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PORTLAND POLICE BUREAU
INTERNAL AFFAIRS DIVISION
Confidential Taped Statement
Investigator Jon F. Rhodes DPSST #16753

Interview Date: 03/17/2010
IAD #: 2010-B-0004
Complainant: Portland Police Bureau

Interviewed: Officer James Quackenbush DPSST #36875

RHODES: Okay, we're now recording. This is JON RHODES, investigator with the Internal Affairs Division. It is March 17, 2010. It is 1558 hours. We are in an interview an interview room in the Internal Affairs Division office, and for the purpose of the tape, can I just have everybody introduce themselves, starting with Officer QUACKENBUSH.

QUACKENBUSH: My name is JAMES QUACKENBUSH.

RHODES: Very well.

WESTERMAN: My name is JAMES QUACKENBUSH, no. My name is SCOTT WESTERMAN.

COURTNEY : And Investigator LYNN COURTNEY, Internal Affairs Division.

RHODES: Okay. So this is in regards to Internal Affairs Division investigation case #2010b0004 and the corresponding Portland Police Bureau investigation report is 2010-8325. Again, also present is Officer JAMES QUACKENBUSH, DPSST #36875, and SCOTT WESTERMAN as his PPA representative. Officer QUACKENBUSH has been advised of his conduct and/or the conduct of any other bureau member present January 29, 2010 at 12800 NE Sandy Boulevard is the subject of this investigation. Officer QUACKENBUSH has reviewed information necessary to be reasonably apprised of the nature of the allegations of the complaint. Officer QUACKENBUSH has been informed that he is a suspect in the case, and that Captain BRUMFIELD is in charge of the investigation. I have advised Officer QUACKENBUSH that he could have representation present during the interview and SCOTT WESTERMAN is here in that capacity. Officer QUACKENBUSH has been provided a copy of the Advanced Notice and Waiver Form and has signed it and it is now in our possession. Officer QUACKENBUSH, under the authority of Captain EDWARD BRUMFIELD, I am ordering you to answer all of our questions fully and truthfully. If you fail to respond fully and truthfully, you may be disciplined up to and including dismissal. Do you understand that?

QUACKENBUSH: Yes.

RHODES: Okay. Of course, COURTNEY and I know that you have been interviewed by the detectives about this case on the day of the event or within a certain number of hours, and that you also...and we have copies of the transmission report from those interviews. And, additionally, you testified at the Grand Jury, so in this case that testimony was recorded and all the interviews were transcribed, so we have copies of those as well and you've been given opportunity to look at those. They're very lengthy, so I wouldn't expect that you've memorized everything; however, you have them to refer to if necessary. So this is not a test of your

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51 memory of what you told the detectives and /or the Grand Jury, but it is to clarify
52 some issues or some points of what happened that night. Our focus is going to
53 be the opportunity that you had to talk to Mr. CAMPBELL on the phone, and the
54 circumstances surrounding that. So that is really what is going to be our focus.
55 But, to kind of lay the groundwork for people who might be listening to this
56 transcription at some point, whomever it might be, could you first of all just
57 describe how long you've been a police officer with the city and if you have any
58 prior law enforcement experience?

59 **QUACKENBUSH:** I have been a police officer for the Bureau for just over 11 years now.

60 **RHODES:** Okay.

61 **QUACKENBUSH:** And prior to that I worked in a dispatch center in Kent, Washington for about a
62 year.

63 **RHODES:** Okay.

64 **QUACKENBUSH:** As a call receiver.

65 **RHODES:** Okay. Then in terms of your specialized training, CIT training, could you talk
66 about when that training occurred and just kind of a general overview of it, how
67 long the course was for, that sort of thing.

68 **QUACKENBUSH:** I couldn't say for 100% certain, but I think it was something around three years
69 ago that I took that class.

70 **RHODES:** Okay.

71 **QUACKENBUSH:** A 40 hour class; it consisted of an overview of all the different types of mental
72 illness, schizophrenia, depression, major depression, bipolar disorder, and also
73 some distinguishing characteristics in regards to addiction issues, personality disorders
74 and how they may be different from traditionally understood mental illness. And then
75 there was also a component in there of hostage...kind of a slam-dunk course on hostage
76 negotiation, Sergeant, now retired Sergeant WAYNE SVILAR put on – went over the
77 basics of talking to people in crisis and techniques and went through several different
78 scenarios and played tapes and things like that. And there was a pretty involved
79 discussion about how to approach those types of situations.

80 **RHODES:** Okay, tapes of actual conversations between negotiators and people in crisis sort
81 of thing?

82 **QUACKENBUSH:** Yes, exactly.

83 **RHODES:** Okay, very good. Okay. And then, of course, back on January 29, 2010, when
84 this particular incident occurred, could you tell us what your assignment was that
85 day in terms of patrol, and then how you were assigned to this call?

86 **QUACKENBUSH:** I was assigned to work the 664 district.

87 **RHODES:** What's 664, what area?

88 **QUACKENBUSH:** That's a...it's a long big goofy rectangle, sort of, from roughly about 7000, you
89 know, to about 72nd Avenue.

90 **RHODES:** Okay.

91 **QUACKENBUSH:** And Fremont Street would be about the heart of it.

92 **RHODES:** Okay.

93 **QUACKENBUSH:** More or less, but the boundaries are kind of...they kind of jump around a lot.

94 **RHODES:** Okay.

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95 **QUACKENBUSH:** So that was my assigned district for the day. I started at 3 p.m. and I remember
96 the call was getting pretty heavy (indecipherable) guy came out and there was a
97 disturbance. SCOTT immediately pretty much dispatched down at the
98 Hollywood 24-Hour Fitness. By the time I got down there it seemed that the
99 situation was more or less under control. Some other officers and I heard the
100 dispatcher calling for, almost begging for if there was any east side car that can
101 clear, to cover on a welfare check.
102 **RHODES:** Okay.
103 **QUACKENBUSH:** And I answered up for that, and got sent out to 128th and Sandy.
104 **RHODES:** Okay. And then what sort of information do you recall at this point getting from
105 whatever the source may have been while you were in route, before you actually
106 got to the call and started talking to people, such as...you know, from Dispatch
107 or looking at your computer terminal in the car and/or other conversation
108 between officers, what kind of additional stuff did you get that you recall,
109 heading out to the call?
110 **QUACKENBUSH:** Basically, what I had is pretty much what's on pages 1 and 2 of the cad print out.
111 **RHODES:** Okay.
112 **QUACKENBUSH:** Verbatim, that was pretty much, pretty much what I had at that point. Some
113 third hand information about a gentleman who was possibly suicidal and armed,
114 and he had lost his brother earlier that day, was distraught. And the person who
115 was calling in was somehow related to a female, his girlfriend or ex-girlfriend or
116 something which he had three kids with.
117 **RHODES:** Okay.
118 **QUACKENBUSH:** Concerned about her welfare because they had (indecipherable) and were having
119 trouble getting a hold of her. And then there was...they had his information, his
120 PPDS record.
121 **RHODES:** Uh-huh.
122 **QUACKENBUSH:** Which came out and I saw the contents of that. And I'm not sure if you want me
123 to go into detail about that.
124 **RHODES:** No. I don't think so because we have that, and that, of course, on your terminal,
125 in your computer, so as you're able to, as you're driving, you're glancing at that
126 and getting some additional kinds of information.
127 **QUACKENBUSH:** Sure.
128 **RHODES:** Okay. All right, once you get there, when you talked to the detectives, you
129 talked about getting additional information from a gentleman once you get there,
130 and connect up with Officer BOYLAN and this guy, according to the interview
131 with detectives. BOYLAN was talking to him, and then you got some
132 information from him. Who was that guy, and what kind of stuff did you get, and
133 then who ended up with that information? How did you submit that, you know,
134 to other people that were on the call?
135 **QUACKENBUSH:** I didn't know who he was at the time, but I have since discovered who he...Miss
136 JONES's father.
137 **RHODES:** Okay.
138 **QUACKENBUSH:** The female half.

