. Uh, Officer Huntsman do
6 you understand this conversation is being recorded?

7 TH: Yes sir.

8 CH: You are being compelled to provide information in this administrative investigation
9 regarding the described incident. As such the following department rules and laws apply
10 to every LVMPD employee. **Truthfulness:** Did you receive and read a copy of the
11 Employee Obligations and Protection in an Internal Investigation form?

12 TH: Yes sir.

13 CH: Prior to this interview beginning did you initial and sign that same document?

14 TH: Yes sir.

15 CH: As an LVMPD employee do you understand your obligation to be truthful?

16 TH: Yes sir.

17 CH: **Self-incrimination:** Because you are being compelled to answer questions as an
18 employee under threat of termination your statements, any information or evidence
19 which is gained through such questioning cannot be used against you in any criminal
20 proceeding. Do you understand?

21 TH: Yes sir.

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1 CH: **Active Investigation Admonishment:** This admonishment is to maintain the integrity
2 of this process for the department and all parties involved. You are hereby directed not
3 to contact any employee or persons involved in this administrative investigation until
4 those persons have been interviewed by the Critical Incident Review Team. You may
5 not disclose any facts of the investigation with anyone except those persons with
6 designated departmental authority until interviewed by the Critical Incident Review
7 Team. Designated departmental authority is extended to your representative of choice
8 as allowed by the Rights of Peace Officers Statutes and the Civilian Collective
9 Bargaining Agreement. Once the Critical Incident Review Team has completed their
10 interviews this admonishment is lifted. Do you understand?

11 TH: Yes sir.

12 CH: Did you receive a copy of NRS: Chapter 289 - the Rights of Peace Officers?

13 TH: Yes sir.

14 CH: Do you have any questions about the rights of peace officers or rights pertaining to this
15 interview?

16 TH: No sir.

17 CH: Uh, prior to the interview beginning will you acknowledge that you and your
18 representation had time to review the following evidence related to this incident? We
19 have CAD, radio traffic and body-worn camera.

20 TH: Yes sir.

21 CH: Do you have any questions before we start the interview?

22 TH: No sir.

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1 CH: For the record can you state and spell your name and P# ?

2 TH: Yeah. My name is Theodore Grant Huntsman. That's T-H-E-O-D-O-R-E, G-R-A-N-T.
3 Last name H-U-N-T-S-M-A-N. P# 16848.

4 CH: What is your classification and current assignment?

5 TH: It is PO2 and it's Patrol at Spring Valley.

6 CH: How long have you been employed by the LVMPD?

7 TH: Uh, since August of 2017.

8 UM1: All right. Um, do you want me to call you Theodore or?

9 TH: Whatever you want man.

10 UM1: Good with that?

11 TH: Yep.

12 UM1: Okay. Um, Theodore how long have you been assigned to Spring Valley and what, uh,
13 squad are you assigned to?

14 TH: Uh, Spring Valley 11 and I've been there since, um, September.

15 UM1: Okay. And what shift and RDOs do you work?

16 TH: I work graveyard and my regular days off are Wednesday, Thursday, Friday.

17 UM1: And that evening, um, of the incident - I guess early morning - what - what was - what
18 uniform were you wearing?

19 TH: Uh, the regular patrol uniform with, you know, badge on the front, two patch badges on
20 the, uh, side, um, duty belt...

21 UM1: Okay.

22 TH: ...the regular uniform.

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1 UM1: And t- nametag?

2 TH: Yeah.

3 UM1: Okay.

4 TH: Nametag with, uh, uh, my range marks, the range badge and then the CIT.

5 UM1: Qualification (unintelligible).

6 TH: Yeah.

7 UM1: Um, okay so during - during that incident - I want you to start - take your, uh, duty belt
8 and start from one side of center - whether you go left or right - and then just go around
9 and go through everything that's on your duty belt.

10 TH: Okay. Uh, so from left to right I have a two-pouch, uh, two-magazine pouch. Then I
11 have my Taser. And then it's my radio. And then it's my flashlight. And then it's OC
12 spray. And then it's baton, then firearm and then, uh, double handcuff pouch.

13 UM1: 'Kay. Do you carry a backup handgun?

14 TH: No sir.

15 UM1: And were you wearing body armor?

16 TH: Yes sir.

17 UM1: And do you carry a knife?

18 TH: I do in my left pocket.

19 UM1: Okay. Um, what level of retention holster is your p- your, um, holster?

20 TH: Uh, double.

21 UM1: Double?

22 TH: Mm-hm.

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1 UM1: Do you wear a body camera?
2 TH: Yes sir.
3 UM1: And where do you keep that mounted at?
4 TH: That's, um, the one around the collar and it's on the left side.
5 UM1: 'Kay. Where do you keep your, uh, battery pack for it?
6 TH: It's, uh, actually it's - yeah - next to my, um, magazine pouch.
7 UM1: Okay on your duty belt?
8 TH: Yeah. Yeah on my duty.
9 UM1: Okay. Do you carry a tourniquet?
10 TH: I do.
11 UM1: Where's that at?
12 TH: That's on my left ankle on - in a - it's like a medical kit...
13 UM1: Okay.
14 TH: ...holder.
15 UM1: Tourniquet holder thing?
16 TH: Yeah.
17 UM1: Yeah. What was your call sign that night?
18 TH: It was 1 Paul 11.
19 UM1: And do you remember what vehicle number you were driving?
20 TH: It would be, uh, 18117.
21 UM1: And who was your supervisor?
22 TH: Caesar Garcia.

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1 UM1: Do you know his call sign?

2 TH: His would be, uh, just changed - 8-11.

3 UM1: 'Kay. What were you doing prior to being assigned to the call?

4 TH: I was on a vehicle stop.

5 UM1: 'Kay.

6 TH: I believe it was on Valley View and D.I. I think.

7 UM1: Were you finishing up with that vehicle stop? Is that why you got assigned to this or this
8 came out and you just kind of let it go?

9 TH: Yeah so I was on it and I was actually in my car running the driver when this came out.
10 And, uh, so I decided I was just gonna give the guy his information back and I was gonna
11 clear.

12 UM1: Okay. Um, are you CIT certified?

13 TH: Yes sir.

14 UM1: And when were you approximately certified - do you remember?

15 TH: Yeah it would've been, uh, August of last year.

16 UM1: Okay. All right. Um, on March 3, 2019 at approximately 0316 hours under your LVMPD
17 Event# LLV190300010224 at the location of 3601 El Conlon Avenue you were involved
18 in an incident that resulted in death of a suspect. Can you walk us through your response
19 from the time you were s- assigned or self-initiated until the time you were, I guess,
20 cleared from the call?

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1 TH: Okay. So, uh, I was driving there. I was assigned after I cleared from vehicle stop. I
2 was driving there. I, uh, showed up, located the apartment map 'cause I wasn't familiar
3 with the complex.

