SRPD Case#: 22-8672
Date: 07/31/22
Time: 11:46 AM
Location: Sonoma County Sheriff DSA Hall

INTERVIEW WITH DEPUTY ANTHONY POWERS (PART 1)

SRPD VCI Detective: Gino Rantissi (GR)
SRPD VCI Detective: Matthew White (MW)
Interviewed: Deputy Anthony Powers (Powers)
Also Present: Attorney Andrew Ganz (Ganz)

Legend:
****: Unintelligible

MW: I'm, uh, I'm also gonna be recording, just as a backup in case that one fails.

Ganz: I'm also gonna be recording 'cause I feel like it.

MW: Okay, go ahead.

GR: So I'll set this right there.

GR: Okay. You guys ready to begin?

Ganz: Yes, thank you.

GR: All right. Good morning. Uh, today is Sunday, July 31st, 2022. It's about, uh, 10 minutes till 11 a.m., about 10:50 a.m. This interview relates to SRPD Case 22-8672. This was an incident that occurred on Friday, July 29th, 2022 in the area east of [redacted] Thomas Road, Healdsburg, California. Our current location is inside the Deputy Sheriff's Association Hall. I am Santa Rosa Police Detective Gino Rantissi. Also present is?

MW: Um, Santa Rosa Police Detective Matthew White for Violent Crime Unit.

Ganz: That's all right. Andrew Ganz from Rains Luchia and Stern.

Powers: Anthony Powers from, uh, Sonoma County Sheriff's.

GR: Okay. This is a criminal investigation and Deputy Powers is being interviewed as a victim and witness in that incident. Deputy, the statement being sought is voluntary. I therefore need to advise you of the following. Deputy, you are free to leave at any time. You are not obligated to answer any questions asked by anyone in this room. At this time, are you prepared to provide a statement?

Powers: Yes.

GR: Have you had ample time to gather your thoughts and otherwise prepare for this interview?

Powers: Yes.

GR: Have you watched your body-worn camera footage?

Powers: I have.

GR: Have you watched anyone else's footage?

Powers: No.

GR: Is there anything that would hinder you giving a statement at this time?

Powers: No.

GR: Deputy, do we have a friendship or close relationship?

Powers: No.

GR: Do you have a friendship or close relationship with Detective White?

Powers: No.

GR: Are you sick or injured now?

Powers: No.

GR: Were you sick or injured as a result of this incident?

Powers: No.

GR: Did you receive any injuries as a result of this incident?

Powers: No.

GR: All right. At the time of the incident, were you suffering from any medical condition, taking any medication that may have impaired your abilities as a law enforcement officer?

Powers: No.

GR: When did you last sleep?

Ganz: Before the incident or before today?

GR: Uh, before the incident, please.

Powers: Uh, I went to sleep around midnight the night before, woke up at approximately 6:30.

GR: Okay. How many hours is that, about 6 ½?

Powers: Six and a half.

GR: Uh, when was the last time you had something to eat?

Ganz: Again, same clarification.

GR: Uh, at the time of the incident.

Powers: I, I don't recall.

GR: Okay. Um, last night, did you sleep?

Powers: Yes.

GR: How many hours?

Powers: About 8.

GR: When did you last eat today?

Powers: I have not eaten.

GR: Have you consumed any alcoholic beverages in the last 24 hours?

Powers: No.

GR: At the time of the incident, had you consumed any alcoholic beverages in the prior 24 hours?

Powers: No.

GR: How long have you been a Sonoma County Sheriff's deputy?

Powers: Approximately 5 months.

GR: How many years of law enforcement, law enforcement experience do you have in total?

Powers: Approximately 4. Four years.

GR: Did you work for any prior agencies?

Powers: I did.

GR: What agencies did you work for?

Powers: San Francisco Police Department.

GR: How much time did you serve with the San Francisco Police Department?

Powers: On the streets, about 3 ½ years. With the academy, it was 4 years, 3 months.

GR: Was that a sworn, sworn position at the academy?

Powers: Correct.

GR: Okay. Um, any experience prior to the San Francisco Police Department? Any other law enforcement agencies?

Powers: No.

GR: Okay. Um, any prior training, such as firearms, SWAT or any collateral duties?

Powers: In the police department?

GR: Yes.

Powers: No.

GR: Um, any other prior experience in the military or anything to that effect?

Powers: Yes. I was an infantryman for 8 years. I was also an instructor.

GR: Uh, what branch of the military?

Powers: Marine Corps.

GR: Uh, as an intrafe, intran, infantryman, uh, what was your, uh, specialty?

Powers: I was a scout sniper.

GR: Uh, can you briefly tell me about any training you've had as a scout sniper?