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139 **RHODES:** So, just for the record, that would be COURTNEY JONES, because obviously
140 we know, learned about him and spoke with him, but...

141 **QUACKENBUSH:** Sure.

142 **RHODES:** But the interview wasn't real clear about who that was, although I figured it out.
143 I thought it would be. So, what kind of stuff did he tell you, and then, where did
144 that information go?

145 **QUACKENBUSH:** My focus when I got there was I wanted to figure out where this place was at.

146 **RHODES:** Uh-huh.

147 **QUACKENBUSH:** And start getting the preliminaries, sort of tactical approach and set up going.
148 So, Officer BOYLAN was pretty involved in getting detailed information from
149 him. But I wanted to make a quick assessment. We have the location, we have
150 the apartment number, but I wanted to know a couple of things from my
151 experience, you know, serving search warrants and things like that. I know that
152 there are certain threat factors and threat indicators that sort of red flag the
153 situation and make it more critical. And the two primary concerns I had were I
154 wanted to know from him directly just really quickly, are there kids in the
155 apartment, and second of all, is he armed?

156 **RHODES:** Uh-huh.

157 **QUACKENBUSH:** Do you know for sure? And I believe, he didn't know. It was kind of third hand
58 information to him as well, and he couldn't say for sure whether she was...he
159 was armed or not.

160 **RHODES:** Okay.

161 **QUACKENBUSH:** There was sort of rumors floating around about whether he was armed or not,
162 and I believe, I'm looking through the transcripts to recall, I'm trying to
163 remember the information about the kids, if he had concrete information about
164 that as well. I think he did, but I'm just referring to this to make sure I'm
165 accurate about that.

166 **RHODES:** On page 5 of your transcription with the detectives is where you talk about that,
167 last paragraph, about half way down.

168 **QUACKENBUSH:** Yeah, he...yeah, so that was, yeah. So he did confirm that there were going to
169 be three children with his daughter.

170 **RHODES:** Okay.

171 **QUACKENBUSH:** In the apartment.

172 **RHODES:** Okay. And I think you already addressed this, because you talked about what
173 was in the CAD about information that you were getting as you were arriving.
174 You talked about that his brother, he was maybe suicidal, because his brother
175 died the day before. That's...

176 **QUACKENBUSH:** Um, I'm sorry. Can you...?

177 **RHODES:** About...the guy inside, what his demeanor was in terms of what was going on
178 with him, whether he was suicidal. You mentioned the kids. And whether or
179 not he was armed, and whether or not any crimes had occurred at that point.

180 **QUACKENBUSH:** Yeah, there was...I guess I don't understand the question.

181 **RHODES:** Um, so, you've already addressed this, but because of what was in the CAD...so
182 maybe look at the CAD and kind of summarize for me again what information
183 you had as you were going there, and the confirmation that you got was about—

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184 from this gentleman – was about the kids, at least as far as he knew of them
185 being in there. So, in addition to that, what other kinds of stuff go over again
186 what your recollection was of what was going on with him in terms of being
187 suicidal or suicide by cop or any of that kind of stuff.

188 **QUACKENBUSH:** Yeah, well, this was Mr. CAMPBELL.

189 **RHODES:** Right, right.

190 **QUACKENBUSH:** So, yeah, he had...there was again the information about his brother that had
191 passed away that morning, and he was really upset about it. And then there was
192 the information of he possibly wants to do suicide by police.

193 **RHODES:** Okay.

194 **QUACKENBUSH:** And the caller, the indication from the CAD printout is the caller is alleging
195 quite directly that Mr. CAMPBELL is armed with a gun.

196 **RHODES:** Okay, okay.

197 **QUACKENBUSH:** Um, and then, also, there's a few brief things before his full PPDS got pulled out
198 about his flags, about how he was flagged with a resist arrest and domestic
199 violence history flag, on his record.

200 **COURTNEY:** Was there any information that he had threatened anyone? Or threatened to
201 harm anyone, or committed a crime?

202 **QUACKENBUSH:** Not from my recollection at that point. I don't...get any information about that,
203 no.

204 **RHODES:** Besides himself (indecipherable) like yourself.

205 **QUACKENBUSH:** No.

206 **RHODES:** Um, so then...so you talked to COURTNEY JONES, you get that additional
207 information about the kids, and then how does that get put out there to someone
208 like a potential supervisor that shows up? Do either you or BOYLAN broadcast
209 that at that point, or do you provide that in a briefing with somebody.

210 **QUACKENBUSH:** That...at that point, it was only myself and Officer BOYLAN. So, we were the
211 only people to be informed of that information.

212 **RHODES:** Okay.

213 **QUACKENBUSH:** So, then, after that, once I got that piece of information, I immediately went up
214 and tried to figure out where this apartment was at.

215 **RHODES:** Okay.

216 **QUACKENBUSH:** In the complex, not knowing the complex at all.

217 **RHODES:** Okay.

218 **RHODES:** So you go someplace to try to figure out where it is, to get an eye on it, sort of
219 thing? Is that what you're after?

220 **QUACKENBUSH:** Yes, exactly.

221 **RHODES:** And then, what happens then in terms of somebody else arriving in a supervisor
222 capacity that gives you assignment? How does that happen?

223 **QUACKENBUSH:** It's...it seems to me it was a little while before we had a Sergeant out there. I'm
224 not sure exactly how long. I'd have to look at the CAD or refer to the CAD
225 record to see. But...

226 **RHODES:** Go ahead.

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227 **QUACKENBUSH:** Yeah, at first, I remember officers arriving and we were sort of just setting up
228 containment. I figured out where it was at, or I figured out where the apartment
229 was at by looking at the sequencing of the numbers and whatnot. I found a good
230 place in an alcove to have an eye on it and be behind relatively hard cover.
231 **RHODES:** In an alcove on the same side as the target's apartment?
232 **QUACKENBUSH:** Yes.
233 **RHODES:** Or were you like across the parking lot or something?
234 **QUACKENBUSH:** No, same side.
235 **RHODES:** Okay.
236 **RHODES:** We have a crime scene diagram. Can you just point to where...
237 **QUACKENBUSH:** Yeah, right up here.
238 **COURTNEY:** Okay. You were in the one just immediately south, or actually...
239 **QUACKENBUSH:** This will be north.
240 **COURTNEY:** Yeah, north. Yes, excuse me, north of the...
241 **QUACKENBUSH:** Yeah. Okay, and I remember Officer BOCCHINO showing up, kind of coming
242 up to me, you know, we had a brief visit. He said, okay, which one is it. Okay,
243 I'm going to go around back. And he had someone with him, and he went
244 around back, and we had a discussion on, about pinging her cell phone to see if
245 she was even there.
46 **RHODES:** Okay, who's we? You and...?
247 **QUACKENBUSH:** Officer BOYLAN and the dispatcher, on the air.
248 **QUACKENBUSH:** Over the air. And I should also add if...I forgot about this too, but I had
249 gotten...I also asked, um, the father about vehicle information.
250 **RHODES:** Uh-huh.
251 **QUACKENBUSH:** If he knew...he didn't know of any car that she drove.
252 **RHODES:** Okay.
253 **QUACKENBUSH:** Or anything else. But then, I pulled up what we had in PPDS and jotted that stuff
254 down.
255 **RHODES:** Okay.
256 **QUACKENBUSH:** There were only, you know, a half dozen cars or so parked in the lot, and so it
257 didn't look like the car was there.
258 **RHODES:** Okay. So, to move on from there, in your detective interview, you talked about
259 at some point Sergeant REYNA comes to the location and gives you an
260 assignment. So, where were you when REYNA comes to you and meets with
261 you and gives you your next assignment? Which, of course, is to get on the
262 phone, if I understand it.
263 **QUACKENBUSH:** Sure. I believe we were still right here.
264 **RHODES:** Same alcove?
265 **QUACKENBUSH:** Yeah.
266 **RHODES:** Okay. Um, so what is that conversation? She comes to you and what happens?
57 In terms of exchanging information and then what does she ask you to do and,
268 um, you know...?
269 **QUACKENBUSH:** Um, the direction is basically, we're going to attempt to make contact.
270 **RHODES:** Uh-huh.

