

1 (INTERVIEW OF ANTHONY PRIBBLE, #2016-0108, 01/04/17)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

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5 GN = Special Agent Gary Nabernelly [phonetic]

6 AP = Anthony Pribble

7 GN: All right. This Special Agent Gary Nabernelly of the
8 Florida Department of Law Enforcement. The date is
9 January 4th, 2017. Approximate time is 10:18 a.m. Uh,
10 this is gonna be an interview with Punta Gorda
11 Police, uh, Officer -- School Resource Officer,
12 Anthony Pribble. Uh, I'm currently at the Punta
13 Gorda Middle School in Punta Gorda, Florida. And
14 this is -- will be in reference to Case Number
15 FN010027. Uh, Anthony, you recognize that I am a law
16 enforcement officer?

17 AP: Yes.

18 GN: And by that, uh -- I have the power to, uh, swear
19 people in.

20 AP: Uh-huh. Yes.

21 GN: I -- I would ask that you raise your right hand. Do
22 you swear to tell the truth, the whole truth, and
23 nothing but the truth?

24 AP: I do.

25 GN: Okay. You can put your hand down. Um, what's your
26 current position?

- 1 AP: I'm currently a corporal, uh, for Punta Gorda Police
2 Department and a resource officer.
- 3 GN: Okay. And how long have you been with Punta Gorda?
- 4 AP: Uh, almost 18 years.
- 5 GN: Okay. All right. Uh, we're gonna talk about, um, the
6 night of the shooting at the Punta Gorda Police
7 Department, involving Officer Lee Coel. Are you
8 familiar with that night?
- 9 AP: Yes.
- 10 GN: Okay. Uh, can you tell me, uh, where you were when
11 you first, uh, became aware of the situation?
- 12 AP: I was actually here at my school for a -- uh, event
13 at my school. Uh, then, uh, as I'm getting ready to
14 leave the, uh -- for the day, um -- or for the
15 evening I, uh, hear, uh, a lot of, uh, commotion on
16 the, uh, police radio. I kind of listened to it to
17 see what's going on.
- 18 GN: Do you recall what time this was?
- 19 AP: Uh, probably 7-ish. I don't remember exactly. But I
20 want to say right around 7, 8:00.
- 21 GN: And do you --
- 22 AP: Maybe -- maybe earlier.
- 23 GN: -- do you recall the date?
- 24 AP: Uh, that would have been -- oh, hey. No, I don't
25 remember the date off the top of my head.

1 GN: Month?

2 AP: Uh, August, I believe.

3 GN: Yeah. Okay. That's fine. And, I'm sorry, so -- so,
4 you, uh -- you heard the traffic on the radio?

5 AP: Yeah. I heard the traffic on the radio.

6 GN: Uh-huh.

7 AP: Um -- and, uh, one of the things that caught my
8 attention was need EMS, get EMS out here. Uh, I'm
9 not sure which officer. I want to say Officer
10 Jimenez, but I don't remember. And then, uh, next --
11 I'm kind of listening to the radio to find out
12 what's going on.

13 GN: They called for EMS at the police station?

14 AP: Yes.

15 GN: Okay.

16 AP: Yes. And, uh, next thing I hear is they're gonna
17 land a helicopter at Bayfront Medical Center here in
18 Punta Gorda on Cooper Street.

19 GN: Okay.

20 AP: So --

21 GN: Were you aware of any, uh, event that was going on
22 at the police station?

23 AP: -- I knew there was a citizen's academy going on.

24 GN: Okay.

25 AP: And, uh -- but that was the only thing I knew about.

1 GN: Uh-huh.

2 AP: So, I, um, got on the radio. I was like, "Hey. I can
3 cover the -- go to the LZ for the helicopter."
4 They're like, "Great. Go." We go up there. I sit
5 there, wait. Find out the helicopter --

6 GN: You're where now?

7 AP: -- at the Bayfront.

8 GN: Right. Okay.

9 AP: At Bayfront Hospital.

10 GN: Uh-huh.

11 AP: At the, uh, helicopter landing pad. It's actually
12 across the street from the hospital.

13 GN: Okay.

14 AP: Um, I, uh --

15 GN: Were you aware of, uh, who -- who they were
16 transporting and --

17 AP: -- no.

18 GN: -- what kind of injury?

19 AP: No. Nothing.

20 GN: Nothing?

21 AP: No.

22 GN: Okay.

23 AP: Nothing at that time.

24 GN: Right. Okay.

25 AP: Um, so, I find out the helicopter is not coming

1 because of the inclement weather.

2 GN: Okay.

3 AP: Uh, secured from the LZ, start heading towards the

4 police department.

5 GN: Okay.

6 AP: Um -- and I'm in a marked patrol vehicle, so I'm

7 getting up there.

8 GN: Uh-huh.

9 AP: Um -- the, uh -- I get there. Meet with Lieutenant

10 Lipker, Uh, I see --

11 GN: I'm sorry? Lieutenant?

12 AP: -- Lieutenant Lipker.

13 GN: With the --

14 AP: L-I-P-K-E-R.

15 GN: -- with Punta Gorda?

16 AP: Yes.

17 GN: Uh-huh.

18 AP: He was the watch commander. And he, um -- he was

19 taping off the area. Didn't know what happened. He

20 kind of filled me in a little bit.

21 GN: Uh-huh.

22 AP: And, uh, he goes, "Hey --"

23 GN: When -- when you -- when you say, "taping off the

24 area", what area --

25 AP: -- the area of --

- 1 GN: -- specifically?
- 2 AP: -- where the accident happened.
- 3 GN: Which is?
- 4 AP: Where the shooting -- uh, right behind the police
5 department by our wash bay area.
- 6 GN: Okay.
- 7 AP: Um, and weight room.
- 8 GN: Okay.
- 9 AP: Um, from that -- from -- basically from the parking
10 stalls back towards the wash bay, the dumpsters,
11 the, um, evidence guard, things like that.
- 12 GN: Right.
- 13 AP: So, I stop at the tape and he tells me kind of
14 what's going on. I was like, "Okay." And he's like,
15 "Can you help work the road?" "No problem." So, the
16 first call I get is a disturbance at the hospital.
- 17 GN: At Bayfront?
- 18 AP: At Bayfront.
- 19 GN: Okay.
- 20 AP: Which is the only hospital in town.
- 21 GN: Uh-huh.
- 22 AP: Um, so I immediately go there and come to find out
23 it's, uh, Mr. Knowlton, uh, the -- the, uh, husband
24 of the victim.
- 25 GN: Okay.

- 1 AP: Um, they had him secured in a -- uh, isolation room
2 because he was irate. He was, I guess, going crazy
3 on them. And I -- so I talked to him. Find out
4 what's going on. He goes, "I need to get to the
5 hospital. I need to get to the hospital." Call my
6 Lieutenant. Tell him, "Hey. I'm taking Mr. Knowlton
7 to hospital."
- 8 GN: Did he -- did -- did -- did he say anything else
9 besides that? I mean any -- when did you find out
10 that -- uh -- uh, what had happened with --
- 11 AP: Basically, I found out when Lieutenant Lipker kind
12 of give me quick briefing on it.
- 13 GN: -- okay.
- 14 AP: You know, I didn't know the whole scenario, the
15 whole deal, but I knew enough.
- 16 GN: And did you know who the victim was?
- 17 AP: At --
- 18 GN: He told you?
- 19 AP: -- at that time I don't remember if he told me the
20 name, but as soon as I found out -- as soon as I got
21 to the hospital I kind of --
- 22 GN: Put it together?
- 23 AP: -- put -- put -- put two and two together.
- 24 GN: Okay.
- 25 AP: Um -- and then, uh -- so I called him. And I was

1 like, "Hey. I'm taking Mr. Knowlton to the -- to the
2 Lee Memorial." He goes, "Go." So, him and I go down
3 to Lee Memorial Hospital.

4 GN: You took him in your vehicle?

5 AP: In my police vehicle, yes, in the front seat.

6 GN: Okay. Okay.

7 AP: Uh, we get down to Lee Memorial Hospital. Go in the
8 front entrance of the, uh, emergency room, and, uh,
9 met by, um -- a counselor or somebody, and, uh --
10 they take Mr. Knowlton into another room, and I go
11 back to the area of the ER trauma area.

12 GN: Uh-huh.

13 AP: Uh, meet with Officer Kennedy. Find out that Mrs.
14 Knowlton had --

15 GN: And Officer Kennedy is with Punta Gorda?

16 AP: -- yes.

17 GN: Okay.

18 AP: Yes. Or he -- or he's a marine officer.

19 GN: Okay.

20 AP: He actually followed the ambulance down, I guess, to
21 the hospital.

22 GN: Uh-huh.

23 AP: Um -- and, uh -- so I found out what had happened
24 more -- more in depth, and, um, found that she had
25 passed. And, uh, so I went out to the hospital

1 lobby. They already told Mr. Knowlton what had
2 happened.

3 GN: Uh-huh.

4 AP: And, uh, I stayed at the hospital for, basically,
5 the majority of the night until he was ready to go
6 home. I left him once, but then they sent me right
7 back.

8 GN: Okay.

9 AP: And then I brought Mr. Knowlton back, uh, to
10 Bayfront, because he insisted on picking up his
11 vehicle.

12 GN: Right.

13 AP: Um, followed him to his house. Um -- and, um -- uh,
14 stayed with him for a little bit there.

15 GN: Uh-huh.

16 AP: Um, once I felt he was okay at his house, I left to
17 go back to the station to see what other assistance
18 I could be.

19 GN: Right.

20 AP: And then immediately got to the station. Was sent
21 back to Mr. Knowlton's house and stayed --

22 GN: And the reason you were sent back?

23 AP: -- just to make sure he was okay.

24 GN: Okay.

25 AP: And stayed okay. And just be --

- 1 GN: So, command staff wanted you to go back?
- 2 AP: -- yes.
- 3 GN: Yeah. Okay.
- 4 AP: And, uh, once, uh -- once I got back he actually had
5 a friend that was rolling in and just getting out of
6 their vehicles to be with him.
- 7 GN: Okay.
- 8 AP: And how he got there I -- he got there by car, but I
9 don't know --
- 10 GN: Okay. You don't --
- 11 AP: -- how --
- 12 GN: -- recall the friend?
- 13 AP: -- no, I don't.
- 14 GN: A neighbor? Okay.
- 15 AP: No.
- 16 GN: And so, the friend stayed there?
- 17 AP: Yeah. The friend stayed there. I called the command
18 staff that asked me to stay. Told them he had
19 friends there and stuff like that, and at that time
20 they released me to come back. Um, as I was leaving,
21 um, one of the news crews tried showing up at the
22 house.
- 23 GN: Uh-huh.
- 24 AP: I directed them away from the house.
- 25 GN: Mr. Knowlton's house?

- 1 AP: Yes.
- 2 GN: Uh-huh.
- 3 AP: And I directed them away from the house saying he
4 wasn't going to talk to anybody at that time.
- 5 GN: Uh-huh.
- 6 AP: And he, uh -- um, he left without a problem.
- 7 GN: Okay.
- 8 AP: And then I left. And that was pretty much the end at
9 -- at that time.
- 10 GN: Okay. Did you return to the station?
- 11 AP: Uh, yes. I returned to the station, um, just to kind
12 of see what was needed, you know.
- 13 GN: Uh-huh.
- 14 AP: And, uh, they told me, "Just hang out until further
15 notice."
- 16 GN: Okay.
- 17 AP: So, I did. And I want to say it was like midnight,
18 'cause I had to be back at -- here at the office the
19 next morning for work.
- 20 GN: Right.
- 21 AP: Um, so, I think, right around -- I want to say
22 midnight they released me to come home.
- 23 GN: Okay. And that was your complete involvement of the
24 night?
- 25 AP: Yes.

1 GN: Okay. So, you weren't present at all during, uh, the
2 citizen's academy?

3 AP: No.

4 GN: Okay. All right. Um, anything else I might have
5 missed from that night, or I might not have asked
6 you?

7 AP: Not that I can think of.

8 GN: Okay. All right. Let's talk about, uh, Officer Lee
9 Coel and his involvement with, um, the, uh,
10 scenarios that he has performed here at the middle
11 school.

12 AP: Okay.

13 GN: Uh, do you recall the last one?

14 AP: The last one was May 13th of 2016.

15 GN: Okay. And -- and what exactly, um, is the, uh -- is
16 the, uh -- the demonstration or is the event --

17 AP: Okay.

18 GN: -- of the day?

19 AP: Uh, I teach a program called GREAT, Gang Resistance
20 Education and Training.

21 GN: Uh-huh.

22 AP: Uh, similar to DARE.

23 GN: Uh-huh.

24 AP: Uh, I teach it to all seventh grade. Approximately
25 400 seventh graders every year. And, uh, the kids,

1 uh -- once they complete the program, I do a field
2 day for them outside.

3 GN: Okay.

4 AP: Uh, we cook lunch for them. We, uh, bring in the
5 SWAT team. We bring in the boats. We bring in the
6 helicopters. We bring in everything we can think of,
7 all the toys and whistles for the kids to look at
8 and check out.

9 GN: Right.

10 AP: Trying to get them going on the right track and then
11 into maybe some fields they want to do.

12 GN: Right.

13 AP: Um, one of the things we do is, uh, have, um -- uh -
14 - try and have a K-9 demonstration, 'cause the kids
15 love the dogs. You know, love to check it out; love
16 to see what they do.

17 GN: Uh-huh.

18 AP: So, on that date, uh, Officer Coel and, uh, I
19 believe, Officer Trufan, uh, had come to the school
20 to, uh, assist with the demonstration.

21 GN: Uh-huh.

22 AP: My -- basically, we got the -- gathered all the kids
23 up. It was right around noonish. Uh, we gathered all
24 the kids up in a certain area --

25 GN: Uh-huh.

1 AP: -- and we, um -- I introduced Officer Coel and --
2 GN: Which -- which area of the school?
3 AP: -- it's out in the back, uh, in the P.E. field.
4 GN: Okay.
5 AP: Um, what we call, uh, by the blue tent. You know, I
6 can show that later.
7 GN: Okay.
8 AP: Um, but the, um -- uh -- so I introduce them and I
9 kind of let Lee do his thing.
10 GN: Okay.
11 AP: 'Cause I don't want to interrupt, 'cause I'm not a
12 K-9 person. I don't know what I'm talking about.
13 GN: Right.
14 AP: So, I let Lee do his own thing and I go about and do
15 my other tasks, dealing with the other kids that are
16 in the other events and things that are going on.
17 GN: Right.
18 AP: Um, I know he does some, uh -- some bike
19 demonstrations, some obedience stuff --
20 GN: Uh-huh.
21 AP: -- things like that. Uh, like, article searches, I
22 think, he did. And, uh -- the -- I know he did,
23 like, a, uh -- uh, bad guy shooting scenario.
24 GN: Okay.
25 AP: Um -- and, uh, used a, uh -- uh, whatever weapon he

1 used.

2 GN: Uh-huh.

3 AP: Um -- and, um, used department vehicles, basically,
4 pull up the traffic stop and, um, the bad guy gets
5 out shooting.

6 GN: Uh-huh.

7 AP: And Officer Coel releases the dog and do their dog
8 and pony show, if you will.

9 GN: Uh-huh. Uh-huh.

10 AP: And, uh, that's been that -- never had any issues
11 with that.

12 GN: Okay. Um, and you said, uh -- and who assisted with
13 Officer Coel?

14 AP: I believe it was Officer Trufan.

15 GN: Okay. Um -- and now, do -- were you actually present
16 during that scenario?

17 AP: Uh, present is kind of --

18 GN: Or do you recall?

19 AP: -- a relative term. I don't --

20 GN: Uh-huh.

21 AP: -- I don't think I was actually watching the whole
22 thing. I -- I kind of look over as I'm doing other
23 things --

24 GN: Uh-huh.

25 AP: -- because I'm in charge of the entire event.

1 GN: Do you remember hearing --

2 AP: Yes.

3 GN: -- the shooting?

4 AP: Yes. I remember hearing that, and that's kind of --

5 I think, that's probably why I looked over and saw

6 everything.

7 GN: Right.

8 AP: Um --

9 GN: Uh, any issues with that scenario?

10 AP: -- none.

11 GN: Anything go wrong?

12 AP: No.

13 GN: No injuries?

14 AP: Nope. Nothing.

15 GN: Nothing? Okay. All right. Um, that was pretty much

16 it --

17 AP: Yep.

18 GN: -- for Officer Coel?

19 AP: Yep.

20 GN: They were done after that scenario?

21 AP: Yep.

22 GN: Okay.

23 AP: And, I believe, uh, North Port PD, also, came down

24 and assisted with that. I can't remember at that

25 particular day, but normally that's their -- they

1 come down and assist.

2 GN: Okay. Uh, so, again, you said that was, uh, May 13
3 of --

4 AP: May 13th.

5 GN: -- last year, 2016?

6 AP: Yes. Correct.

7 GN: Uh, any other times that he's, uh, come and put --

8 AP: Yes.

9 GN: -- on that scenario?

10 AP: I believe it was May 29th was the first time he came,
11 of 2015.

12 GN: Okay.

13 AP: Um, I've done -- I do this every year and I've done
14 it for about seven or eight years now. Uh -- but,
15 uh, Lee's only -- had only been with us for a couple
16 years.

17 GN: Okay.

18 AP: And had been K-9 for approximately that long.

19 GN: Uh-huh. Same scenario?

20 AP: Uh, I believe so. Yeah.

21 GN: Any injuries or issues then?

22 AP: No. None at all.

23 GN: Okay. All right. Um, do you, uh, have any kind of,
24 like, documentation or do you have an operational
25 plan for the day, or do you know if Officer Coel

1 does?

2 AP: Uh, I do not. It's more of just a school function.

3 GN: Okay.

4 AP: But, uh, no, I don't -- I don't know what, uh,
5 Officer Coel did or anything like that. I'm assuming
6 he did some kind of, uh, paperwork, but I -- again,
7 I don't know anything about the K-9 end of it, so.

8 GN: Okay. All right. And, again, you were never directly
9 involved with this scenario?

10 AP: No.

11 GN: Okay. You just coordinated this, uh, GREAT program
12 for the day and -- well, for the -- how long is the
13 GREAT program? Is it the --

14 AP: The --

15 GN: -- whole --

16 AP: -- well, the program itself is 13 lessons.

17 GN: -- yeah.

18 AP: Uh, it runs pretty much the entire year.

19 GN: Okay.

20 AP: Between 400 kids, half and half.

21 GN: And, again, this is kind of like, uh -- a graduation
22 party?

23 AP: Yes. It's a --

24 GN: A celebration?

25 AP: -- a graduation. That's exactly what it is. It's a

1 graduation celebration for the kids.

2 GN: Gotcha. Okay. All right. Uh, anything else that I
3 might not have asked that you'd like to add?

4 AP: Nothing that I can think of off the top of my head.

5 GN: Okay. All right. Then that'll end this statement.

6 Approximate time is 10:31 a.m.

7 (CONCLUSION OF STATEMENT)

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25 Transcribed by: erz/erz/jck

1 (INTERVIEW OF OFC. BRANDON ANGELINI, #2016-0108, 8/22/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 GN = Special Agent Gary Negrinelli

6 PC = Special Agent Patrick Crowe

7 BA = Officer Brandon Angelini

8 GN: Okay. This is Special Agent Gary Negrinelli,
9 Florida Department of Law Enforcement. The date's
10 August 22nd, 2016. Approximate time is 11:46 a.m.
11 This is gonna be an interview reference case number
12 FM01-0027. I'm currently at the Punta Gorda Police
13 Department. Uh, also present during the interview
14 is Special Agent Supervisor Patrick Crowe
15 [phonetic]. This is gonna be an interview with
16 Punta Gorda Police Department -- is it Officer?

17 BA: Yes, Officer.

18 GN: Officer Brandon Angelina -- Angelini?

19 BA: Angelini. Angelini.

20 GN: Okay. Uh, Brandon, can you raise your right hand?

21 Do you solemnly swear to tell the truth, the whole
22 truth and nothing but the truth, so help you God?

23 BA: I do.

24 GN: Okay. And can you state your name and, uh, spell it
25 for the record?

26 BA: Officer Brandon Angelini. B-R-A-N-D-O-N, last name
American High-Tech Transcription and Reporting, Inc.

1 is A-N-G-E-L-I-N-I.

2 GN: Okay. Brandon, um, you were interviewed before --

3 BA: Yes, I was.

4 GN: -- for this case? Uh, like we said, uh, we had

5 viewed some video and, uh, just our concern was, um,

6 the part where you went back into the, uh, K-9

7 vehicle of Officer Coel's. Do you recall that?

8 BA: I do.

9 GN: Okay. And what -- what exactly -- why were you in

10 there?

11 BA: Um, Officer Chatakowski [phonetic] was -- he was --

12 some -- somebody relayed to him that they needed to

13 find Officer Coel's, uh, cellphone. Um, I don't

14 know for what reason, if he wanted it or whoever

15 wanted it. So I was -- because everything going on,

16 I was helping Chatakowski search for the cellphone,

17 which I never located the cellphone. I believe I

18 entered in through the driver's door.

19 GN: Okay. And this was, uh, Coel's cellphone.

20 BA: Yes.

21 GN: Okay. And -- I'm sorry. Chanakowski [phonetic]?

22 BA: Chatakowski.

23 GN: Chatakowski?

24 BA: Yes.

25 GN: Okay. He's an officer here, too?

1 BA: He is.

2 GN: Okay. You know if he was interviewed?

3 BA: Uh, he was originally interviewed, yes.

4 GN: Yeah. Okay. And, uh, this was right after the
5 incident?

6 BA: Yes. Uh, Officer Coel was in the -- when he was in
7 the room with the Captain, uh, in the squad room,
8 and when I was -- I believe I was walking up and
9 Chatakowski was going in -- into the vehicle; and I
10 asked what he was doing and they said helping -- or
11 trying to find his cellphone. So I went through
12 looking for the cellphone. And I think ultimately
13 Officer Chatakowski did find it in the lunchbox
14 compartment -- or one of the compartments in Officer
15 Coel's lunchbox inside the vehicle.

16 GN: Oh, okay.

17 BA: Passenger's side.

18 GN: And was this his work cellphone, personal cellphone?

19 BA: I think it was his personal cell. He -- I didn't --
20 I didn't see him grab it --

21 GN: Uh-huh.

22 BA: -- or see the phone itself, but I believe, if I
23 recall, he said he was searching for his personal
24 phone.

25 GN: Oh, okay. All right. Um, and you think, uh -- you

1 know that Officer Chatakowski located it.

2 BA: Yes, he did.

3 GN: And I'm sorry. It was in his --

4 BA: A compartment of his lunchbox, I believe.

5 GN: And where was that inside the vehicle?

6 BA: Passenger's side. Don't -- I don't recall. Maybe
7 the floorboard. I don't -- I don't remember seeing
8 the lunchbox inside.

9 GN: Passenger's side front?

10 BA: Yes.

11 GN: Yeah. Okay. And I'm sorry. And you were in the
12 driver's side?

13 BA: Yes, that I recall.

14 GN: And -- okay. And obviously you didn't --

15 BA: I --

16 GN: You didn't locate it, so --

17 BA: No, I didn't find it.

18 GN: How long were you looking for it, if you remember?

19 BA: Uh, 30 seconds, 45 seconds.

20 GN: Okay. And it was probably, uh, how quickly after
21 the incident; do -- do you recall?

22 BA: Uh, ooh. I don't know. Five minutes, 10 minutes.

23 GN: After it happened?

24 BA: Yes.

25 GN: Okay. All right. And that was it? That was the

1 only time you went to the vehicle?

2 BA: Yes.

3 GN: Okay. All right. You got any follow-up?

4 PC: Uh, did you remove any other items?

5 BA: I did not.

6 PC: Okay. Did you see the other officer remove any

7 other items?

8 BA: I did not.

9 PC: Okay. And you said -- just for the record to
10 clarify, you said Officer Lee Coel had already been
11 placed in a room with other officers after the
12 shooting and that's when this occurred, when he
13 requested his cellphone? He had been --

14 BA: Yes. I don't know if he requested it or if Captain
15 was requesting it, kind of just to get it for
16 whatever investigation --

17 PC: Get it for him? Okay.

18 BA: -- was to follow up with.

19 PC: Okay. All right. Um, okay. Did you have any
20 personal interaction with Lee Coel after that?

21 BA: Um, I sat in the room with him for like a minute or
22 two when Captain Woodard -- he relieved himself and
23 he asked me to sit with Officer, uh, Gonzalez in the
24 room with Officer Coel.

25 PC: Okay.

1 BA: So I sat in there with him for a couple minutes.

2 PC: All right. Did you see him in possession of a
3 cellphone at that time?

4 BA: I did not.

5 PC: Okay. All right. All right. And did Officer Coel
6 say anything to you?

7 BA: No, he did not.

8 PC: Nothing.

9 BA: No. He was just kind of pacing back and forth.

10 PC: Okay. All right. Did he say anything to the other
11 officer?

12 BA: Not that I know of; not when I was in there.

13 PC: Not when you were in there. Okay.

14 GN: Okay. Anything else that we might not have asked?

15 BA: No.

16 GN: Okay. Uh, that will end the statement. Approximate
17 time's 11:50 a.m.

18 (CONCLUSION OF INTERVIEW)

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25 Transcribed by: lam/lam/aef

1 (INTERVIEW OF OFC. BRANDON ANGELINI, 2016-0108, 08/10/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 BA = Officer Brandon Angelini

6 CT = Special Agent Christopher Teese [phonetic]

7 CT: All right. My name is Christopher Teese. I'm a
8 special agent with the Florida Department of Law
9 Enforcement officer out of Fort Myers. Uh, today's
10 date is August 10th, 2016. Time is currently 12
11 a.m. This is in reference to an incident which
12 occurred at the Punta Gorda Police Department, 1410
13 Tamiami Trail, Punta Gorda, Florida. I'll be taking
14 a sworn, taped statement from Brandon Angelini, A-N-
15 G-E-L-I-N-I; date of birth November 8th, 1982, um,
16 phone number 941-639-4111.

17 All right. Brandon, before we begin I just
18 wanna make sure you understand right now that you're
19 not the subject of this investigation. Okay? Uh,
20 this is just a voluntary taped statement. Do you
21 understand?

22 BA: Yes, sir.

23 CT: Okay. Um, before we proceed any further, do you
24 know what perjury is?

25 BA: I do.

26 CT: Okay. And in your own words can you just explain it

1 to me?

2 BA: Uh, lying under oath.

3 CT: Correct. Perjury is lying under oath, and it can
4 occur, uh, several ways. Number one would be
5 telling an outright lie. Number two would be
6 leaving out all or part information in order to
7 mislead my investigation, uh, and doing so would be
8 perjury, and under the law in -- Florida law that is
9 a misdemeanor. Okay?

10 BA: Yes, sir.

11 CT: Being a law enforcement officer I'm empowered to
12 swear you in under oath. So, will you please raise
13 your right hand? Do you swear or affirm to tell the
14 truth, the whole truth, and nothing but the truth?

15 BA: I do.

16 CT: All right. Okay. Now that we've got that out of
17 the way, I'd just like you right now just to take me
18 from the beginning as to what happened tonight to
19 the very end, basically narrate a story as far as
20 what you saw, everything, uh -- be as detailed as
21 possible, 'cause obviously I wasn't there.

22 BA: Right.

23 CT: Okay? And I just wanna get the big picture as to
24 what happened.

25 BA: Okay. Um, I was, um, at the Police Department, out
American High-Tech Transcription and Reporting, Inc.

1 back, um, conducting a static display for the, uh,
2 Citizen's Police Academy. Um, I was required to do
3 the Road Patrol static display, which was pretty
4 much to walk around my car asking questions about
5 what we do as a road patrol unit. Um, from there
6 everybody, uh -- after the static display there was
7 a scenario, uh, based incident going on on the
8 opposite -- on the, uh, south side of the parking
9 lot of the P.D., out back. Um, myself, I hadn't
10 really seen it go down before, so I wanted to kind
11 of watch.

12 CT: Right.

13 BA: Uh, I watched them set up. I observed Officer, um,
14 Coel, um, dressing out in a perpetrator, um, outfit,
15 if you will. Um, they were wearing their, uh,
16 protective face gear, had headgear. He had a -- a
17 gray sweatshirt on, looked like his work pants, and
18 then I also observed, um, the female -- a female
19 from the crowd, uh, don't know them by name,
20 description, can't tell you, um, with one of our
21 blue Simunition guns she had in her hand. Um, I've
22 heard of this -- the -- the, uh, scenarios before.
23 Never really watched one.

24 CT: Okay.

25 BA: So, I knew they were doing some kind of -- the

1 citizen was the police officer and our officer,
2 Officer Coel, was the perpetrator, and she would
3 have to make contact kind of thing and kind of feel
4 what it felt like I'd -- I'd imagine --

5 CT: Okay.

6 BA: -- uh, to be the police officer. So, during the
7 scenario I observed, uh, the female from the crowd
8 approach Officer Coel between the two vehicles that
9 were set up outside in the back parking lot. Um,
10 the scenario went down as it was supposed to I
11 guess, I'd imagine with, um, Officer Coel, "Hey,
12 what are you doing? I see that gun in your hand."

13 Um, Officer Coel then continued the scenario.
14 He was on a cell phone, put the cell phone down,
15 walks around the -- turns away from the female and
16 starts walking away from her. If I remember
17 correctly, he then turns around -- I can't hear
18 everything being said -- can't hear them
19 verbalizing. He turns around and I see him, uh,
20 fire a few rounds from the firearm that he had that
21 was, um, supposed to be a training firearm. I
22 didn't inspect the firearm. I didn't see the
23 firearm or nothing like that up close.

24 Um, after the shots were fired Officer Coel
25 then -- I -- I'm sorry. Let me back up. After the

1 shots were fired I observed the female to kind of
2 take a step backwards or even to go down to her
3 knee. From my point of view she was between the
4 cars so I couldn't get the full picture of what she
5 was doing 'cause she was behind the car.

6 CT: Okay.

7 BA: So, I did see here drop down. Um, I -- I thought
8 maybe she was having some kind of medical, uh,
9 incident from the loud banging from the -- from the
10 gun, the loud bangs from the gun. Then I saw
11 Officer Coel go around the front or back, I don't
12 know which way, toward, uh -- against the wall, went
13 on that side of the vehicle, came back around to the
14 front of the vehicle, the opposite side of the
15 vehicle, and kind of saw him in a manic state. Um,
16 I think he -- and I -- I knew he threw his helmet
17 off, if you will, started -- he got down to help
18 her. When I imagine -- or I thought she was still
19 maybe fell and got hurt, or what have you I
20 approached and I saw that she was bleeding and,
21 again, I still thought maybe she grazed her elbow or
22 something on the ground.

23 Um, then I noticed that she was bleeding
24 excessively and I got on the radio and I called for
25 Punta Gorda, our dispatchers to dispatch E.M.S. to

1 the back parking lot, uh, immediately and I believe
2 I got on there twice on the radio and told them to
3 expedite E.M.S.

4 CT: Okay.

5 BA: Um, I was kind of back and forth. People wanted
6 this and wanted that and, uh, I mean, other than
7 that, that's -- that's pretty much all I did. I
8 observed E.M.S. come out. E.M.S. came out and
9 started working on her. Um, couldn't see exactly
10 what was going on or remember what was going on.
11 Um, I remember E.M.S. coming, loading her up on the
12 stretcher and then leaving the scene with her in the
13 back of the ambulance.

14 CT: Okay. All right. Well, like I said, now I'm gonna
15 kind of go through and just ask you specific
16 questions, trying to get a -- you gotta understand,
17 I mean I -- I wasn't back there, so I really haven't
18 seen it all. Um, so you were the road patrol
19 officer for the static display. Now, I know the
20 civilians were here first and they did their thing
21 inside with Chief Lewis, I heard, and then they made
22 their way outside and the boat was out there and the
23 patrol car and, uh -- so, did the whole group go out
24 together do you recall?

25 BA: Yes, they did. I -- I was working the road today --

1 or now yesterday, so I didn't see the whole -- I
2 knew I had to be there by 6:15 --

3 CT: Okay.

4 BA: -- to do my portion.

5 CT: Okay.

6 BA: So, I arrived in the parking lot, on the north side
7 of the parking lot at 6:15 --

8 CT: Okay.

9 BA: -- uh, waiting for the group to come out. Yes, the
10 group did come out together. --

11 CT: Okay. Okay.

12 BA: -- into the parking lot.

13 CT: Now, after the group finished with all the static
14 displays they moved over to the, as they were
15 called, the shoot, don't shoot -- the scenario that
16 was set up.

17 BA: Okay.

18 CT: Now, from what you just told me, correct me if I'm
19 wrong, was that set up prior to you getting over
20 there, or when exactly did you get over to that
21 scenario? Was it, well, before it all began or --

22 BA: When I got over there the, um -- they -- they were
23 doing a -- almost like a briefing it looked like.

24 Uh, I wasn't up on the briefing. I was back on the
25 sidewalk, um, and the briefing was more in the

1 parking lot area of the median, where the angled
2 parking is where the police officers pull in their
3 vehicles, uh, for their shift. So, I didn't hear
4 what was going on. I really didn't see what was
5 going -- going on. I did observe, like I said,
6 Officer Coel getting dressed in the -- in the
7 headgear

8 CT: Right.

9 BA: -- and the sweatshirt.

10 CT: Who all was in that briefing that you're talking
11 about?

12 BA: I think it was all the citizens and, um --

13 CT: Okay.

14 BA: -- I -- I believe Chief Lewis, at a minimum, was in
15 there briefing everybody.

16 CT: All right. Um, and then Officer Coel, where was he
17 in relation to where that briefing was occurring?

18 BA: He was walking around. He was behind it at one
19 point.

20 CT: Okay.

21 BA: I think he may have went up toward the front of the
22 building at one point. I'm not sure if he was
23 retrieving the, uh, the training firearm or what he
24 was doing, but he was definitely walking. I saw him
25 zip up his jacket at one point while he was walking,

1 but he was -- he wasn't really participating in the
2 briefing.

3 CT: Okay.

4 BA: He was just kind of walking around waiting.

5 CT: And you didn't participate in -- in the briefing
6 either?

7 BA: No, I did not.

8 CT: Okay. Uh, were you close enough to hear what's
9 going on or you were -- what exactly were you doing?

10 BA: No, I was just kind of sitting there on the, uh,
11 sidewalk talking with whomever else might, uh -- it
12 was, um, Officer Chodakowsky, I think Officer
13 Jimenez. We were there talking about whatever. It
14 wasn't really in reference to what was going on out
15 there.

16 CT: Okay.

17 BA: Um, and then, um -- yeah, so I didn't know -- I
18 couldn't hear what they were doing. I was just
19 having a seat.

20 CT: Okay. So, now when they finish their -- their
21 briefing, um, did the scenario begin right when the
22 briefing was finished?

23 BA: Um, I don't know how long after it, but yes, I do --
24 I recall, uh, Captain Woodard, um, coming down from
25 the, uh, squadron, the outside door toward the, um,

1 crowd, and he had -- where he had -- I had noticed
2 the blue Simunitions gun in his hand, um, with
3 chamber opened. Uh, I could just only see -- I
4 could see the slide. You know? It was locked back.
5 I couldn't see if there was a magazine or anything
6 in it --

7 CT: Right.

8 BA: -- like that. Um --

9 CT: And that was for whom, that weapon?

10 BA: That weapon was for the female.

11 CT: Okay. Um, did you see him give the female the
12 weapon?

13 BA: I did not see him give it to her. I saw it in her
14 hand though after -- when the scenario started.

15 CT: Okay. So, when the scenario began -- now I'm -- I'm
16 gonna use some props because, you know, I think that
17 it's just easier for you to show me. So, just show
18 me where -- where the crowd was. When I say crowd I
19 mean the chamber people, the onlookers, and where
20 you were in relation to where everyone else was, if
21 that makes sense. I mean, where were -- I'm trying
22 to get a feel where you were.

23 BA: Okay. Um, if you --

24 CT: Or, I mean even if you just wanna draw it if that'd
25 be easier.

1 BA: Okay. So, this is the wall here with the door.

2 This is the gym. So you had the patrol car and --

3 let me move it over a little bit. That's the first

4 patrol car. That's the second patrol car.

5 CT: Uh-huh.

6 BA: There's a median in here.

7 CT: Okay.

8 BA: And this is kind of where the crowd, obviously

9 offset a little bit, this is where the crowd was,

10 uh, together right here. And there's a sidewalk

11 back this way, and I was -- and there's actually --

12 a sidewalk goes on an angle here.

13 CT: Okay.

14 BA: And I was on this sidewalk back in here.

15 CT: Okay. So, if -- I mean if you had to estimate --

16 BA: Oh.

17 CT: -- how far you were from the actual scenario, I mean

18 were you closer or further than the people watching

19 it, the civilians?

20 BA: I was -- well, I -- I don't recall. I don't

21 remember if the crowd when they dispersed when the

22 scenario started if they came up on the sidewalk

23 with me.

24 CT: Okay.

25 BA: Um, I don't recall if that's where -- if they were

1 there. I do recall people being on the sidewalk. I
2 don't remember if it was them or if they were still
3 in that same area watching the -- the incident occur
4 over here. Um, they --

5 CT: Where was --

6 BA: This crowd was closer to the scenario than I was.

7 CT: Okay. And you said earlier that Chief Lewis was
8 with the -- with them?

9 BA: Yeah, if I remember correctly he was on the back
10 side over here --

11 CT: Okay.

12 BA: -- kind of speaking into the crowd this way.

13 CT: All right. Now, where were -- how many other
14 officers were present besides yourself and Chief
15 Lewis?

16 BA: Outside, I don't know where every -- where everybody
17 was. I remember, um, Lieutenant Salsman being out
18 there, uh, like I said, Captain Woodard, Chief
19 Lewis. There was Officer Chodakowsky and Officer
20 Jimenez, obviously Officer Coel. Um, Officer
21 Kennedy was out there. He was also on the sidewalk.
22 I was conversing with him for a little bit as well.
23 Um, that's all I can remember.

24 CT: Okay. So now, when the incident began did you see
25 it from the very beginning to the very end, meaning

1 from when the female, Mary, when she first started
2 the scenario up until after she was shot? Did you
3 see the whole entire thing?

4 BA: Um, no. Actually, when it first started, and -- and
5 again I don't recall if it was from the start of the
6 briefing or the end of the briefing or the very
7 beginning of the scenario. I did walk away at one
8 point and I figured 'cause my shift was over, I
9 worked all day, I'd been here since five this
10 morning, I was gonna do my overtime slip and then
11 get out of here. And then I thought, well, I
12 haven't seen the scenario, so I went back to the
13 scenario and it was going on at that point.

14 CT: Can you recall where the scenario was when you got
15 back? What exactly was occurring?

16 BA: Yes, um, they -- they, as in the female and Officer
17 Coel, were in front of the vehicles walking to the
18 center of them, and --

19 CT: Officer Coel and the female, which was shot?

20 BA: Yeah, um, I think Officer Coel may have already been
21 in -- in between the vehicles. If I recall he was
22 looking -- I think I saw -- I saw him peering into a
23 -- a window, like the front window or something.
24 So, then the female approached from where the crowd
25 would be with a firearm in her left hand, I believe.

1 CT: Okay.

2 BA: 'Cause I remember seeing it 'cause Officer Coel
3 mentioned, "Oh, I see your firearm. What are you
4 doing with your gun out?" And then -- then he --
5 they both -- he started walking away and she -- she
6 started following him.

7 CT: Okay. So, you did see her walking up with the --
8 with her firearm?

9 BA: Yes.

10 CT: Okay. Um, but what you're saying is you weren't
11 present when she was actually given the weapon, um,
12 they explained it to her. Is that correct? You
13 weren't there when that happened?

14 BA: Correct.

15 CT: Okay.

16 BA: Uh, well she -- they -- she was, uh, briefed on her
17 portion. I think they -- 'cause when we left the
18 original static display on the --

19 CT: Uh-huh.

20 BA: -- the north side they took the two role players
21 from the crowd. Captain Woodard went and took them
22 inside or away from everybody else, and they must --
23 he must have briefed them on what they were doing,
24 gave them the firearms, whatever they did inside.

25 CT: Okay.

1 BA: I wasn't -- I wasn't present for that either.

2 CT: Okay.

3 BA: So, when this was going on, and after the briefing,
4 or whenever, they, as in the female and Captain
5 Woodard, walked from the, um, training room toward
6 the crowd where the scenario began.

7 CT: Okay. So, Captain Woodard escorted her down?

8 BA: Yes.

9 CT: Okay. Um, and you were kind of off the paper?

10 BA: Yes, I was off the paper over here.

11 CT: And you were with whom you said again, Officer --

12 BA: Officer Chodakowsky --

13 CT: -- Chodakowsky?

14 BA: -- Officer Jimenez at one point, and Officer, uh, uh,
15 uh, Kennedy at one point.

16 CT: All by the sidewalk area?

17 BA: Yes, all on the sidewalk here.

18 CT: All right. Do you know which officers -- were there
19 any other officers besides Officer Coel around the
20 actual scenario? Do you recall?

21 BA: No, not that I recall.

22 CT: Okay.

23 BA: I mean I remember, um, Lieutenant Salsman being over
24 there quickly when the incident occurred, um, when
25 the unfortunate incident occurred. I don't know

1 where he was at prior to that.

2 CT: Okay. So, who was -- to your knowledge, who was
3 actually in charge of this scenario? I mean who
4 came up with it? Who was in charge of it? Whose --

5 BA: I -- I don't know.

6 CT: You don't know?

7 BA: No, I don't -- I don't know who, uh, facilitated the
8 entire thing. All I -- like I said, all I knew was
9 my lieutenant, um, in roll call in the morning said
10 you're being told to be here for the static display.
11 Other than that, and other than seeing the itinerary
12 that was emailed to me on the scheduling of what
13 time it started and how long each, um, would be --
14 each person would take, five-minute interval for you
15 to do this, five minute for you to do yours, that's
16 all I knew. I didn't know who put it together or
17 even what the scenarios were.

18 CT: As far as you know, did anyone check, safety check
19 Officer Coel's gun? You know how we do it in
20 training or, you know? If you use a live firearm,
21 somebody -- you check it -- you check it clear --
22 clear. I mean, did you see anyone do that?

23 BA: I didn't see anybody do that. Um, then again, I
24 didn't even -- I didn't -- I don't recall seeing
25 that firearm until the shots were fired from it --

1 from it.

2 CT: And what kind of firearm was it? Can you describe
3 it?

4 BA: Uh, it looked like a silver revolver.

5 CT: Okay. Have you ever seen Officer Coel with that
6 before? Has he ever shown it to you or -- I mean --

7 BA: No, not -- not up, uh, close and personal. Uh, he's
8 participated in other demos with me. We just
9 recently had one with the S.W.A.T. team, um, where
10 he utilized a revolver that shot blanks as well.

11 CT: For a demo?

12 BA: For a demo. This was --

13 CT: Okay.

14 BA: -- at the sheriff's office training center.

15 CT: All right. So, that weapon, or revolver I mean,
16 obviously that's not his primary weapon, right?

17 BA: No, it's a backup. I'd -- I'd -- I think it's a
18 training weapon only.

19 CT: A training weapon only?

20 BA: Yeah, I don't even know if he uses it as a backup.
21 I think he uses it only for training purposes.

22 CT: Okay. How is your -- I mean you've been involved
23 with demos like this before, correct? You just --
24 what is the general policy you guys do, say you were
25 gonna use -- do something like this where it's a

1 Simunition or something to that effect, what is your
2 policy or how do you guys -- the common practice in
3 order to check weapons to make sure there's no live
4 ammo? I mean how does that work with you guys?

5 BA: Um, I've never personally been involved with blank
6 rounds. Every training round I've been with was --
7 has been like the FX marking cartridges, uh, the
8 Sims rounds, um, with the paint tips. Um, when we
9 do those, um, we have little techniques. Now, I'm --
10 - I'm on a S.W.A.T. team so I'm used to checking,
11 double checking, triple checking, coming down from
12 both sides of the line, you know, all that good
13 stuff. Um, so when we do scenarios here at the
14 Punta Gorda police department, um, the FX marking
15 cartridges, obviously they're very identifiable by
16 the blue color or white color, whatever the tip is,
17 but still yet we still like to flip the entire box
18 over, check all the, um, uh, the bullets, if you
19 would, the -- um, and notice or observe them to be
20 the paint cartridges --

21 CT: Okay.

22 BA: -- or paint tips. I've never seen the live -- or
23 the blank rounds.

24 CT: Okay.

25 BA: I've never been involved with using them personally.

1 CT: So, am I correct -- and like I said, if I say
2 something that's not correct or you don't
3 understand, please correct me.

4 BA: Okay.

5 CT: Am I correct in saying that, to your knowledge, you
6 don't know if anyone did a safety check on the
7 weapon he used, on the silver weapon that Officer
8 Coel used? Is that correct?

9 BA: That's correct I have -- I have no clue if anybody
10 else looked at that firearm.

11 CT: After the shooting occurred did you hear anyone
12 mention that gun or mention anything about safety
13 checking it or any talk about what happened, any
14 other officers?

15 BA: The only talk that was really said back and forth
16 was, "Was it checked? Did anybody check it? Were
17 those real rounds? Were they fake rounds?" That's
18 -- everybody was kind of just questioning, baffled I
19 guess about what happened or how did that happen.

20 CT: And, I mean which officer said that?

21 BA: Uh, I know I was saying it. Um, I was mainly saying
22 it. I was questioning, um, Officer Chodakowsky, um,
23 "What -- what was that? Man, are those -- are those
24 -- were those, uh, blanks? Were those live?" And
25 he was pretty much, "I don't know. I don't know

1 what those are. I don't know what happened"

2 CT: Should he -- should he have known, Chodakowsky? I
3 mean --

4 BA: I don't know his involvement.

5 CT: Okay.

6 BA: I mean, I don't know who -- like, I don't know who
7 was involved in the scenario.

8 CT: Okay.

9 BA: I'd imagine, the way that we do it like we -- the --
10 when we're to practice, when we train, whoever is
11 involved with handing firearms to whomever, loading
12 them or what, they are being checked more than by
13 just one person.

14 CT: Right. Now, do you know if Officer Coel, I mean, do
15 you know if he had that weapon before this scenario
16 even started just ready to go or did somebody give
17 it to him prior to the scenario? I mean --

18 BA: I don't know. I mean I know he's had -- he's had it
19 available on other training demos, like I said with
20 the S.W.A.T. demo. I don't know if he received that
21 prior to going out to that demo by anybody here.
22 Um, I -- I do know that we have a revolver for our
23 training that I don't think we've ever loaded with
24 anything.

25 CT: Okay.

1 BA: Um, but that is in the armory. I -- I had access to
2 the armory and I know it's in the armory 'cause it's
3 in a box with all the other FX marking cartridges
4 and stuff like that.

5 CT: So, it's not that weapon that he -- he used?

6 BA: No.

7 CT: Okay.

8 BA: I don't know what that weapon is. If it is a part
9 of ours, I don't know.

10 CT: Okay.

11 BA: I've only seen one.

12 CT: After the shooting happened did you see what
13 happened to the weapon?

14 BA: No.

15 CT: No?

16 BA: I did not.

17 CT: So, after the female was shot and she fell to the
18 ground just, one more time, what exactly did you do?

19 BA: Um, I went over there. I noticed -- I saw her on
20 the ground and I called for E.M.S. and then I saw
21 blood. I think -- I think her shirt, uh, her blouse
22 was opened up. It became open. Somebody opened the
23 blouse. I don't know if that was -- I don't think
24 that was E.M.S. yet. That was one of our guys I
25 think trying to work on her, maybe possibly find the

1 wound --

2 CT: Right.

3 BA: -- to, um, uh, to tend to the wound. At that point
4 then in saw the bleeding and that's when I called
5 E.M.S. again a second time over the radio.

6 CT: Okay.

7 BA: Somebody was yelling, uh, for a QuikClot, so that I
8 was kind of going frantically back and forth. I --
9 we were looking in trunks. We were looking for a
10 go-bag. A lot of us have these go-bags with --

11 CT: Right.

12 BA: -- with all this, uh, um, QuikClot in them.

13 CT: All right. So, I'm just gonna go from the top. I'm
14 just gonna recap, and you let me know if I'm off on
15 anything.

16 BA: Uh-huh.

17 CT: If, you know, you remember anything that you didn't
18 already tell me just -- just add it in there, but --
19 so you're there for the static display for road
20 patrol. All the civilians are out there. When I
21 say civilians, obviously that's the chamber group.
22 They're out there checking your vehicle out doing
23 their thing. Eventually everyone, the civilians,
24 move over to the scenario. Um, once they get there,
25 once they're at the scenario doing their briefing,

1 momentarily, am I correct, you -- you leave the
2 area?

3 BA: Yes, yes, that -- when they're -- when they're doing
4 the briefing. I don't know the exact time and if
5 the scenario started or if it was still during the
6 briefing, I -- I walked away to go inside to do my
7 overtime slip --

8 CT: The overtime slip.

9 BA: -- to leave, but I never made it inside. I stopped
10 and I said, "You know what? I'm gonna watch it."
11 So, I turned back around --

12 CT: Okay.

13 BA: -- and then I began to watch it.

14 CT: So, you weren't gone long?

15 BA: No, not long.

16 CT: All right.

17 BA: I wasn't gone long at all.

18 CT: So, you came back and you're sitting on the
19 sidewalk, um, off the area, off -- I mean was it on
20 the sidewalk you were sitting on or --

21 BA: We were standing on the -- yes, it's the sidewalk.
22 It -- it sits -- it's an angled sidewalk right here
23 where the landscaping is. It runs on both --

24 CT: Okay.

25 BA: -- sides of that sidewalk.

1 CT: And you're there with Officer Jimenez?

2 BA: I think it cuts off this way, and that's more where
3 we were, not at the very end of it. Um, yes, uh,
4 uh, the -- no, Officer Chodakowsky --

5 CT: Chodakowsky.

6 BA: -- more so. I think Officer Jimenez showed up
7 later.

8 CT: Okay.

9 BA: Um, I mean it was all quick.

10 CT: Okay.

11 BA: You know? It wasn't like an hour. You know? It
12 was quick.

13 CT: Okay.

14 BA: He shows up later. Um, Officer Kennedy shows up.
15 At one point I'm talking to him. If he was there
16 the whole time I don't remember. I remember talking
17 to him occasionally.

18 CT: Okay. During that time officer comes down there,
19 uh, as they, um --

20 BA: They, um -- yes, they walked away from the static
21 display. Two females and Captain Woodard.

22 CT: Captain Woodard?

23 BA: Yeah.

24 CT: So, he brings her down?

25 BA: Then later he brings the first female down to -- to

1 the --

2 CT: Officer Woodard -- excuse me, Captain Woodard, sorry

3 --

4 BA: Captain.

5 CT: -- brings the first female down --

6 BA: Yes, to the scenario.

7 CT: -- who is our victim.

8 BA: Yes, our victim.

9 CT: Okay. And where does -- do you see where Captain
10 Woodard goes?

11 BA: I do not.

12 CT: Oh, so you don't know if he hung around or he left?

13 BA: I don't know.

14 CT: Okay.

15 BA: Yeah, I don't know.

16 CT: And -- so when the scenario starts though you're
17 over in this area?

18 BA: Yes.

19 CT: Okay. Um, and you're there the entire time until
20 the victim -- till she's shot and you come over to
21 render aid, correct?

22 BA: Yes.

23 CT: Okay. Um, now I know there was a lot going on. I
24 understand that and, you know, you're doing your
25 best to give me names and everything. Now, when

1 this happened, just to clarify, do you recall,
2 besides Officer Coel obviously who was -- who was on
3 scene in the -- during the scenario, any other
4 officers, Punta Gorda P.D. members that were in the
5 immediate area?

6 BA: Um, you know, I do -- I think I recall Officer, um -
7 - or Corporal, uh -- Corporal Grim at one point over
8 there.

9 CT: Now what do you think she would have been doing?
10 She wasn't involved in the scenario was she?

11 BA: No, I think she may have been, uh, uh, rendering
12 C.P.R.

13 CT: Okay.

14 BA: I couldn't see exactly. There was a big crowd over
15 there, but I do -- if I -- I -- I believe she was
16 down there, you know, squatting down in that area.

17 CT: So, that was after the shooting. How about before
18 it actually happened? During the -- the scenario
19 when it was going on was there like a safety officer
20 hanging out anywhere? Do you guys usually have
21 that, like a safety officer just keeping an eye on
22 things?

23 BA: Um, no, I don't remember seeing one over here at
24 all.

25 CT: Okay. Was there anyone else dressed up and like

1 with facial -- face protection besides Officer Coel
2 for -- for any reason?

3 BA: Um, I -- I believe Officer Chodakowsky, he was -- I
4 think he kind of was trying on the gear for the next
5 scenario.

6 CT: Okay. Okay.

7 BA: But he -- he was not involved -- if I remember
8 correctly he -- no, he wasn't involved in that
9 scenario 'cause I was with him on the sidewalk, but
10 he did have also, uh, headgear, and he was wearing a
11 vest and shorts, I believe, and he was not involved
12 in this scenario. He was waiting for the next
13 scenario where, uh -- he was telling me, where him
14 and Lee would be, uh, uh, uh -- Officer Coel, would
15 be, I guess, going at it or something --

16 CT: Okay.

17 BA: -- whatever the scenario was.

18 CT: But he was over with you?

19 BA: Yes, he was -- he was over here with me.

20 CT: Okay. So, to your recollection, when the scenarios
21 happen it's just Officer Coel and the victim in --
22 in the immediate area where the scenario is? All
23 the other officers were off to the side?

24 BA: If I remember correctly, yes.

25 CT: Okay. Um, and you're saying that you don't know if

1 there was some kind of weapon check, inspection,
2 safety check done on Officer Coel's weapon. Is that
3 correct?

4 BA: That's correct.

5 CT: Okay. Um, and that to your knowledge you're not
6 sure who was in charge of the whole scenario, who
7 actually set it up, who was like I think that you'd
8 say the, you know, commanding officer, whoever,
9 whatever you wanna say, in charge of the scenario,
10 you're not sure?

