TAB 31
WASHINGTON STATE PATROL
CRIMINAL INVESTIGATION DIVISION
CASE SUMMARY

File Title: Death Investigation
Detective: J.N Rhue
Case Number: 20-009681

Subjects
(D) Ellis, Manuel E.
(O) Burbank, Chris - TPD
(O) Collins, Matthew - TPD
(O) Ford, Masyih - TPD
(O) Rankine, Timothy - TPD

Other Case Number
PCSD 20-063-02251

Synopsis

On Tuesday March 3rd, 2020 at approximately 11:20 p.m., Tacoma Police Department Officers Matthew Collins and Chris Burbank were on duty and patrolling as a two-person car. At the intersection of 96th Street South and Ainsworth Avenue South they encountered Manuel Ellis (33), a pedestrian. During the contact, a fight between the officers and Ellis occurred before they attempted to take Ellis into custody. Additional officers responded to the scene, including Tacoma Police Department Officers Masyih Ford and Timothy Rankine. Ellis was handcuffed behind the back and later placed in a hobble restraint. A spit sock hood was also placed on Ellis. Tacoma Fire/EMS were immediately called to the scene. Shortly after Fire/EMS arrival, Ellis went into respiratory arrest soon followed by cardiac arrest. Despite resuscitative efforts, Ellis died at the scene. The Medical Examiner’s report indicates Ellis’ cause of death was “Hypoxia due to physical restraint.” Other significant conditions were: methamphetamine intoxication and dilated cardiomyopathy. The manner of death was classified as Homicide by the Pierce County Medical Examiner.

Details

On the evening of Tuesday, March 3rd, 2020, Tacoma Police Department Officers Matthew Collins and Chris Burbank were on duty and in full police uniform in Pierce County, WA. Officers Collins and Burbank were working the graveyard shift as a two-person unit in a fully marked Tacoma Police Department patrol SUV. They were assigned to the Four-Sector of Tacoma, which generally encompasses the east and
southeast area of the city. The temperature that evening was about 41 degrees Fahrenheit with overcast skies

At approximately 11:20 p.m., Officers Collins and Burbank were traveling westbound on 96th Street South after clearing an unrelated traffic stop. The officers stopped for a red light at the intersection at Ainsworth Avenue South and observed an adult black male, later identified as Manuel Ellis, in the intersection with his back facing them. Ainsworth Avenue South forms a T-intersection with 96th Street South in this location. Officers Collins and Burbank both told investigators that Ellis was standing in the roadway and in front of a vehicle attempting to make a left turn onto westbound 96th Street South from Ainsworth Avenue South. Ellis was waiving his hands while standing in front of the vehicle. Ellis then ran to the front passenger door and tried to open it. The unidentified vehicle was able to complete the left turn and sped away. Officer Burbank told investigators he observed a jug of water and some other items in Ellis' hands as he waived them.

Officer Collins, who was in the driver's seat, rolled his window down and said, "Hey come over here. What's going on?" Officer Collins told investigators Ellis turned, jogged over and came "abnormally close to the car." Officer Collins stated Ellis' eyes were "super wide" and Ellis had sweat all over the top of his head. Ellis stated something like, "I'm having a bad day, I have warrants, I need some help." Officer Collins stated he told Ellis to step over to the sidewalk and they would talk with him. Officer Collins told investigators he picked up the radio mic and was about to advise dispatch of the contact when Ellis became fixated on Officer Burbank as he walked in front of the patrol car. Ellis walked to the passenger side of the patrol car, got really close to the car and was staring at Officer Burbank.

Officer Burbank rolled down his window and Ellis said something like, "I'm really hot, I need to cool down." Then Ellis said, "Instead I might just try to punch you in the fucking face." Officer Burbank stated after hearing Ellis' comment, he immediately rolled the window up. Ellis reportedly struck the window with a closed fist 2 or 3 times. Ellis reached for the door handle and Officer Burbank locked the door.

At this time, Officer Collins had exited the driver's door and was moving around the front of the SUV, approaching Ellis. Officer Collins stated he wanted to gain control of Ellis and had planned to put him in handcuffs. According to officers, Ellis turned to face Officer Collins with clenched fists and positioned his body in a fighting stance. Seeing this, Officer Burbank opened his door and struck Ellis. Officer Burbank stated he "checked" Ellis with the car door to divert Ellis' attention. During this time, Ellis grabbed Officer Collins by his external vest carrier, lifted him up and threw him on his back on the street. Officer Collins, who weighs about 230 lbs. with his gear on, described Ellis as

1 Data from Timeanddate.com
2 Investigators have not identified this vehicle or its occupants.
having superhuman strength. Officer Burbank exited the vehicle, locked the vehicle door and observed Officer Collins and Ellis now in a physical fight.

Officer Burbank stated Ellis was swinging his fists wildly at Officer Collins and also tried to kick him while on the ground near the front of the patrol car. Officer Burbank described Officer Collins as trying to wrap Ellis up in an attempt to get him under control. Once on the ground, Officer Collins tried to control Ellis’ upper body while Officer Burbank tried to control Ellis’ legs. Officer Burbank stated he delivered closed fist strikes to Ellis’ body at this point. Officer Burbank indicated his strikes had little effect on Ellis and he seemed much stronger than them. Officer Burbank described Ellis as screaming and making growling sounds. Officer Burbank stated Ellis was able to stand up while the two officers were trying to keep him on the ground.

Officer Burbank stated he turned around and ran away about 10-15 feet to disengage but Ellis charged at him screaming and growling with flailing fists. Ellis collided with Officer Burbank and they both fell to the ground. Officer Collins stated he observed Ellis and Officer Burbank were now fighting, so Officer Collins grabbed Ellis and attempted to bring him to the ground. Officer Collins stated he ended up on top of Ellis and Ellis was swinging wildly at him. Officer Collins stated Ellis was not saying anything, but growling and making animal noises. Officer Collins delivered several closed fist or elbow strikes to Ellis’ face which Officer Collins described as having no effect. Officer Burbank was trying to control Ellis’ feet and told investigators he heard someone screaming from behind the patrol vehicle at this point. The screaming was from witnesses Sara McDowell and Keyon Lowery. Both McDowell and Lowery told investigators they observed the officers tackle and strike Ellis numerous times without provocation. They also told investigators that Ellis did not appear to have been resisting or fighting back. This is why both McDowell and Lowery got out of their vehicle and yelled at the officers.

Officer Collins told investigators he and Ellis were wrestling on the ground and he felt like he was going to lose control of Ellis again. Officer Collins attempted to apply a lateral vascular neck restraint (LVNR) on Ellis. During this time Officer Burbank drew his X-26 Taser and deployed it at Ellis’ torso area when he had a clear shot. Officer Burbank stated the Taser was effective and there was immediate neuromuscular incapacitation to Ellis. However, once the five-second cycle finished, Ellis immediately recovered and attempted to stand up. Officer Burbank then delivered a second five-second cycle with the Taser and Officer Collins was able to take Ellis to the ground and place him with his stomach on the pavement.

5 McDowell and Lowery were traveling in separate vehicles westbound on 96th Street South and stopped behind the Tacoma PD SUV. McDowell took a 37 second and a 14 second video clip of the incident with her cell phone. Additional cell phone videos of the incident were recorded by Seth Cowden and Aiyana White. All these witnesses were interviewed by investigators.

4 See McDowell and Lowery statements.

Vascular neck restraints restrict blood-flow to the brain, which causes the subject to be rendered unconscious before sustaining any injury (Lindell, 2010).
Officer Burbank tried to control Ellis’ right arm and Officer Collins tried to control Ellis’ left arm. At 11:22 p.m., Officer Burbank was able to transmit their location over the radio for the first time. Officer Burbank stated Ellis had both of his hands underneath his body and was actively resisting. Officer Burbank delivered a third five-second cycle from the Taser before the officers were able to get handcuffson Ellis. Shortly after being restrained, Ellis stated, “I can’t breathe sir, I can’t breathe.” Ellis stated, “Please sir” followed by one of the officers saying, “Shut the fuck up.” Officer Burbank stated he heard a male voice to his east asking if they were okay and needed help. Officer Burbank stated he looked over to where the voice was coming from and could see patrol vehicle lights so he replied, “No we’re fine, we’ve got people coming.”

At 11:24 p.m., Tacoma Police Officers Timothy Rankine and Masyih Ford, who were patrolling in a two-person car, arrived on scene. Officers Ford and Rankine told investigators when they arrived they observed Officer Burbank straddled on top of Ellis’ back and Officer Collins trying to control Ellis’ feet while Ellis was kicking and bucking violently. Officers Ford and Rankine assisted with holding Ellis down to control him. Officer Ford described Ellis as screaming incoherently and thrashing around at this point. Officer Ford stated he told Ellis he needed to relax and just breathe. Officer Burbank then retrieved a hobble restraint from the glove box of the patrol vehicle. During that time additional officers arrived on scene, including Tacoma Police Sgt. Michael Lim, Tacoma Police Officer Armando Farinas, Pierce County Sheriff’s Office Sgt. Gary Sanders, and Pierce County Sheriff’s Office Lt. Anthony Messineo. Ellis was restrained by the use of the hobble restraint with the assistance of Sgt. Sanders. Officer Ford said he and Officer Rankine took over control of Ellis since Officers Collins and Burbank looked physically exhausted. Officer Ford stated he encouraged Ellis to relax and remain calm. At 11:25 p.m., Sgt. Lim requested Fire and EMS to respond to the scene.

Both Officers Ford and Rankine told investigators that Ellis stated in a calm voice, “I can’t breathe.” Ellis was rolled into the recovery position on his right side. Officers Burbank and Collins both describe Ellis as spitting at officers while on his side. Officer Armando Farinas placed a department issued spit sock hood over Ellis’ head. Officer Ford stated Ellis was breathing and his eyes were open, but he became non-responsive. Officer Rankine checked Ellis and described him as, “burning up.” Officer Rankine checked Ellis’ pulse and found it to be about 80 beats per minute. Several officers

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6 Officer Burbank stated he believed he delivered a fourth five-second Taser cycle to Ellis, however the Taser download only showed three five-second events.
7 Captured on Vivint security camera located at 1438 96th Street South.
8 Captured on Vivint security camera located at 1438 96th Street South.
9 Shad Hayes witnessed a portion of the incident and gave a recorded statement to investigators.
10 Handcuffed wrists are tethered to restrained ankles with a nylon strap, and legs are flexed so a person is bent backwards. Hobble restraints are used to restrain a violent person.
11 A restraint device, made of light-weight, see-through mesh and fabric, intended to prevent a person from spitting or biting.
described Ellis as having a “1000 yard stare” and also thought he was suffering from Excited Delirium\textsuperscript{12}, a medical emergency.

At 11:32 p.m., Sgt. Lim asked dispatch for an ETA for Fire/EMS. He also upgraded the call to priority. At 11:34 p.m., Fire arrived and began to render care to Ellis. All of the restraints were removed at the request of Tacoma Fire Paramedic Nicholas Wilson. Wilson determined Ellis’ breathing was deteriorating and began mechanical breathing with a Bag Valve Mask (BVM). At 11:41 p.m., emergency personnel began manual cardiopulmonary resuscitation (CPR). In spite of chest compressions, intubation, and defibrillation, resuscitative efforts were not successful and Ellis died at the scene. The time of death was 12:30 a.m. on March 4\textsuperscript{th}.

Dr. Thomas Clark III of the Pierce County Medical Examiner’s Office performed the post mortem examination of Ellis. The Medical Examiner’s report\textsuperscript{13} indicates Ellis’ cause of death was “Hypoxia due to physical restraint.” Other significant conditions were methamphetamine intoxication and dilated cardiomyopathy. The manner of death\textsuperscript{14} was classified as Homicide. Ellis’ blood toxicology report showed he had a blood methamphetamine concentration of 2400 ng/mL of blood. He also had a blood amphetamine level of 54 ng/mL, Ephedrine level of 19 ng/mL and Phenylpropanolamine level of 39 ng/mL of blood.

\textsuperscript{12} Excited delirium (ExD), is a state of extreme mental and physiological excitement, characterized by extreme agitation, hyperthermia, hostility, exceptional strength and endurance without fatigue (Morrison & Sadler, 2001).
\textsuperscript{13} WSP investigators received additional documents from the Pierce County Medical Examiner’s Office that were generated after Ellis’ autopsy report was completed. They are included in the case file.
\textsuperscript{14} Manner of Death is the way to categorize death as required by the Washington State Department of Health. The classifications are natural, accident, suicide, homicide, undetermined, and pending.
WASHINGTON STATE PATROL
CRIMINAL INVESTIGATION DIVISION
REPORT OF INVESTIGATION

File Title: Death Investigation
Detective: J.N Rhue
Case Number: 20-009681

Subjects:
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(O) Burbank, Chris - TPD
(O) Collins, Matthew - TPD
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(O) Rankine, Timothy - TPD

Other Case Number:
PCSD 20-063-02251

Investigation Log

June 17, 2020 at 11:54 a.m.
I was advised by Detective Sergeant M. Marken that we will be assuming a death investigation from the Pierce County Sheriff’s Office. The investigation involved the death of Manuel E. Ellis while in the custody of Tacoma Police.

July 21, 2020 at 1:00 p.m.
I participated in a Zoom interview with WSP CID Captain J. Cabezuela and the selected IIT Community members; Lawrence White, Brittany Hamilton, and Tomas Aquino. The purpose of the interview was to vet investigators assigned to the investigation to ensure that there was not a conflict of interest.

July 24, 2020 at 9:00 a.m.
I was advised by Detective Sergeant Marken that the Attorney General’s Office was still evaluating the Pierce County Sheriff’s Office investigation.

July 27, 2020 at 10:00 a.m.
We received approval to begin investigation. I was assigned as the lead investigator. We were given the complete case file provided by Pierce County Sheriff’s Office. PCSO had...
been called out to the scene on the on March 4th and had been the lead agency for the
death investigation. The file included officer reports, scene photos and video, officer
interviews, forensic scans, officer processing images, search warrants, CAD logs, radio
traffic, medical examiners reports and images, canvassing log, crime scene log, taser
downloads, property reports, fire records, incident videos, and a prosecutors brief.

3:15 p.m.
I began the review of case file.

July 28, 2020 at 9:50 a.m.
I reviewed the recorded interviews with Officer Chris Burbank, Officer Matthew Collins
and Officer Masyih Ford.

July 29, 2020 at 9:00 a.m.
I reviewed the recorded interview with Officer Timothy Rankine. I reviewed the
scene/witness recorded videos.

July 30, 2020 at 8:45 a.m.
Sgt. Marken and I contacted Lt. Roberts at the Pierce County Sheriff's Office. Transfer of
evidence from PCSO to WSP.

9:30 a.m.
Sgt. Marken and I contacted the incident site located at 96th St S and Ainsworth Ave S in Tacoma.

11:16 a.m.
Deposit evidence to WSP evidence system. Item numbers CT3593 – CT3625.

August 5, 2020 at 10:15 a.m.
I reviewed the recorded interviews with Aiyana White, Cedric Armstrong and Kimberly
Mayes, Kennett Ashford, Kimberly Lux, and Shad Hayes.

August 6, 2020 at 11:15 a.m.
I reviewed the recorded interview with PCSO Det. Sgt. G. Sanders.

August 7, 2020 at 2:45 p.m.
I reviewed the recorded interview with PCSO Lt. A. Messineo.
August 10, 2020 at 11:15 a.m.
Re-process scene scans/fis files. PCSO scanned scene with FARO 3D scanner.

August 13, 2020 at 1:00 p.m.
Zoom meeting with IIT Community members.

August 19, 2020 at 1:00 p.m.
Receive video interview files from attorney Matthew Ericksen.

1:50 p.m.
I reviewed the video recorded interviews with Sara McDowell, Seth Cowden, and Keyon Lowery. The interviews were conducted by Attorney James Bible.

August 20, 2020 at 6:15 a.m.
Sgt. Marken and I contacted Lakewood Police Department. Recorded interview with Lakewood PD K-9 Officer A. Bucat.

8:00 a.m.
Dropped off Officer Burbank’s Taser at WSP Crime Laboratory in Seattle.