4 UM1: Mm-hm.

5 TH: Um, Officer Smith arrived shortly thereafter. I saw where his building was and apartment
6 was based on the map. Um, I relayed that information over to Officer Smith. He as well,
7 uh, looked at the map. And then we both got into our vehicles and proceeded to go that
8 direction.

9 UM1: 'Kay.

10 TH: Um, knowing where the building was and what side his apartment was facing - so
11 knowing his apartment was facing south we parked on the east side of his building -
12 more like the east, uh, let's see - the northeast side of his building. So opposite so he
13 couldn't see us. And then also out of view on the east side. Um, right off the bat after
14 parking we didn't see any subjects. The call was unknown trouble with a, uh, 421A PR
15 - person reporting. And, uh, we didn't see any subjects at all at the map location or
16 parking near the building. So we both got out of our cars, proceeded to walk towards
17 the, uh, target apartment. Even walking over there we didn't see any subjects. No one
18 with a saw like the details said. Um, we got to the stairwell. Still didn't see anybody. So
19 at that point me and Officer Smith said - agreed that we didn't see any subjects at all in
20 general and that we were just gonna walk around a little bit to see if we could locate
21 somebody. Um, so we did. We walked to - I think to the end of the building and back
22 and didn't see anything so, um, at that point we just had a little bit of a, uh, discussion

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1 of, "Okay we don't see anybody. Let's try to make contact with the person reporting."
2 Um, we verified what apartment it was at. Um, I think he ended up, uh, Officer Smith
3 ended up asking dispatch, um, what apartment the PR was at. Once we confirmed that
4 we went to go make contact. So at this point I assumed contact officer. Officer Smith
5 assumed cover officer. Um, we went up to the second level where his apartment was
6 at. Um, I stayed off to the side out of the fatal funnel. Officer Smith was about midway
7 on the stairs. Um, making contact. Some of the things that he says off the bat is, um,
8 "Kick down my door." Um, another thing he said was, "They're in here." But upon further
9 questioning he's just saying, "They're in here," and I recall him saying, "They're there,"
10 like, somewhere else. At this point me and Officer Smith decide that, A, he's okay. Um,
11 at this point there's no crime. Um, we don't hear anything else. We don't hear any
12 movement, no screaming, nothing - anything that would suggest that we needed to enter
13 the apartment. Um, but he did come across as a mentally ill person so what we did was
14 Officer Smith called our sergeant to update him on what we had had at that point. Um,
15 as Officer Smith is on the phone with our sergeant -- Sergeant Garcia -- I, uh, take the
16 time and - and I go take a step back to see if I can see anything inside the apartment.
17 Um, I - I do see the subject. He is right next to the window. Um, he's facing west in his
18 apartment. And he's standing in the corner with 1,000-mile stare in his eyes. His big
19 old beady eyes just looking west. And, uh, I don't see any other subjects in there. So
20 he had prior stated that those three subjects - the one with the saw was in his apartment
21 but looking through the window I didn't see anybody else but him. So that just further
22 confirmed that he was okay. Um, but that also I felt that he needed some mental

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1 attention. Um, that he needed some type of assistance. Um, Officer Smith gets off the
2 phone. He tells me that, uh, him and sergeant had a discussion. That there's not much
3 we can do. That he's okay. The three subjects, you know, the one with the saw is not
4 there. There's - there's no crime at this point. Um, but he just suggested that we try to
5 knock on the door and try to make contact a few more times. So at that point me and
6 Officer Smith formulate a plan that, um, he's going to make contact at the door. I'm
7 gonna stay at the window and let him know if the subject comes to the door 'cause I
8 have eyes on him. Well once he does that he makes contact. Um, the subject does go
9 toward the door. It happened simultaneously. I let Smith know over the radio that the
10 subject was coming to the door and he heard him come to the door and came
11 downstairs. So at this point we create a distance, um, on opposite sides of the stairwell.
12 Um, when the subject came out he was armed with a pipe, uh, which appeared to me to
13 look like a, uh, I say pipe but it looked like a cutoff broomstick almost. Um, Officer Smith
14 then gave verbal commands to have him drop the pipe, um, gun drawn. He was
15 listening. He saw that, uh, I was - I think at that point he saw that we were officers and
16 dropped the pipe. The pipe fell and r- rolled down the stairs. So I then grabbed the pipe
17 and threw it so that it was out of play. Um, then Officer Smith gave further verbal
18 commands for him to come here and he was listening so - he was compliant in the sense
19 that he dropped the pipe and then he came towards us as directed. Um, but at that point
20 we didn't want to go hands on, uh, just because he was - appeared to be listening to
21 verbal commands. So he came down the stairs and, uh, went immediately towards the
22 next building over to the south and put his back towards the wall. Um, he then stated

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1 that he was, I think, paranoid schizophrenic. And then, uh, both me and Officer Smith
2 were talking to him saying that we wanted to pat him down. Officer Smith then states
3 that, uh, or asks if he has any other weapons on him. At that point he pulls out a kitchen
4 knife out of his left pocket. Not in a threatening manner. He wasn't bladed off or
5 anything. It was more of like, uh, trying to give it to us. It wasn't like he was trying to
6 attack us or anything. Um, and he was holding it in such a manner that it was pointed
7 towards him and blade facing his hand. Uh, I had to be in - I just happened to be at that
8 point in close enough proximity to - once he held it out in a, you know, here you go
9 manner I just took it right from him and then tossed it, uh, tossed that out of play. So at
10 this point he's already presented two weapons, um, and knowing that we wanted to get
11 him some kind of mental help - some type of assistance - we wanted to pat him down
12 for sure because he already presented two weapons. So we're trying to give verbal
13 commands for him to turn around so we can pat him down but he doesn't want to do so.
14 So at that point that's when I approach him and grab both of his arms attempting to
15 handcuff him. Um, at that point that's when he starts resisting. Um, he doesn't want to
16 be handcuffed. Officer Smith - I had his left arm, Officer Smith had his right arm and
17 we're both trying to get him cuffed. And that's when the basically fight ensues. Um, we
18 go to the ground 'cause he fell. At that point we're trying to just handcuff him. Um, he's
19 showing an aggravated - at first an aggravated aggressive level of resistance 'cause he
20 had the pipe and - and he had the knife. But he - there was no, like, intent to do harm
21 so even though we were on the ground with him and he was resisting - I - I've been in
22 that position before where I've been in a fight with somebody and they were at that - that

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1 prior fight that I'd been in that subject was trying to - he actually bit my partner. Um, he
2 was kicking, punching - but this time it didn't come across as that. It was - it was more
3 of a - he was definitely resisting in the sense that, uh, I don't think at that point he
4 recognized us as officers. I think he recognized us as maybe, like, people trying to get
5 him if that makes sense. Like maybe he was having a mental episode.

