Civilian Witness
Shauna Harvey
INTERVIEW WITH SHAUNA HARVEY

Q=Det. Almanzar
A=Shauna Harvey

The following will be the sworn audio recorded of the witness Shauna Harvey as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is, uh, November 28th, 2016 and the time is approximately 12:55 pm. This statement is in reference to case number 16-174939 which is an incident that occurred at 2400 East Sunrise Boulevard at the McDonalds. The incident occurred on today's date approximately 30 minutes ago. Shauna, tell me your full name and spell it please.


And what's your date of birth?

March 5th, 1997.

Shauna can you tell me in your own words, um, well before that let me swear you in. Uh, do you swear to tell the truth, the whole truth and nothin' but the truth?

Yes.

Okay can you tell me in your own words, uh, what happened today here? Where do you work? What were you doin'? Where you were and - and what happened.

Okay, so I work at the McDonalds on - well in Sunrise 2300 - I don't know the correct address but, it's on Sunrise right before you get I-95 and I was in the window, and my employee in the back (Cash) she had a car pull up. It was a Ford, a gray Ford and he was changing around his order sayin' he wanted to change his milkshake and something about a coupon. Then they pulled up to the first window and I seen an undercover car come up on the opposing side and the guy in the back - the back seat on the driver's side he got out of the car and, um, the drive- the passenger he got out and he started running. He ran away and the guy on, um, the guy who was driving, the police told him to stop and not to move and he didn't listen. He drove up allowing the person in the
back seat - in the back driver's side to get out and then he drove over the curb and away basically. And, um, the guy in the - that was in the back passenger seat, he walked up to the window he said that - that, "Whatever they had goin' on it didn't have anything to do with him," and that he, "Was gonna come inside and try to get his food." And from then I said, "Okay," and I walked away from the window, but as the police officer told the guy not to move to stay where he was and he continued to move the car the police officer then drew his gun and let out three shots. I don't know if he was shooting for the person running away or the tires of the car or whatnot but he did fire three shots.

Okay, so let me just ask you a few questions to clarify. You were at the window taking an order from this car. You said it was a gray Ford?

Yeah, I - I'm - I'm at the second window so my job is to give the food out.

Okay.

Yeah.

So you're not taking money from them you're just...

No.

...passing the food out.

Passin' the food, yeah.

And you said it was a Ford. What kind of Ford was it?

Um, the grill in the front was silver and it had the lines going straight across, um, I want to say it was a Fusion. It looked similar to that one except it was gray.

Okay.

Yeah.

And it wa- you think it was about that - that year? Like, that...

Yeah.

...new?

It was new like...
So it was a newer...

...that.

...model?

Yes and...

And it was four doors obviously?

Yes.

And you said how many people were inside the car?

Three that I'm accounting for the passenger who ran out, the guy who got out the back on the driver's side and the driver himself.

Okay, uh, the driver - or - could you descri- can you, um, if you had to identify these three guys could you identify them?

Not the driver and the guy who was running away, he was kind of mid-height. He had like...

Okay, the guy that was running away came out from which door from the passenger front?

Yeah, the passenger front.

Okay. How old do you think he was?

I'm wanna say probably like 22.

Okay how was he dressed?

He had a blue - a blue shirt - I only seen his back because he was running away.

Okay.

He had a blue shirt and, um, dark colored bottoms.

Okay, uh, how about the passenger, um, driver's side passenger in the back?
Um, he had a, uh, dreads. Obviously he had one of those stocking things that they wear over their heads...

Mm-hm.

...it was long. He was very short. He really didn't come past the window because he was standing right in the window.

Okay.

Um, dark skin, um, facial hair. He had on a working shirt as well a blue or gray colored working shirt. Yeah, it was gray.

Okay I'm sorry did you say how - how old do you think he was?

Uhh, he had to be like at least - he looked young so I want to say 23, 24.

Okay and that was the one y- you said came to the window sayin', "This had nothin' to do with me..."

Mm-hm.

...I'm going inside."

Yeah.

Okay so how long did it take from when the police off- when - you say it was an undercover car, you say it was undercover because it wasn't a regular marked police car it was like...

Correct.

...it was a car that had police lights...

Yeah.

...but it was like - looked like any other car.

No one - yeah.

Okay.

Like that one.

Okay so he came up to the opposite side in the drive-thru window.
A: Yes.

Q: So pretty much blocking the car from...

A: Exactly.

Q: ...from - from going forward.

A: From going anywhere. That's why he decided to drive over the bush...

Q: Okay.

A: ...over by where the bus stop was.

Q: The officers when they - they got out did you see them? Were they wearin' like, uh...

A: Vests.

Q: ...marked vests.

A: Mm-hm.

Q: Okay. And they had markings that said police?

A: Yes.

Q: Okay, uh, did you see initially when they got out what they said and did?

A: Um, he - all I heard him - when he got out I heard him yell, "Don't move, please don't move," and he said it multiple times and the person still moved so that's when he...

Q: Did - did you see where they - did they have their guns drawn?

A: His gun...

Q: Like when it...

A: ...wasn't drawn until he asked him not to move and he seen that he was disobeying so then he drew the gun.

Q: Then, okay.
A: Okay.

Q: So the car - the silver Ford that was ordering the food...

A: Mm-hm.

Q: Um, when it started moving you say he went over the curb, uh, was it going in a direction to try to get away from the police?

A: Yeah.

Q: Not to try to run them over or anything like that.

A: N...

Q: As far as you can tell.

A: I mean as - he did - I did - I didn't see exactly when he started driving but I did see the police officer back up.

Q: Mm-hm.

A: Assuming that the guy was basically coming towards, like he was gonna hit him.

Q: Okay.

A: But he did jump back.

Q: Okay, um, but you stayed in the window the whole time though?

A: I kinda...

Q: Like so you saw the whole...

A: ...after I s- after I seen - after I seen him pull the gun and the shot that's when I decided to retreat back because I didn't want to get hurt.

Q: Okay well let's - let's go back to that then, uh, the car was drive - drove away - did it drive away before the shots were fired or was it drivin' away as the shots were fired?

A: Yeah. It was getting - 'cause what he did was he backed up to give himself some space...
He - the driver of the - of the...

The driver.

...stolen car.

Yeah.

Uh-huh.

He backed up to give himself some space. I don't know if he was tryin' to allow them to get out of the car or so that he could back up so he can drive away because the - the police car was directly right in front of him.

Okay.

So he backed up and then he drove off.

Okay and - and, uh, at what point in time did you hear the shots being fired?

As he was getting ready to drive off.

Okay.

And this is why I'm assuming he was tryin' to shoot their tires.

Do you know which of the two officers did the shooting the one that came from the driver's side or the passenger's side?

I'm not sure.

Okay.

I didn't see that.

All right, the - were you in a - in a position to see the - the officer shooting or you just heard the shots?

I seen him because he was - he was at this point - at that point in time when he was getting ready to shoot he was standing right in front of the window.

And what...

Because I was looking right at him.
Q: Okay and was he sayin' anything as he was shooting?

A: No. After he said, "Don't move," and he still was moving then he just shot. No words after that.

Q: Okay, um, what happens after the car leaves? You said there was one that was running away do you know if...

A: He did.

Q: ...did you see the off - what the officers did after that?

A: Um, there was two of them so if I'm not mistaken - I'm not pretty sure but one of them started to pursue the guy who was running away.

Q: Okay.

A: Yeah.

Q: Did the guy that came out of the silver car from the, uh, driver's side in the rear...

A: Mm-hm.

Q: Did he ever made it inside the McDonalds?

A: They didn't, my other manager told me that she didn't let him inside. She locked the door.

Q: Okay.

A: And I don't know if he was arrested or whatever after that but...

Q: Okay.

A: It's like he kinda got away.

Q: Anything else that you can remember about this whole thing that you think will be useful to the investigation?

A: Mmm, nothing really just besides the fact that the guy who was claiming that he was innocent and decided that it would be okay for him to come inside afterwards, I don't know but other than that. Oh, there was a - another car behind I don't know if it was involved, uh, a black Kia.
Okay.

Yeah. But after - after all that happened I walked away from the window. I closed the window and that was it so no, I don't have any more information.

All right, and you said that, um, the driver of the car that got away you - if you saw him again you can describe - you can recognize him?

No.

You can't? You didn't see him?

I - I mean it was all a blur because I didn't really look at the driver because I didn't get to hand him his food so I can definitely ID the guy in the back that was standing in the window.

Okay.

But yeah, other than that no.

All right. Can you tell me anything about the driver of the car, uh, like how old do you think he was anything like that? No?

No, sorry.

All right.

All right.

This is gonna conclude the audio recorded statement of the witness Shauna Harvey as given to Detective Almanzar. The time now is approximately 12:04 pm.
Civilian Witness

John Brooks
INTERVIEW WITH JOHN BROOKS
Q=Det. Almanzar
A=John Brooks

The following will be the sworn audio recorded statement of the witness John Brooks as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is November 28th, 2016. The time is approximately 1:26 pm. This statement is in reference to case number 16-174939 which is an incident that occurred at the McDonalds located at the intersection of R- NW 24th Avenue and East Sunrise Boulevard.

Dispatch: (Unintelligible).

Q: The incident occurred approximately, uh, 12:15, 12:20 pm. John tell me your full name and spell your last name.

A: Uh, John last name Brooks B-R-O-O-K-S.

Q: John what's your date of birth?

A: 05-17-1966.

Q: And John do you - do realize I'm a Detective with the Fort Lauderdale Police Department?

A: Yes sir I do.

Q: As such the State empowers me to take your statement under oath.

A: Mm-hm.

Q: Do you swear to tell the truth, the whole truth and nothin' but the truth?

A: Yes.

Q: All right John, can you tell me in your own words where were you at and what you saw, uh, on today's date at approximately 12:15, 12:20 pm?
I was standin' here on the sidewalk, uh, talkin' to my friend (Albert Lane) and this guy came out of the back so (Albert)'s like, "What this guy doin' comin' out my backyard?" He ran from this yard 2231 across the street to over at this house here and jumped that gate right there. Seconds after that two officers about 6 foot tall, don't know their names - they was behind him. So after he - we told the officers that he went across that gate and they ran there but he disappeared. They thought maybe he went inside the house s, you know, and that I farthest I seen the guy. He had on some jeans, some saggy jeans, low-cut hair cut guy and then he ran through there. I - I mean I thought - I thought I seen a guy with dreads, but he said it was low-cut. I don't know.

Okay. All right so you're here lo- uh, visiting your friend at 2231 NW 9 Place.

Mm-hm.

And - and you guys were in the front when all of a sudden...

Right here - right on the left side of that - the right side of that truck right there.

When all of a sudden you see a guy comin' from your friend's backyard...

Right.

...running towards the front of the house.

Right.

Uh, and can you describe him from what you remember.

I just caught him because you know, I was busy, you know, I'm not from around here so I...

Yeah.

...I didn't know what was goin' on so but I just caught the guy he had on some jeans. I know that. And he...

How old do you think he was?

It - it - to me he looked like he was about 30.

Okay. How tall do you think he was?
A: Uh, probably about 5'7", 5'8".

Q: And how - well how - what kind of - what kind of build did he have?

A: He wasn't too bulky. He was like, maybe like, you know, muscular. Well he had on saggy clothes, you know how they dress.

Q: Yeah.

A: You know, I couldn't really tell the - the body state.

Q: Okay.

A: But I know that he had on like heavy clothes, like jeans or whatever, you know?

Q: How about any facial hair?

A: Uh, like I said, I just caught him jumpin' that, you know, when he told me that's when I, you know, looked up and see him goin' through this yard and jumpin' that gate right there.

Q: That gate where the Mercedes is?

A: The - on - in - at the yellow hou- the beige house next door.

Q: Okay.

A: The big backyard. Not that gate, the backyard.

Q: Okay.

A: He ran through that yard and hit that gate.

Q: And then you said a couple of seconds later you see two police officers.

A: Two officers. One went to - through that yard and one walked around on the - on the far side of the road there.

Q: You stayed where you were though. Did you follow them to see what was happening?

A: Not with no police with guns, no. Are you serious?
Q: So you're sayin' when the officers jumped - when you saw them they had their guns drawn?

A: No sir they did not.

Q: They did not. They had the gun - guns holstered?

A: The holster - the gun was in the holster.

Q: Okay, uh, did you hear them say or yell anything at the guy?

A: Well the guy was way ahead of them that's why we had to tell them exactly which way the guy went.

Q: Okay so you told them where they - the officers where he went.

A: Right - right through there.

Q: Okay and they went to where you told them correct?

A: Yes sir.

Q: All right do you know, uh, if they caught that guy?

A: From hearin' up there a girl said they caught him by the stairwell.

Q: No, but did you know like, did you see them...

A: No.

Q: ...come back with him?

A: No sir.

Q: Okay.

A: No sir - no sir.

Q: All right, uh, you don't know what happened before, obviously, that - that lead them to...

A: No, that's why I walked up there to - to see...

Q: Okay.
...that's, you know, I - I didn't - I don't know what...

So you didn't hear or see anything before that?

Nothin' they said it was gunshot - I didn't even hear gunshots or nothin'.

Okay. All right Mr. Brooks, uh, I don't have any more questions is there anything else that you'd like to add to your statement that I haven't asked you that you think will be useful to the investigation?

No but if you have a family member that needs some home improvement just give me a call you got my number.

I got it all right.

They call me Stucco John, bench, whatever, any kind of decorative seat. All kinds of stuff.

Okay.

You know?

All right. This is gonna conclude the audio recorded statement of the witness Mr. John Brooks. The time now is 1:30 pm.

Mm-hm.
Civilian Witness

Adjail Brooks
INTERVIEW WITH ADJAIL EDWARDS  
Q=Det. Almanzar  
A=Adjail Edwards  

The following will be the sworn audio recorded statement of the witness Adjail Edwards as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is November 28th, 2016 and the time is approximately 2:00 pm. The statement is in reference to case number 16-174939 which is an incident that occurred on today's date at approximately 12:15 pm. The incident occurred at the McDonalds located on NW 24 Avenue and NW Sunrise and West Sunrise Boulevard in the City of Fort Lauderdale, Broward County, State of Florida. Adjail, can you tell me your full name, spell it?


And what's your date of birth?


Adjail do you realize I'm a Detective with the Fort Lauderdale Police Department?

Yes.

And as such the State empowers me to take your statement under oath. Do you swear to tell the truth, the whole truth and nothin' but the truth?

Yes.

All right, Adjail can you tell me in your own words what - what were you doing and what happened here and what you saw?

