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PORTLAND POLICE BUREAU
INTERNAL AFFAIRS DIVISION
Confidential Taped Statement
Lynn Courtney/#13609

7 **Interview Date:** March 18, 2010
8 **IAD #:** 2010-B-0004
9 **Complainant:** Portland Police Bureau
10 **Interviewed:** Officer Jeffrey Elias #29338

12 **COURTNEY:** This is LYNN COURTNEY in the Internal Affairs Division, today's date is March 18,
13 2010, the time is 4:53 p.m. I'm here in the Internal Affairs Division interview room speaking with
14 Officer JEFF ELIAS, DPSST # 29338. Also present is his PPA representative, Officer DAVE
15 DOBLER. We're here discussing IAD Case #2010-B-0004, which is referenced by PPB Case #10-
16 8325. Officer ELIAS has been advised that his conduct and/or the conduct of any other bureau member
17 present on January 29, 2010, at 12800 NE Sandy Blvd. is the subject of this investigation. Officer
18 ELIAS has reviewed information necessary to be reasonably apprised of the nature of the allegations
19 of the complaint. Officer ELIAS has been informed that he is a witness in the case and that Captain
20 EDWARD BRUMFIELD is in charge of the investigation. I have advised Officer ELIAS that he can
21 have representation present during the interview and Officer DAVE DOBLER is here in that capacity.
22 Officer ELIAS has been provided a copy of the Advance Notice and Waiver form and has signed it.
23 Officer ELIAS, under the authority of Captain EDWARD BRUMFIELD, I am ordering you to answer
24 all of my questions fully and truthfully. If you fail to respond fully and truthfully you may be
25 disciplined up to and including dismissal. Do you understand?

26 **ELIAS:** Yes.

27 **COURTNEY:** Okay. That was your signature, David, no - -

28 **DOBLER:** Yeah.

29 **COURTNEY:** Okay. Yeah, just sign there. Okay, I'm going to try to not be too redundant with what,
30 you've been interviewed by detectives on this case, you've testified before the Grand Jury.

31 **ELIAS:** Yes, sir.

32 **COURTNEY:** You've been provided a copy of those transcriptions for your review in preparation for
33 this interview and uh, I'm just going to put on the record I know that you were hired by Portland Police
34 in 1998. You've been a dog handler for approximately four years.

35 **ELIAS:** Three years.

36 **COURTNEY:** Three years.

37 **ELIAS:** A little over.

38 **COURTNEY:** Uh, you have a German Shepherd K-9 partner, Bono, that you have worked with
39 during that time.

40 **ELIAS:** Bono.

41 **COURTNEY:** Bono, okay, Bono. Excuse me. And uh, we know in fact that you were working
42 January 29, 2010 in this year when you responded to this incident under investigation here today.

43 **ELIAS:** Yes.

44 **COURTNEY:** Out at 12800 NE Sandy. Just as part of the background, just tell me what information
45 you had when you responded, how you came to be involved in this call.

46 **ELIAS:** Uh, basically I was working, you know, routine patrol with my K-9 pointer and in my patrol
47 car and I was helping pick up a new dog from the airport. So I scan a lot of the channels and I heard
48 bits and pieces that some call come out where there is a suicidal person and there was kids involved
49 and a girlfriend. So I was only hearing bits and pieces and then I was heading over to the vet following
50 Officer GRUNMEYER and uh, actually got a phone call ask hey, can you come down here. I said what

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51 do you got? And they're like well it's that call that I had been hearing bits and pieces of because I was
52 scanning.

53 **COURTNEY:** And who was the phone call from?

54 **ELIAS:** Uh - -

55 **COURTNEY:** One of the officers on the scene?

56 **ELIAS:** Yeah, I think it was Officer LEWTON.

57 **COURTNEY:** Okay.

58 **ELIAS:** I asked - - I might have asked him. I think I called him actually because they called for me
59 over the air.

60 **COURTNEY:** Okay.

61 **ELIAS:** Got a phone number and called them and said hey what's going on and they're like hey, we
62 need you down here. I'm like, okay. So I didn't end up going to the vet, I went down there.

63 **COURTNEY:** And what information did you get uh, in route down there? You told us about a suicidal
64 subject.

65 **ELIAS:** Yeah, it was a suicidal subject uh, armed with a firearm and uh, I remember as I was driving I
66 was looking at the call, it was a pretty long call and I saw bits and pieces. I got the PPDS and I saw it
67 was kind of off-set, it was weird, but I saw that they had an arrest for a handgun charge, I saw
68 resisting, domestic violence stuff, so, history of violence, domestic and I think there was like a
69 resisting arrest or a eluding or something like that.

70 **COURTNEY:** So you brought his record up on the - -

71 **ELIAS:** No, it was uh - -

72 **COURTNEY:** It was in the call?

73 **ELIAS:** It was transposed into the call.

74 **COURTNEY:** Okay.

75 **ELIAS:** But it didn't look like that. It was on the MDT, it's really, it's staggered.

76 **COURTNEY:** Okay.

77 **ELIAS:** So you just see bits and pieces, you know. Domestic violence, resist arrest and uh, the
78 handgun part.

79 **COURTNEY:** So basically what's on the CAD is what you saw.

80 **ELIAS:** Yeah, bits and pieces of it.

81 **COURTNEY:** Okay. And um, was it your understanding this subject AARON CAMPBELL, was he
82 barricaded in this apartment? Was it a hostage situation? Or was it strictly just a suicidal subject?

83 **ELIAS:** Well, I didn't really know until I got there. So, but I heard something about the kids being let
84 out, but if you say barricaded he was in the apartment and we were outside the apartment. So, I don't
85 know how much barricading he did, but he was inside the apartment.

86 **COURTNEY:** Okay.

87 **ELIAS:** If you want to call that barricaded, I guess you could.

88 **COURTNEY:** Okay. And at any time during this incident in route once you got there, did you have
89 any information that CAMPBELL had threatened anyone with physical harm other than himself?

90 **ELIAS:** Uh, not that I can recall. Just that he had tried to kill himself and had been armed with a gun.

91 **COURTNEY:** Okay.

92 **ELIAS:** To the best of my recollection.

93 **COURTNEY:** Where did you get that information that he had tried to kill himself? Was that
94 something in the call or something you got from officers when you arrived on the scene?

95 **ELIAS:** I think it was in the call and it was stuff I heard over the radio, bits and pieces.