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271 **QUACKENBUSH:** By phone. We're setting up a custody team out here. So, we're kind of doing a
272 felony house stop with police cars and people out in the parking lot.

273 **RHODES:** Okay.

274 **QUACKENBUSH:** Um, and, you know, over the radio when she was calling in and talked to Mr.
275 CAMPBELL, and see what's going on with him. Maybe see if he will come out
276 and talk to us and that sort of thing.

277 **RHODES:** Okay. Was there any discussion at that point about what happens if he comes out
278 and like runs back into the apartment at that point, or was it too early for that, or
279 what's your recollection about that?

280 **QUACKENBUSH:** I don't remember exactly when in the sequence of events when this occurred.

281 **RHODES:** Okay.

282 **QUACKENBUSH:** But there was, um, there was a little bit of a discussion with JEFF ELIAS,
283 myself, I believe Sergeant BIRKINBINE was there, Sergeant REYNA. Um,
284 about, okay, I'm here with the canine. If he comes out, you know, what's my
285 direction? What do I do with it, the canine?

286 **RHODES:** Okay.

287 **QUACKENBUSH:** And basically, the direction at that point, is we're not letting him go back in the
288 apartment if he comes out, you know, we're going to send in the dog and make
289 sure he does not go back in the apartment.

90 **COURTNEY:** And that was from Sergeant REYNA?

291 **QUACKENBUSH:** I don't remember.

292 **COURTNEY:** You don't remember?

293 **QUACKENBUSH:** Yeah.

294 **RHODES:** Okay, and is that conversation occurring, you're pointing out that you were in
295 this alcove which was kind of adjacent to where the subject was at that point?
296 At some point do you guys move further north to give some more space between
297 you and CAMPBELL's apartment?

298 **QUACKENBUSH:** Yes, we did. We did move back up here eventually.

299 **RHODES:** Okay.

300 **QUACKENBUSH:** To that northernmost alcove, but I'm really hazy on when exactly that happened.

301 **RHODES:** Okay.

302 **QUACKENBUSH:** It happened later in the event than sooner.

303 **RHODES:** Okay, and one of the reasons for pointing that out is just that's closer to the
304 patrol cars so you're not down range necessarily. You were, but then as you
305 moved closer to...if you moved to the north in an alcove further away, then
306 you're not, you know, between the patrol cars and the subject's apartment...

307 **QUACKENBUSH:** Sure

308 **RHODES:** So at some point you move.

309 **QUACKENBUSH:** Yes.

310 **RHODES:** Okay. So, it's at this more northern alcove where you make the phone contact
311 with the guy? Is that where that starts?

312 **QUACKENBUSH:** That's where I have trouble being clear in my mind. I know at some point we
313 were here and at some point we were down here.

314 **RHODES:** Okay.

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315 **QUACKENBUSH:** And I couldn't say for sure if we had one of the phone conversations here, and
316 then kind of moved back and then had the text messaging and the second
317 conversation something. At some point we did move. I just can't remember
318 exactly when that was.

319 **RHODES:** Okay.

320 **COURTNEY:** And when you say we, you're talking who?

321 **QUACKENBUSH:** Myself, Sergeant BIRKINBINE, Sergeant REYNA, um...yeah, the three of us.

322 **COURTNEY:** So the three of you?

323 **QUACKENBUSH:** Yes.

324 **COURTNEY:** Okay.

325 **RHODES:** So, prior to making the phone call, was there any discussion, and if there was,
326 who was it with? Was it with BIRKINBINE? Was it with REYNA? Or was it
327 with both of them, about the kinds of things to talk to the guy about on the
328 phone? Who did that take place with?

329 **QUACKENBUSH:** Um, that was primarily with Sergeant BIRKINBINE.

330 **RHODES:** Okay.

331 **QUACKENBUSH:** Um, you know, we wanted to get a call in to get a feel for where he was at, what
332 his mentality is.

333 **RHODES:** Uh-huh.

334 **QUACKENBUSH:** You know, just try to establish a rapport. You know, find out if we can, um,
335 what...it was really just about just initially trying to make contact, and finding
336 out what his mentality was.

337 **RHODES:** Uh-huh.

338 **QUACKENBUSH:** And seeing if this was really like...is he really intent on hurting himself? Does
339 he have a gun? Or is this just something that's being blown completely out of
340 proportion?

341 **RHODES:** Okay. So, would you consider BIRKINBINE, then, to have been your, like you
342 right-hand man or your number two or a personnel that's going to be with you
343 the whole time while you were on the phone?

344 **QUACKENBUSH:** Yes.

345 **RHODES:** Okay. And did that continue to take place? Was there some point when he was
346 away, or was he pretty much always there?

347 **QUACKENBUSH:** No, I recall Sergeant BIRKINBINE being with me the entire time.

348 **RHODES:** Okay. And then, what's...and I know you're focusing on the phone when you're
349 actually having a conversation with the guy – you're thinking about what you're
350 going to say and that sort of thing – but what was, what observations did you
351 have about when you were on the phone with Mr. CAMPBELL, how is
352 BIRKINBINE getting a sense of what he's saying or what his demeanor is? Are
353 you looking at BIRKINBINE and trying to include him in the conversation in the
354 sense that BIRKINBINE can tell what you're saying, or how is that information
355 getting to BIRKINBINE?

356 **QUACKENBUSH:** Yeah.

357 **RHODES:** About what's going on on the phone.

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358 **QUACKENBUSH:** Well, he's right next to me, and I was doing all the talking. So there wasn't a lot
359 of information to pass along from Mr. CAMPBELL. Um, But the phone
360 connection was extremely poor. There was a lot of static. There was some
361 interference and things, and you could...occasionally I could hear him, the sound
362 garbled...

363 **RHODES:** Right.

364 **QUACKENBUSH:** Like he was trying to say something. But the only thing that I remember him
365 saying clearly was something to the effect of why don't you guys just go away
366 and leave me alone.

367 **RHODES:** Okay.

368 **QUACKENBUSH:** That was really the only, um...

369 **RHODES:** Okay.

370 **QUACKENBUSH:** That was the only thing I could recall him saying that I could understand.

371 **RHODES:** Okay.

372 **QUACKENBUSH:** It really was mostly just me talking.

373 **RHODES:** Before I forget, was there any discussion with CAMPBELL while you were on
374 the phone with him, we're worried that you have a gun, do you actually have a
375 gun, was there any discussion about whether or not he actually was in possession
376 of a handgun?

77 **QUACKENBUSH:** Yeah.

378 **RHODES:** I know you got some, maybe, info from the girlfriend and that sort of thing, but
379 in terms of actual discussion with CAMPBELL, did that come up?

380 **QUACKENBUSH:** I think I tried...I may have mentioned it a time or two, like, you know, we have
381 information you may be armed or something like that.

382 **RHODES:** Uh-huh.

383 **QUACKENBUSH:** But, um, I couldn't get...

384 **RHODES:** Did he ever (indecipherable)?

385 **QUACKENBUSH:** Yeah, I mean, there is no information directly. He wasn't...when he'd respond
386 you couldn't really tell what was being said.

387 **RHODES:** Oh, okay.

388 **QUACKENBUSH:** Most of the time there was no...do you have a gun? Yes. Or do you have a
389 gun? No.

390 **RHODES:** Okay.

