

Lewis County  
Prosecuting Attorney's Office

*Equal Justice for All*

July 17, 2014

Detective Ben Elkins  
2000 Lakeridge Dr. SW  
Olympia, WA 98502-6045

Detective Elkins:

On June 29, 2014,<sup>1</sup> I received notification that Officer Ruben Ramirez,<sup>2</sup> of the Centralia Police Department, had been involved in an Officer Involved Shooting (OIS) that resulted in the death of a male initially identified as Christopher Matthews, but subsequently identified as Paul Matthew Edmundson<sup>3</sup>. Upon arrival at the scene, I was contacted by Centralia Police Chief Robert Berg. Chief Berg provided a brief overview and indicated that the Region 3 Critical Incident Investigation Team (CIIT) had been activated.

The investigation of the incident was handed over to the Region 3 CIIT. This unit is a multi-agency team made up of law enforcement from surrounding counties (Lewis, Thurston, Pacific, Mason and Grays Harbor), to the exclusion of the department where the officer being investigated is employed. In this case, the exclusion requirement was not an issue as Centralia Police is not a member of the CIIT. You were designated as the lead detective for the CIIT in this matter.

While at the scene, I was joined briefly by Chief Criminal Deputy Brad Meagher. I was also briefed by various law enforcement at the scene and was escorted through the scene by you so that I could observe, first hand, the scene as it appeared on that day.

In preparation for this review, I observed and toured the scene, attended the autopsy, attended the briefing given by the CIIT and reviewed all reports, statements, videos, photographs, audio recordings and other information provided. I also spoke with other prosecutors, both inside and outside of this office, and spoke with law enforcement not involved in this incident or investigation. Finally, I reviewed applicable statutes and relevant case law to the issue at hand.

After completing my review, I have determined that Officer Ramirez's use of deadly force in this matter was justified. This conclusion has been reviewed by

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<sup>1</sup> It should be noted the date is listed incorrectly in the report of Lead Detective Elkins and the statement of Officer Ramirez. Both list the date of the event as June 28, 2014.

<sup>2</sup> It should be noted that Detective Claridge incorrectly refers to Officer Ramirez as Officer "Rodriquez".

<sup>3</sup> For clarity, the name "Edmundson" will be used although his actual name was not known at the time.

my Chief Criminal Deputy Brad Meagher, Senior Deputies Sara Beigh and Will Halstead and Felony Deputies Paul Masiello, Eric Eisenberg and Mark McClain. All have agreed with the conclusion reached in this matter.

What follows is a factual summary outlining facts known to Officer Ramirez<sup>4</sup> at the time of the shooting. Also included are pertinent facts discovered since the shooting, a legal analysis outlining the relevant authority in this situation and, finally, a conclusion that outlines, in detail, my decision to not pursue criminal charges in this matter.

There are facts included in this analysis that are relevant to explain the decedent's actions, but are not relevant to the actions taken by Officer Ramirez because they were not known to him at the time.

### **FACTUAL SUMMARY**

Lewis County Dispatch received a shoplifting complaint from the clerk working at LeDuc's Chevron located in Centralia, Washington.<sup>5</sup> The caller identifies herself and indicates that a female<sup>6</sup> entered the store, removed burritos from the cooler and placed them in the microwave. Milligan then purchased rolling papers and indicated to the clerk that she did not have sufficient funds for the burritos. Milligan then exited the store and can be seen crossing the parking lot and speaking with two (2) men.<sup>7</sup>

One of the men<sup>8</sup> enters the store and can be seen removing the burritos placed in the microwave by Milligan.<sup>9</sup> Casperson then exits the store and rejoins the man, Edmundson, and Milligan in the parking lot.<sup>10</sup> A short while later, Casperson reenters the store to reheat the burritos that he had taken.<sup>11</sup> Casperson then re-exits the store with the burritos and returns to Edmundson and Milligan in the parking lot.<sup>12</sup> The group can be seen leaving the area with Milligan and Edmundson traveling to the parking lot of Anchor Bank across the street.<sup>13</sup>

Officer Ruben Ramirez was on duty at the time and was dispatched at approximately 0958 hours.<sup>14</sup> Officer Ramirez responded from the Police Department with his K9 partner Lobo.<sup>15</sup> Surveillance video obtained from LeDuc's

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<sup>4</sup> Officer Ramirez has been a member of the Centralia Police Department since 1998, a member of the SWAT team since 2004 and with his partner Lobo since 2010.

<sup>5</sup> See Central Dispatch call and see Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000188.

<sup>6</sup> Subsequently identified as Michelle Milligan.

<sup>7</sup> See LeDuc's Chevron video surveillance and Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000191.

<sup>8</sup> Subsequently identified as Adam Casperson.

<sup>9</sup> See LeDuc's Chevron video surveillance and Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000188 to OIS Cent. PD - 2/000189.

<sup>10</sup> See LeDuc's Chevron video surveillance and Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000191.