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96 **COURTNEY:** And did you have any information in route to the call or from anyone at the scene that
97 CAMPBELL had committed any type of crime?
98 **ELIAS:** Uh, no. I know that - - I heard that he was distraught over his brothers, or something like that.
99 **COURTNEY:** Okay. And of course we read in the detective's interview you mentioned how you met
100 with Sergeants REYNA, BIRKINBINE and Officer QUACKENBUSH in an alcove of the apartment
101 complex where plans were discussed on how to deal with the situation.
102 **ELIAS:** Yeah.
103 **COURTNEY:** What were those plans? What kind of plans are we talking about?
104 **ELIAS:** Basically, when I mentioned plans I just tried to get a briefing of what's going on because as a
105 K-9 handler I need to know what's going on so I can deploy the dog, you know, be of help for the
106 people there. And uh, I went in there and just talked to them to find out what's going on and I found
107 out that the kids had got lettin had been let go and the girlfriend was out. He was basically, as far as I
108 knew, that he was by himself.
109 **COURTNEY:** Okay.
110 **ELIAS:** And uh, I was trying to find out exactly what's going on because I had just shown up and I
111 kinda got in towards the tail end of it, not - - I didn't know everything from beginning to end and I
112 need to know basically what we have for deployment purposes of the K-9.
113 **COURTNEY:** And who was kinda briefing you on what was going on? Who was kind of in charge
114 or?
115 **ELIAS:** It was kind of like a flowing thing between all of us. QUACKENBUSH had a phone and
116 they're like, well he's having contact with him and while I'm talking to them a text message comes up
117 that says something like make them go away or I'm going to go get my gun, make the police go away.
118 So that kind of heightened things up and BIRKINBINE and REYNA were talking about what they
119 were going to do and uh - -
120 **COURTNEY:** And what were they talking about, what was that?
121 **ELIAS:** Well, they wanted to make contact with him and that was the thing to make sure if he was a
122 threat to himself or not and to get him help. He needed help, if he was a threat to himself they wanted
123 to get him help. If he wasn't then it was going to change things and we'd just go away. So it was kind
124 of, they were planning on how to determine that and while they were talking about how they were
125 going to do that, get that kind of information, I had asked if uh, what exactly did I say - - something if
126 you want to run that up the chain, like maybe talk to a lieutenant or maybe talk to a SERT sergeant or
127 something and say hey, this is what we got. I always like to talk to someone if I have time and I even
128 called my sergeant and told him what was going on.
129 **COURTNEY:** And who is your sergeant?
130 **ELIAS:** It was Sergeant PRESTON.
131 **COURTNEY:** Sergeant PRESTON.
132 **ELIAS:** Yeah.
133 **COURTNEY:** Okay.
134 **ELIAS:** And uh BOB MCCORMICK, but I talked to Sergeant PRESTON.
135 **COURTNEY:** Okay.
136 **ELIAS:** And basically just told him, hey, we've got a guy that's suicidal, he's in the apartments with a
137 gun and we're gonna - - basically do what we always do, try to call him out and determine, first make
138 contact and call him out and try to get him help. He's like okay.
139 **COURTNEY:** Was that call to Sergeant PRESTON to inquire about possibly getting other assets to
140 the scene, such as SERT or HNT or somebody?

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141 **ELIAS:** No. I just wanted to let him know because when I come into work they're not always out and
142 I like to keep them compromised about what's going on.

143 **COURTNEY:** Okay.

144 **ELIAS:** And if I have time I'll try to just make a phone call to them real quick, just as a courtesy thing.

145 **COURTNEY:** Sure.

146 **ELIAS:** And maybe they can add something else that I wasn't - -

147 **COURTNEY:** Did Sergeant PRESTON come to the scene then?

148 **ELIAS:** He did later on.

149 **COURTNEY:** Later on.

150 **ELIAS:** He wasn't working, but he did after.

151 **COURTNEY:** Okay.

152 **ELIAS:** This is pretty run of the - - I mean we deal with this stuff all the time. It's nothing
153 (indecipherable).

154 **COURTNEY:** And part of that plan when you got there we've touched on a little bit about SERT.
155 What specifically were discussions pros or cons about getting them involved at that point?

156 **ELIAS:** Well, when I mentioned just call SERT I don't know if it was - - it was just like well, we're
157 not going to call SERT out and I knew we weren't going to call SERT out, but maybe just drop the ball
158 to kind of talk to them to see, or just brief them what's going on, just so you can get another aspect of
159 what - -

160 **COURTNEY:** And I guess, who said that we ain't - - we're not going to call SERT out? Who made
61 that determination?

162 **ELIAS:** REYNA.

163 **COURTNEY:** So was she kind of the supervisor in charge when you got there?

164 **ELIAS:** Yeah, pretty much.

165 **COURTNEY:** And did that ever change throughout the whole incident? Did she ever - -

166 **ELIAS:** It mighta just not been her. I mean it was BIRKINBINE and both of them were kind of
167 handling stuff. You know, and to reiterate, I didn't think SERT needed to be called out on this, but I
168 was just - - I just call people and tell them hey, this is what we got.

169 **COURTNEY:** So you offered the suggestion hey, we might want to call SERT just let them know,
170 and let them make a determination.

171 **ELIAS:** I didn't say SERT, I said like the SERT sergeant or something.

172 **COURTNEY:** The SERT Sergeant.

173 **ELIAS:** The SERT sergeant or lieutenant just to let them know what's going on because like I did with
174 my sergeant, just to let them compromise the situation.

175 **COURTNEY:** Right. Hey maybe there might be a call out later, we got this going, give them a heads
176 up.

177 **ELIAS:** Yeah, that kind of thing.

178 **COURTNEY:** That thing, okay. And that call wasn't made then to give them a heads up?

179 **ELIAS:** I don't know.

180 **COURTNEY:** Okay.

181 **ELIAS:** Not that - - I had, I had left and went out here, so I mean - - basically I had the dog and while
182 they were making their plan trying to get a hold of him, I mean, I'm no good with the dog if I'm sitting
33 in the alcove so if I can I go out here and help these guys in case the guy takes off running towards us
184 or away from us, or just to have the dog there available.

185 **COURTNEY:** And I guess for the tape purposes, you have crime scene diagram in front of you and
186 we know that he was in apartment 37.

