

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS**

NIKITA HAWKINS, as Personal Representative
of the Estate of LANDRIS HAWKINS, deceased,

Plaintiff,

V.

**JAMES CHRIST and JASON ROBERTS,
STUART THOMAS, in his individual and official
capacities and the CITY OF LITTLE ROCK,
a municipality,**

Defendants.

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

~~MAY 19 2015~~

JAMES W. MCCORMACK, CLERK
By: _____ DEP CLERK

Case No. 4:15cv281-BSM

*****JURY TRIAL DEMANDED**

This case assigned to District Judge _____
and to Magistrate Judge Val

COMPLAINT

NOW COMES, Plaintiff, NIKITA HAWKINS, Personal Representative of the Estate of LANDRIS HAWKINS, deceased, by and through her attorneys, and for her cause of action, states as follows:

JURISDICTION and VENUE

1. This cause arises under the United States Constitution, under the Fourth and Fourteenth Amendments, and under federal law, particularly 42 U.S.C. § 1983, and the laws of the State of Arkansas. This Honorable Court has jurisdiction by virtue of 28 U.S.C. §§ 1331, 1343 and 1367. Venue is founded in this Court upon 28 U.S.C. § 1391, as the acts of which Plaintiff complains arose in this District.

2. This action is re-filed, with the current pleading, pursuant to the Arkansas “savings statute,” A.C.A. § 16-56-126. The action was previously filed in federal court in the Eastern District of Arkansas, as *Nikita Hawkins, as Personal Representative of the Estate of Landris Hawkins, deceased, v. James Christ and Jason Roberts, individually and in their official*

capacities, Stuart Thomas, individually and in his official capacity, and the City of Little Rock, a municipality, Case No. 4:12-CV-694-BSM, and was dismissed without prejudice, per stipulation of the parties, by the Honorable Brian S. Miller on May 21, 2014. *See May 21, 2014 Voluntary Dismissal Order (Doc. #45), attached hereto as Exhibit 1.* The Eighth Circuit applies A.C.A. § 16-56-126 to § 1983 claims, and Plaintiff, in bringing the current cause, invokes said Arkansas statute. *Whittle v. Wiseman*, 683 F.2d 1128, 1129 (8th Cir. 1982).

PARTIES and WITNESSES

3. At all relevant times, LANDRIS HAWKINS (“LANDRIS”) was a citizen of the United States of America and was, therefore, entitled to all legal and constitutional rights afforded citizens of the United States of America. On November 3, 2009, and at all relevant times, LANDRIS resided at the 5915 Carlyle Avenue, Little Rock, Arkansas.

4. The heirs-at-law of LANDRIS, namely NIKITA HAWKINS (“PLAINTIFF” and LANDRIS’ mother), Robert Murry (father), Deshuna Hawkins (sister) and Levonne Steele (sister), are all citizens of the United States of America and, therefore, they are entitled to all legal and constitutional rights afforded citizens of the United States of America. PLAINTIFF is the court-appointed administrator of the Estate of LANDRIS HAWKINS. *See November 5, 2012 Probate Order attached hereto as Exhibit 2.* PLAINTIFF brings this action on behalf of the estate, and on behalf of LANDRIS’ heirs-at-law above.

5. On November 3, 2009, and at all relevant times, JAMES CHRIST (“CHRIST”), was employed by the CITY OF LITTLE ROCK (“CITY”) as a police officer, and was acting under the color of state law, and within the scope of his employment. At all relevant times, CHRIST was held out as fully trained in police work, including, but not limited to, the Fourth

Amendment of the United States Constitution, and was held out as fully apprised of, and trained in, LRPD General Orders (“GO’s”).

6. On November 3, 2009, and at all relevant times, JASON ROBERTS (“ROBERTS”), was employed by the CITY as a police officer, and was acting under the color of state law, and within the scope of his employment. At all relevant times, ROBERTS was held out as fully trained in police work, including, but not limited to, the Fourth Amendment of the United States Constitution, and was held out as fully apprised of, and trained in, LRPD GO’s.

7. On November 3, 2009, and at all relevant times, STUART THOMAS, (“THOMAS”), was employed by the CITY OF LITTLE ROCK as police chief of the Little Rock Police Department (“LRPD”) and acted under the color of state law, and within the scope of his employment. At all relevant times, THOMAS had the ultimate responsibility within the LRPD for the protection of life, preservation of law and order, investigation of all crimes and the enforcement of state laws and city ordinances. At all relevant times, the LRPD was an apparatus within, and agent of, the CITY.

8. At all relevant times, including November 3, 2009, and for years prior thereto, THOMAS had final policy-making authority in terms of creating, adopting, implementing and/or enforcing police policies within the LRPD, whether formal or informal. At all relevant times, including November 3, 2009, and for years prior thereto, THOMAS had final decision-making authority in terms of training, supervision, control and discipline of LRPD officers. Per policy, THOMAS is notified of all Early Intervention Systems (“EIS”) alerts that LRPD officers trigger.

9. At all relevant times, LRPD Rules and Regulations (“RR’s”) were promulgated by the Chief of Police and approved by the legislative body of the City of Little Rock, per § 19-1604, Arkansas Statutes Annotated. LRPD RR’s mandate that the provisions contained therein

shall be observed by all sworn members of the Department in order to maintain the confidence, respect and support of the community.

10. On November 3, 2009, and at all relevant times, all LRPD patrol officers, including CHRIST and ROBERTS, were required to be apprised of the Fourth Amendment of the United States Constitution, and were required to follow all LRPD GO's and RR's at all times.

11. On November 3, 2009, and at all relevant times, the CITY was a municipality organized and existing under the laws of the State of Arkansas. At all relevant times, the CITY was located in the County of Pulaski, State of Arkansas, and was the employer of the individually-named defendants. The CITY is and was empowered, funded and directed to pay any § 1983 civil rights judgment for compensatory damages, actual damages, and attorney fees for which any city employee acting within the scope of his or her employment is found liable. The CITY is an indemnification party for those liable in the acts of which PLAINTIFF complains.

12. At all relevant times, the CITY was insured against lawsuits premised upon the actions or omissions of its police officers, within the scope of employment, which constitute violations of citizens' civil rights. The acts of which PLAINTIFF complains constitute a civil rights lawsuit against the CITY and the other CITY-employed defendants. The CITY is a primary or secondary indemnification party regarding the acts of the CITY-employed defendants of which PLAINTIFF complains.

13. At all relevant times, the CITY was a municipality which participated in the Municipal Legal Defense Program. The Municipal Legal Defense Program is a primary or secondary indemnification party regarding the acts of the CITY and the CITY-employed defendants of which PLAINTIFF complains.

14. In regard to the excessive force alleged by Little Rock resident, Demetrius Curtis, in 2008, as reflected in LRPD File #08-4014, and case caption, *Curtis v. [LRPD officer], et al.*, the CITY settled Mr. Curtis' claim of excessive force against a certain LRPD officer(s), on behalf of that LRPD officer(s).

15. In regard to Mr. Curtis' claim of excessive force against a certain LRPD officer(s), in the case styled *Curtis v. [LRPD officer], et al.*, the CITY, in fact, indemnified that LRPD officer(s).

16. Prior to November 3, 2009, the CITY had paid monetary settlements for individual police officers who were sued under allegations of excessive force committed by the officers, within the scope of their employment.

PERTINENT LRPD GENERAL ORDERS AND RULES & REGULATIONS

17. On November 3, 2009, and at all relevant times, GO 108 (*Administrative Procedures*) was in effect, and authorizes the CITY to "defend an employee in a court action, brought against him for an act or alleged act, which was performed as a result of his responsibilities and consistent with his regularly assigned duties, as an employee" of the CITY. GO 108 authorizes the CITY "defend an employee and/or pay damages," in lawsuits brought against employees, including those premised on civil rights violations.

18. On November 3, 2009, and at all relevant times, GO 303 (*Use of Force*) was in effect, and constitutes the LRPD's official policy for uses of force by LRPD officers. GO 303 mandates Detective Division ("DD") and Internal Affairs ("IA") Investigations whenever a LRPD officer has used deadly force. DD and IA investigations are "internal," meaning that each of them is conducted by fellow LRPD officers, who are also employees of the CITY.

19. Per GO 303, the DD investigation is a criminal investigation to facilitate successful prosecution, if deemed appropriate, by the Prosecuting Attorney's Office ("Prosecutor"). The IA investigation is an administrative investigation to ensure compliance with LRPD GO's and RR's.

20. Per GO 303, THOMAS is required to review each DD Investigation file and each IA Investigation file related to police-involved shootings. Moreover, THOMAS has attested that he has reviewed each and every DD and IA investigation file related to police-involved shootings during his tenure as Chief of the LRPD, from 2005 through 2013. In an affidavit from a prior cause, THOMAS has attested that "No incident or complaint has been ignored" by him.

21. GO 303 also provides for a Deadly Force Review Board ("DFRB"), the purpose of which is to review and evaluate incidents of firearms discharge, which result in injury or death, by sworn members of the LRPD, while in the performance of their duties as police officers. In evaluating deadly force incidents, the DFRB reviews the DD and IA investigation files related thereto. Per GO 303, the objective of the DFRB is to make recommendations directly to the Chief concerning firearms discharge in order to avoid future similar incidents.

22. On November 3, 2009, and at all relevant times, there existed within the LRPD a Crime Scene Specialist Unit ("CSSU"). GO 303 states that the CSSU "will be summoned to the scene of all officer-involved shootings, and will process the scene for evidence in compliance with standard investigative procedures." It states that the "first supervisor on the scene of an officer-involved shooting or other incidents established above shall take charge and limit unnecessary access to the scene," and that the "field supervisor in charge at the scene will be responsible for the integrity of the crime scene until it is released to the Detective Division supervisor." At all relevant times, the CSSU was under the authority of THOMAS.

23. On November 3, 2009, and at all relevant times, GO 309 (*Handling Mentally Ill Persons*) was in effect, and it instructed police officers on handling mentally ill persons, as follows:

- Avoid excitement, confusion, or upsetting circumstances. These may frighten the person, inhibit communications, and increase the risk of physical injury to the subject, the officer or other persons.
- Do not abuse, belittle, or threaten the person. Such actions may cause the person to become alarmed and distrustful.
- Do not deceive the person. This may limit chances for successful treatment and make future management of the person by other officers more difficult.
- Do not take the person's anger personally. Ignore any attacks on your character, physical appearance or profession, and encourage ventilation to safely release the frustration.
- Remain professional in your contacts with the person. With an image of quiet self-assurance and an insistence on your orders being followed, gently indicate that your only intention is to help the person.

24. On November 3, 2009, and at all relevant times, GO 316 (*Mobile Video Recording Equipment*) was in effect, and states that "MVR equipment will be assigned and deployed at the direction of the Chief of Police," and that "MVR equipment, including wireless microphone, will be active during all traffic stops, pursuits, and enforcement actions, including calls for service, prisoner transports, field contracts and interviews."

25. GO 316 states that "[t]he officer and/or Sergeant will ensure that the wireless microphone remains activated at all times during citizen contact to provide narration with the video." GO 316 also states that "[o]fficers and/or Sergeants will inspect the MVR equipment at the beginning of the tour of duty; any problems with the MVR equipment will be referred to a Supervisor immediately."

26. GO 316 states that “Tampering with or disabling MVR equipment, shielding, or taking any other action, which interferes with the proper operation of MVR equipment is cause for disciplinary action.” GO 316 states that “Officers and/or Sergeants will not deactivate the MVR equipment until the recorded contact is complete.” GO 316 also states “Intentional deactivation during incidents where the use of the MVR equipment is required by this Order may be cause for disciplinary action. Obstructing, shielding, or any act of interference with the MVR equipment is not permitted.”

27. GO 316 states that “Officers and/or Sergeants will ensure the proper alignment, focusing and positioning of MVR equipment to provide quality documentation.” GO 316 further states that “Sergeants will ensure that CD/DVD copies of the video data file are included in supervisory review files required by the General Orders.”

28. THOMAS has testified under oath that while police statements can be self-serving, videotape is not self-serving, and where video footage of an incident is in conflict with an officer’s oral account of the same incident, one should rely on the video over the oral account to resolve the conflict.

FACTUAL ALLEGATIONS

29. On November 3, 2009, at approximately 2:20 p.m., Neomia Hawkins (“Ms. Hawkins”), LANDRIS’ grandmother who resided at 5915 Carlyle Avenue, called 911 and explained to the 911 dispatch operator, a CITY employee, that LANDRIS was acting unusually, holding a knife, and threatening to cut his throat.

30. The operator broadcasted the call over the LRPD radio, referring to it as an attempted suicide.

31. ROBERTS heard the call, and within a few minutes, he arrived at the Hawkins residence, parked across the street, and ran toward the residence with his gun drawn.

32. ROBERTS did not turn his MVR dashboard camera in the direction of the residence in an effort to obtain quality documentation.

33. When ROBERTS reached the front door of the residence, he asked Ms. Hawkins if she was hurt, and she responded at least twice that she was “not hurt.”

34. CHRIST arrived at the location, parked across the street from the residence, and ran across the street with his gun drawn.

35. CHRIST did not turn his MVR dashboard camera in the direction of the residence in an effort to obtain quality documentation.

36. When CHRIST and ROBERTS reached the front porch of the residence, they each stopped at the front porch, and did not go inside the residence.

37. Both CHRIST and ROBERTS had *Oleoresin Capsicum* (OC spray), commonly referred to as “pepper spray,” on their persons when they arrived at the residence.

38. When CHRIST and ROBERTS saw LANDRIS inside the residence, he was holding a knife to his neck, and had blood on his shirt.

39. Officer Mark Rainey (“Rainey”), a CITY employee, arrived at the scene, and he also possessed OC spray.

40. LANDRIS’ great-grandmother, Willie Jean Hawkins, was outside the residence with the officers, and she informed the officers that LANDRIS had vision and hearing deficits, and that he probably could not see them very well or understand what they were saying.

41. ROBERTS yelled at LANDRIS, telling him to “put the/that knife down” three (3) times, and then said “I won’t tell you again.”

42. Then ROBERTS again yelled at LANDRIS, telling him to “put the/that knife down” four (4) more times, and then again said “I won’t tell you again.”

43. Then ROBERTS again yelled at LANDRIS, telling him to “put the/that knife down, I mean it! Put that knife down.”

44. Willie Jean Hawkins told the officers that LANDRIS’ “mind is bad” and that “there is something wrong with him.”

45. ROBERTS yelled at Ms. Hawkins, who was still inside the residence, telling her “come on outside ma’am!” Then he yelled, telling her “ma’am, go away!” Then he yelled, telling her “come outside, come outside. Ma’am, you need to come outside now!” Then he yelled, telling her “come back around here.”

46. Throughout the incident, LANDRIS was pacing from north to south in a hallway to the left of the front porch, and when he paced to south end of the hallway, CHRIST and ROBERTS, who were still on the front porch, would temporarily lose sight of him.

47. According to CHRIST, he and ROBERTS had time to assess the situation with LANDRIS, and time to formulate a “game plan.”

48. LANDRIS again paced to the south end of the hallway, out of the sight of CHRIST and ROBERTS.

49. At that time, while LANDRIS was out of their sight, CHRIST and ROBERTS decided that they would shoot LANDRIS the next time he came back to the north end of the hallway.

50. At no time before CHRIST and ROBERTS shot LANDRIS, did they warn him that they intended to shoot him.

51. CHRIST attempted to coax LANDRIS to come back to the south end of the hallway so CHRIST and ROBERTS could shoot him, telling LANDRIS “come on out, come on.”

52. LANDRIS walked to the south end of the hallway, and became visible to CHRIST and ROBERTS.

53. When LANDRIS walked to the south end of the hallway, and became visible to CHRIST and ROBERTS, he did not possess a knife.

54. When LANDRIS walked to the south end of the hallway, and became visible to CHRIST and ROBERTS, the officers each opened fire on LANDRIS, killing him.

55. LANDRIS did not possess a knife when he was shot and killed by CHRIST and ROBERTS.

56. According to Rainey, before the shooting, CHRIST and ROBERTS were positioned on the front porch in a way that CHRIST had a better view of LANDRIS than did ROBERTS.

57. According to CHRIST, at all times when LANDRIS possessed the knife prior to the shooting, he held it to his throat, and never moved it from there.

58. When Sgt. Harold Scratch heard the call about LANDRIS over the radio, he prepared a Taser for possible deployment, and proceeded to the Hawkins residence. When CHRIST reported over the radio that shots were fired, and that LANDRIS was down, Sgt. Scratch, equipped with the Taser, was approximately four (4) blocks away from the residence.

59. After the shooting, LRPD Officer Julio Gill arrived at the scene, and was placed in charge of handling the crime scene log associated with the shooting of LANDRIS (“*Hawkins*

shooting”), a copy of which is attached hereto. *See Hawkins shooting Crime Scene Log, attached hereto as Exhibit 3.*

60. As reflected on Ex. 3, there is no “Detective Supervisor In Charge” identified on the *Hawkins* shooting crime scene log.

61. As reflected on Ex. 3, there is no entry or exit time on the *Hawkins* shooting crime scene log for the following individuals: ROBERTS; CHRIST; Rainey; A. Emerson; J. Gammel; B. Johnson; T. Henson; Sgt. Scratch; and Sgt. Hinsley.

62. As reflected on Ex. 3, there is no exit time on the *Hawkins* shooting crime scene log for the following individuals: D. Phillips; Lt. King; Sgt. Maxwell; Sgt. Durham; Siegler; Chuck Ray; Julio Gill; Smith; Sgt. C. Phillips; E. Patterson; T. Pope; Lt. Thomas; Sgt. Moore; Mark Baker; Camper; Hobbs; Jeff Thrasher; Sharette; Bartlett; D. Talbert; and Regina Goss.

63. As reflected on Ex. 3, there is no “purpose” identified for thirty (30) of the individuals who listed on the *Hawkins* shooting crime scene.

64. The allegations in Paragraphs 60-63, above, constitute violations of LRPD policy.

65. None of the individuals identified in Paragraphs 60-63 were disciplined for violations of GO 316.

66. The LRPD did not seek an outside, independent investigation of the *Hawkins* shooting. Instead, the LRPD did an internal investigation of the *Hawkins* shooting.

67. The CSSU arrived at the residence, and processed the crime scene for evidence. According to the CSSU’s official overhead diagram of the crime scene, the closest knife to where LANDRIS’ body was found was almost fifteen (15) feet away, and in another room. *See “E11” on the CSSU Overhead Diagram, which attached as Exhibit 4.*

68. The knife identified as “E11” was never tested during the LRPD investigation of the *Hawkins* shooting to determine if anyone’s fingerprints or DNA was on it.

69. During the investigation, the CSSU located and preserved four (4) shell casings from the firearms of CHRIST and ROBERTS.

70. LANDRIS was pronounced dead at 3:40 p.m. on November 3, 2009. His toxicology report showed the absence of any illegal drugs or alcohol in his system at the time of his death.

71. Neither CHRIST nor ROBERTS ever heard LANDRIS speak during the entire incident.

72. ROBERTS understood LANDRIS to be in a suicidal state prior to shooting him.

73. During the DD investigation of the *Hawkins* shooting, Rainey wrote a report where he falsely stated: “I observed hearing Officer James Christ tell the subject to ‘drop the knife or I will shoot’ numerous times.” *See Officer Rainey’s November 3, 2009 Officer’s Report, attached hereto as Exhibit 5.*

74. During the DD investigation, Rainey gave an official statement where he falsely stated: “...I observed uh Officer Christ, he just kept saying drop the knife, drop the knife, I’m gonna shoot, I’m gonna shoot, drop the knife.”

75. In his Officer’s Report, ROBERTS stated that, prior to the shooting, LANDRIS “appeared to be in a rage.”

76. During the DD investigation, ROBERTS told LRPD investigators that LANDRIS was “almost expressionless” during the incident.

77. During the DD investigation of the *Hawkins* shooting, the following question was asked of ROBERTS, and he gave the following answer:

LT. KING: Okay and after everything is over you – I think you indicated that Officer Christ probably took the knife from around his head area? You know where he placed the knife?

ROBERTS: When I had saw him move the knife, he moved it I'd say approximately three feet back behind him and uh I advised him to stay there with him uh and make sure the knife stays there, make sure he covers our suspect...

78. CHRIST understood LANDRIS to be in a suicidal state prior to shooting him.

79. During the DD investigation of the *Hawkins* shooting, CHRIST told LRPD investigators that LANDRIS had “crazy eyes.”

80. CHRIST's MVR body microphone was not functioning during the incident.

81. Per GO 303, officers involved in deadly force incidents are provided a “companion officer,” and “[t]he purpose of a companion officer is to serve the involved officer in a supportive role.”

82. After the *Hawkins* shooting, ROBERTS requested that Officer Timothy Pope be his companion officer. Officer Pope was ROBERTS' companion officer, and was present during ROBERTS' DD statement.