September 9, 2020 at 3:03 p.m.
I received and reviewed Officer Burbank’s discipline records from Winston-Salem PD.

September 10, 2020 at 11:00 a.m.
Zoom IIT meeting with John Tillman and Kent Liu - Attorney General’s Office.

1:00 p.m.
IIT community members update.

September 17, 2020 at 11:45 a.m.
I picked up the processed video from Det. Wayne Jones, MVPD. Det. Jones processed the McDowell and Cowden cell video through Input-ACE software. He was only able to lighten up the video a bit due to the quality of the video.
**September 21, 2020 at 10:36 a.m.**

I called Dr. Fiona Couper, WSP Toxicology Lab, regarding Ellis’ blood toxicology report. I left a message for her to call me back.

**September 23, 2020 at 9:00 a.m.**

Zoom meeting with Dr. Thomas Clark III. Dr. Clark did not want to be recorded but agreed to have our secretary Jill Byram take notes (See notes). During the conference Dr. Clark asked if we had copies of his notes from the autopsy. He stated he has notes which were generated after the Medical Examiners report was completed. Dr. Clark stated he learned from PCSO Detective Sergeant Brockway that the spit sock hood had not been on Ellis as long of a period of time as originally believed. It had been in fact been on Ellis for only a couple of minutes. Dr. Clark advised us we can obtain the notes by requesting them through his office. Dr. Clark took issue with the WSP request to have the blood re-analyzed. Dr. Clark agreed to review the notes for accuracy. Dr. Clark forwarded me an article about Excited Delirium from the Washington Post and his power point presentation he was going to give to the Prosecutor’s Office (before it was cancelled).

**12:40 p.m.**

I received a phone call from Dr. Fiona Couper. I asked about the differences in the two blood toxicology reports for Manuel Ellis (The one completed by NMS Labs and the WSP Toxicology Lab). Dr. Couper told me that they saw the ephedrine and PPA in the second drug screen conducted by the WSP Toxicology Lab but didn’t spend time to do additional testing. The ephedrine and phenylpropanolamine (PPA) are byproducts or containments of methamphetamine. Dr. Couper stated they can do additional testing if it becomes an issue but didn’t think it was necessary. I asked about the difference between the first toxicology report and the second, 2.4 mg/L of methamphetamine compared to 1.9 mg/L. Dr. Couper state if you take the average of the two results and if they are within 10% then it is consistent results. This is the same process we do with alcohol and breathalyzer testing. Dr. Couper stated she wasn’t surprised by the different results because of degradation of the sample over a few months. The same of the amphetamine. Dr. Couper stated the methamphetamine levels in the blood are a large/high amount. The methamphetamine amount was at a level where they have seen in plenty of other cases where methamphetamine was the cause of death (at the 1.9 mg/L amount). Dr. Couper stated that the levels also looked like recent ingestion/use due to the amount of methamphetamine vs. amphetamine (metabolite) in the blood. Dr. Couper stated they did find prescription medication in the blood; small amounts of antidepressant and ant-psychotic medication. They did not do further testing because it wasn’t the focus of the blood test, however they can if necessary. Dr. Couper stated Sgt. Marken had asked if the prescription medication would interfere with the testing. The answer was no. The methamphetamine reported in the blood toxicology report is what it is, methamphetamine.
1:00 p.m.
Zoom IIT meeting with John Tillman and Kent Liu - Attorney General’s Office.

September 24, 2020 at 11:07 a.m.
I sent an email to attorney Michael Staropoli requesting to speak with Officers Ford and Collins. I sent an email to attorney Steve Myers requesting to speak with Officers Rankine and Burbank.

2:05 p.m.
I reviewed the Tacoma Fire recorded interviews conducted by Detective Schroeder.

2:21 p.m.
Email sent from Lt. Durbin to TPD Chief Ramsdell requesting to speak with Officer Farinas.

September 25, 2020 at 2:47 p.m.
Email to Mr. James Bible to coordinate interviews with Sara McDowell, Keyon Lowery and Seth Cowden. Mr. Bible indicated he did not represent the witnesses but the Estate of Manuel Ellis. The witnesses requested Mr. Bible’s presence at the interviews.

September 28, 2020 at 7:10 a.m.
Sgt. Marken and I contacted 7-Eleven on 96th and Hosmer. Owner is Danny (206) 859-1161. The store is 0.5 miles from 96th and Ainsworth. I left business card for Danny to call me.

7:35 a.m.
Sgt. Marken and I contacted 7-Eleven on 96th and Pacific. Spoke with Aman the manager. Video recorded inside the store in only available for 3 months. The outside video is good for 48 hours. Store phone (253) 537-2595. Irish Darascay (sp?) and Rose Delacrus (sp?) were working on the evening of March 3, 2020. This 7-Eleven is 1 mile from 96th and Ainsworth. I left business card for Irish and Rose to call me.

8:05 a.m.
I called 7-Eleven owner Danny. No answer so I left a message to call me back.
2:51 p.m.
I received documents from Tacoma Police Department public records/disclosure. Text messages from work and personal phones. I reviewed them.

September 30, 2020 at 10:30 a.m.
I called 7-Eleven owner Danny. No answer so I left a message to call me back.

October 1, 2020 at 9:30 a.m.
Zoom IIT meeting with John Tillman and Kent Liu - Attorney General’s Office.

1:30 p.m.
Det. Schroeder advised me that he had he was able to speak with Mendel Everson.

October 2, 2020 at 4:50 p.m.
I received an email from Mr. Bible confirming interviews for Monday October 5 at 4:30 p.m. in Tacoma.

October 5, 2020 at 9:00 a.m.
I received additional notes from Pierce County Medical Examiner’s Office regarding Manuel Ellis. I reviewed the notes.

4:48 p.m.
Sgt. Marken and I conducted a recorded interview with Samuel “Seth” Cowden at the WSP Tacoma District Office. Mr. Bible was present during the interview.

5:21 p.m.
Sgt. Marken and I conducted a recorded interview with Sara McDowell at the WSP Tacoma District Office. Mr. Bible was present during the interview.

October 6, 2020 at 3:35 p.m.
Email sent from Lt. Durbin to TPD Chief Ramsdell requesting to speak with Officer Farinas. Officer Farinas was the officer that put the spit sock hood on Ellis.

3:35 p.m.
I received a phone call from Officer Henry Betts, TPD Guild VP. He told me to contact Ryan Lufkin, attorney, at ryan@psglawyers.com regarding Officer Farinas.
4:01 p.m.
I sent an email to attorney Ryan Lufkin requesting to speak with Officer Farinas about his involvement in the Ellis investigation.

October 12, 2020 at 9:00 a.m.
I received a copy of the civil lawsuit documents from City of Tacoma.

October 13, 2020 at 3:22 p.m.
I sent a second email to attorney Ryan Lufkin requesting to speak with Officer Farinas about his involvement in the Ellis investigation.

October 15, 2020 at 9:30 a.m.
I received the following e-mail from John Hillman (ATG):

The attorneys for the four primary TPD officers just called me to tell me that they "respectfully decline" any further interviews at all in any format. I asked if they would send an e-mail directly to you (WSP) so that you can have that for your investigative file, so hopefully they will follow through with that.

1:33 p.m.
I had not heard back from Ryan Lufkin so I called him at 866-486-5556. Mr. Lufkin stated he would get back with me in a day or two with an answer.

2:06 p.m.
I received Officer Farinas' disciplinary and training records.

October 21, 2020 at 9:00 a.m.
I received the following e-mail from attorney Michael Staropoli:

Dear Detective Rhue:

As you are aware, Officer Ford previously provided a voluntary statement to detectives and answered every question asked of him. Pursuant to my advice, Officer Ford respectfully invokes his constitutional rights and declines to participate in an additional, supplemental interview at this time.

Thank you for your inquiry.
Mike S.

Michael W. Staropoli
Attorney at Law
503.381.0420
mwstaropoli@gmail.com

9:00 a.m.
I received the following e-mail from attorney Michael Staropoli:

Dear Detective Rhue:

As you are aware, Officer Collins previously provided a voluntary statement to detectives and answered every question asked of him. Pursuant to my advice, Officer Collins respectfully invokes his constitutional rights and declines to participate in an additional, supplemental interview at this time.

Thank you for your inquiry.

Mike S.

Michael W. Staropoli
Attorney at Law
503.381.0420
mwstaropoli@gmail.com

10:07 a.m.
I received the following e-mail from attorney Steve Myers:

Detective, I apologize for the delay in getting back to you, with respect to your request for a supplemental interview of Officer Burbank. Given that Officer Burbank voluntarily participated in a recorded interview on March 6, 2020, 3 days after the incident, with two PCSO Detectives and an Investigator from the Pierce Co. Prosecutor’s office and answered each and every question posed to him, Officer Burbank, on my advise, hereby respectfully invokes his Right to Silence and, accordingly, is not willing to submit to a second Interview at this time.

Thank You for your inquiry

10:09 a.m.
I received the following e-mail from attorney Steve Myers:
Detective J. N. Rhue

Detective, I apologize for the delay in getting back to you, with respect to your request for a supplemental interview of Officer Rankine. Given that Officer Burbank voluntarily participated in a recorded interview on March 6, 2020, 3 days after the incident, with two PCSO Detectives and an Investigator from the Pierce Co. Prosecutor’s office and answered each and every question posed to him, Officer Burbank, on my advise, hereby respectfully invokes his Right to Silence and, accordingly, is not willing to submit to a second Interview at this time.

Thank You for your inquiry

11:47 a.m.

I received the following e-mail from Ryan Lufkin:

Detective Rhue,

First let me apologize for the delay in getting back in touch with you. I appreciate your patience in the matter as I got up to speed on the issues in the case. Officer Farinas declines to participate in an interview and invokes his right to remain silent on my advice.

Thank you,

Ryan Lufkin
Public Safety Labor Group

October 28, 2020 at 6:38 p.m.

Sgt. Marken and I conducted a recorded interview with Keyon Lowery at the WSP Tacoma District Office. Mr. Bible was present during the interview.

October 29, 2020 at 7:22 a.m.

I received a copy of the analysis of Officer Burbank’s Taser completed by the WSP Crime Lab. The report indicated the Taser was functioning properly.

1:47 a.m.

I spoke with Forensic Scientist Brian Smelser. Smelser had examined the Taser. I asked about the 3 minute difference for the timeline. He said according to the original download of Officer Burbank’s Taser, a three minute adjustment for the timeline is appropriate. The Taser updates the time on the unit when synced.
November 3, 2020 at 11:30 a.m.
I visually examined the spit sock hood which was placed on Ellis.

November 9, 2020 at 11:23 a.m.
I reviewed the recorded interviews and transcriptions for Trooper K.C. Jones, Officer Anthony Bucat, Samuel Cowden, Sara McDowell and Keyon Lowery.
WASHINGTON STATE PATROL
CRIMINAL INVESTIGATIVE DIVISION
Investigative Report

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<tr>
<th>File Title</th>
<th>Detective Sergeant</th>
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<td>(V) Ellis, Manuel E. (DOB08/28/86—Deceased)</td>
<td>PCSO 20-63-02251</td>
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Chronology of Investigation

- **June 8th, 2020, at approximately 2:38 pm.**
  
  I received a telephone call from Captain J. Cabezuela regarding the possible assignment of a death investigation to the Washington State Patrol. The case involved the death of Manuel E. Ellis on the evening of March 3rd, 2020, near the intersection of 96th and Ainsworth, in the City of Tacoma, Washington, while Ellis was in the custody of Officers from the Tacoma Police Department.

  Capt. Cabezuela further informed me that in order to comply with Initiative 940, the Washington State Patrol would be forming its own Independent Investigative Team.

- **June 9th, 2020, at approximately 7:56 am.**
  
  I spoke with Lieutenant D. Richmond regarding the possible Tacoma Police Department (TPD) investigation.

- **June 16th, 2020, at approximately 5:27 pm.**
  
  I spoke with Capt. Cabezuela further about the possible TPD investigation.

- **June 18th, 2020, at approximately 8:00 am.**
  
  Several news articles regarding the incident mentioned the involvement of a Washington State Patrol Trooper. I spoke with Lieutenant K. O'Shannon of the WSP District One-Tacoma office regarding this possibility. Lt. O'Shannon informed me that Trooper KC Jones was on-scene for a period of time when TPD
Officers were attempting to subdue Ellis. Lt. O’Shannon further informed me that Trooper Jones was on leave and would not return until mid-September. I advised that I would attempt to contact Trooper Jones upon his return.

With the assistance of Lt. O’Shannon, I also requested copies of:

- COBAN video from Trooper Jones’s patrol vehicle.
- CAD Logs associated with the incident.
- WSP Radio Traffic.

- June 22\(^{\text{nd}}\), 2020, at approximately 10:41 am.

I spoke with Captain D. Hall (WSP District One-Tacoma), regarding the possible involvement of the Lakewood Police Department. Capt. Hall provided me with the contact information for both the Chief and Assistant Chief of Lakewood PD.

- June 29\(^{\text{th}}\), 2020, at approximately 1:00 pm.

Capt. Cabezuela advised the Governor’s Office and the Attorney General’s Office that the WSP would be advertising for community members.

- July 7\(^{\text{th}}\), 2020, at approximately 12:00 pm.

Lieutenant R. Durbin informed me that Washington State Fire Marshall C. LeBlanc, would act as the Family Liaison.

- July 8\(^{\text{th}}\), 2020, at approximately 1:00 pm.

I discussed the shooting protocol associated with the investigation with Capt. Cabezuela.

- July 13\(^{\text{th}}\), 2020, at approximately 8:00 am.

Case placed into inactive status. We are awaiting a decision on community members and the investigator selection process.

- July 21\(^{\text{st}}\), 2020, at approximately 1:00 pm.

Members of the Independent Investigative Team were interviewed by Capt. Cabezuela in the presence of community members assigned to the team. Deconfliction Forms signed by IIT members and returned to Lt. Durbin.
July 24th, 2020, at approximately 8:00 am.

Attorney General’s Office still evaluating information provided by the Pierce County Sheriff’s Office. Capt. Cabezuela will advise when to proceed.


Capt. Cabezuela advised satisfactory to proceed with investigation. We will be assisted in the investigation by Assistant Attorney General, John Hillman.

July 28, 2020, at approximately 9:24 am.

Left phone message for Lt. Richmond.

July 28th, at approximately 10:38 am.

Spoke with Lt. Kevin Roberts of the Pierce County Sheriff’s Office. Advised him that Det. Rhue and I will pick up evidence on July 30th @ 9:00 am.

July 28th, 2020, at approximately 12:41 pm.

Spoke with Sharon Johnson at the Pierce County Medical Examiner’s Office. I requested that any samples associated with the case be preserved.

July 28th, 2020, at approximately 12:46 pm.

I requested that NMS Labs preserve any medical samples they are maintaining.

July 29th, 2020, at approximately 5:30 am.

Per Brianna Peterson from the Toxicology Lab, NMS samples will be shipped back to the Toxicology Lab for storage there.

July 30th, 2020, at approximately 8:45 am.


July 30th, 2020, at approximately 9:30 am.

Contacted site of Ellis interaction with TPD Officers at 96th and Ainsworth. Took photographs of the scene and memorial.
• **July 30th, 2020, at approximately 11:00 am.**

Entered items obtained from PCSO into the WSP evidence system.

• **July 31st, 2020, at approximately 9:10 am.**

Spoke with a secretary from the Winston-Salem, NC Police Department. I inquired about obtaining the training records and disciplinary file of former Officer Christopher Burbank.

• **July 31st, 2020, at approximately 9:30 am.**

Updated Capt. Cabezuela.

• **July 31st, 2020, at approximately 10:00 am.**

I spoke with Capt. Manny Gomez of the Winston-Salem, NC Police Department. He advised that the records for Off. Burbank could be obtained in two ways.

With a written release from Off. Burbank or with an Order of Competent Jurisdiction issued by a NC court. The North Carolina Bureau of Investigation may be able to assist.

• **August 13th, 2020, at approximately 10:00 am.**

I attended an investigative meeting via ZOOM with Det. Rhue, Lt. Richmond and Det. Schroeder.

