



INTER-OFFICE MEMORANDUM

Date October 12, 2000

Chief of Police Benny N. Napoleon (Through Channels)

Subject:

EXECUTIVE BOARD OF REVIEW #00-001, FATAL/INJURY PRODUCING SHOOTINGS INVOLVING POLICE OFFICER EUGENE BROWN, BADGE #714, PRESENTLY ASSIGNED TO THE TACTICAL SERVICES SECTION: REPORT AND RECOMMENDATIONS

INTRODUCTION

On May 1, 2000, at the direction of Chief of Police Benny N. Napoleon, an Executive Board of Review was appointed to review the actions of Police Officer Eugene Brown, badge #714. Police Officer Brown has been involved in several shootings, including three (3) fatal shootings since 1995. The Board of Review consists of Deputy Chief Walter E. Shoulders, Chairperson, and Commanders Cara Best and Frazier Shaw as co-members:

MCL 15.243(1)(a) OK  
Personal fact

On February 9, 1995, Police Officer Eugene Brown, while on duty and in uniform, in the area of W. Grand Blvd. and Grand River, did fatally shoot Mr. Rodrick Carrington, B/M/30, of [REDACTED] Detroit, Michigan. Board of Review #95-02-473 investigated this matter. The Board concluded that Police Officer Brown was justified in the drawing and firing of his Department issued weapon.

MCL 15.243(1)(a) OK  
Personal fact

OK  
MCL 15.243(1)(m)

On September 21, 1996, Police Officer Eugene Brown, while on duty and in uniform, in a vacant lot, on the north side of 1764 Field, did fatally shoot Mr. Lamar Wayne Grabbie, B/M/20, of [REDACTED] Detroit, Michigan. Board of Review #96-05-488 investigated this matter. The Board concluded that [REDACTED]

OK  
MCL 15.243(1)(m)

MCL 15.243(1)(a) OK  
Personal fact

On January 22, 1999, Police Officer Eugene Brown, while on duty and in uniform, at the location of 7521 Lynch Road, did fatally shoot Mr. Darren Miller, W/M/33 of [REDACTED] Detroit, Michigan. Board of Review #99-1,519 investigated this matter. The Board concluded that [REDACTED]

OK  
MCL 15.243(1)(m)

On November 3, 1999, Police Officer Eugene Brown, while on duty and in uniform, in the area of Wayburn and Waveney, did cause a non-fatal injury to Mr. Willie Jerome Bryant, B/M/37 of [REDACTED] Detroit, Michigan. This case is still under review.

MCL 15.243(1)(a) OK  
Personal fact

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 2

SUMMARY

The Executive Board of Review felt it would be helpful to our investigation to develop background information Officer Brown prior to reviewing the officer's actions in the aforementioned Board of Review cases.

The following information was gleaned from Officer Brown's recruitment files and other department reports and records:

Police Officer Eugene Brown was appointed to the Detroit Police Department on May 24, 1993. He attended Kettering High School beginning in [REDACTED] and graduated in [REDACTED] with a [REDACTED]. His school records show that in [REDACTED]

Police Officer Brown's juvenile record shows that he was detained in 1982 for stabbing another youth. The case was dismissed and the records sealed. Officer Brown stated he was acting in self-defense.

Officer Brown served five (5) years in the United States Marine Corp. He was honorably discharged at the rank of E-3.

During Officer Brown's military career, [REDACTED]

June 1989: Thirty days extra duty, reduction in rank from E-4 to E-3 for striking another marine five or six times.

Just prior to joining the Detroit Police Department, Officer Brown worked for the [REDACTED] from November 18, 1992 until January 1993. Officer Brown's supervisor, according to his recruiting records stated "he was a fairly good employee, had a slight attitude problem, but didn't work well with a few people."

4CL  
5.243(1)(S)(ix)  
OK

1CL  
5.243(1)(a)  
Personal facts

OVER RULED  
MCL  
15.243(1)(S)(ix)

MCL  
15.243(1)(a)  
Personal facts

OK

CL  
15.243(1)(S)(ix)

CL  
15.243(1)(a)  
Personal facts

OK, in part

CL 15.243(1)(S)(ix)

CL 15.243(1)(a)  
Personal facts

OVER RULED

15.243(1)(S)(ix)

15.243(1)(a)

Personal facts

OVER  
MCL 15.243(1)(m)  
RULED

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

cc: EXECUTIVE BOARD OF REVIEW #00-001

Page 3

MCL 15.243(1)(5)(ix)

MCL 15.243(1)(a)  
Personal facts

Police Officer Jacqueline Thomas-Stewart of the Detroit Police Department Recruiting Section prepared Officer Brown's recruitment summary and noted the following in her comments:

[REDACTED]

OK

MCL 15.243(1)(m)

MCL 15.243(1)(5)(ix)

MCL 15.243(1)(a)  
Personal facts

The Executive Board of Review contacted the Detroit Police Department Recruiting Unit to determine what the above "A-2" rating meant. In rating an applicant at the time of Officer Brown's hiring, the Recruiting Unit utilized the following numerical values:

OK

- #1 No questionable information disclosed. Based on the applicant's apparent interest, qualifications, and cooperation, the applicant is highly suited for police service.
- #2 No questionable information disclosed, however, the applicant's qualifications and enthusiasm for a for a position with this department are average.
- #3 Questionable information was disclosed, however, it is insufficient for an automatic disqualification under current standards.
- #4 Information disclosed indicates that the applicant does not meet current standards for hire.

MCL 15.243(1)(5)(ix)

MCL 15.243(1)(a)  
Personal facts

OK

Sergeant Cheryl James, badge S-271, of the Recruiting Unit indicated that the [REDACTED] meant that the applicant did not meet the criteria to be given a [REDACTED] outright, but the recruiting investigator did not want to give him a [REDACTED]. In other words, the Investigator felt [REDACTED]

MCL 15.243(1)(m)

[REDACTED]

Since his appointment to the Detroit Police Department in 1993, Police Officer Eugene Brown has been named in twenty-six (26) citizen complaints. Three (3) of the complaints involve his demeanor with citizens during telephone conversations or while interacting with citizens, all while assigned to work inside the station house in some capacity. (CCR #25078 - 6/5/95, CCR #24573 - 3/8/95 and CCR #27804 - 3/3/98)

In one complaint, he was among several officers named in an alleged harassment complaint. This Board gave no consideration to this specific complaint in this investigation (CCR #28219).

Of the remaining twenty-two (22) complaints, Officer Brown has worked with nineteen (19) different partners. Of significant importance, in twelve (12) of the complaints, in which Officer Brown had eleven (11) different partners, the complainants specifically indicated they had no complaints against his partners. The complainants

To:

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

cc:

EXECUTIVE BOARD OF REVIEW #00-001

Page 4

were specific in their allegations against Officer Brown. The findings of all CCR's are included as an attachment to this memorandum.

Among the allegations against Officer Brown by the various complainants are the following:

1. Put handcuffs on too tight, told complainant to "shut the fuck up," called complainant a "motherfucker", put complainant in a choke hold and stated "I'll snap your fucking neck."
2. Rude and disrespectful to complainant during telephone conversation while working inside station.
3. Disrespectful and improper demeanor toward citizen while working inside station ("Keep your damn comments to yourself, keep your sissy ass comments to yourself").
4. Officer Brown tightened the handcuffs after complainant indicated they were too tight. Wrenched complainant's handcuffed arms up in the air.
5. Punched complainant in ribs, told complainant "you're not tough you black motherfucker."
6. Officer Brown referred to complainant as "motherfucker" and a "son of a bitch."
7. Officer Brown is alleged to have called the complainant a "motherfucker", indicated he would "hang us niggers", and struck complainant several times while handcuffed, and forced complainant to lie face down while handcuffed, in the snow for an extended period.
8. Officer Brown told complainant to "get his fat ass out of the car." In this complaint, Officer Brown's partner is alleged to have referred to the complainant as "nigger, motherfucker, punk ass."
9. Officer Brown grabbed complainant by the neck, banged his head twice into the car, kned him in the groin and sprayed complainant in the face.
10. Officer Brown, while working inside the station, made inappropriate comments, and talked to the complainant in a demeaning manner while she (complainant) was attempting to make an accident report.
11. Officer Brown is alleged to have slammed the complainant into the scout car.
12. Officer Brown's partner is alleged to have held the complainant by the neck while Officer Brown hit him in the head twice.

