

**Beavercreek Police Department**

**August 5, 2014**

**14-16644**

On August 5, 2014 at approximately 2020 hours I was on duty dressed in the uniform of the day, which consisted of a uniform with police insignia on it. At approximately 2020 hours I was completing paperwork behind 3360 Pentagon Boulevard (Wal-Mart). At around that time dispatch sent an emergency tone over the radio signaling that officers were going to be sent to a high priority/emergency call. Dispatch then called two units over the radio to start towards 3360 Pentagon Boulevard (Wal-Mart) for a weapons complaint.

I was not one of the officers originally dispatched to Wal-Mart. Due to my position directly behind Wal-Mart and the nature of the call; I began to drive to the front of the store as dispatch was giving out details of the call.

Dispatch then advised the following. They said that there was a black male waving a gun around in the store. They said that the gun in question was a rifle. They said that the male was pointing the gun at people. As I pulled to the front of the store dispatch added that the male appeared to be loading the rifle and was in the pet department of the store.

I called out to dispatch that I was on scene then parked my cruiser near the entrance to the far east entry doors of Wal-Mart. I then deployed my rifle and waited for the next officer to arrive on scene.

Sergeant Darkow then arrived on scene and parked near the western most entry doors to Wal-Mart. I then ran over to his cruiser and met him as he was deploying his rifle and plate carrier.

I then had dispatch confirm that the male with the rifle was pointing it at people. They then confirmed that the male was waving the rifle around and pointing it at people. They stated again that the male was still in the pet department.

Sergeant Darkow and I then entered Wal-Mart through the western most entry doors near the pharmacy. The store was crowded. As we made our way towards the pet department we passed dozens of customers, families, and children. We quickly made our way towards the pet department and we checked each row for the suspect. As we neared the pet department we slowed our pace and carefully checked each row. Sergeant Darkow was leading us as we checked each aisle. The pet department was made up of three to four rows to our left as we made our way down the main corridor. We checked the first few rows but did not locate the suspect. We then made it to the final row of the pet department. Sergeant Darkow checked to the left and I covered his back by checking the long row to the right. As I quickly checked to the right I immediately heard Sergeant Darkow yell, "Drop the weapon!" As I turned towards the pet department I immediately saw a black male standing in the center of the aisle. He was holding a



rifle. I quickly identified that the male was holding a rifle and I could see the silhouette of the magazine seated in the weapon. Sergeant Darkow repeatedly yelled, "Drop the weapon!" The black male, who matched the description of the black male waving the rifle around (blue pants and blue shirt) did not drop the rifle. After repeated commands to drop the weapon the male turned towards us in an aggressive manner with the rifle in hand. At that time the black male was in a position where he could shoot me or Sergeant Darkow. I felt at that moment that my life was in immediate danger, that Sergeant Darkow's life was in immediate danger, and that the lives of all the families, children, and customers were in immediate danger. I then fired two rounds at the suspect. As I shot the suspect he began to move from my right to my left. Once I fired the shots he retreated backwards and dropped the rifle. He then fell backwards behind the end of the row and out of sight. At that time the rifle was in the open. I then quickly closed the distance between me and the suspect. As I neared the weapon, which was lying on the floor, I identified it again as being a black rifle with a seated magazine. As I neared the rifle the black male jumped from behind the aisle and charged towards the weapon. He began to reach for it as he neared it and I yelled for him to get on the ground. Just before reaching the rifle he collapsed to the floor. I then ordered him to roll over onto his stomach and put his hands behind his back. I then positioned myself behind the suspect and had to force his hands together. I then handcuffed him.

I then quickly checked the immediate area for any other threats. Once I determined the immediate area to be safe I directed my attention to the condition of the suspect. I could see that there were wounds to both of the suspect's arms. The wounds were near the elbows and were bleeding heavily. Due to the arm injuries and the heavy bleeding in those areas; I requested tourniquets be applied to the upper arms of the suspect. Officers Matt Stull, John Bondy, and Chris Williams were on scene at that time. They assisted in retrieving medical supplies and tourniquets. Officer Matt Stull then applied the tourniquets to the arms of the suspect. At that time medics were arriving on scene. I stayed with the suspect until the medics were there to treat him. The suspect was responsive during my time with him.

I was then directed by Sergeant Darkow to leave the store with him. We then left the store together and waited by his cruiser until additional units arrived on scene to assist. I was then transported to Soin Hospital.

Officer Sean Williams 90

A handwritten signature in black ink, appearing to read "Sean Williams 90", is written over the typed name. The signature is stylized and includes the number "90" at the end.



**In the Matter Of:**

IN RE JOHN CRAWFORD, III

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**AUDIO TRANSCRIPTION**  
**OFFICER SEAN WILLIAMS**

*August 05, 2014*

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PLAINTIFF'S  
EXHIBIT

12A

IN RE JOHN CRAWFORD, III  
OFFICER SEAN WILLIAMS on 08/05/2014

AUDIO TRANSCRIPTION

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**IN RE:**

**JOHN CRAWFORD, III**

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**AUDIO TRANSCRIPTION  
OFFICER SEAN WILLIAMS  
August 5, 2014**

**Transcribed By: Lynnette L. Copenhaver, CRR**



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1 MR. GRILLE: Okay. Today's date is  
2 August 5, 2014. The time is 2316 hours. Present is  
3 myself, Captain Eric Grille, Captain Doyle Wright,  
4 Officer Sean Williams, and his rep -- his attorney,  
5 Vincent -- Vincent or Vince.

6 MR. POPP: Vince Popp.

7 MR. GRILLE: P-o-p-p?

8 MR. POPP: Correct.

9 MR. GRILLE: Okay. All right. Sean,  
10 what I would like to get from you here is just a  
11 verbal statement on what occurred at the Walmart  
12 store tonight. If you could start from when you got  
13 the dispatch call up and through now.

14 MR. WILLIAMS: Okay. I was parked  
15 directly behind Walmart when this particular call  
16 came out. I heard the tone drop over the radio, and  
17 I heard them begin to dispatch a couple units. I  
18 didn't quite hear where exactly, so I just brought  
19 it up on my screen and double clicked the call, saw  
20 that it -- wherever the call was at Walmart because  
21 I was right there.

22 I then heard dispatch say that the call  
23 was subject with a gun inside the store. They said  
24 it was a black male, said he was waiving the gun  
25 around, and he was loading it in the back of the



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1 store or in the store. They did mention he was in  
2 the pet area at one point.

3 MR. GRILLE: You said they did?

4 MR. WILLIAMS: Yeah.

5 MR. GRILLE: Okay.

6 MR. WILLIAMS: So I pulled to the front  
7 of the store, called on the scene, and deployed my  
8 rifle. When I got out of the car, I could hear  
9 sirens from other responding units. So at that  
10 point, my goal was just to wait for one other  
11 officer or whoever else showed up, and we were going  
12 to devise a quick plan as to what to do, and that  
13 was my goal at that point when I arrived on scene  
14 was to wait for the next officer.

15 As I was waiting for the second officer,  
16 I confirmed with dispatch because dispatch said at  
17 one point that he was pointing the gun at people.  
18 So I got on the radio just to confirm because  
19 Walmart does have guns and they sell guns. You  
20 know, could just be a person who bought a gun  
21 walking around the store. I confirmed with  
22 dispatch -- I asked them, I said -- I asked if the  
23 subject was pointing the gun at people, and they  
24 confirmed. They said yes.

25 So at that point, Sergeant Darkow was



1 next on scene. We were initially going to enter  
2 through the garden center area, but they have, like,  
3 a big barrier door, so we couldn't -- we didn't  
4 think we could enter through there. So we entered  
5 the furthestest door to the west with double doors  
6 closest to the pharmacy. So --

7 MR. GRILLE: The main doors? I mean --

8 MR. WILLIAMS: Yeah.

9 MR. GRILLE: -- the main doors on the  
10 side of the pharmacy?

11 MR. WILLIAMS: Yeah, the main doors  
12 closest to the pharmacy.

13 MR. GRILLE: Gotcha.

14 MR. WILLIAMS: So Darkow and I looked at  
15 each other and said, "Are you ready to go in?" He  
16 said, "Yeah, let's go in."

17 So we basically walked straight in the  
18 store, and I knew the pet area was to the left. So  
19 we -- we made our way back to the pet area. We both  
20 had our rifles deployed.

21 MR. GRILLE: Any discussion? Any people  
22 pointing you back that way?

23 MR. WILLIAMS: No. I asked a few people.  
24 I said "You see a gun?" "No, no."

25 MR. GRILLE: Okay.

1 MR. WILLIAMS: The store was completely  
2 packed full of people.

3 MR. GRILLE: Okay.

4 MR. WILLIAMS: There were families.  
5 There were kids. There's just people all over the  
6 place, so we were just careful --

7 MR. GRILLE: Right.

8 MR. WILLIAMS: -- looking down each  
9 aisle. And as we got closer to the pet area, we  
10 kind of started to slow a little bit kind of looking  
11 down each aisle, and we still hadn't seen him. I  
12 think the description was a black male with -- with  
13 a gun.

14 So we got to the very end of the main  
15 hall, like to where the pet area was, the pets to  
16 one area, like the toys to the right, and we got to  
17 like the back wall to where we could, like, enter  
18 into the garden center.

19 So the last aisle to the pet area was to  
20 our left. So Darkow was starting to kind of scan to  
21 the left, cut the pie towards that final row, and  
22 because he was going to be open to the right, I told  
23 him I was going to cover his rear to the right as he  
24 went to the left. So he went to the left. I went  
25 to the right, did a quick check, saw no one down





1 that far direction to the right. As I did the  
2 check, I heard him say "drop the weapon." So I --

3 Q. Darkow said that?

4 MR. WILLIAMS: Yeah, Darkow said that. I  
5 don't know exact phrasing, "drop the weapon." So I  
6 immediately swung to his right, and he said "drop  
7 the weapon" again. And as he said that, I just  
8 panned down the aisle. I saw a black male, and I  
9 saw the rifle in grasp. The male would not drop the  
10 rifle. It looked like just your typical assault  
11 rifle in hand.

12 He -- like I say, he did not drop the  
13 rifle. Darkow said again to drop the rifle, and at  
14 that point, he made -- he was looking right at us.  
15 So he didn't drop the rifle after Darkow repeatedly  
16 told him to drop it. As I began to raise my left  
17 rifle already, I started to say drop the -- drop the  
18 weapon. This is as I begin to say it. He had the  
19 rifle within his body, and he made what I believe --  
20 describe as, like, an aggressive stance with it as  
21 he was starting to make, like, a movement, like to  
22 the left, like he was going to do something with the  
23 rifle.

24 At that point, I felt that because he  
25 hadn't dropped the rifle, he was refusing our

1 commands, it was a crowded store full of kids and  
2 families, I felt at that point that my life was in  
3 danger, Sergeant Darkow's life was in danger, and  
4 all the families' and kids' lives in the store were  
5 in danger, and that if he got around us or escaped  
6 to the left to where he was headed, he's going to be  
7 an immediate threat to everyone inside the store.

8 So due to all those factors, I raised my  
9 sights up. He still had the rifle, and I fired two  
10 shots center mass at him. At that point, he dropped  
11 and kind of almost disappeared around the end. He  
12 dropped and dropped the rifle at the same time. And  
13 then as we started to walk towards him, he just  
14 appeared standing up and started to go towards the  
15 rifle.

16 And at that point, I couldn't -- sounded  
17 like he was saying something. I couldn't hear  
18 anything because I just fired the shots, kind of had  
19 like ringing. So he's about to go to the rifle --  
20 he was going for the rifle again, so I raised -- I  
21 was about -- at that point, I felt like he was going  
22 to go for the rifle again. And just prior to him  
23 reaching that threshold where I was going to fire  
24 more rounds at him, he kind of hesitated or stopped,  
25 and that's when he went down again.



1                   And then when he -- when he went down, I  
2 can see he was bleeding. I told him to put his  
3 hands behind his back, roll over, which he did. I  
4 then handcuffed him. And the rifle was away from  
5 him at that point, and I felt it was safe because it  
6 was away from him.

7                   So then once he was cuffed, I could see  
8 he had no more weapons on him, then I turned to  
9 his -- his condition. He was bleeding profusely. I  
10 could see massive wounds to both arms near, like,  
11 the elbow/biceps area. So we did a quick scan of  
12 them, and I did not initially see any rounds to his  
13 body.

14                   So at that moment, I believe Darkow  
15 called for a medic. So we called for a medic,  
16 called for additional units. We called shots had  
17 been fired, suspect was down. So once medics got  
18 rolling, we kind of secured the scene. Like I said,  
19 we got to his condition trying to see what was wrong  
20 with him.

21                   So he was bleeding profusely from his  
22 arms. He was on his stomach so we could see he was  
23 bleeding, I just couldn't see exactly where. So  
24 because he had heavy wounds and bleeding from his  
25 arms, I got similar responding officers to bring



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1     tourniquets, and we applied tourniquets to his upper  
2     arms to try and stop the bleeding.

3             Once we applied the tourniquets, he  
4     was -- he wasn't saying anything. He was just kind  
5     of moaning, the black male. He was kind of moaning,  
6     not saying anything. I told him to stay awake, that  
7     help's on the way. We're here to help you. Medics  
8     were going to get here soon. And after we applied  
9     the tourniquets, the medics -- someone called the  
10    medics were on scene. So before we did anything  
11    else, the medics were there and they were walking to  
12    him.

13            So at that point, that's pretty much my  
14    inter -- interaction. The medics took charge of the  
15    scene and of the subject and administered aid to  
16    him.

17            MR. GRILLE: Good. Then eventually your  
18    rifle ended up in the sergeant's car just through  
19    chain of custody?

20            MR. WILLIAMS: Yeah. What happened was  
21    once the scene was secure as far as the suspect was  
22    concerned, Darkow just said, hey, let me -- he  
23    handed me his rifle. Said, hey, let me get your  
24    rifle, so I handed him my rifle.

25            MR. GRILLE: All right.



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1 MR. WILLIAMS: And then I eventually  
2 handed his rifle to Matt Stahl who -- and that's the  
3 last I saw of it. So, yeah, Sergeant Darkow took my  
4 rifle and had it on him --

5 MR. GRILLE: Okay.

6 MR. WILLIAMS: -- after -- after the  
7 shooting. And that's pretty much it, and I walked  
8 outside.

9 MR. GRILLE: All right. All right.  
10 This will conclude the recording, and the time is  
11 2328 hours.

12 (End of statement.)