11 BA: I'm not sure. No.

12 CT: Okay. So, the group -- I may have already asked you
13 this, but the group of civilians, were they closer
14 to the scenario than you were?

15 BA: Yes.

16 CT: A lot closer? I mean I haven't even been back
17 there, so I'm just trying to figure this out by your
18 drawing.

19 BA: Yeah, I'm trying -- trying to kind of, well, put it
20 in perspective, trying to picture the parking lot.
21 Um, they would've been close -- yes, they would've
22 been closer than I was.

23 CT: When she was shot how -- approximately how many
24 shots do you believe were fired?

25 BA: I believe I heard three, two to three shots.

1 CT: Okay. Now, what did Officer Coel do immediately
2 following the -- the shots when they fired? I mean
3 did you see what he did?

4 BA: Yeah, um, again it -- it looked like he did not -- I
5 don't think he knew at first because he continued to
6 walk around, but you could see he appeared to be
7 concerned --

8 CT: Uh-huh.

9 BA: -- because he -- he quickly came back around the
10 side of the car here --

11 CT: Uh-huh.

12 BA: -- and looked down, and then he -- that's when I saw
13 him kind of freak out, if you will, and I -- I heard
14 at one point him yell for help, um, and whatever
15 else he was yelling down, uh, on the ground there.
16 Um, he did tend her. I don't know what he did. Um,
17 from my perspective over here when it all went down
18 I -- again, I didn't know if this was -- the
19 scenario was still going on and she was just kind of
20 freaking out --

21 CT: Right.

22 BA: -- if she fell, um --

23 CT: Do you guys, for your training, your black trainings
24 -- well, I don't know if that's what you guys call
25 it, but I know that's what they said it was, black

1 trainings. Do you guys do a lot of Simunitions?

2 BA: Um, we do. I expect -- we just did some Simunitions
3 this last, uh, go around for our in-service
4 training.

5 CT: Now, say you're doing Simunitions and they're just
6 using, you know -- it's -- it's a regular officer's
7 turn, or whatever, I mean do they show them -- do
8 they show them a -- a -- a clear gun with no live
9 ammo in there before you actually go into whatever
10 scenario's occurring? You know, do they have the
11 slide locked back with it clear, "Here's your
12 similar gun."? How does that usually work? I mean
13 --

14 BA: We usually, um, around the table or at the table we
15 have the -- the unloaded guns, the safe guns.

16 CT: Right.

17 BA: We have the boxes of the ammo --

18 CT: Okay.

19 BA: -- and pretty much everybody is, "Hey, everyone
20 look. Let's inspect these."

21 CT: Okay.

22 BA: Everybody inspects them together. Everybody loads
23 them together.

24 CT: Okay.

25 BA: So, we're loading these, uh -- the -- the FX marking

1 cartridges into the --

2 CT: I got you.

3 BA: -- blue guns. So, everyone is aware that these are
4 here --

5 CT: Okay.

6 BA: -- that they are safe.

7 CT: Is there anything you can think of that I haven't
8 asked you that I should and I forgot to ask you that
9 may help my investigation or anything you -- you
10 could think of that may help me that I haven't asked
11 you? I mean you're -- how do you think it -- I mean
12 how do you think that happened, Officer Coel having
13 a -- a -- a gun with live rounds? I mean I'm just
14 trying to --

15 BA: That's what I'm trying to figure out because I mean
16 it's not -- we -- we carry -- now I don't know the
17 caliber of the gun, but --

18 CT: Right.

19 BA: -- um, we carry only, uh -- we carry 9, .40, .223
20 rounds here.

21 CT: Right.

22 BA: What he was shooting, as what I hear, is a .380.

23 CT: Right.

24 BA: Where -- I don't know where he would've got that. I
25 don't -- I've never seen .380 ammo.

1 CT: You guys don't carry .380s?

2 BA: Not that I know of. I've never seen it. I only
3 deal, again, with the --

4 CT: Right.

5 BA: -- the 9, and the .40, and the .223, so I -- I've
6 never seen, and I've never seen the blank rounds.

7 CT: I mean, is it safe to say -- I mean, do you agree
8 that it's hard -- I mean it's hard to believe
9 somebody inspected his gun or -- or double checked
10 it, I mean if he fired live rounds? You know what I
11 mean? 'Cause just saying you were there and you
12 were -- just say you were there and you happened to
13 look at his gun, "Hey, let me double check your
14 gun." You would've found live rounds there. I mean
15 it -- I -- it's hard --

16 BA: Um, yeah, I see what you're saying. Um, if I knew
17 what I was inspecting, I definitely would've found
18 it.

19 CT: Right.

20 BA: Like I know what a FX marking cartridge looks like.
21 Did somebody else check that gun and did those
22 shells show a blank shell? I don't know what a --

23 CT: Right.

24 BA: -- blank shell looks like. I -- I don't know, so I
25 wouldn't know if the -- I imagine --

1 CT: Right.

2 BA: -- it wouldn't have a bullet on the end of the
3 casing.

4 CT: Right.

5 BA: So --

6 CT: Right. Okay.

7 BA: I don't know if there's anything on the head stamp
8 that would depict it to be blank --

9 CT: Okay.

10 BA: -- so I don't know if -- if the person that was --
11 if somebody else inspected that firearm, if they
12 knew what they were looking for, then I'd imagine
13 and hope they would have --

14 CT: Right.

15 BA: -- noticed it.

16 CT: Okay. All right. Well, if you don't have anything
17 else?

18 BA: No.

19 CT: Okay. Well, then we're gonna end this interview.
20 Same day, August 10th, 2016 at 12:32 a.m.

21 (CONCLUSION OF INTERVIEW)

22

23

24

25 Transcribed by: hmc/hmc/clk

1 (INTERVIEW OF LT. CHRISTOPHER SALSMAN, ,08/10/2016)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 MR = MIKE ORTIZ

6 CS = CHRISTOPHER SALSMAN

7 MR: Good Morning, I'm Special Agent Mike Ortiz of the
8 Florida Department of Law Enforcement. Today's date
9 is April -- Correction, August the 10th, 2016, and
10 the time is 11:02 a.m. Be taking a second statement,
11 this morning, from Lt. Christopher Salsman of the
12 Punta Gorda Police Department. Uh, today's interview
13 is, uh, taking place at the Punta Gorda Police
14 Department at 1410 Tamiami Trail, Punta Gorda,
15 Florida. Specifically, we're in the criminal
16 investigation section interview room. Um, Lt.
17 Salsman, uh, we covered the perjury statute
18 yesterday, and, um, I'm just going to swear you in
19 real quick.

20 CS: Yes, sir.

21 MR: Okay. Um, please raise your right hand. Uh, do you
22 solemnly swear to tell the truth, the whole truth,
23 and nothing but the truth in the matter we are about
24 to discuss?

25 CS: Yes.

26 MR: Great. And I just wanted to get some clarification;

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1 it was late last night and -- and, uh, I just wanted
2 to make sure that I covered it. Um, at the
3 conclusion of -- of, the officer's discharges, um,
4 did you take control of, uh, Officer Cole's weapon?

5 CS: Yes.

6 MR: Okay. And can you just describe that weapon to me
7 again?

8 CS: Uh, it was a revolver-type weapon, um, silver in
9 color. And when, uh, it was pointed out to me it was
10 on the hood -- actually, on the, uh, on the trunk.

11 MR: (Unintelligible).

12 CS: I'm sorry, it is on the -- it's on the hood of the
13 second vehicle.

14 MR: Of the unmarked, or marked?

15 CS: That would be the marked.

16 MR: It was on the hood of the marked. Okay. And when --
17 when it was on the hood of the marked, what did you
18 do with that weapon?

19 CS: Uh, the cylinder was still in the closed position.
20 It was not in a safe, uh, position. I wasn't sure if
21 there were any live rounds in it, so I opened the
22 cylinder and when I looked inside, um, I had seen
23 that, uh, not all of the -- the entire chamber was
24 not filled with rounds. Um, to the best of my
25 recollection, I thought there was two open positions

1 in that cylinder. Pressed the plunger, ejected the
2 rounds, and I believe there was four rounds, uh,
3 spent cartridges that I took out. There was no live
4 rounds left in the weapon. I took those four spent
5 cartridges, stood them upright on the trunk of the
6 vehicle, left the weapon in the open position right
7 next to those rounds where it was, uh, photographed
8 by someone who had a camera in the vicinity at the
9 time. I don't -- uh, I don't recall who it was that
10 was taking the photos.

11 MR: Okay. And the revolver, was it, uh -- the barrel
12 length. What was the barrel length of that?

13 CS: It was short.

14 MR: Okay. And the cylinder, how many -- how many round
15 capacity?

16 CS: At the time, I thought it was, I thought it was six.

17 MR: Okay.

18 CS: But I -- I -- I didn't take the time to actually
19 count, but, um, now I believe it was a five, and --
20 and I pulled four out, which would mean that there
21 was one open slot.

22 MR: Okay. And what color were those cartridges?

23 CS: Uh, they were, uh, like an aluminum color.

24 MR: Aluminum color. Okay. And at some point, did you
25 secure the weapon? What did you do with the weapon

1 after?

2 CS: I remained in the vicinity because the ambulance had
3 been coming up. I -- I stayed within two to three
4 feet of it, and tried to assist the, uh --

5 MR: Okay.

6 CS: -- emergency responders.

7 MR: And did you -- did you, uh, pass that weapon off to
8 anybody?

9 CS: The -- uh, the units that were securing the scene,
10 and put up the, uh, crime scene tape. Believe that
11 was, uh, Lt. David Lipgur [phonetic], Cpl. Graham,
12 and, uh, Officer Jimenez [phonetic].

13 MR: Okay. So one of them took custody of that weapon?

14 CS: They -- they secured that inner perimeter, and
15 everyone cleared that area.

16 MR: Okay. Alright. Um, Lt., that's all the questions I
17 have right now. Is there anything that you could
18 think of that maybe, since last night and this
19 morning, maybe, you know, something that I may have
20 not asked that you feel is important?

21 CS: Not that I can --

22 MR: Okay.

23 CS: -- think of at this time, sir.

24 MR: Alrighty. Has everything you told me been the truth
25 to the best of your knowledge and belief?

1 CS: Yes.

2 MR: Okay. That'll conclude this morning's interview.

3 Today's date is August the 10th, 2016, and the time
4 is 11:06 a.m. Thank you, Lieutenant.

5 CS: Okay.

6 (CONCLUSION OF INTERVIEW)

7 Transcribed by aef/ss

1 (INTERVIEW OF CHRISTOPHER SALSMAN, 2016-0108, 08/10/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 MO = Special Agent Mike Ortiz

6 CL = Lieutenant Christopher Salsman

7 MO: Good evening. I'm Special Agent Mike Ortiz with
8 the, uh, Florida Department of Law Enforcement.
9 Today's date is August the 9th, 2016, and the time
10 is 12:06 -- correction, today is August the 10th,
11 2016. The time is 12:06 a.m. Be taking a sworn
12 statement from Punta Gorda Police Department
13 Lieutenant Christopher Salsman, S-A-L-S-M-A-N, date
14 of birth of 1/9 of 1967. Uh, Lieutenant Salsman's,
15 uh, work address is the Punta Gorda Police
16 Department, located at 1410 Tamiami Trail in Punta
17 Gorda, Florida, 33950. Uh, Lieutenant Salsman's
18 contact number is 941-276-3850. Uh, Lieutenant
19 Salsman, am I pronouncing it right?

20 CS: Yes.

21 MO: Lieutenant Salsman, can you please state your name
22 and your date of birth?

23 CS: Uh, Christopher Salsman. Date of birth is January
24 9, 1967.

25 MO: And, uh, Lieutenant, do you know the meaning of
26 perjury?

1 CS: Yes.

2 MO: In your own words can you tell me what perjury is?

3 CS: Uh, lying after giving a -- well, lying under oath.

4 MO: Yes, sir. At this time will you allow me to swear
5 you in for the purpose of taking the sworn
6 statement?

7 CS: Yes, sir.

8 MO: Your right hand is raised. Do you, Lieutenant
9 Christopher Salsman, solemnly swear to tell the
10 truth, the whole truth, and nothing but the truth in
11 the matter we're about to discuss?

12 CS: Yes, I do.

13 MO: Very good. We're gonna, uh -- reason we're here
14 this morning is, uh, due to an officer-involved
15 shooting, uh, that occurred at the Punta Gorda
16 Police Department, uh, early last evening on the --
17 August the 9th. Uh, just briefly, Lieutenant, uh,
18 you're a lieutenant here at the Punta Gorda Police
19 Department. How long have you been employed with
20 the Police Department?

21 CS: Seventeen years.

22 MO: Okay. And your current assignment is? What do you
23 do?

24 CS: Uh, employee development, recruitment, training.

25 MO: Okay. Are you in charge of training as well?

1 CS: Yes.

2 MO: Okay. And recruitment you said?

3 CS: Yes.

4 MO: Okay. And direct your attention to, uh, an event
5 that occurred yesterday at the Police Department.

6 It was a Chamber of Commerce -- can you give me some
7 background on what type of event that was?

8 CS: It's a Chamber of commerce event. Um, it's similar
9 to a Citizens' Academy, where we bring, uh, a group
10 of folks in, introduce them to the Police
11 Department. We show them the Records Section,
12 Criminal Investigation Section, Road Patrol Section,
13 and then run them through, um, our equipment that
14 the officers carry and, uh, introduce them to the
15 weapons, the TASER, and also, uh, Simunitions
16 weapons.

17 MO: Okay. And, um, -- so yesterday who was the group
18 that was invited or that participated?

19 CS: It was, uh, our Chamber of Commerce here in Punta
20 Gorda.

21 MO: Okay. And was this a one-night event or was this a
22 series of classes?

23 CS: No, a one-night event, two hours. Uh, it was
24 expected to go from 5:30 to about 8:00.

25 MO: Okay. And how many people were you expecting

1 roughly?

2 CS: Uh, approximately 40.

3 MO: Forty people? Okay. And who was in charge of
4 putting that on? Who -- who in the department was
5 the organizer?

6 CS: Um, well primarily, um, Lieutenant Katie Heck.

7 MO: Okay. And did she have assistance from other
8 members of the department?

9 CS: It's coordinated with the Chief of Police.

10 MO: Okay. And so yesterday at 5:30 the -- the -- the
11 event, uh, starts at 5:30. Um, what officers were
12 assigned to provide some of the training or some of
13 the insight on the department?

14 CS: Uh, the officers that were involved in presenting it
15 were, uh, Chief Tom Lewis, Captain Jeff Woodard,
16 Captain Jason Ciaschini, uh, myself. That -- that's
17 pretty much the, uh, the primary officers that were
18 involved in this.

19 MO: Okay. And I understand there was some role playing
20 involved?

21 CS: Yes.

22 MO: And who were the participants in that?

23 CS: The two role playing officers were K-9 Officer Lee
24 Coel and, uh, Master Police Officer Shane
25 Chodakowsky.

1 MO: Okay. And so, again, did prior -- I've never
2 participated in one of these. I've -- I've done
3 some training in the Police Academy when I was with
4 Charlotte County years ago, but that I just was
5 responsible for one end. I didn't coordinate the
6 whole class, so -- so correct me if I'm -- I'm
7 wrong. Um, was there any type of menu or an
8 itinerary that was sent out beforehand advising the
9 folks that were attending what they would be
10 participating in?

11 CS: I don't know if it was sent to them. Uh, we had an
12 itinerary that we were following here at the Police
13 Department.

14 MO: Okay. And did you have a contact person with the,
15 um, the Chamber?

16 CS: I believe it was, uh, John Wright.

17 MO: John Wright? Okay. And who would've facilitated
18 that? Would that have been Lieutenant Heck?

19 CS: Lieutenant Heck or our Accreditation Manager, Gloria
20 Sepanik.

21 MO: Okay. So, getting tonight's -- getting to tonight's
22 itinerary, what was the schedule of events that were
23 supposed to occur there?

24 CS: The schedule of events would have started out with
25 the class gathering in our training room, and it

1 would've been the Chief's welcome, where, uh, he
2 goes through a PowerPoint overview of the department
3 lasting approximately 30 minutes, which would've
4 went from about 5:30 to 6:00 p.m.

5 MO: Okay. And I see that you're reading from a form.
6 Is that, uh -- is that an itinerary that you folks
7 used tonight?

8 CS: Yes, it is.

9 MO: Can I -- can I see that or --

10 CS: Yes.

11 MO: -- would you be able to get a copy of this for me?

12 CS: Yes.

13 MO: Okay. And basically what I'm looking at is a --
14 it's a -- it's on a Punta Gorda Police, uh -- it's
15 got a patch at the top of the -- the page. It's
16 entitled "Chamber Police Night, Punta Gorda Police
17 Department Outline, August 9th 2016, 5:30 p.m. to
18 7:30 p.m." So, yes, if I could get a copy of this
19 that would be great. I'm just gonna look at it. It
20 says part one is the Chief's welcome, 30 minutes,
21 and, correct me if I'm wrong if maybe you, um -- or
22 maybe the, uh, -- this itinerary skipped over
23 something. I don't know. Um, uh, section A says,
24 "Welcome all participants to the Police Department."
25 Is that about right?

1 CS: Yes.

2 MO: Uh, B is PowerPoint overview of the department?

3 CS: Yes.

4 MO: Okay. Uh, part 2 it says, "Police Department tour,
5 15 minutes, by Lewis, Salsman, and Ciaschini"?

6 CS: Yes.

7 MO: Okay. Uh, section A of that is Criminal
8 Investigation Section, Evidence and Property, 5
9 minutes. Is that correct?

10 CS: Yes, they were broken in to three groups --

11 MO: Okay.

12 CS: -- three equal-sized groups. We each took one group
13 and --

14 MO: Okay.

15 CS: -- we took them to each station for approximately
16 five minutes each.

17 MO: Okay. And the second is, uh, road patrol section, 5
18 minutes, which was an overview of road -- road --
19 overview of road function. Is that correct?

20 CS: Correct.

21 MO: C was records section, 5 minutes, and it was an
22 overview of record function. Is that correct?

23 CS: Correct.

24 MO: The third phase was static display, 15 minutes. Uh,
25 just for whoever's listening or reading the

1 transcript, what is a static display?

2 CS: What we had set up out there was our, uh, marine
3 truck and boat. We also had, uh, one of our Crown
4 Victoria vehicles, which belongs to one of our
5 S.W.A.T. team members, uh, outfitted with all his
6 gear so that the participants could come in and view
7 the marine gear, the, uh -- and also the gear that,
8 uh, one of our patrolmen who participates in
9 S.W.A.T. would carry in their vehicle.

10 MO: Okay. And, basically, sections I -- I'm sorry, one,
11 two, and three is large boat display, overview of
12 uses, overview of equipment. Is that correct?

13 CS: Yes.

14 MO: Okay. Section B had road patrol, five minutes. Um,
15 just going back to the marine unit, uh, Officer
16 Kennedy, he was responsible for that?

17 CS: Yes.

18 MO: Okay. And section B was road patrol, five minutes,
19 was Brandon Angelini.

20 CS: Yeah.

21 MO: Um, that was a vehicle display and overview of
22 equipment. Is that correct?

23 CS: Correct.

24 MO: Section C was bike unit, five minutes, Shane
25 Chodakowsky?

1 CS: Yes, Chodakowsky.

2 MO: Okay. Uh, first section, uh, is a display. The
3 second part is overview of uses. Is that correct?

4 CS: Correct.

5 MO: Section four shows shoot and don't shoot scenarios,
6 25 minutes. This involved, uh, Chief Lewis, uh
7 Salsman, you, Chodakowsky, and Coel. Uh, it says,
8 "The whole class will participate in this after
9 viewing the static display." Is that correct?

10 CS: Correct.

11 MO: And section five of the itinerary was classroom
12 teachings. That was supposed to be for 35 minutes
13 by Chief Lewis and yourself. That involved TASER,
14 20 minutes. Uh, first section, overview of weapon,
15 two, overview of uses, uh, third section was demo.
16 Was that scheduled also?

17 CS: It was scheduled. Yes.

18 MO: Okay. And section B was weapon systems: Patrol
19 rifles, Glock, O.C., and ballistic shield, 15
20 minutes, an overview of weapon. Section two is
21 overview of uses. Is -- was that on the schedule as
22 well?

23 CS: Yes, sir.

24 MO: And section six shows a Q and A period. So, that's
25 question and answers?

1 CS: Yes, sir.

2 MO: And section seven is evaluation of the class. Is
3 that correct?

4 CS: Yes, sir.

5 MO: And, again, if I could get a copy of this or keep
6 this --

7 CS: You can keep that one, sir.

8 MO: Okay. Great. All right. Let's go to, uh, uh --
9 so, you said the class was broken up into three
10 sections --

11 CS: Uh-huh.

12 MO: -- so, roughly 10 -- 10 people a group roughly?

13 CS: Ten to 12. Yes.

14 MO: Okay. And did you lead a group?

15 CS: Yes.

16 MO: What group did you lead tonight?

17 CS: I had the -- the final group. It was the last group
18 to leave the class.

19 MO: Okay. And what was that? That was the last group
20 that left the class. Okay.

21 CS: Yes.

22 MO: All right.

23 CS: It's broken into thirds.

24 MO: I got you. I got you. All right. And the shoot,
25 don't shoot scenarios, that's pretty much what we're

1 concerned about, that included, uh, Lewis, Chief
2 Lewis, Lieutenant Salsman, yourself, uh,
3 Chodakowsky. Uh, what's his rank?

4 CS: Uh, Master Police Officer.

5 MO: And his first name?

6 CS: Shane.

7 MO: Shane? And Coel, C-O-E-L. What's his first name?

8 CS: Lee.

9 MO: Okay. And this whole class will participate in this
10 after the static display, that's the shoot, don't
11 shoot scenario. Explain to me how that was gonna
12 work today.

13 CS: The -- the scenario -- the first scenario is
14 basically a suspicious person, uh, complaint. There
15 were two vehicles that were parked, um,
16 perpendicular to the building, and the -- the
17 officer, who was one of our class participants, was
18 to be armed with a Simunitions Glock weapon similar
19 to what's carried by the officers. She was to be
20 dispatched to a suspicious person complaint. She
21 was to get out, make verbal contact with the
22 perpetrator, who is wearing a -- a hood, acting
23 suspiciously between the two vehicles. Um, when the
24 verbal, um, interaction didn't -- didn't, uh, get
25 her the information that she was requesting he was

1 to respond to the back of the vehicle where he was
2 gonna retrieve a weapon that was on the rear bumper
3 and, at that point, you know, direct the weapon in
4 her direction and fire off one or two of the blanks
5 and, uh, basically get her attention and see what
6 her response would be --

7 MO: Okay.

8 CS: -- utilizing the Simunition weapon that we supplied
9 her.

10 MO: Okay. And how is the candidate who -- how is the
11 candidate for this particular scenario, the shoot,
12 don't shoot scenario, how are they picked?

13 CS: Uh, the selection process, uh, at the beginning of
14 the class every seat in the classroom had a pen, a
15 Police Department pad, and inside each one of the
16 pads, uh, selected pads had, uh, either the Chief's
17 card -- well, each one of them had, uh -- had one of
18 his cards, but if the card on the back said TASER,
19 they participated in the TASER discharge. If it
20 said gun they were selected to participate in the
21 shoot, don't shoot scenario with the gun.

22 MO: Okay. So, it was just the luck of the draw?
23 Whoever picked -- whoever sat at that desk and they
24 picked the card, or they had that notebook and they
25 had a card that said they were --

- 1 CS: Yes.
- 2 MO: -- gonna participate in?
- 3 CS: Correct.
- 4 MO: Okay. And where -- where'd that take place? Where
- 5 did they get the notebook and where did that take
- 6 place at?
- 7 CS: It was in the beginning of the class, during the
- 8 introduction portion.
- 9 MO: In the classroom?
- 10 CS: Yes.
- 11 MO: Okay.
- 12 CS: When Chief Lewis introduced himself to all the
- 13 members and said, you know, that --
- 14 MO: Okay.
- 15 CS: -- "There was a gift on the table for you. Open it
- 16 up and in the back you'll find my business card. On
- 17 the back of the card if it says TASER, you've been
- 18 selected to participate" --
- 19 MO: Okay.
- 20 CS: -- "if you so choose. If it says gun you've been
- 21 selected if you wanna participate."
- 22 MO: Okay. And how many people were selected for the --
- 23 the shoot, don't shoot?
- 24 CS: Two.
- 25 MO: And how many were selected for the TASER?

1 CS: Two.

2 MO: So, just four -- so you were gonna run four
3 different -- four separate scenarios, correct?

4 CS: Correct.

5 MO: Okay. So, for the scenarios, um, were they gonna be
6 different scenarios? For instance, the first don't
7 shoot scenario, would that have been the same as the
8 second person going through it? Would the second
9 person be going through the same thing?

10 CS: Yes. When it comes to the shoot, don't shoot there
11 was gonna be two scenarios for each of those two
12 participants.

13 MO: Right.

14 CS: The first person was gonna go through their two
15 scenarios while then other person was kept secluded
16 in the building. They wouldn't see the two
17 scenarios. Then, after the first person completed
18 their two, the second person would come out and then
19 they would do those same two.

20 MO: I see. I see. So, the shoot, don't shoot was gonna
21 be two scenarios?

22 CS: Correct.

23 MO: Okay. So, I think you just gave me a synopsis of
24 the first scenario, correct?

25 CS: Correct.

1 MO: What was the second scenario, the -- the second
2 shoot, don't -- the second shoot, don't shoot
3 scenario? What did that encompass?

4 CS: The second scenario -- obviously the first one was
5 to get their -- their awareness heightened by the
6 firing of the firearm with the blanks, and on the
7 second scenario it would be a similar circumstance.
8 They would be dispatched to a physical disturbance
9 involving two participants. When they get there
10 there would be two people basically shoving and
11 pushing against the wall. The officer, or the
12 participant, would be sent there to try to break up
13 this disturbance and, because their awareness would
14 be heightened from the first scenario, many times
15 they will be quick to draw the gun and, while that's
16 happening, the bad guy in scenario is directed to
17 break away from the fight and direct their
18 aggression toward the officer coming at them, the
19 participant, and find out what their reaction would
20 be.

21 MO: Okay. So, then just paraphrasing, the first
22 scenario was the suspicious person -

23 CS: Correct.

24 MO: -- call near a car. So, they'd be like a prowler,
25 that type of --

1 CS: Yes.

2 MO: Okay.

3 CS: And the suspicious person in that scenario says,
4 "This is my girlfriend's car. I don't need you. I
5 don't need the police." And --

6 MO: Okay. All right. Um, so let's go to the first
7 scenario. Did you know the -- the woman, the -- the
8 first participant?

9 CS: Uh, I know her from past --

10 MO: Okay.

11 CS: -- events.

12 MO: And was she debriefed on what type of scenario --
13 the type of call to make -- first of all, who would
14 -- do a breakdown from the time she got out there,
15 how she got her Simunitions, her -- explain that to
16 me.

17 CS: Yeah, on this particular one, um, Captain Woodard
18 actually took care of the Simunitions weapon.

19 MO: Okay.

20 CS: Uh, he prepared the -- the Simunition weapon that
21 was supplied to Miss Knowlton.

22 MO: Okay.

23 CS: Um, he gave her -- he equipped her with her badge,
24 the weapon, the magazine, and prepped her on the
25 scenario. Um, once he presented the magazine and

1 the weapon to Chief Lewis, Chief Lewis presented it
2 to the crowd, explained to them how the Simunition
3 rounds work, um, what they're made up of, the fact
4 that we use different colored ones when there's
5 multiple officers to identify, you know, who the
6 shooters are. Um, once that explanation was
7 provided to the crowd the weapon was then turned
8 over to Miss Knowlton, magazine was loaded in. Um,
9 she was basically told, you know, this is how the --
10 the weapon works. Uh, I did listen as Captain
11 Woodard explained to her the scenario and, um,
12 safety precautions for the weapon, indexing the
13 finger, um, don't put your finger in the trigger
14 guard unless you intend to shoot, basic things that
15 we would tell anyone, you know, first time handling
16 a weapon, whether it be Simunition or a real weapon.

17 MO: Right.

18 CS: Um, she explained that she understood. Um, as he
19 walked her over to the location of where the -- the
20 patrol car would be, where she was to begin, um, he
21 explained the scenario, that it was gonna be a
22 suspicious person complaint and you've just been
23 dispatched to it. From there she began the
24 scenario.

25 MO: Okay. And this was Captain Woodard. And where were

1 you at when -- did you participate in any of the
2 debriefing to Miss Knowlton?

3 CS: No.

4 MO: Okay. Um, how about Chief Lewis? Did he give her
5 any instruction or any debriefing?

6 CS: No, I -- I don't believe that, uh, that Chief Lewis
7 had any interaction with Miss Knowlton, apart from
8 the presentation of the weapon after it was made
9 safe.

10 MO: Was there any -- any -- yeah, I'll get to that in a
11 second. Let me -- before I forget, was there any --
12 anything in place in case say Miss Knowlton was
13 reckless with her firearm, say she panicked or
14 whatever, was -- turned around and shot at the
15 crowd? Was anybody -- she -- was she assigned a
16 handler, per se? Do you -- do you rehearse that
17 type of -- you understand what I'm getting at?

18 CS: Yes.

19 MO: Okay.

20 CS: Yeah, the officer that presents the scenario and --
21 and the weapon will usually be the handler of that
22 and follow through with the scenario and that --
23 that essentially is your safety officer that will
24 call end scenario at that point.

25 MO: Who would that have been?

1 CS: That would've been -- in this case that would've
2 been Captain Woodard.

3 MO: Captain Woodard. So, he -- what -- what -- what was
4 -- what's his role called during that scenario?
5 He's --

6 CS: Well, essentially he -- he would be the safety
7 officer --

8 MO: The safety officer --

9 CS: -- that would be the one to call --

10 MO: -- that's the word I'm looking for.

11 CS: -- to call end scenario.

12 MO: You know what I'm saying? You know, she panics and
13 she --

14 CS: Uh-huh.

15 MO: -- "Oh my God." and turns around and points the gun
16 every which way --

17 CS: Yes.

18 MO: -- somebody can, you know, hey, calm her down and,
19 you know --

20 CS: Correct.

21 MO: -- point that gun in a --

22 CS: Uh-huh.

23 MO: -- that firearm in a safe direction.

24 CS: Yes.

25 MO: Okay. So, Captain Woodard would've been her safety

1 officer. Let's focus now to Officer Lee Coel?

2 CS: Yes.

3 MO: What was his role in the scenario?

4 CS: In the shoot, don't shoot scenario he would be the
5 bad guy.

6 MO: Okay. And who was he briefed by today as far as his
7 -- the -- the scenario? Who briefed Officer Coel on
8 the scenario?

9 CS: Well, this is a -- this is a repeat scenario, one
10 that we've done numerous times and Officer Coel has
11 been the -- the bad guy participant in this exact
12 scenario --

13 MO: Okay.

14 CS: -- on numerous occasions, so he is quite familiar
15 with both scenarios as we've done it numerous times.
16 Um, so he was well aware and, um, Captain Woodard
17 would have -- would have had the scenario laid out
18 and that there had been no deviation from prior
19 scenarios that we've run.

20 MO: Okay. How many times do you think Officer Coel has
21 participated in this roughly?

22 CS: In this particular one I would say four times.

23 MO: Four times. Okay. Um, so the scenario is he's the
24 suspicious person. He's the prowler lurking at --

25 CS: Uh-huh.

1 MO: -- his "girlfriend's car" and there is a firearm
2 used as a prop or is a firearm that's on the rear
3 bumper of the vehicle, right?

4 CS: Yes, located by the left side.

5 MO: And what type of gun would -- was used today in
6 that?

7 CS: Uh, I believe that one is a .38.

8 MO: A .38? Okay. Did anybody -- say a safety officer -
9 - did the safety officer, do you know -- did they
10 check that gun beforehand?

11 CS: I don't know which officer was checking the weapon
12 with him when it was loaded.

13 MO: Okay. But is it normal for somebody to -- 'cause,
14 you know --

15 CS: Yes.

16 MO: -- you know, you're on the range and, you know, they
17 check your weapon.

18 CS: Yes.

19 MO: You know?

20 CS: Absolutely.

21 MO: Would that have been your purview or would that have
22 been Captain Woodard's purview? Would he --

23 CS: Well, in -- in this -- in this particular case it
24 would've been -- it would've been incumbent on both
25 of us.

1 MO: Okay. Okay. Was that done? Was his weapon checked
2 prior to the exercise?

3 CS: No, because by the time I had gotten out there the
4 scenario had already been set.

5 MO: Okay. So --

6 CS: So, my presumption was that -- that because
7 everything was already in place that those safety
8 checks had already been completed.

9 MO: Okay. So, everybody was already out there,
10 including Captain Woodard, Chief Lewis? Everybody
11 was already out there? Is that what you're saying?

12 CS: Yes.

13 MO: And what was the reason for your delay for coming
14 out?

15 CS: I was coming from the -- the prior, uh, static
16 display area.

17 MO: Okay. All right. So, you were the last person on -
18 -

19 CS: Yes.

20 MO: -- those? Okay. Are you a firearms instructor?

21 CS: No.

22 MO: Okay. Um, prior to -- prior to today -- today's
23 event, or yesterday's event with the Chamber, was
24 there any type of briefing beforehand, um, with the,
25 you know, participants' role, you know, who -- what

1 roles each person was going to play?

2 CS: For -- for this particular event?

3 MO: Academy -- yeah, for the chamber event.

4 CS: No, just, uh, just the itinerary that you see laid
5 out there.

6 MO: And I understand you've done this before?

7 CS: Yes.

8 MO: The exact -- you used the same -- same model that
9 I'm showing on the piece of paper, just the
10 different dates?

11 CS: Yes.

12 MO: Okay.

13 CS: Generally. Generally. There's --

14 MO: Okay.

15 CS: Yeah, it follows that same guide.

16 MO: Okay. Um, when, uh -- so the -- the shoot, don't
17 shoot scenario started -- started. Okay. So, tell
18 me what happened

19 CS: When the scenario actually began?

20 MO: Yeah.

21 CS: Uh, Miss Knowlton walked toward Officer Coel.

22 MO: Uh-huh.

23 CS: Officer Coel then began -- she -- she had very
24 little verbal dialogue, uh, toward him. Couldn't
25 really hear exactly what he was saying back to her,

1 um, basically, uh, had a few hand motions. He
2 started walking away from her. She wasn't very
3 aggressive toward him. She had the weapon out the
4 whole time. He asked her, he goes, "What do you
5 have your weapon out for? I'm not doing anything
6 wrong." He walked in between the two cars like he
7 was walking away from her. As soon as he got to the
8 back of the car -- she wasn't very aggressive with
9 him. Um, he got to the back of the car, he picked
10 the weapon up, he turned toward her and two shots,
11 uh, rang out. She immediately went down. It looked
12 like -- from my angle it looked like she was ducking
13 down, like the -- the shots had scared her. Sounded
14 like blanks to me because we've used --

15 MO: Right.

16 CS: -- blanks in the past. Um, couldn't tell that she
17 had been struck by anything. As Officer Coel fired
18 the two rounds he came around the back of the
19 vehicle heading toward my direction, which would've
20 been, if you're looking at the scenario from the
21 camera angle --

22 MO: Uh-huh.

23 CS: I don't know if you saw the video.

24 MO: I have not.

25 CS: If you're looking from this point at where the two

1 cars are, he came around the left of the car to the
2 left, came around the -- the back end of it, and as
3 he was coming around I -- I heard him try to fire
4 one more round. I heard a click, and then he came
5 around and fired again, and then that second round
6 went off. And shortly after that I could look and I
7 could see something on the side of the car. And I -
8 - I'm looking at it and I thought it was a hole,
9 and, sure enough, we go over and she's down on the
10 ground. Initially we thought maybe she had had a
11 heart attack or an anxiety attack, and then, uh, as
12 we got closer you could see there was blood. So,
13 again, we didn't know if she fell and hurt herself.
14 You know? She's an older woman.

15 MO: Uh-huh.

16 CS: We don't know if she had thin skin or if she had a
17 pre-existing injury. And, uh, she wasn't speaking.
18 Um, she wasn't able to speak. And then we could see
19 some blood in here. Someone managed to pull the
20 shirt open and we could see clearly that she had --
21 she had a trauma wound right -- right here in the
22 upper abdomen.

23 MO: Okay.

24 CS: And, uh, that's when everybody began working on her.
25 Um, a couple of the guys ran and tried to get, um --

1 uh, he said he laid it on the back trunk.

2 So, I went over there, saw the weapon laying on
3 the trunk, uh, opened it up, and I -- I just
4 remember looking in and seeing -- I didn't know if
5 it was a -- a five-shot or a six-shot, but there was
6 two empty, um, cylinders in there. Um, pushed the
7 rounds out, took them, set them on the -- on the
8 trunk, um, didn't -- didn't pay much attention. I
9 knew that they were all empty though. I don't
10 recall if there was three or four, you know, if it
11 had been a -- a five- or six-shot. I'm recalling
12 now there was three rounds that were fired, one
13 click in between, so I'm assuming --

14 MO: Was there any live rounds left in it?

15 CS: No.

16 MO: No?

17 CS: No, no live rounds --

18 MO: Were you able to tell, based on your experience,
19 whether they were live, whether they were blanks or
20 --

21 CS: No, because they --

22 MO: Can you --

23 CS: You have --

24 MO: Yeah, they mimic, yeah, the --

25 CS: They -- they look exactly the same.

1 MO: The -- let's go back to the -- the hole in the door.
2 This is the first I've got. So there was actually a
3 round that went into the car door?
4 CS: Yes.
5 MO: Okay. Um, so just walk me through the shots, how --
6 what he -- what he did. He was facing Mrs.
7 Knowlton.
8 CS: Uh-huh.
9 MO: Correct? And he -- give me the -- the shot
10 sequence, how he did that again.
11 CS: She's -- she's walking between the two cars. The --
12 the cars are parked, um, parallel to each other --
13 MO: Okay.
14 CS: -- perpendicular to the building, almost like two
15 officers would get together when they're talking --
16 MO: Right.
17 CS: -- to each other between, uh, the two cars. He walks
18 between the two cars like he's going towards the --
19 the trunk of the one car where he --
20 MO: Okay.
21 CS: -- makes the left turn.
22 MO: Okay.
23 CS: She's following behind him. He gets to the trunk,
24 grabs the weapon off of where the license plate
25 would be --

1 MO: Right.

2 CS: -- does a quick turn. She's still between the two
3 cars. She's about four, maybe four and a half feet
4 from him. She's actually walking towards him. She
5 has the weapon out and in her hand and, from what I
6 can see, the -- because of the windows and the --
7 you know, he's behind the passenger and -- and the
8 rear window, um, I see the -- the one shot, two
9 shot, and then he turns and -- and goes to run
10 around the back of the car.

11 MO: Right.

12 CS: And as he comes around the car I could hear he's
13 trying to shoot another round. I hear the click.
14 And then he comes around the side and -- like he's
15 going to shoot the -- you know, through the windows,
16 fires another round, and that's the one that goes
17 through the door.

18 MO: The door to the other car?

19 CS: To the -- to the car that's closest me. It --

20 MO: Close to the --

21 CS: It would've been the passenger side of -- of the car
22 that he took the gun off of the license plate trunk
23 area.

24 MO: Okay. Okay. So, three shots fired?

25 CS: Yes.

1 MO: Okay. That explains that.

2 CS: Okay.

3 MO: Um, is that the -- the same gun, the revolver, is
4 that used in the -- is that the same weapon that was
5 used in the prior, um, scenarios?

6 CS: Well, apparently yes.

7 MO: Okay.

8 CS: That was unbeknownst to me.

9 MO: Okay.

10 CS: Because this is only my second time actually
11 participating in this.

12 MO: Okay.

13 CS: Um, the position that I'm in right now was
14 previously held by Captain Woodard.

15 MO: Okay.

16 CS: So, he has run these scenarios in the past --

17 MO: Okay.

18 CS: -- and what I found out today was that that weapon,
19 um, apparently, or -- or from what we know at this
20 point is -- is Lee Coel's training weapon that --
21 that he may use for, uh, blanks during his K-9
22 training.

23 MO: Okay.

24 CS: So, we have a different .38 caliber weapon that we
25 use for our Simunitions training --

1

2 MO: Okay.

3 CS: -- that I thought we were using with the blanks.

4 MO: Okay.

5 CS: But that wasn't the case. So I've never issued this
6 weapon to him. I've never checked it for safety.

7 The first time I've -- I've touched that weapon was
8 today when I cleared it.

9 MO: Okay. So, just going back, as far as the safety
10 officer, you got to the scenario late. So, do you
11 know or do you not know whether or not a safety
12 check was performed on that gun?

13 CS: Do not know.

14 MO: Do not know. Okay. All right. Is that revolver
15 painted in any way with a orange handle, blue?

16 CS: No.

17 MO: Nothing? In other trainings that you folks do here
18 do you use the .38 for --

19 CS: The -- the .38 that we use has a restrictor on it
20 that will not allow a regular round to go in it.

21 MO: Is that painted blue or orange?

22 CS: No, but it has -- it has the restrictor on it.

23 MO: Okay. And for the people that don't know what a
24 restrictor is, that read this transcript or listen
25 to this audio?

1 CS: It -- it will not permit a -- a lethal round to go
2 through it.

3 MO: Okay. As far as a blank, is it possible that a
4 blank has a wad in it that could --

5 CS: Yes.

6 MO: -- be projected? Is it possible?

7 CS: It -- yes.

8 MO: Okay. Would that be a defect in the round?

9 CS: I'm not, uh, very familiar with -- with blanks.

10 MO: Then we'll leave it at that.

11 CS: Yes.

12 MO: Okay. We'll leave it at that. That's all the
13 questions I have, Lieutenant. Is there anything
14 that you can think of that I haven't asked that you
15 feel that may be important to this?

16 CS: No, sir.

17 MO: Okay. Has everything you've told me been the truth
18 to the best of your knowledge and belief?

19 CS: Yes, sir.

20 MO: Okay. Uh, that'll conclude this evening's, uh --
21 this evening's or this morning's, uh, interview.

22 Today's date is August 10th, 2016. The time is

23 12:39 a.m. Thank you, Lieutenant.

24 (CONCLUSION OF INTERVIEW)

25 Transcribed by: hmc/hmc/clk

1 (INTERVIEW OF LT. DAVID LIPKER, 2016-0108, 08/10/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 CT = Christopher Tissot

6 DL = David Lipker

7 CT: My name is Christopher Tissot. I'm a Special Agent
8 with the Florida Department of Law Enforcement, Fort
9 Myers. Today's date is August 10th, 2016 and the
10 time is currently 1:15 a.m. This is in reference to
11 an incident in which occurred at the Punta Gorda
12 Police Department, 1410 Tamiami Trail, Punta Gorda,
13 Florida.

14 I'll be taking a sworn, taped statement from David -
15 - Officer -- excuse me, Lieutenant David Lipker, L-
16 I-P-K-E-R; date of birth October 1st, 1969. The
17 phone number here at the Punta Gorda Police
18 Department, 941-639-4111. Um, is it all right if I
19 call you David?

20 DL: Yes.

21 CT: Okay. Before we begin, I just wanna let you know --
22 make sure you understand you're not the subject of
23 this investigation, okay, and, uh, this statement is
24 -- is voluntary. Okay?

25 DL: Yes.

26 CT: All right. Um, before we begin, I have to ask you
American High-Tech Transcription and Reporting, Inc.

1 if you know what perjury is?

2 DL: I do.

3 CT: And in your own words, can you tell me what it is?

4 DL: Lie -- lying under oath.

5 CT: Correct. Perjury can be done in a couple of ways;
6 um, telling an outright lie, or leaving out partial
7 or all information in order to mislead my
8 investigation. Uh, perjury in the State of Florida
9 is a misdemeanor. Do you understand?

10 DL: Yes.

11 CT: Okay. Um, being a law enforcement officer, I'm
12 empowered to swear you in under oath. Can you raise
13 your right hand? Do you swear and affirm to tell
14 the truth, the whole truth, nothing but the truth?

15 DL: I do.

16 CT: All right. All right, David. If you would, um,
17 like I said, start from the beginning today. I know
18 there was a static display and -- uh, if you could
19 just start from the beginning all the way to the end
20 of the incident.

21 DL: Okay. Um, I -- I did not have any role in the
22 static display tonight. My job function was 6 p.m.
23 to 6 a.m. watch commander for the patrol and, um, I
24 was doing roll call at 6 p.m. and, um, one of my
25 guys was part of the static and a couple of the guys

1 wanted to watch part of the scenario based. So they
2 went out, but I stayed inside and was doing payroll,
3 et cetera, in the, um, watch commander/lieutenant's
4 office off the squad room.

5 CT: Okay.

6 DL: And, um, the, uh, Marine Officer Kennedy was in the
7 squad room on a computer and I remember hearing one
8 I think -- multiple shots outside and I remember
9 saying out loud or thinking out loud that that
10 didn't sound like a simunitions round.

11 CT: Uh-huh.

12 DL: That sounded like a live round.

13 CT: Okay.

14 DL: And -- um, because I'm a simunitions instructor and
15 have been a role player many times over --

16 CT: Okay.

17 DL: -- years, um, but something led me to walk outside
18 to check and I then walked outside and looked to my
19 left and saw a large crowd, their back to me, but I
20 also saw, um, officers -- um, I - I distinctly
21 remember seeing Officer Jimenez -- Kelvin Jimenez,
22 um, saying, "Get EMS."

23 CT: Okay.

24 DL: And I remember thinking this must be part of the
25 scenario. My mind was telling me for some reason.

1 So I kinda like -- and um, then he started -- and
2 then I heard radio transmissions about EMS.

3 CT: Right.

4 DL: And then I saw Officer Jimenez start running towards
5 the fire bay to -- to physically get EMS.

6 CT: Okay.

7 DL: Um, at the same time, I remember seeing Officer
8 Chatakowski [phonetic] -- um, another one of my
9 officers, um, yelling to get QuikClot and so my --
10 my, um, SUV was -- was parked, um, along the island
11 near the fire hydrant, um, by the fire bay and I --
12 I had some in my go bag and I ran towards that
13 location, but by that time, the EMS guys were coming
14 out.

15 So I abandoned that idea and went -- turned around
16 and -- and, um, I remember somebody saying, "I think
17 she had a heart attack," but I don't know if that
18 was right before the QuikClot comment or -- it must
19 have been because heart attack and QuikClot don't go
20 together. So the timing of it might not have been
21 the same.

22 CT: Okay.

23 DL: But, um, um, I went towards where the incident
24 occurred, which was by our -- our gym and our wash
25 bay or storage area and, um, that's when I think I

1 realized, um, somebody had been shot, um, and, um, I
2 saw Officer Coel in civilian attire and every --
3 everybody really had this scared look in their face,
4 like, what just went wrong.

5 CT: Right.

6 DL: So, um, I -- Captain Ciaschini was close to me and
7 he said, "Go get a camera and start taking
8 pictures." So I went back to my SUV -- in the back
9 of my SUV, got my digital camera, came back, and
10 started taking, uh, photos as EMS was -- and fire
11 were working on the patient and taking -- uh,
12 putting her in the ambulance.

13 CT: All right. And those photos on the camera, what --
14 what did you do with them?

15 DL: I still have them in my left pocket.

16 CT: Okay. And it's on your --

17 DL: The camera and the disk. I have everything
18 (unintelligible).

19 CT: Okay.

20 DL: The camera and the disk are still in my pocket.

21 CT: The camera's your -- like, issue --

22 DL: Department issued.

23 CT: Department issued? All right.

24 DL: Department issued digital camera.

25 CT: All right. So that and just SD cards inside of it -

1 -

2 DL: Yeah.

3 CT: -- is what you're saying disk?

4 DL: Yes.

5 CT: Okay. All right.

6 DL: There's a SD card in there.

7 CT: All right. So at that point -- was that the end of
8 your involvement, basically? I mean --

9 DL: No, and then, um, I directed, um, Officer Jimenez
10 to, um, put crime scene tape out, uh, up around this
11 -- the area while, um, Corporal Graham [phonetic]
12 was with -- um, the Coordination Manager Sepanik was
13 escorting all of the class members back into the
14 training room.

15 CT: Okay.

16 DL: And then -- um, then I did -- directed a lot of, um
17 resources as -- directed Officer Kennedy to follow
18 the ambulance 'cause we had heard on the radio that
19 they -- the helicopter couldn't land because of bad
20 weather.

21 CT: Okay.

22 DL: So they were gonna ground transport her to Lee
23 Memorial. So he was available so we, um, had him
24 follow the -- and catch up to and follow the
25 ambulance to Lee Memorial, um, and then, um, Officer

1 Pribel [phonetic] was directed some places and
2 Officer Gonzales, I was told, was already in the
3 Lieutenant's office with, uh, Officer Coel.

4 CT: Okay. All right.

5 DL: So, um --

6 CT: So going back, I mean, you were inside, did you ever
7 see the scenario set up at all?

8 DL: No.

9 CT: So nothing? So you didn't -- and if I'm wrong, just
10 correct me -- you didn't see anything until you
11 heard the shots and went outside?

12 DL: Correct.

13 CT: Okay. So -- and I -- I'm not trying to beat a dead
14 horse or repeat myself, but -- so you didn't see the
15 victim and Officer Cole interacting, correct?

16 DL: Never.

17 CT: Okay. Um, do you know anything about this weapon
18 that was used on the -- weapon that Officer Coel
19 used?

20 DL: I saw it, um, because after the incident -- um, one
21 thing I didn't mention is after the incident, after
22 we had the crime scene tape up, um, the, um, weather
23 started getting bad and we could tell rain was
24 coming. So I directed Officer Jimenez and it might
25 have been Officer -- I don't know if it was Pribel -

1 - so -- two officers grabbed -- uh, I think it was
2 Pribel --

3 CT: Okay.

4 DL: He grabbed one of our tents and we did the best to
5 put a tent up in between the two vehicles.

6 CT: Okay.

7 DL: Um, and the tent was too wide so he had to put the -
8 - shorten the legs on one side and -- um, but that
9 was --

10 CT: What did the gun look like?

11 DL: The gun was a -- a silver revolver. Um, I did see
12 it on the, um, vehicle and I didn't recognize the --
13 the firearm.

14 CT: You saw it on the vehicle. Where on the vehicle was
15 it?

16 DL: Let me see, there was an unmarked police car -- a
17 white, unmarked Crown Vic, um, on the north side and
18 on the south side was the marked car and, um, it had
19 to be on the hood of the vehicle.

20 CT: Uh, of the unmarked or marked?

21 DL: The marked. I'm sorry.

22 CT: The marked?

23 DL: On the south side. Yes. Um --

24 CT: Do you know who put it there or how it got there?

25 DL: I don't. I never touched the weapon. Um, I do

1 remember, you know, then things are go -- happening
2 and then Lieutenant -- turned back and Lieutenant
3 Sousman [phonetic] was clearing the weapon. Um --

4 CT: Okay.

5 DL: Or had to clear the weapon or -- and I mentioned
6 something to him 'cause I wanted to take pictures
7 and -- and he said I had -- he already touched it.
8 So -- 'cause I was trying to say, "Let me take a
9 picture first," kinda thing.

10 CT: Uh-huh. Do you know why he would have done that? I
11 mean, is -- that's not -- is that standard
12 procedure, I mean, for you guys to -- without taking
13 pictures or anything like that? I'm just curious.
14 I mean, is that something you woulda done, like,
15 cleared a weapon without taking photos or anything?

16 DL: No. I don't -- I don't know if he didn't -- if he
17 had already done it before --

18 CT: (Unintelligible).

19 DL: -- the crime scene tape was up and --

20 CT: Okay.

21 DL: -- he's touching it again just to -- you know what I
22 mean?

23 CT: True. Right. Right.

24 DL: Um, because -- um, because I think that's what he
25 told me. I think he had already cleared it --

1 CT: Oh, okay.

2 DL: -- prior to maybe the, um, crime scene tape going
3 up. So maybe he was making it safe so nobody else
4 can get to it.

5 CT: Oh, okay.

6 DL: Um --

7 CT: And you said you -- you've never seen that weapon
8 before?

9 DL: Uh, yeah. I looked at it and I don't recall, um,
10 seeing that weapon before.

11 CT: So I guess you can tell where I'm going with this.
12 You -- do -- you've ever seen Officer Coel with a
13 weapon like that before --

14 DL: No.

15 CT: Like for a backup or --

16 DL: No.

17 CT: -- in training? No?

18 DL: No.

19 CT: Okay. Um, as far as your scenarios go and -- and --
20 and simunition training and all that, is it standard
21 procedure for you guys, say like in blog [phonetic]
22 training -- at least that's what we call it in
23 Charlotte County, if you're doing some kinda, uh,
24 scenario to -- to check each other, you know, "Hey.
25 My gun's clear. Clear," several times, pat each

1 other down -- is that something you guys generally
2 do when you do scenarios?

3 DL: Yes.

4 CT: Yeah? Do you know if that was done today at all
5 with -- with anybody involved in these scenarios or
6 --

7 DL: I don't.

8 CT: No? Okay. You -- you don't know?

9 DL: I don't know.

10 CT: Okay. Okay. Do you know who was in charge of that
11 scenario out there? Who would have been the one,
12 you know, responsible for the set up and just
13 overall responsibility for it?

14 DL: I do not know. Um, I -- I -- I don't know.

15 CT: Okay.

16 DL: I know that before -- um, before -- I'm trying to
17 remember now -- before this -- obviously, before the
18 incident, uh, I was in the roll call room and
19 Officer Coel came in before the scenario and asked
20 me about simunitions gear.

