

OFFICE OF THE MEDICAL EXAMINER

Center for Forensic Medicine

Nashville, Tennessee

REPORT OF INVESTIGATION BY COUNTY MEDICAL EXAMINER

Davidson County Medical Examiner: Feng Li M.D., J.D., Ph.D.

Judicial District Number: 20

District Attorney: Honorable Glenn Funk

State Number: 21-19-9423

Case Number: MEC21-4875

Name of Decedent Anthony Marcelle Phillips		Age 39 Years	Race Black	Date of Birth	Sex Male
Address					
Date of Death 12/16/2021 3:45 AM		Type of Death Suspected Homicide		Investigating Agency/Complaint #: TN Bureau of Investigation, Complaint #: NA-5V-000047	
Place of Death Wooden area across from 909 Old Hickory Blvd., Madison, TN					
<p>Narrative Summary</p> <p>Reportedly the decedent was a 39 year old black male who was involved in an officer involved shooting at approximately 02:38 hours on 12/16/2021. 911 was contacted. Emergency Medical Services responded to the scene to confirm asystole. Reportedly the decedent's past medical history was unknown at the time of this report. Jonathan McGowen, Tennessee Bureau of Investigation (TBI), contacted the Medical Examiner's Office via phone to request a response. Medical Examiner jurisdiction was accepted to determine the cause and manner of death. I, Investigator Melanie Byrd, responded to the scene located in a wooded area across the street from 909 Old Hickory Blvd., Madison, TN, to perform a brief body examination and document the scene with photography. Middle Tennessee Removal Service transported the decedent's body to the Center for Forensic Medicine for further examination and positive identification.</p> <p>Investigator Melanie Byrd 12/16/2021 13:16 hours</p>					
Jurisdiction Accepted Yes		Autopsy Ordered Yes		Toxicology Ordered Yes	
Physician Responsible for Death Certificate Christopher P Geffre, M.D.					
Cremation Approved No		Funeral Home Smith Brothers			
Cause of Death Gunshot wound of the torso					
Contributory Cause of Death					
Manner of Death Homicide					

CERTIFIED COPY
2/7/2022
Date: 2/7/2022
Certified by: [Signature]
Forensic Medical - Office of the
Medical Examiner, Nashville, TN

OFFICE OF THE MEDICAL EXAMINER
Center for Forensic Medicine
850 R.S. Gass Blvd.
Nashville, Tennessee 37216-2640

CASE: MEC21-4875
County: DAVIDSON

AUTOPSY REPORT

NAME OF DECEDENT: PHILLIPS, ANTHONY **RACE:** Black **SEX:** Male **AGE:** 39

DATE AND TIME OF DEATH: December 16, 2021 at 3:45 a.m.

DATE AND TIME OF AUTOPSY: December 17, 2021 at 9:41 a.m.

FORENSIC PATHOLOGIST: Christopher P. Geffre, M.D., Ph.D.

COUNTY MEDICAL EXAMINER: Feng Li, M.D., J.D., Ph.D.

DISTRICT ATTORNEY GENERAL: Honorable Glenn Funk

PATHOLOGIC DIAGNOSES

- I. Gunshot wound of the torso
 - A. Perforation of the lungs and aorta
 - B. No projectile recovered
 - II. Toxicology, see toxicology report
-

CAUSE OF DEATH: Gunshot wound of the torso

MANNER OF DEATH: Homicide

CIRCUMSTANCES OF DEATH: Found with defects

I hereby certify that I, Christopher P. Geffre, M.D., Ph.D., have performed an autopsy on the body of Anthony Phillips on December 17, 2021 at 9:41 a.m., at the Center for Forensic Medicine. The purpose of this report is to provide a certified opinion to the County Medical Examiner and District Attorney General. The facts and findings to support these conclusions are filed with the Tennessee Department of Health. The autopsy is performed in the presence of William D. McClain, M.D.

EVIDENCE OF INJURY

The ordering of the following injuries is for descriptive purposes only, and is not intended to imply order of infliction or relative severity. All wound pathways are given relative to standard anatomic position.

GUNSHOT WOUND OF THE TORSO: On the left back, centered 28 centimeters from the top of the head and 8 centimeters left of the posterior midline is a 1 x 1 centimeter entrance gunshot wound. Surrounding the entrance gunshot wound is a pink-red marginal abrasion with drying. No searing, soot or stippling surrounds this entrance gunshot wound.

The projectile perforates the skin and soft tissue of the left back, upper lobe of the left lung, aortic arch, middle lobe of the right lung and soft tissue and skin of the right chest.

Associated findings include approximately 1000 milliliters of left hemothorax and 900 milliliters of right hemothorax.

On the right chest, centered 40 centimeters from the top of the head and 6 centimeters right of the midline, is a 2.2 x 1 centimeter exit gunshot wound. Surrounding the exit gunshot wound is a dry irregular abrasion. No projectile is recovered.

The projectile's trajectory is from the decedent's back to front, left to right and downward.

EXTERNAL EXAMINATION

The following excludes any previously described injuries.

The body is that of a well-developed, well-nourished, adult, dark-skinned male who weighs 164 pounds, is 67 inches in length, and appears compatible with the reported age of 39 years. The body is cold. Rigor mortis is fully fixed in the muscles of the jaw and extremities. Pink livor mortis extends over the posterior surfaces of the body, except in areas exposed to pressure.

The head is normocephalic. The scalp hair is black. The irides appear brown. The sclerae and conjunctivae are congested. The corneas are translucent. Tache noire is present. No petechial hemorrhages are identified on the sclerae or conjunctivae. The nose is normally formed and the septum is in the midline. The anterior teeth are natural and in good condition. The decedent wears a black mustache and goatee, as well as a black stubble in a beard-like distribution. The neck organs are in the midline and appear unremarkable. The ears are unremarkable.

The thorax is well-developed. The abdomen is flat. The external genitalia are those of a normal adult male.