83. Per the *Hawkins* shooting crime scene log, Officer Pope was present at the scene of the *Hawkins* shooting.

84. Officer Pope was directly involved in the *Hawkins* shooting investigation.

85. Per GO 303, “[t]he companion officer shall take all measures to ensure they **do not**: Interfere with the preliminary investigation in any manner...” (emphasis in original)

86. It is a violation of GO 303 for a companion officer to be directly involved in the underlying police-involved shooting investigation.

87. Per GO 303, “[a]ny employee not directly involved in the investigation shall refrain from lingering in or near the crime scene or investigative offices of the Department.”

88. On November 3, 2009, and at all relevant times, Lt. Terry Hastings (“Lt. Hastings”) was the Public Affairs Officer (“PAO”) for the LRPD. Per GO 109 (*Media Relations and Information Releases*), the PAO serves as the official liaison between the CITY and the media.

89. Per GO 109, “The following information shall not be released:...b) Personal opinions regarding the suspect, evidence or any matter pertaining to an investigation.”

90. In a discovery deposition in a prior cause, Lt. Hastings testified that as PAO, he is the first person that disseminates important and vital public information to the citizens of Little Rock. He testified that the public trust of the LRPD is a scared trust, and that he does everything that he can to honor that trust.

91. Lt. Hastings is ROBERTS’ uncle.

92. After the *Hawkins* shooting, as reflected in media accounts of the shooting, Lt. Hastings willfully provided false accounts of the shooting, gave impermissible personal opinions about the matter, and disclosed protected mental health information in an attempt to impugn LANDRIS, to make the shooting seem more reasonable, and to protect the involved officers, including ROBERTS, Lt. Hastings’ nephew. *See Contemporaneous Arkansas Democrat-Gazette and FOX 16 news articles, attached hereto as Exhibit 6.*

93. Aspects of the false and impermissible statements Lt. Hastings reported to the media include:

- a) that LANDRIS was “terrorizing his grandmother and great-grandmother” with a knife;

- b) that LANDRIS “refused to allow [his grandmother] to leave” the residence;
- c) that LANDRIS “made a threatening move toward his grandmother;
- d) that LANDRIS “would not let the officers in or the [grandmother] out of the residence; and
- e) that LANDRIS “has a long history of mental problems and [his family has] been trying to get him help for some time.”

94. During his discussions with the media, Lt. Hastings disclosed information regarding LANDRIS’ prior criminal history, even though those matters had no bearing on the use of force committed by CHRIST and ROBERTS, and even though the criminal charges that Lt. Hastings disclosed had been expunged from LANDRIS’ record.

95. Lt. Hastings did not tell the media that he was the uncle of one of the shooters, and did not disclose material aspects of the incident which tended to incriminate CHRIST and ROBERTS.

96. Lt. Hastings’ purpose in supplying the media and public with false information, and in disclosing LANDRIS’ mental health history, was to create a false narrative of the incident that would take hold in Little Rock, to exonerate the involved officers, including his nephew, ROBERTS, and make it more difficult to pursue a civil cause of action against the officers and the CITY.

97. Despite CHRIST’s DD statement wherein he told LRPD investigators that he and ROBERTS had time to assess the situation with LANDRIS, and time to formulate a “game plan,” at no point during the DD investigation were CHRIST or ROBERTS asked why they did not consider using OC spray on LANDRIS prior to shooting him.

98. At no time during the DD statements of CHRIST or ROBERTS did the LRPD investigators address with them the possibility that LANDRIS was mentally ill, or in need of medical assistance.

99. Despite the fact that CHRIST told investigators that LANDRIS never moved the knife from his throat at any time, the DD Case Summary Report states that LANDRIS started walking down the hallway “with the knife in front of him.”

100. During his DD statement, CHRIST described LANDRIS’ movement as “pacing,” and he told investigators that, prior to the shooting, LANDRIS “was moving out, moving back in, moving out, moving back in. It wasn’t – it wasn’t like – you he wasn’t running down the hallway or anything. He was just at a – a steady pace when he – when he came out.”

101. Despite CHRIST’s DD statement wherein he stated that LANDRIS was “pacing,” and that he “...wasn’t running down the hallway or anything,” the official DD Case Summary Report reflects that, prior to the shooting, LANDRIS “darted in and out of the visible area of the front door.” *See November 3, 2009 Detective Division Case Summary Report from the Hawkins Shooting, attached hereto as Exhibit 7.*

102. The DD Case Summary Report does not include CHRIST’s statement that LANDRIS never moved the knife from his throat throughout the incident.

103. According to the DD Case Summary Report, ROBERTS “fired two shots at the suspect,” and CHRIST “fired two rounds.”

104. According to the DD Case Summary Report, ROBERTS and CHRIST fired a total of four (4) shots.

105. On December 22, 2009, after several weeks of review of the facts and evidence of the *Hawkins* shooting, the IA Division generated an official report regarding the shooting. *See December 22, 2009 IA Report from the Hawkins Shooting, attached hereto as Exhibit 8.*

106. The official IA report from the *Hawkins* shooting (File #09-4277), dated December 22, 2009, is silent as to the possibility that LANDRIS was mentally ill, or in need of medical assistance. It is silent as to the possible applicability of GO 309.

107. Because neither CHRIST nor ROBERTS positioned their dashboard MVR cameras toward the Hawkins residence, there is no video which captures their uses of force on LANDRIS, or any visual images of the *Hawkins* shooting.

108. Per the IA Report, ROBERTS “did not have the time attached to [his] video; therefore, a timeline of events was not completed” in the *Hawkins* shooting investigation.

109. No audio was recorded from CHRIST’s body microphone during the *Hawkins* shooting, or the timeframe prior or subsequent thereto.

110. ROBERTS violated GO 316 on November 3, 2009.

111. ROBERTS was not disciplined for violating GO 316 on November 3, 2009.

112. CHRIST violated GO 316 on November 3, 2009.

113. CHRIST was not disciplined for violating GO 316 on November 3, 2009.

114. Rainey’s vehicle was not equipped with a functioning MVR system.

115. IA investigators listened to MVR audio from the *Hawkins* shooting, and described it in the official IA Report as follows:

“1427:41 hours-----sounds like one gun shot
1427:43 hours-----sounds like three gun shots”

116. According to the December 22, 2009 IA Report, ROBERTS and CHRIST fired a total of four (4) shots.

117. After their review of the matter, the IA investigators found that “[a]ll of the statements, audio recordings and the recorded 911 call were consistent regarding the sequence of events and the facts of the case.”

118. One of the IA investigators of the *Hawkins* shooting was herself involved in a police-involved shooting of an allegedly mentally ill man in September 2006.

119. On March 15, 2020, over four (4) months after the *Hawkins* shooting, the DFRB generated an official report regarding the shooting. *See March 15, 2010 DFRB Report from the Hawkins Shooting, attached hereto as Exhibit 9.*

120. The official DFRB report from the *Hawkins* shooting is silent as to the possibility that LANDRIS was mentally ill, or in need of medical assistance. It is silent as to the possible applicability of GO 309.

121. The DFRB report from the *Hawkins* shooting states that the “board felt the use of deadly force in this incident was unavoidable.”

122. The DFRB found that CHRIST and ROBERTS followed their training in their decision to employ deadly force.

123. The DFRB noted that the crime scene log was not properly completed in the investigation, and indicated that the failure to properly complete crime scene logs was a “common issue” for the LRPD in such investigations.

124. Per the DFRB report in the *Hawkins* shooting:

“The board noted that although there was little doubt that the knife located by Lanuris (sic) Hawkins was the knife he had in his possession, members of the board believed this piece of evidence should have been processed for forensic evidence such as fingerprints, blood-typing, etc. There was also blood on the front door that was not processed for forensic evidence.”

125. The DFRB stated “[t]here were no pictures in the file of the wound sustained by Ms. Hawkins that occurred prior to officers’ arrival.”

126. The DFRB stated “[t]here is no documentation of follow-up on the medication Lanuris (sic) Hawkins was prescribed and how long he had not been taking his medication. Additionally, information regarding when his last doctor’s visit occurred should have been included.”

127. In its March 15, 2010 report, the DFRB found “that a Department Use of Force Form [LRPD Form #5200-26] had not been completed” for the *Hawkins* shooting.

128. Little Rock City Attorney, Thomas M. Carpenter, was a member of the DFRB board that reviewed the *Hawkins* shooting.

129. THOMAS signed off on the DFRB report in the *Hawkins* shooting, evidencing his awareness of this pattern of disregarding policy.

PRIOR TO NOVEMBER 3, 2009, AND BEYOND, AN AFFIRMATIVE PATTERN OF POLICE MISCONDUCT EXISTED AT THE LITTLE ROCK POLICE DEPARTMENT

130. Prior to November 3, 2009, the CITY was on notice that an affirmative pattern of police misconduct existed within the LRPD, and the CITY was deliberately indifferent to said pattern, which violated the United States Constitution and the laws of the State of Arkansas, and which endangered the lives of Little Rock residents and LRPD police officers.

131. Prior to November 3, 2009, at and all relevant times, LRPD officers were fully aware of the affirmative pattern of police misconduct within the LRPD, and were also fully aware of the CITY’s informal custom of deliberate indifference to said unconstitutional pattern.

132. Prior to November 3, 2009, and at all relevant times, LRPD officers’ awareness of the CITY’s informal custom of deliberate indifference to the affirmative pattern of police

misconduct, caused them to believe that they could engage in police misconduct and unconstitutional acts within fear of appropriate discipline.

133. To demonstrate the affirmative pattern and informal custom of which PLAINTIFF complains, she recites the allegations below, for answer by the CITY.

134. Of one hundred-eighty-five (185) LRPD investigations of certain types of allegations of police misconduct (police-involved shootings, harassment, excessive force, sexual misconduct, unlawful arrest, unlawful entry, illegal search and threats/retaliation), between the years 2005 and 2010, only seven (7) of these allegations were sustained by the LRPD.

135. Prior to November 3, 2009, the LRPD had never found a police-involved shooting to be unjustified, regardless of the facts.

136. Between April 2001 and November 3, 2009, inclusive, at least fifty-seven (57) police-involved shootings were committed by LRPD officers. The LRPD performed internal investigations of all fifty-seven (57) shootings, and found all of them to be justified.

137. In his career with the LRPD, ROBERTS committed at least eighty-two (82) uses of force in the field, and all of those uses of force were determined by the LRPD to be justified. At least sixty-three (63) of these uses of force occurred prior to the *Hawkins* shooting.

138. During his first six (6) years with the LRPD, Officer “A”¹ committed at least sixty-nine (69) uses of force in the field, and all of those uses of force were determined by the LRPD to be justified.

139. On December 27, 2011, Officer A used unnecessary force by firing his weapon into a vehicle of Little Rock citizens, shooting one of them in the face.

¹ The CITY will be provided a listing of Officers “A” through “_” under separate cover, so that it can fully answer the allegations regarding these officers.

140. Officer “B” was hired by the LRPD on March 17, 2006, and accrued three (3) sustained violations of police policy—one of which resulted in an escaped prisoner—by the end of the calendar year.

141. From 2007 to 2009, Officer B committed forty-six (46) uses of force in the field, and all of those uses of force were determined by the LRPD to be justified.

142. On July 18, 2011, Officer B shot a 19-year-old black male, as reflected in File #11-4485.

The CITY Engages in an Informal Custom of Disregarding Early Intervention System Alerts, and Tolerating Unnecessary Uses of Force Committed By Its Officers

143. As provided in GO 211 (*Internal Investigations, Citizen Complaints and Disciplinary Actions*):

“[t]he purpose of the Early Intervention System is to provide the Department with a procedure that: 1) Monitors actions taken by employees requiring administrative reporting and/or internal investigations or which may otherwise be indicative of work performance deficiencies; 2) Provides for supervisory review at all levels in the Chain of Command; and, 3) If deemed appropriate, provides for remedial action(s) or employee assistance to correct or eliminate identified job performance based deficiencies.”

144. The EIS is data-driven and objective. Departmental Use of Force Reports (LRPD Form #5200-26) are part of the data that EIS utilizes to identify patterns of possible misconduct.

145. The LRPD began electronically tracking LRPD officers with EIS in January 2004.

146. GO 211 further states that “[t]he intent of the Early Intervention System is to ensure that the Little Rock Police Department is not faced with a serious case of misconduct that reveals an escalating pattern of misconduct that could have been abated through earlier intervention.”

147. On June 22, 2013, THOMAS gave a discovery deposition in a prior cause, and testified as follows:

- a) The EIS is an essential component of good discipline in a well-managed law enforcement agency;
- b) The EIS is an important mechanism for ensuring police accountability;
- c) The EIS is important in terms of managing risk;
- d) As chief, he was responsible for setting the thresholds for the various EIS indicators;
- e) As chief, he viewed all EIS alerts and reports;
- f) For the EIS to be effective, there must be responsible management monitoring the system based on the data;
- g) For EIS to work properly, it is important that sergeants are involved in the process and in the system;
- h) He was unfamiliar with how his sergeants were trained so that they would be proficient in EIS; and
- i) The LRPD failed to utilize the EIS software correctly, and thus the EIS did not function as intended for several years until 2011.

148. From 2005 to 2010, among the LRPD officers who triggered EIS alerts during that timeframe, the underlying 1670 uses of force which led to the alerts, were all deemed justified.

149. In 2008, there were 236 separate EIS alerts, and none of the identified officers was recommended for monitoring.

150. In 2009, there were 189 separate EIS alerts, and none of the identified officers was recommended for monitoring.

151. In 2010, there were 207 separate EIS alerts, and none of the identified officers was recommended for monitoring.

152. Prior to 2010, Officer B triggered seven (7) EIS alerts for uses of force in three (3) years. All of the alerts were deemed “false alarms” by the LRPD, and no action was taken with regard to Officer B.

153. On June 1, 2010, in File #10-4352, Officer B shot multiple times at a suspect after he claimed the suspect pointed a gun at him while fleeing. He missed the suspect each of the times he shot, and a nearby residence was hit with his bullets.

154. The suspect in File #10-4352 was not armed.

155. After June 1, 2010, Officer B triggered two (2) more EIS alerts before he was involved in a police shooting, as reflected in File #11-4485.

156. In the three (3) years prior to February 1, 2010, Officer “C” committed forty-one (41) uses of force in the field, and all of those uses of force were determined by the LRPD to be justified. In the three (3) years prior to February 4, 2009, Officer C committed forty (40) uses of force in the field, and all of those uses of force were determined by the LRPD to be justified.

157. Officer C triggered the EIS alerts for uses of force on nine (9) separate occasions spanning four (4) years, each of which resulted in LRPD supervisors recommending no further action in regard to Officer C.

158. On July 7, 2012, in File #12-00028, Officer C used unnecessary force upon a Little Rock citizen, and was one of the LRPD officers who caused his “in-custody” death.

159. On February 26, 2010, ROBERTS triggered an EIS alert based on uses of force in the field.

160. The February 26, 2010 alert identified six (6) uses of force committed by ROBERTS between February 26, 2009 and February 26, 2010.

161. The November 3, 2009 *Hawkins* shooting was not among the uses of force identified in ROBERTS' February 26, 2010 EIS file.

162. In an April 6, 2010 memorandum, Sgt. John A. Merritt recommended that ROBERTS not be placed in the EIS for monitoring for his uses of force between February 26, 2009 and February 26, 2010.

163. In his April 6, 2010 memorandum, Sgt. Merritt wrote:

"I have received and reviewed an Early Intervention Alert File on Officer Jason Roberts #[]]. Officer Roberts was flagged due to being involved in sixe (sic) uses of force incidents within a one-year period. During my review of Officer Robert's (sic) actions, it appears that the incidents that he was involved in were minor and peper (sic) spray was used in several incidents. There were no reported injuries in any of the incidents and Officer Roberts' chain of command has shown him to be exonerated in these incidents..."

164. In an April 6, 2010 memorandum, Lt. Ralph Simon recommended no further action for ROBERTS based on his uses of force between February 26, 2009 and February 26, 2010.

165. In his April 6, 2010 memorandum, Lt. Simon wrote:

"We have received an Early Intervention File, Prepared by the Internal Affairs Division, on Officer Jason Roberts. The file details six incidents, of use of force, that Off. Roberts was involved in, between February 26, 2009 and February 26, 2010. Sgt. Merritt and myself have reviewed and discussed each of these cases. All are minor uses of force in which the officer was exonerated; several involved the use of OC Spray. None of the arrest (sic) involved injuries to the suspect or officer...I concur with Sgt. Merritt's evaluation. The number of uses of force cases, attributed to this officer, are the result of his normal duties, and do not call for intervention. I recommend no further action."

166. Captain Thomas Bartsch, Chief D.P. Rowan and THOMAS all concurred with the evaluation of Sgt. Merritt and Lt. Simon, and agreed that no further action should be taken with regard to ROBERTS.

167. At the bottom of Lt. Simon's April 6, 2010 memorandum, THOMAS wrote "No further. S.T."

168. As reflected on Ex. 3, which is the *Hawkins* shooting crime scene log, IA investigators Sgt. Stephanie Berthia and Sgt. Robert Mourot were present at the scene of the *Hawkins* shooting at or around 3:32 p.m.

169. On November 3, 2009, Sgt. Berthia and Sgt. Mourot had personal knowledge of the fact of the *Hawkins* shooting.

170. The IA Division prepared ROBERTS' February 26, 2010 EIS file for review by ROBERTS' chain of command, including THOMAS.

171. As reflected on Ex. 3, which is the *Hawkins* shooting crime scene log, Chief D.P. Rowan was present at the scene of the *Hawkins* shooting after the shooting.

172. On November 3, 2009, Chief D.P. Rowan had personal knowledge of the fact of the *Hawkins* shooting.

173. The November 3, 2009 *Hawkins* shooting is not mentioned anywhere by anyone in ROBERTS' February 26, 2010 EIS file.

174. The fact of the occurrence of the November 3, 2009 *Hawkins* shooting is not contained in ROBERTS' February 26, 2010 EIS file.

The CITY Engages in an Informal Custom of Inadequate Training, Supervision and Discipline of Its Officers, and is Deliberately Indifferent to Unconstitutional Acts and Police Misconduct Committed By Its Officers

175. Prior to November 3, 2009, and at all relevant times, the CITY, through THOMAS and other supervisory officers, engaged in an informal custom of inadequate training, supervision and discipline of LRPD officers, and was deliberately indifferent to unconstitutional acts and police misconduct committed by its officers.

176. To demonstrate the informal customs of which PLAINTIFF complains, she recites the allegations below, for answer by the CITY.

177. Since 1997, to November 3, 2009, and beyond, the CITY has inadequately supervised and disciplined officers in the following circumstances:

- a) In File #97-2229, by failing to terminate or appropriately discipline ROBERTS after the LRPD determined that he violated RR 4002 (*Conduct Unbecoming*) and RR 4003 (*Bring Criticism to the Department*);
- b) In File #05-3515, by failing to terminate an officer who physically struck a seated suspect, and later was untruthful about the incident during an official LRPD investigation;
- c) In File #05-3515, by failing to discipline the offending officer's supervisor who viewed videotape of the use of force on the seated suspect, and did not document the use of force or address the offending officer's untruthfulness;
- d) In File #05-3619, by failing to discipline an officer the LRPD determined had negligently handled CITY property, failed to report a motor vehicle accident, failed to provide medical treatment, engaged in an improper handcuffing, was untruthful, and had violated GO 316;
- e) In File #05-3644, by failing to terminate or appropriately discipline an officer who falsely alleged criminal acts against the wife of a man with whom the officer was having an extramarital affair;

- f) In File #05-3499, by failing to terminate or appropriately discipline officers the LRPD determined had engaged in neglect of duty, failure to document, falsifying investigation records, untruthfulness and violations of GO 316;
- g) In File #05-3558, by failing to terminate or appropriately discipline ROBERTS after the LRPD determined that he had engaged in conduct unbecoming, and was untruthful during an official LRPD investigation;
- h) In File #06-3811, by failing to terminate officers who physically battered a college football game attendee, and did not report their use of force;
- i) In File #06-3811, by failing to terminate or appropriately discipline the offending officers' supervisor who learned of the incident, and himself did not report it;
- j) In File #06-3663, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in untruthfulness and filed an inaccurate report;
- k) In File #06-3783, by failing to terminate or appropriately discipline an officer who disobeyed a direct order from THOMAS not to confront her ex-husband's new girlfriend;
- l) In File #06-3676, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in the disposing of evidence;
- m) In File #07-3930, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in dereliction of duty;
- n) In File #07-3856, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in conduct unbecoming, and was untruthful during an official LRPD investigation;
- o) In File #07-3908, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in terroristic threatening, and was untruthful during an official LRPD investigation;

- p) In File #07-3889, by failing to terminate or appropriately discipline an officer who was untruthful during an official investigation where it was determined that the officer had become romantically involved with an LRPD narcotics informant;
- q) In File #08-4014, by failing to discipline an officer who physically struck a handcuffed suspect, and later was untruthful during an official LRPD investigation;
- r) In File #08-4014, by failing to discipline an officer who was untruthful about his partner's use of force on a handcuffed suspect, during an official LRPD investigation;
- s) In File #08-4089, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in a dereliction of duty and failed to complete a case file;
- t) In File #08-4018, by failing to terminate or appropriately discipline officers the LRPD determined had engaged in violations of GO 302 (*Operation of Departmental Vehicles*), GO 316, insubordination and a failure to supervise, which involved an escaped prisoner;
- u) In File #08-4126, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in NCIC violations, off-duty violations, improper storage, dereliction of duty, conduct unbecoming and false statement;
- v) In File #09-4207, by failing to terminate or appropriately discipline an officer the LRPD determined committed "unnecessary violence" on a juvenile, and then failed to report it;
- w) In File #09-4207, by failing to discipline the offending officer's supervisor who took no action after learning of "unnecessary violence" committed by the offending officer;
- x) In File #09-4216, by failing to terminate or appropriately discipline an officer the LRPD determined had failed to store evidence;
- y) In File #10-4417, by failing to terminate or appropriately discipline officers the LRPD determined had engaged in

insubordination, neglect of duty, and were untruthful during an official LRPD investigation;

- z) In File #10-4380, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in conduct unbecoming, causing a discredit to the department and untruthfulness;
- aa) In File #10-4365, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in conduct unbecoming, untruthfulness, a violation of GO 316, and dereliction of duty;
- bb) In File #10-4375, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in a violation of GO 316, a dereliction of duty, and a failure to notify communications;
- cc) In File #10-4319, by failing to terminate or appropriately discipline an officer the LRPD determined had engaged in conduct unbecoming, who had failed to write a report, failed to respond to a call, who was asleep on duty, and was untruthful during an official LRPD investigation;
- dd) In File #10-4326, by failing to terminate or appropriately discipline an officer the LRPD determined had mishandled evidence, failed to report violation and engaged in a dereliction of duty; and
- ee) In File #11-4482, by failing to terminate or appropriately discipline officers the LRPD determined had engaged in dereliction of duty and conduct unbecoming.