21 CT: Right.

22 DL: And I walked -- and I have access to the armory so I
23 walked with him to the armory and I -- he said -- I
24 said, um, "What do you need in here again?" 'cause,
25 um, the simunitions gear is not here. It's in, um,

1 uh, public works. We have an air conditioned --

2 CT: Oh, okay.

3 DL: -- garage that our simunitions gear was with the
4 masks and the shoulder stuff --

5 CT: Right.

6 DL: -- and everything, um, and then we turned around and
7 left and he -- I went to roll call and he went out
8 to the scenario, but nothing was ever mentioned or I
9 never saw the firearm to be used, but I don't know
10 what he was -- I didn't inquire too much about --

11 CT: So you, like, opened it and he went in there?

12 DL: We both went in.

13 CT: What -- did he get anything?

14 DL: No.

15 CT: No? He just went in there? That was it?

16 DL: He went in there look -- looking for -- I think he
17 was looking for, like, the shoulder --

18 CT: Oh, okay.

19 DL: -- chest pads --

20 CT: Right.

21 DL: -- the mask or -- he asked about the -- the gear.

22 CT: Oh.

23 DL: And I assumed the gear was the -- 'cause we have a
24 green -- and I said to him, "Well, we have a green
25 bag and, I believe, it's a red bag," that we have

1 used for many years --

2 CT: Right.

3 DL: -- that have the masks and the, um, throat

4 protectors --

5 CT: Right.

6 DL: -- and -- and things like that, um, and those

7 weren't in there and we walked out and we were all

8 in there -- in there a few seconds.

9 CT: Okay. Where do you guys -- where does your

10 department keep, like, your blanks and do you have a

11 specific area where the blanks are kept?

12 DL: I -- I didn't know we had blanks.

13 CT: Oh, I don't know. I'm just asking. I don't know

14 either. (Unintelligible).

15 DL: Um, I'm a fire --

16 CT: You've never seen them?

17 DL: I'm a firearms instructor, too, and --

18 CT: Okay.

19 DL: I --

20 CT: So you've never seen or used blanks around here?

21 DL: No.

22 CT: Okay.

23 DL: No.

24 CT: The simunition rounds you guys do have, though?

25 DL: Yes.

1 CT: All right. And they're -- and they're kept here?

2 DL: Yeah. They should be in the armory.

3 CT: Okay. Do you have any idea how that weapon had live
4 rounds in it? I mean, do you have any ideas how
5 that would have happened 'cause it's kinda like --

6 DL: No idea.

7 CT: Is there anything you could think of that I didn't
8 ask you that may help me or help this investigation?

9 DL: No. I -- I don't.

10 CT: So (unintelligible) --

11 DL: I don't know how this incident happened.

12 CT: Yeah. So that camera has pictures of the victim?

13 DL: Yeah. As quick as I could, while they were treating
14 her, I took as many and just kept, um, photographing
15 different angles the best I could and then after
16 they left with her, I took some pictures of us with
17 the tent put up and everything like that, but --

18 CT: Okay.

19 DL: -- um, yeah. They're are all -- they're all on
20 there.

21 CT: All right. All right. Well, if that's it, then,
22 uh, go ahead and conclude this interview, uh, August
23 10th, 2016 at 1:30 p.m. (unintelligible).

24 (CONCLUSION OF INTERVIEW)

25 Transcribed by: dml/dml/ms

1 (INTERVIEW OF GLORIA, SEPANIK, 2016-0108, 08/10/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 GS = Gloria Sepanik

6 JO = Jennifer O'Connell

7 JO: It is approximately 12:27 a.m. on August 10th, 2016.

8 Myself, Special Agent Jennifer O'Connell with the

9 Florida Department of Law Enforcement, is here with

10 Gloria Sepaniak?

11 GS: Sepanik.

12 JO: Sepanik. Um, if you could, please state and spell
13 your name for the record.

14 GS: Gloria Sepanik, S-E-P as in Paul, A-N-I-K.

15 JO: If you would, please raise your right hand. Do you
16 solemnly swear to tell the whole truth and nothing
17 but the truth, so help you God?

18 GS: I do.

19 JO: Okay. Um, are you currently employed with the Punta
20 Gorda Police Department?

21 JS: Yes, ma'am.

22 JO: How long have you been employed with them?

23 GS: Um, nine years.

24 JO: And what is your current role?

25 GS: I'm the accreditation manager.

26 JO: Can you describe for me your job duties?

1 GS: I am the person that is somewhat of quality
2 assurance. I do, um, uh -- I handle the policies.
3 I do staff inspections. I write all the grants. Um
4 --

5 JO: Okay. Were you at the police department tonight for
6 the Citizen Academy?

7 GS: Yes.

8 JO: Can you describe to me, um, what you observed
9 tonight?

10 GS: I was, uh, out with the victim, uh, when she was
11 being, actually, um, given her role and told what
12 she was going to do. She was shown how to use her
13 Sims gun that she had. It was given, um, by the
14 officer and basically was just given the whole
15 scenario, and at that point, uh, once the scenario
16 started, uh, she walked from myself and -- and
17 Captain Woodard in -- into the scenario.

18 JO: Can you describe the scenario for me?

19 GS: Uh, we were standing by the captain's car, is where
20 it began. Uh, the scenario began, and she walked
21 to, um, two parked cars to confront a person that
22 was supposed to be looking in the cars, and as he
23 came around, um, to her she just confronted him.
24 She walked straight up to him and he backed off and
25 went around to the backside of the car. When he did

1 that she kept walking forward, and then when he came
2 around from the back side of the car to the driver's
3 side of the car, um, she started to back up, and
4 that's when he fired his weapon.

5 JO: Do you know how many rounds were fired?

6 GS: I believe there was a total of three.

7 JO: Okay. Did you see the individual playing the
8 burglar shoot? Did you -- did you see him actually
9 shoot?

10 GS: Yes.

11 JO: Did you see a weapon?

12 GS: Uh, did I see him with a weapon? Yes.

13 JO: Can you describe the weapon, please?

14 GS: It seemed like it was a small pistol, uh, silver in
15 color, if I remember correctly.

16 JO: Can you describe the shooter's hand position when he
17 shot?

18 GS: I believe it was down by his side and, if I remember
19 correctly, I believe that he just raised his arm
20 straight out.

21 JO: Straight out?

22 GS: Yes.

23 JO: So, parallel to the ground?

24 GS: Yes.

25 JO: Do you know about how far away he was when he shot?

1 GS: Um, yeah, I think, um -- he came around the back
2 side of the car. He probably was maybe five or six
3 feet.

4 JO: From the victim?

5 GS: Yeah, it was close. It might've been a little bit
6 closer than -- or further than that. I'm trying to
7 judge what five or six feet is. It might even have
8 been as much as 10, but --

9 JO: Um, this room I think is about 12 feet or so, the
10 length from wall to here.

11 GS: Yeah, I would say then he was probably -- if this is
12 12 feet, then -- maybe like eight then.

13 JO: Okay.

14 GS: So --

15 JO: And what happened after you heard and saw the shots?

16 GS: When she went down I ran towards her.

17 JO: Okay. Can you describe how she went down?

18 GS: Um, at first I think she doubled over. Um, she was
19 facing him and she -- I believe she grabbed her
20 stomach, and that's when she toppled forward.

21 JO: Okay. And you -- at that point you started to run
22 towards her?

23 GS: I was running towards her at that point and so were
24 several other people, and by the time I got up
25 there, um, that's just when the chief had gotten

1 JO: Uh-huh.

2 GS: -- then I realized that I need to get the rest of
3 the people back --

4 JO: Okay.

5 GS: -- you know, and maybe protect them from whatever
6 else may be going on at that point.

7 JO: How often does the police department have these?

8 GS: Oh, we do them often.

9 JO: Okay.

10 GS: I probably have seen -- personally have seen this
11 scenario, oh boy -- we do a lot of community-
12 involved, you know, stuff like this. The shoot,
13 don't shoot scenario I've probably seen -- have
14 seen, um, golly, three times. We just started doing
15 this portion of our demonstration, the shoot, don't
16 shoot. Typically we do our -- our T.A.S.E.R. --

17 JO: Uh-huh.

18 GS: -- uh, demonstration and we do our -- I mean we've
19 done this multiple times.

20 JO: Okay.

21 GS: So, I'm thinking maybe three or four times I've seen
22 it over the course of time.

23 JO: Do you know who orchestrates the -- either the
24 Citizen's Academy or the shoot, don't shoot
25 scenarios?

1 GS: Um, no, I really don't know, um who -- who does
2 that. I just know it's -- it's within our command
3 staff. When it, you know, um -- how it's actually -
4 - how the scenarios are, uh -- come up, you know, I
5 don't know.

6 JO: Developed?

7 GS: Yeah, I just --

8 JO: Okay.

9 GS: -- don't know. I'm the one that -- that usually is
10 here to help set up the -- you know, the training
11 room and --

12 JO: Okay.

13 GS: -- that kind of stuff. That's why I'm -- I'm
14 usually on standby in case they need something or
15 I'm the one running or the one that's --

16 JO: Uh-huh.

17 GS: -- you know, if someone needs to go -- go back in
18 and --

19 JO: Logistics.

20 GS: -- go to the bathroom that's typically where I'm --

21 JO: Okay. Do you know if the scenario -- if you -- I
22 mean I guess if you had to guess, um, do you think
23 the scenarios would be developed from the Training
24 Department or --

25 GS: I just don't know.

1 JO: You don't know?

2 GS: Honestly, I really don't know.

3 JO: Do you --

4 GS: That -- I just -- you know, I just don't know about
5 them. I know we've done other training. You know,
6 I've actually gone out on training on our in-service
7 training --

8 JO: Okay.

9 GS: -- and I know that there are scenarios that are all
10 built in, but I just don't know how they come up
11 with the actual -- I don't know if they're scenarios
12 that they're pulling from a book or -- you know, I
13 don't know.

14 JO: When you went out to training off site did you
15 observe anyone conduct safety checks?

16 GS: Um, I do believe that in the beginning, um, of every
17 training safety checks are conducted. Have I seen
18 the actual safety checks? Yes.

19 JO: And what -- can you describe what a safety check
20 look -- looks like for me?

21 GS: Um, well the -- the last time when I was on in-
22 service training, um, they, um, lined everybody up.
23 They took everybody's weapons, um, from them, um,
24 and each one -- each person not only checked
25 themselves, but they checked the person next to them

1 on both sides, and then the training officer went
2 down the whole line and checked everybody and, um --
3 so they made sure that nobody had weapons on them at
4 that time.

5 JO: In the past, um, leading up to these scenarios, have
6 you seen members of the police department conduct
7 safety checks?

8 GS: Um, as far as like the Citizen's Academy?

9 JO: Yeah.

10 GS: Um, I -- I can't -- I haven't been part of that
11 process. No.

12 JO: Okay.

13 GS: I wasn't necessarily out there when they were doing
14 that. I was more conducting and getting people
15 brought together to, you know, be there, so that
16 wasn't part of my --

17 JO: Okay. Is the ammunition stored on site here?

18 GS: The -- yes, we have an armory here on site.

19 JO: Okay. Do you have a primary armorer?

20 GS: We have several of them.

21 JO: Okay. Do you conduct, um, regular audits of the
22 ammunition?

23 GS: Yes.

24 JO: So, when members take ammunition from the armory is
25 it logged in?

1 GS: You -- you're gonna have to ask actually the
2 armorers how they manage that. Basically the only
3 reports that I get that come to, um, my department
4 is after the fact, after they've actually done their
5 audits or their inventories, and then -- and they,
6 um -- at that point then I'm actually the repository
7 for those reports.

8 JO: Okay.

9 GS: So, as far as me doing the actual audits --

10 JO: Okay.

11 GS: -- I haven't conducted them myself.

12 JO: You receive the audits after the fact?

13 GS: Yes, ma'am.

14 JO: Okay. When you escorted the class participants back
15 into the building did you come back out to the crime
16 scene?

17 GS: No, I stayed with them. Uh, actually, I beg your
18 pardon, I did --

19 JO: Okay.

20 GS: -- because at one point, once I got them back into
21 the building, I made sure that we knew everybody
22 that was on-scene because I -- to have all their
23 names to make sure that, um, uh, people didn't leave
24 or what --

25 JO: Uh-huh.

1 GS: -- um, at that point. When so much was going on I
2 didn't know if I could release them or not --

3 JO: Uh-huh.

4 GS: -- to let them go home, so I walked back out to ask
5 the chief if I could let them go?

6 JO: Okay.

7 GS: At that point he said absolutely not. So, I did
8 walk back out and then I walked straight back in to
9 let them know they couldn't go home.

10 JO: When you walked back out do you know if there were
11 two perimeters set up at that point?

12 GS: When I walked back out the ambulance was still on-
13 scene.

14 JO: Okay. So, it was just moments then after?

15 GS: It was -- the ambulance seemed like it was here for
16 a while, so --

17 JO: Okay.

18 GS: -- it was a while. Um, I don't think it was
19 moments. I think it was longer 'cause we had
20 brought everybody back in and they were seated and
21 then we talked a little bit about, um, uh, the
22 incident, and then at that point, um, we, uh, you
23 know, I just made sure we had all their names and
24 stuff and then -- so it -- it was more than just a
25 few minutes. I mean they were clearly out there for

1 a while.

2 JO: Maybe 20 minutes?

3 GS: If that.

4 JO: Okay.

5 GS: Maybe not quite that long, but it was --

6 JO: Okay.

7 GS: -- it was -- it was every bit of 10 probably or 15

8 if I was to guess.

9 JO: Okay. When you came back out did you -- at that

10 point a crime scene was set up, right?

11 GS: Um, at that point I believe they had started setting

12 up the crime scene. It wasn't 100 percent --

13 JO: Secure?

14 GS: -- at that, because remember the ambulance was still

15 there. There were still people on-scene as far as

16 officers, uh, E.M.S., those folks were still there.

17 Um, so, um, they were just at that point starting to

18 tape everything off.

19 JO: Okay. Did you observe any members of the police

20 department handling items within the scene?

21 GS: No.

22 JO: Do you know how many members of the police

23 department were present tonight?

24 GS: Tonight, as far as that were on-scene?

25 JO: Uh-huh.

1 GS: Um, yeah, I mean I could probably think it out and
2 know.

3 JO: I mean leading up to the incident, not, you know --

4 GS: Yeah, that came in after?

5 JO: Yeah, not the ones that came after.

6 GS: Um, I could pretty much probably, uh, count them out
7 if you want me to do that.

8 JO: Yeah, sure.

9 GS: Um, we had, uh -- for the static we had three --
10 three officers on for the static.

11 JO: What is the static?

12 GS: The static was we had, um, the boat set up over here
13 on this side. So, our marine officer was on. Our
14 bike officer was on with a bike, and we had an
15 officer that had their car over there.

16 JO: Okay.

17 GS: So, there was the car, those three. And then, um,
18 for the command staff that was actually leading the
19 -- the whole event we had, um -- there, uh, um -- it
20 was obviously the chief. We had two captains. We
21 had a lieutenant, myself, and then we had, um, just
22 the regular -- our guys that were on duty. So, they
23 were kind of in and out so -- and there -- I believe
24 there were four or five of them on duty. And then
25 we had, um -- actually, then we had the, uh, one guy

1 was the, um, actual, uh, shooter and was -- he was
2 also on duty, so there's another -- that would be
3 another one.

4 JO: Do you know who that is?

5 GS: Lee Cole. He was there.

6 JO: Do you know how long he's worked here at the police
7 department?

8 GS: He's been with us, um, maybe a couple years now, two
9 years. Time goes by so fast. You know? And these
10 kids all get so young, you know, (unintelligible).

11 JO: Do you know if, um, Lee normally participates in
12 these --

13 GS: Uh-huh.

14 JO: -- scenarios? Do you know how many he's
15 participated in in the past?

16 GS: I believe just one other.

17 JO: The scenario that was originally set up tonight, the
18 potential burglar and the participant, you know,
19 acting as a law enforcement officer, is that a
20 typical scenario that you've seen?

21 GS: Uh-huh.

22 JO: In the past have you seen them discharge --

23 GS: Uh-huh.

24 JO: -- a weapon? Not a -- a Simunition gun but a actual
25 firearm?

1 GS: Yes.

2 JO: Okay. In every one of the scenarios?

3 GS: Uh-huh. Um, let me back pedal on that. Because

4 they do different scenarios, not every one gets, um,

5 uh, the -- do you -- so, like on this -- during this

6 one --

7 JO: Yeah.

8 GS: -- yeah.

9 JO: Yeah.

10 GS: But some -- one of the other scenarios where -- I

11 think one of the other scenarios where, um, if I

12 remember correctly, there were two guys having a 22,

13 uh, just, you know, like a disturbance?

14 JO: Uh-huh.

15 GS: And, uh, um, the one guy would come at the -- the,

16 uh, participant and -- with his hands up and -- and

17 he didn't even have a weapon so --

18 JO: Okay.

19 GS: -- that scenario, there was no shoot on that

20 scenario.

21 JO: Okay. But in -- in previous scenarios --

22 GS: Yes.

23 JO: -- there have been firearms? In the past did you

24 ever see members of the department conduct safety

25 checks before the scenario?

1 GS: I still don't think I was ever part of that piece.
2 I was --
3 JO: Okay.
4 GS: -- always doing the other stuff.
5 JO: Do you know which police officers initially
6 responded when -- when the victim started to fall?
7 GS: Chief, um -- just initially, right from the very
8 beginning? I know we had -- obviously Lee Cole was
9 there. Lee, the chief. There was, um -- I know
10 Becky showed up -- uh, Corporal grim.
11 JO: Is it Graham?
12 GS: Grim, G-R-I-M.
13 JO: Grim?
14 GS: Um, oh boy, that's all I remember actually.
15 JO: Do you know who performed [REDACTED]
16 GS: I think it was, uh, Corporal Grim. Well, I think it
17 was -- the chief started and then Corporal grim
18 started it --
19 JO: Okay.
20 GS: So, yeah, it -- well, it -- it happened so quickly
21 and, you know, my mind went from they got her, I
22 needed to get --
23 JO: Of course.
24 GS: -- to the other folks, so I really --
25 JO: Actually --

1 GS: I knew they had it and I was moving.

2 JO: Okay. Do you have anything else you can think of
3 that I haven't asked you?

4 GS: No, not really. I think you've done a really good
5 job.

6 JO: Okay.

7 GS: I just -- I really do believe we've got pretty much
8 everything that I saw.

9 JO: Okay. That will conclude this interview at
10 approximately 12:48 a.m. on August 10th, 2016.

11 (CONCLUSION OF INTERVIEW)

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24 Transcribed by: hmc/hmc/ms

1 (INTERVIEW OF CAPTAIN JASON CLASCHINI, #2016-0108,
2 08/10/16)

3 (The following may contain unintelligible or misunderstood
4 words due to the recording quality.)
5

6 DM = Special Agent Dan Mehler

7 JC = Captain Jason Claschini

8 DM: This is Special Agent Dan Mehler, Florida Department
9 of Law Enforcement. Today is now August 10th, 2016,
10 approximately midnight. I'm here at the Punta Gorda
11 police department with Captain Jason -- pronounce
12 your last name for me.

13 JC: Claschini.

14 DM: Claschini. Uh, Jason, what's your date of birth?

15 JC: May 25th, 1973.

16 DM: Thank you. Um, first and foremost, um, Captain,
17 you're -- you're not the subject of investigation.
18 Um, we are doing a (unintelligible) investigation.
19 Um, this is completely voluntary. You're not being
20 forced to be here. Uh, we're not I.A. We're not
21 I.A. for your agency so, um, do you feel -- feel
22 good talking to me tonight?

23 JC: Yes.

24 DM: Okay. Good. Um, do me a favor; just raise your
25 right hand for me. Do you swear that everything
26 we're gonna talk about is the truth, whole truth,

1 nothing but the truth?

2 JC: I do.

3 DM: Thank you. Um, just kind of go over the -- the
4 events tonight, what happened as far as, uh, what
5 the event was that was going on tonight and through
6 to the scenario.

7 JC: Sure. The, uh, Police Department was hosting a
8 Citizens' Academy for our Punta Gorda Chamber of
9 Commerce. Uh, my role tonight was relatively
10 limited. Um, the -- the event started out where we
11 had the, uh, attendees, uh, get a presentation by
12 the Chief. After the presentation they actually got
13 broken up into three groups and we did tours of the
14 police department. I gave one of those tours of the
15 police department.

16 DM: Okay.

17 JC: Um, subsequent to that, they made their way outside
18 to where they had -- we had a static display of a --
19 I think a patrol car, a bike, and a, um -- one --
20 and one of our boats, and they looked at that.
21 After that there was a pre-planned, um, scenario-
22 based exercise that, uh, I believe, two of our, um,
23 participants were selected to, uh, be involved in,
24 and the exercise was -- was, in essence, a shoot/
25 don't-shoot type scenario.

1 The participants from the Citizens' Academy
2 were gonna the play the role of the law enforcement
3 officer, and then one of our law enforcement
4 officers was gonna play the role of the -- the bad
5 guy, so to speak. Um, when the scenario, uh,
6 happened itself, uh, the incident tonight, um, I
7 actually was talking with one of the officers out
8 there, uh, Corporal Grimm, so my -- I was actually
9 turned away from the incident.

10 It was at the time that I heard, um, several
11 shots, which were not completely unexpected because
12 of the scenario, but at that time I turned my body
13 to see what happened. Um, it appeared to me through
14 the crowd that there seemed to be something wrong
15 with the person who was participating in the
16 exercise. My first reaction was I thought she was
17 having some type of medical episode, whether it be a
18 heart attack or a -- or a -- something of that
19 nature.

20 DM: Uh-huh.

21 JC: Um, several members ran over to her immediately to
22 render aid, so I didn't -- you know, there wasn't a
23 need for 20 of us to go over there, so I didn't go
24 over there. Um, there started to be requests for
25 some assistance. The Fire, uh, Department and EMS

1 also work out of this headquarters that we work out
2 of, so there was some direction given to get some of
3 those folks, uh, out there to, uh, render aid, which
4 they did immediately.

5 Um, after that, um, talked with the chief. We
6 started discussing the fact that we needed to, uh,
7 handle this like a crime scene and, um started
8 directing, uh, some officers to put up crime scene
9 tape once the, um, Fire Department, EMS had cleared
10 the -- the scene. And, um, after that, uh, I think
11 my first role was I actually was the one that
12 contacted the Florida Department of Law Enforcement
13 requesting assistance to come out here, uh, to
14 assist us with this investigation.

15 Uh, I talked to, uh, John Burke [phonetic], the
16 SAC down there at Fort Myers and, um, subsequent to
17 that, my role has primarily been a liaison to -- to
18 help out for, you know, needs of FDLE while they've
19 been here.

20 DM: Okay. Thank you. Um, when you were talking earlier
21 about, um, there were two participants that were
22 selected to -- to, uh, take part in these scenarios;
23 do you know how they were selected?

24 JC: Uh, what had happened is at the beginning portion of
25 the evening, uh, there were -- we were -- we were

1 obviously expecting these folks to be here, so we
2 had some, um, items handed out, and there were small
3 notebooks at each of the, uh, seats that were in the
4 -- the room. We were in our training room. And
5 within those notebooks there were, uh, the chief's
6 business card, and if somebody had a notebook with
7 the chief's business card on it then, um, they were
8 basically selected or -- or -- or, you know, were
9 allowed to participate based on them -- based on
10 them.

11 DM: Completely random.

12 JC: Yeah, completely random, based on the fact that they
13 -- they had to locate one of the business cards in
14 the -- in a seat that they chose to sit at.

15 DM: Okay. Um, were -- were all the people that were
16 sitting in the room at the time when they got those,
17 uh, notepads, were all of them part of the Citizens'
18 Academy or -- or are some of them just part of the
19 chamber that came over for the tours or --

20 JC: Um, this -- this was a Citizens' Academy that -- the
21 way I understand it's a Citizens' Academy that was
22 geared towards the -- kind of our chamber
23 membership.

24 DM: Okay.

25 JC: So, it was not just a general Citizens' Academy. It

1 was a -- it was a, uh, a function that we targeted
2 specifically upon our chamber. We have done events
3 like this in the last year, I don't know, maybe
4 four, five, six. I -- I'm not sure. So this is not
5 something unusual that we have done.

6 DM: Okay.

7 JC: Um, just the -- the crowd that we invited tonight,
8 the attendees, was (unintelligible) Punta Gorda
9 Chamber of Commerce.

10 DM: Gotcha. Um, the two scenarios, were both of them
11 going to be a shoot/don't shoot?

12 JC: The, uh, the way I understood it, I was in the room
13 when the -- the drawings, for lack of better words,
14 were -- were made, and there were supposed to be two
15 -- my understanding there were supposed to be two
16 shoot, don't shoot scenarios, and then there were
17 supposed to be two, um, folks who were selected to
18 do a, uh, scenario using the TASER basically get an
19 opportunity to fire the TASER.

20 DM: Okay. So then there should've been four people that
21 wound up with the chief's business card?

22 JC: Correct.

23 DM: Okay.

24 JC: And there was some notation, I don't remember what
25 the notation was, on the business card that

1 indicated which of the exercise you were, um,
2 selected for.

3 DM: Okay. Um, as far as the scenario itself, who -- or
4 even the -- the -- the evening, who planned out the
5 evening?

6 JC: The -- I believe Lieutenant Katie Heck was the
7 coordinator of the evening, um, in her role as
8 Community Services, but I don't have any details of
9 who specifically for the different portions of the
10 evening did what. I was just aware that I had been
11 selected to do, um, the tour, which I didn't think
12 much of because I've done so many tours here. It
13 was, you know -- it was just a -- a routine thing I
14 didn't need any prep or guidance on.

15 DM: Second nature?

16 JC: Oh yeah, yeah.

17 DM: Gotcha. Um, now do you know -- do you know who was
18 in charge of the actual scenarios?

19 JC: I do not.

20 DM: Okay. Um, obviously, during interviews and talking
21 with everybody, um, we've come to find out that
22 there were two officers that were out there, um,
23 that were gonna be part of the -- of the scenarios.
24 Was -- do you know if that was something that was
25 preplanned as far as like one would do one and the

1 other one do another or --

2 JC: I --

3 DM: -- if one was just --

4 JC: No.

5 DM: -- gonna do shoot, don't shoot and the other was

6 gonna do TASER stuff.

7 JC: Do not have any knowledge about that.

8 DM: Okay. Do you -- who was the other officer that was

9 out there that was supposed to be participating as a

10 role player?

11 JC: Um, I believe that was Officer Shane Chodakowsky.

12 DM: Okay.

13 JC: C-H-O-D --

14 DM: C-H-O-D?

15 JC: Yeah. A-K-O-W-S-K-Y.

16 DM: Thank you.

17 JC: Yeah. But, yeah, I have no information on who was

18 supposed to do what or how the scenarios were even

19 supposed to play out or --

20 DM: Okay. Um, while you were out there, um, were --

21 were you at any point -- you said you were talking

22 to Corporal -- how do you pronounce his last name,

23 Grimm?

24 JC: Grimm. Yeah, Becky Grimm.

25 DM: Oh, Grimm, like G-R-I-M-M?

1 JC: Correct.

2 DM: Becky Grimm. Okay. Um, did you -- did you happen
3 to see, like, the -- the scenario being set up or
4 the officers getting ready for the scenario or
5 anything like that?

6 JC: I was out there. Did I see bits and pieces of
7 people out there? Yeah. But most of the day I was
8 kind of walking around and, um, probably the most
9 specific portion that I saw was when the, um, when
10 the person who was selected to participate, uh, she
11 walked over into the scenario.

12 I know she spent a minute or so talking with
13 the chief about, um, proper way to, you know, handle
14 the Simunition firearm that we had provided to her.
15 I didn't really pay a lot of attention. I mean I --
16 I almost didn't even stay there because my role --

17 DM: Uh-huh.

18 JC: -- for the evening was so limited. I actually was
19 thinking about leaving and just going home because
20 the rest of the events for the evening I didn't have
21 any, um, direct involvement in and I kind of was
22 just meandering about, and I was in the back of the
23 crowd.

24 Um, like I said, um, part of that time,
25 specifically -- specifically at the time of the

1 incident, my attention was turned away talking with
2 Corporal Grimm.

3 DM: Okay. Um, the -- and forgive me if these sound kind
4 of redundant 'cause I'm sure the answer might be the
5 same, but just in case it's not, um: did at any time
6 you see where the officers had retrieved the
7 firearms that were gonna be used in the scenario?
8 Did you see them get them or bring them out from
9 somewhere?

10 JC: No. Um, the -- the only -- well, I take that back.
11 The only -- as far as the officer, our officer who
12 was involved, I didn't see anything. I remember
13 passing by him at one point when I walked outside --

14 DM: Okay.

15 JC: -- um, but I don't remember specifically him -- I
16 don't even remember him having a firearm, um, so I -
17 - so I don't remember him retrieving it or -- or
18 what have you. I do remember, uh, Captain Woodard,
19 uh -- Jeff Woodard was the one who brought the
20 participant outside. She had come from our training
21 room. I remember him walking outside with her. I
22 believe, from what I remember, he actually was
23 carrying the Simunitions, um, gun for her. It was -
24 - the slide was back and the magazine was out, and I
25 -- I'm not positive about this but I believe at the

1 point that they made their way over Chief Lewis
2 paused. He kind of went over some of the safety.

3 DM: Uh-huh.

4 JC: That's when they actually loaded the Simunitions
5 gun.

6 DM: Okay.

7 JC: But, again, other than definitely saw Captain
8 Woodard coming out, 'cause I know they had -- I
9 talked to him and kind of at one point motioned for
10 him to come out. That -- that was -- that was it.

11 DM: Okay. Um, how -- how many -- how many shots did you
12 hear?

13 JC: Uh, I'm not sure, maybe three.

14 DM: And you said you didn't respond over there 'cause
15 there was enough -- enough officers going over
16 there?

17 JC: Correct. At one point in time, after the -- just
18 prior to her getting transported --

19 DM: Uh-huh.

20 JC: -- I made my way over, and that's when I said to the
21 chief, "You know, we need to --" uh, uh some --
22 people were starting to say things. I don't know
23 who and where, but you started picking up little
24 things here and there because there were so many
25 people around and different officers. Somebody at

1 one point in time said to me, and I just don't
2 remember who it was, that they thought that this was
3 a -- there was an accident, that that was a real gun
4 or that there was live ammunition, or something like
5 that, and that's when I made my way over to the
6 chief.

7 Um, I saw a -- what appeared to be a bullet
8 hole in, uh, one of the cars, and I said to him,
9 "Hey, you know, we need to treat this as a crime
10 scene and contact the Florida Department of Law
11 Enforcement." But that was the only time that I
12 went over there specifically.

13 DM: And that was -- that was when you started to realize
14 that maybe this wasn't a medical emergency?

15 JC: Correct. There was a kind of transition. Like I
16 said, I don't know if I overheard somebody talking
17 or I -- or -- I -- I know lots of people were coming
18 up to me at different points in time, or I was
19 talking to different people, but somewhere in there
20 something was said about a -- a, um -- that this
21 looked like there was an actual firearm or live
22 ammunition involved with a firearm --

23 DM: Okay.

24 JC: -- and, um, then I saw that hole in the car and, uh,
25 said to the chief that we -- I think when I said

1 that to the chief that was the first time he
2 realized, even as she was being taken away, that --
3 the likelihood that she had been shot as opposed to
4 sustained some other, you know, injury from the
5 scenario.

6 DM: At any point after the, uh, scenario took place, um,
7 did you see the firearm that was used?

8 JC: Yeah, as -- since I was, um, liaisoning initially
9 with FDLE supervisors, um, one of the, uh,
10 supervisors asked me to verify a few things, and I
11 did go out there with, uh, David Lipker, who was the
12 watch commander, to verify that the firearm was out
13 there. Um, he walked into the scene. I stayed on
14 the outside of the crime scene tape, and he just
15 verified, yeah, the firearm was -- it was on the,
16 uh, hood of, uh -- there was two vehicles out there,
17 a marked vehicle and an unmarked vehicle, and it was
18 on the hood of the marked vehicle.

19 DM: Okay. Did you -- did you physically see it
20 yourself?

21 JC: Yes.

22 DM: Did you recognize what type of weapon it was?

23 JC: Uh, it looked like a revolver to me.

24 DM: Okay.

25 JC: It looked like the cylinder was open.

1 DM: Is that, um -- probably not, but I can ask you. Are
2 -- I mean, are revolvers still issued, like even for
3 backup weapons or anything like that? Does the
4 Department issue revolvers?

5 JC: The Department does not issue a revolver as a duty
6 weapon.

7 DM: Okay.

8 JC: Um --

9 DM: Do they issue it as, like, an off-duty weapon?

10 JC: We don't issue it as an off-duty weapon. What --
11 what I do know, I'm not in charge of the K-9 unit or
12 oversee that component here at the agency.

13 DM: Uh-huh.

14 JC: It's my understanding that there is a -- an old
15 revolver that has been, uh, provided for a training
16 weapon to do things like shoot blanks from as part
17 of K-9 training and scenario-based, uh, exercises
18 the K-9 unit, uh, utilizes.

19 DM: Uh-huh.

20 JC: Um, but I -- again, I don't oversee that component,
21 so I don't know all the details about the parameters
22 of it or when it -- you know, so on and so forth.
23 Um, my presumption is that should have been the, you
24 know, the, um, the firearm that was used in the
25 scenario using training, uh, blanks.

1 DM: Right. Okay. Has anybody, to your knowledge,
2 confirmed that the rounds inside the weapon were --
3 were live or blanks?

4 JC: No, I mean, other -- other than the presumption
5 obviously we know the victim was -- was, uh, shot.
6 Um, that's our presumption based on, you know,
7 what's happened, um, but nobody's confirmed to me,
8 you know. I have not seen the firearm up close. I
9 have not seen any of the ammunition, uh, anything of
10 that nature.

11 DM: Do you -- do you think it's possible that it
12 could've been blanks but maybe too close and the
13 wadding caused damage or --

14 JC: Uh, I don't know. I'm not a firearms, you know,
15 expert so I just am not familiar enough with that.

16 DM: Okay. No problem. Um, do you know -- do you know
17 who would've been -- well, first of all, do you know
18 if there was a training or safety officer assigned
19 for the evening for the scenarios?

20 JC: I do not know that.

21 DM: Okay.

22 JC: I -- I -- I heard afterwards -- I should say I heard
23 afterwards I -- that there was not one --

24 DM: Okay.

25 JC: -- but I don't remember who told -- where -- where I

1 heard that from.

2 DM: Okay.

3 JC: Um, but, again, I was not part of the --

4 DM: Right.

5 JC: -- coordination of that, so it was not something I
6 was physically looking for.

7 DM: In the past, um, the past scenarios you guys have
8 done, like with other groups and whatnot for -- for
9 the Citizens' Academy and whatnot, um, have you been
10 involved with those in other capacities outside of,
11 like, the tour?

12 JC: Um, no, actually my primary goal -- or role has
13 always been the tour guide. Um, I have not really
14 been involved. I mean I've -- I've watched these
15 things happen. I've, uh, heard some of the
16 presentations, but my role has always been tour
17 guide and, um I've never -- never personally been
18 involved with the setting up the scenarios and the
19 running of the scenarios.

20 DM: Um, the -- the female that -- that was involved in
21 the scenario tonight, Mary, do you know her
22 personally?

23 JC: I know who she is. I -- I, um -- I don't want to
24 say I know her personally, but I've -- I've met her.
25 There was an event a month -- two months ago that I

1 was at, a chamber event that, uh, she sat at our
2 table and we chatted for a few minutes and had
3 lunch, and I know this evening, uh, shortly before
4 this incident happened, as I walked by she kind of
5 said hi and introduced herself and reminded me, you
6 know, that I had known her briefly and we chatted
7 for 10 to 15 seconds and exchanged some pleasantries
8 and that was about it.

9 DM: And the officer that was involved, that actually
10 pulled the trigger, what was his name?

11 JC: Lee Coel [phonetic].

12 DM: Lee Coel? What's his rank? Do you know?

13 JC: I believe it's police officer first class.

14 DM: And he's part of the K-9 unit?

15 JC: He is the K-9 unit.

16 DM: He is the K-9 unit?

17 JC: Yeah, we have one K-9 officer.

18 DM: Ah. Do you believe that anything that occurred
19 tonight is other than just a tragic accident?

20 JC: You know, I -- I -- I've been in law enforcement for
21 19 years. Um, there is nothing that occurred
22 tonight that, to me, that would've made me think
23 that something wasn't right, that there was
24 something amiss here, that somebody was doing
25 something, uh, egregious or, uh, um, you know,

1 malicious, or anything of that nature.

2 It -- it appeared to be a freak accident. I
3 think we're all still trying to figure out exactly
4 what happened, how it happened, which obviously is
5 why you guys are here. Um, but it -- I've never --
6 it's shocking. It's -- that's really all I can say
7 about it. It's absolutely shocking.

8 DM: When -- whenever you guys do any type of training or
9 -- or law enforcement demonstrations is it -- is it
10 normal practice or through your policies that you
11 can recall to have safety officers on scene?

12 JC: Uh, my focus would be more on the training side, um,
13 and I've been through lots and lots of Simunitions-
14 related training over the years and there's always
15 been a safety officer, somebody who's always kind of
16 checking your equipment, checking, um, you know,
17 checking to make sure everything is the way it's
18 supposed to be.

19 Um, uh, again, I have not personally run these
20 scenarios, so I've not -- never really paid much
21 attention to who was fulfilling what role, um, as
22 far as these scenarios. You know? You may have
23 several of them -- several individuals involved and
24 they may be doing different roles and, uh,
25 fulfilling different functions, but during all the

1 times that we have run these I don't ever remember
2 being, um, physically involved with that aspect of
3 it, so I've never really looked into who was this
4 role, who was that role. I mean you always hear
5 people talk about this stuff and everything seems
6 like it's -- like it's supposed to be.

7 DM: Do you know how many, um, training instructors the
8 agency has here?

9 JC: In firearms or Simunitions?

10 DM: Yeah, yeah, Simunitions firearms or in general if
11 it's not that large of a number.

12 JC: Um, I bet you we have, between the two of them,
13 probably half a dozen.

14 DM: Okay. Um, were any of them here tonight that you
15 know of?

16 JC: The chief's a firearms instructor, I believe a
17 Simunitions instructor. He was the one kind of
18 running the whole process. Um, I don't know of
19 anybody else out there who -- who was. Uh, I know
20 Captain Woodard, um, got promoted about a year, a
21 year or so ago, and his former role was as our
22 employee development coordinator, which oversees
23 training, and he did that for six years I think. I
24 don't believe he is a firearms instructor but
25 certainly heavily involved in scenarios and, um, I

1 don't know what his credentials are, but he
2 certainly has a lot of experience, and he was out
3 there also.

4 DM: Could you, um -- forgive if I already asked you
5 this. Um, do you remember the officers that
6 actually made contact with Mary when she went down?

7 JC: Um, I believe Officer Coel had run over there, and
8 the chief ran over there, and I honestly don't know
9 who else. There was a lot of people around so I'm
10 not really sure who else.

11 DM: Um, who ushered everybody back inside the building?

12 JC: I did. Um, one of our civilian staff members was
13 here, uh, by the name of Gloria Sepanik. She helped
14 do that, and I don't know if there was anybody else.
15 It was probably, uh -- there probably was, but I
16 know I remember specifically saying something to
17 her, um, and I know that I asked some people to go
18 inside.

19 DM: Okay.

20 JC: But I think there was -- I'm sure there was more
21 people doing that.

22 DM: How long have you been with the agency?

23 JC: Nineteen years.

24 DM: Close. Anywhere else before that?

25 JC: Before this I was a, um, 911 dispatcher for the Lee

1 County Sheriff's Office for about three and a half
2 years.

3 DM: Okay.

4 JC: Those are my only, uh, law enforcement roles.

5 DM: And are you a captain over a specific unit or --

6 JC: I am. I'm in charge of the support services
7 division --

8 DM: Okay.

9 JC: -- which includes the support functions. I don't
10 have any -- I don't have any certified members that
11 report to me. Everybody who reports to me either
12 are civilian members or volunteers and I just have a
13 lot of ancillary responsibilities. As a smaller
14 agency I'm responsible for myself.

15 DM: That rocks.

16 JC: Yeah.

17 DM: Um, is there anything I haven't asked you that you
18 think I should know or that I've missed or --

19 JC: Well, the only other, you know, role that I had this
20 evening, like I said, is kind of doing some
21 liaisioning with, uh, with you guys. I pulled some
22 videos, um, um, that we have of the area and, uh
23 turned that over to you guys and --

24 DM: Did you get a chance to watch the video yourself?

25 JC: I -- I saw them. Yeah.

1 DM: Okay. Anything out of character in the video?

2 JC: No, it looked very routine, like the same scenarios
3 I've seen dozens, and dozens, and dozens of times.

4 DM: Okay. Could you tell how many rounds were fired by
5 looking at the video?

6 JC: No.

7 DM: Um, okay. How's, uh -- how's Coel? Anyone who's
8 heard, you know? Have you -- have you --

9 JC: I --

10 DM: -- seen him or --

11 JC: I have not seen him in a while. I know he's very --
12 very broken up about this. Um, I know the chief
13 talked to him briefly. I was present. Uh, for the
14 entire evening once the incident happened I probably
15 was physically, uh, present with, uh, Officer Coel
16 for maybe three minutes -- two, three minutes, and
17 that was right before, uh, he was, uh, allowed to go
18 home, placed on administrative leave, and that's --
19 the chief told him what was gonna happen, and so
20 forth and that was about it. I -- I never had any -
21 - I never talked to him.

22 DM: Did you -- did you talk to him or see him at all --
23 any interaction before the entire scenario
24 throughout the day or --

25 JC: The only, uh -- the only time that I actually had

1 interaction with him was prior to the scenario I saw
2 him walking towards his vehicle. He was kind of
3 already suited up for the scenario. It was well
4 before the scenario started, and I said hi to him as
5 I walked by. That was the extent of it.

6 DM: Did he respond or --

7 JC: Yeah, just -- just kind of -- from what I remember
8 he said hi or waved his hand, but it was just a very
9 quick passing in the parking lot.

10 DM: How often do you see him on a regular basis?

11 JC: Um, not that much. He primarily works nights. I
12 primarily work daytimes, so not that much. Um, he
13 has been on dayshift, uh, recently and -- but I see
14 him. It's sporadic.

15 DM: Uh, what do you think is -- or do -- do you think
16 you have a good judge of his mindset as far as how
17 he has been lately? Um, anything, you know, on the
18 job or off the job related that's bothering him or
19 anything --

20 JC: No, I -- my limited interaction with him has been
21 normal. Um, there's nothing out of character. I
22 think -- most of the conversations I think I've had
23 with him is -- one of my roles here is Fleet Manager
24 and his car has been broken down a couple times, and
25 I -- I've talked to him about it. I -- I don't

1 think I've had much more conversation with him
2 recently than that.

3 DM: Okay. Well, Captain, thank you so much for taking
4 the time and helping -- definitely helping us out
5 and talking to us.

6 JC: Absolutely.

7 DM: Um, I'm -- I'm gonna go ahead and end the interview.
8 It is now approximately 12:25 p.m.

9 (CONCLUSION OF INTERVIEW)

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25 Transcribed by: hmc/hmc/alw

1 (INTERVIEW OF JEFFREY WOODARD, #2016-0108, 08/10/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 MO = Special Agent Michael Ortiz

6 JW = Captain Jeffrey Woodard

7 AD = Special Agent Alberto Diaz

8 MO: Good morning. I'm Special Agent Michael Ortiz,
9 along with Special Agent Alberto Diaz of the Florida
10 Department of Law Enforcement. Today's date is
11 August 10th, 2016. The time is 1 a.m. Be taking a
12 sworn statement from Punta Gorda Police Department
13 Captain Jeffrey Woodard; last name is spelled W-O-O-
14 D-A-R-D. Captain Woodard's date of birth is
15 4/28/73. Uh, Captain Woodard's, uh, work address is
16 the Punta Gorda Police Department at 1410 Tamiami
17 Trail, in Punta Gorda, Florida, 33950. Captain
18 Woodard's contact number is [REDACTED]. Today's
19 interview is reference to an officer-involved
20 shooting that took place at the Punta Gorda Police
21 Department, uh, late yesterday evening. Uh, Captain
22 Woodard, can you please state your name and your
23 date of birth?

24 JW: Jeffery B. Woodard; April 28th, 1973.

25 MO: And Captain Woodard, do you know the meaning of
26 perjury?

1 JW: Yes, sir, I do.

2 MO: In your own words can you tell what perjury is?

3 JW: Perjury is lying under oath.

4 MO: Yes, sir. And at this time will you allow me to
5 swear you in for the purpose of taking a sworn
6 statement?

7 JW: Yes, sir.

8 MO: Uh, the right hand is raised. Do you, Captain
9 Jeffrey Woodard, solemnly swear to tell the truth,
10 the whole truth and nothing but the truth, in the
11 matter we're about to discuss?

12 JW: I do.

13 MO: Very well. All right. Uh, you're a captain here at
14 Punta Gorda Police Department?

15 JW: Yes, sir.

16 MO: How long have you been with the Police Department?

17 JW: Approximately 14 years --

18 MO: Okay.

19 JW: -- with a break in the -- in the middle there.

20 MO: Okay. And as a captain what are your duties here at
21 the police department?

22 JW: I, um, oversee the everyday functions of just about
23 everybody that's sworn in the agency.

24 MO: Okay. And in prior interviews I understand that you
25 at one time were in charge of the Training Division.

1 JW: Correct.

2 MO: Okay. And what type of certifications do you hold?

3 JW: I am a defensive tactics instructor, a Monadnock
4 baton instructor, vehicle operations instructor, and
5 I believe that is it.

6 MO: Okay. Do you hold any certifications in firearms?

7 JW: No, sir.

8 MO: Armorer?

9 JW: No, sir.

10 MO: Anything like that?

11 JW: No. No, sir.

12 MO: Okay.

13 JW: Actually I am an AR-15 armorer, not -- not handgun.

14 MO: Okay. And so you gave me briefly your job duties.
15 Um, direct your attention to an event, uh, that
16 occurred, uh, here today. I'm gonna show you a copy
17 of a -- it's on, uh, Punta Gorda I wanna say
18 letterhead. It has a -- a picture of the Punta
19 Gorda Police Department patch, and it looks like an
20 announcement, "Chamber of Police Night, Punta Gorda
21 Police Department. Outline August 9th, 2016, 5:30
22 p.m. to 7:30 p.m." Are you familiar with this form?

23 JW: Yes, sir, I am.

24 MO: Okay. And you wanna -- do you wanna hold onto it to
25 refresh your memory? Okay. If you can, can you

1 give me an outline of -- of an event that was, uh,
2 being held here this evening -- or --

3 JW: It was --

4 MO: -- yesterday evening?

5 JW: -- it was a Chamber Police Night where we, um,
6 invited members of the chamber into the police
7 department to learn more about how we do our daily
8 job, um, some of the risks involved. It, uh,
9 included a presentation by the chief right up front.
10 It went over, uh, budgetary stuff -- uh, budgetary
11 things, a brief agency tour and a static display set
12 out, um, in the parking lot. After the static
13 display, um, we had, uh, scenario based shoot, no
14 shoot, um, scene set out by the, uh, parking lot
15 gym.

16 Um, the people that were gonna participate in
17 it -- in the very beginning we had, um, four cars
18 that were randomly placed and booklets that were
19 placed in the training room. Um, whoever opened up
20 their booklet and had it, two people would be
21 selected to the Taser shoot -- uh, Taser shoot, um,
22 and two people would be selected to do the, um,
23 shoot, no shoot scenario situation.

24 MO: Okay. And how many people were invited to this
25 event today?

1 JW: Um, we were told this afternoon that it was gonna be
2 40.

3 MO: Okay.

4 JW: Um, I wanna say it was like 32. There was a couple
5 empty tables.

6 MO: Okay. And who was the Punta Gorda Police Department
7 coordinator for this event?

8 JW: Um, Lieutenant Katie Heck, I believe.

9 MO: Okay. And the people that -- the -- the personnel
10 from the police department, um, can you give me a
11 rundown on who the personnel were that were
12 participating in today's event --

13 JW: Um --

14 MO: -- or yesterday's event?

15 JW: -- Chief Lewis, uh, Lieutenant Chris Salsman,
16 Captain Jason Ciaschini, Officer John Kennedy,
17 Officer Brandon Angelini, Officer Shane Chodakowsky,
18 um, K-9 Officer Lee Coel, um, our Accreditation
19 Manager Gloria Sepanik was there.

20 MO: And were you there?

21 JW: Yes, I -- yes, I --

22 MO: Okay.

23 JW: -- yes, sir, I was there.

24 MO: Okay.

25 JW: And I --

1 MO: All right.

2 JW: -- I can't think of anybody else that was --

3 MO: Okay. And -- so the event started at 5:30?

4 JW: Yes, sir.

5 MO: And what time -- and it says here on the -- on the
6 appears to be an announcement or the outline, it ran
7 till 7:30?

8 JW: It was supposed to. Yes, sir.

9 MO: Okay. So just gonna run this by you and just tell
10 me if this is accurate. The first part is the
11 chief's welcome. Uh, the chief is Chief Thomas
12 Lewis, correct?

13 JW: Yes.

14 MO: And, uh, basically the chief's welcome encompassed,
15 a welcome to all participants to the police
16 department and a PowerPoint overview of the
17 department. Is that correct?

18 JW: Yes, it is.

19 MO: Uh, the second phase was a police department tour
20 consisting of 15 minutes. Uh, I guess the
21 facilitators of that was Lewis, Salsman and
22 Ciaschini?

23 JW: Yes, sir.

24 MO: And that involved a tour of the Criminal
25 Investigation Section, Evidence and Property, uh,

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1 shows an overview of the CIS function. And for our
2 listeners or for somebody reading the transcript,
3 what is CIS?

4 JW: Uh, Criminal Investigations Section.

5 MO: Okay. Section B, Road Patrol Section, a tour of
6 that, five minutes. Uh, and that encompassed an
7 overview of the road function. And then there was a
8 tour of the Records Section which consisted of an
9 overview of the Records functions. Is that correct?

10 JW: Yes, sir.

11 MO: Uh, the third, uh -- third part of the, uh -- the
12 outline shows a static display. Uh, for those
13 reading a transcript or listening to the -- to the
14 interview, what is a static display?

15 JW: Static display is -- we had three: we had a Marine
16 Unit, our -- our Road Patrol Unit and our Bicycle
17 Unit. And that's when they, uh, set up their
18 equipment, their vehicles and, um, give a brief
19 overview of what their duties are, and walk them
20 through the equipment that they carry and the
21 vehicles that they operate.

22 MO: Okay. And I see that the static display did
23 encompass the Marine Unit, Road Patrol and Bike
24 Unit, and those involved, uh, Punta Gorda, uh,
25 Police Department members Kennedy, Brandon Angelini

1 and Shane Chodakowsky. Is that correct?

2 JW: Yes, sir.

3 MO: And the fourth section had a -- consisted of a
4 shoot, don't shoot scenario, which, uh, I guess, uh,
5 25 minutes were allotted for that. And the
6 facilitators for that were Lewis, Salsman and
7 Chodakowsky and Coel. Is that correct?

8 JW: Yes, sir.

9 MO: Okay. And basically it says the whole class will
10 participate in this after viewing the static
11 display. Um, the fifth section has classroom
12 teachings, which 25 were allotted. And it shows,
13 uh, Lewis and Salsman. Uh, the classroom teachings:
14 uh, Section A: a Taser, 20 minutes overview of the
15 weapon, overview of uses, and a demo. Is that
16 correct?

17 JW: Yes, sir.

18 MO: And Section B: is weapon systems, patrol rifles,
19 Glock, OC ballistic shield. Fifteen minutes
20 allotted for that which was an overview of the
21 weapon and overview of uses. Is that correct?

22 JW: Yes, sir. But the last two sections we didn't --

23 MO: Okay.

24 JW: -- get into.

25 MO: I'm just covering the --

1 JW: Okay.

2 MO: -- what the --

3 JW: What's on the --

4 MO: Yeah, what's on the agenda. Uh, Section 6 was a Q &

5 A period was -- 10 minutes was allotted, correct?

6 JW: Yes, sir.

7 MO: And Section 7 was evaluation of the class.

8 JW: Yes, sir.

9 MO: And as you said, Section 5, 6 and 7, classroom

10 teachings, Q & A and evaluation of class, uh, that

11 wasn't done this evening, correct?

12 JW: Yes, sir.

13 MO: Okay. So let's go to Section 4, uh, the shoot and

14 don't shoot scenario. Um, again, 25 minutes

15 allotted, uh, by -- the facilitators were Lewis,

16 Salsman, Chodakowsky and Coel. Um, give me a little

17 bit of background again how -- the scenarios.

18 JW: My involvement or the scenarios?

19 MO: Uh, give me an overview of the scenario. Did you

20 set the scenario up?

21 JW: The -- the scenario, this is a, um -- an activity

22 that we've done four times in the past -- maybe more

23 -- three, four or five, right around there. We've

24 brought in different groups and done it. Um, we

25 always do the same two scenarios.

1 MO: Okay.

2 JW: The first scenario involves a suspicious person just
3 looking in, um, vehicles at a hospital. Um, that's
4 the first one. Um, the second scenario is, uh,
5 you're responding to a bar fight, and we have two
6 role players that are engaged in a -- a physical
7 altercation upon the arrival of the, um, selected
8 role play officer.

9 MO: Okay. So -- so the shoot, don't shoot scenario --
10 two scenarios, right?

11 JW: Yes, sir.

12 MO: So how -- how is somebody run through this? Are
13 they -- is -- how many people were selected for the
14 shoot, don't shoot scenario?

15 JW: Two were selected for it.

16 MO: Okay. And each one of 'em, from what you're saying,
17 they were going through the two scenarios, the
18 suspicious -- the -- the person near the car at the
19 hospital and then the -- the fight or the
20 altercation, correct?

21 JW: Yes, sir.

22 MO: Two separate scenarios. Okay. And the first person
23 going through that shoot, don't shoot scenario, the
24 second person following, would they be sequestered
25 in another room so they wouldn't know what was going

1 on, or how does that work?

2 JW: Yes, sir. They were in the training room.

3 MO: Okay. So -- okay. Who developed this particular
4 scenario?

5 JW: Um, I have no idea. I can't even -- I'm sure when
6 we did the very first one -- and I'm going back, if
7 I had to guess, over a year --

8 MO: Okay.

9 JW: -- um, I'm guessing that we sat down and came up
10 with -- I can't -- I can't give you an answer to
11 that. I'm sure --

12 MO: Okay.

13 JW: -- we all gathered and thought out, Hey, this would
14 be a good scenario.

15 MO: Okay.

16 JW: Actually I think it came from -- this was a scenario
17 that we saw that was done by some other agency on
18 You Tube is how I think we came about it.