Powers: I've gone, I've done, uh, man tracking courses. I've done survival courses. I went to the basic scout sniper course. I went to the scout sniper team leader's course. I was a mountain leader summer and winter. I was a mountain scout sniper instructor and a ski instructor.

GR: Okay. Uh, in your law enforcement profession, have you received any additional training? Such as, like crisis intervention training, –

Powers: No.

GR: – tactical communication or anything like that?

Powers: I, I don't recall, no.

GR: Okay. Have you had any special assignments in your law enforcement career?

Powers: No.

GR: At the San Francisco Police Department, what did you do at the academy?

Powers: At the academy?

GR: Yeah. My understanding is that you worked 4 years at the police academy?

Powers: No. Um, I apologize. I, with the time at the academy to the time I left was 4 years and 3 months, total.

GR: Got it.

Powers: It's a, like, all-encompassing academy. They hire you, you go through the academy.

GR: Understood.

Powers: Got it.

GR: All right. All right. Uh, please describe your current assignment.

Powers: I am a deputy for the local area of Santa Rosa. I work days.

GR: Okay. Uh, what beat is that?

Powers: Local beat.

GR: Out of the main office?

Powers: Yes, sir.

GR: And you work patrol?

Powers: Yes.

GR: At the time of the incident, uh, or I'm sorry, currently, what are your work hours, what shift do you work?

Powers: Uh, 7 a.m. to 7 p.m., uh, Friday through Sunday and every other Thursday.

GR: Um, at the time of the incident, what time did you start your shift?

Powers: At 7, 7 a.m.

GR: What was your call sign?

Powers: Edward 33.

GR: Were you wearing a police uniform?

Powers: I was.

GR: How long have you been working this current assignment?

Powers: Approximately 2 months.

GR: Okay. Um, on Friday morning, were you driving your normally assigned vehicle?

Powers: Yes.

GR: Okay. Uh, as far as your police uniform, is, uh, concerned, can you describe it?

Powers: I have a outer carrier vest, have a badge on my left, uh, chest. I have magazines on the bottom left of my vest. I have my handcuffs. I have my Taser on my left hip, gun on the right hip on the belt and a earpiece.

GR: Okay.

Ganz: How 'bout the actual uniform itself?

Powers: Uh, –

Ganz: The color?

Powers: Uh, it's a tan shirt with the outer carrier over it, green pants, black boots.

GR: Okay. Um, your uniform, is it equipped with patches?

Powers: It is, on, on, uh, each side of my shoulders, or bottoms of my shoulders.

GR: And the patches are, um, of the Sonoma County Sheriff's Office?

Powers: Yes.

GR: Okay. Um, any defects that you're aware of with any of your equipment or your uniform?

Powers: No.

GR: Um, what type of firearm were you equipped with?

Powers: It's a, uh, Glock, 9-millimeter Glock. I, I don't know off the top of my head but.

GR: Is it a full-size pistol?

Powers: Yes.

GR: Okay. Uh, do you carry any backup guns?

Powers: No.

GR: Any other firearms in your vehicle?

Powers: No. Oh, I have a shotgun.

GR: Okay.

Powers: In the vehicle.

GR: Do you have a patrol rifle?

Powers: No.

GR: Um, were you equipped with a body-worn camera?

Powers: Yes.

GR: Any other recording devices?

Powers: No.

GR: Were you equipped with a electronic control device or Taser?

Powers: Yes.

GR: Um, any other less-lethal options? I think you mentioned OC spray, pepper spray.

Powers: I did not mention that.

GR: Okay. Are you equipped with pepper spray?

Powers: No.

GR: Okay.

Powers: I, I have pepper spray. It was in my patrol bag.

GR: Okay.

Powers: I don't carry it on me.

GR: Were you equipped with a, a police baton?

Powers: I was not.

GR: I know you described all your equipment but any other less lethal, um, pieces of equipment, other than the Taser, that I'm not remembering?

Powers: No.

GR: Um, any other equipment deployed during your shift?

Powers: Not that I recall.

GR: Okay. The nature of this investigation concerns a significant incident you were recently involved in. It occurred in the general area east of [redacted] Thomas Road, Healdsburg, California. Please describe the event in as much detail as you can. Include the time of the event, names of witnesses and names of deputies as best as you can recall. Include all the information you can remember, relative to the circumstances.

Powers: I don't know exactly what time I was deployed to this call or, uh, can I refresh my recollection off of the CAD or should I just give a –

MW: At, at this time, we're just gonna go based on what your recollection is.

Powers: Okay.

MW: Just, just your memory, to the best of your knowledge.