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**REPORTER'S CERTIFICATE**

STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

I, LYNNETTE L. COPENHAVER, Certified  
Realtime Reporter, and Notary Public, State of  
Colorado, do hereby certify that the recorded  
statement herein was reduced to typewritten form  
and that the foregoing is a true transcript of the  
proceedings had.

I further certify that I am not employed by,  
related to, nor of counsel for any of the parties  
herein, nor otherwise interested in the outcome of  
this litigation.

IN WITNESS WHEREOF, I have affixed my  
signature this 28th day of October, 2014.

My commission expires April 30, 2015.

  
\_\_\_\_\_  
Lynnette L. Copenhaver, RPR, CRR



IN RE JOHN CRAWFORD, III  
OFFICER SEAN WILLIAMS on 08/05/2014

AUDIO TRANSCRIPTION  
Index: 2014..everyone

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IN RE JOHN CRAWFORD, III  
OFFICER SEAN WILLIAMS on 08/05/2014

AUDIO TRANSCRIPTION  
Index: exact..over

|                                                              |                                                  |                                                                                      |                                                                                  |                                                                                                                        |
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| <b>fire</b> 7:23                                             | <b>happened</b> 9:20                             | <hr/> <b>K</b> <hr/>                                                                 | <b>make</b> 6:21                                                                 | <b>officers</b> 8:25                                                                                                   |
| <b>fired</b> 7:9,18<br>8:17                                  | <b>he's</b> 7:6,19                               | <b>kids</b> 5:5 7:1                                                                  | <b>male</b> 2:24 5:12<br>6:8,9 9:5                                               | <b>Okay</b> 2:1,9,14<br>3:5 4:25 5:3<br>10:5                                                                           |
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| <b>furtherest</b> 4:5                                        | <b>heard</b> 2:16,17,<br>22 6:2                  | <b>knew</b> 4:18                                                                     | <b>Matt</b> 10:2                                                                 | <b>one</b> 3:2,10,17<br>5:16,25                                                                                        |
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IN RE JOHN CRAWFORD, III  
OFFICER SEAN WILLIAMS on 08/05/2014

AUDIO TRANSCRIPTION  
Index: P-o-p-p..units

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| packed 5:2      | 8:11              | <u>S</u>        | sights 7:9     | that's 7:25 9:13 |
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IN RE JOHN CRAWFORD, III  
OFFICER SEAN WILLIAMS on 08/05/2014

AUDIO TRANSCRIPTION  
Index: up..yeah

|                       |                        |
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**Log Event for Sean Williams**

Event Title: **Driving Complaint**  
Category:  
Event Date: **3/27/2007**  
Discussion Date: **3/27/2007**

**Event Description:**

I received a complaint from a citizen about car 039 speeding in the City of Xenia at 0820 hours 03/27/2007. After checking who had that car it was found that Officer Sean Williams was on his way to Common Pleas Court for trial. The caller stated the officer was going at least 60 in the posted 50 mile per hour zone.

**Discussion with employee:**

I spoke with Sean at 1530 hours 03/27/2007 regarding this complaint. He stated he was driving the car and was on his way to court. He stated he may have been going 60 in a 50. I reminded Sean that his driving was looked at during daylight hours by many citizens and he needs to be cautious to avoid complaints. He stated he understood. Sgt. Doyle Wright #38



# Audio of Williams Interview with Grile 8/5/14





IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

- - -  
TRESS SHERROD, ET AL., )  
Plaintiffs, )  
vs. )  
OFFICER SEAN WILLIAMS, ) Case No. 3:14-cv-00454  
ET AL., )  
Defendants. )  
- - -

Transcript of the videotaped interrogation of  
Officer Sean Williams on August 8, 2014 at  
1:09 p.m., transcribed by me, Angela M. Wachsman,  
Notary Public in and for the State of Ohio, on  
January 29, 2016.

- - -  
APPEARANCES:

Agent Dave Hornyak, Ohio BCI  
Agent Brent Kirkpatrick, Ohio BCI  
Vincent Popp, Esq.,

On behalf of Officer Sean Williams  
- - -



1 (BEGINNING OF VIDEOTAPED INTERROGATION):

2 AGENT HORNYAK: I'll have you sit right  
3 there, if it's okay with you. Thanks for coming  
4 in and accommodating. (Inaudible.)

5 Okay. Sean, we just met briefly in the  
6 hallway. But I am Agent Dave Hornyak with BCI,  
7 this is Special Agent Brent Kirkpatrick. We've  
8 just been assigned to look into the Walmart  
9 shooting from the other night.

10 OFFICER WILLIAMS: Uh-huh.

11 AGENT HORNYAK: You're aware of that and  
12 that's why we're here together. We've already  
13 talked with Officer -- or sorry, Sergeant Darkow  
14 and explained the same thing to you that we did  
15 with him, and I have spoken with Mr. Popp about  
16 this next step as well. We're a criminal  
17 investigation agency. We've been called in by  
18 your department to act as an independent  
19 investigating entity to determine the facts of  
20 what happened the other night. As a part of  
21 that, due to the unfortunate death of the  
22 subject, there is -- as a potential of a criminal  
23 investigation, we always, as a matter or  
24 protocol, read the Miranda Rights to people in  
25 your position, as being one of the officers that

1 was involved. Okay. So we want -- we do that  
2 for a couple reasons. One, this is not an  
3 internal investigation. It's a criminal  
4 investigation but not necessarily pointed at  
5 anything right now. We are going to read you  
6 this and ask you to sign it. Do you have any  
7 issue with doing that?

8 OFFICER WILLIAMS: No.

9 AGENT HORNYAK: Okay. Are you here  
10 voluntarily?

11 OFFICER WILLIAMS: Yes.

12 AGENT HORNYAK: And you realize you're  
13 free to go, from our standpoint, if you want to  
14 go?

15 OFFICER WILLIAMS: Yes.

16 AGENT HORNYAK: Okay. Sean, I know  
17 you're familiar this but we typically read it,  
18 have you look at it, and it's going to be a  
19 couple of parts here, so I'm going to read it to  
20 you out loud. Before we ask you any questions,  
21 you must understand your rights. You do have the  
22 right to remain silent, anything you say can be  
23 used against you in court or other proceedings.  
24 You have the right to talk to a lawyer for advice  
25 before we ask you any questions and to have him



1 with you during questioning. If you can't afford  
2 a lawyer, one will be appointed for you before  
3 any questioning if you wish. If you decide to  
4 answer questions now without a lawyer present,  
5 you will still have the right to stop the  
6 questioning at any time. You also have the right  
7 to stop the questioning at any time until you  
8 talk to a lawyer. We understand your lawyer is  
9 here, but do you understand all that?

10 OFFICER WILLIAMS: Yes.

11 AGENT HORNYAK: Okay. If you would,  
12 please, sign, date and put the -- I'm sorry.  
13 Sign, date and put the time right there. Let's  
14 mark that as 1:09 is what I have, if that works  
15 for you.

16 OFFICER WILLIAMS: All right.

17 AGENT HORNYAK: It's 8-8 today, 8-8-14.  
18 Okay. And then one more part, just the Waiver of  
19 Rights. So this would be you -- this will say  
20 that you have read this statement of your rights  
21 as it has been read to you, you understand what  
22 your rights are, you're willing to make a  
23 statement, answer questions, you don't want a  
24 lawyer at this time, you understand and know what  
25 you're doing, no promises or threats have been

1 made to you, and no pressure or coercion of any  
2 kind has been used against you. You hereby  
3 voluntarily and intentionally waive your rights  
4 and are willing to make a statement and answer  
5 questions?

6 OFFICER WILLIAMS: Yes.

7 AGENT HORNYAK: Okay. If you agree to  
8 that, do the same and the same time, Sean. Okay.  
9 Thank you. I'm just going to take care of the  
10 last bit of getting the witness line signed on  
11 that. Do you mind again, sir? (Inaudible.)

12 UNIDENTIFIED VOICE: No.

13 AGENT HORNYAK: Was it convenient for  
14 you to come in today?

15 OFFICER WILLIAMS: Yeah.

16 AGENT HORNYAK: Okay. Sean, the reason  
17 my computer is up here is I'm going to show you  
18 some video from the store. We're going to talk a  
19 little bit first about the video in the store and  
20 listen to radio traffic again to see if that  
21 helps jar your memory about anything. Not that  
22 it necessarily needs it, but to get us all on the  
23 same track of what we're listening to and seeing,  
24 okay?

25 OFFICER WILLIAMS: Uh-huh.

1           AGENT HORNYAK: Sean, is your full name  
2 Sean Williams?

3           OFFICER WILLIAMS: Yes.

4           AGENT HORNYAK: How do you spell your  
5 first name?

6           OFFICER WILLIAMS: S-e-a-n.

7           AGENT HORNYAK: What's your rank, sir?

8           OFFICER WILLIAMS: Patrolman.

9           AGENT HORNYAK: Patrolman. What's your  
10 badge number?

11          OFFICER WILLIAMS: 90.

12          AGENT HORNYAK: Is that also the radio  
13 sign you use, the call sign?

14          OFFICER WILLIAMS: Yes.

15          AGENT HORNYAK: How many years have you  
16 been with Beavercreek?

17          OFFICER WILLIAMS: Nine.

18          AGENT HORNYAK: Okay. What's the extent  
19 of your law enforcement experience?

20          OFFICER WILLIAMS: I got hired on in  
21 March here at Beavercreek.

22          AGENT HORNYAK: Okay. So all your years  
23 of law enforcement have been here?

24          OFFICER WILLIAMS: Yes.

25          AGENT HORNYAK: Okay. We're going to



1 have a lot of questions for you. We're trying to  
2 do a thorough investigation for -- and we're just  
3 here to gather the facts. Like I said, we don't  
4 make determinations about what occurred. We  
5 gather the facts from all types of sources, you  
6 being a primary source of that information we're  
7 going to have, and we present that to the  
8 Prosecutor's Office for their review. That's the  
9 way it is. I don't know if you've been involved  
10 in these types of things before and we'll get to  
11 that as well.

12 Where we'd like to start, if it's good  
13 with you is -- again, we're going back to Tuesday  
14 the 5th, the evening at Walmart. We want you to  
15 start wherever you feel is appropriate about your  
16 initial knowledge of what was going on at Walmart  
17 that night and just tell the whole thing through.  
18 I'll try to interrupt, not too much at first, and  
19 then we're going to keep rolling back a little  
20 bit. Does that work for you?

21 OFFICER WILLIAMS: Yeah.

22 AGENT HORNYAK: Okay. So Tuesday night  
23 is a good starting point?

24 OFFICER WILLIAMS: Yes.

25 AGENT HORNYAK: Start wherever you'd

1 like.

2 OFFICER WILLIAMS: I was -- that  
3 particular evening, I was doing paperwork behind  
4 Walmart when the tone dropped on the radio.

5 AGENT HORNYAK: You mean, because you  
6 were already there before you got called, you  
7 were at the Walmart?

8 OFFICER WILLIAMS: Correct.

9 AGENT HORNYAK: Why did you happen to be  
10 there?

11 OFFICER WILLIAMS: I had just taken a  
12 crash report at the BW3 right across the way and  
13 sometimes I go by Walmart, and nobody goes back  
14 there, to just kind of sit and do paperwork.

15 AGENT HORNYAK: Okay.

16 OFFICER WILLIAMS: And I don't usually  
17 get bothered back there.

18 AGENT HORNYAK: Sorry to interrupt. Go  
19 ahead.

20 OFFICER WILLIAMS: That's okay. So the  
21 tone dropped on my radio signaling an emergency  
22 from dispatch and they dispatched two of the  
23 units. I forget which units exactly they were.  
24 They just dropped the tone and stated two units  
25 on the radio, and then they kind of hesitated on

1 the radio. So I didn't know exactly what was  
2 going on at first.

3 So I brought up my computer, brought up  
4 the call screen, double clicked the call and saw  
5 that it was at 3360 Pentagon, and I'm like, okay,  
6 I'm right here.

7 AGENT HORNYAK: Uh-huh.

8 OFFICER WILLIAMS: So I just immediately  
9 started heading towards the -- around the side  
10 towards BP towards the front of Walmart and  
11 that's when dispatch started giving -- started  
12 explaining what the call was about.

13 AGENT HORNYAK: Uh-huh.

14 OFFICER WILLIAMS: They dispatched two  
15 units and stated that there was a subject with a  
16 gun inside Walmart. They stated that he was  
17 waving the gun around, that he was pointing it at  
18 people and that it was a rifle type weapon --

19 AGENT HORNYAK: Uh-huh.

20 OFFICER WILLIAMS: -- and that he was  
21 loading it -- at the time of dispatch, he was  
22 loading it. That's what dispatch said.

23 AGENT HORNYAK: Uh-huh.

24 OFFICER WILLIAMS: So I arrived on scene  
25 and based on the fact it was a rifle and he was



1 pointing it at people, winging it around and  
2 loading it, I deployed my rifle. I pulled to the  
3 front of the store, got out, called out that I  
4 was on the scene and I pulled out my rifle; and  
5 my goal at that time was to wait for the next  
6 unit to arrive and we were going to go in,  
7 basically.

8 AGENT HORNYAK: Uh-huh.

9 OFFICER WILLIAMS: So I arrived on  
10 scene. I parked by the eastern most entrance  
11 doors, kind of by the food area --

12 AGENT HORNYAK: Okay.

13 OFFICER WILLIAMS: -- because that was  
14 the closest doors there were.

15 AGENT HORNYAK: Uh-huh.

16 OFFICER WILLIAMS: So I parked there,  
17 and then we got word that he was in the pet area,  
18 which was in the opposite side of the store from  
19 where I was parked.

20 AGENT HORNYAK: Uh-huh.

21 OFFICER WILLIAMS: But I saw a unit  
22 coming down Pentagon Boulevard, another car, so I  
23 just ran to the other side where he parked. It  
24 ended up being -- it was dark out. So I ran up  
25 to him with my rifle. He was in his trunk

1 getting his tackle vest on and getting his rifle  
2 as well. As I waited for him to get ready,  
3 dispatch said that the caller still had an eye on  
4 him and that it was in the pet section. Then I  
5 confirmed with dispatch before we went in. I  
6 confirmed with them. I asked if he was, in fact,  
7 pointing the rifle at people.