Me and my friends left school to get lunch. Um, when we got there I sat - I sat facing towards the window and my friends they went to go get their food when - as soon as we sat down and we got our food the police officer he came running through the - the front of the restaurant I guess and we seen him and we didn't know - and I saw him and I was tellin' my friend, uh, what he's doin'
and by the time we did that he was already in the drive-thru and then he fired
some shots in drive-thru to the person that was in the line. And that's all I
know.

All right, let me just ask you a few questions. You say you came out of
school to get lunch with some friends. Who were your friends?

(Taylor), (Patterson) and two other kids, um, (Kim) - I - I forgot the other guy
name. I don't really know him. He went with a friend...

Okay.

...went to the front.

And when you guys come into the restaurant you sit down in the booth, uh,
you say your friends went to - to the, uh, line to get the food. You sat
down though right?

Yeah.

And you were facing the drive-thru window area?

Uh, no. I was facing the front window - area - this area in front of the
McDonalds.

Woman: Yeah - yeah.

Q: Takin' a statement. Tell him I'm takin' a statement.

Man: (Unintelligible).

Q: Tell him I'm - tell (Steve).

A: So where the McDonalds sign is I was facin' that.

Q: Um, okay. So...

Man: You're takin' a statement?

Woman: He opened the window.

Man: Yeah, he's takin' a statement. Sorry - did you make it down to
(Unintelligible)?

Q: I did.
Man: Did you send them in?
Q: Yep.
Man: Okay.
Q: I took a picture and sent it to (Unintelligible).
Man: Okay.
Q: So, you say - first you saw him drive. Who are you referring to when you say when you saw him drive?
A: The per- the person that came from this drive - this McDonalds. I mean this gas station.
Q: From the gas station.
A: Yeah.
Q: So what was he driving?
A: Uh, I don't - - I - don't know the model.
Q: Okay.
A: Or, yeah.
Q: So you saw wh- a car drive...
A: Yeah.
Q: In the - to the - in the drive-thru.
A: Yeah.
Q: And then you saw what after that?
A: Af- like, after he run right down the corner I didn't see nothin' after that. I only saw him like drive past the face.
Q: Uh-huh.
A: But...
136  Q: Was he by himself in that car?
137
138  A: Uh, I don't know.
139
140  Q: Okay.
141
142  A: I don't know that.
143
144  Q: So you just a saw a car drive by...
145
146  A: Yeah.
147
148  Q: ...in the drive-thru.
149
150  A: Yeah.
151
152  Q: And wha- you say it was comin' from the gas station.
153
154  A: Yeah.
155
156  Q: So it was heading in what direction west or east?
157
158  A: East.
159
160  Q: It was heading east in the drive-thru?
161
162  A: Yeah.
163
164  Q: Okay and the car drives through. Did you see the people that got out of the car or the person that got out of the car?
165
166  A: No.
167
168  Q: Okay.
169
170  A: I didn't see none of that.
171
172  Q: You didn't see nothin' like that.
173
174  A: No.
175
176  Q: What's the next that - that you see or hear?
The only last thing 'cause I didn't think anything of it. The only thing I - I noticed is when I saw the police, like, they started gettin' out the car and then they started, like, sur- surroundin' the building...

Uh-huh.

And that's when I started - I started, uh, tellin' my friend about what was happenin' but I ain't really - I ain't know that that's - I didn't think anything of the car going through the drive-thru.

Okay so you didn't think that was related to why the police were there because...

Yeah.

...now when you say the police are - are surroundin' the building you see marked police cars.

Yeah.

The - the car that you saw go in - in the drive-thru goin' east wh- do you know if that was a police car or not?

No, I don't know that's a police car.

Okay, um, did you see or hear any other cars after that one went through, um, like, coming or going to McDonalds?

No, only - only some customers.

Okay, um, and did you hear any shots being fired?

Yeah, we heard a couple shots bein' fired after the guy in the drive-thru - I'm not - it's two or three shots they fired.

Did you who was shoot - shooting?

The - the officer?

Yeah, did you see who was doing the shooting?

Yeah.
225 A: I don't know the officer's name but...
226 Q: No.
228 A: ...he had a - he had a blue...
230 Q: Okay, so you saw it was a police officer...
232 A: Yeah.
234 Q: And can you describe him? What was he wearing?
236 A: He had like a blue shirt on.
238 Q: Uh-huh.
240 A: And it was tucked in. He had his badge. He was like, kind of - kind of - he had kind of a gut, yeah.
242 Q: Okay. Did you see the person he was shooting at?
245 A: No.
247 Q: Did you see, uh, what he was shooting at all period?
249 A: I see him shootin' in drive-thru, like...
251 Q: In the drive-thru...
253 A: Yeah.
255 Q: ...but you don't know at who or what?
257 A: No, not who or what.
259 Q: Okay, um, how many shots did you say you heard?
261 A: Two or three.
263 Q: Two or three?
265 A: Yeah.
267 Q: Uh, and did you see any cars leaving after that or...
A: Yeah, they - they scattered, like, as soon as - as soon as the shots peop- uh, drive - anybody who was in the drive-thru they already left and people in - in the - inside they're wantin' to leave too.

Q: Okay but the cars that were in the driveway - in the - in the drive-thru...

A: Uh-huh.

Q: ...because of the way he drove couldn't come out that same way is that right?

A: Oh, I don't - I don't know that part. Like I said, I was right there so I don't know actually how they got out. The only thing I just saw was...

Q: Well from where we're sitting right now you see a black car that's in the drive-thru right now. There's only one way to get in that way and then that, uh, car is blocking it.

A: Okay.

Q: So do you - do you know - no others cars coulda came that way.

A: Yeah so no other cars coulda came that way.

Q: Okay so did you see any cars leaving that way?

A: I didn't see no cars come...

Q: Okay.

A: ...through there.

Q: Um, did you see anybody running other than the cops?

A: No.

Q: All right. Anything else you can remember you'll think will be useful?

A: No, not really.

Q: All right, this is gonna conclude the audio recorded statement of the witness, uh, Adjail Edwards as given to Detective Almanzar. The time is 2:06 pm.
315
316   Reviewed By ____________________________
Civilian Witness

Patrick Hanley
INTERVIEW WITH PATRICK HANLEY
Q=Det. Almanzar
A=Patrick Hanley

The following will be the sworn audio recorded statement of the witness Patrick Hanley as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is, uh, November 28th, 2016 and the time is approximately 12:11 pm. I'm sorry, 11:00 - 11:00 pm. This statement is in reference to case number 16-174939, uh, which is an incident that occurred at the McDonalds on the corner of NW 24th Avenue and Sunrise Boulevard. Patrick can you tell me your full name and spell your last name?


Q: And what's your date of birth?

A: 09-05-74.

Q: Patrick do you reali- do you realize I'm a Detective with the Fort Lauderdale Police Department?

A: Uh, yes I do.

Q: And as such the State empowers me to take your statement under oath. Please raise your right hand. Do you swear - swear to tell the truth, the whole truth and nothing but the truth?

A: I do.

Q: Okay you can lower your hand. Uh, Patrick can you tell me in your own words what where you doing and what happened here at the McDonalds on today's date at approximately 12:15 pm?

A: Uh, I was, uh, at my vehicle, um, changing, uh, pluggin' a tire that was, uh, had a nail in it. And I was fully, uh, laid down on the ground. And as I was plugging it I heard three to four gunshots. I immediately picked up my head and my upper back and turned my head and I saw a black individual sw-running across the parking lot, um, and then I saw several, um, plain clothes
detectives that were chasin' him and then he wind up hoppin' the wall along
with the officers.

Q: Okay. Let me just ask a few questions. You're - you're not employed by the
McDonalds you're just a customer here correct?

A: That is correct.

Q: And you came here to have lunch.

A: That is correct yes.

Q: All right so after lunch, uh, you realize that you had a - a flat tire?

A: That is correct.

Q: And you were change - in the process of changing the tire when you heard
what you heard. Is that correct?

A: That is correct.

Q: So you were already layin' down on the ground or were you - what were you
in the process of doing at the time?

A: I was already laying down. I had already took the - the - the bolt out and I
was about to put the, uh, the device that plugs the tire...

Q: Uh-huh.

A: ...in and as I'm about to put it in that's when I heard the - several gunshots and
then I fl- I just pushed it way in and then I pulled out and then I got up and as
I got up I saw the black, uh, individual running across the, uh, parking lot, um,
being chased by several, uh, plain clothes detectives and then he wind up goin'
over the wall along with several other officers.

Q: Okay were - were the shots fired before or after he was running?

A: Uh, from what I - from what I saw it was aft- he was already runnin'.

Q: He was already running. Okay and - and, uh, you - earlier you stated to me
you heard, uh, somebody possibly say that he had a gun - eh...

A: Yes, I think...

Q: ...can you explain that?
INTERVIEW WITH PATRICK HANLEY
Interviewer: Det. Almanzar
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91 A: I think one of the officers I don't know which one, uh, I believe said that, "He has a gun."

92 Q: Okay.

93 A: Um, and that's after the fact that I heard shots being - rum, uh, (rummed) out. I don't know who shot at who.

94 Q: Okay.

95 A: Um, I just heard the shots then I heard as they're running and then, uh, "I think he has a gun," and then I saw him just running across the parking lot and hop the wall.

96 Q: All right. Can you describe the - the black gentleman that you saw running?

97 A: I'd say he was about in height, uh, 5'5" to 6 feet, uh, black, skinny, um, and I think he had a flannel, um, like a colorful flannel. As far as colors, I'm not 100% sure.

98 Q: Okay.

99 A: He just looked a little bit colorful.

100 Q: How old do you think he was?

101 A: Uh, if my guess he's in his 20's, early 20's.

102 Q: Okay and - and do you - do you remember seeing what kind of hair did he have?

103 A: Not off hand. I - I know it's black, uh, nappy but other than that I didn't get a facial because it happened so fast.

104 Q: Yeah.

105 A: And as I picked up my head he's already passin' me, um...

106 Q: Did you see him - did you see his hands? Did he have anything in his hands when he was running?

107 A: Not to my knowledge that I could see.

108 Q: Okay, y...
Although I didn't focus on his hands I just saw the body as he's passing...

Uh-huh.

...and I turn my head and then I see him hop the wall, pretty much just throw his hands up and just get over the wall.

Okay and then you saw the officers running after him. The officers that were running did you see, uh, how did you know they were officers? Were they in uniform?

They - they were in uniform but you could also see like some kind - I think you saw a detective badge.

Okay. Uh...

Uh, some f- some form or another.

Did you see any - anything in their - in their chest with - with the word police or anything like that or on their back?

I think one gentleman had that.

Okay.

And that was the - the gentleman that had a goatee.

Okay.

Who was primarily over by me the whole time.

All right, did you, uh, were you in a position to see or hear what lead to this whole thing?

Uh, no.

Okay so you don't know where that guy - the - the gentleman you described was running from, you didn't see, uh, where he came from.

I didn't see where, uh-huh, I'm - from - I'm gathering he came from the drive-thru section area.

Uh-huh.
Um, but I didn't see any altercations over there. I did then see the officer after, uh, several minutes. Uh, one of the officers that were chasin' went back to the drive-thru and had his gun drawn, uh, I'm believing that may be the suspect was in one of those vehicles, um, one of the vehicles that were there.

Okay. And what kind of car do you drive sir?

I drive a, uh, Nissan, not Nissan, a, um, Kia, 2003 Kia Optima.

And what color?

Uh, beige.

Okay and you're parked all the way on the east side, um, next to the access road to, uh, Sunrise Boulevard.

Yes.

Is that right?

The access road and the drive-in...

Okay.

...drive-thru.

So you're at - right next to - to the drive-thru it will be to your west where you're parked is that right?

Yes.

Okay, um, anything else that you can remember about this whole thing that you think will be useful to my investigation?

Um, not that I can think of.

Okay, uh, one quick question though. When you say you heard, uh, the shots and you said three or four shots do you know if they were coming from the same gun or do you think it might've been a second person...

It was comin' from the same gun.

Same gun they were rapid fire.

Yeah, they were rapid.
Q:  Dah - dah - dah - dah - dah.
A:  Yeah, yep. It was pa - pa - pa - pa.
Q:  Okay, all right, um...
A:  Yeah, it was consistent. Same sound - same - same rhythm. You know?
Q:  Okay.
A:  Pullin'.
Q:  All right.
A:  It was an automatic it was just one after the other boom - boom - boom - boom.
Q:  Okay, um, I don't have any more questions. Is there anything else you'd like to add to your statement that I haven't asked you that you think will be useful to the investigation?
A:  Uh, not that I can think of no.
Q:  All right, this is gonna conclude the audio recorded statement of the witness Patrick Hanley as given to Detective Almanzar. The time now is 1:18 pm.

Reviewed By _______________________________
Civilian Witness
Tyler Hankerson
The following will be the sworn audio recorded statement of the witness Tyler Hankerson as given to Detective Almanzar of the Fort Lauderdale Police Department. Today's date is, uh, November 30, 2016 and the time is approximately 4:35 pm. This statement is in reference to case number 16-174939 which is an incident that occurred on November 28, 2016 at approximately 12:15 pm. The incident occurred at the address of 2300 West Sunrise Boulevard in the City of Fort Lauderdale, Broward County, State of Florida. Tyler, can you tell me your full name and spell your last name?


Q: And what's your date of birth?


Q: Tyler, do you realize that I'm a Detective with the Fort Lauderdale Police Department?

A: Yes sir.

Q: And as such the state empowers me to take your statement under oath. Please raise your right hand. Do you swear to tell the truth, the whole truth and nothin' but the truth?

A: Yes.

Q: You can lower your hand.

A: Tyler can you tell me in your own words, uh, where were you on - and when what happened, uh, on Monday, November 28th, 2016 at approximately 12:20 pm?

Q: I was on my lunch break and I decided to go to McDonalds and I was in the drive-thru and - when a incident occurred.
Okay, uh, what kind of car were you driving?

Uh, black Kia Optima.

Okay could you tell me what you saw?

Um, well what I heard and saw at the same time - when I was, um, paying I heard a police officer yelling, um, "Get out the car - get out the car." And so I looked and I saw someone from the driver's seat - the back seat on the driver's side, I saw that person get out and I just see a car comin' my way and I was blowin' my horn because I thought it was very close from hitting me.

Mm-hm.

And I just saw them jump the curb and I saw the police started shootin' at the car.

Okay, um, let me ask you a few questions then. So you go to McDonalds. You're in a drive-thru and - and there's a car in front of you. Do you remember what kind of car it was?

A Ford Fusion.

And do you remember what color?

Tan.

Was it older or newer?

It wasn't a new-new car so I would say it's like a 2011, 2012.

Okay, um, do you remember the tag?

No sir.

Okay. Do you know how many people were inside that car?

Um, well a driver...

Right.

...and I just saw one person get out.