6 UM1: Mm-hm.

7 TH: Um, so he was pulling his arms away but he wasn't trying to bite me, uh, he wasn't trying
8 to punch but he was definitely fighting - wanting to get away. And - and, you know,
9 maybe if he could - maybe if he was in the right state of mind maybe he - or maybe if we
10 didn't have his arms pinned down maybe he would've punched us. I don't know. But
11 from what I could tell he was just trying to get away. Uh, we eventually got him
12 handcuffed. Uh, once we got him handcuffed we were able to just kinda lay off him a
13 little bit. Um, 'cause at that point - in order to get him hand- handcuffed Officer Smith
14 had his - his knee - he had his weight on - on the subject's butt. At this point he was on
15 his stomach. Um, I had my leg across his shoulders but he was fighting enough to where
16 he kind of threw me off. But I was able to have, like, I was near his head so he couldn't
17 get up. Um, we got him handcuffed. Officer Smith then said, uh, we should lay him on
18 his side in the recovery position. Um, at that point after that we got him in the recovery
19 position. I had asked or requested medical because he did have a c- a small cut on his
20 cheek. There was blood there. Um, and he was still at that point, uh, kicking. Uh, he
21 was facing the apartment building at that point and was, like, kicking off of it. And his
22 head was near, um, some bricks -- landscaping bricks. So we decided so that he wasn't

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1 hitting his head on the bricks that we would keep in the - keep him in the recovery position
2 but pull him out from hurting himself. So we kept him in the recovery position. I was
3 holding his head so that he wouldn't hit it. Um, at this point medical was already
4 requested. They were already on their way. Um, and he had calmed down. He started
5 to calm down. He stopped kicking. He was still yelling a little bit but he stopped flailing
6 his head, uh, so I - I let go of that 'cause he wasn't gonna bang it on the cement. Um,
7 and then he was good so that we at this point just let him lay there. And so at that point
8 I made sure Officer Smith was okay with me going to my car. 'Cause what I did was -
9 knowing that medical was in route and that other units were in route, um, I pulled closer
10 and flipped my lights on so that medical and other units could locate us more easily. But
11 by the time I got back, uh, he was completely silent, uh, the subject was completely
12 silent. Officer Smith had stated something to the effect of, uh, it was really weird how
13 he went from, you know, fighting to - to being still. Um, and then after that it was us just
14 checking his pulse, doing sternum rubs, um, making sure he was breathing at that point.
15 And then at that point I got on the radio and requested that medical expedite because,
16 uh, he seemed like he was short of breath. Um, and then, uh, let's see a third unit
17 showed up and saw that we already had him in the recovery position. And then, uh,
18 AMR showed up. They - they come to us. We - they asked that we get him unhandcuffed
19 which we did. They put him on the gurney and then take him to their ambulance. And
20 then, uh, at that point I think I turned my camera off and I was just talking a little bit with
21 Officer Huber. Um, Officer Smith had followed them to the ambulance and then he came
22 back to me saying, uh, "Oh they're starting chest compressions." So at that point all

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1 three of us walked over to the ambulance and I flipped my body camera back on and
2 they stepped out asking if one of us could give help with CPR. So at that point I
3 volunteered and started giving CPR. And then, uh, while I was there the, uh, the AMR
4 team or whatever they're called - one of 'em had stated that, uh, he had still had a
5 heartbeat when they initially approached us and the only reason why they were starting
6 compressions then was because, uh, it was so low that he wouldn't be able to survive
7 on his own. And so that's why they started chest compressions and such. Um, then fire
8 department showed up and - and they swapped me out so I was able to get out of AMR's
9 ambulance, um, and then they transport him to, uh, Valley I think it was. Um, and then
10 by that point supervisors were on scene and another unit had followed them to Valley
11 and then that unit had pronounced the subject dead.

12 UM1: 'Kay.

13 TH: Oh, via radio.

14 UM1: Good?

15 TH: Yep.

16 UM1: 'Kay. Um, just so you know if at any point you need to take a break or anything just...

17 TH: Mm-hm.

18 UM1: ...let us know 'kay?

19 TH: Sounds good.

20 UM1: Um, all right good job describing everything. We're gonna kind of go back into the
21 beginning and just kind of break it down a little bit further for you.

22 TH: Okay.

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1 UM1: Um, and go from there 'kay? Where were you first located whenever you learned about
2 the incident?

3 TH: Uh, s- that was at the vehicle stop on Valley View and D.I.

4 UM1: 'Kay. Um, were you riding with anybody that night?

5 TH: No sir. I was solo.

6 UM1: How did you respond to the incident - regular or code 3 or anything like that?

7 TH: Regular.

8 UM1: 'Kay. Um, did you do any preplanning or rehearsal in your head prior to arriving over
9 there?

10 TH: Yeah so the - the preplanning was I, like I said, I - I went to the apartment map, saw
11 where it was - what side of the complex and what side his apartment faced. Um, so
12 based off that we parked - since he was located on the, uh, south side we parked on,
13 like, the northeast side. Um, so that was part of our preplanning. Um...

14 UM1: Anything that you specifically thought in your head about? Like, I - I - I've been to 1000
15 of these calls probably. I - you un- I know you don't have that long on. You've probably
16 been to 100 or so.

17 TH: Mm-hm.

18 UM1: So, you know, the - is this a normal routine call for you that you go to a lot?

19 TH: Yeah. Well especially in apartment complexes, um, you - you o- you normally have to
20 find a map and then see where it's at.

21 UM1: Mm-hm.

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1 TH: And then you just park where the - the - the call's location - try to park, like, offset so
2 you're not immediately set...

3 UM1: 'Kay.

4 TH: ...like, right in front of them.

5 UM1: Sure.

6 TH: Right in their view. So that was already kind of in my head just 'cause...

7 UM1: Okay.

8 TH: ...that's kind of a routine thing. Um, the o- only other preplanning, uh, was me being -
9 something the department trains is contact cover. Um, I assumed contact position.
10 Smith assumed cover. That was part of the plan. Um, also being outside of the fatal
11 funnel so being offset from the door and not immediately in front of it.

12 UM1: Okay.

13 TH: Neither of us did that. Uh, we were - neither of us were in front I mean.

14 UM1: Right.

15 TH: We were both offset so that was also part of the approach plan.

16 UM1: Okay. Mmm, did you have any options available to you whenever you arrived? What
17 options were available to you whenever you arrived?

18 TH: So just showing up. Just, you know, walking over there on foot. Um, at that point there
19 was no need for, you know, the Air Unit or...

20 UM1: Okay.

21 TH: ...K-9 or anything like that.

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1 UM1: Was there additional officers that were readily available to you guys or were they on
2 other stuff?

3 TH: Yeah so at the time because it was a busier night me and, uh, Smith were pretty much
4 the only two units available.

5 UM1: Mm-hm.

6 TH: Everybody else was on either calls for service or they were on some type of - I think
7 there were only two free units as in, like, the sense that they were on car stops. Other
8 than that everybody was literally on something else.

9 UM1: Got you. And the other officer - Smith - he was actually - he wasn't even, uh, um, doing
10 patrol work he was actually a VC, uh, violent crime initiative...