8 AGENT HORNYAK: Uh-huh.

9 OFFICER WILLIAMS: And they confirmed,  
10 yes, that he was pointing the rifle at people.

11 AGENT HORNYAK: Uh-huh.

12 OFFICER WILLIAMS: So, based on  
13 everything we knew at that time, Sarge and I were  
14 just going to go straight to the suspect. At  
15 that point we were going to go in through the --  
16 what the heck -- the garden center doors --

17 AGENT HORNYAK: Uh-huh.

18 OFFICER WILLIAMS: -- but it was like  
19 barricaded by a big metal gate, fence. We  
20 couldn't get entry through there, which would  
21 have been the closest area to the pet area. So  
22 we went one entrance to the east, which was  
23 closer to like the pharmacy.

24 AGENT HORNYAK: Uh-huh.

25 OFFICER WILLIAMS: And we went through

1 the door and then we kind of gave each other a  
2 nod that we were going in and we made entry into  
3 Walmart.

4 We walked straight in and immediately it  
5 was -- the store was very, very crowded. As we  
6 made our way towards the pet area -- I mean,  
7 there were families everywhere, kids walking  
8 around, there were people all over the place  
9 crowding the main drag.

10 AGENT HORNYAK: Uh-huh.

11 OFFICER WILLIAMS: I don't know how to  
12 explain it, like the main hallway area, I  
13 guess --

14 AGENT HORNYAK: Uh-huh.

15 OFFICER WILLIAMS: -- separating the  
16 different departments.

17 AGENT HORNYAK: Okay.

18 OFFICER WILLIAMS: It was very, very  
19 crowded.

20 AGENT HORNYAK: Uh-huh.

21 OFFICER WILLIAMS: We were passing  
22 people, kind of scanning both directions as we  
23 were heading back towards the pet area just to  
24 see if we could find the person. If I could  
25 rewind for a second, they said it was a black



1 male that had the rifle.

2 AGENT HORNYAK: Uh-huh.

3 OFFICER WILLIAMS: So as we were  
4 walking, at that time in the particular rear end,  
5 it didn't seem like anybody was too alarmed at  
6 that point. Just in the bulk of the middle or  
7 outside the pharmacy people seemed to be acting  
8 normal.

9 AGENT HORNYAK: Uh-huh.

10 OFFICER WILLIAMS: So I even asked one  
11 person at random if he had seen anybody with a  
12 gun walking around and he said no. So we just  
13 kept clearing the rows as quickly as possible as  
14 we headed towards the pet area.

15 AGENT HORNYAK: Okay.

16 OFFICER WILLIAMS: So we reach the pet  
17 area, which I think is like three or four aisles  
18 in the far southwest corner of the store. So we  
19 carefully start scanning back to see who was back  
20 there. So Darkow is kind of scanning to the left  
21 and I'm kind of looking to the right. Then we  
22 reached the end and there was one more row left  
23 in the pet area.

24 AGENT HORNYAK: Uh-huh.

25 OFFICER WILLIAMS: So based on the

1 witnesses, I thought he was there to the left.  
2 At that point I kind of told Darkow -- because  
3 there was a long hall to the right as well. So  
4 if Darkow would have made that left turn in the  
5 final row, he would have been exposed all the way  
6 to the end of the store to the right. So I told  
7 him I was going to cover him to the right while  
8 he scanned to the left. So he scanned to the  
9 left and I kind of briefly glanced to the right,  
10 and as soon as I glanced to the right, I heard  
11 him yell, "Drop your weapon, drop your weapon,"  
12 in like a repeated manner.

13 AGENT HORNYAK: Uh-huh.

14 OFFICER WILLIAMS: So as soon as he said  
15 that, I swung around to his right and kind of  
16 cleared him so I could see what he was looking at  
17 and talking to in this weird kind of side by  
18 side.

19 AGENT HORNYAK: Uh-huh.

20 OFFICER WILLIAMS: And as soon as I  
21 looked -- turned around and looked down the hall  
22 or in the pet area, I saw a black male holding --  
23 what immediately popped out at me was a rifle. I  
24 saw a rifle --

25 AGENT HORNYAK: Uh-huh.

1           OFFICER WILLIAMS:  -- in hand.  And I  
2 could see the magazine and it looked like a  
3 rifle.

4           AGENT HORNYAK:  Uh-huh.

5           OFFICER WILLIAMS:  So as Sergeant Darkow  
6 commanded him to drop the weapon, he did not do  
7 so.  He made -- I'm trying to find words to  
8 describe this over the last few days.  He did not  
9 drop the weapon.  He made a movement to what I  
10 interpreted as aggressive.  He did -- he was  
11 moving with the rifle and was not dropping it,  
12 and I felt at that time he had a rifle in a  
13 position to where he could have raised it up or  
14 he could have shot either me or Sergeant Darkow.  
15 And I also felt that if he were to escape around  
16 the end and make a way to the rest of the store,  
17 that all the families and the kids were in the  
18 immediate risk as well.

19           So at that point when he didn't drop the  
20 weapon and he started making movements with it, I  
21 felt that my life was at risk, I felt that  
22 Sergeant Darkow's life was at risk and I felt  
23 that all the families we passed walking into the  
24 store and the children, I thought they were all  
25 at risk.

1           Due to all the circumstances and with  
2 him failing to obey Sergeant Darkow's commands, I  
3 fired two shots at the subject. At that point he  
4 went down and dropped the rifle and kind of  
5 almost disappeared behind the end of the row. So  
6 we started making our way, and as we were making  
7 our way -- I could see the rifle, I could see the  
8 black male and as we were making our way to the  
9 rifle, I could see that it was a rifle.

10           AGENT HORNYAK: Uh-huh.

11           OFFICER WILLIAMS: And as we made our  
12 way to him, he like jumped back up and started  
13 running towards the rifle again. He was saying  
14 something but I couldn't hear. I couldn't hear  
15 anything at that point. My ears were ringing.  
16 So he was saying something. I was telling him to  
17 get down, get down, get down, because at that  
18 point he was already a threat to us and I was  
19 forced to engage him, and then he was about to  
20 come back for that weapon again.

21           AGENT HORNYAK: Uh-huh.

22           OFFICER WILLIAMS: So I felt just  
23 everything about him was aggressive. He came  
24 back at us after he had already been shot to what  
25 I considered to get the rifle again.



1           So he was about at the threshold to  
2 where I was considering shooting again when he  
3 collapsed. He came back towards us at the rifle  
4 and I'm telling him to get down, get down, get  
5 down, get down, get down, get down on the round  
6 and he kind of reaches in the area of the rifle  
7 and kind of just collapses. So I kind of walked  
8 past the rifle and immediately scanned around to  
9 make sure there were no other threats and I tell  
10 him to roll over onto his belly and put his hands  
11 behind his back. He was kind of squirming and  
12 yelling and screaming stuff that I couldn't  
13 understand. He wasn't immediately cooperative,  
14 as far as putting his hands behind his back. I  
15 had to get on top of him and kind of pull his  
16 hands together to cuff him.

17           AGENT HORNYAK: Uh-huh.

18           OFFICER WILLIAMS: When I cuffed him, I  
19 could see that he had very serious injuries to  
20 one of his elbows and he had another wound to his  
21 other arm. I can't remember which arm was which  
22 that had the severe wound. So my immediate  
23 thought was, okay, he's down, he's injured, there  
24 is no immediate threat in the immediate area.  
25 Now, we have to treat him as a patient,

1 basically, who has been wounded. So I told -- by  
2 that time other units arrived on scene and Matt  
3 Stull was there. I don't remember if I told him  
4 on the radio or told him personally to go grab  
5 his medical kit, and I know one of our officers,  
6 Officer Bondi (sic), he always carries a  
7 tourniquet.

8 AGENT HORNYAK: Uh-huh.

9 OFFICER WILLIAMS: So my initial follow-  
10 up was I did a quick -- I looked him over from  
11 head to toe, and from what I could tell is he  
12 only had wounds to his arms --

13 AGENT HORNYAK: Okay.

14 OFFICER WILLIAMS: -- from what I could  
15 see. We even pulled the shirt up and I couldn't  
16 see any rounds to his body, from what I could  
17 see.

18 AGENT HORNYAK: Okay.

19 OFFICER WILLIAMS: So my goal at that  
20 time was to treat what we could see, which was  
21 the wound to the arms. So I had Officer Stull  
22 bring a medical kit and Officer Bondi brought a  
23 tourniquet. The medical kit that Officer Stull  
24 brought also had a tourniquet in it. So Officer  
25 Stull applied tourniquets to his arms to stop the

1 bleeding to the arms, and he was still making  
2 noises and moving as we stood over him. I just  
3 kept giving him words of encouragement. I told  
4 him to stay awake, stay awake. There were a  
5 couple of times where it seemed like he passed  
6 out or fell asleep and I was kind of tapping him  
7 on the side of the face, trying to get him to  
8 wake up, wake up, wake up, wake up, just trying  
9 to keep him awake and keep him alive.

10 The medics were there probably right  
11 when the tourniquets were applied and we,  
12 basically, just assessed his condition, kept him  
13 awake, tried to keep him conscious until the  
14 medics could get there who had better tools than  
15 we did at the time. So the medics got there and  
16 started treating him.

17 AGENT HORNYAK: Uh-huh.

18 OFFICER WILLIAMS: At that point once  
19 they did their assessment, they loaded him up and  
20 took him away, and then after that I met with  
21 Darkow like kind of in the side hall and he took  
22 my rifle and gave me his rifle, and I knew it was  
23 probably just for evidence because they were  
24 going to have to take it eventually. So he took  
25 my rifle and gave me his. I eventually gave his

1 rifle to Officer Stull and I made my way outside  
2 and met Officer Darkow outside the doors and we  
3 just kind of stood there until we were given  
4 further directions.

5 AGENT HORNYAK: Okay. Sean, were you  
6 injured at all during that entire incident?

7 OFFICER WILLIAMS: No.

8 AGENT HORNYAK: Okay. We'll go back  
9 through slowly and then on some things I'm just  
10 going to jump around when we ask questions. I  
11 know it's tough to talk about and sit through it.  
12 If you need a break at any time just let us know.

13 OFFICER WILLIAMS: Okay.

14 AGENT HORNYAK: Were you on regular duty  
15 that night? What's your duty shift?

16 OFFICER WILLIAMS: It was 11:00 a.m. to  
17 11:00 p.m.

18 AGENT HORNYAK: Okay. So you were  
19 nearing the end of your shift. What time,  
20 approximately, were you in the Walmart parking  
21 lot?

22 OFFICER WILLIAMS: I got there and  
23 started filling out paperwork around 7:45, 7:30,  
24 7:45.

25 AGENT HORNYAK: Okay. Do you recall --



1 I know a lot of information came out in the  
2 media. I don't know if you paid attention, but  
3 do you recall, approximately, the time the call  
4 came in?

5 OFFICER WILLIAMS: Yes. It was around  
6 18:20, I believe.

7 AGENT HORNYAK: okay. 18:20 would be  
8 6:20 p.m. So --

9 OFFICER WILLIAMS: I'm sorry. I'm  
10 sorry.

11 AGENT HORNYAK: Yes.

12 OFFICER WILLIAMS: 20:20.

13 AGENT HORNYAK: Yes. Military time gets  
14 me a lot, too, especially in something like this.

15 OFFICER WILLIAMS: Sorry.

16 AGENT HORNYAK: So about 8:20 p.m.?

17 OFFICER WILLIAMS: Correct.

18 AGENT HORNYAK: Okay. And that is  
19 during the course of your normal duty shift. So  
20 you had about three hours left on duty that  
21 night?

22 OFFICER WILLIAMS: Yes.

23 AGENT HORNYAK: Okay. And Sean, are you  
24 on administrative leave from the department?

25 OFFICER WILLIAMS: That's what Keith

1 told me, that I was, yeah.

2 AGENT HORNYAK: Okay. Okay. And did he  
3 say to you that's part of what typically just  
4 occurs in the -- that's what the department does  
5 in a situation like this?

6 OFFICER WILLIAMS: Yes.

7 AGENT HORNYAK: Okay. Any officer  
8 involved in a shooting just typically goes on  
9 administrative leave?

10 OFFICER WILLIAMS: Yes.

11 AGENT HORNYAK: Okay. I'll start near  
12 the beginning there. You were already in the  
13 Walmart parking lot. You said the tone came in  
14 from a caller at the Walmart. You said you  
15 worked your way around the front, is that  
16 accurate?

17 OFFICER WILLIAMS: Yes.

18 AGENT HORNYAK: Did you walk around or  
19 you drove around?

20 OFFICER WILLIAMS: I drove around.

21 AGENT HORNYAK: Okay. Since you were  
22 already there, did you activate your lights and  
23 sirens?

24 OFFICER WILLIAMS: No.

25 AGENT HORNYAK: You didn't feel the need

1 to at that point?

2 OFFICER WILLIAMS: No.

3 AGENT HORNYAK: Okay. Is it accurate  
4 that the cruiser cameras -- do you have a cruiser  
5 camera in your vehicle?

6 OFFICER WILLIAMS: Yes.

7 AGENT HORNYAK: Okay. Is it accurate  
8 that those are only activated by two means: One  
9 is to activate the lights and sirens and the  
10 camera comes on, the other option is to do it  
11 manually?

12 OFFICER WILLIAMS: Yes.

13 AGENT HORNYAK: Okay. Since you didn't  
14 activate your lights and sirens, you didn't have  
15 the cruiser camera on, and you did not activate  
16 the cruiser camera manually either, correct?

17 OFFICER WILLIAMS: I did not.

18 AGENT HORNYAK: Okay. In the front of  
19 the store, you and -- I'm not sure if you said  
20 his full name or not, but we just interviewed  
21 him, so we kind of put them together. You said  
22 Darkow, referring to who?

23 OFFICER WILLIAMS: Sergeant Dave Darkow.

24 AGENT HORNYAK: Okay. He was the only  
25 other officer on the scene at the time, at the

1 immediate time?

2 OFFICER WILLIAMS: Correct.

3 AGENT HORNYAK: Okay. And you engaged  
4 him, you guys met up, sounds like, at the trunk  
5 of his vehicle?

6 OFFICER WILLIAMS: Uh-huh.

7 AGENT HORNYAK: Okay. Do you recall  
8 speaking to him about what? What was your  
9 conversation --

10 OFFICER WILLIAMS: Um --

11 AGENT HORNYAK: -- if you had any? At  
12 that time what was your conversation?

13 OFFICER WILLIAMS: The only thing he  
14 really said was -- we didn't really have an  
15 extended conversation. He was gearing up and we  
16 made our way to the door.

17 AGENT HORNYAK: Uh-huh.

18 OFFICER WILLIAMS: Dispatch was  
19 continually giving us information. So while he  
20 was standing there, that's when I confirmed with  
21 dispatch if he was pointing a rifle at people.