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187 **ELIAS:** Yes.
188 **COURTNEY:** And which alcove did you initially go in to speak with the officers? Was it the first one
189 north of his alcove, or was it the second one?
190 **ELIAS:** The second one. It would be the furthest.
191 **COURTNEY:** Okay. The furthest one, okay, that's where you guys were at.
192 **ELIAS:** Yes, sir.
193 **COURTNEY:** Okay. And then as part of the plan I know you said that they wanted to make contact
194 with him to determine if he was a danger to himself and kind of get a picture of what his mind-set was.
195 Was there any other tactical plan being made as far as resources at the scene being - -
196 **ELIAS:** Uh - -
197 **COURTNEY:** - - done and it can be - -
198 **ELIAS:** I think they were all done. I mean we tried to cover every avenue of escape if he were to run
199 and not have cross-fire and so forth. And then we had people over here on the west side. And we had
200 the cars here so we could do a call out. You know, call him out if he came out, if we needed to. We had
201 long cover, we had less lethal, we had arresting and they had me. So.
202 **COURTNEY:** Okay. And this diagram shows two patrol cars kind of parked at an angle in the parking
203 lot. Were they in that position when you got there?
204 **ELIAS:** Yeah.
205 **COURTNEY:** Okay. So they were already - -
206 **ELIAS:** Everything was there and they were all set up.
07 **COURTNEY:** Okay.
208 **ELIAS:** Which isn't uncommon in this - - pretty normally you call someone out loud hail them or try
209 to make phone contact.
210 **COURTNEY:** And was it your - - uh, do you know for sure, was the plan of action to get him to come
211 out or - -
212 **ELIAS:** I think the plan was to see if he was going to hurt himself or not.
213 **COURTNEY:** Okay.
214 **ELIAS:** And if he was going to hurt himself then they have him come out so we can get him help.
215 **COURTNEY:** Were you in the alcove at anytime when QUACKENBUSH was actually speaking with
216 uh, MR. CAMPBELL?
217 **ELIAS:** I was there when the text message came. I didn't know if he was texting, but I specifically
218 remember the text message coming that said hey, make them leave or I'm going to go get my gun.
219 **COURTNEY:** Right. Okay.
220 **ELIAS:** Make the police leave or I'm going to get my gun.
221 **COURTNEY:** And I think you said after that you took up the position and we know from your
222 interviews by some trash, garbage cans or dumpsters.
223 **ELIAS:** Yeah. I wanted to be - - I didn't want to be right on these other officers because my dog has
224 the potential sometimes when you start confronting someone he'll sometimes nip. So I wanted to be
225 off a little bit. And I had a better line of sight with the trash can right here and less light, I actually kind
226 of moved it a little bit so I could hide right here.
227 **COURTNEY:** And is that something the sergeant directed you to take that position, or is that just the
228 position - -
29 **ELIAS:** No, I just - -
230 **COURTNEY:** - - you went over to take on your own?
231 **ELIAS:** Yeah. A lot of people don't know what I'm totally capable of, so I just operate and try to tell
232 people what's going on and I let them know I was going over there. And uh, that's where I ended up.

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233 **COURTNEY:** Okay. And were you given a specific role or job at the scene?
234 **ELIAS:** By somebody?
235 **COURTNEY:** By anybody, yeah.
236 **ELIAS:** No. It's just kind of a known thing. I mean like I said, you got the bean bag, the long rifle and
237 the dog. And everyone knows the dog, you know, the dog's job is basically if someone runs, tries to
238 run away or comes at us or tries to escape or just because the dog's going to get the bullet in certain
239 circumstances. So, it all depends on the way the guy acts too.
240 **COURTNEY:** Right.
241 **ELIAS:** It's not black and white, it's uh, fast evolutionary thing that just happens.
242 **COURTNEY:** Sure.
243 **ELIAS:** You can make a plan, but you know, you can't stick by it because stuff changes rapidly.
244 **COURTNEY:** Right.
245 **ELIAS:** And if you stick by a plan, I mean the plan is only as good as the way the suspect acts. So,
246 it's, like I said it's something we've all been trained. We all have common sense and we all just do
247 what we do and uh, you know.
248 **COURTNEY:** Right. Okay. And we touched on it earlier or you mentioned earlier there was some
249 talk, or was there some talk about maybe possibly just packing up and leaving the area since uh - -
250 **ELIAS:** I heard something about - -
251 **COURTNEY:** The kids were out of the apartment.
252 **ELIAS:** Yeah, I heard something about that, but I think just what they wanted to determine was they
53 didn't want to leave if he's like going to kill himself. I think they wanted to hear from him. But I
254 didn't get involved in that too much, I mean, I had left and went out here.
255 **COURTNEY:** Okay. And then you mentioned obviously the kids had left the apartment and in your
256 interview you said the kids were gone by the time you got there.
257 **ELIAS:** Yeah, they had just left when I got there. They had just came out.
258 **COURTNEY:** Now what does that indicate to you personally? Does that heighten the situation or
259 does that lessen the threat level?
260 **ELIAS:** Well, I wouldn't say it lessens the threat level, but it's a lot better when you don't have the
261 kids in there if he's by himself cuz' he's kind of contained and it doesn't become a hostage thing. So, I
262 mean that makes me feel better if there's not kids in there. It is what it is, it's not a hostage situation.
263 **COURTNEY:** And then in your earlier statements you mentioned how you learned the information
264 that he was looking out the windows?
265 **ELIAS:** Absolutely.
266 **COURTNEY:** And where did you get that information from?
267 **ELIAS:** From the other officers at the scene.
268 **COURTNEY:** Okay. And was he looking out back windows? Is that - - people in the back saying
269 that?
270 **ELIAS:** No, these officers here out front where I was were saying that there's someone looking
271 through the windows. Obviously that tells me that he's looking for our positions, whether he wants to,
272 you know, use it against us, if he's got a plan. So that kind of sketched me out a little bit.
273 **COURTNEY:** Okay.
274 **ELIAS:** Why else would you look outside? I mean if you knew we were there and then he wants to see
75 exactly where we're at it's kind of common sense.
276 **COURTNEY:** Now were you given any instructions that if the subject came out and uh, possibly
277 looks like he took off running or walked away, would that be a situation where the dog would be
278 deployed?