• **August 13th, 2020, at approximately 1:00 pm.**

Met with community members via ZOOM. Bishop White and Brittney Lee Hamilton attended.

• **August 14th, 2020, at approximately 1:00 pm.**

Updated Capt. Cabezuela on case and meeting with community members. Sent a request for information from the Tacoma Police Department to Lt. Durbin. Also, a press release will be issued requesting witnesses to come forward.

• **August 17th, 2020, at approximately 9:40 am.**

I left phone message for Capt. Gomez regarding NCBI contact.
- August 17th, 2020, at approximately 9:50 am.

Delivered video to Det. Sgt. M. Don of the Mount Vernon Police Department for possible enhancement.

- August 18th, 2020, at approximately 10:20 am.

I spoke with Assistant Chief Unfred of the Lakewood Police Department, regarding an interview with Officer/K-9 Handler A. Bucat.

WSP Lt. K. O'Shannon advised Trooper Jones is on Annual Leave. I will check with Lt. S. Ramirez next week for possible interview date.

- August 18th, 2020, at approximately 11:15 am.

I spoke with Lt. Roberts regarding cellular phone belonging to Mr. Ellis. Was a “dump” done on the phone? Lt. Roberts advised he will contact Det. Sgt. Sanders and find out.

- August 18th, 2020, at approximately 11:36 am.

I spoke with Det. Helmike regarding the cellular phone. He advised that he did not believe the phone was “dumped”.

- August 19th, 2020, at approximately 10:00 am.

I requested the training records of Off. M. Ford, from Pierce County Transit. Off. Ford was previously employed as a partially commissioned officer with Pierce County Transit.

- August 19th, 2020, at approximately 10:30 am.

Det. Rhue and I will interview Off. Bucat of Lakewood PD, on August 20th, @ 7:00 am.

- August 19th, 2020, at approximately 11:13 am.

I submitted a request to Lt. Durbin to examine the Ellis cellular phone.

- August 19th, 2020, at approximately 11:55 am.
Completed a request for the Taser exam. I advised R. Wyant at the WSP Crime Lab of same. Items CT3598 and CT3608 will be examined.

- **August 20th, 2020, at approximately 6:15 am.**
  
  Det. Rhue and I interviewed Lakewood PD Off. A. Bucat. The interview took place at the Lakewood Police Department.

- **August 20th, 2020, at approximately 8:00 am.**
  
  Delivered Taser and wires to the Crime Lab.

- **August 20th, 2020, at approximately 6:15 am.**
  
  Delivered DVD with video at Mount Vernon PD for enhancement.

- **August 21st, 2020, at approximately 8:30 am.**
  
  Discussed TPD case with Capt. Cabezuela.

- **August 21st, 2020, at approximately 9:41 am.**
  
  Requested Lakewood PD attempt to recover the in-car video from Off. Bucat’s patrol vehicle.

- **August 21st, 2020, at approximately 10:25 am.**
  
  Requested Lt. Durbin obtain public records contained on the personal cellular phone of TPD personnel.

- **August 21st, 2020, at approximately 10:30 am.**
  
  Requested Sgt. Harschfeld have Trooper KC Jones contact me regarding the case and interview.

- **August 21st, 2020, at approximately 10:43 am.**
  
  CalledCapt. M. Gomez at Winston-Salem, NC PD and requested contact information at NCBI. Administrative personnel advised that he has no direct contact with NCBI.

- **August 21st, 2020, at approximately 11:00 am.**
E-mailed Special Agent L. Steger of NCBI. Requested he assist with obtaining Off. Burbanks records from Winston-Salem, NC PD.

- **August 21st, 2020, at approximately 11:13 am.**
  Spoke with Assistant Attorney General J. Hillman regarding the investigation.

- **August 21st, 2020, at approximately 11:15 am.**
  Was advised that Lt. J. Alwine of Lakewood PD is assisting with the video request.

- **August 21st, 2020, at approximately 11:26 am.**
  Received e-mail from Lt. Alwine regarding video request. Lt. Alwine advised he reviewed all COBAN In-Car-Video from Off. Bucat’s patrol vehicle from March 3rd, 2020. Lt. Alwine advised that there were no videos from this time frame.

- **August 21st, 2020, at approximately 11:26 am.**
  I spoke with D. Jacobson of Pierce County Transit regarding former Public Safety Officer M. Ford. She advised me to check the portal in several weeks regarding the request.

- **August 26th, 2020, at approximately 10:00 am.**
  I spoke with AAG’s J. Hillman and K. Liu regarding investigation. They will provide guidance on cell phone issues, as well as pdr’s for same. AAG Hillman will provide contact information for TPD Officer’s attorneys. I will contact Dr. Couper regarding re-submission of toxicology.

- **August 26th, 2020, at approximately 11:00 am.**
  I left phone message for Dr. Couper.

- **August 27th, 2020, at approximately 8:00 am.**
  I spoke with Capt. Cabezuela regarding the investigation.

- **August 27th, 2020, at approximately 9:11 am.**
  I spoke with Dr. Couper regarding testing of samples. The testing will be done locally by the Seattle Toxicology Lab.
- **August 27th, 2020, at approximately 1:00 pm.**
  
  Updated community members. Spoke about our process regarding the medical examiner, toxicologist, firefighters, officer info. Advised we have discussed case with AAG. Also mentioned our interview of Off. Bucat.

- **August 31st, 2020, at approximately 9:10 am.**
  
  Requested Off. Burbank sign waiver for NC records, via Mr. Steve Myers, his counsel.

- **August 31st, 2020, at approximately 11:07 am.**
  
  Requested opportunity to speak with witnesses. E-mail sent to James Bible.

- **September 2nd, 2020, at approximately 8:15 am.**
  
  Spoke with Mr. Steve Meyers 503-781-6270 regarding Off. Burbank waiver for Winston-Salem, NC records. He advised Off. will sign and scan back to me.

- **September 2nd, 2020, at approximately 9:15 am.**
  
  Spoke with Mr. Bible @ 425-748-4585 regarding contact with witnesses. He agreed to assist in facilitating.

- **September 9th, 2020, at approximately 9:30 am.**
  
  Advised Capt. Cabezuela that Winston-Salem, NC PD’s info received. Other PDR’s incoming. Mr. Bible will facilitate interviews with witnesses that were not initially interviewed by PCSO.

- **September 10th, 2020, at approximately 11:00 am.**
  
  Mr.’s Hillman and Liu, Det. Rhue, Lt. Richmond and Det. Sgt. Marken present to update AAG via Zoom.

  - Hillman advised consulting Use of Force Expert not necessary prior to his review. Will most likely hire someone from outside if needed.
  - Hillman will do more research on Ellis phone.
  - Hillman will draft PDR for public records on officer phones.
  - Hillman will contact Pierce Co PA regarding contact for former ME and his impeachment info.
  - Marken advised Tox Lab redoing tox.
Marken will check with MV regarding video. Marken advised Bible facilitating contact with 3-witnesses. Bible advised they are fearful of LE.

Richmond advised FBI working on audio. Bible attempting to facilitate interviews with witnesses that were not initially interviewed by PCSO.

- **September 10th, 2020, at approximately 1:00 pm.**
  
  Bishop, Britney, Mike, Dan, Jeff and Bob present. Clarified AG’s role in investigation. Advised PDR’s are coming in. Advised Mr. Bible is facilitating contact with witnesses. FBI will have audio back in 2 wks. Still attempting to connect with TFD. No questions from Britney or Bishop.

- **September 10th, 2020, at approximately 2:05 pm.**
  
  Updated Capt. Cabezuela on ZOOM meetings.

- **September 15th, 2020, at approximately 9:05 am.**
  
  Requested update on Ellis tox results from Tox Lab.

- **September 15th, 2020, at approximately 9:09 am.**
  
  Requested pdr language from Hillman. Also former Pierce Co. ME contact information.

- **September 15th, 2020, at approximately 9:10 am.**
  
  E-mailed James Bible regarding witness interviews.

- **September 21st, 2020, at approximately 10:10 am.**
  
  Message left at number believed to be Dr. Thomas B. Clark in Tacoma. Requested call back number.

- **September 21st, 2020, at approximately 11:15 am.**
  
  Spoke with Dr. Thomas Clark regarding appointment to speak with him regarding case. His office number is 253-798-6415 or thomas.clark@piercecountywa.gov.

- **September 22nd, 2020, at approximately 8:00 am.**
  
  Interviewed Trooper KC Jones regarding the incident.
• September 22nd, 2020, at approximately 9:10 am.
Updated Capt. Cabezuela regarding case.

• September 23rd, 2020, at approximately 8:30 am.
Received Pierce County Transit records for Off. Ford.

• September 23rd, 2020, at approximately 9:00 am
Interviewed Dr. Clark regarding autopsy and findings.
Met with former Pierce County ME regarding autopsy of Manuel Ellis. ZOOM meeting lasted until approx. 10:10 am.

• September 23rd, 2020, at approximately 1:00 pm.

  ➢ IIT will contact Keyon, McDowell and Cowden directly in attempt to obtain statements. Advocate not affiliated with law enforcement will be provided as needed.
  ➢ IIT will contact 4 Tacoma Officers via counsel to request response to follow-up questions.
  ➢ IIT will Officer Farinas regarding spit hood.
  ➢ IIT will contact PCSO regarding their attempts to acquire 7-11 video.
  ➢ IIT will contact Ayana White’s husband for interview.
  ➢ AAG’s advised Dr. Clark contacted and interviewed. Dr. Clark declined to be recorded.
  ➢ Dr. Clark’s comments regarding additional tox testing.
  ➢ Advised we were requesting full autopsy and notes. To include notes made after June 3rd.
  ➢ Advised obtained PDR information on Ford from Pierce Co Transit.
  ➢ Advised Mr. Bible had yet to facilitate conversation with Cowden, Keyon and McDowell.
  ➢ Advised Mr. Bible indicated he did not represent the 3.
  ➢ Advised IIT will attempt to contact them independent of Mr. Bible.
  ➢ Discussed goeofence warrant. PC for warrant does not exist at this time to capture all cell traffic in area.
  ➢ Advised of video enhancement results.
Advised by Richmond FBI audio results will be received by weeks end. AAG’s advised of conversation with Capt. Cabezuela. AAG advised Governor’s office insisted on re-interviewing everyone. Previous conversation with Capt. indicated that submitting follow-up questions to witnesses/officers acceptable if clarification needed.

Requested AAG Hillman make a decision regarding Ellis cell phone. He advised that AG Ferguson would be consulted during today’s afternoon meeting. Hillman indicated we would have response by 9/24/20.

Next ZOOM meeting on 10/1/20 @ 0930.

- **September 24th, 2020, at approximately 10:36 am.**
  
  Requested Durbin forward e-mail to TPD for contact with Officer Farinas.

- **September 24th, 2020, at approximately 11:30 am.**
  
  Received ME response regarding records request.

- **September 24th, 2020, at approximately 5:09 pm.**
  
  Called Pierce Co ME, Dr. Cline regarding case. Discussed testing of ME samples in custody of Tox Lab. Dr. Cline advised testing of samples done in consultation with AAG Hillman, Dr. Couper and Capt. Cabezuela. She requested contact with Dr. Couper. I advised I would facilitate contact. Discussed possible review by another ME in her office, independent of Dr. Clark’s opinion. She did not want a copy of power point prepared by Dr. Clark for Pierce Co PA. Dr. Cline requested assistance with another unrelated case. I advised I would assist.

- **September 25th, 2020, at approximately 10:00 am.**
  
  Spoke with Capt. and Lt. Richmond regarding investigation.

- **September 25th, 2020, at approximately 10:26 am.**
  
  Left message for Dr. Couper.

- **September 25th, 2020, at approximately 7:30 am.**
  
  Contacted 7-11’ss at 96th and Hosmer and 96th and Pacific Ave. Det. Rhue obtained contact information for clerks working on March 3, 2020, around 2230. Contacted WSP Crime Lab. Wyant and Smelser were unavailable to discuss Taser. Smelser will return on 10/1.
- **September 28th, 2020, at approximately 10:00 am.**
  Requested Dr. Couper contact Dr. Cline regarding testing.

- **September 30th, 2020, at approximately 11:20 am.**
  Updated Capt. Cabezuela.

- **September 30th, 2020, at approximately 11:30 am.**
  Requested update from Crime Lab on Taser.

- **October 1st, 2020, at approximately 9:30 am.**
  Lt. Richmond, Det. Schroeder, Det. Sgt. Marken, Det. Rhue and AAG’s Liu and Hillman present. Discussed contacting 7-11 clerks, text messages from officers, me contact, attempt to contact spit sock officers, Taser analysis, attempts to facilitate contact with witnesses through Mr. Bible, Malang contact by Richmond, possible review of autopsy, AG’s office will make request if needed. AAG will not request phone dump if no charges. Will dump phone if possibility of charges.

- **October 5th, 2020, at approximately 8:16 am.**
  Received ME’s notes and photos.

- **October 5th, 2020, at approximately 4:30 pm.**
  Interviewed Samuel Cowden and Sara McDowell at the WSP Tacoma District Office, Mr. Bible was also present along with Det. J. Rhue.

- **October 6th, 2020, at approximately 9:30 am.**
  Updated Capt. Cabezuela.

- **October 8th, 2020, at approximately 11:49 am.**
  AAG Hillman advised that he and AAG Liu spoke with Officers attorneys. They will speak with clients and get back to us.

- **October 8th, 2020, at approximately 12:50 pm.**
• October 13th, 2020, at approximately 10:55 am.

Updated Capt. Cabezuela.

• October 15th, 2020, at approximately 9:45 am.

Received notification from AAG Hillman that TPD Officers are declining any further contact. They will advise through their counsel formally via e-mail.

• October 16th, 2020, at approximately 9:42 am.

Tacoma City Attorney, Michael Smith, advised TPD does not currently have a policy on spit sock application.

• October 22nd, 2020, at approximately 1:00 pm.

Met with community members. Bob, Dan, Mike, Brittney and Tomas present. Bishop unavailable and attending a funeral.

• October 28th, 2020, at approximately 10:42 am.

Discussed TPD case briefing with Lt. Durbin. He advised AG does not want TPD command present. An additional briefing will be scheduled for TPD command and community members on 11/19.

• October 28th, 2020, at approximately 1:00 pm.

Discussed case with Capt. Cabezuela. Will schedule additional briefing for TPD command on 11/19.

• October 28th, 2020, at approximately 1:30 pm.

Discussed case with Lt. Richmond. He will attend on 11/12 along with Det.’s Schroeder, Rhue and myself.

• October 28th, 2020, at approximately 6:30 pm.

Interviewed Keyon Lowery at the District 1 Office in Tacoma. Mr. Bible (and his 7 yo son due to child care issues), Lowery, Det. Rhue and myself.

• October 29th, 2020, at approximately 10:00 am.

Updated Capt. Cabezuela.
- On November 4th, 2020, at approximately 9:00 am.
  Attended ZOOM meeting to discuss IIT reports.

After formation of our Independent Investigative Team (IIT), Capt. Cabezuela advised us that we were approved to proceed with the investigation. Prior to commencing our investigation, we reviewed the initial investigation conducted by the Pierce County Sheriff's Office. This investigation consisted of:

- Computer Aided Dispatch (CAD) Logs.
- The Pierce County Sheriff's Office Casesheet.
- Tacoma Fire Department Records.
- Forensic scans of the scene.
- The Hobble cord used to restrain Mr. Ellis.
- Incident Log.
- Information the Pierce County Sheriff's Office received after halting their investigation.
- Pierce County Medical Examiner Report.
- A Toxicology Report completed by NMS Laboratories.
- Statements and photographs of Tacoma Police Department Officers:
  - Christopher Burbank
  - Masyih Ford
  - Matthew Collins
  - Timothy Rankine
- Ortho Mosaic photographs.
- Digital photographs.
- A PowerPoint presentation prepared by PCSO Investigators, for the Pierce County Prosecuting Attorney.
- Property collected and the scene.
- Officer reports.
- Search warrant
- The spit sock applied to Mr. Ellis.
- Statements.
- Information on Mr. Ellis.
- Taser records.
- Toxicology.
- Video
- Trooper KC Jones report.