The upper extremities are well-developed, symmetrical and without absence of digits. The hands have moderately long, trimmed, intact fingernails. The lower extremities are well-developed, symmetrical and without absence of digits. The spine is in the midline. The anus is unremarkable.

Overlying the torso and extremities are tattoos.

EVIDENCE OF MEDICAL INTERVENTION

1. Electrocardiograph patches.

INTERNAL EXAMINATION

The following excludes any previously described injuries.

SEROSAL CAVITIES: All body organs are in a normal and anatomic position. The serous surfaces and pericardium are smooth and glistening.

CENTRAL NERVOUS SYSTEM: Reflection of the scalp reveals no abnormalities. The skull is of normal thickness and without fracture. The brain weighs 1280 grams. The dura mater and falx cerebri are intact, and not adherent to the brain. The leptomeninges are thin and transparent. There is no epidural, subdural or subarachnoid hemorrhage. The cerebral hemispheres are symmetrical with a normal gyral pattern. The structures at the base of the brain, including cranial nerves and blood vessels, are free of abnormality. Sections through the brain reveal no contusions, hemorrhage or mass lesions within the cerebral hemispheres, brainstem or cerebellum. The cerebral ventricles are of normal caliber.

ORGANS OF THE NECK: Examination of the soft tissues of the neck, including strap muscles and large vessels, reveals no abnormalities. The hyoid bone and thyroid cartilage are intact. The laryngeal mucosa is unremarkable. The tongue is normal.

CARDIOVASCULAR SYSTEM: The heart weighs 310 grams. The coronary arteries arise normally and follow the distribution of a left dominant pattern with no significant atherosclerosis. The chambers are not dilated. The chambers and valves are proportionate. The valves are normally formed, thin and pliable and free of vegetations and degenerative changes.

The myocardium is dark red-brown, firm, and free of fibrosis, erythema, pallor and softening. The atrial and ventricular septa are intact and the septum and free walls are free of muscular bulges. The left ventricle measures 1.1 centimeters and the right ventricle measures 0.3 centimeters in thickness as measured 1 centimeter below the respective atrioventricular valve annulus. The interventricular septum measures 1.1 centimeters in thickness.

The aorta and its major branches arise normally and follow the usual course with no significant aortic atherosclerosis. The orifices of the major aortic vascular branches are patent. The vena cava and its major tributaries are patent and return to the heart in the usual distribution and are unremarkable.

RESPIRATORY SYSTEM: The left and right lungs weigh 220 and 250 grams, respectively. The upper and lower airways are unobstructed and the mucosal surfaces are smooth and yellow-tan. The pleural surfaces are smooth, glistening, and unremarkable. The pulmonary parenchyma is red-purple and free of consolidation and masses. The cut surfaces of the lungs exude mild amounts of blood and frothy fluid.

The pulmonary arteries are normally developed and unremarkable. There is no saddle embolus on *in situ* examination of the pulmonary trunk.

HEPATOBIILIARY SYSTEM: The liver weighs 1130 grams. The hepatic capsule is smooth, glistening, and intact, covering a red-brown parenchyma. A thin-walled gallbladder contains watery bile without stones.

LYMPHORETICULAR SYSTEM: The spleen weighs 60 grams and has a smooth intact capsule covering a red-purple moderately firm parenchyma. Regional lymph nodes are grossly unremarkable. The thymus is involuted.

ENDOCRINE SYSTEM: The thyroid gland is of normal position, size and texture. The adrenal glands have normal cut surfaces with yellow cortices and brown medullae. The pituitary gland is grossly unremarkable.

GASTROINTESTINAL SYSTEM: The esophagus is lined by a gray-white smooth mucosa. The gastroesophageal junction is unremarkable. The gastric mucosa is arranged in the usual rugal folds and the lumen contains scant material.

The small bowel has a uniform dimension and appears unremarkable. The vermiform appendix is present. The colon has a uniform dimension and appears unremarkable. The pancreas has a normal pink-tan lobulated appearance.

GENITOURINARY SYSTEM: The left and right kidneys weigh 100 and 110 grams, respectively. The renal capsules are smooth, thin, semitransparent, and strip with ease from the underlying smooth, red-brown, firm, cortical surfaces. The cortices are of normal thickness and delineated from the medullary pyramids. The calyces, pelves, and ureters are non-dilated and free of stones.

The urinary bladder contains approximately 30 milliliters of clear yellow urine. The bladder mucosa is gray-tan and smooth.

REPRODUCTIVE SYSTEM: The prostate has a tan cut surface and is not enlarged. The testicles are of normal size, shape and position with tan homogenous cut surfaces.

MUSCULOSKELETAL SYSTEM: The bony framework, supporting musculature, and soft tissues are unremarkable. The cervical spinal column is stable on internal palpation.

HEMATOPOIETIC SYSTEM: The bone marrow of the ribs is grossly normal for age and development.

ANCILLARY STUDIES

POSTMORTEM RADIOGRAPHS: Digital radiographs show no retained radiopaque objects consistent with a projectile.

TOXICOLOGY: See toxicology report.

SUMMARY OF CASE

This 39-year-old man was reportedly found with defects.

Autopsy findings include a gunshot wound of the torso and no projectile is recovered.

In consideration of the known circumstances surrounding this death, the available medical history, and the examination of the remains, the cause of death is ascribed to a gunshot wound of the torso. The manner of death is homicide.

*****Electronically signed by Christopher P. Geffre, M.D. on Monday, January 24, 2022*****

Christopher P. Geffre, M.D. Ph.D.
Assistant Medical Examiner

CPG/erc
T: 1/5/2022

**Toxicology Report**

Report Issued 01/17/2022 07:11

To: 10341

Forensic Medical Management Services - Nashville
850 R.S. Gass Blvd.