Powers: It was approximately 8, 8:30. Uh, there was a call dispatched to the north beat units. Um, Dietrick, Deputy Dietrick was, uh, dispatched there. They asked for an additional unit. There was no other units available. I volunteered to back him. I was at the main office in Santa Rosa. Started making my way up there. Uh, the call was dispatched that a Hispanic male had thrown a rock through a window. There were, uh, people on scene that were searching for him and as I was make, still making my way there, I heard, uh, Deputy Dietrick say that this guy, this, uh, suspect stole a truck and he had smashed through several gates. Uh, he described the truck, I was, as I was on my way there, I was trying to search for the vehicle, like, as, maybe if it was gonna pass me or something. I didn't know the layout. I get there on scene. Uh, the other only deputy there was Dietrick. There was another gentleman there. I have no idea what his name was. He said something to the effect that he had a rock and was trying to, asked to be killed or something to that effect. At that point, I grabbed my binoculars. I started scanning the area. Uh, the gentleman, the civilian gentleman there said he was there 5 minutes ago, so at that point, I knew he was on foot. I knew he wasn't that far away. Um, Dietrick got into a side by side with a civilian. I opted to walk down the hill just to see if he was in the, like, underlying brush. I linked up with him at the bottom of this, uh, big hill. Made it through a gate.

Came to another gate. It wouldn't open. We jumped over, uh, a wall, came to some buildings, kinda cleared the buildings as we were approaching 'em. Didn't see anybody. Uh, we went to another house that was in the area just up the hill from, uh, uh, this was like barns and stuff. We get to that house. Uh, there was nobody there. Some other person, I, I assume that worked on the property, informed us that another four-wheeler or side by side had been taken. The keys were in it. So at that point, we were under the assumption that this person was continuing in a side by side. Uh, we hopped back in our side by side and continued going east. I kept seeing, uh, what looked like pretty fresh ATV tracks and at one point, the ATV tracks went uphill to a water tower. There was nobody up there. Went back down. Continued heading east. Located the side by side and it looked like it was trapped in between a rock and a, a tree and it was still running. At that point, I, from my experience of tracking, you, you basically, I just started making larger and larger circles, looking for any sign. Uh, I tried to get the high ground to see if I could see where this person was. Um, at one point, I was further ahead of the ATV and up on the hill and I saw what looked like a footprint of a bare foot and, uh, at some point in time before that, I had been made aware that this person was actually barefoot as well. So I saw this footprint. It looked like it was going up the hill. I continued up the hill, found another one and I, at that, was letting Dietrick know that I, I have some sign. Continued up the hill. I see the subject almost to the very top of the hill. I got down, was looking at him through the bush and I saw that he had two handled tools or weapons in each hand. He looked tired. He was hunched over. Like, he was, I could hear him making noise. I couldn't make out what he was saying. Dietrick made it up to me to the tree and, at this point, we were just observing the subject, seeing what he was doing. At one point, it looked like he actually saw me and said something but from the distance that I was away from him, it was probably 50 yards approximately, and I couldn't hear really what he was saying or. During that time, it looked like, again, he saw me. I let Dietrick know. Uh, Dietrick was asking him if he wanted some water. We were trying to build some sort of, like, communication with him or rapport. Kept asking him if he wanted water. He made some noise and peaked up on the top of the hill and then we lost sight of him. After that, we continued up to the peak of the hill. Dietrick saw that he went south off the hill towards the creek, which is probably a few hundred yards from the peak and he had gained quite a bit of distance in that time that we didn't have eyes on him, so I started running down the hill after the subject. I got to the tree line and this whole time, I'm losing elevation and he's deeper in the trees and I, I yell at him something to the effect of stop or and I, I heard him yell something, like, in an aggressive, like, growling voice and he took the weapons, one of the weapons and hit the tree that he was standing in front of. I put it out over, uh, I tried to put it out over the radio that he was making aggressive movements and, uh, being aggressive with a weapon. He then continued losing elevation all the way, what it looked like, the creek. Um, I lost visual of him for a moment. I continued down to the creek. I finally get down to the creek and I, I don't know what made me think that he continued east but I eventually just kept moving and I, I started seeing glimpses of him through the foliage. I tried to gain as much distance but stay back at a safe distance, to where I was following him but not, like, I knew that he had these hand weapons. I knew that he had, like, thrown this rock earlier, um, and I eventually get into a distance, where I can, like, communicate with him. Uh, I asked him, I tried to just build rapport with him, trying to, like, make this as, uh, you know, safe as possible for him and I was trying to get him to put the weapons down. I was asking if he wanted to call his family. Uh, there was a, a, a language barrier. I don't speak Spanish but I know some words in Spanish. I was doing the best I could to try to communicate with

him, asking him if he wanted water. Uh, just trying to build a rapport with him. At one point, it almost looked like he wanted to and then he just continued running. I tried to gain distance with him while he was running away from me to deploy my Taser. Um, as I was trying to get the laser, uh, like tracking the laser on him, I couldn't see it yet and I was trying to get a good Taser shot on him and he picked up a large rock, probably this big, and –

Ganz: Can you just describe, since it's an audio recording, this big, just –

Powers: Uh, –

Ganz: – like similar to what kind of object?