391 **QUACKENBUSH:** I mean, there wasn't enough clarity on the line and that sort of thing to get that
392 kind of information.

393 **RHODES:** Um, and you guys, I think this is pretty clear, but you guys...you didn't record
394 the phone conversation that you were having by plugging in a pearl corder in
395 your ear or anything like that?

396 **QUACKENBUSH:** No.

397 **RHODES:** Okay, and I just asked that to make sure I don't miss something?

98 **QUACKENBUSH:** Sure.

399 **RHODES:** What did you notice as you had opportunity to pay attention to it while you were
400 on the phone with CAMPBELL, how BIRKINBINE was relaying the
401 information that he was getting from your conversation to other people? I mean,

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402 was he getting on the air and putting out information? Was REYNA next to
403 him, and I know it wouldn't necessarily be your responsibility to pay attention to
404 that while you're talking on the phone, but what's your recollection, your
405 observations as to how he was putting out information or who he was giving it
406 to?

407 **QUACKENBUSH:** I don't have any.

408 **RHODES:** Okay.

409 **QUACKENBUSH:** I was fully focused and kind of just trying to establish a rapport and have a
410 conversation with Mr. CAMPBELL, and trying to understand what he was
411 saying.

412 **RHODES:** Okay.

413 **QUACKENBUSH:** Which was pretty much impossible.

414 **RHODES:** Okay.

415 **QUACKENBUSH:** But, I didn't, yeah.

416 **RHODES:** Um, so, you talked about, you know, initially it's you, BIRKINBINE, and
417 REYNA. Did you notice if and when at some point REYNA was no longer
418 there? Was there something announced that I'm going to go do this, and I'm not
419 going to be here anymore? Or do you recall that?

420 **QUACKENBUSH:** I don't recall that. Um, there was, there was a back and forth moment where,
421 when we were engaged in the text messaging where Sergeant REYNA kind of
422 came over and she got the gist of what was being said, text messaging-wise, and
423 she broadcast...I do recall that, that she broadcast that information.

424 **RHODES:** What was that text?

425 **QUACKENBUSH:** It...um, the actual...

426 **RHODES:** Paraphrase.

427 **QUACKENBUSH:** ...paraphrasing is basically, um, it seemed like it was just kind of joking
428 around, kind of thing, hey, oh, wow, you guys can text, that's pretty cool.
429 And then, um, and, you know, I said something like, you know, we're concerned
430 that you're going to hurt yourself, and he had said something like, oh no, never.
431 I think that's what he said.

432 **RHODES:** Okay.

433 **QUACKENBUSH:** And so then Sergeant REYNA, I do distinctly remember that she broadcast, hey,
434 we're getting positive text messaging, we're having positive communication
435 with Mr. CAMPBELL.

436 **RHODES:** Oh, okay.

437 **QUACKENBUSH:** I remember her broadcasting that for everybody.

438 **RHODES:** Okay. Um, so just chronologically speaking for those who would listen to this
439 and wonder, the text about, don't make me go get my gun, or words to that
440 effect, occurred much earlier when the girlfriend had the phone, as I understand
441 it.

442 **RHODES:** That didn't occur later. He doesn't repeat that.

443 **QUACKENBUSH:** No.

444 **RHODES:** Okay. All right. Um, when you were on the phone with CAMPBELL and there
445 was lost connection for whatever reason, how was the decision made to, okay,

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446 call him back now? Were you getting directions from BIRKINBINE to do that,
447 or were you...was your recollection that he was kind of relying on you to keep
448 trying to call him?
449 **QUACKENBUSH:** No, we were...I never made a phone call or sent a text or anything until I was
450 directed, you know, and being sure that, hey, we're ready. You know, people are
451 in place. Go ahead and make the call.
452 **RHODES:** Okay.
453 **QUACKENBUSH:** And with the text messages, I kind of showed them, you know, and that sort of
454 thing.
455 **RHODES:** All right. Um, and then in terms of anybody kind of making note of what's
456 actually occurring with the phone call stuff, was there anybody maintaining any
457 kind of a log, or some other officer in the alcove jotting stuff down as it was
458 unfolding? It may have been a manpower issue.
459 **QUACKENBUSH:** No. I did myself. If you noticed probably, in my notebook. I was just trying to
460 write down as best as I could.
461 **RHODES:** Okay.
462 **RHODES:** And we have a copy of that. I'll point that out before we finish.
463 While...at any point while you guys were in the alcove, either before you
464 actually get on the phone with him, or during that phone conversation, was there
65 discussion about whether or not, by anybody, about whether or not this should
466 be a SERT/HNT call out? Do you remember any conversation along those lines
467 by anybody?
468 **QUACKENBUSH:** No.
469 **RHODES:** Okay, Um, was there anything that you were deriving from talking to
470 CAMPBELL that lead you to make some suggestions to the Sergeant -
471 BIRKINBINE and or REYNA about whether or not there should be a SERT or
472 HNT call out?
473 **QUACKENBUSH:** No. Again, the conversations were pretty muddled.
474 **RHODES:** Okay.
475 **QUACKENBUSH:** So, we had a brief discussion about tone of voice and that sort of thing, did he
476 sound intoxicated, that sort of thing. It was kind of a maybe, I'm not entirely
477 sure.
478 **COURTNEY:** How long a time-frame were you on the phone with him? I mean, you
479 know...obviously not continuous, but from start to finish? I mean, was it...you
480 know, calling him back these different times. How long.
481 **QUACKENBUSH:** The two different...
482 **COURTNEY:** The duration.
483 **QUACKENBUSH:** The conversations, their duration, I would say, you know, just maybe a minute,
484 not long.
485 **COURTNEY:** And how far apart were they? These minutes.
'86 **QUACKENBUSH:** I'm not sure. The phone, the phone would probably show.
+87 **COURTNEY:** All right.
488 **QUACKENBUSH:** But it seems to me it was quite a...there was definite lull between that and the
489 texting, and then once the children came out, then there was another pretty big
490 lull.

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491 **RHODES:** Uh-huh.

492 **QUACKENBUSH:** Which would be, you know, we weren't really in a hurry to have to recontact
493 him.

494 **RHODES:** Okay. Um, I talked to you briefly before, because I gave you both the Grand
495 Jury transcription for the testimony, and then the detectives interview, about...
496 in the Grand Jury testimony you talked about that you had not asked
497 CAMPBELL to come out, and if you look at page 97 and 98 in the Grand Jury
498 transcription, you said something to the effect that we might want to look into
499 the possibility of him coming out of the apartment and told him to come out.
500 And one of the things that I'm wondering, is that completely accurate, if that's
501 your recollection of, since it's transcribed, if you recall that part of the
502 testimony. And if he can be a little bit more specific about explaining what you
503 were trying to explain to the Grand Jury.

504 **QUACKENBUSH:** Yeah, that's not...I don't believe that's accurate. If it is, I misspoke, because
505 my...um, the gist of what I was trying to say was that we were sort of trying to
506 make an introduction and introduce the idea of, hey, we're not here to arrest you.
507 We're not here to, you know, to hurt you or anything like that. We want to get
508 you some help. You know, there are crisis tools and resources available, and we
509 would like to look to the idea of you coming out and talking to us if you're...if
510 that's something you're willing to do. But we're not going to come breaking
511 your door down.

512 **RHODES:** Right.

513 **QUACKENBUSH:** We're not going to come, you know, tearing your house apart. We're not going
514 to do anything like that, you know. So, it was kind of floating the idea and bring
515 the ball into Mr. CAMPBELL's court a little bit, about what he wanted to do in
516 the situation, and how he wanted to respond to what was going on.

517 **RHODES:** Okay.

518 **QUACKENBUSH:** But there were never any...there was never any, you know, um, Mr.
519 CAMPBELL, you need to come out right now with your hands up. This is what
520 we're going to do. And that sort of thing, it wasn't anything like that. It was just
521 sort of putting the idea out there.

