

1 (INTERVIEW OF SERGEANT JASON DOHERTY, #2016-0108,
2 12/20/16)

3 (The following may contain unintelligible or misunderstood
4 words due to the recording quality.)
5

6 GN = Special Agent Gary Negrinelli

7 JD = Sergeant Jason Doherty

8 GN: All right. This is Special Agent Gary Negrinelli of
9 the Florida Department of Law Enforcement. This is
10 an interview with Charlotte County Sheriff's Office
11 Sergeant Jason Doherty, uh, which is spelled J-A-S-
12 O-N; last name, D-O-H-E-R-T-Y. It is in reference
13 to Florida Department of Law Enforcement case number
14 FM-01-0027. The date is December 20th, 2016. The
15 approximate time is 2:29 p.m. The interview is
16 taking place at the Charlotte County Sheriff's
17 Office.

18 Uh, Jason, do you recognize that I'm a law
19 enforcement officer within the State of Florida, and
20 by which, empowered to take sworn testimony?

21 JD: Yes, I do.

22 GN: Okay. Could you please raise your right hand? Do
23 you swear the testimony you're about to give is the
24 truth, the whole truth, and nothing but the truth,
25 to the best of your recollection?

26 JD: I do.

1 GN: Thank you. Put your hand down. Uh, can you, uh,
2 state your name and your position?

3 JD: Sure. Uh, Jason Doherty. And I'm the canine
4 sergeant for the Charlotte County Sheriff's Office.

5 GN: Okay. And how long have you been the canine
6 sergeant here?

7 JD: Uh, just shy of a year.

8 GN: Okay. Uh, prior to that?

9 JD: Prior to that, I was the, uh, support services
10 sergeant, which encompassed traffic, marine, and the
11 emergency response team.

12 GN: And how long did you do that for?

13 JD: Uh, a little over two years.

14 GN: Okay. How long you got in law enforcement?

15 JD: Next year will be 19, so 18 and a half.

16 GN: Okay. All right. Uh, are you familiar with a Punta
17 Gorda police officer, uh, Lee Coel?

18 JD: Yes.

19 GN: And, uh, how do you, uh, know him?

20 JD: I met Lee when I became the canine sergeant. He has
21 already assigned through his agency to train with
22 our, uh, unit for unit training nights.

23 GN: Okay. And was that a common thing that, uh, Punta
24 Gorda did with you guys? It -- it -- it --

25 JD: It -- it -- it wasn't originally. Um, originally, I

1 believe, uh, Officer Cole trained with the North
2 Port Police Department. And I believe that's who he
3 was originally certified through.

4 GN: Uh-huh.

5 JD: Um, and then arrangements were made through their
6 agency and ours to have him start training with us.

7 GN: Okay. All right. And I'm sorry, when did this
8 begin? Do you -- do you recall?

9 JD: It was prior to when I came into the -- I came into
10 canine the -- either the end of -- or end of, uh,
11 January of this year or beginning of February. I
12 don't recall my transfer date.

13 GN: Okay.

14 JD: But it was prior to that that he started training
15 with the Sheriff's Office.

16 GN: All right. And, um, do you recall the times that
17 you did, uh, some, uh training with him -- scenario
18 training?

19 JD: Yes.

20 GN: Okay. And what was that?

21 JD: We would do different scenarios every training
22 night. We train on the first Tuesday of every month
23 and the fourth Tuesday of every month --

24 GN: Uh-huh.

25 JD: -- uh, specifically regarding, uh -- are you talking
American High-Tech Transcription and Reporting, Inc.

1 about the simulator firearms training?

2 GN: Yes.

3 JD: Okay. On two occasions while I was in the unit, uh,
4 he had utilized his, uh, blank -- it was a small,
5 snub-nose -- I believe it was a .38.

6 GN: Uh-huh.

7 JD: I don't know what brand it was or anything else --
8 that he had said was his blank gun for canine.

9 GN: Okay. Um, do you recall what make?

10 JD: I don't recall the make. And like I said, I'm
11 speculating it was a .38, based on looking at it.
12 It was, uh, silver or gray in color. And, um, like
13 I said, it was, like, a snub-nose from what I
14 recall.

15 GN: Okay. Okay. Uh, and he utilized this, uh, on two
16 different, uh, events?

17 JD: Right.

18 GN: Okay.

19 JD: The -- the first time would've been earlier in the
20 year. I don't recall, um, the specific day. I can
21 probably try to research it.

22 GN: Okay.

23 JD: But we had utilization of the Charlotte County
24 Speedway --

25 GN: Uh-huh.

1 JD: -- which, um, is actually a -- I wanna say it's on
2 Piper Road. It's, uh -- it was not currently being
3 utilized. It's owned by the airport.

4 GN: And this was, like, an old race track?

5 JD: It's an old race track and it has, uh --

6 GN: Uh-huh.

7 JD: -- a couple of different structures inside of it.
8 We utilized the structures for training, as did our
9 training division. So --

10 GN: Was this something that was arranged, uh, through
11 the county or through the --

12 JD: It was arranged through --

13 GN: -- (unintelligible).

14 JD: -- the airport that they allowed us to utilize the
15 facility to train in. 'Cause they were doing active
16 shooter training for training division --

17 GN: Okay.

18 JD: -- and the training division allowed us as canine to
19 also use the building to simulate, uh, different
20 things, such as responding to an alarm call. 'Cause
21 there are different structures.

22 GN: Uh-huh.

23 JD: One of those structures contained, um, a small
24 stairwell that led up to a little open area where
25 they would call the races.

1 GN: Uh-huh.

2 JD: And that was training that we don't normally get
3 with our dogs to do the staircases. So we thought
4 it'd be good training.

5 GN: Okay.

6 JD: On that particular evening, um, Officer Coel had
7 agreed to play the role of the decoy.

8 GN: Okay.

9 JD: He utilized the, uh, revolver -- which I had talked
10 before that he said was his blank gun.

11 GN: Uh-huh.

12 JD: I personally did not check the firearm or the rounds
13 that were being utilized. I'm not a trainer. We
14 have, uh -- Corporal Prevatte is the Sheriff's
15 Office trainer. We now have an assistant trainer as
16 well --

17 GN: Uh-huh.

18 JD: -- uh, since he's out on, um, leave.

19 GN: Uh-huh.

20 JD: But, um, Corporal Prevatte was the one that was, uh,
21 handling the training that night. He may or may not
22 have checked the rounds. I'm not sure. But that
23 was the first time I had seen that firearm utilized.

24 GN: Okay. And what exactly, uh, was he involved in
25 during this?

1 JD: What he would do is he would -- he was in a bite
2 suit that was, uh -- I don't know whether it was our
3 bite suit or his bite suit. He would be in the room
4 at the top of the stairs. I believe he was in a
5 chair. The canine announcements were given at the
6 door. Basically, there's a door, little landing,
7 then a stairwell that goes up to the left. A
8 landing stairwell that goes straight up and then
9 veers off to the right and there -- then opens up
10 into a room that -- to simulate that there was an
11 open door. Canine warning's given, dog was
12 deployed. Tried to get him to go up the stairs, and
13 then Officer Coel would fire off one or two blank
14 rounds. The dog would then negotiate an obstacle,
15 which was at the door. I believe it was an old
16 mattress.

17 GN: Uh-huh.

18 JD: Dog would either knock it down or jump over it and
19 engage the decoy.

20 GN: Okay. When Officer Coel would fire the gun, uh, do
21 you know where he would point it?

22 JD: Because we -- our dogs would go up first, I never
23 personally witnessed what direction he was firing
24 the gun at.

25 GN: Okay.

1 JD: But our standard protocol for deploying any blank
2 rounds is always in a safe manner, normally at the
3 ground and away from the dog. Because there is
4 muzzle flash --

5 GN: Uh-huh.

6 JD: -- and God forbid it injured the dog.

7 GN: Right.

8 JD: So -- and as a person in canine, he understood that
9 as well.

10 GN: Okay. But you never actually witnessed him --

11 JD: I never actually saw him fire the weapon.

12 GN: Was anybody else in that room with him when he was -
13 -

14 JD: No. He was by himself.

15 GN: -- he was the only one? Yes. Okay. Um, and after
16 the scenario was -- did he say anything like, uh,
17 "Oh, wow. This is a live round or there was
18 projectiles," or anything like that?

19 JD: No projectiles, live rounds --

20 GN: Okay.

21 JD: -- or issues were addressed at the end of that
22 scenario.

23 GN: Okay. And no -- are there -- are there any live
24 rounds used out at the speedway? Do you guys do
25 that?

1 JD: No. We -- we --

2 GN: Okay.

3 JD: -- the only live rounds that we ever use as our
4 agency is at the range, and that's for qualifying.
5 We don't put our dogs --

6 GN: Okay.

7 JD: -- anywhere near live rounds.

8 GN: Right. Okay. Um, so if you go out to the speedway,
9 there's no, uh, projectiles, there's no bullet
10 holes, there's nothing in that building like that?

11 JD: That specific night, I -- I recall -- because we ran
12 another drill in a separate building, which was the
13 main concession stand building and everything else -
14 -

15 GN: Uh-huh.

16 JD: -- our protocol was -- because we were gonna treat
17 this as realistic as possible -- the safety officer,
18 which was, uh, Corporal Prevatte --

19 GN: Uh-huh.

20 JD: -- when we would bring our dogs up to the door.
21 Before we would open the door and give canine
22 warnings and then go through that particular
23 structure, our magazines were taken, the magazine
24 out of the firearm was taken out, the one in the
25 chamber was given, checked for a clear round --

1 because we have flashlights at the end of our
2 firearms.

3 GN: Uh-huh.

4 JD: The weapon was made safe, inspected by both us and
5 the person at the door, which was Corporal Prevatte.
6 And then we would go through the scenario as if it
7 were real. So there were no live rounds or loaded
8 weapons allowed at all in any training scenarios
9 with those dogs.

10 GN: Okay. All right. Um, prior to, uh, those
11 scenarios, uh, even though there's not live fire,
12 there's blanks and that -- that causes noise and
13 stuff -- do you guys, um -- and again, I'm not
14 exactly sure where that is located, if the public is
15 anywhere near, but is that like, called out to
16 dispatch or anything, "Hey, we're gonna be doing a
17 scenario over here involving blank ammunition and
18 it's gonna make noises and stuff"? Is it --

19 JD: We wouldn't go in an area where the public would be
20 able to hear it. The speedway is --

21 GN: Okay.

22 JD: -- by itself.

23 GN: By itself?

24 JD: And these were, um, very quiet blank rounds.

25 GN: Okay.

1 JD: So it's -- we don't do that kind of training for
2 that specific reason. We wouldn't do that. We only
3 utilize our training -- we don't have a simunition
4 gun at the time. We also used blank rounds.

5 GN: Uh-huh.

6 JD: But now we use simunition blanks. At that time, the
7 only place we would've deployed is at our training
8 facility.

9 GN: Okay. Okay. Um, anything else that you can add
10 from that, uh, time at the speedway that might -- I
11 might not have asked you?

12 JD: No. Just that there were -- there was no unusual
13 occurrences.

14 GN: Okay. Okay. Let's talk about the -- the second
15 time.

16 JD: Okay.

17 GN: Um -- uh, Officer Coel through a -- a statement
18 through his attorney had mentioned the date of July
19 26th, uh, at the Charlotte County, uh, range. Does
20 that sound right?

21 JD: It does. And referring back to my, uh -- my phone
22 calendar, I do have listed on there as a canine
23 demo.

24 GN: Uh-huh.

25 JD: So that date appears to be accurate. I can't say

1 with 100 percent certainty, but it does appear that
2 it would be accurate.

3 GN: Okay. And so what happened that day?

4 JD: On that day, we were scheduled at the beginning of
5 our training night, um -- as I said earlier, we do
6 the first Tuesday and fourth Tuesday of every month,
7 we do mandatory canine training --

8 GN: Uh-huh.

9 JD: -- for, um -- to hone our skills at different
10 disciplines. For that night, the civilian police
11 academy was, I believe scheduled at 6 p.m. And we
12 were gonna conduct a demonstration to show what the
13 dogs are capable of. Everybody was assigned a
14 specific task or demonstration. One person would do
15 obstacles, one person would do, um, obedience work.

16 GN: Uh-huh.

17 JD: And there were gonna be a couple of different bite
18 situations where the dog would be deployed to bite.
19 One that we have done frequently in the past is, um,
20 Shawn Baras -- uh, Deputy Shawn Baras, and his dog,
21 uh, Canine Wiley, do a berm apprehension. The --
22 the range is set up with an extremely large berm.

23 GN: Uh-huh.

24 JD: I don't know the exact height of it, but it's
25 impressive to watch. The decoy will walk up the

1 side of the berm and hide.

2 GN: Uh-huh.

3 JD: At the 50-yard line, uh, Deputy Baras will have his
4 canine there. The decoy, wearing a bite sleeve,
5 will fire off, uh, blank rounds, either in a safe
6 location to the side --

7 GN: Uh-huh.

8 JD: -- or the ground --

9 GN: Uh-huh.

10 JD: -- um, one or two normally. And the dog will be
11 given a command to go and apprehend the person. The
12 dog will run 50 yards and run up the berm and
13 apprehend the subject, and then be called -- called
14 out verbally to return.

15 GN: Okay.

16 JD: For that scenario and the second scenario -- I'll --
17 I'll deal with the first one --

18 GN: Uh-huh.

19 JD: -- um, for that -- we were asking for, um, who was
20 going to decoy. Uh, Officer Coel had agreed to
21 decoy for that scenario.

22 GN: Uh-huh.

23 JD: Prior to actually going through and doing the
24 demonstration -- this is about half an hour before
25 the demonstration was going to start -- we were

1 standing underneath the overhang, which is, uh, just
2 a seating area at the, uh, training center at the
3 gun range.

4 GN: Uh-huh.

5 JD: I don't know whether it was asked of, uh, him by
6 Corporal Prevatte or how it came about, but he
7 brought the same snub-nose, what appeared to be a
8 .38, and a box of -- it was a small box of
9 ammunition. The brand was something I had never
10 heard of before. It was obscure.

11 GN: Uh-huh.

12 JD: The only thing that I recall -- it said somewhere on
13 there blank.

14 GN: Okay.

15 JD: And --

16 GN: When you say small box, uh, are you saying, uh,
17 rectangle, more cubed?

18 JD: More -- more of a cube style box.

19 GN: Okay.

20 JD: Um, ours was more of a rectangular box. They were -
21 -

22 GN: Uh-huh.

23 JD: -- Winchester and they were 50 rounds. This was
24 obviously much smaller, probably 20 rounds, I would
25 say at the most maybe. But it was a small -- just a

1 small box.

2 GN: Uh-huh.

3 JD: Um --

4 GN: And you do recall it saying blank on the box?

5 JD: From what I recall, I -- I recall it saying blank.

6 'Cause I stared at the name. I don't remember the

7 name.

8 GN: Okay.

9 JD: But it was an obscure -- I know that Corporal Vat

10 [phonetic] and him had a conversation as far as

11 where he obtained it or -- or what they were.

12 GN: So obviously, it wasn't Winchester --

13 JD: No.

14 GN: -- 'cause you would've recognized that?

15 JD: Right.

16 GN: Okay.

17 JD: So one of the rounds was actually taken out of the

18 box --

19 GN: Uh-huh.

20 JD: -- and it was passed around and looked. Corporal

21 Prevatte looked at it.

22 GN: Uh-huh.

23 JD: I looked at it. And the way our blank rounds were

24 at the time -- at the very tip, where you normally

25 have a projectile, it was a thin piece of paper.

1 GN: Uh-huh.

2 JD: This was different. It had what looked like plastic
3 or a -- a different type of material at the end, but
4 it was clearly a blank round.

5 GN: Uh-huh.

6 JD: Um --

7 GN: What, uh, color was the casing? Can you recall?

8 JD: Not with 100 percent certainty --

9 GN: Okay --

10 JD: -- no,

11 GN: -- okay.

12 JD: I just remember holding it and I remember looking at
13 the end. I thought it looked unusual.

14 GN: Okay.

15 JD: But it was clearly not a live round. It was not a
16 metal piece at the end. It was not a -- not a, uh -
17 - not an actual --

18 GN: Lead --

19 JD: -- lead. There was no --

20 GN: -- right.

21 JD: -- lead. It was -- I wanna say it was like
22 plasticky looking. Um --

23 GN: Was it, uh -- uh, colored? Was the piece at the end
24 -- was it colored?

25 JD: I -- for some reason, I wanna say it was blue but I

1 don't remember.

2 GN: Uh-huh. You can't say --

3 JD: I just --

4 GN: -- for sure?

5 JD: It didn't, um -- it's not engrained in my memory. I

6 just remember --

7 GN: Okay.

8 JD: -- it being a weird textural feel because ours, like

9 I said, are plastic.

10 GN: Was it round nose, flat?

11 JD: Flat. It was --

12 GN: It was flat?

13 JD: -- perfectly flat.

14 GN: Yep. Okay. You can't recall the casing?

15 JD: No.

16 GN: Okay. If I showed you some pictures maybe, would

17 that help or --

18 JD: It -- it might.

19 GN: Okay. Uh, let's go with the box first. Uh --

20 JD: God, that looks awfully -- I -- I can't say with 100

21 percent certainty. But with the, um -- the writing

22 in another language -- because when it was open, it

23 was sitting there. I remember another language.

24 GN: Uh-huh.

25 JD: So based on -- and the blue. The blue, it -- yes.

1 I can't say with 100 percent certainty it's about --
2 timeout -- but I can't say with 100 percent
3 certainty. But based on -- I remember something in
4 non-English in writing.