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 5

Included among all of the complaints filed against Officer Brown were numerous allegations of rude and/or improper demeanor toward the complainants. This Board does note that it appears that regardless of Officer Brown's assignments, whether working on the street, working inside the station or talking on the telephone, his actions and/or demeanor seems

[REDACTED]

OK

MCL 15.243 (1)(m)

OK

MCL 15.243(1)(ix)

MCL 15.243(1)(n)  
Personal facts

The Board also reviewed Officer Brown's disciplinary history [REDACTED] Officer Brown's disciplinary record reveals the following:

DISCIPLINARY HISTORY

[REDACTED]

A. [REDACTED]

B. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

OK

MCL 15.243 (1)(ix)  
disciplinary history

and  
MCL 15.243(1)(n)  
Personal facts

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 6

[REDACTED]

[REDACTED]

OK

[REDACTED]

ICL  
5.243(1)(s)(ix)  
Disciplinary  
History  
and  
CL 15.243(1)(~)  
Personal facts

[REDACTED]

[REDACTED]

[REDACTED]

To:

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

EXECUTIVE BOARD OF REVIEW #00-001

Page 7

[REDACTED]

OK

[REDACTED]

LL  
15.243(1)(5)(ix)  
Disciplinary  
History  
and  
15.243(1)(a)  
Personal facts

[REDACTED]

- A. On August 4, 1998, while on duty, on or about 1:30 AM, while near the location of [REDACTED] neglect his duty by failing to immediately contact his zone dispatcher after initiating a vehicle pursuit.
- B. On August 4, 1998, while on duty, on or about 1:30 AM, while near the location of Arlington and E. Davison, did discharge his weapon without proper justification or cause.  
Penalty: Trial Board - February 22, 2000 - Guilty - suspension from the Department for two (2) days, i.e., the loss of 16 hours of regular pay and benefits. Appeal Pending.

OK, in part  
otherwise  
overruled

[REDACTED]

OK

October 12, 2000

Page 8

Chief of Police Benny N. Napoleon (through channels)

EXECUTIVE BOARD OF REVIEW #00-001

To:

Subject:

MCL 15.243(1)(5)(ix)  
Disciplinary History  
and  
MCL 15.243(1)(m)  
Personal facts

[REDACTED]

OK

[REDACTED]

OK

MCL 15.243  
(1)(m)

[REDACTED]

OK

[REDACTED]

[REDACTED]

[REDACTED]

MCL  
15.243(1)(5)(ix)  
Disciplinary  
History  
and  
MCL 15.243(1)(m)  
Personal facts

[REDACTED]

OK

[REDACTED]

[REDACTED]



To:

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

Page 9

OK

MCL 15.243(1)(ix)  
Disciplinary History  
and

MCL 15.243(1)(a)  
Personal facts

[REDACTED]

OK

MCL 15.243  
(1)(5)(ix)

and

MCL 15.243(1)(a)  
Personal facts

[REDACTED]

SHOTS FIRED AND QUALIFICATION HISTORY

Officer Brown's career qualification record is as follows:

To:

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

Page 10

1993	Score 210/206
1994	Did not shoot
1995	Did not shoot
1996	Did not shoot
1997	Did not shoot
1998	Score 190
1999	Score 211
2000	Score 199

SIIR RECORD AS RECORDED IN LEIN:

Date:	# Shots	Self Defense	Arrest:
02-09-95	01	Yes	No
05-20-95	01	Accidental	No
01-02-96	02	Yes	Not listed
09-21-96	07	Yes	Yes
01-22-99	01	Yes	Yes

However, Officer Eugene Brown has fired his weapon eight (8) times, while not at the range:

1. February 9, 1995: fatal shooting of Roderick Carrington at West Grand Boulevard and Grand River (see below).
2. May 20, 1995: Accidental firing while chasing suspected car thief in the area of 11321 N. Martindale. There were no apparent injuries and no arrests. A subsequent investigation revealed that there was no indication that either suspect was armed. Officer Brown indicated that his gun discharged when he fell while jumping a fence. Sergeant Dave Barrick, badge S-997 recommended ~~\_\_\_\_\_~~ handling of ~~\_\_\_\_\_~~. Yet Officer Brown's records indicate that he did not re-qualify until 1998.
3. January 2, 1996: Fired shots in the area of Hogarth and Dexter at suspected car thief who allegedly fired shots at the officer. Neither the suspect's nor the officer's shell casings were recovered. The subsequent investigation does not indicate that K-9 Units were contacted, nor does it reveal who the vehicle was registered to, although there is a Michigan plate listed in the investigation. Officer Brown's Preliminary Complaint Record indicates

DK

MCL 15.243(1)(m)



To

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 11

OK

MCL 15.243(1)(a)  
Personal fact

the vehicle was registered to a [REDACTED] Officer Brown's Preliminary Complaint Report also indicates that Tac 33 responded and the tracking dog lead to 3358 Hogarth. There were no apparent injuries, the suspect escaped on foot and Officer Brown was deemed justified in discharging his firearm.

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4. September 21 1996: Fatally shot Lamar Wayne Grabble at Field and Kercheval (see below).
5. January 22, 1999: Fatally shot Darren Miller at 7521 Lynch Road (see below).
6. 1999: Accidental shots fired at Joseph Campau and Davison, no injuries.
7. November 3, 1999: Fired shots and wounded Willie Jerome Bryant at Wayburn and Waveney (see below).
8. January 12, 2000: Fired shots at shoplifter in Southfield, Michigan. Case pending.

The Executive Board of Review also talked to several officers who previously worked with Officer Brown. These officers were named as the partners in several of the citizen complaints filed against Police Officer Eugene Brown. The Executive Board of Review should also point out that no allegations were made against the officers in any of the citizen complaints.

OK

MCL 15.243  
(1)(d)  
and  
MCL 15.395

[REDACTED]

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Page 12

EXECUTIVE BOARD OF REVIEW #00-001

[REDACTED]

[REDACTED]

\* however  
I must  
take a  
record.

MCL 15.243(1)(d)

and

MCL 15.395

[REDACTED]

more over  
the definit  
ion under  
MCL 15.  
391 of

Involuntary  
statement

does not fit the  
Circumstances  
of this  
case

I do  
not recall  
that I  
has ever  
lied on  
MCL 15.

395 in  
my record  
made on this  
case

MCL 15.243(1)(d)

and

MCL 15.395

On June 20, 2000, the Executive Board of Review interviewed Police Officer

[REDACTED]

[REDACTED]

[REDACTED]

OK - make record

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 13

[REDACTED]

[REDACTED]

[REDACTED]

CL 15.2436(d)

and

CL 15.395

[REDACTED]

[REDACTED]

11/15/00 - 11/15/00 - 11/15/00 - 11/15/00

October 12, 2000

Page 14

To: Chief of Police Benny N. Napoleon (through channels)

Subject: EXECUTIVE BOARD OF REVIEW #00-001

The Executive Board of Review, during the course of this investigation, visited the scene of the three (3) fatal and one non-fatal shooting. Additionally, we reviewed all evidence, discovered new evidence, and discussed the fatal shootings during a personal setting with Dr. Kanluen of the Wayne County Medical Examiners Office. This Executive Board of Review also worked closely with the Forensic Services Division of the Detroit Police Department, and the Bureau of Alcohol, Tobacco and Firearms Division, through the Forensic Services Division. Several other sections of the Detroit Police Department were of great assistance to the Executive Board of Review during this investigation.

The Executive Board of Review submits the following findings as it relates to the three (3) fatal shootings and one (1) non-fatal shooting involving Police Officer Eugene Brown, badge #714:

MCL 15.243(1)(a)  
Personal facts

OK

RODERICK CARRINGTON, BLACK MALE 30. DOB: [REDACTED] OF [REDACTED]  
[REDACTED] DETROIT, MICHIGAN. This fatal shooting occurred on February 9, 1995, at the Mobil Gas Station, located on Grand River at W. Grand Blvd. This matter was assigned as Board of Review #95-02-473. The chairman of this board was Commander Frank Mitchell, with Inspector Virgil Spight and Inspector Pierre Fortier as members.

OK

The Board of Review #95-02-473, after a review of all the statements and close scrutiny of the physical evidence that was presented, determined [REDACTED]

MCL 15.24  
(1)(m)

[REDACTED]

OK

MCL 15.243  
(1)(m)

OK

MCL 15.243  
(1)(m)

Police Officer Eugene Brown indicated the following in his original Preliminary Complaint Record:

"Writer, P.O. Eugene Brown, badge #714 was working in uniform and in a marked scout car in the area of Grand River with P.O. Craig Stewart, badge #456 at approximately 2 AM. My partner was also in uniform at the