Okay, just...
A: From the...

Q: ...just the driver’s side - I mean the rear?

A: The driver’s side at the rear, I saw that person get out.

Q: That’s the only person you saw get out?

A: I did.

Q: Okay, um, so you’re paying and all you hear is police saying, “Get out - get out,” did you happen to look up when you - when you heard that?

A: I looked up and that’s when I saw commotion.

Q: What did you see?

A: I saw police yelling at the car...

Q: How many police?

A: I don’t remember.

Q: Okay, um, they were yelling at the car, which car?

A: At the car in front of me the Ford Fusion.

Q: Okay.

A: To get out.

Q: And - and what happens after they start yelling, “Get out - get out?”

A: Um, I saw guns bein’ drawn and they were saying, “Get out - get out - get out,” and...

Q: The police had their guns drawn.

A: Yes.

Q: Okay.

A: And the driver - the person on the driver’s side in the pass - the rear...
Q: Yeah.
A: They got out.
Q: Okay.
A: And...
Q: Can you describe him? What did he look like?
A: I turned - I did not look.
Q: You didn’t want to see him?
A: No.
Q: Okay so - to this day right now you don’t even remember what he looks like?
A: No I don’t.
Q: You couldn’t recognize him if you saw him again?
A: No.
Q: Okay, um, okay so he gets out and what happens next?
A: He gets out the car and I just see the car comin’ my way and I instantly just start blowing the horn and I saw the car jump the curve...
Q: Uh-huh.
A: And I just saw he was on the sidewalk kind of to - Sunrise.
Q: Yeah.
A: And I just saw the police start shooting at the car. And I just saw it take off.
Q: Okay. Did you see when he was goin’ over the curve in the direction he was heading?
A: Yes.
Q: Um, was it, um, were there any police officers in front of the car?
A: Yes.
Okay, and then when you heard them saying, “Get out - get out,” um, and they were trying to get, obviously, the people in the front of the car out the driver obviously did not comply.

No sir.

When he started drivin’ towards the police officers and they started, uh, shooting how many shots do you remember hearing?

I can’t even answer that. I don’t remember. I just was hearin’ shots.

Do you know how many officers, eh, uh, shot?

No sir.

Okay, um, did the - the driver of that car - of the Fusion he did stop at any point in time?

No.

After he - he kept goin’?

Yes.

So he didn’t stop. Did you see which direction he went?

He went West.

On Sunrise.

On Sunrise Boulevard.

Okay now because of where the McDonalds is on the South side of the road there is no e- there is no way for, uh, him to get straight to the westbound lane, so he had to go on that (unintelligible)...

Oh, yeah...

...did you see that?

He hopped the curve...

Uh-huh.
...and then - it's - my directions - it's the lane right here...

Right.

And you have the medium.

Right.

He went into the middle and that's how he went to the - goin' west.

Okay, he - after he went over that - that curb and the sidewalk...

Yeah.

...then he go - went over it again?

Went to the - no he didn't go over the median.

Towards the median...

He went towards the middle...

Uh-huh.

...of the intersection.

Intersection? Okay.

And that's how he got out.

Okay, um, anything else that you can remember that, uh, that happened around there, that - I mean obviously there was a lot of police officers...

It was...

...that came.

...a lot of police officers and once that car got out I remember the, um, guy went to the window and had a drink in his hand.

(Unintelligible).

So the - the ladies in the McDonalds got him his drink.

Do you know the person that got out of the car from the re- the...
271  A:  The rear...
272
273  Q:  ...driver’s side of the rear...
274
275  A:  He had a drink in his hand.
276
277  Q:  Okay.
278
279  A:  And...
280
281  Q:  Wh- which - which way did he go do you remember if the police...
282
283  A:  No.
284
285  Q:  ...uh, put him into custody? Did they put him in handcuffs?
286
287  A:  I didn’t see any of that.
288
289
290  Q:  Okay. How - how long did you stay there before you were able to leave
291   approximately?
292  A:  Um, well I know I s- I got back to work around 12:30 ‘cause I moved - once
293   all that happened I moved up to the next window.
294
295  Q:  Right.
296
297  A:  To see if I could get my food and they were sayin’ no. And the police officer
298   came from the side and told me to back out.
299
300
301  Q:  Okay so you didn’t get your food?
302
303  A:  And I - no.
304
305  Q:  Okay.
306
307  A:  I backed out and just left.
308
309  Q:  Okay, um, you say you got to work back at 12:30. Do you, um, where do you
310   work? What add- what’s the address of where you work?
311
312  A:  Um...
313
314  Q:  Like how far away from the McDonalds is what I’m to get that - get at.
Um, not even five minutes away.

Okay, so, all right. Um, anything else that you can think of that you think will be useful to the investigation?

No.

All right. This is gonna conclude the audio recorded statement of the witness Tyler Hankerser- Hankerson as given to Detective Almanzar. The time is now 4:42 pm.
Civilian Witness
Lavette Magnus
INTERVIEW WITH LAVETTE MAGNUS
Q=Det. Mark Breen
A=Lavette Magnus

The following will be a statement of Lavette Magnus, M-A-G-N-U-S. As
given to Detective Mark Breen of the Fort Lauderdale Police Department in
reference to case #34-1612 (should be 1611) - 174939. This statement is
being taken at the intersection of, uh, Northwest...

A: Eighth Court.

Q: ...24th Avenue and 8th Court on, uh, Monday November 28, 2016 at 1:37 pm.
Okay Lavette, uh, please state your full name and spell your last name for me.

A: Lavette Shatreon Magnus, M-A-G-N-U-S.

Q: Okay and as you know I'm a detective with the Fort Lauderdale Police
Department which empowers me to take statements under oath.

A: Mm-hm.

Q: Will you raise your right hand? Do you solemnly swear to tell the truth, the
whole truth, and nothing but the truth so help you God?

A: Yes.

Q: Okay just a minute ago, um, at, uh, 1:33 pm I had an officer, um, Torres from
the Fort Lauderdale Police Department remove a person from a marked police
car.

A: Mm-hm.

Q: Did you get a, uh, an opportunity to view that person?

A: Yes.

Q: Okay. Is there anything obstructing your sight of view from him?
Okay. And is that, uh, the person that you described to me as having dreads that fled from the car?

No.

That's not him? Okay do you know if this person was in fact in the car at all?

He mighta been the passenger.

But you're unsure?

Yes.

Okay. And that person is the one that you described that ran, um, uh...

Backwards through the driveway.

...west or eastbound through the, uh, drive-thru?

Yes.

But you're uncertain whether or not this is that person?

Yes.

Okay. Anything else?

No.

Okay. That's gonna conclude this statement on Monday 11-28-2016 at 1:38 pm.

Reviewed By
Victim
Ashton Benn
INTERVIEW WITH ASHTON BENN
Q=Det. M. Breen
A=Ashton Benn

Q: The following will be a statement of Ashton Benn, B-E-N-N, as given to Detective Mark Breen of the Fort Lauderdale Police Department in reference to Case Number 34-1612 (should be 1611) - 174939. This statement is being taken in, uh, West Palm Beach, Florida on Monday, November 28, 2016 at 5:37 pm. Ashton will you state your full name and spell your last name for me?

A: Ashton (Wayne) Benn, B-E-N-N.

Q: And what is your date of birth sir?


Q: Okay. Ashton as you know I'm a detective with the Fort Lauderdale Police Department which empowers me to take statements under oath. Will you raise your right hand? Do you solemnly swear to tell the truth, the whole truth and nothing but the truth so help you God?

A: I do.

Q: Okay. Um, you are the, uh, registered owner of a silver 2012 Ford Fusion four door and VIN Number, it's the ID Number on the car, is 3F as in Frank, A as in Alpha, H as in Hotel, P as in Papa, 0 H as in Hotel, A as in Alpha, X as in X-Ray, C as in Charlie, R as in Romeo, 253848. That's the VIN Number of record. And it's got a, uh, Maine tag of 9326 Uniform or U, G as in Golf. Um, is - are you the registered owner of that vehicle?

A: That is correct.

Q: Okay. Um, goin' back to, um, uh, Tuesday November 1, 2016, uh, did you report that vehicle stolen?

A: I did.
And that was to the West Palm Beach Police Department?

Correct.

Uh, just for the record their case number is 2016-0019658. Um, according to their report it was stolen from a, uh, parking lot of a Holiday Inn at 1301 Belvedere Road in West Palm Beach, Florida. Is that correct?

That is correct.

Okay. Can you - can you give me an idea what the circumstances were on how that vehicle was stolen?

Yes. Um, me and my father drove down from Maine for a job in Florida. We ended up staying at the Holiday Inn in West Palm Beach. Arrived around 8 pm. Woke up the next morning around 8 and saw the car was gone. Another car couple spots over, the passenger side window was broken into and some belongings were stolen as well. My car had, uh, spare key in the center console and all my belongings in the trunk and in the back seat. And when we woke up in the morning the car was gone.

Okay. The, um, when you said it had, uh, belongings it's, uh, recorded in the, uh, in the police report of - that West Palm took from you, um, looks like a TV, a, um, a computer, some - a cashier's check. There was a spare key in the, uh, in the car as well as golf clubs, air mattress and, uh, clothing and whatnot. Is that correct?

That is correct.

Have you, uh, been contacted in regards to any of that stolen property prior to today?

Have not.

Okay. Um, what's your dad's, uh, full name?

His name is Wayne Robert Benn, B-E-N-N.

And, um, are you, uh, the car is registered in your name as well as your father?

Yes.

Okay. What address were you livin' at in, um, in Maine?
INTERVIEW WITH ASHTON BENN
Interviewer: Det. M. Breen
11-28-16/5:37 pm
Case #34-1611-174939
Page 3

A: 111 Lowell Town Road, Wiscasset, Maine, 04578.

Q: Okay. And do you have a, uh, permanent address, um, here in West Palm Beach?

A: I do for the season. It's in, um, Ibis Reserve Apartments over in West Palm Beach, Florida.

Q: Okay. And what's the address, do you know?

A: Think it's 8300 Ibis Reserve Circle, West Palm Beach, Florida, 33412.

Q: Okay. And what type of work do you do?

A: I work in the bag drop at Frenchman's Reserve at the golf course currently right now.

Q: Okay. And do you have a, uh, a contact number, a phone number?

A: For the golf?

Q: For y- for you personally.


Q: Okay. Um, prior to, uh, to taking a statement from you about the car, um, I went over a, uh, consent to search form. Uh, authorizing me, uh, permission to search the car. Do you have any issues with that at all?

A: I do not.

Q: And you signed that on the bottom here.

A: I did.

Q: Okay. Um, you presently have one key to the car. Is that correct?

A: That's correct.

Q: All right. Um, would it be a problem for you to turn that - that key over to me for me to - to continue on, uh, with our investigation so that I can get access to the car in the event that there is no key in it?

A: Wouldn't be a problem at all.
Q: Okay. Um, what - what kind of, uh, condition was the car in, uh, prior to being stolen? Was - did it have any body damage that you're aware of?

A: The only body damage it had was on the front end on the right by the tire. There was a little hole in the, uh, in the grill but that was it. Everything else was perfect condition.

Q: Okay. Um, any firearms that you're aware of that may have been in the car?

A: No sir.

Q: Any ammunition?

A: No sir.

Q: Any, uh, weapons at all, knives, uh, explosives, anything at all like that?

A: The only thing I think of are kitchen knives.

Q: Okay.

A: That I had packin' up.

Q: All right. Anything else that you think maybe important?

A: No sir.

Q: All right. This is gonna conclude this statement as given to Detective Mark Breen on Monday, uh, November 28, 2016 at 5:42 pm.

Reviewed By
Detective
Thomas Vazquez
INTERVIEW WITH OFC. THOMAS VAZQUEZ

Q=Det. Mark Breen
Q1=Ofc. Vincent Castiglia
A=Ofc. Thomas Vazquez

13 Q: Yeah. What time is it?
14 A: 2:43.
15
17 Q: All right. Okay the, uh, following, uh, will be a statement of Officer Thomas?
18 A: Yeah, first name Thomas.
19
21 Q: How do you spell your last name?
22 A: V-A-Z-Q-U-E-Z.
23
25 Q: E-Z?
26 A: Correct.
27
29 Q: Okay. As given to Detective Mark Breen of the Fort Lauderdale Police Department in reference to case #34-1611 (should be 1611) -174939. This statement is being taken at the Fort Lauderdale Police Department, 1300 West Broward Boulevard, Fort Lauderdale, Florida 33312. On, um, uh, November 28, 2016 at 2:43 pm. Um, would you please state your full name and spell your last name for me?
30 A: Uh, first name is Thomas, last name Vazquez, V-A-Z-Q-U-E-Z.
32
34 Q: Okay and what is your, uh, IBM number or CCN?
35 A: C- uh, 1550.
37
38 Q: Okay. Um, you go by your first name Tommy?
39 A: Tom.
Q: Tom?
A: People call me Tom, yeah.
Q: Okay. Tom as you know I'm a detective with the Fort Lauderdale Police Department which empowers me to take statements under oath. Will you raise your right hand? Do you solemnly swear to tell the truth, the whole truth, and nothin' but the truth so help you, God?
A: I do.
Q: Okay. Um, what, uh, what is your current assignment and, uh, shift that you're workin' today?
A: I'm at detective with the ROC Unit in the Street Crimes Division. And I work from 8:00 to 1800 hours.
Q: Okay and you were working today?
A: Correct.
Q: And, uh, normally do you work with a partner?
A: Yes.
Q: And who is your partner?
A: Steve Johnson.
Q: Were you guys both in one car?
A: One car, right.
Q: Okay.
A: I was the driver.
Q: All right.
A: And we also had, uh, Chris in the car as well. Just today - Chris Toriano.
Q: Chris Toriano?
A: Right.
Q: Okay. Um, you were driving, uh, what vehicle? What city vehicle number if you know?

A: I have a leased vehicle.

Q: Okay.

A: It's an unmarked lease, no lights or anything like that.

Q: Is that car here or is that at the scene?

A: No it's - it's here.

Q: Okay.

A: At the station.

Q: So - so you moved it from the location?

A: Right.

Q: Sometime after, uh, after the incident occurred?

A: That's correct.

Q: Okay. Um, Steve Johnson was the passenger front?

A: He was the front passenger.

Q: And Chris Toriano was sitting...

A: Yes in the...

Q: ...in the rear?

A: ...the right rear passenger.

Q: Okay. Uh, what information did y- did you have in regards to, uh, a stolen car?

A: A stolen car was spotted by, uh, Officer Falzone. Um, as we were responding we were coming from the east, or westbound on Sunrise. It said, uh, got an update that the car was in the drive-thru at the McDonalds.