Nashville, TN 37216

Patient Name PHILLIPS, ANTHONY

Patient ID 21-4875

Chain NMSCB154056

Age 39 Y

Gender Female Male

Workorder 21443522

Page 1 of 4

Positive Findings:

<u>Compound</u>	<u>Result</u>	<u>Units</u>	<u>Matrix Source</u>
Ethanol	24	mg/dL	001 - Femoral Blood
Blood Alcohol Concentration (BAC)	0.024	g/100 mL	001 - Femoral Blood
Amphetamine	450	ng/mL	001 - Femoral Blood
Methamphetamine	4800	ng/mL	001 - Femoral Blood
Ethanol	26	mg/dL	002 - Vitreous Fluid

See Detailed Findings section for additional information

Testing Requested:

<u>Analysis Code</u>	<u>Description</u>
8041B	Postmortem, Basic w/Vitreous Alcohol Confirmation, Blood (Forensic)

Specimens Received:

<u>ID</u>	<u>Tube/Container</u>	<u>Volume/ Mass</u>	<u>Collection Date/Time</u>	<u>Matrix Source</u>	<u>Labeled As</u>
001	Gray Top Tube	9.25 mL	12/17/2021 13:34	Femoral Blood	21-4875
002	Red Top Tube	8.25 mL	12/17/2021 13:34	Vitreous Fluid	21-4875
003	White Plastic Container	52 mL	12/17/2021 13:34	Urine	21-4875

All sample volumes/weights are approximations.

Specimens received on 12/21/2021.

Detailed Findings:

Analysis and Comments	Result	Units	Rpt. Limit	Specimen Source	Analysis By
Ethanol	24	mg/dL	10	001 - Femoral Blood	Headspace GC
Blood Alcohol Concentration (BAC)	0.024	g/100 mL	0.010	001 - Femoral Blood	Headspace GC
Amphetamine	450	ng/mL	5.0	001 - Femoral Blood	LC-MS/MS
Methamphetamine	4800	ng/mL	50	001 - Femoral Blood	LC-MS/MS
Ethanol	Confirmed	mg/dL	10	001 - Femoral Blood	Headspace GC
Ethanol	26	mg/dL	10	002 - Vitreous Fluid	Headspace GC

Other than the above findings, examination of the specimen(s) submitted did not reveal any positive findings of toxicological significance by procedures outlined in the accompanying Analysis Summary.

Reference Comments:

1. Amphetamine - Femoral Blood:

Amphetamine (Adderall, Dexedrine) is a Schedule II phenethylamine CNS-stimulant. It is used therapeutically in the treatment of narcolepsy and obesity and also in the treatment of hyperactivity in children. Amphetamine has a high potential for abuse. When used in therapy, initial doses should be small and increased gradually. In the treatment of narcolepsy, amphetamine is administered in daily divided doses of 5 to 60 mg. For obesity and children with attention deficits, usual dosage is 5 or 10 mg daily.

Following a single oral dose of 10 mg amphetamine sulfate, a reported peak blood concentration of 40 ng/mL was reached at 2 hr. Following a single 30 mg dose to adults, an average peak plasma level of 100 ng/mL was reported at 2.5 hr. A steady-state blood level of 2000 - 3000 ng/mL was reported in an addict who consumed approximately 1000 mg daily.

Overdose with amphetamine can produce restlessness, hyperthermia, convulsions, hallucinations, respiratory and/or cardiac failure. Reported blood concentrations in amphetamine-related fatalities ranged from 500 - 41000 ng/mL (mean, 9000 ng/mL). Amphetamine is also a metabolite of methamphetamine, benzphetamine and selegiline.

2. Ethanol (Ethyl Alcohol) - Femoral Blood:

Ethyl alcohol (ethanol, drinking alcohol) is a central nervous system depressant and can cause effects such as impaired judgment, reduced alertness and impaired muscular coordination. Ethanol can also be a product of decomposition or degradation of biological samples. The blood alcohol concentrations (BAC) can be expressed as a whole number with the units of mg/dL or as a decimal number with units of g/100 mL which is equivalent to % w/v. For example, a BAC of 85 mg/dL equals 0.085 g/100 mL or 0.085% w/v of ethanol.

3. Ethanol (Ethyl Alcohol) - Vitreous Fluid:

Ethyl alcohol (ethanol, drinking alcohol) is a central nervous system depressant and can cause effects such as impaired judgment, reduced alertness and impaired muscular coordination. Ethanol can also be a product of decomposition or degradation of biological samples.

4. Methamphetamine - Femoral Blood:

d-Methamphetamine is a DEA schedule II stimulant drug capable of causing hallucinations, aggressive behavior and irrational reactions. Chemically, there are two forms (isomers) of methamphetamine: l- and d-methamphetamine. The l-isomer is used in non-prescription inhalers as a decongestant and has weak CNS-stimulatory activity. The d-isomer has been used therapeutically as an anorexigenic agent in the treatment of obesity and has potent CNS-, cardiac- and circulatory-stimulatory activity. Amphetamine and norephedrine (phenylpropanolamine) are metabolites of methamphetamine. d-Methamphetamine is an abused substance because of its stimulatory effects and is also addictive.

Reference Comments:

A peak blood concentration of methamphetamine of 20 ng/mL was reported at 2.5 hr after an oral dosage of 12.5 mg. Blood levels of 200 - 600 ng/mL have been reported in methamphetamine abusers who exhibited violent and irrational behavior. High doses of methamphetamine can also elicit restlessness, confusion, hallucinations, circulatory collapse and convulsions.

*In this case, the level of methamphetamine determined has not been differentiated according to its isomeric forms. Differentiation of the isomers of methamphetamine is available upon request.

Sample Comments:

001 Physician/Pathologist Name: GEFRE
001 County: DAVIDSON
001 Autopsy ID: 21-4875

Unless alternate arrangements are made by you, the remainder of the submitted specimens will be discarded one (1) year from the date of this report; and generated data will be discarded five (5) years from the date the analyses were performed.