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 15

time. While on routine patrol I observed a gray station wagon driving in and out of the gas pumps at the Mobil station located on the corner of Grand River and W. Grand Blvd. I also observed that there was no license plate on the vehicle. My partner was driving our sct-car and I was riding jump and we entered the gas station lot to investigate. I observed the driver of the vehicle exit the car and go to a pay phone in the lot. The individual was a Black male approx 25 to 30 in a dark colored waist length jacket. My partner drove our vehicle up to the side of the station wagon with the front of our car facing the rear of the wagon. My partner confirmed that there was no plate on the rear of the car or up in the rear window. My partner also confirmed that there was no temporary sticker on the car. At this time the driver of the car called out and asked if there was a problem. He was still at the phone when he said this. My partner asked the man where his plate was and he indicated that he did not have a plate but that the temporary sticker was at home. The man left the phone and approached the rear of the gray car. The vehicle's engine was running and my partner asked if the man had keys for the car. He indicated that he did and that they were in the car. My partner requested that the man come over to the sct-car and instead of doing this the man continued to head for the rear of the station wagon. At this time I exited our scout car and walked around the front of our scout car towards the man. The man was now standing at the rear right of the station wagon. As I approached the man he placed his hands into his jacket pockets. At this time I ordered the man to remove his hands. Rather than do this the man dug deeper into his right pocket as if attempting to get something out of it. I believed that the man was reaching for some sort of a weapon and so I drew my dept. issued Glock, Model 22 #01309 DPD and again told the man to take his hands out of his pocket. The man backed up while still digging in his pocket and had moved to the passenger side of the car. I continued to walk towards him. At this time the man drew a knife out of his pocket and held it in his right hand. He held it in a stabbing manner. I ordered him to drop the weapon and he refused. He said "no, I'm not putting the knife down." He also said at this time "no, I'm not going." I was approx. 7-8 feet from the man at this time. I again ordered the man to drop the knife and at this time the man lunged at me with the knife. Fearing for my life I fired one shot from my above described weapon. The man was approx. 3-4 feet from me when I fired this shot. I do not know if it took effect. The man backed up and I again told him to drop the weapon. He was approx. 7-8 feet from me and at this time he raised the knife up above his head. The man charged at me with the knife over his head and the blade pointed at me. Fearing for my life I fired two more shots from my weapon. At this time the man fell to the ground. When I fired these shots I was approx. 4-5 feet from the man and he was coming at me. Dispatch was notified that shots had been fired and EMS and a 7-0 were needed. EMS arrived and Sgt. Pierce

To:

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

Page 16

also made the scene. I explained to Sgt. Pierce what had happened and turned my weapon over to him. I was then transported to Homicide to make my report."

Police Officer Craig Stewart, badge 456, who was Officer Brown's partner indicated the following in his Preliminary Complaint Record: ←

"A - None S - R.P. at 2021 W. Grand Blvd (Mobil Gas Station) C-At  
 abv date, time while wrtr driver of fully marked scout and n full  
 uniform observ an gry Subaru (station wgn) occupied and driven  
 by compl. Wrtr observ same veh w/no plate and no temp  
 sticker n rear window. Wrtr then observ same stop at phone booth  
 veh and pickup phone. Wrtr approached compl while n scout car.  
 and asked compl where his license plate was. Compl stated he just bought the  
 veh. Wrtr then asked where is paper that goes n rear window. Compl stated he  
 mde mistake and left it at home. At that time wrtr exited veh and requested compl  
 step to officers. Same just stood there and looked at wrtrs. Writer again  
 requested compl to come to officers At that time compl put hand n pocket as  
 though armed. Wrtr fearing for his life then drew weapon from holster.  
 Compl then stated I ain't going nowhere twice and began to back away from  
 officers and drew a knife from his jkt pocket and took an defensive stance. Writer  
 immediately ordered compl to drop the knife. Compl then lunged towards wrtr  
 partner w/knife in stabbing motion. Wrtr observed partner fire a shot at compl.  
 Compl then lowered hand backup a few feet drew knife again and took another  
 defensive stance. Wrtrs again ordered compl to drop the knife. Compl again  
 lunged towards wrtr partner w/knife n stabbing motion at partner. Wrtr partner  
 fired two more shots at compl. Compl fell to knees then laid on back. Wrtr then  
 notified disp for backup, supervisor, and EMS. Trp Bronse Gavin #1622 of MSP  
 arrived took 35mm pictures of scene. 10-75, 10-72, 2400 mde scene 2210.  
 Compl conveyed to HFH per Med #2 - DIE. Rico-74 made Henry Ford Hospital.  
 O - Above stated facts.  
 T - taken on E.T. #168605 - 1 roll of Fuji color film 400 i.s.o. w/24 exposures.  
 Per LEIN VIN #JFZAN53B7FF431765 reg to 85 Subaru sta wgn registered to  
 Rodrick Carrington, [REDACTED]. Placed on E.T. #032526. Towed to  
 B&T per Gilchrist Tow."

PCR is ordinarily available through discovery, made in course of duty and not an involuntary statement

MCL 15.243(1)(a) Personal fact OK

In Officer Stewart's witness statement to the Homicide investigator, he makes reference to the fact that he couldn't tell which pocket Mr. Carrington pulled the knife from. Officer Stewart also indicated that Mr. Carrington had two (2) knives. He indicates that when Mr. Carrington was shot the first time, he dropped the one knife and pulled another one.

VERIFIED

ENIED

L 15.243(1)(a)

and

L 15.395



To:

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

Page 17

In Officer Brown's Preliminary Complaint Record, there is no mention of Mr. Carrington ever dropping the knife after the first shot and pulling a second knife from his pocket. As a matter of fact, there is no mention of a second knife being drawn in Officer Stewart's Preliminary Complaint Record.

MCL 15.243  
(1)(m)

Officer Brown fired a total of three (3) shots. Officer Stewart did not fire his weapon even though he states that he observed Mr. Carrington attempt to assault Officer Brown twice with the knife.

Two knives were recovered at the scene as well as a Bible Mr. Carrington had with him. The Bible had what appeared to be a bullet hole through it. One of the knives (the one lying next to Mr. Carrington's hand) was intact. The second knife was broken with the handle in one location and the blade in another.

Bracketed statement

OK otherwise

Denied

over ruled

The knives were tested for prints and the results were negative.

One of the witnesses interviewed by Homicide, Ms. Sharon Ealy, indicated she heard Mr. Carrington arguing with the officers, throwing his hands around, and pushing the officers. At no point during this incident did Officers Brown or Stewart claim to have been pushed by Mr. Carrington.

MCL 15.243(1)(m) OK

Ms. Ealy indicated she could not distinguish which one of the officers fired the shots. Ms. Ealy indicated Mr. Carrington briefly turned his back to the officers after the first shot. However, she claims Mr. Carrington immediately turned back around and rushed the officers, then she heard four or five more shots. At this point Mr. Carrington ran into Grand River and fell in the street.

It also must be noted that Officers Brown and Stewart never mentioned that Mr. Carrington turned his back to them after the first or second shot was fired.

Three of the witnesses interviewed by Homicide, Mr. Kirby Michael Campbell, Mr. John Anthony Howard and Mr. Franklin Ramsey indicated they were in a van in the lot of the Amoco gas station across the street from the Mobil station. At this time Mr. Campbell and Mr. Howard heard two or three shots. Upon exiting the van they observed Mr. Carrington's body lying in the street with two officers standing over him. They did not see weapons in the officers hands nor could they say who fired the shots or how the incident occurred.

Two of the witnesses interviewed by Homicide, Mr. Robert Walker and Mr. James Hearn were interviewed by Lieutenant Rice of the Homicide Section. Both of these witnesses were inside of the Mobil gas station when this incident occurred. When

To:

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

Page 18

asked by Lieutenant Rice what they had seen or heard outside at the scene, they responded as follows:

Both Mr. Walker and Mr. Hearn heard a shot and looked outside and saw two police officers with their guns drawn pointed at a guy (Mr. Carrington) who was in a stance with his hands up like a boxer. They claim Mr. Carrington took a step towards the officers and then they heard two more shots. Mr. Carrington then fell to the ground on his knees, then got half way backup before falling on his back.

The Board of Review in their report indicates that on February 9, 1996, Lieutenant Rice of the Homicide Section interviewed a Mr. Robert Walker and Mr. James Hearn. When asked by Lieutenant Rice whether they had seen anyone else outside at the scene, they responded as follows:

"There was two people in a cab and they seen what happened. I didn't get the cab number, but it was black and yellow writing. There were three (3) guys across the street in the van."

[REDACTED SECTION]

Both Officer Brown and Officer Stewart stated that Mr. Carrington, wielding a knife in his right hand, lunged at Officer Brown in a stabbing motion. Officer Brown fired one (1) shot, which apparently did not take effect. Mr. Carrington is alleged to have backed up, then made a second attempt to assault Officer Brown by again lunging at him with the knife in a downward motion. Officer Brown then fired two (2) more shots at Mr. Carrington at which point Mr. Carrington fell to the ground. Both officer's statements specifically indicate that Mr. Carrington was facing Officer Brown, attempting to assault Officer Brown with a knife that he (Carrington) had in his right hand.

The Medical Examiners Report indicated that Mr. Carrington's body suffered two (2) through and through bullet wounds. They are briefly described as follows:

1. One bullet wound over the back of the left shoulder. The bullet entered the back of the left shoulder went into the chest passed through the left lung, ascending aorta, right lung and then exited through the skin over the lateral aspect of the right chest. The wound track is from left to right slightly downward.
2. One bullet wound to the left side of the lower abdomen. The wound track proceeds from this injury through the skin tissues and muscle of the

OK  
MCL 15,243  
(1)(m)

denied  
MCL 15,243  
(1)(m)  
JER  
RULED

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 19

abdominal wall and muscles of the right hip, the slug exited through the right buttocks. The wound track is from front to back left to right moderately downward.