<sup>11</sup> See LeDuc's Chevron video surveillance and Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000191 to OIS Cent. PD - 2/000192.

<sup>12</sup> See LeDuc's Chevron video surveillance.

<sup>13</sup> See LeDuc's Chevron video surveillance.

<sup>14</sup> See Report of Sgt. K. Reichert, Bates Stamp Number OIS Cent. PD - 2/000061. Central Dispatch shows the time of approximately 0959. Bates Stamp Number OIS Cent. PD - 000879.

<sup>15</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000176 to OIS Cent. PD - 2/000177.

Chevron shows Officer Ramirez arrive on scene at approximately 1005 hours and Anchor Bank.<sup>16</sup> Officer Ramirez pulls into the bank parking lot, turns around and parks his patrol vehicle facing north.<sup>17</sup> Officer Ramirez explained that he parked this way to put distance between Lobo and the people he was contacting.<sup>18</sup> Officer Ramirez can be seen exiting the vehicle.<sup>19</sup>

Officer Ramirez contacted the pair (Edmundson and Milligan) who were sitting in the grass near the bank.<sup>20</sup> According to Officer Ramirez, he contacted the pair because the Milligan matched the description of Milligan involved with theft provided to dispatch by the store clerk.<sup>21</sup> Upon contact, Edmundson begins "mouthing off".<sup>22</sup>

Officer Ramirez concentrated his attention on Milligan given the matching description.<sup>23</sup> Officer Ramirez starts talking to Milligan about the burritos.<sup>24</sup> Milligan admitted to being at the store, but denied taking the burritos.<sup>25</sup> Milligan indicated that the person that took the burritos was hiding in the woods.<sup>26</sup> Officer Ramirez indicated that he wanted to obtain the pair's identification because, based upon the information obtain, they were involved in the theft of the burritos.<sup>27</sup> Officer Ramirez attempted to ignore what Edmundson was saying because Milligan repeatedly indicated that the man responsible for the theft was not there.<sup>28</sup> Edmundson retrieved his wallet, after a significant delay.<sup>29</sup> Officer Ramirez recognized the man from the identification provided as a suspect from a felony assault investigation where Probable Cause had been established.<sup>30</sup>(\*See Below)

#### **\* PRIOR ASSAULT INVESTIGATION**

On June 27, 2014, Officer Ramirez responded to a complaint of an assault at the Pepper Tree Motel.<sup>31</sup> Upon his arrival, Officer Ramirez contacted the victim.<sup>32</sup> The victim indicated that a man he knew as "Chris" "stabbed him in the

<sup>16</sup> See Central Dispatch Main Radio Log Table, Bates Stamp Number OIS Cent. PD - 000879 and LeDuc's Chevron surveillance video.

<sup>17</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000177, and LeDuc's Chevron surveillance video.

<sup>18</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000177.

<sup>19</sup> See LeDuc's Chevron surveillance video.

<sup>20</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000177 to OIS Cent. PD - 2/000178.

<sup>21</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000177 to OIS Cent. PD - 2/000178.

<sup>22</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000178.

<sup>23</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000178.

<sup>24</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000178.

<sup>25</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000178.

<sup>26</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000178.

<sup>27</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000178.

<sup>28</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000178 to OIS Cent. PD - 2/000179.

<sup>29</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>30</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179. Note that Officer Ramirez indicated the investigation was from the day before when the actual assault occurred two (2) days prior. Officer Ramirez's report was completed on June 28, 2014. Bates Stamp Number OIS Cent. PD - 2/000178 to OIS Cent. PD - 2/000046.

<sup>31</sup> Bates Stamp Number OIS Cent. PD - 2/000178 to OIS Cent. PD - 2/000044.

<sup>32</sup> Bates Stamp Number OIS Cent. PD - 2/000178 to OIS Cent. PD - 2/000044.

eye" with a weapon.<sup>33</sup> The victim indicated that the person that assaulted him stayed in room #118 of the Pepper Tree.<sup>34</sup> Officer Ramirez contacted the motel office and obtained a copy of the suspect's identification that recently stayed in room #118. A suspect was identified as Christopher Richard Matthews (DOB 12/30/1970).<sup>35</sup> Officer Ramirez was unable to locate the suspect, but determined that he had probable cause to arrest Christopher Matthews for the crime of Assault in the Second Degree.<sup>36</sup> Officer Ramirez was also able to obtain a color copy of the suspect's picture.<sup>37</sup>

Officer Ramirez indicated that the man in the identification did not seem to match the man he was talking to at the bank very well.<sup>38</sup> However, Officer Ramirez wanted to establish the connection between the man he was talking to, the identification provided by Edmundson and the identification obtained from the motel.<sup>39</sup> Officer Ramirez determined that he was going to simply detain Edmundson to determine the connection.<sup>40</sup> Officer Ramirez asked Edmundson to stand up and he put Edmundson's wallet down so he would be able to detain him.<sup>41</sup>