522 **RHODES:** Okay.

523 **QUACKENBUSH:** If you want to come out and talk to us, that's great, but we're not going to force
524 the issue.

525 **RHODES:** Okay. Um, so in the detectives' interview, and look at page, like 13 or 14, and
526 there's, the transcription...I'll wait until you find it.

527 **QUACKENBUSH:** Sure.

528 **RHODES:** Um, you talked about... in your interview, you say, we need you to come out
529 and talk to us and follow our directions. And then there was some more
530 interference, and the phone connection was lost. Pretty much immediately after
531 that, I heard the officers yelling that he was coming out. So, um, did you
532 actually, so explain that a little bit more in terms of what you were telling, your
533 recollection of what you were telling CAMPBELL, was that floating an idea or
534 what was going on at that point with him?

535 **QUACKENBUSH:** Yeah, I mean, it's the same situation.

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536 **RHODES:** Okay.
537 **QUACKENBUSH:** I was...there was not the intent or the...it was definitely not intended to, direct
538 him you know...we need you to come out, that sort of thing. It wasn't my
539 intention, um, at that point, at least, to direct him to come out but, you know, it
540 was more just, hey, if you want to come out and talk to us, we would like to
541 explore that. But...you know...
542 **RHODES:** Okay.
543 **QUACKENBUSH:** It was probably not the best way to word that.
544 **RHODES:** Well, I mean, unfortunately, at that point there is, you know, the more
545 interference and the phone connection is lost, so, you don't get a chance to talk
546 to him about it further. Could you hear him saying anything, you know, once you
547 put that out to him? Does he say anything? I mean, do you even hear him
548 acknowledging that he heard what you said?
549 **QUACKENBUSH:** No, not really, and it was...again, you could hear sort of the occasional
550 mumbling. It was hard to discern.
551 **RHODES:** Uh-huh.
552 **QUACKENBUSH:** And it wasn't even clear if the connection was entirely lost, or he was on the line
553 anymore.
554 **RHODES:** Right.
555 **QUACKENBUSH:** The indication that I had both times that something was happening was I would
556 hear the custody team shouting.
557 **RHODES:** Okay.
558 **QUACKENBUSH:** So that was the first indication that I knew something was changing. Both with
559 the children, and when Mr. CAMPBELL decided to come out of the apartment.
560 It surprises everyone, including myself.
561 **RHODES:** Okay. And from your position in the alcove, you presumably couldn't tell where
562 he was at in the apartment while he was on the phone?
563 **QUACKENBUSH:** No.
564 **RHODES:** Okay. Was there anybody in the perimeter that announced over the radio that
565 they could see him on the phone in some particular window?
566 **QUACKENBUSH:** In...well, I'd have to answer that two different ways because at the time I don't
567 know, I didn't know, and in retrospect, I found out that apparently Officer
568 BOCHINNO or, somebody, saw him peeking out of a window or something.
569 **RHODES:** Okay.
570 **QUACKENBUSH:** I think I learned that later by reading CAD or something like that.
571 **RHODES:** Okay. But these are small apartments anyway, so it's not like it would take him
572 three minutes to get from one end to the other.
573 **QUACKENBUSH:** No, no.
574 **RHODES:** Okay. Um...so were you ever getting at any point other than him like
575 responding to you via text, were you ever getting much of a sense while you
576 were on the phone with him that he was really...that he responded to what you
577 were saying? You know, like, oh, I understand them. Okay, I'll...you know,
578 anything like that? Or was it...?

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579 **QUACKENBUSH:** No, it felt pretty much like a one-sided conversation, that I was just talking, and
580 he was just listening. And if he was responding, I wasn't...
581 **RHODES:** Okay.
582 **QUACKENBUSH:** I wasn't able to discern most of it.
583 **RHODES:** Okay.
584 **COURTNEY:** But, now, during one of your conversations, didn't you inquire about the kids?
585 **QUACKENBUSH:** The first conversation I did say that, you know, because he had mentioned, you
586 guys just need to go away and leave me alone.
587 **COURTNEY:** Uh-huh.
588 **QUACKENBUSH:** And so I used that opportunity to segue into well, it's not, I'm not opposed to
589 that, it's not a terrible idea, but, you know, we know you have three little ones in
590 there with you and we're concerned about their welfare.
591 **COURTNEY:** Right.
592 **QUACKENBUSH:** And I don't know that we can just walk away not knowing what's going on with
593 the situation. And, it's like I described before, kind of in the middle of while
594 I'm having this conversation, suddenly I hear shouting and the kids are coming
595 out.
596 **RHODES:** Uh-huh.
597 **QUACKENBUSH:** and the phone goes dead so it wasn't...
598 **COURTNEY:** So you have that conversation with him, and then the kids come out, and then
599 later you had a conversation with him possibly floating an idea about him
600 coming out, and then he comes out right after that.
601 **QUACKENBUSH:** Exactly.
602 **COURTNEY:** So, it looks like he's kind of cooperating with, kind of, these suggestions you're
603 giving him.
604 **QUACKENBUSH:** Yes.
605 **RHODES:** So, when you're talking to him about kids, he doesn't say, okay, I'll send the
606 kids out. They just come out.
607 **QUACKENBUSH:** Yes.
608 **RHODES:** Okay.
609 **RHODES:** And did he say anything once the kids do come out, and the kids are gathered up,
610 and their safe, does he say anything to you like, well, I sent the kids out, so you
611 guys can go away now? I mean, does he ever allude to the kids in any
612 subsequent conversation once the kids come out?
613 **QUACKENBUSH:** No. We never talked about the kids again after that point.
614 **RHODES:** Okay. Yeah, they're out and safe, so let's not bring them up. Okay. Um, so,
615 you really pretty well described to the detectives and in the Grand Jury testimony
616 about what happened once he comes out. So, I'm not going to ask you to repeat
617 all of that, but you talked about...when the detectives interviewed you, you
618 talked to them about some sort of hesitation in CAMPBELL following orders.
619 Um, how did you come to that conclusion that there was some hesitation? Was
620 it because – and I know your vision was restricted according to the...or limited,
621 because of the interviews – but did you come to that conclusion that there was
622 some hesitation because you could see him not following, or you could hear the

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623 officers repeating commands and concluded there was some hesitation? How
624 does...?

625 **QUACKENBUSH:** It's hard in retrospect to maybe verbally describe the sense that you got, but it
626 was just kind of, um...the commands seemed to be getting more intense.

627 **RHODES:** Okay.

628 **QUACKENBUSH:** Maybe it was the sound or the...

629 **COURTNEY:** The volume maybe?

630 **QUACKENBUSH:** The volume.

631 **RHODES:** Okay.

632 **QUACKENBUSH:** And then there was some shouting going on. It seemed to be escalating
633 essentially.

634 **RHODES:** Okay.

635 **QUACKENBUSH:** Um, yeah.

636 **COURTNEY:** Do you remember what those commands were?

637 **QUACKENBUSH:** Not, not specifically. When you hear that, you sort of...your mind kind of kicks
638 into, oh, it's okay, we're in, yeah, put your hands on your head, back up to the
639 sound of my voice, you know. So it kind of goes on autopilot, and I couldn't, I
640 couldn't sit here and tell you exactly what was being said verbatim.

641 **COURTNEY:** Could you, um, tell if there was one person giving commands, two persons
642 giving commands?

643 **QUACKENBUSH:** No. It was...I couldn't say for sure.

644 **RHODES:** Probably kind of a relief to be off the phone with somebody at that point.

645 **QUACKENBUSH:** Yes.

646 **RHODES:** You think everything is going to turn out right.

647 **QUACKENBUSH:** Yes. I was ready to run up and give him a hug.