19 MO: Okay. Is there any written guidance? Do you have a
20 -- a manual that has a step by step --

21 JW: For these scenarios when we --

22 MO: -- for these scenarios?

23 JW: -- when we put these on?

24 MO: Yeah.

25 JW: I don't believe so.

1 MO: So there's no written -- uh, I don't mean
2 assignments, but a written --

3 JW: A script type --

4 MO: -- a written script --

5 JW: I don't believe we have anything like that.

6 MO: -- you know, explaining, uh, everybody's duties and
7 roles and --

8 AD: Itinerary.

9 MO: Itinerary.

10 JW: No, sir.

11 MO: Okay. Um, did you participate in tonight's shoot,
12 don't shoot scenario? Were you --

13 JW: I did.

14 MO: Okay. What was your role in that scene?

15 JW: My role was while the, um -- my role tonight was to
16 keep the group and the -- our -- our, um, officers
17 on time, to make sure that they were meeting -- they
18 weren't going over any of the time limits. Um,
19 while they were, um -- while the officers were doing
20 the tour, I went into the armory to secure one of
21 our Simunitions weapons for, um, the role player.

22 MO: Okay.

23 JW: Um, I went -- I'm sorry.

24 MO: Go ahead.

25 JW: Uh, I went in there and, uh, grab our -- uh, grabbed

1 our Simunitions 9mm Glock, um, cleared it, set it on
2 the table and pulled out, um, Simunitions
3 ammunition, um, and the empty magazine and, uh --
4 uh, took a badge that we use for the -- for the
5 scenario-based thing. Um, and, uh, Officer -- I'm
6 sorry -- Detective Devalt [phonetic], um, had come
7 in and I said, um, "Let's go through the Sims
8 ammunition together." Um, I pulled out the
9 Simunitions ammo. He looked at it. I looked at it.
10 I said, "Hand it to me, um, a couple at a time.
11 We'll put it in." Just to make sure that were using
12 Simunitions ammo.

13 Um, so we did that, uh, loaded it up. I think
14 we ended up having, uh, 18 Simunitions, uh, rounds
15 in the magazine. Um, slide was locked back on the -
16 - on the Sims gun. I had the magazine and I had
17 the, um, badge. I took that, along with two, um,
18 Taser cartridges that we were gonna use for the
19 Taser, um, scenario and I placed them in the
20 training room while everybody was completing, uh,
21 their tour.

22 MO: Okay. And so Detective Devon?

23 JW: Devalt.

24 MO: Devalt. Okay. Was that like a debriefing with him
25 just to safety check that weapon?

1 JW: It was a safety check. Yes, sir.

2 MO: Okay. And who was the officer playing the
3 suspicious person?

4 JW: Officer Lee Coel.

5 MO: Officer Lee Coel. Okay. Was there a, uh, briefing
6 done with him prior to tonight's, uh --

7 JW: I -- I don't know if there was a formalized briefing
8 with him. Um, I spoke to him out in the -- actually
9 I spoke to him, he said that he didn't have a mask
10 for the -- the Sims thing. And I said, "Okay.
11 Well, I'll run and you get a Sims thing," which is
12 in our, um, offsite -- it's in our storage
13 warehouse. So I went over there and I grabbed two
14 masks, one for him and one for the other role
15 player. Um, I brought those back to him. Um, and I
16 said, "Okay. They're finishing up the static
17 display. They should be here, um -- we should be
18 ready to go in just a couple minutes and the rain',
19 uh, coming in. So hopefully --"

20 MO: Okay.

21 JW: -- "we'll --"

22 MO: When you said the other role player --

23 JW: Officer Shane Chodakowsky was gonna be the second
24 role player for the physical altercation.

25 MO: For the physical -- okay. So --

1 JW: Yes.

2 MO: -- that's separate than --

3 JW: Yes, sir. I'm sorry.

4 MO: Okay. That's fine. That's fine. So Chodakowsky --

5 you got a -- a mask for Chodakowsky for the second

6 scenario.

7 JW: Yes, sir.

8 MO: Which did not take place.

9 JW: Yes, sir.

10 MO: Okay.

11 JW: Correct.

12 MO: Gotcha. So you had a -- a talk with him. Um, any

13 type of safety check --

14 JW: No, sir.

15 MO: -- with Coel?

16 JW: He -- he did tell me, um -- he did tell me that he

17 had his, um, gun in -- in his waistband.

18 MO: Which gun?

19 JW: The gun that he was going to use for the scenario.

20 And he said he wasn't sure if he was gonna leave it

21 on his person or he was gonna put it at the back of

22 the, um, vehicle that he was using in the scenario.

23 MO: Okay.

24 JW: Um --

25 MO: Um --

1 JW: -- I don't remember having any conversation with him
2 one way or another --

3 MO: Okay. Was this face to face with him or over the
4 phone or --

5 JW: This -- no, this was face to face. This was --

6 MO: Before --

7 JW: -- in the parking lot.

8 MO: -- before the scenario?

9 JW: Before the scenario.

10 MO: Okay. Did you do any weapons check?

11 JW: I did not. I went in, um --

12 MO: Weapons check of his weapon that he was -- in his
13 waistband?

14 JW: I did not.

15 MO: Did you ask him if he had any other duty weapons on
16 him or any other weapons?

17 JW: No, sir, I did not.

18 MO: You do any pat down on him?

19 JW: No, sir, I did not.

20 MO: Okay. Have you -- in years past what is your
21 protocol for -- you've done this scenario before,
22 correct?

23 JW: Correct.

24 MO: Okay.

25 JW: Today was, um -- my involvement in the -- this

1 entire, um, event tonight was last minute. I'm not
2 on the -- the agenda. My -- so I wasn't in on the
3 planning or the --

4 MO: Okay.

5 JW: -- scheduling of people. Um, I was -- it was
6 actually spur of the moment. I said, "Hey, well,
7 I'm here. I'm gonna stay with you guys and if you
8 want, I'll help keep you on -- on task." Um, so I
9 wasn't involved in the entire, um --

10 MO: In these type of scenarios --

11 JW: Can I --

12 MO: Yeah, go -- please go ahead.

13 JW: Okay. As far as in training, when we would do
14 scenario based trainings, you're a hundred percent
15 correct. We do safety checks, we check each other
16 and we make sure that, um -- I did not do that
17 tonight.

18 MO: Okay. Um, when you do these type of scenarios, say
19 tonight or even in the past, is there an assigned
20 person who may be -- I don't know what you may call
21 it here, I would call it the safety officer. Was
22 there -- was there such a role this evening?

23 JW: In the past it has always -- in the past -- and I'm
24 not talking about every scenario, like in-service
25 training -- when we have done these we all pretty

1 much act as -- as safety officers. 'Cause the chief
2 is out there., um, for the most part I'm out there,
3 um, Captain Ciaschini is out there, um, Lieutenant
4 Mohaupt, uh, sometimes there's another lieutenant
5 out there, and we're trying to keep everybody back,
6 um, so they don't, uh --

7 MO: Who would normally be a safety officer, somebody
8 who's the closest to the scenario? I mean, is there
9 usually a designated person?

10 JW: Usually we check each other, and then we double-
11 check. Um, tonight, like I said, I didn't -- I
12 didn't completely know who was running -- I wasn't
13 in complete control of the scenario, and, um, like I
14 said, I -- I did not check him. I did not ask to
15 see his --

16 MO: Who -- who -- who was in control of the scenario?

17 JW: Um, I'm not --

18 MO: Whose -- whose scenario was it? Somebody owned that
19 scenario. Who -- who owned it?

20 JW: I don't think that that was ever discussed as -- in
21 the beginning of this, as far as who was actually
22 running the actual scenario.

23 MO: Okay. So -- so you brief with, uh, Officer Coel,
24 and there comes a times when this scenario starts.
25 Who's -- who's facilitating the scenario? Is there

1 somebody leading the scenario and --

2 JW: Yes, sir.

3 MO: Go ahead.

4 JW: What, um -- I was, uh, over at the static display,
5 and I went over to the chief and I said, um, "The
6 rain is coming in. Um, I don't know if you want to,
7 uh, move this along." Just like I told you, I was
8 trying to keep everybody on -- on task and track.
9 Um, and, um, he said, "Okay. Uh, where are my two
10 people that are gonna be involved in this?" He
11 pointed them out. I -- I spoke to them and we went
12 into -- I took 'em into the training room.

13 MO: And who were they?

14 JW: Um, I don't know their names, sir.

15 MO: Okay. Was one of them the victim?

16 JW: Yes, sir.

17 MO: And another one -- what -- was it a male or a
18 female?

19 JW: A female.

20 MO: Okay. And what did you explain to them?

21 JW: Um, we went into the, um, training room and, uh,
22 everybody else was filtering over there, and the
23 role players were going over there. And, uh, I told
24 'em exactly what it was, it was gonna be two
25 scenarios. Um, and I went over the, uh -- a brief

1 nomenclature of the -- the Simunitions, told 'em
2 both how, um -- how dangerous they were. Even
3 though they're Sims gun, um, they can still
4 seriously hurt somebody. You don't wanna point 'em
5 at your, um -- you don't wanna point 'em at, uh,
6 your other classmates, um, you wanna be completely
7 careful. If you're in a scenario and the scenario's
8 over, don't point it, don't turn, we'll come to you.
9 Um --

10 MO: So it sounds like you had control of them -- both of
11 them --

12 JW: Yes, sir --

13 MO: -- correct?

14 JW: -- I did.

15 MO: Did they have their Simunitions at that point or --

16 JW: They --

17 MO: -- is that given to 'em later on when they go out?

18 JW: -- they did not. I still had it separated. Like I
19 said, the slide was back, um, I had the magazine, I
20 had the badge --

21 MO: Uh-huh.

22 JW: -- and I didn't wanna load it or do anything until I
23 went to the chief.

24 MO: Okay.

25 JW: And then, um, I took, uh -- I, um, spoke to her

1 outside the door and, um --

2 MO: The victim?

3 JW: Yes.

4 MO: Okay.

5 JW: The victim. And again I explained it to her and,
6 uh, she said she was nervous. I said, "I
7 understand." I said, "We're nervous when we go on
8 calls like this, too."

9 MO: Uh-huh.

10 JW: Um --

11 MO: Um, do you know if any personnel from the police
12 department involved in these scenarios had control
13 of Officer Coel?

14 JW: No, sir, I wasn't aware of that. I was just --

15 MO: Okay.

16 JW: -- watching the two, um --

17 MO: Okay. Would that be normal? In -- in years past
18 have you with the person playing the other role?

19 JW: My -- my assumption would be that there's -- there's
20 an inside control person and there's somebody
21 outside 'cause with the -- the amount of spaces in
22 between and the dynamics of the scenario would be
23 very difficult for one person to control that entire
24 scenario.

25 MO: Okay. Were you -- well, trying just to create a

1 word picture 'cause -- you know, I wasn't there so
2 I'm trying to lay out of word picture for -- for --
3 for review, and obviously it's gonna be reviewed so
4 just trying to create a work picture through you of,
5 uh -- of, uh -- of the scenario.

6 JW: As far as where I was standing?

7 MO: Let's go there.

8 JW: Okay. If we -- if we go from when we were in the
9 training room and I had that discussion with both of
10 them, um, I told the lady that was going second --
11 who they even -- they even had a discussion about
12 who was going first and --

13 MO: Uh-huh. Uh, was it just you and the two ladies?

14 JW: Um, no, Don Royston was in the, uh --

15 MO: Who's Don Royston?

16 JW: He is a local newspaper gentleman.

17 MO: Okay.

18 JW: He was, um, sitting on the chairs in there. I don't
19 know how much he -- he actually heard.

20 MO: And one note that I wrote myself was do you, uh,
21 videotape your scenarios?

22 JW: No, sir, we don't.

23 MO: Okay. Do you know if it was videotaped?

24 JW: Uh, I'm not sure.

25 MO: Okay.

1 JW: I mean, it was videotaped by our --

2 MO: Okay. Did the newspaper reporter, did he have

3 video? Does he --

4 JW: No.

5 MO: No? Okay.

6 JW: No, he's, uh, strictly, uh --

7 MO: Print?

8 JW: Yes.

9 MO: Okay. So it sounds like you had control of the two

10 ladies.

11 JW: Yes, sir.

12 MO: And -- but you don't know -- or do you know if --

13 JW: I don't know what was --

14 MO: -- anybody had control --

15 JW: -- happening.

16 MO: -- with Coel, if he'd been briefed or --

17 JW: I --

18 MO: -- or if he had a handler? That's -- that's what I

19 mean, "control," a handler.

20 JW: No, sir, I'm not --

21 MO: Okay.

22 JW: I was at the static display. I took the two

23 females. Um, and that was -- that was inside up

24 until -- and I went over that -- I don't know --

25 tell me when you want me to stop. I can walk you

1 right through to where we went down there.

2 MO: Do we know if we -- if Coel was issued a handler,
3 somebody to --

4 JW: I do not know that.

5 MO: Okay. Yeah, walk me through. So you bring the
6 ladies -- one lady out, because one is still in the
7 classroom, right, because she's --

8 JW: I'm having a discussion with the victim --

9 MO: Okay.

10 JW: -- outside --

11 MO: Okay.

12 JW: -- and she's, um -- like -- like -- like I said,
13 we're talking about how she's nervous. And I said -
14 -

15 MO: Right.

16 JW: -- "We're nervous too when we go on, um, calls like
17 this." Um, went over indexing again with her, um,
18 and the safety of not putting your finger on the
19 trigger until you are sure that you are going to,
20 uh, pull the trigger. Um, I walked her down to the
21 group and, um, introduced her -- or said, "Chief,
22 here's your new officer the night." I hand Chief
23 Lewis, um, the firearm with the magazine, um, still
24 pulled back, the magazine and the badge. Um, Chief
25 Lewis then went over the same -- he went over some

1 more same, uh -- of the same safety instructions
2 that I was -- I was providing her. I don't remember
3 what -- what exactly was said. Um, he, um -- I
4 wanna say he put the magazine in the weapon -- or he
5 shut the magazine and he put the, uh -- the -- he,
6 uh, racked the slide, put the magazine in, but it
7 wasn't charged. I believe I charged it as I was
8 walking her over to the sidewalk area. Um, we got
9 over --

10 MO: It appears to be with your hand gestures that the
11 chief was inspecting the weapon?

12 JW: I believe -- yes.

13 MO: Okay.

14 JW: He was -- yes, I handed him the -- yes.

15 MO: Okay.

16 JW: And he actually -- I believe he was doing a safety
17 thing with the, um, class, showing them, um, the
18 cartridges and the fact that there's still, um,
19 gunpowder in it, and, um -- and I don't really
20 recall what else he was saying. But he was going
21 over the safety --

22 MO: And he was addressing, uh, the victim as well as the
23 audience?

24 JW: Yes, sir.

25 MO: Okay. The Chamber of Commerce folks?

1 JW: (No audible response).

2 MO: Okay. And did you have any line of sight with
3 Officer Coel at this point or was he sequestered?

4 JW: No, sir, I didn't even see him.

5 MO: Didn't see him? Okay. So after Chief Lewis gives,
6 uh -- explains to the audience about what's taking
7 place, explain to me what happens next.

8 JW: I walked her over, um, to the sidewalk. And the
9 sidewalk is where I, um, give final instructions.
10 I've done it -- if we've done it four or five times,
11 I've -- if I had the guess, I -- I -- I did it two
12 or three. I don't know. It seems like that's where
13 I usually am. And I said, "Okay. Here you are.
14 You're a police officer. You're responding to a
15 call, um, for duty at, um, Bayfront Punta Gorda.
16 Um, all the information you have is that there's a
17 suspicious male looking into the vehicle."

18 Um, I said, "You remember indexing and
19 everything that we went over?" And she said, um,
20 yes, that she did. Um, I said, "Do you have any
21 questions or concerns before we -- we go on?" Um,
22 she said, um, "No." Usually we have them get out of
23 a patrol car like they're pulling up to a scene and
24 exit the vehicle. And Lieutenant Salsman was there
25 with me, and he said, "Do you want her to use the

1 vehicle?" And I thought, No, um, we're fine just
2 the way -- she's gonna make the approach on -- on
3 foot. Um, and she made the approach on foot.

4 MO: Okay. What happened then?

5 JW: Uh, she, uh -- she approached Officer Coel who was I
6 believe standing in the middle of the two vehicles.
7 Don't know what she said. Don't know what he said
8 to her. Um, at some point, um, Officer Coel I
9 believe went around -- I think the vehicle was
10 pulled towards the building. I think he went around
11 towards the front of the car. Um, don't know if he
12 retrieved the firearm from the vehicle or from his
13 waistband. Didn't see it. I believe I heard one
14 shot up front. Um --

15 MO: From the front of the vehicle?

16 JW: I believe from the front --

17 MO: Okay.

18 JW: -- furthest away from the crowd. And then he --
19 believe he continued to go around the side of the
20 vehicle. And I think I heard one or two more shots,
21 but I can't tell you. I heard two or three shots.

22 MO: Okay.

23 JW: Um, the -- the victim, um, stood there and, um, Lee
24 was done and didn't think there was anything out of
25 the ordinary. She seemed frightened, which is --

1 which is a normal reaction. Um, and I was from --
2 I'm still at the sidewalk. I don't know how many
3 feet -- 15, 20 feet away. Um, and then she bends
4 over at the waist and still thought, you know, she's
5 just nervous or sometimes they buckle down and they,
6 you know -- they're laughing because they had fun.

7 MO: Right.

8 JW: Um, but this time she kind of, um -- she didn't bend
9 -- stand back up. Um, and my first impression was,
10 you know, I hope she's not having a heart attack.
11 Um, so I walked -- I don't even know what I did.
12 Somehow I went over there. And I don't know who got
13 there first. I don't know who did what. Um, but I
14 know she was bent over and I think I said, "Are you
15 okay? Are you okay?" And I saw her arm -- left arm
16 maybe reach out to the ground, and I saw, um, blood
17 hit the, uh -- the pavement. And I was --

18 MO: Did, uh -- did Officer Coel make any statement, that
19 you recall?

20 JW: I don't -- everybody was making statements. I don't
21 know --

22 MO: Okay.

23 JW: -- if, what.

24 MO: At some point was -- was, uh, the victim responsive
25 at all after you got to her? She make any --

1 MO: Um, she was moving. I don't know what she, uh --
2 what, if anything, she said. Um, the chief was with
3 her. Um, she was surrounded by a couple of us. I
4 don't -- I don't remember. I know I, um -- I turned
5 and, uh, started running to our -- our Fire and EMS
6 to try to get them to come down and -- and help.
7 Part of me still didn't understand that she had been
8 shot. Part of me thought that she had a heart
9 attack and she -- she, um -- as she -- as she was
10 falling or leaning she might've cut herself and
11 that's what the blood was. I still did not even
12 fathom that she had been possibly shot.

13 So I turned and I ran to, um, uh, Fire and EMS.
14 They came down. Um, while I was coming back
15 Corporal, um, Becky Grim was there and she said, um
16 -- I don't know what she said. She pointed out a
17 gentleman standing by the, uh -- the back of the
18 car, um, so just like we would do in any, uh,
19 situation like that, if they're trying -- if they're
20 getting too involved and taking away from the
21 paramedics, then, um, we try to calm them down and
22 move them so the paramedics can do what they wanna
23 do.

24 Um, and I came to find out that, uh, um -- that
25 was her husband. Um, very distraught. And I tried

1 to calm him and move him back. And -- and, uh, at
2 some point while they're working, uh -- working on
3 the victim, um, I led him away and I said, "Hey, do
4 you have your car? Do you want to follow them to
5 the hospital? You want me to drive you? I'll put
6 you in my car and we can follow 'em just so you're
7 there when -- when the, um -- when the ambulance,
8 uh, gets there?" Um, he said he wanted to drive
9 himself.

10 I walked him from the scene over to the side
11 parking lot where his car was. I backed him out and
12 I said, "Wait here and we'll see what way the
13 ambulance goes." Um, at that point while I was
14 there, Captain Ciaschini came across and I said, "Do
15 we even know what happened?" And, um, he said, "It
16 looks like, um, there was live rounds used,"
17 something -- some sort of verbiage like that.

18 MO: Uh-huh.

19 JW: Um, at that point I, um, contacted our Criminal
20 Investigations Section and they jumped into --

21 MO: Okay. So she was never -- go ahead. I'm sorry.

22 JW: I'm sorry. I jumped into, um, trying to, uh,
23 coordinate what was happening on scene. Um, after
24 our guys were done roping off the -- the scene,
25 walking up, um, Chief Lewis asked me to sit with

1 Officer Coel. Um, myself and Officer Juan Gonzalez,
2 um, then sat in the lieutenant's office with the
3 door closed, sequestered, um, until you guys --

4 MO: Did, uh, Coel make any spontaneous utterances?

5 JW: He did. When we were in there he, um -- I said,
6 "Lee, I'm not asking you any questions. I'm
7 (unintelligible) advising you to say anything."

8 MO: Right.

9 JW: Um, he was -- like I said, it was probably -- I
10 don't know how long it took. We were in there for a
11 couple hours. And, um, he did make a statement, he
12 goes, [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED] Um --

16 MO: Who's Joe?

17 JW: At the time I wasn't thinking, I was kind of -- but
18 having time to think about it, Joe Trufan, who was
19 an officer with us, um, helps him with K-9
20 demonstrations. And I guess they just did one the
21 other day.

22 MO: Okay.

23 JW: And he kept -- kept saying, [REDACTED]

24 [REDACTED] [REDACTED] [REDACTED]

25 And I just tried to say, "Lee, nobody understand

1 what happened. We're -- we're trying to figure out
2 what happened as well."

3 MO: Um, is Joe -- how do you --

4 JW: Trufan, T-R-U-F-A-N.

5 MO: Is he a member of the police department here?

6 JW: Yes, sir, he is.

7 MO: Okay. Um, going back to Lee Coel's -- the -- the
8 weapon that he used, can you describe it to me?

9 JW: The only part -- he's used his K-9, and I was under
10 the impression it was a blanks gun, just nothing for
11 -- nothing but blanks for K-9 trials and everything
12 like that. Um, it's a silver revolver. Um, tonight
13 I didn't see it. Um, I know when I was out there
14 talking to him in the, uh -- in the, um, wash bay
15 area, the covered overhang where the vehicles were
16 showing -- showing up -- when, uh -- where the
17 vehicles were staged, he was there and he said, um,
18 he, um, had it in his waistband, and that's when he
19 said, "I'm not sure if I'm gonna keep it in my
20 waistband or my, um -- on the car." Um, and at that
21 point I -- I saw a sliver of it in his waistband,
22 but I didn't -- I didn't take notice.

23 MO: So you notice it?

24 JW: I didn't look at it.

25 MO: Okay. Would -- is his K-9 revolver, blank gun, is

1 that an issued, uh, equipment from the Punta Gorda
2 Police Department?

3 JW: I believe it is an issued firearm. I'm not a
4 hundred percent certain.

5 MO: And -- and would you be able to check in -- with
6 armorer to see the serial numbers --

7 JW: Yes, sir.

8 MO: -- and things like that? Okay. And is a .38 --
9 just what I'm -- from what I've got gathered, a .38,
10 is that an approved weapon -- uh, an off duty weapon
11 for your agency?

12 JW: It is.

13 MO: It is?

14 JW: I -- I don't know of anybody that carries a revolver
15 or a .38.

16 MO: Okay.

17 JW: Um --

18 MO: Would -- would they have to qualify for --

19 JW: They would if they were gonna carry it off --

20 MO: Off duty.

21 JW: Um, yeah.

22 MO: Okay.

23 JW: And that's not -- .38 -- .38, .357, anything like
24 that, that's not a, um -- it's not ammunition that
25 we purchase, that we, um, give out, that we even

1 maintain in our armory. We --

2 MO: Right.

3 JW: -- have no -- no .38 or .357 rounds whatsoever.

4 MO: Right.

5 JW: As long as I've been here, I don't, um -- I don't
6 remember ever maintaining or having --

7 MO: But -- but it -- it's possible that he was issued a
8 -- a training gun for --

9 JW: It --

10 MO: Who -- who would've been responsible for -- for the
11 issuing of that?

12 JW: The training gun?

13 MO: The -- the supervisor? Would his -- would his
14 supervisor be responsible for that?

15 JW: Um --

16 MO: How would the purchasing go for that?

17 JW: There would've been a -- a -- a -- I don't know if
18 it was a, um -- a -- a recent purchase. And by
19 "recent," I'm saying within last year.

20 MO: Okay.

21 JW: Or if this was -- he took over that K-9 unit from
22 another officer, um, approximately two years ago. I
23 don't know if that was part of the transfer.

24 MO: Okay.

25 JW: Um, but one way or another, if it's -- it would be

1 documented somewhere.

2 MO: Okay. So all training equipment would be
3 documented, leashes and things like that?

4 JW: It would be -- yes.

5 MO: Okay.

6 JW: But it was, um -- and my understanding, um -- Lee
7 has actually, um, fallen under my supervision within
8 the last month. Um, my understanding has always
9 been that it's a, uh, K-9 blanks gun. Um, I -- I --
10 I can't even imagine that he was allowed to qualify
11 and use it as a dual purpose --

12 MO: Okay.

13 JW: I don't know.

14 MO: Okay.

15 JW: All that would be -- if he was using that, then
16 there would be qualification records saying that he
17 -- he -- but I don't -- I don't know, sir.

18 MO: As far as ordering blanks for the -- for the
19 training, is that something the department would
20 order?

21 JW: In -- in Lee's -- I -- I wouldn't know that. Again,
22 since he -- the four weeks or so that he's been
23 under my thing, I haven't --

24 MO: Okay.

25 JW: -- done that.

1 MO: Okay.

2 JW: Um, I wanna say that, uh, um -- I'm actually not
3 sure, sir. I don't know --

4 MO: Okay.

5 JW: -- purchased 'em. If he -- it would -- would be
6 something that the department -- we wouldn't expect
7 him to buy his own blanks for K-9 --

8 MO: Right.

9 JW: -- training or --

10 MO: All right. Would there be a record as far as the
11 brand -- I mean, would -- the brand and the type of
12 blanks that we -- I mean --

13 JW: I would imagine there --

14 MO: Okay.

15 JW: -- I would imagine there would have to be a receipt
16 for --

17 MO: Okay. And that would be kept on file here at the
18 police department?

19 JW: I would imagine so.

20 MO: Who's your purchasing person?

21 JW: Uh, it would either be Captain Ciaschini or, uh,
22 Beverly, uh, Markee --

23 MO: Okay.

24 JW: -- who is the chief's assistant.

25 MO: Okay.

1 JW: Somewhere there should be --

2 MO: All right. That's all the questions I have right
3 now. Uh, Special Agent Diaz?

4 AD: What, um -- that -- that -- what -- what kind of gun
5 is that you said, a blank -- the -- the K-9 gun,
6 what is that?

7 JW: I believe -- I believe it's a .38 Special.

8 AD: .38 Special. I mean, is that something that, um, uh
9 -- that -- that's given to the K-9 officers?

10 JW: Outside of it being --

11 AD: Or be issued?

12 JW: It's not a -- it's not a -- that was -- my
13 understanding is that was, um, provided to him for,
14 uh, trainings for blanks.

15 AD: For training.

16 JW: For training.

17 AD: Okay.

18 JW: It was -- it was not issued as a secondary or a
19 backup weapon.

20 AD: It is issued as training --

21 JW: That is a training --

22 AD: -- specifically because he's a K-9 officer?

23 JW: Yes.

24 AD: And that's given to K-9 officers -- that specific
25 gun is given to K-9 officers.

1 JW: For training.

2 AD: Okay. And where is that -- where is that normally
3 issued? Where? I mean, do they give it to them in
4 the armory or did they give it to him at -- I mean,
5 when they're given their equipment or when they
6 receive this new position?

7 JW: That's what I -- I'm not sure of, if it was a
8 transfer from the last K-9 officer, um, to Lee,
9 which that would've been documented through
10 Property, which would've been our property, and
11 Captain Ciaschini oversees that as well. I'm not
12 certain if that was a new department purchase that
13 we made for Lee. Um, and if that's the case, that
14 would've been issued through Property as well. I'm
15 not sure if it was a transferred firearm or if it
16 was a firearm that we purchased for Lee within --
17 since he's been in the K-9 Unit --

18 AD: Since he's been in --

19 JW: -- which would've been a year and a -- year and a
20 half maybe.

21 AD: Yeah, how long has he been in the K-9 --

22 JW: I think year and a half.

23 AD: Okay. How, um -- the, um -- okay. So tonight, um,
24 you were in the armory with that detective, right,
25 doing --

1 JW: Detective Devalt. Yes, sir.

2 AD: Okay. And doing -- doing checks of the munitions.

3 And is this for the -- the -- the citizens or the --
4 the participants?

5 JW: Yes, sir, for the participants.

6 AD: Okay. And how many firearms did you guys have for
7 those -- for those participants?

8 JW: That we used tonight?

9 AD: Yeah.

10 JW: We used one.

11 AD: And it -- and it was gonna be passed around to --
12 for the participants for the scenario?

13 JW: It was the two -- yes, sir.

14 AD: Okay. All right. Um, and you did that count with
15 the detective? Okay.

16 JW: Yes, sir.

17 AD: All right. So is that -- is that normal -- going
18 back to that K-9 -- K-9, um -- that gun or -- that --
19 -- that's given to 'em for munitions, um, I mean,
20 this, um, academy or citizen's academy, wanna --

21 JW: Uh-huh.

22 AD: -- if we wanna call it that, um, it's been done
23 before, right?

24 JW: Yes, sir.

25 AD: Uh, what are we, in August now? So how many times

1 has it been done this year, do you think?

2 JW: This year I would say once, maybe.

3 AD: One time, so this --

4 JW: One time.

5 AD: -- so this is the second time that it's been done?

6 JW: Yeah, it could've been -- we could've done it twice
7 before. Yeah. One -- I -- yeah, I don't know. One
8 or two more times this year.

9 AD: Okay.

10 JW: I think once.

11 AD: Okay. Um, I mean, is that -- okay. Were you a
12 participant of that -- of those -- of the other --

13 JW: I was --

14 AD: -- the second one?

15 JW: I was a participant -- participant in, um --

16 AD: In what sense? (Unintelligible).

17 JW: -- the -- the majority of 'em.

18 AD: In what sense? What would be your role?

19 JW: Probably in -- in the same role that I had tonight.

20 AD: And which is?

21 JW: Brining, uh -- going over the nomenclature with the,
22 um, participants and walking 'em down there and, uh,
23 um, setting them up for the scenario.

24 AD: Okay. And then with -- with that other -- that

25 other one that was done -- or -- or the other one or

1 two that was done earlier this year, was, um --
2 going back to those, what kind of actions were done
3 for that same thing in regards to safety for -- for
4 the participants and the officers? What would
5 normally be done? Would there be checks done as
6 well with those officers right before the scenario
7 would be played out, along with the participants, or
8 --

9 JW: My assumption -- like I said, there's usually four
10 or five of us down there that act as safety
11 officers. As far as the role players, I've never
12 personally checked them. Um, my -- my assumption
13 would be that they check each other. But I don't
14 know that. I've never checked them. I've never
15 checked them.

16 AD: For -- for the -- the other two earlier scenarios,
17 the ones that -- uh, the earlier, um -- what do we
18 wanna call this event? I'm sorry. Just, um -- the
19 -- the Chamber -- Chamber Police Night. But --

20 JW: The shoot, no shoot scenario?

21 AD: Yeah. These scenarios. I mean, same thing --

22 JW: Correct. I get it --

23 AD: -- it wasn't done. So then -- so --

24 JW: Well, I don't know that it wasn't done. I just can
25 say that I -- I -- I didn't --

1 AD: It wasn't --

2 JW: -- it wasn't done by me.

3 AD: -- it -- it wasn't -- okay. It wasn't done by you.

4 Okay. Here's -- here's my question. What would be,

5 um -- so I'm not understanding. So then if these K-

6 9 officers -- who else are issued these play guns or

7 these munition guns? Just K-9?

8 JW: Just --

9 AD: That's it?

10 JW: -- just K-9.

11 AD: Okay. And then they're responsible for it?

12 JW: Yes, sir.

13 AD: Okay. Um, and then when it's time to participate in

14 these, um -- this Chamber night or any kind of

15 citizen's academy, um, so what -- what would be the

16 common practice for them? They would just bring it

17 with them and then -- I mean, uh, are they provided

18 the ammunition or the play ammunition, or is that

19 issued to them months ago?

20 JW: Yeah, he, um -- we only have one K-9 officer. Um --

21 AD: He's -- is the only one (unintelligible) --

22 JW: He's the only one.

23 AD: Oh. I'm sorry.

24 JW: Um --

25 AD: What's his name?

1 JW: Lee Coel.

2 AD: Lee Coel. Okay.

3 JW: Um, and he maintains his own, um, blanks ammunition
4 'cause he trains a lot, he does a lot of demos and
5 everything like that. So he maintains his own ammo
6 for that. Um, uh, I'm sorry. I'm -- I'm tired and
7 I don't (unintelligible).

8 AD: No, I know. I understand. I understand.

9 JW: My -- my --

10 AD: Take your time. Take your time.

11 JW: -- my -- my assumption is, um, that it was just for
12 blanks. Um, I at no time, um, was aware that it
13 could even, uh, fire actual rounds. Um, I wouldn't
14 know what a blank round looks like. Um, as -- as
15 embarrassing that might be, I -- I just -- I
16 wouldn't -- I'm not a, um -- a big ammo or firearm,
17 um, type of guy. But my -- my -- again, I'll go
18 back to my assumption was it was a blanks gun. At
19 no time should that have been comingled with any
20 live -- I can't, in my head -- unless he qualified
21 with it, I just can't imagine us every saying, Yes,
22 you can use your blank gun as a -- as a, uh -- as a
23 secondary weapon. I -- in no scenario in my head
24 can I see how, um, that could've been comingled with
25 actual rounds.

1 AD: Okay. So, um -- and then for this Chamber tonight,
2 was there a meeting between you, along with
3 everybody, all the participants, beforehand, before
4 this started --

5 JW: No, sir.

6 AD: -- say like, Hey -- it was -- or was it kind of
7 playing -- go as -- as the -- as the events went
8 along, just like going along with it. That's -- is
9 that --

10 JW: Yes, sir.

11 AD: -- kind of fair to say how it played out?

12 JW: Yes, sir.

13 AD: Okay. So there was no briefing beforehand, be like,
14 Hey, this is what I plan to do, it's kind of -- my
15 understanding is people showing up and then, Hey,
16 I'm just gonna go do my role kind of thing or --

17 JW: Uh-huh.

18 AD: -- do -- do my -- my --

19 JW: Uh-huh.

20 AD: -- my -- my participation in this?

21 JW: Yeah, we've done it, um -- like I said, I don't
22 know, three, four, five times before or something
23 like that. Um, Lee has been the role player if not
24 all the time, almost all of the time. Um, so when I
25 just spoke to him in the parking lot, the only thing

1 I said was, um, the, uh -- doing the same scenario.
2 The first one is gonna be the suspicious person one.
3 That would be as much of a interaction I had with
4 him as far as (unintelligible) would, uh --

5 AD: Beforehand.

6 JW: -- would -- would be.

7 AD: Okay.

8 JW: I didn't get with the -- I don't even think I spoke
9 to Officer Chodakowsky tonight, the other role
10 player. Um, I didn't know who was doing what role.
11 I didn't --

12 AD: That's what -- yeah, I was gonna --

13 JW: So if there was a debrief and they did it between
14 their self or it was involved with somebody else, I
15 wasn't part of that. I was with the two
16 participants going through the -- the -- the, um --
17 their part.

18 AD: Okay. Um --

19 JW: But I'm not aware of an actual debrief that, um --
20 that transpired before the -- the actual scenarios.

21 AD: What do you mean?

22 JW: I'm sorry. I -- I don't -- I'm not aware of, um,
23 Lee and Officer Chodakowsky, Shane, um, getting
24 together, or if they did, to say, Hey, this is the
25 scenario rundown that we're doing tonight. I think

1 everybody felt comfortable in the fact that we had
2 done it, um, multiple times in the past to great
3 success. Uh, so I -- I -- yeah.

4 AD: Um, do you know if Officer Lewis, um -- if he worked
5 a full shift before --

6 JW: Chief Lewis?

7 AD: Or I'm -- no, I'm sorry. I mean, the -- what's the
8 officer? I'm sorry.

9 MO: Coel.

10 AD: Coel. I'm sorry. Officer Coel. Um, do you know if
11 he worked a shift prior to this before this scenario
12 or he was just coming on or if he coming in his day
13 off? Do you know?

14 JW: I believe that he was in a, um -- a training class
15 down in Fort Myers the daytime today, from 8 until
16 4:30.

17 AD: Okay.

18 JW: And then he stayed over -- he came back to the
19 station to do this.

20 AD: He came back to the station to do -- okay,
21 participate in this?

22 JW: Yeah, I don't know that he went home. I think he
23 came right from, um, Fort Myers to here to
24 participate in this.

25 AD: Okay. Does he have a take-home car or --

1 JW: Yes, sir, he does.

2 AD: Okay. Um, go ahead.

3 MO: Captain, um, would he have been authorized to use
4 any personal weapon for a scenario?

5 JW: No, sir.

6 MO: Okay. And do you know if his K-9 -- his training
7 weapon has ever been inspected?

8 JW: No, sir, I don't know that.

9 MO: Okay. Um, do you have annual or quarterly --

10 JW: We do quarterly --

11 MO: -- equipment inspections?

12 JW: -- line inspections.

13 MO: Okay. And what does that consist of?

14 JW: Um, going through vehicles, um, checking, uh, to
15 make sure, um, that, uh, equipment is in proper
16 working condition. We also do, um, an annual armory
17 inspection in which we, uh, account for all our
18 weapons. Um --

19 MO: Okay. How 'bout specifically, uh, weapons
20 inspections, you know, checking the condition of the
21 weapon --

22 JW: That --

23 MO: -- the officer's weapon? When is that done?

24 JW: When we would do that is when we do firearms
25 qualifications.

1 MO: And how often do you -- do you folks qualify?

2 JW: Annually.

3 MO: Annually. And --

4 JW: And if he wasn't qualifying with that, I don't know
5 that --

6 MO: Okay.

7 JW: -- it would've been inspected.

8 MO: How 'bout his K-9 equipment, do you -- is there a
9 record kept of when it was last inspected?

10 JW: Um, I would imagine that it would fall under the
11 quarterly --

12 MO: Okay.

13 JW: -- line inspections.

14 MO: Okay. And with that line inspection, uh, is there
15 an itemized sheet of all the equipment issued,
16 serial numbers, that type of thing?

17 JW: Yes.

18 MO: Okay. All right.

19 AD: Um, and he came -- he came -- he came to your squad
20 or under you about a month ago, you said?

21 JW: About a month ago.

22 AD: Okay. Uh, July?

23 JW: Um, I would say that's fair. Yes. Beginning of
24 July, maybe.

25 AD: Okay. Um, beforehand, before this -- the Chamber

1 Police Night, he -- he had the training in Fort
2 Myers and he comes back here to participate in this.
3 Do you know of him meeting with anybody or speaking
4 to anyone beforehand about this or, uh, you know,
5 preparing for it?

6 JW: Um, I -- he -- he had to have spoken to somebody.
7 Um, I'm guessing maybe Lieutenant Heck, um, because
8 she -- she coordinated the names and everything like
9 that. But I -- I mean, I didn't have any
10 conversations with him. I don't know who spoke to,
11 uh -- who he spoke to about it.

12 AD: Okay. And then, um -- so basically since -- from
13 the prior, I mean, one or two times that you've done
14 -- you guys have done this scenario, these play
15 scenarios with citizens, it basically is like, Okay,
16 we've done this before. Everyone kind of conjures
17 [sic], comes and meet, and then, um, you know, the -
18 - the -- the checks are done with the -- for -- for
19 the citizens, but it's kind of -- I mean, everyone -
20 - the officers, when they kind of meet together,
21 they check each other -- in the past for when -- for
22 example, at the range, um, but for this, I mean, it
23 wasn't done today. And then what about the -- the
24 other two, the ones that you've participated in,
25 have you seen it? Have you seen it where checks

1 were done with each other, with the officers where
2 they would be, uh, role players?

3 JW: I can't recall.

4 AD: Okay.

5 JW: I can't. Um, I don't know.

6 AD: Okay. Um --

7 JW: I don't know that it wasn't done tonight. Um, I
8 mean, they might've checked each other tonight and -
9 - I -- I don't know. I don't know if Shane and him
10 got together and they -- I don't know what
11 transpired.

12 AD: Okay. But K-9 -- he's the only K-9 officer, and
13 then -- so my understanding is he's given this
14 munitions gun for training purposes --

15 JW: Um, but -- but I -- I guess it's not a Simunitions
16 gun, from what I'm --

17 AD: I'm -- oh, or --

18 JW: A blanks gun.

19 AD: -- a blanks gun. I'm sorry.

20 JW: That -- yes.

21 AD: A blanks gun. I'm sorry. Sorry. Is, um, a blanks
22 gun, and he's given blanks ammunition for it -- or -
23 - for -- for, um, when he's given it --

24 JW: Training it and --

25 AD: -- for training, etc.

1 JW: Yeah.

2 AD: And then, um -- so he's in -- he's in possession of
3 this. He -- he maintains it --

4 JW: Yes, sir.

5 AD: -- kind of -- okay. It's not kept here at the
6 station?

7 JW: No, sir.

8 AD: It's not kept in the armory?

9 JW: No, sir.

10 AD: It's not kept any other place?

11 JW: He trains, um, I'm gonna say once a week with the
12 Charlotte County Sheriff's Office.

13 AD: Uh-huh.

14 JW: Um, and then there's a bunch of demos, so he
15 maintains all that stuff just because of the
16 frequency that he uses it.

17 AD: Okay. And where, um -- you said with the sheriff's
18 -- where at, their range, at the Charlotte County --

19 JW: They train --

20 AD: -- Sheriff's --

21 JW: -- all over -- all over the -- the county. I don't
22 know how often they do, um -- um, blanks or anything
23 like that. I don't --

24 AD: Okay. All right. Anything else?

25 MO: Yeah, who was his supervisor before you took -- did

1 you supervisor the -- it was just one K-9 person,
2 right, or do you have more?

3 JW: Just one K-9 person.

4 MO: Okay. And who was his prior supervisor?

5 JW: Lieutenant Katie Heck.

6 MO: And you have -- your agency has a policy on officer-
7 involved shootings, what's done afterwards?

8 JW: Yes, sir.

9 MO: What is -- what is -- and what does your policy
10 entail as far as officer-involved --

11 JW: I would honestly have to sit here and read it.

12 MO: Okay. Okay. Don't mean to put you on the spot.

13 JW: We don't -- we don't deal with a whole lot of
14 officer-involved shootings --

15 MO: No.

16 JW: -- and I'm not --

17 MO: Okay.

18 JW: -- this would be a time where I would pull it out
19 and actually read it.

20 MO: Okay.

21 AD: Did you see what, um -- just what actually happened,
22 um -- did you actually see what happened to Officer
23 Coel after, um -- after, you know, she collapsed and
24 -- did you see what he was doing?

25 AD: (Knock at door) I'll get it. Did -- did you see

1 what he was doing? Or able to get (unintelligible)?

2 JW: I believe that -- I mean, it -- it was so hectic. I

3 believe he came running -- running around the car,

4 um, to see if she was all right and asking -- I

5 think I remember him saying, [REDACTED]

6 [REDACTED] Um, I think. I -- I'm -- I can't even

7 tell you who was -- who was there. There was, um, I

8 don't know, four or five of us around her.

9 AD: Okay. Did you see, um, uh -- do you know what was

10 done with the gun after that or who did what with

11 it?

12 JW: I do recall -- I don't know --

13 AD: See or heard from -- did you see it or did you hear

14 it from somebody else or --

15 JW: No, I saw -- when I was standing, and I don't know

16 if it was -- I wanna say it's after I ran and got

17 EMS, and I was standing with the husband, that I

18 recall seeing, um --

19 MO: (Knock at door) I got it. Go ahead.

20 AD: Uh, I'm sorry. Go ahead.

21 JW: -- um --

22 AD: Keep going.

23 JW: -- Lieutenant Chris Salsman, um -- and I don't even

24 think I saw the firearms. I think I saw him put,

25 um, a casing or two casings on the -- the, uh --

1 whatever the other vehicle was to the right, um, on
2 the, um -- the trunk. But I don't think I saw the,
3 um -- the weapon itself. I remember seeing casings.
4 I remember Chris, um -- Chris with it. That's all I
5 -- I don't know where he got it from or anything
6 like that.

7 AD: Um, and another thing, this blanks gun that he's
8 issued, do you know if he's also issued a holster
9 with it or --

10 JW: Uh --

11 AD: -- anything?

12 JW: -- I -- I don't believe he is.

13 AD: Okay.

14 JW: 'Cause he would only use it for training. I don't
15 know -- I guess in -- in my thinking I don't know
16 what he would need a holster for if it was --

17 AD: So -- so my understanding is -- so he's -- he's
18 issued this gun when he's -- whoever becomes a K-9
19 officer is issued this gun, and they're issued their
20 own ammunition.

21 JW: Correct.

22 AD: And -- and that would be -- I mean, would that be
23 done here at the armory when it's issued to him or -
24 -

25 JW: The --

1 AD: -- I mean, when -- when he's given this gun and, uh
2 -- what's -- I mean, if you know -- if he's given
3 this gun along with this -- the blank ammunition,
4 would it be done here at the station or it's -- is
5 it given to him in the box and handed to him and he
6 signs for it?

7 JW: The firearm he would've. Um, as far as the blanks,
8 I'm not really in the know as far as, um -- like I
9 said, being new to it, I don't know how that was
10 handled. Um, in the month that I've been there, I
11 haven't given him any blanks ammo. Um, it could be
12 something that he would go out and purchase himself
13 and we would reimburse him. If, um -- if that were
14 the case, that hasn't happened within the last month
15 and I'm not sure what the protocols were, um, prior
16 to him coming with me.

17 AD: Okay. Uh, yeah. And before -- before him -- prior
18 to coming to you, did you -- have you ever issued
19 him anything or -- can you think of --

20 JW: Have I ever issued him anything?

21 AD: Yeah.

22 JW: I'm --

23 AD: (Unintelligible) as far as --

24 JW: -- I'm sure I have. I was in charge of the armory
25 for, um --

1 AD: Okay. So and you basically do that for all the
2 officers?

3 JW: Yes.

4 AD: Okay.

5 JW: And I do, um --

6 AD: Okay.

7 JW: -- we do quarterly ammo where we give it out to the
8 officers, and they have to sign for the quarterly
9 ammo. And I've done that for years as well. Um --

10 AD: Okay.

11 JW: -- I'm sure -- I don't -- I can't recall if he has
12 one our agency patrol rifles or not, but, um -- and
13 when he first started here -- we've changed how we
14 did quartermaster. So could I have issued him
15 things? Yes. Um, that would all be documented in
16 our --

17 AD: Okay.

18 JW: -- our quartermaster system. But I can't recall if
19 -- if I did or Captain Ciaschini did. If I'm on
20 vacation he might've. But it's all -- it would all
21 be in the computer.

22 AD: Okay. So -- yeah, so this blank gun was -- at some
23 point it was issued to him and --

24 JW: At some point. I know that I never -- didn't --
25 that was not -- I don't wanna say "never," 'cause my

1 memory isn't -- isn't, um, working all that well
2 tonight, but, um, I don't recall being involved in,
3 um, the issuance or the purchase of that at all.

4 AD: Okay. Oh, and, uh, he training earlier today in --
5 in -- in, um, Fort Myers. Uh, did he go to training
6 there with anybody? Do you know?

7 JW: He was there with, uh --

8 AD: Another officer?

9 JW: -- I believe it was Officer Kelvin Jimenez.

10 AD: Kelvin Jimenez?

11 JW: Yes.

12 AD: Do -- do you remember what kind of training it was
13 that they went to?

14 JW: It's, um, something to do with narcotics.

15 AD: Narcotics?

16 JW: Narcotics identification or, um --

17 AD: And they went to the training together?

18 JW: Yes, sir.

19 AD: Where -- where -- oh, and, uh, at the Criminal
20 Justice Academy down there?

21 JW: Yes, sir.

22 AD: Okay. All right. And then -- so he was there with
23 him, to your knowledge, down there with him and then
24 he came back and -- to participate in this, uh --

25 JW: Yes, sir.

1 AD: -- in -- okay. All right.

2 MO: Okay. About to wrap things up. Just going back to
3 the -- to the -- the shoot, don't shoot scenario,
4 just paraphrasing, there was no designated safety
5 officer, correct?

6 JW: Not that I'm aware of, sir. No.

7 MO: Everybody acted as a safety officer pretty much,
8 correct?

9 JW: Yes, sir.

10 MO: And that's what you said earlier. Um, Alberto, you
11 have anything?

12 AD: (No audible response).

13 MO: All right. Um, that's all the questions I have,
14 captain. Is there anything that you could think of
15 that I haven't asked that may be important?

16 JW: No, sir. I --

17 MO: Okay.

18 JW: -- think I told you everything.

19 MO: Okay. Has everything been the truth to the best of
20 your knowledge and belief tonight?

21 JW: Yes, sir, it has.

22 MO: Okay. That'll conclude today's, uh, interview.
23 Today's date is the 10th of, um, August 2016. The
24 time is exactly 2 a.m. Thank you, captain.

25 JW: Thank you.

(CONCLUSION OF INTERVIEW)

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Transcribed by: jak/jak

1 (INTERVIEW OF CAPTAIN JEFFREY WOODARD, # FM-01-0027,
2 08/15/16)

3 (The following may contain unintelligible or misunderstood
4 words due to the recording quality.)
5

6 GN = Special Agent Gary Naybournilly

7 PK = Special Agent Supervisor Patrick Krome

8 JW = Captain Jeffrey Woodard

9 GN: All right. This is Special Agent Gary Naybournilly
10 [phonetic], Florida Department of Law Enforcement.
11 It is August 15th, 2016, approximate time is 2:47
12 p.m. I am currently at the Punta Gorda Police
13 Department. This is, uh, an interview with Captain
14 Woodard. This is gonna be in reference to case
15 number FM-01-0027. Also present in the room is
16 Special Agent Supervisor, Patrick Krome [phonetic].
17 Uh, Captain Woodard, could you state your full name
18 and spell it?

19 JW: Jeffrey B. Woodard, W-O-O-D-A-R-D.

20 GN: Okay. And your hand's already raised. Do you
21 solemnly swear to tell the truth, the whole truth
22 and nothing but the truth, so help you God?

23 JW: Yes, sir. I do.

24 GN: Okay. Um, what is your current position here?

25 JW: I am the Operations Commander for the Police
26 Department.

1 GN: Okay. And, um, did -- uh, did you have, uh,
2 supervision over Officer Coel?

3 JW: Yes, sir. I did.

4 GN: Okay. He was one of your officers?

5 JW: Yes, sir.

6 GN: Um, during -- how long was that for?

7 JW: Um, month and a half, possibly -- maybe two months.
8 Somewhere in that range.

9 GN: Okay. Um, were you involved -- how involved were you
10 -- were -- were -- were you involved with any of his
11 training during that time?

12 JW: Um, his training during the month and a half, two
13 months? No. Um, prior to being promoted in, um, I
14 think September of last year, I was the training
15 coordinator for the department; I was a lieutenant,
16 um, in charge of that. So I am aware of, um, a lot
17 of the training that he received prior to that. But
18 as far as supervision for the last month and a half,
19 two months, um, no. Other than knowing that he goes
20 to, uh, trainings, um, I believe it's every -- every
21 Tuesday or every Wednesday with the Charlotte County
22 Sheriff's Office.

23 GN: Okay. And so, um, when he did that training, what
24 would he -- would he let you know or would this be
25 documented or --

1 JW: It is documented in the, um, K-9 training module in
2 RMS.

3 GN: Okay.

4 JW: And our policy I believe, um, mandates that he gets,
5 um, at least 16 hours of training per month. And we
6 were, um, allowing him the training. I think it was
7 weekly eight hours or a full shift every single
8 week.

9 GN: Okay. So when he went to this training and then he'd
10 come back and that would have to be documented in
11 RMS? He would?

12 JW: Yes. Yes, sir.

13 GN: Okay. And then do you have to go in there and, like,
14 approve it or review it or anything like that?

15 JW: The way it goes through I believe it goes through
16 the, um, shift supervisor.

17 GN: Uh-huh.

18 JW: It comes through as a regular report. They would
19 review it and send it through and our employee
20 development coordinator is, um, supposed to make
21 sure that he is, uh, completing the mandatory
22 monthly training hours.

23 GN: Okay.

24 JW: Which -- which like I said, I believe our SOP is 16
25 hours and -- and he was doin' it I think weekly.

1 GN: Okay.

2 JW: Every week he was training.

3 GN: So I'd go in our -- through RMS, it'd go to shift
4 supervisor who was -- who was the shift --

5 JW: Who -- whoever the shift supervisor --

6 GN: Oh, it was just a shift?

7 JW: was for that specific --

8 GN: Okay.

9 JW: -- and I believe it's a K-9 report and they would
10 approve it.

11 GN: Okay.

12 JW: They have to approve it on their -- their end.

13 GN: Okay. All right. And you said prior to that you were
14 the training lieutenant?

15 JW: Yes, sir.

16 GN: Okay. Um, were you more involved then with all the
17 training that he was doing?

18 JW: K-9 wise, no.

19 GN: It -- no?

20 JW: I've -- um, I've never been -- other than when I was
21 in that -- when I was in that role, I would go in
22 and just make sure that he was meeting his
23 mandatory, um, training hours. But outside of that,
24 I had no -- nothing to do with what training
25 consisted of, when he trained or anything like that.

1 It was more just a monitoring to make sure that he
2 was meeting our SOP requirements.

3 GN: Okay. All right. You got anything?

4 PK: Who, uh, certifies all that training? What -- what
5 organization?

6 JW: As far as -- I'm not --

7 PK: To -- to be a K-9 handler as a law enforcement
8 officer in the State of Florida, who certifies the
9 officer and the K-9?