5 GN: Uh-huh.

6 JD: And then from that appearance, I would say that
7 looks to be what I saw.

8 GN: Okay. Um, anything, uh, about the round that he was
9 using, um, as far as length? Was it the same length
10 as your Winchesters? Was it shorter, longer?

11 JD: I don't remember. Thinking -- see, our Winchesters
12 -- there's two different sizes.

13 GN: Yeah.

14 JD: We have .38 quiet --

15 GN: Uh-huh.

16 JD: -- and we have the .357 hot loads that were -- I
17 don't remember holding it and going, "Oh, this is
18 much, much smaller." I -- I just don't remember
19 that.

20 GN: Okay. Um, does this look like the round?

21 JD: I would have to -- I remember -- no. I -- no, that
22 doesn't --

23 GN: No?

24 JD: What he handed me looked different. It was -- it
25 has some sort of a -- like a plasticky -- do you

1 have a shot of looking down at it? 'Cause I
2 remember --

3 GN: Uh, let me see. I might have --

4 JD: The --

5 GN: -- some more.

6 JD: -- the only thing I -- I remember is actually
7 looking at the -- 'cause I wanted to make sure it
8 wasn't a live round.

9 GN: Okay.

10 JD: I don't -- I don't really -- 'cause ours are full-
11 size cases.

12 GN: Yeah.

13 JD: So --

14 GN: Well, do you recognize these?

15 JD: I --

16 GN: Oop.

17 JD: Okay to click here?

18 GN: Just cancel, yeah, I think. Yeah.

19 JD: Okay. No. That's --

20 GN: So those don't look like your Winchesters that you
21 guys use?

22 JD: No, that's -- that's an actual round.

23 GN: No, it's a blank.

24 JD: Oh, that is a blank?

25 GN: Blank Winchester, yeah.

1 JD: Okay. Now, our -- our -- like I say, I can't tell
2 from this angle. Our Winchesters have a piece of
3 paper --

4 GN: Uh-huh.

5 JD: -- that's actually -- we don't have 'em anymore --

6 GN: Okay.

7 JD: -- we got rid of 'em.

8 GN: Okay.

9 JD: Um --

10 GN: Yeah. This does kinda have like, um -- it's
11 recessed, but it's, uh --

12 JD: I can't really tell from the --

13 GN: Yeah, I know.

14 JD: -- angle.

15 GN: It's kinda like, uh -- it almost looks like a
16 cardboard or something like that.

17 JD: Yeah.

18 GN: Yeah.

19 JD: That -- that -- yeah.

20 GN: Yeah. Okay. How 'bout -- this is just another --
21 another shot of the -- the, uh -- that box of ammo I
22 showed you before. Does that -- does it stick out
23 at all or --

24 JD: The -- the box and the name seem very -- I wanna say
25 that yes, that's the box.

1 GN: Uh-huh.

2 JD: What he pulled out -- I don't remember it being tiny
3 like that though.

4 GN: Right.

5 JD: I remember it, um --

6 GN: 'Cause those are .380 rounds --

7 JD: Right.

8 GN: -- yeah, .380 blanks.

9 JD: I don't remember -- that -- that I can say with the
10 most certainty of anything -- that's the box I saw.

11 GN: Uh-huh.

12 JD: But see, ours have trays like -- like a regular --

13 GN: Yep.

14 JD: -- he opened up this box --

15 GN: And they were -- they were loose?

16 JD: Yeah, they were loose.

17 GN: Yeah.

18 JD: And he-- what I looked at was different.

19 GN: Okay.

20 JD: So I -- and it's been so long, I just -- I just
21 literally can't remember.

22 GN: I know. I know.

23 JD: I don't remember holding anything that was that
24 small.

25 GN: Okay.

1 JD: So --

2 GN: All right. Um, let me see here. Okay. See, I'm
3 gonna show you -- this is like a -- like I said,
4 with the Winchesters, you see how it --

5 JD: Okay --

6 GN: -- it's kinda like a carboardish --

7 JD: -- yeah, yeah.

8 GN: -- kind of top.

9 JD: I think that ours are different, obviously.

10 GN: Uh-huh. Uh-huh.

11 JD: But that was more or less -- but it was like a --
12 almost had like a waxy feel to it.

13 GN: Okay.

14 JD: Almost like a plasticky waxy feel to it.

15 GN: The one that he brought?

16 JD: The one that -- the one that he showed me.

17 GN: Uh-huh.

18 JD: But it didn't -- it -- it was obviously not a live
19 round.

20 GN: Okay. Um,

21 JD: But that box is the only thing I can tell you with
22 certainty that that was --

23 GN: Okay.

24 JD: Because it was such an obscure -- I've never even
25 heard of that. But I wanna say it said blank

1 somewhere on it.

2 GN: No, it didn't. Did it look like this?

3 JD: No, it wasn't like that.

4 GN: No?

5 JD: Uh-uh.

6 GN: Okay. All right. Okay. Um, so he brought it over

7 to the overhang --

8 JD: Right. He brought the -- the little box and the

9 firearm.

10 GN: Okay.

11 JD: Um, and then he opened up the box. And I remember

12 it --

13 GN: And I'm sorry. Looking at any of those, does

14 anything kinda recall as to the finish of it --

15 brass, uh, silver?

16 JD: (No audible response).

17 GN: That's all right if you don't.

18 JD: Yeah. I -- I -- I can only -- with a 100 percent

19 certainty, no.

20 GN: Yeah.

21 JD: What I can tell you -- the -- the most certain part

22 of the whole thing is that box --

23 GN: Yeah.

24 JD: -- that box. Again, that's why I said blue tip.

25 GN: Okay.

1 JD: It was such a -- it was such a -- such a nothing
2 incident to me that I didn't ingrain it into my
3 head.

4 GN: Right.

5 JD: But I remember blue, and I remembered obscure brand
6 and small box.

7 GN: Right.

8 JD: So with seeing those pictures, I think that's where
9 I'm getting the blue from. I remember blue, other
10 language, small box. So with that being -- based on
11 that totality, I would say that's the box I
12 remember. The round, for some reason, I just
13 remember running my finger over the top because it
14 was different than what we use. Ours is -- is --
15 it's literally a piece of paper. I mean, it -- it's
16 like nothing.

17 GN: Uh-huh.

18 JD: I remember it being almost waxy feeling. And that's

19 --

20 GN: Waxy or plastic?

21 JD: Right. Waxy or --

22 GN: And so it wasn't like that .380 round that I showed
23 you next to the box?

24 JD: It -- it may very well have been. But I remember it
25 having --

1 GN: Would you have remembered it being that small?

2 JD: I would've --

3 GN: -- 'cause it's like, half the size of a --

4 JD: Yeah, I would've -- I would've remembered it being

5 half that size.

6 GN: Yeah --

7 JD: Yeah.

8 GN: -- yeah. Okay. Okay. So he -- he takes it over

9 and what happens next?

10 JD: He loads, um -- I don't know if it was the same one

11 we passed or -- this is all kind of blur now and I'm

12 -- I'm trying to distinguish between actual memory

13 and conversation.

14 GN: Yeah.

15 JD: And that's the problem too, 'cause it's been so --

16 GN: Yeah, yeah --

17 JD: -- long, we've obviously discussed --

18 GN: -- right --

19 JD: -- it.

20 GN: -- yeah.

21 JD: Um, what I recall is him opening the box --

22 GN: Uh-huh.

23 JD: -- he being Officer Coel -- hands -- it was -- just

24 opening the box, hands something to --

25 GN: I'm sorry. Uh-huh.

1 JD: -- to, uh == a blank to Corporal Prevatte.

2 GN: Uh-huh.

3 JD: Hands something to, uh -- a blank to Corporal
4 Prevatte. Um, I don't know where I got the blank
5 from. It could be something that either I read or I
6 overheard somebody else say. I don't know. But I
7 remember something about blank.

8 GN: Uh-h-uh.

9 JD: I thought I read it on the box, but maybe not. He
10 then passed around -- I would've remembered it being
11 a little tiny --

12 GN: Uh-huh.

13 JD: -- round. But I remember the texture of the round
14 because I ran my finger over it. And I remember it
15 feeling different --

16 GN: Uh-huh.

17 JD: -- than ours, but there was no projectile at the
18 end.

19 GN: Okay.

20 JD: It was handed back to Officer Coel. We talked a
21 little bit. There were members of SWAT who was
22 doing a demo after us. Things were talked and
23 discussed, um, about how the exercise was gonna go.

24 GN: Uh-huh.

25 JD: He said he was gonna go back to his truck -- his

1 agency issued vehicle and he was going to go get a
2 hooded sweatshirt or something and he was going to
3 go up to the top of the berm to hide and get ready.
4 GN: Okay. Oh, so then nothing was -- they didn't do,
5 like, a test fire then?
6 JD: Yeah. Oh, yes. I'm sorry.
7 GN: Okay. Yeah.
8 JD: When -- prior to going back to the truck, someone
9 asked -- I wanna say it was Corporal Prevatte -- I
10 don't recall who asked -- "How loud are they," or
11 something like that.
12 GN: Uh-huh.
13 JD: And I don't know if he already had the round in
14 there or loaded it. I don't remember. But he
15 walked off into a safe direction, not underneath the
16 overhang.
17 GN: Who did, Lenny or Lee?
18 JD: Lee --
19 GN: Okay.
20 JD: -- walked off from underneath the overhang --
21 GN: Uh-huh.
22 JD: -- walked towards downrange and fired one round and
23 it was relatively loud.
24 GN: And which, uh -- where was he pointing it?
25 JD: Downrange, towards the berm --

1 GN: Okay.

2 JD: -- there was no one down there.

3 GN: Okay. And just fired one?

4 JD: Just fired one so that we could hear how loud it
5 was, and it was relatively loud.

6 GN: Okay.

7 JD: 'Cause I remember it echoing. The -- the sound
8 echoed from underneath the overhang and it was -- it
9 was especially loud.

10 GN: Was it -- you -- you thought it was, like, uh,
11 louder than what you guys used or just --

12 JD: No. I thought it was about equivalent to what we
13 used.

14 GN: Oh, equivalent? Okay --

15 JD: Yeah.

16 GN: -- all right.

17 JD: But I was surprised that it was that loud though.
18 And I think part of it was because it was that close
19 to the overhang, it resonated.

20 GN: Uh-huh.

21 JD: But -- 'cause I expected it to be quieter.

22 GN: Okay.

23 JD: Uh, all right. And then after he did that?
24 JD: After he did that, from what I recall, he grabbed
25 his stuff and went back to his truck.

1 GN: Uh-huh.

2 JD: And then prepared -- got his hooded sweatshirt and I
3 don't know if he had the round -- or the firearm in
4 his pocket or where he had it. But his instructions
5 were to go to the, uh -- the top of the berm and
6 wait for the deployment of the dog -- for that part
7 of the scenario to start.

8 GN: Okay. And then what? How'd the scenario go?

9 JD: Scenario went -- uh, basically, I do the talking in
10 front of the, uh, civilian policy academy and I
11 explained after we were gonna -- I think it was --
12 if I -- if I'm remembering the night correctly, I
13 wanna say there was some light rain involved.

14 GN: Uh-huh.

15 JD: And I think we went to that quicker than normal
16 because it was starting to rain.

17 GN: Uh-huh.

18 JD: I explained what Deputy Baras and his canine were
19 gonna do.

20 GN: Uh-huh.

21 JD: And then he came out and -- Lee's very theatrical.
22 Uh, he played the role well, so he was screaming and
23 hollering.

24 GN: Up on the berm?

25 JD: Up on top of the berm.

1 GN: Uh-huh.

2 JD: And, uh, Deputy Baras, um, gives his canine warnings
3 and so forth, deploys the dog. I don't know at what
4 point he fired the rounds, whether it was while the
5 dog was in route, prior to, or when the dog was
6 closer to being there. I don't recall that part
7 because I was talking and --

8 GN: Uh-huh.

9 JD: -- um, but he did fire several rounds. I --

10 GN: Did you see him fire the rounds?

11 JD: I would've been talking and --

12 GN: Okay.

13 JD: -- looking up. Um, I don't recall in what direction
14 he was firing them. So --

15 GN: And then the -- the dog went out --

16 JD: The dog went up the berm --

17 GN: -- and did his thing?

18 JD: -- apprehended him, he fought the dog. Dog was
19 recalled verbally and the dog returned back to his
20 handler.

21 GN: Okay. And then there was one more demonstration --

22 JD: Right.

23 GN: -- that he was in?

24 JD: There was another demonstration where he played the
25 bad guy again. It was part of SWAT's, uh,

1 demonstration where they do --

2 GN: Uh-huh.

3 JD: -- a mock vehicle pursuit.

4 GN: Okay.

5 JD: At that point, it's, uh -- they utilize one of the,

6 uh, narcotics vehicles. The vehicles then chase --

7 they chose to utilize, uh, Deputy Gilmer and his

8 canine. Basically, the vehicle's chased, Deputy

9 Gilmer stops so that, um, the bad vehicle -- bad

10 guy's vehicle is facing -- just can't -- if -- if

11 this is the berm --

12 GN: Uh-huh.

13 JD: -- the vehicle approaches from in here --

14 GN: Yeah.

15 JD: -- and steps in this direction. Deputy Gilmer

16 follows in behind and is canted.

17 GN: Yeah.

18 JD: The bailout door for the dog is on the passenger

19 side rear.

20 GN: Uh-huh.

21 JD: Uh, Officer Coel was playing the role of the bad

22 guy, was going to flee from the traffic stop.

23 GN: He was driving the car?

24 JD: No.

25 GN: Oh.

1 JD: I believe he was the --

2 GN: Passenger?

3 JD: He may've been the driver or -- I don't recall. I
4 know he was in the vehicle. Um, so he would've then
5 ran from the stop, fired off rounds back towards
6 Deputy Gilmer and the dog. But he was instructed to
7 do it in a safe manner, so he just fired at the
8 ground.

9 GN: Uh-huh

10 JD: Um, and the dog would then, through the bailout
11 door, go and apprehend him, which is what happened.

12 GN: Uh-huh.

13 JD: And there was gonna be a sniper shot, I believe,
14 from the SWAT team. So what we did is we had them
15 go out of the way so there would be no chance of
16 anything else happening, is from what I recall.

17 GN: Okay.

18 JD: So it was more on the right side of the range is
19 where the final apprehension -- and they were moved
20 into that area. And then it -- I believe there was
21 a final shot because they -- they simulate down
22 there also a breach. So they utilize a det chord
23 and blow a, uh, mock door open.

24 GN: Uh-huh.

25 JD: So we wanted to keep the dog away from all that and

1 everything else. So --

2 GN: Okay.

3 JD: And again, that was, um --

4 GN: That one --

5 JD: That one -- I don't remember -- 'cause I've been --

6 I've been picking my brain, as far as, you know, if

7 I remember maybe a projectile hit and something --

8 GN: Uh-huh.

9 JD: I don't remember anything out of the ordinary. And

10 I've obviously spoken with Deputy Gilmer to see if

11 he remembers anything unusual about that situation

12 'cause he was standing right there. And he doesn't

13 recall.

14 GN: Right. And obviously --

15 JD: And (unintelligible).

16 GN: -- there was no, uh, projectiles --

17 JD: No projectile, nothing that --

18 GN: -- hit vehicles or anything like that?

19 JD: -- nothing that hit a vehicle, hit a person, raised

20 -- raised our concern level or anything, and the

21 situation was over.

22 GN: Okay. Okay. Uh, after, uh, the scenario, uh, did,

23 uh, Officer Coel talk about anything about the ammo,

24 how good it was or anything like that? You remember

25 the conversation --

1 JD: He --

2 GN: -- anything?

3 JD: -- most of the conversation that he had about
4 anything to do with the ammo -- 'cause I --

5 GN: Oh, I'm sorry. Did he ever mention, uh, where he
6 got it?

7 JD: See, I'm -- I'm trying to differentiate between
8 hearing it from him --

9 GN: Uh-huh.

10 JD: -- and everything else. I -- I don't recall hearing
11 him say where he got it from. I -- I've -- I've
12 heard other things --

13 GN: Yeah --

14 JD: -- from other people. So I can't --

15 GN: -- yeah, yeah. Okay. That's all right. All right.
16 Um, any other details you can add that I might not
17 have asked you?

18 JD: No. Just that Corporal Prevatte had more of a
19 conversation with him about that part --

20 GN: Yeah.

21 JD: -- and I was more or less standing there and just an
22 observer and -- and took a look.

23 GN: Right. Okay. Okay. That's it then?

24 JD: That's it.

25 GN: Okay. Uh, that'll conclude the interview. The

1 approximate time is 3:10 p.m.

2 (CONCLUSION OF INTERVIEW)

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24 Transcribed by: rsh/rsh

1 (INTERVIEW OF LT. JOHN HECK, JR., #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 JH = Lieutenant John Heck, Jr.

8 GN: Okay. This is, uh, Special Agent Gary Negrinelli,
9 Florida Department of Law Enforcement. Today's
10 date's August 12th, 2016. Approximate time is 5:14
11 p.m. This is in reference to, uh, FDLE case number
12 FM-01-0027. Uh, we're conducting an interview with
13 Charlotte County Sheriff's Office Lieutenant John
14 Heck. Uh, we're at his residence at [REDACTED]
15 [REDACTED] Uh, also present
16 is, uh, Special Agent Supervisor Patrick Crowe.

17 Uh, John, can you state your full name?

18 JH: John William Heck, Jr., H-E-C-K.

19 GN: Thank you. Uh, can you raise your right hand? Do
20 you solemnly swear to tell the truth, the whole
21 truth and nothing but the truth, so help you God?