178. The CITY hired Officer "D" despite knowing prior to the hire that he had attended a Ku Klux Klan gathering a few years earlier.

179. The CITY failed to terminate or appropriately discipline Officer D despite the LRPD sustaining the following allegations and violations against him during his career as an officer: Dereliction of duty; Excessive force; Profanity; Reckless driving; Failure to communicate; Loafing (found asleep in his squad car while on duty); Taunting a suspect during arrest; Disengaging his video camera; Multiple violations of GO 316; Untruthfulness;

Disobeying direct orders; Missing court on at least six (6) occasions; and Failing to submit a report on a dead body call.

180. On August 12, 2012, Officer D shot and killed a 15-year-old African-American boy. The LRPD determined that the shooting was unjustified, and that Officer D was untruthful during the DD investigation of the shooting.

181. By the time Officer “E” was involved in a July 7, 2012 “in-custody” death with Officer C, he had amassed at least thirty-six (36) sustained misconduct allegations, resulting in sixty-three (63) days of suspension, eight (8) counseling sessions, twelve (12) letters of reprimand and seven (7) oral reprimands.

182. By failing to terminate or appropriately train, supervise and discipline LRPD officers, and by exhibiting a deliberate indifference to unconstitutional acts and police misconduct committed by its officers, the CITY, through THOMAS and other supervisory officers, acquiesces, tolerates and approves of said acts and misconduct.

The CITY Permits in an Informal Practice of Mishandling Evidence and Failing to Properly Maintain Crime Scene Logs in Police-Involved Shooting Investigations

183. Prior to November 3, 2009, the CITY was on notice that there was an affirmative pattern within the LRPD of police misconduct, and an informal practice of willful laxity committed by LRPD investigators and CSSU technicians when handling physical evidence related to police-involved shootings. This informal practice includes the failure to accurately document the handling of physical evidence, and the willful failure to properly maintain crime scene logs.

184. At all relevant times, this affirmative pattern severely compromised crucial evidence in various police-involved shooting investigations, made proving allegations of police

misconduct more difficult, and served to protect the LRPD officers involved in the shootings from criminal and civil prosecution.

185. At all relevant times, the CITY was deliberately indifferent to this affirmative pattern of police misconduct.

186. Prior to November 3, 2009, at and all relevant times, LRPD officers were fully aware of the affirmative pattern of police misconduct within the LRPD, and were also fully aware of the CITY's deliberate indifference to said unconstitutional pattern.

187. Since 2005, and prior to the date of loss, the LRPD has tolerated and acquiesced a pattern of mishandling evidence in PIS in the following matters:

- a) In File #05-3568, a police-involved shooting, LRPD failed to accurately document the handling of the involved officers' weapons, and a failure to adhere to proper chain of custody protocol;
- b) In File #05-3598, a police-involved shooting, LRPD again failed to accurately document the details of evidence handling, and failed to determine which supervisors physically handled the involved officer's weapon;
- c) In File #05-3481, a police-involved shooting, the LRPD failed to clearly articulate the transfer of the involved officers' weapons to a CSSU technician;
- d) In File #06-3817, a police-involved shooting, the LRPD failed to perform evidence testing for gunshot residue on the suspect, and LRPD investigators failed to address the omission;
- e) In File #07-3874, a police-involved shooting, the LRPD failed to determine the number of live rounds in the involved officer's weapon prior to the shooting in question, and failed to discipline the involved officer who admitted that she did not always carry her magazines fully loaded, which is a violation of policy;
- f) In File #08-4146, a police-involved shooting, the LRPD allowed officers to remove crucial evidence from its

position of rest, failed to test the removed evidence, and failed to physically separate the involved officers, in violation of police investigation protocol; and

- g) In several police-involved shooting investigations, both before and after the *Hawkins* shooting, the LRPD failed to assure that a Use of Force Report was drafted and included in the investigation file, which is a violation of GO 303.

188. GO 303 requires that the Detective Division Supervisor draft a Use of Force Report in every police-involved shooting investigation.

189. In File #10-4414, a police-involved shooting, an investigating sergeant, describing past LRPD practices and customs, acknowledged that “he rarely gets this [Use of Force Report] after officer involved shootings.”

190. Because Use of Force Reports are intended to become part of the EIS database, when said reports are not created, that information does not get entered in the EIS, resulting in underrepresented assessments of officers’ use of force history.

191. By failing to assure competent handling of evidence, the CITY, through THOMAS and other supervisory officers, sends the message to LRPD officers that such use of force investigations are not taken seriously.

192. LRPD crime scene logs read: “MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE.”

193. Despite this express imperative, and despite the letter of GO 303, for years prior to November 3, 2009, the CITY was on notice that the LRPD had an informal practice of willfully disregarding formalities associated with crime scene preservation, of allowing crucial evidence to become compromised, and of failing to maintain accurate crime scene logs during police-involved shooting investigations.

194. In fact, prior to November 3, 2009, the CITY failed to properly maintain accurate crime scene logs in the following police-involved shooting investigations:

- a) File #06-77942;
- b) File #06-[no incident number identified] (DOL: 8/22/06);
- c) File #07-[no incident number identified] (DOL: 10/30/07);
- d) File #07-28597;
- e) File #08-93435;
- f) File #08-81343;
- g) File #08-[no incident number identified] (DOL: 9/17/08); and
- h) File #09-8570/2312.

See Sampling of Incomplete Crime Scene Logs, attached hereto as Exhibit 10.

195. By allowing and tolerating LRPD officers to repeatedly fail to properly maintain and complete crime scene logs in police-involved shooting investigations, the CITY sends the message to LRPD officers that the CITY is deliberately indifferent to the unconstitutional acts and police misconduct committed by its officers.

The CITY Engages in an Informal Custom of Allowing Obvious Conflicts of Interest and A “Code of Silence,” Both of Which Serve to Conceal Improper Force and Police Misconduct

196. An historical hallmark of the LRPD’s flawed discipline system is a recurring “code of silence,” where LRPD investigators disregard, ignore or conceal evidence of unconstitutional acts and police misconduct.

197. On June 3, 2013, in a discovery deposition in a prior cause, in the presence of THOMAS, Det. J.C. White testified to his belief that, by doing internal investigations of police-involved shootings rather than seeking an outside review, the LRPD has essentially created a

conflict of interest situation which results, *de facto*, in police officers not being criminally charged, regardless of the facts.

198. To demonstrate the affirmative pattern of which PLAINTIFF complains, she recites the allegations below, for answer by the CITY.

199. Prior to November 3, 2009, and beyond, the CITY has allowed an affirmative pattern of obvious conflicts of interest in the following circumstances:

- a) The LRPD allows husband-wife police officer teams to execute search warrants of Little Rock citizens' homes, and, in his deposition in a prior cause, THOMAS has admitted his awareness of this informal custom;
- b) In 2006, in File #06-101200, the LRPD allowed an officer to question his own brother during a DD investigation of a police-involved shooting;
- c) By allowing an officer who was involved in a police-involved shooting investigation to also represent the offending officer in Fraternal Order of Police proceedings;
- d) In a 2008 police-involved shooting, in File #08-4146, the LRPD allowed Lt. Hastings to inform the victim's parents of the fact of the shooting, and to provide information to the media on behalf of the LRPD, despite the fact that one of the shooters was his nephew;
- e) In File #08-4146, the LRPD allowed Lt. Hastings to receive and process *Freedom of Information Act* requests for information from a police-involved shooting, which involved his nephew;
- f) In a 2010 police-involved shooting, in File #10-4414, the LRPD allowed the sergeant husband of one of the shooters to go to the scene of the shooting without identifying himself on the crime scene log, and without drafting a report to the file which explaining his presence, in violation of GO 303;
- g) In File #10-4414, the LRPD allowed the sergeant husband to leave the crime scene with his shooter-wife, in his personal vehicle;

- h) In File #10-4414, the LRPD allowed the Homicide Division to investigate a police-involved shooting, despite the fact that the sergeant husband was the head of that division, and his shooter-wife was the subject of the investigation;
- i) In File #10-4414, the LRPD allowed DD investigation questioning of one of the shooters to be performed by individuals with whom the shooter had previously vacationed; and
- j) In the *Hawkins* shooting, the LRPD allowed Lt. Hastings provide information to the media on behalf of the LRPD, despite the fact that one of the shooters was his nephew.

The CITY Perpetuates the “Code of Silence” By Not Maintaining and Producing a List of Untruthful Officers Despite the Holding of *Brady v. Maryland*, 373 U.S. 83 (1963)

200. The U.S. Supreme Court case, *Brady v. Maryland*, 373 U.S. 83 (1963), and its progeny, places an affirmative constitutional duty on the government to disclose all favorable, material information known to those acting on the government’s behalf in a criminal case, including the police.

201. Per *Brady* and its progeny, evidence of a government witnesses’ untruthfulness is favorable, material information to which a criminal defendant is entitled.

202. On July 22, 2013, in a discovery deposition in a prior cause, THOMAS admitted that the LRPD does not keep a list of officers who have been found to be untruthful during official police matters for transmission to the Prosecutor, so that this information may be disclosed to criminal defendants against whom the untruthful officers offer testimony on behalf of the State of Arkansas.

203. This means that the CITY has historically withheld from the criminal defense bar and from the public, exculpatory evidence which could be utilized by criminal defense attorneys to challenge the veracity of arresting officers.

204. This improper practice contributes to an informal custom of acquiescence of police misconduct, and institutionalizes the “code of silence.” This informal custom also serves to frustrate the truth-seeking function of the investigation process.

205. LRPD officers are aware that the CITY does not provide a *Brady* list of untruthful officers to the Prosecutor, and this serves to perpetuate untruthfulness, and continues the informal custom.

The LRPD Perpetuates a “Code of Silence” by Failing to Appropriately Discipline Officers Who Violate GO 316, and By Ignoring Videotaped Evidence of Police Misconduct

206. Because GO 316 was adopted to provide for, among other things, police officer accountability, tampering with or disabling MVR equipment is one of the ways that LRPD officers disregard, ignore or conceal evidence of police misconduct. Allowing officers to tamper with or disable MVR equipment, as well as failing to appropriately discipline officers who have violated GO 316 is another way that the CITY disregards, ignores or conceals evidence of police misconduct.

207. Prior to November 3, 2009, and at all relevant times, the CITY was on notice that there was an informal custom within the LRPD of concealing improper uses of force and police misconduct, by various means, such as the tampering with, or disabling of, MVR equipment, in violation of GO 316, so as to constitute a “code of silence” policy.

208. Despite this notice, the CITY and THOMAS failed appropriately supervise and discipline officers who violated GO 316, which perpetuated an ongoing pattern of police misconduct, and was itself misconduct, in the following circumstances:

209. In 2005, in File #05-3508, a Little Rock citizen complained to the LRPD that Officer “F” engaged in behavior while on duty, which, if true, would constitute “Rude and Unprofessional” conduct. During the internal investigation, it was determined that Officer F

violated GO 316, and there was insufficient footage of the alleged conduct. The LRPD found the complaint of rude and unprofessional conduct “Not Sustained.”

210. In 2006, in File #06-3802, a Little Rock citizen complained to the LRPD that Officer “G” engaged in behavior while on duty, which, if true, would constitute a “Neglect of Duty.” During the internal investigation, it was determined that Officer G violated GO 316, and there was insufficient footage of the alleged conduct. IA disciplined Officer G with a letter of reprimand for her violation of GO 316. The LRPD found the complaint of neglect of duty “Not Sustained.”

211. In 2006, in File #06-3668, a Little Rock citizen complained to the LRPD that Officer “H” engaged in behavior while on duty, which, if true, would constitute “Racial Profiling” during a traffic stop. During the internal investigation, it was determined that Officer H violated GO 316, and there was insufficient footage of the alleged conduct. IA disciplined Officer H with counseling for his violation of GO 316. The LRPD found the complaint of racial profiling “Unfounded.”

212. In 2006, in File #06-3671, a Little Rock citizen complained to the LRPD that certain officers engaged in behavior while on duty, which, if true, would constitute harassment and “Rude and Unprofessional” conduct. During the internal investigation, it was determined that one of the officers violated GO 316, and there was insufficient footage of the alleged conduct. IA disciplined one of the officers with counseling for his violation of GO 316. The LRPD found the complaints of harassment and rude and unprofessional conduct “Not Sustained.”

213. In 2007, in File #07-3940, a Little Rock citizen complained to the LRPD that Officer “I” and Officer “J” each engaged in behavior while on duty, which, if true, would

constitute “Rude and Unprofessional” conduct. During the internal investigation, it was determined that Officer I and Officer J had each violated GO 316, and there was insufficient footage of the alleged conduct. IA disciplined Officer I with reprimands for his violation of GO 316, and for failing to generate an incident report. IA disciplined Officer J with counseling for his violation of GO 316. The LRPD found the complaints of rude and unprofessional conduct against Officer I and Officer J “Not Sustained.”

214. In 2007, in File #07-3918, a Little Rock citizen complained to the LRPD that Officer “K” engaged in behavior while on duty, which, if true, would constitute “Rude and Unprofessional” conduct. During the internal investigation, it was determined that Officer K violated GO 316, and there was insufficient footage of the alleged conduct. IA disciplined Officer K with counseling for her violation of GO 316. The LRPD found the complaint of rude and unprofessional conduct against Officer K “Not Sustained.”

215. In 2007, in File #07-3836, a Little Rock citizen complained to the LRPD that certain officers had engaged in behavior while on duty, which, if true, would constitute “Rude and Unprofessional” conduct. During the internal investigation, it was determined that the officers violated GO 316, and there was insufficient footage of the alleged conduct. IA disciplined these officers with counseling and oral reprimands for their violations of GO 316. The LRPD found the complaint of rude and unprofessional conduct “Not Sustained.”

216. In 2008, in File #08-4032, a Little Rock citizen complained to the LRPD that Officer “L” engaged in behavior while on duty, which, if true, would constitute “Conduct Unbecoming,” in violation of RR 4002. During the internal investigation, it was determined that Officer L violated GO 316, and there was insufficient footage of the alleged conduct. IA disciplined Officer L with reprimands for his violation of GO 316, and for failing to draft a

report of the incident. The LRPD found the complaint of conduct unbecoming against Officer L “Not Sustained.”

217. In 2008, in File #08-122350, during a review of certain officers’ use of force, an LRPD investigator reported:

“I was unable to download the video to a disk due to there being too many files that need to be downloaded from the vehicle. The file for this incident wasn’t downloaded even after several hours of allowing the videos to download from the vehicle. Off. [‘M’s’] SWAT vehicle is not equipped with a DVR. Off. [A’s] patrol vehicle was positioned in a manner where the video did not show any of the incident. I observed no DVR violations.”

218. All officers were exonerated in regard to their uses of force in File #08-122350.

219. In 2006, in File #06-152148, during a review of offending officers’ use of force, it was determined that, “Off. [‘N’s’] microphone was activated but did not function properly or record any of the use of force. Off. [‘O’] was driving a vehicle that was not equipped with an MVR. I observed no MVR violations.” All officers were exonerated in regard to their uses of force in File #06-152148.

220. In 2010, in File #10-29730, during a review of Officer A and Officer D’s use of force, an LRPD investigator reported as follows:

“[Officers A and D] were using vehicle 03C827 which was fully equipped with audio and video recording equipment. [Officer D] was responsible for the wireless microphone during the incident and stated that he physically flipped the switch and observed the red power light come on. To his knowledge, the equipment was functioning during the incident. When supervisors attempted to copy the video from the mainframe, there were no videos available for this incident except for minutes before the use of force and then the trip to Northside Intake with Mr. McJunkin after the incident. The two videos that are present have clear video and audio evidence available, but nothing of evidentiary value in reference to the actual use of force.

I find that [Officer D] activated his equipment per General Order 316 and the absence of video/audio evidence during the incident is due to a malfunction of the MVR equipment. I recommend that the allegation of **MVR EQUIPMENT** against [Officer D] be **“NOT SUSTAINED”** and **NO FURTHER ACTION** be taken.” (emphases in original)

221. The Officers A and D were exonerated in regard to their uses of force in File #10-29730.

222. In 2012, in File #12-79923, during a review of Officer A’s use of force, it was determined that his “vehicle was not equipped with a [MVR]. There is not video of this incident.” Officer A was not investigated for a violation of GO 316, and he was exonerated in regard to his use of force in File #12-79923.

223. In 2012, in File #12-12772, during a review of certain officers’ use of force, it was determined that “[n]one of the use of force incidents were captured on video.” Video from one of the involved officers’ unit “appeared to have become corrupted during the downloading process.” The patrol unit of a third involved officer “was not MVR equipped.” All of the involved officers were exonerated in regard to their uses of force in File #12-12772.

224. In 2011, in File #11-25778, during a review of Officer A’s use of force, it was determined that his “audio does not come on immediately upon his arrival and misses the use of force.” Nonetheless, the LRPD investigator stated, “I feel [Officer A] followed GO 316 and recommend no further action.” Officer A was exonerated in regard to his use of force in File #12-25778.

225. In 2012, in File #12-63486, during a review of Officer A’s use of force, it was determined that he “turned off his body mic twice during the incident. In the first instance he stated ‘private conversation’ and turned off the body mic to relate to Lt. Helton the details of the

incident. A short time later, [Officer A] again turned off the mic after stating ‘personal conversation’ and told Lt. Helton about an incident that had occurred earlier.”

226. The LRPD investigator in File #12-63486 stated that “[t]his incident, in conjunction with an earlier incident (Inc. #2012-061870) occurring on 6-10-12, led me to meet with Lt. Helton and Sgt. Hawkins on Saturday, 6-23-12.” The investigator stated his belief that Officer A was in violation of GO 316, but also found “that Lt. Helton and Sgt. Hawkins had permitted mics to be turned off for private conversations.” Officer A was disciplined with “informal counseling” for his intentional violations of GO 316, and was exonerated in regard to the underlying use of force.

227. The decision to discipline Officer A with “informal counseling” in File #12-63486 was approved by THOMAS.

228. Neither Lt. Helton nor Sgt. Hawkins was disciplined for permitting Officer A to violate GO 316, in File #12-63486, nor for not reporting Officer A’s violations.

229. By mildly punishing violations of GO 316, and finding the underlying allegations “Unfounded” or “Not Sustained,” the CITY sends a message to LRPD officers that, as long as unconstitutional acts and police misconduct is not captured in a video or audio recording, those officers will be protected from proper discipline.

230. This, in turn, encourages officers to tamper with, or turn off, their recording devices, rendering them ineffective, when they commit unconstitutional acts or police misconduct because they know the worse discipline they will receive in such a scenario will be for a violation of GO 316. They know that, without a video or audio recording, when it is just their word against a complaining citizen, they will be favored, and the underlying use of force or police misconduct will be deemed “Unfounded” or “Not Sustained.”

231. The vast majority of violations of GO 316 of which the CITY becomes aware during the internal investigation process go unaddressed or undisciplined by the LRPD.

232. In File #08-4014, Demetrius Curtis complained to the LRPD that Officer "P" "just reached in and hit me across my jaw" with a closed fist while he was handcuffed and seated in a squad car.