648 **RHODES:** Um, in your...to kind of going along in the same line of information seeking, in
649 your detective's interview, you talked to, um, I think it was BENIGA about
650 hearing orders to get on the ground, get on your knees, get on the ground. And
651 is that what you...I mean you kind of just explained that you were not really
652 necessarily hearing those precise words, but just kind of kicking into autopilot.
653 So, is that...I mean, because I...the reason I'm asking the question is because I
654 can foresee someone down the road wondering, okay, is that what you're
655 actually hearing, or are you just concluding that that is what they must be saying,
656 or how does...?

657 **COURTNEY:** Do you have that referenced?

658 **QUACKENBUSH:** Yes.

659 **COURTNEY:** Are you trying to find that in there?

660 **QUACKENBUSH:** Yeah, I (indecipherable)

661 **RHODES:** Yeah, I should have marked that. I don't...but I can find it...

662 **QUACKENBUSH:** I think it's probably page 16.

663 **RHODES:** The detective's is a fairly short interview.

664 **QUACKENBUSH:** Oh, here we go. Page 14. Yeah, I...

665 **RHODES:** Yeah, it's a little bit further here.

666 **COURTNEY:** Fourteen, page 14.

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667 **RHODES:** Yeah, page 14.
668 **QUACKENBUSH:** Yeah, I understand what you're saying, and that's certainly a possibility, that's
669 certainly a point. I don't know if that's just kind of, you know, something you're
670 just used to hearing and that's exactly verbatim what was being said or not. I
671 couldn't say.
672 **RHODES:** Okay.
673 **QUACKENBUSH:** And it's been...at least been some time now, so...
674 **RHODES:** Um, once CAMPBELL comes out, do you hear him say anything at any point?
675 When any of the officers giving him commands, or just saying anything?
676 You know, quite frankly, I don't think that they asked you in the interview. If
677 they did, I wouldn't mention it, but I don't...do you remember him saying
678 anything?
679 **QUACKENBUSH:** No, I...just general noise, sort of. You know, generalized shouting, the dog
680 barking, that sort of thing. But I wouldn't be able to say specifically if this
681 person was shouting this, or this person was shouting that.
682 **RHODES:** Um, did you overhear any discussion, either because you were close enough
683 while you were tucked away in the alcove to where the custody team was, did
684 you hear any discussion or, you know, in person kind of stuff or over the radio
685 about an option to moving forward and taking him into custody once he comes
686 back? Did you hear any discussion about that at all?
687 **QUACKENBUSH:** No.
688 **RHODES:** Okay.
689 **COURTNEY:** Now, I'm a little confused. Did you actually see him come out and approach the
690 officers when they were giving commands? Were you watching him at all?
691 **QUACKENBUSH:** No.
692 **COURTNEY:** You couldn't see him?
693 **QUACKENBUSH:** No, I could only see sort of, you know, from where we were at, about when he
694 gets to here.
695 **RHODES:** Right.
696 **QUACKENBUSH:** And then I can sort of see him, you know, from my point of view back there in
697 the alcove.
698 **COURTNEY:** And what's he...describe what he's doing when you first see him.
699 **QUACKENBUSH:** He's backing up like this, with his hands on his head.
700 **COURTNEY:** Okay, and for the tape purposes, you're showing that, actually behind the head,
701 kind of above the ears.
702 **QUACKENBUSH:** Uh-huh.
703 **RHODES:** And are...can you tell if his fingers were interlaced or not?
704 **QUACKENBUSH:** I, I couldn't describe in that kind of detail. It was, it was pretty quick, just a
705 couple of seconds timeframe, as you know; and there's cars out here, and so
706 really I could see his head.
707 **COURTNEY:** And was he still walking at that point, or had he stopped?
708 **QUACKENBUSH:** Maybe one step or so, and then he'd stop. He just kind of came into my view for
709 like a brief couple of moments there.
710 **COURTNEY:** And how close was he to the car, to the cars? How close was he?

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711 **QUACKENBUSH:** I, I'd hate to even guess. I mean, somewhere around here in this vicinity. He
712 seemed pretty close, but I'm terrible with distance measurements.

713 **RHODES:** So, for the purposes of the tape, do you think, since, you know, there's no video
714 in here to show where you're pointing...like 10 feet, 20 feet, 100 feet, or just car
715 lengths. How many more steps would it take for him to get back to where the
716 officers were?

717 **QUACKENBUSH:** I don't know. I couldn't say for sure, somewhere in the neighborhood of a car
718 length or 10 feet or so. Something like that, a rough guess.

719 **RHODES:** Okay, and, again, just for the purposes of the tape, um, you pointed out that you
720 were in this alcove, which is actually to the north slightly of where the patrol
721 cars are, and then there's a line of cars in the parking stalls that are adjacent to
722 the building from where CAMPBELL is coming out of, correct?

723 **QUACKENBUSH:** Yes.

724 **RHODES:** Okay. So that, in your reports, you describe to the detectives that some of your,
725 especially lower torso of CAMPBELL, is obstructed by, of course, the cars
726 because he's moving back towards the officers. So...and that's all true?

727 **QUACKENBUSH:** Yes.

728 **RHODES:** Okay. So, you've already kind of alluded to the fact that you've learned some
729 other information about, you know, like what one officer may have seen him
730 peeking out the window, that sort of thing, so in terms of recalling today what
731 happened that night, is there anything that you heard subsequent to the event,
732 you know, in the media, television or talking to people that has caused you to
733 change your perception of what happened that night? Or caused you to, you
734 know, change a little bit in terms of information?

735 **QUACKENBUSH:** No.

736 **RHODES:** Okay.

737 **RHODES:** Um, given that this is an administrative review of this overall event, is there any
738 other information that comes to your mind to provide to us that we have
739 neglected to ask you about?

740 **RHODES:** Something else that you want to bring out that you can think of at this moment?

741 **QUACKENBUSH:** No, nothing comes to mind.

742 **RHODES:** Okay. Um, give me a moment to review my questions to make sure that I've
743 covered everything that I intended to, and in the meantime, investigator
744 COURTNEY...

745 **COURTNEY:** I've just got a few that we, that I wanted to ask here about...you touched briefly
746 about discussions about walking away after the kids were out. Tell me more
747 about that. How did that come up, and who all was involved in those
748 discussions?

749 **QUACKENBUSH:** Those discussions were myself, Sergeant REYNA, Sergeant BIRKINBINE. I
750 recall for certain being present for that sort of thing. Sergeant REYNA seemed
751 to be leaning towards, this is probably something that we can just walk away
752 from, that we don't need to force the issue, sort of thing. Sergeant
753 BIRKINBINE wanted to get more clarification, sort of thing, and we eventually
754 came to the understanding of...or Sergeant BIRKINBINE I should say, he
755 wanted to nail down Mr. CAMPBELL's mental state if at all possible and just