22 JH: Yes, I do.

23 GN: Okay. Uh, again, where are you currently assigned
24 in your position?

25 JH: I'm a lieutenant with the Charlotte County Sheriff's
26 Office. I'm currently in charge of our Special

1 Investigation Unit, which is Narcotics, Warrants,
2 and our Street Crimes Unit, and I'm temporarily over
3 our Major Crimes Unit at this time.

4 GN: Okay. And how long have you been with Charlotte
5 County?

6 JH: Almost 22 years.

7 GN: Twenty-two years.

8 JH: Yes.

9 GN: You've done your whole time there.

10 JH: Yes.

11 GN: Okay. Um, this is in reference to a shooting
12 involving, uh, Punta Gorda Police Officer Lee Coel.
13 Are you familiar with Lee?

14 JH: Yes.

15 GN: Okay. And how do you know him?

16 JH: Uh, I know Lee from my interactions with the police
17 department due to my wife is a lieutenant over at
18 the police department. Um, I spent a majority of my
19 career at the Sheriff's Office in K-9, um, so I knew
20 that he was one of the K-9 handlers they hired over
21 there at the time, um, and kind of had conversations
22 with him here and there and some of the K-9 guys as
23 he was coming up through K-9.

24 GN: Okay. Uh, had you done some K-9 training with him?

25 JH: I have not done any K-9 training with him.

1 GN: Okay. Um, we, uh, are trying to find out where, uh,
2 some certain ammunition, uh, had come from, some
3 blanks, uh, that he had and that we had taken into
4 evidence. And, um, we -- we learned that it
5 possibly came from you, or you -- or your wife might
6 have provided it?

7 JH: Yes. We --

8 GN: Okay.

9 JH: We had a box, um -- a box or two of blanks here at
10 our house, um, in a cabinet that we have that we
11 keep a whole bunch of extra ammo that she's
12 collected from the PD over the years. Um, as we
13 were moving from one house to the other, we decided
14 to try to get rid some of the ammunition that we
15 had.

16 GN: Okay. Do you recall if it was -- you said a box or
17 two. Do you know if it was --

18 JH: It was two boxes. One was a rectangle box, and I
19 cannot tell you the name or make of it. One was a
20 smaller, square box, um, and I don't remember the
21 name of that either.

22 GN: Okay. One was rectangular.

23 JH: Yes.

24 GN: Do you remember the color?

25 JH: I believe it was a gray box.

1 GN: Gray. And the other one was?

2 JH: A -- it was a square box. Um, I believe it was
3 probably --

4 GN: Square?

5 JH: Yeah. Maybe blue and gray. I believe that one --
6 that one had little tiny blanks in it that had a
7 crimped end on them.

8 GN: Okay. Okay. Uh, do you recall what caliber?

9 JH: I believe it was .38

10 GN: Okay. All right. And can you, uh -- do you recall
11 when it was?

12 JH: When we gave the boxes?

13 GN: Yeah.

14 JH: I think it was only a few weeks ago that we gave
15 those boxes to him.

16 GN: Oh, just a few weeks ago.

17 JH: Yes, I believe so.

18 GN: Okay. All right.

19 JH: We moved into this house on July -- the weekend of
20 July 4th, so I believe it was (unintelligible) a
21 week after that.

22 GN: And, uh, these were all blanks?

23 JH: Yes.

24 GN: Okay. If I, uh, provided you with a picture of the
25 boxes, do you think you could identify them?

1 JH: Yes.

2 GN: Okay. Uh, let the record reflect, uh, that I am
3 going to show John a picture of, um, two boxes of
4 ammunition that we, uh, recovered and are in
5 evidence. Uh, either of these or both?

6 JH: Actually, neither one of them really look familiar
7 to the ones we had.

8 GN: Neither one?

9 JH: No.

10 GN: Okay. Okay. All right.

11 PC: Oh, um, did you use the blanks for your training?

12 JH: No. I believe the one rectangle box was a full box.

13 PC: Okay.

14 JH: Um, the other one was little tiny gold ones. They
15 were literally smaller ones with a crimped end on it
16 that you could see that -- it was almost like you
17 would take a crimper and crimp the end of it.

18 PC: Uh-huh.

19 JH: Um, I didn't use them 'cause all the blanks that I
20 ever had at the Sheriff's Office stayed with the
21 blanks. So the blanks that came here, uh, I think
22 they came from a trial that they might have given
23 us, some blanks that we won or something like that.

24 PC: Okay.

25 JH: Um, because all the blanks I ever had at the

1 Sheriff's Office stayed in a lockbox that we had
2 with our blank gun with the blanks.

3 PC: Okay. And it was a blank gun, not a pistol.

4 JH: No, it was -- at the Sheriff's Office it was a
5 pistol.

6 PC: Oh.

7 JH: It was a .357 pistol --

8 PC: Oh.

9 JH: -- we use at the Sheriff's Office.

10 PC: Okay. And was the blanks, uh, that you used -- do
11 you remember the brand that you used at the
12 Sheriff's Office?

13 JH: We use Winchester at the Sheriff's Office.

14 PC: Winchester?

15 JH: Yes.

16 PC: Okay. And like one of the boxes there was a
17 Winchester. That -- that doesn't look like, uh --

18 JH: That didn't look like the box that we gave him. The
19 Winchesters are bigger full-loads. I want to say
20 the crimped ones we gave him begin with an "R" I
21 want to say.

22 PC: Begin with an "R"?

23 JH: I believe so, yes.

24 PC: Okay. All right. And --

25 JH: It was -- it was an off-brand. It wasn't like, you

1 know, Smith & Wesson, um, any of the other brands,
2 Winchester or anything like that, or Federal. I
3 don't remember --

4 PC: Okay. And, uh, do you remember what color the
5 casings were on those?

6 JH: The -- on the short ones it was -- they were gold in
7 color.

8 PC: They were gold in color.

9 JH: Gold in color.

10 PC: The short ones.

11 JH: Yes, little tiny short ones.

12 PC: Gotcha.

13 GN: And -- excuse me -- those were .38 caliber?

14 JH: Yes.

15 PC: And the Winchester, can you describe those to us?

16 JH: The Winchesters that we use at the Sheriff's Office
17 are probably, I'd say, almost an inch, um, gray
18 casing, um, and .38 diameter.

19 PC: Right.

20 JH: They fit into a .357 as well.

21 PC: Okay.

22 JH: So -- and they're full-loads. They're loud. So
23 that's why we used them at the Sheriff's Office,
24 'cause while you're training the K-9, to get a
25 realistic sound from a gun lets a dog in his

1 training if he ever encounters gunfire not to be
2 scared of it.

3 PC: Gotcha. Okay.

4 GN: So -- I'm sorry. Again, the ones from Charlotte
5 County, a gray casing but longer?

6 JH: They're like an inch long, yes.

7 GN: Yeah. Okay.

8 PC: And they're Winchesters.

9 JH: Winchesters. That's what we were buying. I've been
10 out of K-9 for three and a half years now, but
11 that's what we had while I was there.

12 PC: Okay.

13 JH: And I haven't seen our blank gun since I've been out
14 of K-9 for the last three and a half years, so --

15 GN: Okay. And then -- but the box that you gave him
16 were the short, gold and crimped?

17 JH: Yes.

18 GN: Begins with an "R."

19 JH: Yes, I believe so.

20 GN: Okay. In both those boxes?

21 JH: No. The other box, um -- I don't remember what was
22 in the other box 'cause I didn't really open the
23 other box. It felt full, so I (unintelligible)
24 exactly sure what was in the other box.

25 GN: The -- the -- the gold ones, which box were they in?

1 JH: The square box, the little square box.

2 GN: Square box.

3 JH: Yeah.

4 GN: Okay. We don't know what, uh -- what the rounds
5 looked like in the rectangular box.

6 JH: No.

7 GN: Okay. Okay. Anything else?

8 PC: No.

9 GN: All right. Anything else that you could add that we
10 didn't ask or --

11 JH: No. No, sir.

12 GN: Okay. All right. That will end, uh, the statement.
13 Uh, approximate time's 5:21 p.m.

14 (CONCLUSION OF INTERVIEW)

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24 Transcribed by: lam/lam/aef

1 (INTERVIEW OF DEPUTY JUSTIN GILMER, #2016-0108, 1/17/17)

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

4

5 GN = Special Agent Gary Negrinelli

6 EC = Special Agent Ed Carmody

7 JG = Deputy Justin Gilmer

8 GN: We're starting. Okay. Uh, this is an interview
9 with -- oh, I'm sorry. This is Special Agent Gary
10 Negrinelli with the Florida Department of Law
11 Enforcement. This is an interview with Charlotte
12 County Deputy Justin Gilmer, which is spelled J-U-S-
13 T-I-N, G-I-L-M-E-R.

14 JG: That's correct.

15 GN: And this is in reference to Florida Department of
16 Law Enforcement case number FM010027. The date is
17 January 17th, 2017. The approximate time is 4:02
18 p.m. The interview is taking place at the Charlotte
19 County Sheriff's Office. Uh, also present is
20 Special Agent Ed Carmody.

21 Um, Justin, do you recognize that I am a law
22 enforcement officer within the State of Florida, and
23 by, which empowered to take sworn testimony?

24 JG: Yes.

25 GN: Okay. Would you please raise your right hand? Do
26 you swear the testimony you're about to give is the

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1 truth, the whole truth, and nothing but the truth,
2 to the best of your recollection?

3 JG: Yes.

4 GN: Okay. Um, what is your current position here at the
5 charlotte County Sheriff's Office?

6 JG: I work for the, uh, Charlotte County Sheriff's
7 Office Canine Unit.

8 GN: Okay. And how long have you worked, uh, for the
9 Canine Unit?

10 JG: Um, actually assigned to the Canine Unit for two
11 years --

12 GN: Two years? Okay.

13 JG: -- right around there.

14 GN: And how long with, uh, Charlotte County?

15 JG: Going on six.

16 GN: Six? Any previous?

17 JG: No.

18 GN: Okay. All right. Um, are you familiar with, uh,
19 Punta Gorda Police Officer Lee Coel?

20 JG: Yes.

21 GN: Okay. And I understand that you've done some, uh,
22 canine training with him?

23 JG: Right.

24 GN: Okay? In the past?

25 JG: Yes.

1 GN: Okay. How long ago?

2 JG: Uh, 'bout a year now.

3 GN: Okay. It's been a year.

4 JG: Yeah, right before the -- the, uh, incident occurred
5 -- the shooting.

6 GN: Okay. All right. Um, it was brought up during, uh,
7 other interviews that, um, after the Punta Gorda
8 shooting occurred, there was a discussion amongst
9 all of you, and that you had mentioned that you had
10 -- during, uh, some training with him, uh, that he
11 test fired this ammunition, and that you had seen
12 some dirt fly up out on the range --

13 JG: Right.

14 GN: -- uh, when he -- he test fired this ammunition.

15 JG: Uh, I don't -- I don't know which ammunition he had
16 in the gun, uh, but I just saw, uh -- when he had
17 put a couple of round in there, he fired one off in
18 the ground and I did see some grass move. I didn't
19 know it was from the concussion or, uh -- or, uh,
20 anything else that might've been in there.

21 GN: And this was at the Charlotte County range?

22 JG: Yes.

23 GN: Yeah? Okay. Um, did you see his -- his -- the
24 handgun that he was using?

25 JG: Um, yeah, I've seen it. I think it was a little

1 silver revolver.

2 GN: Okay. Was this the first time that, uh, you had
3 seen him use this?

4 JG: Uh, it's hard to remember, but I'm -- I would think
5 I've seen him use it before. But I can't remember,
6 to be honest with ya.

7 GN: Do you know if it was a department-issued gun,
8 personal handgun?

9 JG: Uh, from what I understood, it was his own personal
10 gun, but that's just what I heard.

11 GN: Um, did you see of the ammunition that he used?

12 JG: Um, no. I -- I -- I remember him over by one of the
13 tables loading it up with blanks. But I don't
14 remember which -- now I can't remember what it was.

15 GN: Uh-huh. But you did see him load the gun at the
16 table?

17 JG: Yes.

18 GN: And this was at the covered, uh --

19 JG: Right.

20 GN: -- training area right next to the range, right --

21 JG: Yes.

22 GN: -- yes, off to the side? Okay. Um, if I showed you
23 some pictures, you wouldn't be able to recall, you
24 know --

25 JG: The -- what the ammunition --

1 GN: The ammunition --

2 JG: -- looked like?

3 GN: -- yeah, or the boxes?

4 JG: Uh, maybe, if you -- if I saw the ammo. I'm not

5 sure.

6 GN: Okay. Let me -- let me show you some pictures.

7 Either of those? Here's another picture. Or any of

8 those?

9 JG: This one right here looks familiar.

10 GN: Yeah?

11 JG: Yeah.

12 GN: Okay. All right. Uh --

13 JG: That looks familiar. I don't remember if that's

14 what he was loading in there, but I do remember a

15 blue top on one of 'em.

16 GN: Okay. So, um, basically the, uh -- and that would

17 be this one right here that you're pointing at, just

18 a different angle --

19 JG: Right.

20 GN: -- of it.

21 JG: Uh, the only thing I can remember was the blue top.

22 GN: Okay. So blue top. Um, and that's the aluminum

23 casing round that you're pointing out, as opposed to

24 the brass or the smaller one. How 'bout, uh, boxes?

25 Did you -- did you see a box?

1 JG: No. I don't remember the, uh -- the boxes. For
2 some reason, I remember these.

3 GN: None of the boxes?

4 JG: I remember these too, the crimped -- the crimped
5 tops.

6 GN: You do remember?

7 JG: Yeah.

8 GN: But none of these boxes don't --

9 JG: But I don't think he loaded these in his gun that
10 day.

11 GN: Okay. Were they -- were they like this? Any of
12 these fashions?

13 JG: I don't remember these.

14 GN: But do you remember a box of those? You said you do
15 remember --

16 JG: I don't -- this was so long ago now --

17 GN: Yeah.

18 JG: -- it's hard to remember exactly where I saw 'em at.

19 But I --

20 GN: Uh-huh.

21 JG: -- I don't do a lot of stuff with this kind of --
22 especially ammo --

23 GN: Uh-huh.

24 JG: -- but I do remember this crimped top thing here.

25 GN: So you remember seeing the crimped top, but you also

1 remember seeing the aluminum casing one?

2 JG: Yeah, I -- the -- the biggest thing is, I can
3 recall, is I remember the blue top on it, it looking
4 like it was stamped on there.

5 GN: Okay. Do you know which one he was loading?

6 JG: I thought it was these.

7 GN: Okay.

8 JG: But like I said, I can't really recall now. I was
9 kinda doing two or three other things. I just
10 happened to look over and --

11 GN: Sure.

12 JG: -- saw the blue top on the ammo. I'm not exactly
13 sure which one he was loading.

14 GN: Okay. All right. So um, you guys were there for,
15 uh, some training scenarios, right?

16 JG: Right.

17 GN: Um, you know this -- it was definitely before the
18 Punta Gorda shooting?

19 JG: Right.

20 GN: Do you know -- uh, the Punta Gorda shooting was the
21 beginning of August. Do you know, like, kind of a
22 time span of when before --

23 JG: Uh --

24 GN: -- how long before?

25 JG: -- well, it was the last training day we had with

1 him. Do you know what day in August it was?

2 GN: August 9th --

3 JG: August 9th?

4 GN: -- was the exact day of the shooting.

5 JG: Uh, if I can refresh my memory a little with --

6 GN: Sure.

7 JG: -- my calendar. It would've been the Tuesday -- we

8 train the first Tuesday of the month, so it would've

9 been that Tuesday of August.

10 GN: Oh, so you're talking like a week before -- like,

11 just days before?

12 JG: Uh, if we trained that day like we were supposed to,

13 it would've been August 2nd.

14 GN: Okay. Okay.

15 JG: But we had --

16 GN: If not, it would've been --

17 JG: -- we had a demo that day. It would've been the

18 week before that, which would've been, uh --

19 GN: End of July?

20 JG: Yeah, July 26th.

21 GN: Sixth? That's supposedly when the day was --

22 JG: Okay. So it's --

23 GN: -- what I've been told.

24 JG: -- yeah, it might be July 26th. Like I said, it was

25 one of those Tuesdays --

1 GN: Right

2 JG: -- we train every Tuesday. Well, first or last

3 Tuesday of the month.

4 GN: Okay. So, uh, let's discuss, uh, that -- that, uh,

5 day of the training. Uh, about what time did you

6 guys meet?

7 JG: Um, 3:00, I believe --

8 GN: About --

9 JG: -- like -- yeah --

10 GN: -- 3 in the afternoon, 3 p.m.?

11 JG: -- yeah, 3.

12 GN: Okay. And basically, it was your entire Canine

13 Unit, Charlotte County's?

14 JG: Right.

15 GN: And Officer Coel?

16 JG: Right.

17 GN: Anybody else from other departments -- other canine?

18 JG: Uh, I don't think so, no.

19 GN: Okay. All right. And what -- how did it start up?

20 Like, did he --

21 JG: Usually, we meet here.

22 GN: Okay.

23 JG: That's how we start.

24 GN: Uh-huh.

25 JG: And we'll sit around for a couple of hours discuss

1 things, what we're gonna do for the day. And then,
2 uh, we usually try to do, uh, drug training. I
3 can't remember because our day was messed up that
4 day because we had a -- we had a demo ourselves -- a
5 community policing demo that day.

6 GN: Okay. When did it get -- once you got to the range,
7 when did it, uh, get brought up by, uh, Officer Coel
8 that he wanted to try this new ammunition out? Or
9 were you --

10 JG: I don't --

11 GN: -- witness to that or --

12 JG: No, I -- I don't --

13 GN: -- hear it?

14 JG: -- remember that. He -- we were just -- he was
15 gonna be the decoy and he had his own blank gun, so
16 he was just gonna use his blank gun.