233. If Mr. Curtis' allegations against Officer P in File #08-4014 were true, Officer P's actions would constitute an unconstitutional act of unnecessary force against Mr. Curtis.

234. There was no video or audio footage of the alleged use of force from Officer P's MVR system, due to a "six-minute gap" in the recording.

235. Officer P's partner in File #08-4014, was Officer A, and Officer A's MVR captured audio of Officer A verbally confronting Officer P about Officer P's striking of Mr. Curtis.

236. During the investigation in File #08-4014, THOMAS listened to Officer A's audio recording wherein he verbally confronts Officer P about striking Mr. Curtis.

237. At the close of the investigation in File #08-4014, an LRPD captain made the following recommendations:

"I recommend the MVR violation be classified as not sustained. Officer [P] maintains his MVR was activated during this incident. Officer [P's] MVR functioned properly on all other incidents he was involved in on the night of this incident. I agree that it is unlikely that Officer [P] would fail on this specific occasion to properly activate the MVR equipment. However, the fact remains the MVR did not properly function on this incident and this can only be attributed to a mechanical failure of the equipment, or action of Officer [P]. There is insufficient evidence to prove or disprove the failure of the system was due to the action, or inaction, of Officer [P].

I recommend the allegations that [Officers A and P] were untruthful during the investigation of this incident be classified as

unfounded. There is no evidence within the file to prove either officer attempted to evade or give untruthful answers to investigators.”

238. A LRPD investigator in the matter said “I have considerably less faith in MVR systems than I do in Officer [P’s] word...I conclude that both officers were attempting to be truthful under the challenging circumstances...”

239. Mr. Curtis’ complaint that Officer P used unnecessary force on him was deemed “Unfounded” by the CITY. THOMAS personally informed Mr. Curtis that there was “insufficient evidence to prove or disprove your allegations.” *See THOMAS’ November 17, 2008 Correspondence to Demetrius Curtis, attached hereto as Exhibit 11.*

240. In his letter, THOMAS did not inform Mr. Curtis that there was a “six-minute gap” in Officer P’s MVR recording which should have ruled in or out whether the alleged excessive force by Officer P actually occurred.

241. Despite the LRPD’s official determination that Mr. Curtis’ allegations were “Unfounded” in File #08-4014, the CITY settled Mr. Curtis’ claim of excessive force against Officer P, with a monetary payment to Mr. Curtis.

242. In many citizen’s complaint investigations and IA investigations, LRPD officers’ failure to produce MVR footage, and their inability to adequately explain such failures, do not result in any discipline, despite the letter of GO 316.

243. In 2005, in File #05-3532, the offending officers’ MVR tape had “frequent” “problematic cancellation of their microphones.” The citizen’s complaint of improper search of a residence was deemed “Unfounded.”

244. In 2005, File #05-3644, there was “no indication of audio” on the offending officer’s MVR.

245. In 2005, in File #05-3545, the offending officer's "MVR videos were reviewed and it appears there is some interference with the equipment causing the audio to be intermittent." The citizen's complaint of theft of property was deemed "Unfounded."

246. In 2008, in File #08-4146, an officer's MVR footage was damaged or corrupted at precise time of the underlying police-involved shooting. The offending officers in File #08-4146 were exonerated in the shooting.

247. In 2009, in File #09-4207, one of the offending officers was "unable to locate" any MVR recording of incident; one officer "didn't remember turning her microphone on"; another officer's vehicle was "not equipped" with an MVR; yet another officer "did not think his [MVR] was on during this incident." None of these officers was disciplined for a violation of GO 316.

248. In 2009, in File #09-4218, the offending officers did not have a functional MVR in their patrol unit; one officer's MVR footage was "erased" before an investigator could retrieve it; and one officer "didn't have a microphone that night."

249. The citizen's complaint of untruthfulness against the offending officers, including another nephew of Lt. Hastings, were deemed "Unfounded" in File #09-4218.

250. In 2010, in File #10-4390, a unnecessary force investigation based on a citizen's complaint, CHRIST "stated he did not activate his [MVR] due to the body mic not being charged at the beginning of his shift"; another officer claimed "he had activated his [MVR] equipment earlier that day, but did not find any recording for that period." The citizen's complaint in File #10-4390 were deemed "Unfounded."

251. In 2011, in File #11-4485, a police-involved shooting, Officer B's "vehicle was not equipped with an MVR." Officer B was exonerated in the shooting.

252. In 2012, in File #12-00028, the video and audio recordings from the MVR of Officer C and another officer were damaged, lost or wrongfully withheld from discovery requests in prior legal matters. Officer C and the other officer were exonerated in the in-custody death investigation in File #12-00028.

253. Despite all of the aforesaid notice to the CITY of unconstitutional acts committed by LRPD officers in the field, of police misconduct, and of problems associated with LRPD internal investigations performed in police-involved shootings, on November 3, 2009, and at all relevant times, the CITY maintained its practice of not obtaining independent review of LRPD police-involved shootings, and continued to have them investigated internally by employees of the CITY. This, along with all of the aforementioned allegations, constitutes an informal custom within the CITY of inadequate training, supervision and discipline, and an informal custom of deliberate indifference to unconstitutional acts and police misconduct committed by LRPD officers.

COUNT I
CHRIST AND ROBERTS FOR EXCESSIVE FORCE
IN VIOLATION OF THE FOURTH AMENDMENT

254. PLAINTIFF hereby incorporates and re-alleges Paragraphs one (1) through two-hundred and fifty-three (253) as and for Paragraph two-hundred and fifty-four (254) of Count I.

255. CHRIST and ROBERTS, and each of them, used excessive force against LANDRIS' person, causing great injury, pain and death.

256. CHRIST and ROBERTS, and each of them, violated LRPD GO's, including GO 303 and GO 309 when they shot and killed LANDRIS.

257. The force used by each was unnecessary and unreasonable, and LANDRIS' great injury, pain and death resulted directly from the use of said force which was excessive.

258. By reason of the conduct of CHRIST and ROBERTS, and each of them, LANDRIS and his heirs-at-law were deprived of rights, privileges and immunities secured to them by the Fourth and Fourteenth Amendments to the United States Constitution, including due process, and laws enacted thereunder.

259. The violence committed by CHRIST and ROBERTS, and each of them, and inflicted upon LANDRIS was unnecessary, objectively unreasonable and excessive and was, therefore, in violation of his Fourth Amendment Rights. Therefore, CHRIST and ROBERTS are liable to PLAINTIFF in damages pursuant to 42 U.S.C. § 1983, including loss of life, loss of liberty interest, conscious pain and suffering, attorney's fees and punitive damages.

COUNT II
THOMAS AND THE CITY
FAILURE TO ADEQUATELY TRAIN, SUPERVISE AND DISCIPLINE ITS
OFFICERS, AND FOR PERMITTING AN AFFIRMATIVE PATTERN OF EXCESSIVE
FORCE AND DISREGARD FOR LRPD GENERAL ORDERS (*Monell*)

260. PLAINTIFF hereby incorporates and re-alleges Paragraphs one (1) through two-hundred and fifty-nine (259) above as and for Paragraph two-hundred and sixty (260) of Count II.

261. At all relevant times, including November 3, 2009 and for years prior thereto, THOMAS and/or the CITY knowingly, and/or with reckless or deliberate indifference to the constitutional rights of the citizens of Little Rock, permitted an affirmative pattern of excessive force, police misconduct and disregard for GO's by LRPD officers.

262. THOMAS and the CITY permitted this affirmative pattern by:

- a) disregarding, ignoring and/or covering up allegations or facts of excessive force committed by LRPD officers in the field;

- b) failing to adequately train LRPD officers in proper police practices and LRPD GO's, including GO 303, 309 and 316, *inter alia*;
- c) failing to appropriately supervise and discipline LRPD officers who violate proper police practices and LRPD GO's, including GO 303, 309 and 316, *inter alia*;
- d) allowing repeated instances of conduct which compromises crime scene integrity in police-involved shootings;
- e) failing to assure that crime scene logs in police-involved shootings are accurately maintained;
- f) failing to retrain or discipline CITY employees who compromise, destroy or alter evidence at crime scenes in police-involved shootings;
- g) permitting the existence of a "code of silence" at the LRPD, which serves to conceal unconstitutional acts and police misconduct committed by LRPD officers;
- h) maintaining an inadequate and biased internal review system by which LRPD officers' unconstitutional acts and police misconduct are not meaningfully examined, disciplined and corrected;
- i) not maintaining a *Brady* list of untruthful officers;
- j) not providing the Prosecutor with a *Brady* list of untruthful officers; and
- k) allowing, and not guarding against, conflicts of interest in LRPD internal investigations.

263. This pattern of unconstitutional acts, police misconduct and violations of GO's was so pervasive as to constitute a "custom or usage" with the force of law.

264. The pattern and customs described above were the moving force behind the violations of LANDRIS' constitutional rights committed by CHRIST and ROBERTS, and each of them, and proximately caused LANDRIS' personal injuries, great pain and death. The pattern and customs described above also proximately caused a deprivation of the rights, privileges and

immunities secured to LANDRIS and his heirs-at-law by the Fourth and Fourteenth Amendments to the United States Constitution, including due process, and laws enacted thereunder.

265. As a result of the pattern and customs described above, LANDRIS was subjected to excessive force and caused to die. Therefore, THOMAS and the CITY is liable to PLAINTIFF in damages under 42 U.S.C. § 1983, including loss of life, loss of liberty interest, conscious pain and suffering, attorneys' fees and punitive damages.

COUNT III
CHRIST AND ROBERTS
WRONGFUL DEATH/NEGLIGENCE

266. PLAINTIFF hereby incorporates and re-alleges Paragraphs one (1) through two-hundred and sixty-five (265) above as and for Paragraph two-hundred and sixty-six (266) of Count III.

267. On November 3, 2009, CHRIST and ROBERTS, and each of them, owed LANDRIS a duty of due care, and a duty to maintain public order and to enforce at all times all such laws, ordinances and regulations for the preservation of good order and the public welfare, including the duty to follow all such laws, ordinances and regulations.

268. Disregarding those duties, CHRIST and ROBERTS, and each of them, were guilty of one more of the following acts which proximately caused LANDRIS' death:

- a) shot and killed LANDRIS without legal justification.

269. By reason of the wrongful death of LANDRIS, LANDRIS and his heirs-at-law have incurred pecuniary damages and severe mental anguish.

270. PLAINTIFF brings Count III pursuant to Ark. Code. Ann. § 16-62-102(a) and (b) which provides for damages whenever the death of a person shall be caused by a wrongful act notwithstanding the death of the person.

WHEREFORE, PLAINTIFF prays for judgment against CHRIST and ROBERTS, and each of them, in an amount which will fully and fairly compensate PLAINTIFF for damages suffered.

COUNT IV
CHRIST AND ROBERTS
SURVIVAL

271. PLAINTIFF hereby incorporates and re-alleges Paragraphs one (1) through two-hundred and seventy (270) above as and for Paragraph two-hundred and seventy-one (271) of Count IV.

272. On November 3, 2009, prior to his death, LANDRIS suffered personal injuries and great pain proximately caused by the wrongful acts and/or omissions of CHRIST and ROBERTS, and each of them, which included shooting LANDRIS multiples times.

273. By reason of the wrongful acts and/or omissions of CHRIST and ROBERTS, and each of them, LANDRIS incurred personal injuries and great pain as well as damages in the form of loss of life.

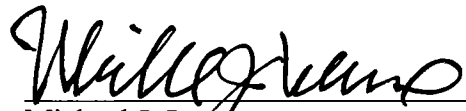
274. PLAINTIFF brings Count IV pursuant to Ark. Code. Ann. § 16-62-101(a)(1) which provides for damages for wrongs done to a person and further provides that such an action may be brought after the death of the person by his executor.

WHEREFORE, PLAINTIFF prays for judgment against CHRIST and ROBERTS, and each of them, in an amount which will fully and fairly compensate PLAINTIFF for damages suffered by LANDRIS.

WHEREFORE, Plaintiff, NIKITA HAWKINS, by and through her attorneys, and requests judgment against the Defendants and each of them:

1. That defendants be required to pay PLAINTIFF's compensatory damages;
2. That defendants be required to pay economic and non-economic damages, including but not limited to loss of life, loss of society, loss of services, loss of liberty interest and mental anguish;
3. That CHRIST, ROBERTS, and THOMAS be required to pay punitive damages;
4. That CHRIST, ROBERTS, THOMAS and the CITY be required to pay reasonable attorney fees per 42 U.S.C. § 1988; and
5. That PLAINTIFF receive any other such relief as this Honorable Court deems just and proper.

Respectfully submitted,



Michael J. Laux
E. Dist. Arkansas Bar No. 6278834
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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

NIKITA HAWKINS

PLAINTIFF

v.

CASE NO. 4:12CV00694 BSM

JAMES CHRIST et al.

DEFENDANTS

ORDER

Pursuant to the parties' stipulation [Doc. No. 44], this case is hereby dismissed without prejudice.

IT IS SO ORDERED this 21st day of May 2014.


UNITED STATES DISTRICT JUDGE



IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
PROBATE DIVISION

IN THE MATTER OF THE ESTATE OF
LANDRIS HAWKINS, DECEASED,

)
) PROBATE NO.
60PR2012 2048
)
)

ORDER APPOINTING ESTATE ADMINISTRATOR

THIS MATTER being heard on the petition of Petitioner, NIKITA HAWKINS, to be appointed the administrator of the Estate of LANDRIS HAWKINS, due notice being formally waived and this Honorable Court being fully apprised in the premises,

IT IS HEREBY ORDERED:

1. NIKITA HAWKINS' petition to be appointed administrator of the Estate of LANDRIS HAWKINS is GRANTED.
2. Administrator, NIKITA HAWKINS, will faithfully discharge all duties associated with the administration of the Estate of LANDRIS HAWKINS, will proceed in compliance with all aspects of the Arkansas Probate Code and will follow all orders entered by this Honorable Court.

Entered this date: Nov 5, 2012

Mark P. [Signature]
JUDGE

Nikita Hawkins
27 S. Meadowcliff Drive
Little Rock, AR 72209



**LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOG**

Incident # 2009-126203Date 11-03-2009

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 5915 CARLYLE

Type of Crime: _____

JASON ROBERTS 18198 _____
First Responding Officer Emp. # Time of Entry Time of Exit

Detective Supervisor In Charge Emp. # Time of Entry

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|---------------------|--------------|-------------------|-------------|-------------|
| <u>JAMES CHRIST</u> | <u>29113</u> | | | |
| <u>MARK RAEVEY</u> | <u>27108</u> | | | |
| <u>A. EMERSON</u> | <u>10899</u> | <u>LRFD</u> | | |
| <u>J. GAMMEL</u> | <u>12623</u> | <u>LRFD</u> | | |
| <u>B. JOHNSON</u> | | <u>MENS</u> | | |
| <u>T. HENSON</u> | | <u>LRFD</u> | | |
| <u>KZUNDERDATER</u> | <u>14448</u> | | <u>1449</u> | <u>1534</u> |
| <u>S. RATH</u> | <u>23146</u> | | <u>1433</u> | |
| <u>T. HANSON</u> | <u>10997</u> | | <u>1449</u> | <u>1534</u> |
| <u>A. PHILLIPS</u> | <u>15290</u> | | <u>1449</u> | |
| <u>LT. KZUB</u> | <u>7855</u> | <u>Supervisor</u> | <u>1449</u> | |
| <u>SGT. MAXWELL</u> | | | <u>1449</u> | |

INVESTIGATIVE
ORIGINAL

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #



**LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOG**

Incident # 2009-126203Date 11-05-2009

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: S915 CARLYLE

Type of Crime: _____

| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
|--------------------------------|--------|---------------|--------------|
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

INVESTIGATIVE
ORIGINAL

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|-----------------|--------|---------|------------|-----------|
| SGT. DURHAM | 10395 | | 1449 | |
| SIEGLER | 10244 | | 1449 | |
| SGT. SCRATCH | 16105 | | | |
| CARADON BEMER | 0565 | | 1449 | 1550 |
| SGT. HZUSICK | 19358 | | | |
| CHUCK RAY | 10394 | | 1449 | |
| JW20 GEL | 30410 | | 1440 | |
| Smith | 26065 | CS | 1458 | |
| Rowan | 4515 | Adm | 1459 | 1501 |
| Sgt C. Phillips | 19127 | | 1505 | |
| E. Patterson | 21482 | | 1505 | |
| T. Pope | 18787 | | 1455 | |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #

LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

Incident # 2009-126203Date 11-03-2009

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 5915 Carlyle

Type of Crime: _____

| | | | |
|--------------------------|--------------|---------------|--------------|
| <u>Jason Roberts</u> | <u>18198</u> | | |
| First Responding Officer | Emp. # | Time of Entry | Time of Exit |

| | | | |
|--------------------------------|--------|---------------|--|
| | | | |
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|----------------------|--------------|----------------|-------------|-------------|
| <u>LT Thomas</u> | <u>5204</u> | | <u>1450</u> | |
| <u>Sgt Moore</u> | <u>13171</u> | | <u>1515</u> | |
| <u>LT Davis</u> | <u>15693</u> | | <u>1515</u> | <u>1550</u> |
| <u>Mark Baker</u> | | | <u>1531</u> | |
| <u>Tom Carpenter</u> | | | <u>1520</u> | <u>1546</u> |
| <u>S. Berthig</u> | <u>17665</u> | | <u>1532</u> | <u>1549</u> |
| <u>Maurat</u> | <u>14472</u> | | <u>1532</u> | <u>1549</u> |
| <u>Higgins</u> | <u>11420</u> | | <u>1532</u> | <u>1544</u> |
| <u>Simpson</u> | | | <u>1449</u> | <u>1534</u> |
| <u>Camper</u> | <u>760</u> | | <u>1536</u> | |
| <u>Hobbs</u> | <u>769</u> | | <u>1536</u> | |
| <u>Jeff Thrasher</u> | | <u>Coroner</u> | <u>1544</u> | |

| | |
|--|--------------------|
| Log Relinquished to: _____ | Date & Time: _____ |
| Officer (if different than originating officer) Emp. # | |

| | |
|-------------------------------|--------------------|
| Log Relinquished to: _____ | Date & Time: _____ |
| Crime Scene Specialist Emp. # | |

**LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOG**

Incident # 2009-126203Date 11-03-09

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 5915 Carlyle

Type of Crime: _____

| | | | |
|--------------------------|--------------|---------------|--------------|
| <u>Jason Roberts</u> | <u>18198</u> | | |
| First Responding Officer | Emp. # | Time of Entry | Time of Exit |

| | | |
|--------------------------------|--------|---------------|
| _____ | _____ | _____ |
| Detective Supervisor In Charge | Emp. # | Time of Entry |