As Officer Ramirez was attempting to detain Edmundson, he began to resist by pulling away.<sup>42</sup> Because Officer Ramirez was dealing with a felony suspect who was actively resisting and had disengaged from Officer Ramirez, Lobo was deployed.<sup>43</sup> Officer Ramirez indicated that Lobo ran past Milligan and followed Officer Ramirez's command to engage Edmundson.<sup>44</sup> Lobo bit Edmundson on the arm which allowed Officer Ramirez to request an additional unit.<sup>45</sup>

Officer Ramirez indicated that, pursuant to training, Lobo grabbed one of Edmundson's arms and Officer Ramirez grabbed the other.<sup>46</sup> However, Officer Ramirez noted that it was unusual in that Edmundson continued to fight through the bites.<sup>47</sup> Edmundson continued to ignore Officer Ramirez's repeated commands to stop as he continued to fight with Lobo and Officer Ramirez.<sup>48</sup>

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<sup>33</sup> Bates Stamp Number OIS Cent. PD - 2/000178 to OIS Cent. PD - 2/000044.

<sup>34</sup> Bates Stamp Number OIS Cent. PD - 2/000178 to OIS Cent. PD - 2/000045.

<sup>35</sup> Bates Stamp Number OIS Cent. PD - 2/000178 to OIS Cent. PD - 2/000046.

<sup>36</sup> Bates Stamp Number OIS Cent. PD - 2/000178 to OIS Cent. PD - 2/000046.

<sup>37</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000181.

<sup>38</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>39</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>40</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>41</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>42</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>43</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>44</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>45</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>46</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>47</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

<sup>48</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000179.

Edmundson continued to resist and attempted to put his arm underneath his body.<sup>49</sup>

At one point, Edmundson put his legs around the head of Lobo in an attempt to escape.<sup>50</sup> In an attempt to prevent Edmundson from escaping Lobo's grasp, Officer Ramirez used a kick in an attempt to stun Edmundson.<sup>51</sup> However, that did not occur and Officer Ramirez made a second call for assistance.<sup>52</sup> At one point, Edmundson yelled "ow" and Lobo disengaged.<sup>53</sup> Officer Ramirez commanded Lobo to reengage, which he did.<sup>54</sup> Officer Ramirez ended up on the ground with Edmundson and Officer Ramirez described hearing "...scraping sounds" and Edmundson had his arm underneath his body.<sup>55</sup>

Officer Ramirez thought the scraping sound may have been a knife given the assault that had occurred at the Pepper Tree.<sup>56</sup> When looking to see exactly what was causing the scraping noise,<sup>57</sup> Officer Ramirez saw the butt of a gun.<sup>58</sup> Edmundson was pulling the gun out of what appeared to be his waistband.<sup>59</sup> Officer Ramirez indicated that he could see the clip in the gun.<sup>60</sup> Officer Ramirez backed up telling Edmundson to "drop it" and heard a distinct "click" sound.<sup>61</sup> Officer Ramirez fired a single shot from his weapon when Edmundson refused to drop the weapon.<sup>62</sup> It should be noted that the firearm possessed by Edmundson was found in the "cocked" position with a round in the chamber. As Edmundson dropped, Officer Ramirez heard what he believed was a gun hitting the ground.<sup>63</sup> Officer Ramirez radioed that shots had been fired as backup units were arriving.<sup>64</sup> Officer Ramirez indicated that he feared for his life when he fired the shots.<sup>65</sup>

## WITNESSES<sup>66</sup>

### Sgt. Kurt Reichert

Sgt. Reichert was on duty on June 29, 2014 when he heard Officer Ramirez call over the radio for another unit.<sup>67</sup> Sgt. Reichert believed that Officer Ramirez

<sup>49</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000181.

<sup>50</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>51</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>52</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>53</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>54</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>55</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>56</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>57</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>58</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>59</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>60</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>61</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182. Edmundson's weapon was found "cocked" and ready to fire. See Bates Stamp Number OIS Cent. PD - 2/000760.

<sup>62</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>63</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>64</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000182.

<sup>65</sup> See Statement of Ruben Ramirez, Bates Stamp Number OIS Cent. PD - 2/000186.

<sup>66</sup> There are additional witness statements that are not included in this report. This section is for statements which had some significance to the case and are unique (not cumulative in their content).

sounded agitated.<sup>68</sup> As Sgt. Reichert arrived on the scene, he observed Lobo engaged with Edmundson on the ground and Officer Ramirez with his weapon drawn.<sup>69</sup> Sgt. Reichert drew his weapon as he exited the vehicle.<sup>70</sup> Sgt. Reichert observed a firearm near Edmundson and moved it away.<sup>71</sup> Sgt. Reichert ordered Officer Ramirez to cuff Edmundson on the ground.<sup>72</sup>