Additional supplemental information was collected by members of the Washington State Patrol, Independent Investigative Team. This information consisted of:
• The training and disciplinary records of Tacoma Police Department Officers:
  o Officer Christopher Burbank
  o Officer Masyih Ford
  o Officer Matthew Collins
  o Officer Timothy Rankine
  o Officer Armando Farinas

• The training and disciplinary records of Officers Ford and Burbank, from their previous employers:
  o Officer Christopher Burbank-Winston-Salem, NC Police Department
  o Officer Masyih Ford-Pierce County Transit

• The IIT obtained work related messages contained on the personal cellular phones of:
  o Officer Masyih Ford
  o Officer Timothy Rankine

• Evidence associated with the case was transferred into the custody of the IIT on July 30th, 2020. Among the items transferred was a cellular phone belonging to Mr. Ellis. Attorneys representing Mr. Ellis declined to grant permission to download the phone. Assistant Attorney General John Hillman, elected to not have the IIT download Mr. Ellis’s phone at this time.

• Interviews were conducted with:
  o Ms. Sarah McDowell
  o Mr. James Cowden
  o Mr. Keyon Lowery
  o Mr. James Mallang
  o Dr. Thomas Clark III-Former Pierce County Medical Examiner
  o Lieutenant Chris Rady-Tacoma Fire Department
  o Firefighter/EMT Jeff Polo-Tacoma Fire Department
  o Firefighter/Paramedic John Brakebush-Tacoma Fire Department
  o Firefighter/EMT Kelly Sumner-Tacoma Fire Department
  o Lieutenant Marion Ridgeway-Tacoma Fire Department
  o Paramedic Nicholas Wilson-Tacoma Fire Department
  o Firefighter/EMT Ronald Herrera-Tacoma Fire Department
  o Lieutenant Tad Jackson-Tacoma Fire Department
  o Trooper KC Jones-Washington State Patrol
  o Officer A. Bucat-Lakewood Police Department
• Mr. Mendel Everson-Declined to be interviewed further.*
  *Mendel Everson is the former roommate of Mr. Ellis.
• Officer Armando Farinas-Tacoma Police Department*
  *Under advice of counsel, Officer Farinas declined to be interviewed. He did provide a written report to Pierce County Sheriff’s Office Investigators during their initial investigation.

• Written reports were obtained from the following individuals:

  o Officer Daniel Derr-Tacoma Police Department
  o Officer Katherine Madden-Tacoma Police Department
  o Sergeant Gary Roberts-Tacoma Police Department, Internal Affairs
  o Sergeant Jason Youngman-Tacoma Police Department, Graveyard Supervisor
  o Lieutenant Chris Carl-Tacoma Police Department, Internal Affairs
  o Commander Jennifer Mueller-Tacoma Police Department, Night Watch Commander
  o Commander Barton Hayes-Tacoma Police Department, Watch Commander
  o Sergeant Ed Troyer-Pierce County Sheriff’s Office, Public Information Officer. To date, Sgt. Troyer has not provided a report.

• On August 14th, 2020, a press release was issued by the Washington State Patrol, Independent Investigative Team, seeking additional witnesses. To date, no additional witnesses have come forward.

• The audio portion of video files captured by Mr. Sara McDowell were enhanced by the Federal Bureau of Investigation.

• With the assistance of the Mount Vernon Police Department, attempts were made to enhance video of the incident, obtained from multiple sources.

• A copy of the Tacoma Police Department Professional Standards were obtained via the internet, from the City of Tacoma website. Note: The Tacoma Police Department does not currently have in place a Professional Standard for applying a “spit sock”. Please refer to an electronic response from Mr. Michael Smith, Deputy City Attorney (Tacoma) and Tacoma Police Department Legal Advisor. The correspondence is dated October 16th, 2020.

• Blood samples obtained from Mr. Ellis during his autopsy, performed by Dr. Thomas Clark III, were originally tested by NMS Labs in Horsham, Pennsylvania. Per the report issued by NMS Labs, dated April 11th, 2020, this testing yielded the following result/s:
<table>
<thead>
<tr>
<th>Compound</th>
<th>Result</th>
<th>Units</th>
<th>Matrix Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ephedrine</td>
<td>19</td>
<td>ng/ml</td>
<td>001 Peripheral Blood</td>
</tr>
<tr>
<td>Phencyclidine</td>
<td>39</td>
<td>ng/ml</td>
<td>001 Peripheral Blood</td>
</tr>
<tr>
<td>Amphetamine</td>
<td>54</td>
<td>ng/ml</td>
<td>001 Peripheral Blood</td>
</tr>
<tr>
<td>Methamphetamine</td>
<td>2400</td>
<td>ng/ml</td>
<td>001 Peripheral Blood</td>
</tr>
</tbody>
</table>

- In consultation with the Washington State Toxicologist, Dr. Fiona Couper, Assistant Attorney General, John Hillman and Washington State Patrol Capt. J. Cabezuela, the remaining sample/s obtained from Mr. Ellis were returned to the Washington State Patrol Toxicology Lab, by NMS Labs. Per the report issued by the Washington State Patrol Toxicology Laboratory, dated September 16th, 2020, this testing yielded the following result/s:
  - Amphetamine 0.030 mg/L
  - Methamphetamine 1.9 mg/L

- The IIT submitted the Taser (serial number X00-476240, Washington State Patrol item number CT3598) and associated cartridge/wires (WSP item number CT3608) collected from Off. C. Burbank, to the Washington State Patrol Crime Laboratory for analysis. *Washington State Patrol Forensic Scientist Brian Smelser prepared Crime Laboratory Report #120-003426. Please refer to this report regarding the examination.*

- The 7-11 convenience stores that Mr. Ellis may have visited prior to his interaction with Tacoma Police Department Officers. Both the 96th & Hosmer and 96th & Pacific Avenue stores were contacted. *Detective Rhue received no response from the employees that may have had contact with Mr. Ellis.*

- Communications recordings of the response to the incident by Washington State Patrol personnel were requested and obtained.

- The IIT requested any existing recordings from the in-car/COBAN video from the patrol vehicle of Trooper KC Jones. *A response was received from Mr. Mike Marcott (Washington state Patrol-Tacoma, COBAN Administrator), that no video existed, as it was beyond the retention period.*

- The IIT requested any existing recordings from the in-car/COBAN video from the patrol vehicle of Lakewood Police Department, Officer A. Bucat. *A response was received from Lt. Jeff Alwine (Lakewood Police Department, COBAN Administrator). He advised that he reviewed Off. Bucat's COBAN ICV system from March 3rd, 2020 and there were no recordings related to the incident involving Mr. Ellis.*
- Det. B. Schroeder prepared a scene drawing utilizing scan data provided by the Pierce County Sheriff's Office.
On July 21, 2020, at about 1:00 p.m., I participated in a vetting interview via Zoom with Captain Cabezuela and the assigned community members (Lawrence White, Brittany Hamilton, and Tomas Aquino). Shortly afterwards, I was notified that I had been selected to serve on the IIT for this incident. I completed a conflict assessment tool and forwarded it to Captain Cabezuela.

On July 27, 2020, at about 10:09 a.m., I was notified by Captain Cabezuela that the IIT was cleared to review the PCSO case file. We had previously not been granted access due to the Attorney General’s Office completing a review to ensure that there were no compelled statements.

On August 13, 2020, at about 10:00 a.m., the IIT members (Detective Rhue, Detective Sergeant Marken, Detective Schroeder, and myself) met via Zoom to discuss our observations from the case review and to formulate an investigative plan.

At about 1:00 p.m., I met via Zoom with Sgt. Marken and Det. Rhue to provide an update to the assigned community members. Present for the meeting were Bishop Lawrence White and Brittney Hamilton. Thomas Aquino did not respond to the meeting invite and later notified me that he was unable to attend due to being out of the area.

At about 1:14 p.m., I prepared verbiage for a media release requesting witnesses to call the investigative team. The requested verbiage was sent to GMR Sergeant Darren Wright who prepared the media release and sent it back to me. I forwarded the release to Captain Neil Weaver (who was acting as the family Liaison in Fire Marshall LeBlanc's absence) and Lt. Ryan Durbin to ensure the required WAC 139-12 notifications were made prior to its release.

At about 2:45 p.m., I called Sergeant Jason Greer with the Washington State Patrol’s High Tech Crime Unit (HTCU) to discuss their ability to forensically examine audio files. Greer did not answer, message was left requesting a return phone call.

At about 4:02 p.m., I received a call from Sergeant Greer. He advised that HTCU did not have the capability to handle the audio enhancement. He directed me to the FBI laboratory services unit.

At about 4:16 p.m., I called the Seattle FBI office and inquired into their availability to assist with audio enhancement. I was directed to send a request via e-mail to seattle.fbi@fbi.gov.

At about 4:30 p.m., I sent an e-mail to FBI Seattle requesting assistance with audio enhancement.
On August 14, 2020, at about 9:01 a.m., I received a call from Special Agent Matt Scott with the FBI. He was gathering information on the file type and whether legal process would be needed to examine the audio. After discussion he advised that he would check with the lab and call me back.

On August 18, 2020, at about 11:35 a.m., I received a voicemail from Special Agent Matt Scott. He advised that he would be sending me an e-mail that I could respond to with the video file for audio examination. I checked my e-mail but did not see the e-mail.

I called the FBI office and left a message for Scott. He called several minutes later and advised that the e-mail hadn’t been sent yet. Several minutes later I received an e-mail from SA Scott. I forwarded the video file to him via e-mail at 12:28 p.m.

At about 2:19 p.m., I called Tacoma Fire Department (TFD) and requested to interview personnel who were involved in the incident. I was directed to contact Assistant Chief Todd Magliocca to make the request. I called Assistant Chief Magliocca several minutes later, but received no answer. I left a message on his voicemail detailing the request.

On August 20, 2020, at about 10:28 a.m., I called Assistant Chief Magliocca again. The call was not answered, no message was left.

On August 25, 2020, at about 10:01 a.m., I called Assistant Chief Magliocca with TFD to renew my request to speak to TFD witnesses to the incident. My call was not answered, a message was left requesting a return phone call.

At about 1:29 p.m., I forwarded two additional video files to Special Agent Scott to add to the audio forensic request. The two videos were captures from the Vivent doorbell camera and captured the same verbal exchange as Sara McDowell’s cell phone video.

On August 26, 2020, at about 10:00 a.m., I participated in a Zoom briefing with AAG Hillman, AAG Liu, and Detective Sergeant Marken. We discussed our investigative plan and posed several legal questions to them for consideration.

At about 9:29 a.m., I received a phone call from Assistant Chief Magliocca at TFD. He provided a better contact number since his office number that I had previously called was largely unused due to teleworking. We discussed interviewing TFD personnel and had advised that he would need to talk to City Legal and the Guild, but he would begin the process. He provided me an e-mail for contact.

On August 27, 2020 at about 1:00 p.m., I participated in a Zoom meeting with the assigned community members.

On September 2, 2020, at about 10:51 a.m., I sent an e-mail to Special Agent Scott to ensure that he had received the files that I sent to him. He called me back and advised me that the files had been sent to the lab and he expected results by the end of the month.
At about 10:59 a.m., I called Assistant Chief Magliocca. He advised that he would check schedules and get me a listing of personnel and a proposed schedule for the interviews by the end of the day. I sent him a follow-up e-mail formally requesting to interview his personnel.

On September 8, 2020, at about 3:27 p.m., I called Assistant Chief Magliocca to confirm the interview schedule. The call was not answered, I left a message requesting a call back to confirm the interview schedule. At the time of this call I had not received confirmation to the e-mail that I sent him on 9-2-2020.

On September 10, 2020, at about 11:00 a.m., I participated in a Zoom meeting with the IIT, AAG Hillman and AAG Liu.

At about 1:00 p.m., I participated in a meeting with the assigned community members via Zoom.

On September 11, 2020 at about 5:00 p.m., I spoke to Assistant Chief Magliocca and he advised that the 14th might work for some of the interviews. He advised me that the union is insisting on City Legal being present for the interviews. Assistant Chief Magliocca advised that he would call me over the weekend to let me know for sure if the 14th would work. I did not receive a call over the weekend, but I did speak to Assistant Chief Magliocca early the next week and arrangements were made for investigator's to interview TFD personnel on September 22, 2020.

On September 22, 2020, at about 9:00 a.m., I contacted the Tacoma Fire Department Headquarters with Detective Robert Schroeder and conducted recorded interviews of the involved TFD personnel. Also present for the interviews was City of Tacoma Deputy City Attorney Jean Homan. Recorded interviews were obtained from Firefighter Kelly Sumner, Lieutenant Marlon Ridgeway, Firefighter/paramedic Nicholas Wilson, Firefighter Jeff Polo, Firefighter Ronald Herrera, Lieutenant Tad Jackson, Firefighter/paramedic John Brakebush, and Lieutenant Chris Rady. A notable statement not captured on the recording was made by Lt. Jackson. He mentioned that he had seen a video on the media of TPD officers wrestling with a man wearing khaki pants. He shared that he recalled that Ellis was wearing gym shorts not pants. He also did not recall any pants lying around the area.

On September 23, 2020 at about 9:00 a.m. I participated in a Zoom interview with Dr. Clark (along with the other IIT team members.) Secretary Jill Byram took notes during the conversation (since Dr. Clark objected to the conversation being recorded). I reviewed her notes and saw that they accurately documented my recollection of the conversation.

At about 1:00 p.m., I participated in a Zoom meeting with the IIT and AAG's Liu and Hillman. Hillman advised that there was still no final answer on the search of Ellis's cell phone. Hillman agreed that since Attorney James Bible was not representing the three civilian witnesses that the IIT should go direct to the witnesses. Options were discussed for advocates for the witnesses that would not create a conflict of interest. Hillman asked about re-interviewing the involved officers. Various options were discussed.

On September 24, 2020, at about 1:00 p.m., the IIT met via Zoom with the community members (Tomas Aquino and Brittany Hamilton.)
At about 1:45 p.m., I spoke on the phone with AAG Hillman. He advised me that after speaking with his boss the answer on downloading Ellis's phone was no. He advised that he would continue to evaluate that decision and he would advise the IIT if the opinion changed.

I then relayed to him the content of the ME presentation slide:

"Recommendations"

-New information was received concerning the duration of the spit hood application
-Case should be referred to Medical Examiner for consideration of new information
-Could consider soliciting additional opinions"

Hillman and I discussed this recommendation and he requested that the IIT reach out to the current Pierce County ME to determine their opinion of how to proceed with Clark's recommendations. This duty was later assigned to Sergeant Marken.

On September 25, 2020, at about 11:45 a.m., I called witness James Mallang. Mallang was the husband of Aiyana White who was interviewed by PCSO. During her interview it was noted that detective had spoken to Mallang and he had not observed anything; however, there was no formal discussion in the case file that he was interviewed. James Mallang did not answer, and his phone’s voicemail was full.

At about 11:50 a.m., I called Mallang again. A male answered the phone and identified himself as James. I identified myself and the reason for the call. He advised that he was having a hard time hearing me and asked for me to call back in 30 minutes.

At about 12:19 p.m., I spoke to James Mallang via telephone. He advised that he really didn’t see anything. By the time he woke up and came outside there were 10-15 police cars outside. He saw a person on the ground with 2-3 cops restraining him (he couldn't tell if they were kneeling next to him or on top of him). Several minutes later, the fire department arrived and did CPR for a quite a while. Eventually the white sheet was pulled over the subject. One of the officers came to the house about 45 minutes after he woke up and asked to look at the video. His brother in law (Kennett Ashford) took the officer inside to view video. He didn't know what was on the video. At about 5:17 p.m., I received an e-mail from Special Agent Matthew Scott containing the FBI's analysis of the submitted video. I added their report and files to the electronic case file.

On October 1, 2020, at about 9:30 a.m., I participated in a Zoom meeting with the IIT, AAG Hillman, and AAG Liu.

On October 22, 2020 at about 1:00 p.m., I met with the IIT and the assigned community members.