OK

L 15.243(i)Xm

[REDACTED]

The Executive Board of Review met with the Medical Examiner, Dr. Sawait Kanluen on June 1, 2000. Dr. Kanluen indicated the following:

- (1.) The bullet wound behind the left shoulder was inflicted most likely when Mr. Carrington had his back slightly turned to the right and moving away from the shooter.
- (2.) The bullet wound to the lower left side of the stomach was inflicted when Mr. Carrington was turning to the right, away from the shooter.

The Executive Board of Review concludes the following as it relates to Mr. Rodrick Carrington:

[REDACTED]

[REDACTED]

[REDACTED]

OK

L 15.243(i)Xm

Handwritten note on the right margin: ...

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

OK

Page 20

MCL 15.243(1)(a)  
Personal facts

LAMAR WAYNE GRABBLE. BLACK MALE. DOB: [REDACTED]: OF [REDACTED]

[REDACTED] DETROIT, MICHIGAN. This fatal shooting occurred on September 21, 1996, in the vacant lot north of 1764 Field. This matter was assigned as Board of Review #96-05-488. The chairman of this board was Commander Alfred Gomez-Mesquita, with Inspector Arthur Miles and Inspector Donald Chalmers as members.

The Board of Review #96-04-487, after a review of all the evidence, facts and circumstances relative to the incident, determined [REDACTED]

[REDACTED]

This Executive Board of Review has reviewed all of the Board of Review File #96-05-488 and the evidence. We have determined [REDACTED]

[REDACTED]

Police Officer Eugene Brown, badge #714, indicated the following in his Preliminary Complaint Record:

"A - Lamar Grable, B/M, 20, lt complex, 6'-6'2", appx 170 lbs  
S - On duty routine patrol C- On abv date and time wrt and Partner were en route to Belle Isle, Harbormaster section when wrt who was the pass of sct car being driven by partner W/B on St. Paul at E. Grand Blvd, wr obs abv descr perp with a handgun in his hand then placing it in his pocket. My part and I then exited sct car and partner yelled to perp to stop police. Perp then ran N/B across St. Paul and then N/B into the alley. Wrt gave foot chase while partner returned to sct car. Appx 1/2 way down the alley perp then ran E/B bet the houses, then N/B on Field for a couple houses, then E/B bet the houses. Partner in sct car followed perp into driveway and perp ran S/B to a vacant lot just N/of the apt bldg at 1764 Field. Wrt E/B into the vacant lot where wrt obs perp who was pointing NPR at wrt and perp fired appx two times at wrt who in fear for his life returned fire two times at perp from a dist of appx 5'. Perp then ran around a bush at the location, wrt followed perp who then turned around and ran directly at wrt and at this point, wrt and perp collided and perp again fired a couple more shots at wrt. Wrt, again in fear for his life fired several more rounds at perp from very close range, and perp then fell to the ground. Scene was secured until resp units

OK

MCL 15.243  
(1)(m)

OK

MCL 15.243  
(1)(m)

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 21

arrived moments later. Additional: Wrt was struck with perp's gunfire two times in abdomen."

Police Officer Vickie Yost, badge #946, who was Officer Brown's partner indicated the following in her Preliminary Complaint Record:

"A - Lamar Grabble B/M/20 11/29/75 of 10417 Bonita S- Routine Patrol - St. Paul/E. Grand Blvd - returning to Belle Isle from assisting Sgt. 7-30 w/female search in #7. C - On abv date and time at abv loc. writer fully uniformed in fully marked scout car obs. The abv. sub, on S/E corner of St. Paul/E. Grand Blvd remove and conceal an object which writer believed to be a weapon. Writer and partner travelling W/B upon St. Paul stopped scout car and exited to inv. abv. sub. Abv. sub. refused officer's order to stop and remove his hands from his pocket. At this time abv. sub. fled on foot east on St. Paul crossing over to N side of St. Paul and turning N'bound in alley between E. Grand Blvd and Field. Writer returned to scout car and gave chase N'bound in alley while partner chased on foot. Writer N/B in alley obs. abv. sub run E/B between houses. Writer's partner waived writer to go around as he continued foot pursuit E/B between houses. Writer exited north end of alley and turned east onto Kercheval. Writer at corner of Kercheval and Field obs. abv. sub. run east across Field. Writer pursued abv. sub. E/B through t alley/vacant lot just south of Kercheval. Abv. sub. then turned S/B in alley east of Field With writer still in pursuit. Abv. sub. then turned W/B through vacant Lot north side of 1764 Field. Writer announced over scout car P.A. "Brown, he's doubling back. He's doubling back." As writer turned scout car W/B in vacant lot abv. sub. was still fleeing. Writer, at this time obs. partner running E/B across grass toward abv. sub. Abv. sub. rounded S/B a large clump of bushes. Abv. sub. while beginning to turn back E/B around bushes turned while firing approx. 2 shots in P.O. Brown's direction. Writer obs. partner return fire approx. 3 shots while running toward the abv. sub. Writer obs. P.O. Brown tackle abv. sub. Writer exited veh. and ran to my partner's aide, observing partner begin to rise with perp on ground with following weapon close to his right hand. Writer secured weapon for officer's safety. Writer's partner indicated he had been shot. Writer activated emergency locator and notified dispatch of officer down and location requesting assistance. 7-30 arrived and conveyed partner to DRH while writer secured scene and awaited arrival of further back up. Following codes on scene: 2400 - Insp. Richardson, 7-61 - Lt. Passage, 7-73 - Sgt. Russell, BI-70 - Sgt. Anderson, BI-71 Sgt. Brown, Mac Beat-18, Sct 7-4, Sct 7-8, Sct BI-8. Abv. sub.

11/15/00  
CITIZEN VS. City of Detroit

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject

EXECUTIVE BOARD OF REVIEW #00-001

Page 22

conveyed by Impact 6 w/P.O. Graves to DRH. Code 2720 - Lt. Carter and Sgt. Humes on scene. Writer conveyed abv. sub's weapon personally to Homicide and placed it on ET #283088. Writer turned abv. sub's weapon over to Sgt. Humes. Additional: Abv. sub's weapon ET #283088 - Rossi GPR .38 cal serial#102124, 3" barrel. Writer obs. when viewing from above what appeared to be 3 Spent casing inside cylinder to left of hammer, what appeared to be 1 live round to right of hammer. Writer could not view round directly under hammer. Abv. weapon placed on ET as described to be held for prints."

OK but - make record regarding authority of MCL 15.395

CL 15.243(1)(d) and MCL 15.395

[REDACTED]

MCL 15.243 (1)(m)

MCL 15.243(1)(d) and MCL 15.395

Officer Yost also indicated to the Board of Review that she had [REDACTED]

Evidence on Officer Brown's vest reveal two (2) gunshots fired at very close range.

MCL 15.243 (1)(m)

CL 15.243(1)(d) and MCL 15.395

Officer Brown indicated that [REDACTED]

MCL 15.243 (1)(m)

L 15.243(1)(d) and L

Officer Brown stated [REDACTED]

MCL 15.243 (1)(m)

To:

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

Page 23

HCL 15.243(c)(d)  
and  
HCL 15.395

Officer Brown further stated that [REDACTED]

OK, but  
make record  
HCL 15.243(1)(m)

This Executive Board of Review notes that in her Preliminary Complaint Record, Officer Yost indicated the gun was "close to his right hand." This Executive Board of Review has determined through information from Mr. Grabble's parents that he was right handed. Officer Yost indicates the gun was "close to his right hand." This Executive Board of Review notes that Officer Brown is also right handed.

Denied  
&  
Overrule

[REDACTED]

OK  
HCL 15.243(1)(m)

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 24

The Executive Board of Review ordered that test firing of Mr. Grabble's weapon be conducted by the Forensic Services Division. This test was conducted on July 3, 2000.

ET # 283088: A "Rossi" .38 caliber revolver (serial number 102124) was submitted. The gun was test fired with one round of REM-UMC lead ammunition.

Results: Gunshot residue particles were detected on the sampling stub from the web area of the shooting hand of the test subject.

On June 1, 2000, the Executive Board of Review met with Dr. Kanluen of the Wayne County Medical Examiners Office to review Mr. Grabble's Autopsy Report.

Dr. Kanluen stated the following to this Executive Board of Review:

Mr. Grabble suffered two (2) gunshot wounds to his lower back area. Both of these wounds were entry wounds, and there was no evidence of close range firing. One wound was through and through and non-fatal. The other wound entered the lower back and traveled at a slight upward trajectory. The bullet traveled through Mr. Grabble's lower left lung, and the lower left heart and the aorta. Dr. Kanluen indicates this was a fatal wound and Mr. Grabble had no more than a minute and a half of life left in his opinion. Dr. Kanluen stated the chest wounds on Mr. Grabble were close contact wounds indicating the barrel of Officer Brown's gun was less than a 1/4 inch from Mr. Grabble's chest. Dr. Kanluen further stated that from the appearance of the exit wounds on Mr. Grabble's back, it appears as though Mr. Grabble's back was up against something when he was shot.