22 AGENT HORNYAK: Uh-huh.

23 OFFICER WILLIAMS: And they said yes,  
24 and then we -- just based on training, we just  
25 knew what we were going to do. We were just



1 going to go straight to the threat. So he said,  
2 "Are you ready, are you ready?" He said, "Let's  
3 go," and that's it, and then we went to the  
4 front.

5 AGENT HORNYAK: Okay. You guys can't  
6 get in the one entrance, you go to another one,  
7 you get inside, and do you recall, either you or  
8 our Sergeant Darkow, giving any instructions to  
9 customers in the store?

10 OFFICER WILLIAMS: I do recall -- I  
11 think he told a few people right in the beginning  
12 to get like -- I think there were some people  
13 standing around us like what the heck is going on  
14 and he told them just to leave.

15 AGENT HORNYAK: Okay.

16 OFFICER WILLIAMS: That's the only time  
17 I recall him telling anyone, I believe.

18 AGENT HORNYAK: Okay. What are you  
19 looking for at that point? As you're entering  
20 the store, what's your thought?

21 OFFICER WILLIAMS: My thought is that we  
22 have to, based on the calls, the situation and  
23 what information was given to us, we had a threat  
24 in the store and there was a threat to everyone  
25 in the store. We were trained to go immediately

1 and as quickly as possible --

2 AGENT HORNYAK: Uh-huh.

3 OFFICER WILLIAMS: -- to that threat.

4 AGENT HORNYAK: Okay.

5 OFFICER WILLIAMS: So our goal was to go  
6 to where we knew the threat was while still  
7 carefully making sure he wasn't in the crowd.

8 AGENT HORNYAK: Gotcha.

9 OFFICER WILLIAMS: So our goal was just  
10 to move as quickly and essentially as possible to  
11 the threat.

12 AGENT HORNYAK: Okay. And you mentioned  
13 training. What kind of training have you had in  
14 that regard?

15 OFFICER WILLIAMS: Well, two weeks ago  
16 we had -- we had with an active shooter training.

17 AGENT HORNYAK: Okay.

18 OFFICER WILLIAMS: And we went through  
19 scenarios exactly like this where there's people  
20 with weapons, people that were actively shooting  
21 and then people that just had weapons --

22 AGENT HORNYAK: Uh-huh.

23 OFFICER WILLIAMS: -- in an occupied  
24 building.

25 AGENT HORNYAK: Uh-huh.

1 OFFICER WILLIAMS: And in that training  
2 we're told to go straight to the threat,  
3 bypassing people and containing it --

4 AGENT HORNYAK: Uh-huh.

5 OFFICER WILLIAMS: -- as best as  
6 possible.

7 AGENT HORNYAK: And that's how you would  
8 describe what you did --

9 OFFICER WILLIAMS: Yes.

10 AGENT HORNYAK: -- in your response?

11 OFFICER WILLIAMS: Yes.

12 AGENT HORNYAK: And so you felt like the  
13 training that you even just recently had was  
14 relevant to this exact situation?

15 OFFICER WILLIAMS: Yes.

16 AGENT HORNYAK: Okay. Have you had --  
17 and did something -- (inaudible) -- respond to  
18 that --

19 OFFICER WILLIAMS: Yes.

20 AGENT HORNYAK: Have you had that type  
21 of training before?

22 OFFICER WILLIAMS: Yes. We have it  
23 usually once a year.

24 AGENT HORNYAK: Okay. And, again, that  
25 training specifically tells you, as the first

1 responding officer, if there is a threat or an  
2 unidentified threat, you go directly to the  
3 threat, is that what you're saying?

4 OFFICER WILLIAMS: Correct.

5 AGENT HORNYAK: Okay. And you and  
6 Sergeant Darkow didn't even discuss that, you  
7 felt like you had been trained on this enough,  
8 you're seasoned officers, you're going through  
9 the door and looking for the threat?

10 OFFICER WILLIAMS: Correct.

11 AGENT HORNYAK: You don't recall,  
12 specifically, yourself discussing anything  
13 with -- giving commands to customers, but you did  
14 recall at one point asking -- did you say you  
15 asked a customer --

16 OFFICER WILLIAMS: I'm sorry.

17 AGENT HORNYAK: Did you say you asked  
18 the customer something at one point or the  
19 associate?

20 OFFICER WILLIAMS: I did ask when we  
21 first walked in -- there were people everywhere,  
22 and some of them -- the one guy I asked he didn't  
23 seem too alarmed. So I was trying to ask the  
24 first people I saw, like have you seen anyone  
25 with a gun.

1 AGENT HORNYAK: Uh-huh.

2 OFFICER WILLIAMS: He said no.

3 AGENT HORNYAK: Okay.

4 OFFICER WILLIAMS: So that's pretty much  
5 the only person I asked.

6 AGENT HORNYAK: Okay.

7 OFFICER WILLIAMS: And then we were  
8 starting to focus --

9 AGENT HORNYAK: Okay.

10 OFFICER WILLIAMS: -- on that particular  
11 direction and area of the pet area.

12 AGENT HORNYAK: What were you -- what  
13 was your uniform that night?

14 OFFICER WILLIAMS: I'm on the bike  
15 patrol, so I was wearing a two-tone bicycle  
16 uniform top, white with black --

17 AGENT HORNYAK: Uh-huh.

18 OFFICER WILLIAMS: -- and black shorts  
19 and shoes.

20 AGENT HORNYAK: You were on the bike  
21 patrol, but you were in a cruiser that night?

22 OFFICER WILLIAMS: Yes.

23 AGENT HORNYAK: And how is that uniform  
24 outfitted? Where is your badge, where is your --

25 OFFICER WILLIAMS: There is a badge,



1 there is a plain badge in plain view. It has my  
2 name on it, has "Police" across the back.

3 AGENT HORNYAK: Okay.

4 OFFICER WILLIAMS: I'd have to look in  
5 my -- it may say "Police" in the front as well.

6 AGENT HORNYAK: It says, "Police" across  
7 the back?

8 OFFICER WILLIAMS: Yes.

9 AGENT HORNYAK: Probably in reflective  
10 material, being the bike patrol.

11 The officer -- I'm sorry. Sergeant  
12 Darkow, you said he got some things out of his  
13 trunk when you were staging to get in there.  
14 What was he getting out of the trunk again?

15 OFFICER WILLIAMS: He was putting on --  
16 when I ran up to his cruiser he was putting on a  
17 tackling vest --

18 AGENT HORNYAK: Okay.

19 OFFICER WILLIAMS: -- which we can  
20 carry. It says "Police" on it and you carry  
21 extra magazines and anything else --

22 AGENT HORNYAK: Yes.

23 OFFICER WILLIAMS: -- you can carry in  
24 an active shooter type scenario. He put that on  
25 and he was getting his rifle out.

1           AGENT HORNYAK:  What kind of rifle does  
2 he have, if you recall?

3           OFFICER WILLIAMS:  He has -- we're only  
4 allowed to carry an AR-15 style --

5           AGENT HORNYAK:  Okay.

6           OFFICER WILLIAMS:  -- rifle.

7           AGENT HORNYAK:  Okay.  And that's what  
8 he had?  That's your recollection?

9           OFFICER WILLIAMS:  Yes.

10          AGENT HORNYAK:  Did you have a tackle  
11 vest yourself?

12          OFFICER WILLIAMS:  No.

13          AGENT HORNYAK:  Did he not assign one?

14          OFFICER WILLIAMS:  I don't have one.

15          AGENT HORNYAK:  Okay.  So it's just you  
16 in the uniform.  Is it mostly white, the top  
17 mostly white?

18          OFFICER WILLIAMS:  The top is mostly  
19 white.

20          AGENT HORNYAK:  Okay.  Sean, do you  
21 recall either of you identifying yourselves as  
22 police at any point during that response?

23          OFFICER WILLIAMS:  I don't recall that  
24 being said.

25          AGENT HORNYAK:  Okay.  Were you basing

1 that on -- is that something you would normally  
2 do or is it something --

3 OFFICER WILLIAMS: It depends on the  
4 speed of what's going on.

5 AGENT HORNYAK: Uh-huh.

6 OFFICER WILLIAMS: I mean, when we  
7 reached the end, if you're talking about the  
8 final -- when we confronted him --

9 AGENT HORNYAK: Wherever you want to  
10 start.

11 OFFICER WILLIAMS: When we confronted  
12 the suspect, my sergeant was already giving  
13 commands to him. That's what drew my attention  
14 back to him. He was giving commands and I didn't  
15 have time really to say anything, myself, to him  
16 before I shot.

17 AGENT HORNYAK: Okay. Stay on that for  
18 a minute. We might jump a little too far ahead  
19 on you to keep the flow going for you.

20 Do you recall Darkow -- if we're up to  
21 the point where we're at the subject, you recall  
22 Darkow saying, "Drop your weapon, drop your  
23 weapon," is that correct?

24 OFFICER WILLIAMS: Uh-huh.

25 AGENT HORNYAK: Did you say something

1 further to the suspect after that or before that?

2 OFFICER WILLIAMS: I did not.

3 AGENT HORNYAK: Okay. Going back to  
4 your training for a minute, Sean, what additional  
5 training have you had? Law enforcement, nine  
6 years. You have a lot of training in law  
7 enforcement. What additional specialized  
8 training and what tactical training have you had,  
9 if any?

10 OFFICER WILLIAMS: I've been to -- it's  
11 called Fast 1 and Fast 2. It's a tactical  
12 firearms self-defense class, OSP. I've been to  
13 both of those classes. It's an advanced tactical  
14 type course.

15 AGENT HORNYAK: Okay.

16 OFFICER WILLIAMS: I've been to officer  
17 down civilian rescue --

18 AGENT HORNYAK: Uh-huh.

19 OFFICER WILLIAMS: -- which is like a  
20 tackle type response to people down in active  
21 shooter situations.

22 AGENT HORNYAK: Yeah.

23 OFFICER WILLIAMS: I've been -- I'd have  
24 to look at my file. I've also been -- last year  
25 I went to advanced tactical weapons school --

1 AGENT HORNYAK: Uh-Huh.

2 OFFICER WILLIAMS: -- where you learn  
3 how to shoot various types of weapons, how to  
4 respond to different types of scenarios.

5 AGENT HORNYAK: Okay.

6 OFFICER WILLIAMS: How to make you a  
7 better shot and helps you make better decisions  
8 under stress and whatnot.

9 AGENT HORNYAK: Okay. So you've had  
10 additional tactical training. How often would  
11 you say you get any type of training? Would you  
12 say every year, every few months?

13 OFFICER WILLIAMS: Well, probably -- I'd  
14 probably -- as far as extra training like that,  
15 I'd probably go once or twice a year.

16 AGENT HORNYAK: Okay.

17 OFFICER WILLIAMS: But that's outside of  
18 our shooting training that we do to like qualify  
19 with our weapons and whatnot.

20 AGENT HORNYAK: Okay. Very good. And  
21 on that, are you qualified on the weapon that you  
22 fired that night?

23 OFFICER WILLIAMS: Yes.

24 AGENT HORNYAK: What is this specific  
25 weapon?



1 OFFICER WILLIAMS: It's an AR-15 rifle.

2 AGENT HORNYAK: Uh-huh.

3 OFFICER WILLIAMS: It is not issued by  
4 the police department. It was my personal rifle.

5 AGENT HORNYAK: Okay.

6 OFFICER WILLIAMS: We are allowed to  
7 carry our personal rifles as long as they're an  
8 AR-15 style rifle.

9 AGENT HORNYAK: Uh-huh.

10 OFFICER WILLIAMS: And as long as our  
11 weapons instructors check them for safety --

12 AGENT HORNYAK: Uh-huh.

13 OFFICER WILLIAMS: -- and that we would  
14 qualify with them. Once we do all that, then we  
15 have to get the weapon approved by the Chief, and  
16 he'll sign off on it, and then we're allowed to  
17 carry them on duty.

18 AGENT HORNYAK: Okay. And how long have  
19 you been qualified with that weapon with the  
20 department and enabled to carry it,  
21 approximately?

22 OFFICER WILLIAMS: Probably four years.

23 AGENT HORNYAK: Okay. Where is that  
24 weapon typically stored in your -- do you have a  
25 vehicle every night --

1 OFFICER WILLIAMS: Yes.

2 AGENT HORNYAK: -- and -- (inaudible.)

3 OFFICER WILLIAMS: We have a rack in  
4 between our seats --

5 AGENT HORNYAK: Okay.

6 OFFICER WILLIAMS: -- that is secure.

7 AGENT HORNYAK: Okay. You at some point  
8 chose to -- that was your weapon of choice that  
9 night?

10 OFFICER WILLIAMS: Uh-huh.

11 AGENT HORNYAK: Give us the reasoning  
12 for that. You already touched on that a little  
13 bit, but go through that again.

14 OFFICER WILLIAMS: The reason I grabbed  
15 the rifle was that from what we knew, the suspect  
16 had a rifle.

17 AGENT HORNYAK: Uh-huh.

18 OFFICER WILLIAMS: -- and based on what  
19 we knew --

20 AGENT HORNYAK: Uh-huh.

21 OFFICER WILLIAMS: -- that just seemed  
22 the appropriate weapon if -- because if a rifle  
23 can reach out, you know, really far, then we may  
24 have to --

25 AGENT HORNYAK: Uh-huh.

1 OFFICER WILLIAMS: -- shoot at a  
2 distance as well. So that's the reason.

3 AGENT HORNYAK: Okay. You don't want to  
4 be stuck with a handgun against an AR weapon or  
5 another type of rifle that may have more fire  
6 power?

7 OFFICER WILLIAMS: Correct.

8 AGENT HORNYAK: Okay. And you still --  
9 you felt like that was the appropriate choice for  
10 that situation?

11 OFFICER WILLIAMS: Yes.

12 AGENT HORNYAK: Okay. Sean, I know you  
13 guys -- the department had you take a toxicology  
14 test and urine sample from you and we have those  
15 results. But can you verify for us for this  
16 interview, were you drinking at all that night?