Workorder 21443522 was electronically signed on 01/16/2022 18:30 by:



Kristopher W. Graf, M.S., D-ABFT-FT
Certifying Scientist

Analysis Summary and Reporting Limits:

All of the following tests were performed for this case. For each test, the compounds listed were included in the scope. The Reporting Limit listed for each compound represents the lowest concentration of the compound that will be reported as being positive. If the compound is listed as None Detected, it is not present above the Reporting Limit. Please refer to the Positive Findings section of the report for those compounds that were identified as being present.

Acode 50010B - Amphetamines Confirmation, Blood - Femoral Blood

-Analysis by High Performance Liquid Chromatography/ Tandem Mass Spectrometry (LC-MS/MS) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Amphetamine	5.0 ng/mL	MDMA	5.0 ng/mL
MDA	5.0 ng/mL	Methamphetamine	50 ng/mL
MDEA	5.0 ng/mL		

Acode 52248B - Alcohols and Acetone Confirmation, Blood - Femoral Blood

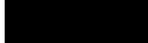
-Analysis by Headspace Gas Chromatography (GC) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Acetone	5.0 mg/dL	Isopropanol	5.0 mg/dL
Ethanol	10 mg/dL	Methanol	5.0 mg/dL

Acode 53249FL - Alcohols and Acetone Confirmation, Vitreous Fluid (Forensic) - Vitreous Fluid

-Analysis by Headspace Gas Chromatography (GC) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Acetone	5.0 mg/dL	Isopropanol	5.0 mg/dL
Ethanol	10 mg/dL	Methanol	5.0 mg/dL

**Analysis Summary and Reporting Limits:**

Acode 8041B - Postmortem, Basic w/Vitreous Alcohol Confirmation, Blood (Forensic) - Femoral Blood

-Analysis by Enzyme-Linked Immunosorbent Assay (ELISA) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Amphetamines	20 ng/mL	Fentanyl / Acetyl Fentanyl	0.50 ng/mL
Barbiturates	0.040 mcg/mL	Methadone / Metabolite	25 ng/mL
Benzodiazepines	100 ng/mL	Methamphetamine / MDMA	20 ng/mL
Buprenorphine / Metabolite	0.50 ng/mL	Opiates	20 ng/mL
Cannabinoids	10 ng/mL	Oxycodone / Oxymorphone	10 ng/mL
Cocaine / Metabolites	20 ng/mL	Phencyclidine	10 ng/mL

-Analysis by Headspace Gas Chromatography (GC) for:

<u>Compound</u>	<u>Rpt. Limit</u>	<u>Compound</u>	<u>Rpt. Limit</u>
Acetone	5.0 mg/dL	Isopropanol	5.0 mg/dL
Ethanol	10 mg/dL	Methanol	5.0 mg/dL

TENNESSEE BUREAU OF INVESTIGATION
REQUEST FOR INVESTIGATION

DIRECTOR
TENNESSEE BUREAU OF INVESTIGATION
NASHVILLE, TENNESSEE

DATE: 12/17/21

Dear Director:

I hereby request the Tennessee Bureau of Investigation to investigate the following case which occurred in my judicial circuit:

TYPE OF INCIDENT & DATE: Officer Involved Shooting, 12/16/21

LOCATION OF INCIDENT: Old Hickory Blvd. near Cedar Hill Park, Davidson County, TN

DECEASED: Anthony M. Phillips

SUBJECT'S NAME(S): Anthony M. Phillips

SYNOPSIS OF FACTS:

Officer Involved Shooting which resulted in death of Anthony Phillips

For further information contact: Roger Moore, Deputy District Attorney, 615-862-5537,
RogerMoore@jnsnashville.gov

This case is assigned to:

TBI Case No.:

Sincerely,



Roger D. Moore
Deputy District Attorney General
20th Judicial District

If oral, request made on the **16th** day

Of **December, 2021** _____

Special Agent

Copy—TBI File, Copy—District Attorney General's File, Copy—Agent's Copy

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**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT**

Case # : NA-5U-000047

IR # : 2

Author: Anderson, Joshua**Activity Date:** 12/20/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/20/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Preliminary Investigative Report

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]

(O-A) ANTHONY MARCELL PHILLIPS, B/M, DOB: [REDACTED]

This investigation was predicated on Thursday, December 16, 2021, upon the request of the 20th Judicial District Attorney General (DAG) Glenn Funk. The scope of this investigation is to ascertain the facts and circumstances surrounding the Metro Nashville Police Department (MNPd) Officer involved shooting that resulted in the death of ANTHONY MARCELL PHILLIPS. The background of the facts of this investigation is as follows:

On December 16, 2021 at approximately 4:17 AM, Special Agent (SA) Joshua Anderson with the Tennessee Bureau of Investigation (TBI) received a phone call from Assistant Special Agent in Charge (ASAC) Josh Savley. ASAC Savley advised Metro Nashville Police had an Officer involved shooting on Old Hickory Boulevard in Madison, TN.

Upon my arrival at approximately 6:08 AM, SA Anderson conducted a brief scene assessment. SA Anderson observed multiple MNPd patrol vehicles blocking the roadway and appeared to have an outer and inner perimeter of the scene marked off with crime scene tape. The entire scene appeared to stretch from the 600 block to the 900 block of Old Hickory Boulevard. SA Anderson made contact with SA Jonathan McGowen, who pointed out that he was with the Officer that fired his weapon, now identified as CRUZ and his Attorney John Brown. SA Anderson conducted a walk-through with CRUZ and Mr. Brown to better understand how the incident unfolded and to ensure no evidence would be overlooked. Once this was complete, SA Anderson was informed that the initial call to Metro Police Dispatch was a 911 call from a citizen that had encountered a gray Chevy Impala sitting unoccupied in the middle of the travel lane Westbound on Old Hickory Boulevard. The citizen also informed Police that the lights were off and the driver's door and front passenger door of the vehicle were open with nobody around it. Shortly after the initial call, Metro Police received a second 911 call from the same citizen that advised there were shots fired from the wood line near the unoccupied vehicle. SA Anderson was advised that MNPd Patrol Units arrived and were attempting to identify the owner of the vehicle when they were fired upon from the subject in the wood line. SA Anderson was advised that the Officers couldn't see exactly where the gun fire was coming from due to darkness. Other MNPd Patrol units arrived and located the subject, now identified as PHILLIPS, at the edge of the wood line across from 909 Old Hickory Boulevard. SA Anderson was advised that being given verbal commands through a Patrol vehicle PA system, which were not complied with. SA Anderson was advised that PHILLIPS was acting erratically, was initially standing, but then began crawling around the ground on his hands and knees, then back up to his knees. It was during this exchange, when PHILLIPS pulled a semi-automatic handgun from his pocket