17 GN: Okay. But obviously, he did, like a test fire with
18 it right --

19 JG: Right.

20 GN: -- before the scenario. And what was the reason for
21 that? Because it was new ammunition he wanted --

22 JG: Uh --

23 GN: -- to try?

24 JG: -- I -- I don't really remember. I -- I think I
25 recall something about the -- the main reason he

1 fired it off was to see how loud it was.

2 GN: Okay. All right. And then, uh, like you said, this
3 was, uh -- uh, he had loaded at the table -- at the
4 overhang, and then he -- did he go out to the range
5 to test fire it?

6 JG: No. He walked about five feet away in front of us
7 and just fired one off in the grass.

8 GN: Just one?

9 JG: Right.

10 GN: And you said that you did see like -- like, dirt or
11 something come up from the grass --

12 JG: I --

13 GN: -- or --

14 JG: -- I just saw a chunk of grass just kinda go boop
15 and then kinda move over a couple -- like, maybe a
16 half a foot, a foot.

17 GN: Okay. Did you say something to anyone at that time?

18 JG: Uh, no. I didn't really -- I didn't really think
19 too much of it. I just figured it was from the
20 concussion.

21 GN: Uh-huh.

22 JG: I thought I may've said something about it --

23 GN: Uh-huh.

24 JG: -- or I may have later. I can't really remember.

25 GN: Okay.

1 JG: I just thought it was from the concussion of the
2 handgun going off --

3 GN: Did anybody --

4 JG: -- since it was the ground.

5 GN: -- else say anything about it?

6 JG: Um, not that I recall.

7 GN: Okay.

8 JG: Like I said, this is a long time ago now. But --

9 GN: Right, right, right. I mean, did you say something
10 to someone at that time? That, "Hey, I -- I think I
11 just saw grass move," or you just saw it and you
12 just kinda --

13 JG: I -- no, I think I --

14 GN: -- kept it to yourself?

15 JG: -- I think I did say something. It was like -- I
16 don't remember exactly what I said, but I just said
17 something about, "Man, did you see that grass come
18 up off the ground," or something like that. I don't
19 --

20 GN: Right.

21 JG: -- like I said, I don't remember exactly what was
22 said, but I think I did maybe mention something. I
23 just can't remember what I said.

24 GN: Okay. And no one else said anything?

25 JG: I think the only person standing next to me was

1 probably, uh, Chandler.

2 GN: Uh-huh. Did he say anything --

3 JG: Uh, I don't remember.

4 GN: -- or agree with you or --

5 JG: I don't remember.

6 GN: -- acknowledge it? Okay.

7 JG: I just can't remember.

8 GN: Okay.

9 JG: It wasn't really, you know, anything pertinent at
10 the time. It was just kinda something that
11 happened. And we were just kinda -- we were all
12 running around trying to get stuff done.

13 GN: Right, right. Okay. So, uh, after he test fires,
14 does anybody say anything? Does, uh -- I -- I think
15 Corporal Prevatte was kinda looking at it. Was --
16 was --

17 JG: I don't --

18 GN: -- Corporal Prevatte there?

19 JG: -- I don't think so. I thought he was over by the -
20 - I thought he was over at the -- the -- kinda like
21 that little overhang directly behind the range.

22 GN: Okay. So --

23 JG: Uh, I thought --

24 GN: -- he wasn't there? He was --

25 JG: -- he was over there talking to some of the guys

1 with -- on the SWAT team, but I'm not -- I'm not
2 sure.

3 GN: Okay. All right. Um, so let's talk about then the
4 scenarios. What was his position during the first
5 scenario?

6 JG: Uh, I don't remember the first scenario. The only
7 one I can remember was the one I was involved in.

8 GN: Okay. And what was that one?

9 JG: And that was, uh -- I was doing a mock vehicle
10 pursuit with a bail out.

11 GN: Okay.

12 JG: And, uh, he, uh, jumped out of the passenger seat of
13 the vehicle and, um, fired off a couple of rounds
14 towards us, and my dog apprehended him, uh,
15 downrange.

16 GN: Okay. So you were --you were pursuing him?

17 JG: Right.

18 GN: And someone else was driving his car though?

19 JG: Yes.

20 GN: Okay. You guys were both in, uh, what, your canine
21 vehicles?

22 JG: Uh, I was in a canine car, they were in an unmarked,
23 just, uh, whatever we had laying around.

24 GN: Okay. Do you recall who was driving his vehicle?

25 JG: Sure don't --

1 GN: Okay.

2 JG: -- no.

3 GN: And where'd you guys do this, like, right on the
4 range maybe?

5 JG: Yeah. We start --we start off back there by the
6 side parking lot --

7 GN: Uh-huh.

8 JG: -- and turn on our lights and sirens. And then we
9 chase 'em into the gated area --

10 GN: Right.

11 JG: -- around the side, and then they go up onto the
12 grass, and then they'll stop in the grass.

13 GN: Okay. So you -- so you guys both stop. He jumps
14 out immediately. Or are you calling
15 (unintelligible) --

16 JG: No. I think, uh --

17 GN: -- or something or --

18 JG: -- I think the SWAT team actually takes a sniper
19 shot first.

20 GN: Okay.

21 JG: And, uh, you know --

22 GN: He stays in the car or --

23 JG: Yeah. He stays in the car 'til the sniper round
24 goes off.

25 GN: Okay.

1 JG: And then that's supposed to imitate the driver being
2 taken out and then he jumps out of the car and runs
3 away, shooting at us as he's leaving.

4 GN: Okay. So he exits his vehicle from the passenger
5 side --

6 JG: Right.

7 GN: -- passenger side and starts running -- running and
8 shooting back towards you guys at the same time?

9 JG: Yes, I believe so.

10 GN: Okay. Did it look like -- do you recall -- was he
11 using the same gun that he had, uh, loaded and test
12 fired with?

13 JG: Yes.

14 GN: Okay. Uh, when he is running --

15 JG: We only have two blank guns. We have -- we had his
16 little silver handgun and then we've got a big black
17 gun. So it's pretty easy to tell the two apart.

18 GN: Let me ask ya, even with, uh -- say with, uh, all
19 firearms trained and your blanks, uh -- with the
20 blank ammunition training, is there a protocol for,
21 you know, when you're training and where you're
22 pointing these guns? Or does it matter with --

23 JG: As far as --

24 GN: -- blank ammunition?

25 JG: -- us -- as we go, like our -- we don't -- we didn't

1 really have a policy initiated, but we -- we never,
2 um -- we never point guns at each -- anybody. When
3 we fire rounds, we just point 'em down at the
4 ground. The -- the whole point of the exercise is
5 is for the dog to hear the noise.

6 GN: Right.

7 JG: He doesn't care which direction it's pointed.

8 GN: Right. So --

9 JG: So most of the time, when we do theses drills, we
10 just fire off rounds at the ground as we're running
11 away.

12 GN: Was that what Coel was doing?

13 JG: Uh, I don't believe so. I -- somebody told me that
14 -- I don't know -- that -- that he was pointing the
15 gun right at me. But I don't remember.

16 GN: Right at ya and shooting back at ya?

17 JG: Right.

18 GN: How many rounds do you think he shot off?

19 JG: Uh, I -- honestly, I have no idea. There was a lot
20 going on there. I was --

21 GN: Right.

22 JG: -- trying to concentrate.

23 GN: So then you release your dog, deploy your canine --

24 JG: Right. I used a bailout.

25 GN: -- apprehends Coel?

1 JG: Right.

2 GN: Okay. And then that's it --

3 JG: Yes.

4 GN: -- it's over? Okay. All right. Um, and I guess,

5 uh -- uh, Coel was involved in another scenario, but

6 you weren't there for that? Or did you see it?

7 JG: Uh, which one was it? I can't -- the one where he

8 was on top of the berm?

9 GN: Yes.

10 JG: Uh, yeah. I think I saw it. Um, that one's usually

11 -- I think that one, he just fired the gun at the

12 ground.

13 GN: Right. And they deploy a canine at the berm?

14 JG: Right. Up the berm and apprehend him --

15 GN: Apprehend. So --

16 JG: -- and they call him back down off the berm.

17 GN: Okay. Do you remember seeing it?

18 JG: I don't -- I would imagine I did because I was

19 there, but I just can't remember it.

20 GN: Okay. All right. Um, so obviously, the scenario

21 that you were involved with him, no one was injured

22 --

23 JG: No.

24 GN: -- no one was hit with a projectile?

25 JG: No.

1 GN: Okay. Okay. Um, any other, uh, training with
2 Officer Coel other than that time?

3 JG: Uh, you mean prior trainings?

4 GN: Yeah.

5 JG: We've been training with him for maybe a year or so.

6 GN: But training scenarios involving live fire, whether
7 it's blank or -- well, it's obviously always blank
8 with the canine. But --

9 JG: Like I said, that's really, uh -- that's hard to
10 gauge. I mean, he had that blank gun for a while,
11 so --

12 GN: Uh-huh.

13 JG: -- I just can't remember if we had used it since
14 then --

15 GN: Uh-huh.

16 JG: -- or before that.

17 GN: Uh-huh. Um, did you do some other, uh, firearm
18 training, desensitizing training with him --

19 JG: Uh --

20 GN: -- with a firearm prior?

21 JG: -- no. I've done -- most of that was done with my,
22 uh, trainer during school.

23 GN: Okay. All right.

24 JG: And we used our own blank gun.

25 GN: I'm just gonna try and recall your memory 'cause I

1 interviewed some --

2 JG: Right. Yeah.

3 GN: -- other guys. Was there a training, uh, out at the
4 speedway track with him?

5 JG: Yes, with the, uh -- I'm trying to remember now.
6 Yeah, I remember doing training out there. And yes,
7 he was using his blank gun.

8 GN: Okay.

9 JG: But I can't remember any of the details. I know he
10 was hiding in one of the back rooms or something.

11 GN: Okay.

12 JG: And that's all I can really remember.

13 GN: Do you remember about when that would've been?

14 JG: No idea.

15 GN: Okay. Well, if the -- if the -- if the -- if the
16 one at the gun range was end of July, July 26th, can
17 you gauge months within --

18 JG: No. Because honestly, I can just barely remember
19 that --

20 GN: Yeah.

21 JG: -- that training at all. It's --

22 GN: But would it have been within the same year?

23 JG: Yeah. It would've been within the same year.

24 GN: Same year?

25 JG: Yes.

1 GN: Summertime?

2 JG: Right.

3 GN: Winter?

4 JG: Um --

5 GN: You remember when you were out there?

6 JG: -- no, I -- honestly, I can't recall --

7 GN: Okay.

8 JG: -- when we were out there.

9 GN: Well, it was -- it -- definitely uh, last year?

10 JG: Right.

11 GN: Yeah. Okay. Um, what did --

12 JG: It would've been about a year and --

13 GN: -- what did that, uh --

14 JG: -- half now.

15 GN: -- scenario training involve?

16 JG: I think that was supposed to be, uh, some kind of

17 like an active shooter situation or inside of a room

18 -- or inside of a building. I -- I'm having a hard

19 time recalling that one.

20 GN: Okay. Were you --

21 JG: But I just remember doing it. I just don't remember

22 the exact specifics.

23 GN: Okay. Uh, do you remember what his involvement was?

24 JG: I wanna say he was the guy in the back room shooting

25 the gun off.

- 1 GN: Okay. Do you remember if he was using his gun or --
- 2 JG: Uh, no, I don't.
- 3 GN: Okay. Um, at the speedway, what, uh -- did you guys
- 4 utilize a specific, uh -- uh, room there or
- 5 building?
- 6 JG: We done quite a bit of training out there in the
- 7 last year. So --
- 8 GN: Uh-huh.
- 9 JG: -- it's kinda getting muddled together. But, uh, I
- 10 wanna say that he was in the back office room, like
- 11 off to the -- the front corner.
- 12 GN: Okay. So this was a -- this was a -- uh, obviously
- 13 they don't use it anymore. It was an old racetrack,
- 14 right?
- 15 JG: Right, right.
- 16 GN: What would you -- what would the, uh -- what would
- 17 this building have been used for --
- 18 JG: It had to be an office --
- 19 GN: -- at the racetrack? What was it --
- 20 JG: -- it had to be an office.
- 21 GN: An office?
- 22 JG: Yeah.
- 23 GN: Okay. And he was just in one of the rooms?
- 24 JG: yeah.
- 25 GN: Okay. Any, um -- did you ever use his firearm

1 during any of these?

2 JG: No.

3 GN: Okay. Uh, during that training, was there any, uh,
4 injuries or any, you know --

5 JG: No.

6 GN: -- projectiles fired, anything like that?

7 JG: No.

8 GN: Okay. Okay. After the Punta Gorda shooting
9 occurred on August 9th, you guys got together here,
10 from the other interviews I was told, and you guys
11 kinda had a discussion about, you know, training
12 with Coel and -- and what happened --

13 JG: Right.

14 GN: -- during those times. Was it brought up again
15 about how you saw the dirt fly up that one time that
16 he test fired?

17 JG: Yeah, I think I did mention something about it in
18 that meeting. It just kinda was a passing
19 conversation. Again, I didn't know if it was from
20 the concussion or --

21 GN: Right.

22 JG: -- a live round. But after we found out about the
23 live rounds, we, of course, started, you know,
24 speculating.

25 GN: Right. And what -- was there anything else

1 discussed? Did anybody --

2 JG: No, not -- not really. I mean, we really didn't
3 have any idea what had happened. So --

4 GN: Uh-huh. Like, did anybody think, "Wow, did he have
5 --"

6 JG: We just kinda talked about --

7 GN: "-- live rounds when he was out there?" Did people
8 -- did they think that he might've had --

9 JG: Well, we -- that thought, of course, crossed our
10 mind of whether or not he had live rounds out there
11 when he was shooting at me and --

12 GN: Uh-huh.

13 JG: -- you know, whatever else. But uh, we were -- what
14 I remember out of that conversation mostly was
15 talking about, you know, blank gun use.

16 GN: Right, right. Okay.

17 JG: You know, we don't point blank guns at people. We
18 don't --

19 GN: Yeah.

20 JG: -- keep other ammunition inside the same box and --

21 GN: Okay.

22 JG: -- stuff like that.

23 GN: Um, when you got -- you guys don't use blanks
24 anymore, right? Your policy changed?

25 JG: No. We have, uh -- they gave us, like, an eight --

1 a special barreled gun, an 8mm, like, sim gun. But
2 it's --

3 GN: Uh-huh. Sim gun. Right.

4 JG: With, uh, you know, just loud ammo.

5 GN: Right. But prior to that, you guys did use --

6 JG: Yeah. We had, uh --

7 GN: -- a regular revolver with blanks?

8 JG: Right.

9 GN: What kind of blanks did you guys use?

10 JG: I think it was a .357. Can't really remember. Uh -
11 -

12 GN: Okay.

13 JG: -- you know, we --

14 GN: You remember what brand the blanks were though?

15 JG: Uh, I wanna say they were -- I thought they were
16 like this one, but I can't -- I can't 100 percent
17 recall. I only --

18 GN: Yeah.

19 JG: -- I only used the blank gun three or four times.

20 GN: Okay.

21 JG: And most of the time we had the blank rounds just
22 sitting in there open, and we had another box in
23 there in case we ran out.

24 GN: Gotcha. Okay. All right. Um, Ed, you got
25 anything?

1 EC: The only thing that comes to my mind, Justin, is --
2 is when Coel -- Officer Coel test fired this gun
3 just prior to your scenario, right --

4 JG: Right.

5 EC: -- you saw the grass move, jump, whatever. And
6 you're not really sure if it was a round or the
7 concussion?

8 JG: Right.

9 EC: How close was he to the grass that you -- you may
10 think it could've --

11 JG: He --

12 EC: -- been a concussion?

13 JG: -- he put his arm down -- all the way down and, you
14 know, fired it. So maybe a couple of feet, I mean,
15 depending on how far it was. I would say his hands
16 were -- his arms were about around his knee, so
17 maybe two or three feet.

18 EC: Uh-huh. Off the ground?

19 JG: Right, right.

20 EC: And the timing from that particular test fire to
21 when he bailed out and fired at you was in -- in
22 minutes or about how long, would you say?

23 JG: Um, well, we kinda have the, uh, talking part of our
24 demonstration first. And then they go over and the
25 do the agility. And sometimes we do dope. We have

1 a dope demo where we hide, uh, some marijuana under,
2 like, a cone or something and show 'em what the dog
3 can do. So I'd say 20 to 30 minutes maybe.

4 EC: From the test fire to when he bailed out and --

5 JG: Right.

6 EC: -- fired at you? And you say or other -- other
7 officers say that they think he was pointing his
8 weapon right at you when he fired those rounds?

9 JG: Yeah. Supposedly, somebody had a picture of it.
10 But I don't know who that was. I never saw the
11 picture.

12 EC: Anybody mention any dirt flying at that time or any
13 --

14 JG: No.

15 EC: -- any sparks on the ground or any --

16 JG: No. Um -- uh, given the angle he was at, I would've
17 thought if the gun was loaded with live rounds,
18 there would've been some problem with that. Because
19 where I was parked and where he was running from,
20 um, the crowd of people would've been directly
21 behind me. But, uh, I didn't --

22 EC: So he was firing in a direction where there was you
23 and a crowd of people behind you?

24 JG: Yeah. I can't remember how far forward we are.
25 But, I mean, if you know the -- the layout down

1 there -- I'm sure you've seen it --

2 EC: Uh-huh.

3 JG: -- a couple of times -- um, I pulled into the grass.

4 It depends on how far forward I pulled. But like I

5 said, he was up here. I took a catty-corner angle.