Q: Okay, um, what, uh, radi- who was on the radio as far as in your car?
A: Um...

Q: Anyone at all?

A: ...I think we have one on a district channel and then two on our TAC channel.

Q: Okay.

A: That's our channel now.

Q: The, uh - uh, the talk around or the direction of this particular car - this stolen car...

A: Mm-hm.

Q: ...was that done on, uh, main channel or on the tactical channel?

A: I think it was TAC and then we were instructed to go to, uh, main channel.

Q: Okay what information did - did ya have about the car?

A: That it was a, uh, a gray Ford Fusion that was in the drive-thru. I believe it had a outta state tag. I couldn't tell you the exact tag on it.

Q: Okay. Um, number of, uh, occupants if you know?

A: Um, I don't remember that off-hand. But afterward it was - I think it was multiple times (unintelligible).

Q: Okay and as you were, uh, as you got close to the area what did you do?

A: We got close to the area, I looked over to my left and I seen that the car was in the drive-thru. Um, I went south on 24 Avenue from Sunrise and as I came in I parked the car on the south side of the McDonalds.

Q: Okay.

A: Where I still h- kinda had a visual of the nose of the car.

Q: Okay. And you pull in towards - facing south or did you back...

A: I'm facing...

Q: ...facing more of the...
A: ...I'm facing east.
Q: Oh you're...
A: On the...
Q: ...facing east?
A: ...on the south side of the McDonalds.
Q: Okay. What could you, uh, what could you observe from your position?
A: Well soon as Steve Johnson had got out and he walked over to the drive-thru area. As I, ya know, put my car in drive as soon as I got outta the car I seen the car just, ya know, accelerating. Um, or...
Q: And that would have been the gray Ford Fusion?
A: Correct.
Q: Okay.
A: Correct. Yeah. I - I seen it accelerate in the direction of, uh, Falzone. Falzone was kinda - I seen him kinda spin outta the way, what looked like, ya know, it looked like the car actually hit him, struck him. Um, I heard a couple shots fired. I couldn't tell if the shots were comin' from the car or from our officers.
Q: Okay.
A: So...
Q: Um, did you recognize, uh, Falzone from working with him?
A: Right. Right.
Q: And where in relationship to the drive-thru? Where was he at?
A: Well, um, it appeared he w- ya know, from my standpoint it looked like he was like towards, ya know, the right of the car.
Q: Towards the?
A: The right. Not - not - l- not in front of the car but like towards the, uh, driver's side of the car.

Q: Okay. Towards the driver's side of the car. Do you know what kinda car he may have been operating? Falzone?

A: Well I know he drives a green Ford Fusion.

Q: Okay.

A: Right.

Q: And was that anywhere, uh...

A: I don't r- I don't remember...

Q: ...that you recall?

A: ...seeing it. No.

Q: Did you...

A: I just remember h- seein' him on foot.

Q: Okay he was...

A: Yeah.

Q: ...you just saw him on foot?

A: Right.

Q: Were there any other cars - unmarked cars or marked cars that may have been in the area that, uh, either obstructed or tried to stop the, uh, forward progression...

A: I don't...

Q: ...where this guy was goin'?

A: ...I don't - I don't remember that, no.

Q: Okay.

A: No.
Q: Um, other than Falzone did you see any other officers?

A: I know, uh, Jones was I guess behind him.

Q: Okay. Jones was behind Falzone?

A: But not directly behind him but like behind him by...

Q: In a gen...

A: ...it mighta...

Q: ...in a...

A: ...yeah in the general area. It might have been on the other side of the car. I don't...

Q: Okay. Okay. And when you say that y- yeah the car drove o- f- towards or in a...

A: I- in the...

Q: ...in the general direction of...

A: Yeah.

Q: ...where they were at. How far away were they?

A: It looked like, uh, I mean there was some distance but him accelerating that fast he got on him pretty quick. And it looked like he went straight and then eventually vir- ya know, he - he turned over to the right back onto Sunrise.

Q: Okay.

A: So he ac- he definitely accelerated forward and then he cut hard to the right.

Q: Okay.

A: He went over some, uh, I think there was bushes there. He went over that and to Sunrise.

Q: Okay.
315 A: To the opposite lane of...

316

317 Q: And you - you...

318

319 A: ...travel.

320

321 Q: ...believe that Falzone may have been hit by...

322

323 A: It...

324

325 Q: ...this car?

326

327 A: ...looked like he was like - when I looked it looked like he was on the hood of the car almost.

328

329 Q: Okay.

330

331 A: It kinda spun.

332

333 Q: Now I know - I - I realize things happened at a - at a very quick...

334 A: Quick, yeah.

335

336 Q: ...s- quick, uh - uh, tempo. But, uh, do you know if the - if the gunshots that you heard were they prior to Falzone bein' struck by the car? Or were they after Falzone got struck by the car? If you recall.

337 A: No I don't kno- recall that. Just...

338

339 Q: Okay.

340 A: ...remember seein' it happened so quick I just remembered shots. Like I say I don't know if the shots are comin' from the car or into the car or n...

341

342 Q: Okay.

343 A: ...what that (unintelligible).

344

345 Q: Um, did you ever, uh, get to a position where you could identify any, uh, anyone in - in the, uh, in the gray Ford Fusion?

346 A: No.

347

348 Q: Okay and that car, uh, what direction did it flee?
A: It went westbound on the eastbound lanes of Sunrise. And then it cut back over I believe when it got to 24 and yeah back to the westbound lanes.

Q: Okay.

A: Um...

Q: Um, was anybody in pursuit of the car?

A: No I didn't see anyone.

Q: All right.

A: We, ya know, we went back to my car and we went back out to Su- but there was no way for me to get onto s- back onto Sunrise and I know I believe Chris went running eastbound and south towards the one guy that bailed outta the car. So I just - we went back on, uh, 24 Avenue to head south, I just pretty much took a perimeter point from there.

Q: Okay. When you say Chris you're referrin' to...

A: Toriano.

Q: ...who? Toriano?

A: Yeah - yeah.

Q: Um, the person that - that Chris, um, chased on foot do you know his involvement, um, in this particular car? Uh...

A: No, I know someone bailed and they put a description out.

Q: Okay...

A: And...

Q: ...but you didn't see that?

A: No. No.

Q: All right. Did you see - ever see Chris in pursuit - foot pursuit of this person?

A: From a distance. I just seen him kinda east...

Q: Okay.
A: ...of the parking lot of the...

Q: Y...

A: ...McDonald's.

Q: All right and the person that he was chasing, uh, were you in a position where you can identify that guy?

A: No.

Q: No?

A: No.

Q: All right. Um, did you ever see that person who was bein' pursued by...

A: Mm-mm.

Q: ...Toriano?

A: I...

Q: Did you ever see that person in possession of a firearm?

A: No.

Q: Did you see a firearm recovered later on?

A: No.

Q: Okay. Um, anything else?

A: No. I'm good.

Q: Um, do you know wh- how many gunshots you may have heard?

A: I may- I - I think I heard two or three.

Q: Okay.

A: Maybe.

Q: Um, in regards to Falzone can ya describe for me, uh, what...
A: Wh...

Q: ...he was wearin'? Was he in casual clothes?

A: Uh he's lookin' - he looked like he had his tactical vest on with jeans on.

Q: Okay.

A: Um...

Q: Uh, the vest obviously, uh, has...

A: Yeah it has...

Q: ...had a placard of police...

A: ...placard police.

Q: ...on the front?

A: Yes.

Q: Okay.

A: Front and back.

Q: And what about Jones?

A: He was also wearin' his police vest...

Q: Okay.

A: ...as well.

Q: Okay. Did you hear...

A: He might have had a baseball cap on.

Q: ...did you hear either, uh, Jones or Falzone or any other officers who may have been on this - on the scene. Did you hear any verbal commands from any of 'em?

A: Uh, not - not that I recall.
Okay. All right. Anything else?

No.

Okay.

That's it.

Uh, any?

No, sir.

All right this will conclude the statement as, uh, given to Detective Mark Breen on 11-28-2016 at, um, 2:54 pm.
Detective

Mark Clark
INTERVIEW WITH DET. MARK CLARK

Q=Det. M. Shotwell
Q1=Det. Maniates
Q2=Det. Moseley
A=Det. Mark Clark

The following statement is reference case number 16-174939. Statement is of Officer Mark Clark C-L-A-R-K, ID number 1662 of the Fort Lauderdale Police Department. The statement's being taken on 112816 and is commencing at 1416, correction 1406 hours. Also present for the taking of the statement if you just give me your last name and ID - ID number.


Q: All right, um, this is a voluntary statement, uh, concerning an incident, uh, a shooting that occurred a little earlier this afternoon sometime around 12:00, 12:30 I don't have the exact time, uh, near the McDonalds on West Sunrise, 24, 2500 block are you familiar with that incident at all?

A: Yes.

Q: Can you tell me when you first, uh, became involved or realized that there was any kind of an issue?

A: Um, Detective Falzone and Jones were riding together. They advised they located a stolen vehicle on the McDonald's parking lot. I started that way...

Q: So you weren't there initially I (unintelligible).

A: I was not there.

Q: Okay. Uh, what happens next?

A: I came in the area, stood by in the 2300 Block of Sunrise on the, uh, north side of the road, um, and units advised they were gonna move up to the vehicle to attempt like a felony stop.
Was your understanding initially and I realize you weren't there so I'm just asking for what you - you pulled from the radio transmission that the vehicle was occupied, that it was parked unoccupied, that it was movin' that it was not movin'?

That it was occupied.

Okay, um, they say that they're getting ready to move up on it what next?

I saw their cars moving up towards the suspect vehicle and as they moved up I saw the Fusion start to reverse in the drive-thru lane.

What color was the Fusion?

Like gray.

I mean light, dark - I don't really need the color.

It's like gray or silver.

Okay, uh, the vehicle - now when you say the Fusion is this the - the suspect vehicle? The - the stolen vehicle that you're let- you believe?

Yes.

Black - backin' up in the drive-thru towards what?

Just other cars in the drive-thru.

All right, what happens next?

As I was moving I saw one of the doors open and somebody started to get out.

Okay.

And when I saw that I got out and started to run towards the, uh, subject getting out.

Is this car a four door or a two door?

Four door.

And which door was that - that opened do you remember?
91 A: I don't remember.
92
93 Q: Was it on the passenger or driver side?
94
95 A: I don't remember.
96
97 Q: The car's backin' up...
98
99 A: I couldn't really...
100
101 Q: Okay.
102
103 A: ...at this point.
104
105 Q: That's fine.
106
107 A: I just remember he got out of the car so I started to get out of mine.
108
109 Q: All right, what happens then?
110
111 A: Uh, he started running eastbound through the drive-thru lane. I started running up towards the drive-thru lane as well.
112
113 Q: Now are you - are you behind him? Are you coming from the same direction how are you approachin' the drive-thru?
114
115 A: I was straight across the street in the turn lane to turn south on Sunrise facing...
116
117 Q: Okay so you...
118
119 A: ...westbound.
120
121 Q: ...came - you came across eastbound lanes of traffic.
122
123 A: Yes.
124
125 Q: To get there.
126
127 A: Yes.
128
129 Q: On foot or in your car?
130
131 A: Foot.
Okay, um, you run up, he starts goin' eastbound you said, uh, you follow?

Yes, I started running east. I heard what sounded to be gunshots from behind me.

Okay. What did you do then?

I started to turn back north to - just in case there's - it was gunshots and I didn't want to get shot in the back or anything, um, and they stopped, so - and I continued the across the, uh, drive-thru lane after the suspect that jumped out.

Now the guy that you were focused on, the one that your were pursuing or starting to pursue that was heading eastbound, did he also stop when the gunshots rang out or did he continue?

No he kept going.

You can take that. Give me a brief description of him.

He looked like he was about 5'10" to 6 feet, um, like, unclean style hair, like kind of nappy, uh, medium complexion. He had on, uh, like, dark colored shorts with white stripes goin' down the side and a blue long-sleeve shirt when I first saw him.

A male?

Yes.

Uh...

Black male.

...like black, white?

Black male, skinny, maybe like 175 or something.

Anything else unusual that you noticed?

Not upon first seeing him no.

Did you see a weapon on him?

I saw him drop one yes.
Q: Okay.

A: As he was getting to the wall on the south side of McDonald's. He was facing away, I saw the gun, um, just fall to the ground from like his body area because he was facing away and as he did that he dropped the gun and then turned back and look at me - looked at me after he did it then he jumped the wall.

Q: Okay do you know if that gun was recovered?

A: Yes I, um, I jumped the wall to go after him. I saw I'm not sure what officer it was behind me, but like I said he just dropped the gun and then I saw Troiano and ended up at the top of the wall and I asked him to just stay with the gun.

Q: Did you - I got lost there for a minute. Did you pursue over the wall?

A: Yes.

Q: Um, did you ever catch him?

A: No.

Q: Okay. What area were you when you lost him?

A: I saw him last going south and then the 2300 Block of 9th Street.

Q: Okay. Uh, what do you do then?

A: Uh, I set up a perimeter, I don't know if it came across or not, it seemed like it didn't, um, for that subject and then e- eventually just walked back to my car.

Q: Now what - what was the - do you know what was happenin' with the car while this was going on? The uh, the - was it the Fusion?

A: No.

Q: Okay, um, when you get back to the McDonalds is the car still there?

A: No.

Q: Are any of the other subject - subjects still there?

A: I didn't see anybody.

Q: Okay, um, how many people do you see get out of that car?
A: Just the one.

Q: Okay. Patrol ends up taking somebody into custody. Did you get a chance to take a look at this guy that they took into custody?

A: Yes.

Q: And who is that?

A: I didn't get the name.

Q: Well I mean how did he factor in - was he involved in this incident?

A: Yes, he was the subject that I was chasing after...

Q: Okay.

A: ...from the McDonalds.

Q: That's why just to clarify this because I - I missed something maybe. You pursued him, he drops the gun, he goes over the wall...

A: Mm-hm.

Q: ...and you lose him.

A: Yes.

Q*: Somebody takes him into custody.

A: Yes.

Q: Or somebody takes a black male into custody.

A: Correct.

Q: Um, did you go to that location where they took him into custody?

A: Yes I did.

Q: And what location was that?

A: It was on 8th Court, like the 22, 2300 Block.
Q: Do you know which officer took him into custody?

A: No.

Q: Okay. Now, uh, wh- when you had a chance to view him, uh, how certain are you that's the same individual that you pursued that dropped the firearm?

A: I was certain it was him.

Q: Okay, uh, I got a photograph here. It's, um, it's just a - a snapped photograph that was sent to me, uh, do you recognize the individual in this photograph?

A: Yes.

Q: And who is that? How do you recognize him?