The Executive Board of Review concludes the following as it relates to the shooting of Mr. Lamar Wayne Grabble:

[REDACTED]

OK

HCL 15.243(1)(m)



To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 25

[REDACTED]

OK

MCL 15.243(1)(m)

On September 26, 2000, the Executive Board met again with Dr. Sawait Kanluen. This meeting was to clarify the board's understanding of information gathered in the earlier interview and to ask the specific question, [REDACTED]

OK

MCL 15.243(1)(m)

[REDACTED] Dr. Kanluen firmly re-iterated his earlier statement that the exit wounds on Mr. Grabble's back occurred while he was against something firm. He further indicated that the ground is firm enough to cause the types of marks that appear on Mr. Grabble and stated that any firm surface, such as the ground, a chair or a wall would create the same effect. [REDACTED]

OK

MCL 15.243(1)(m)

[REDACTED]

As to the 3 sentences ending with a colon,

OK

MCL 15.243(1)(m)

OK 15.243  
MCL (vi)  
Denial  
This  
is  
a  
QUOTE  
FROM  
A  
BOOK  
OR  
manual  
normal  
available  
through  
discovery

October 12, 2000

To: Chief of Police Benny N. Napoleon (through channels)

Page 26

Subject: EXECUTIVE BOARD OF REVIEW #00-001

[REDACTED]

Denied  
Same  
as  
above

MCL 15.243(i)(m)

OK

MCL 15.243(i)(a) Personal fact (S)(V)(VI)

DARREN MILLER, WHITE MALE, DOB [REDACTED] OF [REDACTED] DETROIT, MICHIGAN. This fatal shooting occurred on January 22, 1999 at 7521 Lynch Rd. This matter was assigned as Board of Review # 99-1-519. The chairperson of this board was Commander Ronald Haddad with Inspector Walter Schnabel and Inspector Krystal Harris as members.

OK

The Board of Review # 99-1-519, after a review of all the evidence, facts and circumstances relative to the incident, determined [REDACTED]

MCL 15.243(i)(m)

[REDACTED]

OK

This Executive Board of Review has reviewed all of the Board of Review file #99-1-519 and the evidence. We have determined [REDACTED]

MCL 15.243(i)(m)

[REDACTED]

Police Officer Eugene Brown, badge 714 indicated the following in his original Preliminary Complaint Record:

SOURCE: Routine Patrol

"On the above date and time writer P.O. Eugene Brown, badge # 714 and partner P.O. Tonti, badge #3726 were in full uniform and assigned Tac -9. My partner was the driver N/B on Eldon to Lynch Road. Writer observed a W/M and a W/F arguing. The two were standing next to a four door white Chevy which was parked in front of 7521 Lynch Road. The W/M was approx. 6', 190lbs, 40's, with long brown hair, wearing a dark coat. The W/F was approx. 5'3-5'4, 140lbs, long brown hair, wearing glasses, a brown jacket and light color pants. Officer Tonti pulled the scout car left of center and asked if every thing was all right. At this time, the W/M ran inside the building and closed the security door. The W/F identified the male as her husband and stated they were having an argument but that she would be all right or words to that effect. As writer and partner were travelling E/B on Lynch, writer looked back and observed the above-described W/M exit the location, approach the W/F and appear to hit her in the mid-section. Officer Tonti made a U-turn, heading back W/B on Lynch Road. As we approached, writer observed the W/M pulling the female into the building. As writer exited the scout car, writer heard the female repeatedly screaming "no" and attempting to

October 12, 2000

Chief of Police Benny N. Napoleon (through channels)

Page 27

EXECUTIVE BOARD OF REVIEW #00-001

pull away. When writer reached the door of the building, the perp pulled the female inside and attempted to close the security door. Fearing for the safety of the wife, writer pushed the door to prevent it from closing. The perp then pushed the female into the right corner of the entrance hall. At this time, the perp grabbed a sledgehammer, released the door and swung the hammer at writer. As writer backed up writer drew my department issued .40.cal Glock, serial # 01309 DPD and ordered the perp to stop. At this point the perp raised the hammer and lunged at writer, coming within approx. 2 to 3 feet. Writer fearing for my life fired one shot. At this point, the wife kicked the door shut and screamed "you killed my husband" and begins going through his pockets. The wife also stated "my brother will get you" and ran into the club. At this time, writer called for EMS and assistance. After EMS and Tac-2 arrived we approached the building to check on the perp. At this point, the wife ran from the inner door to the entrance hall where the perp was located and attempted to grab her purse. Writer took the purse and handed it to P.O. Moultrie who discovered a handgun inside. The wife was handcuffed by writer and conveyed to the Homicide Section by Tac - 2. Writer turned over my weapon to Tac-62 at the scene. Writer was conveyed to the Homicide Section by Tac-73".

Police Officer Jason Tonti, badge 3726 indicated the following in his original Preliminary Complaint Record:

Source: Routine Patrol

"Writer and partner were on routine patrol in the above area of Lynch and Eldon. Writer was at the corner of above when I observed the complainant and complainant's wife Sandra A. Miller W/F/44 of 19944 Annott St. Detroit arguing in F/O above location. Complainant saw our unit and turned around and walked into above location and closed the door. Writer asked Mrs. Miller if everything was O.K., she stated yes, we have been drinking so we are just going to stay here for tonight. Writer and partner drove E/B Lynch and observed the complainant walk back out to his wife, we turned our car around heading W/B Lynch back to complainant. As we started to drive up complainant was pulling his wife into building. As he got into the door, my partner walked at a fast pace towards door, complainant was in doorway with wife behind him. My partner got to the door and was pushing it in, my partner got the door open and at that time complainant grabbed what I thought was a shotgun and swung it at my partner. I heard a shot and then complainant's wife yelled "you killed my husband." Writer was at door and I observed complainant's wife go into complainant's coat grab something and go into above location. Writer and partner stayed outside and called for E.M.S. and back up. Med .13 made location, I informed them someone else was inside location. Complainant's wife came back out and was very upset. She walked out to Tac Unit 2 where they detained her and confiscated a 380 N.P.R. from her purse. Complainant conveyed to DRH by Med 13.

Chief of Police Benny N. Napoleon (through channels)

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

Complainant picked up what I thought was a shotgun, but later realized it was a sledgehammer. Complainant swung object at partner over head, my partner was approx. 2 feet away."

OK → [REDACTED]

In Officer Tonti's P.C.R, he indicated that Mr. Miller upon observing their scout car turned and walked inside of 7521 Lynch Rd. Officer Tonti indicated that Mrs. Miller stated that everything was ok and they proceeded east on Lynch Rd. Upon seeing Mr. Miller walk back out of 7521 Lynch, they turned their scout car around and headed back to Mr. and Mrs. Miller's location. At this point Mr. Miller allegedly started pulling his wife into the building.

Denied  
As to  
what is  
n.a.  
PCR  
"ditto)

As Miller and his wife got inside the door Officer Brown walked at a fast pace towards the door. Officer Brown got to the door and was pushing it in, he got the door open. At this time Mr. Miller allegedly grabbed what he (Tonti) then thought was a shotgun and swung it at Officer Brown. He then heard a shot and Mrs. Miller yelled, "You killed my husband."

In Officer Brown's P.C.R. he indicated that Mr. Miller ran inside of 7521 Lynch Rd. when he observed their scout car approaching. After talking to Mrs. Miller and being assured that everything was ok, they proceeded east on Lynch Rd. While proceeding east he looked back and observed Mr. Miller exit 7521 Lynch Rd and approach Mrs. Miller. At this time it appeared to Officer Brown that Mr. Miller struck Mrs. Miller in the midsection. Mr. Miller then started pulling Mrs. Miller into the building, who at this time was yelling "no" and attempting to pull away.

Officer Brown indicated when he reached the door of the building Mr. Miller had pulled Mrs. Miller inside and was attempting to close the security door when he pushed the door to prevent it from closing. He claims at this time he feared for Mrs. Miller's safety.

Officer Brown indicated that Mr. Miller released the door, grabbed a sledgehammer and swung it at him. He then drew his Department issued Glock and ordered Mr. Miller to stop. He claims, however, Mr. Miller raised the hammer and lunged at him coming within 2 or 3 feet of him. Officer Brown claims he then fired one shot striking Mr. Miller.

Mrs. Sandra Miller was interviewed twice by the Homicide Section, according to Board of Review #99-1-519. The first interview took place at 2:45 a.m. January 22, 1999. Police Officer Gregory Jones, badge 4785, conducted this interview.

CL 15.243(1)(m)

||

||

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To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 29

Subject

(Q.) Tell me about the shooting tonight?

(A.) "It was my husband who got shot, we were arguing in the car outside the motorcycle club. A police car came up and asked me was everything OK. I told them there was nothing wrong. The police drove off and my husband went back into the club, he had a key. The police came back and I told them I would go get my husband and we were going home. I went to the door and my husband opened the door. I walked into the vestibule and I heard a shot, then my husband fell. I stayed with him.

(Q.) Did your husband say anything to the police?

(A.) No my husband didn't say or do anything.

(Q.) Why did your husband go back inside the club?

(A.) I think he had forgotten something.

This statement was typed and did not contain the signature of Mrs. Miller.