6 The crowd would've been over here by the, uh -- by

7 the --

8 GN: Parking lot?

9 JG: -- the -- where the overhang is --

10 GN: The overhang is.

11 JG: -- over there with the ammo.

12 GN: The crowd was over there. Okay. I gotcha.

13 JG: Unless they were standing behind us at that time. I

14 don't -- for some reason, I wanna say for -- the

15 crowd was behind us this time. So that may've not

16 been in there. But I can't remember.

17 EC: So he was firing in the direction towards the

18 overhang, correct?

19 JG: Like I said, I don't --

20 EC: If you were looking at the range to the left --

21 JG: Yeah. I don't particularly remember exactly how he

22 was aiming the gun because I was focused on the --

23 EC: From what people told you or whatever?

24 JG: Right. That he was firing at me. So --

25 EC: It would've been that direction?

1 JG: It would've been -- I pulled my car forward, uh,
2 about past the first part of the sidewalk. He
3 stopped and then like he bailed out and ran -- if
4 you're staring at the range -- east of the -- you
5 know, east of the --

6 GN: To the right?

7 JG: -- across the range. Yeah, to the right.

8 GN: Yeah.

9 JG: And then he turned around and was firing backwards
10 at me, who was, you know, behind his car. So given
11 the angle, it would've been, you know, in that
12 direction.

13 GN: Right, right.

14 JG: We also have a wall back there. So I would think if
15 he would've hit anything, there would've been chips
16 or something in the wall. I don't know how --

17 EC: Did anybody ever check?

18 JG: I don't think so. But --

19 EC: Yeah. Okay.

20 JG: Um, I don't know how this ammo works, uh, the
21 (unintelligible) cutters.

22 EC: What about the exact spot that he test fired the
23 first round into?

24 JG: Um, that was probably right next to -- because we
25 have that little sidewalk that runs around inside

1 the -- the firing range --

2 EC: Uh-huh.

3 JG: -- so right in front of where the overhang is, he
4 was just on the other side of the sidewalk --

5 EC: Uh-huh.

6 JG: -- so a couple of feet away.

7 EC: Uh-huh

8 JG: -- right in that little square.

9 GN: Okay.

10 EC: Other than you're - you're concern about that
11 particular round, did any of the other guys that you
12 discussed this with bring up a possible, uh -- uh,
13 security issue?

14 JG: No, no. I mean, honestly, until the actual shooting
15 happened, we didn't put any of this together. It
16 was just kinda -- you know, we -- we never thought
17 there would be live rounds in with -- with a blank
18 gun, so it didn't really cross our mind.

19 GN: Good. Okay. Uh, anything that, uh, you can add
20 that I might not have asked that would help that you
21 can recall?

22 JG: Not really, no.

23 GN: Okay. All right. Uh, that'll end, uh, the
24 interview. Approximate time is 4:28 p.m.

25

1 (CONCLUSION OF INTERVIEW)

2 Transcribed by: rsh/rsh/aef

1 (INTERVIEW OF CORPORAL LEONARD PREVATTE, #2016-0108,
2 8/22/16)

3 (The following may contain unintelligible or misunderstood
4 words due to the recording quality.)
5

6 GN = Special Agent Gary Negrinelli

7 PC = Special Agent Supervisor Patrick Crowe

8 LP = Corporal Leonard Prevatte

9 GN: Okay. This is Special Agent Gary Negrinelli,
10 Florida Department of Law Enforcement. The date is
11 August 22nd, 2016. Approximate time is 1:17 p.m.
12 Uh, this is, uh, gonna be in reference to case
13 number FM010027. I'm currently at the Charlotte
14 County Sheriff's Office District Office --

15 LP: District Three.

16 GN: -- District Three Office. Okay. And this is gonna
17 be an interview with Charlotte, uh, County Sheriff's
18 Office K-9 Corporal Lennie Prevatte.

19 LP: Yes, sir.

20 GN: And also present is Special Agent Supervisor Patrick
21 Crowe. Uh, Lennie, can you raise your right hand?
22 Do you solemnly swear to tell the truth, the whole
23 truth, and nothing but the truth, so help you God?

24 LP: Yes, sir. I do.

25 GN: Okay. Can you state your name and spell it for the
26 record?

1 LP: Uh, it's Leonard, L-E-O-N-A-R-D, uh, Prevatte, P-R-
2 E-V-A-T-T-E.

3 GN: Okay. Um, we had talked before when, uh -- talked
4 about with -- your relationship with, um --

5 LP: Uh-huh.

6 GN: -- Officer Coel -- Lee Coel. Um, you -- you know
7 Officer Lee Coel, obviously?

8 LP: Yes, sir. I do --

9 GN: Okay.

10 LP: -- yes, sir.

11 GN: When did you first, uh, begin -- or come in contact
12 with him?

13 LP: The first time I come in contact with him was
14 actually when Punta Gorda called me to assist him in
15 finding a dog for their unit. 'Cause I have
16 connections with a breeder that I've been using in
17 North Carolina, an importer, than I've been buying
18 dogs from for 10 years. And they knew I -- that I
19 could get good dogs at a decent price. So, um --

20 GN: And I'm sorry, who contacted you?

21 LP: Jim Nichols.

22 GN: Okay.

23 LP: He used to work here. He used to be my sergeant, in
24 fact. Now he works -- he's on the reserve at the
25 city and he has K-9 background. So he contacted me

1 to -- and I said, "Sure, I can hook ya up with a
2 dog." So, um, actually, uh, him, uh, Corporal
3 Alexander, who was with us at the time, and, uh, Lee
4 -- we all went to North Carolina and picked out a
5 dog.

6 GN: Okay.

7 LP: And that was really when I met him.

8 GN: And what was Lee's position at that time?

9 LP: I believe he was just an FTO.

10 GN: FTO --

11 LP: -- still finishing the academy.

12 GN: -- FTO with, uh, Punta Gorda?

13 LP: Yes, sir --

14 GN: Okay.

15 LP: -- uh-huh. Yes, sir.

16 GN: Uh -- uh, do you remember the -- the timeline,
17 about?

18 LP: Hmm. I'm trying to think. It was two years ago --

19 little over two --

20 GN: Oh, two --

21 LP: -- years ago.

22 GN: -- a little over two years?

23 LP: I wanna -- yeah. I'd have to say '14, I just don't
24 remember exactly when.

25 GN: Okay. All right. Go on.

1 LP: So we went up, picked up the dog and came back.
2 And, uh --
3 GN: Uh-huh.
4 LP: -- and that was about it really. They sent him off
5 to, uh, North Port for his -- for his academy
6 training for the dog.
7 GN: Right.
8 LP: And after he went through there, he got certified
9 there --
10 GN: How --
11 LP: -- he stayed there about a year and a then I got
12 him.
13 GN: Okay. Uh, so he first went to North Port to do his
14 training?
15 LP: Yes, sir.
16 GN: And I'm sorry -- about a year there?
17 LP: About that. Afterwards, yeah, about -- about that.
18 GN: Okay. And then he came to you?
19 LP: Uh-huh.
20 GN: Okay. Um --
21 PC: When you say he stayed there for a year, you mean he
22 did his training with his K-9 there?
23 LP: He did his basic academy there, and then he did his
24 monthly in-service training.
25 PC: Okay.

- 1 LP: And I believe they train once a week.
- 2 PC: Okay.
- 3 LP: Uh, where we train -- we have twice a week in-
- 4 service --
- 5 PC: Right.
- 6 LP: -- training.
- 7 PC: And for the record, we're referring to the K-9
- 8 academy and K-9 training. Uh, he was employed with
- 9 the Punta Gorda Police Department?
- 10 LP: Yes, sir --
- 11 PC: Okay.
- 12 LP: -- uh-huh.
- 13 PC: Just for the record.
- 14 GN: Um, and I'm sorry, uh -- you said North Port was
- 15 training once a week?
- 16 LP: I believe they train once a week, yes.
- 17 GN: And you guys?
- 18 LP: We train in-service twice a month.
- 19 GN: Twice a month?
- 20 LP: Yes, sir.
- 21 GN: Okay. Okay. All right. Um, so, uh, how long did
- 22 he train with you?
- 23 LP: I'm trying to think. It's either -- about -- around
- 24 about a year or a little less maybe --
- 25 GN: Little less than a year?

1 LP: -- trying to remember when he -- when he came in.
2 Yeah.
3 GN: Okay.
4 LP: It was as soon as they changed police chiefs in
5 Punta Gorda and Lewis became chief. Then he pulled
6 him and sent him to me. So it would be around that
7 same time.
8 GN: Uh, and now when you guys are doing training
9 together, are you like -- are you kinda like -- you
10 oversee him?
11 LP: Yes, sir.
12 GN: Like, you're -- you're, um, critiquing him and stuff
13 --
14 LP: Yes, sir.
15 GN: -- and writing reports --
16 GN: Uh-huh.
17 GN: -- and stuff like that? Okay.
18 LP: Yeah, I do that for my whole unit.
19 GN: okay. And so how -- how was he?
20 LP: I never had a problem with him. He always did what
21 I told him to do and didn't do anything else or
22 anything, you know, he wasn't --
23 GN: Uh-huh.
24 LP: -- supposed to.
25 GN: Uh-huh. So he was -- he was good?

- 1 LP: Yes, sir. I never had a problem with him.
- 2 GN: Okay. Um, some of the training that you guys would
3 do, um --
- 4 LP: Uh, the normal stuff we need to stay certified on.
5 We have to all certify once a year, annually, with
6 the United States Police K-9 Association. So we
7 train for control work and bite situations. Uh, we
8 train in obedience off lead, agility, um, finding a
9 hidden man in a building. Uh, we also do, um,
10 other, like, scenarios where I will call you over
11 and I'll tell you what you got --
- 12 GN: Uh-huh.
- 13 LP: -- and then you and your dog will go solve it.
- 14 GN: Okay.
- 15 LP: Building hides. Maybe I'll tell you we got a house
16 here that's been broken into it and I don't -- I
17 don't know. I haven't checked out. You need to
18 figure out what's -- what's going on, stuff like
19 that.
- 20 GN: Right. Uh, narcotics, (unintelligible).
- 21 LP: Oh, yeah. Narcotics is a big part.
- 22 GN: Yeah.
- 23 PC: Did he perform satisfactory in all those type of
24 exercises?
- 25 LP: Yes, sir. Yeah. No problem.

1 PC: Okay.

2 GN: Okay. Um, what about, uh, when it come to, uh --
3 came to desensitizing the K-9 to, uh, firearms?

4 LP: Yeah. My understanding was that that had already
5 been done in his basic training. When -- I run all
6 my academies. All my academies, all my - anything
7 that has something to do with that is -- is handled
8 in my basic academy, as long -- also with firearm
9 safety and handling blank gun weapons and how to
10 catch a dog -- decoy school basically. We -- we had
11 it all in there. So his dog didn't show any
12 aggression to -- to gunfire the couple of times that
13 we did do it around him. So --

14 GN: Okay. Do -- uh, doing the training?

15 LP: Yes.

16 GN: Okay.

17 LP: Unless he was supposed to. There's a -- 'cause to
18 certify with Florida Department of Law Enforcement,
19 you have to certify your dog in gunfire in an
20 aggression mode and also in obedience mode, where
21 the handler actually fires a blank round with the
22 dog at his side, and the dog has to be under
23 control. And his dog has no issues with that.

24 GN: Okay. Um, you're saying that, uh -- that most of
25 that training was with North Port --

1 LP: He --

2 GN: -- or it started it?

3 LP: -- yes, sir. His basic -- all that stuff was

4 already done before I got him.

5 GN: Done in basic --

6 LP: Yeah. We -- we --

7 GN: -- desensitizing?

8 LP: -- yes, sir. We do an in-service to maintain it.

9 GN: Uh-huh.

10 LP: Because just like you and I, if you --- if you learn

11 it, you don't practice it or go to school to keep it

12 up, you'll forget it. So --

13 GN: Sure.

14 LP: -- that's why we have monthly in-service training

15 for our animals.

16 GN: Gotcha. So when he came here, he had already gone

17 through that kind of training and (unintelligible)?

18 LP: As far as I know. Yes, sir.

19 GN: Okay.

20 LP: That's what I was told.

21 GN: Uh, how many times -- you said, like, twice a month.

22 So how many times -- was it every time you, um,

23 would do firearms, desensitizing, or every once in a

24 --

25 LP: No, sir. We --

1 GN: -- while?

2 LP: -- we move it around.

3 GN: Different?

4 LP: We -- we -- yeah, we try to do something different

5 all the time.

6 GN: Okay.

7 LP: Yeah.

8 GN: So could you take a guess for me in the -- in the

9 little less than a year that you had him, how many

10 times you guys did the firearms?

11 LP: Uh, maybe three. Maybe three times.

12 PC: You recall the last time, the most recent?

13 LP: Um, the most recent, actually, was, um, beginning --

14 beginning of August, we had a citizen's police

15 academy at our -- our agency.

16 PC: Uh-huh.

17 LP: And Lee was the bad guy for two scenarios.

18 PC: Okay.

19 LP: And, uh, he didn't use his dog, but he was just --

20 he just played -- role played our bad guy. Before

21 that, probably two -- probably about a month or so

22 before that, he was also our bad guy in a building

23 where he had a blank gun.

24 PC: Okay.

25 LP: And we used all of our dogs on that and then we

1 substituted a decoy for him to use his dog.

2 PC: Okay.

3 LP: Yeah.

4 PC: Uh, okay. Let's kinda go backward a little bit.

5 Um, let's talk about that. When he did these

6 scenarios --

7 LP: Uh-huh.

8 PC: -- that you just brought up, um, were they were for

9 your citizen's academy?

10 LP: Yes, sir.

11 PC: Do you recall what he used?

12 LP: He used his blank gun.

13 PC: When you say blank, can you describe it?

14 LP: I saw it looked like a J frame .38 to me.

15 PC: Okay. So it looked like it was a real gun then --

16 LP: Uh-huh. Yes, sir --

17 PC: -- a .38?

18 LP: -- yeah.

19 PC: Okay. Um, so it wasn't a starter pistol, it was a

20 real --

21 LP: No, it was a real gun.

22 PC: -- .38?

23 LP: 'Cause I looked at it and his blank loads before he

24 used it on the -- in the scenario.

25 PC: Okay. Can you tell us what blank loads he was

1 using?

2 LP: I can't remember the name of 'em. They were
3 different. I -- I used to use a Winchester blank
4 load because it's really loud, sounds like a magnum
5 when it goes off.

6 PC: Okay.

7 LP: His were made by a different company. I -- I wish I
8 could remember the name. I can't. But, uh, I
9 checked 'em. They were just normal blank loads.

10 PC: Okay. Um --

11 GN: Can you describe what the blank loads look like?

12 LP: Uh, they were in a brass casing with some type of a
13 plug at the tip of the -- of the round, like, you
14 know, to hold it in --

15 GN: Okay.

16 LP: -- hold the powder in. I don't know exactly what it
17 was, but --

18 PC: Okay.

19 LP: -- it was a blank round. I -- I -- I would --

20 PC: But they weren't -- they weren't Winchesters?

21 LP: No, sir. They were a different brand.

22 PC: Okay.

23 LP: Yeah. I don't know whose they were.

24 PC: If you saw the box again, would you think you'd
25 recognize it?

1 LP: I might be able to, yeah --

2 PC: Okay.

3 LP: -- yeah. 'Cause I usually just use the Winchesters,
4 uh, 'cause they're loud and they work really good --

5 PC: Right.

6 LP: -- but, um, I can't remember the name of it.

7 PC: All right. We'll come back to that. Real quick
8 question with respect to live fire, is there a
9 difference -- when you're K-9 trainer, is there a
10 difference between shooting blanks out of a .38 or
11 shooting live ammo with a projectile? Is there a
12 difference?

13 LP: No, sir. We -- and we don't use any live fire with
14 our dogs.

15 PC: You don't use --

16 LP: No.

17 PC: -- so you don't use rounds with projectiles --

18 LP: No, sir.

19 PC: -- you would use strictly blanks?

20 LP: All blanks.

21 PC: It's all blanks --

22 LP: Yeah.

23 PC: -- with K-9 training?

24 LP: In K-9 training.

25 PC: All right.

1 LP: And actually, the blanks that we were using, the
2 Winchesters, are probably way louder than our 9mm's
3 would be anyway.

4 PC: Okay.

5 LP: So that's why I use 'em because (unintelligible)--

6 PC: So does Charlotte County use strictly Winchesters?

7 LP: Uh, not anymore.

8 PC: No?

9 LP: No.

10 PC: What do they use now?

11 LP: I have been issued a sims gun with, uh, ammunition
12 issued by the department with blanks.

13 PC: So --

14 LP: It's now a, uh -- it's a -- a SIG-Sauer 226. It's
15 been converted to fire sims or blanks.

16 PC: Okay. When -- when did that happen?

17 LP: 'Bout two or three weeks ago.

18 PC: Okay. All right. So prior --

19 LP: My blank -- my blank gun -- 'cause I also used a
20 four-inch Smith & Wesson .357 Magnum as a blank gun.

21 PC: Okay.

22 LP: And it -- that's no more.

23 PC: Okay. So what were you using in that gun?

24 LP: In that gun, I was using the Winchester loud blanks.

25 PC: Loud blanks?

1 LP: Yes, sir.

2 PC: Okay. And do they come in a box?

3 LP: Yes, sir.

4 PC: Okay. Can you describe that box?

5 LP: It's, like, a two by two cube.

6 PC: Two by two cube?

7 LP: Uh-huh.

8 PC: Okay. Is there any significant markings on the box

9 that you would know to be familiar with Winchester?