A: That's the subject that jumped out of the car, ran. I ID'd him on-scene.

Q: Okay. This is the subject that got out of the car and ran.

A: And dropped the firearm.

Q: Dropped the firearm and that went over the fence.

A: Correct.

Q: Okay, um, just down here on his shoulder where it's lighter, put your initials and today's date. It's the 28th and your ID number. Did you have any other involvement as far as any of the other individuals or the car or anything after that?

A: No.

Q: All right, uh, anything else you wanna add that I didn't ask you?

A: No.

Q: Let me clarify one thing. At any point did you discharge your firearm?

A: No.

Q: Did you utilize any other weapon?

A: No.
Q: That concludes the statement the time is 1415 hours.
Detective
Chris Troiano
INTERVIEW WITH DET. CHRIS TROIANO

Q=Det. M. Shotwell
Q1=Det. (Paul) Maniates
Q2=Det. Moseley
A=Det. Chris Troiano

The following statement is going to be reference case number 16-174939. The following will be the statement of Detective Chris Troiano T-R-O-I-A-N-O, 1698 or 6?

A: 8.

Q: 1698 ID number. The statements being given to Detective Shotwell of the Fort Lauderdale Police Department on 111 - correction 112816 as commencing at 1431 hours. Also present for this statement...


Q: Uh, Detective Troiano can you raise your right hand for me? Do you swear or affirm the statement you are about to give me is the truth?

A: I do.

Q: Can you give me your, uh, full name and CCN?

A: Uh, Chris Troiano, 1698.

Q: Chris how long have you been with Fort Lauderdale Police Department?

A: About eight years.

Q: And what's your current assignment?

A: Uh, Detective with the ROC Division, ROC.

Q: And were you working in that assignment today?
This afternoon? Uh, my understanding is that you had some involvement in an incident that occurred somewhere around 1300 hours, uh, 2400 Block West Sunrise near the McDonalds is that correct?

Yes.

Uh, when did you first become involved in that?

Um, we were notified via radio that, uh, other guys in our unit were - had eyes on a stolen vehicle.

Okay. Just to, you know, I think I missed this on the earlier statement, uh, how were you dressed this afternoon?

Uh, I was in, uh, plain clothes with my police vest on that says police across the front and on the back.

Now I've taken statement from a couple of the other officers and I knew there were other officers at the scene. Were all of you in the same attire?

Um, I believe so.

Plain clothes, marked police vests - police front and back that type of...

Correct.

...attire? Okay. Um, when - when you first heard, uh, the information on the vehicle what - where were you?

On Sunrise Boulevard.

Okay what did you do then?

Um, we proceeded to head towards the area and, uh, once - once we got in the area of, uh, where the car was at the McDonalds, uh, we went into the parking lot.

All right, uh, what do you see when you go into the parking lot?

Uh, from where we pulled into you could, uh, make out I believe it was a silver vehicle at the drive-thru, uh, and then we pulled it - which the drive-thru is on the north side the - of the building. We pulled in on the south side of the
building and as we were pulling in, uh, our units were moving in, starting to make contact with the car.

Q: Okay now was your understanding that this was the stolen car - the one in the drive-thru?

A: Correct.

Q: Uh, where did you approach the car from?

A: Um, I didn't approach the vehicle. I was getting out. I was, uh, riding with, uh, two other detectives in one vehicle. Uh...

Q: Who else was in your car?

A: Detective (Vasquez) and Detective Johnson.

Q: Okay.

A: Um, when I got out of the back door I slid the door open, um, I heard, uh, I believe I heard, "Runner, he's running," on the radio. Uh...

Q: Now when you - you said you slid the back door open?

A: Yeah.

Q: Which - back passenger or back driver?

A: Uh, back passenger.

Q: Okay, uh, anybody in there?

A: Uh, we were in the van. That's the van I'm talkin' about...

Q: Oh...

A: ...that we were in.

Q: ...okay, all right.

A: Yeah.

Q: You're not up to...

A: I'm not up to the car the - the - this - the stolen vehicle no.
Q: Right.

A: This is the van that we're drivin' in, um, and that's me getting out of the van, rear driver slide door.

Q: All right, uh, what happens next?

A: So I get out. I start to head towards the vehicle. I never broke the corner of the building. I hear, uh, "Running," over the radio and then I, uh, hear shots. I hear shots fired. I start to proceed...

Q: Do you know where the shots came from?

A: Uh, they came from where the stolen vehicle was.

Q: But I mean do you know who - who's firing the shots.

A: Uh, no.

Q: Okay.

A: Uh, so then I proceed to run, uh, east on the south side of the building and then I see a black male wearing a light blue shirt running east, uh, southeast in the parking lot.

Q: Did you see him - could you describe him other than the light blue shirt?

A: Um, short twisties. I saw the back and the side of his head as he was running.

Q: Did you ever see his face?

A: Uh, no I don't believe...

Q: Okay.

A: ...I ever saw his face, uh, but...

Q: He - he's running - he's running where?

A: He's running in a southeast direction in the parking lot from the drive-thru entrance.

Q: Okay. What happens next?
A: Um, I gave him several commands to stop. There were two other detectives, uh, not too far behind him.

Q: Do you know who they were?

A: I believe it was Detective Guerra and Detective Clark.

Q: Okay.

A: Um, continued to chase, he jumped over the wall didn't - didn't lis- obey any of my, uh, lawful commands. As he jumped over the wall I go to look down to plant my feet to go up over the wall and I see a gun on the ground right where he left, um, and I decided to stay with the gun and, uh, Detective Clark and Detective Guerra, uh, proceeded after.

Q: What did the gun look like?

A: Uh, it was a black, uh, hammered, black, um, handgun and...

Q: So...

A: ...the hammer was cocked back on it.

Q: Was it a semi-automatic or a revolver?

A: A semi-auto.

Q: Okay, um, did you leave the gun before it was collected?

A: Uh, yes.

Q: Okay. Did somebody else take over?

A: Yes, a road officer, I'm not sure who that was but a road officer did...

Q: Okay.

A: ...uh, stand by that gun.

Q: Uh, what do you do next? What's your involvement next?

A: Um, I just went back to the, uh, drive-thru area. Made sure all our officers were okay, uh, and everybody was preoccupied on perimeter.
225 Q: Was the - when you went back to the drive-thru area was the suspect vehicle still there?
226
227
228 A: Uh, no.
229
230 Q: Did you ever see anybody else, you personally, other than the one subject that got out and ran?
231
232 A: No I did not.
233
234
235 Q: Okay, um, any of the officers injured that you know of?
236
237 A: I believe one of our officers, Detective Falzone did go to, uh, the hospital due to injuries that he received from the incident.
238
239
240 Q: Okay - when - was your position such that you could see how the vehicle was backing up or were you just - were you comin' around McDonalds when that was happening?
241
242
243 A: No I - I couldn't see that from where I was.
244
245
246 Q: Okay, um, any other involvement?
247
248 A: Uh, no, that's it.
249
250 Q: Okay. Anything you want to add that I haven't touched on?
251
252 A: Uh, no.
253
254 Q: That concludes the statement. The time is 1437 hours.
255
256
257 Reviewed By
Detective

Steven Johnson
INTERVIEW WITH DET. STEVE JOHNSON
Q=Det. M. Shotwell
A=Det. Steve Johnson

The following statement is gonna be reference case number 16-174939. The following will be the statement of Detective Steven Johnson J-O-H-N-S-O-N, ID 1706. This statement is being given to Detective Shotwell of the Fort Lauderdale Police Department on 112816 and is commencing at 1442 hours. Uh, Steven, as a Sworn Police Officer within the State of Florida I have authority to take a sworn statement. Do you swear or affirm the statement you are about to give me is the truth?

A: I do.

Q: Okay. Let me have your full name and your, uh, CCN number.


Q: Uh, Steven how long have you been with the department?

A: Uh, about eight and a half years.

Q: And what's your current assignment.

A: Uh, Detective in the Rapid Offender Control, uh, squad.

Q: And were you so, uh, employed and at work today?

A: Yes.

Q: Now how were you dressed today?

A: Uh, the way I am now wearing jeans and a T-shirt but I have my outer ballistic police vest clearly marked police, uh, I had my firearm visible and - and my badge.

Q: Is it just marked police on the front or on the back?
On the front and back with our Fort Lauderdale Police insignia.

Uh, somewhere around 12:30, 1 o'clock this afternoon there was an incident over around the McDonalds 2400 Block of West Sunrise Boulevard. Were you aware of this?

Yes.

When did you first become aware or how did you become aware that there was something goin' on?

Um, Detective, uh, I believe Falzone notified, uh, other detectives on - on the channel that we commonly use, um, that he had observed a possible, uh, stolen vehicle in the drive-thru at the McDonalds...

Do you remember...

...in question.

...anything about the vehicle that he put over the radio?

Um, that it was a - a gray, I believe Ford Fusion with an out of state tag. I believe with a tag out of Maine.

Okay. Uh, where were you when you got this - when you heard this come over the radio?

Uh, I was in, uh, a car along with, uh, Detective (Vasquez) was driving and Detective Troiano was seated behind me and we were, uh, off of Sunrise Boulevard. I can't remember exactly which, uh, block.

Okay, um, you hear the information go over what do you do?

Uh, he requested our assistance and so we started makin' our way to the area, um, Detective (Vasquez) we - we drove over there and, um, we tried to coordinate, uh, a - a stop the vehicle.

All right so you - do you ultimately make it there or...

Yes, um, we...

What do you see when you arrive?

We ob- I observe the, uh, the suspect vehicle - the gray Ford Fusion at the - the window of the drive-thru.
Okay. What happens next?

Um, believe, uh, detectives, uh, enter the - the McDonald's lot, uh, Detective (Vasquez) pulled his car alongside the - the south side of the McDonalds, um, it was...

Now you were sittin' in this - in (Vasquez)'s car correct?

Yeah, in the front passenger seat.

Okay.

Um, I observed some detective's cars, uh, looked like they were gonna go conduct a stop of the vehicle, um, at which time I exited Detective (Vasquez)'s car and made my way over to where the drive-thru was at.

Okay, um, so you approached on foot not in the vehicle.

Correct.

All right, uh, what happens next?

Um, when turning the corner I observed the - the gray Ford Fusion, um, it app- it app- I obviously - appeared to be the police, um, I drew my firearm on the vehicle to provide lethal cover, uh, to conduct a stop. The driver appeared like he was - well he opened the door and exited.

The driver did?

Yeah, well I think initially they - they backed the vehicle up and then the driver exited momentarily as well as the back seat passenger and the front seat passenger.

Okay.

They bailed from the vehicle, um, I saw that they were exiting the vehicle and I approached on foot to attempt to detain one of them.

Which - which one did you approach?

The - the driver.

Okay. What's the vehicle doin' while you're doin' this?
Well it was reversing - it looked like they were getting ready to bail to evade arrest.

Okay. So you approached the driver. What happens?

He gets back in the car and I'm, you know, giving him commands, "Stop, police, turn the car off." He guns it in the drive-thru, um, as he pa- he passes me and at that point I heard some - some gunshots go off.

Okay could you see, uh, who was doing the firing?

Um, I know that Detectives, uh, Jones and Falzone were - would be in front of the vehicle. I - I - I didn't observe...

Well I just want to know what you saw. If you saw either one of them discharge their firearm.

I didn't see any flashes from their muzzle.

Okay.

They did have their firearms drawn and I did hear gunshots go off.

Okay, uh, and that was - they were - the two of them Jones and - and Falzone were the only ones up front?

Correct.

But you didn't actually see the firearm discharge?

Correct.

Okay, um, what happens next?

Um, the vehicle then, uh, goes through - or over the - the curb onto where there's some bushes, I guess that - that border Sunrise. He goes into the eastbound lanes of traffic - op - opposite traffic, goes through the light, uh, at Sunrise and, uh, South - or I'm sorry Northwest 24 Avenue and, uh, flees westbound.

Okay, um, does anybody - who gets out of the car that doesn't get back in? Are you aware of anybody gettin' out of the car?

Of the suspect car?
181 Q: Right.
182
183 A: Uh, the only person that got back in was the driver.
184
185 Q: Okay. Do you know where everybody else went?
186
187 A: Um, I - I believe they ran. Wh- when I - when I turned back around I didn't see any more suspects.
188
189 Q: I'm just askin' about you. Did you follow anybody else or did you chase anybody else or...
190
191 A: At that point I got back in my car and, uh, it sounded like patrol units were setting up because they - possibly observed another suspect running, uh, north - or sorry southbound towards like 9th Street, 8 Court area, uh, east of 24 Avenue.
192
193 Q: Okay.
194
195 A: Um, I got out on f, uh, we made our way there in, uh, Detective (Vasquez)'s vehicle. I exited again as I felt they were probably gonna be in the general vicinity. Um, at one point it was determined that they were gonna be near the 8 Court area in like the 2200 Block of the dead end. Um, I walked with Det, uh, CAN Officer (Cabrera), uh, Officer (Branner) and, uh, Sergeant (Magnum), um, when we came to I believe it was the final, um, building or apartment. I'm not sure the - the exact number, uh, Detective (Branner), I held uh, provided lethal cover on the top part of the stairway and Detective (Branner) cleared the stairwell at which time he came in contact with - with the final suspect - or the suspect wearing the blue shirt and, uh, Detective (Torres) had arrived as well and he was taken into custody.
196
197 Q: Okay. The - the subject that was taken into custody in the stairwell, you were there when he was taken into custody.
198
199 A: Yes.
200
201 Q: Um, was this one of the same individuals that got out of the car?
202
203 A: Yes.
204
205 Q: How sure are you?
206
207 A: A hundred percent.
208
209 Q: And do you know which - where he was in the car?
I believe the front passenger seat.

Okay so that wasn't the driver that you had struggled with.

No.

All right and you told the officers on-scene that that's him, that's one of the ones that got out of the car?

Yes.

All right, I'm gonna show you a photograph and I know you already made an on-scene identification. Do you recognize that individual?

Yes.

Okay who is that?

He's gonna be the suspect that, uh, we had just talked about, the one who exited the front passenger seat of the car, the one that was taken into custody.

Did you personally see anybody with any weapons, any of these occupants?

I didn't.

Okay. You just, uh, your initials, your CCN and today's date 11-28 somewhere up on there. So you do the walk-through with (Cabrera), they take this guy into custody, uh, I'm not sure of what his name is but you're certain it's the same guy what do you do then?

Um, at that point he was handed off to I believe Officer (Torres) and Officer Campbell and we made our way back over to the scene, uh, near the McDonalds and I was met with a union rep.

Okay any other involvement as far as the car or the people or anything else?

No.

Anything else that I didn't ask you that you want to add?

No.