10 JW: Um --

11 PK: The minimum certification required.

12 JW: -- I do not know.

13 PK: Okay.

14 JW: I could go back. I know that he has the -- the
15 certification and -- and -- um, I do not know. I
16 know that he's had the training. I -- but I can't --

17 PK: Okay. Um --

18 JW: We do have our other, um, Captain Jim Nichols who's
19 our reserve, uh, captain. He is, um, a USPCA judge
20 and he's always been very involved in the whole
21 training aspect of it, um, 'cause he's -- he was a
22 K-9 handler for 20-some odd years. Um, so some of
23 those questions he would -- he would know probably
24 better than I.

25 PK: Okay.

1 JW: But we do have all the training certificates should
2 you need, uh, to see those.

3 PK: Would they be in his personal file?

4 JW: They would be -- yes, they'd be in his training --
5 yes.

6 PK: Okay. Um, as far as getting -- let's -- getting back
7 to the incident, um, we've talked to you and several
8 others that evening about -- including the Chief --
9 about the scenarios that you incorporate into this
10 citizens' training, the role plays. Um, there's two
11 different role plays that you did with two different
12 citizens, correct?

13 JW: Yes, sir.

14 PK: The one involving the shoot, don't shoot, and then
15 the one involving the -- the fight. You -- one
16 involving the suspicious person with the gun.

17 JW: Uh-huh.

18 PK: The one that -- where this incident occurred. And
19 then the second one would have been with two
20 suspicious people fighting --

21 JW: Yes, sir.

22 PK: -- correct? And then, uh, obviously there was the
23 Taser gun, uh, that -- where they're allowed -- some
24 people are allowed to utilize that to see what it's
25 like --

1 JW: Yes, sir.

2 PK: -- correct? Okay. Who makes up those training
3 scenarios?

4 JW: The scenarios to the best of my recollection, they
5 came off of YouTube -- um, they were YouTube
6 scenarios that some other agency did where they, um,
7 a reporter -- I wanna say --

8 PK: Okay.

9 JW: -- Arizona possibly, I'm not sure where they --
10 that's where the idea to use those scenarios came
11 from.

12 PK: Okay. And who in this agency is the one that, uh,
13 gleaned or distilled that -- that information from
14 you to then put it into play here?

15 JW: Um, I believe it was the Chief.

16 PK: The Chief himself?

17 JW: I believe so. Yes, sir.

18 PK: Okay.

19 JW: He was -- he would have been the Captain at the
20 time.

21 PK: Okay. Got you.

22 JW: 'Cause I think we started doing these scenarios
23 about a year and a half, two years ago.

24 PK: All right.

25 JW: And I wanna say that that's where it came from.

1 PK: All right. Is there any written scripts, uh, that
2 lay out these scenarios?

3 JW: Not that I'm aware of, sir.

4 PK: Nothing in writing?

5 JW: Not that I'm aware of.

6 PK: Okay. Any protocols that are written out, the dos
7 and don'ts of what should be done and not done
8 during these trainings?

9 JW: No, sir.

10 PK: Okay. Any safety precautions written out for safety
11 -- like a safety officer bein' assigned to each
12 scenario to check various aspects? Like I understand
13 the Chief went through the -- uh, the Simunition gun
14 with Miss Nolton [phonetic], correct?

15 JW: Correct.

16 PK: Uh, any -- anybody else playin' the role of a safety
17 officer that would have, you know, checked the
18 weapon that was used by Officer, uh, Coel to make
19 sure that gun was in proper condition and with the
20 right ammo inside --

21 JW: Uh --

22 PK: -- such as blanks?

23 JW: -- no, sir. I don't know who was -- I don't think
24 there was a designated safety officer that night.

25 PK: Okay.

1 JW: Um --

2 PK: Is there anything, a written policy that mandates it
3 that it should be in place?

4 JW: No, sir.

5 PK: So there is no -- as far as you know -- violation of
6 policy at this point, doing these scenarios without
7 a safety officer?

8 JW: No, sir.

9 PK: Okay. However, nothing in writing has been
10 established or even should I say found at this point
11 as far as, uh --

12 JW: A policy --

13 PK: Yeah.

14 JW: -- stating that that was -- no, sir.

15 PK: Okay. Um, and there's absolutely no scripts to
16 these, uh, scenarios? No written scripts of how
17 things should go or maybe not go or, like, if -- if
18 the person does -- if the citizen -- if the citizen
19 acting as an a police officer does A, then the perp
20 -- the suspicious person will do B, if they do C,
21 then the -- so there's nothing --

22 JW: No, sir. There's no --

23 PK: -- no --

24 JW: That I'm aware of, there's no detailed scripts that
25 were ever composed to --

1 PK: Okay.

2 JW: -- direct the scenarios.

3 PK: So it would be considered more of an adlib
4 situation?

5 JW: Yes, sir.

6 PK: Okay.

7 GN: Were the prior scenarios pretty much carried
8 out the same way, though?

9 JW: The --

10 GN: Or like it appears in the video, there's, uh,
11 confrontation and then, uh, in Officer Coel's goes,
12 you know, to get the gun and is that -- is that
13 pretty much what he does, everything?

14 JW: Yes, sir.

15 GN: Yeah.

16 JW: And it was -- um, I -- I -- I think there was one
17 other time that we did it that we used a separate --
18 a different role player. Lee Coel wasn't the -- um,
19 the role player, but it was played out the same, in
20 the same manner.

21 PK: Was the same gun used?

22 JW: I believe so. Yes, sir.

23 PK: Okay. So let me ask you this, Captain. As far as you
24 know, was there ever any time these past scenarios
25 were safety officers were implemented and utilized?

1 JW: Um --

2 PK: Do you recall anybody that's been utilized as -- as
3 an actual safety officer to check Officer Coel's gun
4 to -- to confirm what his load is, what's loaded in
5 the gun?

6 JW: No, sir.

7 PK: Nothing in the -- no -- nobody in the past that you
8 know has played that role that we could talk to?

9 JW: Not that I'm aware of.

10 PK: Okay.

11 JW: I think -- um, I know from my perspective, um, my
12 understanding was that was a blanks pistol, just a -
13 - a starter's pistol that could not fire live
14 rounds. Um, and there -- there was just no -- in my
15 mind -- no scenario whatsoever where live rounds
16 could have been introduced into that weapon. Um, now
17 on the other side of that with the firearm that, um,
18 we provided Mary, um, I went into the armory and
19 actually had Detective Davoult with me and, um, I
20 had him check over the ammo with me. I had him hand
21 it to me individually so we could both verify that
22 it was -- um, that they weren't live rounds. Um, but
23 there's just no -- I still can't wrap my head around
24 it. There's no scenario that I could envision live
25 rounds being introduced into that weapon.

1 PK: Okay. But again, just for the record, there's -- you
2 have no history of utilizing a safety officer, uh, a
3 second person to check the -- Coel's weapon, uh,
4 before the scenario commences?

5 JW: To my recollection, no, sir.

6 PK: Okay.

7 GN: Good? Any -- anything else that you'd like to add?

8 JW: No, sir.

9 GN: Okay.

10 JW: I'm just trying to think who was involved in the
11 other role plays that might be able to -- um, I
12 can't say that they didn't happen --

13 GN: Yes.

14 JW: -- um, I just -- I don't recall ever witnessing 'em
15 or -- or doing 'em myself.

16 PK: Or hearing anybody saying that they've been the
17 safety officer?

18 JW: Correct.

19 PK: Or a -- you know, when discussing these scenarios,
20 you've never heard the term "safety officer" being
21 discussed about who's gonna play the role of the
22 safety officer, make sure things are safe?

23 JW: No, sir.

24 PK: Okay.

25 GN: All right? Okay. That'll, uh, conclude this

1 statement; approximate time is 2:58 p.m.

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(CONCLUSION OF INTERVIEW)

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45 Transcribed by: cf/cf/aef

1 (INTERVIEW OF JOE TRUFAN, #2016-0108, 12/20/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)
4

5 GN = Special Agent Gary Negrinelli

6 JT = Officer Joe Trufan

7 GN: All right. This is Special Agent Gary Negrinelli
8 with the Florida Department of Law Enforcement.
9 This is an interview with Punta Gorda Police Officer
10 Joe Trufan, uh, which is spelled T-R-U-F-A-N. This
11 is in reference to Florida Department of Law
12 Enforcement case number FM-01-0027. The date is
13 December 20th, 2016, and the time is approximately
14 1:30 p.m. The interview is taking place at the
15 Punta Gorda Police Department. Uh, Joe, do you
16 recognize that I'm a law enforcement officer within
17 the State of Florida, and by which empowered to take
18 sworn testimony?

19 JT: Yes.

20 GN: Okay. Would you please raise your right hand?

21 JT: Raised.

22 GN: Do you swear the testimony you're about to give is
23 the truth, the whole truth and nothing but the
24 truth, to the best of your recollection?

25 JT: Yes.

26 GN: Okay. You can put your hand down. Okay. Um, what
American High-Tech Transcription and Reporting, Inc.

1 is your, uh, current assignment here?

2 JT: Road patrol.

3 GN: Okay. And how long have you been assigned here?

4 JT: I've been assigned as a road patrol officer here
5 full-time since February of this, 2016.

6 GN: Okay. And did you work anywhere before as a police
7 officer?

8 JT: Did not.

9 GN: Okay. All right. And what's your primary duties?

10 JT: Uh, answering calls for service, proactivity,
11 traffic stops, uh, things like that.

12 GN: Okay. Um, since you've, uh, been employed here, uh,
13 have you, uh, worked with Officer Lee Coel?

14 JT: I have.

15 GN: Okay. Um, let's talk about a couple of the, uh,
16 demonstrations that you guys did together.

17 JT: Uh-huh.

18 GN: Um, what was the first one?

19 JT: Uh, I've done several demonstrations. The first one
20 involving -- I've done two I can recall involving,
21 uh --

22 GN: With a firearm.

23 JT: -- blank fire.

24 GN: Yeah.

25 JT: Um, the first one was at the middle school, Punta

1 Gorda Middle.

2 GN: Okay.

3 JT: And we did a -- I was in a pickup truck. I drove
4 in, made a circle, he drove in behind me. It was
5 kind of a mock pursuit.

6 GN: Let me -- let me stop you real quick.

7 JT: Uh-huh.

8 GN: Uh, is this for the middle school kids?

9 JT: Yes.

10 GN: Okay. And, um, who sets that up?

11 JT: That -- that whole event was set up by Tony Pribble.
12 He's the SRO at the middle school.

13 GN: Okay. And I'm sorry, last name again?

14 JT: Pribble, P-R-I-B-B-L-E.

15 GN: P-R-I-B-B-L-E. And he's the SRO there.

16 JT: He's the SRO there that was putting the event on.

17 GN: Uh-huh.

18 JT: I don't believe -- to the best of my knowledge, I
19 don't believe he had involvement as far as the exact
20 K-9 demo.

21 GN: Okay. He just kind of coordinated --

22 JT: He coordinated.

23 GN: -- when it would be and --

24 JT: It was a -- it was a -- it was a program, uh -- was
25 an event for a program that he holds, uh, called

1 GREAT. So it's -- it had all kinds of stuff going
2 on. They had a SWAT Team on there.

3 GN: Does that stand for something? An acronym for
4 something?

5 JT: Uh, I'm not sure what it is.

6 GN: It's called GREAT?

7 JT: GREAT, yeah.

8 GN: Okay. And this is the first one that you've
9 assisted in at that middle school?

10 JT: At the middle school, yes.

11 GN: Involving, uh, the use of firearms --

12 JT: Yes.

13 GN: -- and demonstration. And where exactly at the
14 middle school was it done?

15 JT: It was -- it was at the -- I believe it's a soccer
16 field or it's a open --

17 GN: Some type of field?

18 JT: -- grass area. Yeah, a field.

19 GN: Near the school?

20 JT: Near the school.

21 GN: Okay.

22 JT: Uh, on the Education Avenue side.

23 GN: Okay. All right. And I know this is going back
24 some time.

25 JT: Yeah.

1 GN: Can you recollect the -- the month, maybe --

2 JT: Not at all. Not at all.

3 GN: Okay. Well, when we're -- this investigation has to
4 do with a shooting here involving, uh, Officer Coel,
5 and that was, uh, in August -- beginning --

6 JT: Uh-huh.

7 GN: -- of August. How far back do you think it was --

8 JT: Um --

9 GN: -- prior to that?

10 JT: I know it was warm so it was probably not in the
11 winter months. And I started full-time in February,
12 so sometime --

13 GN: Let me ask you this: were the kids in school?

14 JT: I believe so.

15 GN: Okay.

16 JT: I'm not sure of their exact schedule but I believe
17 they were.

18 GN: Okay.

19 JT: Believe it was on a school day.

20 GN: Okay. So it probably was prior to this summer, the
21 summer break --

22 JT: Okay.

23 GN: -- for school.

24 JT: Yeah, so it would've been probably maybe May.

25 GN: Okay. All right. So -- but the children were

1 definitely --

2 JT: Yeah.

3 GN: -- obviously in school, right?

4 JT: I believe they were. Yeah, I believe it was a

5 school day.

6 GN: Yeah. Okay. All right. Go ahead. Uh, continue.

7 I'm -- I'm sorry. And then --

8 JT: What's that?

9 GN: Uh, continue with like exactly what you guys did

10 then.

11 JT: Okay. Yeah, we -- we -- I would usually decoy for a

12 dog bite.

13 GN: Okay.

14 JT: So we set up as a mock pursuit. I was in a pickup

15 truck in front of him. He was behind me in his

16 patrol vehicle.

17 GN: Okay.

18 JT: All right? He provided a -- a pistol that he used

19 for training.

20 GN: Uh-huh.

21 JT: All right? And it was --

22 GN: Can you describe the pistol to me?

23 JT: It was a hammerless .38 revolver.

24 GN: Okay. Uh, do you recall what, uh, model or make?

25 JT: Possibly Smith & Wesson.

1 GN: Possibly?

2 JT: Yeah, I'm not -- I'm not a hundred percent sure, but

3 --

4 GN: Okay.

5 JT: And it was like brushed --

6 GN: Um, chrome? Black?

7 JT: -- it was like brushed nickel finish.

8 GN: Brushed nickel?

9 JT: Yeah.

10 GN: And whose was this?

11 JT: I'm not sure whose it was. I don't know if it was

12 department-owned or if it was his personal gun. I

13 couldn't tell you.

14 GN: Okay. But Officer Coel provided it to you?

15 JT: Yes.

16 GN: Okay.

17 JT: Yes.

18 GN: To use in this demonstration?

19 JT: Yes.

20 GN: Okay. And he -- did he say, This -- this is what

21 we're gonna do, you're gonna --

22 JT: Yeah.

23 GN: -- fire blanks --

24 JT: Yeah.

25 GN: -- or --

1 JT: We're gonna fire blanks. Um, upon -- what we did was
2 we pulled into the grassy area. He had lights and
3 sirens going. Uh, pulled around where the
4 demonstration was going to be done in the grassy
5 area, made a circle. Um, I pulled perpendicular to
6 his to vehicle to line the window up with where the
7 dog would be able to come through from his vehicle,
8 that way we didn't have the dog getting anywhere
9 near anybody he wasn't supposed to be.

10 GN: Okay.

11 JT: Okay? Um, as I'm pulling around to get into that
12 position, I fired the blanks rounds into the
13 floorboard, as far as I pointed down towards the
14 floorboard, fired, I believe, five rounds. I think
15 that's what the gun holds.

16 GN: Did you kept, uh, pulling till it --

17 JT: Just fired till it's dry.

18 GN: -- till it -- dry.

19 JT: Fire --

20 GN: Yeah.

21 JT: -- fire till it's dry, and then drop the gun and
22 come up and get ready for a bite.

23 GN: Okay. Uh, did you guys, uh, rehearse this at all?

24 JT: Not with a firearm.

25 GN: So you went through kind of the driving and all

1 that?

2 JT: Went through a dry -- yeah, we went through a dry
3 run here at the station, uh, with the dog coming
4 through the window, to make sure he knew where he
5 was going.

6 GN: Uh-huh.

7 JT: And then went over there and did the --

8 GN: Okay. Now I'm sorry, you said you were in a truck?

9 JT: A pickup truck.

10 GN: But it was a department truck?

11 JT: Department pickup truck.

12 GN: Okay. All right.

13 JT: Yeah, it's our unit 100. It's an F-150.

14 GN: Um, and everything went --

15 JT: Smooth.

16 GN: -- went smooth?

17 JT: Uh-huh.

18 GN: Okay. And this was just one time? That's it?

19 That's all you did it?

20 JT: Just the one time. One time at the middle school
21 over there.

22 GN: Okay. All right. Um, and, you know, after you
23 fired the gun, obviously you didn't see any rounds
24 going into the floorboard or anything like that.

25 JT: No. Yeah. No, I didn't witness any kind of

1 projectile or anything disturbed or -- or peeled up
2 or anything like that.

3 GN: Right. Okay. And that was -- was that the first
4 time you've shot --

5 JT: First time --

6 GN: -- the gun that he provided?

7 JT: -- I used that gun. Yeah.

8 GN: Okay. Um, did you unload it or anything?

9 JT: No.

10 GN: You just gave it back to him?

11 JT: I just gave it -- I -- I actually left it in the
12 truck, and then when we were done he got it out.

13 GN: Okay. Okay. Have you ever fired blanks before?

14 JT: No.

15 GN: Was that the first time you fired blanks?

16 JT: First time I fired blanks.

17 GN: Did they seem any different than firing live rounds?

18 Let me ask you this, have you fired rounds from a
19 revolver?

20 JT: Yes.

21 GN: Okay. Department-issued? Personal?

22 JT: Um, yeah, a personal revolver I've --

23 GN: Okay.

24 JT: -- fired live rounds from.

25 GN: Okay. Did you notice a difference?

- 1 JT: Um, not -- I feel like the blanks were not as loud.
- 2 GN: Not as loud?
- 3 JT: Yeah.
- 4 GN: Okay.
- 5 JT: Just to my recollection. It's been a long time
- 6 since I've fired a revolver with live rounds, but I
- 7 feel like the blanks were not -- not quite as loud.
- 8 GN: How 'bout, uh, kick from the handgun?
- 9 JT: Uh, it was minimal.
- 10 GN: And difference?
- 11 JT: But I -- I couldn't really give you an accurate --
- 12 accurate comparison to -- to live rounds.
- 13 GN: Okay.
- 14 JT: It still kicks -- I mean, you can still feel that
- 15 it's firing but it's -- it's pretty minimal.
- 16 GN: Right. Okay. All right. Um, anything else about
- 17 that, um, demonstration that I might not have asked
- 18 you that you could add?
- 19 JT: Not that I can think of.
- 20 GN: Okay. Um, let me ask you this: uh, prior to you
- 21 assisting him with this demonstration, do you know -
- 22 - did you have knowledge of him doing demonstrations
- 23 before?
- 24 JT: I -- as far as a -- using a gun?
- 25 GN: Uh-huh.

1 JT: I know he would use a gun to train with the dog to
2 basically get the dog used to -- not used to, but
3 familiarize the dog with --

4 GN: Uh-huh.

5 JT: -- with gunshots.

6 GN: Right.

7 JT: Uh, I don't know of any other demonstration
8 specifically that he's used the firearm in front of
9 people.

10 GN: Okay. Okay. Um, all right. So that was at the
11 middle school.

12 JT: Uh-huh.

13 GN: Uh, and there was another time?

14 JT: We did another one at, uh, Sheraton Four Points,
15 back by the tiki bar, for yappy hour.

16 GN: Oh, the Four Points Hotel?

17 JT: Yeah, right -- right next to the bridge there.

18 GN: At the tiki bar?

19 JT: Yeah.

20 GN: Yeah.

21 JT: There's a tiki bar out back and a big open grassy
22 area. And we did a very similar, um -- very similar
23 demonstration except this one was a mock shooting
24 back and forth.

25 GN: Now was that one after the middle school one or

1 before?

2 JT: I believe it was. It was still -- I know it was
3 still hot out, too. 'Cause --

4 GN: Okay.

5 JT: -- that was -- that was -- that was a hot event.

6 GN: Okay.

7 JT: Um, that one was probably documented in the
8 newspaper, too, so if you wanted the exact day. I
9 would imagine they --

10 GN: Excuse me. Okay.

11 JT: 'Cause they usually have press there for those.

12 GN: Okay. And --

13 JT: It's an annual even too so it would've been --

14 GN: And who was, uh, in charge of coordinating that?

15 JT: Uh, it's put on by the Animal Welfare League. I'm
16 not sure of who their main, uh, coordinator is.

17 GN: Uh-huh. Um, and this person from the Welfare --
18 Animal Welfare League contacts the chief or Lee or -

19 -

20 JT: Uh, Lee -- Lee was involved in a lot of PR type
21 demonstrations. So I'm not sure whether he reached
22 out and tried to -- and -- to do the demo for that,
23 or whether he was assigned to it. I couldn't tell
24 you.

25 GN: Okay. All right. And who was this demonstration

1 put on for?

2 JT: Um, all the attendees for the yappy hour event. So
3 it was -- there were people standing around the
4 outside all the way around. This was the second
5 time we've done a demo for -- it was a second annual
6 event, and we did one for the first time also.

7 GN: Okay.

8 JT: But it didn't involve any firearm.

9 GN: And what's the yappy hour? What is that?

10 JT: Yappy hour is an event there at the tiki bar where
11 everybody just kind of brings their dogs out and
12 it's like a cocktails and -- and dog
13 (unintelligible).

14 GN: So basically any of the, uh, citizens here --

15 JT: Yeah, anybody can come out to it. Um, and then
16 they'll have like some of the rescues and stuff will
17 set up little kiosks for -- for their causes. And,
18 uh, they have a little agility course set up. It's
19 -- this was just a dog-oriented event where
20 everybody kind of comes together and --

21 GN: Okay.

22 JT: -- lets their dogs go around.

23 GN: All right. Uh, as far as your department then, who
24 was in charge of, uh, the demonstration that day?

25 JT: I'm not sure.

1 GN: Who -- who ran it?

2 JT: Well, Lee was running the demonstration.

3 GN: Lee was running it?

4 JT: Yeah.

5 GN: Okay.

6 JT: Yeah, there wasn't --

7 GN: Was --

8 JT: -- um, there wasn't anybody else from our department

9 designated to run it as far as, You're gonna do

10 this, you're gonna do this, you're gonna do this.

11 GN: Uh-huh.

12 JT: Um, I remember Katie Heck was there with her kids

13 just in plain clothes, just to enjoy --

14 GN: Uh-huh.

15 JT: -- the event.

16 GN: Uh-huh.

17 JT: Um, but she had no involvement as far as

18 coordinating anything or, you know, telling us what

19 the demonstration was gonna entail.

20 GN: Was there any other administrative staff there on

21 duty?

22 JT: Not that I know of.

23 GN: Okay.

24 JT: There could've been, but nobody that I ran into.

25 GN: Okay.

1 JT: I might run into Katie (Unintelligible).

2 GN: All right. Uh, and now did this -- uh, this one,
3 did you practice this one prior to actually doing
4 the demonstration?

5 JT: It was the same kind of deal. No, uh -- no firearms
6 as far as the practice goes, but --

7 GN: Just kind of ran through it?

8 JT: -- a dry run here in the parking lot to -- dog jumps
9 through the window and goes for a bite.

10 GN: Okay. All right. So what happens in this
11 demonstration?

12 JT: Uh, this one actually Lee was on duty during the
13 demonstration. Um, and he had a ride-along that was
14 in the FTO Program. In our FTO Program, you have to
15 do eight hours ride with the K-9 Unit, familiarize
16 yourself with it. So he had Juan Gonzalez with him,
17 uh --

18 GN: Okay.

19 JT: -- as part of his K-9 ride.

20 GN: Is -- is Juan an officer here now?

21 JT: He is.

22 GN: Okay. All right.

23 JT: And, uh, what -- what Lee had set up was a mock
24 shootout between -- it was gonna be between Juan and
25 myself. So Lee asked me to bring -- I have a .38

1 revolver as well, so Lee asked me to bring it. And,
2 um, I did. And Lee loaded -- what we were gonna do
3 was, um, pull in, same kind of deal as the middle
4 school, except he had a passenger rider, and he got
5 out and we kind of did the -- a shooting thing back
6 and forth, just shoot till dry kind of thing.

7 GN: Gotcha.

8 JT: But, you know, guns were pointed down.

9 GN: So you were playing the bad guy.

10 JT: I was playing the bad guy. Juan was --

11 GN: Juan was playing another cop.

12 JT: -- playing the backup, uh, partner officer. Uh,
13 then it was a mock shootout type deal there.

14 GN: Uh-huh.

15 JT: And then he deployed the dog.

16 GN: Okay.

17 JT: So -- but again, on that one, I didn't bring any of
18 my own rounds. I didn't load the gun. I didn't
19 unload the gun.

20 GN: You just gave it to --

21 JT: Yeah.

22 GN: -- Lee?

23 JT: I gave it to Lee at the back of his Tahoe.

24 GN: He loaded it up and gave it back to you.

25 JT: He did -- he did the same with both guns at the same

1 time as far as I can remember, and, uh, gave it
2 right back to me, and I put it down in between the
3 seats, and then when we pulled around, Juan and I --
4 Juan got out of the Tahoe between the, uh, A pillar
5 and the doorjamb --

6 GN: Uh-huh.

7 JT: -- and -- or the doorframe, and then, you know,
8 canted down, started firing. I started firing back
9 again in the -- in the floorboard type deal. I
10 think this one I was probably up more towards the,
11 uh -- the door.

12 GN: Uh-huh.

13 JT: I -- I -- I --

14 GN: But you just fired inside the vehicle again?

15 JT: Yeah, all inside the vehicle.

16 GN: Okay.

17 JT: Uh, just canted down. And --

18 GN: And Juan, was he pointing the gun at you or pointing
19 down, like you said, canting down?

20 JT: No, he -- he would've -- I don't remember exactly,
21 but I can't imagine him pointing a gun at me, and I
22 don't remember exactly whether he was pointing it
23 down or to his side or exactly what was going on.

24 But --

25 GN: Okay.

1 JT: Uh, again on that one I never noticed any damage to
2 anything, projectile, anything disturbed or anything
3 like that.

4 GN: Okay. And what were you, uh, riding in that day?

5 JT: Same truck.

6 GN: Same truck.

7 JT: Same truck.

8 GN: Okay. All right. And, uh, unloaded it? Unloaded,
9 uh, fire till you -- it was --

10 JT: Yeah, fire till it was dry --

11 GN: Dry. Yeah.

12 JT: -- type deal. I -- I believe there was five rounds.

13 GN: Okay. And I'm sorry, did you unload it or did you
14 just give it back to him?

15 JT: I did not unload it.

16 GN: You just gave it back to Lee?

17 JT: Uh, yeah, I gave it back to Lee. He -- he unloaded
18 it in his car.

19 GN: Okay.

20 JT: Or at the back of his Tahoe again and --

21 GN: Okay. And when he loaded those guns, did you see
22 him load 'em?

23 JT: I didn't watch him. I was standing there when he
24 was loading it but I didn't --

25 GN: Uh-huh.

1 JT: -- pay any attention to him.

2 GN: So you never saw the ammo --

3 JT: Um --

4 GN: -- that he used?

5 JT: -- I may -- I didn't look right at exactly what he
6 was loading --

7 GN: Uh-huh.

8 JT: -- but, um, I would've -- I would've glanced at the
9 ammunition as far as, you know, peripheral vision
10 kind of deal. So --

11 GN: But could you --

12 JT: -- I would've saw brass, but --

13 GN: -- can you recall --

14 JT: Whether it --

15 GN: -- what kind of ammo it was?

16 JT: What kind it was, brand or anything.

17 GN: Color or --

18 JT: No.

19 GN: Okay.

20 JT: I mean, I -- I can tell you it was brass.

21 GN: It was brass?

22 JT: Yeah.

23 GN: You're positive on that?

24 JT: Yeah, I'm positive it was brass.

25 GN: Okay.

1 JT: Because I know with my gun you can kind of see the -
2 -- the back of the casing a little bit.

3 GN: Uh-huh.

4 JT: So I would've -- I would've --

5 GN: So you're sure it was brass and --

6 JT: -- I would've noticed -- I would've noticed if it
7 wasn't brass.

8 GN: Okay. Um, and, uh, was Juan standing around when he
9 was loading it?

10 JT: Juan was standing right there, too. Yeah.

11 GN: Okay. All right. Um, is there any lesson plans or
12 any kind of, um, a go-by with --

13 JT: No --

14 GN: -- these scenarios?

15 JT: -- it was kind of a -- kind of a, uh -- he would put
16 it together roughly. Right before we did it, we'd
17 do a little briefing type deal like --

18 GN: Uh-huh.

19 JT: -- this is how it's gonna go and --

20 GN: Uh-huh.

21 JT: -- we'd just go do it.

22 GN: Okay.

23 JT: There wasn't --

24 GN: There was never like --

25 JT: -- there wasn't a lot of structure to it. No

1 operational plan.

2 GN: -- never like an operational plan, nothing like

3 that? Okay. All right. And, uh, is this -- was

4 that the last time that you, uh --

5 JT: Yeah.

6 GN: -- assisted him with the scenario and --

7 JT: Yeah, that's the last time --

8 GN: -- and live --

9 JT: -- we did anything with live fire --

10 GN: Okay.

11 JT: -- scenario.

12 GN: Okay.

13 JT: Not live fire but --

14 GN: But -- right.

15 JT: -- like blank fire.

16 GN: With the blanks. Um, and was it the same effect as,

17 uh, last --

18 JT: Yeah.

19 GN: -- time?

20 JT: Uh, as far as I can remember it was the exact same

21 stuff, you know, same -- same sound level --

22 GN: Uh-huh.

23 JT: -- you know, decimal level, same kick and stuff like

24 that.

25 GN: Gotcha. Okay.

1 JT: I didn't notice any difference.

2 GN: Okay. Um, anything else that you can add that I
3 might not have asked you?

4 JT: Not really. I didn't -- the -- I believe Juan was
5 using the same gun that I used the first time on
6 that shootout deal.

7 GN: Okay.

8 JT: But I couldn't tell you 100 percent that is the
9 exact same weapon.

10 GN: Uh-huh.

11 JT: But it looked like the same brushed nickel kind of
12 (unintelligible).

13 GN: And you used -- you used your gun for the second
14 one?

15 JT: My own personal one for the second one. Yeah.

16 GN: And what is your gun exactly?

17 JT: Mine is a Ruger SP101. It's a snub-nose .38
18 revolver.

19 GN: Okay. Takes .38 ammo?

20 JT: Yeah.

21 GN: Yeah.

22 JT: Only .38. It's --

23 GN: Right.

24 JT: -- not capable of .357.

25 GN: Right. Okay. All right. Again, anything that you

1 can add that I might not have asked you?

2 JT: Nothing that I can think of. Um, yeah, nothing I
3 know of. I've never -- I've never spoke with Lee as
4 far as what type of ammunition -- I'm trying to
5 think of anything that might be helpful -- helpful
6 to the investigation.

7 GN: Uh-huh. Uh-huh.

8 JT: But --

9 GN: Right.

10 JT: -- I never talked about brand or anything --

11 GN: He never said like what brand it was --

12 JT: -- and --

13 GN: -- or anything like that?

14 JT: And I -- I would've been completely shocked to know
15 that he was carrying any type of live ammo for --
16 for that gun, too. 'Cause to my knowledge he was
17 only using it for training stuff.

18 GN: Right. Right.

19 JT: So --

20 GN: Okay. Like we said, we think both of these
21 incidents -- well, at least, uh, the first one at
22 the middle school probably prior to, uh, summer
23 break, 'cause school was in. Um, and then the
24 second one. How 'bout how much time do you think
25 was between the first one and the second one?

1 JT: First and the second one? Maybe a couple weeks.
2 GN: Couple weeks?
3 JT: A few weeks or something.
4 GN: Okay.
5 JT: Uh, they were -- I feel like they were pretty close
6 together.
7 GN: Uh-huh.
8 JT: Um, I'm trying to think of any -- I mean, Tony
9 would've known exact date for that.
10 GN: Uh-huh. Okay.
11 JT: 'Cause that was for his whole GREAT thing. I think
12 it's like a gang resistance something.
13 GN: All right.
14 JT: Um --
15 GN: Is, uh -- is, um, Tony -- he'd be working at the
16 school today?
17 JT: He may've -- I heard him on the radio earlier on the
18 other side of the bridge so --
19 GN: Okay.
20 JT: -- probably not.
21 GN: Okay. That's it?
22 JT: That's all I can think of.
23 GN: All right. Okay. That'll end the, uh, interview.
24 The approximate time is 1:49 p.m.

25 (CONCLUSION OF INTERVIEW)

1 Transcribed by: jak/jak/jck

1 (INTERVIEW OF JOHN KENNEDY, 2016-0108, 08/10/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 AD = Special Agent Alvaro Diaz

6 JK = Officer John Kennedy

7 AD: Today's date is August 10th, 2016. The time now is
8 approximately 12:09 a.m. Uh, this is, uh, Special
9 Agent Alvaro Diaz with the Florida Department of Law
10 Enforcement, um, and I am at -- inside the shift
11 commander's office at the Punta Gorda police
12 department, located at, uh, 1410 Tamiami Trail in
13 Punta Gorda, UM, and this is an investigation that
14 began yesterday on August 9th, 2016. And I will be
15 conducting an interview with Officer John Robert
16 Kennedy, um, of the Punta Gorda police department.
17 No one else is present in this room and, uh, this is
18 for Officer, um, Kennedy. For the record, I would
19 like to clarify that this is a voluntary statement
20 given by you as part of the criminal investigation
21 into this incident and that you are not being
22 compelled in any way to provide this statement. At
23 any time you are free to terminate these proceedings
24 and leave. Do you understand?

25 JK: Yes.

26 AD: Okay. You are not the subject of this

1 investigation, uh, and do you understand that this
2 is a voluntary statement? It is being taken as part
3 of the investigation and that this is not an -- an
4 internal affairs administrative statement?

5 JK: Yes.

6 AD: Okay. Um, and for purposes of this office for you.
7 And if you would please raise your right hand? Do
8 you swear the testimony you're about to provide is
9 the truth, the whole truth, and nothing but the
10 truth, so help you God?

11 JK: I do.

12 AD: Okay. And would you please, uh, just state your
13 full name?

14 JK: John Robert Kennedy.

15 AD: Okay. If -- if you could spell it out for me
16 please?

17 JK: J-O-H-N R-O-B-E-R-T K-E-N-N-E-D-Y.

18 AD: Thank you, sir. And, uh, what is your date of
19 birth?

20 JK: 10/8/1972.

21 AD: And, uh, where are you currently employed and for
22 how long?

23 JK: Punta Gorda police department for 14 years.

24 AD: Okay. And if -- okay. Thank you, sir. And if you
25 could just tell me, uh, about the incident today,

1 uh, and the -- what were your -- performing of your
2 duties related to your job as a sworn officer today?

3 Or what --

4 JK: I worked a normal shift today and was asked to stay
5 over for the, uh, Citizen Academy, uh, being the
6 marine officer, uh, for the static display. The
7 boat's still in position that I left it --

8 AD: Okay.

9 JK: -- uh, with my truck.

10 AD: Okay.

11 JK: Uh, they normally bring them out. I give them a 5-
12 to 10-minute spiel about what I do.

13 AD: Uh-huh.

14 JK: Uh, during, um, that time there is also a bicycle
15 set up and a road patrol vehicle set up across from
16 mine. The weather started moving in and getting
17 dark. Um, they allowed approximately 40 individuals
18 to just mingle amongst us, which was different than
19 past occurrences, and the, um -- I don't remember if
20 it was the chief or the, uh -- Captain Woodard said
21 that, "Let's wrap it up because if we wanna get
22 everything done because of the weather let's get
23 moving." Um, I know a lot of the people and the
24 individual that was involved. She was not over with
25 the group. Her husband was. Um, I did speak to

1 him. I came inside here, meaning the squad room, to
2 fill out my, uh, payroll for the week. It's due on
3 today's date, being the 10th. Um, Lieutenant Lipker
4 was in the room at the time, at which time, um, I
5 heard three large, um, gunshots that was very
6 distinctive that did not sound like the typical
7 Simunition rounds that we use. Uh, last month I did
8 play as the role play that, uh, the individual was,
9 uh, involved with. Lieutenant Lipker, I'm not sure
10 exactly what his comment was, but I think he also
11 said, "Yeah, that doesn't sound like a typical." and
12 he ran out the door. I paused because we're taught
13 never to leave the computer on because people will
14 log on to your stuff, and when I came out citizens -
15 - the Citizen Academy individuals were being asked
16 to step back. I saw one person down on the ground,
17 and it appeared that Chief Lewis and I couldn't tell
18 who else was working C.P.R. Um, I did not approach
19 all the way. I went to the end of the sidewalk.
20 There Brendan Angelini, or Officer Angelini, had a
21 roll of evidence tape and, um, fire personnel was
22 running over at that point. E.M.S. pulled up
23 shortly after. They were loading her up and, uh,
24 Lieutenant Lipker told me to follow her and keep her
25 within, um -- the ambulance and her once we got to

1 the hospital within, uh, visual range until I was
2 relieved, uh, at all times. I did. Um, the entire
3 way down, no trouble. Uh, the E.R. doctors asked
4 what happened. Uh, at that point I said, "I don't
5 know. I didn't witness it." Uh, they asked where
6 it happened. I said, "At the police department."
7 They said, "She was shot at the police department?"
8 thinking it was a sniper or something like that. I
9 told them, "I don't know." They -- they were
10 actually quite aggressive towards me 'cause there
11 was three trauma doctors in there working her at the
12 time. Um, I said, "All I know is they were supposed
13 to be using Simunition rounds." and they made their
14 own assumptions. I called back, uh, to get her
15 information because she had so much on her I
16 couldn't tell that it was, uh, Mary at the time.

17 AD: What -- what's her full name? Mary --

18 JK: Uh, Mary Knowlton.

19 AD: Okay.

20 JK: Um, as I said before, I've -- I've met and -- and
21 spoke to -- to them, um, which I know most of the
22 people from being that it's a waterfront community.
23 Uh, the doctor called. Um, the time was 7:25, I
24 believe -- called it.

25 AD: Do you remember what the doctor's name was, or do

1 you have that name?

2 JK: Yes, uh, Ingram [phonetic], Doctor Jim Ingram, I
3 believe, was the one that officially called it. Um,
4 I did write it all down. Uh, Corporal Pribble, uh,
5 called me and said that they were 15 minutes out. I
6 did not advise him what took place at that time, um,
7 only to, uh, take her husband to her room. He came
8 in. Um, I spoke to Lieutenant Lipker. He said turn
9 my information over to, uh, Corporal Pribble and was
10 relieved and told to return here.

11 AD: Okay.

12 JK: Um, once I came back here, shortly after I was told
13 to relieve, uh, Lieutenant Reynolds and take down
14 names of, uh, F.D. -- F.D.L.E. or anyone coming
15 through the tape.

16 AD: Okay. At -- of the -- of the scene?

17 JK: Of the scene. Yes, correct.

18 AD: Okay. All right.

19 JK: Coming in the parking lot.

20 AD: Okay. Um, so you were in here and you heard -- when
21 you heard shots inside of this -- the building?

22 JK: Yes, three distinctive shots.

23 AD: Okay. And then, um -- so this -- the lieutenant
24 sprints out and you -- you shut down the computer --

25 JK: Uh-huh.

1 AD: -- and you go out and then you see you said the
2 chief by --

3 JK: It looked like the chief working C.P.R.

4 AD: Okay.

5 JK: Uh, at least it appeared to be.

6 AD: Yeah.

7 JK: Uh, and another person, uh, crouched over --

8 AD: Okay.

9 JK: -- her. Um, the door panel, which would've been the
10 passenger door, I didn't notice it for a couple
11 minutes, but it had a hole in it that did not appear
12 to be there before. Uh --

13 AD: Of -- of the what, a police cruiser?

14 JK: Yeah, the unmarked.

15 AD: Okay.

16 JK: Um, and I asked, "What the hell was that?" And I
17 think Brandon said, "That looks like a gunshot."
18 Brandon Angelini, he told me. He was shook up
19 pretty bad. Um, John Wright, who was in here just
20 before me, 'cause I helped get the people back. I
21 forgot that. I helped ask people back. They all
22 thought she was just having a heart attack.

23 AD: Okay.

24 JK: Um, and I said, "I don't know, but I'll check." Uh,
25 got them back, and Brandon said, "I thought she was

1 having a heart attack and then I saw blood." So,
2 uh, when I -- also, when I was at the hospital -- I
3 worked a similar case over 10 years ago where we
4 needed to retrieve the rounds. I was calling back
5 to find out if we needed to do that, if, you know,
6 we needed to do that, and the doctors had told me
7 there was, uh, two, one in the arm and one in the
8 stomach.

9 AD: Do you know which arm?

10 JK: Uh, no, I don't, because they -- at the time they
11 said don't worry about retrieving that because, uh,
12 once they called it she'll go to the M.E.

13 AD: Was it Doctor Ingram or --

14 JK: I couldn't tell you. There -- there was three of
15 them.

16 AD: There were three doctors?

17 JK: Yeah.

18 AD: Okay. All right. And then the -- that corporal
19 came and then he -- he ended up relieving you?

20 JK: Yes.

21 AD: Okay. All right. Um, where -- did you see anything
22 else when you ran out there from here? Did you hear
23 anything?

24 JK: Trying to remember.

25 AD: Did you hear anything being said, anything that

1 stood out that was being said at the scene?

2 JK: Just the typical, "I don't know what happened."

3 AD: Who was saying that?

4 JK: I think everybody, everyone from the civilians to
5 the, uh, onlooker officers, uh, being, um, the other
6 role player, Shane Chodakowsky, uh who was standing
7 over towards us, being -- that was Brandon Angelini.
8 Calvin Jimenez was standing there, 'cause I walked
9 up, like everyone else I said, "What the hell
10 happened?" Um, and they said, "I don't know." It
11 went like -- we all did it. As I said before, we
12 had a script. I did the same script last Citizens'
13 Academy.

14 AD: Uh-huh.

15 JK: If you're given an opportunity, you know, because we
16 would hide a revolver or, you know, or -- or a
17 weapon with Sim rounds, then it's to give them the
18 realistic what could happen in a situation or it's a
19 scenario where you legitimately lock your keys in
20 the car and you're upset, trying to get in there,
21 and to see how they react to you.

22 AD: How does -- how does that -- can you, uh -- when
23 that's done, the -- this role playing, you've done
24 in the past, how is that done procedure-wise, uh,
25 with the Simunitions weapons? What is done? Who

1 handles it --

2 JK: Well --

3 AD: --on the day of the scene?

4 JK: I can only speak for the time that I did it --

5 AD: Yeah.

6 JK: -- um, because I've only done it once.

7 AD: Okay.

8 JK: Um, I was asked to do it the -- the last time, and I
9 was -- I walked into the, uh, armory, um, with
10 Lieutenant Salsman that day. I was handed a, um --
11 the revolver, and I was told to inspect it. We had
12 the chalk rounds, made sure that they were blue for
13 -- to -- identification, and then he said they would
14 be having white. Oh, excuse me; I think I'm getting
15 that backwards. They would have blue. I would have
16 white. Um, and he made sure that I had neck
17 protection and a helmet, you know, for our
18 scenarios. Because I wear glasses it's hard to keep
19 them on and see. And he made me check them each
20 time, and then he handed me the box. And then we
21 looked at them. Now, they were older. And he --
22 you know, we always knew one of them may or may not
23 fire. That's how they were set up. They -- they
24 get crimped. And then we take them out. Now, if --
25 if they are prepared, I think there's three people

1 set up to do it or picked to do the scenario with
2 the individual car -- what he was set up to do by
3 himself, and I was that individual. And then the
4 next set after that would be two of us, brothers,
5 fighting. You respond as an individual officer and
6 two big old boys are fighting with each other,
7 pushing and shoving, and see how they react. Now,
8 each time, once that weapon touches your hand or my
9 hand, nobody else touched that weapon. So, I don't
10 -- I haven't -- the whole way down, running lights
11 and sirens, and the whole way back I -- trying to
12 figure out what happened.

13 AD: Okay.

14 JK: I, you know -- I think we're all in a little bit of
15 a shock here.

16 AD: Yeah.

17 JK: 'Cause at this department we've always been very
18 safety conscientious. I mean it's just unheard of,
19 something like this happening.

20 AD: Did you, um -- the other -- other involved officer,
21 did you know -- find out about it beforehand or
22 afterward who it was, the involved officer?

23 JK: Oh, uh, who was doing the role playing?

24 AD: Yeah.

25 JK: Oh, I knew who was doing the role playing. I didn't

1 know if -- well, I didn't know if he was the one
2 that shot or if he was the one that got shot.

3 AD: Well, who was doing the role playing?

4 JK: You know?

5 AD: Yeah, yeah.

6 JK: Yeah, I knew who was doing the role playing.

7 AD: Yeah. Who is that?

8 JK: Yeah.

9 AD: Who's that, the role player?

10 JK: Uh, Lee Coel.

11 AD: Okay.

12 JK: Yeah, I mean -- yeah, I mean, that -- that was --
13 they had asked before, like a couple weeks ago, if I
14 wanted to do it again with Shane, and -- or no, I
15 was gonna do it with Lee instead of Shane, but I --
16 I'm going on vacation, and the last time I did it
17 with Shane we both walked away bruised, you know,
18 'cause we're pushing and shoving and, you know.
19 It's fun but, um, my wife was a little upset that I
20 couldn't move for like three days. I'm -- I'm
21 getting up there. You know? I'm -- hey, we -- we
22 don't wanna admit it but that's the way it is. You
23 know? You know?

24 AD: So, is there anything else, um, in relation to this
25 that you saw or heard or -- or what -- I mean, uh,

1 anything that you over or that was said, uh,
2 anything that I did not cover or ask that would be
3 pertinent to -- just anything that would help this
4 incident?

5 JK: No, I don't think so. I, uh -- I -- I've -- as I
6 said before, I think it's -- you know, we're very
7 safety conscientious. I don't, uh -- I'm still in
8 shock myself with trying to figure out how this
9 could have possibly happened. You know? It just
10 doesn't make any sense.

11 AD: All right.

12 JK: You know?

13 AD: And then so -- okay. So then, after that, uh --
14 just going back to it real quick. So you said you
15 go out there and you -- you know, the chief is
16 helping her?

17 JK: Uh-huh.

18 AD: Then you're told to, um, follow --

19 JK: or E.M.S. pulls up --

20 AD: Yeah.

21 JK: -- they pull out the stretcher. Everybody's pretty
22 much -- well, by that point they, uh started one
23 line of tape -- or, no, they told Brandon to get
24 ready, or Calvin, one of the two, to get ready with
25 the tape as soon as E.M.S. pulls out. They called

1 for a chopper and -- and the chopper couldn't come.
2 I remember that.

3 AD: Okay.

4 JK: So, I do remember that --

5 AD: Okay.

6 JK: -- because of the weather.

7 AD: Okay.

8 JK: And that came across and I was like, "What the
9 hell?" And, uh, they got her on the stretcher and
10 they loaded her up quick. And then, um, as soon as
11 those doors closed, I mean those guys were on it.
12 They -- they were turned around, and David, or
13 Lieutenant Lipker, was like, "John, you know, um,
14 you all right?" I'm, "Yeah." He goes, "Follow
15 them." "Okay." You know? I mean the truck brakes
16 may need to be looked at, but, yeah. Yeah, I was
17 just.

18 AD: All right. And so you followed them to the
19 hospital?

20 JK: Yeah. I mean --

21 AD: And then, uh, just -- and then they were there and
22 then what? They worked on it and then what?

23 JK: Yeah, um --

24 AD: Then the doctors, uh --

25 JK: Oh --

1 AD: Any -- anything else there at the hospital?

2 JK: Well, now that we keep talking about it, it -- it

3 brings back. The doctors or the E.M.S. person said

4 that they lost her and got her back three times

5 during transport.

6 AD: Okay.

7 JK: I remember them saying that.

8 AD: Okay. The -- the E.M.S. said that to the doctors?

9 You heard them saying that to the -- or just

10 somebody --

11 JK: Some of the guys --

12 AD: -- somebody saying that? All right.

13 JK: -- or somebody said that.

14 AD: Okay.

15 JK: I -- I couldn't tell you who.

16 AD: They lost her but -- and brought her back three

17 times.

18 JK: Yeah, but they -- they got her back.

19 AD: Okay. All right.

20 JK: Yeah, but they got her back.

21 AD: All right. And then that, uh -- and then Doctor Jim

22 Ingram --

23 JK: Yeah.

24 AD: -- he called it? All right. So it's

25 (unintelligible), and there were three doctors.

1 Okay.

2 JK: Yeah.

3 AD: Do you know the other two doctors' names?

4 JK: Uh, one is, um -- oh God. I wrote them down. I

5 gave them to Pribble.

6 AD: Okay.

7 JK: Pribble has them. I don't know if he --

8 AD: Corporal Pribble. What was --

9 JK: Yeah, uh, Anthony Pribble or Tony Pribble.

10 AD: How do you spell that last name?

11 JK: Uh, P-R-I-B-B-L-E.

12 AD: Okay.

13 JK: They -- they let him go home 'cause he has to be in

14 school first thing in the morning.

15 AD: So he's got the notes?

16 JK: Yeah.

17 AD: Okay.

18 JK: Uh, he should --

19 AD: Of the doctors, of everything?

20 JK: Yeah, the --

21 AD: Okay.

22 JK: I -- all the E.M.S. and the, uh -- and the F.D. that

23 were in the ambulance that worked him.

24 AD: Okay.

25 JK: The time that they called it, which is confirmed --

1 AD: Okay.

2 JK: -- and all three of the trauma doctors, their names

3 --

4 AD: All their names and everything? Okay.

5 JK: Um, yeah.

6 AD: All right.

7 JK: Yeah.

8 AD: Um --

9 JK: But I -- I did make sure I remembered the, uh,

10 Ingram.

11 AD: Okay. And then you came back here and helped secure

12 the scene --

13 JK: Yeah.

14 AD: -- or helped out with the scene?

15 JK: Right.

16 AD: Okay. All right. Um --

17 JK: Right. Got nice and wet. You know? My wife sat

18 there and said, "Yeah, you're on live T.V." I said,

19 "What? Oh."

20 AD: All right. So, is -- is there anything else that,

21 um, I didn't ask or comes to mind or --

22 JK: No, I'm -- I'm 100 percent sure now I've -- I've got

23 it all out.

24 AD: Okay. All right. Um, well, thank you for your

25 time. All right. This concludes the interview.

1 The time now is approximately 12:29 a.m.

2 (CONCLUSION OF INTERVIEW)

3

4

5 Transcribed by: hmc/hmc/jck

1 (INTERVIEW OF JUAN GONZALEZ, 2016-0108, 08/10/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4
5 JO = Special Agent Jennifer O'Connell

6 JG = Juan Gonzalez

7 JO: It is approximately 10 -- 1:04 a.m. on August 10th,
8 2016. Myself, Special Agent Jennifer O'Connell,
9 with the Florida Department of Law Enforcement is
10 here with Juan Gonzalez. If you could, please state
11 and spell your name for the record.

12 JG: Juan Gonzalez, J-U-A-N G-O-N-Z-A-L-E-Z.

13 JO: And where are you currently employed?

14 JG: Punta Gorda Police department.

15 JO: If you could, uh, please raise your right hand. Do
16 you solemnly swear to tell the whole truth and
17 nothing but the truth, so help you God?

18 JG: I swear.

19 JO: Okay. And just for the record, you're here on your
20 own accord, correct?

21 JG: Yes, ma'am.

22 JO: You're free to leave any time and you're not the
23 subject of this investigation.

24 JG: I understand this, ma'am.

25 JO: How long have you been employed with the police
26 department?

1 JG: Um, almost five months and a few weeks.

2 JO: Do you have any prior law enforcement experience?

3 JG: I do.

4 JO: How many years total?

5 JG: Um, three and a half years with the Sumter
6 [phonetic] sheriff's office.

7 JO: And what is your current position now?

8 JG: I'm just a patrolman, patrol officer.

9 JO: What time did you begin your shift this evening?

10 JG: Five -- I came on at 5:00 p.m.

11 JO: 5:00 p.m.? And that was, uh, technically the 9th,
12 correct?

13 JG: Yes, ma'am.

14 JO: When you came on shift how did your shift start?

15 JG: Uh, I came out. Um, we were kind of busy. I didn't
16 take any calls. I was waiting for a call to come in
17 so I could take it so day -- or, dayshift could get
18 home, but I didn't end up getting any calls.

19 Probably around 5:40-something, 5:50 I came here to
20 the P.D. for roll call 'cause we have roll call
21 right at 6:00 when Lieutenant and, uh, Corporal
22 Zeeland [phonetic], uh, came in for roll call, um,
23 and then we were in the, uh -- our roll call room
24 around 6:00. And at that time there was actually
25 the, uh, Citizens' Academy was going on so a lot of

1 people was coming through getting showed, uh, you
2 know, a tour of the police department while we were
3 having roll call.

4 JO: Okay. At what point did you join the Citizens'
5 Academy?

6 JG: Um, I -- we went on outside and we were actually
7 still in roll call, talking, going over everything
8 that happened and, um, just -- we talk about a bunch
9 of different stuff in roll call. And then I had
10 said I, um, I had never saw a Citizens' Academy
11 because I'm new here.

12 JO: Yeah.

13 JG: Um, and I -- I knew that, uh -- that they do
14 scenario-based, um, training and stuff with
15 civilians, so I said, "Hey, I'd like to see it."
16 And one officer, it might've been maybe -- I can't
17 remember which one. Someone said, "Well, they're
18 outside. They're about to do the, uh -- the
19 scenario. So, it was myself, uh, Lieutenant Lipker,
20 and Corporal Grim, we went outside. And then
21 already outside was whose on my squad, um, Officer
22 Chodakowsky and then, uh, Officer Angelini.