10 LP: It says they're blanks. Yeah. It says --

11 PC: Okay --

12 LP: -- Winchester. It says blank load --

13 PC: -- okay. All right.

14 LP: -- like, ".38 Special Loads," I believe is what it

15 says.

16 PC: All right. Do you have those photos?

17 GN: Yeah.

18 PC: if we showed you some photos, could you just show

19 him and tell us whether you recognize --

20 LP: Sure. By the way, the -- the blank loads that I

21 buy, I bought 'em from, uh, High Power Outfitters.

22 (unintelligible).

23 PC: Okay. Yeah.

24 GN: Um, getting back to, uh -- again, going back to

25 Lee's blanks --

1 LP: Uh-huh.

2 PC: -- you noticed they weren't Winchesters. Um, did
3 you see the box they came out of?

4 LP: Yeah, briefly. It was sitting on the table --

5 PC: All right --

6 LP: -- 'cause I checked it.

7 PC: -- all right.

8 GN: I'm showing a box of the Winchester --

9 LP: That's the ones I use --

10 GN: -- blanks.

11 LP: -- yeah. That's them.

12 PC: The ones you use?

13 LP: Uh-huh.

14 GN: Yeah.

15 PC: Okay. That's the ones Charlotte County Sheriff's
16 used up until --

17 LP: Yes, sir.

18 PC: -- two, three weeks ago?

19 LP: Up until two or three weeks ago.

20 PC: Okay. Gotcha. All right. We're gonna show you
21 another box. Do you recognize these?

22 LP: Uh, those are the Blazers. I don't believe that was
23 the ones I saw.

24 PC: Okay. You say Blazers. Are -- are you familiar
25 with that?

1 LP: I'm familiar with the company.

2 PC: Okay.

3 LP: I've never used their blanks.

4 PC: You've never used their blanks

5 LP: No, sir. I've --

6 PC: Okay.

7 LP: -- always used the Winchesters.

8 PC: Okay. Um --

9 GN: Did you ever know Coel to have these?

10 LP: No, sir. The blanks I saw that he had that night

11 were two by two cube as well.

12 PC: Two by two cube as well?

13 LP: Yeah.

14 GN: If I show you another picture --

15 LP: Uh-huh.

16 PC: Did you say how long the cartridges were, roughly?

17 LP: About standard length, a .38.

18 PC: Thirty-eight?

19 LP: Looked just like a .38 with the brass without a

20 bullet in it.

21 PC: Right. Okay.

22 LP: Just like the Winchesters do.

23 GN: Those?

24 LP: Um, no. I'm familiar with that type too. I have

25 had --

1 GN: Yeah.

2 LP: -- those .38's too, 'cause they're a lot less, but
3 that wasn't the ones I saw that night either.

4 GN: Okay.

5 PC: Wanna show him the picture of the cartridges?

6 GN: Sure.

7 LP: Yeah. I wasn't familiar with the blank name. I had
8 actually, uh -- 'cause he told me they were cheaper
9 than the Winchesters. And I was gonna look into --
10 into seeing if they were any cheaper than what we
11 buy. But I never got around to it.

12 PC: Okay.

13 LP: It was a set of blanks I'd never seen before.

14 PC: Okay. And you don't remember what the box looked
15 like?

16 LP: I wish I could.

17 PC: Oh, okay.

18 LP: We had a lot going on that night --

19 PC: Yeah.

20 LP: -- and I was taking care of that demo and I was also
21 trying to take care of the SWAT things. We were
22 doing two different sections with a demo.

23 PC: Okay.

24 LP: And I -- now there were other people down there. I
25 had six or seven guys in the K-9 unit, and other --

1 PC: Where -- where'd this --

2 LP: -- other (unintelligible).

3 PC: -- occur, the demo?

4 LP: Uh, down at our training building -- out behind or

5 training building at the range.

6 PC: Okay.

7 LP: We were under the over -- overhang right there, the

8 little --

9 PC: Okay.

10 LP: -- thing with the tables. Um --

11 GN: Did you look like that?

12 PC: Yeah.

13 LP: -- there were six or seven other people out there

14 who also saw the same thing because, uh, he actually

15 demoed the blanks for us. Because I asked him, I

16 said, "Are those as loud as the Winchesters?" And

17 he loaded one, walked over in a safe direction, and

18 fired it in the ground. And they were pretty much

19 every bit as loud as the Winchesters.

20 PC: Okay.

21 LP: So there were other -- there were other guys out

22 there who might -- who might know the name.

23 GN: Recognize those?

24 LP: Yeah. That one looks like the Winchester load I use.

25 That one over -- that one over here looks more --

1 trying to see it. It's kinda tough. Yeah. That
2 one might be the -- the one that I saw that night.
3 I'm not sure. I thought the -- I thought it was
4 still a brass case though.

5 GN: But it's possible that it could be one of these?

6 PC: Wanna blow it up?

7 LP: Yeah, blow that up a little bit. I could've sworn
8 they were in a brass case, but -- and that does
9 kinda look like it.

10 PC: Okay. Um, so you said he took a shot --

11 LP: Uh-huh.

12 PC: -- it seemed safe to you and --

13 LP: Yeah, 'cause asked what --

14 PC: Right.

15 LP: -- if it was just as loud. And we -- we hadn't
16 started the demo yet, so he --

17 PC: Okay.

18 LP: -- demonstrated it.

19 PC: Gotcha. Was there ever another time use used those
20 blanks around you? Was that the only time?

21 LP: Yeah.

22 PC: Did you ever do any training at the Raceway? Is
23 that --

24 LP: Yes, we did -- uh-huh, uh-huh.

25 PC: Okay. Now, let's go to that. When did you do that?

1 LP: Uh, that was what I was saying earlier, he had -- he
2 was the bad guy in the building hiding for us.

3 PC: Okay.

4 LP: And that was probably, uh, maybe a couple of months
5 prior to this, I wanna say. Um, we were upstairs
6 and he was in a bite suit. He was the bad guy. And
7 he fired a round as the dog came into the room.

8 PC: okay.

9 LP: Uh, he used his gun and his blanks that night, but I
10 thought they were the same Winchester, 'cause I
11 checked it before he took it out there.

12 PC: Okay.

13 LP: He didn't have anything else on him, just his blank
14 gun and --

15 PC: Yeah.

16 LP: -- and the blank loads.

17 PC: The -- and you believe it was --

18 LP: Yeah --

19 PC: -- Winchesters back then?

20 LP: -- I believe they were then, yes.

21 PC: Okay. So the last one -- the last demo was when he
22 used the alternative blanks?

23 LP: Yeah, something that I hadn't seen before.

24 PC: Okay. And how long ago was that?

25 LP: That was at our police civilian academy probably a

1 couple of weeks prior to the incident.

2 PC: Incident? Okay. And that was -- that occurred in

3 the range --

4 LP: At our range. Uh-huh.

5 PC: -- at your range. And that's located again --

6 LP: At 2500 -- or 25500 Airport Road --

7 PC: 25 --

8 LP: -- Punta Gorda, Florida. Yeah.

9 PC: -- 500 Airport Road?

10 LP: Yeah.

11 PC: Okay.

12 LP: And I -- like I said, I had my -- basically, my

13 whole K-9 unit was out there including my sergeant.

14 So --

15 PC: Okay.

16 LP: -- 'cause there were, uh, a couple of other guys

17 that, uh, asked the same question, was it just as

18 loud and -- and he did a demo for us.

19 PC: Okay. But he shot at the ground?

20 LP: Yes, sir --

21 PC: Okay.

22 LP: -- uh-huh.

23 PC: With the .38?

24 LP: Yes --

25 PC: Okay.

1 LP: -- uh-huh.

2 PC: And were there citizens? How many citizens attended
3 that one?

4 LP: Good question. Twenty-five or 30 maybe.

5 PC: Okay.

6 LP: Yeah. There wasn't anybody out there but us when we
7 did that.

8 PC: Right. So when he did the demo, how many times
9 would you say he shot the blanks?

10 LP: Uh, I missed part of it because I was away from the
11 office --

12 PC: Sure. Yeah.

13 LP: -- putting together the rest of it. He did, uh --
14 he did -- we did a K-9 demo, and we assisted in the
15 SWAT side of it. The K-9 part of it was, uh -- we
16 had that big tall berm out there when we shoot our
17 rounds, so they don't --

18 PC: Uh-huh.

19 LP: -- go anywhere. He goes up to -- the bad goes up to
20 the top of the berm, fires off two or three or four
21 -- whatever rounds you got, you know, whatever you
22 do. And we send the dog from where everybody's
23 standing across the range and up the berm. And the
24 crowd likes it 'cause the dog goes straight up a --
25 a dirt hill.

1 PC: And attacks him?

2 LP: Yeah. And then we --

3 PC: Okay.

4 LP: -- call the dog back down off the hill and it comes
5 back to us. So he played that part.

6 PC: What -- does he wear a sleeve for the dog to bite?

7 LP: Yes, sir. Uh-huh. Yes, sir.

8 PC: Okay.

9 LP: And then the second part of it was, um -- we were
10 assisting with, uh, a takedown that SWAT did where
11 they -- they, uh, have a hostage in a car. And
12 there's a mock pursuit that starts in our front
13 parking lot and winds up out on the range. And the
14 vehicles are positioned. He's the bad guy in the
15 front seat. He jumps out, fires off a couple of
16 rounds to draw the dog. And we push it open and the
17 dog chases him down.

18 PC: Okay.

19 LP: And the SWAT, uh, aggresses on the car and takes --

20 PC: Okay.

21 LP: -- takes the victim out.

22 PC: Now, in both of those scenarios, Corporal, does he
23 ever aim the gun at anybody and shoot it or does he
24 aim it in the air, different directions?

25 LP: He's aiming it down on the ground.

1 PC: Down on the ground? So he's never really pointing
2 and shooting anything?

3 LP: No, no.

4 PC: SO it's not that type of scenario --

5 LP: No.

6 PC: -- a shoot, don't shoot?

7 LP: Yeah.

8 PC: He's just blowing off the rounds?

9 LP: Just to make noise for the audience --

10 PC: Yeah.

11 LP: -- and it draws the dog a little bit. 'Cause when
12 the dog comes out that door, there's a lot of stuff
13 going on. And --

14 PC: Okay.

15 LP: -- if he makes that noise, the dog keys right on
16 him.

17 PC: Okay.

18 LP: Yeah. It's basically just a noisemaker.

19 PC: Noisemaker, not pointing it --

20 LP: No, sir --

21 PC: -- not pointing at the people?

22 LP: -- no. 'Cause he's running away at the same time.
23 So --

24 PC: Yeah. And he's not pointing it at the SWAT guys?

25 LP: No, sir.

1 PC: Okay.

2 GN: Um, and you said he fired off, you know, a couple of
3 rounds -- two, three rounds. Is it -- when you guys
4 are just doing that with the blanks and, um, you're
5 loading the firearm, uh, and you -- you -- you know,
6 you're gonna intend -- I'm just gonna fire off a
7 couple, two or three rounds --

8 LP: Uh-huh.

9 GN: -- do you fully load the --

10 LP: I always --

11 GN: -- firearm?

12 LP: -- I always do. 'Cause you never know, the
13 situation could change. I've --

14 GN: Yeah.

15 LP: -- I've done that demo we just spoke about when the
16 dog came out of the car where the decoy will come
17 out, fire two rounds and you think that's enough.
18 Usually, in most cases, it'll draw the dog --

19 GN: Right.

20 LP: -- and then all of the sudden, something else will.
21 I actually had that happen one time where we -- I
22 was the bad guy. Fired two rounds, the dog came out
23 looking at me, and the people started clapping.

24 PC: Right.

25 LP: And he turned and I had to draw him with two more

1 rounds 'cause --

2 PC: Gotcha --

3 LP: -- he was going the wrong way.

4 PC: -- gotcha.

5 LP: So I always load the revolver -- the one I had had

6 six -- was a six-round revolver I always load up.

7 Fire two or three or six, if you need it -- whatever

8 you need.

9 PC: Yeah.

10 GN: And was Coel always trained that way too?

11 LP: I -- I don't know, sir. I -- like I said, I didn't

12 do his basic, stuff like that. Um, I used him as a

13 bad guy in those two scenarios and I -- I didn't

14 have a problem with it.

15 PC: Okay.

16 LP: But I couldn't tell ya how, you know --

17 PC: How many times -- how many loads he puts --

18 LP: Exactly. Yes, sir.

19 PC: Right. Okay.

20 LP: I couldn't tell ya.

21 PC: Um, let me ask ya this. Safety precautions -- when

22 you're doing things like this, any time involving a

23 blank gun --

24 LP: Uh-huh.

25 PC: -- such as you had, um, what type of safety measures

1 would you take and your unit take?

2 LP: Uh, for me -- for my unit and the way it has always
3 been and the way it is now -- 'cause like I said,
4 I've been doing this 20 years. Been doing the --

5 PC: Sure.

6 LP: -- same way. I've had the same gun. I had the .38
7 blank revolver. I have it in a blank -- a black
8 plastic case that's cut out to fit the gun. I have
9 nothing in there but blank ammo. I don't even own a
10 .38 or .38 ammo, so there's no way it's not getting
11 mixed in.

12 PC: Right.

13 LP: It stays in my possession in the trunk of my car or
14 locked up in a closet.

15 PC: Okay.

16 LP: So nothing's getting swapped around. When time
17 comes to use it, I make sure that the person who is
18 the decoy who is using it has no live ammo on him or
19 any weapons of any kind or -- they don't have their
20 own guns, obviously. And then I always load check
21 the weapon, hand it to them and tell them to check
22 it too.

23 PC: Okay. So you do a --

24 LP: And then --

25 PC: -- double-check?

1 LP: Yes, sir.

2 PC: You check it and then you hand it to another officer

3 --

4 LP: Sure --

5 PC: -- to check?

6 LP: -- sure. Just like your basic firearms training.

7 PC: Okay.

8 LP: If I hand you a gun, tell you it's clear, you should

9 check it.

10 PC: Okay.

11 LP: You should never take my word for it.

12 PC: Do you have anyone check to verify it's the, uh --

13 it's blank ammo and not live ammo?

14 LP: I always show it to 'em when I'm loading it. We're

15 usually all right -- right here and --

16 PC: Yeah.

17 LP: -- loading -- I'm going eight blanks and I'm loading

18 it. And then I just --

19 PC: Okay. Gotcha.

20 LP: -- hand it to him.

21 PC: So you do some kind of --

22 LP: Yeah. Yeah.

23 PC: Um --

24 LP: And then, of course, the weapon's always pointed --

25 PC: Okay.

1 LP: -- in a safe direction.

2 PC: When you got out on the job, did you shoot, uh,
3 automatics or -- or, uh, wheel guns?

4 LP: Wheel guns.

5 PC: Yeah. So did I.

6 LP: Yes, sir.

7 PC: You familiar with any kind of ammo when you shoot a
8 wheel gun, training?

9 LP: Uh-huh.

10 PC: What was that?

11 LP: Uh, the -- as far as, uh, like, uh --

12 PC: Training -- training ammo for wheel guns.

13 LP: Uh ---

14 PC: You remember back in the day?

15 LP: Yeah. We didn't -- we didn't -- it took a long time
16 for us to get to that point. By the time we moved
17 into that point here in my office, we were already
18 on automatics.

19 PC: Okay.

20 LP: We never used anything that -- that -- that -- like,
21 sims training. We never used anything sim wise that
22 would come out of a revolver. When I got hired back
23 here in '87, we didn't do much of that at all.

24 PC: Okay. So when you were a patrolman, did you ever
25 carry a wheel gun on duty?

1 LP: Yes, sir.

2 PC: Okay. What did you train with when you went -- when

3 you -- when you went to the, uh --

4 LP: Oh, when we qualified?

5 PC: Yeah.

6 LP: A .357 Magnum --

7 PC: Okay.

8 LP: -- 125, uh, grain, silver tip hollow points.

9 PC: Okay. Uh, when you went through the academy --

10 LP: Uh-huh.

11 PC: -- what did you train with?

12 LP: Same -- same round.

13 PC: Okay. Same round? You didn't --

14 LP: Uh-huh. We had to supply our own ammo.

15 PC: Okay.

16 LP: And that's what I bought and took.

17 PC: Okay. Okay. I gotcha. All right. Are you

18 familiar with wad cutters?

19 LP: Yes, sir.

20 PC: You familiar with semi wad cutters?

21 LP: Uh-huh.

22 PC: Okay. You know what those look like?

23 LP: Uh-huh.

24 PC: Okay. Can you describe 'em to me?

25 LP: Uh, a wad cutter is a full, flat-faced bullet.

1 PC: Okay.

2 LP: And the semi is just, I believe, shorter. It's been
3 a long time since I've seen any of those.

4 PC: Of course. It's been a long time.

5 LP: At least 25 years.

6 PC: Yeah, yeah. I know. I -- we started out with
7 .38's, then graduated to the .357 Magnum. So --

8 LP: Well, we -- we went backwards. We started out
9 carrying .357 Magnums. And we had a sheriff come in
10 and said we couldn't carry anything but .38's. So
11 we were loading those in our .357's.