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756 try to...he didn't see any harm in trying to re-establish contact and sort of
757 finding out, AARON, are you suicidal? Are you going to hurt yourself? And
758 maybe to further try to get a guarantee from him, I promise, I swear, that I will
759 not hurt myself if you guys leave for the night. And then maybe our consciences
760 would be clear with just leaving. And so, that was sort of the goal.
761 **COURTNEY:** Okay. And that was never communicated to you by CAMPBELL? That he
762 wasn't going to hurt himself?
763 **QUACKENBUSH:** No. There was the one text message that he said, never, you know, I'm
764 never...and you guys get kudos for texting.
765 **COURTNEY:** So that was in response to asking if he was going to hurt himself. I'm confused.
766 **QUACKENBUSH:** That...well, it was the first text, the initial text that I sent him saying, um, you
767 know, AARON, we need to know if you plan on hurting yourself. Something
768 like that.
769 **COURTNEY:** Okay.
770 **QUACKENBUSH:** And I think I'm paraphrasing a little bit. And then yeah, then he had responded,
771 never. But then after sort of these texts or whatever or during the course of these
772 texts is that we need to nail down... That maybe we can get him to guarantee.
773 Yes, I promise, I will not hurt myself, if you guys just leave. And so, that was
774 kind of the gist of what we were trying to accomplish.
775 **COURTNEY:** And you talked a lot about Sergeant REYNA was in charge in the situation. Did
776 that ever change? Did she ever relinquish supervisory responsibility for this
777 incident?
778 **QUACKENBUSH:** I don't...I'm not privy to that. I do...I can say that, um, at the end of the second
779 conversation with Mr. CAMPBELL that she didn't...she wasn't present.
780 **COURTNEY:** Okay.
781 **QUACKENBUSH:** So...and Sergeant BIRKINBINE sort of had to run over to the custody team
782 really quickly and try to direct that action.
783 **COURTNEY:** And then, at the time...one thing I wanted to ask, and I don't recall if I've read it
784 in the detective's interview, but did you have eyes on him at the time that the
785 less lethal round was first fired?
786 **QUACKENBUSH:** I think maybe the first round.
787 **COURTNEY:** The first round, you think you did?
788 **QUACKENBUSH:** Yeah, I think so. And then there was sort of that pause and leaning down, and
789 then I started to see his head again, and then there were more pops, and he pretty
790 much immediately...it was like he was taking off running so you would catch
791 kind of a glimpse of his head bobbing and kind of moving forward, and...
792 **COURTNEY:** And from where you were at, did you come to an understanding, or understand
793 why that less lethal round was fired at that time?
794 **QUACKENBUSH:** No. Not from where I was standing.
795 **COURTNEY:** And did you, um, I guess, what was your observation of what CAMPBELL was
796 doing or what was his demeanor? What position was he in at the time the round,
797 the less lethal round was first fired?
798 **QUACKENBUSH:** My recollection is just simply this: He was standing with his hands on the back
799 of his head, just like this.
800 **COURTNEY:** Okay. And did that change after he was hit with the first less lethal round?

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801 **QUACKENBUSH:** Yes. That was when he sort of seemed to move forward, hands come down.
802 You know, I kind of lose sight of him for a second, and then I see his head
803 popping back up again, but obviously in that forward trajectory, suggesting that
804 he was running.

805 **COURTNEY:** And could you tell, did his hands come down in front of him, behind him or
806 where his hands went?

807 **QUACKENBUSH:** No. I couldn't see that.

808 **COURTNEY:** And could you ascertain that night...I know...we now know how many rounds
809 were fired, less lethal rounds, but could you tell that night how many were fired?

810 **QUACKENBUSH:** No. I can guess, you know, a handful or something, but I'm not sure.

811 **COURTNEY:** Okay. And at the time the lethal round was fired, did you have eyes on
812 CAMPBELL at that time?

813 **QUACKENBUSH:** No.

814 **COURTNEY:** Okay.

815 **QUACKENBUSH:** He was out of my view at that point.

816 **COURTNEY:** And then, one other thing, were you involved in any discussions after
817 CAMPBELL was down, you know, we know there was a considerable amount
818 of time before anybody approached him or went up to him to check on his status.
819 Were you involved in any kind of discussions about doing an approach after the
820 fact? After he was...?

821 **QUACKENBUSH:** No, the direction myself and Officer KEMPLE were given was to shout
822 commands to him, to try and get him to show his hands.

823 **COURTNEY:** Okay. And what commands did you shout to him?

824 **QUACKENBUSH:** Um, AARON, we need to see your hands. Show us your hands. Um, there was
825 some variations on that, you know. We also shouted things like, if you can hear
826 us, show us, you know, move your foot. Something, because we could see his
827 feet, and that was pretty much it.

828 **COURTNEY:** Uh-huh.

829 **QUACKENBUSH:** Um...

830 **COURTNEY:** And did you change positions, did you...you said you and Officer KEMPLE did
831 that. Did you stay behind the alcove there, or did you sometimes change
832 positions here?

833 **QUACKENBUSH:** No. Once shots had been fired and Mr. CAMPBELL was down...

834 **COURTNEY:** Uh-huh.

835 **QUACKENBUSH:** I came out here and I pow-wowed with Sergeant BIRKINBINE, and asked him
836 if, what I could do at this point. And he told Officer KEMPLE and I to sort of
837 flank off to the left and try to get eyes on Mr. CAMPBELL.

838 **COURTNEY:** Uh-huh.

839 **QUACKENBUSH:** And shout commands at him. So, that's what we did. And we tried to get lights
840 situated so maybe we could illuminate where he was at and that sort of thing, but
841 he was in a terrible position between a shrub and a car, and it was very dark, and
842 it was impossible to see anything down there.

843 **COURTNEY:** Did anybody want to approach him or start to approach him and get called back?
844

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845 **QUACKENBUSH:** I don't recall that. And if that occurred, I don't have information about that.
846 **COURTNEY:** And obviously, we know from reading the reports a dog went up to him at some
847 point.
848 **QUACKENBUSH:** Sure.
849 **COURTNEY:** And was up next to him. Okay. I don't think I have any...?
850 **RHODES:** Did you hear anything on the radio at any point or someone mentioning, like a
851 sergeant, that, um, a lieutenant was en route, or the lieutenant had acknowledged
852 what was going on and he was en route, or captains, or anything like that?
853 **QUACKENBUSH:** Yes.
854 **RHODES:** Tell me a little bit about that.
855 **QUACKENBUSH:** I just...it's just one of those things where just your ear catches as you're
856 talking, street cops are sensitive to that
857 **RHODES:** Uh-huh.
858 **QUACKENBUSH:** But, you know, the boss is coming. So, I do...I, um, I just happened to
859 remember hearing something like, you know, 9601, I'm in route. And then...
860 **RHODES:** Who's 9601?
861 **QUACKENBUSH:** Sergeant, or excuse me, Lieutenant RODRIGUES.
862 **RHODES:** Okay.
863 **QUACKENBUSH:** And then Captain DAY has a pretty distinctive voice.
864 **RHODES:** Uh-huh.
865 **QUACKENBUSH:** Kind of, oh, I hear Captain DAY's voice on the radio, sort of thing.
866 **RHODES:** Okay, and do you remember overhearing any direction that either one of those,
867 the Lieutenant or the Captain gave anybody on the air that affected or impacted
868 what was going on at that point in terms of trying to get phone conversations
869 through or anything?
870 **QUACKENBUSH:** No.
871 **RHODES:** Just they were en route?
872 **QUACKENBUSH:** Sure.
873 **RHODES:** Okay. Is there anything that you can think of that we didn't ask you that we
874 should have?
875 **QUACKENBUSH:** Nothing right now.
876 **RHODES:** Okay.
877 **WESTERMAN:** I've got a couple quick follow-up questions.
878 **QUACKENBUSH:** Okay.
879 **WESTERMAN:** You indicated that you were in the middle and in the north alcove, and you
880 transitioned some time during the incident, you're not sure when. Regardless of
881 when you transitioned, while you were communicating with CAMPBELL, were
882 you deep inside the alcove, or were you out so that you could see the alcove he
883 lived in? In other words, were you trying to observe the location, or were
884 you...?
885 **QUACKENBUSH:** No.
886 **COURTNEY:** Were you completely isolated from the other location?
887 **QUACKENBUSH:** No, I was...when we transitioned to the role of...I was told basically that I was,
888 my job was to be, um, communicating.