11 TH: Yes.

12 UM1: ...officer that night right?

13 TH: He was. Yes he was.

14 UM1: Um, did you receive any other information from dispatch about the suspect after your
15 arrival?

16 TH: Uh, negative. The only - we requested information that, um, he be called so that he
17 could come out.

18 UM1: Mm-hm.

19 TH: Um, but other - once we arrived there no there was no other...

20 UM1: Okay.

21 TH: ...updates.

22 UM1: Um, did you get any additional stuff from the MDT that you haven't already talked about?

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1 TH: No. Uh-uh. We - we already knew he was 421A. We already knew to look for three
2 subjects.

3 UM1: 'Kay. Um, you said Sergeant Garcia was your supervisor that night right?

4 TH: Yes sir.

5 UM1: And about when did he arrive on scene?

6 TH: Um, once AMR had showed up and the subject was in the back of the ambulance that's
7 about the time he showed up.

8 UM1: Okay. All right. What's the timeframe from that? Like, how many minutes do you think
9 that was?

10 TH: Um, probably 10, 15.

11 UM1: Okay. Um, were you aware of the previous incident that occurred with, um, the suspect?

12 TH: No. Well at the time of making contact with him no. It wasn't only until afterwards Officer
13 Smith, um, had mentioned that, uh, he thinks - he thought that that subject was involved
14 in some kind of 416 with another officer...

15 UM1: Okay.

16 TH: ...um, prior. But he only - he - it wasn't confirmed he just kind of thought it might've been.

17 UM1: Okay. Um, did either one of you guys or did - did you request any priors from, uh, the
18 apartment location whenever you got there?

19 TH: No I did not.

20 UM1: Do you know if dispatch ever broadcast any stuff about any priors at his apartment
21 complex or his apartment?

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1 TH: Uh, much later on when Sergeant Garcia was on scene and requested priors yes. But
2 at the time me and Officer Smith were there no they didn't.

3 UM1: Okay.

4 TH: And we didn't request either.

5 UM1: Um, do you remember what the PR's name was listed as under the CAD?

6 TH: I do not recall no. Royce?

7 UM1: Okay. And did w- it - is there any way that you guys could've done a - a records check
8 with the PR that's listed the way it's listed like that?

9 TH: No. No way.

10 UM1: Okay so - so there's - there's no way to do a records check to see...

11 TH: Yeah. Not there's...

12 UM1: ...if he's 440 or anything like that right? Um...

13 TH: Without the name, date of birth - nothing.

14 UM1: And then I'm assuming you weren't aware that he was 440.

15 TH: No we were not.

16 UM1: Um, and then you weren't aware of any of the previous CIT incidents involving him right?

17 TH: No sir.

18 UM1: 'Kay. Did that. Um, whenever the suspect first came out you guys were making contact
19 with them - so the - the first time you - your d- your contact the first knock right?

20 TH: Yes. That's correct.

21 UM1: Um, doesn't come out but he tells you to kick the door open.

22 TH: Yes.

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**CIRT 2019-009
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1 UM1: He was making utterances like that. You guys obviously don't do that.

2 TH: Mm-hm.

3 UM1: There's no reason to. You go back downstairs. You call your supervisor - get some
4 guidance from him. He tells you, you know, just knock again. At that point you become
5 the cover and now Smith is now contact right?

6 TH: Yes that's correct.

7 UM1: Um, whenever he comes outside did - did you say anything to the suspect as the cover
8 officer - whenever he first comes outside with the pipe?

9 TH: Uh, negative. (Unintelligible).

10 UM1: Okay. So you just kind of worked your cover spot and he worked his contact spot.

11 TH: Yes sir.

12 UM1: Um, whenever he came out with the pipe did you feel as if you were threatened by him
13 at any point? Did - were you in fear that he was maybe gonna come downstairs and
14 start hitting you guys with the pipe or?

15 TH: Um, initially no, uh, just because he was at the top of the stairs. Officer Smith, um, drew
16 his weapon...

17 UM1: Mm-hm.

18 TH: ...told him to drop it and he did.

19 UM1: Okay. Did you draw your weapon?

20 TH: I did not.

21 UM1: Um, and then you didn't give any verbal commands right?

22 TH: I did not.

STATEMENT OF: Officer Theodore Huntsman, P# 16848

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1 UM1: Um, do you remember him saying anything to you guys?
2 TH: Um, what he said at the top of the stairs I - I don't recall what he said actually.
3 UM1: He was mumbling or uttering something though right?
4 TH: Yes he was mutter- he was saying something I just don't recall what it was.
5 UM1: Okay. Um, so whenever he comes out and has the pipe, uh, your partner starts basically
6 engaging him. Telling him drop it. He drops it. What - what exactly do you do at that
7 point?
8 TH: Um, at that point I hear the pipe rolling downstairs.
9 UM1: 'Kay.
10 TH: Um, so I approach the stairs and - and grab it real quick and - and throw it out of play.
11 UM1: Did you know that he was gonna be coming to the door?
12 TH: Yeah. So, um, in that - that second contact when Smith was contact and I was cover,
13 um, I saw him from the window go towards the door.
14 UM1: Okay.
15 TH: Um, and that's when I announced over the radio to Smith that he was coming.
16 UM1: Okay.
17 TH: And Officer Smith, um, heard him come to the door and came downstairs.
18 UM1: Okay. So you guys communicate to each other that he was...
19 TH: Yes. Yes.
20 UM1: ...walking that way and...
21 TH: Yep.

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1 UM1: Um, 'kay you describe the - the pipe. You said it kinda looks like a broomstick. How -
2 how long do you think it was? How big?

3 TH: Oh it was approximately maybe foot and a half.

4 UM1: Okay. So 18 inches or so.

5 TH: Yeah.

6 UM1: Um, and then whenever he threw it it made a clanging noise right?

7 TH: Yes. Yes it did.

8 UM1: So assuming it's probably metal too.

9 TH: Yes. Yes. Yes it is.

10 UM1: Um, did - and he had a second weapon correct?

11 TH: Yes he did.

12 UM1: 'Kay. What's the second weapon?

13 TH: Second weapon is a, uh, kitchen knife.

14 UM1: And what's the size of it - kind of describe it to me.

15 TH: Um, collectively it was just a regular size kitchen knife probably, oh, 8 inches - that was
16 handle and all.

17 UM1: 'Kay.

18 TH: Handle and blade.

19 UM1: Butter knife, steak knife?

20 TH: Um, more like a steak knife. Wasn't...

21 UM1: 'Kay.

22 TH: ...it wasn't a dull butter knife no.

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1 UM1: So it had a - probably a serrated edge on it and stuff...

2 TH: Yes.

3 UM1: ...like that.

4 TH: Yes it was definitely pointy.

5 UM1: And, um, you said whenever he pulled the knife - do you remember where he took it out

6 of?

