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Investigative Synopsis of the Officer Involved Death (OID) of Jermaine D. Claybrooks.

On March 16<sup>th</sup> 2017, the Milwaukee County Investigative Team (MCIT) was called out to investigate an officer involved shooting death in the 4900 Blk of 19<sup>th</sup> Pl. in Milwaukee pursuant to Wisconsin Statute 175.47. The request was made by the "High Intensity Drug Traffic Areas" (HIDTA). The involved agencies were Milwaukee Police Department (MPD), West Allis Police Department (WAPD) and the Drug Enforcement Agency (DEA). The deceased was subsequently identified as Jermaine D. Claybrooks.

Agencies participating in the investigations were the Wauwatosa Police Department, Greenfield Police Department, Greendale Police Department, Oak Creek Police Department, Cudahy Police Department, Glendale Police Department, Whitefish Bay Police Department, West Milwaukee Police Department, Marquette University Police Department, Franklin Police Department and the Milwaukee Police Department.

HIDTA had arrested a suspected drug dealer earlier in the day by the name of [REDACTED]. [REDACTED] became a Confidential Informant (CI) for HIDTA and decided to set up [REDACTED] supplier; Mr. Claybrooks. [REDACTED] and Mr. Claybrooks had met in the area of N. 19<sup>th</sup> Pl. multiple times, and [REDACTED] knew [REDACTED] could get Mr. Claybrooks there for HIDTA to arrest.

An operational plan was developed so that when Mr. Claybrooks showed up to sell heroin to [REDACTED], HIDTA would perform a trained maneuver called [REDACTED] to take Mr. Claybrooks into custody. [REDACTED] is a technique [REDACTED].

At approximately 6:25 pm [REDACTED] identified Mr. Claybrooks' vehicle arriving on N. 19<sup>th</sup> Pl. The plan [REDACTED] was put into action. [REDACTED]

[REDACTED] Mr. Claybrooks lost control of his vehicle and hit a tree in front of 4921 N. 19<sup>th</sup> Pl. The impact was so minimal the vehicle's Event Data Recorder (EDR) did not record an "event" nor did the airbag deploy.

[REDACTED]. It was at that time multiple officers from HIDTA began attempts to remove Mr. Claybrooks from his vehicle. According to multiple citizen witnesses the officers were heard giving verbal commands for Mr. Claybrooks to turn off the car and to show his hands. These same citizen witnesses gave statements saying they knew it was the police giving the commands because of the way the police were dressed. They identified black ballistic vests with "police" printed on them with white lettering. Some of the officers had "police" on their sleeves.

Many officers were using various types of tools to break out the heavily tinted windows on Mr. Claybrooks vehicle. Officer statements tell us Mr. Claybrooks' vehicle was in reverse at the time and the tires were spinning at a high rate. Drug Enforcement [REDACTED] (DEA) was covering the vehicle with [REDACTED] handgun and could see into the car through a hole one of the officers made. According to [REDACTED] (DEA), [REDACTED] could see Mr. Claybrooks pointing a gun at City of Milwaukee Police [REDACTED]'s (MPD) head. [REDACTED] (DEA) immediately feared for the life of [REDACTED] (MPD), so [REDACTED] (DEA) fired approximately 5-6 rounds at Mr. Claybrooks.

City of West Allis Police Department [REDACTED] (WAPD) was one of the officers trying to gain entry to the vehicle. While the officers were working on the car an officer yelled, "Gun, gun he has a gun" so [REDACTED] (WAPD) moved to a different position behind Mr. Claybrooks vehicle along the passenger side of the GMC Yukon. At that time someone also yelled, "He's pointing a gun at you!" This phrase was loud and was repeated multiple times. [REDACTED] (WAPD) heard gunshots and saw [REDACTED] (MPD) fall back and saw a look of "utter terror" on [REDACTED]'s (MPD) face. [REDACTED] thought [REDACTED] (MPD) was shot by Mr. Claybrooks. It was at that time [REDACTED] (WAPD) focused [REDACTED] handgun on the headrest of Mr. Claybrooks car and fired 2-3 rounds.

City of West Allis Police Department [REDACTED] (WAPD) was covering Mr. Claybrooks vehicle while officers were trying to gain entry. [REDACTED] (WAPD) was standing along the driver's side of the GMC Yukon. [REDACTED] (WAPD) felt [REDACTED] was in a vulnerable position where [REDACTED] was standing. [REDACTED] (WAPD) also heard the phrase, "He's pointing a gun at you" and felt as if whoever yelled it was warning [REDACTED]. [REDACTED] (WAPD) "felt" many of the gunshots [REDACTED] heard were coming out of the car at [REDACTED]. [REDACTED] (WAPD) said [REDACTED] could see the silhouette of the driver so [REDACTED] focused on the head of the driver and fired 2-3 rounds.

City of Milwaukee Police Department [REDACTED] (MPD) told investigators the following during [REDACTED] statement. [REDACTED] (MPD) told [REDACTED] (MPD) that Mr. Claybrooks fired a gun at [REDACTED]'s (MPD) head. [REDACTED] (MPD) felt or heard bullets going past [REDACTED] head. Multiple officers remember seeing [REDACTED] (MPD) falling down during the gunfire. According to [REDACTED] (MPD), [REDACTED] (MPD) was certain that [REDACTED] was fired at by Mr. Claybrooks.

A Taurus 9mm was recovered from Mr. Claybrooks hand before he was removed from the vehicle. There were 10 rounds in the magazine and one in the chamber. The gun was not reported stolen and was linked through ballistics to a shots fired call in Milwaukee at 62 [REDACTED] W. Florist Ave. (MPD IR# 1629800083).

Evidence from this investigation was collected by the Wisconsin State Crime Lab and was later transferred to the Wauwatosa Police Department.

The three involved officers from the Milwaukee Police Department; [REDACTED], [REDACTED], and [REDACTED], declined to give formal statements as to their role in this incident.