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279 **ELIAS:** No because I'm absolute the one that makes the decision whether I'm going to deploy the dog
280 or not. No one tells me like hey, you're going to pull your dog now or you're not going to deploy him.
281 I mean I deploy. It's kind of like you don't tell someone when to shoot, you make that assimilation on
282 your own. And I'm the dog handler so I determine whether I'm going to deploy the dog or not, so.
283 **COURTNEY:** Okay. Then another follow up question would be was there any mention out there, any
284 kind of talk that if CAMPBELL did leave the apartment he was not to be allowed to go back inside?
285 **ELIAS:** Um, not that I can recall.
286 **COURTNEY:** Okay.
287 **ELIAS:** But I uh - - that's usually a, something might have been mentioned, but I can't recall exactly
288 right now. But if he came out and was trying to get back in, if we already got him out, that would
289 probably be a time I'd deploy the dog to keep him from going back in there.
290 **COURTNEY:** Now what kind of time-frame are we talking about that are you out there prior to him
291 actually coming out? How long were you out there waiting approximately?
292 **ELIAS:** I can't recall at this date and time exactly. I can try to refer to my transcripts. I don't know if
293 it's in there or not.
294 **COURTNEY:** I didn't see specifically where a time-frame was mentioned, but was it relatively quick,
295 like a few minutes or - -
296 **ELIAS:** It wasn't a few minutes.
297 **COURTNEY:** Fifteen minutes?
298 **ELIAS:** I think it was more like fifteen-ish. I don't think it was that long. It wasn't that quick that it
299 happened; it wasn't that long. It's not like we were out there for hours.
300 **COURTNEY:** Right. And when you're out there kinda by the dumpster you're kinda by yourself, but
301 other officers are by the car.
302 **ELIAS:** Yeah, I have lethal coverage. So usually when I'm with somebody I - -
303 **COURTNEY:** And uh, of course, we know it was Officer FRASHOUR, LEWTON were there.
304 **ELIAS:** KEMPLE.
305 **COURTNEY:** Yeah, KEMPLE and then uh - -
306 **ELIAS:** And I don't, I remember like three people, but I guess there was more cuz people were I think
307 coming and going, I don't remember.
308 **COURTNEY:** But those are three you remember being there.
309 **ELIAS:** Yeah.
310 **COURTNEY:** Okay. And did you feel during that time waiting for him to come out that you were
311 being kept abreast of what was going on? That you were being updated on what was happening or did
312 you - -
313 **ELIAS:** I didn't hear too much about what was going on, just a couple of updates here and there that
314 were, I can't even recall what they were, but all I was thinking is they're just trying to make contact
315 with him and have him come out.
316 **COURTNEY:** Okay. So you don't recall getting any information on how that contact, how that
317 process was going, if it was - -
318 **ELIAS:** I think like, hey, we're still trying to make contact. We're still - - it was something really
319 elementary, like, I can't remember exactly.
320 **COURTNEY:** Okay. And those updates were over the radio as far as somebody yelling them to you?
321 **ELIAS:** I - - to the best of my recollection, yeah.
322 **COURTNEY:** And do you know who was giving you those radio updates?
323 **ELIAS:** I don't know.

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324 **COURTNEY:** And there was apparently a statement made out there by CAMPBELL'S girlfriend who
325 left the apartment that how she told Officer BOYLAN that CAMPBELL'S problem behavior had been
326 the day before and that he was doing much better today. Did you get any kind of information along that
327 line?

328 **ELIAS:** I don't recall any - - I don't recall.

329 **COURTNEY:** And again, I think we talked about, you know, officers wanted to check and make sure
330 he was doing okay, or check on the status that he wasn't going to harm himself, but and I'll have you
331 add to this. Were they trying to get him to come outside? I can't remember, or just check on his status?

332 **ELIAS:** I think they were trying to make some kind of comm.... communication to see if he was a
333 threat to himself or not.

334 **COURTNEY:** Okay.

335 **ELIAS:** If he felt like hurting himself and if he did then kind of steps we need to get you out. Well
336 then that's, you know, come out and talk to us.

337 **COURTNEY:** And then the information, tell me what information you had about him being armed.
338 Do you know what type of - - were you provided what type of weapon, where he kept the weapon, if it
339 was on his person or in the apartment or what?

340 **ELIAS:** I just know he was supposed to have a pistol in there.

341 **COURTNEY:** Okay.

342 **ELIAS:** So, and I can't remember, I think it was the girlfriend that supposedly told someone that we
343 got the info from, I can't remember, but there was definitely a gun, that was reiterated by him with the
44 text message, so.

345 **COURTNEY:** Did you have any information or were you provided any information that he had used
346 the gun previously, prior to your arrival on the scene at anytime?

347 **ELIAS:** Uh, no, just that he was suicidal.

348 **COURTNEY:** Okay. And then, obviously, when CAMPBELL emerged from the apartment what was
349 his demeanor or behavior like when he emerged? When you first saw him what was his position? How
350 was he acting?

351 **ELIAS:** Uh, he just came out with his hands on the back of his head and started walking backwards
352 towards us and that's when I was told hey, here he comes.

353 **COURTNEY:** Did he ever try to turn around and acquire officer positions to see where they were at or
354 did he keep his back?

355 **ELIAS:** He was looking, I mean the dog was barking and stuff and he was looking. I know he looked
356 at the dog, so he was looking around.

357 **COURTNEY:** And, again, correct me if I'm wrong, but in reading your statement, you described his
358 hands were behind his ears, kinda.

359 **ELIAS:** Yeah.

360 **COURTNEY:** Instead of on top of his head, just kinda behind his ears?

361 **ELIAS:** Yeah, I think behind his head, yeah.

362 **COURTNEY:** And his fingers were interlaced?

363 **ELIAS:** Yes.

364 **COURTNEY:** And what was the gait of his walk as he walked back towards officers? Was it fast,
365 slow, normal paced?

366 **ELIAS:** It was just kinda, he just walked back towards us. He was like, it wasn't slow and it wasn't
367 really fast, but it wasn't slow enough to feel comfortable. He just, he seemed like he was on a mission,
368 I mean he just kinda came out there.