17 OFFICER WILLIAMS: No.

18 AGENT HORNYAK: Okay. Were you using  
19 any type of drugs?

20 OFFICER WILLIAMS: No.

21 AGENT HORNYAK: Okay. Did you feel you  
22 were reasonably well rested that night?

23 OFFICER WILLIAMS: Yes.

24 AGENT HORNYAK: Okay. Lighting in the  
25 store, how would you describe that?

1 OFFICER WILLIAMS: Well lit.

2 AGENT HORNYAK: Well lit? Okay. At one  
3 point you said that you told -- you said there  
4 wasn't much discussion between you and Darkow  
5 outside, you guys knew what you were doing and  
6 went inside. At one point you said that you made  
7 a statement to Darkow inside the store when you  
8 guys were clearing the aisles and you said  
9 something that you'd cover one of his sides --

10 OFFICER WILLIAMS: Uh-huh.

11 AGENT HORNYAK: -- is that accurate?

12 OFFICER WILLIAMS: Yes.

13 AGENT HORNYAK: Which side did you say  
14 you would cover, if you recall?

15 OFFICER WILLIAMS: Yes. I told him I  
16 was going to cover right if he was going to check  
17 the -- (inaudible) -- to the left.

18 AGENT HORNYAK: Okay. Do you recall  
19 saying anything else between the both of you  
20 during that time?

21 OFFICER WILLIAMS: No.

22 AGENT HORNYAK: Were you familiar with  
23 that Walmart?

24 OFFICER WILLIAMS: Yes.

25 AGENT HORNYAK: Okay. So you knew where

1 the pet area was?

2 OFFICER WILLIAMS: Yes.

3 AGENT HORNYAK: Okay. Did you ever  
4 encounter that subject, suspect prior to that  
5 night?

6 OFFICER WILLIAMS: No.

7 AGENT HORNYAK: Okay. Have you learned  
8 his name since the incident?

9 OFFICER WILLIAMS: Yes.

10 AGENT HORNYAK: And you're still not  
11 familiar with him?

12 OFFICER WILLIAMS: No.

13 AGENT HORNYAK: Okay. I think we'll  
14 stick at the point of the shooting for a minute,  
15 Sean, if you're comfortable with that for a  
16 minute. So you told Darkow you'd cover to the  
17 right and that's -- are we an aisle away from the  
18 encounter with the suspect at that point or is it  
19 right there?

20 OFFICER WILLIAMS: When I said that we  
21 were reaching at the end of the store --

22 AGENT HORNYAK: Okay.

23 OFFICER WILLIAMS: -- like if we kept  
24 walking, we'd go in the garden center already.

25 AGENT HORNYAK: You cleared some aisles



1 already?

2 OFFICER WILLIAMS: Yes.

3 AGENT HORNYAK: Okay.

4 OFFICER WILLIAMS: So we're basically  
5 reaching that final row --

6 AGENT HORNYAK: Yeah.

7 OFFICER WILLIAMS: -- of the pet area --

8 AGENT HORNYAK: Okay.

9 OFFICER WILLIAMS: -- basically the  
10 solid part of the store --

11 AGENT HORNYAK: Okay.

12 OFFICER WILLIAMS: -- we were reaching  
13 the end of it.

14 AGENT HORNYAK: Okay.

15 OFFICER WILLIAMS: So in that final row  
16 is when I said that I'd come in and I'll cover  
17 your right --

18 AGENT HORNYAK: Okay.

19 OFFICER WILLIAMS: -- because he was  
20 kind of taking the lead as we were going down the  
21 aisle.

22 AGENT HORNYAK: Is that appropriate to  
23 the way you guys have been trained?

24 OFFICER WILLIAMS: Yes.

25 AGENT HORNYAK: Okay. As he's taking

1 the lead, it sounds like what you were telling me  
2 is he observes the suspect first?

3 OFFICER WILLIAMS: Yes.

4 AGENT HORNYAK: Okay. And you went  
5 through, and we're going through things a couple  
6 times here, so forgive us for asking. So he at  
7 some point is moving, at some point stops, and  
8 then we're at that last aisle. So before you  
9 hear those commands, is that appropriate; he's  
10 moving slowly and then stops right before those  
11 commands are given?

12 OFFICER WILLIAMS: Darkow?

13 AGENT HORNYAK: Yes.

14 OFFICER WILLIAMS: I don't know what you  
15 mean.

16 AGENT HORNYAK: Okay. Probably poorly  
17 said. You guys were clearing the aisles?

18 OFFICER WILLIAMS: Yes.

19 AGENT HORNYAK: And you got to the last  
20 aisles --

21 OFFICER WILLIAMS: Right.

22 AGENT HORNYAK: -- where you encountered  
23 the suspect?

24 OFFICER WILLIAMS: Uh-huh.

25 AGENT HORNYAK: Darkow -- what's your

1 indication -- what's your first indication that  
2 he sees something?

3 OFFICER WILLIAMS: When he says, "Drop  
4 your weapon."

5 AGENT HORNYAK: Okay.

6 OFFICER WILLIAMS: That's the first  
7 thing I heard.

8 AGENT HORNYAK: Okay. Is Darkow taking  
9 cover at that time?

10 OFFICER WILLIAMS: I can't say.

11 AGENT HORNYAK: Okay.

12 OFFICER WILLIAMS: Like I said, I was  
13 covering to the right and as soon as I heard him  
14 say that, I just immediately swung around and,  
15 basically, came and saw the suspect with the  
16 weapon.

17 AGENT HORNYAK: Okay.

18 OFFICER WILLIAMS: My focus was -- I  
19 could see Darkow out of the corner of my eye. My  
20 main goal was to clear Darkow so he was out of  
21 sight or out of the line of fire --

22 AGENT HORNYAK: Uh-huh.

23 OFFICER WILLIAMS: -- and to focus on  
24 the suspect.

25 AGENT HORNYAK: Was Darkow moving at the

1 time when he told the suspect to drop his weapon?

2 OFFICER WILLIAMS: I can't say for sure.

3 AGENT HORNYAK: Okay. Okay. But you  
4 clearly moved around him. So at some point  
5 you're either moving quicker than him or he  
6 stopped and you moved quicker?

7 OFFICER WILLIAMS: No. Basically, he  
8 was to the left in the aisle and I moved to his  
9 right.

10 AGENT HORNYAK: Okay.

11 OFFICER WILLIAMS: And we kind of just  
12 squared off --

13 AGENT HORNYAK: Uh-huh.

14 OFFICER WILLIAMS: -- with the suspect.

15 AGENT HORNYAK: Okay. Darkow says,  
16 "Drop your weapon, drop your weapon," to the best  
17 of your recollection?

18 OFFICER WILLIAMS: Uh-huh.

19 AGENT HORNYAK: He says it twice?

20 OFFICER WILLIAMS: Um, I can't say if he  
21 said it twice. He said it repeatedly.

22 AGENT HORNYAK: Okay.

23 OFFICER WILLIAMS: I don't know exactly  
24 how many times he said it.

25 AGENT HORNYAK: It could have been more

1 than once, but it was at least once is what  
2 you're saying?

3 OFFICER WILLIAMS: Yes.

4 AGENT HORNYAK: Okay. How quickly do  
5 you observe the suspect from the time he says  
6 that?

7 OFFICER WILLIAMS: He said, "Drop your  
8 weapon," and then I just -- I immediately turned  
9 and saw him standing in the aisle with the rifle.

10 AGENT HORNYAK: And what do you recall  
11 again about what you -- so you see the suspect.  
12 How would you describe what you saw?

13 OFFICER WILLIAMS: I saw him standing  
14 there and, like I said, I see him and I see the  
15 rifle. I identified it as a rifle and by the  
16 time I identified it as a rifle, Sergeant Darkow  
17 had already told him to drop the weapon and so  
18 that's how I saw him. He was basically standing  
19 there.

20 AGENT HORNYAK: Uh-huh. You've said  
21 this -- you gave me your reasoning for what you  
22 did. I'm going to ask again specifically. So  
23 those commands were given. Why did you pull the  
24 trigger?

25 OFFICER WILLIAMS: Here's why I pulled



1 the trigger. He began moving with the rifle in  
2 hand.

3 AGENT HORNYAK: Uh-huh.

4 OFFICER WILLIAMS: He made what I  
5 consider -- he took a stance to where I felt he  
6 could have used it -- from what I could see in my  
7 angle, that he could have used the rifle at any  
8 moment. The rifle has been -- you know --  
9 (inaudible) -- and he begins moving with it. It  
10 was like -- the best I can describe is like an  
11 agitated movement with it as if he wasn't going  
12 to listen.

13 AGENT HORNYAK: Uh-huh.

14 OFFICER WILLIAMS: -- and that he was  
15 about to use it is how I describe it. So based  
16 on that, I've just identified him, the rifle and  
17 the back drop, and making sure there was no other  
18 people around and I felt quite certain at that  
19 point that when he wasn't listening to us --

20 AGENT HORNYAK: Uh-huh.

21 OFFICER WILLIAMS: -- that he was going  
22 to harm people --

23 AGENT HORNYAK: Okay.

24 OFFICER WILLIAMS: -- with that rifle.

25 AGENT HORNYAK: The call came in as what

1 again, when that initial call came in? What  
2 details did you have from dispatch?

3 OFFICER WILLIAMS: I had details that a  
4 black male had a rifle in the store.

5 AGENT HORNYAK: Uh-huh.

6 OFFICER WILLIAMS: He was waving it  
7 around, pointing it at people and he was loading  
8 it in the corner of the store.

9 AGENT HORNYAK: Okay. Is that a common  
10 call that you encounter as an officer?

11 OFFICER WILLIAMS: No. I've never taken  
12 a call like that before.

13 AGENT HORNYAK: Okay. Did that cause a  
14 heightened sense of alert when you get a call  
15 like that?

16 OFFICER WILLIAMS: Yes. My initial  
17 thought before we went in, what I was thinking to  
18 myself was this is Walmart, they sell weapons,  
19 they sell real guns, they sell fake guns. We've  
20 had calls before at somewhere like Dick's where  
21 people have been like returning weapons --

22 AGENT HORNYAK: Uh-huh.

23 OFFICER WILLIAMS: -- or purchase a lot  
24 more. We've gotten a call but it wasn't as  
25 serious. It was a person just walking with a gun

1 out of the store.

2 AGENT HORNYAK: Uh-huh.

3 OFFICER WILLIAMS: It wasn't somebody  
4 waving it around, pointing it at people and  
5 currently loading it.

6 AGENT HORNYAK: Uh-huh.

7 OFFICER WILLIAMS: So this was very  
8 rare, an unusual call and, you know, with how  
9 busy Walmart is and with the amount of people  
10 that have purchased items similar, weapon style  
11 items in Walmart, I have never taken a call like  
12 this before.

13 AGENT HORNYAK: Okay. Since the  
14 incident occurred, there has been a lot of media  
15 on what occurred and we now know what the suspect  
16 was carrying at the time. Are you aware at this  
17 point what the suspect was carrying?

18 OFFICER WILLIAMS: Yes.

19 AGENT HORNYAK: Okay. At any time  
20 during your response did anybody indicate to you  
21 that the suspect had anything other than an  
22 active working firearm that fired actual bullets?

23 OFFICER WILLIAMS: There was no other  
24 warning that it was anything but a rifle.

25 AGENT HORNYAK: Okay. And during your

1 walk through Walmart did you have any other  
2 indication from anyone else, outside of dispatch  
3 or anyone else, that this may be a pellet gun as  
4 opposed to a firearm that fires bullets?

5 OFFICER WILLIAMS: No.

6 AGENT HORNYAK: Having seen -- when you  
7 first observed the firearm, did anything that you  
8 saw of the weapon indicate that it was anything  
9 other than an active firearm?

10 OFFICER WILLIAMS: No. When it was laid  
11 on the ground, when I walked past it after I  
12 engaged the suspect, I confirmed with myself,  
13 yes, that is a rifle. That's what I told myself,  
14 because, you know, you see it --

15 AGENT HORNYAK: Uh-huh.

16 OFFICER WILLIAMS: -- you know it's a  
17 rifle --

18 AGENT HORNYAK: Uh-huh.

19 OFFICER WILLIAMS: -- and then it's down  
20 on the ground and you're telling yourself, yes,  
21 it was a rifle --

22 AGENT HORNYAK: Uh-huh.

23 OFFICER WILLIAMS: -- and no one told me  
24 otherwise until like the next day. I thought it  
25 was a rifle.

1           AGENT HORNYAK: Okay. And it wasn't  
2 until the next day until someone said --

3           OFFICER WILLIAMS: I believe it was the  
4 next day or early that morning or that night.

5           AGENT HORNYAK: At least several hours  
6 after the incident, basically?

7           OFFICER WILLIAMS: Yes.

8           AGENT HORNYAK: Okay. And if I hear you  
9 correctly, Sean, you're saying that you as an  
10 officer had before been called to responses where  
11 someone reports a person with a gun and you've  
12 had to use some discretion in determining -- you  
13 said the call was a little more urgent this time  
14 or a little more descriptive --

15          OFFICER WILLIAMS: Yes.

16          AGENT HORNYAK: -- that there was some  
17 movements? But you've responded before to calls  
18 before which turned out to be just a suspect  
19 returning a gun or so forth. So you've had to  
20 respond to calls before where there were reports  
21 of a gun, but not to the extent of this call?

22          OFFICER WILLIAMS: Correct.

23          AGENT HORNYAK: Okay. Sean, you were in  
24 the store and Darkow had made those commands, is  
25 it accurate what you're telling me, you're saying

1 that the suspect did not immediately comply?

2 OFFICER WILLIAMS: Correct.

3 AGENT HORNYAK: Okay. Your additional  
4 thought processes were he's armed, he's  
5 potentially a threat to you, potentially a threat  
6 to other customers, is that what you said?

7 OFFICER WILLIAMS: And Sergeant Darkow,  
8 yes.

9 AGENT HORNYAK: And Sergeant Darkow as  
10 well. Okay.

11 Did you also specify that he had what  
12 you thought could be a potential escape route  
13 from beyond your guys's hold on that section of  
14 the aisle where you could get back in the store?

15 OFFICER WILLIAMS: Yes.

16 AGENT HORNYAK: Okay. And are we  
17 hearing you accurately that that added to your  
18 decision that you felt deadly force was  
19 necessary?

20 OFFICER WILLIAMS: Yes.

21 AGENT HORNYAK: Okay. Sean, you fired  
22 how many shots?

23 OFFICER WILLIAMS: Two.

24 AGENT HORNYAK: Okay. Is that  
25 consistent with your training?



1 OFFICER WILLIAMS: Yes.

2 AGENT HORNYAK: Okay. Now, that you had  
3 a couple of days, probably about three days to  
4 reflect on everything, are the actions that you  
5 and Darkow took in that store consistent with the  
6 training you had that this scenario would be  
7 based upon?

8 OFFICER WILLIAMS: Yes.

9 AGENT HORNYAK: Okay. When the suspect  
10 is down -- when you fired, I should say, the  
11 suspect went down pretty quickly?