I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

/S/ Daniel Richmond
Lieutenant Daniel Richmond

Signed in Thurston County on November 4, 2019
- KELLY SULLIVAN PF DRIVER TRUCK 2
  9:02

0 STATION

- LADDER TRUCK
  - 2 OTHERS

- E 10 WAS ON SCENE / MULTIPLE TP17
  PATIENT ON GROUND E-10 WORKING
  ON HIM

- PARKED RIG

9:17 END

926

LT MARLON L. RIDGWAY E-10

931 START

951 END
- Nicholas Wilson FF / PM E-10
  9:58 AM
  10:17 AM

- Jeff Polo FF E-10
  PM CRP
  10:21 AM
  10:36 AM

- Ronald Hoppa FF EMT Tower 2
  10:40 AM
  10:52 AM

- Tad E Jackson LT Tower 2
  10:57 AM
  11:12 AM

After tape - saw film w/ TPD Wrestling w/ man w/ khaki pants, black gym shorts no pant lying around
John E. DDAK B457 PE/DP MJ
121 AM
136

Chris W. Bady LT MJ
1134 AM
1146 AM
City of Tacoma
Office of the City Attorney

Jean P. Homan
Deputy City Attorney

Civil Division
747 Market Street, Room 1120, Tacoma, WA 98402-3767
(253) 591-5629 / FAX (253) 591-5755
e-mail: jhoman@cityoftacoma.org
June 18, 2020:
I was advised by WSP Detective Sergeant Dan Richmond of a forthcoming investigation pertaining to an In-Custody Death involving Manuel Ellis and officers with the Tacoma Police Department. I was advised that I would be part of the selection process for an Independent Investigative Team (IIT) comprised of two sergeants and two detectives from the WSP Criminal Investigation Division.

July 16, 2020 @ 3:39 p.m.:
I received an email from Captain Cabezuela advising that Lieutenant Durbin will be sending out a Zoom meeting invite for Tuesday, July 21 at 1300 hours, so Capt. Cabezuela and the community representatives can conduct the interview and vetting of investigators for this investigation.

July 21, 2020 @ 1:00 p.m.:
A Zoom meeting facilitated by Captain Cabezuela was conducted for the purpose of vetting detectives to serve on the IIT for this investigation. I was in attendance for this meeting along with Sergeant Richmond, Sergeant Marken, and Detective Rhue. The three assigned community representatives (refer to primary officer’s report for names) were also present during this meeting. After the conclusion of the meeting, I was informed that I had been selected to be part of the IIT for this investigation. Lt. Durbin requested that each member complete a conflict of interest statement. I completed the conflict of interest statement and provided it to Captain Cabezuela.

July 28, 2020 @ 9:35 a.m.:
I received an email from Sgt. Marken advising that all of the files pertaining to the investigation received so far had been uploaded (with restricted access) to the shared drive so they can be accessed by the IIT investigators.

August 13, 2020:
Using the 3D laser scans captured at the scene by Pierce County S.O. investigators, I utilized Trimble RealWorks software to process the scanner data and produce a scale representation of the scene.

August 13, 2020 @ 10:00 a.m.:
The IIT members (Rhue, Marken, Richmond and Schroeder) met via Zoom to discuss the investigation after reviewing the case file and to formulate an investigative plan.

August 19, 2020 @ 1:19 p.m.:
I was tasked with tracking down reports from Tacoma P.D. officers and Pierce County Sheriff’s Department personnel whose names had been identified on the crime scene log but no report was located in the case file. The following officers were identified as not having been interviewed and/or no report was submitted:
Investigative Report
Detective Robert Schroeder

August 26, 2020 @ 8:02 a.m.:
I sent an email to Lt. Durbin asking to request reports from the above listed officers/personnel from Tacoma PD and the Pierce County Sheriff’s Office.

August 26, 2020 @ 9:00 a.m.:
I received notification from Lt. Durbin that the request for reports had been sent to TPD and PCSO.

August 27, 2020 @ 1:00 p.m.:
I was present for a Zoom meeting that was conducted with IIT members and the assigned community representatives for the purpose of updating the members on the progress of the investigation.

September 2, 2020 @ 5:30 p.m.:
I received an email from Lt. Durbin asking if I had received the reports that had been requested from the TPD officers. Lt. Durbin had received a call from Chief Ramsdell wanting to know if all the reports had been received. I replied back to Lt. Durbin advising him the IIT had not received any of the requested reports from TPD or PCSO.

September 3, 2020 @ 1:46 p.m.:
I received an email from TPD Lt. Chris Karl with the following attachment:
Attached document: 20-06302251 Memo C. Karl-TPD

September 3, 2020 @ 2:01 p.m.:
I received an email from TPD Sergeant Gary J Roberts with the following attachment:
Attached document: Memo To File TPD Sergeant GJ Roberts

September 10, 2020 @ 11:00 a.m.:
A Zoom meeting was conducted with the IIT members and AAG Hillman and AAG Liu.

September 10, 2020 @ 1:00 p.m.:
A Zoom meeting was conducted with the IIT members and the assigned community members.

September 11, 2020 @ 8:15 a.m.:
I received an email from PCSO Chief Jerry Lawrence with the remaining TPD reports. The following reports were attached:
2006302251.47.pdf - (Jennifer Mueller report)
2006302251.46.pdf - (Katherine Madden report)
2006302251.44.pdf - (Barton Hayes report)
2006302251.6.pdf - (Daniel Derr report)

September 22, 2020 @ 9:00 a.m.:
Investigative Report  
Detective Robert Schroeder  
Case Number: 20-009681

I contacted the Tacoma Fire Department Headquarters located at 901 S Fawcett Ave in Tacoma with Lt. Richmond for the purpose of conducting recorded interviews of the TFD personnel that responded to the scene. City of Tacoma Deputy City Attorney Jean Homan was present for the interviews. Recorded interviews were obtained from the following TFD personnel:

- Lieutenant Chris Rady
- Firefighter/EMT Jeffrey Polo
- Firefighter/Paramedic John Brakebush
- Firefighter/EMT Kelly Sumner
- Lieutenant Marlon Ridgeway
- Firefighter/paramedic Nicholas Wilson
- Firefighter/EMT Ronald Herrera
- Lieutenant Tad Jackson

(Note: During the interviews, the WSP case number was incorrectly stated as 20-019681. The correct case number is 20-009681. This was also corrected on the Recorded Witness Statement forms.)

September 23, 2020 @ 9:00 a.m.:
IIT investigators attended a Zoom interview with Pierce County ME, Dr. Clark.

September 24, 2020 @ 1:00 p.m.:
A Zoom meeting was conducted with the IIT members and the assigned community members (two community members present, Aquino and Hamilton).

September 29, 2020:
I was tasked with tracking down Mendel Everson to see if he was willing to speak with IIT investigators. I had WSP Communications run him through DOL for a photo and any potential addresses. I was provided with a DOL return, DOL photo and outstanding warrant information that ACCESS provided for Mendel. Two possible phone numbers were located for Everson: (253) 459-2054 and (253) 441-8430. At approximately 2:59 p.m., I called the (253) 459-2054 number; no one answered. I did not leave a voicemail since the recording did not indicate who this phone number belonged to.

September 30, 2020 @ 3:23 p.m.:
I attempted to call Mendel Everson at the two different possible phone numbers that had been located for him; (253) 459-2054 and (253) 441-8430. No one answered at either number and both went to a generic voicemail recording. I left messages at both numbers with my contact information and requested a call back.

September 30, 2020 @ 3:30 p.m.:
I received a phone call from a female who identified herself as Kayla. She informed me that phone number (253) 459-2054 is her number and that she does not know Mendel Everson. Kayla said she has had this phone number for about nine months now and that she has received calls from other people as well asking for Mendel.

October 1, 2020 @ 9:30 a.m.:
A Zoom meeting was conducted with the IIT members and AAG Hillman and AAG Liu.

October 1, 2020 @ 12:59 p.m.:
I left another voicemail for Mendel Everson at phone number (253) 441-8430. Around 1:15 p.m., I received a call back from Mr. Everson.
Mr. Everson says he has already met with Ellis's family attorney, James Bible. He told Mr. Bible that he last saw Mr. Ellis around 9:30-10:30 that night and that Mr. Ellis was in good spirits when he left. He said he doesn't know anything more than that. Mendel says he does not wish to speak with investigators and that it would be a waste of time because he doesn't know anything more.

October 8, 2020 @ 1:00 p.m.:
A Zoom meeting was conducted with the IIT members and the assigned community members.

October 22, 2020 @ 1:00 p.m.:
A Zoom meeting was conducted with the IIT members and the assigned community members.

October 29, 2020 @ 2:00 p.m.:
I received notification that the statement transcription from the TFD interviews were ready for review.

November 3, 2020 @ 2:00 p.m.:
I reviewed the recorded statement transcriptions for TFD personnel.

I CERTIFY OR DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

/S/ Robert Schroeder
Detective Robert Schroeder

Signed in Kittitas County on November 9, 2020

Date 11-10-20

Supervisor's Signature
<table>
<thead>
<tr>
<th>DATE</th>
<th>TIME</th>
<th>NOTES</th>
</tr>
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<tbody>
<tr>
<td>7/23/2020</td>
<td>1300</td>
<td>A meeting was held via Zoom, in attendance were Lt. Ryan Durbin, Mr. White, Ms. Hamilton, Mr. Aquino and I. The purpose of the meeting was to vet and approve the IIT Conflict of Interest Assessment documents. All Conflict of Interest Assessments documents were reviewed and vetted. There were no conflicts of interest noted from any IIT member. The forms were all approved, electronic signatures were placed onto the forms for Mr. White, Ms. Hamilton, and Mr. Aquino since the meeting was held via Zoom, each of them agreed to having their electronic signature being placed onto the form prior to Lt. Durbin adding their signature. We also discussed the next steps in the investigation to include delivery of the three USB drives and documents to Sergeant Marken on 7/24/2020 and the IIT’s plans moving forward to review the contents of those USB files and develop an investigative plan after that review. We discussed to periodically hold meetings (via Zoom or in person) between the IIT investigators and the non-law enforcement community members on Thursdays at 1pm to provide updates and next steps.</td>
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[Signature]

J. Cabezuela #16
7/23/20
This is the statement of Trooper KC Jones. This is the, the date is September 22\textsuperscript{nd} of 2020. The time is 8:03 a.m. I'm Detective Sergeant Mike Marken of the Washington State Patrol. This statement is being recorded via telephone. Trooper Jones, do you know that this statement's being recorded?

Yes, I do.

Can I get your full name and spell it please?

It's KC Jones. It's K and a C; Jones is J-O-N-E-S.

And what do you do for the Washington State Patrol?

Um a Trooper, in Tacoma.

Okay, what's your business address? Can you give me your business address please?

It's, oh I thought you said business dress, I'm sorry. It's 20, 2-5-0-2 112\textsuperscript{th} Street East, Tacoma.

Okay Trooper Jones, what I wanted to talk to you a bit about is an incident that occurred on March 3\textsuperscript{rd}, of 2020, down at 96\textsuperscript{th} and Ainsworth in Tacoma. Are you aware of that?

Yes.

Um can you tell me what your um involvement in that was please?

Um in the case specifically, nothing. Um, State Patrol communications put out over the air that they were uh, Tacoma PD um radio was receiving mic clicks and some screaming in the background, and that was it. Uh from, from an address in that area of 96\textsuperscript{th} and Ainsworth. So that was how it got put out to us. I was in the area at the
time, uh it’s where I work, commonly. So I just started driving in that direction. Um when I got there, there was probably 10 to 15 other patrol vehicles there. Um, I got out of my car, I saw a Lakewood PD K9 handler that I know. Um, made sure everybody was okay. I saw that there, there was one male um on the sidewalk or near the sidewalk. I’m not, I don’t exactly remember at this time um, he was detained in handcuffs laying on his stomach. Um, he was screaming, yelling, (inaudible) and he was striking at pavement with his forehead or face or you know something in that general area of his body. Um, there was a few officers or deputies trying to get him to calm down and speak to him, let him know that aid uh, medical staff was on the way. Um, I just made the decision that everything was under control considering how many people were there and I couldn’t do anything to help. So I spoke with the K9 handler that I know for a few more minutes and I got in my car and I left. As I was leaving I observed either a fire truck or an ambulance or some kind of made aid, aid unit arriving. And that’s all the involvement I had.

MM: Okay. Who was the um, uh other K9 officer?

TJ: You know I, I don’t I think his last name is Maddis, um I don’t know him real well. Um I just know him cause he’s got a newer dog. Um, I think it’s, his last name starts with an, with an M. Um.

MM: Would it be Anthony...

TJ: But that’s about...

MM: …would it be Anthony Mucat or Bucat?

TJ: That, you know what that does, that sounds right.

MM: Okay. Um.

TJ: I’m not, not a hundred percent sure but that sounds right.

MM: Okay. And who does he work for?

TJ: Lakewood I believe.

MM: Okay. Um, so where was uh the gentleman that was restrained in relation to the patrol cars?

TJ: So he was off to my left side, if I was getting out of the driver’s seat it would be, I was facing east on 96th, and he was north of me. It was, and I believe he was on the sidewalk, um could’ve been on a shoulder I, I don’t remember exactly but he was clear of the roadway.

MM: So where was he in relation to the patrol car that he was near?

TJ: To, that he was near?

MM: Right.

TJ: Or my patrol car?

MM: No the uh Tacoma police car.
TJ: Oh I'm, I'm not sure. There was a lot of them.

MM: Okay. Did you see how um, how he was restrained?

TJ: Just in handcuffs. (sneeze) Sorry. Excuse me. Um, nothing further that I saw.

MM: Okay.

TJ: And he was, he was lying on his stomach. But just in handcuffs.

MM: Okay. Can you describe the individual at all?

TJ: I would say he was about five-eight, um, 180 pounds, it was cold and wet so he had a large coat on. I believe he had some kind of facial hair um, I know he was a male, probably the mid-thirties but, race he was dark skinned but I don't, I don't know. He could've been Hispanic, he could've been um African American, he could've been anything I don't, I don't know his race. Or didn't at the time.

MM: Uh, how close did you get?

TJ: No less than 50 feet.

MM: Okay. Um, so could you hear what uh the individual was saying while he was on the ground?

TJ: No it was like a uh, like a muffled scream, like a, almost like a, a growling out of a dog it, it wasn't really words or might have been moan and groan or, something that I, I couldn't make any words of the sounds he was making.

MM: Um, did, what were the Tacoma officers um doing?

TJ: Just trying to calm him, comfort him. I don't know what it was. They were just, I heard them saying that aid's on the way, you know relax, calm down, you're gonna be okay. Um, you know fire's coming, whatever, whatever might be ambulance is coming, things like that.

MM: So did it appear that the individual was in any kind of distress or?

TJ: I think he was in, in distress because he was not happy being handcuffed. As far as you know like emotional distress um, you know upset that he was handcuffed or he was just in an altercation or something like that but like physical distress, no. Like I said he was striking his, his face with the pavement or on the pavement. Um, he was or it looked like he was resisting a little bit, trying to get up and away so, physical distress no, maybe emotional distress.

MM: Okay um, so you said uh how long do you think you were there?

TJ: Two, three minutes. And that was because I was talking to the other K9 guy.

MM: Okay. Uh, so you said when you left um, you passed a fire truck or an aid car?

TJ: Yeah um, as you, as you come to, into the scene um it's a downhill portion. Uh I think Yakima there's a four way stop and it's kind of the top of a, a little hill or a little bit of a grade. The ambulance is right there, and I turned right or southbound onto Ainsworth.
MM: Did it appear that they were, did they have lights and sirens going?

TJ: Yes. Yes. That's, that's how I knew it was them.

MM: So was it an aid car or a fire truck?

TJ: I couldn't tell you. It was big, red, with lights on.

MM: Okay. Uh, do you have anything else that you'd like to add to (inaudible)?

TJ: No, other than the, the fact that um, the officers were there. Um, you know they, they were trying to comfort him and, and let him know that help was on the way. Um, when I asked the, the K9 handler what it was and he told me it was he used the word excited delirium and that, that means several different things. But, what, what happened at that call is what we have done on those type of calls hundreds and hundreds of time, it was nothing out of the ordinary.