### Officer William Phipps

Officer Phipps was also on duty on June 29, 2014 when he heard Officer Ramirez call over the radio for another unit.<sup>73</sup> Officer Phipps indicated that it sounded as though Officer Ramirez was in a fight because of the "...rushed tone of his voice."<sup>74</sup> Traveling behind Sgt. Reichert, Officer Phipps "...heard a pop...." through his cracked open window as he approached the scene.<sup>75</sup> Officer Phipps was surprised because the "pop" was louder than the sound of a Taser.<sup>76</sup> Officer Phipps saw Edmundson on the ground with Lobo actively engaged on Edmundson's leg with Milligan approximately 20 feet away screaming and yelling.<sup>77</sup> As Officer Phipps exited his vehicle, he knew that Sgt. Reichert and Officer Ramirez had Edmundson contained so he took control of Milligan.<sup>78</sup> After placing Milligan into the back of his vehicle, Officer Phipps, a former EMT, retrieved his Combat Lifesaver Bag (CLB) and provided medical attention to Edmundson on the ground.<sup>79</sup> Officer Phipps cut away Edmundson's clothing to observe his wounds and saw one (1) bullet wound to the chest and was unable to find a pulse.<sup>80</sup>

### Rosa Diaz

Ms. Diaz was the clerk working at LeDuc's Chevron at the time of the theft.<sup>81</sup> Ms. Diaz called 911 to report the theft and provided the description to dispatch of the persons involved.<sup>82</sup> After Officer Ramirez arrived, Ms. Diaz was alerted by a customer to come outside to see "...what's going on."<sup>83</sup> Ms. Diaz saw "...some dog attacking some guy ...[and] the police kinda like holding onto the guy...like his arms [] [a]nd the woman just yelling."<sup>84</sup> Ms. Diaz indicated the woman yelling

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<sup>67</sup> See Statement of Sgt. Kurt Reichert, Bates Stamp Number OIS Cent. PD - 2/000199.

<sup>68</sup> See Statement of Sgt. Kurt Reichert, Bates Stamp Number OIS Cent. PD - 2/000199.

<sup>69</sup> See Statement of Sgt. Kurt Reichert, Bates Stamp Number OIS Cent. PD - 2/000199.

<sup>70</sup> See Statement of Sgt. Kurt Reichert, Bates Stamp Number OIS Cent. PD - 2/000199.

<sup>71</sup> See Statement of Sgt. Kurt Reichert, Bates Stamp Number OIS Cent. PD - 2/000199 to OIS Cent. PD - 2/000200.

<sup>72</sup> See Statement of Sgt. Kurt Reichert, Bates Stamp Number OIS Cent. PD - 2/000199.

<sup>73</sup> See Statement of Officer William Phipps, Bates Stamp Number OIS Cent. PD - 2/000172.

<sup>74</sup> See Statement of Officer William Phipps, Bates Stamp Number OIS Cent. PD - 2/000172.

<sup>75</sup> See Statement of Officer William Phipps, Bates Stamp Number OIS Cent. PD - 2/000172 to OIS Cent. PD - 2/000173.

<sup>76</sup> See Statement of Officer William Phipps, Bates Stamp Number OIS Cent. PD - 2/000172.

<sup>77</sup> See Statement of Officer William Phipps, Bates Stamp Number OIS Cent. PD - 2/000173.

<sup>78</sup> See Statement of Officer William Phipps, Bates Stamp Number OIS Cent. PD - 2/000173.

<sup>79</sup> See Statement of Officer William Phipps, Bates Stamp Number OIS Cent. PD - 2/000173 to OIS Cent. PD - 2/000174.

<sup>80</sup> See Statement of Officer William Phipps, Bates Stamp Number OIS Cent. PD - 2/000174.

<sup>81</sup> See Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000188 to OIS Cent. PD - 2/000189.

<sup>82</sup> See Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000189.

<sup>83</sup> See Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000192.

<sup>84</sup> See Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000192.

was the same woman that was in the store with the burritos.<sup>85</sup> Ms. Diaz did not know who the officer was fighting with, but saw the officer "...kinda back away 'cause that was when he shot him."<sup>86</sup>

### Nicole Escalante

Ms. Escalante was working at the Shell Station on June 29, 2014.<sup>87</sup> She observed an officer<sup>88</sup> struggling with a person, trying to get the person to the ground and a dog was involved.<sup>89</sup> She witnessed the officer attempting to handcuff "the guy".<sup>90</sup> Ms. Diaz indicated that the "...guy just kept flailing around....[h]e was hitting the dog and then he sat up."<sup>91</sup> Ms. Escalante called 911 to indicate that Officer Ramirez needed assistance.<sup>92</sup> Officer Ramirez kept telling Milligan to get back and she kept getting closer.<sup>93</sup> Ms. Escalante indicated that it appeared that Milligan was "...trying to get his [Officer Ramirez's] attention away from him [the man he was fighting]."<sup>94</sup> Ms. Escalante said "[t]he officer needed assistance because his dog and him [sic] couldn't control the guy[.]"<sup>95</sup> "He like got free from the, the handcuff that wasn't handcuffed to him and went down. I don't know what he did. I seen [sic] Ramirez back up, pull his gun, told him to stop, stop, stop. He [Officer Ramirez] shot his gun ...."<sup>96</sup> Ms. Diaz indicated the man fighting with Officer Ramirez "...I think it's the same guy I think that pulled a gun on my son recently and was pulling [] a gun out on other people...."<sup>97</sup>

