

On 8/01/2016 at approximately 0925 hrs, I was notified by Sgt Stephan at the SWAT office to respond to precinct two for a potential barricade. Myself, Ofc Smetana and Capt. Latchaw traveled to precinct two. On the way to the scene I contacted 209 (Sgt Paige) on the police radio and was given the needed details in reference to the barricade situation. He informed me that Officers had attempted to serve an arrest warrant on a female suspect who was currently inside of her apartment. The suspect was currently in possession of a shotgun and was holding a small child hostage. Patrol officers were holding an outside perimeter and an open front door to the apartment. I had informed my Sgt and Team Leader that myself and Ofc Smetana were going straight to the scene to take control of the situation and provide intel to the responding Team. Upon arrival I received additional Intel from a sergeant at the scene. I was advised that the suspect had psychological issues and had been off her psychiatric medication for approximately one year. I had Ofc Smetana suit up as a sniper, and take a position on side one. I went to the patrol officers who were currently holding the front door and took up coverage of the suspect in the apartment hallway. I moved some Officers back and had Detectives continue negotiating with the suspect. As team members arrived at the scene, they relieved patrol officers. Team Leader Artson took control of the operation at that time and positioned himself next to me. Eventually the upfront team holding the apartment door included Sgt Stephen, TL Atrson, Ofc Pierce, Ofc Callighan, Ofc McCambell and HNT personnel. The situation went on for several hours. I observed that the suspect stayed partially in the hallway with the shotgun pointed toward the door the entire time. Also the suspect constantly kept her son in front of her using him as a human shield. She even put drawing materials on the floor in front of her for her son to use in an effort to keep him in front of her. I tried several times using hand gestures to get the boy to come to the front door and out of harm's way. One time about half way through, the boy did come toward me into the living room but the suspect hollered at him to get back to her immediately. The boy ran back toward his mother. At one point she had the boy get blankets from the hall closet which she wrapped around her, the shot gun and her son. While talking to HNT and yelling at us at the front door the suspect made several statements including but not limited to the following:

- She talked about her prior arrest as an unjust kidnapping by the police and the Government
- The government had kidnapped her fiancé
- Police were all devils
- Police were only at the location because she was black
- When she and her son were dead the news would report it and the world would know
- It would be worth it as long as she took at least one of us with her
- She absolutely was not coming out of her apartment

I was able to maintain coverage and a visual on the suspect and the boy most of the time from my position on the knob side/right side of the doorway. Other team members held coverage on the Livingroom and second kitchen entrance from their position on the hinge side/ left side of the doorway. The suspect always stayed approximately thirty feet away from the front door while partially sitting/ standing in the hallway. Most of the time the suspect kept the boy in front of her. With this configuration I felt we had the best cover possible for the situation. As time went on the power was cut off to the apartment and negotiations by phone were ended by the suspect.

*Robert J. [Signature]*  
4579

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After negotiations ended I observed a lot of movement and activity by the suspect which I reported. Then I observed the boy cross over the hallway and enter the kitchen. A couple minutes later I saw the suspect with the shot gun in her hands cross into the kitchen. This was a huge tactical advantage to her, giving the suspect a good angle to shoot at the hinge side team. I reported all of this to my team members. I could see the muzzle of the shotgun pointed at a low ready toward the hinge side team members. Also I could see just the ends of the suspect's hair at the first entrance to the kitchen off the hallway. I told HNT that the suspect needed to drop the shotgun. HNT commanded and begged the suspect to put the gun down. I observed the shotgun raising up and sticking further into the hallway pointed at the hinge side team. Team Leader Artson yelled at the hinge side team that the suspect could see them and the shotgun was pointed at them. When the shotgun was completely raised up in a firing position, fearing for their lives, I fired one round from my AR through the drywall at her head. The shotgun immediately drew back and fired into the hallway. I had already discussed with the team that she had a pump shotgun and if she fired we had to make entry immediately, hopefully before she could work the shotgun and chamber another round. I made entry first through the front door followed by the team. I wanted to get to the suspect before she could shoot the child or an officer.

As I was approaching the first entrance to the kitchen I heard the shotgun chamber and the suspect fired a second round. The gun was fired toward the second entrance to the kitchen where part of our team was setting up. Immediately after the suspect's second shot I swept the first entrance from the hallway to the kitchen and observed the suspect turning toward me with the shotgun in her hands. At this time I was immediately in fear for my life and the life of the boy. I saw the boy beside her in my peripheral vision. I fired three rounds center mass of the suspect. As this occurred the boy was moving from her side, to behind her and away.

I let team members know that the suspect was down and to continue clearing the apartment. I reached down and took the shotgun from her hands and placed it behind me on the floor. I called for someone to make the shotgun safe and for a SWAT medic. I held cover on the suspect until SWAT medic Luck took over. Once relieved of my duties, I went outside and gave my AR to Corporal Garner. I went to my unmarked patrol car, stored my gear and went to the Precinct two substation as I was instructed to by supervision.