MM: Okay. Uh did it look like the officers were, did it appear the suspect was in need of any immediate first aid were they, were they doing anything?

TJ: No.

MM: As far as the aid goes?

TJ: No. No like I said he was, he was able to be combative he was able to either yell or whatever noise he was making he was able to breathe. He was able to make noise. He was able to struggle a little bit. Um, I said that, that's something we deal with hundreds of times. It's nothing out of the ordinary.

MM: Did it look like his legs were restrained while you were there?

TJ: I believe there was an officer either sitting on his legs or off to the side and had a um, a lead on his legs by his ankles but I, I don't remember a, a hundred percent.

MM: Did you see anybody restrain him further physically?

TJ: No. Nope. I remember there was the officer down towards his legs, that I just spoke of, um, and one up towards his shoulders and head area but that one was talking to him. But not restraining him.

MM: (inaudible, crosstalk) physically on him or no?

TJ: No. Not at all.

MM: Uh, what other agencies were there at the (inaudible)?

TJ: I believe it was primarily Tacoma PD and Pierce County Sheriff's Department, with two to three Lakewood guys and myself.

MM: So there were more Lakewood officers there than the K9 officer?

TJ: I couldn't, I don't know. I think there might have been but I'm not for sure, I just, like I said I know the one Lakewood guy that I talked to.

MM: Okay. Okay well I appreciate your time um, what I'm gonna do is uh read you a statement and then um you can tell me whether or not you agree with it. It says uh,
well actually um can you tell me how long you’ve been with the Washington State
Patrol?

TJ: Ten years (inaudible) ten years and four months.

MM: Okay. Have you always been down in Tacoma?

TJ: I worked in Olympia from 2010 to 2015.

MM: Okay. And so for the last five years you’ve been working in Tacoma?

TJ: Yes.

MM: Okay. What I’d like to do is now I’m gonna read a statement and tell me whether or
not you agree with it. It says I, Trooper KC Jones, declare that the facts stated on this
recording are true and correct to the best of my knowledge. My statement has been
made freely, voluntarily and without threats or promises of any kind. Do you
understand and agree with that?

TJ: Yes I do.

MM: Okay, that’s gonna conclude the statement of KC Jones and the time is now 8:14.
RECORDED
WITNESS STATEMENT

NAME (last, first, middle)  Trooper KC Jones
STREET 2502 112th St East
CITY Tacoma
STATE WA
ZIP CODE 98445-5104

PRIMARY PHONE ( )  ALTERNATE PHONE ( )
DATE/TIME 09/22/20 @ 0800
DRIVER'S LICENSE # n/a
STATE n/a

OFFICER STATEMENTS:
This is the statement of Trooper KC Jones, Date of birth n/a
The date is 09/22/20 and the time is now 0800. I am Det. Sgt. Mike Marken
of the Washington State Patrol. This statement is being recorded at via telephone
There are n/a persons present in the room. For purposes of voice identification, would each person present, besides
Mr. Ms. Mrs. n/a, who is giving a statement, state your name and occupation, one at a time.

WITNESS STATEMENT:
Q. Trooper Jones, do you understand that this statement is being recorded?
Q. Would you give your full name and spell it, please?
Q. Would you give your address, please? 2502 112th St East Tacoma, WA 98445-5104
Q. Where do you work/study?
Q. What do you do there?
Q. Would you give me your date of birth?

QUESTIONS AT END OF STATEMENT:
Q. Do you have anything else you would like to add to this statement?
Q. Would you please read the following statement and indicate "yes" or "no"?
I, Trooper KC Jones, declare that the facts stated on this recording are true and correct to the best of my knowledge. My statement has been made freely, voluntarily, and without threats or promises of any kind.
Q. Would you please sign this document on the line indicated:

Signature: ADVISED AND UNDERSTOOD
Witness: [Signature]

The time is now 0814 and this concludes the statement.

THANK YOU FOR YOUR ASSISTANCE!
RECORDED
WITNESS STATEMENT

NAME (last, first, middle)  Trooper KC Jones  DOB ____________

STREET  2502 112th St East

CITY  Tacoma  STATE  WA  ZIP CODE  98445-5104

PRIMARY PHONE ( )  ALTERNATE PHONE ( )  DATE/TIME  09/22/20 @ 0800

DRIVER'S LICENSE #  n/a  STATE  n/

OFFICER STATEMENTS:

This is the statement of  Trooper KC Jones  Date of birth  n/a

The date is  09/22/20  and the time is now 0800. I am Det. Sgt. Mike Marken

of the Washington State Patrol. This statement is being recorded at via telephone

There are  n/a  persons present in the room. For purposes of voice identification, would each person present, besides

□ Mr.  □ Ms.  □ Mrs.  n/a  who is giving a statement, state your name and occupation, one at a time.

WITNESS STATEMENT:

Q. Trooper Jones  do you understand that this statement is being recorded?

Q. Would you give your full name and spell it, please?

Q. Would you give your address, please?  2502 112th St East Tacoma, WA 98445-5104

Q. Where do you work/study?

Q. What do you do there?

Q. Would you give me your date of birth?

QUESTIONS AT END OF STATEMENT:

Q. Do you have anything else you would like to add to this statement?

Q. Would you please read the following statement and indicate "yes" or "no"?

I,  Trooper KC Jones  declare that the facts stated on this recording are true and correct to the
best of my knowledge. My statement has been made freely, voluntarily, and without threats or promises of any kind.

Q. Would you please sign this document on the line indicated:

Signature:  ADVISED AND UNDERSTOOD

Witness:  D 278

The time is now  0814  and this concludes the statement.

THANK YOU FOR YOUR ASSISTANCE!
On March 3rd, 2020, I was on duty in Pierce County from 1800-0400 hours. On this day, I was in full WSP uniform and operating a fully marked patrol vehicle. At approximately 2324 hours, WSP Communications advised they were receiving portable radio "clicks" (radio transmissions) and heard yelling through a Tacoma Police officer's portable radio. No further details were available, only the incident was near 96th St and Ainsworth Ave.

At approximately 2327 hours, I arrived on scene. I observed multiple Tacoma Police and Pierce County Sheriff's Department vehicles blocking the roadway. As I exited my vehicle, I spoke with a Lakewood Police officer. He advised they had one male detained after he began kicking a police vehicle while it was in the roadway. The male began assaulting an officer as he exited the vehicle.

On the north side of the roadway, near the sidewalk, I observed a male lying on his stomach detained in handcuffs. He was screaming and appeared to be striking the pavement with his head. I overheard several officers attempting to speak with and calm him; however it did not appear to be working as he continued to scream and struggle. Due to multiple officers on scene, I did not involve myself in the incident or have any contact with the detained male.

I spoke with the Lakewood Police officer for several minutes, as he too is a K9 handler. At approximately 2333 hours, I cleared the scene. As I turned southbound onto Ainsworth Ave, I observed medical aid vehicles arriving on scene.

End of report.
Washington State Patrol
Incident Details

Incident Number: 2020030300002993
Incident Type: INC
Incident Dispositions: C, CASE
Location: 96TH ST S / AINSWORTH AVE S
Additional Location Info: MIC CLICKS/YELLING
Primary Unit: -
Caller Info: PCSO

Date/Time: 03/03/2020 23:24:00
Area: 106
Case: 20-009681
Latitude: 47.17018900
Longitude: -122.45522400
CO: 20099161 - CREIGHTON WELLS
Associated:

Comments:
03/03/20 23:25 BROADCASTED ZONE 1
03/03/20 23:25 767 ADVD
03/03/20 23:25 663C ENR F/1
03/03/20 23:25 838C 1240C ENR
03/03/20 23:25 TAPD UNITS A/S, INCOMING CAN SLOW
03/03/20 23:28 PCSO ADVD CAN DISREGARD
06/18/20 06:08 D270 REQ CASE #
CASE #20-009681
06/18/20 06:08 DISPO CASE:20-009681

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Vehicle and Person Information:

No Tow Contractors | No Vehicles

Incident Persons

Pers1: PCSO - No OLN Entered - No OLS Entered - No Phone Entered - (INITIAL CALLER)

End of Report
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MM: Okay. This is the statement of Officer Anthony Bucat of the Lakewood Police Department. The date is August 20th, of 2020. The time is now 6:31 a.m. I'm Detective Sergeant Mike Marken of the Washington State Patrol. This statement is being recorded at the Lakewood Police Department in Lakewood, Washington. Um with me is Detective Jeff Rhue of the Washington State Patrol. Detective Rhue can you um state your name?

JR: Uh Jeff Rhue.

MM: Okay. Um, Officer Bucat, am I pronouncing that correctly?

AB: Bucat.

MM: Bucat. Uh, do you realize this statement is being recorded?

AB: I do.

MM: Okay. Can you give me your full name and spell it please?


MM: And, where are you employed?

AB: With the Lakewood Police Department.

MM: And what do you for them?

AB: I am a K-9 officer.

MM: And what's the address here at Lakewood P-D?

AB: 9-4-0-1 Lakewood Drive Southwest, Lakewood, Washington 9-8-4-9-9.

MM: Okay. What we're here to talk to you um, Office Bucat, is um about an incident that

CONFIDENTIAL
occurred on March 3rd of 2020 during the late evening hours. Um, are you aware of that incident?

AB: Yes sir.

MM: Okay. Can you tell us what your involvement was?

AB: Uh I, on that night I was um, our dispatch south sent a 911 advised us that Tacoma Police Department was fighting a, with a subject at 96th and Ainsworth. Um, I kind of started pointing in that direction, not really expecting to get there. I was going there purely as a as a, in my K-9 capacity. Um, as I got there they were advising that they had one in custody. Um, that was probably within seconds before I arrived. Um, when I arrived I just, I didn’t have any contact with the subject I touched base with a couple people that were uh kind of standing back from the scene. Um, I talked to one of the K-9 Troopers right when he arrived. We chatted for a few minutes and then we both left after fire arrived.

MM: So did you see Mr. Ellis at all?

AB: I did.

MM: Okay what was his condition like?

AB: I don’t remember a whole lot about what he was doing. I was mostly just talking to other people that were there. Um, at that, by the time I arrived there was a whole bunch of other officers that were there so, I saw that they had everything under control so I just mostly focused on talking with others at that point. Um, I remember that he was yelling, but I don’t remember what he was yelling. Um.

MM: Was he yelling loudly or?

AB: Yeah.

MM: Okay. Was he, at anybody in particular or?

AB: I honestly don’t remember.

MM: Okay.

AB: I’m sorry.

MM: So did you see him and see what his condition was, I guess?

AB: I remember seeing him they had him on, on the ground at that point. Um, as far as what his condition was I don’t really remember.

MM: And how was he restrained?

AB: Uh in handcuffs as far as when I was there anyway. Um, they used handcuffs at that point.

MM: And earlier before we went on tape you mentioned some kind of a hobble they used to restrain his?

AB: Yeah and I don’t, I don’t believe that I was there when they actually applied the hobble. Um, I was told, or I was contacted by Pierce County Detectives um shortly
after I had left saying that apparently they used a dog leash for a hobble, they were
asking if it was any of mine, and it wasn’t.

MM: Okay. Is that something officers typically would do?

AB: Uh officer will hobble people but I know I personally have a hobble that’s
specifically designed for it. Um, so I’ve never used a dog leash. Whether that’s
common in Tacoma I have no idea.

MM: Okay. Okay. Jeff do you have some questions?

JR: How close did you get to Ellis and the arresting officers?

AB: I was maybe 40, 50 feet away.

JR: Okay.

AB: I would say.

JR: How many officers were there when, would you estimate, when you got there?

AB: Maybe 10 or so. Roughly. If I were to guess.

MM: Um, do you remem-do you remember what agencies were there?

AB: Uh, Tacoma was there. Uh Pierce County Sheriff’s Department was there. I was the
only one from Lakewood there and then State Patrol showed up, about a minute or
two behind me.

MM: Okay and that’s typically who patrols this area, correct?

AB: Yeah. Yeah.

MM: What was the weather like I guess outside?

AB: I don’t really remember.

MM: Okay.

AB: Other, other than it being nighttime. I don’t remember.

MM: Uh does your car have a video camera in it?

AB: It does, but my lights were not activated and I did not activate the camera from my
microphone, cause once they had him custody then I had a pretty good idea that I
wasn’t going to be contacting him at all, so. My camera was not on at the time.

MM: Okay.

JR: How long were you on scene for, would you estimate?

AB: Maybe 10 minutes or so.

JR: Okay.

MM: Uh, just some uh background question. How long have you been with the Lakewood
Police Department?

AB: Uh since February of 2013.
MM: And have you been a K-9 that whole time or?
AB: No I have been K-9 since January of 2019.
MM: And I take it you went through CJTC Then?
AB: Uh, we have a master trainer here in Lakewood that helps train Lakewood dogs, Tacoma and Pierce County and Puyallup.
MM: Okay.
AB: Um and so my training was through, was through him.
MM: Okay. I, and no one else from Lakewood PD responded?
AB: Not that I remember. I think I was the only one from, from Lakewood that responded.
MM: Okay.
AB: And that was purely because I have, I had a dog with me.
MM: Okay.
JR: Um, did you know Manny Ellis at all?
AB: I did not.
JR: Manuel Ellis, okay. Um, have you read the officers names that were involved in the, this incident as far as (inaudible).
AB: I have but I don’t remember who, who they are off the top of my head.
JR: Okay.
MM: And you don’t know any of them?
AB: Not, not that I can recall.
MM: Okay.
AB: I mean I, I might have run into a couple of them on calls but, I don’t think I know any of them personally.
JR: Okay
AB: That I, I can’t even tell you who they were off the top, off the top of my head right now.
JR: So nobody you hang out with.
AB: No.
JR: Okay.
AB: No.
JR: It sounds like your involvement was fairly limited, is there anything else that you can think of about uh your response there the, the actual broadcast, the time on scene, anything after the fact that you think would be important for us to know?
AB: Uh not that I can really think of, I mean I, they broadcast it on our channel which typically they do. So we’re on Lakewood and, and Tacoma. Tacoma’s broken up into two different channels.

JR: Okay.

AB: Um, and then Lakewood has their own channel as well as the Sheriff’s Department and other outlying agencies. Um, they broadcast it on our channel which they always do. Um, anytime that another agency has any kind of priority traffic they’ll broadcast it on all the channels. Um, I went in route just like I normally do, I’ll just switch to their channel, and as I’m going I’m like this is kind of a really long fight. Like this is dragging on a lot longer than a fight normally would.

JR: Okay.

AB: Um, so I was kind of, as it’s dragging on longer and longer and being in fights before I kind of realized that I don’t know how many guys they have there right now, and I know that fights are obviously very tiring when you’re in them. Um, so I kind of started picking up speed a little bit not quite to a priority response cause I’m expecting it to end any, any second. And it just didn’t. It just drag on. Um, and then once I would’ve been a few seconds before I arrived is when they said that he was in custody. Um, and so it seemed like it was a few minutes before they actually, while they were actually fighting with him to try and get him into custody. So it, to me it was a very prolonged fight.

JR: Okay.

AB: Um, but I mean outside of that uh once I arrived it was kinda once I heard that he was in custody I tried to, at that point I try to limit my involvement with, with cases. Um, unless I have to intervene for some reason. Um.

JR: Right.

AB: So. I was kind of was in the background and.

JR: So as a police officer, you mention that it was kind, it was a prolonged fight.

AB: Mhmm.

JR: Anything cross your mind about why that was?

AB: No I mean it just kind of, you know a lot of times two officers can get somebody into custody fairly, fairly quickly and easily. Um, if it’s gonna be a prolonged fight a lot of times it, it could either be um it, it could either be this person’s a very experienced fighter and kind of is used to, to being in combative situations. Um, it could be that they’re high on some kind of narcotics to where their pain tolerance is significantly lower than it would be normally. Um, it’s just hard to say. Um, but that’s a long time to fight somebody. Especially when you are going at it with somebody pretty hard. Um, it’s a long time to be in a fight. And so I can imagine that they were probably pretty exhausted by the end. Um, and it takes a lot out of the body to try and, and fight with somebody that long.