7 TH: His left pocket.

8 UM1: So it was in his left pocket?

9 TH: His front left pocket. That's what it was.

10 UM1: And whenever he pulled it out did you ever feel like you were threatened at that point by

11 him with that?

12 TH: No. O- only because he presented it in a manner like he was wanting to give it to us.

13 UM1: Okay so...

14 TH: Like, you would - like you would give anybody else like a pencil or something.

15 UM1: Okay. So he pulls it out and then just reaches out and hands it to you guys.

16 TH: Yes. Yes.

17 UM1: And then what do you - how do you secure it?

18 TH: Um, me I - I grabbed it and I threw it in the same direction as the pipe.

19 UM1: 'Kay. Which was a - about how far away from you guys?

20 TH: Probably 20 feet give or take.

21 UM1: Okay. So a good - good chuck out of - out of there?

22 TH: Yeah. Yeah.

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1 UM1: Whenever you guys first got there, um, what was your reasoning for contacting the
2 suspect? You - 'cause you guys get there. You're going to - there's supposedly three
3 males outside.

4 TH: Yeah. 404 with three males. Yeah.

5 UM1: Yet you realize once you get there there's no one there. It's...

6 TH: Mm-hm.

7 UM1: ...pretty quiet in the - in the apartment complex. Um, why do you guys go talk to him?
8 What - what's your purpose for that?

9 TH: So, um, the purpose was o- originally, um, to get more information on the three males,
10 like, w- how long ago did they leave, what direction of travel...

11 UM1: 'Kay.

12 TH: ...what'd they look like - that kind of thing. Um, but after it - it turned into a this guy needs
13 some kind of assistance.

14 UM1: 'Kay. More of like a - along the lines of mental illness.

15 TH: Yes.

16 UM1: He needs some sort of...

17 TH: Yes.

18 UM1: ...medical attention.

19 TH: Exactly.

20 UM1: Okay. We already covered that. That. Um, so you guys - he gets down the stairs. He
21 - he, uh, backs up to the wall there. You guys are gonna conduct a pat down. Can you
22 just articulate your reason for conducting the pat down on the suspect?

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1 TH: So he had already presented, um, two weapons. Um, and at this point now he's in the
2 general public so he's no longer in his own apartment. Now he's a threat to us as officers
3 - presenting two weapons and also he was right by some doors, um, so he's a threat to
4 others. At any given time if - if somebody - if another resident would've come out it - I
5 would fear that something would click as far as him not mentally being there and possibly
6 harming others.

7 UM1: 'Kay.

8 TH: So that was one reason but also, um, his clothing - he was wearing a longer shirt which
9 covered his waist. Also he was wearing a jacket which based on my experience there's
10 a lot of guys who can conceal many other weapons with that kind of clothing.

11 UM1: 'Kay. Um, all right. So what does the suspect do immediately whenever you go to
12 conduct the pat down and go hands on with him? Just kind of slow it down and break it
13 down movement by movement.

14 TH: Okay. Um, he doesn't want to come from where his wall - his back's to the wall 'cause
15 he's paranoid and he had said that. Um, but I grab his arms, um, both arms to try to,
16 uh, get him in handcuffs. And when I get both arms - I get - get his hands together he
17 still has a cell phone in his left hand I think it was. Um, I go to grab his fingers so that I
18 can pull out my, um, cuffs and that's when he's - he starts resisting. Um, at that point,
19 uh, Officer Smith approached with me and grabbed his right arm. I grabbed his left. And
20 we are just empty hand tactics just grabbing his arm -- that's it -- to try and - and cuff
21 him. That's it. Um, but he's pulling away. He ends up falling. Um, and so that's when
22 we go to the ground with him.

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1 UM1: 'Kay, um, describe the falling to me 'cause, uh, whenever you say falling someone might
2 perceive that as, like, tripping and falling...

3 TH: Mm-hm.

4 UM1: ...versus, um, you guys maybe helping him fall versus him just kind of...

5 TH: Mm-hm.

6 UM1: ...laying down almost.

7 TH: So it was - he was trying to - it was like a - he was trying to lay down but we didn't want
8 him to just deadweight fall to the ground. And so at that point all three of us just, like,
9 slowly helped him down and slash he was trying to fall if that makes sense.

10 UM1: Okay.

11 TH: Um, and then that's when we were just the whole time - I still had one arm, Officer Smith
12 still had one arm and we're just trying to handcuff him. That was it.

13 UM1: Okay. And he's on his back at this time right?

14 TH: Uh, he - yes he is on his back yes.

15 UM1: Okay so you - you guys are face-to-face with him. You're - you have - which arm - which
16 arm do you have his left arm...

17 TH: So...

18 UM1: ...or right arm?

19 TH: So now at that point we kind of transition because, uh, I started out with his left arm but
20 then he fell to his back. At that point he was on his back and I was holding down his
21 right arm.

22 UM1: Okay.

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1 TH: Officer Smith was holding down his left.

2 UM1: Okay so you're holding his right arm.

3 TH: Mm-hm.

4 UM1: He's holding his left arm. Um, at some point I think you're the first one to get on the
5 radio?

6 TH: It's Officer Smith who - who basically calls out that we're in a fight.

7 UM1: Okay.

8 TH: But - but I - in my ear it didn't come out that way, um, so dispatch gave us a red for, um,
9 like a un- unreadable radio traffic.

10 UM1: Okay. So you guys are holding him down.

11 TH: Mm-hm.

12 UM1: What's your plan at this point whenever you're holding him down?

13 TH: Our plan is still just to get him in handcuffs. Um, that way we can successfully pat him
14 down and successfully get him help.

15 UM1: Okay.

16 TH: Medical or mental help.

17 UM1: You guys had mentioned I think on CAD whenever they, um, I didn't - I didn't know if it
18 was, uh, you or him that...

19 TH: I pretty much, like, during the rest of the struggle had, um, had given most the radio
20 traffic...

21 UM1: Mm-hm.

22 TH: ...once we were to the ground with him.

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1 UM1: So right here you guys - I don't know if that's you or him that gives that radio traffic - you
2 or Smith. But you guys give the radio traffic saying that you're holding him down waiting
3 for more units.

4 TH: Yeah it says VC 91 but that was actually me.

5 UM1: That was you giving the...

6 TH: Yeah.

7 UM1: ...radio traffic?

8 TH: That was actually me. Yeah.

9 UM1: Okay. So you give that radio traffic. Um, is there a reason why you guys aren't trying
10 to continue to handcuff him or - 'cause it - it kind of - the way we're understanding it kind
11 of you hold him down waiting for more units to get there before you guys can get him
12 into handcuffs.

13 TH: Yeah. So...

14 UM1: Just kind of paint that picture for me...

15 TH: Yeah.

16 UM1: ...as to why you're holding...

17 TH: Yeah.

18 UM1: ...him down.

19 TH: Uh, having - in - in my experience when there's a code red on a channel and no one
20 gives updates it's just kind of weird. So we were already holding him down, um, so I -
21 being that he gave unreadable traffic I just wanted to be clear that at that point he was
22 being held down and we're just trying to get him into custody. That way it was clear to

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1 everybody else. We were at a - at a point where he wasn't, you know, we weren't getting
2 punched or anything. He was to a certain degree controlled.