BALTIMORE COUNTY POLICE DEPARTMENT

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REPORT OF INVESTIGATION

NAME OF SUBJECT  Interview: Officer Ruby #4579	DATE SUBMITTED 8/11/16
	TYPE OF INVESTIGATION Police Involved Shooting #16-214-0594

NOTICE: THE INFORMATION CONTAINED IN THIS REPORT IS HIGHLY CONFIDENTIAL. DISSEMINATION OF INFORMATION TO ANY PERSON WITHOUT A NEED TO KNOW IS STRICTLY FORBIDDEN.

REPORT OF FINDINGS:

On August 11, 2016, at approximately 9:00 am, Detective Anderson #4165 interviewed Officer Ruby #4579. The interview took place at the Baltimore County Police Headquarters Building located at 700 E. Joppa Road, Towson, Maryland 21286.

Michael Marshall, the attorney for Officer Ruby, was also present. Detective Anderson received a written statement from Officer Ruby through Mr. Marshall on August 02, 2016.

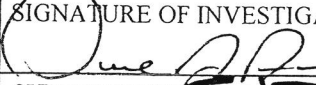

Officer Ruby advised he had no information about the suspect involved in the incident beyond the information contained within his written statement, to include no prior information concerning any viewpoints the suspect may or may not have had regarding the government or law enforcement.

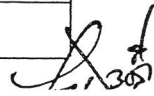
Officer Ruby advised it was a tall patrol sergeant who advised him that the suspect had "psychological issues and had been off her psychiatric medications for approximately one year." He could not provide any additional information as to the source of that information.

Officer Ruby said he positioned himself in the best available tactical position allowed by the physical layout of the scene. He maintained a position which allowed him to keep visual contact with the suspect throughout the incident. He could see that the suspect was a female who was armed with a pump style shotgun and had a small child with her.

Officer Ruby advised the suspect kept the shotgun in her hands and pointed at the front door, his position, until just prior to the conclusion of the incident. Officer Ruby stated that when the suspect was on the phone she was in a kneeling position. This position allowed her to keep her left hand on the pump of the shotgun while resting the grip side of the shotgun on her leg. Officer Ruby felt this position gave the suspect the ability to reacquire the shotgun and fire at him before he would be able to reach and disarm her. Additionally, the suspect kept the child in-between her and officer Ruby, further complicating the situation.

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Officer Ruby further explained that the suspect would position the child in-between himself and her, yelling at the child if he moved from this position for more than 30 seconds. The only time the child was allowed to be out of this position for longer than 30 seconds was just prior to the conclusion of the incident. The suspect also used drawing materials and food (peanut butter and jelly sandwich) to keep the child occupied and in this position.

Officer Ruby advised the suspect made several statements. These statements are documented in his written statement and include, in part:

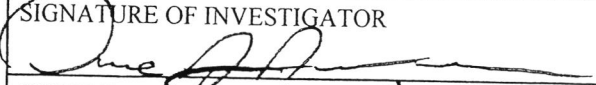

1. When she and her son were dead the news would report it and the world would know,
2. It would be worth it as long as she took at least one of us with her.
3. She absolutely was not coming out of her apartment or giving up.

Officer Ruby stated that due to the suspect's insistence that the child remain in-between himself and the suspect during an armed standoff and her statements about both of them dying, he felt the child's life was in danger.

Officer Ruby estimated that it was only a couple of minutes from the time the suspect ended the negotiations and the conclusion of the incident. Officer Ruby described seeing the suspect becoming increasingly agitated. The suspect began quickly going from a kneeling position to a standing position and tapping her foot. Furthermore, while the suspect repeated these actions, the child went into the kitchen and remained there for several minutes. Officer Ruby noted this was not consistent with the suspect's prior practices during this incident.

Without warning the suspect ran into the kitchen. Officer Ruby could only see the barrel of the shotgun and part of the suspect's hair.

According to Officer Ruby, when the suspect changed her location, she changed the dynamics of the incident. While she remained in the dining room the officers on the hinge side of the front door were out of her line of sight. However, now that she was in the kitchen, she had a direct line of sight of those officers. Officer Ruby observed her to start to raise the shotgun into a firing position. Officer Ruby

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informed Detective Stagi #3927 (a member of the Hostage Negotiation's Upfront Team) of the suspects actions and the need for her to lower the shotgun. Both Officer Ruby and Detective Stagi instructed the suspect to lower the shotgun. The suspect failed to follow these instruction and continued to raise the shotgun to a firing position.

Once the suspect had the shotgun in the firing position and pointed at Officer Ruby and the other officers, Officer Ruby fired one round and immediately approached the suspect's position from the dining room side of the kitchen (the left side). While he was approaching the suspect's position, she fired one round in the direction of Officer Ruby and the other officers, reloaded and fired another round toward the opposite entrance / exit of the kitchen.

Officer Ruby stated as the kitchen came into his field of vision he saw the suspect facing away from him in a crouched position turning to her right, rotating towards him. She was still holding the shotgun at the ready. Officer Ruby stated he fired an additional three times as the suspect was turning towards him with the shotgun. Concurrently the child was standing at the suspect's right hip. The child crossed behind the suspect and fled the kitchen off of the suspect's left hip and toward the opposite entrance / exit of the kitchen.

Officer Ruby could not offer any clarification as to the order in which his shots struck the suspect.

Officer Ruby advised he received a break and water and was not fatigued during this incident.

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