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IR # 2
Page 1

20TH JUDICIAL DISTRICT

and fired at the Officers. CRUZ then fired his Department issued shotgun, which struck PHILLIPS. PHILLIPS was pronounced deceased by Emergency Medical Services.

SA Anderson was assisted on scene by ASAC Josh Savley, SA Jonathon McGowen, SA Steven Kennard, SA Eric Reed, SA Jeff Mosely, and SA Andrew Graves.

At approximately 10:25 AM, Investigator Melanie Byrd with the Office of the Medical Examiner arrived on scene and took possession of PHILLIP's body.

This investigation is continuing and is being conducted by TBI Special Agent Joshua Anderson. All supplemental reports and investigative findings will be forwarded to this case file as they are developed.

JBA/mcw

20TH JUDICIAL DISTRICT

From information and observation, the following descriptive data was noted:

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IR # 2
Page 2

Name: Anthony Marcell Phillips
Race: Black
Sex: Male
DOB: .
TNDL
Address:

Name: Ricardo Cruz
Race: White
Sex: Male
DOB:
TNDL
Address:

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 3

Author: Moseley, Jeff

Activity Date: 12/16/2021

Case Agent: Anderson, Joshua

Report Date: 12/16/2021

SAC/ASAC: Savley, Joshua Paul

Approved By: Gray, Rielly Lewis

Description: Technical Assist - Unmanned Aerial System Flight Report - Davidson County

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIPS, B/M, DOB:

On December 16, 2021, SA Jeff Moseley assisted TBI SA Josh Anderson (case agent), at the request of TBI ASAC Josh Savley, by capturing aerial photographs as TBI investigated a crime scene involving an officer involved shooting.

SA Moseley assisted by capturing aerial photographs, utilizing an Unmanned Aerial System (UAS) under TCA 39-13-609(D)(2)

(J) To investigate the scene of a crime that is occurring or has occurred.

As a part of the case briefing, SA Moseley learned that an officer involved shooting occurred in the area surrounding Cedar Hill

SA Moseley learned the parameters of the crime scene and was asked to assist by capturing aerial photographs of the scene utilizing the UAS.

SA Moseley determined there were no environmental factors in place that would make the flight dangerous. SA Moseley operated the UAS (Unmanned Aerial System) per the TBI Certificate of Authorization (COA) in place with the Federal Aviation Administration (FAA).

After receiving an appropriate weather brief, SA Moseley, acting as the Remote Pilot in Command (RPIC), launched the UAS to conduct the requested mission. The first UAS flight was conducted on 12/16/2021 at 9:48am and lasted 6:31. The second UAS flight was conducted on 12/16/2021 at 10:01am and lasted 6:19.

The aerial photographs taken via UAS were uploaded into Pix4D, an application that uploads the photographs into observable images. Within this application, measurements of the crime scene were taken via Pix4D software. See the attachment to this report for photographs taken during this mission. Due to the voluminous data of the photographs taken, not all of the photographs taken during this mission will be attached. All pictures will be kept in the case file of SA Moseley and will be made available to the TBI and District Attorney's Office upon request.

SA Moseley also assisted in this case by following a Dad's Towing tow-truck that transported the vehicle belonging to the gunshot victim from the scene to TBI Headquarters. The tow truck left scene at approximately 10:50am and arrived at TBI Headquarters at 11:05am and placed the vehicle into Evidence Bay #4. SA Moseley completed the appropriate paperwork for the vehicle

transport (evidence property release & lab examination request) and the paperwork was hand delivered to SA Anderson after it was completed. All times are approximate.

No additional UAS operations are anticipated.

JTM/mcw

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT	Case # : NA-5U-000047 IR # : 4
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Author: Moseley, Jeff