Powers: – maybe like a little smaller than a volleyball. It was, it was, it was a big rock but it wasn't quite the size of a volleyball. It was, I don't know, it was, it was a big rock.

Ganz: Okay.

Powers: Um, he turned his body and, and got his arm back like he was gonna throw it at me and I took like three or four steps back, 'cause I thought he was gonna throw it at me and I still had my Taser out and he put the rock down. At this point, he continued and then I could hear Dietrick yelling further up the creek, so I doubled back, got to, I, I saw Dietrick, I saw the subject. There was a, like, this bush overhanging tree that was, like, kinda blocking my view for just a moment and Dietrick's giving him commands. I tried to come up to where I was in line with Dietrick but at the same time, like, uh, triangulating and I could see he had a rock his hand and I could, at that point again, I was, I was attempting to get a good bead with the, with the Taser. He dropped the rock and I deployed the Taser but then he looked like he was continuing to go for that rock again and then in like a flinching kind of, it looked like he was about to throw, pick, he had grabbed the rock and he was, like, coming up again and I, at that point, heard, uh, some shots fired. Dietrick was, like, with that bush, he was in more danger than I was, in terms of, like, being kind of out in the open. Um, after the subject was shot, we both ran over to the subject. He wasn't moving. He was rolled over. Uh, Dietrick handcuffed him. I pretty soon after that realized that the subject, uh, needed some first aid. I asked Dietrick to unhandcuff him for, like, higher quality CPR, uh, and we did CPR for approximately 20 minutes, switching off. One person would hold the hole on the top of his chest and the other person would do CPR. We did that until, uh, a medic came. We continued CPR, put a chest seal on him. Uh, the, uh, EMT determined he had passed away.

GR: Is that all?

Powers: Yes.

GR: Okay.

MW: Thank you.

Powers: ****.

GR: Uh, Deputy, can you please describe the terrain?

Powers: It was very steep in parts. Uh, it was dry grass. Parts of it was like loose shale rock down to the creek. Uh, it was wooded. Again, there was some points it was so steep that I had to slide down the hill rather than walk. Once I got down to the creek, it was boulders. There were just large, uh, jagged boulders everywhere.

GR: Okay. Do you have radio reception out there?

Powers: I thought I did. I don't believe I had radio reception for the times I was in the creek. I was trying to go direct radio with people to see if anybody was close enough to get any of my radio traffic, but I don't believe I had very good radio reception out there.

GR: Did you have any safety concerns regarding the terrain and/or the lack or spotty radio communication?

Powers: Yeah. I think, uh, my concern was we were so far out there, there's no address for me to give a good location. I was only giving our location based off the location that we saw him last 'cause that's all I had to go off of. Um, you know, my concern was Dietrick's safety, like, if one of us got hurt out there and then this whole time, I was attempting to take this guy into custody safely and I think as well, I, with this history of, like, this call and this guy going from house to house, I was also concerned that he was going to a different house that I didn't know about or he was going to, to do the same thing at another residence.

GR: Initially, when you made contact with him and he grabbed the rock that you described, uh, approximately the size of a volleyball, uh, what was your concern?

Powers: Uh, my concern was my footing. I was standing in, like, shin-deep water, I, in terms of trying to get away, uh, my concern was also that I only had my Taser out, that if he did throw that rock, I would've had to transitioned over to my pistol or if he ran towards me, I would've had to have transitioned over to my pistol. It was just the timing concern to me.

GR: Okay.

Ganz: Can I follow up on that? Do you have, in terms of, like, follow-up or clarification questions, do you want me just save that all to the end or when we're on topic?

GR: Uh, I was gonna give you the floor, uh, in a little while and, –

Ganz: Yeah, no, no.

GR: – and allow you to –

Ganz: I'll just wait.

GR: – ask any questions that you'd like.

Ganz: Perfect. Thank you.

GR: Um, I, I guess now, Matt, uh, Detective White, do you have any questions?

MW: I, I do have a, a few, um, questions just to follow up. Um, approximately from, it, it sounds like this spanned over a great distance, based on your description, so –

Powers: Yeah.

MW: – are you able to kind of, uh, provide an approximation from where your vehicles were to where you ended up, uh, getting visual on the subject approximately how far you think you think you traveled from that location?

Powers: I would estimate approximately a mile and a half, from the time of my car to the time where, uh, the suspect was down was about 2 plus miles, I think, from my car, approximately.