### STEVE DAWES<sup>98</sup>

Mr. Dawes indicated that on June 29, 2014, he was in the parking lot of Anchor Bank with his girlfriend, Ruby DeFord, at the ATM.<sup>99</sup> Mr. Dawes saw Officer Ramirez "tussling" with a man on the ground as the dog was actively biting the man.<sup>100</sup> Mr. Dawes said the man was "definitely resisting arrest" and ignoring the verbal commands from Officer Ramirez.<sup>101</sup> As the struggle continued, Mr. Dawes turned his attention back the ATM to complete his transaction and heard a gunshot.<sup>102</sup> Mr. Dawes saw Sgt. Reichert kick something away from the man.<sup>103</sup>

<sup>85</sup> See Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000193.

<sup>86</sup> See Statement of Rosa Diaz, Bates Stamp Number OIS Cent. PD - 2/000193.

<sup>87</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000166.

<sup>88</sup> Ms. Escalante is referring to Officer Ramirez. See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000166 to OIS Cent. PD - 2/000167.

<sup>89</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000165.

<sup>90</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000166.

<sup>91</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000166.

<sup>92</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000167.

<sup>93</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000167.

<sup>94</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000167.

<sup>95</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000168.

<sup>96</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000168.

<sup>97</sup> See Statement of Nicole Escalante, Bates Stamp Number OIS Cent. PD - 2/000169.

<sup>98</sup> Steve Dawes is a former Centralia Police Officer and former Marshall of Pe Ell. See Statement of Steven Dawes, Bates Stamp Number OIS Cent. PD - 2/000206.

<sup>99</sup> See Statement of Steven Dawes, Bates Stamp Number OIS Cent. PD - 2/000205.

<sup>100</sup> See Statement of Steven Dawes, Bates Stamp Number OIS Cent. PD - 2/000205.

<sup>101</sup> See Statement of Steven Dawes, Bates Stamp Number OIS Cent. PD - 2/000206.

<sup>102</sup> See Statement of Steven Dawes, Bates Stamp Number OIS Cent. PD - 2/000207.

<sup>103</sup> See Statement of Steven Dawes, Bates Stamp Number OIS Cent. PD - 2/000207.

## Angela Masson

Ms. Masson was at the Shell Station preparing to pump gas.<sup>104</sup> She heard yelling and arguing and saw, across the street, a police officer with a man on the ground and a woman sitting on the curb, yelling.<sup>105</sup> "The cop was telling him to get down, put your hands behind your back and he wouldn't do it and the cop was hitting him and trying to get him to lay down on the ground. The guy refused to get on the ground. They just kept fighting."<sup>106</sup> Ms. Masson got into her car, but heard more yelling.<sup>107</sup> As Ms. Masson looked up, she heard "...boom and I seen [sic] blue come out of the gun."<sup>108</sup>

## Laura Taylor

Ms. Taylor entered the Shell Station to pay for gas and upon exiting "... we seen [sic] the, the dog and the, the guy was [sic] on the ground[.]"<sup>109</sup> "...[T]he cop kept telling him to get down, just get down and he, he wouldn't get down. He kept fighting at him and the cop punched him and then, uh, he started wrestling with him, tried to pin him down on the ground and he couldn't pin him down on the ground."<sup>110</sup> The officer drew his firearm and "...he says get down, get down, get back, you need to get back, you need to get down and then it happens [shot fired]...."<sup>111</sup> "My sister standing right next to me and there was a whole bunch of other people there yelling about he shouldn't a [sic] had the dog on him, this and this, and I said you know what he's fighting the police officer, he's kicking him, he's hitting a [sic] him, he's not doing what he's supposed to do. I said you, you know, you can't do that, you do what you're told to do, you get what you get if you're not[.]"<sup>112</sup>

## Michelle Milligan

Ms. Milligan was the girlfriend of Edmundson and had been dating for approximately three (3) months.<sup>113</sup> The pair had been in the Centralia area for approximately one (1) month.<sup>114</sup> Ms. Milligan described Mr. Matthew's behavior in the days leading up to his death. She indicated that "...he was going crazy on everybody....he was just going on a nut [sic]."<sup>115</sup> Ms. Milligan described going to Fuller's Grocery and purchasing a roast beef sandwich and vodka.<sup>116</sup> After leaving Fuller's, Ms. Milligan went to the Chevron to get a burritos and some

<sup>104</sup> See Statement of Angela Masson, Bates Stamp Number OIS Cent. PD - 2/000110.

<sup>105</sup> See Statement of Angela Masson, Bates Stamp Number OIS Cent. PD - 2/000110.

<sup>106</sup> See Statement of Angela Masson, Bates Stamp Number OIS Cent. PD - 2/000110.