Anything? That concludes the statement. The time is 1450 hours.
Detective
Matthew Guerra
INTERVIEW WITH DET. MATT GUERRA
Q=Det. M. Shotwell
Q1=Det. (Paul) Maniates
Q2=Det. Moseley
A=Det. Matt Guerra

The following statement is reference case number 16174939. The following is the statement of Officer Matt Guerra G-U-E-R-R-A, uh, it's CCN 1769. This statement is being given to Detective Shotwell of the Fort Lauderdale Police Department on 112816 and it's commencing at 1417. Present for the statement are...


Uh, Matt as a sworn police officer within the State of Florida I have the authority to take a sworn statement. Can you raise your right hand for me? Do you swear or affirm the statement you are about to give me is the truth?

A: Yes.

Okay let me have your - your full name and your CCN for the record.


Uh, Matthew how long have you been with Fort Lauderdale Police Department?

A: Seven years.

Okay, uh, my understanding is - is you were, uh, on-duty, um, on patrol this afternoon when an incident somewhere around the McDonalds 2400, 2500 West Sunrise occurred. Is that correct?

A: Yes.

Do you remember about what time that was?
A: Uh, about a little after noon.

Q: Okay. When did you first become aware that there was something goin' on?

A: Uh, about noon a little, uh, about - about that time, uh - uh, detectives got on the air on our channel and advised that there was a possible stolen vehicle in the, uh, drive-thru at McDonalds.

Q: Do you know who that was that advised?

A: Uh, Detective Falzone and Jones.

Q: And were you in a solo car or were you in a car with another officer?

A: I was by myself.

Q: And what did you do when you heard this?

A: Um, I wasn't too far off, I headed towards, uh, um, I staged in, uh, Valero until we got more units, um, which is right across the street from McDonalds.

Q: That's the one directly on the, uh, west side?

A: Yes.

Q: What happens then?

A: Uh, once we had enough units, um, decided, uh, since the vehicles in the drive-thru would be better to do a felony stop there, um - um, and we moved in to do a felony stop.

Q: Okay, um, how many officers were there when - when that happened? Did you - just the ones that you noticed? The ones you saw?

A: I think there was about five or six.

Q: Okay do you remember who they were?

A: Uh, I believe it was, uh, it was Falzone, Jones, myself, Clark, um, Johnson and I believe Troiano.

Q: Okay, uh, you move in towards the car - are you movin' in - on foot? Is everybody on foot or some in a car?
I was the first car so I drove, um, through the drive-thru, head-on towards the
vehicle. The vehicle stopped, um, and, like, dealing with the, uh, person in
the window. Um, everyone else I'm not 100% because I was in front of where
they were at.

Okay so you pulled in front. Did that block the path of the vehicle?

Yes.

All right, what happens next?

Um, we - I - I lighted up, um, they - I see a lot of movement in the -
movement in vehicle, um, get out, uh, the passenger starts to open the door -
front seat passenger opened the door. Um, I go to try to make contact with
him at this point, um, other detectives are with me, and, um, movin' towards
the vehicle, um, the passenger is getting out and the vehicle goes in reverse.
Uh, vehicle goes in reverse...

How many are out - how many have gotten out at this point?

In the car?

Right.

Um, I only paid attention to the car and the front passenger - his front
passenger was closer to where I was and he was - he was the first one that I
saw that was tryin' to run so I focused on him, um, I s- pretty su- sure I saw
someone in the back seat in the driver's side but I didn't see if they got out or
what they did.

Okay.

I saw the door opening but I didn't see anybody...

So the front passenger gets out what happens then?

Um, I start movin' towards him and the car starts gumming - coming straight
towards, uh, me and the detectives. I'm kind of at an angle where it's like I
was fa- I felt more comfortable just tryin' to, uh, jump out, uh, towards more
east to, uh, avoid the path of the vehicle.

Okay.

Um, and the vehicle gunned it, uh, west through the drive-thru and jumped,
like, towards the other detectives, and, um, over a curb.
Q: Could you see who it was heading toward?

A: No, I - I was more focused on - again, I was focused on the car because it was coming towards - turning towards me so I tried to just jump out of the way, and, um, and then from there, uh, Clark - I saw, uh, Clark was going, was running after, uh, the front passenger so I decided to continue pursuing with, uh, Clark.

Q: So it's both of you - both you and Clark were - pursued the same guy.

A: Correct.

Q: Did you see the - what kind of car was this?

A: Uh, a gray Ford Fusion.

Q: Okay. Did you see this car strike anybody?

A: I did not. Once it kind of cleared me, um, I - I - I just...

Q: I'm just askin' what you saw.

A: No that was it, that's all I saw. Once I jumped - I jumped out of the way and once I jumped out of the way, I figured - I didn't think the car was gonna be able to get out 'ca - of - of where it was at so I just focused my attention back on the passenger and went after the passenger.

Q: Okay. What happens then?

A: Um, well during that time obviously I heard, uh, I heard some gunshots. Um, and I just kept chasin' after, um, the, uh, the front passenger who's wearing a long sleeve blue shirt, he had like a - like a nappy twisty afro thing, um, black male, he had like, uh, blue shorts or pants on and he had on a, uh, blue and white shoes on.

Q: Okay, uh, when you heard the shots did you know where they were comin' from?

A: It sounded like, well, no, I didn't really didn't know where they come from.

Q: Did you know who they were comin' from?

A: No.
Q: Okay, um, you're pursuin' the black male that you described. Did you actually see any of the other occupants out of the car?

A: No, I did not.

Q: Okay.

A: I didn't see them.

Q: How far do you pursue him and what happens next?

A: I keep running around the McDonalds, um, I saw, like a black object fall from his, uh, like his waistband area, like right before he was jumpin' over the wall, and um, it - it was a gun is what it was. Um, I jumped over the wall, um, after him. They had a little bit of a distance ahead of me, um, Clark and the front passenger so I jumped over further - I ran further east, um, and jumped over the wall, um, and then...

Q: Now this wall that you're talkin' about you jumped over where is it?

A: It's on the south side of the McDonalds.

Q: Okay.

A: So I - I jumped over the wall at a different angle to see if he was waiting in the backyard or, um, whatnot and once I jumped over and Clark jumped over, um, we ran to the next block and I kind of, like, paralleling Clark almost, and then he - I think he veered off, excuse me towards 24 Avenue and I kept goin' south to try to, um, see if I can beat him to the next block if he was going to the next block. Um, as I kept goin' I gotten all the way down to I believe, uh, I thought - I - I saw someone run around the corner and so I kept goin' south to - that'd be - I think it was 9 Court, um, or behind a backyard so when I went ahead and cut the backyard I saw his, uh, long sleeve, um, shirt on the ground in the backyard, um, but I didn't see him anywhere.

Q: Okay, so you never caught up to him.

A: No.

Q: Um, the - the firearm did you ever get a chance to go back and see what type of firearm it was?

A: Um, it was just black. I couldn't, uh, tell you...

Q: Re...
A: ...what kind.
Q: Revolver or semi-auto...
A: It was semi-automatic.
Q: Okay.
A: But...
Q: Did it look like he dropped the gun or it fell out of his waistband?
A: I - I couldn't tell you if he dropped it. He made some kind of movement I don't know if he - it was like he was tryin' to readjust or if he had it in his hand, um, it ju- it just I know it - it fell from him.
Q: Okay.
A: From his person.
Q: Within the next - well patrol took a subject into custody is that correct?
A: Yes.
Q: About how long after that - after the foot pursuit were you made aware that somebody was in custody?
A: Uh, say less - probably about 30 minutes.
Q: Okay, um, black male, white male?
A: Black male.
Q: Did you have a chance to go and see the subject they took into custody?
A: Yes.
Q: Do you know where this was?
A: I think it was like in the 2200 Block of 8th Court, somethin' like that.
Q: And did you recognize the individual?
A: I did.
Q: And who did you recognize him as?
A: It was the front passenger that we had just chased.
Q: Okay, um, I'm gonna show you a photograph here and ask you if you recognize this picture.
A: Yes.
Q: And who's that?
A: That's the, uh, front passenger.
Q: Okay, so just to clarify for the statement, this is a photograph of a - a black male - and you're identifying this as the same subject that you had chased that dropped the firearm and that you ultimately identified when stopped by patrol.
A: Yes, correct.
Q: Okay. Could you initial somewhere on that shoulder, uh, CCN and today's date. It's the 28th. For the purpose of the statement the, uh, the subject identified is gonna be Deonte D-E-D-E-O-N-T-E Deonte D-E-O-N-T-E (Rashaad) and I'm not even gonna try this - I'm not even sure. You're - how certain are you that that's the same subject that was taken into custody?
A: A hundred percent.
Q: Okay, uh, after - after this goes on, uh, you chase, you come back to McDonalds ultimately. Was the car still there?
A: The bad guy car?
Q: Bad guy car?
A: No.
Q: Were any of the subjects still there? The other subjects?
A: I didn't see them. I heard on the radio that there was someone taken into custody at the vehicle, um, I didn't see them or who it was.
Q: Okay after you identify the, um, the individual do you know who had custody of him? Whose car he was in?
A: Um, it was in a patrol car so it was either, uh, I believe it was either Campbell or (Danny Torres).

Q: Okay, um, after you identified him do you have any other involvement in this?

A: Um, no I - after that I went back to the scene and I was separated.

Q: Okay.

A: Oh I - I did stop by and grab a marked, um, patrolman to say, let him know about the loss of the T-shirt in the backyard.

Q: Okay.

A: And then I was separated.

Q: Uh, anything else that I haven't asked you that you want to add to this statement?

A: No.

Q: Anything? That concludes the statement. The time is 1428 hours.

Man: Good job.
Accused Detective
Johnathan Jones
INTERVIEW OF Det. Johnathan Jones

Q = Detective Almanzar

A = Det. Johnathan Jones

The following will be a sworn statement of Officer Johnathan Jones as given to Detective Almanzar of the Fort Lauderdale Police Department today’s date is December 12th, 13th, 2016 and the time is approximately 11:12 AM. This statement is being taken at the Fort Lauderdale Police Department in the CID conference room here present with us is also Detective Shotwell and also Counsel Michael Dutko. This statement is reference to case number 16-174939 which is an incident that occurred on November 28th, 2016 at approximately 12:15 PM the incident occurred at the address of 2300 West Sunrise Boulevard which is also known as a McDonald’s in the City of Fort Lauderdale, Broward County, State of Florida. Officer Jones do you realize I’m a detective with the Fort Lauderdale Police Department?

Yes.

And as such the state empowers me to take your statement under oath, raise your right hand do you swear to tell the truth the whole truth and nothing but the truth?

Yes I do.

You can lower your hand detective tell me your full name and spell your last name?

Johnathan Jones, J-O-N-E-S.

And what’s your CCN?

It’s 1-7-0-1.

Alright can you tell me where do you work, how long you’ve worked uh here and um in what capacity right now?
29 A  Uh employed with the City of Fort Lauderdale Police Department and
30 I'm currently assigned to the Rapid Offender Control Unit as a
31 detective previously I was uh Field Training Officer on road patrol I did
32 that for 2 years I want to say and then prior to that um I was attached
33 to the Neighborhood Action Team did that for I want to say 2 1/2 years
34 and prior to that I was road patrol and did a little bit of time in the
35 Burglary unit, Burglary detective bureau and then before that uh for a
36 total of just over 8 years.
37 Q  Okay any law enforcement before that?
38 A  No.
39 Q  Okay um in the Rapid, Rapid Offender Squad what, what do you guys
40 do what is your guys task?
41 A  Um basically we go out and we try to uh respond to all in progress
42 robberies, burglaries, auto thefts, grand thefts and um you know pro-
43 active patrol.
44 Q  Okay is that in uniform or plain clothes?
45 A  Uh plain clothes.
46 Q  Okay what kind of gun do you carry?
47 A  Uh during the time of the incident I was carrying a Glock 17, 9 MM.
48 Q  Is that what you carry all the time?
49 A  Yes for the most part there are sometimes that I carry a, a Glock 30 its
50 sub compact 45.
51 Q  Okay um that day you were working you were on duty?
52 A  Yes.
53 Q  November 28th and you were working um in plain clothes?
54 A  Yes.
55 Q  Can you tell me what you were wearing that day?
That day I was wearing jeans, t-shirt and uh on top of that I had my police tactical vest that has POLICE in big block letters has my badge on there, has my name um and it also has POLICE on the front of it.

Alright let's just talk about the incident now um at what time did you guys come on shift that day?

Um I believe 7:30 AM.

Okay and tell me about now how you guys come across this car and what happened?

Well I was the passenger in Detective Falzone's car he was driver um we observed the vehicle in the 1600 block of Northwest 27th Avenue I think it was actually like 15 Court or something like that.

Okay.

Um we observed the vehicle started going southbound on 27th Avenue.

Okay.

Um the vehicle ended up behind us um because it was pulled out at the stop sign the vehicle is behind us we pulled over on the side of the road the vehicle passed us um we filled in behind tried to get the tag couldn't see the tag um the vehicle proceeded southbound went to 11 Street went east bound we stayed behind once we got up to 24th Avenue the car made a right hand turn we also made the right hand turn and we had a vehicle that was in between us so we weren't able to see what the tag was or even run it at this point um once we got to 24 and Sunrise uh red light went green proceeded south the um suspect vehicle made a left hand turn into the McDonald's the car that was in between us continued south so at this point when we got to the parking lot we were able to actually see the uh main tag that was attached to it um the vehicle pulled into the drive thru of the McDonald's we continued out to where the stop sign is that's right
there at the end of the parking lot uh on a path that would lead you to Frontage Road right there.

Uh huh.

We stopped at the stop sign I went over to the records channel on our police radio checked the tag, the tag came back as stolen uh stolen vehicle out of West Palm Beach once we got confirmation that it was a stolen vehicle we did a u-turn um in that little area there’s like a cement plant right there I don’t know the name of it but we pulled out did a u-turn came back in the parking lot while this is going on and we had confirmation my partner, Detective Falzone, went over to our TAC, TAC channel and he advised that we’re out with a stolen vehicle gave the description, location, requested additional units to come over um at that point we had uh several of the other ROC units key up, go Enroute, um Sergeant Dameron was monitoring the radio uh he was on and acknowledged um he advised us to go over to main channel so while my partner stayed on the ROC TAC channel I switched over to our main dispatch channel and I began to put all the information out so we could request patrol units to assist us with the felony stop um req, gave everything description of the vehicle, uh where they were at, uh patrol said they were in Enroute to us um on the TAC channel while I was giving that information out um there were I believe Detective Guerra was already arrived he was in Valero which was just west of the McDonald’s in the parking lot staging and then we had uh Detective Vasquez uh Johnson and I think Troiano was with them they were also uh just arriving on scene so once we had all 3 of them 3 of us there essentially there were 5 or 6 of us I want to say at that point in time we decided to do our felony stop Detective Guerra um drove in and drove up the drive thru lane activated his lights his emergency
siren um and began the felony stop we followed by we, I mean Detective Falzone and I who were in his vehicle followed him up the drive thru uh and we started our felony stop at that point in time once, as soon as the lights went on um the suspect vehicle immediately slammed his car into reverse doors started opening up um it looked like the uh driver’s side passenger rear door um tried to pop open but nobody was getting in or out it just popped open so wasn’t really sure what was going on with that but it definitely looked like everybody was getting ready to bail out of the vehicle um I saw a door on the passenger side open up I couldn’t be sure if it was the driver passenger or if it was the rear passenger but I saw.

