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911 call before Rayshard Brooks' fatal shooting by police is released

"I tried to wake him up, but he's parked dead in the middle of the drive-thru, so I don't know what's wrong with him."



[911 call in Rayshard Brooks case released as new Atlanta protests erupt](#)

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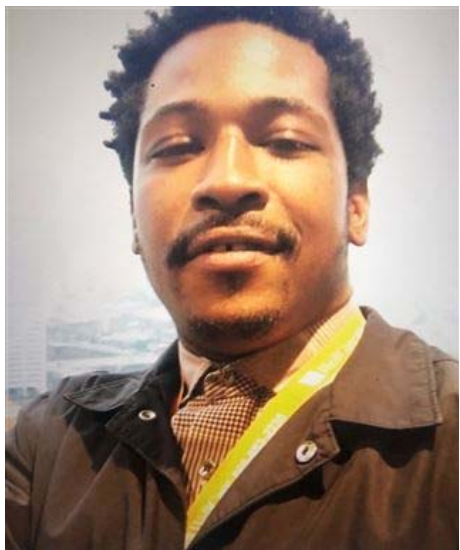
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By Minyvonne Burke

A Wendy's employee who called 911 before the [fatal police shooting of Rayshard Brooks](#) in Atlanta told the dispatcher that a customer who appeared to be intoxicated was asleep in his car in the restaurant's drive-thru, according to a record of the call.

"I tried to wake him up, but he's parked dead in the middle of the drive-thru, so I don't know what's wrong with him," the caller says. "He woke up, looked at me and I was like, 'You got to move out of the drive-thru.' Because people can't, they're going around him."

The employee tells the dispatcher in a call released Monday that they asked the man to pull to the side and go to sleep. When the 911 operator asks if the man had any weapons visible, the caller responds, "No, no. I think he's intoxicated."



Rayshard Brooks. Stewart Trial Attorneys / via AFP - Getty Images

Brooks, a Black man, was killed Friday night in the parking lot of the Wendy's after two officers with the Atlanta Police Department responded to the 911 call. His [death has been ruled a homicide](#), and the officer who shot Brooks, Garrett Rolfe, has been fired.

The second officer, Devin Brosnan, was placed on administrative leave. And [police Chief Erika Shields resigned](#) from her post less than 24 hours after the shooting.

The Georgia Bureau of Investigation, which is investigating the shooting, said Saturday that Brooks failed a field sobriety test and struggled with the officers as they tried to arrest him.

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"During the course of that confrontation, Mr. Brooks was able to secure from one of the Atlanta officers, his Taser," said GBI Director Vic Reynolds at a news conference on Saturday.

The incident was captured on video and shows Brooks, 27, appearing to run from the officers with a stun gun in his hand, Reynolds said. After running a short distance, Brooks appeared to turn around and point the stun gun at the officer, according to the director. At that point, the officer fatally shot Brooks.

The shooting sparked protests in the city and was [condemned by Mayor Keisha Lance Bottoms](#).

"This interaction with these police officers was such, almost a pleasant interaction. It did not have to end this way, and that's what's so frustrating," Bottoms said Tuesday on NBC's "TODAY."

"It leaves us asking so many questions because we do so many things in Atlanta, we thought, to get it right, and this went so terribly wrong."

In police body- and dash-camera video, Officers Rolfe and Brosnan are seen questioning Brooks for more than 25 minutes.

Brooks tells the officers that he visited his mother's gravesite earlier in the day and went out drinking with a friend who dropped him off at Wendy's because he was hungry. Brooks said he planned to reunite with his friend at a hotel.

During the questioning, Brooks struggles to remember how many drinks he's had. At one point, he asks if he can walk home. "I just don't want to be in violation of anybody," Brooks says, adding, "Let me go, I'm ready to go."

As officers begin to take him into custody, Brooks jerks away and the three grapple with one another on the ground. He was shot twice as he ran and died at a hospital after undergoing surgery.

A lawyer for Brooks' family said he had three daughters and a stepson. Attorney L. Chris Stewart said Brooks shouldn't have been killed over his appearing to have a stun gun.

"Of extreme concern in the murder of Rayshard Brooks is the fact that he was shot in the back multiple times while fleeing," Stewart and law partner Justin Miller said in a statement Saturday.

Bottoms said Brooks' death was personal because "that could have been any one of us."

"That could be any of our kids or brothers. In this case it was: It was someone's father," she said on "TODAY."

Neither Rolfe nor Brosnan has been charged.



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