3 UM1: Okay.

4 TH: To a certain degree. And that we were just trying to get him into custody. But after I
5 said that, um, we're still wanting him to, uh, like I said, trying to take into custody so we're
6 still trying to take him into custody.

7 UM1: Mm-hm.

8 TH: So it - that objective never really stops.

9 UM1: Sure.

10 TH: You know what I mean? It was just maybe like a pause so that I can give out radio
11 traffic, yeah, but...

12 UM1: Okay.

13 TH: ...that objective doesn't...

14 UM1: So...

15 TH: ...go away.

16 UM1: So you guys pause. You give out the radio traffic.

17 TH: Mm-hm.

18 UM1: Um, what happens next after that? Because the - the way I'm understanding it is he's
19 kinda - he's laying on his back. He's not - do you think he's necessarily trying to hit you
20 guys or is he just trying to get away from you?

21 TH: No. Um, and that's why I brought up my previous 416 that I've been in.

22 UM1: Mm-hm.

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1 TH: Um, that one he was trying to hit us.

2 UM1: 'Kay.

3 TH: Um, this one I felt like he was just trying to get away.

4 UM1: So...

5 TH: Uh, I didn't feel like he was trying to necessarily hurt us per say.

6 UM1: Right.

7 TH: But I did feel like he was trying to get away from us for sure.

8 UM1: So if you guys disengaged him in w- in your mind - this is the way you're thinking. If you

9 guys were to disengage him he's probably just going back upstairs and getting away

10 right? He's not...

11 TH: Yeah.

12 UM1: ...gonna come after you and fight you. That's...

13 TH: Yeah.

14 UM1: ...that's the way you're picturing it right?

15 TH: Yeah. And he might just runaway somewhere else. And at that point the neighbors

16 started coming out because of the - us giving verbal commands and him screaming.

17 So...

18 UM1: Okay.

19 TH: There were more than just us two, you know what I mean?

20 UM1: Sure.

21 TH: As officers. Um, but yeah if we were to just let him go he either would've ran to his

22 apartment or ran in some other direction to get away from us.

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1 UM1: A- assuming so. That's what...

2 TH: Assuming. Yeah.

3 UM1: Right. Um, you - so he's down there like that. Would it of been difficult to flip him over
4 with just you two and get him into custody? Is that why you guys were maybe waiting
5 for a third officer or more help or?

6 TH: Yeah. Well more help's never gonna hurt, you know?

7 UM1: Right.

8 TH: Especially since, uh, it's just us two and we're struggling to get him into handcuffs. You
9 know, an additional one or two units definitely would've been more helpful so that's why
10 we - we requested more. But - but we eventually did get him on his stomach and got
11 him handcuffed...

12 UM1: Okay.

13 TH: ...just between me and Officer Smith.

14 UM1: Okay. Um, describe him - describe the suspect to me.

15 TH: Oh so I don't know his exact stature but he was probably 6 foot-ish give or take. Um,
16 maybe 180, 190.

17 UM1: 'Kay.

18 TH: Um, skinny build. Um, older gentleman. He had, uh, gray hair.

19 UM1: How old do you think?

20 TH: Not knowing his age exactly I would say probably 60s.

21 UM1: Okay.

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1 TH: Um, yeah. Skinny build. He wasn't - and - and he - he was - he was a little bit, uh, he
2 was strong 'cause he was definitely tossing me and Smith. I mean...

3 UM1: 'Kay.

4 TH: ...at one point I had my - when he was on his stomach, um, I had my, uh, knee across
5 his back but he had turned so much that it tossed me off so. Um, he doesn't come
6 across as like a body builder strong but he definitely had some...

7 UM1: Some abnormal...

8 TH: ...just he was strong.

9 UM1: ...strength to him.

10 TH: Oh yeah. Oh yeah.

11 UM1: Okay. Um, all right so - let's see gone there and there. Um, you mentioned that the
12 suspect was put in a recovery position. Can you just - just describe when that position
13 - are you familiar with that position? I know Smith, uh, said it...

14 TH: Mm-hm.

15 UM1: ...but...

16 TH: Mm-hm.

17 UM1: ...but when would that position be used?

18 TH: So, um, recovery position, um, is more like from what I remember based on, uh, the little
19 class that the department gives, um, is just in case someone vomits or throws-up or
20 something like that if they're on their back, um, they're not choking on their own vomit.
21 They're not - their tongue's not choking - that kind of thing. It's - it's more of just a, you
22 know, a position so that his - a safe position until medical arrives.

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1 UM1: Okay. And that position - kind - kind of describe that position to me.

2 TH: So that would be, um, subject while be handcuffed -- and he was at this point -- um, he's
3 on his side. I think when we originally put him he was on his right side and his head was
4 facing the building if I remember right. But, um, he was still kicking so - yeah he was still
5 on his right side. The whole time he was handcuffed he was on his right side so.

6 UM1: Okay. And then you were holding his head to make sure he wasn't gonna hurt it at all.

7 TH: Yeah so w- he was trying to roll to his back but me and Officer Smith kind of kept him in
8 the recovery position and then Officer Smith had recognized that we were close to some,
9 uh, landscaping bricks.

10 UM1: Mm-hm.

11 TH: Um, so I held his head but then I suggested that we just pull him away - still in the
12 recovery position - away from the landscaping bricks which we did. And I held his head
13 for a little bit longer, um, all still in the recovery position. Um, once I realized that he was
14 no longer, you know, what am I trying to say, like, uh, banging his head or - or flail his
15 head in any direction, um, I let go of it and sure enough he was - he was fine.

16 UM1: 'Kay.

17 TH: So - but that whole time he was in the recovery position even then.

18 UM1: Um, have you ever dealt with ED suspects before?

19 TH: Uh, no that would've been my first one.

20 UM1: That's your first time ever?

21 TH: Yeah.

22 UM1: Did you think, um, um, you said you're CIT certified right?

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1 TH: Yes. Yes.

2 UM1: So they - they give a very minimal training on excited delirium.

3 TH: Mm-hm.

4 UM1: Do - did you think that he was at any point in excited delirium?

5 TH: It - it wasn't until Officer Smith had initially said, "I think he's ED," and then that's when
6 it clicked to me that okay maybe he was.

7 UM1: What were some of the symptoms that he was presenting that would make you think
8 that or kind of match up to it like, "Yeah I know he probably was ED or he could've been
9 ED?"

10 TH: Um, just the fact that he went from screaming and yelling to - to rolling around to pulling
11 his arms away to kicking, um, to all of a sudden no longer screaming and yelling, no
12 longer, uh, kicking, no longer pulling away. Um, he, uh, he was saying things that didn't
13 make sense, um, which based on that excited delirium class, um, during CIT training
14 that's one of the things that they teach. Uh, he - he - he was doing that. Just saying
15 things that didn't make sense.