JR: Right.
MM: So did you have any contact with the officers to kind of...
AB: No. No I, I talked to...
MM: ...see their condition?
AB: ...I want to say I talked to, it was either a, a Pierce County Sergeant or Lieutenant when I got on scene and kind of got a tidbit of the story of, of what was going on. Um, and then once the State Patrol K-9 guy that I know showed up that’s when I kind of drifted farther back and talked to him.
MM: And who is that K-9 officer?
AB: Uh, know he goes by KC I want to say it’s Trooper Jones. Um he’s out of the, out of the Tacoma office. Um, I just kind of drifted back and we always talk about dog stuff and when we see each other and check in on how each other’s dogs are doing and...
MM: Mhmm.
AB: ...so that was kind the gist of our conversation and, once fire arrived I’m like well oh, it’s.
MM: And you didn’t deploy your dog at all?
AB: No. Nope.
MM: Uh one thing you mentioned uh was about radio frequencies can you explain to us does Pierce County SO have their own frequency?
AB: Mhmm.
MM: And then...
AB: Yeah so, so uh Pierce County’s broken down into, let’s see there’s Pierce County east and west, Tacoma north and south, Lakewood primary which includes Lakewood, Steilacoom and Dupont. Uh, there’s Fife primary which has Fife, Milton, Bonney Lake and Buckley PD on it. And then Puyallup has their channel which has Puyallup, um Sumner and a couple of other small agencies. And then Puyallup Tribal has their own channel. So the, we’re all broken down into multiple different channels um, just cause there’s so many small tiny little municipalities here in, in Pierce County. Um, so once, once there’s a priority of any kind, whether it’s a priority call going out, or um officers are pursuing a vehicle or officers are fighting with somebody, anytime there’s going to be priority traffic on one channel, they’ll broadcast it on all channels in case there’s any of those other units that are potentially close. Um, and that’s just the way that they’ve, it gets really old when we get, you’re like Puyallup’s fighting with one, it’s like well I’m not even 20 minutes away from there but, okay. Um, but it’s, it’s purely for in case there’s a unit from Buckley that lives in Tacoma that’s on their way home and they’re two blocks away from this. They’re at least have a heads up on that and they can go oh I, right here I can go. Swing by that and give them a hand.
MM: Okay.
AB: So.
JR: You mentioned that you talked to uh, either a sergeant or a lieutenant from Pierce County when you arrived on scene...
AB: Yes sir.
JR: ...and he, kind of gave you a rundown what, what like a brief rundown.
AB: Mhmm.
JR: Do you remember what he told you about what was going on?
AB: Uh I remember I, I don’t exactly remember what he said I, I know that what I’ve kind of gathered since then.
JR: Okay.
AB: Um but I can’t remember exactly what it was that, that he told me.
JR: Okay. That’s fair.
MM: Okay. So you don’t have anything else, you think we should know?
AB: Not that I can think of, no.
MM: Okay. What I’d like you to do is (inaudible, interference) um and, advise me, let me know if you understand it.
AB: Sure.
MM: Starting with the I.
AB: Okay. I, Officer Anthony Bucat, declare that the facts stated on this recording are true and correct to the best of my knowledge. My statement has been made freely, voluntarily and without threats or promises of any kind.
MM: Okay, can I get you to sign, right here.
AB: Yes sir.
MM: That’ll conclude the statement of Anthony Bucat, the time is now 6:45.
Okay, this is the statement of Sara Christine McDowell. Date of birth is March 20th, 1997?

Yes.

Okay. Today’s date is October 5th, 2020 and the time now is 5:21 p.m. I am Detective Jeff Rhue of the Washington State Patrol, and this statement is being recorded at the Washington State Patrol District Office in Tacoma. Other than myself and Ms. McDowell, um would the other persons present in the room please uh give their name, identify themselves for uh voice identification.

Detective Sergeant Mike Marken with the Washington State Patrol.

James Bible, attorney for the Ellis family.

Okay. Can I call you Sara?

Yes.

Okay. Sara, do you understand this statement is being recorded?

Yes.

Okay and I have your permission to do that?

Yes.

Could you give your full name and spell it please?


Okay. And what’s your current address?

11-0-2 East 57th Street, 9-8-4-0-4.
JR: Okay.


JR: And where do you work at?

SM: I don’t work right now.

JR: Okay. And your date of birth is March 20th, 1997?

SM: Yes.

JR: Okay so um the reason we’re here today is to talk about an incident you saw on the, saw and recorded on the...

SM: Mhmm.

JR: ...uh 3rd of March um of this year. Uh involving a Mr. uh Manny Ellis. If you just could start at the beginning as um, where you were driving...

SM: Mhmm.

JR: ...um, and then what drew your attention to the incident.

SM: Okay. So I was driving to my sister’s house March 3rd um, later, late at night and um my kids’ dad was behind me following me to my sister’s house cause he was coming to spend the night. We were going to spend the night there and uh I pulled up behind a police officer at a red light on 96th and Ainsworth and I didn’t know anything like I, it was normal until uh I seen um Manny walking. And the police officers, uh well at first I thought it was just like a normal conversation they were just, I don’t know I just thought that like the officers knew him from somewhere maybe you know. And then um, Manny like uh walked to the car a little bit, they like had got his attention or something and then he turned around, um, ignored, it looked like he ignored them or like was walking away from them and then got back onto the sidewalk or was going to the sidewalk it looked like and the passenger police officer opened his door like super hard and it just like it threw me off. That’s what when I was like okay something’s happening. Um, also the light turned green and they didn’t go so it was kind of just like obviously something’s not right. Um, but when the passenger police officer opened his door and um Manny got knocked down he, uh the driver officer opened his door and ran around in front of the police office um officer’s car, uh their car, um, and uh while he was getting, while the driver police officer was getting out, and running around the car, the passenger police officer was punching or slammed Manny to the ground and was like punching him, like over and over just punching his face. I then was like or then got out of my car and was screaming and screaming like whatever he did, like whatever occurred, that I didn’t see uh just arrest him. They didn’t try to like just arrest him like I didn’t, um and then I started driving a little bit forward, past the uh police officer’s car, and they were in front of it at the pole right there on 96th and Ainsworth and the, I believe it was the driver officer at this time, uh was on top of Manny and so the other one was like holding his hand down, like this, and was like yelling at him to put his hand or to do it, or if he does it again or, saying put your hands behind your back or I’m going to do it again, that’s
what the police officer said to Manny. And um he was then looked, or it looks like
he was looking at me in the video while he was saying that, but you can see his
hands on top of Manny like he was on, his hands are holding his hands down, he
couldn’t do it. And he was saying or Manny...

JR: Are you saying Manny’s looking at you or the officer’s looking at you?

SM: The officer looked at me. Like he looked up at me um, then um Manny was like
help, like he couldn’t he was just couldn’t do it like he, they were talking about what
they were going to do to Manny, he’s like no um. Then I, um, drove away. I turned
around and came back after I dropped off my daughters my two daughters off at
home which at the apartments or at my sister’s house at Aero Apartments. Which is
like 30 seconds away from the scene um, I turned around, came back, after they got
in and there was like uh I drove past and I tried to like get out or like stop and see if I
can like just see what was going on, and there was like about six, seven officers
around where it happened. Where I first seen him getting hit and stuff and um, the
officer, there was another officer telling traffic that, or telling us like to go around to
get out of here, whatever so, I couldn’t even get out of my car or do anything so I go
all the way around the block and I’m just, sirens or ambulance and fire truck all of
that so. Yeah.

JR: Uh you mention Manny by name. Did you, did you know who he was?

SM: No, I just know Manny now.

JR: Okay.

SM: It’s just how, what everybody, his family and all calls him.

JR: Okay. And same question about the, the officers, you know they’ve been in the
newspaper and stuff, are you familiar with any of the officers?

SM: No.

JR: Okay. So um if you can, in detail, um, so as you’re coming up, the police car
stopped and in, in the lane there. Um, can you describe them, you thought they were
having a conversation or interacting?

SM: Yeah.

JR: So where, where exactly is Mr. Ellis standing in relationship to the, the police car?

SM: Um, well first he was walking on the sidewalk and he just kind of like walked over
slowly, he was like, the car is right here he was like (sigh) maybe the car was like
here and he was back right here. I noticed just like talking, they were talking for a
second before he turned around. He was talking for about like I’d say 10 to 15
seconds talking and then turned around and was starting to walk back and got hit by
the door. Just was knocked uh down onto his knees and then the, that passenger
officer got out and then grabbed him and just started pounding him, his face.

JR: Okay. Um, could you hear any dialog that was going on...

SM: No.
JR: ...between?

SM: Huh uh.

JR: Okay. Did it seem like, did it seem like there was any yelling that was occurring?

SM: No the, that’s why at first it seemed normal and like I didn’t hear I, feel like I would’ve heard um yelling. My, actually my music was up, that’s why I didn’t hear anything. My music was up and then as soon as I seen him start, uh the officer get out and hit or like when all that happened, I turned my music down and I was screaming stop, arrest him, arrest him.

JR: Okay.

SM: Cause I didn’t know anything was happening my music was and just.

JR: How long after you pulled up to the, the vehicles did you actually start recording, how much time had passed before you?

SM: Um, like, I pulled up, they were talking, probably like 30, 40 seconds. I, it happened so fast. I pulled up, even or the light was red, it turned green, and then that all happened and then I was like, I think I was like leaving or pulling around by the time it turned red again, so. Like 30 seconds, 40 seconds.

JR: Okay. Um, so what, what did you think was happening then?

SM: I didn’t really have no idea I was confused I had to just, thought maybe they were friend, or like that he had knew him. I didn’t know if Manny was like homeless or something and like maybe they like helped him out before or like, I just didn’t, I had no idea. It was just weird. Like you don’t, I didn’t, I don’t know you just don’t see that. He was literally just walking and they’re at a red light, they weren’t even pulled over, their lights weren’t on so I just was like oh maybe they know him, they’re like hey dude, or how are you or even if like see he did do something wrong like I don’t know they were just, they were just weird.

JR: Did you see anything in Mr. Ellis’ hands?

SM: No

JR: Before the?

SM: Mmm mmm.

JR: Did you ever see him strike, strike the patrol car?

SM: No, he didn’t. It wasn’t when I seen him walk to the car he literally wasn’t, wouldn’t put his hands up, he didn’t kick his feet, he didn’t do anything. He turned around on them and started to walk away and then the officer opened his door, knocked him down. He didn’t touch the car at all.

JR: Okay. And based on...

SM: And I was watching cause I was just like what the hell is going on right now.

JR: Okay. And based on your observation of the, the door, does that look like...

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SM: Mhmm.

JR: ...what the, did it look like that’s what the intention was to use the door to?

SM: Yeah, yeah.

JR: Okay.

SM: Definitely saw (inaudible 9:37).

JR: And uh just you may have said this and I just didn’t catch it, what, was his back, Mr. Ellis I’m talking about, was his back to the door when this happened or was he facing the door?

SM: No he was, his back, he was already turning around starting, he was like literally like turned around, starting to walk and then the officer. It was definitely intentional when he opened it really hard and like jumped out, and then...

JR: Okay.

SM: ...grabbed him, Manny.

JR: Okay. And then, you said that’s the point when the, the driver officer...

SM: Mhmm.

JR: ...and if you could refer to him as driver officer, passenger officer...

SM: Yeah, it helps in that area.

JR: ...that makes sense to me too, so. Um, that’s when the driver officer uh ran out at that point?

SM: Mhmm.

JR: Okay. And, and again if you can just explain what happened at that point with the driver officer.

SM: Um the driver officer, he liked flipped his light on um before he even got out of the car. So, uh the passenger is like doing his thing. The driver flips his lights on, and uh, uh went, goes around the front of the car and like grabs him or, it’s just hard to tell it was just all happening so fast the...

JR: Okay.

SM: ...video like can like tell you for sure but. Um, grabs him and then they end up flipping him on the ground and then um, or, and then the, passenger one is the one standing with the Taser, and then they’re all, the driver one, sorry, the driver one is holding Manny, while the passenger is saying that he’s going to Taz him again.

JR: Okay. Could you tell if he did or didn’t Taz him?

SM: Um he was Tasing him, he was. He was Tasing him for a minute um over, like just off and on kind of I seen um or uh before I drove past the car and then after that he was doing it. And I didn’t see anything after that.

JR: How can you tell that he was using the Taser?
SM: Um he was just like, he was standing, okay so when I’m like stand, or when I was before the police car...

JR: Okay.

SM: ...uh Manny was on the ground, after the pol-or the driver cop got to that, got over whatever, whatever he had his Taser in his hand and stuff and he was just like, I don’t know it just happened so fast. He was just look, I don’t know what it looks like to get Tased and that’s what he was doing.

JR: Uh I mean, just if you, are you basing it off reaction from Mr. Ellis or you’re, you’re hearing a sound or?

SM: Yeah, just, no I didn’t hear anything. I didn’t hear anything.

JR: Okay.

SM: Just what I seen and what was happening and what I, he did it and then, yeah just what I seen I don’t really.

JR: Okay. And what is Mr. Ellis doing...during this whole time?

SM: He was just freaking out he was freaking out. He was literally just like saying or well not saying he’s like blocking his face when the passenger was punching him in his face. He was just like kind of like trying to block and like protect himself um, he, he wasn’t hitting back. He wasn’t uh, he wasn’t even really like freaking out. Like wiggling out like trying to like, you know what I mean, he was just trying to like, (sigh) uh not get hurt or get like people get what, or what they were going to do to him he didn’t, I’m pretty sure he just was scared for his life.

MM: What was uh, Mr. Ellis’ position on the ground?

SM: Um, he was like, well at first when the passenger started hitting him, he got onto his back and they were on top of him and then, then he was like flipped over, then they like tackled him over and he was like on his side like this and then when I drove past same thing. Okay it was just like I don’t know he was just like smashed, like, he was just like all over during the whole time he was kind of just like to his side and then like more to like the this. He wasn’t so much on his back, flat, compared to the first part of the video.

MM: How were the officers positioned?

SM: Um, the one officer, one is on top of him kind of, and then the other one was kneeling, or kneeling down on top of him or like on the side of him. And then he got up and then after that I was gone, from.

MM: Um you said kneeling, where was uh the officer’s knee?

SM: Um the first one that was on top of him was, I mean, he was just all over his back. All over his holding down, like his body, or his like shoulder area. And then, the other officer, he was just like on like honestly he was, I don’t really kind of really.

MM: What part of the officer was on Mr. Ellis’ back?

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SM: His whole body was, I don’t really, just his whole body was on him. He was like, just against him, like I can’t explain it, just his whole body was on top of him. His knees were like on his back, he had, they were just holding him down then, uh the other officer when he had um I, he was like facing this way and he would, was holding him down enough for him to not be able to move his hands so he was like this, had his hands on him, just around him. They were just like, covering I don’t know.

JR: I know there’s a lot of this on video, but there’s some parts that aren’t on video that’s where having you describe it and sometimes the video perspective and what we see is different, so. Um, did you, do you remember if you had your window up or down during?

SM: Um they were up. Or they were down, I always have my windows like cracked. Um.

JR: Okay. Do you, when the um, so when the passenger officer first opened the door, do you remember either Mr. Ellis or the officer say anything?

SM: When you said when they opened the door, do I remember?

JR: Yeah.

SM: I, no.

JR: When the part, the point where the, the driver officer comes around and they’re uh rolling around on the ground, or on the ground, did the officers do, are the officers saying anything?

SM: No I couldn’t hear anything.

JR: Okay. Um, was there any, do you remember hearing anything where, but that you couldn’t decipher?

SM: Just when I got um decipher through the.

JR: I mean, could, voices without maybe understanding them?

SM: Mhmm, yeah, when I got out of the car and was screaming at them I just heard just whatever was going on, just the racket and all that and just, want mainly just him. Like whatever he, I couldn’t hear anything anybody was saying like in words I don’t, I couldn’t tell anybody like what was being said at all.

JR: Okay.

SM: Just, loudness, yelling kinda like.

JR: Okay. Could you tell who was…

SM: Being directive and, oh no I just literally it just was loudness that, them yelling (inaudible 16:37).

JR: Okay.