MW: And that was a mixture of, uh, an ATV, uh, –

Powers: Yes.

MW: – ride and on foot?

Powers: Yes.

MW: Okay. approximately how much of that time do you think you were on foot?

Powers: Probably, approximately a mile.

MW: Okay and then, again, just based on your own memory, how, um, how long do you think it was from the time you left your vehicle, in time, in, in, in speaking about the amount of time, like, from the time you left your vehicle, to the, to the time the, uh, incident, uh, was terminated, how, how long approximately do you think that occurred over?

Powers: I would say an hour approximately.

MW: Okay.

Powers: I, I, I believe about an hour.

MW: And then there was, um, there was a statement that you made. I just wanted to make some clarification on it, just so I have an understanding. At one point, um, I believe you're, you're ascending an elevated point. Um, you say that you see him on the top of a hill. And at that point, you get down. What do you, what do you mean by that?

Powers: I got into the prone position, 'cause at that point, Dietrick wasn't with me. I was by

myself. I was waiting for another unit to come up to me so if things went south, I could handle it better than just by myself. I just laid on the ground and didn't move. And I just tried to communicate what, what, what I was seeing. I was trying to give updates of the situation, what he had in his hand, his demeanor. I was just trying to just paint a picture for dispatch and my partner.

MW: Okay. And do you know, when you were giving those transmissions, do you know if those, uh, went out or not?

Powers: I have no idea.

MW: Okay. Did you ever receive any response back that, that anybody had received those messages?

Powers: I don't recall.

MW: Okay. And then, um, going to the, um, actual, uh, point, just kind of moving you forward to you're in the creek bed, um, and you're, you're now confronting the, uh, subject, uh, you said you deployed your taser. Do you know how many times you deployed your taser?

Powers: One.

MW: One time? And did, um, did that deployment have any effect on the subject or have a desired effect on the subject, or did you notice any behavior change from the deployment?

Powers: I don't. I, I can't determine with my memory, but I believed that I deployed the taser and he still reached down for the rock.

MW: Okay.

Powers: That's how I recollect it.

MW: Okay. And then, um, you know, obviously, we are city officers, right, so I'm not familiar with, like, these great distances and this remote territory, but, um, do you have any idea on how close, uh, your, your closest backup, other than Deputy Dietrick would be?

Powers: I have no idea.

MW: Okay.

Powers: I, again, there were deputies trying to communicate with us to see what our location was, but there wasn't, all I, all I could provide to the other deputies was go to the creek and go east. I didn't know what the nearest residence was. I didn't know where the nearest road was. It, there was –

MW: Is it, is it safe to say you didn't know exactly where you were?

Powers: Absolutely. I had, I couldn't tell ya.

MW: Okay.

Powers: I was, you know, –

MW: Thank you.

GR: Any other questions, Matt?

MW: Uh, I think for now, Mr. Ganz?

GR: Okay. **** –

Ganz: And by the way, what I was asking is, I, I don't want to cut you short of whatever you need to ask. I was just wondering if you prefer as topics come up, I ask about a question or if I wait 'til the end. So if you have more, I don't mind. I can wait, or –

GR: **** –

Ganz: – I can ask some questions now.

GR: Sure. I think the format we were thinking is I would ask a few, Matt would ask a few, then we would allow you, –

Ganz: Okay.

GR: – if that works for you.

Ganz: Yes. I just didn't want you to think I was cutting off –

GR: Oh, sure.

Ganz: Yeah, okay. So, um, one of the things, so again, keep in mind, um, we're just audio recording this, so I was able to get you to describe the size of this first rock or boulder, uh, that you thought he was about to throw at you. Another thing you demonstrated or talked about during the course of this pursuit was him striking a tree with one of the tools that he had.

Powers: Yes.

Ganz: Can you do me a favor? And as best as you can so that the audio can kind of, someone listening to this can understand, what did you actually see him do?

Powers: I saw him, the tree was in between us. And he was standing just to the right side of the tree where I could see, like, half of his body. And I, I yelled. I can't recall what I yelled. I can't recall what I yelled. I yelled something at him to maybe stop or something. And he yelled back something in, like, this, like, angry yell and hit this tree with whatever weapon he had.

Ganz: So right now, as you're describing that, you're taking your right –

Powers: Over hand –

Ganz: – arm or hand up.

Powers: Yeah.

Ganz: So I just want to clarify. Do you know for sure if it was his right or left?

Powers: I believe it was his right hand.

Ganz: You believe it was his right. And can you describe how he did it, just for, uh, –

Powers: It was, –

Ganz: – audio record.

Powers: – it was, like, an overhand right hack at this tree that he was standing in front of.

Ganz: Okay. So if you had an object that was either a hammer that has a, you know, handle or a small axe that has a handle, are you describing as if somebody took that by the handle and struck a tree with the head of the –

Powers: Yes.