16 UM1: 'Kay.

17 TH: Um, also he wasn't necessarily recognize o- he wasn't recognizing us as officers. It was
18 more of like we were - in his mind at least from my perception like we were maybe, you
19 know, strangers trying to hurt him or something. So those were like the - the factors.
20 And - and, like I had mentioned before, he was extremely strong for - for his age and
21 build.

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1 UM1: Um, at what point if any did you determine that or did you start thinking that maybe he
2 is actually in a medical crisis?

3 TH: So by the time I pulled my patrol car closer to our location and flipped my lights on -
4 when I came back, um, when he was complete opposite. He was quiet, um, he had
5 shallow breath. That's when I assumed that he definitely needed some kind of medical
6 attention. It was no longer a just we requested it for the cut on his face but it turned into
7 I think he needed some further assistance.

8 UM1: Okay. And what actions did you take at that time?

9 TH: Um, so at that time, um, I was checking his pulse. We were doing, uh, sternum rubs.
10 We were trying to yell at him, um, to try to alert his mind. Uh, we were checking for, um,
11 his chest to see if it would rise and fall.

12 UM1: 'Kay. Um, and Smith is the one who spoke to your sergeant both times on the phone?

13 TH: Yes.

14 UM1: Okay.

15 TH: Yes.

16 UM1: Were there any other witnesses in the area?

17 TH: So there were two neighbors...

18 UM1: 'Kay.

19 TH: ...uh, that as we were trying to get him into custody they were there the whole time. Uh...

20 UM1: And what did they say to you?

21 TH: Um, from what I recall one of 'em said, "This happens all the time with officers," and, uh,
22 I also remember the statement like, um, "Oh he's like this with everybody."

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1 UM1: 'Kay.

2 TH: Those kinds of things.

3 UM1: But th- nothing - nothing major though. Just kinda, "Oh here he is again."

4 TH: Yeah. So basically, "Oh this is just a regular thing with this guy."

5 UM1: 'Kay. Um, did any other units arrive to assist you - I guess, uh, I - I know that, uh, no
6 one got there until he got in custody but...

7 TH: Mm-hm.

8 UM1: ...what - where are the other units that arrived and what did they kind of do to help you
9 guys out?

10 TH: So Officer Huber was the third...

11 UM1: 'Kay.

12 TH: ...arriving unit. And because I had mentioned even after we had him in custody that he
13 was still kicking that we would need hobbles. So he showed up with hobbles...

14 UM1: Okay.

15 TH: ...um, as requested. Um, and then he was asking if we - if the subject had been pat
16 down. Um, and then he asked if, uh, we had requested medical. And that was pretty
17 much all at that point that Officer Huber really did.

18 UM1: Okay. There's really not much to do though.

19 TH: Yeah.

20 UM1: So.

21 TH: Not much to do yeah.

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1 UM1: You guys are just kinda waiting on medical to show up and then let them start accessing
2 him.

3 TH: Yes. Yes.

4 UM1: Um, did you observe any other officers use any force?

5 TH: No. Uh-uh. No sir.

6 UM1: Um, medical - who requested medical?

7 TH: Uh, that was me.

8 UM1: Okay. And then other than the stuff you mentioned already did you provide any other
9 medical treatment to him?

10 TH: No sir.

11 UM1: Have you ever received any medical training in your life?

12 TH: Yes sir.

13 UM1: W- what kind of medical training have you received?

14 TH: So I- like the department provides us CPR.

15 UM1: Okay.

16 TH: And, uh, that same class where you learn about the recovery position and all that.

17 UM1: Okay. Um, go ahead Clay.

18 CH: Officer Huntsman earlier you eluded to, uh, when you first made contact - contact with
19 the - the subject. Correct me if I'm wrong. He told you he's paranoid schizophrenic or
20 he was having some mental problems?

21 TH: Yeah he had said that - are you talking about the initial when...

22 CH: Yes.

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1 TH: Yeah so at the apartment when he was saying that those subjects were inside his
2 apartment and then he started saying that they were over there, like, somewhere else it
3 - it triggered to me that he was in some kind of - he wasn't all there necessarily.

4 CH: So at any time from the time you initially made contact with the subject to the time, uh,
5 you got him into handcuffs did he allude at all or did he make any statements that he
6 was having any physical medical problems?

7 TH: So the second time when he comes down the stairs and he puts his back towards the
8 apartment building he does say that, um, he's a, uh, paranoid schizophrenic. So he
9 does...

10 CH: As far as like...

11 TH: ...inform that.

12 CH: ...as far as, like, physical medical problems, like...

13 TH: No, no he doesn't...

14 CH: Okay.

15 TH: ...say anything about having any heart disease or anything like that.

16 CH: Okay. Got ya.

17 TH: That's the one and only medical diagnosis he brought up.

18 CH: Okay.

19 UM1: Chad you have anything? All right. Um, we're gonna go into your use of force 'kay?
20 And then, uh, I'm gonna ask you the eight questions for Graham v. Connor and kind of
21 break this down a little bit. So at the very beginning what if any crimes were involved
22 during this incident?

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1 TH: Well at the beginning it was just a man with a saw so with only that detail there is no
2 crime. It didn't say he was hurting anybody or anything like that.

3 UM1: Okay.

4 TH: So there was no crime at that point.

5 UM1: Um, what about whenever you guys - so a show of an o- uh, an officer showing up is
6 theoretically a force correct?

7 TH: Mm-hm.

8 UM1: Um, at that point whenever you guys went to go put him into custody...

9 TH: Mm-hm.

10 UM1: ...um, what - what kind of - w- were there any crimes up to that point? Has he - has he
11 done anything to you guys where he came down the stairs, whenever he had the pipe,
12 whenever he had the knife - any of those things were there any crimes related to this?

13 TH: Related to the original, uh, unknown trouble call? No.

14 UM2: When you get a chance can you repeat the question?

15 UM1: Um, I just want to know if there were any crimes up to the point whenever they went to
16 go hands on and put...

17 UM2: Okay.

18 UM1: ...put hand on him and see what kind of - so just the - what crimes were involved for the
19 whole incident.

20 UM2: (Unintelligible). Clear that up for him.

21 TH: Yeah. Yeah. So at that point when we try to go put him into custody, um, to pat him
22 down he was resisting.

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1 UM1: Okay.

2 TH: Um, and also obstructing.

3 UM1: Okay. Um, what threat did the suspect pose to you or others?

4 TH: So right out the gate when he came out his door holding the pipe, um, that would be

5 aggravated aggressive...

6 UM1: Okay.

7 TH: ...'cause he had a weapon. Um, and then - and then again he was at, uh, well pretty

8 much for the whole time though his intent to harm necessarily wasn't there he was at

9 aggravated aggressive 'cause then he r- r- uh, presented with another weapon.