12 OFFICER WILLIAMS: Yes.

13 AGENT HORNYAK: Okay.

14 OFFICER WILLIAMS: Yes.

15 AGENT HORNYAK: And then he does get  
16 back up. Are you aware at that time where the  
17 weapon is after you fired --

18 OFFICER WILLIAMS: Yes.

19 AGENT HORNYAK: -- his weapon?

20 OFFICER WILLIAMS: Yes.

21 AGENT HORNYAK: Okay. And where was it?

22 OFFICER WILLIAMS: It was on the ground  
23 between me and him.

24 AGENT HORNYAK: Okay. The suspect gets  
25 back up, is that accurate?

1 OFFICER WILLIAMS: Yes.

2 AGENT HORNYAK: Are you moving toward  
3 him at the time after the shots were fired?

4 OFFICER WILLIAMS: Yes.

5 AGENT HORNYAK: Okay. He gets back up  
6 and did you -- am I correct in saying you said it  
7 was in an aggressive passion or your perception  
8 was it was an aggressive passion?

9 OFFICER WILLIAMS: Yes.

10 AGENT HORNYAK: Okay. He's moving  
11 toward you at that point?

12 OFFICER WILLIAMS: He's moving toward  
13 the gun, like he's looking down at it like he's  
14 about to reach for it.

15 AGENT HORNYAK: Okay. Would you say  
16 that in that moment you had the opportunity to  
17 fire, if you chose to?

18 OFFICER WILLIAMS: Yes.

19 AGENT HORNYAK: Okay. And again, you've  
20 thought this through. Tell us again why you  
21 didn't fire at that point.

22 OFFICER WILLIAMS: I didn't fire the  
23 second time because he didn't quite get there, to  
24 the weapon. He -- that's the reason why. I was  
25 yelling at him, yelling at him to get down on the

1 ground --

2 AGENT HORNYAK: Uh-huh.

3 OFFICER WILLIAMS: -- and he just  
4 stopped short and collapsed.

5 AGENT HORNYAK: Okay. So, again, you  
6 thought at the moment the threat was at least  
7 momentarily, even for how split of a second, it  
8 was neutralized unless he made it to that gun or  
9 made it close enough to where you could not  
10 recover?

11 OFFICER WILLIAMS: I'm sorry. Could you  
12 repeat that?

13 AGENT HORNYAK: Yes. I'm trying to get  
14 a little more detail on your description on not  
15 pulling the trigger for a second instance. So  
16 what went through your mind immediately is, you  
17 know -- it sounds like you had a significant  
18 thought process there, that you were aware the  
19 gun was not under his control at that moment?

20 OFFICER WILLIAMS: Right.

21 AGENT HORNYAK: Although he's moving  
22 toward the gun and could be a threat, it sounds  
23 like you rationalized at that second he wasn't a  
24 threat yet?

25 OFFICER WILLIAMS: I considered him a

1 threat even after he went down.

2 AGENT HORNYAK: Okay.

3 OFFICER WILLIAMS: He -- I just had it  
4 in my thought if he would have reached the  
5 weapon -- I felt him coming back to the weapon --

6 AGENT HORNYAK: Uh-huh.

7 OFFICER WILLIAMS: -- was a threat.

8 AGENT HORNYAK: Uh-huh.

9 OFFICER WILLIAMS: And if he would have  
10 made an attempt to pick up the weapon again --

11 AGENT HORNYAK: Uh-huh.

12 OFFICER WILLIAMS: -- I was ready to  
13 fire again.

14 AGENT HORNYAK: Okay.

15 OFFICER WILLIAMS: But like I said, as  
16 he was making his way towards it, he kind of  
17 hesitated or just stopped short and just went  
18 down. I don't know if he went down without me  
19 telling him to go down. Basically, he went down  
20 before he grabbed the rifle.

21 AGENT HORNYAK: Okay. In your  
22 recollection, he made a secondary movement  
23 towards you and/or towards that rifle and you  
24 didn't fire, and he subsequently went down on his  
25 own?

1 OFFICER WILLIAMS: Yes.

2 AGENT HORNYAK: Okay. He went down and  
3 you said that you had to -- what was your  
4 direction to him after he was down, then?

5 OFFICER WILLIAMS: What did I tell him?

6 AGENT HORNYAK: Yes, sir.

7 OFFICER WILLIAMS: I told him to put his  
8 hands behind his back.

9 AGENT HORNYAK: Okay.

10 OFFICER WILLIAMS: And he was kind of --  
11 I told him to roll over. I think he was on his  
12 back. I told him to roll over, put his hands  
13 behind his back. He was yelling something. I  
14 can't remember what he was yelling. He was  
15 yelling something at me.

16 AGENT HORNYAK: Uh-huh.

17 OFFICER WILLIAMS: And he eventually  
18 rolled over and I told him to put his hands  
19 behind his back and he eventually put his hands  
20 out to his sides or something or down to his  
21 side. But I had to manually pull his hands  
22 together to get him cuffed.

23 AGENT HORNYAK: Okay. And you cuffed  
24 him why, Sean?

25 OFFICER WILLIAMS: Because that's what

1 we're trained to do in those situations. He is  
2 still potentially a threat to people around. We  
3 don't know if he has any more weapons on him. So  
4 we cuff him for his safety and our safety.

5 AGENT HORNYAK: Okay. Do you recall the  
6 suspect saying anything before the shots were  
7 fired?

8 OFFICER WILLIAMS: No.

9 AGENT HORNYAK: Okay. Do you recall the  
10 suspect saying anything during or immediately  
11 after the shots were fired?

12 OFFICER WILLIAMS: Nothing that I could  
13 understand. He was yelling something. When he  
14 was coming back for his rifle, I could see him  
15 saying something. I couldn't understand it and  
16 my ears were ringing, so I couldn't quite hear  
17 what he was saying.

18 AGENT HORNYAK: Uh-huh.

19 OFFICER WILLIAMS: And then when he went  
20 down he was kind of yelling. He didn't say  
21 anything, that I can remember.

22 AGENT HORNYAK: Okay.

23 OFFICER WILLIAMS: Okay.

24 AGENT HORNYAK: Let's talk about the  
25 response for a minute after that. So after you



1 cuffed him did you feel that he was at least  
2 relatively secure at the moment?

3 OFFICER WILLIAMS: Yes.

4 AGENT HORNYAK: Okay. And then what  
5 were your next actions?

6 OFFICER WILLIAMS: Our next actions were  
7 to secure the suspect, kind of checked around,  
8 make sure there were no more threats, nothing  
9 dangerous around, and then our priority is his  
10 condition. I believe Darkow called for a medic  
11 and I kind of quickly assessed him, and I told  
12 Officer Stull who was on scene at that point that  
13 we needed a medical kit. Due to the wounds to  
14 his arms, I felt that loss of blood was an issue.

15 AGENT HORNYAK: Uh-huh.

16 OFFICER WILLIAMS: We're trained how to  
17 apply tourniquets. So I had Officer Bondi and  
18 Officer Stull bring tourniquets, and I believe  
19 Officer Stull applied both of them to his arms to  
20 try to stop the bleeding as much as possible.

21 AGENT HORNYAK: Uh-huh.

22 OFFICER WILLIAMS: And at that point --  
23 those were the only injuries I could see at that  
24 time. So we kind of just kept him awake as best  
25 we could and waited for the medics to get there.

1           AGENT HORNYAK: Okay. So you were  
2 actively engaged in trying to attend to the  
3 suspect's medical needs?

4           OFFICER WILLIAMS: Yes.

5           AGENT HORNYAK: Okay. Sean, did you  
6 make a verbal statement about this incident to  
7 the police department --

8           OFFICER WILLIAMS: Yes.

9           AGENT HORNYAK: -- after the incident?  
10 Okay. And we're not done yet unfortunately, but  
11 is there anything at this point that -- in the  
12 time you've had in between that statement and  
13 from what you can recall, is there anything that  
14 critically you would change to that verbal  
15 statement?

16           OFFICER WILLIAMS: No. I mean, that  
17 initial statement to me seemed like it was just  
18 a -- almost like a brief summary of what  
19 happened, what they wanted. So I feel it was like  
20 a brief summary.

21           AGENT HORNYAK: You still feel it's  
22 accurate today?

23           OFFICER WILLIAMS: Yes.

24           AGENT HORNYAK: Okay. Sean, do you have  
25 -- have you had prior involvement in any

1 shootings?

2 OFFICER WILLIAMS: Yes.

3 AGENT HORNYAK: Can you tell us what  
4 that was?

5 OFFICER WILLIAMS: I was involved in a  
6 shooting back in 2010, where me and my partner  
7 responded to a domestic violence incident and  
8 we -- during our response and entry into the  
9 suspect's apartment, he came -- he jumped up from  
10 the living room with a big butcher knife and  
11 charged at me and my partner --

12 AGENT HORNYAK: Okay.

13 OFFICER WILLIAMS: -- and he was given a  
14 verbal commandment to stop and drop the knife and  
15 he did not, and he was right on top of us and I  
16 fired --

17 AGENT HORNYAK: Okay.

18 OFFICER WILLIAMS: -- and shot and  
19 killed him.

20 AGENT HORNYAK: What type of weapon were  
21 you holding at that time?

22 OFFICER WILLIAMS: It was a Sig Sauer  
23 P229, .40 caliber.

24 AGENT HORNYAK: Handgun?

25 OFFICER WILLIAMS: Yes.

1           AGENT HORNYAK: Okay. Was there an  
2 investigation done after that incident?

3           OFFICER WILLIAMS: Yes.

4           AGENT HORNYAK: What were the results of  
5 that investigation?

6           OFFICER WILLIAMS: That I acted  
7 appropriately, in policy and within the law.

8           AGENT HORNYAK: Okay. Any other  
9 shooting incidents?

10          OFFICER WILLIAMS: Not that I've been  
11 directly involved in.

12          AGENT HORNYAK: Okay. Yeah, I need any  
13 kind of a shooting that you've been directly  
14 involved in. Okay. Are you saying that you have  
15 been at other incidents where other officers are  
16 shot?

17          OFFICER WILLIAMS: No. I've just been  
18 -- shooting incidents?

19          AGENT HORNYAK: I know that's a broad  
20 term.

21          OFFICER WILLIAMS: Yes. No, I haven't  
22 had a shooting other than these two times.

23          AGENT HORNYAK: Okay. Have you ever  
24 been disciplined for a use of force issue?

25          OFFICER WILLIAMS: No.

1           AGENT HORNYAK: Okay. Sean, you've been  
2 very thorough and I appreciate that, and you know  
3 how this is, being an officer, that a lot of  
4 times certain people remember certain details,  
5 one way or another. If Sergeant Darkow were to  
6 recall that after he gave commands to the  
7 subject, that you gave a subsequent command to  
8 the subject, either something along the lines of  
9 "get down" or "put it down," you said you don't  
10 recall making any commands yourself at this  
11 point?

12           OFFICER WILLIAMS: At this point --

13           AGENT HORNYAK: Okay.

14           OFFICER WILLIAMS: -- I can't.

15           AGENT HORNYAK: Okay. Is it out of the  
16 realm of possibility that Darkow may just be  
17 remembering it that way, you think maybe you're  
18 just not -- forgetting, is it -- can you close it  
19 out one way or the other 100 percent or can you  
20 not?

21           OFFICER WILLIAMS: I can't close it out  
22 100 percent.

23           AGENT HORNYAK: Okay. Thank you.

24           OFFICER WILLIAMS: There are still  
25 things that are foggy and --

1 AGENT HORNYAK: Absolutely.

2 OFFICER WILLIAMS: -- where I can -- you  
3 know, one day I'll see things crystal clear and  
4 the next day every thing is foggy.

5 AGENT HORNYAK: Uh-huh.

6 OFFICER WILLIAMS: So I don't remember.

7 AGENT HORNYAK: Okay.

8 OFFICER WILLIAMS: I don't remember  
9 saying anything.

10 AGENT HORNYAK: Have you been given the  
11 opportunity to speak with anybody about the  
12 shooting, a counselor or anything like that?

13 OFFICER WILLIAMS: Yes.

14 AGENT HORNYAK: You don't have to  
15 comment on that.

16 OFFICER WILLIAMS: It's fine. But, yes,  
17 I have.

18 AGENT HORNYAK: Okay. You went into  
19 great detail about the medical situation for the  
20 suspect. Did you feel the medical attention  
21 given to him at the time was appropriate?

22 OFFICER WILLIAMS: Yes.

23 AGENT HORNYAK: Okay. And you even went  
24 into detail in saying that you personally tried  
25 to keep him alert and awake, because, you said,



1 you felt he was lapsing into unconsciousness and  
2 may --

3 OFFICER WILLIAMS: Yes.

4 AGENT HORNYAK: -- result in something?  
5 Okay. Other officers responded shortly  
6 thereafter you?

7 OFFICER WILLIAMS: Uh-huh.

8 AGENT HORNYAK: Is there anything you  
9 saw that you would consider inappropriate actions  
10 done by anybody for this incident?

11 OFFICER WILLIAMS: No.

12 AGENT HORNYAK: Do you believe everybody  
13 acted professionally?

14 OFFICER WILLIAMS: Yes.

15 AGENT HORNYAK: Do you believe that  
16 everybody from the department that arrived,  
17 whether from your department or otherwise -- I  
18 believe there were multiple jurisdictions. Do  
19 you believe everybody that was close enough made  
20 every attempt to save that suspect's life?

21 OFFICER WILLIAMS: Yes.

22 AGENT HORNYAK: Okay. Sean, are you  
23 aware that there were other medical issues going  
24 on in the store --

25 OFFICER WILLIAMS: Yes.

1           AGENT HORNYAK:  -- either right around  
2 there or shortly after?  Can you tell us about  
3 that real quick?

4           OFFICER WILLIAMS:  Yes.  The scene  
5 quickly became quickly chaotic, even more so  
6 because as soon as the suspect was down, we were  
7 getting reports like people going down with  
8 various health issues.

9           AGENT HORNYAK:  Uh-huh.

10          OFFICER WILLIAMS:  And I believe -- I  
11 don't know which officer -- from what I could  
12 hear on the radio, I was more focused on the  
13 suspect.  But from what I could hear on the  
14 radio, they were trying to give AED to one of the  
15 people.  I don't know who it was, I don't know  
16 what their emergency was.

17          AGENT HORNYAK:  Okay.

18          OFFICER WILLIAMS:  But we were getting  
19 several reports that people were having medical  
20 emergencies throughout the store.