Activity Date: 12/16/2021

Case Agent: Anderson, Joshua

Report Date: 12/16/2021

SAC/ASAC: Savley, Joshua Paul

Approved By: Gray, Rielly Lewis

Description: Document - UAS Aerial Photography

(LE-A) RICARDO CRUZ, W/M, DOB:
(O-A) ANTHONY MARCELL PHILLIPS, B/M,

20TH JUDICIAL DISTRICT

12-16-2021 OIS

Report generated on 12/16/21 3:51 PM



Pix4Dreact

TOURTOO JACOBUS



Map details

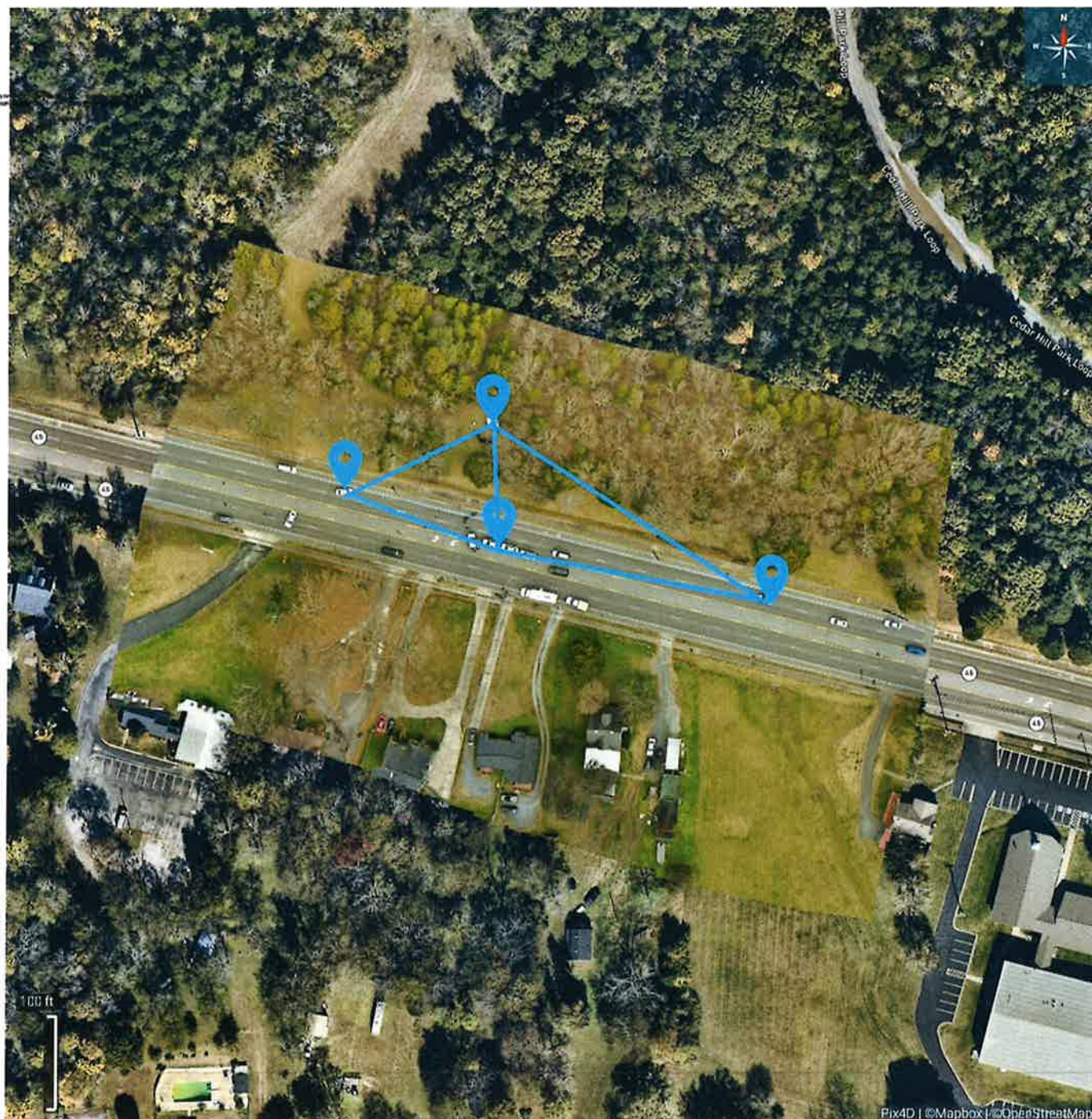
Acquisition	Information not available.
Map center	36.2684447, -86.7515148 (WGS84)
Description	UAS Photography Overlay with Measurements
GSD	0.78 in/px