12 PC: Okay. Gotcha.

13 LP: Yeah.

14 PC: Oh, you were -- you were putting .38 loads in
15 .357's?

16 LP: Uh-huh.

17 PC: Yeah. No, no. We went from -- we actually went
18 from a .38 gun --

19 LP: Yeah.

20 PC: -- okay --

21 GN: To a .357.

22 PC: -- to a .357.

23 LP: Yeah.

24 PC: Uh, and then we started carrying .357. So we -- we
25 went -- that was my progression of my career.

1 LP: Yeah.

2 PC: So, uh, we started out with .38 wheel guns, and then
3 we went to the .357, which was a beautiful shooting
4 gun.

5 LP: Oh, and I --

6 PC: I haven't shot a better gun than that.

7 LP: I know. Especially when you get --

8 PC: It had Pachmayr grips.

9 LP: And that's what I had, a six-inch barrel with a
10 Pachmayr grip.

11 PC: Yep, yep. That's a beautiful gun.

12 LP: Yep.

13 PC: Okay. Um, anything else?

14 GN: Uh, no. I don't think so.

15 PC: Okay. Any questions?

16 LP: Uh, no, sir.

17 PC: Okay.

18 GN: Okay. We'll end this statement. Approximate time
19 is 1:39 p.m.

20 (CONCLUSION OF INTERVIEW)

21

22 Transcribed by: rsh/rsh/jck

1 (INTERVIEW OF DEPUTY RONALD CHANDLER, #FM010027,
2 01/25/17)

3 (The following may contain unintelligible or misunderstood
4 words due to the recording quality.)
5

6 GN = Special Agent Gary Naybournilly

7 EC = Special Agent Ed Carmegie

8 RC = Deputy Ronald Chandler

9 GN: Okay. This is Special Agent Gary Naybournilly
10 [phonetic] with Florida Department of Law
11 Enforcement. This is gonna be an interview with
12 Deputy Ronald --

13 RC: Chandler.

14 GN: -- Chandler, uh, which is spelled C-H-A-N-D-L-E-R?

15 RC: That's correct.

16 GN: Okay. And this is gonna be in reference to Florida
17 Department of Law Enforcement case number FM, uh,
18 010027. The date is January 25th, 2017; approximate
19 time is 2:47 p.m. Interview is taking place at the
20 Charlotte County Sheriff's Office. Uh, Ronald do you
21 recognize that I'm a law enforcement officer within
22 the state of Florida and by which empowered to take
23 sworn testimony?

24 RC: I do.

25 GN: Okay. Would you please raise your right hand? Do you
26 swear the testimony you're about to give is the

1 truth, the whole truth and nothing but the truth to
2 the best of your recollection?

3 RC: I do.

4 GN: Okay. You can put your hand down. Also present is
5 Special Agent, uh, Ed Carmegie [phonetic]. Okay. So
6 we're gonna talk about, um, uh, Officer -- Punta
7 Gorda Officer Lee Coel and the training that he
8 participated, uh, with you guys, your K-9 --
9 specifically your K-9 unit here at Charlotte County.
10 Uh, you're currently K-9 deputy?

11 RC: That's correct.

12 GN: Okay. How long have you been a K-9 deputy?

13 RC: Four years now.

14 GN: Four years? Okay. Uh, when did you first, uh, meet
15 Officer Coel?

16 RC: He was actually an FTO in Punta Gorda the first time
17 I met him. He'd done a stop, I did a sniff for Punta
18 Gorda PD.

19 GN: Okay. All right. And then, um, you -- you -- you
20 eventually -- he was a K-9, uh, officer at that
21 time?

22 RC: No, he was just a regular deputy --

23 GN: He --

24 RC: -- at that time or officer.

25 GN: Oh, okay. And then what, he eventually made, uh, K-9

1 officer?

2 RC: Yes.

3 GN: Okay. And then you -- did he start doing some
4 training with you guys?

5 RC: Uh, eventually, yes.

6 GN: Okay. Um, do you recall when, uh, the first training
7 was?

8 RC: No, I don't.

9 GN: Okay. Would you say it was within the last year or
10 did it maybe occurred during, uh, 2016 or prior?

11 RC: It might have been prior to 2016. He trained with us
12 last year, but he trained with North Port for, like,
13 the first half of his K-9 --

14 GN: Okay.

15 RC: -- uh, career.

16 GN: But --

17 RC: I don't know exactly when he transferred over to
18 start working with us.

19 GN: Okay. Um, do you recall if not when, uh, where you
20 did some of the training with him?

21 RC: Uh, here at headquarters, our fleet --

22 GN: Uh-huh.

23 RC: -- random places around the county, parks, uh,
24 training building.

25 GN: Okay. Let's get more specific. Uh, how about, uh,

1 training that involved, um, firing of, uh, handgun
2 with blank ammunition?

3 RC: Most --

4 GN: Do you recall where it was at?

5 RC: Most recently, the one -- the last ones we did with
6 him were at the training center in the Speed way --

7 GN: Okay.

8 RC: -- the racetrack.

9 GN: All right. Uh, let's -- let's talk about the one at
10 the Speed way. Um, is that the -- the Speed way is
11 that a, uh, typical place you guys do training?

12 RC: No. At the time, though, when we were able to gain
13 access to it, it was, uh, I don't wanna call it
14 abandoned, it just wasn't being used so we got
15 access to the, uh, buildings and --

16 GN: Right.

17 RC: -- the track and stuff.

18 GN: Okay.

19 RC: Opportunities to get the dogs into different places.

20 GN: Right. Um, and so, uh, on this day, was it your
21 entire K-9 unit with Charlotte?

22 RC: Uh, it was our training unit day. I don't remember
23 if everybody was there or -- or not. I think there
24 was everybody.

25 GN: Okay. But you were present?

1 RC: Yes.

2 GN: And then Officer Coel was present?

3 RC: Yes.

4 GN: Okay. Um, did you observe Officer Coel what his
5 particular role was in this training --

6 RC: Not --

7 GN: -- at the Speed way?

8 RC: Not until I got into actually do the scenario.

9 GN: Okay. And what was the scenario?

10 RC: Uh, the first one I can't remember if he was in the
11 (unintelligible) or not. The second one he was
12 upstairs and the dog had to clear the obstacles,
13 climbing some steep stairs --

14 GN: Uh-huh.

15 RC: -- by himself, uh, apprehend the decoy and then I
16 would go up and I believe there was one or two shots
17 that he would fire.

18 GN: Okay. When you say he was upstairs, what -- what was
19 it? Was it a office, was it a room, a building?

20 RC: It's -- um, it's like an office like the, uh, uh,
21 press box I guess it would be --

22 GN: It would be like a press box --

23 RC: Yeah, where they --

24 GN: -- at the speedway?

25 RC: -- oversee everything, right.

1 GN: Okay. Got you. So an old press box. In the -- inside
2 that press box, were -- was it, uh, completely open
3 or were there rooms inside the press box? Do you
4 recall?

5 RC: I believe it was open; desks, I think there was a
6 table in the middle --

7 GN: Uh-huh.

8 RC: -- and then some windows.

9 GN: But basically an open room?

10 RC: Basically, an open room.

11 GN: Okay. All right. So he would play the role of --

12 RC: He was the bad guy.

13 GN: Bad guy? Okay. And he was in the -- this -- uh,
14 this, uh, building, which was the old press box?

15 RC: Uh-huh.

16 GN: And what would he do specifically?

17 RC: Just we'd give an announcement, uh, I believe this
18 scenario we actually let the dog go at the ground
19 and he basically did an area search.

20 GN: Uh-huh.

21 RC: And then he would alert to -- uh, there was door,
22 open the door, gave my announcement and I think at
23 that time, Lee would fire the gun --

24 GN: Uh-huh.

25 RC: -- and the dog would navigate the stairs up and

1 apprehend.

2 GN: Okay.

3 RC: And then I would go --

4 GN: So the -- the dog itself would go all the way up and
5 into the building itself to -- to -- to apprehend
6 him, bite him?

7 RC: Correct.

8 GN: Okay. Um, did you know, uh, what handgun Officer
9 Coel was using?

10 RC: No, I didn't know if --

11 GN: Did you know in other words was it -- is it his,
12 department issue, was it -- Charlotte borrowed --
13 uh, lent a gun to him? Do you know?

14 RC: No, I don't know which blank gun it was --

15 GN: Okay.

16 RC: -- if it was ours or his.

17 GN: Okay. All right. Did you ever see it?

18 RC: No. Well, I saw it in his hand, uh, when I went to
19 get the dog, but I did pay attention.

20 GN: When you performed the scenario --

21 RC: Right.

22 GN: -- to get your K-9 off of him --

23 RC: Right.

24 GN: -- can you describe it?

25 RC: No.

1 GN: Okay.

2 RC: No, I was focused on --

3 GN: Do you know if it was a --

4 RC: what the dog was doing.

5 GN: Do you know if it was a Revolver or semi?

6 RC: I believe it was a Revolver.

7 GN: Okay. All right.

8 RC: I think that -- I think both of 'em were Revolvers.

9 GN: Okay. Um, and do you recall how many rounds he fired

10 off when you did the scenario with him?

11 RC: I wanna say it was two.

12 GN: Two rounds? Okay.

13 RC: Usually we conserve the blanks.

14 GN: Right. Right. And, uh, did he keep playing the, uh,

15 role of the bad guy throughout the day?

16 RC: Yes.

17 GN: Were other guys --

18 RC: Yes, he did.

19 GN: Okay. Were there any, um, injuries or any

20 projectiles found, anything like that from this

21 handgun?

22 RC: None that I was ever made aware of.

23 GN: Okay. All right. So everything went without a hitch

24 that day?

25 RC: Yep, like it normally does.

1 GN: Okay. Any questions about that day?

2 EC: I don't.

3 GN: Okay. All right. Let's go onto the next, uh,
4 training scenario with him. (Unintelligible).

5 RC: I believe that would be the community policing, uh,
6 academy that we do the demo for.

7 GN: Okay. And that's where?

8 RC: At the training field where our, uh, equipment is.

9 GN: Gun range?

10 RC: Gun range, yes.

11 GN: Yeah. Okay. All right. Um, and same, uh, group of
12 guys there? Your K-9 unit?

13 RC: Yes.

14 GN: Okay. And, uh, Officer Coel was there?

15 RC: Yes.

16 GN: Okay. Um, what happened, uh, that day with Officer
17 Coel? Um, what did -- what did he do as far as
18 participating?

19 RC: Uh, he decoyed. I don't remember what he did with
20 his dog. I do remember he decoyed on top of the
21 berm.

22 GN: Okay. Um --

23 RC: For the dog to go up and get him.

24 GN: Yeah. All right. Prior to the scenarios, did he, uh,
25 do anything with his handgun?

1 RC: I don't know if it was before or after, I believe
2 there was a test fire.

3 GN: Okay. But you don't recall if it was before or
4 after?

5 RC: No, I don't.

6 GN: Okay. Um, where was the test fire at --

7 RC: It would have been --

8 GN: -- specifically? On the --

9 RC: Most of us were underneath -- there's a --

10 GN: Overhang?

11 RC: -- overhang down there --

12 GN: Yeah.

13 RC: -- on the range and then the little boxes and the
14 range itself.

15 GN: Uh-huh.

16 RC: Uh, if there was one, I don't remember it clearly,
17 but it -- there would have been out onto the field
18 by the, uh, sidewalks there.

19 GN: Uh-huh. And what exactly did he do? How did he test
20 fire it?

21 RC: I don't exactly remember?

22 GN: Okay.

23 RC: I don't know if he pointed it and shot it or -- or
24 -- I mean, obviously he pointed it if he would have
25 pulled the trigger, but I don't exactly know where

1 he pointed it to or what.

2 GN: Okay. All right. Um, it was brought up in another
3 interview that, uh, another deputy, uh, when -- saw
4 some, uh, pieces of ground fly up, uh, where Officer
5 Coel was pointing the firearm during the test fire.
6 And he basically said something to the effect, Well,
7 did you see that piece of ground move or anything
8 that --

9 RC: It was to me I don't --

10 GN: Yeah, he might have been standing next --

11 RC: 'Cause it's --

12 GN: -- to you. Yeah.

13 RC: We -- yeah, we discussed that and --

14 GN: Okay.

15 RC: -- he said, "Did you see that?" I was -- wasn't
16 looking at them, but I -- I heard the pop.

17 GN: Uh-huh.

18 RC: And I looked and I thought I saw, uh, like, a dust
19 disturbance on the ground, but I didn't really
20 register that it was.

21 GN: Uh-huh.

22 RC: And then he said that, and I said, "Well, I thought
23 I saw something, but I'm not sure. I don't think it
24 was anything and we discussed whether or not it
25 could have been a wad from a blank or anything.

1 GN: Uh-huh.

2 RC: And then everybody said no, that they're -- they
3 don't have wads in blank gun -- uh, blank rounds.

4 GN: Right.

5 RC: And then it was let go from there. Nobody else said
6 anything further.

7 GN: Okay. But when he said that during that time on the
8 range, you -- you -- you said back to that deputy
9 (unintelligible) --

10 RC: I thought I saw something.

11 GN: -- "I -- I -- I think I might have saw dirt come
12 up"?

13 RC: Yeah, I thought I saw the ground moving, but I -- I
14 didn't know --

15 GN: Okay.

16 RC: -- if that was from the gun.

17 GN: Okay. Um --

18 RC: It just didn't make sense that it would have been
19 'cause we always have blanks.

20 GN: Right. But it wasn't -- it was just discussed
21 between the two of you?

22 RC: No, I think it went -- I think it went further.

23 GN: Uh, right then at that point.

24 RC: At that point, it was just the two of us.

25 GN: Right. And that was deputy --

1 RC: Uh, Gilmer I believe, Justin Gilmer.

2 GN: Yep. Yep. Okay. Um, did you discuss it with anybody

3 right then at that --

4 RC: I believe somebody said something and then it was

5 basically shot down. Said no, there's no way

6 anything came out of the blank gun and that was

7 that.

8 GN: Okay.

9 RC: I don't know what gun was being held at the time or

10 anything like that.

11 GN: You didn't see it then?

12 RC: No.

13 GN: Yeah. And you never saw him look --

14 RC: I -- I really wasn't -- we were around in groups

15 talking about random things and it --

16 GN: Did you ever --

17 RC: -- that just happened quickly.

18 GN: You never saw him load it?

19 RC: No.

20 GN: Okay. Um, did anybody -- do you know if anybody --

21 you or anybody mentioned something to Coel about it

22 about the dirt flying up?

23 RC: No, I don't remember who would have taken it any

24 further.

25 GN: Okay. Okay.

1 RC: I do remember the discussion on whether or not a
2 wad, like a -- like a paper wadding or something
3 could have come out from the black powder being
4 packed in was my thought process.

5 GN: Right.

6 RC: But then everybody said, No, there's no way it came
7 from a blank round so --

8 GN: Okay.

9 RC: Yeah.

10 GN: All right. Um, you got questions about that date?

11 EC: Am I understanding it correctly that -- that you
12 guys really didn't think anything of it? Like in --
13 in a, uh -- you know, in a -- uh, as far as
14 something dangerous happening with a -- with a wad
15 cutter?

16 RC: Unfortunately, yes. So I didn't know they were wad
17 cutters. I didn't even know what a wad cutter was.

18 EC: Right.

19 RC: Um, I wasn't paying attention to it and when I saw
20 the dirt move, it was kinda chocked up to a
21 coincidence at that point, uh, the way it was
22 described to me and what it could have been.

23 EC: Yeah.

24 RC: And they're like, No, it's not -- there's no way it
25 was a wad or anything from the gun, no worries

1 there.

2 EC: Uh-huh.

3 RC: And it was brushed off there and I -- I trust --

4 EC: Uh-huh.

5 RC: -- in our officers and my trainers --

6 EC: Yeah.

7 RC: -- in what we're doing so --

8 EC: Yeah. That's just what I wanted to get at. You're --

9 you just trusted that everything's gonna be fine,

10 you didn't have any worries that --

11 RC: No.

12 EC: -- you know, you may be using live rounds or wad

13 cutter rounds or anything?

14 RC: No, I just -- yeah. Like I said, I didn't even know

15 what a wad cutter was 'til everything happened.

16 EC: Right. Okay.

17 GN: Uh, and then the scenarios that you mentioned, he

18 was on top of the berm, fired off a couple of rounds

19 --

20 RC: Yes.

21 GN: -- Officer Coel?

22 RC: Yes.

23 GN: And that's when they deployed a K-9 up the berm to

24 apprehend him?

25 RC: Yep. And then we call him back from a distance.

1 GN: Do you remember watching him shoot --

2 RC: Yes.

3 GN: -- uh, his handgun at the top of the berm?

4 RC: Yeah.

5 GN: Where was he pointing it?

6 RC: Always in the ground.

7 GN: Okay. Did you see dirt -- dirt --

8 RC: There's a little dirt wavin' around.

9 GN: Could you see dirt fly from there?

10 RC: No.

11 GN: Yeah. Pretty -- but you were pretty far away, right?

12 RC: Yeah, about 50 -- 50 yards is where usually --

13 GN: Yeah.

14 RC: -- the distance.

15 GN: Okay. That went without, uh, a hitch, that was fine?

16 RC: Yeah, like, it normally does every time we do it.

17 GN: Uh, there was another scenario he was involved in, a

18 vehicle, uh, pursuit. Do you recall that on the

19 range that day? Were you around? Still --

20 RC: I was around but I don't remember that one

21 particularly. I think I was helpin' talk to the

22 Crown [phonetic].

23 GN: Okay. All right. But you don't recall that?

24 RC: No.

25 GN: Okay.

1 RC: I don't remember who was involved in that one or
2 not.

3 GN: Okay. All right.

4 RC: Sorry.

5 GN: That's all right. Okay. Now after the Punta Gorda
6 shooting incident happened, uh, I understood that
7 you guys, uh, kinda had a little group discussion
8 one time when you met here after that shooting
9 about, uh, the possibility that, Wow, you know, I
10 wonder if he was using live ammo here or something
11 like that. Was that -- was that discussed?