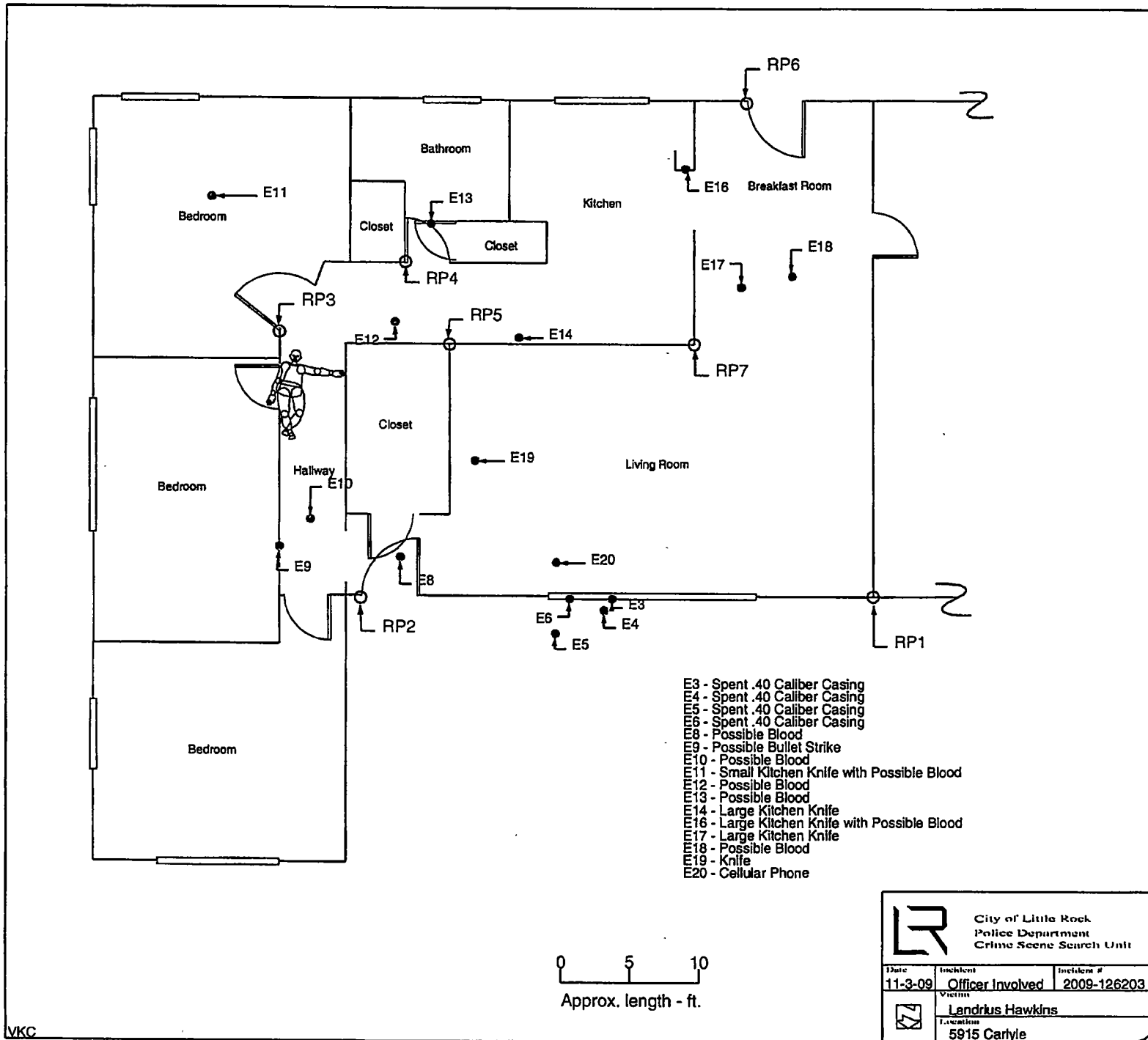
MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|-----------------------------|--------------|--------------------------|-------------|-------------|
| <u>Sharrette</u> | <u>30276</u> | <u>CS</u> | <u>1550</u> | |
| <u>Bartlett</u> | <u>30282</u> | <u>CS</u> | <u>1550</u> | |
| <u>Marianne Satterfield</u> | | <u>Pros Attl. Office</u> | <u>1609</u> | <u>1627</u> |
| <u>Tonia Acker</u> | | <u>Pros Attl. Office</u> | <u>1609</u> | <u>1627</u> |
| <u>Don Cook</u> | | <u>Pros Attl. Office</u> | <u>1609</u> | <u>1627</u> |
| <u>D. Talbert</u> | <u>30411</u> | | <u>1612</u> | |
| <u>Regina Goss</u> | <u>19542</u> | | <u>1620</u> | |
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INVESTIGATIVE
ORIGINAL

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| Log Relinquished to: _____ | Date & Time: _____ |
| Officer (if different than originating officer) Emp. # | |

| | |
|-------------------------------|--------------------|
| Log Relinquished to: _____ | Date & Time: _____ |
| Crime Scene Specialist Emp. # | |



PENGAD 800-631-6989

EXHIBIT
4

OFFICER'S REPORT

DATE: 11-03-2009 SUBJECT: 2009-126203 Officer Involved Shooting

TO: Sgt. Chris Phillips

FROM: Officer Mark Rainey #27108

Sir,

On today's date at approx. 1425 hours I was at Hinkson and Geyer Springs when I saw a Police Officer running code Southbound on Geyer Springs, and turn east onto Carlyle Drive. I had been assisting Narcotics on search warrants, and my radio was on Event PD. Due to my radio being on Event PD I did not hear the type of call that was dispatched. I turned north out of the Simmons Bank parking lot onto Geyer Springs to go and assist the Officer. Before I could turn onto Carlyle Drive I observed Officer James Christ turn on Carlyle Drive in front of my patrol car. When I arrived at 5915 Carlyle I observed Officer Jason Roberts on the front porch of the residence with his gun drawn pointing through the front glass door of the residence. I could hear Officer Jason Roberts giving loud commands to drop the knife.

As I was approaching the residence I observed an older unknown Black female in front of the residence. I approached her and ordered her to get away from the front of the residence. At this time I drew my gun and approached the front porch. I observed that Officer James Christ had made it to the front porch, and was standing beside Officer Jason Roberts. I observed that Officer James Christ was also pointing his gun through the front glass door of the residence. From the area that I was standing I could see the left side of a black male in an interior doorway of the residence. The black male kept ducking back behind the door opening. I observed hearing Officer James Christ tell the subject to "drop the knife or I will shoot" numerous times. At this time I heard several gunshots from Officer James Christ. After the shots were fired I observed the subject run across the door opening. Officers then entered the residence and cleared all of the rooms. I observed a black male laying in the hallway of the residence, and appeared to be bleeding from the area of the chest.

I then went outside of the residence and advised Fire and Rescue to come inside the residence. I then secured the outside area with crime scene tape. Sgt. Harold Scratch arrived at the scene, and I notified Sgt Chris Phillips and advised him of the incident.

Respectfully,

Mark Rainey





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Police shoot, kill knife-wielder

Author: NOEL E. OMAN ARKANSAS DEMOCRAT-GAZETTE
Publication: Arkansas Democrat-Gazette (Little Rock, AR)

Date: November 4, 2009**Page:** 11**Section:** Arkansas

A man with a history of mental problems used a knife to threaten family members before he was shot dead Tuesday afternoon by two Little Rock police officers responding to a family disturbance at a southwest Little Rock home, police said.

Police identified the dead man as 28-year-old Landris Hawkins, who lived at the residence.

Hawkins' grandmother, who summoned police to the home, told officers when they arrived that Hawkins refused to allow her to leave. She also suffered minor cuts from Hawkins' knife, described as a kitchen knife with a 6-inch blade, said Lt. Terry Hastings, a police spokesman.

A family friend described Hawkins as a quiet man who often kept to himself but ignored family pleas to seek counseling.

Adrian Shack, who has known the family about two years, said he never expected the kind of occurrence that unfolded about 2:30 p.m. at the single-story home on Carlyle Drive, part of a leafy neighborhood just off bustling Geyer Springs Road.

"I never heard of any physical altercations between the family," Shack said.

Shack had spent the morning outside the residence working on the family's car. Nothing seemed amiss then, he said.

He said he left at 1:50 p.m. to take Hawkins' mother, Nikita Hawkins, to work and get something to eat. Upon his return, the home was cordoned off with yellow crime-scene tape and police cars lined the nearby stretch of Geyer Springs Road.

"I am horribly sad about it," Shack said.

Both officers fired their guns during the confrontation at the home's front door, Hastings said. Moments earlier, the officers had ordered Hawkins to drop the knife, but he made a threatening move toward his grandmother, Hastings said.

Hawkins "would not let the officers in or the [grandmother] out," Hastings said. "She was trying to get out."

After Hawkins was shot, "he retreated back into the residence and collapsed," Hastings said.

The grandmother was treated for her injuries before being taken away to make a statement. A police chaplain accompanied her, Hastings said.

The grandmother, "as you can imagine, is shook up," he said. "This has been a stressful day. It has been going on for some time."

The officers will be placed on leave with pay and undergo counseling, Hastings said. He didn't identify the officers. The case is subject to criminal- and internal-affairs investigations.

Police have had a few encounters with Hawkins. He was arrested and charged with a variety of drug-related offenses in 2001, including two counts of drug possession, possession of drugs with intent to sell, possession of drug paraphernalia and selling drugs near a "certain facility," likely a school, Hastings said.

A check of online court records shows that the charges were later expunged. Often, first-time offenders can have their charges expunged if they complete court-ordered programs that include counseling and drug testing, and remain out of trouble.

Caption: Arkansas Democrat-Gazette/STEVE KEESEE Little Rock police and crime scene investigators stand outside 5915 Carlyle Drive, where two police officers shot and killed a man wielding a knife inside the front doorway of the house Tuesday afternoon.

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UPDATE: Name released in deadly officer-involved shooting

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Little Rock police are investigating on an officer involved shooting that left one man dead Tuesday afternoon. Police tell FOX16 it started after Landris Hawkins, 28, used a kitchen knife with a six inch blade to cut himself then his grandmother at their house on Carlisle Drive just off of Geyer Springs in southwest Little Rock. Hawkins' grandmother called 911.



Police tell us when officers arrived, Hawkins wouldn't let his grandmother out of the house and made a threatening move. That's when police say two officers fired shots from the front door and killed him.

"He has a mental problem, but I thought he was getting a little better. I was just over there talking to him and just went back to work," says the victim's mother, Nikita Hawkins.

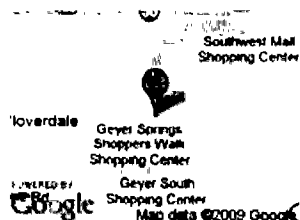
When asked if there have ever been problems like this before with Hawkins, his mother replied, "He don't bother nobody. He is in the house by himself with my mama and doing nothing."

Both officers are on paid administrative leave pending the outcome of the investigation, which is standard. Their names aren't being released.

"I don't like it. They didn't have to [kill him]," says Hawkins. "They could've shot him anywhere else, they could've did it in the leg. They didn't have to do that, they didn't have to kill him."

Hawkins great-grandmother and a one year-old were at the house when the shooting happened, but they weren't hurt. The grandmother was treated for minor injuries at the scene.

Police tell us Hawkins was arrested in 2001 for drug possession.



Police say Hawkins lived in the home with his grandmother and has a history of mental illness. "We don't know what set this individual off. Apparently he has a long history of mental problems and they've been trying to get him help for some time," Lt. Terry Hastings with the Little Rock Police Department said.

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LR police shoot 2 in one day

Author: JACOB QUINN SANDERS ARKANSAS DEMOCRAT-GAZETTE
Publication: Arkansas Democrat-Gazette (Little Rock, AR)

Date: November 5, 2009**Page:** 9**Section:** Arkansas

During a drug raid just after 10:30 p.m. Tuesday, Little Rock police shot their second suspect of the day about eight hours after killing a mentally unstable man who was cutting himself and family members with a knife. Special Weapons and Tactics team officers served a drug warrant in west Little Rock on Unit B of a duplex at 9001 Tanya Drive about 10:40 p.m. Inside, SWAT officers saw a bedroom at the end of a hallway. Police said officers Richard Glascock, James Wheeler and Joe Hill walked into the bedroom.

Glascock saw a man hiding in a closet and ordered him to step out, police said.

The man walked out of the closet carrying a handgun, police said. Glascock, whose 18th anniversary with the department is in two weeks, fired two shots from his city-issued FN P90 submachine gun, police said, hitting the man in the chest and an arm.

Police identified the man as Shawn Burton, 24, who lives in the duplex. On Wednesday, Burton was in stable condition at Baptist Health Medical Center in Little Rock. Police spokesman Lt. Terry Hastings said Burton's wounds are not considered life-threatening.

"We found about a halfpound of marijuana in the residence as well as some scales," Hastings said. "I'm sure we'll get him charged with a few things when he is released from the hospital."

Hours earlier and six miles southeast, just south of Interstate 30, two Little Rock police officers found a knife-wielding man terrorizing his grandmother and great-grandmother and cutting himself, police said.

Identified later as Landris Hawkins, 28, the man held a knife to his own throat and refused to drop it, police said. When Hawkins walked out of a hallway and pointed the knife at a woman and a baby in another room, the two officers fired numerous times from their city-issued .40-caliber Glock handguns, police said.

The Little Rock Police Department on Wednesday identified the two officers as James Christ, a three-year veteran of the force, and Jason Roberts, hired in 1995. Hawkins died at the scene.

In accordance with Police Department policy, Glascock, Christ and Roberts were all placed on administrative leave with pay pending reviews of the shootings. Department General Order 303, governing the use of force, says officers may use lethal force when they feel that their lives or the lives of others are in immediate danger. They are taught to aim for the largest target available - usually the chest and abdomen - and to continue firing until they feel that they have stopped the threat.

The last time Little Rock police shot more than one person in a day was Oct. 31, 2007, when officers Joshua Black and Erik Temple fired on a car full of burglary suspects trying to back over the officers. The officers killed one man and wounded another, missing a third.

But no one Tuesday could recall the last time officers shot suspects in separate cases on the same day.

Hastings, a department spokesman since 1994, began working for the department in 1976. He said he couldn't recall another such case. Internal affairs division records on officer-involved shootings go back to the early 1990s, he said, and there are no more than one on any one day.

"It's been a long, long time, if we've ever done it," Hastings said. "I honestly couldn't tell you if we ever have."

Caption: Arkansas Democrat-Gazette/ BENJAMIN KRAIN

Little Rock police shot a man who stepped out of a closet with a handgun during a drug raid Tuesday night at this house at 9001 Tanya Drive.

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CASE REPORT

| | |
|------------------------|---|
| INCIDENT NUMBER | 2009-126203 |
| CHARGE | |
| CASE NUMBER | |
| INVESTIGATOR | DET. DEWANA PHILLIPS |
| VICTIM | LANDRIS HAWKINS B/M 3/28/81 5915 Carlyle; Little Rock, AR |
| LOCATION | 5915 CARLYLE |
| DATE/TIME | NOVEMBER 3, 2009 @ 1422 HRS |
| SUSPECT | JASON ROBERTS JAMES CHRIST 700 WEST MARKHAM STREET LITTLE ROCK, AR 72209 |



SUMMARY

On today's November 3, 2009 officers responded to 5915 Carlyle for a Disturbance with Weapon at the aforementioned address. When officers arrived they observed an elderly black female standing in the yard. The female in the yard was saying, "Lord help us", at which time Officer Jason Roberts noticed a black female in the doorway on the phone. Officer Roberts observe what appeared to be blood drops in the entry way. The female in the doorway seem distracted and said he still has a knife. Officer Roberts asked the female to come outside and she's said she couldn't because she had a baby in the house with her. The elderly female was shortly escorted to a safer position that did not involve being in the front yard area.

Shortly after officers arrival they noticed a black male six-four to six-five come around the corner of the hallway with a cut to his neck bleeding heavily. The subject was still holding what appeared to be a four-inch steak knife. Officer Roberts accounts he gave numerous commands for the subject to drop the knife and he continued with the knife around his neck and waving it around and back to his neck again. Officer Roberts could hear the baby in a room adjacent to the entry door. He advised the female to get out with the baby, suggested using the window but she kept saying she couldn't get out. The black male continued going back in forth down the hallway and back to an observing view. Officer Roberts says he continued giving the male subject commands to drop the knife. The suspect never said anything, according to Officer Roberts. The suspect looked at Officer Roberts but never spoke. During which time both officers were on the porch area of the residence and had not made entry into the residence. The male subject with the knife darted in and out of the visible area of the front door down and east hallway of the address. Both officers were wearing full police uniform attire. Officer Christ was on the right side of Officer Roberts.

Officer Roberts says the black male started walking faster face down the hallway with the knife in front of him. He says the female yelled and he believed the subject was going to do deadly harm to the female or the baby. Officer Roberts says he had information that the female had been cut once and believed deadly physical harm would have happen to the female or the child, thus is why he made the decision to fire. Officer Roberts fired two shots at the suspect.

When Officer Christ arrives Officer Roberts was on the porch of the residence with his service weapon drawn and talking with a black male that was holding a knife to his throat. Christ notes that he saw a lot of blood on the front of the black male shirt. Officer Christ says the subject kept leaning in and out of the hallway and that Officer

Robert was communicating with the female trying to get her to come out of the house. Officer Christ says both he and Officer Roberts gave the male subject commands to drop the knife. Officer Christ says he fired two rounds at the subject through the front storm door. He went around the backside of the hallway; the subject was lying on his back. He says he moved the knife from near his head into a back bedroom to prevent the subject from accessing it.

The suspect was later identified as Landris Hawkins (black male 03/28/81). Mr. Hawkins lives with his grandmother and great-grandmother, Neomia Hawkins and Willie Jean Hawkins. Ms. Neomia Hawkins says her grandson was washing clothes and he came in telling her he was thinking about killing himself. She says he put the knife to his throat and she being to wrestle with him for the knife. She said he then got another knife, she wrestled him again and he gain access to another knife. She said he would not give her the knife and when she realized that she called 911; at which time she got another knife away from Landris (Twiki). He gained yet another knife and begin cutting himself. Ms. Neomia Hawkins and her mother begin pleading with Landris to stop cutting himself. Ms. Neomia says when she got the knife from Landris in the doorway of the kitchen is when she nicked her finger. She says Landris was not recognizing her and at which point she closed the door holding it with her foot (the baby was still in her room and she did not want the baby harmed). During the same time the officer is at the door asking Landris to take the knife from his throat and drop the knife. Neomia Hawkins says the officers kept telling Landris to put the knife down and shortly thereafter she heard gunshots. Ms. Hawkins says Landris in the past had been treated at St. Vincent Hospital (psychiatric place). But currently he was not taking any medication. Ms. Hawkins says Landris has not made threats or talked of killing himself before today. She says for the last five or six years he had been in the house that he doesn't go anywhere and primarily stays in the house.

Fire Rescue and Mems respond to this scene for medical treatment of Landris Hawkins with negative results. Homicide Detectives and CSSU personnel responded to the residence and processed the scene for evidence. A neighborhood canvas was conducted.



City of Little Rock

Police Department

700 West Markham
Little Rock, Arkansas 72201-1329

MEMORANDUM

TO: Captain Alice Fulk
FROM: Sergeant
DATE: December 22, 2009
SUBJECT: Internal Affairs Investigation #09-4277

Officer Involved: Officer Jason Robert 39 years of age
Date of Hire: 09/11/1995
Assignment: Southwest Patrol Division 3-11
Supervisors: Sgt. Harold Scratch, Lt. C.P. Thomas, Capt. Tom Bartsch

Officer Involved: Officer James Christ 39 years of age
Date of Hire: 10/16/2006
Assignment: Southwest Patrol Division 3-11
Supervisors: Sgt. Eric Hinsley, Lt. C.P. Thomas, Capt. Tom Bartsch

Allegation: Use of Deadly Force

Investigator: Sergeant

Summary:

On Tuesday, November 3, 2009, Little Rock Police Department Chief of Police Stuart Thomas authorized an internal investigation regarding the use of deadly force by Officer Jason Roberts and Officer James Christ while on duty.

On Tuesday, November 3, 2009, Officer Jason Roberts and Officer James Christ responded to a disturbance with a weapon call at 5915 Carlyle. While en-route to the call officers were advised by Communications that the suspect was armed with a knife and had cut himself and his grandmother. Upon arriving at the residence, Officer Roberts made contact with Willie Jean Hawkins in the front yard of the residence. Ms. Hawkins was pleading for Officer Roberts to help them. Officer Roberts noticed another female, Neomia Hawkins standing in the doorway of the residence. As Officer Roberts approached the front door, he told Neomia Hawkins to come outside. Ms. Hawkins stated she could not because she had a baby in the house, then walked



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away from the door and into another area, out of sight of Officer Roberts. As Ms. Hawkins was walking away, Officer Roberts heard her say "here he comes and he still has the knife."

Officer Roberts was standing on the porch of the residence and had the glass/screen door propped open with his foot when Lanuris Hawkins appeared in the hallway of the residence. Officer Roberts saw Hawkins' throat had been cut and that he was bleeding badly. Hawkins still had a knife in his hand and Officer Roberts ordered him to put the knife down. After refusing Officer Roberts' orders, Hawkins put the knife to his throat and started moving towards the area where Ms. Hawkins had gone, then turned and walked down the hallway in the opposite direction. Officer James Christ and Officer Mark Rainey arrived and Officer Christ approached the porch where Officer Roberts was standing. Officer Christ heard Officer Roberts telling the female to get out of the residence, since Hawkins had walked down the hallway. Ms. Hawkins informed Officer Roberts she was unable to get out of the bedroom, at which time Hawkins reappeared in the hallway and still had the knife in his hand. Officer Roberts told Ms. Hawkins to get out of the residence another way and Ms. Hawkins informed Officers Roberts there was no other way out of the residence.

Hawkins moved back down the hallway out of site of Officer Roberts and Officer Christ. Officer Roberts and Officer Christ discussed their options and knew they could not let Hawkins get into the bedroom with Ms. Hawkins and the baby. Officer Roberts and Officer Christ saw Hawkins look around the corner of the doorway before stepping out in full view. Hawkins still had the knife in his hand, and then placed it to his throat. Officer Roberts and Officer Christ ordered Hawkins to drop the knife, at which time Hawkins lowered the knife from his throat and held it in front of him, as he started walking towards the area where Ms. Hawkins and the baby were. Officer Roberts and Officer Christ fired their service weapons and observed Hawkins fall backwards away from the area where Ms. Hawkins and the baby were and out of their sight.

Officer Roberts, Officer Christ and Officer Rainey entered the residence and saw Hawkins lying at the end of the hallway. Officer Roberts assisted Ms. Hawkins and the baby out of the residence while Officer Christ and Officer Rainey checked the welfare of Hawkins. Officer Christ secured the knife which was lying under Hawkins and requested MEMS and Rescue.

The proper notifications were made and the Detective Division, Internal Affairs, C.S.S.U., and other supervisory personnel responded to the scene per policy. The involved officers were separated; the scene and witnesses were secured and properly processed by C.S.S.U.