Visual

with 9 markers



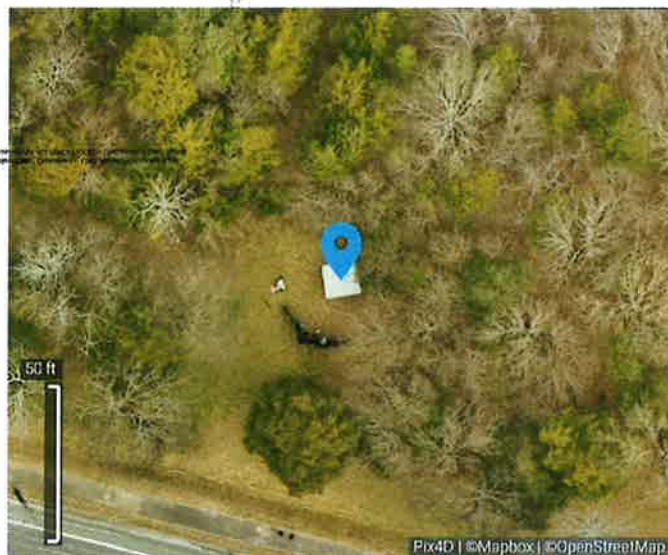
Pix4Dreact



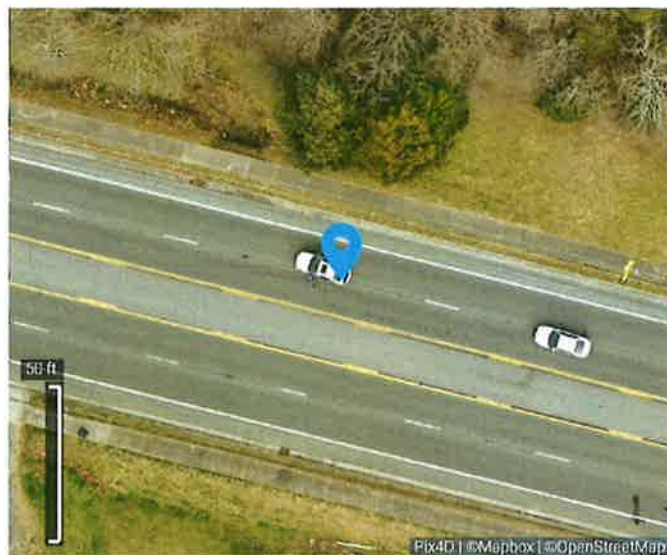
Markers



Pix4Dreact



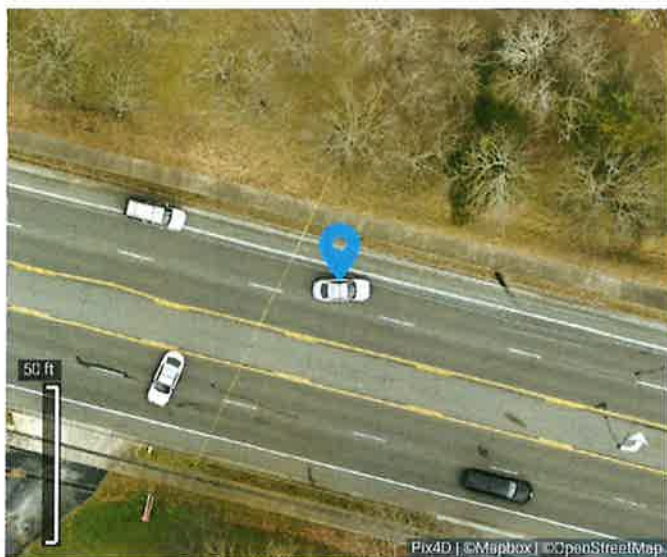
Name: GSV Location
Location: 36.2688245, -86.7517221
US National Grid Reference: 16S EF 22300 13794



Name: GSV's car
Location: 36.2683357, -86.7507870
US National Grid Reference: 16S EF 22384 13740



Name: GSV's car to final location - 319.38ft
Length: 319.38 ft



Name: MNPD car
Location: 36.2686442, -86.7522180
US National Grid Reference: 16S EF 22256 13774

Markers



Pix4Dreact



Name: MNPd cars
Location: 36.2684921, -86.7517006
US National Grid Reference: 16S EF 22302 13757



Name: MNPd cars to GSV Location - 122.64ft
Length: 122.64 ft



Name: MNPd cars to GSV's car - 273.81ft
Length: 273.81 ft



Name: MNPd cars to MNPd car on West side - 156.70ft
Length: 156.70 ft

Markers

Copyright © 2015 Pix4D



Name: West MNP car to GSV Location - 163.43ft
Length: 163.43 ft

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 5

Author: Graves, Andrew

Activity Date: 12/16/2021

Case Agent: Anderson, Joshua

Report Date: 12/20/2021

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Investigative Activity - Assist in the MNPD Officer Involved Shooting Incident Involving Anthony Phillips

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIPS, B/M, DOB:

On December 16, 2021, Assistant Special Agent In-Charge (ASAC) Josh Savley contacted Special Agent (SA) Andrew Graves requesting assistance in an officer-involved shooting that occurred on the same day in the 900 block of Old Hickory Blvd. in Nashville, TN.

SA Graves arrived on scene at approximately 9:15 AM and met with the case agent, SA Josh Anderson. SA Graves was requested to obtain fingerprints from the deceased (ANTHONY PHILLIPS) at the scene and run the fingerprints using MorphoMobile, a mobile fingerprint reader to positively confirm the identity of PHILLIPS.

SA Graves waited for members of the medical examiner's office to arrive at the scene prior to obtaining PHILLIPS' fingerprints. Investigator Melanie Byrd of the medical examiner's office arrived at the scene and assisted SA Graves in the collection of a left index fingerprint and right index fingerprint of the deceased. Two usable prints were unable to be obtained at the scene and a subsequent attempt to obtain the deceased's fingerprints were made at the medical examiner's office on December 17, 2021 prior to the autopsy.

SA Graves obtained two usable fingerprints of the deceased at the medical examiner's office and ran the prints through MorphoMobile, which returned with an AFIS hit confirming the deceased to be ANTHONY MARCELL PHILLIPS with a date of birth of [REDACTED]. Graves also contacted Investigator Byrd to advise her of the positive identification of PHILLIPS by the prints collected at the medical examiner's office.

A copy of the AFIS hit report from MorphoMobile will be submitted to the case file.

ANG/mcw

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 6**Author:** Graves, Andrew**Activity Date:** 12/17/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/20/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Investigative Activity - Autopsy of Anthony Phillips

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIPS, B/M, DOB:

On December 17, 2021, Special Agent (SA) Andrew Graves traveled to the Office of the Medical Examiner located at 850 R.S. Gass Boulevard in Nashville, TN. The purpose of this visit was to attend the autopsy of ANTHONY PHILLIPS.

The autopsy of ANTHONY PHILLIPS was conducted by Dr. Christopher Jeffre, Assistant Medical Examiner. Dr. Jeffre stated that there was one gunshot wound to the body of PHILLIPS that entered the right side of the chest and exited through the left side of the back at an upward angle. Dr. Jeffre stated that both lungs and the aorta of PHILLIPS had been struck and that PHILLIPS had bled out. Dr. Jeffre also stated that this was the only injury observed and that no bullet fragments were recovered.

Dr. Jeffre was also shown MNPD body camera/dash camera video of the incident during the autopsy of PHILLIPS.

AGENT'S NOTE: PRIOR TO THE AUTOPSY, SA GRAVES COLLECTED ONE LEFT INDEX FINGERPRINT AND ONE RIGHT INDEX FINGERPRINT OF PHILLIPS TO BE RAN THROUGH MORPHOMOBILE. A SEPARATE INVESTIGATIVE ACTIVITY REPORT DOCUMENTING THE COLLECTION AND TESTING OF THE FINGERPRINTS HAS ALSO BEEN SUBMITTED TO THE CASE FILE.

ANG/mcw

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 7**Author:** Graves, Andrew**Activity Date:** 12/17/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/20/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Document - Morphomobile Report of Anthony Phillips - TBI

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIPS, B/M, DOB:

20TH JUDICIAL DISTRICT

Report for Transaction TCN1947131320211217105759030

Document Seq: 2, Docw, documentDoc DOCUMENT-MORPHOMOBILE REPORT OF
ANTHONY PHILLIPS TBI Andrew Graves NA-5U-000047 DOC-DOCUMENT-MORPHO
MOBILE REPORT OF ANTHONY PHILLIPS-TBI.pdf

Created: 12/17/2021 10:57:59 AM
DeviceName: MorphoDent
DeviceSerialNumber: [REDACTED]
DeviceFirmwareRevision: 05.00.03.00
DeviceCaptureId: 96

Biometrics have been
omitted as per
configuration.