12 RC: There was a --

13 GN: And possibly brought up about the dirt flyin' up?

14 RC: There was -- I don't remember the dirt being brought
15 up again. There was a discussion on what had
16 happened that kinda brought us up to speed on -- I
17 think 'cause it was hush-hush at the time.

18 GN: Uh-huh.

19 RC: What had happened, uh, that it was his blank gun
20 they -- 'cause nobody knew what -- it was the blank
21 or if he was using a real gun, like, a sims round
22 had went bad or, uh, what -- what was actually
23 utilized.

24 GN: Uh-huh.

25 RC: So they did have a discussion on that. They believed

1 (INTERVIEW OF SEAN DAVOLI, #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 SD = Deputy Sean Davoli

7 GN: All right. This is Special Agent Gary Negrinelli

8 with the Florida Department of Law Enforcement.

9 This is an interview with Charlotte County, uh,

10 Deputy Sean Davoli; uh, last name spelled D-E-V-O-L-

11 I.

12 SD: D-A. Sorry. D-A-V --

13 GN: Oh, I'm sorry. D-A --

14 SD: Yeah.

15 GN: -- V-O-L-I. First name Sean, S-E-A-N.

16 SD: Yes, sir.

17 GN: Uh, this is in reference to Florida Department of

18 Law enforcement case number FM-01-0027. The date is

19 December 20th, 2016. Approximate time is 3:37 p.m.

20 This interview is taking place at the Charlotte

21 County Sheriff's Office. Uh, Sean, do you recognize

22 that I'm a law enforcement officer within the State

23 of Florida and by which empowered to take sworn

24 testimony?

25 SD: Yes.

26 GN: Okay. Could you please raise your right hand? Uh,

American High-Tech Transcription and Reporting, Inc.

1 do you swear the testimony you're about to give is
2 the truth, the whole truth and nothing but -- the
3 whole truth and nothing but the truth, to the best
4 of your recollection?

5 SD: Yes.

6 GN: Okay. You can put hand down. Um, what's your
7 current position here?

8 SD: I'm a deputy first class in the K-9 Unit, which is
9 part of Support Services.

10 GN: Okay.

11 SD: So I'm a K-9 handler.

12 GN: Okay. And how long you been doing that?

13 SD: Uh, probably about a year now, um, if you count
14 training, like the school and everything like that.

15 GN: So one year as K-9?

16 SD: About. Yes.

17 GN: Okay. Uh, prior to that?

18 SD: I was just a Road Patrol Unit in, uh, the Murdock
19 area.

20 GN: Okay. How -- how -- how many years law enforcement?

21 SD: Five -- about five and a half now.

22 GN: About five years. Okay. All right. So, um, some
23 of things as a -- a K-9 deputy, you guys do
24 demonstrations -- like demonstrations?

25 SD: Yeah, we do, um, demonstrations for, you know,

1 different units that -- or different, um -- like the
2 civilian police academy or anybody that's wanting to
3 donate any money, that wants a demonstration, or
4 just anybody that wants a demonstration --

5 GN: Okay.

6 SD: -- and pretty much we'll do (unintelligible).

7 GN: And -- and some of these demonstrations you do with
8 other, uh, officers from other departments?

9 SD: Uh, we had one other -- one other, um, department
10 that was training with us, underneath our training,
11 so he -- he took part in some of that.

12 GN: And who was that?

13 SD: That was Lee Coel from Punta Gorda.

14 GN: Okay. And you recall, uh, doing some specific
15 training with him?

16 SD: Yes.

17 GN: Okay. Uh, and one of these events was at the
18 Speedway Racetrack?

19 SD: Yes.

20 GN: Okay. Do you recall about when it was?

21 SD: No, I couldn't give you exact dates, honestly. Um -
22 -

23 GN: Okay. Was it within this last year -- this past
24 year?

25 SD: Yes, 'cause I've -- I've only been in the unit for,

1 you know --

2 GN: Okay.

3 SD: -- so long.

4 GN: Uh, could you guess? Summertime? Spring? Was it

5 hot?

6 SD: It's -- it's always hot. I mean --

7 GN: Yeah.

8 SD: -- it's -- honestly, it's -- it's really hard for me

9 to --

10 GN: Okay.

11 SD: -- recall exactly when.

12 GN: That's all right.

13 SD: Um, if --

14 GN: But it was definitely --

15 SD: -- if I was able --

16 GN: -- this past year?

17 SD: Yes. I have training notes --

18 GN: Uh-huh.

19 SD: -- if I was able to go back into my training notes,

20 I could probably give you an exact date of when that

21 was.

22 GN: Okay.

23 SD: Um, but we all did. We all have training notes.

24 GN: Okay.

25 SD: So, um --

1 GN: All right. So, um, what did this, um, training, uh,
2 entail at the Speedway Racetrack?

3 SD: Um, basically at the Speedway Racetrack we were
4 doing a -- it's called a passive decoy exercise --

5 GN: Uh-huh.

6 SD: -- um, with -- with some firing, um, some gun -- gun
7 firing.

8 GN: Uh-huh.

9 SD: Um, the -- the decoy is wearing a full body suit --
10 full, you know -- full body suit --

11 GN: Right.

12 SD: -- um, from head to toe. Um, and he is up in a --
13 he was up in a portable, and it was probably about
14 two stories -- two stories up. And you're
15 responding from the parking lot basically.

16 GN: Okay.

17 SD: Um, you hear two rounds, and you have to go to that
18 -- to that place where you heard it.

19 GN: Uh-huh.

20 SD: And you're gonna -- it's basically just to get a dog
21 jacked up to go -- to wanna work, basically.

22 GN: Right.

23 SD: Um, so then you basically send your dog to go find
24 this decoy, and he's supposed to engage this decoy
25 without the decoy moving at all.

1 GN: Okay.

2 SD: Um, that's basically what it was. You -- you don't
3 even go in the room. You wait. The dog goes into
4 the room, engages the decoy, the decoy stays passive
5 for a little bit --

6 GN: Uh-huh.

7 SD: -- and then once he gets like a good full mouth bite
8 on the decoy, wherever he bites him, then the decoy
9 starts, you know, screaming, yelling and trying to
10 fight the dog, and then you go into the room and,
11 you know, stop fighting my dog, praising the dog --

12 GN: Praising (unintelligible).

13 SD: -- that kind of stuff. Yeah.

14 GN: Yeah. Okay.

15 SD: So --

16 GN: Um, so, uh, Officer Coel, does he utilize, uh, your,
17 uh, firearms or does he bring his own?

18 SD: He brought his own. He was able to use ours, but he
19 --

20 GN: Uh-huh.

21 SD: -- had his own. And, um, he would use his own bite
22 suit normally. He would use --

23 GN: Okay.

24 SD: -- um, his own, um -- you know, all his own training
25 equipment basically.

1 GN: Do you recall the firearm that he brought?

2 SD: It was a silver revolver. I don't know exactly
3 which -- it was like a snub-nose silver revolver.

4 GN: Okay. Silver snub-nose.

5 SD: Yeah.

6 GN: Do you -- you don't recall, uh, the make?

7 SD: No, I didn't look into it in detail honestly.

8 GN: Okay. Um, do you recall if it was a -- a
9 concealable hammer or -- don't recall?

10 SD: No, I can't recall.

11 GN: Okay. All right.

12 SD: I don't --

13 GN: Do you --

14 SD: -- think it was, but I -- I can't say for sure.

15 GN: Yeah. Do you know if it was his personal gun or
16 department-issued?

17 SD: I couldn't tell you where he got that gun.

18 GN: Okay. All right. Um, had you ever used it?

19 SD: I used it that one time, yeah --

20 GN: Okay.

21 SD: -- when, uh, we were -- we were doing this training.

22 GN: Okay. Um, did he load it in front of you?

23 SD: He loaded it in front of me but I didn't inspect any
24 bullets or anything like that.

25 GN: Okay. Uh, do you recall the -- the -- what the

1 ammunition looked like that he was loading in the
2 gun?

3 SD: No.

4 GN: Don't recall it?

5 SD: Uh-uh.

6 GN: Okay.

7 SD: I couldn't tell you if it was, uh, nickel casings or
8 bronze casings or anything --

9 GN: Okay.

10 SD: -- like that. I couldn't tell you.

11 GN: Okay. So he loaded it, gave it to you.

12 SD: Put it --

13 GN: Had --

14 SD: -- on the table.

15 GN: -- had he used it --

16 SD: He didn't actually hand it to me.

17 GN: -- uh --

18 SD: Yes.

19 GN: -- during that demonstration?

20 SD: Yeah, he was using it the whole time for everybody.
21 He was being the decoy.

22 GN: Uh-huh.

23 SD: And then when it came time for his dog, I was the --
24 the decoy.

25 GN: Okay.

1 SD: Um, so he loaded the gun, put it on the table, we
2 stripped him out of the suit.

3 GN: Yeah.

4 SD: Okay? I got into the suit. Um, they told me when
5 they're ready, grab the gun, just shoot a couple
6 rounds, put the gun down, go sit on the stool in the
7 corner.

8 GN: Okay.

9 SD: And that's what I did.

10 GN: Okay. Um, did you notice -- uh, when you fired the
11 rounds off, were you pointing in a certain
12 direction?

13 SD: I was pointing it down and away from me, and I was
14 actually looking at it when I shot it.

15 GN: Okay.

16 SD: I -- I could tell you nothing came out. It's a
17 wooden floor --

18 GN: Uh-huh.

19 SD: -- and --

20 GN: No projectile?

21 SD: -- no projectile at all.

22 GN: Okay. And how many rounds you think you fired?

23 SD: Either two or three. I can't say for sure.

24 GN: Okay.

25 SD: But it was a two -- no, no, a two fire, but I

1 might've fired two and then said, "Come and get me",
2 and then fired another one or something.

3 GN: Okay. Did you notice anything different about --
4 let me ask you, had you fired, uh, blanks before
5 with any of your guns?

6 SD: I had. Yes.

7 GN: Okay.

8 SD: Yeah, we have a --

9 GN: Do you notice any difference?

10 SD: Not really, honestly. I mean, our gun's -- our
11 gun's a lot bigger.

12 GN: Uh-huh.

13 SD: Um, and we use, um, like a -- like a very loud
14 round. Because over in, um, you know, other
15 countries and stuff, they're not allowed to use that
16 --

17 GN: Uh-huh.

18 SD: -- so they use like snaps.

19 GN: Uh-huh.

20 SD: So we wanted to see how the dog would react to this
21 very loud round when we're doing, you know --

22 GN: Right.

23 SD: -- our obedience training and stuff like that.

24 GN: Right.

25 SD: And so I fired our very loud rounds and I didn't

1 feel a difference.

2 GN: Had you ever, uh, fired, uh, lethal ammo, live ammo
3 from a revolver?

4 SD: From a revolver, yes.

5 GN: Okay.

6 SD: I have.

7 GN: Do you notice a difference at all when you're firing
8 lethal live fire than blanks? You notice a
9 difference?

10 SD: Not that I can recall. I mean, it's --

11 GN: Nothing?

12 SD: No, I mean, maybe a little bit more kick.

13 GN: Okay.

14 SD: Um, but nothing -- nothing major.

15 GN: Okay. And -- and again, the gun that, uh, you used
16 that Lee Coel provided when you fired the blanks,
17 you didn't notice anything different?

18 SD: No, I didn't. And like I said, I was -- I'm -- you
19 know, I -- I stare where I shoot, basically.

20 GN: Right.

21 SD: So I looked when I shot, nothing came out. If
22 something would have come out, I would've -- I
23 would've recognized. I had a, um -- um, a gun
24 malfunction on me at home one time, and it actually
25 fired. About scared the crap out of me. So I

1 would've been scared if something came out.

2 GN: Okay. Um, did you unload the gun?

3 SD: No, I did not. I just put it down after the two

4 shots on the table and sat in the stool.

5 GN: Okay. All right. Uh, did you ever talk to, uh, Lee

6 Coel about the ammo that he uses?

7 SD: No.

8 GN: Okay.

9 SD: No.

10 GN: All right.

11 SD: I honestly had no intentions of using his gun. And

12 just until now, speaking with you, I wouldn't even

13 have thought that I used it.

14 GN: Okay. And that was the only time?

15 SD: That was the only time. Yeah.

16 GN: Okay. Um, and I know you did some, uh -- or you

17 were there, uh, present, uh, at the gun range --

18 SD: When we did, uh --

19 GN: -- when we did -- you guys did some training.

20 SD: Yes.

21 GN: Um, and I guess, um, you recall him test firing?

22 SD: Yeah, he was test firing --

23 GN: Doing a test fire.

24 SD: -- the gun --

25 GN: Uh-huh.

1 SD: -- um, to make sure that, you know, it was -- it was
2 a test fire. And somebody had said that something
3 sprayed, um, but I didn't pay any attention to it.
4 I was talking (unintelligible).

5 GN: Oh, someone did ask?

6 SD: Somebody did say that. Yeah. That something -- it
7 was one of our deputies.

8 GN: Do you recall -- do you recall where he was pointing
9 it?

10 SD: Uh-uh. I didn't look --

11 GN: Did you see it?

12 SD: -- at him. I just -- no, I just heard him.

13 GN: Just heard it?

14 SD: Yeah.

15 GN: Okay. Were you near the overhang at all or --

16 SD: Yes, I was.

17 GN: Okay. But he was --

18 SD: I was right near the overhang.

19 GN: -- farther down range?

20 SD: Yeah.

21 GN: Okay.

22 SD: We have like a, um -- like an unloading station. I
23 believe he was in that direction of the unloading
24 station.

25 GN: Okay.

- 1 SD: But like I said, I wasn't looking at him. I was --
- 2 GN: But you recall someone saying again?
- 3 SD: Somebody -- yeah, they -- they had mentioned that
- 4 there was something sprayed up or did somebody see
- 5 something sprayed up when he fired that test round.
- 6 GN: Uh-huh.
- 7 SD: And then, um, when -- when we went into -- when we
- 8 found out exactly what was going on with, you know,
- 9 this whole situation --
- 10 GN: Right.
- 11 SD: -- um, uh, they brought it up again and said, "You
- 12 know, we saw somebody, you know -- some spray."
- 13 GN: Uh-huh.
- 14 SD: And then they said at the top of the range, at the
- 15 top of the berm --
- 16 GN: Uh-huh.
- 17 SD: -- where we send the dog up the berm, he remembered
- 18 seeing some spray as well.
- 19 GN: Uh-huh.
- 20 SD: But nothing, uh -- nothing I saw. I didn't -- I
- 21 didn't see anything. I didn't --
- 22 GN: Do you recall who said that?
- 23 SD: Yes, I do.
- 24 GN: Who was that?
- 25 SD: Justin Gilmer.

1 GN: Oh, Justin.

2 SD: Yeah, Justin Gilmer was the -- he was the one that
3 was talking about it.

4 GN: Okay. That he saw maybe some -- like what? Like,
5 uh, um --

6 SD: Like, um --

7 GN: -- a projectile or --

8 SD: -- like -- like some dirt -- like some dirt fly.

9 GN: Dirt flying up.

10 SD: As if something hit the -- hit the dirt.

11 GN: Okay. Okay.

12 SD: And with -- with a blank you don't have anything
13 that hits the dirt.

14 GN: Right.

15 SD: You pretty much have to have the gun two, three
16 inches away from the ground to have something fly.

17 GN: Right. And, uh, he said it -- he said it when he,
18 uh -- uh, when Coel test fired it that one time.

19 SD: Yes.

20 GN: Okay.

21 SD: And then like I said, we talked about it afterwards,
22 after everything had happened --

23 GN: Uh-huh.

24 SD: -- um, we were talking about it in the office saying
25 -- 'cause we -- we had found out, you know -- they

1 came in and told us what was going on and, uh, not
2 to really be worried. It really didn't have
3 anything to do with us in a way. Um --

4 GN: Oh, after the shooting --

5 SD: Yes.

6 GN: -- you mean?

7 SD: Yes.

8 GN: Yeah.

9 SD: And then they were bringing it up saying, "You know,
10 he was -- I remember seeing dirt flying at the top
11 of the berm," and, you know, stuff like that was
12 coming up. So --

13 GN: Yeah. You did?

14 SD: No, I don't -- I didn't say that.

15 GN: Oh.

16 SD: They -- they were saying -- talking -- we were all
17 talking as a -- as unit --

18 GN: Uh-huh.

19 SD: -- and I remember them -- it coming up.

20 GN: Okay.

21 SD: So --

22 GN: Okay. Um, anything else that you wanna add that I
23 might not have asked you? Any other details that,
24 um --

25 SD: Not that I can think of. Um, I only -- I only got

1 to train with -- with Lee for a short amount of time

2 --

3 GN: Uh-huh.

4 SD: -- um, throughout my K-9 career, because I was the

5 newest --

6 GN: Uh-huh.

7 SD: -- at the time when Lee was coming in -- or when we

8 were training with Lee.

9 GN: Right.

10 SD: Um, but, uh, some of his tendencies of, like, you

11 know, me being a new guy, recognizing where like,

12 you know, you really should -- you really should be

13 paying attention to our -- our equipment and not

14 really using yours since it's our unit training and

15 whatnot.

16 GN: Right. Right.

17 SD: 'Cause we -- we don't inspect any of his equipment.

18 It's his, you know? So --

19 GN: Right. Right.

20 SD: -- um, but, you know, nothing -- nothing I can think

21 of that really strikes my mind that says, you know,

22 he did something.

23 GN: Okay. Okay. All right. Um, that'll end the

24 interview. Approximate time is 3:48 p.m.

25 (CONCLUSION OF INTERVIEW)

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23 Transcribed by: jak/jak/aef