Synopsis of the second interview conducted by Police Officer Gerald Williams, badge 1584, at 4:00 P.M. January 22, 1999.

In this interview Mrs. Miller states that she and Darren Miller were stopped by the police while sitting in their car. She states that the police asked her what they were doing, and at this time her husband exited the vehicle and went inside of the motorcycle club. She told the police that she would go into the club and bring Darren Miller back. Darren Miller admitted her into the club. Officer Brown and Tonti were standing behind her. She states she had her hands on Darren Miller's arm when she heard a shot and saw him fall. She states that her husband was not combative and that he was unarmed, save for the swiss army knife on his person. She states they were not arguing.

The above statement contains Mrs. Miller's signature.

[REDACTED]

C

L 15.2

OK

L 15.243 (i)(m)

Sandra denied

Miller gave two statements [REDACTED] In her first statement she stated Officers Tonti and Brown stopped to investigate her and her husband because they were arguing. She states they left after she told them she was all right and then returned shortly after. In her second statement, she denies that she and her husband had

etc

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 30

Subject

argued. She states the police never left but followed her into the motorcycle club where they shot her husband without provocation.

Denied

OK

McL 15.243(i)(m)

[REDACTED]

The Board of Review reviewed the two Autopsy Reports. The first was prepared by Carl J. Schmidt, M.D., Assistant Medical Examiner, Wayne County Medical Examiner on January 22, 1999.

The Autopsy Report concluded that death was caused by two gunshot wounds to the head; one entrance wound to the right face, a superficial irregular wound on the right cheek, and one graze wound to the right face beneath the ear. Dr. Schmidt notes it is possible that the irregular wound could have been sustained from the impact of a jacket that was found entangled in the decedent's hair. He further notes that it is possible that the graze wound could have been sustained from the same bullet that entered the right face if the decedent's head was turning at the time of the injury. Dr. Schmidt also notes there is no evidence of close range fire on the skin. The following evidence was recovered and retained on evidence:

- (1.) Lead core fragment from a jacketed bullet removed from brain stem.
- (2.) Deformed jacket entangled in decedent's hair.

A second autopsy was performed on January 27, 1999 by Bernodino B. Pacris, M.D. Deputy Medical Examiner of Oakland County.

Dr. Pacris notes an entry wound to the right side of the cheek, a grazing wound to the right side of the face below the right ear, and a cutting wound on the right cheek measuring 1 1/2" in length. It is Dr. Pacris opinion that Mr. Miller died of a gunshot wound to the right upper cheek. Dr. Pacris notes that the two additional wounds on the lower part of the face most likely resulted from a bullet graze and a fragment impact. He concludes that the decedent had been shot at least twice and that there is no evidence of the close range fire.

C  
L 15.2

OK

15.243(i)(m)

The Board of Review properly concluded [REDACTED]

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject EXECUTIVE BOARD OF REVIEW #00-001

Page 31

wounds could have resulted from a bullet graze or fragment. However, both reports indicated two (2) bullet wounds.

The Executive Board of Review met with the Wayne County Medical Examiner, Dr. Sawait Kanluen on June 1, 2000. The Executive Board of Review was attempting to determine whether or not Mr. Miller had received one or two gunshot wounds to the face, and what could have caused what appeared to be additional wounds to Mr. Miller's face, as seen in the evidence photographs of Mr. Miller.

Dr. Kanluen, after reviewing the Medical Examiner's report regarding Mr. Miller, indicated that Mr. Miller received one gunshot wound. Dr. Kanluen indicated that the records indicated that lead fragments were removed from Mr. Miller's hair. Dr. Kanluen further indicated that it appeared the bullet had hit something and began to fragment prior to striking Mr. Miller. The abrasions on Mr. Miller's face were, in his opinion, caused by bullet fragments after the bullet struck some hard object. Dr. Kanluen further stated that the Medical Examiner's report showed that a lead core fragment from a jacketed bullet was removed from Mr. Miller's brain stem. Dr. Kanluen stated that when the bullet fragment entered Mr. Miller's brain stem, he (Mr. Miller) dropped "like a sack of potatoes". Dr. Kanluen was emphatic that death was instantaneous when the bullet entered Mr. Miller's brain stem.

[REDACTED]

OK

L 15.243(i)(m)

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 32

[REDACTED]

OK

MCL 15.243(i)(m)

In an effort to get a clear picture of the scene, the Executive Board of Review went to 7521 Lynch Road to observe the area where the shooting occurred. 7521 Lynch Road is a brick, one story building with three (3) doors on the front. The first door is black steel with a small window. This outer door opens OUT. After opening the outer door, you are immediately met with another heavy steel door with steel grating on the upper half. This door opens into the vestibule that is approximately 5 feet long by 3 feet deep. This door opens IN. The third (inner) door is metal framed with a glass insert. This door opens OUT. According to the Evidence Technician Report, the foyer (vestibule) area is approximately 4'10" N/S X 8' E/W.

OK

L 15.243 (i)(m)

[REDACTED] In the Preliminary Complaint Record prepared by Police Officer Aaron Kraszewski, badge 3801, Officer Kraszewski states, "Writer was unable to open the door due to W/M lying on floor against door". [REDACTED]

OK

15.243 (i)(m)

OK

15.243 (i)(m)

[REDACTED]



To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

EXECUTIVE BOARD OF REVIEW #00-001

Page 33

OK  
HCL 15.243  
(1)(m)

[REDACTED]

OK  
HCL 15.243  
(1)(m)

[REDACTED]

On September 26, 2000, the Executive Board of Review met again with Dr. Kanluen to clarify our understanding of the circumstances surrounding Mr. Miller's wounds. Dr. Kanluen again stated that, when the bullet struck the brain stem, Mr. Miller died instantaneously. He further stated that, if Mr. Miller had been outside the doorway when he was shot, it would have been impossible for him to get back into the vestibule due to the nature of his wound. He further stated that wherever Mr. Miller was located when the bullet struck him, is where Mr. Miller fell. He further noted that wherever Mr. Miller was shot and fell, there would be blood splatter.

[REDACTED]

OK  
HCL 15.243  
(1)(m)

OK  
HCL 15.243  
(1)(m)

[REDACTED]

After careful consideration of the evidence and in consultation with the Medical Examiner, this Executive Board of Review concludes that

[REDACTED]

OK  
HCL 15.243  
(1)(m)

enied  
see pg

[REDACTED]

15.243  
GKil

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 34

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

MCL 15.243 (1)(m) OK

Denied see pg 25

MCL 15.243(1)(a) Personal funds OK

**WILLIE JEROME BRYANT, BLACK MALE DOB [REDACTED] OF [REDACTED] DETROIT, MICHIGAN.** This non-fatal injury shooting occurred on November 3, 1999 following a brief vehicular pursuit by Police Officers Eugene Brown, badge 714, and Paul Schryer, badge 4201, assigned to scout Tac -9. This pursuit resulted from a traffic violation. The investigation into this matter was assigned to the Special Assignment Squad of the Homicide Section on November 4, 1999.

OK MCL 15.243 (1)(m)

In June 2000, this matter was referred to the Executive Board of Review, after the preliminary investigation pointed [REDACTED]

OK MCL 15.243 (1)(m)

This Executive Board of Review has reviewed the Homicide file and all the evidence and secured a statement from Mr. Bryant concerning this shooting. After a thorough review and investigation the Executive Board of Review has concluded [REDACTED]

[REDACTED] The Executive Board of Review bases this decision on the following analysis:

Police Officer Eugene Brown indicated the following in his original Preliminary Complaint Record:

" A: WILLIE JEROME BRYANT, B/M/27 DOB: 12-21-71, 5'9" 195 LBS, BLK HAIR, BRN EYES, DRK BRN COMPLEX, OF 3990 NOTTINGHAM, DETROIT, MI 48224. MI LIC # B-653-886-402-967. WRN: BLK JKT BLUE SWEAT PANTS.  
 VEH: 1984 BUICK 2 dr WHT, MICHIGAN PLATE FEB/99/MI QHM-664, VIN# 1G4AMU7A0EH431117, PER LEIN ABV VEH REGISTURED TO JAMES CULP OF 4876 WOODHALL.  
 S: ROUTINE PATROL, FULLY MARKED SCT CAR, AREA OF EAST WARREN @ ALTER RD.  
 C: WTR WAS DRIVING FULLY MARKED SCT CAR AND WAS STOPPED E/B ON WARREN AT ALTER FOR THE RED LIGHT. LIGHT TURNED GREEN FOR SCT CAR, AT WHICH TIME WTR OBSERVED A VEH. N/B ON ALTER RUN THE RED LIGHT AT