10 UM1: 'Kay.

11 TH: Um, and then the whole time as he's resisting arrest, um, and obstructing he's actively -

12 he's aggressive in nature...

13 UM1: Mm-hm.

14 TH: ...pulling away. Um, although the intent to harm isn't there he...

15 UM1: Got ya.

16 TH: ...he's definitely in that level of resistance.

17 UM1: So just kind of bouncing around on all the levels correct?

18 TH: Yes. Yes.

19 UM1: Okay.

20 TH: And - and we - me and Officer Smith tried to stay within low level.

21 UM1: Right.

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1 TH: You know, we weren't - we didn't tase him. We didn't OC spray him. We didn't baton
2 him. Nothing.

3 UM1: And what's your reason for wanting to stay low level?

4 TH: Um, 'cause I had - like I'd mentioned before, um, my previous fight that subject was
5 trying to hurt us but here he's just showing signs of wanting to get away not necessarily
6 an intent to harm.

7 UM1: Okay.

8 TH: So we try to stay below.

9 UM1: Um, what resistance level was the suspect posing or what resistance was s- was the
10 suspect posing to be placed under arrest?

11 TH: Um, I would've said, uh, bare minimum aggressive.

12 UM1: 'Kay.

13 UM2: Can I - can I jump in?

14 CH: Sure.

15 UM2: Also another reason, uh, correct me if I'm wrong, you guys attempted low level force
16 even though he's in aggressive resistance - was low level force working to manage the
17 threat level to you and your partner?

18 TH: Uh, yes.

19 UM2: Was control working to manage the threat level?

20 TH: It - it - yes it was and it did 'cause we got him into custody.

21 UM2: And so that - is that another reason that - that you didn't have to escalate to a higher
22 level of force?

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1 TH: Yes.

2 UM2: Mentally you were prepared to do so...

3 TH: Yes. Yes.

4 UM2: ...but even though he was resistance level of - he was aggressively trying to get you
5 away he wasn't harming you. And so you were able to maintain control of the situation
6 through the level of force you were deploying.

7 TH: Yes.

8 UM2: Is that accurate?

9 TH: Yes that's very accurate.

10 UM2: 'Kay.

11 UM1: 'Kay. Um, were you aware if the suspect was under any infl- any - under the influence
12 of any drugs or alcohol or what his mental capacity was?

13 TH: Um, his mental capacity kind of showed itself so right off the bat we knew something
14 wasn't right mentally. Um, other than that I wasn't aware of any alcohol or - or narcotics
15 use.

16 UM1: 'Kay.

17 TH: Though possible but unknown.

18 UM1: Okay. How much time did you have, um, to make a decision to use force?

19 TH: Uh, not - not too much at all really, um, 'cause the second we went hands on is when he
20 started fighting with us.

21 UM1: 'Kay. Um, what was the availability of additional officers or resources to help deescalate
22 the situation?

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1 TH: So at that point, like, for example Air Unit's not even up at that point. Um, K-9 is who
2 knows how long away and they're usually tied up on other things. Uh, though we did
3 request other additional units.

4 UM1: But they just weren't readily available correct?

5 TH: Yeah. They were - all of 'em had to clear off something in order to help us.

6 UM1: Um, what proximity or access of weapons did the suspect have?

7 TH: Uh, well right off the bat he came out with a pipe so that was immediately accessible.
8 And then without even knowing it he had a knife in his left pocket or - yeah his left pocket
9 at that time. So that was also immediately available.

10 UM1: 'Kay. Um, what were the environmental factors that affected your use of force or other
11 exigent circumstances?

12 TH: Uh, we just happened to be in an apartment complex, um, started out in the stairwell
13 then it was near other neighbors', um, apartment doors. So we try to keep him in the
14 middle away from everybody.

15 UM1: Mm-hm.

16 TH: So those were the...

17 UM1: 'Kay.

18 TH: ...factors.

19 UM1: At any time (unintelligible) did you ever come out of low level force?

20 TH: Us towards him no.

21 UM1: Okay. And at any time did you ever do any strikes on him...

22 TH: Negative.

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1 UM1: ...um...

2 TH: Negative. I...

3 UM1: ...anything - a- any type of hands on stuff that would've caused injury to him?

4 TH: Negative.

5 UM1: 'Kay.

6 TH: Negative.

7 UM1: Um, is there anything else that I've a- that I haven't asked you about today that's, uh,
8 that we've missed maybe in this interview?

9 TH: Uh, no. I think you've covered it.

10 UM1: We already did that. (Unintelligible). Um, anybody else have any other questions?

11 ?: Mm-mm.

12 UM1: Good. All right. So I'm gonna ask you these. They're kind of basic questions. We ask...

13 TH: Mm-hm.

14 UM1: ...everybody in every interview the same questions 'kay?

15 TH: Mm-hm.

16 UM1: In hindsight do you think the incident could've been approached in a way that presented
17 less risk to yourself or others?

18 TH: Um, the one thing that I've kind of played in my head was, um, me and Officer Smith
19 were at opposite ends of the stairwell.

20 UM1: Mm-hm.

21 TH: And, like, let's just say he happened to continue approaching us with a pipe or a knife.
22 If it came down to worst case scenario OIS we would've had a crossfire. So, uh, but I

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1 think what of - what could've been changed is to avoid crossfire Smith coming towards
2 my direction that way had it come to that point, um, pointing east was just a parking lot
3 - cinder block wall - so that's one thing I would've changed.

4 UM1: 'Kay. Um, looking back on this incident - oh I guess that's kind of the same thing.

5 ?: Mm-hm.

6 UM1: Looking back on the incident is there anything you would've done differently with the
7 exception of what you just said?

8 TH: No.

9 UM1: 'Kay.

10 TH: No.

11 UM1: Um, based on your training that you've received during your time on the department do
12 you think you were adeq- adequately prepared to handle this incident?

13 TH: I think so yes.

14 UM1: Can you think of any training the department might need to institute to better prepare
15 officers to handle situations like this?

16 TH: No. I think they do a pretty good job.

17 UM1: Did you have any problems hearing or transmitting the current r- with the current radio
18 system?

19 TH: Negative. Zero problems.

20 UM1: Did you have any equipment malfunctions or other problems with your equipment?

21 TH: Negative.

22 UM1: 'Kay.

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1 CH: Officer Huntsman are there any facts that you are aware of in this case that we have
2 failed to ask you about today?

3 TH: Negative.

4 CH: Is there any other...

5 TH: (Unintelligible).

6 CH: Is there any other information that you would like to share with us?

7 TH: No.

8 CH: Is there anyone you believe may have information pertaining to this investigation that we
9 have not already mentioned?

10 TH: Um, I mean, if you want the two neighbors who witnessed it but other than that no.

11 CH: Has everything you said been the truth?

12 TH: Yes sir.

13 CH: You may obtain a copy of your interview after it's been transcribed. This is the end of
14 the interview. Same persons are present. The time is 1158 hours. Thank you.

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