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369 **COURTNEY:** I think in your detective interview you mentioned how he walked back slow uh,
370 towards officers. Is that - -
371 **ELIAS:** I'd have to - -
372 **COURTNEY:** Anyway, but as far as you remember it was more of a faster type of a walk?
373 **ELIAS:** Like brisk.
374 **COURTNEY:** Brisk?
375 **ELIAS:** Yeah.
376 **COURTNEY:** OK. And anything else? How about clothing he was wearing? What do you remember
377 about clothing, if any?
378 **ELIAS:** He had a big jacket on.
379 **COURTNEY:** Okay. Uh, and with his hands behind his back tell me what you could see of his waist?
380 I mean the _____.
381 **ELIAS:** I couldn't see his front waistband.
382 **COURTNEY:** What could you see his back waist area?
383 **ELIAS:** I think the jacket was pretty much covering all that. I couldn't see in his waistband that well.
384 I'd have to refer to my report exactly to see what - - I can't recall at this date and time exactly what I
385 could see.
386 **COURTNEY:** Right. Okay.
387 **ELIAS:** Can I refer to this?
388 **COURTNEY:** Oh yeah, absolutely. And is an officer giving commands immediately at the time he's
89 walking back?
390 **ELIAS:** Yeah, I remember someone saying, I think it's "slow down" or something.
391 **COURTNEY:** Slow down, okay. Any other commands that you heard were given?
392 **ELIAS:** Yes. When he was finally - - he was told to stop, I don't remember how many times that was,
393 but when he stopped he was told to put his hands up.
394 **COURTNEY:** Okay. So an officer and who is giving him commands?
395 **ELIAS:** I believe it was Officer LEWTON.
396 **COURTNEY:** Okay. Did anybody else give him commands?
397 **ELIAS:** I don't know. I can't recall. It sounded like LEWTON.
398 **COURTNEY:** Did anybody - - did you hear one voice, was there maybe two different tones of voices?
399 **ELIAS:** I can't recall. I'm just thinking it was LEWTON because he's the one that fired the bean bag
400 rounds, had the bean bag gun and was telling him to put his hands up or he's going to get shot.
401 **COURTNEY:** Okay. And as he's walking back - -
402 **ELIAS:** I didn't like turn to look and see what they were doing, I was focused on MR. CAMPBELL.
403 **COURTNEY:** As he was walking back I think he said - - LEWTON told him to stop and he stopped,
404 did he obey that command and stop immediately or did he continue to walk or?
405 **ELIAS:** I can't recall exactly, but I remember he stopped eventually.
406 **COURTNEY:** And then what commands were given to him at that time?
407 **ELIAS:** He was told to put his hands up.
408 **COURTNEY:** Okay. Was he ever told to get down on his knees or get down on the ground?
409 **ELIAS:** No, I told him - - I heard put your hands up and if you don't put your hands up you're going
410 to get shot.
11 **COURTNEY:** And what was CAMPBELL'S response to that command?
412 **ELIAS:** Uh, fuckin' shoot me then.
413 **COURTNEY:** Okay.
414 **ELIAS:** So it's obvious he heard the commands of the officer.

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415 **COURTNEY:** Yeah. And I know you weren't giving commands, but did you understand or come to
416 realize the reasons why the officer wanted him to get his hands up from behind his head?
417 **ELIAS:** Yeah, it's farther away from his waistband and also it picks up the jacket, you know, what
418 you're wearing so you can actually see inside the waistband. Through our training and experience I
419 figured he was gonna have him put his hands up and that's part of our training and then you turn
420 around, have him turn around and get on his knees.
421 **COURTNEY:** Okay.
422 **ELIAS:** And go into a prone handcuffing position.
423 **COURTNEY:** Do you recall CAMPBELL saying anything at any time other than what you said, go
424 ahead and fucking shoot me? Did he say anything else in response to these commands?
425 **ELIAS:** No, not that I can recall.
426 **COURTNEY:** Okay. And at the point he stopped, how far away was he from the patrol cars do you
427 think?
428 **ELIAS:** I don't know, a couple of car lengths away, a car and a half. I mean I don't know thirty feet,
429 twenty feet, twenty-five feet. I don't know exactly.
430 **COURTNEY:** Okay.
431 **ELIAS:** What are these numbers?
432 **COURTNEY:** Oh, those are just evidentiary items.
433 **ELIAS:** Are those the bean bag rounds?
434 **COURTNEY:** Yeah, those are - - that's crime scene diagram.
35 **ELIAS:** So it was probably somewhere right around here, I don't know how many feet that is.
436 **COURTNEY:** Okay. And when the uh, was told go ahead, and he says go ahead and shoot me, how
437 long after he makes that statement was he actually shot with the less lethal?
438 **ELIAS:** Pretty quick. Seconds.
439 **COURTNEY:** Seconds?
440 **ELIAS:** Yeah.
441 **COURTNEY:** Okay. And was it one shot and then another followed immediately thereafter, or what
442 was the - -
443 **ELIAS:** I didn't pay attention to the shots, I just heard the first shot, or I heard a shot and I saw him
444 stumble.
445 **COURTNEY:** Okay.
446 **ELIAS:** And take a step like he was going to go down.
447 **COURTNEY:** And where did his hands go at that time?
448 **ELIAS:** Off his head down towards his waistband area like he's gonna, like go down.
449 **COURTNEY:** Okay. Did they go in front of him, behind him?
450 **ELIAS:** They just dropped so I don't know exactly.
451 **COURTNEY:** The reason I ask sometimes somebody gets hit with a bean bag they might reach back
452 where they were hit with the round.
453 **ELIAS:** No, it wasn't like oh, I got shot. No, it was just like - -
454 **COURTNEY:** Kinda crouch down a little bit.
455 **ELIAS:** Yeah, took a step and started to go down and hunched over.
456 **COURTNEY:** And then what happened?
457 **ELIAS:** I thought to myself, good, he's gonna go down. But instead of going down he like tripped,
458 like someone tripped him, and he tripped and then took another step and just started getting speed
459 running.
460 **COURTNEY:** Okay. And was he shot again with bean bag rounds?