Officer Roberts was joined by his requested companion officer, Sergeant Michael Terry and Officer Christ was joined by his requested companion officer, Officer Tim Pope. C.S.S.U. marked, photographed, and collected all evidence. While on scene, C.S.S.U. Technician Wilhite took possession of Officer Roberts' 40-caliber Glock 22 semi automatic handgun with serial number KZK822, loaded with one live round and magazine containing thirteen 40-caliber rounds. C.S.S.U. Technician Wilhite also took possession of Officer Christ's 40-caliber Glock 22 semi automatic handgun with serial number KCZ787, loaded with one live round and magazine containing thirteen 40-caliber rounds.

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Captain Wayne Bewley issued Officer Roberts and Officer Christ new weapons with one magazine each.

Officer Julio Gi' maintained the Crime Scene Log per policy, even though there are some inconsistencies noted. However, these inconsistencies do not affect the final disposition of this case.

In review of Officer Roberts' and Officer Christ's DVR, there is no video which captures the Use of Deadly Force. However, on the audio portion of Officer Roberts' DVR, the Use of Deadly Force is recorded. Officer Roberts' DVR did not have the time attached to the video; therefore a timeline of events was not completed. On the audio, Officer Roberts' is heard telling Hawkins numerous times to put down the knife, as well as telling Neomia Hawkins to get out of the house. Officer Roberts is recorded telling Officer Christ "Jimmy I don't have a choice, when he comes around the corner." Officer Christ is recorded saying "were going to have to shoot him."

In review of the audio portion of Officer Christ's DVR, the body microphone shows to be activated; however, no audio is recorded. Officer Christ's in car microphone recorded what appears to be the sound of gun fire. The following is a break down of what is recorded on Officer Christ's DVR:

1427:41 hours-----sounds like one gun shot

1427:43 hours-----sounds like three gun shots

Officer Mark Rainey's patrol vehicle was not equipped with a DVR. A copy of Officer Roberts and Officer Christ's DVR discs are included in this file. Copies of C.S.S.U photographs of the scene are also included.

In review of the 911 call placed to LRPD Communication by Neomia Hawkins (copy of the 911 call is included in the file); Ms. Hawkins is heard pleading with Lanuris Hawkins to put the knife down. Ms. Hawkins tells the 911 operators that her grandson had cut her and his own throat and that she was unable to get the knife away from him. Ms. Hawkins stays on the phone with the 911 operator and continues to plead with Lanuris Hawkins to put the knife down, up to the point that Officer Roberts arrives at the front door. Officer Roberts is heard on the 911 recording telling Ms. Hawkins to come out of the house. The 911 operator asked Ms. Hawkins if the police are there and once she tells the 911 operator the police are in fact there, the call is disconnected.

Internal Affairs detectives conducted a thorough investigation; conducting interviews with all involved officers. All of the statements, audio recordings and the recorded 911 call were consistent regarding the sequence of events and the facts of the case. Each involved officer who was on scene during the use of deadly force was questioned specifically about his decision to, or not to use deadly force. Officer Roberts and Officer Christ stated they believed the suspect's actions during the incident, by cutting his own throat, disregarding their commands to drop the knife and the movement he made towards the area where Neomia Hawkins and the baby (Deandre Connor) were, placed their lives in danger. Officer Roberts stated his main concern was not to let Hawkins get to the room where Ms. Hawkins and the baby were. Officer Roberts stated he made the statement to Officer Christ about not having any other choice, because

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Hawkins had refused to comply with his commands and he feared that if Hawkins got into the room with Ms. Hawkins and the baby, he would cause them harm. Officer Christ stated he never gave any command to Hawkins, because Officer Roberts was giving the commands. Officer Christ said Hawkins disregarded Officer Roberts's commands and when Hawkins moved towards the area where Ms. Hawkins and the baby were he fired his weapon. Officer Roberts said he was aware of his surrounding and knew Ms. Hawkins and the baby were in an area of the residence to the left of where Hawkins was standing when he fired his weapon. Officer Roberts later learned the area where Ms. Hawkins and the baby were, was a bedroom. Officer Christ stated he was aware of his surroundings and knew that Hawkins was in the hallway and there was a wall behind him when he fired his weapon. Both officer estimated they were anywhere from five to eight feet from Hawkins when they fired their weapons. Officer Rainey stated he was behind Officer Christ and was not able to fire his weapon. Officers Roberts and Officer Christ both stated they feared for lives of Ms. Hawkins and the baby, when they made the decision to use deadly force on Lanuris Hawkins.

Review of Policy Compliance

This Administrative Investigation was conducted to ensure that the involved officer's actions were in compliance with the Little Rock Police Department Rules and Regulations and the Deadly Force Policy. The policies considered herein are:

General Order 303, Use of Force

The Detective Division and Patrol Division response and Detective Division Investigation were found to be in compliance with the applicable orders. All appropriate notifications were made, the Crime Scene Search Unit processed the scene, and supervisory personnel interviewed the involved officers.

The ultimate issue considered herein is whether the discharging of the service weapons by the involved officers were in compliance with the guidelines set forth by General Order 303.

Section II. D details the authorization to use Deadly Force:

"Officers may only use Deadly Force to protect themselves or others from what they reasonably believe to be an immediate threat of death or serious physical injury."

Section II. F. 2. states:

"Officers may draw or display firearms when there is a threat or reasonable belief that there is a threat to life or when they have a reasonable fear for their own safety and/or the safety of others."

The following excerpts were taken from the Internal Affairs Interviews of Officer Jason Roberts and Officer James Christ (the complete transcripts are contained within this file).

MOUROT: Did you get any additional information prior to getting to the residence?

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ROBERTS: Uh the information that was given uh was just from the actual call itself, that a subject had uh cut his own throat and had uh cut a female inside the residence

ROBERTS: Uh I first pulled up, I actually uh passed the residence uh it was immediately as soon as you hang uh I guess it was left and I went eastbound on Carlyle, its right there at the intersection of Carlyle and Geyer Springs so I actually past the residence and had to back up and go back. Uh but that only took a few seconds uh once I got out of my vehicle I saw a elderly woman standing in the front yard.

ROBERTS: Uh did she say anything to you?

ROBERTS: Uh she had her hands clasped together and uh I asked her immediately if she was okay or where he was at and then I asked her if uh if she was okay, she said she was. She had made several statements uh to me as I was walking up to her uh of Lordy, Lordy somebody help us, you got to get in there and help us. She actually uh grabbed me by my elbow and directed me to the front door.

ROBERTS: Okay, so she walked to that area and did you step inside the house?

ROBERTS: No Sir I never- I never passed the threshold of this door right here because almost immediately when I asked her uh to come out and she said that she couldn't, she had to get her baby, uh the uh -uh suspect walked around the corner holding the knife in his hand and uh I could see then that he had cut himself uh from his throat uh looked at what appeared to me from ear to ear.

ROBERTS: She- when she saw him here she went into this room and he turned and started toward me here at the front door, I actually backed away and I had this storm uh door open with my right leg. I actually let that door go and backed to the edge of the uh porch and he came up and stopped right here uh

ROBERTS: I started giving him commands from the minute he walked around the corner and I could still see the knife in his hand. I started uh telling him to drop the knife, drop the knife, uh there were several times where I- I was trying to be stern with him so he would know and understand and uh he walked to that door and even after the door was shut I was continuing, drop the knife, just put the knife down, drop the knife.

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-- Did he ever say anything to you?

ROBERTS: Never said a word.

ROBERTS: She told me that she couldn't, that he was blocking the way uh I told her to find another way out, she said there is no other way out and I said go out a window if you have to. She said I can't go out the window uh and then I- when he turns this corner here I can't see anything here so I don't know how far down that hallway he

----- Once Officer Christ^s uh arrived, did yall discuss your options, what you were going to do?

ROBERTS: We did and even prior to Officer Christ arrival, when he came to that door earlier when we were talking about how he stopped this door I actually tried to talk him out, just to come out of the house and I kept saying come on, come on, to get him to come out, hoping that she could shut the door behind her and at least we would have him outside. Uh but he never would come through that threshold and then of course he immediately went back so.

When Officer Christⁱ got there, you said he was still in this hallway somewhere?

ROBERTS: Yes Sir, yes Sir.

Unknown where? What- what was your main concern at that point when he was there?

ROBERTS: Well I knew that he had -- I knew he had already had cut the female uh so I was very concerned that- that that was gonna happen again and they also told us in the call notes that he uh had told the female he wanted to die and so that was also on my mind uh but when he was in this hallway uh I knew I couldn't let him get back to this bedroom back here where they were at. So- and that's when Officer Christ uh came up beside me or at least I- I knew he was there without a doubt.

what- do you remember what was said, what yall decided?

ROBERTS: I remember telling Jimmy that I didn't have a choice, that we couldn't let him get back into that bedroom uh and uh he was a little bit behind me so I actually had him come up even with me and uh I remember saying Jimmy come up even with

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me because his gun was here and he moved up even but he- he was gonna have to shoot through this pane of glass to -- to get a shot. Uh and I just uh I told Jimmy I said if he comes back Jimmy I don't have a choice, and I said --and I remember saying he's not leaving me any choice.

ROBERTS: The only time I stopped giving commands is when he walked out of eyesight and the- the one time he did walk out which I didn't know how far up and down this was, I actually uh tried to get her u to come running out with the child and that's when she told me I can't, he's blocking my way. So I can only assume he was standing right there some-

Why did yall make the decision that deadly force was your only option?

ROBERTS: When he came back down the hallway uh after I told Jimmy that he wasn't leaving me a choice, he came and he stopped just in uh view, still had the knife but at this particular time he was holding it down to his side. He turned to go back south in this hallway, I don't know if she said something to him, I could hear her talking but I-I couldn't make out what she was talking so we were still giving him commands, either she said something to him or he just made up his mind but he turned quickly uh and started back down that hallway with that knife at his side and at that moment is when we made the decision that he was going to the bedroom.

At that time do you believe there was any other option, which would of allowed you to --to get the lady and the baby out of the house without putting yourself at harm?

ROBERTS: No Sir I I-I don't believe there was any other option

TERRY: The guy was going up and down the hallway a couple of times, and the last time before you fired was--was his uh posture or anything different, did he --did he take an aggressive stance as he was moving towards that bedroom, was he- and I know he- you said he was moving quick-quickly but was he -- did he have the knife out in front of him?

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ROBERTS: *He did, when he – when he came and he actually turned to go southbound, and at that point where I thought she might of said something to him, he spun everything he was doing was kind of methodical uh the same speed and everything. When he made that turn the knife, instead of being up around his chest area or up around his neck, he had dropped it out from his waist and –and started going at a quick pace back to that bedroom, quicker than any motion he had ever made since I had been there.*

Once you turned back around, Officer Roberts- I assume he's still standing there with his weapon pointed at the door, you said you drew your weapon?

CHRIST: *Yes Sir.*

Did you see anybody in the doorway at that time?

CHRIST: *Yes Sir, in the hallway I seen a uh –a large black male that uh had a t-shirt on and the entire front of it was covered with blood and in is right hand he had a six inch fillet knife uh stainless steal handle-I mean stainless steal blade, black handle uh and was holding it to his throat.*

Was he just standing there, was he saying anything?

CHRIST: *He did not saw a word, he was just standing there uh with what I call crazy eyes, he had some big ole-eyes and they were popping out of his head looking at us. Were you- were you giving him any kind commands?*

CHRIST: *I-no Sir.*

Was Officer Roberts giving him any commands?

CHRIST: *Officer Roberts was telling him drop the knife, drop the knife, drop the knife, I'm not gonna tell you again, drop the knife, over and over you know, repeated commands.*

CHRIST: *When I got to the point at- when I got to the por-porch I didn't know anybody else was in the residence or not, Officer Roberts uh hollered Ma'am uh you need to get out of the house. And I heard her say I can't, and he's got me blocked in and*

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she's- and he said you need to find another way out so at that moment I knew that there was somebody else in that house.

So you heard her voice?

CHRIST: *I heard her voice.*

How close would you say yall were from the door to where he was?

CHRIST: *Maybe 8 feet.*

At the point where he kept going back out of yalls sight, did you and Officer Roberts discuss your options, what you were going to do, what actions you were gonna take?

CHRIST: *Yes Sir we did.*

And what was that?

CHRIST: *Officer Roberts turned to me after -- like I say, he probably gave uh 12 or 15 commands to drop the knife and kept ducking in and out of the room. Officer Roberts turned to me and said we're gonna have to shoot him and I said yeah I agree, and uh and then he said uh --uh okay, when he comes back out in the hallway and I said okay, and he said scoot up next to me because I was about a half a foot behind him, my-my weapon and his weapon were kind of cockeyed like this a little bit. He said scoot up aside me that way uh he didn't fear of me shooting him or whatever could happen. You know that way our bullets are coming out at the same time or the same area.*

So yall made the decision that --what-what led to the decision that yall were gonna have to use deadly force?

CHRIST: *Number one, uh his¹ throat was already cut, uh he was not listening to verbal commands, number two uh after we realized that there was somebody in the house and she- she hollered that she was trapped in the house, that at any point as he was going back and forth, he could go back in there and finish the job, he could go back in there and cut her uh and I found out later-I didn't know at the time that there was a child in there also. So there was actually two people in there, uh that he could go back in there and cut her or us being in such close proximity of him, he could come towards us and uh he was a threat, he was a threat to us, he was a threat to himself and he was a threat to the lady that was in the house.*

When you-when yall were talking about formulating your plan, when you-when you get to the porch¹ Officer uh Roberts had told you that there was no other

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choice, he apparently --did- he- he had already had contact with the suspect at that time through the doorway.

CHRIST: *Uh-*

Giving him commands I was-

CHRIST: *Yes Sir.*

from off that?

CHRIST: *Yes Sir.*

And like I said, looking back do you think there was any other --you could handled it any other way other than deadly force?

CHRIST: *No Sir not-not at --not at that moment and time of what we had to work with. Uh if --the only thing I think about is if we would have had a taser on scene at that moment and time, then that could of possibly been another option for us but we didn't have it and in my mind with-with him going back and forth to the room, at any point he could of went in there and --and-and-and --and killed her uh or hid around the corner and --and really it was like a active shooter situation that we already know he's cut somebody, except its with a knife instead of a gun and if he had of went around that corner for more than a- a -- a second or two at a time, we would have had to go in after him and at that point he could have been standing there waiting on us to ambush us or he could have been in there butchering her. So if we would have had a taser on scene at that moment and time, that may have been an option that we could of used but-but knowing that it wasn't there, we didn't have that option.*

The witness statements were consistent regarding the sequence of events beginning with Hawkins' behavior prior to the police being called. Neomia Hawkins (grandmother of Lanuris Hawkins) was interviewed and explained she was at her residence along with her mother (Willie Jean Hawkins), granddaughter (Deandre Connor) and Lanuris Hawkins. Ms. Hawkins stated Hawkins was going to take a shower when he came into the kitchen and asked if someone had come by the residence. When Ms. Hawkins said no, Hawkins made a comment that he was thinking about killing himself. Ms. Hawkins said Hawkins picked up a knife and walked towards his bedroom. Ms. Hawkins took the knife away from him and he went and got another knife. This continued a couple of more times and Ms. Hawkins called 911, after she realized that she could not get the other knife away from Hawkins. During the struggle with Hawkins over one of the knives, Ms. Hawkins was cut on her thumb. While Ms. Hawkins was talking to the

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911 operator, Hawkins stabbed himself in the neck. Ms. Hawkins pleaded with Hawkins to stop cutting himself, however he refused and continued to cut himself. Ms. Hawkins remained in the residence after officers arrived, due to having her infant granddaughter inside the residence. Ms. Hawkins heard the officers ordering Hawkins to put the knife down several times. Ms. Hawkins said she heard three shots; however, did not see the shooting due to having the bedroom door shut.

Willie Jean Hawkins (mother of Neomia Hawkins), said she was in her bedroom when Neomia Hawkins requested her help because Hawkins was trying to cut his throat. Ms. Hawkins assisted Neomia taking a knife away from Hawkins; however, he would just get another one. Ms. Hawkins saw Hawkins stab himself in the neck and when she saw blood, she went out of the residence to meet with the responding officers. Ms. Hawkins was not inside the residence when the shooting occurred, but did hear the officers telling Hawkins to drop the knife before the shots were fired.

The following excerpts were taken from Neomia Hawkins and Willie Jean Hawkins' statements to the Detective Division: (the complete transcripts are contained within this file).

HUDSON: Tech. And uh- this is going to be in reference to a shooting involving her grandson that occurred earlier this afternoon at that same address at 5915 Carlisle Drive. And the incident number in this case is going to 09-126203. Ms. Hawkins uh- tell me what happened.

N. HAWKINS: Well all I know is that my grandson he was wash- he was washing and getting ready to take a shower and dress. And then he came in the kitchen and asked had anybody been over there. And I said no. He said ain't nothing happening and I said no. And I said why. He talking about because I'm thinking about killing myself. And I said for what Twiki. And he said I don't know.

N. HAWKINS: And I said well why is you talking about that and he said he didn't know. So I followed him on in his room and he had a knife in his hand and to his- and then put it to his throat. And I wrestled- I took the knife out of his hand and I said Twiki don't do that here, cause you don't want to hurt us. I said and you don't want to hurt yourself. I said if you do that me and momma going to be sad. And then I got that and I took and threw it in the trash. And he went in the kitchen and got another one. And I got that one out of his hand and he went the other direction and got another knife.

N. HAWKINS: I took and wrestled it. I took my hands and took it out. Well he was recognizing me then. But then after I got the knife out, he went and got another one.

HUDSON: Was he saying anything-

N. HAWKINS: And I took-

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HUDSON: *when you were wrestling with him?*

N. HAWKINS: *No, he just wouldn't give me the knife. And then after I realized he wasn't going to give me the knife, I called 911. And then I got- while I was on the phone with the 911 I got the first steak knife out of his hand.*

HUDSON: *Okay.*

N. HAWKINS: *And that's when I was telling him that- I got that knife out, but he was getting another one out. I said please someone hurry because I cant stop him. And he got another one and he was stabbing it in his neck and blood was running everywhere.*

HUDSON: *So he was- so he had already cut himself?*

N. HAWKINS: *Uh huh.*

HUDSON: *Okay, when you say stabbed, was he slicing or was he sticking?*

N. HAWKINS: *He was stabbing and then he was going like this. And me and momma was telling him please don't do that.*

N. HAWKINS: *He wasn't understanding. I said Twiki do you know who I am. And he kept pacing back and forth. And then by that time the police came and I was telling- momma ran out there to stop the police, cause he had went down and turned around and she was in the yard. And then the police came up on the porch and he- I was in my room cause I went in my room cause he had the knife and the baby was in the bed.*

N. HAWKINS: *But then when he came, since the baby was in there, after I saw he wasn't recognizing me I pushed the door closed and I had my foot on the door and he was trying to get in. And an officer was saying sir take the knife away from your throat- put the knife down. And he said that a couple of times and he just wasn't understanding. And I pushed my door up- and the police was saying and I said I can't come out because he's at the door.*

N. HAWKINS: *And then the police is saying come out and he said don't let him in the room. So I you know I was just putting my feet up there to keep them out the room.*

HUDSON: *Were the officers telling you to come out or him to come out?*

N. HAWKINS: *He was telling me to come out the room.*

HUDSON: *Okay.*

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N. HAWKINS: *He said go by him and I said I can't go by him because he's right in front of the door.*

HUDSON: *Okay.*

N. HAWKINS: *And then I pushed the door up a little further. The police kept saying sir put the knife down. And then the next thing I know I hear gunshots and then I pushed the door up.*

HUDSON: *Okay. Uh- was uh- Landriss was he on any kind of medication?*

N. HAWKINS: *Well that's what I'm saying he had been on, but he had been off. And he was doing good. That's the reason why I didn't understand what had happened.*

HUDSON: *Was it- was it like psychiatric medication?*

N. HAWKINS: *Yeah, that's why I was saying that the one that he was going to last- that he was going-*

HUDSON: *Where was- where was he going to be treated at?*

N. HAWKINS: *To the psychiatric place out there off of - by St. Vincent Hospital. The one on the right.*

N. HAWKINS: *Uh huh. And that's when I was on the phone with 911 person.*

HUDSON: *And that's when you wrestled with him and you got your-*

N. HAWKINS: *He got the-*

HUDSON: *finger cut?*

N. HAWKINS: *yeah he got that one. I said- I say I took the knife. I just got a little scratch. He kept the- the guy kept saying are you all right and I kept saying yes.*

HUDSON: *On 911?*

N. HAWKINS: *Uh huh. I said yes, but he gone to get another knife. And by that time he had cut his self and blood was running everywhere. And I was telling him he already start cutting on his neck, could you all please hurry up. And he said he had already called the police and someone would be there soon.*

HUDSON: *Okay. And then uh- so he gets a second knife and that's where you get cut. And does he get a third or fourth knife?*

N. HAWKINS: *He got a third.*

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HUDSON: Okay.

N. HAWKINS: And that's the one that he had when the police got there.

HUDSON: Did he- and he still had that knife in his hand when the police got there?