23 JO: And what did you observe?

24 JG: Um, I walked over and I was standing with Angelini,
25 Chodakowsky -- it was me, Angelini, Chodakowsky, and

1 then actually Gloria, who is our, um --

2 JO: Sepanik?

3 JG: Yeah.

4 JO: Okay.

5 JG: Okay. It was her and, uh, the academy was, uh --
6 all -- all the civilians were standing around
7 talking to the chief, so he was kind of explaining
8 what was gonna go on, and I was just standing there
9 observing. We were just watching. I -- you know, I
10 was just trying to listen to the chief of what
11 scenario was gonna happen. He was explaining and
12 showing them the, uh, Simunition handgun that shoots
13 -- that shoots the paint rounds and stuff. And
14 then, uh, the lady who got I guess picked, I'm not
15 sure how she got picked to do that scenario, um,
16 they walked to the side. Uh, the chief was talking
17 to her, again, explaining -- I heard him explain to
18 her, uh, the scenario, um, you're responding to, I
19 forget -- the area. There's gonna be a male, looks
20 like I believe he said maybe breaking in cars or
21 looking in cars. That's all the information you
22 have. So, as an officer, now you have to go deal
23 with that situation. So, then that's when the
24 scenario began. So, all the civilians were standing
25 at the west side of the parking lot by where we park

1 our patrol cars. I was standing on the sidewalk by
2 where we park our patrol cars, so I -- I could -- I
3 was looking directly where the cars were at, of
4 where the scenario occurred. Um, I saw the lady
5 approach, which would've been Officer Coel, who was
6 the role player, and at that time he was wearing the
7 mask, in case -- for the Simunition rounds, a, uh --
8 a grey jacket, and then just his regular, um, 511
9 black pants. And so she was walking up to him, and
10 I heard him ask her, "Well, what are you doing?"
11 You know? "Why do you have your gun out?" And then
12 he started walking back around to the rear of the
13 car. Yeah. Now the car's facing this way. So the
14 opposite end of the car, that's where it would be
15 facing east. He was walking to the east of the car,
16 and then, um, that's when -- I didn't know that --
17 that this was part of it. Um, but then he had
18 grabbed the gun, and I seen -- I saw him fire, I
19 believe twice. It looked like at the ground, and
20 then once towards her back. She never saw him. It
21 looked like he pointed the gun at her.

22 JO: So, when you saw him draw a weapon --

23 JG: Uh-huh.

24 JO: -- where was he?

25 JG: In the front of the car. So, it would've been the

1 east side, closest to our gym, that building, 'cause
2 we were on that side.

3 JO: And you saw him shoot in a downward motion?

4 JG: Yeah, that's what -- what I saw is I believe he shot
5 once, looked like this, shot again, 'cause he was on
6 this side of the car. So, if you're -- there's the
7 car. Here's where everyone's standing. Here's
8 where I am at. The lady's over here. There's
9 another car here. He grabbed the gun right around
10 this area, so -- and then he shot over here and
11 walked back towards her. I believe he shot at the
12 ground again. I believe it was -- I heard at least
13 three or four rounds. So then, after the shooting I
14 stopped 'cause I -- like, what I believe was -- what
15 -- what I remember seeing was it was like boom,
16 boom, and then it was around the other side of the
17 car, but I never actually -- like, it didn't appear
18 to me that he pointed the gun at her. And so then I
19 saw her, it looked like she grabbed her chest and
20 her stomach, and I'm like, "Oh, my gosh." I said --
21 'cause she was an elderly woman, I said, "The blanks
22 scared her. Uh, she's having a heart attack." and
23 then I saw her fall to the ground so I ran over
24 there. And, uh, the chief already ran over there,
25 but first was Officer Coel, and right -- right as I

1 was running over there Shane Chodakowsky ran -- was
2 over there as well. Um, that's when I saw the
3 blood. And then Lee Coel had, um -- he was using
4 his hand as, um -- I think he tried to stop the
5 bleeding, and he says, "Go to my vest. Go to my
6 vest. I have a QuikClot." So, myself and, uh,
7 Officer Chodakowsky ran looking for -- tried to get
8 in his car, which we didn't have his keys, so we ran
9 to another car that we knew had a, uh -- like a to-
10 go bag, and Officer Chodakowsky grabbed the to-go
11 bag and by the time we went back, um, E.M.S. was
12 already there so, we didn't even go up there.

13 JO: So, let's go back to right before the rounds were
14 fired.

15 JG: Okay.

16 JO: He's on the side of the car farthest from the
17 victim, correct?

18 JG: Uh-huh. So at the east side of the car.

19 JO: And so he -- you said he fired once or twice in a
20 downward motion?

21 JG: Uh-huh.

22 JO: And, by downward, did it look directly down to the
23 ground, like a 45-degree angle?

24 JG: Uh, he kind held it like in a 45, like this way.

25 JO: Okay.

1 JG: Like that.

2 JO: And did -- do you remember it being once or twice?

3 JG: Uh, I think -- I think twice, and then I -- I
4 remember hearing at least three to four shots. They
5 were pretty quick. I mean it was like bang, bang,
6 and then I think maybe another one.

7 JO: And so when he -- he fired twice on the east side
8 and then he ran to the other side of the vehicle
9 getting -- closing the gap between himself and the
10 victim?

11 JG: Uh-huh.

12 JO: And then fired once more?

13 JG: I believe so. Yes.

14 JO: Did you see what direction his firearm was in?

15 JG: I did not because there was the car there, but from
16 where I was standing I didn't see that it was like
17 he was pointing at her because he's a tall guy, so
18 if he'd have held a gun up like this I could've saw
19 it, so I -- I -- from where I was seeing the
20 vehicle, I -- I didn't think -- I didn't even look
21 at it like he was -- I couldn't see him pointing it
22 at her. So, that's why when I saw her do this I
23 immediately thought she was having a heart attack
24 because I was like, "She didn't expect blanks."

25 JO: Yeah.

1 JG: "Oh my goodness, she's an elderly woman. I think
2 she's having a heart attack." So that's the first
3 thing that popped in my head.

4 JO: When you say this for the record you mean --

5 JG: Um, it -- it looked like one hand was grabbing her
6 abdominal area and one hand was probably up above
7 it. So, it kind of looked maybe if she was gonna,
8 like, grabbing her chest area.

9 JO: Okay.

10 JG: Like if someone was to have a heart attack --

11 JO: Okay.

12 JG: -- 'cause that -- 'cause that's the first thing that
13 popped into my head.

14 JO: Do you know how tall Officer Coel is?

15 JG: Well, he's way taller than me.

16 JO: Would you guess he's over six feet, over --

17 JG: Oh, yeah, I think he's well above six -- six -- six,
18 three.

19 JO: Okay.

20 JG: He's way above that. He's probably six, five easy.

21 JO: Do you know, uh, if -- could you estimate how tall
22 the victim was?

23 JG: No, I -- I didn't even stand close to her. If I
24 could've stood next to her I could've told you but -
25 -

1 JO: Okay.

2 JG: -- I didn't even stand next to her. I mean she
3 wasn't a small, petite, uh, female. I mean she was
4 average size, height-wise.

5 JO: Uh-huh. Okay. Would you say that Officer Coel was
6 the first one to respond for her to render aid?

7 JG: He was.

8 JO: Okay. Did you see his reaction when the shots were
9 fired?

10 JG: I did.

11 JO: And what -- how --

12 JG: Well -- well, at first it -- it was, you know, no
13 reaction until he saw her do this, and then, like I
14 -- it was when I thought she was having a heart
15 attack, um, at some point he took off, uh, that
16 mask. As she was falling to the ground he -- he
17 immediately ran there, and I saw him start applying
18 pressure and that's when he was yelling at us, [REDACTED]

19 [REDACTED] [REDACTED] [REDACTED] [REDACTED]

20 [REDACTED] [REDACTED]

21 JO: Did you hear her say anything?

22 JG: I did not hear her say anything.

23 JO: Did you hear him say anything else?

24 JG: No. Uh-uh, 'cause when we were going to look for --
25 to get something, the QuikClot, uh, P.S.D. and Fire

1 came out --

2 JO: Uh-huh.

3 JO: -- and they were already there, and so we didn't
4 even go back in the area there 'cause there was all
5 the paramedics and everyone there.

6 JO: What did you do at that point?

7 JG: I actually went and -- Officer Coel, uh, moved out
8 of the way, and I went with him and pulled him to
9 the side to confirm that, you know -- "Come sit
10 down." I mean he -- he was obviously very upset
11 and, [REDACTED] [REDACTED]

12 JO: So, he seemed depressed?

13 JG: Yeah.

14 JO: Did he say anything to you?

15 JG: He was kind of talking out loud. It wasn't directly
16 to me, but I was there with him. He just kept
17 saying, [REDACTED] [REDACTED] [REDACTED]

18 [REDACTED] [REDACTED]

19 [REDACTED] [REDACTED] [REDACTED]

20 And I remember him saying something that, [REDACTED] [REDACTED] [REDACTED]

21 [REDACTED] You
22 know? I'm guessing that's how the, uh -- the blank
23 rounds are.

24 JO: Did he say anything else?

25 JG: No, he just kind of kept repeating that. [REDACTED]

1 ████████████████████ You know? ██████████ ██████████

2 ██████████ ████████████████████ It was kind of just a
3 repeat of that.

4 JO: How long did you stay with Officer Coel?

5 JG: Oh, a few hours. And once we got in the squad --
6 once we got into the lieutenant's office, it was him
7 -- myself and, uh, Captain Woodard, and we didn't
8 talk about it. He just kept asking Captain Woodard
9 if he had any updates. Was the lady -- was she
10 okay? Was she alive? And we didn't have any
11 updates. We were sitting in there.

12 JO: Did he say anything about conducting safety checks?

13 JG: Not to me.

14 JO: Did he say anything about anybody being with him in
15 the preparation?

16 JG: Not to -- not to me, not to my knowledge. He didn't
17 say anything to me about it.

18 JO: Do you know if -- if that's standard procedure here
19 to conduct safety checks?

20 JG: I've never been to a Citizens' Academy, never
21 assisted. Um, I've helped him out before, and
22 I've done a K-9 demo where I used the revolver and
23 the blanks with another officer, and he was -- he --
24 he prepped it and checked it and made sure that it
25 was, uh, those rounds. And I actually fired the gun

1 in the demo at another officer, and there was blank
2 rounds.

3 JO: So, in this K-9 demo you used what type of revolver?

4 JG: It might've been a -- a -- maybe -- maybe a .38
5 special or -- I don't think it was a .357, but it --
6 it was a -- it was a silver revolver.

7 JO: Short barrel?

8 JG: Yeah, maybe like a two and a half inch barrel. I
9 believe it might've been the only one he had that he
10 carried.

11 JO: And it -- so it was his revolver?

12 JG: The Department's I'm sure.

13 JO: Okay.

14 JG: 'Cause you're not allowed to -- at the department you
15 can't just carry a gun to carry a gun. It has to --

16 JO: Be a department issued?

17 JG: -- be a department -- yeah, like even as far as a
18 long rifle, anything like that, that has to -- you
19 just can't carry any kind you want.

20 JO: Is that for on-duty only?

21 JG: Uh, off duty the only time -- the only other way you
22 can carry any weapon you want is if you have your
23 C.C.W.

24 JO: Okay.

25 JG: But if you don't have that and you're -- you're just

1 using your -- you know, hey, I'm a law enforcement
2 officer with the Punta Gorda police department, then
3 you have -- only can carry your duty weapon off
4 duty.

5 JO: Okay. And they don't issue you off-duty weapons?

6 JG: Uh-uh.

7 JO: Okay.

8 JG: No, they don't.

9 JO: So, this revolver, is it the same one you saw today
10 in the scenario?

11 JG: I didn't even see the revolver today --

12 JO: Okay.

13 JG: -- but if I was to see the revolver I could tell you
14 if it was the one I used in the K-9 demo.

15 JO: Okay. Do you know what the weapon looked like
16 today?

17 JG: Um, no. I remember -- I -- I believe he set it on
18 the -- on the roof of the car. I wanna say it was a
19 revolver though. I believe he set it on the roof of
20 the car, but I do wanna say it was a revolver.

21 JO: At what point was it set on the roof of the car?

22 JG: See, I don't -- I don't remember if it was -- I
23 remember -- I -- I remember, uh -- I believe it was,
24 uh -- when I ran around to look for a QuikClot I
25 believe it was already sitting there.

1 JO: You saw it on the roof?

2 JG: Yeah, but I, uh -- it was so hectic. I'm trying to
3 think if it was before or after. At some point I
4 believe I remember seeing it sitting on the -- on
5 the -- on the roof of the car.

6 JO: The marked unit or unmarked?

7 JG: Um, the unmarked, 'cause when I -- when -- when I
8 grabbed him to talk to him, to pull him away he was
9 leaning on the hood of the car like this, like, what
10 just happened?

11 JO: Okay.

12 JG: So, it could've been set down right at that point.
13 I'm not 100 percent sure. I meant the roof, not --
14 not -- not the hood. Sorry.

15 JO: Think back to when you saw the shots being fired.

16 JG: Yes, ma'am.

17 JO: Can you imagine what that gun looks like?

18 JG: No, he's a big guy --

19 JO: Okay.

20 JG: -- and he always had the gun like this, 'cause you'd
21 see that in his hand, but he's such a big guy that I
22 couldn't make it out 'cause, like I said, as soon as
23 he went around the east side of the car I remember
24 seeing one like that, in a downward motion, and that
25 was -- as he was shooting he was walking back.

1 JO: Okay.

2 JG: Right? So, he shot walking back this way and shot,
3 and the lady -- I remember the lady jumped like --

4 JO: Yeah.

5 JG: -- she was wasn't expecting the shots like that, and
6 then, uh, as he walked around the car I heard
7 another shot but, again, I couldn't see which way he
8 was pointing it 'cause the car was in my way, and
9 that's when I told you I saw the lady look like she
10 grabbed her --

11 JO: Okay.

12 JG: -- abdominal area or chest area.

13 JO: So, when you came over to him and he was leaning on
14 the roof of the car, at that point you saw --

15 JG: Yeah, I believe that's where I saw the gun laying on
16 the hood of the car.

17 JO: And that -- at that point it looked like a revolver?

18 JG: Uh-huh.

19 JO: When you -- I'm sorry, when you approached him did
20 you stay by the car for --

21 JG: No.

22 JO: -- a few minutes or did you walk --

23 JG: Yeah, it was --

24 JO: -- you -- you pulled him away.

25 JG: -- "Hey, come on."

1 JO: Okay.

2 JG: 'Cause EMS were working on her.

3 JO: Yeah.

4 JG: And he was -- he was obviously upset, and the last
5 thing I wanted him to sit there and watch her,
6 'cause --

7 JO: Yeah.

8 JG: -- not knowing the situation, what was gonna happen
9 with her, so --

10 JO: Of course.

11 JG: -- I immediately grabbed him. I walked him straight
12 to the fire department's truck. I dropped a
13 tailgate and told him, "Here, have a seat. Sit
14 down. Sit down." And he was -- I said, "Take off
15 your jacket." 'cause he was -- I'm like, "Just take
16 your jacket off." I said, "It's hot." And he's
17 like, [REDACTED] [REDACTED] [REDACTED]

18 [REDACTED] [REDACTED] [REDACTED]

19 JO: Did you see if the revolver was moved at any point?

20 JG: I didn't even go back to the car?

21 JO: Okay.

22 JG: Uh, not at all.

23 JO: And so, from the -- from car, the -- the truck,
24 sitting on the truck of the bed or -- I'm sorry, the
25 bed of the truck, you went from there into the

1 building?

2 JG: Straight inside. Uh-huh.

3 JO: Okay. Did you return to the scene at any point?

4 JG: I haven't been back. As it -- when, uh, I was --
5 when they cleared him to go home I went outside to,
6 uh, get to my vehicle. It was roped off. I went
7 through the fire department's parking bay and wasn't
8 inside that tape at all.

9 JO: Okay. When you went through in-service or, um, your
10 initial hiring at the -- have you gone through your
11 interval qual yet? I mean I know you only said
12 you've been here five months but --

13 JG: Uh --

14 JO: -- did you do the --

15 JG: -- I've qualified once.

16 JO: Once. Okay. When you went through that did you
17 guys do any type of Simunition activities,
18 scenarios? You just did a --

19 JG: Uh --

20 JO: -- straight, like a standard qual on the range?

21 JG: Just -- just standard qualification that you -- I
22 did through the academy, um, and then got certified
23 on the T.A.S.E.R. and, uh, this, uh, service weapon.

24 JO: When you were on the range do you guys shoot until
25 you're empty?

1 JG: No, you -- they call out, you know, how many -- the
2 F.D.L.E. course. So, you know, "Draw from the hip.
3 You're gonna fire, uh, three rounds, and then
4 holster."
5 JO: But --
6 JG: That's --
7 JO: I -- I'm sorry, but after the qualification do you
8 have rounds left over? After you go through the
9 F.D.L.E. course do you have rounds left in your
10 magazines?
11 JG: No, I think you're pretty -- I think you're dry.
12 JO: Okay. Are there instructors or safety inspectors
13 that come by and examine your weapons?
14 JG: Yeah, sure. It's, uh, whoever the range master is,
15 uh, at that time.
16 JO: And they do that while you're on the range?
17 JG: Um, yeah, I believe so. Yeah.
18 JO: What I'm -- what I'm trying to get at --
19 JG: Like if you're drawing and stuck in the academy,
20 like we were standing there --
21 JO: Yeah, you're standing there --
22 JG: -- and they come check.
23 JO: -- and then they come check and then they -- they
24 check and then they tell you to release the slide
25 forward.

1 JG: And pick your mags up and stuff?
2 JO: Yeah.
3 JG: Yeah, I've --
4 JO: Okay. So, they check when you're on the range they
5 --
6 JG: Yeah, I believe so. Yeah.
7 JO: -- it's a standard procedure?
8 JG: Uh-huh.
9 JO: Okay. For this department.
10 JG: It's not a range, so it -- when I got qualified it
11 was Charlotte County, so it wasn't someone from
12 Punta Gorda police department qualifying me.
13 JO: Oh, okay.
14 JG: It was C.C. -- it was Charlotte County sheriff's
15 office, uh, whatever they call it, the range --
16 JO: Okay.
17 JG: -- range master.
18 JO: Okay.
19 JG: So, uh -- because what it was was when I got hired I
20 was taking a guy who retired's spot, which I believe
21 he was a firearms instructor, and then they really
22 needed to get me, um, uh, qualified 'cause I'd
23 already been working here almost a week and didn't
24 have a gun yet. And so, um, they're like, "All
25 right. We gotta get it done. Charlotte County's

1 qualifying. You can qualify with them." So,
2 lieutenant Salsman took me there. He set up
3 underneath the pavilion while the range master of
4 Charlotte County sheriff's office qualified me with
5 the Charlotte County deputies.

6 JO: Okay.

7 JG: So, I haven't actually been qualified by the Punta
8 Gorda police department's, uh, firearms instructor.

9 JO: Okay.

10 JG: I have not. So I can't -- I don't know how they do
11 it.

12 Jo Okay.

13 JG: I won't kind of find out until I qualify again --

14 JO: Okay.

15 JG: -- which would be in a year.

16 JO: Okay. Is Lieutenant Salsman the training
17 coordinator or is he the lieutenant over training
18 here?

19 JG: Yeah, I believe it's training. He's kind of up
20 higher. He does all the hiring too.

21 JO: Okay. Has he participated in any of your other
22 trainings?

23 JG: I haven't had many, so that would -- my training
24 since I've been here hasn't been much other than,
25 let's see -- 'cause Corporal Balock [phonetic]

1 certified me in T.A.S.E.R. and pepper spray, and
2 then, um, besides the computer training he sends out
3 -- we have to do computer training --

4 JO: Uh-huh.

5 JG: -- and stuff every month, but as I didn't attend
6 the, uh -- we have in-service every year. I didn't
7 attend that because I just got hired on, so I won't
8 attend in-service till next year.

9 JO: Okay.

10 JG: So -- but, yeah, they'd had in-service here but I
11 didn't attend.

12 JO: Do you know who was running the Citizens' Academy
13 tonight?

14 JG: I have no idea. I -- I -- I remember seeing the
15 chief out there. I remember seeing Lieutenant
16 Salsman out there. Uh, um, Captain Claschini came
17 in with a class at one point, but I don't remember
18 him being out there. I don't remember seeing him.
19 Um, but there was -- I mean the admin was here.

20 JO: Okay.

21 JG: I'm just not sure who was solely in charge 'cause,
22 like, I wasn't -- I wasn't participating in it so --
23 or I've never participated in it.

24 JO: When you participated in the K-9 exercise with
25 Officer Coel --

1 JG: That's our --

2 JO: Will you walk me through the safety measures that he
3 took?

4 JG: The only reason I participated is because I was
5 still on field training --

6 JO: Okay.

7 JG: -- and we had -- we're required to run with K-9 for
8 a shift. It's eight hours. So, that was the day I
9 happened to ride with him. He had a K-9 demo, so I
10 came out. We went to Four Points, uh, Hotel --

11 JO: Okay.

12 JG: -- and, uh, um, I got there. I parked my car, and
13 he explained to me what was gonna happen. There was
14 -- Officer Trufan [phonetic] was there, um, Officer
15 Coel, myself. He explained that Officer Trufan was
16 gonna be in the truck and that what we were gonna to
17 do was we were gonna do a, uh -- a fake traffic stop
18 and that, um, what was gonna happen was Officer
19 Trufan was gonna refuse to come out and we were
20 basically gonna be kind of like at a felony stop,
21 where he's giving commands, I'm at gun point, and he
22 said that Officer Trufan was gonna, um, shoot with,
23 uh -- with a, uh -- with blanks at me. Like he
24 would shoot and I would shoot back, then he would
25 shoot and I would shoot back, just to show the

1 crowd, like we have a little gunfight, and that then
2 K-9 Spirit would be released, jump through the
3 window, and Officer Trufan would have on the bite
4 sleeve and K-9 Spirit would actually take him out of
5 the window onto the ground to where, um, Officer
6 Coel could handcuff him and apprehend him. So that
7 was the scenario I was given. So, before it started
8 he had the revolver in the back of his Tahoe, opened
9 it up and he, uh, put the rounds in, checked them,
10 put them in, handed it to me, says it's good to go,
11 you know, um, and that, uh, I believe -- I don't
12 know. It might've only had five rounds, 'cause he
13 then -- he explained again, like, just so -- have
14 Officer Trufan shoot, then you can shoot one round.
15 You can shoot back and just simulate a small
16 gunfight.

17 JO: So, when he provided the revolver to you he provided
18 the blank rounds?

19 JG: Yes.

20 JO: And he was the one that checked that they were blank
21 rounds?

22 JG: Uh-huh.

23 JO: Did you check that they were blank rounds?

24 JG: I did not. I was there and I was watching him put
25 them in but he was explaining to me.

1 JO: Was there any other secondary person to verify that
2 the weapon was safe?

3 JG: No. No, not -- not when I was there unless Officer
4 Trufan checked.

5 JO: Okay. And forgive me if I already asked you this.
6 Do you now if a safety check was conducted before
7 the scenario tonight?

8 JG: No, ma'am. I wasn't around. I was in roll call.
9 The Citizens' Academy was already going on while we
10 were in roll call, so as I went out the, uh, role
11 players were already in play. So, I wasn't around
12 when the, uh, firearm was --

13 JO: Do you know if there is anyone that Officer Coel
14 would, like, normally go to to conduct a safety
15 check?

16 JG: Not off the top of my head. We're a small
17 department so, um, you know, if anyone's around.

18 JO: Okay.

19 JG: I'm not -- I'm like in a -- I don't -- I don't know
20 how the Citizens' Academy run 'cause I haven't
21 participated in one.

22 JO: Uh-huh.

23 JG: So I can't give you much information on how they're
24 ran. This was gonna be my first one to watch.

25 JO: Yeah, of course.

1 JG: So --

2 JO: Um, is there anything else that you can think of
3 that I haven't asked you?

4 JG: As far as today, that's -- that's it. That's
5 everything. That's the only time I've ever used,
6 uh, blank rounds is at Four Points. That's why I
7 wanted to bring that up to you. Um, and, yeah,
8 that's -- that's all he kept saying, like I had
9 already told you.

10 JO: Do you know if anyone from the department took
11 pictures or video tonight?

12 JG: Uh, the officers I was standing with, we weren't.

13 JO: Okay.

14 JG: But we -- we -- we were just kind of standing there
15 and I was -- I was watching, and then, um, like I
16 said, I thought she was having a heart attack.

17 JO: Okay.

18 JG: And I freaked out. I was like, "Oh gosh."

19 JO: All right. Um, then I will conclude this interview
20 at approximately 1:35 a.m. on August 10th, 2016.

21 (CONCLUSION OF INTERVIEW)

22

23

24

25 Transcribed by: hmc/hmc/jck

1 (INTERVIEW OF CORPORAL JUSTIN DAVOULT, #2016-0108,
2 8/10/16)

3 (The following may contain unintelligible or misunderstood
4 words due to the recording quality.)
5

6 MO = Special Agent Michael Ortiz

7 JD = Corporal Justin Davoult

8 MO: Good morning. I'm Special Agent Michael Ortiz with
9 the Florida Department of Law Enforcement. Today's
10 date is August the 10th, 2016, and the time is 10:40
11 a.m. Be taking a sworn statement from, um, Punta
12 Gorda Police Corporal Justin Davoult. Last name is
13 spelled D, David, A-V-O-U-L-T. Corporal Davoult's
14 date of birth is 9/4 of 1982. Uh, again, he's a
15 corporal with the Punta Gorda Police Department.
16 And their address is 1410 Tamiammi Trail in Punta
17 Gorda, Florida.

18 Uh, today's interview is taking place in the
19 Criminal Investigations Section interview room at
20 the, uh -- at the Punta Gorda Police Department.
21 Uh, today's interview is in reference to a officer-
22 involved shooting, uh, that took place yesterday,
23 August 9th, 2016.

24 Corporal Davoult, am I pronouncing your name
25 right?

26 JD: That's right.

1 MO: Uh, Corporal Davoult, can you please state your name
2 and your date of birth?

3 JD: Uh, Justin Davoult. Uh, date of birth, 9/4/82.

4 MO: Okay. And, uh, Corporal Davoult, do you know the
5 meaning of perjury?

6 JD: I do.

7 MO: In your own words, can you tell me what perjury is?

8 JD: Uh, it's lying under oath.

9 MO: Yes, sir. And at this time, will you allow me to
10 swear you in for the purpose of taking the sworn
11 statement?

12 JD: Absolutely.

13 MO: Okay. Please raise your right hand. Your right
14 hand is raised. Do you, Corporal Justin Davoult,
15 solemnly swear to tell the truth, the whole truth,
16 and nothing but the truth in the matter we're about
17 to discuss?

18 JD: I do.

19 MO: Great. Uh, directing your attention to yesterday,
20 uh, August 9th, 2016, were you on duty?

21 JD: I was.

22 MO: Okay. And what is -- you -- you're a corporal here
23 at the Police Department.

24 JD: That's correct.

25 MO: And basically what is your assignment?

1 JD: I'm a corporal under Lieutenant Terry Cochran in the
2 Criminal Investigations Section.

3 MO: Okay. And how long have you been with the Police
4 Department?

5 JD: Uh, almost seven years.

6 MO: Okay. And you're plain clothes officer?

7 JD: That's correct.

8 MO: Okay. Assigned to Criminal Investigations Section.
9 And, um, what were your duties yesterday? What time
10 did you come into work yesterday?

11 JD: I came in at 8 a.m.

12 MO: Okay. And did there come a time when you were, uh,
13 asked to participate or you were a witness in a, uh
14 -- a, uh -- a police academy or a chamber of
15 commerce event that was held at the police
16 department?

17 JD: I was. I was asked to, u, be a representative for
18 CIS --

19 MO: Okay.

20 JD: -- for the, uh, tours.

21 MO: Okay. And what was your role as far as the tour?
22 What -- what time did you start?

23 JD: Uh, my shift was 8 a.m. to 4 p.m.

24 MO: Okay.

25 JD: Um, however, Lieutenant Cochran's been gone on

1 vacation, so I've been catching up on some stuff.
2 So from 4 -- the, uh, event started at 5:30. And
3 what I was told was there was gonna be a brief
4 introduction, uh, with the, um, academy attendees
5 from, uh, 5:30 to 6.

6 MO: Okay.

7 JD: So between 4 p.m., which is the time my shift ends,
8 to 5:30, I stayed here. Uh, I tried to catch up on
9 some paperwork. Uh, a call had come out over at
10 CSU. I responded over there with Detective Nora and
11 made it back for 5:30 for the academy. Um, I came
12 back, cleaned up, got my jacket on and went to the,
13 uh, training room, which is where it was being held.

14 MO: Okay. Is that also known as a classroom?

15 JD: Uh, yes. That's where we do our training and --

16 MO: Okay.

17 JD: -- and meetings and things of that nature.

18 MO: Okay. So this is what I got yesterday. What it is
19 is a -- it's a copy of the, uh, Chamber Police Night
20 at the, uh, Punta Gorda Police Department, August
21 9th, 2016, 5:30 p.m. to 7:30 p.m. Top of the, uh --
22 the outline is a patch of the Punta Gorda Police
23 Department. Have you seen this document before?

24 JD: I have. I have a copy.

25 MO: Okay. And so you took -- you were present during

1 the Chief's welcome, which is item one?

2 JD: Uh, that's correct.

3 MO: Okay. And --

4 JD: Not for the whole thing --

5 MO: Okay.

6 JD: -- but I was there.

7 MO: All right. And did there come a time you said that

8 you were -- you were, uh -- I guess you were the

9 coordinator the tour of CIS?

10 JD: Um, a representative -

11 MO: A representative --

12 JD: -- of CIS --

13 MO: -- okay.

14 JD: -- yes.

15 MO: And -- and tell me -- tell me about what you did as

16 far as being a representative yesterday at CIS.

17 JD: Well, they had, uh -- they had different tour guides

18 --

19 MO: Okay.

20 JD: -- um, that were organizers that, uh -- they

21 basically broke the group up into three groups.

22 And, uh, they, uh, basically did a -- a circle

23 throughout the building. And, um, each -- each

24 group made a visit into our section.

25 MO: Okay.

1 JD: Uh, during their visit, just did a kind of a Q&A,
2 and, uh, explained what we did in CIS, uh, as far as
3 what we investigated, different equipment we use,
4 things of that nature, and then took questions
5 afterwards.

6 MO: And how many people were part -- a part of a group?
7 You said there were three tours -- three --

8 JD: There was three tours, maybe eight to 10 --

9 MO: Okay.

10 JD: -- per tour.

11 MO: Okay. So at the conclusion of the three tours --
12 three groups that go through your --

13 JD: They --

14 MO: -- section?

15 JD: -- they did.

16 MO: Okay. And at the conclusion of the tour, did there
17 come a time when you went outside?

18 JD: Um, yes.

19 MO: Okay.

20 JD: Um, if -- if we can just --

21 MO: Please --

22 JD: -- um --

23 MO: -- if I miss something, please, yes.

24 JD: Part of -- part of this, um -- during the
25 introduction with the Chief, um, Captain Woodard

1 needed a holster --

2 MO: Okay.

3 JD: -- for the event.

4 MO: Okay.

5 JD: Um, he came and got me, said, "Hey, do you -- do you
6 have an extra holster we can use that's, um -- it's
7 not one of our road patrol officers, you know,
8 holsters." Um, and I -- I said, "Yeah, I have one
9 in -- in our office. Let me go get it." I couldn't
10 find it. Um, so what I did was I took my personal
11 holster off and I put on the holster that I
12 currently have on, which is a brown leather, uh,
13 strap over, uh, holster, and I had given him mine.

14 After I had given him mine, he was in the
15 armory, and he said, "Stand by. I need you for a
16 second." And, uh, I said, "Okay. What can I do?"
17 And, uh, he was preparing the -- the simunitions
18 round -- or simunitions weapon for the, um -- the
19 role play -- the officer role player, um, which was
20 gonna be in my holster. And, um, he said, "Just
21 confirm that they're all sims rounds." So, um, it
22 was a box of, um, 40 maybe, um, individually
23 slotted.

24 So I picked it up, can see that they're all
25 blue tipped and, uh, simunitions rounds. I had

1 placed them down. And, um, I believe the magazine
2 held 18. And I picked up one at a time, checked it,
3 handed it to him, checked it, handed it to him, and
4 so on until he -- he filled up on magazine. Um, he
5 said, "Great." You know, he shut the armory door
6 and we went back to -- well, I went back to the, um
7 -- the Chief introduction.

8 MO: Okay.

9 JD: Um, he was getting ready to wrap that up, so I
10 wanted to make sure I was back here --

11 MO: (Unintelligible).

12 JD: -- at the office. I unlocked the door, um, and, uh,
13 just waited. The three tours came through, um,
14 uneventful, everybody left. Um, after the third
15 tour was completed and -- and this is gonna get into
16 what your -- your last question was. Um, I walked
17 out behind the third tour, shut the lights off,
18 locked the door, and walked towards the main hallway
19 of the building.

20 MO: Okay. Let me just stop you there. Go back to the
21 armory where -- let's go back to your holster. Are
22 you right or left-handed?

23 JD: I'm right-handed.

24 MO: Okay. And was this -- was the holster meant for the
25 simunitions gun?

1 JD: Um, it is meant for a Glock --

2 MO: Okay --

3 JD: -- weapon.

4 MO: -- okay.

5 JD: And the simunitions gun is, uh, a Glock.

6 MO: Okay. And it was for a right-handed shooter,

7 correct?

8 JD: That's correct.

9 MO: Okay. Okay. So let's go to the, uh -- so before it

10 left the armory, was the gun holstered inside the --

11 JD: The gun --

12 MO: -- was the Glock holstered?

13 JD: -- the Glock was holstered in my holster.

14 MO: Okay. Very good.

15 JD: Um, it was -- uh, Captain Woodard had everything.

16 MO: Okay.

17 JD: Um, so the three tours come through. Um, I exit

18 directly behind the -- the third group and I walked

19 towards the main hallway. And they had continued on

20 back to the training -- training room, which is

21 where I think they were convening prior to going

22 outside.

23 MO: Right.

24 JD: Um, I walked out through the squad room door and, um

25 -- which -- from the hallway to the squad room and

1 then squad room to the -- to the exterior of the
2 building. And, um, I saw Lee Coel by his patrol
3 SUV. Um, we had just conducted an operation Friday
4 night that, um, was a narcotics operation, kinda was
5 extended. And, um, I had left that night about 3,
6 and he had continued on. He had to finish up some
7 paperwork and --

8 MO: Was it 3 in the morning or --

9 JD: Three in the morning, yeah.

10 MO: Three in the morning?

11 JD: And, uh --

12 MO: So it was this Saturday morning, 3 in the morning?

13 JD: Saturday morning, yes.

14 MO: Okay.

15 JD: And he had, uh, continued to, you know -- to stay
16 because he had some paperwork to finish up. And
17 from what I -- I heard that he had left at 5. Um,
18 so I was like, "Hey, you know, I heard you left at
19 5, 5:30." And he was like, "No. It was 6:00, you
20 know? It was a late night." Um, I said,
21 "Everything good?" He's like, "Yeah, everything was
22 good," you know, "just -- just a little tired."
23 And, um, at that -- and when I first walked out of
24 the building, he's at his passenger side front door.

25 MO: This is the -- last night?

1 JD: Last night.

2 MO: Okay. You said the passenger --

3 JD: Passenger side front door.

4 MO: Okay.

5 JD: And the door was open, um, car was running, and he

6 was wearing, like, black BDUs and a black canine t-

7 shirt. Um, and I see him, he's got a silver

8 revolver in his hand. And, um, he wasn't loading

9 it, but he had it in his hand and I think he was

10 trying to tuck it in his waistband.

11 MO: Okay.

12 JD: Um, we had the conversation about the operation and,

13 um --

14 MO: Conversation about Friday's night --

15 JD: Friday night's operation.

16 MO: Okay.

17 JD: Just, um -- you know, making -- I was the supervisor

18 for the operation, so I wanted to make sure he was

19 okay, um, as far as, you know, is he getting enough

20 sleep, you know, just kinda water cooler talk. Um,

21 and he was in good spirits and, uh, everything was

22 fine. I, um, -- my unmarked patrol car was parked

23 in the same line where the road -- road officers

24 park. Um, I got my car and, um, I circled the --

25 the island and by this time, he was standing in the

1 wash bay. I wanna say somebody was standing with him
2 and they were talking. And he was wearing the gray
3 hoodie and, um, he was just standing there.

4 MO: What's the wash bay? I'm not familiar with that?

5 JD: I'm sorry. Um, where the two cars are parked right
6 now, um --

7 MO: Where the scenario took place -- the shoot, don't
8 shoot --

9 JD: Where the scenario took -- and there's -- there's
10 two, um, overhangs.

11 MO: Okay

12 JD: There's one overhang, but there's two parking spots.

13 MO: Okay.

14 JD: It's the old wash bay. I'm sorry. That's what
15 everybody --

16 MO: Okay.

17 JD: -- knows it as. Um, the overhang by the, uh -- the
18 garage outside. Um, he was standing underneath the
19 overhang with -- I wanna say he was with somebody
20 else. Um, and he had -- he had a gray -- now he had
21 a gray sweatshirt on and the hood was up.

22 MO: Okay.

23 JD: Um, I wanna say -- I'm sorry -- I wanna say, on the
24 north side of the building, the crowd has now come
25 out of the training room --

1 MO: Okay.

2 JD: -- and they have reconvened over on the north side
3 of the building. And I wanna say they were talking
4 to John Kenny, the Marine guy.

5 MO: Okay.

6 JD: Um --

7 MO: Was that -- would that be part of the static
8 display?

9 JD: It's not part of the static display.

10 MO: Okay.

11 JD: Um, like I said, I circled the island and pulled out
12 and I was headed home.

13 MO: Okay.

14 JD: Um, and then got the call when I was at my kid's,
15 uh, open house --

16 MO: Okay.

17 JD: -- to return.

18 MO: Okay. So let's go back, uh, Corporal, to when you
19 saw, uh, Officer Coel with the revolver. Have you
20 ever participated in the -- in the role playing or
21 the citizen's police academy in the --

22 JD: I, um --

23 MO: -- past?

24 JD: -- not in this citizen's academy.

25 MO: Okay.

1 JD: However, we've done simunitions training --

2 MO: Okay.

3 JD: -- in, uh, in-service --

4 MO: Okay.

5 JD: -- training.

6 MO: Has, uh -- has -- do you know if a .38 has been used

7 in the past?

8 JD: We have a snub nose revolver that we use, um, as a

9 suspect weapon in our training, yes.

10 MO: Okay. And is that -- is that -- is that weapon kept

11 in the -- in the control of the training officer or

12 in the property room? Who -- who has --

13 JD: Um, yes. It's -- it's typically with the training -

14 - uh, the lieutenant --

15 MO: Okay.

16 JD: -- trainer. Um, and it's kept in the armory --

17 MO: Okay. And who is --

18 JD: -- with the other --

19 MO: -- who is the training lieutenant?

20 JD: Uh, Lieutenant Salsman.

21 MO: Okay. So the past, when you participated in these

22 type of trainings, a revolver is used similar to,

23 like, a Smith & Wesson, .38, two-inch. Can you -

24 JD: I can't --

25 MO: You can't --

1 JD: -- I can't tell you brand, I can't tell you size.

2 Uh --

3 MO: Okay.

4 JD: -- I'm typically on the officer side of it.

5 MO: Okay.

6 JD: Um, and, um, I've -- I've played a role player, I

7 think, maybe once in seven years --

8 MO: Okay.

9 JD: -- where I was the bad guy.

10 MO: Okay.

11 JD: Um, I'm not too familiar with that weapon. Uh, but

12 I know it's a -- a short barrel, silver revolver.

13 MO: Okay. And is that revolver -- in the past, is it

14 loaded with blanks? Do you know?

15 JD: Uh, it's typically loaded with, uh, marking

16 cartridge simunition rounds --

17 MO: Okay.

18 JD: -- with a detergent pellet.

19 MO: Okay. Now does this -- is this revolver -- does it

20 have any color like a orange or red or blue? Any,

21 uh, colorations to -- to maybe signify it's a

22 training weapon?

23 JD: Uh, not to my knowledge. It's a silver weapon.

24 MO: Okay. In the past, um, when you've participated in

25 these as a -- have you ever been a facilitator, you

1 know? Have you ever conducted the training?

2 JD: I have not.

3 MO: Okay. When you've participated in these trainings
4 before, are there any type of, uh -- um, I wanna say
5 training guide or a manual that gives -- that's
6 written that outlines a, um -- an outline of the
7 scenario?

8 JD: Um --

9 MO: So for instance, if you -- if we've got training one
10 day and we're gonna do, uh, a scenario, is it a --
11 is the scenario -- is it given verbally or are
12 handouts given to a student?

13 JD: Uh, no. Typically, it's, um -- typically, it's two
14 people.

15 MO: Okay.

16 JD: Um, and the training consists of, um, you responding
17 to a call.

18 MO: Okay.

19 JD: And it's, uh, you're responding to an alarm call at
20 this address, go. And the rest is, uh, you know --

21 MO: Are there any type of safety -- what's the word I'm
22 looking for -- uh, safety procedures? For instance,
23 when I was with the county and you went to the
24 range, you had a safety -- there was no eating on
25 the range, guns will be pointed in a safe direction,

1 obey the range -- anything like that, uh, issued
2 prior to training?

3 JD: There is. We have, um, a checklist of, um, safety
4 directives, if you will --

5 MO: Okay.

6 JD: -- um, that we initial and sign, um, for in-service
7 training.

8 MO: Okay. Um, so is that -- is that a habitual training
9 before you do training with simunitions or -- or
10 going to the range? Is that, uh, a safety
11 directive? Is that usually signed or at least a
12 range officer or safety handler or safety officer --
13 is there a briefing regarding that?

14 JD: Uh, there is a briefing. Um, and we're given a
15 form, we initial it and sign it. Um --

16 MO: Okay.

17 JD: -- and then, um, prior to making it into the range,
18 we're checked.

19 MO: Okay. Any -- do you know of any such safety
20 directive being issued last night or -- or --

21 JD: I was not here for it.

22 MO: Okay. Um, when was the -- prior to yesterday's, uh,
23 unfortunate incident, when was the last time that
24 you participated in a police academy or a scenario-
25 based training?

1 JD: It was, um, in 2016. Um, I was part of the first
2 in-service academy. I wanna say February, March.
3 I'm not, uh --

4 MO: Okay. What -- what -- what's an in-service academy?

5 JD: Our in-service academy is our yearly --

6 MO: Okay.

7 JD: -- qualifications and -- and training, um --

8 MO: Okay.

9 JD: -- consists of driving, uh, all basically high
10 liability --

11 MO: Okay.

12 JD: -- um, recertification on the firearms, AR's,
13 Tasers.

14 MO: Okay. And do you do any role playing? For
15 instance, you know, (unintelligible) you walk into a
16 building -- have calls -- high liability calls? Do
17 you participate in any role playing simunitions and
18 things like that?

19 JD: I do.

20 MO: Okay. And are there any -- do you typically -- does
21 your agency typically have safety officers that give
22 -- like, "I want you to pat each other down. I
23 wanna make sure, you know, nobody's got any knives,
24 any live ammo, check your guns, things like -- you
25 know, no -- any guns on the line or guns and they

1 use our weapons"? Is that --

2 JD: Um --

3 MO: -- typically done?

4 JD: -- it is done. Um, they typically, uh, tape off the
5 area -- the staging area. Um, we are, uh, searched
6 prior to going in. And if we leave for any reason,
7 we're searched prior to coming back out.

8 MO: Okay. And basically, the things that are being
9 looked for are --

10 JD: Anything. Anything that could be a weapon. Um --

11 MO: Okay. Okay. Corporal, that's all the questions
12 that I think I have right now. Is there anything
13 that you can think of that's important that I may
14 have not asked?

15 JD: I don't think so.

16 MO: Okay.

17 JD: I think you've covered it.

18 MO: Okay. Um, has everything you've told me been the
19 truth, to the best of your knowledge and belief?

20 JD: Yes, sir.

21 MO: Okay. Uh, Corporal, thank you. Uh, this will
22 conclude today's interview. Today's date is the 10th
23 of August, 2016. The time is 10:58 a.m. Thank you.

24 (CONCLUSION OF INTERVIEW)

25 Transcribed by: rsh/rsh/ms

1 (INTERVIEW OF LT. KATIE HECK #1, #2016-0108, 08/12/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 GN = Special Agent Gary Negrinelli

6 PC = Special Agent Patrick Crowe

7 KH = Lieutenant Katie Heck

8 GN: All right. This is Special Agent Gary Negrinelli,
9 Florida Department of Law Enforcement. The date's
10 August 12th, 2016. Approximate time is 2:39 p.m.
11 I'm currently at the Punta Gorda Police Department.
12 Uh, this will be an interview with Punta Gorda
13 Police Department Lieutenant Katie Heck. Also
14 present in the room is Special Agent Supervisor
15 Patrick Crowe.

16 Uh, Katie, could you state your full name?

17 KH: Katie Heck.

18 GN: And can you spell it?

19 KH: K-A-T-I-E, H-E-C-K.

20 GN: Okay. Can you raise your right hand, please? Do
21 you solemnly swear to tell the truth, the whole
22 truth and nothing but the truth, so help you God?

23 KH: Yes.

24 GN: Okay. Um, what's your current position here?

25 KH: Currently I'm a lieutenant that oversees Community
26 Services, and I also operate as our public

1 information officer.

2 GN: Okay. Uh, how long have you worked here?

3 KH: Um, 10 years.

4 GN: Ten years? Anything prior to this; law enforcement?

5 KH: Not law enforcement, no.

6 GN: Okay. So this is your first law enforcement

7 position?

8 KH: Yes.

9 GN: Okay. Um, so we're here to talk about the, uh,
10 shooting incident that happened, uh, the other
11 night.

12 KH: Yes.

13 GN: Um, were -- were you here during that time?

14 KH: No.

15 GN: Okay. Uh, you know it involved, uh, Officer Lee
16 Coel.

17 KH: Yes.

18 GN: Okay. Have you ever worked with him before?

19 KH: Yes.

20 GN: Okay. What capacity?

21 KH: Um, well, I was the prior K-9 handler. So when he
22 was appointed -- well, actually I was one of his
23 field training officers. We could start there. Um,
24 and then I would work with him obviously on the road
25 when I worked on the road, talk K-9 stuff and

1 everything, and then I was his supervisor when I
2 took over this position.

3 GN: Okay.

4 KH: And that was in September/October of last year.

5 GN: Okay. Uh, so you guys did some K-9 training
6 together?

7 KH: Um, not K-9 training together, no.

8 GN: Okay. All right. Um, any kind of training?
9 Firearms or --

10 KH: I don't want to say no because we could have been in
11 an in-service class together. I just don't recall.
12 I mean, I'd have to look at records for that.

13 PC: But you were his field training officer you said?

14 KH: I was his field training officer.

15 PC: Okay.

16 KH: One of them. And I -- I don't want to speak -- I
17 think I was his primary one, 'cause I do know that I
18 released him from field training --

19 PC: Okay.

20 KH: -- as far as onto the road, so I think that means I
21 was his primary. I just would have to look.

22 GN: Okay. Um, but no -- no training at all with the --
23 with the K-9 (unintelligible).

24 KH: No, aside from just advice, you know, like here and
25 there, that kind of thing, but, um, we didn't

1 overlap. Like, I wasn't his supervisor and also
2 working a dog. So all of his training was through
3 North Port Police Department.

4 GN: Uh-huh.

5 KH: Um, and that's when I was still on the road and not
6 his supervisor.

7 GN: Uh-huh.

8 KH: And then when I took over as his supervisor, there
9 was a couple months where he was still training with
10 North Port and then we switched over to Charlotte
11 County Sheriff's Office.

12 GN: Okay. Um, had you attended any of these citizen
13 academies?

14 KH: Yes.

15 GN: Uh, and you've been there for those scenarios?

16 KH: Um, I attended the last one because I kind of
17 facilitate them as far as just kind of the
18 organization and making sure everyone's moving the
19 right way.

20 GN: Right.

21 KH: Um, so the last one was the first one that I have
22 actually attended.

23 GN: Uh-huh.

24 KH: Um, and I wasn't outside for most of the shoot/don't
25 shoot only because one my jobs I actually sat inside

1 with the other person that was going to participate.
2 So I don't think -- I don't think I watched the
3 other ones. So I haven't actually seen one
4 completely happen.

5 GN: Oh, okay. So you had never been out there for any
6 of them.

7 KH: No. The previous citizen academies that I've been
8 to, I think I did a K-9 demo at one of them, kind of
9 the same thing that Lee has done for the Leadership
10 Charlotte ones.

11 GN: Uh-huh.

12 KH: This particular one didn't have a K-9 demonstration
13 'cause they wanted to have a much shorter time
14 frame.

15 GN: Okay.

16 KH: So he came solely to do the shoot/don't shoot.

17 GN: Okay. Um, but you were aware of what they -- the --
18 the scenarios were?

19 KH: Yes.

20 GN: Okay.

21 KH: Yeah.

22 GN: And -- and how many did they do? How many -- how
23 many times have they done this; do you recall?

24 KH: That's up for some discussion, I guess.

25 GN: Yeah?

- 1 KH: Um, there's not a lot of good records I guess on
2 specifically when it started.
- 3 GN: Uh-huh.
- 4 KH: It seems as though it started about two years ago.
- 5 GN: Uh-huh.
- 6 KH: Um, because at some point our leadership, um, like
7 academy classes, I guess, evolved from us going over
8 to City Hall and being part of a larger Government
9 Day --
- 10 GN: Okay.
- 11 KH: -- to then bringing people over here. And it looks
12 like about two years ago we started the shoot/don't
13 shoot scenarios.
- 14 GN: Okay. Um, there's something we haven't been able to
15 find out, if, um -- the revolver that he used, if it
16 was issued or if it was his personal. Are -- are
17 you aware of the -- the gun that he -- that he used?
- 18 KH: I'm aware of him having one.
- 19 GN: Okay.
- 20 KH: Um, to the best of my recollection, he had it when I
21 took over K-9.
- 22 GN: Okay.
- 23 KH: And I truthfully just assumed -- because you do need
24 a blank gun.
- 25 PC: Do?

1 KH: Um, yeah.

2 PC: Is that part of K-9 training?

3 KH: Yes. I didn't have one only because I did all of my
4 training with the Sheriff's Office.

5 PC: Uh-huh.

6 KH: And truthfully when I -- when I was a K-9 officer,
7 we had just started the program again. So we didn't
8 have training, narcotics. We didn't have a lot of
9 things. We really relied on the Sheriff's Office
10 for all of the --

11 PC: Right.

12 KH: -- extra equipment we would need. Um, I just
13 assumed he got it either through the department or
14 if he -- I just assumed he was allowed to have it
15 because you need it to train, because that's part of
16 the USPCA certification and also the FDLE
17 certification. So --

18 GN: Right. Right. Um, and -- and I'm sorry.

19 KH: Uh-huh.

20 GN: So he had already had it when you took over.

21 KH: Yes.

22 GN: Yeah. Okay. Um, you had seen it before? Had you
23 seen him use it?

24 KH: Yeah. I saw him, um -- I saw him use it at a demo.
25 I could look up the date for you. But I actually

1 went to one of his demos.

2 GN: Uh-huh.

3 KH: Um, and they used it at the demo. Actually he
4 didn't use it. Another officer actually fired it
5 because they had -- then Lee let the dog out and,
6 you know --

7 GN: Right.

8 KH: -- get him for the gunfire. So --

9 PC: Gotcha. Okay.

10 KH: Uh --

11 PC: So the dog runs -- runs toward the gunfire? Is that
12 --

13 KH: Yeah. He fired, um, the shots like inside a -- I
14 think it was the marine truck, like one of our
15 trucks, and the dog actually jumped in the
16 passenger's side window and grabbed the --

17 GN: Oh, okay.

18 KH: -- other officer and pulled him out.

19 GN: Where was the demo at?

20 KH: Uh, Laishley Park.

21 GN: Uh-huh. How long ago was that?

22 KH: I could actually probably pull it up on my calendar.
23 It was --

24 GN: Excuse me.

25 KH: I believe it was in September, but I could certainly

1 get that date for you. I just would have to go
2 through our calendar.

3 GN: Last year, September?

4 KH: Um, oh, no. Wait. Sorry. What is this? No. It
5 was just before we got served with all the paperwork
6 and stuff for -- I was thinking of -- the dog bite
7 happened in October, but stuff didn't come out until
8 like June. So it was probably April or May 'cause
9 it was just before --

10 GN: Okay. Of this year.

11 KH: Yeah. It was just before the big -- the public
12 debacle with the -- the K-9 apprehension.

13 GN: Gotcha. And, uh, Laishley Park, where is that?

14 KH: Yeah.

15 GN: Is it --

16 KH: Um --

17 GN: -- here in Punta Gorda or --

18 KH: Yes.

19 GN: Okay.

20 KH: It was -- it was called Yappy Hour, so -- I know
21 that for sure, so, like, that's why I can look up
22 and see when that was.

23 GN: What is that? What was that?

24 KH: It was for the Animal Welfare League. It was --

25 GN: Oh, okay.

1 KH: So that was --

2 GN: Yappy Hour. All right.

3 PC: So --

4 GN: Gotcha.

5 PC: So were -- were you his supervisor for a period of
6 time as a K-9 supervisor?

7 KH: Well, when I took over this position and then when -
8 - Tom took over -- sorry. Chief Lewis took over as
9 interim chief in September. Um --

10 PC: This past September?

11 KH: Yes.

12 PC: Okay. Right.

13 KH: September 2015.

14 PC: Yep.

15 KH: So I moved into this office just prior to Butch
16 leaving. So there was like that interim time.

17 GN: Uh-huh.

18 KH: So I would say it was October when Tom redid our
19 organizational chart and K-9 started answering to
20 me. So I was in charge of him as the -- I was the
21 K-9 supervisor. I just didn't have a dog anymore.