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889 **COURTNEY:** Uh-huh.
890 **QUACKENBUSH:** Or keeping in contact with Mr. CAMPBELL. I was completely focused on that
891 and I moved around a bit, danced around a bit, with Sergeant BIRKINBINE with
892 me, sort of trying to get the phone to work.
893 **COURTNEY:** Uh-huh.
894 **QUACKENBUSH:** To see if maybe the reception problems had to do with some sort of interference
895 that would go away depending if I move.....
896 **RHODES:** Concrete stairwell or something like that?
897 **QUACKENBUSH:** Sure. No, but I was, at that point, I was never trying to...I wasn't trying to look
898 out here or anything like that. No.
899 **WESTERMAN:** So it would be safe to say that you could have communicated that, or you could
900 have done that role with what you were doing a mile away, versus a half a block
901 away, versus 20 feet away?
902 **QUACKENBUSH:** Sure.
903 **WESTERMAN:** Okay. Um, had you...well, okay, so you articulated that when you mentioned
904 the kids...he had mentioned, you know, just go away, and you said something to
905 the effect of, you know, I'm not opposed to doing that, I'm just worried about
906 the kids. You got no confirmation of him, no understanding that he had heard
907 you, but the next thing you know, the door opened and the kids come outside.
908 **QUACKENBUSH:** Yes.
909 **WESTERMAN:** Okay. So, that was a shock to you?
910 **QUACKENBUSH:** Yes.
911 **WESTERMAN:** Um, and then the exact same thing happened when you talked about, um, the
912 potential for coming out, and you didn't even talk about the potential for coming
913 out. That was done, and the next thing you know, you hear officers yelling at
914 him, and that was a shock to you as well?
915 **QUACKENBUSH:** Yes.
916 **WESTERMAN:** Okay. Had you been able to establish the rapport with him...I know, you
917 established a rapport with him, but this either mentioned, um, it...something to
918 the effect of it looked like he was cooperating with your request. Would you
919 phrase it as cooperative? Or would you say that it was more safe to say that he
920 was anticipating what you were going to do, and acted on his anticipation?
921 **QUACKENBUSH:** Yeah...I, well, yeah.
922 **WESTERMAN:** Is that correct?
923 **QUACKENBUSH:** Yeah. That's probably closer to it. Um, referring to the...these experiences, as
924 conversations are being pretty generous I think. Communication, it was just, as I
925 described, um, a lot of me talking and inaudible and indistinguishable
926 interjections intermittently, and the one thing that still sticks in my mind is
927 hearing him say, yeah, you just need to leave and just go away.
928 **WESTERMAN:** So, had you been able to...had he not anticipated and reacted prematurely to
929 what you were potentially going to ask him to do, um, so for example, like, you
930 know, if he'll send the kids out...had he said, you know, yeah, okay, I can send
931 the kids out, do you think that information would have been communicated to
932 the officers that were out there waiting?
933 **QUACKENBUSH:** Certainly. Yeah.

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934 **WESTERMAN:** Okay. Um, and had you asked him to come out, had you had the time to ask him
935 to come out, do you think that you would have given him specific instructions
936 like, maybe, remove your shirt and do different things that we all know that
937 officers do?
938 **QUACKENBUSH:** Absolutely.
939 **COURTNEY:** You just never had that opportunity?
940 **QUACKENBUSH:** No.
941 **WESTERMAN:** Had you been able to establish that kind of a rapport with him, where you could
942 have done all those things and everything would have been planned out, and it
943 was like, okay, here's what I want you to do. Do you understand that? Repeat it
944 back to me. And he says yes, and he does that...and it's time for him to come
945 outside, and he comes outside, the moment he is outside the apartment and you
946 had been talking to him, who then takes control of him and what he's supposed
947 to be doing from that point forward?
948 **QUACKENBUSH:** The custody team.
949 **WESTERMAN:** Okay. So you wouldn't stay on the phone with him while he's walking out to he
950 custody team?
951 **QUACKENBUSH:** No.
952 **WESTERMAN:** Okay. So the second he comes outside, all of your control and all of your input
53 into the circumstances is now gone?
954 **QUACKENBUSH:** Yes.
955 **WESTERMAN:** Okay. You mentioned very briefly about Sergeant REYNA being in charge and
956 things like that, but when we talked prior to this, you kind of had the impression
957 of like a division of responsibility between the two sergeants. Can you articulate
958 a little more about what you think each sergeant was responsible for based on
959 what you were observing of them?
960 **QUACKENBUSH:** It seems, from my perspective, that Sergeant REYNA was there as essentially
961 the incident commander.
962 **WESTERMAN:** Uh-huh.
963 **QUACKENBUSH:** The person that was in charge of the overall scene. Um, she seemed to take
964 responsibility primarily for the tactical aspect of the situation. And Officer, or,
965 excuse me, Sergeant BIRKINBINE showed up as sort of more of a support role
966 with his HNT experience and that sort of thing. And he was sort of my second,
967 as you recall it, or kind of the guy that was going to nudge me or kick me in the
968 leg if I said something stupid or something like that.
969 **WESTERMAN:** Sure, uh-huh.
970 **QUACKENBUSH:** Kind of guide the conversation.
971 **WESTERMAN:** So it is safe to say that Sergeant BIRKINBINE was pretty much in charge of the
972 communication with AARON through you, and Sergeant REYNA was in charge
973 of the custody team and all of the outside things outside of the communication?
74 **QUACKENBUSH:** That was my understanding.
975 **WESTERMAN:** Okay. Um, at any time during this incident, was there any ambiguity on your
976 part as to what your role was?
977 **QUACKENBUSH:** No.

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978 **WESTERMAN:** Okay. At any time during this incident did you see any of the other officers at
979 the scene have any confusion as to what their roles were?
980 **QUACKENBUSH:** No.
981 **WESTERMAN:** Okay. From your perspective on the dozens of events and stuff that you have
982 been to, or hundreds of events that you've been to, were the negotiations side
983 and the tactical side communicating with each other?
984 **QUACKENBUSH:** Um, it's hard for me to say because, again, my focus was 110% on trying to
985 get...
986 **WESTERMAN:** Well, let me back up for a second. When you knew that you were getting vital
987 information, you observed that information being broadcast out?
988 **QUACKENBUSH:** Yes.
989 **WESTERMAN:** Okay. And that was being broadcast to everybody at the scene, or within ear
990 shot of the radio.
991 **QUACKENBUSH:** Yes.
992 **WESTERMAN:** It wasn't just, um, somebody shouting over the cars, saying, hey, okay, we've
993 got this. It was all done via radio?
994 **QUACKENBUSH:** Yes, absolutely.
995 **WESTERMAN:** Okay. That's...I think that's all I've got.
996 **RHODES:** When he, um, when he did say that little blurb to you on the phone, you guys
97 just need to go leave, how would you describe his demeanor? Was it like, I'm
998 pissed. You guys just better get the hell out of here? Or was it like, I'm really
999 depressed. You guys...can you...what end of that spectrum or was it
1000 somewhere in between, or what was your sense?
1001 **QUACKENBUSH:** Not knowing Mr. CAMPBELL at all, you know, and certainly just reading him
1002 under these circumstances...
1003 **RHODES:** Right.
1004 **QUACKENBUSH:** Um, but if I were to just...
1005 **RHODES:** Generalize.
1006 **QUACKENBUSH:** Generalize and take a guess, I would have said the former. That he was angry,
1007 more angry and hostile, you guys just need to get the hell out of here. What are
1008 you doing here? Something like that.
1009 **RHODES:** Okay. Regarding your notebook that we made a copy of where you've got
1010 things like, AARON, we need to know if you intend to hurt yourself. Is that
1011 something...did you do that ahead of time so that you would have like a script?
1012 Or is that what you made of note of after you said it just so you could recall?
1013 **QUACKENBUSH:** After I had said it, I was making notes of it.
1014 **RHODES:** Okay.
1015 **QUACKENBUSH:** I figured it probably would become important.
1016 **RHODES:** Okay, very good. Um, I can't think of anything else, so unless, Officer
1017 **QUACKENBUSH,** you have something else, it's 1700 hour and we'll end the
1018 interview, unless you have something else.
1019 **QUACKENBUSH:** No Sir.
1020 **RHODES:** Okay.
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