N. HAWKINS: Yeah.

W. HAWKINS: All I know is I was sitting- was back in my room watching television and uh I went to get up to go in the kitchen and Peaches say, my daughter, she said—told me to go she said mother (Inaudible) watch (Inaudible) because he trying to get a knife to cut his say he's trying to cut his throat so he-apparently they had been—you know he had told her or something but anyway, I ran around and I got a butcher block in the kitchen.

HUDSON: What was he trying to do with the knives?

W. HAWKINS: He was trying to- he had—doing something to his throat like that and see I don't know what could- he was- what was wrong with him.

HUDSON: Do you think he was trying to cut his throat?

W. HAWKINS: I think he was.

HUDSON: Did- when you- just for the record, you're showing your hand up to your throat, was he like jabbing it or slicing it?

W. HAWKINS: Yeah he was doing that.

HUDSON: Jabbing it-

W. HAWKINS: Yeah.

HUDSON: so you're indicating jabbing it?

W. HAWKINS: He was doing it like this.

HUDSON: Right here in the main part of his throat?

W. HAWKINS: Just the one time I saw him and I tried to get it away from him and he turned around and went back to towards his room.

W. HAWKINS: Peaches was telling baby please don't, please don't, please don't, if you love me you wont do this.

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HUDSON: *Okay, then what happened?*

W. HAWKINS: *And he laid the knife down and soon as he got a chance he would get another one..*

HUDSON: *But when the officers got there he still have the knife in his hand?*

W. HAWKINS: *Yeah.*

HUDSON: *Okay.*

W. HAWKINS: *And they was trying to get him to put the knife down.*

The criminal investigation file was sent to the Pulaski County Prosecuting Attorney. The results will be added to this file upon receipt.

In conclusion, Neomia Hawkins stated she called 911 after she was unable to get a knife away from her grandson, Lanuris Hawkins. While Ms. Hawkins was talking with the 911 operator, Hawkins cut his throat. Ms. Hawkins mother, Willie Jean Hawkins was inside the residence and attempted to help Ms. Hawkins take the knife away from Lanuris. Once Lanuris cut his throat and Willie Jean Hawkins saw the blood she went outside the residence to meet with the responding officers. Ms. Hawkins stayed on the phone with the 911 operator until the officers arrived. Ms. Hawkins was recorded on the 911 call pleading with Hawkins to put the knife down up to the point that Officer Roberts is heard on the 911 recording telling Ms. Hawkins to come out of the residence. Both Neomia Hawkins and Willie Jean Hawkins stated they heard the officers telling Lanuris Hawkins to drop the knife numerous times before they fired their weapons.

According to the officer's statements, the suspect was told repeatedly to put the knife down, but he did not comply with the officers commands.

Officer Roberts and Officer Christ both acknowledged that Neomia Hawkins and a baby were inside the residence, but they were out of their line of fire. Officer Roberts and Officer Christ both observed the injuries Hawkins had inflicted on himself and saw the knife in Hawkins' hand. Officer Roberts had given Hawkins numerous commands to drop the knife, but Hawkins refused. Given the above facts, Officer Roberts and Officer Christ felt the lives of Neomia Hawkins and the baby, were in imminent danger and fired upon the suspect. Hawkins received fatal wounds to the upper torso. Both Officer Roberts and Officer Christ each fired two rounds. Hawkins refused to comply with officers orders and left the officers no other choice of action.

It is the determination of the Internal Affairs Division that the use of Deadly Force by Officer Jason Roberts and Officer James Christ on Lanuris Hawkins on November 3, 2009, complied with all appropriate Departmental General Orders and Rules and Regulations. I recommend that the Officer's Use of Deadly Force be classified as "exonerated."

12-22-09 Concur. Recommend this file be forwarded to Deadly Force Review Board
H. Silk
AEC

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/rm



City of Little R

Police Department

700 West Markham
Little Rock, Arkansas 72201-1329

cc: Asst Chiefs

Div. Commanders

Lt. Cook - Accred

3-23-10

MEMORANDUM

TO: Eric Higgins, Assistant Chief of Police

FROM: DR

RE: Deadly Force Review 2009-4277

DATE: March 15, 2010

On November 3, 2009, Officer Jason Roberts and Officer James Christ responded to a disturbance with a weapon call at 5915 Carlyle Drive. Officers received information, via Communications, that a subject in the house was armed with a knife and had cut himself and another occupant of the residence. Upon arrival, Officer Roberts made contact with Willie Jean Hawkins in the front yard of the residence. Ms. Hawkins pleaded with Officer Roberts for assistance. Officer Roberts also noticed a second individual, Neomia Hawkins, standing in the doorway of the residence.

As Officer Roberts approached the doorway, he instructed Neomia Hawkins to exit the house; however, she advised she could not because she had a baby in the house. Neomia Hawkins then walked away from the door to the interior of the house out of view of Officer Roberts. As she walked away, Officer Roberts heard Neomia Hawkins state, "here he comes and he still has the knife".

Officer Roberts took a position on the front porch and observed Lanuris Hawkins in the hallway. Officer Roberts noted that Lanuris Hawkins had an injury to his throat and was badly bleeding from the wound. Officer Roberts also noted Lanuris Hawkins was armed with a knife. Officer Roberts gave repeated orders to Lanuris to drop the knife. Lanuris Hawkins refused the orders, placed the knife against his throat and moved to the area where Neomia Hawkins had gone. Lanuris Hawkins then turned and walked down the hallway away from this area. It is about this time that Officer Christ arrived on scene and took a position along side Officer Roberts on the front porch.

When Officer Roberts observed Lanuris Hawkins walk away from the area of Neomia Hawkins, he told her to get out of the residence; however, she replied she could not get out of the bedroom and at this point, Lanuris Hawkins reappeared in the hallway still in possession of the knife. Neomia Hawkins advised Officer Roberts there was no other way for her to exit the residence.

Lanuris Hawkins again moved out of sight of the officers and they began discussing their options, concluding they could not allow Lanuris Hawkins to enter the room with Neomia Hawkins and the baby. Lanuris Hawkins again entered the hallway in view of the officers with the knife to his throat and the officers repeated their order for him to drop the knife. At this time,

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Lanuris Hawkins lowered the knife from his throat and held it in front of himself and began walking towards the room occupied by Neomia Hawkins and the baby. Officers determined that Lanuris Hawkins was advancing on Neomia Hawkins, and fearing for her and the baby's safety, discharged their service weapons striking Lanuris Hawkins. Lanuris Hawkins fell to the area where Neomia Hawkins was located and out of sight of the officers.

The officers, now joined by Officer Mark Rainey, entered the residence and observed Lanuris Hawkins lying at the end of the hallway. Officers Roberts assisted Neomia Hawkins and the baby from the residence, while Officer Christ and Officer Rainey checked the condition of Lanuris Hawkins. Officer Christ secured the knife and requested MEMS to enter the residence.

On Wednesday, February 24, 2010, the Deadly Force Review Board, comprised of Captain Dustin Robertson (Chairman), Lieutenant James Arnold, Lieutenant Casey Clark, Sergeant Michael Miller, and Sergeant Heath Helton, was convened at the Little Rock Police Department Headquarters. Mr. Tom Carpenter, the Little Rock City Attorney, was present as an advisor to the board pursuant to General Order 303. The board met to review the following five subjects in relation to this incident:

1. Avoidability of similar incidents in the future:

The board felt the use of deadly force in this incident was unavoidable. Officer Roberts can be heard giving loud, clear verbal commands to the suspect to drop the knife. The suspect had ample opportunity to disarm himself and comply with the instruction of Officer Roberts. The officers discussed their options, and realizing the danger Lanuris Hawkins presented to Neomia Hawkins, made a rational decision.

2. Adequacy of training:

The board reviewed the training records of Officer Roberts and Officer Christ. Officer Roberts received refresher training on deadly force in August 2009, which consisted of one hour of instruction administered by Sergeant Steve Taylor. Officer Roberts also completed semi-annual firearm's qualifications. During weapon qualifications, Officer Roberts scored an 84% on February 20, 2009 and 92% on October 27, 2009.

Officer Christ received refresher training on deadly force in April 2009, which consisted of one hour of instruction administered by Sergeant Steve Taylor. Officer Christ also completed semi-annual firearm's qualifications. During weapon qualifications, Officer Christ scored a 95% on February 9, 2009 and 94% on October 27, 2009.

The board found that Officer Roberts and Officer Christ's training was adequate.

3. Adherence to training:

The board found that Officer Roberts and Officer Christ followed their training in their decision to employ deadly force.

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4. Adequacy of supervision:

The board found that the supervisors involved in this incident acted quickly to take charge of the situation and all necessary investigative personnel were notified. The board did find that a Department Use of Force Form had not been completed. The board concluded that overall supervision was adequate in regards to this incident.

5. Adequacy of investigation:

During discussion, the board found a few points of concern that warrant further review to avoid possible issues in future investigations of this nature.

- A. The board noted that although there was little doubt that the knife located by Lanuris Hawkins was the knife he had in his possession, members of the board believed this piece of evidence should have been processed for forensic evidence such as fingerprints, blood-typing, etc. There was also blood on the front door that was not processed for forensic evidence.
- B. There were no pictures in the file of the wound sustained by Ms. Hawkins that occurred prior to officers' arrival.
- C. There is no documentation of follow-up on the medication Lanuris Hawkins was prescribed and how long he had not been taking his medication. Additionally, information regarding when his last doctor's visit occurred should have been included.
- D. The board also noted that the Crime Scene log was not properly completed. As this appears to be a common issue in investigations, a recommendation is included at the conclusion of this memorandum.

Overall the board found the criminal and administrative investigations adequate. The above points are provided for consideration in future investigations.

The board makes the following recommendation regarding the completion of the Crime Scene log: Officers on the scene of an incident assigned to maintain the Crime Scene log should be required to wear their traffic vest for easy identification. Persons entering the crime scene are required to report to the Crime Scene log keeper and sign the form with the time they entered. When leaving the scene, contact the keeper of the log, denote the time they are leaving and initial the form. Upon the release of the crime scene, the keeper of the Crime Scene log will ensure that all personnel that signed in has denoted their exit time and initialed. Any discrepancies should be addressed immediately by the log keeper, and if necessary, referred to the supervisor of the person not completing the process of properly logging in and/or out to ensure the log is completed.

*Concur w/ report —
Enact recommendations
regarding rest — fwd
remainder to Rest Division
for follow-up. Schomay 58b*

*Recommend staff review
of board recommendations
HSA 3-19-16*

LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

Incident # 26-77942Date 7/1/06

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 2425 W. 12th / 2426 W. 13thType of Crime: Shooting

Off. Dennis Hutchins 21413 2150 2200
First Responding Officer Emp. # Time of Entry Time of Exit

Capt. Sylvester 5417 2222
Detective Supervisor In Charge Emp. # Time of Entry



MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|--------------------------|------------------------------|------------------------|-------------|-------------|
| <u>Rich Satter</u> | <u>DEA 6301</u> | <u>Responding Ofc.</u> | <u>2200</u> | <u>2215</u> |
| <u>Sgt. Stephens</u> | <u>10519</u> | <u>Supervisor</u> | <u>2200</u> | <u>2245</u> |
| <u>Det. Kindervander</u> | <u>10468</u> | <u>D.O.</u> | <u>2215</u> | <u>2248</u> |
| <u>Det. Fallett</u> | <u>19361</u> | <u>D.O.</u> | <u>2215</u> | <u>2248</u> |
| <u>Sgt. Barch</u> | <u>11551</u> | <u>Supervisor</u> | <u>2200</u> | <u>2248</u> |
| <u>Off. Young</u> | | <u>Responding Ofc.</u> | <u>2200</u> | <u>2215</u> |
| <u>Off. Ison</u> | <u>26264</u> <u>27116</u> | <u>Responding Ofc.</u> | <u>2200</u> | |
| <u>Off. Williams</u> | <u>27116</u> | <u>Perimeter</u> | <u>2215</u> | |
| <u>Det. G. King</u> | <u>7855</u> | <u>D.O. Supervisor</u> | <u>2215</u> | |
| <u>Det. Phillips</u> | | | | |
| <u>Capt. Sylvester</u> | <u>15290</u> | <u>D.O.</u> | | <u>2250</u> |
| <u>Sgt. Lecher</u> | <u>15701</u> | <u>D.O.</u> | <u>2222</u> | <u>2230</u> |
| <u>Sgt. Quattleb</u> | <u>5413</u> | <u>D.O.</u> | <u>2245</u> | <u>2250</u> |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #

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LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

Incident # 06-77942 2150Date 7/1/06

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 2425 W. 12th / 2426 W. 13thType of Crime: Shooting

Dennis Hutchins 21413 2150 2200
First Responding Officer Emp. # Time of Entry Time of Exit

Capt. Sylvester 4517 2222
Detective Supervisor In Charge Emp. # Time of Entry

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|-----------------------|--------------|------------------------|-------------|-------------|
| <u>Sgt. Grogan</u> | <u>11144</u> | <u>Supervisor</u> | <u>2200</u> | <u>2245</u> |
| <u>Lt. Hudson</u> | <u>3501</u> | <u>Supervisor</u> | <u>2200</u> | <u>2245</u> |
| <u>Lt. King</u> | <u>15708</u> | <u>Supervisor</u> | <u>2200</u> | <u>2245</u> |
| <u>Lockert</u> | | <u>MEMS</u> | <u>2215</u> | <u>2240</u> |
| <u>Henderson</u> | | <u>MEMS</u> | <u>2215</u> | <u>2240</u> |
| <u>Chris Smith</u> | <u>12552</u> | <u>LRFD</u> | <u>2210</u> | <u>2245</u> |
| <u>Jason Langston</u> | <u>24488</u> | <u>LRFD</u> | <u>2210</u> | <u>2245</u> |
| <u>Darryl Feason</u> | <u>26101</u> | <u>LRFD</u> | <u>2210</u> | <u>2245</u> |
| <u>Beasley</u> | <u>15689</u> | <u>Responding Ofc.</u> | <u>2200</u> | <u>2240</u> |
| <u>Beckwith</u> | <u>27806</u> | <u>Responding Ofc.</u> | <u>2200</u> | <u>2205</u> |
| <u>Sexson</u> | <u>27104</u> | <u>Responding Ofc.</u> | <u>2200</u> | <u>2205</u> |
| <u>El-Amin</u> | | <u>Responding Ofc.</u> | <u>2200</u> | <u>2205</u> |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #

LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

Incident # 2006-Date 08-27-06

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: Gilliam ParkType of Crime: Aggravated Assault

| | | | |
|--------------------------|--------------|---------------|--------------|
| <u>M. Goodlow</u> | <u>27094</u> | | |
| First Responding Officer | Emp. # | Time of Entry | Time of Exit |

| | | | |
|--------------------------------|--------|---------------|--|
| | | | |
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|---------------------|--------------|----------------------|-------------|-------------|
| <u>Lt. Brewer</u> | <u>14496</u> | <u>Investigation</u> | <u>2107</u> | <u>2114</u> |
| <u>Chief Roland</u> | <u>4415</u> | <u>Investigation</u> | <u>2107</u> | <u>2114</u> |
| <u>Smith</u> | <u>26065</u> | <u>Crime Scene</u> | <u>2135</u> | |
| <u>Starn</u> | <u>14949</u> | <u>Crime Scene</u> | <u>2135</u> | |
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Log Relinquished to: _____ Date & Time: _____
 Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
 Crime Scene Specialist Emp. #

**LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOG**

Incident # 07-28597Date 3-13-07

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 606 BROADWAY INVESTIGATIVE
ORIGINALType of Crime: SHOOTING JUST OCCURRED

A. SMITH 2625 2336 02
First Responding Officer Emp. # Time of Entry Time of Exit

DET LESTER 11994 2340
Detective Supervisor In Charge Emp. # Time of Entry

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|----------------------|--------------|------------------------|-------------|-------------|
| <u>JOHNSON</u> | <u>11707</u> | <u>RESPONDING OFF.</u> | <u>2336</u> | <u>2339</u> |
| <u>MEMS</u> | <u>1WK</u> | <u>RESPONDING</u> | <u>2337</u> | <u>2341</u> |
| <u>FIRE DEPT.</u> | <u>UNIC</u> | <u>RESPONDING</u> | <u>2337</u> | <u>2341</u> |
| <u>TANKER LESTY</u> | <u>15089</u> | <u>RESPONDING OFF.</u> | <u>2336</u> | |
| <u>FORD (DET.)</u> | <u>22667</u> | <u>DET.</u> | <u>2340</u> | <u>2343</u> |
| <u>MORENO</u> | <u>10668</u> | <u>RESPONDING OFF</u> | <u>2339</u> | <u>0030</u> |
| <u>TEMPLE</u> | <u>29134</u> | <u>RESPONDING OFF.</u> | <u>2339</u> | |
| <u>SMITH</u> | <u>26065</u> | <u>CRIME SCENE</u> | <u>2343</u> | |
| <u>DET LESTER</u> | <u>11994</u> | <u>DET</u> | <u>2340</u> | |
| <u>LT KING</u> | <u>7895</u> | <u>LT</u> | <u>2345</u> | <u>0200</u> |
| <u>DET PHILLIPS</u> | <u>15290</u> | <u>IDET.</u> | <u>2347</u> | |
| <u>SIMPSON (DET)</u> | <u>14294</u> | <u>DET.</u> | <u>2347</u> | |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: HOLLOWAY 14505 Date & Time: 3-14-07-0227
Crime Scene Specialist Emp. #

LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

Incident # 07-28597Date 3-13-07

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 606 Daisey Bates INVESTIGATOR
ORIGINALType of Crime: SHOOTING JUST OCCURRED

A. Smith 26255 2536
First Responding Officer Emp. # Time of Entry Time of Exit

DET. LESTER 11994 2340
Detective Supervisor In Charge Emp. # Time of Entry

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|-----------------|--------|-------------|------------|-----------|
| DET HUDSON | 11997 | DET. | 0030 | |
| Capt FINKS | 13206 | CAPTAIN | 0035 | 0050 |
| Ray | 10394 | DET | 0045 | |
| WARD OFF. | 26258 | OFFICER | 0039 | |
| LT O'KEELY | 5264 | CRIME SCENE | 0045 | |
| HOLLOWAY | 14505 | CRIME SCENE | 0050 | |
| STANLEY | 763 | CORNER | 0100 | 0222 |
| CAMPBELL | | CORNER | 0135 | 0222 |
| Chief Rowan | 4515 | CHIEF | 0145 | 0200 |
| Capt BENVENISTE | 13565 | CAPTAIN | 0200 | 0220 |
| | | | | |
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Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: HOLLOWAY 14505 Date & Time: 3-14-07 0227
Crime Scene Specialist Emp. #

LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

INVESTIGATIVE
ORIGINAL

Incident # 2007Date 10-30-07

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: Old Forge & Grandywine to Old Forge & Coppersmith

Type of Crime: _____

| | | | |
|---|------------------------|------------------------------|--------------|
| <u>S. Ragan</u> First Responding Officer | <u>29130</u> Emp. # | <u>0450</u> Time of Entry | Time of Exit |
| <u>Lt. King</u> Detective Supervisor in Charge | <u>7855</u> Emp. # | <u>0511</u> Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|----------------------|--------------|--------------------|-------------|-------------|
| <u>Sgt. Mc Vay</u> | <u>18328</u> | <u>Containment</u> | <u>0450</u> | |
| <u>E. Temple</u> | | " | " | <u>0507</u> |
| <u>J. Neuffer</u> | <u>27104</u> | " | " | <u>0507</u> |
| <u>Captlinger</u> | | " | " | <u>0507</u> |
| <u>S. Leary</u> | <u>25300</u> | " | " | <u>0507</u> |
| <u>C. O'Kelley</u> | | " | " | <u>0507</u> |
| <u>Sgt. Godwin</u> | <u>16697</u> | <u>D.O</u> | <u>0508</u> | |
| <u>Capt. Temple</u> | <u>11158</u> | | <u>0511</u> | |
| <u>Tracy</u> | <u>15552</u> | <u>C.S.</u> | <u>0512</u> | |
| <u>Det. Phillips</u> | <u>15920</u> | <u>D.O</u> | <u>0519</u> | |
| <u>Mollette</u> | <u>28849</u> | <u>C.S.</u> | <u>0521</u> | |
| <u>Lt. Timmons</u> | | | <u>0515</u> | |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #

LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

INVESTIGATIVE
ORIGINAL

Incident # 2007-Date 10-30-07

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: Old Forge + Brandynure to Old Forge + Coppersmith