22 PC: Yeah.

23 KH: Which is why I wasn't, like, training him actually.

24 PC: Yeah. So from -- when were you his supervisor?
25 From what time till what time?

1 KH: I would say October of 2015 until we switched it
2 over to Operations again.

3 PC: Okay.

4 KH: I think it was about a month ago.

5 PC: About a month ago?

6 KH: Yeah.

7 PC: Okay.

8 KH: A month or two ago.

9 PC: So as part of your capacity, um --

10 KH: Uh-huh.

11 PC: -- did he come to you for supplies and things that
12 are clear -- you know, how -- how did --

13 KH: He would send -- yeah, he would give me requisitions
14 if he needed, uh --

15 PC: Okay.

16 KH: -- equipment. Periodically could one have gone
17 around me and gone straight to Jeff? Because what
18 it is, is I sign it; then it goes through
19 Operations; then Chief signs it, and then it
20 actually gets submitted. So --

21 PC: Okay. So --

22 KH: So --

23 PC: So how does that happen, like? I guess what we're
24 trying to see is --

25 KH: Sure.

1 PC: -- who gets him the ammo? You approved it? And he
2 requests --

3 KH: Um, the blanks?

4 PC: Yeah.

5 KH: Yes.

6 PC: He -- you approve that?

7 KH: Yeah.

8 PC: Okay. And then what happens from there?

9 KH: Um, if it's something I approve, I give it to
10 Operations.

11 PC: Okay.

12 KH: Um, Jeff signs it. Jeff gives it to Tom. Tom signs
13 it and then it goes to Amber, and she would actually
14 place the order. And she's our Property --

15 PC: Okay.

16 KH: Evidence and Property person.

17 PC: She places the order how? To a vendor?

18 KH: Yes. Yeah.

19 PC: And --

20 KH: 'Cause for certain equipment there's approved
21 vendors because it's City procurement.

22 PC: Okay.

23 KH: Um, so we have like a list of vendors; and then if
24 you're ordering under -- something under a certain
25 umbrella, which I'm sure ammunition is one of them -

1 -

2 PC: Sure.

3 KH: -- it would go through whatever vendor she's allowed
4 to order from.

5 PC: Okay. So specifically would you have copies or, you
6 know, uh, invoices that would show his requisition -
7 - his last requisition for blanks and any other
8 supplies?

9 KH: I don't.

10 PC: Okay.

11 KH: Um, he hands me a paper.

12 PC: Yeah. And you sign it?

13 KH: I sign it and turn it on and I -- I hate to say, but
14 I just rely on Amber to have those records 'cause --

15 PC: Gotcha.

16 KH: -- she does.

17 PC: Okay.

18 KH: I mean, you know, she would keep those.

19 PC: Yeah. No, I understand.

20 KH: Yeah.

21 PC: So do you recall the last time he put in for blanks?

22 KH: No. I mean, truthfully I don't remember
23 specifically an order for blanks.

24 PC: You don't?

25 KH: Um, no.

1 PC: Okay.

2 KH: But that doesn't mean that one didn't come through.

3 PC: Well, let's just --

4 KH: You know, I just don't --

5 PC: Right. No.

6 KH: Yeah.

7 PC: So you don't remember when -- any time in the recent
8 past?

9 KH: Uh-uh.

10 PC: Okay.

11 KH: No.

12 PC: Um, could it be possible that, uh, somebody in his
13 position can go out and acquire an item and then put
14 in a receipt for reimbursement?

15 KH: Yes.

16 PC: Okay.

17 KH: Yeah.

18 PC: Um, can that happen?

19 KH: Yes.

20 PC: It can?

21 KH: Um, the process for that, if officers have to buy
22 stuff that's -- say on a Saturday. Say he had a
23 demo that night --

24 PC: Yeah.

25 KH: -- and needed blanks. He could buy them; and then

1 the person that he would submit that to is Beverly,
2 who's the Chief's administrative assistant.

3 PC: Okay.

4 KH: She runs petty cash. Um, so there's like a receipt.
5 And, like, we've had it happen with, like, cables
6 and stuff for cars.

7 PC: Uh-huh.

8 KH: You fill out the receipt. Just -- you write down
9 like what it was that you purchased.

10 PC: Okay.

11 KH: And then she would reimburse you, and then she sends
12 that receipt to Finance somewhere or something.

13 PC: Okay.

14 KH: 'Cause it accounts for where the petty cash went.

15 PC: Okay. Um, okay. So if we -- if I hear you
16 correctly --

17 KH: Uh-huh.

18 PC: Um, and forgive me, uh, Gary, if I'm not -- um, you
19 don't recall the last time -- you don't recall any
20 time he's ordered blanks or you don't recall the
21 last time?

22 KH: I don't recall any time that I signed for blanks.

23 PC: For blanks. Okay.

24 KH: Yeah.

25 PC: All right. Uh, how many -- how -- how long would it

1 take for a particular officer to use a box of blanks
2 if he ordered a box?

3 KH: Sure. For K-9, um --

4 PC: I'm talking about a single box, not a -- not like a
5 case.

6 KH: Yeah. Yeah. Um, I mean, they could last a long
7 time 'cause --

8 PC: One -- one small box.

9 KH: Yeah, because I know -- I mean, and just speaking
10 from experience, when I didn't have a blank gun in
11 K-9, I know my husband had stockpiles of blanks
12 because they just bought them and they never even
13 used them all.

14 PC: Okay.

15 KH: Um, so I don't -- you know, to train a dog, you
16 don't use it a lot in training. You use it when
17 you're certifying.

18 PC: Okay.

19 KH: Um, so, I mean, a dog knows, you hear gunfire, the
20 dog runs toward it. So, I mean, one or two times.
21 And then if he's using them for demos, even if you
22 shoot twice in a demo -- I mean, we're not doing
23 demos that often, so --

24 PC: Right. Okay.

25 KH: I -- I can't imagine a box of even like 24 wouldn't

1 last several months.

2 PC: Okay. Um, was there ever a time you remember where
3 you supplied him with blanks, that you handed him
4 blanks?

5 KH: Yes.

6 PC: Okay. When was that?

7 KH: Um, it was when I moved, 'cause we cleaned out all
8 of our ammo.

9 PC: Sure.

10 KH: Um, and that was -- where are we right now? It's --

11 GN: August.

12 KH: August. So we moved July 4th weekend. So it was
13 sometime the second week of July; I gave him a box.
14 It was definitely a small one.

15 PC: Uh-huh.

16 KH: And it was of blanks, and they were left over from
17 my husband.

18 PC: Okay.

19 KH: 'Cause we just determined there was no -- we didn't
20 need them.

21 PC: Yeah, I understand. Do you recall --

22 GN: One box? I'm sorry.

23 PC: That's all right. One box or two box?

24 KH: Um --

25 PC: Three box?

1 KH: Definitely wasn't three. I think it was one, 'cause
2 it was like a small, square --

3 PC: Okay. Do you recall the name of the blanks?

4 KH: No.

5 PC: No?

6 KH: But I could possibly -- if my husband remembers I
7 could ask him. 'Cause they weren't mine, so I don't
8 --

9 PC: Okay. They weren't yours?

10 KH: Yeah.

11 PC: All right.

12 KH: They were -- I think they were left over from the
13 Sheriff's Office.

14 PC: Okay. Can you describe the box?

15 KH: Um, it was -- I think it was gray, but it was
16 definitely an actual cube, like.

17 PC: Okay.

18 KH: And it was just older cardboard and it, you know,
19 opened from the top.

20 PC: Okay. Do you remember the name brand or the design
21 on the box? Anything about it to identify the box,
22 thinking back?

23 KH: No.

24 PC: Was it a box --

25 KH: I really don't --

1 PC: Was it a type of blank you were familiar with?

2 KH: No.

3 PC: That you've used in the past?

4 KH: I never -- I've never fired a blank gun.

5 PC: Okay.

6 KH: Yeah. So I don't --

7 GN: Is it a specific, uh, kind that Charlotte County

8 orders? They just order that kind?

9 KH: It would be theirs, yeah.

10 GN: Their kind.

11 KH: So I don't know what that -- you know, I mean, like

12 that's what I'm saying.

13 GN: Uh-huh.

14 KH: I could probably determine what it was.

15 PC: Okay.

16 KH: Um, but I have no idea.

17 PC: Did you ever look inside the box and see what they

18 look like?

19 KH: Um, I opened it. I -- I still couldn't tell you -

20 like, I wouldn't probably be able to tell you what

21 it was, you know, but --

22 PC: Do you know if they're silver or brass?

23 KH: I think they were silver.

24 PC: Silver? Okay.

25 KH: Yeah, I think they were silver.

1 PC: Okay. Uh, can you describe them to us, what you
2 remember?

3 KH: No. I think they were -- I truthfully have no idea.
4 I know they --

5 PC: Okay.

6 KH: They look different than regular ones.

7 PC: Yeah.

8 KH: I'm not a gun person.

9 PC: Yeah.

10 KH: I mean, I hate to -- that's a stupid thing to say.
11 I know my gun and I know my --

12 PC: No. I'm -- I'm the --

13 KH: Um, I --

14 GN: I'm not a gun person either.

15 KH: Yeah. So --

16 PC: I know what you mean by when you say that.

17 KH: Yeah.

18 PC: It's a tool for you and nothing more. It's what
19 you're --

20 KH: Yeah. And so --

21 PC: I understand.

22 KH: Yeah, which is what -- the main reason I was like,
23 "Do we really need to stockpile these anymore?
24 Because there's no reason for you to have them." So
25 that's why --

1 PC: Right. Gotcha. Um, okay. So prior to that, um,
2 was that the only time you've issued him those, um -
3 -
4 KH: Yeah, that was just --
5 PC: That was just a --
6 KH: -- the one time, like leftover (unintelligible).
7 PC: And you had them here on the -- you said you moved.
8 Like when you moved from your house or from here?
9 KH: Oh, yeah. No. I moved -- we moved houses.
10 PC: Oh, okay. So --
11 KH: So we were cleaning out stuff.
12 PC: And you had some extra -- what you thought were
13 extra ones from your husband.
14 KH: Yes.
15 PC: Okay. Gotcha.
16 KH: Yeah.
17 PC: All right. And -- and you believe they came from
18 Charlotte County, but you're not sure or --
19 KH: Um, they should have, 'cause he wouldn't have blanks
20 for anything else. I think it -- like I said, they
21 never use them.
22 PC: It's not like he would go out and buy them? Okay.
23 KH: Yeah.
24 PC: All right. If we showed you a photograph, would you
25 be able to recognize the box you think or no?

1 KH: Probably not.

2 PC: Probably not?

3 KH: 'Cause I truthfully don't remember.

4 PC: Okay. All right. Okay. Um, would you be able to

5 ascertain the name of the brand that your husband

6 used?

7 KH: I think so.

8 PC: You would?

9 KH: Yeah.

10 PC: Okay.

11 KH: 'Cause he would probably know better than me.

12 PC: Yeah. Right. Exactly, since he -- they trained

13 with them. Right?

14 KH: Yeah.

15 PC: Okay. All right. Thinking back again, anything

16 descriptive about the box?

17 KH: No. Like I said, I'm pretty sure it was gray.

18 PC: It was gray? Okay.

19 KH: But -- and I know it was old. Like, I mean, it was

20 definitely like --

21 PC: They were old.

22 KH: Yeah.

23 PC: Okay.

24 KH: It was probably like 10 -- no, not 10. That's

25 probably an exaggeration.

1 PC: Okay.

2 KH: But it was an old box.

3 PC: An old box?

4 KH: Which is why I was like --

5 GN: And what was the shape?

6 KH: Like a cube. Like a --

7 GN: Perfect square?

8 KH: Yeah, like a perfect square box.

9 GN: Okay.

10 PC: All right. Any -- outside of the gray, any markings
11 on the gray box? We're trying to prompt your
12 memory.

13 KH: I know. I know. I -- I just -- I don't remember.

14 PC: Okay.

15 KH: It was --

16 PC: Was the box full?

17 KH: No.

18 PC: No. So it was --

19 KH: No.

20 PC: -- missing some?

21 KH: Uh-huh.

22 PC: Okay. Gotcha. All right. Um, okay. And as far
23 as, uh, him obtaining blanks through the department
24 that would -- you don't recall, uh, requesting any
25 in the -- in the past months, weeks?

1 KH: No.

2 PC: No? Okay.

3 GN: You say "no." If he reimbursed and did the petty
4 cash thing, Beverly would have a --

5 KH: It would go through Beverly.

6 PC: Okay.

7 GN: So she would have that if --

8 KH: Yeah. Um, yeah. She does something with the
9 receipts. Like, I don't know if she maintains them
10 here or --

11 PC: Right.

12 KH: -- if they go over to Finance, but we have to sign,
13 say what we bought, and I would guess that she
14 obviously maintains something.

15 GN: Okay.

16 PC: Gotcha. Um, and she's available if we need to speak
17 with her?

18 KH: Yeah. She's here now.

19 PC: Okay.

20 KH: Yeah.

21 GN: Um, any other kind of ammo that you ever, uh, gave
22 him?

23 KH: No.

24 GN: Just those blanks.

25 KH: Uh-huh.

1 GN: Nothing else. Okay. All right. Well, all right.

2 PC: Do you have any questions? No? Okay.

3 GN: Okay. That'll end the interview. Approximate

4 time's 2:57 p.m.

5 (CONCLUSION OF INTERVIEW)

6

7

8

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10 Transcribed by: lam/lam/jck

1 (INTERVIEW OF LT. KATIE HECK #2, #2016-0108, 08/15/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 GN = Special Agent Gary Negrinelli

6 PC = Special Agent Patrick Crowe

7 KH = Lieutenant Katie Heck

8 GN: All right. This is Special Agent Gary Negrinelli of
9 the Florida Department of Law Enforcement. Today's
10 date is August 15th, 2016. Approximate time is 2:33
11 p.m. This is in reference to case number FM010027.

12 Uh, I'm currently at the, uh, Punta Gorda Police
13 Department. Uh, interview with Lieutenant Heck.
14 Also present is Special Agent Supervisor Patrick
15 Crowe.

16 Uh, Lieutenant Heck, can you state your name
17 and state it for the record, please -- or spell it?

18 KH: Katie Heck. K-A-T-I-E, H-E-C-K.

19 GN: Okay. And can you raise your right hand? Do you
20 solemnly swear to tell the truth, the whole truth
21 and nothing but the truth, so help you God?

22 KH: Yes.

23 GN: Okay. And again, your position here?

24 KH: I'm Lieutenant of Community Services.

25 GN: Okay. And how long have you been in that position?

26 KH: This position, since September of last year.

- 1 GN: Okay. And then prior to that?
- 2 KH: On the road as a corporal, road patrol.
- 3 GN: And prior to that?
- 4 KH: K-9 officer.
- 5 GN: Okay. And when you were a K-9 officer, um -- oh,
6 I'm sorry. You were a K-9 supervisor or officer?
- 7 KH: Officer.
- 8 GN: Okay. But you were never over the K-9 unit?
- 9 KH: Uh, that was during my tenure here since September.
- 10 GN: Okay.
- 11 KH: Lieutenant of Community Services.
- 12 GN: Okay. And, um, you were over Officer Coel at one
13 time?
- 14 KH: Yes.
- 15 GN: Supervised him? Okay. And before we talked about
16 if you, uh, recall, uh, having signed any
17 requisitions for some blanks.
- 18 KH: Yes.
- 19 GN: You didn't at the time.
- 20 KH: Correct. I didn't recall any.
- 21 GN: But -- but now you do? You had heard that --
- 22 KH: Um, yes.
- 23 GN: -- there was a requisition?
- 24 KH: Yeah. We've been doing some research.
- 25 GN: Okay. And if I showed you the requisition, would

1 you remember it?

2 KH: Yeah, absolutely.

3 GN: Okay. And this is the order. This is the

4 requisition.

5 KH: Yeah, this would be what I would see.

6 GN: Is your signature on that --

7 KH: Yes.

8 GN: -- requisition? Okay. And it's under, uh, the

9 supervisor?

10 KH: Yes.

11 GN: Okay.

12 KH: Yeah.

13 GN: All right.

14 KH: So that's right.

15 GN: And this was, uh, February 11th, 2016.

16 KH: Yes.

17 GN: Okay. And it was for three boxes of, uh, Special

18 Super X blank rounds.

19 KH: Yes. Sorry.

20 GN: Uh, specifically Winchester. And these, uh -- is

21 this, um -- this is made out to this High Power

22 Outfitters?

23 KH: Yes.

24 GN: Is that a typical place that you guys go to?

25 KH: Um, it's a local gun store, so yes.

1 GN: Okay.

2 KH: Um, we've used them -- I know we use them for gun
3 cleaning, and I think we've used them for our rifle
4 purchases that were not the government ones that
5 guys are buying.

6 PC: And -- and those blanks --

7 KH: So --

8 PC: -- for the record, were .38 Special blanks?

9 KH: Um, yes.

10 PC: Do you want to look at it again --

11 KH: Yeah.

12 PC: -- just to verify that?

13 KH: Yeah. I'm pretty sure they were. Sorry.

14 PC: It's okay.

15 KH: Yeah, .38.

16 GN: Um, as far as, uh, the training of the K-9, did you
17 guys keep like a training log each time that you --
18 you know, you did specific training with the K-9?

19 KH: Uh, me as a handler or Lee with his dog?

20 GN: Either.

21 KH: Um, Lee's now -- yeah, I mean, he keeps training
22 records. He trains with the Sheriff's Office,
23 though.

24 GN: Okay.

25 KH: Um, it's the Charlotte County Sheriff's Office. He

1 did all of his initial training with North Port
2 Police Department, um, and then he trains with the
3 Charlotte County Sheriff's Office. So I personally,
4 even though I'm his supervisor, am not involved in
5 his actual training.

6 GN: But he --

7 KH: If that makes sense.

8 GN: He keeps his own training records?

9 KH: Yes.

10 GN: Okay.

11 KH: And then they're also on a computer system.

12 GN: Okay.

13 PC: Are they maintained at Charlotte as well?

14 KH: Um, I don't know. I --

15 PC: Okay.

16 KH: From what I understand, no. Uh, I don't know if
17 that was the official answer or if that might just
18 be --

19 PC: Okay. Was -- were your records maintained?

20 KH: Yes.

21 PC: They were.

22 KH: Yeah.

23 PC: Gotcha.

24 KH: Um, they've changed supervisors a couple times. So
25 I don't know if maybe that's a practice that they're

1 not keeping up with anymore, but --

2 PC: Okay.

3 GN: I'm sorry. You mentioned, uh -- uh, North Port?

4 KH: Yes. His initial K-9 training was with North Port
5 Police Department.

6 GN: His initial training.

7 KH: Yeah, the whole K-9, like, academy.

8 GN: To get certified.

9 KH: Yes.

10 GN: Okay.

11 KH: Um, and he continued training there until -- I think
12 it was September or October of last year. I just
13 don't know the exact date. But it was September or
14 October.

15 GN: After his certification he continued, like, regular
16 --

17 KH: Yes.

18 GN: -- K-9 training with North Port.

19 KH: Yeah. That would be -- I think North Port was
20 training once a week, and at some point I know he
21 got cut down to only twice a month because that's
22 what's actually required. And just for a staffing
23 issue we just couldn't get him up there --

24 GN: Oh, okay.

25 KH: -- once a week.

1 GN: Okay. And that was until when with North Port?

2 KH: North Port was switched to Charlotte County in
3 September or October. I just don't know the exact -
4 -

5 GN: Okay.

6 PC: Do you know why?

7 KH: -- without looking. Um, North Port was in a lot of
8 bad press with all their K-9 apprehensions and
9 everything.

10 PC: Okay.

11 KH: And we just felt -- their, um, district for the
12 State Attorney's Office and everything is also
13 different.

14 PC: Okay.

15 KH: There's just a lot of practices that are different.

16 PC: Gotcha.

17 KH: That it just made more sense for him to come back
18 here.

19 PC: Okay.

20 GN: Uh, so the training is just required twice a month
21 or --

22 KH: Yeah. Case law requires -- you're gonna quote me on
23 -- um, I think it's 16 hours a month -- or 8 hours a
24 month for every discipline, which is why we train
25 twice a month, because then the dog is dual-

1 certified in patrol and narcotics. So it --

2 GN: Uh-huh.

3 KH: It just -- there's no real requirement except for
4 case law saying --

5 GN: Okay.

6 KH: -- how long each dog should train in each
7 discipline.

8 GN: Is there a requirement on, uh, keeping the log,
9 keeping the training log, or is it (unintelligible)?

10 KH: Um, there's -- there's case law requirement for it.

11 GN: Okay.

12 KH: You have to produce it in court.

13 GN: Okay.

14 KH: Um, that's mostly on the drugs side, but, uh, you
15 know, for us there'd be no difference for patrol as
16 well.

17 GN: Okay.

18 KH: So he does document all his training.

19 GN: Um, as far as the, uh, ammo goes, again, it looks
20 like the requisition was for, um, some Winchester
21 .38, and we're just trying to see if, uh, you know,
22 those other rounds that were given to him, um, if --
23 if you can recall like if I showed you a box?

24 KH: Um, I can try.

25 GN: Okay.

1 PC: Do you ever recall giving him Blazer blanks?

2 KH: No. I think -- is Ranger a brand?

3 PC: I don't know.

4 KH: Oh. Um, I -- I truthfully don't --

5 PC: Okay.

6 KH: -- remember.

7 PC: Okay.

8 KH: It was honestly one of those things when we were
9 moving, I just -- we didn't need them and --

10 PC: Sure.

11 KH: -- I put them in a Publix bag or some kind of
12 shopping bag and -- and gave them to him.

13 GN: That -- that bottom one, do you recall?

14 KH: That looks familiar.

15 GN: Uh-huh.

16 PC: We're just trying to figure out how he came into
17 possession of those.

18 KH: Yeah.

19 PC: The Winchesters are soft. He bought those.

20 KH: That might have been it, but I -- I just don't know
21 for sure.

22 GN: Yeah? Possibly?

23 KH: Yeah.

24 GN: Okay.

25 PC: What -- what -- which ones were they? The Blazers?

1 KH: The -- yeah. That's a rectangle box. Right?

2 GN: Yeah.

3 PC: Which ones?

4 GN: The bottom ones.

5 PC: Okay.

6 KH: The only thing on that, the -- the top of the box
7 doesn't say anything about being blanks.

8 GN: Uh-huh.

9 KH: And I'm -- I'm so positive that the box that we gave
10 him said something about being blanks on them.

11 GN: Okay.

12 KH: Because that's how I knew they were different than
13 other ammo that we have, you know, 'cause --

14 PC: Right. Do you recall looking in the box?

15 KH: No. We -- well, we talked about that before. I --
16 I --

17 PC: Yeah.

18 KH: I don't think so. I just --

19 PC: Okay.

20 KH: Yeah, I --

21 GN: Again, so how many that you think?

22 KH: Um, well, I actually do think it might have been two
23 boxes just in talking more about it 'cause I -- I
24 know it was in a bag. And I'm thinking, well, if I
25 only had one box, I wouldn't have put it in a bag,

1 and I know I gave him like a plastic bag.

2 GN: Okay. All right.

3 KH: Which actually we were in the back lot. I don't

4 know how long -- I don't think our cameras store

5 that long. But he was parked in our -- in our back

6 lot.

7 PC: When you gave him the ammo?

8 KH: Uh-huh.

9 PC: Okay.

10 KH: So, I mean, for what that's worth, but I don't know

11 if the, you know --

12 PC: You said it was, uh -- you moved the 4th of July

13 weekend?

14 KH: Yeah. So it was probably before, like the week

15 before, like as we were packing.

16 PC: So, um, the first part of, uh, July/end of June --

17 KH: Yeah.

18 PC: -- you would think that you handed these over to him

19 --

20 KH: Yes.

21 PC: -- in the back lot. Okay.

22 KH: 'Cause it was definitely before we moved.

23 PC: All right. Do you know the cycle on that? Is that

24 a 30-day, 60-day cycle?

25 KH: I think it's 30.

1 PC: Thirty?

2 KH: But that's not -- you know, I don't know for sure.

3 PC: Okay. All right.

4 KH: That might be what they tell us and then it's

5 something --

6 GN: Okay. Was it, uh -- well, obviously you're here --

7 you're here like, what, 8 to 5 or something? Is

8 that your --

9 KH: Yeah.

10 GN: Yeah.

11 KH: Yeah. So it would definitely be --

12 GN: What does --

13 KH: -- during the day.

14 GN: What does he work?

15 KH: He normally works nights.

16 GN: Okay.

17 KH: But, uh -- but that's hit or miss because a lot of

18 times he comes in during the day as well. So --

19 GN: Okay. You're (unintelligible) you're --

20 KH: I mean, for sure it was during the day.

21 GN: It was during the day?

22 KH: Yeah.

23 GN: Okay. All right. All right. Anything?

24 PC: No. Uh, I think we need to talk to Captain Woodard.

25 GN: Okay. All right.

1 PC: No, we're good.
2 KH: Okay.
3 PC: For now.
4 GN: Thank you. That'll conclude this statement.
5 PC: Thank you.
6 GN: Approximate time is 2:43 p.m.
7 (CONCLUSION OF INTERVIEW)
8
9
10 Transcribed by: lam/lam/jck

1 (INTERVIEW OF KELVIN JIMENEZ, #2016-0108, 08/09/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 JO = Special Agent Jennifer O'Connell

6 KJ = Kelvin Jimenez

7 JO: It is approximately 11:58 p.m., on August 9th, 2016.

8 Myself, Special Agent Jennifer O'Connell with the

9 Florida Department of Law Enforcement is here with

10 Kelvin Jimenez. If you could, please, uh, state and

11 spell your name for the record.

12 KJ: First name is K-E-L-V-I-N; last name is Jimenez, J-

13 I-M-E-N-E-Z.

14 JO: All right. If you could, please raise your right

15 hand. Do you solemnly swear to tell the whole truth

16 and nothing but the truth, so help you God?

17 KJ: I do.

18 JO: Okay. I appreciate taking the time to speak with me

19 today. Um, you're -- I just wanna verify on the

20 record that you're here on your own accord. You're

21 not the subject of this investigation. You're not

22 required to be here for any type of administrative,

23 um, proceedings. So --

24 KJ: All right.

25 JO: Okay. Um, let's start off with how long have you

26 been with the Punta Gorda Police Department?

1 KJ: Four years and about three months.

2 JO: Do you have any prior law enforcement experience?

3 KJ: I worked for Fort Myers Police Department for about
4 a month.

5 JO: Okay. And are you currently, um, patrol?

6 KJ: Yes.

7 JO: And you're a corporal?

8 KJ: PFC.

9 JO: PFC?

10 KJ: Um, first class officer.

11 JO: Oh. Okay. What time did you start your shift
12 today?

13 KJ: I started at 6 p.m.

14 JO: Okay. And what were your duties for the evening?

15 KJ: Road patrol.

16 JO: Okay. What brought you to the police department
17 this evening?

18 KJ: Work.

19 JO: Were you called to the department a citizen's
20 academy?

21 KJ: Not at all. Just my regular shift.

22 JO: Okay. Did -- did you have any involvement tonight
23 in the --

24 KJ: Not at all. As far as anything to do with the
25 academy itself, no, I was there just -- just

1 watching it.

2 JO: Okay. Um, so what time -- you got here at 6 p.m. to
3 watch it?

4 KJ: No, I got here at 6 p.m., that's when my schedule
5 starts.

6 JO: Okay.

7 KJ: You have to be in roll call --

8 JO: Okay.

9 KJ: -- before 6 p.m.

10 JO: And what time, um, did you begin watching the
11 citizen academy?

12 KJ: I would say started around 6:35, around there.

13 JO: How many people were here for that?

14 KJ: Officers or just civilians?

15 JO: Both.

16 KJ: I would say surrounding me there were Kennedy,
17 Angelini, Shane Chodakowsky, and I would say around
18 30 civilians.

19 JO: So 30 civilians and about how many law enforcement?

20 KJ: Besides me?

21 JO: Uh-huh.

22 KJ: It was Shane Chodakowsky, Brandon Angelini and John
23 Kennedy.

24 JO: Were there members of command staff here as well?

25 KJ: Yes.

1 JO: Okay. About how many members of command staff?

2 KJ: Um, that I could recall was Chief, um -- Chief
3 Lewis, Captain Woodard, um, Lieutenant Salsman was
4 out there as well. Who else was out there? That's
5 all I could remember as far as command staff go.

6 JO: Okay. So in total would say there were 10 or less
7 law enforcement --

8 KJ: Yes.

9 JO: -- personnel? Okay. Were you present during the
10 initial teaching of the police department, the slide
11 shows, the --

12 KJ: Not at all.

13 JO: Okay. So at what point did you observe the citizen
14 academy?

15 KJ: Um, basically when they was outside and they was
16 fixing to start the -- the scenario.

17 JO: Okay. So from when you're outside, describe to me
18 what happened through the whole course.

19 KJ: Um, basically -- obviously there were two vehicles
20 parked, um, one next to another. Um, the elderly
21 female was playing the cop at the time, was walking
22 towards the officer, or the bad guy with the hoodie
23 on. Um, he appeared to have like some sort of cell
24 phone in his hand. And she was trying to get his
25 attention. And all he kept saying -- he was on the

1 phone, he was like, "I have my cell phone in my
2 hand. Cell phone in my hand." Um, at that point in
3 time he appeared to have turned around and going
4 directly in front of the patrol vehicle, the
5 unmarked white patrol vehicle, um, leaned down and
6 grabbed a handgun.

7 At that point in time I -- not for certain, but
8 I heard three rounds go off. Um, when he shot those
9 three rounds, he shot them in a downward position as
10 far as not straight ahead towards -- towards the
11 elderly female who was playing the cop. That point
12 in time he did a 180, went from -- vehicles are
13 positioned this way, so he went from the south side
14 of the vehicle, from the passenger side went around
15 the front of the vehicle towards the driver's side,
16 and then shot one more time.

17 JO: So three and then one?

18 KJ: Three and then one. Like I said, I -- I'm -- I'm
19 not certain it was three, but that's what I believe
20 I heard was three rounds go off first. Then he went
21 in front of the vehicle and shot the last one.

22 JO: What did you see next?

23 KJ: Um, at that point in time I sort of noticed the
24 driver door, I'm like, That looks like a -- like a -
25 - like a shot. And then I saw the female lean

1 forward. I'm like, Okay. Something's going on. I
2 didn't think she was shot or anything of that, so I
3 just thought she was having a heart attack. That
4 point in time I took off running and I went into the
5 fire bay and, um, got EMS and the Fire Department,
6 scream, "Hey, we need you guys out here. A lady
7 passed out."

8 JO: So the burglar in the scenario, do you know who that
9 is?

10 KJ: No, I've -- I've never met her. Well, I'm sorry.
11 The burglar.

12 JO: Yes.

13 KJ: Um, Officer, um, Lee Coel, K-9 officer.

14 JO: Can you describe what he was wearing?

15 KJ: He was wearing a green color hoodie, mask, um, dark
16 -- well, black, um, pants and black boots.

17 JO: Do you know if he participates in the citizen
18 academy, this type of scenario --

19 KJ: I have no idea whether or not he's done it in the
20 past. I --

21 JO: Okay.

22 KJ: -- couldn't tell you.

23 JO: So let's go back to when you heard the shots.

24 During the first three you said he was pointing in a
25 downward direction.

1 KJ: Right.

2 JO: Was he pointing straight down? Was he at an angle?

3 KJ: At an angle.

4 JO: At an angle, but certainly down?

5 KJ: Correct.

6 JO: Okay. So his arm was not parallel with the ground?

7 KJ: No.

8 JO: Okay. What about the fourth shot?

9 KJ: The fourth shot, from my angle, when he went around
10 the vehicle it appeared that he had the -- the gun
11 towards his hip, pointing straight down. It
12 appeared that when -- to me at least, when he went
13 around the corner, as he raised his hand, that's
14 when the -- the last shot was -- was fired.

15 JO: So as he was running he has --

16 KJ: The gun --

17 JO: -- it pointing straight down?

18 KJ: Straight down. And as he comes around the corner he
19 starts -- appears to start raising the handgun, and
20 that's when he took the last shot.

21 JO: And when he raises it for that fourth shot is he
22 parallel with the ground?

23 KJ: It was -- it was more -- this is what I saw. Coming
24 from this angle, like he was starting to bring it up
25 and that's when he took the last shot. It still was

1 not parallel, it was more at -- basically at this
2 angle.

3 JO: Forty-five degrees?

4 KJ: Yeah, 45 degrees, I would say.

5 JO: Okay. And so when you saw her fall --

6 KJ: I saw her lean forward. I'm like, That's kind of
7 awkward. Um, and then she appeared to start going
8 towards her knee and I'm like, Okay. Something's
9 wrong. She's probably had a heart attack. That the
10 things that started coming through my mind, uh,
11 because of the loud bang that she heard. And I'm
12 gonna go get Fire, EMS.

13 JO: Okay.

14 KJ: And I -- I ran to go get 'em.

15 JO: And then when they responded did you run back with
16 them?

17 KJ: I jogged back with them but I didn't go directly
18 back towards the scene --

19 JO: Okay.

20 KJ: -- where the elderly female was laying down. No.

21 JO: Did you -- so you didn't provide any type of medical
22 response?

23 KJ: No, not at all.

24 JO: What actions did you take when you returned?

25 KJ: I, um, started securing the scene with -- with tape.

1 JO: Okay.

2 KJ: Um, put a log -- started my log, and stayed by until
3 FDLE arrived on scene. And I've been there ever
4 since.

5 JO: Was this your first time at one of these citizen
6 academy events?

7 KJ: No, I actually -- I actually done it last year.

8 JO: Year year?

9 KJ: Yeah.

10 JO: Did you participate in the actual scenarios?

11 KJ: Correct.

12 JO: Okay. Do you know when last year you did it?

13 KJ: No.

14 JO: Okay.

15 KJ: Well, the last time around we had it. I don't know.

16 It was last year. The last time we had it I was --

17 JO: Okay.

18 KJ: -- I did it.

19 JO: Do you normally do the same type of scenarios?

20 KJ: Yeah, pretty much the same thing.

21 JO: What role did you play in the scenario?

22 KJ: In -- we -- we had -- we had two scenarios. This
23 one, I don't -- I don't -- I don't recall whether or
24 not I was the bad guy with the gun, but on the
25 second one I definitely -- no, I'm sorry. I did

1 play the bad guy with the gun.

2 JO: Okay.

3 KJ: I did basically the same -- sort of the same
4 scenario they had. And then on the second one, it
5 was myself and John Kennedy were basically going at
6 it back and forth, um, in a fight. And that's about
7 it.

8 JO: When you were the bad guy before, did you also have
9 a firearm?

10 KJ: Yes.

11 JO: Who, um, provided the firearm?

12 KJ: I can't recall.

13 JO: It's not yours?

14 KJ: It's -- no, it's not my -- it's not my gun.

15 JO: Okay.

16 KJ: Uh, but it's -- it's the agency department gun.

17 JO: Was it a revolver?

18 KJ: I -- I believe it was, um, Salsman -- Lieutenant

19 Salsman --

20 JO: Salsman?

21 KJ: -- that provided it to me, but I'm not certain.

22 JO: What type of firearm was it?

23 KJ: A revolver.

24 JO: Can you describe it?

25 KJ: Silver in color, um, small handle, the common

1 revolver. Nothing out of the ordinary.

2 JO: Longer barrel? Short barrel?

3 KJ: Short barrel.

4 JO: And why did Lieutenant Salsman provide it for you?

5 Is -- is he -- I -- I don't know your --

6 KJ: That is --

7 JO: -- (unintelligible).

8 KJ: -- that is -- that is a common, um -- as far as the
9 gun is provided by the agency itself. Normally we
10 have two people check, make sure, um, it's not live
11 ammo.

12 JO: Is -- is he your supervisor or is he --

13 KJ: No, he's not my supervisor.

14 JO: Is he over training or --

15 KJ: He's over training. Yes.

16 JO: Okay. Is he -- like in our agency our training is
17 also our armorer. Is he -- does he do both?

18 KJ: He -- no, he doesn't -- does -- I believe, um, Jeff
19 Woodard does the armory. I -- I'm not for certain.
20 But, um, on that day I believe Salsman did provide
21 me with a gun.

22 JO: And when he provided it for you, was it already
23 loaded?

24 KJ: I can't recall. But like I said, normally the --
25 normally whether it's loaded or not, you have two

1 people verify, to look at the ammo. So whether it
2 was loaded or not loaded --

3 JO: Uh-huh.

4 KJ: -- either way we both verified it that it was not
5 live ammo.

6 JO: So you remember doing a safety check?

7 KJ: Yeah, we done a safety check.

8 JO: And you did that safety check with another person?

9 KJ: Yes. It might've basically been Salsman or -- or
10 Kennedy, the other officer that was, um, playing the
11 role with me.

12 JO: And what all do you do when you conduct a safety
13 check?

14 KJ: Just look at the rounds, make sure they're not live
15 rounds, look at the gun to make sure there's no live
16 rounds stuck in the -- in the barrel or anything of
17 that sort. And then go from there.

18 JO: Both you and another person do that?

19 KJ: Correct.

20 JO: Have you participated in other scenarios like this,
21 whether it's citizen academy or other --

22 KJ: Uh, training.

23 JO: In training?

24 KJ: We have a -- every year we have a training.

25 JO: Your, um --

1 KJ: Yearly qualification training --

2 JO: Uh-huh.

3 KJ: - basically, to go over everything.

4 JO: Okay. And so when you're on the range do you guys

5 perform safety checks?

6 KJ: On the range?

7 JO: Or --

8 KJ: No, we don't --

9 JO: -- when you were getting -- like if you're doing,

10 um, active shooter scenarios or any --

11 KJ: Yes. Yes, we do --

12 JO: Okay.

13 KJ: -- safety checks.

14 JO: And what do those safety checks consist of?

15 KJ: Basically they consist of, um, you go at the

16 beginning of the day, um, you look at all the ammo,

17 which would be not live ammo. You go -- you -- you

18 basically look over the guns to make sure there's no

19 live ammos in the gun. Um, all those ammos are put

20 at a particular location. You can only load that

21 ammo.

22 JO: Uh-huh.

23 KJ: Um, at that point in time nobody else have, um,

24 rounds or guns are allowed at the range or at the

25 training center.

1 JO: For us I know that, um, like if we're using blue
2 guns, then the -- the instructor will -- even --
3 even with a blue gun being apparent, he'll say like,
4 Look, it's -- it's empty, um, and he'll have
5 somebody check it.

6 KJ: Correct.

7 JO: Is that something that you guys do?

8 KJ: Yes.

9 JO: Okay. Were you involved at all in the preparation
10 for tonight's event?

11 KJ: Not at all.

12 JO: Do you know who helped orchestrate the event?

13 KJ: Not at all.

14 JO: Is there any particular person that's normally in
15 charge or helps run it?

16 KJ: That's above my pay scale.

17 JO: Okay.

18 KJ: If -- if -- if I -- if I had to guess it would be
19 Katie Heck, 'cause she deals with all the media.

20 But --

21 JO: Katie Heck?

22 KJ: Katie Heck. Lieutenant Katie Heck. But like I
23 said, that's above my pay scale and I have no idea
24 who -- who does it.

25 JO: Was Lieutenant Salsman here this evening?

- 1 KJ: Yes.
- 2 JO: Do you know if he provided a firearm for the
3 scenario tonight?
- 4 KJ: I -- I have no idea. I -- I basically -- when --
5 when I was there, that -- the -- the scene was
6 (unintelligible).
- 7 JO: Okay. So you -- you were not present for a whole
8 lot of time before that?
- 9 KJ: No.
- 10 JO: Did you see any safety checks occur tonight?
- 11 KJ: No.
- 12 JO: I'm sorry. Are you familiar with Lee Coel?
- 13 KJ: Yes.
- 14 JO: Do you work closely with him?
- 15 KJ: Yes.
- 16 JO: Does he participate in these scenarios very often?
- 17 KJ: I have no idea --
- 18 JO: Okay.
- 19 KJ: -- whether or not he does. The one that I took part
20 of he wasn't in there. But he could've easily -- he
21 could've easily been in another one that I was not
22 working, unaware that they were holding one.
- 23 JO: Do you know how long he's been employed with the
24 police department?
- 25 KJ: I think about two years.

1 JO: Okay. Have you ever observed circumstances at the
2 police department or in training, um, where people
3 aren't doing the safety checks?

4 KJ: Not at all.

5 JO: Can you describe how the crime scene was secured?

6 KJ: Um, taped it off. Um, as far as when you say
7 "describe," you mean the tape, anyone walking in and
8 out of the -- the scene?

9 JO: After the class participants were moved back into
10 the building, did you see and handling of potential
11 evidence, any movement of --

12 KJ: No, I was --

13 JO: -- anything within the scene?

14 KJ: That I seen as far as from what I heard, um,
15 Lieutenant Salsman unloaded the handgun. That's
16 about it.

17 JO: You didn't observe him do that?

18 KJ: No, I didn't.

19 JO: Okay.

20 KJ: But as far as any movements or any evidence or
21 anything of that sort, nothing that I seen. I taped
22 the scene off and I -- and I stayed there. Officers
23 came in and -- in and out of the scene but nothing
24 was touched.

25 JO: Did you record every officer that came --

1 KJ: Yes.

2 JO: -- in? Did you have multiple perimeters, you know,
3 like, uh --

4 KJ: Yes, we had a -- the main perimeter, then we had a -
5 - the secondary perimeter where, um, the detectives
6 and officers can park if they need to --

7 JO: Uh-huh.

8 KJ: -- firefighters can walk back and forth out of their
9 bay. But the main scene was secured by myself and
10 nobody else was allowed to walk in and out unless
11 you had to be there, and if you were, I logged you
12 in and out.

13 JO: Okay.

14 KJ: That's about it.

15 JO: Okay. Do you know if, um -- if any of the staff
16 were taking pictures tonight or, uh --

17 KJ: Yes, Lieutenant Lipker.

18 JO: Lieutenant who?

19 KJ: Lieutenant Lipker, L-I-P-K-E-R.

20 JO: He was taking pictures?

21 KJ: Yeah, he took photos.

22 JO: Was he using a -- like a department-issued camera?

23 KJ: Department-issued camera. We then, um -- myself
24 and, um, Pribble, we put a tent up. Um, as far as
25 for the blood and the evidence, since it was

1 raining, we put a tent up to, um, try not to destroy
2 as much evidence as possible.

3 JO: Since Lieutenant Salsman, um, provided the firearm
4 to you when you participated in this one -- this
5 academy last year, do you know if he normally is the
6 one that provides the firearm?

7 KJ: I believe so. I'm not 100 percent whether he does
8 it all the time or not, but I believe -- when I went
9 through it, I believe he provided me the handgun.

10 JO: Do you know where -- is -- I just wanna verify, when
11 you participated last year you conducted a safety
12 check and you were sure that you were using blanks?

13 KJ: Yes.

14 JO: Do you know where the blanks came from?

15 KJ: No. He brought 'em.

16 JO: Lieutenant Salsman brought them?

17 KJ: Yes. Either -- like I said, I'm not 100 percent it
18 was Salzman that brought it, or brought 'em.

19 JO: Okay.

20 KJ: Brought the -- the gun and -- and the blanks.

21 JO: Do you believe -- it's -- it -- it's either
22 Lieutenant Salsman or Kennedy. Is that right?

23 KJ: No, Kennedy was role playing with me.

24 JO: Okay.

25 KJ: I don't -- like I said, it's either Salsman -- I

1 don't know who else brought it.

2 JO: Okay.

3 KJ: But I can't -- 'cause I was not really paying
4 attention to that.

5 JO: But it was either Kennedy or Salsman that did the
6 safety check with you?

7 KJ: Yes.

8 JO: Do you know where blanks are stored within the
9 department?

10 KJ: Not at all.

11 JO: In training do you use blanks or do you use sim
12 rounds?

13 KJ: Blanks.

14 JO: Blanks?

15 KJ: Uh, blue ones, correct?

16 JO: Okay. The sim rounds, simulations?

17 KJ: The sim rounds. Yeah, I'm sorry.

18 JO: Okay.

19 KJ: Sim rounds. And those are the same ones that we use
20 for the academy.

21 JO: Okay. What the -- the victim was using tonight, the
22 blue gun?

23 KJ: Yes.

24 JO: Okay. Is there anything else you can think of that
25 I haven't asked you?

1 KJ: That's about it.

2 JO: All right. Um, that'll conclude this interview at
3 approximately 12:24 a.m.

4 (CONCLUSION OF INTERVIEW)

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25 Transcribed by: jak/jak

1 (INTERVIEW OF CORPORAL REBECCA GRIM, #2016-0108, 8/10/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 DM = Special Agent Dan Mahler

6 RG = Corporal Rebecca Grim

7 DM: Special Agent Dan Mahler, Florida Department of Law
8 Enforcement. Today is now August 10th, 2016. It is
9 approximately 12:40 p.m. I'm here at the Punta
10 Gorda Police Department. With me is Corporal --

11 RG: Corporal Rebecca Grim.

12 DM: Thank you. And do you go by Rebecca or --

13 RG: Becky.

14 DM: -- Becky? Okay. And what is your date of birth?

15 RG: Um, 2/22/73.

16 DM: Okay. Um, do me a favor. Raise your right hand for
17 me. You swear that everything you're about to tell
18 me is the truth, the whole truth, nothing but the
19 truth?

20 RG: I do.

21 DM: Thank you. And what is a good number to reach you
22 at if we need to call you later?

23 RG: Um, [REDACTED].

24 DM: Okay. All right. Um, like we -- like I just told
25 you, you're not the subject of the investigation.

26 Um, this is a criminal investigation. Um, you're

1 here as a witness. This is completely voluntary.
2 If, for whatever reason, you want to end the
3 conversation, you're more than welcome to. The
4 exit's there. Um --

5 RG: Understood.

6 DM: Okay. Um, just go ahead and -- and talk to me
7 tonight about, you know, this, uh -- the event with
8 the citizen's academy that you guys had, how it led
9 up to the events that later unfolded.

10 RG: Okay. Um, well, initially, my squad is the patrol
11 squad on duty tonight. Um --

12 DM: Okay.

13 RG: -- we did have one of our officers, um, Officer
14 Chodakowsky, who is gonna be part of the -- the
15 citizen's academy. Um, we finished roll call and we
16 saw that they were gonna start the scenario base,
17 uh, role play. So we all kinda walked outside. I
18 happened to come across Captain Claschini when I
19 walked outside. Everybody was kinda gathered around
20 in the back parking lot of the police department. I
21 stopped and started talking to Captain Claschini
22 about my patrol car, 'cause I've been having a lot
23 of, um, issues with the electric -- electrical
24 issues.

25 DM: Uh-huh.

1 RG: So as I was speaking with him, um, the role play
2 scenario started. I wasn't actually looking. I was
3 looking at him 'cause I was talking to him. Um, I
4 heard several what sounded like live round shots.
5 I'm not exactly sure how many. Um, I turned to look
6 and I saw to my left, pretty much my whole squad. I
7 think it was, uh, Shane Chodakowsky, Juan Gonzalez,
8 I believe, Kelvin Jimenez, and Brandon Angelini.
9 They were all kinda standing in a group, kind of off
10 to my left.

11 Saw them all over there, um, and then I saw --
12 apparently it was Lee Coel. Um, initially, I
13 thought it was Shane 'til I -- I saw him over here.
14 And I didn't see the lady who was out there. I had
15 seen her go out there, but then I was -- like I
16 said, I was talking to Captain Claschini.

17 DM: Uh-huh.

18 RG: And -- and then I just heard people going, "No, no.
19 Oh, my God." And I'm looking, and then I'm not sure
20 at what point I went from where I was standing --
21 'cause I actually was back behind the crowd --

22 DM: Uh-huh.

23 RG: -- and I ended up over where she was at. I forget
24 her name.

25 DM: Uh-huh.

1 RG: Um, she was on the ground. Someone rolled her over.
2 I saw blood. I heard, um -- Chief was actually
3 directly across from me on the opposite side of her
4 and Lee Coel was to my left. And he was saying,

5 [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
6 [REDACTED] And I think Shane was over there. He went to
7 get it. I heard somebody getting Fire. Um, I
8 realized that the female who was on the ground, she
9 did not appear to be breathing. I saw she had blood
10 and a wound, um -- you know, an open wound on her
11 left -- I think it was her left, like, abdominal
12 area, maybe middle abdomen.

13 DM: Okay.

14 RG: Um, Lee Coel had pressure on that, realized that she
15 wasn't breathing. I checked for a pulse, didn't
16 feel a pulse. I initiated CPR, um, and then the
17 Chief said, [REDACTED] She sounded like she was
18 trying to say something and then that stopped again,
19 so I went back to doing CPR. And I was telling
20 somebody -- at one point, Lee ended up on, I think,
21 my right side. And I remember trying to tell
22 somebody -- I could just see this -- an expression
23 on his face that I never saw.

24 Um, and I was trying to -- I remember seeing
25 lieutenant -- or Captain Woodard come over and I was

1 trying to get somebody to get Lee. 'Cause I just
2 saw -- he just didn't look right to me. Um, so I'm
3 trying to hold pressure on the wound with my left
4 hand while I'm doing CPR with my right. And then
5 before I knew it, um, Fire came out and they took
6 over.

7 DM: Okay. Uh, when you were saying, um, somebody was
8 saying, [REDACTED] [REDACTED] [REDACTED] was that, uh,
9 Lee Coel that was saying that?

10 RG: Yes --

11 DM: Okay.

12 RG: -- yeah.

13 DM: And Lee Coel was the officer who was the -- the
14 shooter in the scenario, or the -- the --

15 RG: Um --

16 DM: -- perpetrator in the scenario?

17 RG: -- as far as I know. I didn't know that before the
18 fact. Like I said, I thought it was Shane
19 Chodakowsky initially, but then I saw him. And I
20 didn't realize who it was because they wear, uh --
21 like a face shield.

22 DM: Right.

23 RG: Um, but later, like, I saw him. When I saw him --
24 he must've moved from my left side to -- I wanna say
25 he was up by her head. I think it was Lee. I just

1 remember seeing his face and I wasn't even 100
2 percent certain what happened, I guess --

3 DM: Uh-huh.

4 RG: -- 'cause I didn't see it. Um, and then somebody
5 came and took him off to the side, or he walked
6 away. I don't know.

7 DM: Okay.

8 RG: Um, when I -- when Fire showed up and they took
9 over, um, medical treatment, I saw Lee was over by a
10 tree on the back side of the parking lot with, I
11 know, Juan Gonzalez for sure.

12 DM: Okay. And Juan Gonzalez is one of the gentlemen
13 that's on your squad?

14 RG: Yes, sir.

15 DM: Okay. And what's Kelvin's last name?

16 RG: What's who?

17 DM: Kelvin? Is that his name?

18 RG: Um, Jimenez. It's H-I-M --

19 DM: And then, uh, Brandon's last name?

20 RG: Um, Angelini. And I'm sorry. Kelvin is J-I-M,
21 Jimenez.

22 DM: Yeah, J-I-M.

23 RG: Oh, yeah.

24 DM: Fifth grade handwriting. I know what it is later
25 when I type it. Um, okay. So you were talking with

1 the Captain. You hear the shots fired. You're not
2 sure how many you said though, right?

3 RG: Yeah, I'm not sure how --

4 DM: If you had to give a guess --

5 RG: If I had to --

6 DM: -- less than five, more than five?

7 RG: -- guess, four or five.

8 DM: Okay. Um, so you -- you wind up going over there --

9 RG: Uh-huh.

10 DM: -- and you initiate CPR?

11 RG: Yes.

12 DM: While you're doing CPR, obviously you see Lee there.
13 He's standing there.

14 RG: Yes.

15 DM: Do you -- is he still holding the firearm?

16 RG: I never saw him with anything in his hand.

17 DM: Okay. Did you ever see the firearm after the fact
18 or at any --

19 RG: Only firearm that I saw was a blue and black one.

20 DM: Okay.

21 RG: And I don't think that was until after I got up.
22 And it was, um -- let's see, if I was -- I was on
23 this side, she was here, the Chief. And it was
24 like, behind where the Chief was at --

25 DM: Okay.

1 RG: -- um, closer to the wash bay (unintelligible).

2 DM: Do you know who was holding that firearm or no?

3 RG: I do not.

4 DM: Okay. Um --

5 RG: I -- I remember thinking when I saw it, I'm like --

6 I was like, "What did she fall on?" Because I saw

7 that there. I don't know if she had been holding

8 that, but I remember seeing it there, thinking that

9 that was a training firearm.

10 DM: Uh-huh.

11 RG: And I'm like, "She must've fallen on something."

12 And I was looking, but I didn't see anything that

13 she would've.

14 DM: What made you think that's a training firearm?

15 RG: 'Cause of the color of it.

16 DM: Okay.

17 RG: It's blue and -- it's mostly blue.

18 DM: Okay. Other than, [REDACTED] [REDACTED] did

19 you hear Lee say anything else?

20 RG: At the time, no. When I -- after I was -- when Fire

21 showed up, I walked over because I saw him and Juan

22 and I -- I don't recall -- there was maybe two other

23 people there. I don't remember who it was.

24 DM: Okay.

25 RG: And he's going, [REDACTED] [REDACTED] [REDACTED]

1 DM: Okay. And what -- what kind of scenario was it?

2 RG: -- prior to that. Um, it -- I think it was just

3 like a disorderly subject.

4 DM: It's -- it's a -- like, a shoot, don't shoot

5 scenario --

6 RG: Yes, yes --

7 DM: -- or Taser scenario?

8 RG: -- yes. I'm sorry. It's a shoot, don't shoot

9 scenario --

10 DM: Okay. All right. Um --

11 RG: -- which I assume that's what today's was.

12 DM: Okay. But-- but you didn't have any prior

13 knowledge? You just knew that --

14 RG: No, I didn't.

15 DM: -- there was gonna be a scenario?

16 RG: Uh-huh --

17 DM: Okay.

18 RG: -- yeah.

19 DM: Um, what time did your shift start?

20 RG: Um, I started today at 5:00.

21 DM: Okay.

22 RG: We have our squad starts -- well, every squad has

23 like, a -- two early cars.

24 DM: Okay.

25 RG: So there was two of us that started at 5:00 and then

1 everybody else started at 6.