21          AGENT HORNYAK:  Okay.  Did you have  
22 direct involvement in the attention of any of  
23 those?

24          OFFICER WILLIAMS:  No.

25          AGENT HORNYAK:  Okay.  So you were just

1 hearing that over the radio and not sure what it  
2 means.

3 OFFICER WILLIAMS: Yes.

4 AGENT HORNYAK: Okay. Are you doing all  
5 right so far?

6 OFFICER WILLIAMS: Yeah.

7 AGENT HORNYAK: Okay. What we're going  
8 to move into in a minute here is listen to some  
9 radio traffic in helping you identify what's  
10 going on, see if that triggers anything  
11 different. During the discussion, we're going to  
12 watch some of the video, but Brent is going to  
13 ask some questions for you right now. Brent?

14 AGENT KIRKPATRICK: If you don't mind,  
15 Sean, I'm going to ask you a few follow-up  
16 questions and it has just been because I've been  
17 writing notes while you've been talking. I'm not  
18 trying to scrutinize anything by the questions  
19 I'm asking. It's just I am unclear about some  
20 and I want to make sure I've got it right in my  
21 mind.

22 Okay. First of all, what platoon are  
23 you on?

24 OFFICER WILLIAMS: The name of the  
25 platoon?

1           AGENT KIRKPATRICK: Yes. Is it a number  
2 or name?

3           OFFICER WILLIAMS: Yes. I think it's  
4 one -- I really don't know. It's a swing shift  
5 and I make my own --

6           AGENT KIRKPATRICK: Do you report to a  
7 certain supervisor?

8           OFFICER WILLIAMS: Yes.

9           AGENT KIRKPATRICK: Who do you report  
10 to?

11          OFFICER WILLIAMS: At the time of the  
12 incident it was Sergeant Darkow.

13          AGENT KIRKPATRICK: So at the time of  
14 the incident you were reporting to Sergeant  
15 Darkow?

16          OFFICER WILLIAMS: Yes.

17          AGENT KIRKPATRICK: Okay.

18          OFFICER WILLIAMS: And the number of the  
19 platoon is Platoon 4.

20          AGENT KIRKPATRICK: Okay. And do you  
21 split supervisors? I know you work from  
22 11:00 a.m. to 11:00 p.m. I know Sergeant Darkow  
23 works from 7:00 p to 7:00 a, correct?

24          OFFICER WILLIAMS: Yes. My first  
25 supervisor is Sergeant Molnar and I'm with him

1 from 11:00 to 7:00.

2 AGENT KIRKPATRICK: So since you're on  
3 swing shifts, you've had supervisors that changed  
4 throughout your shift?

5 OFFICER WILLIAMS: Uh-huh.

6 AGENT KIRKPATRICK: Okay. And how long  
7 have you worked on that particular swing shift?

8 OFFICER WILLIAMS: Then, probably a  
9 year.

10 AGENT KIRKPATRICK: Okay. So you've  
11 worked very closely with Sergeant Molnar and  
12 Sergeant Darkow?

13 OFFICER WILLIAMS: Yes.

14 AGENT KIRKPATRICK: Okay. And you'll  
15 have to forgive me because Dave -- I wrote down  
16 some questions and when he was going through  
17 them, he answered some already.

18 When the commands were given by Sergeant  
19 Darkow, would you consider those commands clear,  
20 concise and audible?

21 OFFICER WILLIAMS: Yes.

22 AGENT KIRKPATRICK: So it was -- in your  
23 opinion, do you think the subject could have  
24 easily heard, "put it down" or "drop the weapon,"  
25 or whatever commands -- the exact words that

1 Sergeant Darkow gave?

2 OFFICER WILLIAMS: Yes.

3 AGENT KIRKPATRICK: Okay. Were there  
4 any other audible indications surrounding you  
5 that would indicate the police were there or near  
6 the store?

7 OFFICER WILLIAMS: I don't understand  
8 what you're saying.

9 AGENT KIRKPATRICK: Okay. Typically,  
10 when police officers respond, they'll respond  
11 with lights and sirens.

12 OFFICER WILLIAMS: Uh-huh.

13 AGENT KIRKPATRICK: Did you hear any  
14 lights and sirens going off at that time?

15 OFFICER WILLIAMS: Yes. When I pulled  
16 around, I heard sirens. I heard Sergeant  
17 Darkow's sirens and I heard other sirens  
18 responding as well.

19 AGENT KIRKPATRICK: Okay. You heard  
20 those clearly?

21 OFFICER WILLIAMS: I could hear those  
22 clearly from outside.

23 AGENT KIRKPATRICK: Okay. Did you hear  
24 them -- I know a lot was going on. Once you were  
25 inside, a lot of chaos, lots of crowds of people

1 in there. Did you hear any of the sirens once  
2 you were inside the building?

3 OFFICER WILLIAMS: Not that I could  
4 hear.

5 AGENT KIRKPATRICK: Okay.

6 AGENT HORNYAK: And I didn't press this  
7 point with you, Sean. We spoke to Darkow and  
8 sometimes we assume that, you know, other details  
9 you have and we'll bring them out in the open  
10 here. You said you're familiar with the store?  
11 I'm sorry to interrupt, Brent.

12 AGENT KIRKPATRICK: It's all right.

13 AGENT HORNYAK: The pet section is in  
14 what area of the store and directional?

15 OFFICER WILLIAMS: It is the southwest  
16 corner.

17 AGENT HORNYAK: Is that the front or  
18 rear of the store?

19 OFFICER WILLIAMS: Front.

20 AGENT HORNYAK: Okay. So it's -- did  
21 you enter on the door side -- not the nearest  
22 door, but the next door. Walmart has several  
23 front doors usually. The next door you entered  
24 was nearest to the pet store?

25 OFFICER WILLIAMS: Yes.



1           AGENT HORNYAK: And that's fairly close  
2 to where Darkow staged, because he was staging  
3 that other open door?

4           OFFICER WILLIAMS: Yes.

5           AGENT HORNYAK: Okay. Sorry, Brent.

6           AGENT KIRKPATRICK: It's Okay. I'm  
7 going to jump around just because of the nature  
8 where I made notations. I believe you said it was  
9 a personal weapon with you that you carried with  
10 the rifle, AR style platform. What was the make  
11 and model of that particular --

12           OFFICER WILLIAMS: I believe it's a  
13 Spikes Tactical.

14           AGENT KIRKPATRICK: Spikes Tactical?

15           OFFICER WILLIAMS: Yes.

16           AGENT KIRKPATRICK: Okay. How long have  
17 you had that weapon?

18           OFFICER WILLIAMS: About four years.

19           AGENT KIRKPATRICK: Okay. And you've  
20 already clarified that you were qualified with  
21 that weapon?

22           OFFICER WILLIAMS: Uh-huh.

23           AGENT KIRKPATRICK: And it has been  
24 approved by your department --

25           OFFICER WILLIAMS: Chief.

1           AGENT KIRKPATRICK:  -- by your Chief to  
2 carry that weapon?

3           OFFICER WILLIAMS:  Uh-huh.

4           AGENT KIRKPATRICK:  Okay.  We also went  
5 into the extent of what type of training you  
6 have:  Fast 1, Fast 2, officer down civilian  
7 rescue training, tactical weapon school.  Would  
8 all those be reflected in your personnel or  
9 training records?

10          OFFICER WILLIAMS:  They should be, yes.

11          AGENT KIRKPATRICK:  Okay.  Have you ever  
12 had a chance to review your personnel -- or  
13 personnel record or your training record?

14          OFFICER WILLIAMS:  Well, I keep copies  
15 of all my training certificates.

16          AGENT KIRKPATRICK:  Okay.  So you have  
17 copies of all that?

18          OFFICER WILLIAMS:  Yes.

19          AGENT KIRKPATRICK:  Okay.  Great.  We  
20 have been made aware through our investigation  
21 that the subject was talking on his cell phone.  
22 At any point did you notice that the individual  
23 was on the cell phone?

24          OFFICER WILLIAMS:  No.

25          AGENT KIRKPATRICK:  When did you first

1 become aware that a cell phone was even involved,  
2 if you or unless -- (Inaudible.)

3 OFFICER WILLIAMS: I think one of the  
4 detectives said something about a cell phone,  
5 that he may have been on the cell phone or that  
6 he was talking on the cell phone prior to us  
7 arriving. But I didn't see him on the cell  
8 phone.

9 AGENT KIRKPATRICK: Okay.

10 AGENT HORNYAK: When you say,  
11 "detectives," you're saying after the incident  
12 someone told you that?

13 OFFICER WILLIAMS: Yes.

14 AGENT KIRKPATRICK: Okay. Did you make  
15 any physical observations of the subject either  
16 before or after the incident? Did he appear  
17 intoxicated, did he appear to be on drugs,  
18 anything that gave you either, you know, a visual  
19 or a, you know --

20 OFFICER WILLIAMS: There was nothing  
21 that I saw that would indicate he was on drugs --

22 AGENT KIRKPATRICK: Okay.

23 OFFICER WILLIAMS: -- or under the  
24 influence of anything. I couldn't tell.

25 AGENT KIRKPATRICK: And I know you got

1 very close to him after. I know you were  
2 rendering first aid to the individual. I didn't  
3 know if you made any observations as to those  
4 types of conditions when you were rendering first  
5 aid?

6 OFFICER WILLIAMS: No.

7 AGENT KIRKPATRICK: Okay. And I'm not  
8 sure if we specified, if it was something I  
9 missed when we were talking about it, but I know  
10 when you were rendering first aid, you applied  
11 tourniquets?

12 OFFICER WILLIAMS: I'd say, "We."  
13 Officer Stull -- I would consider it a team  
14 effort. But I was just kind of walking, I was  
15 just helping Officer Stull apply them. He had  
16 rubber gloves on and was putting them on.

17 AGENT KIRKPATRICK: Sure. I don't know  
18 if we clarified where those tourniquets were  
19 placed.

20 OFFICER WILLIAMS: They were placed on  
21 his upper arms.

22 AGENT KIRKPATRICK: Okay. Can you go  
23 into the extent of the injuries and why you  
24 thought the tourniquets were necessary.

25 OFFICER WILLIAMS: He had one severe

1 wound to one of his elbows, I forget which elbow  
2 and where. Like there was nothing there, like it  
3 was completely gone. So I knew that was a very  
4 serious, potentially critical injury. So they  
5 had to put one on his other arm as well. So with  
6 those types of injuries, you know, stopping the  
7 blood as soon as possible is critical to  
8 survival. So I decided to try to get tourniquets  
9 on as soon as possible to try to stop the  
10 bleeding.

11 AGENT KIRKPATRICK: Okay. That's all  
12 I've got. If you want to --

13 AGENT HORNYAK: Okay. How are you  
14 doing? Do you need a break or something?

15 OFFICER WILLIAMS: I'm good.

16 AGENT HORNYAK: Fairly quick here, let's  
17 listen to the radio traffic. What we want you to  
18 do -- you don't have to identify every little  
19 thing for us, but we want to identify if you hear  
20 yourself, if things pop up and you want to say  
21 that's him, that's this. Anything that triggers  
22 a memory, we'll probably stop and ask questions  
23 through it. We're going to start at 20:22, and  
24 that should be the first call I have, all right?

25 OFF WILLIAMS: Uh-huh.

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- - -

(THE FOLLOWING IS THE AUDIO  
OF 20:22 RADIO TRAFFIC):

- - -

"UNIDENTIFIED MALE SPEAKER: 118 --  
(inaudible).

"UNIDENTIFIED FEMALE SPEAKER: 20:22.  
113 and 96 for weapons complaints. Section 40,  
decline six.

"UNIDENTIFIED MALE SPEAKER: 113, I'm  
available. I'll be in route.

"UNIDENTIFIED FEMALE SPEAKER: Okay.

"UNIDENTIFIED MALE SPEAKER: 26. Go  
ahead.

"UNIDENTIFIED FEMALE SPEAKER: 3360  
Pentagon Boulevard, Walmart; a black male, six  
foot, wearing a blue shirt, blue pants, in the  
pets section, holding a gun, pointing."

- - -

AGENT HORNYAK: Is that the way you  
recall it?

OFFICER WILLIAMS: Uh-huh.

AGENT HORNYAK: Okay.

- - -

(THE FOLLOWING IS THE AUDIO

1 OF 20:23 RADIO TRAFFIC):

2 "UNIDENTIFIED MALE SPEAKER: In route.

3 46, I'll still be in route -- (inaudible.)

4 "UNIDENTIFIED FEMALE SPEAKER: 20:23."

5 - - -

6 AGENT HORNYAK: Sean, who is 46?

7 OFFICER WILLIAMS: That's Chris

8 Williams.

9 AGENT HORNYAK: Relation?

10 OFFICER WILLIAMS: That's my dad.

11 AGENT HORNYAK: Okay.

12 - - -

13 (THE FOLLOWING IS CONTINUED AUDIO

14 OF 20:23 RADIO TRAFFIC):

15 "UNIDENTIFIED MALE SPEAKER: (Inaudible)

16 -- I'm at Walmart. Did you say he's pointing it  
17 at people?

18 "UNIDENTIFIED FEMALE SPEAKER:

19 Affirmative, 90. He's in the pet section."

20 - - -

21 AGENT HORNYAK: So, again, before I  
22 paused it, she previously identified the location  
23 is Pentagon Boulevard, that's the Walmart. You  
24 heard that call. This call is coming in saying  
25 it's in the pet section. Anything more specific



1 than that, that I missed?

2 OFFICER WILLIAMS: That was me.

3 AGENT KIRKPATRICK: I was going to say  
4 was that you?

5 OFFICER WILLIAMS: Yes, that was me, 90,  
6 saying that I was on the scene and I asked if he  
7 was pointing it at people.

8 AGENT HORNYAK: Okay.

9 - - -

10 (THE FOLLOWING IS THE AUDIO  
11 OF 20:24 RADIO TRAFFIC):

12 "UNIDENTIFIED MALE SPEAKER: Do you have  
13 somebody with an eye on him?

14 "UNIDENTIFIED FEMALE SPEAKER:  
15 Affirmative. I have a gentleman who's watching  
16 him who says he's waving it around, believes it's  
17 a rifle, believes he just put some bullets  
18 inside.

19 "UNIDENTIFIED MALE SPEAKER: Clear.  
20 (Inaudible).

21 "UNIDENTIFIED FEMALE SPEAKER: 90,  
22 they're advising he's in the black -- back corner  
23 of pets.

24 "UNIDENTIFIED MALE SPEAKER: (Inaudible.)"

25 - - -

1           AGENT KIRKPATRICK: Before you move on,  
2 can I ask: What was your mindset or your reason  
3 for asking for a confirmation about him waving  
4 the rifle?