<sup>107</sup> See Statement of Angela Masson, Bates Stamp Number OIS Cent. PD - 2/000111.

<sup>108</sup> See Statement of Angela Masson, Bates Stamp Number OIS Cent. PD - 2/000111.

<sup>109</sup> See Statement of Linda Taylor, Bates Stamp Number OIS Cent. PD - 2/000119.

<sup>110</sup> See Statement of Linda Taylor, Bates Stamp Number OIS Cent. PD - 2/000120.

<sup>111</sup> See Statement of Linda Taylor, Bates Stamp Number OIS Cent. PD - 2/000121.

<sup>112</sup> See Statement of Linda Taylor, Bates Stamp Number OIS Cent. PD - 2/000121 to OIS Cent. PD - 2/000122.

<sup>113</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000151.

<sup>114</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000153.

<sup>115</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000156.

<sup>116</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000158.



rolling papers, but did not have sufficient funds to pay for the burritos.<sup>117</sup> According to Ms. Milligan, she told the clerk that she was going to get her boyfriend because she could not pay for the burritos.<sup>118</sup> Casperson went into the store and retrieved the burritos.<sup>119</sup> Ms. Milligan assumed that Casperson paid for the burritos.<sup>120</sup> Ms. Milligan said she laid down in the grass at Anchor Bank when they were contacted by police.<sup>121</sup>

Ms. Milligan said the officer requested identification. "[H]e took his ID, and he pulled it out of his pocket, and he gave it to the police. Then the police didn't go back to his car or anything, he just looks at... and he says, okay, I need you to turn around. And Chris says, what? Am I under arrest? He says, you just turn around. And Chris goes to turn around, and, um, uh, find it hard talking. Anyways, um, the, the cop was being really, really rough, and Chris was like, ouch, you're hurting me, you know you're hurting me, you're hurting me. And about that time, the ja-, dog, uh, jumps out of the car window at-, must have been the window, unless the guy left the door open but he jumps out the car window, comes and starts attacking Chris. And Chris is screaming, you know, and I'm screaming, I'm like, you know, I'm like, he's trying, he's hurt, can you just tr-, call the dog off him, and the dog's attacking his arm, and dog's attacking his leg, and the dog's attacking him all over viciously. And Chris is screaming and I'm screaming and this cop's doing, being a total asshole, I mean, just like beating him, and I, I ran out to the road to find help, I'm like, you know, um, I'm out there screaming in the road, please come, come help us, somebody please help us, this, the police, this, this cop's doing to him. And about that time, I heard a little, and he's dead....[h]e did not do a single thing, he wasn't resisting arrest, he wasn't doing anything."<sup>122</sup>

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<sup>117</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000158.

<sup>118</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000158.

<sup>119</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000158 and LeDuc's Chevron surveillance video.

<sup>120</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000158.

<sup>121</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000159.

<sup>122</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000159 to OIS Cent. PD - 2/000160.

Ms. Milligan did not know Mr. Matthews to carry a gun, but indicated that he always carried a weapon.<sup>123</sup>

### Michael Caton<sup>124</sup>

Mr. Canton indicated on June 29, 2014, he saw Casperson, Edmundson and Milligan, at the Chevron.<sup>125</sup> Mr. Caton indicated that Edmundson flashed a gun at him and this was not the first occasion.<sup>126</sup> Mr. Caton indicated Edmundson flashed the gun like he was "super man with it."<sup>127</sup> Edmundson had the gun concealed in his pocket.<sup>128</sup> The firearm appeared to be a .38 caliber and was silver and black in color.<sup>129</sup> Mr. Caton indicated that Casperson told him that Edmundson had firing the weapon the night previous to his death.<sup>130</sup> Edmundson had also claimed to be part of the Mexican Mafia<sup>131</sup> and claimed that with the gun "...ain't nobody going to fuck with me, you know."<sup>132</sup> Mr. Caton described the defendant by saying "[y]ou know why he was dangerous, because he was drunk all the time...[h]e was drunk and had a gun."<sup>133</sup>

### Lorwill Cruickshank<sup>134</sup>

Mr. Cruickshank was at the Shell Station on June 29, 2014 filling up law equipment.<sup>135</sup> Mr. Cruickshank saw Officer Ramirez pull up, turn around and contact Milligan and Edmundson in the parking lot of Anchor Bank.<sup>136</sup> Mr. Cruickshank described the interaction between the officer and subjects as "very casual."<sup>137</sup> Mr. Cruickshank saw the man stand and turn his back to the officer as if preparing to be handcuffed, but when he looked back the officer and man were in a wrestling match on the ground and the dog was involved as well.<sup>138</sup> The two continued to wrestle and as Mr. Cruickshank turned to see Officer Ramirez and the man were separated when there was a single gunshot that hit the man.<sup>139</sup>

The, the only thing that I truly feel comfortable without any question saying is the officer at no time was doing

<sup>123</sup> See Statement of Michelle Milligan, Bates Stamp Number OIS Cent. PD - 2/000160 to OIS Cent. PD - 2/000161.

