

To: Mayor McFarlane and City Council Members

From: City Manager Ruffin Hall

Date: March 3, 2016

Re: Preliminary Report Concerning February 29, 2016, Officer-Involved Shooting

Attached is a report that was submitted today by Chief of Police Cassandra Deck-Brown concerning the officer-involved shooting incident that occurred Monday. The report contains information that is helpful as we begin to gain a more comprehensive understanding of the events that unfolded.

However, it is very important to remember that multiple follow-up investigations remain in their early stages, and the Chief's preliminary report represents only one part of a much larger process.

- The State Bureau of Investigation remains at work on the independent criminal investigation of the incident. When completed, the SBI investigation will be presented directly to the Wake County District Attorney.
- The Wake County District Attorney will review the findings of the SBI and will make determinations concerning potential criminal charges.
- The Raleigh Police Department's Internal Affairs Unit is conducting an administrative investigation to determine if departmental policies were followed during the incident. The IAU's findings will be reviewed by the chain of command.

Please let me know if you have any questions about the report or the ongoing process.

CITY OF RALEIGH INTEROFFICE MEMORANDUM



To: Ruffin Hall,
City Manager

From: C.L. Deck-Brown,
Police Chief

Date: March 3, 2016

Re: Preliminary Report of February 29, 2016,
Officer-Involved Shooting

An officer-involved shooting occurred on February 29, 2016, near the intersection of Bragg Street and East Street. As is standard practice in these matters, the State Bureau of Investigation is conducting an independent criminal investigation of the shooting and will present its findings directly to the Wake County District Attorney for review. Additionally, the Internal Affairs Unit of the Raleigh Police Department is conducting an administrative investigation of the use of deadly force by the officer. When complete, the administrative investigation will be reviewed by supervisory staff.

Both investigations are on-going. As always, these investigations will be conducted thoroughly and will follow the available facts and evidence wherever they lead. Based upon the information currently available to the Department, a preliminary review of the incident provides the following:

Shortly before noon on February 29, 2016, Senior Officer D.C. Twiddy was on Bragg Street near Mangum Street when he observed an individual he recognized as Mr. Akiel Rakim Lakeith Denkins. Officer Twiddy was aware that Mr. Denkins had an outstanding warrant for his arrest relating to felony drug charges. Officer Twiddy, who was in uniform, parked his marked patrol vehicle facing south on Mangum Street, got out and began to approach Mr. Denkins who had turned and already begun to walk away. When Officer Twiddy told Mr. Denkins to stop, he began to run west on Bragg Street before turning North on South East Street, with Officer Twiddy chasing him on foot. Mr. Denkins made a sharp right and ran between two houses on South East Street. Officer Twiddy slipped and fell on loose gravel as he attempted to follow. As Officer Twiddy was getting up to continue the pursuit, he observed Mr. Denkins jump a fence and continue toward the back of the house located at 1117 South East Street. Officer Twiddy jumped the fence and continued the chase. As he came around a north-east corner of the house, he saw Mr. Denkins who was attempting to climb over a second fence. Mr. Denkins stopped and turned toward Officer Twiddy.

Officer Twiddy ran to and grabbed Mr. Denkins, in an effort to take him into custody. While the two struggled, Officer Twiddy felt Mr. Denkins reaching for an object in the front of his waistband. As the struggle continued, Officer Twiddy observed Mr. Denkins start to pull a handgun from the front of his waistband and begin to move it toward Officer Twiddy.

While still struggling with Mr. Denkins, Officer Twiddy drew his duty weapon and fired multiple shots as Mr. Denkins continued to move the firearm in his direction. After the first shots were fired, Officer Twiddy felt Mr. Denkins' hand or arm make contact with his duty weapon. Officer Twiddy, fearing that Mr. Denkins was either going to shoot him or attempt to take his duty weapon, stepped back and fired additional shots at Mr. Denkins, who still had the firearm in his hand. Mr. Denkins collapsed to the ground, dropping the firearm in the process. Officer Twiddy then used his police radio to call for assistance. Additional police units arrived on the scene as well as Emergency Medical Services personnel, who pronounced Mr. Denkins deceased.

As is standard practice, both the Wake County District Attorney and the SBI were immediately notified of the officer-involved shooting. Raleigh Police officers secured the area until the SBI arrived to take control of the crime scene. The handgun located at the scene, which had been in Mr. Denkins' possession during the encounter, had been reported stolen on January 31, 2016. The SBI, in coordination with the City County Bureau of Identification, processed and collected evidence from the crime scene, including the firearm. Any fingerprints, DNA, or other evidence recovered from the weapon will be reported directly to the District Attorney by the SBI as a part of their criminal investigation. Additionally, the District Attorney will receive the final autopsy report from The North Carolina Office of the Chief Medical Examiner. As of today's date, the final autopsy report has not been completed.

Officer Twiddy's patrol vehicle is equipped with a mobile video recorder (dash cam). However, since this incident took place away from the vehicle, and Officer Twiddy did not have reason to activate his blue lights, which trigger the camera, there is no dash cam video that might have shown any portion of the encounter between Officer Twiddy and Mr. Denkins. The SBI, the RPD Detective Division, and the RPD Internal Affairs Unit canvassed the neighborhood in an effort to locate witnesses to the incident. Multiple people reported seeing the beginning of the foot pursuit and to hearing the shots. The District Attorney has asked anyone with information about the incident to contact the State Bureau of Investigation. As of the writing of this report no eyewitness to the entire incident has been located or come forward.

Officer Twiddy received minor abrasions during the encounter, but was not seriously injured.

Pursuant to departmental policy, Officer Twiddy was placed on administrative duty pending the completion of the SBI and administrative investigations.