(Assistant Dutko) Front passenger?

I think yeah I think it was the.

(Assistant Dutko) Driver, front passenger or rear passenger.

Yeah I think it was the rear passenger door from what I could tell because everything was happening so fast it popped open and at this point the car like I said everything was happening so fast it slammed into reverse and the driver very noticeably cut the wheel sharply to the right um and when he’s doing that like I said the door on the passenger side is opening up, the driver side door I kind of lost focus of that I know it had popped, it opened the rest of the way but I couldn’t really be certain if somebody had bailed at that point from that side of the car because I was so focused on the passenger side where I saw a black male with a blue t-shirt spring up, twisties haircut and he starts running uh as the vehicle is now in motion forward so we have like all this kind of chaos going on all at once doors are opening, people are bailing out and all of a sudden the vehicle is now uh full speed ahead towards Detective Falzone and from my vantage point all
I could see it happened so fast all I could see is that the Detective Falzone instantly was up on the hood of the vehicle um at this point I heard 2 shots ring out but I couldn't tell where they were coming from uh at that point in time I just saw him get hit I heard 2 shots ring out uh Detective Falzone falls off the car and now at this point the car is high rate of speed uh starts coming in my direction and not only in my direction on the sidewalk there I can see there's people at the bus bench there's people on the sidewalk there um at which point in time I was in fear for my life and I discharged my firearm 2 rounds at the uh subject who was coming in my direction uh as soon as I fired those 2 rounds he corrected his course went up over the curb uh there's like a small little raised curb in the driver thru area went over the curb onto the grass avoided all the people on the bus bench and I didn't continue firing because at that point he was no longer a threat to me any detectives, or any civilians that were in the area so as soon as he went up over that curb went onto Sunrise went west I immediately got on the radio um I, from what I can remember I put out you know that the vehicle was taking off west bound on Sunrise I think I said on the radio that there were subjects that were um or at least the gentleman in blue that I saw um he was running east bound um so it was kind of like everybody scattered and as soon as that happened uh ran up to my partner make sure he was okay we, obviously very shaken up um we quickly jumped in our vehicle and we attempted to um go after the subject in the vehicle so we went lights and sirens down Sunrise and we started circulating that area uh couldn't, couldn't locate the vehicle as soon as we couldn't relocate we came right back to the scene and from there we were kind of uh um
you know sequestered from there so that was kind of the end of uh
our involvement at that point.

Okay let me just ask you a few questions (UI).

Uh huh.

So you guys spotted a car, um what kind of car was it?

It was a gray Ford Fusion.

New or older?

Um it looked like it was possibly a rental um it was kind of beat up
though.

Okay and you said earlier had a Maine tag that's the state of Maine?

Yeah state of Maine sorry it was on the front and uh I believe it's also
affixed to the back.

Do you remember the tag right now?

I want to say it was 9326 Uniform Gulf or Tango something like that.

Okay.

I'm not a 100% sure but it really stuck out.

Yeah.

The 9326 part really stuck out.

Alright um so you guys were on your tactical channel, what channel is
that?

Uh off top of my head I don't recall I think it's uh because my radio uh
with the new technology we have the radio kind of talks, talks to us
when we switch.

Right.

Channels so I know that um it's uh I want to say its 3 dials from 1 end
of the radio.

Okay.
194 A It's uh I don't know the exact name of the channel off the top of my head.
195 Q No problem you initially started talking on that talk channel where all you guys ROC, are talking is that right?
197 A Yes.
199 Q And when you communicated to the rest of team that um you guys spotted a stolen car the other members of the team started converging in the area is that right?
201 A Yes.
203 Q Um you said that you went to the cement plant and you guys after confirming made a u-turn and came back?
205 A Yes.
206 Q Right, by the time you were coming back you said that uh Detective Guerra.
207 A Yes.
209 Q Right, and who, who was with Guerra in his car?
210 A I believe he was riding by himself.
211 Q Okay.
212 A And or he may have had Detective Clark, I think Detective Clark was there but I don't remember if they're riding together.
214 Q Okay.
215 A Or if they were separate.
216 Q No problem.
217 A I think it was Detective Guerra's vehicle that was.
218 Q And what kind of car is did he drive that day?
219 A He was driving a black Toyota I believe.
Okay now did you guys coordinate over the air that that was that that felony traffic stop was, was going to take place there or was it something that just happened (UI)?

Um I believe if I remember correctly I believe Sergeant Dameron um had advised that um he wanted us to conduct the felony stop in the drive thru lane there to try to, because we felt at the time based on the amount of traffic and foot traffic that that would be the safest area to immobilize the vehicle and keep them from you know.

Okay.

You know making it unsafe.

So Guerra went into the drive thru before you guys?

Yes.

Because he was there first?

Uh.

As far when he came from the opposite direction?

Yes he was coming from the Valero across the street right at 24 Ave so when he pulled across he, he went first up the drive thru.

Okay.

Then we fell in behind him.

Alright so you guys um.

Because we went and turned around and as we were coming in front of the McDonald's it's kind of like I think he kind of just happened to get there first.

Yeah.

So as we were like kind of converging we fell in behind him.

Okay did he activate his lights right away or did he stop first, do you remember that at all?
To be honest I don’t remember exactly when he activated them I know that we activated ours I think about the same time I’m not 100% sure.

Okay and you said as you guys, as he’s in the drive thru uh and activated his lights as you’re coming out you see the doors open up to the car?

Yes.

Um.

I see yeah.

Did you see the driver’s side door open at all?

Um I don’t recall I do remember seeing a door pop open on that side at the time I feel like it was the back passenger um but I don’t a 100% recall it could have possibly been the driver but I thought it was the passenger door.

Okay.

Um.

Alright and as the car’s going back you said it went back first?

Yeah it went back and uh angled.

Okay could he have gone forward without going back and going around?

Oh yeah.

He could have?

Yeah from, from my vantage point it looked like because it’s kind of a wide uh drive thru lane I mean it’s not super huge but it’s kind of wide.

Right.

And there’s a raised curb um and from what I recall Detective Guerra was on the right side of the curb and so were we.

Okay.
So there was space not only I don't know exactly how far away it might have been like 5 to 10 feet somewhere in that range between uh, um Detective Guerra's vehicle and the culprit vehicle so there was plenty of room he didn't have to back up.

Okay.

He could have just gone forward what I, what I was thinking was happening was that because his vehicle was so close to the drive thru window that it was either him or that back passenger could not open the door and, and uh bail out essentially so I think that maybe the uh the vehicle was backing up so that the.

Give room.

Door to give room for the door to open up so that back passenger could get out and take off running.

Okay when you get out of the car did you stay on the passenger side of, of your car or did you go to the driver's side where did you go after you got out of the car?

I immediately as soon I got out I saw um a detective I believe it was Detective Johnson he was coming up on foot and he kind of came in front of me so I wasn't able to draw out my firearm to begin the felony stop so I started to fall in uh behind him and then once doors all started opening I think everybody kind of had the same thought that everybody's gonna take off running from this vehicle so everybody seemed like started to move toward the direction of the vehicle so I don't remember exactly where I was standing I think um I started to move up and I was wherever um somewhere by the uh Detective Guerra's car but I'm not exactly sure where I was standing.

Okay.

When everything happened.
That’s fine do you remember if when you got out if you got out and drew your gun right away or did you wait?

No, I, I did not draw it right away because uh I’m pretty positive I did not because Detective Johnson like I said he was coming up in front of me and I don’t know if he realized I was a passenger in that vehicle getting ready to exit um so I kept my gun in my holster.

Okay so when the, the suspect car begins to come forward do you remember where you were standing then?

Not really like I said I was somewhere up by I think Detective Guerra’s car.

Okay.

I’m not exactly sure where I was standing but I was, I think I was on the driver’s side somewhere in that range.

Okay when you, when the car was going uh towards uh Detective Falzone um well tell me at what point did you draw your gun?

I drew my gun as soon Detective Falzone um I saw the car cut the wheel right at him um which in my mind right away I, I knew he was trying to run you know run Detective Falzone down so at that point I immediately withdrew my firearm and uh everything happened so fast I’m pretty sure I drew it right at that point when he made impact with Detective Falzone.

Okay.

I heard 2 um shots ring out and by that time I’m pretty sure I was already I had my gun out in my hand and I was you know.

Okay uh and the car fled west bound?

Yeah.

Anything else?
(Detective Shotwell) Detective Jones when um when the uh initial contact with the vehicle is when the doors came open you mentioned the one with the twists, the twists in his hair.

Uh huh.

(Detective Shotwell) How many people got out and fled?

Um I believe it was just him because I kind of, I kind of tunnel visioned in on him but I know I remember that other door it cracked initially I remember it came all the way open at one point but I didn't really have a, I don't even remember kind of focusing on that side because I saw um you know the other guy in the blue shirt and by the time I see him getting out and he's starting to run the vehicle's coming and making impact with Detective Falzone so it's kind of like I really lost sight of that other side.

(Detective Shotwell) Did you see any weapons?

Uh no not just the vehicle.

(Detective Shotwell) The subject that that fled that ran east do you know whether he was pursued by other officers?

I believe, I believe Detective Clark I remember him running in that direction um and I, I remember them there was so much radio chatter it sounded like half the, half the team was going after that um subject in the blue shirt and then the other half of us were going after the vehicle.

(Detective Shotwell) Did you ever get a chance to see anybody or see a photograph of anybody they took into custody that afternoon?

No, I haven't.

(Detective Shotwell) Did you get a good look at the uh the face of the individual who fled?

The uh?
(Detective Shotwell) (UI).

Q The passenger?

A No I really just had a, um a really good look at his t-shirt and his twisty

Q (Detective Shotwell) The one that ran east?

A hair that he had because it was so um I guess distinct.

Q (Detective Shotwell) Okay that's it.

Q Um how about the driver did you get a good look at him?

A Not really, not from what I can remember.

Q Okay.

A I mean it was I, I definitely saw him and I, you know, you know I saw

Q him I don't know.

A Before you guys went after the car do you know if um all the

Q occupants except for the driver got out of the car or do you know if

A the other guy that was in the car stayed in the car?

A I believe everybody got out of the vehicle because I think there were,

A I think there were 3 total um in the car and the driver stayed and I, I

A don't remember seeing anybody else in the car from what I could tell

A when it was in motion um because I kind of tunneled in on you know

A the driver compartment and also because it was kind of a blur

A between seeing my partner go up on the car and you know the actual

A driver.

Q I don't have anything else uh anything else you can think uh (UI)?

A (Detective Shotwell) We covered it.

Q Nothing?

A (Detective Shotwell) Nothing.

Q Anything else you can think of?

A Nothing I can think of at this time.
385 Q (Detective Shotwell) Do you want to look at the video and see if it changes anything?
386 Q Sure.
388 Q (Attorney Dutko) Let me just address one thing if I may.
389 Q Sure.
390 Q (Attorney Dutko) You indicated that when you first saw that this subject vehicle you were northbound on 27th Avenue?
392 A Yes.
393 Q (Attorney Dutko) And Detective Almanzar cleared it up a little bit when you saw the vehicle you observed the condition of the vehicle it appeared to be a newer model Ford?
396 A Yes.
397 Q (Attorney Dutko) But it was banged up and dinged up?
398 A Yes, yeah.
399 Q (Attorney Dutko) And although you didn’t specifically denote the tag you could see that it was a tag from the state of Maine?
401 A Yes.
402 Q (Attorney Dutko) Which at least aroused your curiosity?
403 A Yes.
404 Q (Attorney Dutko) And, and, in part that fits the potential profile for a possible stolen vehicle?
406 A Yes.
407 Q (Attorney Dutko) And that’s one of the things you’re trained to look for and that’s why you turned around and started following the car?
409 A Yes.
410 Q (Attorney Dutko) You turned into the lot, you took no actually action to stop the vehicle though until you had confirmation that this was a stolen vehicle?
413 A     Yes sir.
414 Q     This is the drive thru angle.
415 A     Okay.
416 Q     Mark.
417 Q     (Detective Shotwell) Uh no I'd leave it (UI) just um for the purpose of
418     the statement we're gonna allow the detective to look at the drive thru
419     video from the McDonald's that caught some of the incident. Is this the
420     vehicle that you were talking about?
421 A     Yes.
422 Q     (Detective Shotwell) The one with the Maine plate 9326UG?
423 A     Yes sir.
424 Q     (Detective Shotwell) Looks like there's definitely a driver, back left
425     passenger.
426 Q     And a front passenger.
427 A     Yes.
428 Q     (Detective Shotwell) Where are you at this point while they're sitting at
429     the drive thru?
430 A     At this point we're probably we were probably out at the uh by that
431     stop sign as if we were pulling through the lot um but since that lead
432     car left um it's probably pretty close to when we started to move in.
433 Q     (Detective Shotwell) It looks like there's something (UI).
434 A     Oh yeah, that's Detective Falzone.
435 Q     (Detective Shotwell) You can see one subject get out of what looked to
436     be the back right um dark blue sweat shirt or long sleeve shirt and
437     twisties.
438 A     Yeah.
439 Q     (Detective Shotwell) Is that the one you're talking about that ran east
440     bound somewhere?
Yes and I think I put that on the radio but I don't know if I got stepped on because I think there was a lot of radio traffic but I, I tried to put out a description of both the gentleman with the blue shirt and twisties and then the uh the vehicle also going westbound.

(Detective Shotwell) Did you see anything on that um that minute, minute and a half video that uh changes your statement or that uh refreshes your memory?

No I mean it, you know it's definitely nice to see the video because it, it you know kind of helps but.

Um I'm gonna show him a second video uh this is uh facing west where the Valero gas stations on the other side and uh it'll show you as you and Detective Guerra's car uh approach.

I kept my gun holstered.

That's pretty much it after that you guys go pursue the car, look for the car that's uh, anything else about that video that?

Um no that's.

Alright I don't have any more questions anybody else?

(Detective Shotwell) Nothing.