<sup>124</sup> Michael Caton can be seen as the fourth man to join the group in the Chevron, but left before the incident at the bank. See LeDuc's Chevron surveillance video.

<sup>125</sup> See Statement of Michael Caton, Bates Stamp Number OIS Cent. PD - 2/000137.

<sup>126</sup> See Statement of Michael Caton, Bates Stamp Number OIS Cent. PD - 2/000137.

<sup>127</sup> See Statement of Michael Caton, Bates Stamp Number OIS Cent. PD - 2/000141.

<sup>128</sup> See Statement of Michael Caton, Bates Stamp Number OIS Cent. PD - 2/000137.

<sup>129</sup> See Statement of Michael Caton, Bates Stamp Number OIS Cent. PD - 2/000138. Although the caliber is incorrect, the description regarding color was accurate. Bates Stamp Number OIS Cent. PD - 2/000760.

<sup>130</sup> See Statement of Michael Caton, Bates Stamp Number OIS Cent. PD - 2/000140.

<sup>131</sup> See Statement of Michael Caton, Bates Stamp Number OIS Cent. PD - 2/000142.

<sup>132</sup> See Statement of Michael Caton, Bates Stamp Number OIS Cent. PD - 2/000144.

<sup>133</sup> See Statement of Michael Caton, Bates Stamp Number OIS Cent. PD - 2/000147.

<sup>134</sup> Mr. Cruickshank gave a very detailed statement that is not explored in depth as it is covered in other statements outlined in this document.

<sup>135</sup> See Statement of Lorwill Cruickshank, Bates Stamp Number OIS Cent. PD - 2/000125.

<sup>136</sup> See Statement of Lorwill Cruickshank, Bates Stamp Number OIS Cent. PD - 2/000125.

<sup>137</sup> See Statement of Lorwill Cruickshank, Bates Stamp Number OIS Cent. PD - 2/000125.

<sup>138</sup> See Statement of Lorwill Cruickshank, Bates Stamp Number OIS Cent. PD - 2/000125 to OIS Cent. PD - 2/000126.

<sup>139</sup> See Statement of Lorwill Cruickshank, Bates Stamp Number OIS Cent. PD - 2/000126.

anything but, um, a routine, um, verbal talk-to-him, and then even when it turned physical, he was doing nothing, in my opinion, overly aggressive at all, he was just doing enough to g-, not let the guy get a position on him. And there was no kicking, it was just his, holding his left arm, and using a foot to pin his shoulder down so he couldn't get onto his feet where he could get, you know, one-on-one with the officer.<sup>140</sup>

### AUTOPSY

On June 30, 2014, an autopsy was conducted on the man tentatively identified as Chris Williams. I attended the autopsy. Although a report has not been received, the pathologist was clear in that the cause of death was a single gunshot wound that entered the chest and penetrated the heart before lodging in the spine. One thing of note was that alcohol could be smelled emanating from Edmundson during the autopsy.<sup>141</sup> Also, Edmundson had an unusual tattoo on his lower chest/upper abdomen.

### IDENTITY

Edmundson was originally identified as Christopher Richard Matthews. However, there were several discrepancies in the identification. After Edmundson's fingerprints were submitted for analysis, Edmundson's identity was determined to be Paul Matthew Edmundson.<sup>142</sup> This explained the unusual tattoo as Edmundson was in the process of covering up the tattoo of Edmundson one letter at a time.<sup>143</sup> Edmundson's sister, Pamela Hayes, explained that she was also aware of Edmundson using the Matthews name after he was released from prison.<sup>144</sup>

### FIREARM

The firearm recovered from Edmundson was determined to be a Sig Sauer P938, 9mm.<sup>145</sup> At the request of this office, the weapon was test fired and found to be operational.<sup>146</sup> An investigation into the origins of the firearm led to the discovery that the firearm was stolen out of Longview, Washington.<sup>147</sup>

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<sup>140</sup> See Statement of Lorwill Cruickshank, Bates Stamp Number OIS Cent. PD - 2/000131.

<sup>141</sup> See Autopsy Photos, Bates Stamp Number OIS Cent. PD - 2/000381.

<sup>142</sup> See Report of Lead Detective Elkins, Bates Stamp Number OIS Cent. PD - 2/000028.

<sup>143</sup> See Autopsy Photos, Bates Stamp Number OIS Cent. PD - 2/000381.

<sup>144</sup> See Report of Lead Detective Elkins, Bates Stamp Number OIS Cent. PD - 2/000037.

<sup>145</sup> Bates Stamp Number OIS Cent. PD - 2/000881.

<sup>146</sup> Bates Stamp Number OIS Cent. PD - 2/000881.

<sup>147</sup> See Report of Detective Clary, Bates Stamp Number OIS Cent. PD - 2/000058 to OIS Cent. PD - 2/000059.