Ganz: – tool? Okay. What, if anything, did that mean to you? Like, did that, um, register to you as something to note in terms of the dangerousness or a potential threat that was there? Did it mean anything at all to you?

Powers: It, to me, it meant that he had weapons, and he was displaying them in an aggressive manner. And I attempted to inform dispatch of that incident where he was being aggressive with that hammer. But I don't know if they could hear me.

Ganz: Okay. And at any point during the course of this whole thing, did you get a good idea of what the two different objects were? Like, what's the best you could say based on what you saw about what they were?

Powers: They were, I believe that they were both wooden. One looked like a hammer, and the other one looked like some sort of hatchet or some sort of long, it had some sort of flat, long, metal, obviously, the heads of whatever weapons or tools they were were both metal.

Ganz: Okay.

Powers: It appeared to be metal with wooden handles.

Ganz: Okay. So in terms of the distances that you were at from this person, um, in your mind,

um, would you have to be right up next to the person in order for them to potentially use it, or was there still a potential that you could be harmed, even if you were, let's say, 5 to 10 feet from him?

Powers: I think, being, yeah, uh, he could have deployed those weapons within the range, –

Ganz: Okay.

Powers: – or within 5 to 10 feet, definitely.

Ganz: Okay. So now, let's just take that point where he hits the tree with whichever tool he hits it with.

Powers: Mm hmm.

Ganz: I want to ask you about the information that you had up until that point that helped you kind of, um, gauge, um, the situation. So, um, what information do you recall receiving about some rocks being thrown at or through a window?

Powers: That he threw a rock through a window, and he was confronted by somebody on scene and that he asked them to kill him. They asked the suspect, or the suspect asked, I don't know who it was, the property owners or a bystander that, to kill, to, to kill him.

Ganz: That statement that you heard he made to some homeowner, apparently, or bystander, did that mean anything to you, based on your training and experience in terms of what you were dealing with?

Powers: Yeah, that he, I felt that he was, based on my training and experience, was maybe on some sort of narcotics, like methamphetamine. And he was, based on all the information I received from, like, the first call, stealing the truck, hitting the window, being barefoot, asking somebody to kill him, uh, it was, like, desperation to, to get it, he, he had this pattern of going from house to house. I was concerned that he was gonna go to another house or hold some, you know, it seemed to me like some sort of meth psychosis or some sort of just, uh, he was, like, it seemed to me that he was out of his mind on drugs.

Ganz: Okay. And so, in your mind, you said your thought was methamphetamine. Have you encountered people on methamphetamine before?

Powers: Yes.

Ganz: Um, is there anything about that, if it were true, that, uh, causes you to be concerned about your safety, when you're encountering someone on that drug?

Powers: I would say, uh, it's, like, almost superhuman strength and speed. Uh, also, like, they, they, they do things that are out of the ordinary, or they make movements, or they, they, I don't know how to, I don't know how to describe it. They, they're unpredictable.

Ganz: Okay. So when you're encountering somebody who's on that sort of substance, is it

something that makes you feel more safe or at ease, or does it not affect your perception at all, or does it make you more concerned?

Powers: It makes me more concerned.

Ganz: You said that this person was, um, barefoot, and you've described, and the video shows some terrain.

Powers: Yeah.

Ganz: Did the fact that he was barefoot and he was moving around at the speeds and distances that he was, the way he was also factor into your, you know, thought process of, like, what's going on with this person?

Powers: Yeah.

Ganz: What did that make you think?

Powers: I thought that the fact that he's barefoot, running around on rocks and out in this terrain, and he was able to move so quickly, it also, like, kind of solidified the fact that I thought he was on some sort of narcotics. The way he was moving, he practically sprinted down that peak of that hill, like, really quickly. And then, even when he moved into the creek with these, like, large, sharp boulders, he was still moving at a pretty good pace that it, it, I had to, like, pick it up just to keep, uh, pace with him.

Ganz: Would a normal, um, adult, um, as far as you could tell, if they were traversing that terrain barefoot, would they experience significant pain –

Powers: Yes.

Ganz: – do you think? Um, for the most part, did that seem to slow him down?

Powers: It did not.

Ganz: Okay. Um, um, and then just going back to whatever information you had that maybe he asked, like, when you say he asked somebody to kill them, like, did that concern you at all in terms of his state of mind?

Powers: That he, he was trying to provoke people to kill him.

Ganz: Have you ever, in your experience, had somebody say something like that where they were trying to provoke a response of deadly force or force?

Powers: Yes.

Ganz: And so what about that, if anything, would concern you in terms of his actions?