This is gonna conclude the audio recorded statement of Officer Jones the time is now 11:41 AM.
Accused Detective
Vincent Falzone
INTERVIEW OF Officer Vincent Falzone

Q = Detective Almanzar

A = Vincent Falzone

The following will be the sworn audio recorded statement of Officer Vince, Vincent Falzone as given to Detective Almanzar of the Fort Lauderdale Police Department today's date is December 13th, 2016 and the time is approximately 11:44 AM this statement is being taken at the Fort Lauderdale Police Department CID conference room and present with us is Detective Shotwell and Counsel Mike Dutko this statement is in reference to case number 13, I'm sorry 16-174939 which is an incident that occurred on November 28th, 2016 at approximately 12:15 PM the incident occurred at the address of 2300 West Sunrise Boulevard also known as the McDonald's in the City of Fort Lauderdale, Broward County, State of Florida. Vincent tell me your full name spell your last name?

A

Vincent Falzone, F-A-L-Z-O-N-E.

Q

And Vince you realize I'm a detective with the Fort Lauderdale Police Department?

A

Yes.

Q

And as such the state empowers me to take your statement under oath raise your right hand do you swear to tell the truth the whole truth and nothing but the truth?

A

I do.

Q

Okay um can you tell me where you work, how long you've been employed and in what capacity you work now?

A

I work for the City of Fort Lauderdale as a police detective in the Rapid Offender Control squad which is part of Street Crimes.
29  Q  And how long have you worked here?
30  A  Um 10 years in November I believe.
31  Q  And what other position have you held in the police department?
32  A  Um patrol officer, Field Training Officer that's all.
33  Q  Okay how long you been in ROC?
34  A  Um since its inception maybe a year and a half now or something.
35  Q  And where did you work before here?
36  A  Uh City of Miramar.
37  Q  How long?
38  A  A year and a half.
39  Q  In road patrol?
40  A  In road patrol.
41  Q  So you have a total of almost 12 years as a law enforcement officer?
42  A  Almost yeah.
43  Q  Okay um that day um you were working correct?
44  A  Correct.
45  Q  Uh can you tell me what kind of firearm you're carrying?
46  A  Uh Glock 17.
47  Q  Um at what time did you guys come on duty that day?
48  A  Um 7:30 in the morning.
49  Q  Alright, alright so just tell me about that about this incident now you guys at what time approximately you guys spot the car and where and what happens then?
50  A  Um time wise I'm just going off the time that you know we you know at the time when we spotted the car I didn't know what time it was but I'm going off when this incident happened so just prior to the incident happening.
51  Q  Okay.
Um on 27th Avenue I think in like the 1600 block Northwest we spot a
car with a Maine tag it is a newer car and it has damage so it kind of
looked suspicious to us with a Maine tag in that neighborhood um the
car was behind us in traffic I pulled into like a uh a church drive way or
something that's at like maybe 13 or 14 Street on the west side of the,
on 27 Avenue to let the car pass us so we can get behind it try to get
the tag number run the tag, um the occupants didn't have seat belts
when we first saw the car so I pull in there the car goes by I get back
into traffic there's still 1 car between us so it's kind of hard to see the
tag the car travels up to 11 Street makes a left turn to go east um the
other car I think went to I don't, we couldn't get the tag yet so the car
is going east on 11 Street by the high school um (clearing throat) gets
to uh sorry (clearing throat) gets to like 24th Avenue makes a right to
me I, I thought the car was trying to see if we were following it too
maybe because it's kind of suspicious he kept turning um the car goes
up to Sunrise Boulevard southbound Sunrise Boulevard uh then across
to the McDonald's makes a left into the McDonald's parking lot when it
goes into the McDonald's I think we get behind it enough to where we
can see the tag uh John Jones runs the tag on teletype um or starts
running it around that time period the car goes into the drive thru of
the McDonald's uh I continue east bound through the parking lot just
so not to let them know that we're watching them I guess um he's
running the tag uh I kind of like stall and wait at the stop sign where it
goes out onto like frontage road or whatever.

Q

Um the car comes back uh on the radio as a stolen car out of West
Palm Beach I drove out of the parking lot went to like a little drive way
that's to a construction site right there I don't know if you guys are
familiar with it or uh just to kind of like have a place to turn around and kind of not be not seem like we’re sitting there if they’re watching us in the rear view or something from the drive thru um we got on, I think I got on the radio first and asked for more of the, the ROC guys on our channel to come that way try to get some more people in the area coordinate a take down or a felony stop um so Matt Guerra I believe was one of the first guys to get to the area he went to the I think Valero gas station on the west side of 24th Avenue just west of the McDonald’s and then I think um Tommy Vasquez, Steve Johnson and Chris Troiano were riding together in a van they came to the area um they coordinated with everyone’s sergeant and decided to do a take down as they were gonna drive out of the, the drive thru just to prevent a pursuit if it was possible because it was a stolen car um so they, they were at the window they, there was no one in front of them anymore so Matt Guerra drove in through the uh the exit from the drive thru I followed behind him with John Jones in my passenger seat and then uh the van with the 3 guys kind of drove to the back of the McDonald’s I guess I don’t know if that was coordinated on the radio or not I don’t remember at this point but thought process being if they, they run every which way then we’ll have 3 guys on foot back there and a car back there so um we go into the into the drive thru opposite basically uh Matt Guerra is in front of us he parks we activate our lights the people in the car know we’re the police they’re not getting robbed or something um the car I, I see the car backing up at like a high rate of speed as fast as a car could go in that little space it had.

Q

Uh huh.
Crash into the car behind it if I remember correctly like parts of the car went all over the place that's just what I remember seeing and uh people were trying to bail out of the car or had already bailed out so I started trying to go up toward the car to maybe catch someone that's running thinking that they're just like abandoning the car and the next thing I know the car is driving at me I'm like I'm gonna be killed by this car coming at me there's nothing I can do, nowhere to go the cars coming at me very quick and to me, to me I really think the guy angled and was really trying to hit me because it seemed like there was space where he could have not gone toward me um so I draw my firearm also the drivers hands are up by wheel and I see something that looks like a gun and it's in his right hand uh so I draw my firearm I shoot at him uh and then I think I'm hit by the car it's, this is kind of blurry to me like a lot of people told me you were hit by the car and obviously the news said that I was on top of the car and all this stuff but it happened so fast that um I don't know what car I was on top of but I was top of a car and then I was off of it and then I looked at the car passing me and could see it going out towards through the bushes and stuff towards Sunrise.

Okay let me just ask you a few questions.

Sure.

You were in plain clothes that day what were you wearing?

I was wearing jeans, a blue t-shirt my badge on belt as it is now firearm on my belt uh black vest that had POLICE labeling on the front, POLICE labeling on the back.

Okay um you guys spot the car you're trying to get the tag right originally?

Yes.
Q  Um you said it was a Ford?
A  I don’t think I said but it was a Ford Fusion I think.
Q  Okay um and you guys realized that the tag was out of town it was from the state of Maine?
A  Yes.
Q  Okay um eventually you guys run the tag which Johnathan Jones did correct?
A  Yes.
Q  And when you guys got confirmation it was stolen that’s when uh you guys put it over your TAC channel?
A  Yeah we put it over the TAC channel just to try to, try to get some resources head that way we didn’t know where everybody in our unit was at the moment so.
Q  Did you guys make a plan on the radio about what you guys were gonna do?
A  Um I think we did.
Q  Do you remember what the plan was?
A  Uh just I, I don’t know the exact wording I would have to hear it to.
Q  Okay.
A  To recall it but um.
Q  The jest of it?
A  The jest I think was just to try to prevent the guy from causing a pursuit.
Q  Do you remember who came up with it who said that on the radio?
A  Um not really.
Q  Okay but it wasn’t, it wasn’t you or Jones?
A  I, I think it was Dameron that that um.
Q  Okay.
Wanted us to do the take down at McDonald's.

Okay.

Uh to prevent a pursuit.

Alright so, so you guys make that u-turn at the, you said a construction site is this on Frontage Road or before Frontage?

I think it's on Frontage.

Okay.

Is that Frontage.

Yeah that's Frontage.

Okay.

So you guys made the u-turn and come back uh you said Matt Guerra was at the Valero gas station, what kind of car was he driving if you remember?

Black Camry.

Was he by himself or was somebody else in his car, in the car with him?

I think by himself.

Okay so he, he goes ahead of you guys in the drive thru correct?

Yes.

Um you remember at what point he activated his lights or you guys?

I don't know when he did or I, I, honestly I don't even know if he did.

Okay.

I don't recall if, if, seeing his lights on but, I would believe he would have.

Okay.

And I know I did.

So.

I did as, as we kind of got into position.
196 Q When you get out of your car did you have your gun drawn?
197 A I don’t remember.
198 Q Okay.
199 A It’s a good possibility but I, I don’t remember.
200 Q That’s fine uh where do you go when you get out of the car?
201 A Um like I said it appeared everyone was bailing out of the car after it
202 backed up like doors were opening people were trying to get out and.
203 Q Is this happening as you’re walking towards the car or were you still in
204 your car when you saw people opening up doors?
205 A No I started going towards it because it seemed like everyone was just
206 gonna run on foot.
207 Q Do you know how many occupants in the car originally?
208 A I think 3.
209 Q Okay.
210 A I could be wrong.
211 Q Uh earlier you mentioned that you thought the driver had a gun, he
212 looked like he had something in his hand that looked like a gun.
213 A Yeah.
214 Q At what point in time did you see that?
215 A When the car was barreling at me just in that half of second when the
216 shooting happened.
217 Q Was that before or after the bail out the guy that bailed out of the car?
218 A I believe after.
219 Q Okay.
220 A It was when the car was coming at me like you know there was
221 nothing I could do except that one thing no alternative.
222 Q Okay and you say the car was coming straight at you?
223 A Yeah.
At what point in time did you, you drew your gun and start shooting?

Uh I, you know I said I didn't remember if my gun was in my hand when I got out but I, I kind of remember drawing as it was coming at me but.

Okay.

It's very like cloudy you know it happened very quickly.

Alright.

I don't know if that's normal in this situation but.

And you said you were on top of the car but you don't know if it was the suspect car or it was another car?

I, I can only imagine it was the suspect car because it was coming right at me and I'm, you know I believe I couldn't shoot anymore because I was hit by it you know.

Okay um what happens after the car is, is fleeing?

Um I, I think I had like a second there where I was like recovering after being hit by the car or trying to you know get my baring again or something um and then I, I just saw it going out towards Sunrise like through bushes and.

What did you guys do after that?

Uh after it got out onto Sunrise I told John let's go after it you know obviously someone needs to go after it I didn't see anyone else going after it.

Okay.

Uh we jumped in the car and headed west on Sunrise.

Are.

Trying to find it.

You guys circle around for it?
We just went west I think we I, I was thinking it's going to try to get out of the area as far as it can so we, I think we went all the way to the uh State Road 7 bridge on Sunrise and then we turned around and came back.

Okay.

And then I think on the way back I drove through the neighborhood where we found it just to try and see if it went in there but I didn't see it.

Okay did you uh get medical attention for?

Yes.

You went to BGH, Broward General?

Yes.

Okay anything else?

(Detective Shotwell) Detective the, the individual that, how many people did you see actually run from the car?

I, I couldn't put a number on it I just saw like the doors trying to open and it was really fast situation.

(Detective Shotwell) Did you get a look at any of the runners or anybody who bailed out of the car?

Not really well just because the only thing I could focus on was not being killed by the car.

(Detective Shotwell) Did you get a chance since then to see anyone that uh they might have taken into custody that afternoon or see photographs of anybody that they took into custody?

The subject that ran to the wall in the back of the uh McDonald's and threw a gun or whatever I, I don't think I ever saw him that day and then I think the only one I've seen is that BOLO that you guys put out for the unidentified guy or whatever.
(Detective Shotwell) Okay that's it.

280  Q  Mr. Dutko anything?

281  A  (Attorney Dutko) Nothing.

282  Q  Is there anything else you can think of you think would be useful that we didn't cover?

284  A  No.

285  Q  Alright would you like to see the video?

286  A  Yeah.

287  Q  I'm going to be recording and show you the video. This video I'm gonna show you is from the drive thru it uh it's gonna show the back of the suspect car and then what happens and where he goes so this is the video, do you remember the car?

289  A  Yes.

290  Q  Is this the car?

291  A  Yes that's the car.

292  Q  The car has a Maine tag of 9326UG?

293  A  Yes.

294  Q  It looks like that's the rear passenger hanging his arm out and it looks like there's a front passenger and obviously a driver, the car had the bumper that's damaged like you mentioned.

295  A  Right.

296  Q  Can you see the car backed up a little bit, it goes forward and then back rapidly got a black male running from the passenger front detective who was that running, did you see who, who was that running what detective was that?

299  Q  (UI).

300  A  This detective running here.

301  Q  Um I think that's Matt Guerra.
Okay Detective Guerra now I want you to focus your uh up here in the
top by the camera 3 sign you see, that was you on top of Detective
Guerra's car, want to see it again as the car backs up and goes west
and turns?

Did it not hit the car behind it?

No it didn't.

It sure appeared that way.

Is this you over here in the corner?

Yes.

Uhh it looked like you were on top of Detective Guerra's car?

Okay I, I felt like something hit me though which it appears it does
right?

It does up here it does okay that's pretty much after that you guys go
out of frame you can't see any more by looking at the video anything
else you'd like to add or recollect so you remember?

(Attorney Dutko) Can I ask a question?

Sure.

(Attorney Dutko) We didn't go into it here at the moment that you
fired shots that vehicle was coming at you correct?

Yes.

(Attorney Dutko) And that's when you were in fear for your life?

A 100% yeah.

(Attorney Dutko) As that vehicle clears through that hedge you didn't
fire any more shots?

No.

(Attorney Dutko) Or to your knowledge did any other officer?

No it was when the car was coming at me.

(Attorney Dutko) And this is what time of the day?
Just after noon.

Q (Attorney Dutko) It's a pretty congested area lot of civilians around?

Q It's lunch time.

A I suppose so.

Q (Attorney Dutko) But the, when you discharged your weapon as that vehicle was coming in your direction.

A Yes.

Q (Attorney Dutko) And once the vehicle clears through the hedge the threat to you has evaded no more shots were fired?

A Correct.

Q Um did you take a look at the driver could you recognize him if you saw him again?

A Honestly I don't think I can.

Q Okay.

A Just happened so quickly from, I was focused on other things.

Q And just for the record how many shots did you fire?

A Two.

Q Alright any more questions?

Q (Attorney Dutko) No.

Q Alright this is gonna conclude the audio recorded statement, this is gonna conclude the audio recorded statement of Detective Falzone the time now is 12:04.