2 DM: So who was in the roll call when you -- when you
3 guys decided to come outside for the -- for the
4 event?

5 RG: Um, it would be -- it was Lieutenant Lipker, myself,
6 Officer Jiminez, and Juan Gonzalez. And like I
7 said, Shane was -- Shane was participating in the
8 citizen's academy, so he was already --

9 DM: He was already --

10 RG: Yeah --

11 DM: -- he had already been here then?

12 RG: -- yeah. Our normal was not like a roll call today
13 beaus we had citizens that were coming through the
14 roll call room. So --

15 DM: Okay. All right. Do you know what Shane's roll was
16 gonna be?

17 RG: Um, he was gonna do some sort of presentation. He's
18 the leader of the bike team.

19 DM: Okay.

20 RG: Um, so he was gonna do that and then he was gonna
21 be, um -- I believe another person for another
22 shoot, don't shoot scenario.

23 DM: All right. Um, just from your -- from your
24 experience and going to training and stuff like
25 that, is -- is it common to have a safety officer

1 whenever you're doing anything involving firearms,
2 whether it's simunitions or any like, scenarios like
3 this?

4 RG: Yeah. Whoever's in charge of the training is, um --
5 whoever is in charge of actually doing the training
6 like, um, a lot of times at the range it's Mark
7 Bayla [phonetic]. He would be one of them.

8 DM: Was he here tonight?

9 RG: I -- I did not see him. I think maybe he -- I think
10 maybe he got called in after the fact, maybe to work
11 the road while we were all in here.

12 DM: Okay.

13 RG: So I think maybe he's here --

14 DM: Right. But not --

15 RG: -- right now, but not --

16 DM: -- not during the scenario?

17 RG: -- during the incident, no.

18 DM: Um, do you know if a safety officer was assigned for
19 the scenario?

20 RG: I do not. No.

21 DM: Okay. Um, would it be -- is it common practice, you
22 know, like -- especially like out at the range or
23 anything like that, you know, you have safety
24 officers there, "Hey, check my gun. Look, my gun's
25 unloaded"?

1 RG: Absolutely. It's a very common practice.

2 DM: Okay. Um, at any point this evening, do you think
3 that this is anything other than a tragedy?

4 RG: No, nothing at all.

5 DM: Okay. No -- no suspicious activity or --

6 RG: No --

7 DM: -- no ill will between anybody?

8 RG: -- no, absolutely not.

9 DM: Okay. All right. Um, prior to this, how -- how
10 often do you see, uh, Officer Coel?

11 RG: Um, pretty frequently. He works, uh -- he has,
12 like, his own schedule 'cause he's our canine
13 officer.

14 DM: Right.

15 RG: But, uh, we see him on a fairly regular basis, maybe
16 a couple of times a week.

17 DM: Okay. Um --

18 RG: 'Cause his -- his shifts are kinda broken up, so he
19 spends time pretty much with every --

20 DM: Every squad?

21 RG: -- every squad, 'cause our days kinda rotate every
22 week. So --

23 DM: What -- what's his mindset been recently? I mean,
24 as far as, you know, in your interactions with him,
25 has he been okay, anything bothering him, any

1 problems at work or at home that he maybe confides
2 in or --

3 RG: No, no. I don't -- I don't really have much of a
4 relationship really with many of the officers
5 outside of work --

6 DM: Okay.

7 RG: -- um, mostly professional.

8 DM: All right. Uh, how long have you been with the
9 agency?

10 RG: Um, since 2010.

11 DM: Okay.

12 RG: Yeah.

13 DM: Anywhere else before that in -- within law
14 enforcement?

15 RG: Um, yeah. I worked for Minerva Police Department.
16 That's in Stark County, Ohio. I was, uh, road
17 patrol there for two years full-time, one year
18 reserve. I did a short -- about six months for a
19 county jail, Tuscarawas County Jail.

20 DM: Okay.

21 RG: And then I dispatched prior to that for Minerva.

22 DM: Okay. Um, is there anything that I haven't asked
23 you that you think I should know?

24 RG: I don't think so.

25 DM: Okay. When you were -- when you were, um, doing

1 CPR, you were doing just chest compressions?

2 RG: Yes.

3 DM: Okay. Do you -- did you hear the Chief saying
4 anything?

5 RG: Um, only at one point, he said, [REDACTED] And
6 it was because she, uh, sounded like she was trying
7 to talk.

8 DM: Okay.

9 RG: Um, prior to that, the reason I initiated CPR, I
10 felt for a pulse and her breathing seemed very agon
11 -- almost, um -- not gasping, but almost gurgly
12 like.

13 DM: Okay. Uh-huh. Did you notice any other wounds on
14 her other than where you described in her abdomen?

15 RG: No, I did not.

16 DM: Did you see any blood anywhere else other than
17 there?

18 RG: All -- I mean, it was just --

19 DM: I know --

20 RG: -- I just -- I'm trying to think. Um, no. I saw it
21 on the -- on the ground, on my hands. I just
22 remember thinking I didn't have my gloves on. And I
23 remember somebody from -- I think a Fire guy threw
24 my gloves, but I was already --

25 DM: When you -- when you were outside -- so literally,

1 until the point that you went over to the car to see
2 her on the ground, was that the first time that you
3 saw who it was, as far as the person who had been
4 shot?

5 RG: When I first came out, I had seen her up there, but
6 the scenario hadn't started and -- and before it
7 started, I initiated with Captain Claschini about my
8 car. And so I didn't --

9 DM: Okay.

10 RG: -- um, I didn't realize that the scenario started.

11 DM: Did you --

12 RG: -- and then --

13 DM: -- you recognized her on the floor as the same
14 person you saw standing up front earlier or when
15 they -- when you first came out? Or just thinking
16 about it now, you --

17 RG: To be honestly, I --

18 DM: -- you realize that's the same person or no?

19 RG: No --

20 DM: Okay.

21 RG: -- no. I remember seeing a lady up there. Um, but
22 I -- I mean, I couldn't tell you --

23 DM: Uh-huh. When -- when you came outside --

24 RG: -- yeah, I can't tell you.

25 DM: -- for the -- for the scenario, um, how -- like, how

1 quickly did it start after you came outside?

2 RG: I -- I didn't actually even hear it start. I mean -
3 -

4 DM: Okay.

5 RG: -- I came outside, I walked right over, I saw
6 Captain Claschini. He was also back where I --
7 like, back behind everybody else who was kinda
8 gathered around.

9 DM: Right.

10 RG: And so when I came out, it didn't seem like it had
11 started yet, um, and I started talking to him. I
12 probably had maybe a -- I don't know -- if I had to
13 guess, maybe a 45-second conversation.

14 DM: All right.

15 RG: And then I heard --

16 DM: After EMS showed up and they took over, at any point
17 after that, um, were you involved in, like, taping
18 off the scene or anything like that?

19 RG: Um, no. Um, the only thing I did was I escorted
20 Officer Coel and Officer Gonzalez in through the
21 back door. Um, we initially were gonna wash our
22 hands. I'm like, "D you have blood -- blood on your
23 hands?" He's going like this, he's like -- and I'm
24 like, "Yeah, I gotta wash my hands." And then I was
25 like -- I -- I guess it -- maybe that -- then was I

1 think when it really hit me that there was live
2 rounds somewhere.

3 DM: Yeah.

4 RG: And I said, "Stop. Don't wash our hands. Don't --"
5 you know? And -- and he didn't. He went right into
6 the lieutenant's office and --

7 DM: Did at any time, uh, like, when you escorted him
8 back inside, did -- did you see a firearm anywhere
9 other than the -- the training one that you
10 described?

11 RG: That was on the ground up by her. Um, no, no. I
12 didn't --

13 DM: Okay.

14 RG: -- even -- didn't even think to look.

15 DM: Did you see him with a firearm any -- at any point
16 earlier in the evening?

17 RG: I'm trying to think if I even saw him here. No.
18 No, I didn't.

19 DM: All right. Thank you for everything. Um, if -- if
20 something comes up where we have follow-up --

21 RG: Okay --

22 DM: -- questions, we'll give you a call.

23 RG: -- okay.

24 DM: Um, and if -- of course, if there's anything that
25 you think of later on --

1 RG: Okay.

2 DM: -- that, you know, pops back into your mind that you
3 remember, please give us a call.

4 RG: Okay.

5 DM: Um, I'll give you my card so you got it.

6 RG: All right. Thank you.

7 DM: You're very welcome. I'm gonna go ahead and end
8 this interview. It is now 1 a.m.

9 (CONCLUSION OF INTERVIEW)

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24 Transcribed by: rsh/rsh/ms

1 (INTERVIEW OF OFFICER SHANE CHODAKOWSKY, #2016-0108,
2 8/10/16)

3 (The following may contain unintelligible or misunderstood
4 words due to the recording quality.)
5

6 CT = Special Agent Christopher Tice

7 SC = Officer Shane Chodakowsky

8 CT: My name is Christopher Tice. I'm a Special Agent
9 with the Florida Department of Law Enforcement, Fort
10 Myers. Today's date is August 10th, 2016. The time
11 is currently 12:41 a.m. This is in reference to an
12 incident which occurred at the Punta Gorda Police
13 Department, 1410 Tamiami Trail, Punta Gorda,
14 Florida. I'll be taking a sworn, taped statement
15 from Officer Shane Chodakowsky, C-H-O-D-A-K-O-W-S-K-
16 Y. Uh, date of birth, September 6th, 1988. Phone
17 number here at the Punta Gorda Police Department,
18 941-639-4111. All right, Shane. Before we begin --
19 is it all right if I call you Shane?

20 SC: Absolutely.

21 CT: All right. Before we begin, I just want you to know
22 that you are not the subject of this investigation.
23 Okay? And this is a voluntary statement --

24 SC: Yeah --

25 CT: -- do you understand?
26

1 SC: -- yes, sir.

2 CT: Okay. Now, are you aware what the term perjury is?

3 SC: I am.

4 CT: Okay. And can you explain what it is in your own
5 words?

6 SC: Uh, lying under oath.

7 CT: Correct. Perjury can occur in a couple of ways.

8 Number one would be telling an outright lie. Number
9 two would be leaving out part or all of information
10 in order to purposely mislead this investigation.

11 And doing so -- in the State of Florida, perjury is
12 a misdemeanor. Do you understand?

13 SC: Yes.

14 CT: Okay. Being a law enforcement officer, I'm
15 empowered to swear you in under oath. Can you raise
16 your right hand? Do you swear and affirm to tell
17 the truth, the whole truth, and nothing but the
18 truth?

19 SC: I do.

20 CT: All right. Good so far. Any questions?

21 SC: No, sir.

22 CT: All right. Okay. Like I said, if you would just do
23 me a favor and start at the beginning, um, work your
24 way to the very end. Be as detailed as possible.

25 Just keep in mind. I wasn't here. I haven't even

1 been out back and seen the scene yet, so --

2 SC: Uh-huh.

3 CT: -- I'm probably gonna eventually have you draw a
4 diagram of things. Just try to be detailed. I'm
5 gonna be taking notes. When you're all -- when
6 you're done at the very end, I'll go back and try to
7 fill in some blanks. Okay?

8 SC: Okay.

9 CT: All right.

10 SC: Um, the first day, I first got to the police
11 department. I have my normal routine. I actually
12 come here a couple of hours early. I work out in
13 the gym out there. Um, after that, I knew I had to
14 do a -- we had a citizen's police academy today. My
15 first part of the police academy was -- is to, uh --
16 I'm a part of the life team unit -- was do a static
17 display of the bike --

18 CT: Okay.

19 SC: -- simply just to show the, um -- the people at the
20 academy, you know, my bike and explain to 'em. And
21 then, um, my next role in this was to play in a, um,
22 shoot or don't shoot scenario.

23 CT: Okay.

24 SC: Um, we did the -- it was -- it was raining out, so
25 we were kinda, um, pushing through the stack

1 displays a little bit quicker. And, uh, we got
2 through mine -- my display. Most of the crowd was
3 already headed towards the, uh, shoot or don't shoot
4 scenario.

5 CT: Okay.

6 SC: Um, so I ran over there, I took off my duty belt and
7 my shirt and, um, placed it in -- essentially it's
8 our, uh -- it's our Polaris utility vehicle we have
9 back there.

10 CT: Okay.

11 SC: I just placed it back there because I knew I would
12 be going the -- the second time around. I knew I
13 couldn't have any weapons on me or anything. And I
14 was gonna have to put a mask on and neck protection,
15 um, once I played that second scenario. However,
16 the first scenario was, uh -- not involving me. It
17 was involving Officer Cole and a civilian subject
18 who -- they were supposed to do a scenario where it
19 was up to the civilian who was playing the police
20 officer to whether they had to shoot the suspect,
21 which was being played by Lee Cole -- Office Lee
22 Cole -- uh, or not. I didn't -- depending on how
23 the scenario was gonna play was gonna depend on who
24 was going to shoot or not shoot.

25 CT: Okay.

1 SC: Um, the -- before the scenario started, I moved back
2 over to, uh, some -- there's a large crowd of
3 people. I moved a little bit to the left of them.
4 Um, right where -- if you hadn't been out there, I
5 guess you probably wouldn't know. But the sidewalk
6 kinda dips down almost into like a wheelchair ramp
7 kind of --

8 CT: Okay.

9 SC: -- kind of area surrounded by palm trees. I think
10 it was myself, uh, Officer Menes [phonetic], Officer
11 Angelini, and Officer Gonzales. We were standing
12 just watching the --

13 CT: Okay.

14 SC: -- the, uh, scenario, 'cause we weren't a part of
15 it.

16 CT: Okay

17 SC: And I was waiting to go to the next round. Um,
18 pretty much the scenario started. The, uh -- the
19 citizen walked up. I didn't know her by name. I
20 had never met her before. Um, Officer Cole was
21 pretending to be someone burglarizing a vehicle or
22 looking into a vehicle. Uh, we had two vehicles
23 parked out there. He was, uh -- I believe he was
24 looking through the -- the marked vehicle. We had
25 an unmarked and a marked vehicle out there right

1 now, that part of the scenario.

2 CT: Okay.

3 SC: So he was acting like he was looking in the windows
4 of the marked vehicle. Um, I don't remember his
5 exact movements or his exact path to where he ended
6 up at. But eventually he became -- he was in the
7 middle of the two vehicles. And the citizen playing
8 the police officer, um, essentially confronted him -
9 -

10 CT: Okay.

11 SC: -- as she was supposed to do. Um, some words were
12 exchanged. I don't know what they said. He was
13 masked up, so it was a little bit hard to hear him -
14 -

15 CT: Right.

16 SC: -- 'cause he was -- 'cause the system had a -- some
17 munitions going essentially which would've shot the
18 little -- the paint pellets, essentially, is what
19 they are.

20 CT: Okay.

21 SC: Um -- uh, they had some type of whatever
22 confrontation it was. He moved to the rear of the -
23 - actually, it would've been the front of the
24 unmarked vehicle. Which he had the pistol that was
25 supposed to contain the blank rounds. Um, I believe

1 -- uh, I don't know the exact scenario, but I
2 believe once she approached him to a certain extent,
3 he was supposed to grab that gun and start firing
4 that general direction or down towards the ground.
5 I don't know the protocol of the firing the blanks.
6 I've never done it before.

7 CT: Okay.

8 SC: Um, he grabbed the pistol. I can't say how many
9 rounds he fired. Um, I don't know. I remember the
10 rounds were -- sounded louder than I had heard
11 blanks fired before. They sounded quite loud.

12 CT: Okay.

13 SC: Um, he started firing, I would say, towards the
14 front of the unmarked vehicle, still in between the
15 two vehicles and worked his way around --

16 CT: Okay.

17 SC: -- to the -- would've been the driver's side door of
18 the unmarked vehicle.

19 CT: Okay.

20 SC: Um, he had fired a couple of rounds before he made a
21 round there. And then he -- well, he aimed the gun
22 a little bit lower and fired -- pulled the trigger a
23 couple more times. Uh, I -- I don't -- I remember
24 hearing what sounded like he was pulling the trigger
25 and nothing was going off. And then there would be

1 a pop, like -- like, maybe it skipped a round or a
2 round misfired or something. 'Cause I -- I know
3 usually they tend to fire all the rounds just for
4 effect. Um --

5 CT: Right.

6 SC: -- so I don't -- that's what I remember hearing at
7 the time. Looking back on it, I'm not quite sure,
8 but it sounded like he -- he pulled the trigger a
9 few times and it just clicked like nothing -- it was
10 misfiring. But then he -- there was one last shot
11 that I heard. And, um, the woman was still in the
12 middle of the two vehicles. And she began to kinda
13 slump over, um, probably quicker than when he
14 actually even got around to -- to the driver's side.
15 It probably happened a little before, but I don't
16 remember the exact timing. Um, we actually -- I
17 remember we were standing there from our angle,
18 myself and the other officers, we actually thought
19 that she may have had a heart attack or something
20 from the sound. 'Cause it surprised us --

21 CT: Okay.

22 SC: -- how loud it was. She kinda slumped down. And,
23 uh, I believe Officer Cole kinda went back around
24 the front of the unmarked vehicle, looked at her. A
25 few other people started looking at her. I remember

1 Officer Cole yelled, [REDACTED] [REDACTED] [REDACTED]
2 [REDACTED] [REDACTED] We all ran over
3 there. I ran around the -- I believe it was the
4 front of the unmarked vehicle, viewed what was going
5 on. And I saw a lot of blood. And, uh, I remember
6 -- I remember Officer Cole yelling, [REDACTED]
7 [REDACTED] [REDACTED]
8 So I sprinted over to his truck as fast as I could.
9 His truck was locked. He has a canine vehicle. We
10 don't have matching keys. So I ran to my vehicle
11 'cause I knew I had a go bag that contained quick
12 clot. Unfortunately, the last shift me and my
13 partner worked together, I left that bag in his
14 vehicle. So then I had to run to his vehicle and
15 grab keys for that. By the time I got my -- my go
16 bag with the quick clot, the EMTs were already
17 working on the, um -- on the woman.

18 CT: Okay.

19 SC: So -- and at that point, we pretty much just kinda
20 stood around kinda waiting to get our directions on
21 what to do as far as closing a crime scene or
22 assisting EMTs any way we could.

23 CT: Okay.

24 SC: Um, it was just kinda hectic at that point.

25 CT: Okay. Um, all right. So you were the bicycle

1 static display?

2 SC: Correct.

3 CT: So when the static display ended -- and like -- and
4 like I said, when I say something, if I'm not right,
5 you tell me. Okay?

6 SC: Yes, sir.

7 CT: 'Cause I don't wanna put words in your mouth or --

8 SC: Uh-huh.

9 CT: -- say the wrong thing. Um, when the static display
10 ended, the group of civilians chamber, whatever it
11 is, they all moved to the, um, scenario, correct?

12 SC: Correct. There was a small group that kinda stayed
13 with me.

14 CT: Right.

15 SC: Um, the rest of them went over to that area and I
16 was kinda trying to play catch-up. Usually, it's --
17 usually, seems like we -- I get a little bit more
18 time to go over there. However, they were already
19 moving, so I --

20 CT: Okay.

21 SC: -- I just ran over there and change that real quick.

22 CT: Now, just speaking of some of the like, witnesses
23 and from what I seen, it seems as if the civilians
24 were all kind of gathered in one area?

25 SC: Yes.

1 CT: And is it correct that Chief Lewis was with the
2 civilians?
3 SC: Yes --
4 CT: Okay.
5 SC: -- yes, he was explaining to them what was gonna
6 happen --
7 CT: All right.
8 SC: -- what was gonna go on.
9 CT: Um, during that, is that when he was, like,
10 explaining, to your knowledge, the simunition gun or
11 whatever that she was gonna use, the -- the fake
12 gun?
13 SC: You know, I didn't hear really what he was saying.
14 We were kinda talking amongst ourselves. Um, so I
15 don't really know what he said.
16 CT: Do you know --
17 SC: That would've --
18 CT: -- when he gave it to her?
19 SC: I believe that -- I believe Captain Woodard -
20 CT: Okay.
21 SC: -- actually took two -- the two civilians that were
22 picked to play in the scenario --
23 CT: Right.
24 SC: -- over towards our squad room, over in the corner
25 away from everybody --

1 CT: Okay.

2 SC: -- so they didn't hear what was gonna happen.

3 CT: Oh, okay.

4 SC: So that's -- I don't recall him -- he probably did

5 explain it. I don't recall --

6 CT: Okay.

7 SC: -- hearing him. But I believe Woodard had the --

8 CT: Okay.

9 SC: -- the other two.

10 CT: So do you know if -- if Captain Woodard escorted the

11 victim down to begin the scenario?

12 SC: I believe he did.

13 CT: Okay. And do you know if she had the -- the firearm

14 she was gonna use, the -- the one with the

15 paintball, whatever the round is?

16 SC: Yeah. I did see --

17 CT: Okay.

18 SC: -- what was a -- what I consider or simunitions --

19 CT: Okay.

20 SC: -- yes.

21 CT: All right. Now, if you just -- to put things in

22 perspective for me on this piece of paper --

23 SC: Uh-huh.

24 CT: -- do me a favor. Draw the -- basically the

25 scenario, the vehicles that were in play, where, um,

1 you know, the victim started from, where you were at

2 --

3 SC: Okay.

4 CT: -- with the other officers. And if you draw it,

5 then we can just kinda go through it together.

6 SC: Okay. All right. Pretty much this, uh -- I'm gonna

7 mark it here. This would be the -- the gym,

8 essentially --

9 CT: Okay.

10 SC: -- the gym or our storage area. It's all kinda one

11 building.

12 CT: Okay.

13 SC: U is unmarked car, M is marked car.

14 CT: Okay.

15 SC: S is, uh, Lieutenant Salsman's vehicle was parked

16 right here.

17 CT: Okay.

18 SC: That was -- I forgot about that. That was just a,

19 uh -- usually we let the civilian come from that

20 vehicle acting like they're a police officer

21 arriving on scene, getting out of the vehicle. I

22 don't believe she ever got out of that vehicle.

23 CT: Okay.

24 SC: Um, this is the sidewalk. Um, we park our cars on

25 the sidewalk here also. Um, there's parking spaces.

1 She would walk down that sidewalk. I don't believe
2 she walked by me, so she must've gotten off and
3 walked the side of the road along our cars.

4 CT: So you guys were over here?

5 SC: I was -- yeah, we were standing -- I was standing
6 right here.

7 CT: And who else do you recall with you over there?

8 SC: Um, I believe Lieutenant Salsman was by his vehicle
9 --

10 CT: Okay.

11 SC: -- or near that area. Um -- uh, Brad Angellini,
12 Kelly Menes, and Juan Gonzales -- we were all in
13 this general area.

14 CT: Okay.

15 SC: Um, I don't remember our exact positions --

16 CT: Okay.

17 SC: -- um, this is like a little, uh, island in the
18 middle of the parking lot.

19 CT: okay.

20 SC: I believe, uh -- actually, that would've been --I
21 believe Chief Lewis was standing kinda on top of
22 that and talking to the crowd here, which I just
23 kinda marked in stars. The -- the crowd was between
24 that island and where I was standing.

25 CT: Okay.

1 SC: Um, right here, I would say -- let me just put V --
2 victim fell right between the two vehicles.

3 CT: Okay.

4 SC: Um, I don't really know where I should mark Officer
5 Cole at 'cause he was kinda moving.

6 CT: So she comes down --

7 SC: I -- yeah, I didn't --

8 CT: -- and all of the sudden --

9 SC: -- I didn't watch her entire path. I remember
10 looking, seeing --

11 CT: Okay.

12 SC: -- 'cause I didn't know who was -- who was gonna be
13 playing this. We were kinda looking for when this
14 was gonna start.

15 CT: Right.

16 SC: And I remember seeing her come from that direction.
17 'Cause this would be essentially -- obviously not to
18 scale -- this would be the corner where our squad
19 room is, this would be --

20 CT: Okay.

21 SC: -- the training room. And I believe her and Captain
22 Woodard and the other civilian were right up here
23 talking.

24 CT: Okay.

25 SC: And she would've -- you can walk down the sidewalk -

1 -

2 CT: Right.

3 SC: -- or you can kinda walk along the parking lot. And

4 I don't recall --

5 CT: Okay.

6 SC: -- where she walked in the parking lot.

7 CT: But she made her way here?

8 SC: Correct. Yes.

9 CT: So these vehicles -- I mean, I don't know if you'll
10 remember this much technical, but were they facing
11 the front this way? I mean, do you -- do you
12 recall?

13 SC: Okay. The, uh -- the marked vehicle was backed in
14 uh, with the bumper facing the gym.

15 CT: Okay.

16 SC: Uh, I don't know if you want me to label that or
17 not.

18 CT: No. That -- that's fine.

19 SC: And I actually parked the unmarked vehicle there. I
20 originally set the scenario. Uh, (unintelligible) I
21 forgot about that as well. I parked this vehicle
22 here, um, as part of the scenario before we even
23 started the stack display, before anybody was even
24 outside.

25 CT: Was it backed in?

1 SC: No. I pulled in it. It was --

2 CT: You pulled it in?

3 SC: -- it was pulled in front of this car.

4 CT: So this is backed in and that's pulled in?

5 SC: Yeah.

6 CT: Okay.

7 SC: Backed in, pulled in -- or yeah.

8 CT: All right. So she -- she makes her way here. And

9 where was Officer Cole?

10 SC: He -- he would've met her right -- right -- he was

11 originally right here.

12 CT: Uh-huh.

13 SC: He eventually met her in this area --

14 CT: Okay.

15 SC: -- in between the two vehicles. The gun was right

16 there on the bumper -- the front bumper.

17 CT: Oh, so the gun was there and he picked it up?

18 SC: Gun -- gun was on the front bumper, yes.

19 CT: Oh, okay.

20 SC: Yes. It was a -- it was there as a -- 'cause she

21 wasn't gonna know what he was doing or when he was

22 gonna pull a gun or anything like that. It was --

23 CT: Oh, okay.

24 SC: -- kinda -- it was supposed to be like a surprise.

25 CT: Okay.

1 SC: The gun -- yeah, the gun was on the front bumper
2 there. Uh, the front bumper or the hood. I know it
3 --

4 CT: Okay.

5 SC: -- was on the front of the vehicle. I couldn't tell
6 you where. So --

7 CT: so he had to go around and grab it?

8 SC: Yeah, he had to go around there. I believe he -- he
9 grabbed right there. And I think he probably fired
10 the first round right at the front right corner of
11 the vehicle.

12 CT: Okay.

13 SC: And then he made his way around. And he did -- I do
14 recall one of the last shots, there being -- I
15 didn't notice at the beginning. Once I ran out
16 there, there was a bullet hole in the front
17 passenger --

18 CT: All right.

19 SC: -- door.

20 CT: So he fired one here, made his way around, and fired
21 a couple across the vehicle?

22 SC: Yeah. I don't recall how many. He probably
23 would've fired more closer up here, but I -- I
24 couldn't tell ya.

25 CT: Okay. And at that point, he realized that she's

1 hurt?

2 SC: She -- yeah, she went down. Um, I think everyone
3 was kinda confused why she went down. He went back
4 up to meet her. I think, uh, Captain Lewis and
5 Woodard kinda saw what was going on. They -- they
6 ran up there as well.

7 CT: okay.

8 SC: Um, there was a bunch of people over there at the
9 time. All I just remember Lee yelling is, [REDACTED]
10 [REDACTED] So I ran --

11 CT: All right.

12 SC: -- to his vehicle.

13 CT: When the scenario was going down, like, actually in
14 play, even before she was shot --

15 SC: Uh-huh.

16 CT: -- you guys were all over here. A bunch of --
17 Captain -- Chief Lewis was here. Were there any
18 other officers in and around the scenario that you
19 recall?

20 SC: There -- there -- there may have been some officers
21 mixed in here and there in the crowd. I know
22 Gloria, our accreditation manager, was somewhere
23 near us. I think we were even talking to her at one
24 point. But I don't think she was directly where we
25 were standing.

1 CT: Okay.

2 SC: Um, I think there was a captain mixed in in the
3 crowd (unintelligible). I couldn't --

4 CT: Okay --

5 SC: -- pinpoint them though.

6 CT: -- okay. Now, getting to this gun, whose gun is it?

7 SC: I don't know. I would assume it would be his, I
8 guess. I don't know.

9 CT: Did you see -- well, after it happened, where was
10 the gun? Did you see it?

11 SC: The -- the first time I recall seeing the gun was
12 Lieutenant Salsman picking it up and putting, uh, on
13 the -- I guess it would've been the hood of, uh --
14 of the marked vehicle. And he -- like, he was --

15 CT: (Unintelligible).

16 SC: -- opening it like he was, like, unloading it. Be
17 had gloves on and everything --

18 CT: Right.

19 SC: -- 'cause he was -- we all just seemed to be just as
20 confused as everybody else was.

21 CT: Right.

22 SC: That was the first time I really recall seeing the
23 gun.

24 CT: Now, what kind of gun did it look like?

25 SC: It looked like a -- like a 30, I believe, hammerless

1 maybe.

2 CT: Okay. What -- what color?

3 SC: Uh, silver frame --

4 CT: All right.

5 SC: -- black handle.

6 CT: Okay. And do you -- I'm sorry. Did you just say

7 that was the first time you saw that gun?

8 SC: That's the first time I recall seeing that gun.

9 CT: Okay.

10 SC: um, I know that, at one point in time, Lee --

11 Lieutenant Salsman were over here by the vehicle and

12 I walked over there at one point. But I don't

13 recall ever seeing the gun. He probably had already

14 placed it up there. I don't remember -- I don't

15 recall seeing the gun until -- I'm sorry --

16 obviously, when he pulled it out and started firing

17 --

18 CT: Right.

19 SC: -- well, I saw it then. But the time -- the first

20 time I remember getting a close look at it was when

21 Lieutenant Salsman was handling it.

22 CT: Okay.

23 SC: And that's when I was trying to get the quick clot

24 out and stuff and --

25 CT: Right.

1 SC: -- I know we needed it. So I just kinda --

2 CT: Do you know if Officer Cole -- if he owns a weapon
3 or uses a weapon -- a backup or anything like that -
4 - similar to that?

5 SC: I do not believe he has a backup. Um, I know he
6 uses a gun similar to that for canine. He's the
7 canine officer, so he uses --

8 CT: Right.

9 SC: -- it for canine demos and training.

10 CT: Okay.

11 SC: Um, I have never -- I've never seen him use it. If
12 he -- if he has used it -- we -- I'm on the SWAT
13 team as well with the Charlotte County Sheriff's
14 Office --

15 CT: Okay.

16 SC: -- and, uh, a few weeks ago, he trained with us and
17 used a gun during a scenario.

18 CT: Okay.

19 SC: Kind of a, uh, you know, chase a suspect, shots
20 fired case. He used a -- a revolver of some sort.
21 I don't know what it was. I never saw it, never got
22 close to it.

23 CT: Okay.

24 SC: Um --

25 CT: So you don't know if it was silver with a black

1 handle like this one --

2 SC: I --

3 CT: -- or you don't know?

4 SC: -- yeah. I would assume it was, but I --

5 CT: Okay.

6 SC: -- I don't wanna assume. So --

7 CT: No, that's -- yeah, please don't. So my question

8 is, what I'm trying to get at is how does -- in your

9 opinion -- 'cause I mean, you work for the Punta

10 Gorda Police Department --

11 SC: Uh-huh.

12 CT: -- I worked for the Charlotte County Sheriff's

13 Office. I know when we -- we did a lot of

14 simulations when I worked for Charlotte County block

15 training. They're real big on it. And, like, I

16 just -- seeing a loaded weapon get into the middle

17 of a scenario like that -- like, everything is

18 double-checked, triple-checked.

19 SC: Uh-huh.

20 CT: And you know, being on the SWAT team, it's like,

21 "Clear, clear, clear, clear." Like, I'm trying to

22 figure out how a loaded weapon got there. You know

23 what I mean?

24 SC: Uh-huh.

25 CT: Did you see anybody check the weapon? Or --I mean,

1 I know you said that you didn't see it until he
2 grabbed it, correct? I mean, I'm trying to figure
3 out how that weapon got there loaded?

4 SC: Yeah. I don't -- I don't recall anyone checking it.
5 Um, I -- I -- and talking about the -- the look of
6 the gun, obviously, I've -- I've been in in-service
7 training before. I've been in -- I've been in the
8 police department for six or so years now. And
9 revolvers that I've seen in the past that have shot
10 maybe blanks or simunitions, whatever they were --

11 CT: Right.

12 SC: -- I recall them having a hammer.

13 CT: Right.

14 SC: I remember -- I recall this gun not having a hammer.
15 I recall not seeing this gun being used before in
16 this kind of scenario.

17 CT: Right. But you didn't see this gun until he picked
18 it up off the hood?

19 SC: Yeah, I do not recall seeing it.

20 CT: So you didn't see them place it before the scenario
21 started, correct?

22 SC: Not that I recall.

23 CT: Okay. Um, did you hear anyone -- any of the other
24 officers, Captains or anyone, talk about the gun
25 that he was gonna use, any -- describe it, say --

1 talk about that weapon at all that they were gonna -
2 - he was gonna use during the scenario?

3 SC: No. Uh, no, not about the -- about the weapon, that
4 I recall. Um, no, not -- not really that I recall.
5 I guess I just -- I just -- I didn't even think
6 about it I guess. I just assumed that --

7 CT: Right.

8 SC: -- unfortunately, you assume and, you know, you know
9 what happens. But nothing that I can really recall
10 that stands out about talking about the weapon. Um,
11 I think -- I believe there was some discussion
12 between Lieutenant Salsman and -- and Officer Cole.
13 I don't even know it was about the weapon. I -- I'm
14 trying to think. I'm not sure if it's something
15 about ammunition or something. There -- there was a
16 time when they were together and I -- I walked by
17 real quick. And I was trying to think of what they
18 actually said.

19 CT: And that was before the incident?

20 SC: Yes. Yeah. Yeah. There was no one talking, I
21 don't think, after. Um --

22 CT: See if you can recall what they said.

23 SC: I don't know. It was something about ammunition.
24 Uh, I really don't -- maybe something about it being
25 louder or something --

1 CT: Uh-huh.

2 SC: -- than that, something unusual. I -- I really
3 don't --

4 CT: Okay.

5 SC: It was nothing that -- that really stood out --

6 CT: Right.

7 SC: -- as being anything that I would've thought of
8 anything -- anything more of, or I would assume I
9 would -- I would've remembered it (unintelligible).

10 CT: Now, when you guys generally have a scenario like
11 this or any scenario, the officers involved -- are
12 they checked? Like, you know, when we used to do
13 it, you patted down, you know? Any bullets in your
14 pocket? Let me, you know, check your weapon.

15 SC: Uh-huh.

16 CT: Do you guys in Punta Gorda usually do that? Is that
17 a practice, you know, of check your weapons before
18 you go out on something like this, make sure you
19 don't have a live weapon?

20 SC: Yeah. Usually -- now, I did this scenario last time
21 we did this.

22 CT: Right.

23 SC: And I wasn't part of this exact scenario, I was a
24 part of the second scenario which didn't involve,
25 um, the firearm like this one did.

1 CT: Right.

2 SC: Same one I was waiting to do this time. And, uh,
3 yeah, usually, we would pat people down, make sure
4 they had no weapons on 'em. Especially during our
5 in-service training where we do a lot of simunitions
6 work.

7 CT: Right.

8 SC: We check, check, and double-check. Um, I'm not
9 quite sure what happened during this. I'm not sure
10 if anybody was checked. I know I didn't personally
11 check anybody.

12 CT: Did you see anyone else check anybody? I mean --

13 SC: I did not, unless they did it prior to me getting
14 there. Like I said, I was a little bit late coming
15 back from my -- my bike, um, post stack display.
16 But nothing that I -- that I saw. No, sir.

17 CT: So basically, what you're saying, to your knowledge,
18 you really have no idea how that gun had live rounds
19 in it or who put the live rounds in it?

20 SC: No, sir.

21 CT: Okay.

22 SC: No. It was a shock to me, as I think it was a lot
23 --

24 CT: Who's in charge of these incidents or these, uh,
25 displays? I mean, who was -- who was -- who sets it

1 up? Who's, like, in charge of this? You know what
2 I mean? Who's the officer or captain or whoever
3 that's --

4 SC: Uh, I would say for something like this, I believe
5 it's Lieutenant Salsman.

6 CT: Yeah.

7 SC: Um, he's our --

8 CT: What's his position?

9 SC: He's our training lieutenant --

10 CT: Okay.

11 SC: -- so I would -- I would guess it would be him. Uh,
12 I know he usually gets us the, uh -- the equipment,
13 like the masks and the vests and stuff.

14 CT: Right.

15 SC: Uh, I'm not sure if that was done this time. Uh,
16 'cause we had the masks and vests. I'm not, uh -- I
17 believe Officer Cole brought 'em out. I don't know
18 if Lieutenant Salsman gave 'em to him or not. But -
19 -

20 CT: All right.

21 SC: -- he generally, I guess, oversees this part of it.

22 CT: Okay. So just recapping, just up to this point,
23 you're -- you're somewhere over here on the side
24 with some other officers. Um, Captain Woodard
25 possibly brings the victim here. She starts the

1 scenario. The shooting occurs between the two
2 vehicles, the victim falls. Before the shooting, the
3 gun -- the gun in question was on either the bumper
4 or on, like, the -- the hood --

5 SC: Yes.

6 CT: -- of the unmarked vehicle?

7 SC: Uh-huh.

8 CT: So Officer Cole had to retrieve it from there. You
9 don't know -- and correct me if I'm wrong -- you
10 don't know whose gun it is?

11 SC: I -- I -- I believe it was Officer Cole's --

12 CT: Okay.

13 SC: -- like a canine, uh -- I don't know what to call it
14 -- a gun he uses for canine.

15 CT: Okay.

16 SC: Um --

17 CT: Do you know who loaded it?

18 SC: I do not.

19 CT: Okay. And you don't know if there were any safety
20 checks done as far as -- let me rephrase that. Did
21 you see anyone getting safety checks done to them
22 for weapons while you were observing?

23 SC: I did not.

24 CT: Okay. Is there anything you could think of I didn't
25 ask you I should know or anything that might help

1 us?

2 SC: Um, no, nothing I could think of.

3 CT: What is your -- I mean, I'm just curious of your
4 take. How do you think that that weapon got there?
5 Do you have any idea --

6 SC: I -- I --

7 CT: -- with -- with live rounds in it?

8 SC: I don't know. I mean, obviously -- I mean, Officer
9 Cole put it there. He didn't --

10 CT: Right.

11 SC: -- you know, it wasn't just -- didn't just appear
12 there.

13 CT: Right.

14 SC: The rounds that were in it, I honestly don't have
15 the slightest clue. I mean, as far as I -- I know,
16 that's the gun he uses for canine.

17 CT: Right.

18 SC: It's been -- nothing -- nothing's ever been shot out
19 of that other than blanks.

20 CT: Uh-huh. Where do -- I mean, the blanks -- do you
21 guys get -- you don't get issued blanks, do you?

22 SC: No, I -- I don't.

23 CT: Okay.

24 SC: I don't -- I'm not really sure the protocol on
25 those.

1 CT: Okay.

2 SC: I've never even -- I've never even, during our
3 normal simunitions, I've never shot that --

4 CT: Okay.

5 SC: -- that revolver. So --

6 CT: All right. All right. Well, if that's the case,
7 then we're gonna end this interview on the same day,
8 August 10th, 2016, at 1:06 a.m.

9 (CONCLUSION OF INTERVIEW)

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24 Transcribed by: rsh/rsh/ms

1 (INTERVIEW OF THOMAS LEWIS, #2016-0108, 08/10/16)

2 (The following may contain unintelligible or misunderstood
3 words due to the recording quality.)

4

5 GN = Special Agent Gary Negrinelli

6 TL = Chief Thomas Lewis

7 PC = Special Agent Supervisor Patrick Crowe

8 PC: Okay. We're on -- it's, uh, file A1. Or, no, it's

9 10 of 10. 10 of 10. File A, 10 of 10. Okay.

10 GN: Recording?

11 PC: It's recording.

12 GN: All right. This is Special Agent Gary Negrinelli of

13 the Florida Department of Law Enforcement. Today's

14 date is August 10th, 2016. Approximate time is 1:06

15 a.m. Uh, I am currently at the Punta Gorda Police

16 Department, uh, investigation involving a shooting,

17 officer involved shooting. I'm conducting an

18 interview with Chief Thomas Lewis of the Punta Gorda

19 Police Department. Um, conducting the interview

20 with me is Special Agent Supervisor Patrick Crowe

21 (phonetic).

22 Uh, would you please raise your right hand? Do

23 you swear the testimony you're about to provide is

24 the truth, the whole truth and nothing but the

25 truth, so help you God?

26 TL: I do.

1 GN: Okay. And could you state your name?

2 TL: Tom Lewis.

3 GN: Okay. And could you spell it?

4 TL: Uh, T-O-M, L-E-W-I-S.

5 GN: Okay. And where are you currently employed and for
6 how long?

7 TL: Punta Gorda Police Department, uh, for approximately
8 18 years.

9 GN: Okay. And on the date in question, uh, yesterday,
10 August 9th, were you performing duties related, uh,
11 as a sworn officer?

12 TL: I was.

13 GN: Okay.

14 TL: Um --

15 GN: And you understand, uh, what we're here for?

16 TL: Yes, sir.

17 GN: What we're gonna talk about? Okay. Were you
18 present, uh, during the incident?

19 TL: Yes, I was.

20 GN: Okay. Can you tell me what your involvement was
21 during the incident?

22 TL: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED],

█ [REDACTED]
█ [REDACTED] [REDACTED] [REDACTED]
█ [REDACTED]

4 [REDACTED].

5 GN: Okay. And, uh, continue. What -- what -- you know,
6 what happened next? What --

█ TL: [REDACTED]
█ [REDACTED]
█ [REDACTED] [REDACTED]

█ [REDACTED]
12 [REDACTED]

█ [REDACTED]
█ [REDACTED] █
█ [REDACTED] [REDACTED]
█ [REDACTED]
█ [REDACTED] [REDACTED]

18 [REDACTED] █

19 GN: Uh-huh.

█ TL: [REDACTED] [REDACTED]
█ [REDACTED]
█ [REDACTED] [REDACTED]
█ [REDACTED]
█ [REDACTED]

25 [REDACTED]

1 GN: Uh-huh.

■ TL: [REDACTED] [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED] [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED] [REDACTED]
 ■ [REDACTED] [REDACTED] [REDACTED]
 ■ [REDACTED] [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED] [REDACTED]

13 [REDACTED]

14 GN: Uh-huh.

■ TL: [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED] [REDACTED] [REDACTED]
 ■ [REDACTED] [REDACTED]

19 [REDACTED]

20 GN: Uh-huh.

■ TL: [REDACTED] [REDACTED]
 ■ [REDACTED] [REDACTED] [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED]

25 [REDACTED] [REDACTED]

█ [REDACTED]

█ [REDACTED]

3 [REDACTED].

4 GN: Uh-huh.

█ TL: [REDACTED]

6 [REDACTED]

7 GN: Okay. That -- that pretty much ended your
8 involvement?

█ TL: [REDACTED]

█ [REDACTED]

11 [REDACTED]

12 GN: Sure.

█ TL: [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

19 [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

24 [REDACTED].

25 [REDACTED]

1

2 GN: Okay. Uh, you had mentioned, uh, that this, uh,
3 scenario kind of thing happened before with the
4 Citizen's Academy?

5

TL: [REDACTED]

6

GN: Okay.

7

TL: [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11 GN: How many times, do you think?

12

TL: [REDACTED].

13

GN: [REDACTED] times like in the last year or [REDACTED] --

14

TL: [REDACTED]

[REDACTED]

16 GN: Okay. How long has this Citizen Academy been going?

17

TL: Typically when we do -- the City of Punta Gorda has
18 a Citizen's Academy --

19

GN: Uh-huh.

20

TL: -- in which they go to different city departments
21 and kind of spend, um, you know, one day in Finance
22 and then, um, typically, our time, when they come to
23 our facility, is split between us and the fire
24 department. Um, but our presentation is the same.
25 The layout of this piece of paper, minus some of the

1 times, I mean, we -- we tweak it here and there, but
2 the overall structure of it is -- is very similar
3 each time.

■ [REDACTED]
5 [REDACTED]
6 [REDACTED].

7 GN: Uh-huh.

8 TL: We've changed the date and we -- again, we tweaked
9 it a little bit here and there. Um, but it's
10 essentially the same structure.

11 GN: Can you recall the last time that you did this
12 scenario training with the Citizen Academy?

13 TL: Um, no, not off the top of my head, man. I don't --
14 I don't.

15 GN: Okay.

16 PC: Chief, um, excuse me. Can you just tell us what the
17 purpose of these type of role plays are for the
18 Citizen's Academy, where they're actually taking
19 part and you -- and you, you know, being involved in
20 something like this?

■ TL: ■ [REDACTED]
■ [REDACTED]
■ [REDACTED] [REDACTED]
■ [REDACTED]
25 [REDACTED],

█ [REDACTED]

2 [REDACTED] █

3 PC: What a police officer would be faced with?

4 TL: [REDACTED].

5 PC: Okay. And what's the second scenario after this
6 one? If this one was successful, like she -- she
7 had the simunition weapon in her hand --

8 TL: [REDACTED]

9 PC: -- right? So, if this was a successful scenario
10 where, you know, he did the surprise and -- and got
11 one off on her, would she then go through the second
12 one or would somebody else?

█ TL: [REDACTED] [REDACTED]

█ [REDACTED] [REDACTED]

█ [REDACTED] [REDACTED]

█ [REDACTED] [REDACTED]

█ [REDACTED] [REDACTED]

█ [REDACTED] [REDACTED]

█ [REDACTED]

█ [REDACTED]

21 [REDACTED] █

22 PC: Right.

█ TL: [REDACTED]

█ [REDACTED]

25 [REDACTED]

1 [REDACTED]

2 PC: Shoot.

■ TL: [REDACTED]

■ [REDACTED]

■ [REDACTED]

6 [REDACTED]

■ [REDACTED]

8 [REDACTED]

9 TL: [REDACTED]

10 PC: And in the past you've had very great -- great
11 success with the way the class -- the Citizen's
12 Academy responds?

13 TL: [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 PC: How long is the Citizen's Academy, like this group?
19 Was it a night or was it two nights or was it a week
20 or is it a bunch of nights spread out over a month?

21 TL: [REDACTED]

22 [REDACTED]

23 PC: Okay.

24 TL: [REDACTED]

25 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 PC: Right.

5 TL: [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 PC: Okay. So this is more of a -- a class, uh, as
10 opposed to a --

11 TL: [REDACTED]

12 PC: -- like a --

13 TL: [REDACTED]

14 PC: -- (unintelligible) --

15 TL: [REDACTED]

16 PC: -- in the Academy is where they come like one night
17 a week for like three months and then they get a
18 certificate.

19 TL: [REDACTED]

20 [REDACTED]

21 PC: Right.

22 TL: [REDACTED]

23 PC: Is that.

24 TL: [REDACTED]

25 PC: Yeah.

1 TL: [REDACTED]

2 [REDACTED]

3 PC: Right.

4 TL: [REDACTED]

5 PC: And then they actually graduate and say --

6 TL: [REDACTED]

7 PC: -- they get a certificate from you?

8 TL: [REDACTED]

9 PC: All right.

10 TL: [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

14 PC: Yeah.

15 TL: [REDACTED]

16 PC: Now, uh, let's talk about the officers involved in

17 this program tonight.

18 TL: [REDACTED]

19 PC: Uh, how many officers were involved? Did it start

20 out with classroom --

21 TL: [REDACTED] [REDACTED]

22 PC: -- instruction?

23 TL: [REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

25 [REDACTED] [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

7 [REDACTED]

8 PC: So everybody musters here at what time?

9 TL: [REDACTED]

10 PC: And is --

11 TL: [REDACTED]

12 [REDACTED]

13 PC: Right.

14 TL: [REDACTED]

15 PC: And this was for a specific group, Chamber of

16 Commerce group?

17 TL: [REDACTED]

18 PC: Okay. And, so, they show up here. Uh, they're
19 brought into the training room, that big training
20 room there?

21 TL: [REDACTED]

22 PC: And, then, uh, essentially you kick it off with your
23 -- your introduction and welcoming and -- and then,
24 uh, is there any -- is the purpose of tonight was
25 to, uh, expose them to what officers go through in

1 high stress situations similar to this or is --

2 TL: Um --

3 PC: -- that just part of it?

4 TL: [REDACTED]

5 PC: Okay.

6 TL: [REDACTED]

7 [REDACTED]

8 PC: Sure.

9 TL: [REDACTED]

10 [REDACTED]

11 PC: Right.

12 TL: [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 PC: Okay.

19 TL: Uh --

20 PC: Um, okay. So let's talk about the scenarios. From

21 what I -- we were told, besides this scenario

22 there's a scenario involving the, uh -- the, uh --

23 lack for a better term, the stun gun or the, uh --

24 TL: [REDACTED]

25 PC: Taser gun. Yes. Thank you.

1 TL: [REDACTED]

2 PC: Did they already do that or did they do that?

3 TL: [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 PC: Right.

7 TL: [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 PC: Uh-huh.

13 TL: [REDACTED],

14 [REDACTED]

15 PC: Yeah.

■ TL: [REDACTED]

■ [REDACTED]

■ [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 PC: And they see -- they get -- they're made to
22 understand that it's -- when it's deployed it
23 doesn't always work if it doesn't connect and --

24 TL: [REDACTED]

25 PC: -- that -- that's explained --

1 TL: [REDACTED]

2 PC: -- that this is not an -- this isn't a no-brainer
3 like everyone thinks it is.

4 TL: [REDACTED]

5 PC: Did they get that explanation as well? Okay.
6 Getting back to the scenario at hand. Um, can you
7 explain to us, you know, who was overseeing that
8 tonight? Who was -- who was the hands-on person in
9 charge of that scenario?

[REDACTED] TL: [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
15 [REDACTED] [REDACTED] [REDACTED]

16 PC: Uh-huh.

17 TL: [REDACTED] [REDACTED] [REDACTED],
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]
24 [REDACTED].

25 PC: Okay. Relative to the actual event itself,

1 involving the -- the, uh, simunitions weapon as well
2 as the weapon that was, uh, supposed to have the
3 blanks in it --

4 TL: [REDACTED]

5 PC: -- was there anybody appointed to be what we would
6 call the safety officer for role play such as this?

7 TL: [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

13 [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

17 [REDACTED]

18 PC: Okay. So, as -- as you sit here today, at this
19 point you have no information that would -- that you
20 know that somebody specifically checked the gun
21 other than Officer Cole?

22 TL: [REDACTED]

23 PC: Okay. And you believe it was Detective --

24 TL: [REDACTED]

25 PC: -- Davoult?

1 TL: [REDACTED] [REDACTED] [REDACTED]

2 PC: Okay.

3 TL: [REDACTED]

4 PC: Your understanding that he watched him load the gun?

5 TL: [REDACTED]

6 PC: Do you know where the loading of the gun occurred?

7 TL: [REDACTED]

8 PC: Okay. Um, do you know where the gun was retrieved

9 from?

10 TL: [REDACTED] [REDACTED]

11 PC: No.

12 TL: [REDACTED]

13 PC: No. Prior. Do you know where did --

14 TL: [REDACTED]

15 PC: Okay. Was the gun a department gun?

16 TL: [REDACTED]

17 PC: Okay. Um, do the -- the, uh, reported blanks come

18 from a specific area, like a vault or a -- an armory

19 here, or does that come from Officer Cole's

20 possession?

21 TL: [REDACTED]

[REDACTED] [REDACTED]

23 PC: Oh, canine trainings?

24 TL: [REDACTED]

25 PC: So he uses -- he uses blanks for his canine

1 training?

2 TL: [REDACTED]

3 PC: Okay. Um, is there anything we haven't asked you
4 that you would like to share with us just, you know,
5 um, that you think is important for the
6 investigation that we haven't asked, Chief?

7 TL: [REDACTED]

8 GN: Oh, I'm sorry. Again, you don't know where the, um,
9 handgun that, uh, Officer Cole was using, where it
10 was -- where it was kept prior to the -- to the
11 scenario?

12 TL: [REDACTED]

13 GN: Okay. Do you know, um, where it was used during
14 this scenario; where it came into play; where it was
15 brought in?

16 TL: [REDACTED] [REDACTED] [REDACTED]
17 [REDACTED].

18 GN: Sure.

[REDACTED] TL: [REDACTED]

[REDACTED] [REDACTED]

21 [REDACTED]

22 GN: Uh-huh.

[REDACTED] TL: [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

25 [REDACTED]

1 [REDACTED] [REDACTED]

2 [REDACTED]

3 GN: Uh-huh.

4 TL: [REDACTED]

5 [REDACTED]

6 GN: Uh-huh.

7 PC: All right. And normally you hear the shots ring out

8 'cause they're blanks, correct?

9 TL: [REDACTED] [REDACTED]

10 [REDACTED]

11 PC: Okay.

12 TL: [REDACTED]

13 [REDACTED] [REDACTED]

14 [REDACTED] [REDACTED]

15 [REDACTED] [REDACTED]

16 [REDACTED]

17 [REDACTED] [REDACTED]

18 TL: [REDACTED].

19 PC: Okay.

20 TL: [REDACTED]

21 PC: Okay. And is there always the same people involved

22 in doing this scenario, uh, this type of, uh,

23 shooting scenario? Is it the same officer all the

24 time or do you use different officers?

25 TL: [REDACTED]

1

2 PC: Several times?

3 TL: [REDACTED]

4 PC: Right.

5 TL: [REDACTED]

6 PC: Okay. Think of anything else at this point?

7 GN: [REDACTED]

8 PC: Chief, do you have anything you want to add?

9 TL: [REDACTED]

10 PC: Okay. Um, would we be able to talk to you again if
11 we need to?

12 TL: [REDACTED]

13 PC: Okay. We'll -- we'll -- we'll basically conclude
14 this interview for now and we appreciate your
15 cooperation.

16 GN: The approximate time is around 1:28 a.m.

17

18 (CONCLUSION OF INTERVIEW)

19

20

21

22

23

24 Transcribed by: bkc/jck