SM: Whatever. And then my kids, mind you my kids’ dad was behind me saying to go and, all that so I’m figuring what do you want, who was behind me and like trying to
focus on what's going on but worried about traffic and me holding it up or you know anything that like sitting here and just like.

JR: Okay. Did, could you tell if Mr. Ellis was yelling or saying anything at this?

SM: Just, no. He just looked like he was struggling. He didn't, he wasn't, he didn't look like he was trying to fight back or anything, he just looked like he was struggling like, and when I drove back past and he said help like, he probably heard me. Saying something and he yeah.

JR: Okay. So, Keyon, that's your, that was who was behind you?

SM: Yeah.

JR: Is your boyfriend?

SM: Uh my kids’ dad.

JR: Your kids’ dad, okay. So he’s, he’s behind you. Um, and in the video you, you get out and…

SM: Hmm.

JR: …um, what, what did he, what did he say to you where, is he talking to you or was he talking to the officers or?

SM: Uh he, uh…

JR: If you don’t remember you don’t remember.

SM: Yeah he was just defending him, defending um Manny. He also didn’t know Manny either, he just saw that the officers, he saw what I seen. He saw the officers attack Manny and Manny didn’t do anything so. He got out of his car and I thought he was gonna go like, you know like go over there to like something and so I started screaming at him because I just seeing something happen that I didn’t want to have happen to him I don’t know I was just scared and, so I screamed at him to get back in the car and duh duh duh duh and then, yeah.

JR: Cause you were worried he was going to go over there?

SM: Hmm.

JR: Okay. Um, so then, so this was all that, when you’re parked behind the car um, now you, there’s a second video clip when you’re…

SM: Yeah.

JR: …when you’re driving along um, now you mentioned something. So what, what, what dialog can you hear is going on between now, the officers and uh Mr. Ellis at that point?

SM: Um, I just saw like police said put your hands behind your back before I do it again, which meant Tasing him um for he was standing there with the Taser in his hand. Um, they’re uh, what’s it called um, that was, that’s all I heard and then he was telling me to help him and then, um, I believe it was the, I believe it’s the passenger
one, um, or the driver one, the driver sorry so confusing, the driver police officer
was looking up at me, um, after he said that he was going to do it again if he didn’t
put his hands behind his back.

JR: Okay. And you said that Mr. Ellis asked you to help him?
SM: Yeah.
JR: Okay.
SM: Or I’m sure he didn’t say to me, he didn’t talk, he just I’m pretty sure he heard my
car and noticed that there was somebody there and he was like help. Just, and I have,
I obviously rolled my window down cause I’m like looking you know I’m like, well
recording too.
JR: Okay. Um and how was his voice when he said that?
SM: Just, done, like out of breath like, quiet. He was just like literally like, just like he got
the crap beat out of him, like he did, like he got punched in his face ten times like.
JR: Okay. So, from the time that you, what’s the time difference between the two video
clips?
SM: Um, right when I stopped that video I pulled up slowly, 10 seconds, it was probably
I just put, and then maybe at like, gosh I’m not for sure, it’s like 10, 20 seconds...
JR: Okay.
SM: ...something (inaudible 20:33) like it was quick. It was.
JR: So immediately once you turned it off?
SM: There’s that that and then um yeah so, yeah I’d say about 15 seconds when he said
this.
JR: Um, so as you’re pulling away um, could you hear or did you see or hear other
police?
SM: Mmm mm.
JR: Okay. Um, you said you drove, dropped your kids off, and then you came back.
SM: Yeah.
JR: So what was the purpose of coming back, why, why were you coming back?
SM: Because I, it’s, I, I didn’t, nothing happened so I was scared for Manny. I was just
like, wanted to go figure out what, what happened to him like or why that happened.
Like I don’t know I was just trying to figure it out. I was freaked out like, I just
couldn’t sit at home I couldn’t be at home even like or go inside. Like I was like I
just seen that, like I have to go. I didn’t know what I was going to go do um.
JR: Okay.
SM: I, yeah.
MM: How many officers are there when you got back?
SM: Um there was about eight officers it looks so around Manny, and then there was just
some doing their own thing I don’t know I wasn’t paying attention to that just where
he was at, and or where it had happened. I didn’t see Manny, I just seen the officers.
They were all in a circle it looked, and then the officer that was telling traffic to go,
or to go right now.

JR: Okay. Do you remember if the fire department was there?

SM: Um, uh yeah.

JR: You’re…

SM: I don’t think that the ambulance was there then.

JR: Okay. Did uh Keyon come back with you or did you just come by yourself?

SM: No, just me by myself.

JR: Okay.

SM: I didn’t want him to be a part of it at all, it’s just that’s why I left in the first place, I
just needed him to get home with, he had my kids too in his car. And I was by
myself so.

JR: Okay. Um, so, so I can understand um, timeline of the video. Um, so when did you
first share the video, your video clips?

SM: Um, June 4th.

JR: June 4th. And who did you share that with?

SM: Uh Manny Ellis’ sister and James.

JR: Okay. And you, they you so you’ve obviously met the Ellis family.

SM: Yeah.

JR: Um, so was that, had you met them before or is that…

SM: No.

JR: …the first time you met them?

SM: That was the first time. I wasn’t even sure if it was the right people I, you know, if it
was the right situation, the right people or anything yeah.

JR: Okay. And you came out and showed that you had the video of the?

SM: Yeah. But, sorry, say that again.

JR: So, you met them and that was the first time you shared, shared the video?

SM: Yeah, yes.

JR: Okay. How come you didn’t share it with the, the police?

SM: Um because the article that I read online was different than what I seen. It was a lie
so I was like um, they’re already lying about what had happened so I just I was
scared kind of wouldn’t go to them.

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JR: Okay. Um, what article are you?

SM: Or it was, I don’t know it was the news, it was whatever um his autopsy had came out on. Um, I read it and it was like, said that um I don’t know if it said his name or not but it said a guy, whatever, that had was hitting on a patrol or the car and stuff like that, and was breaking into people’s cars, breaking into uh people on the road’s cars or something like that uh, and it said 96th and Ainsworth, March 3rd, at 11:21, 22 p.m. And the only reason like I just was like oh my gosh like, that is, kind of sounds like, what I had experienced. I had experienced something March 3rd, at 11:20 p.m. but it wasn’t, he well this man wasn’t hitting on cars, he wasn’t trying to get into people’s cars he was walking and tried to walk up, or they walked, they had a conversation whatever it was, and then he walked away, they knocked him down, and they beat him up. That’s what I saw so I was like thaaaaat [sic] does not sound like the right thing I was like um, they’re lying. So I went and figured, found Facebook and looked all over, figured out all that, found his sister and said I think I have a video of the night of your brother getting hurt by the cops and I was like what the, um what was posted or what is being said isn’t true at all. Like that didn’t happen. And then um, I, the only reason I didn’t share uh, or also too the reason I knew that what all that, my friend, Tia Simone died, March 3rd also, and I found out March 4th in the morning, so I honestly was probably would’ve been more like involved in what had happened that night, and looked more into details like onto Compton Files like I go on that all the time just I don’t know but, I was super taken away from all of it.

JR: So was that, that article the first time you’d learned that uh Mr. Ellis had died?

SM: Mhmm.

JR: So you didn’t know he’d died before then (crosstalk, 25:58).

SM: I had no idea.

JR: Okay. And so the article was somewhere around June 4th?

SM: Mhmm.

JR: Okay. So it wasn’t very long after that you read the article that you…

SM: Yeah.

JR: …you contacted his family.

SM: I, yeah. Um actually I think the article was June 3rd now that I think about it, and I read it and then June 4th is when I have uh gave the video to his sister. Cause I read the doctor report in the newspaper.

JR: Okay.

MM: Um, so have you had any additional contact with the Ellis family since?

SM: No just when we go to the protests, or when we go to protests and um, the little things that um, the spot that they did his vigil at and stuff. So just the little events that they’ve been throwing.
Statement of: Sara McDowell

Detective: Jeff Rhue

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Case No.: 20-009681

JL: Is there anything else you can think of about the incident?
SM: (Long pause, inaudible 27:26)
JL: Okay um, what I'm gonna do is uh, I'm gonna read the following statement, if you just communicate um yes or no if you agree with it.
SM: Okay.
JL: It says I, Sara Christine McDowell, declare the facts stated on this recording are true and correct to the best of my knowledge. My statement has been made freely, voluntarily and without threats or promises of any kind. Is that a true statement?
SM: Yes.
JL: Okay.
MM: And I did wipe that pen down.
SM: Thank you.
JL: If I can have you sign right there please. (writing noise)
SM: Alright.
MM: Thank you.
JL: Okay so the time now is 5:49 p.m. and this will conclude the recording.

Transcribed by: Jill Byram Dist. 7 CID 43
Date: October 26th, 2020

Reviewed by: Det. J. Rhue D674

Signature: Jeffrey N. Rhue
Date: 11-09-2020

CONFIDENTIAL
CNN INTERVIEW WITH SARA MCDOWELL
20-063-02251

CC    CHRIS CUOMO, CNN
SM    SARA MCDOWELL
DT    PCSD DET. ED TROYER
AT    ATTORNEY JAMES BIBLE

CC    .... How did it affect you, how have you been?

SM    Umm, it was really, really just, stomach sickening for a while, like just thinking about it and knowing now that he’s gone. It’s definitely harder. It’s like just, it makes me really distressed right about it and just seeing it and knowing that this whole time he lost his life, but I mean it’s just, it’s mind blowing.

CC    Why did you take the videos?

SM    Because I seen nothing happening and once I seen the officer open the door so hard and get out and knock him to the ground, it scared me, and I just, I needed, like needed to make sure that I got like what was first happening, just to show that he didn’t do anything, ‘cause they were, like he was just being really aggressive, the passenger police officer, so I definitely knew something was going to happen or just, he was gonna get hurt by them, like, just the way they were acting and being.

CC    And why did you want to have video of it?

SM    Just in case something did happen and just like what I saw wasn’t right when, when he opened the door and nothing happened. Just, it wasn’t right, so, ...

CC    Sara, let me play for you what the Tacoma Sheriff’s Office said in terms of describing how this went down. And I want your impression of how that meets with what you saw with your own eyes.

SM    Yes.

DT    He contacted the police, and obviously was in distress. They asked him if he needed help and he said he had warrants. And that he wanted to talk. So they got out to talk to him, ‘cause he was obviously in distress, and when they did that, he assaulted one of the officers.
CC Now, forget about all the part about why he called them. Mr. Bible, I'll, I'll deal with you about that. But in terms of the idea that when the officers got there, and they approached him, he attacked them. Were you there during the time frame where you can assess whether or not that's how this initial situation happened.

SM That absolutely did not happen. They were both in the car and Manny was standing away from the car. He didn't touch the vehicle. I saw Manny at the beginning when he was walking down the sidewalk. And the police officers got his attention, whatever. Manny walked to the car a little bit, he wasn't touching it, nothing. Turned around and was going back to the sidewalk when the officer opened the door and smacked him and made him fall. There was, yeah.

CC Two questions. One, are you sure that was the beginning of the situation? Is there any chance you came late to it?

SM No, positive. And it wouldn't make sense to me if the police officers, if that all happened and the police, why would the police officers get back into their cars, like why would they ...

CC The police...

SM get back in there. So yeah. (Unintelligible).

CC Second question. Manny, you called Manuel. Did you know him?

SM No, I didn't.

CC Okay. Mr. Bible, thank you very much, Sara. Mr., Mr. Bible, the idea of the way this started was Manuel calling the police for help. Is that your understanding?

AB What I would say is that at this stage the Sheriff's Office has, has put forth three or four different renditions of the facts. It's been ever changing, every time we come up with additional information they come up with a wholly different story. First they say he was attacking cars. Then they say he attacked their car. Now they're saying he walked over to tell them that he had warrants. It's ever shifting, ever changing, based on additional evidence that we actually are able to get in this particular case. And all that we do know is that Manny was feeling good about his day, had just come home from church, was just getting some snacks and walking back to his apartment.
All right, Mr. Bible, thank you very much for your perspective on this. Sara, this is a tough spot for you to be in, but I hope you’re sure of one thing. Putting eyes on this and taking video of it, was tremendously valuable, not just to the life that’s gone and that family, but to your whole community, because people got a chance to see things, and I know it’s not the whole incident, and I know that you have to have a full investigation, but I know this has got to be hard for you. I just hope you understand that you did something that may make a big difference in terms of helping people understand what happened. So, thank you. I wish you well. And Mr. Bible, the same to you and the Ellis family.
BREAKING NEWS

NEW VIDEOS GIVE INSIGHT TO ARREST OF BLACK MAN WHO DIED IN TACOMA, WA POLICE CUSTODY
KIRO 7 BROADCAST WITH SARAH MCDOWELL
20-063-02251

MML  MONIQUE MING LAVEN, KIRO 7 NEWS
GH  GARY HORCHER, KIRO 7 NEWS
SM  SARAH MCDOWELL
TPD  TACOMA POLICE DEPT. OFFICERS
DET  PCSD DET. ED TROYER
AJT  ATTORNEY JAMES BIBLE
MVW  TACOMA MAYOR VICTORIA WOODARDS

MML  ... literally tonight the Mayor of Tacoma says officers involved in the death of Manuel Ellis should be fired and prosecuted. This after new video shows the deadly confrontation. Now Ellis died back in March, and the Medical Examiner recently ruled his death a homicide. KIRO 7’s Gary Horcher joins us live, and Gary, we are hearing from the woman who shot this new video.

GH  Right, and I have this video right here in my hand. The video you are about to see is an explosive new element. Frankly it could change the entire investigation. The woman who shot it came forward yesterday when she started hearing more about Manuel Ellis’ story and suddenly she remembered recording this video.

CBS news obtained this video, taken by a woman who shot a few seconds of the Tacoma Police takedown of Manuel Ellis on March 3rd. Her story directly contradicts the police version. She says she saw police throw Ellis to the ground while he was walking on the sidewalk.

SM  The driver cop ran around in front of the car and grabs Manny and literally like flips him over, like body slams him. And knocks him onto the ground. And his head like hit back and it looked like he hit the curb.

Hey, stop, oh my God, stop hitting him. Hitting him, just arrest him.

GH  She reacted to what she was seeing one officer doing.

SM  He starts punching him like in the face, just punching and punching him, and he punched him about ten times.
And she says there’s more to what she saw than what she recorded.

They were tasing him too, like you could just hear all the commotion.

Put your hands behind your back. I’m gonna do it again. Put your hands behind your back. Hands behind your back.

She recorded more as she rolled by two officers restraining Ellis.

Yesterday the Pierce County Medical Examiner ruled 33 year old Manny Ellis died from a lack of oxygen from being restrained. Pierce County Detective Ed Troyer, who represents the investigation of the officers’ use of force said Ellis attacked an officer first and police called in paramedics as soon as he said he couldn’t breathe.

There was no heads on knees, there was no cutting off of circulation, none of that. He was handcuffed, he was talking, he was breathing. And then throughout the process he had trouble breathing, and he told people I can’t breathe.

But civil rights attorney James Bible believes the whole truth has not yet been revealed about Ellis’ death.

There have been blatant misrepresentations here. There has been an absolute attempt to mislead the public, mislead the taxpayers, mislead the people. That, that frankly is in violation of our constitution.

Now we understand the Pierce County Sheriff’s Department, who is investigating officers’ use of force on all of this matter, was not aware of that video until today. Officers insist that Ellis, Ellis approached them in a highly agitated state. He banged on their patrol car and threw an officer to the ground. And that’s when they say they had to restrain him. So with all of those elements thrown in, this investigation continues. We’ll keep you posted. Reporting live tonight, I’m Gary Horcher, KIRO 7 News.

Well, in the last 30 minutes, Tacoma’s Mayor spoke out about that video, saying it confirms Ellis’ death was a homicide.

Today the family said to us they were tired of talking and wanted action. They also asked why does it always take a video for the public to believe when a black person’s life is taken unjustly. As an African American woman, I didn’t need a video to believe.
MML: Well, beyond asking for the firing of the officers, the Mayor is demanding the Sheriff's Office review every action taken by the officers on the scene. She's also calling for the City to implement the use of body cameras for officers.