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461 **ELIAS:** Yeah, I heard shots going off.
462 **COURTNEY:** Okay. And uh - - just to backup at the point where Officer LEWTON says you know
463 get your hands up or you'll be shot, was there any indication given to CAMPBELL that he was going
464 to be shot with less lethal as opposed with a - -
465 **ELIAS:** Not that I can recall.
466 **COURTNEY:** Okay. So he's running away or as he's running back toward the apartment are his
467 hands pumping like that like he's really sprinting?
468 **ELIAS:** Yeah, he's sprinting.
469 **COURTNEY:** Okay. And then at the time the fatal round is fired, where - - where's he at when that
470 occurs or did you have eyes on him when the fatal round is?
471 **ELIAS:** Yeah, I had already sent - - I had sent my dog, so I was kind of watching my dog close the
472 distance on him and then I heard a distinct different shot and I saw him hit the deck right behind this
473 car right here.
474 **COURTNEY:** Okay. And at the time you released your dog, did Officer LEWTON or the other
475 officers know that you'd released your dog?
476 **ELIAS:** Not that I know of, I just gave him the take command.
477 **COURTNEY:** Just gave him the take command. And is that something you yell loud or just - -
478 **ELIAS:** I just said it to the dog.
479 **COURTNEY:** Okay. So the officers over here wouldn't necessarily know that the dog had been
480 released.
81 **ELIAS:** No, but you know, common sense, they call me there, they know what the dog does, someone
482 runs, the dog will usually get sent. I mean, like I said, we work together all the time.
483 **COURTNEY:** Now when he's back up here, CAMPBELL'S back up here, stopped with his hands on
484 his head and given the command to get his hands up. Is that a situation where the dog might be used if
485 he's not complying in that command? Is there any application in which that dog could be used in that
486 situation?
487 **ELIAS:** It can be, but I didn't feel it applicable to send the dog on him at that time.
488 **COURTNEY:** Okay. And uh - -
489 **ELIAS:** I mean on the use of force scale, it's kind of like an impact weapon.
490 **COURTNEY:** The dog is?
491 **ELIAS:** Yeah.
492 **COURTNEY:** Considered an impact type of weapon?
493 **ELIAS:** Yes.
494 **COURTNEY:** Okay. Was there any mention when he was - - was there any talk amongst the officers
495 when he was stopped, wasn't compliant about just going up there and handcuffing him or?
496 **ELIAS:** No.
497 **COURTNEY:** Getting him?
498 **ELIAS:** Not that I can recall, no. I don't think we'd want to go up to a guy that's potentially armed
499 especially with the action/reaction thing, that wasn't even discussed.
500 **COURTNEY:** Okay. How about other less lethal means such as a taser? Was he close enough to be
501 tasered?
502 **ELIAS:** No. I think that taser is what, twenty feet or something?
503 **COURTNEY:** Uh-huh.
504 **ELIAS:** No, it's over that.
505 **COURTNEY:** How about - -
506 **ELIAS:** He had a thick jacket on too, so.

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507 **COURTNEY:** Okay. My next question, if the clothing had any - -
508 **ELIAS:** Possibly, but I wasn't the less lethal guy, so I mean that's just what I would be thinking.
509 **COURTNEY:** Okay.
510 **ELIAS:** I mean don't want to leave a position of semi cover and expose yourself to someone that's
511 potentially armed and volatile and made threats.
512 **COURTNEY:** Were you given any warning or did you understand the bean bag round was going to be
513 used at the point it was or was that kind of a surprise that it was used at that time or?
514 **ELIAS:** Uh, well, it's always a surprise when you hear a bang, but I mean it wasn't a surprise that he
515 got bean bagged because he wasn't complying to the orders that Officer LEWTON was giving him.
516 **COURTNEY:** Okay.
517 **ELIAS:** The pop is a surprised, but it's not surprised he got bean bagged, so.
518 **COURTNEY:** Okay. You know, or could you tell at the scene, I know now you probably realize how
519 many times the bean bag was used, but could you tell how many times the bean - -
520 **ELIAS:** I don't know, I just heard it going off several times. It's one of those rapidly evolving
521 situations that you kind of just focus on your job, like what you are tasked to do.
522 **COURTNEY:** And at the time he was uh, shot with the AR, could you tell where his hands were at
523 the time? What?
524 **ELIAS:** I didn't, like I said, I mean I was looking - - I was kind of watching the dog and him and they
525 weren't on his head and he was running, they were down by his waistband area.
526 **COURTNEY:** And describe your own assessment as to the threat CAMPBELL posed to others out
27 there at the scene when he took off running in that manner?
528 **ELIAS:** Oh, I was thinking it's really bad. I mean he's running. First of all I'm thinking he's armed
529 with a gun and he's running back towards a position of cover, which the car or the apartment right
530 there. I mean, it's kind of a no-brainer.
531 **COURTNEY:** And if he got behind cover and concealment how would that change things?
532 **ELIAS:** Uh, well, basically we have the same we have some cover and concealment, basically he's
533 going to shoot out with us and you know, we don't have a tactical advantage, where if he's out in the
534 open we have a tactical advantage. And we like to have the tactical advantage when we deal with
535 people. We don't want to put ourselves out there to get hurt.
536 **COURTNEY:** And you may or may not know this, but at the time CAMPBELL came out of the
537 apartment, do you know uh, I assume Sergeant REYNA was still kinda in charge of the situation.
538 **ELIAS:** I think so. I think it was more like her and BIRKINBINE combined, but maybe her more, I
539 don't know. I think it was her call and they were just kind of bouncing stuff off of each other.
540 **COURTNEY:** Do you know where she was at the time he came out? Was she still in the alcove or?
541 **ELIAS:** I don't - - yeah, I don't know.
542 **COURTNEY:** Okay. And then after CAMPBELL was shot you released your dog and you know
543 where he fell up there by the car.
544 **ELIAS:** And the dog, just to reiterate, the dog was sent before - -
545 **COURTNEY:** Right.
546 **ELIAS:** - - he actually got shot with the rifle.
547 **COURTNEY:** And I think in reading your detective interview how the dog went up there, you really
548 couldn't see it, but you could tell the dog was biting him?
49 **ELIAS:** Yeah, I could hear him and I think I saw his tail kind a, his tail went up.
550 **COURTNEY:** Okay. But you couldn't see that by - -
551 **ELIAS:** I couldn't see exactly.
552 **COURTNEY:** - - see him.