Type of Crime: _____

S. Ragan 29130 _____
First Responding Officer Emp. # Time of Entry Time of Exit

Lt. King 7855 _____
Detective Supervisor in Charge Emp. # Time of Entry

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|------------------------|--------------|-------------------------|-------------|-----------|
| <u>Sullivan</u> | <u>10714</u> | <u>D.O.</u> | <u>0532</u> | |
| <u>Capt. Bewley</u> | <u>12565</u> | <u>D.O.</u> | <u>0535</u> | |
| <u>Capt. Robertson</u> | <u>14499</u> | | <u>0541</u> | |
| <u>Ray</u> | <u>10394</u> | <u>D.O.</u> | <u>0544</u> | |
| <u>Knowles</u> | <u>11492</u> | <u>D.O.</u> | <u>0544</u> | |
| <u>White</u> | <u>17448</u> | <u>D.O.</u> | <u>0549</u> | |
| <u>Sgt. Arnold</u> | <u>9219</u> | | <u>0600</u> | |
| <u>John Johnson</u> | | <u>Prosecutors Off.</u> | <u>0602</u> | |
| <u>Kim Wilson</u> | | <u>"</u> | <u>0602</u> | |
| <u>K. King</u> | <u>13180</u> | <u>I.A.</u> | <u>0604</u> | |
| <u>Thomas</u> | <u>1566</u> | <u>C.S.</u> | <u>0611</u> | |
| <u>Zomaya</u> | <u>30265</u> | <u>C.S.</u> | <u>0611</u> | |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #

LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

INVESTIGATIVE
ORIGINAL

Incident # 2007-Date 10-30-07

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: Old Forge + Brandyswine to Old Forge + Copper Smith

Type of Crime: _____

| | | | |
|--------------------------------|--------------|---------------|--------------|
| <u>S. Ragan</u> | <u>24130</u> | | |
| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
| <u>Lt. King</u> | <u>7855</u> | | |
| Detective Supervisor in Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|---------------------|--------------|--------------------------|-------------|-------------|
| <u>Larry Jegley</u> | | <u>Prosecuting Atty.</u> | <u>0613</u> | <u>0624</u> |
| <u>Gasaway</u> | <u>19356</u> | <u>D.O.</u> | <u>0619</u> | |
| <u>Lt. Hastings</u> | <u>5874</u> | <u>P.I.O.</u> | <u>0626</u> | |
| <u>Chief Rowan</u> | | <u>Chief</u> | <u>0630</u> | |
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Log Relinquished to: _____ Date & Time: _____

Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____

Crime Scene Specialist

Emp. #

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LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

INVESTIGATIVE
ORIGINAL

Incident # 2008-93435 1149

Date 08-13-2008

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 1300 W. Capitol

Type of Crime: Shooting

| | | | |
|--------------------------------|--------------|---------------|--------------|
| <u>Starratt</u> | <u>18200</u> | <u>1153</u> | |
| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
| <u>Lt. King</u> | <u>7855</u> | <u>1205</u> | |
| Detective Supervisor in Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|----------------------------|------------------------------|---------|--------------|-----------|
| <u>Lt Spear</u> | <u>18725</u> | | | |
| <u>Dfc Starratt</u> | <u>18200</u> | | | |
| <u>Sgt Lasher</u> | <u>11449</u> | | | |
| <u>Det follett</u> | <u>19361</u> | | | |
| <u>Det Sullivan</u> | <u>10717</u> | | | |
| <u>MEMS Unit</u> | <u>129 w/supervisor</u> | | | |
| <u>LRPD Eng #1</u> | | | | |
| <u>Kirk Lane Capt PCSO</u> | | | | |
| <u>Lt King</u> | <u>7855</u> | | | |
| <u>P10</u> | <u>5874 / 19371</u> | | | |
| <u>CSSU</u> | <u>15552 / 30264 / 30276</u> | | <u>28849</u> | |
| <u>D.B. Capt Dewley</u> | | | | |

Log Relinquished to: John M. Bracey 18174 Date & Time: 08/13/08 1410
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #

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LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

INVESTIGATIVE
ORIGINAL

Incident # 2008-93475 1149

Date 8-13-08

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 1300 W. Capital

Type of Crime: Shooting

Starnatt
First Responding Officer

18200
Emp. #

Time of Entry

Time of Exit

Detective Supervisor in Charge

Emp. #

Time of Entry

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|--------------------|-------------|---------|------------|-----------|
| City Mgr B. Moor | | | | |
| Sgt D. Chandler | Intell. | | | |
| Chief Rowan | | | | |
| Capt H. Lamarr | ASP | | | |
| Lt R. Dickinson | ASP | | | |
| Sgt M. Willoughby | ASP | | | |
| SPAGNT P. WARD | ASP | | | |
| Det C Sterka | 19546 Intel | | | |
| Det M. Ferguson | 16695 Intel | | | |
| SPAGNT JTF | | | | |
| Ser. Svc Agnt Rice | | | | |
| Agnt Adams | | | | |

Log Relinquished to: John M. Bracey 18124
Officer (if different than originating officer) Emp. #

Date & Time: 08/13/08 1410

Log Relinquished to: _____
Crime Scene Specialist

Emp. #

Date & Time: _____

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LRPD Form 5480-28

LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOGINVESTIGATIVE
ORIGINALIncident # 08-81343Date 07-12-08

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 621 GilletteType of Crime: Homicide: Officer Shooting

| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
|--------------------------------|-------------|---------------|--------------|
| <u>H. King</u> | <u>7455</u> | <u>1105</u> | |
| Detective/Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|----------------------|--------------|--------------------|-------------|-------------|
| <u>L. A. Weber</u> | | <u>MEANS</u> | <u>1052</u> | |
| <u>J. Randall</u> | | <u>MEANS (416)</u> | | |
| <u>Shirley Selms</u> | <u>17245</u> | <u>DO</u> | <u>1053</u> | |
| <u>Ritchie</u> | | <u>DO</u> | <u>1053</u> | |
| <u>M. Ford</u> | <u>22667</u> | <u>DO</u> | <u>1052</u> | <u>1113</u> |
| <u>E. Brooks</u> | <u>22783</u> | <u>DO</u> | <u>1055</u> | |
| <u>A. Simon</u> | <u>25296</u> | <u>DO</u> | <u>1056</u> | <u>1112</u> |
| <u>B. Gasaway</u> | <u>19356</u> | <u>DO</u> | <u>1056</u> | <u>1112</u> |
| <u>S. Woodall</u> | <u>14379</u> | <u>DO</u> | <u>1032</u> | <u>1112</u> |
| <u>T. Hudson</u> | <u>11997</u> | <u>DO</u> | | <u>1222</u> |
| <u>H. Brewer</u> | <u>14496</u> | <u>DO</u> | <u>1041</u> | <u>1207</u> |

Log Relinquished to: _____
Officer (if different than originating officer) Emp. #

Date & Time: _____

Log Relinquished to: _____
Crime Scene Specialist Emp. #

Date & Time: _____

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LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOGINVESTIGATIVE
ORIGINALIncident # 28-51343Date 07.16.08

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: _____

Type of Crime: _____

| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
|--------------------------------|--------|---------------|--------------|
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|---|--------|-----------------|------------|-----------|
| E. Krumke | 13419 | DO | | 1222 |
| S. Anderson | 17422 | DO | | 1241 |
| L. Anderson | 13166 | DO | | |
| Clay Hastings | 18222 | DO | | |
| Sawchuk | 30264 | CSSU | 1189 | |
| Charles E. E. | 30276 | CSSU | 1105 | |
| TEWSET Sullivan Sullivan | 10714 | DO | | |
| H. R. Smith | 7185 | Shift Commander | 1102 | 1133 |
| H. R. Hastings | | PID | | |
| R. Grogan | 9923 | Patrol | 1058 | |
| W. G. King | 7805 | DO | 1105 | 1205 |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #

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LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOGINVESTIGATIVE
ORIGINALIncident # OP 81343Date 07.16.08

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 621 GilletteType of Crime: Homicide; officer involved

| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
|--------------------------------|-------------|---------------|--------------|
| <u>Lt. King</u> | <u>7855</u> | <u>1105</u> | |
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|------------------------|--------------|-------------------|-------------|-------------|
| <u>A. Tracy</u> | <u>15552</u> | <u>CSSU</u> | | |
| <u>M. Holloway</u> | <u>14505</u> | <u>CSSU</u> | | |
| <u>Capt. ROBERTSON</u> | <u>14449</u> | | <u>1107</u> | <u>1147</u> |
| <u>Sgt. BAKALAKOS</u> | <u>14482</u> | <u>Shift Sgt.</u> | <u>1107</u> | <u>1133</u> |
| <u>Chief STEWART</u> | <u>7188</u> | | <u>1108</u> | |
| <u>S. J. White</u> | <u>14999</u> | <u>CSSU</u> | <u>1110</u> | |
| <u>Sgt. Maxwell</u> | <u>11763</u> | <u>DO</u> | <u>1112</u> | |
| <u>Sgt. Dyer</u> | <u>17428</u> | <u>Sgt.</u> | <u>1058</u> | <u>1148</u> |
| <u>Sgt. GARLAND</u> | <u>15042</u> | <u>Shift Sgt.</u> | <u>1106</u> | <u>1148</u> |
| <u>Mollette</u> | <u>28549</u> | <u>CSSU</u> | | |
| <u>Capt. Roman</u> | <u>4515</u> | | <u>1132</u> | <u>1144</u> |

Log Relinquished to: _____
Officer (if different than originating officer) Emp. #

Date & Time: _____

Log Relinquished to: _____
Crime Scene Specialist Emp. #

Date & Time: _____

300

LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

INVESTIGATIVE
ORIGINAL

Incident # _____

Date: 09-17-2008

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: 215 N. Shackelford (Waffle House)Type of Crime: Officer Involved ShootingWally Miller

First Responding Officer

3046

Emp. #

0031

Time of Entry

0355

Time of Exit

Detective Supervisor In Charge

Emp. #

Time of Entry

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|--------------------------------------|--------|------------|------------|-----------|
| Bryan Black | 29380 | Responding | 0041 | |
| KERSHNER, CHANCE | 19370 | Responding | 0031 | |
| Capt. Jones, David / Solley, Kenneth | 27087 | Responding | 0031 | |
| MOORE, DAVID | 29365 | Responding | 0031 | 0341 |
| KINGSTON, BARRY | 27100 | Responding | 0031 | |
| C. Ramsey | | NEWS | 0037 | 0050 |
| S. Neal | | NEWS | 0037 | 0050 |
| C. Jones | | NEWS | 0037 | 0050 |
| Nurse Reeves | | NEWS | 0037 | 0050 |
| Jackson Langford | | LRFD | 0040 | 0050 |
| Langford | | LRFD | 0040 | 0050 |
| Farren | | LRFD | 0040 | 0050 |

Log Relinquished to: _____

Officer (if different than originating officer) Emp. #

Date & Time: _____

Log Relinquished to: AM Hay

Crime Scene Specialist

15552

Emp. #

Date & Time: 9-17-08 / 0420

LRPD Form 5600-89

Rev. 12/09/97

1169

**LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOG**

**INVESTIGATIVE
ORIGINAL**

Incident # _____

Date _____

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: _____

Type of Crime: _____

| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
|--------------------------------|--------|---------------|--------------|
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|------------------|--------|-------------------|------------|-----------|
| Tracy | 15552 | Crime Scene Inv. | 0054 | |
| Capt. Falk | 15695 | Responding | 0056 | 0211 |
| Sgt. Jenkins | 13312 | Responding | 0144 | |
| Sgt. Taylor | | | | |
| Lt. Timmons | 7467 | | | 0146 |
| Det. Sgt. Gudwin | 14697 | | | 0214 |
| Det. Knowles | | | | 0214 |
| Chief Thomas | 7188 | Responding | 0108 | 0120 |
| Robinson | 20203 | | 0109 | |
| Higgins | 11420 | | 0111 | 0211 |
| Schliker | | Waffle House Mgr. | 0612 | |
| T. Hudson | 11997 | | | |

Log Relinquished to: _____
Officer (if different than originating officer) Emp. #

Date & Time: _____

Log Relinquished to: Am May 15552
Crime Scene Specialist Emp. #

Date & Time: 9-17-08/0412

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LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

**INVESTIGATIVE
ORIGINAL**

Incident # _____

Date: _____

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: _____

Type of Crime: _____

| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
|--------------------------------|--------|---------------|--------------|
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|------------------|--------|-------------|------------|-----------|
| Sgt. Davis | 19377 | PIO | 0113 | |
| Lt. Hastings | 5874 | PIO | 0115 | |
| Sgt. Lester | 11949 | Crime Scene | 0054 | |
| Cpt. Bewley | 12565 | Responding | 0121 | 0216 |
| West | 25344 | Responding | 0025 | 0133 |
| Ate McDaniel | | Responding | 0025 | 0133 |
| James Anthony | | Victim | | 0204 |
| Clemente Pila | | Victim | | 0212 |
| Anne Sims | | Victim | | 0212 |
| Zanthyia Prophet | | Victim | | 0235 |
| Lesia Kuhnert | | Victim | | 0208 |
| Perry Black | | Victim | | 0208 |

Log Relinquished to: _____ Date & Time: _____
 Officer (if different than originating officer) Emp. #

Log Relinquished to: AM Hay Date & Time: 0420
 Crime Scene Specialist Emp. # 15552

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LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

INVESTIGATOR
ORIGINAL

Incident # _____

Date _____

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: _____

Type of Crime: _____

| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
|--------------------------------|--------|---------------|--------------|
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|----------------|--------|---------------|------------|-----------|
| Mary Schwarz | | Victim | | 0207 |
| Robert Schwarz | | Victim | | 0207 |
| Harold Chiles | | Victim | | |
| Keung Scott | | Victim | | |
| Cpt. Temple | | | | |
| J.C. White | | Homicide Det. | 0131 | |
| Chuck Ray | 10394 | Homicide | 0131 | |
| H. Finklestein | | P.A. | 0132 | 0209 |
| Branford | 16690 | I.A. | 0136 | 0211 |
| Berthia | 17665 | I.A. | 0136 | 0211 |
| Lt. King | 2855 | | | |
| L. Begley | | P.A. | 0145 | 0209 |

Log Relinquished to: _____ Date & Time: _____
 Officer (if different than originating officer) Emp. #

Log Relinquished to: J.M. May 15552 Date & Time: 9-17-08/0420
 Crime Scene Specialist Emp. #

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ORIGINAL

LITTLE ROCK POLICE DEPARTMENT CRIME SCENE CONTROL LOG

Incident # _____

Date _____

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: _____

Type of Crime: _____

| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
|--------------------------------|--------|---------------|--------------|
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|--------------|--------|----------------------|------------|-----------|
| Davis | 15693 | | 0142 | |
| J. Alexander | 23080 | | 0031 | 0355 |
| C. Miller | 30416 | | 0031 | 0355 |
| Knowles | 14492 | Homicide | 0204 | |
| Smith | 26065 | Crime Scene | 0208 | 0215 |
| Sharette | 30276 | Crime Scene | 0221 | |
| A. Bridges | | Victim | | |
| Oldham | 23096 | Crime Scene Security | 0215 | 0256 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: Amrany 15552 Date & Time: 9-17-08/0420
Crime Scene Specialist Emp. #

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**LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOG**

INVESTIGATIVE
ORIGINAL

Incident # 2009-8570 / 2312Date 01.23.09

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: Motel 6 (10524 W. Markham)Type of Crime: Wanted Subj. (Officer involved shooting)

| | | | |
|--------------------------------|--------|---------------|--------------|
| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|-------------|--------|-----------|------------|-----------|
| K. Jolly | | NW patrol | 2331 | 0100 |
| D. Derrick | 29382 | NW patrol | 2331 | 0100 |
| E. Hilgeman | 29366 | NW patrol | 2331 | 0100 |
| S. Howard | 23735 | NW Patrol | 2331 | 0100 |
| M. Lloyd | 23152 | NW Patrol | 2331 | 0100 |
| C. Scott | 17444 | NW patrol | 2331 | 0109 |
| C. Ringgold | 19373 | SID | 2331 | 0140 |
| Gilbert | 11422 | NW patrol | 0005 | 0140 |
| Watson | 10288 | D.O | 0030 | |
| B. Martin | | D.O | 0030 | |
| C. Van Pelt | | D.O | 0030 | |
| W. Bowley | 12565 | Capt D.O | 0030 | 0130 |

Log Relinquished to: L. Lichti 28167
Officer (if different than originating officer) Emp. #

Date & Time: 01.24.09 / 0040

Log Relinquished to: _____
Crime Scene Specialist Emp. #

Date & Time: _____

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**LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOG**

INVESTIGATIVE
ORIGINAL

Incident # 2009-8570Date 01.23.2009

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: Motel 6 (10524 W. Markham)Type of Crime: Wanted Subj (Officer Involved Shooting)

| | | | |
|---|-----------------|------------------------|-----------------------|
| _____ First Responding Officer | _____ Emp. # | _____ Time of Entry | _____ Time of Exit |
| _____ Detective Supervisor In Charge | _____ Emp. # | _____ Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|------------|--------|-----------------|------------|-----------|
| Licht | 28167 | Crime scene log | 0040 | |
| Rowan | 4515 | Chief | 0045 | 0100 |
| R. King | 15709 | Lt SID | 0045 | 0100 |
| Higgins | 11420 | Chief | 0050 | 0100 |
| Spriggs | 6179 | Capt SID | 0050 | 0118 |
| J. Johnson | 11787 | SID | 0050 | 0125 |
| Sullivan | 10714 | D.O | 0057 | 0200 |
| Mourot | 14472 | I.A | 0055 | 0143 |
| Temple | 11158 | Capt NW | 0058 | 0100 |
| Phillips | 15290 | D.O | 0101 | 0200 |
| Simpson | 14494 | D.O | 0103 | |
| Berthia | 17665 | I.A | 0103 | 0143 |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #

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**LITTLE ROCK POLICE DEPARTMENT
CRIME SCENE CONTROL LOG**

INVESTIGATIVE
ORIGINAL

Incident # 2009-8570Date 01-23-2009

The first responding officer is responsible for initiating and maintaining this log until the arrival of investigative personnel or directed by the supervisor in charge. The name, employee number, purpose of entry, time of entry, and time of exit must be recorded for each individual entering the scene. The completed log is to be returned to the Crime Scene Specialist for the case file.

NOTE: This form is to be used for homicides, suicides, break-ins where rape was committed, officer involved shootings, bank robberies, and any other incidents the supervisor deems necessary.

Location: Motel 6 (10524 W. Markham)Type of Crime: Wanted Subj. (officer involved shooting)

| First Responding Officer | Emp. # | Time of Entry | Time of Exit |
|--------------------------------|--------|---------------|--------------|
| Detective Supervisor In Charge | Emp. # | Time of Entry | |

MUST BE COMPLETED FOR ALL INDIVIDUALS ENTERING SCENE:

| Name | Emp. # | Purpose | Entry Time | Exit Time |
|--------------|--------|-------------|------------|-----------|
| C. Turner | 29326 | NW patrol | 2345 | 2350 |
| J. BartSch | 11551 | SID | 2331 | 0118 |
| C. Ray | 10394 | D.O | 0125 | 0135 |
| T. Carpenter | NA | City Atty | 0135 | 0143 |
| Mollette | 28849 | Crime scene | 0030 | |
| Sawchuk | 30264 | crime scene | 0030 | 0315 |
| Dans | 19371 | | 0035 | 0150 |
| S. Thomas | 7188 | Chief | 0036 | 0045 |
| T Hastings | 5874 | | 0036 | 0145 |
| Leshner | 11949 | D.O | 0020 | 0145 |
| A. Tracy | 15552 | | 0150 | 0230 |

Log Relinquished to: _____ Date & Time: _____
Officer (if different than originating officer) Emp. #

Log Relinquished to: _____ Date & Time: _____
Crime Scene Specialist Emp. #

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Stuart Thomas
Chief of Police

LITTLE ROCK POLICE DEPARTMENT
700 WEST MARKHAM
LITTLE ROCK, ARKANSAS 72201-1329



(501)-371-4605
Fax (501)-371-4892

November 17, 2008

Mr. Demetrius Curtis
1101 S. Woodrow
Little Rock, AR 72204

RE: Citizen Complaint #08-4014

Dear Mr. Curtis:

This letter is in response to the complaint you filed against officers of this Department on April 11, 2008. In accordance with the policies of the Little Rock Police Department, a thorough investigation has been conducted into the facts surrounding this matter. The involved officers' immediate supervisors and command officers have evaluated this incident and determined that there was insufficient evidence to prove or disprove your allegations.

If you wish to request a review of this decision by the Little Rock Civil Service Commission, you must do so in writing and submit the request to the Director of Human Resources, 500 West Markham, Suite 130W, Little Rock, Arkansas 72201-1428. The request for review must be signed by the complaining party, or the party's legal guardian or representative, and shall contain the complaining party's name, address and telephone number. The request for review must be received by the Human Resources Director within fifteen (15) calendar days from the date you receive this certified letter. If you have any questions, you may contact the Human Resources Department at 371-4590.

We appreciate your willingness to bring this matter to our attention and hope that any future contacts you may have with the Little Rock Police Department will be of a more pleasant nature.

Sincerely,

Stuart Thomas
Chief of Police

ST:dm

cc: Captain Dustin Robertson
Lieutenant Lyn Forester
Sergeant Jerold McVay
Officer Erik Temple
Officer Christopher Johannes
File



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The Little Rock Police Department is an equal opportunity employer*

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