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

ject: EXECUTIVE BOARD OF REVIEW #00-001

Page 35

WARREN. VEH WAS A WHITE 2D AND WAS TRAVELING AT APROX. 60 TO 70 MPH. WTR PULLED BEHIND VEH. THE VEH CONTINUED N/B ON ALTER. THE VEH TURNED E/B ON FRANKFORT AND THEN S/B ON WAYBURN. WTR ACTIVATED LIGHTS AND SIREN ON WAYBURN AS THE VEH APPROACHED WARREN. VEH CONTINUED S/B ON WAYBURN AND DISREGARDED THE STOP SIGN AT WAYBURN AND WARREN. WRT'S PARTNER, PO SCHRYER CALLED OUT THE PURSUIT OVER DISTRICT 7. VEH CONTINUED S/B ON WAYBURN AND APPROACHED A 6 TO 8 FOOT FENCE BLOCKING THE ROADWAY FOR A CONSTRUCTION ZONE. VEH DROVE THROUGH THE FENCE AND CONTINUED S/B ON WAYBURN IN THE CONSTRUCTION ZONE. VEH CONTINUED ONE BLOCK AND APPROACHED A SECOND FENCE BLOCKING N/B TRAFFIC ON WAYBURN WHEN IT JUMPED THE CURB ENTERING A VACANT FIELD. VEH STOPPED APPROX. 30 FEET FROM THE ROAD AND WAS FACING E/B AWAY FROM WTR. WTR STOPPED SCT CAR AT THE CURB. WTR OBSERVED THE DRIVER'S DOOR OPEN SO WTR EXITED THE SCT CAR AND BEGAN TO APPROACH THE VEH FROM BEHIND. THE DRIVER'S DOOR WAS THEN CLOSED AND THE VEH ACCELERATED GOING AROUND A TREE. THE VEH WAS NOW FACING THE SCT CAR. WTR WAS RETURNING TO THE SCT CAR WHEN THE VEH STOPPED AGAIN. THE DRIVER'S DOOR OPENED AGAIN. THE DOOR WAS THEN CLOSED AND THE VEH SPED TOWARDS WTR. WTR YELLED STOP REPEATEDLY. WTR RAN TO THE RIGHT TO GET OUT OF THE WAY OF THE VEH. THE VEH ALSO TURNED AND CONTINUED TOWRDS WTR. WTR DREW HIS DPD ISSUED GLOCK AS THE VEH CAME AT WTR. WTR FEARING FOR HIS LIFE, FIRED 3 TO 4 ROUNDS AT THE VEH. THE VEH SPUN AROUND AND STOPPED WTR WAS APPROX 15 FEET FROM THE VEH WHEN HE FIRED. WTR OBSERVED THE DRIVER'S DOOR OPEN AND WTR ORDERED THE PERP FROM THE VEH. THE PERP WAS MOVING SLOWLY AND WTR ASKED IF HE WAS INJURED. THE PERP STATED HE WAS SHOT IN THE LEG AND HE ROLLED OUT OF THE CAR AND ONTO THE GROUND. THE PERP WAS LAYING ON HIS RIGHT SIDE AND IT APPEARED THAT HE WAS STRUCK IN HIS LEFT LEG. WRT CUFFED THE PERP. WTR'S PARTNER PATTED THE PERP DOWN FOR WEAPONS. WTR ADVISED THE DISTRICT 7 OF SHOTS FIRED AND REQUESTED EMS. TAC-74 MADE LOCATION AND SECURED WTR'S WEAPON. TAC-71 CONVEYED WTR TO HOMICIDE

O: LISTED ABV.

T: ABV VEH IMPOUNDED AT SCENE, BY TAC -74

ADD: ABV PERP CONVEYED TO ST JOHNS HOSPITAL BY MED 29, LISTED IN TEMP SERIOUS CONDITION BY Dr. SIZEMORE, CHART #081827115, WITH A GSW TO THE LEFT LEG. TAC-10 MADE LOC OF HOSPITAL TO SECURE ABV PERP, WHO WAS CHARGED WITH FLEEING AND ELUDING. ABV VEH HAS DAMAGE TO STEERING COLUMN."

On November 4, 1999 Officer Brown gave the following written statement to Homicide Investigator Sergeant Felix Kirk, badge S-888:

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 36

[REDACTED]

make

MCL 15.243(d)

and

MCL 15.395

Record  
Regarding  
Retention  
on Authority

MCL 15.395

1st  
time

his law  
nacted

2/29/2006

Police Officer Paul Schryer, badge 4201 made the following responses in his witness statement to Sergeant Felix Kirk, of the Homicide Section:

L 15.243(1)(d)

and

LL 15.395

[REDACTED]

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 37

[REDACTED]

ICL 15.243(1)(d)  
and  
ICL 15.395  
make  
record

October 12, 2000

Page 38

To: Chief of Police Benny N. Napoleon (through channels)

EXECUTIVE BOARD OF REVIEW #00-001

[REDACTED]

MCL 15.243(1)(d)  
and  
MCL 15.395  
make  
record

OK

MCL 15.243 (1)(a)  
Personal facts

On November 4, 1999 at 3:15 a.m. Mr. Willie Jerome Bryant B/M/26 of [REDACTED] gave the following witness statement to Police Officer Michael Carlisle, badge 4339, of the Homicide Section at St. John Hospital:

(Q.) What happened tonight?

(A.) I was north on Alter Rd. past E. Warren, I heard gunshots, about 2 or 3. When I crossed E. Warren, I heard some more. I turned right on Frankfort then right on Wayburn, drove straight till I ran through the fence. I spun out. I got out of the car police shined the light on me, I fell to the ground.

(Q.) Did you hear other shots?

To:

Chief of Police Benny N. Napoleon (through channels)

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

(A.) Yes, when I crossed E. Warren again.

(Q.) Who shot you?

(A.) The police.

(Q.) Whose car were you in?

(A.) Mine. The plate's not mine.

(Q.) Were the police chasing you?

(A.) Yes.

(Q.) What were the police chasing you for?

(A.) I don't know.

(Q.) Describe your car?

(A.) 84 Buick Regal, white two door."

The Executive Board of Review concluded

[REDACTED] Foremost in our minds were the

following questions requiring answers:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

In order to properly address these concerns a statement was secured from Mr. Bryant in June 2000 by the Executive Board of Review.

Mr. Bryant indicated that he did not realize that the police were trying to stop him when they initially pulled behind him. Mr. Bryant indicated that the vehicle behind him upon first encounter did not have its headlights or overhead lights and siren activated.

OK

100 15.243  
(1)(m)

October 12, 2000

To:

Chief of Police Benny N. Napoleon (through channels)

Page 40

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

Mr. Bryant indicated that when he went through the fence south on Wayburn and jumped the curb he stopped the vehicle and opened the door and attempted to step out when he was shot in the left leg by the police officer for no reason. He then quickly reentered the vehicle attempting to pull off when he spun out of control in the mud while the police were firing shots at him. He indicated that at no time did he attempt to run any officer over with his vehicle.

A review of Mr. Bryant's Medical Records obtained from St. John Hospital revealed that he received a through and through gunshot wound to the left thigh. The bullet entered the left lateral thigh and exited the midline anterior thigh. According to Dr. Sizemore the attending physician the bullet entered the left outer thigh and exited the left inner thigh.

The Executive Board of Review located Mr. Bryant's vehicle, a white 2 dr. 1984 Buick Regal 1999 MI, QHM664 in the impoundment area of Nationwide Tow at 10350 Harper on July 12, 2000. At that time the vehicle was not being held as evidence nor had it been processed for same.

The Executive Board of Review immediately placed the vehicle on evidence and ordered it processed for same on July 14, 2000.

Police Officer Mary Gross, badge #624 of the Forensic Services Division processed the white Buick Regal, Mi Plate QHM664 which resulted in the following as stated in the Evidence Technician Report (E.T.R.):

There is old front end damage to the vehicle. The vehicle is unlocked.

The ignition switch is broken and there are no keys to the vehicle. The steering column has been damaged and there are pieces of plastic from the steering column on the left front floor.

The interior of the vehicle is red. There is a red cloth split bench seat in the front end, a bench seat in the rear. There is dried dirt on the front seat and front floor of the vehicle.

All the windows are rolled up and are intact, except for the right front window. The right front window is shattered. There are pieces of glass on the front seat, and both front and rear floors on the right.

Under the left front seat is an R-P 38 cal. SPL-P live round. There is a copper jacket fired bullet on the inside of the right rear deck lid.



To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 41

1 impact site is on the interior of the left front door. This projectile enters from the right side to the left, and doesn't penetrate through the door. The projectile impact site is measured 23" from the pavement and 29" from the back edge of the door. Behind the impact site is a concave strike mark in the metal of the door. A copper jacket fired bullet is recovered from inside the panel.

There are red stains of suspected blood on the left front seat, rocker panel and the interior of the left door.

There are approximately 4 projectile impact sites that entered into the vehicle.

1 impact site is on the hood of the vehicle. The hood of this vehicle is 60" wide. This projectile enters from front to back on a right to left angle. This projectile penetrates through the hood of the vehicle. This projectile is measured 3" from the top edge of the hood and 23" from the right side of the hood. A lead and copper fragment is recovered from the lip of the vehicle under the hood where the windshield wipers are located.