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553 **ELIAS:** No, and the only thing I could really see on MR. CAMPBELL was his feet kind of sticking
554 out.
555 **COURTNEY:** And did you come to some sort of assessment as to MR. CAMPBELL'S condition
556 based upon the dog's actions there?
557 **ELIAS:** Yeah. I just thought he was 10-79. I mean dead because when a dog's biting you for you just
558 to stay still - -
559 **COURTNEY:** It's hard to play possum.
560 **ELIAS:** Yeah, it would be pretty hard to do that.
561 **COURTNEY:** Right. Was there any talk about approaching him at that time?
562 **ELIAS:** Yeah.
563 **COURTNEY:** Okay. And how did that go?
564 **ELIAS:** Um, when I turned around I looked at the officers here and BIRKINBINE was there, so uh
565 **COURTNEY:** So BIRKINBINE was up by the car now?
566 **ELIAS:** Yeah.
567 **COURTNEY:** Okay.
568 **ELIAS:** And uh, I'm like, I looked at him because my dog was biting the guy and I said hey, can we
569 go get this guy? When the dog's on him is the time to do it if we're going to go up there. So basically
570 with the dog doesn't give us time, when he's biting someone, the dog - - he might have a plan to hurt
571 us, but he's going to be more zeroed in on the dog and that's the time when we need to go up there if
572 we're going to do it. And uh couldn't come to a plan, so I said I need to take the dog off. Can't just let
73 him sit there and bite him.
574 **COURTNEY:** Right.
575 **ELIAS:** So, I recalled the dog and tried to make another plan because he wasn't moving and I
576 suggested that someone go to my car and get binoculars. I said hey, if you can see his hands then I feel
577 like going up there and Officer BOYLAN walked around to some positions over here and said he
578 couldn't see his hands.
579 **COURTNEY:** Okay. As a K-9 officer would you have felt comfortable approaching him with the dog
580 up there like that if you had a cover officer with you?
581 **ELIAS:** Uh, I wouldn't feel comfortable, but it's an inherent risk that I would, I would have
582 undertaken, I would have done it. I mean I felt confident enough that my dog would keep him
583 preoccupied and he wasn't moving. Just a totality circumstance, I was fine going up there and doing it.
584 But I know there is some inherent risk with it too.
585 **COURTNEY:** Right.
586 **ELIAS:** But that comes with the job.
587 **COURTNEY:** And then you know who's decision it was to activate SERT at that time or?
588 **ELIAS:** Um, ultimately I think it was uh - - you know, I told them, I said hey if you're going to call
589 SERT up it's not a wrong decision, call SERT. I think it was BIRKINBINE that pressed the SERT
590 button.
591 **COURTNEY:** Okay. So it sounds like after the shooting that BIRKINBINE took more of the
592 supervisory role.
593 **ELIAS:** Yeah, with that part he was up there closer.
594 **COURTNEY:** And did you ever see Sergeant REYNA after that shooting up there?
95 **ELIAS:** No.
596 **COURTNEY:** Did anybody halfway approach CAMPBELL and then some officers call em back or
597 did you see anybody try to go up halfway or?

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598 **ELIAS:** Not that I remember. I think I came out of here thinking we were going to out, but then I
599 ended up coming back in here.
600 **COURTNEY:** Okay.
601 **ELIAS:** But I didn't see people like start going up there, no.
602 **COURTNEY:** And then did you hear Officer FRASHOUR say anything immediately after the shot
603 was fired? Did he uh, give any indication as to why he took the shot at the time he did?
604 **ELIAS:** I can't recall at this date and time whether he did or not. I might have earlier, but I don't
605 remember anything like that.
606 **COURTNEY:** Okay. You didn't have any conversations with him after the fact?
607 **ELIAS:** No.
608 **COURTNEY:** And what happened to you after the, after SERT came in and - -
609 **ELIAS:** Actually, I stayed there and then after SERT did their thing I was given someone to sit with
610 me and wait for the union to come and get a lawyer and all that stuff.
611 **COURTNEY:** And was uh, there was a crime scene log out there. Did you sign the crime scene log or
612 did somebody put your name on it?
613 **ELIAS:** Not that I recall.
614 **COURTNEY:** Okay.
615 **ELIAS:** I can't remember.
616 **COURTNEY:** Now, of course, I have to ask have you talked to anybody about this case, heard or read
617 anything in the news that has influenced your perception about what happened that day and what
18 you're telling me at this time?
619 **ELIAS:** No. But I mean, I just, the news is ridiculous, I try not to listen to it. That's about all I have to
620 say.
621 **COURTNEY:** And do you have any information that you believe would be relevant to this case which
622 we haven't covered? Anything related to the call?
623 **ELIAS:** No.
624 **COURTNEY:** Did you speak with any witnesses at the scene? Were you involved in contacting
625 witnesses? Did anybody come up to you and say I saw this?
626 **ELIAS:** No. I saw one gal. It was in one of the apartments I told the officers need to talk to her. That's
627 about it.
628 **COURTNEY:** And keep in mind this is an administrative review. Is there anything about this incident
629 that caused you concern that you want to discuss at this time?
630 **ELIAS:** No. I mean it's just something we deal with on a daily basis.
631 **COURTNEY:** Dave?
632 **DOBLER:** A couple of things. Just want to talk a little bit more about - - you've been a handler for
633 over three years, is that correct?
634 **ELIAS:** Yes.
635 **DOBLER:** So you are certified. Are you a dog handler or a dog master?
636 **ELIAS:** Uh, dog handler.
637 **DOBLER:** Okay. So you've been through how many hours of training?
638 **ELIAS:** Hundreds.
639 **DOBLER:** So some of the considerations for a handler, whether or not you deploy or not deploy is
40 every dog is different, so you have to evaluate the strengths and weaknesses of the dog.
641 **ELIAS:** Absolutely.
642 **DOBLER:** And your partnership with that dog?
643 **ELIAS:** Yeah. You can't just say, call a dog and have to do this job.

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644 **DOBLER:** Absolutely.

645 **ELIAS:** Every dog is different.

646 **DOBLER:** And is part of your training the different laws that are involved in and the rules of

647 engagement or the application of the dog and court decisions for the application of the dog?

648 **ELIAS:** Yes.

649 **DOBLER:** And then also the tactics because you have to move with a rather large furry creature and

650 so you have to take into consideration cover, concealment for yourself and the animal and get them in

651 a position to where they can approach with good use, correct?

652 **ELIAS:** Yes.

653 **DOBLER:** And you also know what your strengths and weaknesses are as far as your training and

654 concerns or areas of trauma that you would be more comfortable or less comfortable with your dog.

655 **ELIAS:** Yes.

656 **DOBLER:** And so your decision to deploy here was based on all those factors?

657 **ELIAS:** Yes.

658 **DOBLER:** And based on, again, just for the record your perception of what MR. CAMPBELL was

659 doing and why you released the dog at the time you did.

660 **ELIAS:** Yes.

661 **DOBLER:** So it was in turning, the whole totality and circumstances but basically turning and moving

662 away and being out of control, verbal control with the officers.

663 **ELIAS:** Verbal control, yeah, and I needed a position to cover plus all the other stuff with the firearm

54 and just the totality of everything. It was a reasonableness standard. It was reasonable to send the dog.

665 **DOBLER:** And one thing I wanted to clarify because we kind of brushed over because there was so

666 much to this case, but it could go back to the first time where MR. CAMPBELL came out of the alcove

667 and his mannerisms. Could you describe for me again, was he walking backwards or toward the

668 officer's face first?

669 **ELIAS:** I remember it was backwards.

670 **DOBLER:** Was it a slow pace or a fast pace?

671 **ELIAS:** Well, I know it said in the transcripts it was slow, but I don't want to say fast, it was just kind

672 of brisk. I don't - -

673 **COURTNEY:** Here's your detective transcription say, how was he walking - - just slow, walking

674 backwards.