Powers: That he had two large-handled tools that could have been used as weapons and then

the fact that he kept coming back to, like, rocks, like, really large rocks. He threw that rock in that window. He picked up the rock and almost threw it at me. And then he picked up that rock again when Dietrick and I were standing near him.

Ganz: Okay. Can somebody who expresses, like, a suicidal thought, like, kill me also be dangerous to citizens and deputies?

Powers: Yes.

Ganz: And how is that?

Powers: They, they would perform an act aggressively towards a civilian or a deputy to prompt them to defend themselves.

Ganz: Okay. Were you aware, you know, in addition to you feeling like there's something meth related here, –

Powers: Yeah.

Ganz: – were you also at least aware of the potential that there may be mental health issues there?

Powers: I, –

Ganz: In terms of, like, if someone says, like, kill me, they're, they might be going through something, you know, men, mentally as well. Correct?

Powers: Yes.

Ganz: In term, ultimately, the way this played out, um, despite if or whether there were mental health issues or not, was this person still a danger to you, –

Powers: Yes.

Ganz: – Dietrick and potentially the community?

Powers: Yes.

Ganz: Okay. Was there anything else that you had available to you, um, in terms of mental health resources or anything that could have been, could have gotten to the location you were at?

Powers: No.

Ganz: Okay. Um, uh, at some point or another, did you discuss with Dietrick, like, what your roles would be in terms of lethal, less-lethal, anything like that?

Powers: Yes.

Ganz: Tell me about that.

Powers: Um, after I saw this, uh, suspect hit the tree, Dietrick and I were then going through the tree line down to the creek. And I looked at Dietrick, and I said something to the effect of, do you want to be lethal or, I think I said, I'll be less lethal, you be my lethal. And he agreed to it. And we were trying to make a tactical plan that if that suspect had dropped a weapon or I had an opportunity, I could deploy less lethal and attempt to take him into custody.

Ganz: What was your ultimate goal here? Like, if things played out the way that you would have wanted, what would you have wanted to happen?

Powers: I would have wanted him to drop the weapon and take him into custody.

Ganz: Okay. Um, did you have any interest in physically harming this person?

Powers: No.

Ganz: Okay. Um, in terms of whatever the distance and time was that you were on foot, uh, can you just describe in your own words how you were feeling toward the end of this thing, like, in terms of your endurance and physical capabilities?

Powers: Um, I was very thirsty. I was winded. Uh, I, I run, and that was probably some of the hardest terrain I've ran over.

Ganz: So you run in terms of your own, like, physical fitness and –

Powers: Yeah.

Ganz: Um, what kind of running do you do?

Powers: I, I've ran several ultra-marathons in the past.

Ganz: Okay. And was this different somehow?

Powers: I think the weight of my gear, not having any water and the fact that this guy had weapons, and I was, you know, trying to take him into custody rather than, on, like, an ultra-marathon, um, it's pretty leisurely.

Ganz: Yeah.

Powers: This wasn't leisure at all.

Ganz: Okay. Um, ultimately, um, after this person was shot, you talked about, you approximated approximately 20 minutes of rendering, um, first aid, correct?

Powers: Mm hmm.

Ganz: Is that, so from the moment that he goes down until any other human being, other than you

and Dietrick, arrives at that location, is that 20 minutes, or was there someone that came there before that?

Powers: Um, I believe, I think maybe one of the Henry 1 guys came, the, or I don't know. The, Henry 1 was over us. And I wasn't really paying attention. I was more concerned on trying to give high quality compressions. Uh, eventually, at some point in time, an EMT showed up and instructed us to continue CPR. I asked for a chest seal. We got a chest seal on him. And then just, uh, we just continued CPR. And they pronounced him dead at the scene.

Ganz: So before, um, the, the discharge of a firearm took place, were there efforts to try to get, in addition to the helicopter, Henry 1, were there efforts to get other units to your location?

Powers: Yeah.

Ganz: Can you give me an approximation as to how long those efforts had been going on for?

Powers: Probably 15, uh, uh, I'm assuming, uh, estimating about 15, 20 minutes.

Ganz: Okay. So you had a helicopter. You had units for roughly 15 or 20 minutes being notified and updated to the best of you, of your ability to your location. And yet after, um, this person went down, it was still roughly 20 minutes before anyone could get to you?

Powers: If, if not longer, yeah.

Ganz: Okay. Um, and then finally, I, I think this is where I will wrap up, just going back to this moment where he first grabs a rock or boulder, –

Powers: Mm hmm.

Ganz: – you have your taser out. Correct?

Powers: Mm hmm.

Ganz: Was it in your left or right hand?

Powers: Mm, I believe it was in my left hand.

Ganz: Okay. Um, you described, um, before he was shot that he reached down to pick up what?

Powers: A rock.