1 impact site enters the right side of the vehicle at the frame between the right front window and right rear opera window. This projectile enters straight in, from right to left on a downward angle. This projectile is measured 43" from the pavement and 70" from the rear of the vehicle. There is a projectile impact site on the top of the left rear seat cushion of the vehicle. This projectile penetrates through the seat and into interior of the left rear quarter panel. There is yellow stuffing material coming out of the far left hole. This projectile is measured 6" high from the rear seat. A copper jacket fired bullet is recovered behind the plastic panel.

1 impact site enters the trunk lid of the vehicle. The trunk of the vehicle is 60" wide. This projectile enters straight in, from the rear to front of the trunk lid. This projectile penetrates through the trunk. This projectile is measured 5" from the hinge edge of the trunk lid and 28' from the right side of the vehicle. A copper jacket fired bullet is recovered from the right side of the trunk lip of the trunk compartment.

1 impact site enters the left rear quarter panel above the tire. This projectile enters straight in, from the rear to the front. This projectile is measured 27" from the pavement and 41" from the rear of the vehicle. This projectile penetrates through the left rear quarter panel and enters into the front of the wheel well and exits through the vehicle. There is a projectile impact on the inside of the left rear frame of the rear seat. This projectile impact is measured 14" high from the back seat.

#### WORK REQUESTED

The OIC requested that the vehicle be photographed, documented, searched for evidence and evidence collected.

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 42

### WORK PERFORMED

P.O. Gross exposed 2 rolls of 24 exposure color print film. P.O. Gross documented the scene with measurements and by gathering the necessary notes for the preparation of the report and sketch.

### EVIDENCE

- |     |        |     |  |
|-----|--------|-----|--|
| ET# | 601085 | (A) | One lead and one copper fragment taken from under the hood area towards the top of the hood at the housing area for the windshield wipers. |
| ET# | 601086 | (B) | One copper jacket fired bullet taken from the top of the trunk lip.  |
| ET# | 601087 | (C) | One copper jacket fired bullet taken from inside the right rear deck lid.  |
| ET# | 601088 | (D) | One copper jacket fired bullet taken from inside the left rear quarter panel.  |
| ET# | 601089 | (E) | One copper jacket fired bullet taken from inside the left front door.  |
| ET# | 601090 | (F) | One R-P 38 SPL-P live round taken from the floor under the left front seat.  |

In addition to the processing of the Buick Regal, ordered by the Executive Board of Review, evidence was collected at the scene by Police Officers Deborah Nix, badge 612, and Eugene Fitzhugh, badge 4609, of the Forensic Services Division.

The collection of this evidence was done by Officer Nix at the time of the shooting (on November 4, 1999 at 1:35a.m.) at the direction of the Special Assignment Squad of the Homicide Section as stated in the E.T.R.

The results of this evidence collection is indicated as follows as stated in the E.T.R.:

The scene is on Wayburn street a public street between Waveney and Lozier within a residential neighborhood in the city of Detroit.

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 43

At the scene south of Waveney street on Wayburn street, 253' are two metal post used for chain link fencing. The chain link fence is now down on the ground as a result of the perpetrator driving through the construction area. The vehicle is currently at rest 423' south of fence on the grass 7' west of the west curb of Wayburn. The vehicle is a 1984 Buick, 2DR, White, PLT# QH664, VIN# 1G4AM47A0EH431117. The vehicle is at an angle, the front of the vehicle is pointing southwest and the rear is northeast. There is a bullet hole in the hood, in the trunk, and bullet hole to the drivers side rear quarter panel. The passenger side door window is broken and there is steering column damage. There are pieces of shattered glass in the street from the perpetrators vehicle. There are pieces of shattered glass 1' west of the sidewalk and 22' south of the front bumper of the vehicle. The vehicle direction of travel was southbound Wayburn. There is another chain link fence north of Lozier street to stop traffic on wayburn from entering and exiting. The perpetrators vehicle tire marks are varying off west of Wayburn into the open field. The tire marks are in a circular direction west and then northbound. The vehicle appear to have spent out of control creating striation marks on the sidewalk, as a result of the vehicle tires grabbing for traction. The vehicle is pointing southwest on the grass in the open field. Located 1' south of the striation marks are pieces of shattered glass (H).

There are several spent casing on the ground south of the vehicle. The perpetrators vehicle is 34' west of the east curb of Wayburn and 7' west of the west curb. The entire width of Wayburn is 27' east to west. Casing A is 29' southeast of the front bumper of the vehicle. Casing B is 28' southeast of the front bumper of the vehicle. Casing C is 28.5' southeast of the front bumper of the vehicle. Casing D is 28' southeast of the front bumper of the vehicle. Casing E is 29' southeast of the front bumper of the vehicle. Casing F is 31' southeast of the front bumper of the vehicle. Casing G is 34' southeast of the front bumper of the vehicle.

#### WORK REQUESTED

Sgt. Harvell requested photos of the scene and collection of evidence. Sgt. Peterson requested the measurement of the distance surrounding the vehicle as well as the distance of the vehicle to the cross street west of the vehicle, where the complainant disregarded the fencing used to detour traffic from entering or exiting onto Lozier street which is east of the complainant's vehicle.

#### WORK PERFORMED

P.O. Eugene Fitzhugh exposed one roll of 12 exposures 35mm color prints films and one roll of 36 exposures 35 mm color prints film. P.O. Nix documented the scene with notes, collected evidence and made rough sketch of the scene.

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

cc: EXECUTIVE BOARD OF REVIEW #00-001

Page 44

EVIDENCE

ET#	50284499	Casing A is located on the west sidewalk, 29' s/e of the front bumper of the vehicle.
ET#	50284599	Casing B laying on the grass 1' east of the w/sidewalk and 28's s/e of the front bumper of the vehicle.
ET#	502846	Casing C is located 28'.5 s/e of the front bumper of the vehicle.
ET#	502847	Casing D is located 28's/e of the front bumper of the vehicle.
ET#	502848	Casing E is located 29 s/e of the front bumper of the vehicle.
ET#	502849	Casing F is located 31' s/e of the front bumper of the vehicle.
ET#	50285099	Casing G is located 34' s/e of the front bumper of the vehicle.

The Executive Board of review thoroughly reviewed Mr. Bryant's Medical Report, and the E.T.R.'s prepared by Police Officers Gross and Nix. The following conclusions were reached from that review:

[REDACTED]

OK

CL 15.243  
(1)(m)

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 45

(3.)

[REDACTED]

OK

CL 15.243  
(1)(m)

The Executive Board of Review therefore concludes

[REDACTED]

Denied  
see  
pg 25

CL 15.243  
(1)(m)

"Members must always bear in mind that the use of firearms shall be confined to life threatening situations. The laws of this state and rules of the department demand that members use only the minimum degree of force necessary to effect an arrest. Members must also consider that the minimum sentence imposed by our court system would result in neither death nor injury. A member shall not discharge a firearm in an attempt to apprehend a person on mere suspicion that a crime, no matter how serious, was committed or on mere suspicion that the person being pursued committed the crime. A member shall either have witnessed the crime or have probable cause to believe that the person committed an offense for which the use of deadly force is permissible in accordance with departmental directives. Probable cause means a reasonable belief based on the facts and circumstances known to the officer at the point in time to cause the officer to believe that the crime occurred and that the suspect committed it"

OK

[REDACTED]

11

"Members shall not fire upon a person who is fleeing on suspicion alone that such person may have committed a life threatening felony or solely because a person fails to stop upon command or runs a blockade".

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 46

OK  
↑

McL 15.243  
(1)(m)

[REDACTED]

[REDACTED]

“Members may use their firearms in the following situation only:  
 A. Self-defense and in defense of others from significant threat of death or life-threatening physical injury”

[REDACTED]

[REDACTED]

[REDACTED]

15.243  
(1)(m)

Denied  
See  
pg 2

RECOMMENDATIONS/THREE FATAL SHOOTINGS/ ONE NON-FATAL SHOOTING:

The Executive Board of Review has directed the Special Assignment Squad of the Internal Control Section to prepare and resubmit warrant requests to the Wayne County Prosecutor's office for their review and recommendations. These warrant requests will be based upon the findings in this report and all available evidence.

OK

CL 15.243  
(1)(m)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

GENERAL FINDINGS REGARDING DEPARTMENT PROCEDURES:

OK

L 15.243  
(1)(m)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

To:

Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject:

EXECUTIVE BOARD OF REVIEW #00-001

Page 47

OK

MCL 15.243(i)(m)

[REDACTED]

RECOMMENDATIONS:

In addition to the recommendations made throughout this document, the Executive Board of Review makes the following recommendations [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

OK

MCL 15.243  
(i)(m)

To: Chief of Police Benny N. Napoleon (through channels)

October 12, 2000

Subject: EXECUTIVE BOARD OF REVIEW #00-001

Page 48

OK

M.C.L. 15.243(1)(m)



This report is being submitted for executive review and prerogative.

*Walter E. Shoulders*  
WALTER E. SHOULDERS  
Deputy Chief  
Chairperson

*Cara J. Best*  
CARA J. BEST  
Commander  
Co-member

*Frazier Shaw*  
FRAZIER SHAW  
Commander  
Co-member

Attachment