## PAUL MATTHEW EDMUNDSON

In addition to being the suspect in the Assault in the Second Degree at the Pepper Tree as described above, Edmundson's history shows extensive criminal history over the last 23 years from multiple states under several aliases.<sup>148</sup> Convictions include assaults, robbery, burglary, firearm offenses and others from both California and Utah.<sup>149</sup> In May 2014, Edmundson was cited for DUI, Reckless Driving and Furnishing False Information to Officer in Oregon.<sup>150</sup> That same month, he was also involved in another incident involving a stolen motorcycle that was apparently obtained by him after physically attacking the motorcycle's owner and, when contacted police, actively resisted arrest.<sup>151</sup>

## LEGAL ANALYSIS

The controlling statute in Washington on this issue is RCW 9A.16.040. Under that statute, police officers are authorized to use deadly force when it is reasonable and necessary to arrest and/or apprehend a person who is committing, or has committed, a felony. When making the decision to use deadly force, an officer must have probable cause to believe that the person "...poses a threat of serious physical harm to the officer...."<sup>152</sup> "A public officer or peace officer shall not be held criminally liable for using deadly force without malice and with a good faith belief that such act is justifiable pursuant to this section."<sup>153</sup>

In this case, applying the above standard, it is clear that Officer Ramirez was justified in his use of deadly force on June 29, 2014. Officer Ramirez contacted Edmundson and was able to identify him as the suspect in a second degree assault from two (2) days prior, a case that Officer Ramirez personally investigated and obtained a copy of the same identification that Edmundson provided to Officer Ramirez.

When Officer Ramirez attempted to detain Edmundson, Edmundson actively resisted causing the need for Officer Ramirez to deploy his K9 partner Lobo. Officer Ramirez made two (2) requests for assistance. While waiting for assistance, the struggle continued with Edmundson ignoring repeated commands. Eventually, Edmundson was able to gain possession of a firearm. What originally started as an attempt to detain became, at that moment, a fight for life for Officer Ramirez. Officer Ramirez, pursuant to his training, gave repeated commands to Edmundson which were ignored. Officer Ramirez was left with no choice but to draw his weapon and fire to protect his own life.

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<sup>148</sup> See Report of Lead Detective Elkins, Bates Stamp Number OIS Cent. PD - 2/000034.

<sup>149</sup> See Report of Lead Detective Elkins, Bates Stamp Number OIS Cent. PD - 2/000034.

<sup>150</sup> See Bates Stamp Number OIS Cent. PD - 2/000089 and OIS Cent. PD - 2/000082 to OIS Cent. PD - 2/000083.

<sup>151</sup> See Bates Stamp Number OIS Cent. PD - 2/000084 to OIS Cent. PD - 2/000088 and OIS Cent. PD - 2/000104 to OIS Cent. PD - 2/000105.

<sup>152</sup> RCW 9A.16.040(2).

<sup>153</sup> RCW 9A.16.040(3).

The outcome, although tragic, is supported by the facts known to Officer Ramirez at the time of the shooting. The facts discovered since the shooting further emphasize that the shooting was justified.

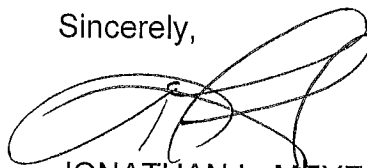
It should also be noted that had Edmundson survived this encounter, he would have been charged with several crimes. First, he would have been charged with Assault in the Second Degree for the assault that occurred at the Pepper Tree on June 27, 2014. Further, he would have been charged for the events on June 29, 2014 as follows:

- I. Attempted Murder in the Second Degree with a deadly weapon enhancement as to his actions against Officer Ramirez. In the alternative a charge of Assault in the Second Degree;
- II. Harming a Police Dog for his actions against Lobo;
- III. Unlawful Possession of a Firearm in the First Degree based upon his prior serious felony convictions;
- IV. Possession of a Stolen Firearm;
- V. Resisting Arrest; and
- VI. Obstruction.

In conclusion, I want to thank you and the members of your investigative team for your thorough and detailed investigation. The reports were extensive and well organized. The briefing provided a proper summation of the facts of this matter and gave me the opportunity to ask necessary questions that allowed me to conduct this analysis. In addition, I want to express a sincere debt of gratitude to you, your team and to Officer Ramirez for the hard and dangerous work that you all do on a daily basis. Through your work and the commitment shown by everyone involved in this process, the citizens of Lewis County can feel confident in the process used.

Finally, I am authorizing the return of items taken from Officer Ramirez including, but not limited to, his weapon, his utility belt, and its contents, his outer vest as well as his uniform. I am requesting that the firearm recovered from Edmundson be retained until the completion of the Burglary investigation out of Cowlitz County and they make a decision as to the need to retain the weapon. If you have any additional question, please do not hesitate to contact me.

Sincerely,



JONATHAN L. MEYER  
Lewis County Prosecuting Attorney

cc: Chief Robert Berg, Centralia Police Department