Ganz: Could you see, like, specifically what that rock looked like in order to compare it to the, uh, just less than volleyball size object that he had picked up previously?

Powers: It was maybe a little less, or it was a little smaller than that, the first one he grabbed. And it looked like it could have been thrown much easier than the nearly volleyball sized one.

Ganz: Okay. So that's what I want to talk about. So the dist, I want to compare those two moments.

Powers: Mm hmm.

Ganz: So first, okay, so let's talk about the size of the object. The size of the object was smaller than the previous larger –

Powers: Mm hmm.

Ganz: – boulder. Correct?

Powers: Yeah.

Ganz: Was that more of a danger or less of a danger to you that it was smaller?

Powers: I felt like it was more of a danger because it could have been, the way he picked up that first rock, appeared heavy to him in the sense that it didn't look like he could have thrown that one as far. And that's why I backed up.

Ganz: Okay.

Powers: The second one looked like it could have been chucked at a pretty high speed.

Ganz: Um, and again, I understand it's difficult to approximate, but I want you to think about the distance that you were from this person when he picked up the larger boulder earlier on, –

Powers: Mm hmm.

Ganz: – comparing that to the distance between he and Deputy Dietrick when he picked up that second smaller rock or boulder. Can you say, can you compare the two which was, –

Powers: Yeah.

Ganz: – was it the same, greater, do –

Powers: No. When he picked up the rock the first time, I, I feel I was approximately 15, about 15 yards away. And when Dietrick contacted him, he was about 10, maybe 10 yards away, maybe a little less.

Ganz: Okay. And how 'bout you from him that second time?

Powers: The second time, I tried to triangulate my position. As, as close as Dietrick was to him as I was to that suspect, I feel like I was a little bit further back and again, that that tree, there was a tree that was, like, not blocking my whole view, but it was, I had to look through this tree to, to get to him. And when I went to try to tase him, I was, like, trying to go kind of around this tree as well. So –

Ganz: Okay.

Powers: – I think I was, I was in less danger than Dietrick.

Ganz: Okay. And so, and now, going back to the first larger boulder. So you were farther away than, um, Dietrick was in the second instance, the boulder was larger, so you thought maybe he wouldn't be able to reach you with it. Um, you also had your taser out. Correct?

Powers: Right.

Ganz: So obviously, you can't predict, like, what you would have done hypothetically if things were different. But was it getting to the point, during that first time where if you did have your firearm ready to go, that you would think that maybe you would deploy it?

Powers: Mm, I can't say for certain, but it was, I, when he reached back like he was gonna throw it, I did think he was gonna throw it at me. And I can't say for sure, but I believe I would have deployed my firearm if, if it was out.

Ganz: Okay. And so one of the questions that was asked of you previously, it may seem very obvious, but to you, what was the danger, if he were to either throw this first one and reach you or the second one and reach either you or Dietrick? Physically, what were you –

Powers: The first one is that I was shin deep in water. And he had made it out of the water. So he was a little higher than me. I was thinking that if he threw it at me, it would have hit me in the face, and I would have been in, like, a foot and a half, 2 deep, 2 feet deep of water.

Ganz: Right. And so this is the obvious part. But I'm wanting, from your point of view, from your perspective, seeing this object, distances and just your experience, what physically, if anything, could have happened to you? So you could have been hit in the face.

Powers: Yeah.

Ganz: What, what source of injuries do you think might result, if he was able to do that?

Powers: Unconscious.

Ganz: Okay. Um, and the area that would have been beneath you, had you been struck and fallen, um, –

Powers: **** –

Ganz: – what types of dangers would there be to falling in that area?

Powers: Drowning.

Ganz: Okay. What about, I mean, was it, like, soft mud, or was there actual rocks there?

Powers: There was rocks.

Ganz: Okay. So both, if this boulder reached you, hit you in the face, it could have knocked you unconscious. Could it have fractured something on your face, just given the distance –

Powers: Yes.

Ganz: – and the object itself?

Powers: Yes.

Ganz: Okay. 'Cause we don't know. Like, I don't have the rock in front of us.

Powers: Right.

Ganz: Did it appear to you to be a heavy, hard object?

Powers: Yes.

Ganz: Okay. So all those things are possible. Then fast forwarding to the ultimate, um, encounter, are those same concerns there?

Powers: Yes.

Ganz: Okay. Um, and did it appear to be a hard, still heavy enough object to break a bone?

Powers: Yes.

Ganz: Um, to be able to strike you in the head and render either of you unconscious?

Powers: Yes.

Ganz: Okay. Those are all the questions I have.

GR: Okay. So right now, it's, uh, 11:45 a.m. Um, I thinking we could take a quick break and then, uh, resume, if possible. I'm gonna end the recording.

END OF AUDIO

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