675 **ELIAS:** Yeah.

676 **DOBLER:** Um, what was he doing while he was walking backwards?

677 **ELIAS:** I remember him peering back. I remember specifically looking at the dog and the dog was

678 barking, I remember him looking, kinda just - -

679 **COURTNEY:** So there's no doubt he knew the dog was there.

680 **ELIAS:** Oh, no, he knew.

681 **DOBLER:** Okay.

682 **ELIAS:** And I don't - - that's yeah.

683 **DOBLER:** Do you think he was looking back as if I were going to walk backwards just to make sure

684 I'm not tripping or is he looking back looking for people potentially?

685 **ELIAS:** I saw him looking at, I saw him looking at me and the dog and looking around. I mean it

36 didn't seem that he was worried about tripping.

687 **DOBLER:** And for you, for somebody that might be armed with a weapon, they have a history of

688 resisting and they're acting like this and looking back at you potentially looking at locations of

689 officers, what does that do for you?

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690 **ELIAS:** It just heightens my - - you know, heightens the risk that he's possibly going to use lethal
691 force against us since he had a gun.

692 **DOBLER:** Potentially identifying you as a target?

693 **ELIAS:** Yep, absolutely. All of us.

694 **DOBLER:** Okay. And then I just wanted to clarify. There's been some questions asked about him,
695 MR. CAMPBELL going back to the apartment. Does that - - already he's coming out, he's not
696 listening to commands and he's headed away out of verbal control and out of physical control from the
697 officers back to the apartment. As he's getting closer to cover, which would be vehicles and to the
698 apartment, does that increase your sense of urgency or sense of threat?

699 **ELIAS:** Both.

700 **DOBLER:** Can you tell us why?

701 **ELIAS:** Yeah, cause like I said when he disappears behind a car he's got a position of concealment
702 and cover and I wanted the dog, I sent the dog to try to get him before he could reach that point. And
703 uh, also you know, we didn't have anything - - there were still people in the apartments and stuff, we
704 had cross traffic. It just would have been a very ugly situation if it would have gone to a shoot out.

705 **DOBLER:** Had the whole apartment complex here, especially in the alcove, I'm not sure, are there
706 four apartments in that alcove?

707 **COURTNEY:** Uh-huh, top and bottom.

708 **DOBLER:** Had those all been evacuated?

709 **ELIAS:** No. Not, not that I know of.

10 **DOBLER:** Did you have a concern that if he's running back, I mean he's running back to either his
711 apartment or to places where other people could be located?

712 **ELIAS:** Yeah, absolutely. I mean that's like, I talked about that during the Grand Jury stuff. It's just a
713 highly volatile situation; I mean there's people everywhere. There's the cross traffic. The traffic I saw
714 a bunch of people up here, people were looking through their windows, I mean it just could be bad.

715 **DOBLER:** And the final position of MR. CAMPBELL was behind a vehicle. Some people call that
716 concealment, some people call it cover. What were Officer LEWTON and FRASHOUR using for
717 cover and concealment?

718 **ELIAS:** A car.

719 **DOBLER:** Okay.

720 **COURTNEY:** One thing that I, do you mind if I - - what's the lighting out, like out here during this
721 time?

722 **ELIAS:** It had started to get dark and there's a lamp over here, which is kind of why I moved over
723 here because I was well lit right here in front of garbage cans, so I moved over here where it was a
724 little darker so I wasn't as back lit.

725 **COURTNEY:** Was there illumination throughout the parking lot?

726 **ELIAS:** It was illuminated, but it wasn't bright.

727 **COURTNEY:** How about any lights that officers used on him were uh, any spotlights used that you
728 recall?

729 **ELIAS:** I think there was, but I can't recall exactly.

730 **COURTNEY:** I guess the question would be, did you have any difficulty seeing them?

731 **ELIAS:** No.

32 **COURTNEY:** So it was light enough.

733 **ELIAS:** Yeah.

734 **COURTNEY:** Whether artificial light or just getting dark that you didn't have any problems seeing.

735 **ELIAS:** No. I could see his fingers interlaced behind his head.

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736 **COURTNEY:** Okay.

737 **DOBLER:** Relating to the initial time that you looked at the CAD/MDT call would you have done
738 anything different or do you think the team would have done anything different if they had the
739 information that we know today?

740 **ELIAS:** Uh, well, yeah, it would have been nice to know some of the information I found out later.

741 **COURTNEY:** Such as?

742 **ELIAS:** I remember when we did the debrief that I listened to the actual tapes that came in and people
743 called and I was kind of pissed off when I heard the part that he had actually cranked a round off with
744 the gun. That would have been nice to know.

745 **COURTNEY:** So you didn't have that information. I think I asked you something about that earlier if
746 you had any information that he'd used the gun previously or had fired the gun.

747 **ELIAS:** No. And that would have maybe steered stuff different, I don't know, but I mean that would
748 have heightened things a lot more knowing that he had a gun that he actually discharged. And I don't
749 know why that didn't come out, I mean that's kind of common sense first of all and it seemed like it's
750 dispatching 101. I don't, I mean, I don't know how that didn't forwarded to us. Kind of ridiculous.

751 **DOBLER:** Did radio, to your knowledge and I know you weren't like, because as officers come to
752 their calls, they come in at different times so they may not have heard the initial transmission, you may
753 have missed those. But did radio ever given kind of a summary like I've heard in my career, just so

754 everyone knows, this person has a history or arrests for X, Y and Z. Did you hear anything like that?

755 **ELIAS:** I can't recall. I think I might have heard something from the dispatcher that he had the
56 resisting, I can't recall exactly.

757 **DOBLER:** Okay.

758 **ELIAS:** But it wasn't made clear to me, but like I said, I only heard bits and pieces. I mean I like to,
759 you know, whenever you start transferring information from one person to the next to the next. I like to
760 try to look at it myself and I saw this stuff on the MDT and I had seen this stuff on there that showed
761 he had a potential for violence. So that's all I needed to know and then hearing about the firearm and
762 seeing that he had a firearm arrest and stuff. But to know that he actually had the firearm that he
763 discharged, yeah, that's something we need to know.

764 **COURTNEY:** Okay. Don't think I have anything else. Dave, you don't. Turn the tape off, it's 5:44
765 p.m.

766

767 10b0004int-elias

768 Transcribed: 3/27/10 @ 2:30 p.m. Ruth Harnisch

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