5           OFFICER WILLIAMS: I just wanted -- I  
6 just wanted, just for my -- for responding units  
7 and for myself, I just wanted to nail down over  
8 the radio that he was, in fact, pointing it -- at  
9 least that's what dispatch said, that he was  
10 pointing it at people and waving it around. I  
11 just wanted to be certain that was the case  
12 before we did entry.

13           AGENT KIRKPATRICK: Okay. Does that  
14 elevate the situation, in your mind?

15           OFFICER WILLIAMS: Yes.

16           AGENT KIRKPATRICK: Okay. Very good.

17           AGENT HORNYAK: And if we heard in that  
18 longer transmission that's what they identified,  
19 rifle, waving it around, which you clarified, and  
20 loading it?

21           OFFICER WILLIAMS: Yes.

22           AGENT HORNYAK: Okay.

23           - - -

24           (THE FOLLOWING IS THE AUDIO

25           20:25 RADIO TRAFFIC:)

1 "UNIDENTIFIED MALE SPEAKER: 96, 37.  
2 "UNIDENTIFIED FEMALE SPEAKER: 20:25.  
3 "UNIDENTIFIED MALE SPEAKER: 96, 37.  
4 "UNIDENTIFIED FEMALE SPEAKER: 20:26.  
5 "UNIDENTIFIED MALE SPEAKER: 1013,  
6 myself and 117, 37.

7 "UNIDENTIFIED FEMALE SPEAKER: 20:26."

8 "UNIDENTIFIED MALE SPEAKER: Suspect  
9 down.

10 "UNIDENTIFIED FEMALE SPEAKER: You  
11 recorded, 20:27."

12 - - -

13 AGENT HORNYAK: That's you. I'll play  
14 it again.

15 "UNIDENTIFIED: Suspect down.

16 "UNIDENTIFIED FEMALE SPEAKER: You  
17 recorded, 20:27."

18 - - -

19 AGENT HORNYAK: Not sure?

20 OFFICER WILLIAMS: I can't tell.

21 AGENT HORNYAK: Okay. And you don't  
22 specifically recall it being you, at this point?

23 OFFICER WILLIAMS: I --

24 AGENT HORNYAK: This is -- that's a lot  
25 going on in that situation.

1 OFFICER WILLIAMS: Right.

2 AGENT HORNYAK: -- (inaudible) -- the  
3 question.

4 OFFICER WILLIAMS: I can't tell if  
5 that's me or not.

6 AGENT HORNYAK: Okay. Okay, Sean. So  
7 that went pretty quick from kind of -- like I  
8 said, that traffic goes from one thing to the  
9 next here really quick. This is still 20:27,  
10 this is an additional file.

11 - - -

12 (THE FOLLOWING IS THE AUDIO

13 OF 20:27 RADIO TRAFFIC):

14 "UNIDENTIFIED MALE SPEAKER: (Inaudible)  
15 -- which corner of the store?

16 "UNIDENTIFIED MALE SPEAKER: Shots fired.

17 "UNIDENTIFIED BACKGROUND MALE SPEAKER:  
18 Get on your back."

19 "UNIDENTIFIED MALE SPEAKER: Call an  
20 ambulance.

21 "UNIDENTIFIED FEMALE SPEAKER: You're  
22 clear, 20:27."

23 - - -

24 AGENT HORNYAK: Do you hear that part,  
25 Sean, where it sounds like somebody is saying

1 something close to, "On your back?" Let's play  
2 it again. You've got to kind of listen in  
3 between.

4 - - -

5 (THE FOLLOWING IS AUDIO OF  
6 PORTION OF 20:27 RADIO TRAFFIC):

7 "UNIDENTIFIED MALE SPEAKER: Call an  
8 ambulance."

9 - - -

10 AGENT HORNYAK: It was right before  
11 that. It's right between that.

12 OFFICER WILLIAMS: Uh-huh.

13 AGENT HORNYAK: Do you believe that  
14 might have been you?

15 OFFICER WILLIAMS: Yes.

16 AGENT HORNYAK: Okay. I'll play it one  
17 more time so you get the gist.

18 - - -

19 (THE FOLLOWING IS THE SAME  
20 AUDIO 20:27 RADIO TRAFFIC):

21 "UNIDENTIFIED MALE SPEAKER: Call an  
22 ambulance."

23 - - -

24 AGENT HORNYAK: Oops, not that.

25 - - -

1 (THE FOLLOWING IS THE SAME  
2 AUDIO 20:27 RADIO TRAFFIC):

3 "UNIDENTIFIED MALE SPEAKER: Call an  
4 ambulance.

5 - - -

6 AGENT HORNYAK: Oh, ok.

7 - - -

8 (THE FOLLOWING IS FURTHER  
9 AUDIO 20:27 RADIO TRAFFIC):

10 "UNIDENTIFIED FEMALE SPEAKER: You're  
11 clear, 20:27."

12 - - -

13 AGENT HORNYAK: Do you think it was you  
14 saying, "On your back"?

15 OFFICER WILLIAMS: I think so.

16 AGENT HORNYAK: Okay.

17 - - -

18 (THE FOLLOWING IS FURTHER  
19 AUDIO 20:27 RADIO TRAFFIC):

20 "UNIDENTIFIED MALE SPEAKER: 76 to 70,  
21 I'm going to contact 47 for you.

22 "UNIDENTIFIED MALE SPEAKER: Clear.  
23 Thank you."

24 - - -

25 AGENT HORNYAK: And to the best of your

1 recollection, you would have been saying, "on  
2 your back" at what point?

3 OFFICER WILLIAMS: I think I was  
4 probably saying, "Put your hands behind your  
5 back."

6 AGENT HORNYAK: Very good, because that  
7 could be -- yeah. Okay. Because all we hear is  
8 the part about the back. So I think --

9 OFFICER WILLIAMS: Uh-huh.

10 AGENT HORNYAK: -- don't let this trip  
11 you up. I think you said -- I think what you  
12 stated to us is you think he was on his back. If  
13 you thought he was on his back, you were trying  
14 to get him over to get him cuffed. But you gave  
15 him instructions to get his hands behind his  
16 back?

17 OFFICER WILLIAMS: Yes.

18 AGENT HORNYAK: So that's the way you  
19 recall it?

20 OFFICER WILLIAMS: Yes.

21 AGENT HORNYAK: But in any case, you  
22 don't recall any time giving him instructions --

23 OFFICER WILLIAMS: Uh-huh.

24 AGENT HORNYAK: -- to get on his back;  
25 that's counter to the way you remember it?

1 OFFICER WILLIAMS: Correct.

2 AGENT HORNYAK: Okay.

3 - - -

4 (THE FOLLOWING IS AUDIO  
5 20:28 RADIO TRAFFIC):

6 "UNIDENTIFIED MALE SPEAKER: Somebody  
7 bring caution tape in here, please.

8 "UNIDENTIFIED SPEAKER: I'm on it.

9 "UNIDENTIFIED MALE SPEAKER: 26, are we  
10 sending a medic up here?

11 "UNIDENTIFIED FEMALE SPEAKER:  
12 Affirmative. Medics are in route."

13 "UNIDENTIFIED MALE SPEAKER: Somebody  
14 from outside needs to bring some caution tape in  
15 here, please.

16 "UNIDENTIFIED FEMALE SPEAKER: I'll get  
17 it."

18 - - -

19 AGENT HORNYAK: We're almost done.

20 - - -

21 (THE FOLLOWING AUDIO OF  
22 20:29 RADIO TRAFFIC):

23 "UNIDENTIFIED FEMALE SPEAKER: It's at  
24 Walmart and -- (inaudible).

25 "UNIDENTIFIED MALE SPEAKER: Okay.



1 "UNIDENTIFIED FEMALE SPEAKER: 20:29.

2 "UNIDENTIFIED MALE SPEAKER: (Inaudible.)

3 "UNIDENTIFIED FEMALE SPEAKER: You're

4 clear, 20:29.

5 "UNIDENTIFIED MALE SPEAKER: Where do

6 you need the tape?

7 "UNIDENTIFIED MALE SPEAKER: Back here

8 in the pets section and that first aid kit, too,

9 if somebody has one.

10 "UNIDENTIFIED MALE SPEAKER: 113, any

11 unit outside, I need to get a first aid bag. So

12 get that rolling in the front door.

13 "UNIDENTIFIED MALE SPEAKER: 118, out at

14 Walmart. I've secured the perimeter.

15 "UNIDENTIFIED MALE SPEAKER: 115 --

16 (Inaudible).

17 "UNIDENTIFIED FEMALE SPEAKER: 20:30.

18 "UNIDENTIFIED MALE SPEAKER: 96?

19 "UNIDENTIFIED FEMALE SPEAKER: 96.

20 "UNIDENTIFIED MALE SPEAKER: There's a

21 female customer back in the sporting goods

22 section that's" --

23 - - -

24 AGENT HORNYAK: Let's go into the female

25 customer. Is it your understanding that calls

1 for an ambulance, at least one call to get a  
2 medic back here?

3 OFFICER WILLIAMS: Uh-huh.

4 AGENT HORNYAK: Is it your understanding  
5 that those calls are for which instance?

6 OFFICER WILLIAMS: For our -- the  
7 suspect.

8 AGENT HORNYAK: The down suspect that  
9 has been shot?

10 OFFICER WILLIAMS: Yes.

11 AGENT HORNYAK: So everything at this  
12 point where we hear is a down female or -- I  
13 can't remember what specifically they said, but  
14 everything prior to that point is for the  
15 suspect?

16 OFFICER WILLIAMS: Uh-huh.

17 AGENT HORNYAK: Okay.

18 - - -

19 (THE FOLLOWING IS FURTHER

20 AUDIO 20:29 RADIO TRAFFIC):

21 "UNIDENTIFIED MALE SPEAKER: 96.

22 "UNIDENTIFIED FEMALE SPEAKER: 96.

23 "UNIDENTIFIED MALE SPEAKER: There's a  
24 female customer back in the sporting goods  
25 section that's having a medical emergency. I need

1 an additional medic for her.

2 "UNIDENTIFIED FEMALE SPEAKER: You're  
3 clear."

4 - - -

5 AGENT HORNYAK: Only a couple more,  
6 Sean.

7 - - -

8 (THE FOLLOWING IS AUDIO

9 20:30 RADIO TRAFFIC):

10 "UNIDENTIFIED MALE SPEAKER: 90 --

11 (Inaudible).

12 "UNIDENTIFIED MALE SPEAKER: Go ahead.

13 "UNIDENTIFIED MALE SPEAKER: Do you have  
14 your tourniquet?

15 "UNIDENTIFIED MALE SPEAKER: It's out in  
16 my cruiser."

17 - - -

18 AGENT HORNYAK: Do you think that's for  
19 the tourniquet?

20 OFFICER WILLIAMS: I'm asking 96 if he  
21 had the tourniquet.

22 AGENT HORNYAK: Okay. I'm going to back  
23 it up. And, again, you specify tourniquet for  
24 what?

25 OFFICER WILLIAMS: For his arm injuries.

1           AGENT HORNYAK:  And "him," being the  
2           suspect?

3           OFFICER WILLIAMS:  Uh-huh.

4           AGENT HORNYAK:  Okay.

5                                 - - -

6           (THE FOLLOWING IS SAME PORTION OF

7           AUDIO 20:30 RADIO TRAFFIC):

8           "UNIDENTIFIED MALE SPEAKER:  Do you have  
9           your tourniquet?

10          "UNIDENTIFIED MALE SPEAKER:  It's out in  
11          the -- in my cruiser.

12          "UNIDENTIFIED MALE SPEAKER:  Go get it  
13          if you can.

14          "UNIDENTIFIED FEMALE SPEAKER:  70?

15          "UNIDENTIFIED MALE SPEAKER:  (Inaudible.)

16          "UNIDENTIFIED FEMALE SPEAKER:  Medics are  
17          requesting can they come in or do they need to  
18          stage?

19          "UNIDENTIFIED MALE SPEAKER:  They need to  
20          come in.  They need to come to the far left pet  
21          area.

22          "UNIDENTIFIED FEMALE SPEAKER:  You're  
23          clear.  20:31.  (Inaudible.)"

24                                 - - -

25          AGENT HORNYAK:  Anymore, Brent, do you

1 think you need?

2 AGENT KIRKPATRICK: No. I wanted to  
3 make sure that we got the tourniquet in there.

4 AGENT HORNYAK: The last thing -- we  
5 have probably a few more questions and then we're  
6 through. The last thing is we'll look at the  
7 video and see what happened and see if that  
8 alters anything that you recall or if it triggers  
9 any other information. Do you want to take a  
10 quick break?

11 OFFICER WILLIAMS: No, I'm fine.

12 AGENT HORNYAK: We'll roll through.  
13 Okay. And we won't overplay this, we'll actually  
14 let you determine how many times we run through  
15 it. Do you want to turn to see -- this is a  
16 weird program that doesn't stay staged. I think  
17 what I'm going to do is we can pull video from --  
18 we've got the video of the suspect down the aisle  
19 from this location -- this is the garden center?

20 OFFICER WILLIAMS: Uh-huh.

21 AGENT HORNYAK: You guys's legs will be  
22 coming up from here.

23 OFFICER WILLIAMS: Uh-huh.

24 AGENT HORNYAK: Does that look familiar?

25 OFFICER WILLIAMS: Uh-huh.

1           AGENT HORNYAK: So I'm close to where it  
2 is now. That's actually the young lady that died  
3 of the heart condition shortly thereafter.

4           AGENT KIRKPATRICK: Can you see all  
5 right?

6           OFFICER WILLIAMS: Uh-huh.

7           AGENT HORNYAK: I want you to see it.  
8 It's not about me. And all you're going to see  
9 are your lower halves at best on this. The rest  
10 is his response right there.

11          OFFICER WILLIAMS: Okay.

12          AGENT HORNYAK: Do you mind if I play it  
13 one more time and ask you a few questions?

14          OFFICER WILLIAMS: No. Go ahead.

15          AGENT HORNYAK: Are you doing all right?

16          OFFICER WILLIAMS: Yes.

17          AGENT HORNYAK: I'm sorry. I'm trying  
18 to get this exactly right. First legs you see, I  
19 believe, are Darkow's, is that accurate?

20          OFFICER WILLIAMS: Uh-huh.

21          AGENT HORNYAK: And you circle around  
22 him?

23          OFFICER WILLIAMS: Uh-huh.

24          AGENT HORNYAK: Does that change anything  
25 for you?