Response from AFIS

PHILLIPS,ANTHONY MARCELL (Hit)



NAME: PHILLIPS,ANTHONY MARCELL
DATE OF BIRTH:
SID:

PHILLIPS,ANTHONY MARCELL (Hit)



NAME: PHILLIPS,ANTHONY MARCELL
ACTION TO TAKE: RISC_SEXUAL_OFFENDER_REGISTRY

NOTE: This response is based on a search of only the repository for individuals of special concern and does not preclude a record from existing in other biometric or name based repositories. Users are permitted to rely on the RISC response in conjunction with other law enforcement tools but shall not rely solely on the RISC response for additional law enforcement action.

2021 JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 8

Author: Reed, Eric

Activity Date: 12/16/2021

Case Agent: Anderson, Joshua

Report Date: 12/20/2021

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Crime Scene Investigation - 900 Block Old Hickory Blvd - Davidson County

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIPS, B/M, DOB:

On December 16, 2021 at approximately 4:28 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Eric Reed received a phone call from Assistant Special Agent in Charge (ASAC) Josh Savley asking him to respond to assist in the investigation concerning a Metropolitan (Metro) Nashville Police Officer and one subject, later identified as ANTHONY MARCELL PHILLIPS.

Upon SA Reed's arrival at approximately 5:30 AM, SA Steven Kennard and SA Jonathon McGowen were already on scene. ASAC Savley, Special Agent in Charge (SAC) Joe Craig and SA Josh Anderson responded to the scene shortly after SA Reed.

Preliminary information revealed that PHILLIPS was shooting in the woods and then towards the officers. After several attempts to get PHILLIPS to comply, PHILLIPS became more agitated and shot his gun towards the officers on scene again. In response to being fired at, one officer returned one shot back striking and killing PHILLIPS.

While viewing the scene, looking towards Dickerson Road standing on West Old Hickory Blvd, SA Reed observed crime scene tape shaped like the letter "E". The tape was dividing two scenes. Outside the crime scene tape, to the left of the road, were a field, several houses and a daycare. There were several marked Metro patrol cars with the blue lights on securing the area of the crime scene. Inside of the first crime scene was one marked Metro patrol unit parked behind a silver impala. The Impala's front driver and passenger doors open. Inside of the second scene were 4 marked Metro units parked in the shape of an upside down "L". The fourth unit was facing an open field to the right by a wood line. SA Reed observed this from the viewpoint of a person facing Dickerson Road standing on West Old Hickory Blvd. There was also a fifth marked Metro unit a little up the road from the 4 units. This unit was facing the field also. After the fifth unit, there was crime scene tape roping off the road indicating the end of the crime scene.

SA Reed performed a walk-thru of the scenes while other agents were gathering further information as to what happened prior to our arrival. SA Reed observed across the street from scene one was an open field, but across the street from scene two was the address

. SA Reed later identified the first unit number in scene one was 000000. A silver Impala parked in front of this unit was bearing a Tennessee temp tag that returned to PHILLIPS when ran by intel analyst Melanie Wilkes. The front driver and passenger doors were open on the Impala. Both vehicles were

facing west towards Dickerson Road, and parked straddling the westbound lanes one and two. Approximately 420 feet up the road from the Impala were four more marked Metro patrol vehicles that were parked in a row straddling the turning lane and westbound lane two. The order of the units from east to west were as follows: 8860AH, 8878AH, 9026BA and 8230AB. The first three units were facing westward, and the fourth unit was facing northbound with its flood lights and spotlight on creating an upside-down "L" shape with the vehicles. The lights lit up an open area next to the wood line where a body, later identified as PHILLIPS, was laying. This open area was directly north from all four patrol vehicles. PHILLIPS' head was facing the east and his feet were facing the west. To the north of patrol unit 8878AH, a spent shot gun shell was on the ground near the rear passenger tire. Approximately 150 feet west from the fourth Metro unit was another marked Metro patrol unit, 8856AH. It was parked in lane one on the westbound side facing east with its spotlight turned towards PHILLIPS as well.

SA Reed then walked over to the open area where PHILLIPS laid face down on the ground to attempt to locate any potential evidence. Initially observed near the body was a \$5 bill, wad of money, a black jacket, a spent .380 cartridge casing, two boxes of .380 ammunition, the interior cartridge holder of a box of ammunition, a Hi Point pistol, and a cigarette pack with cigarettes inside. After the walk-thru was completed, SA Reed began to take overall photographs of the scene at approximately 06:03 AM. Once initial photos were complete, SA Reed began to draw a rough sketch of the scene followed by a thorough search for additional evidence. SA Reed and SA Kennard began the search at approximately 7:37 AM.

At approximately 7:43 AM, SA Reed and SA Kennard began to mark all evidence located. While marking the evidence, a LG flip cell phone, a Seagram's Lime Twisted Gin glass bottle, and a second spent .380 cartridge casing were located under leaves to the right of PHILLIPS' body. Several more unfired .380 cartridges were located laying in the ground near PHILLIPS' body on his left side also. Once all the evidence was marked, SA Reed photographed all the evidence with placement markers next to them. The list of all items found at the first scene are as follows:

1. Hi-Point Pistol with magazine and 5 unspent .380 cartridges
2. \$20 bill
3. \$5 bill
4. Monarch ammo box containing unspent .380 cartridges
5. Empty interior cartridge holder from inside an ammo box
6. Monarch ammo box containing unspent .380 cartridges
7. Newport Cigarette box containing 5 cigarettes
8. Black hoodie with cut straw on top of it
9. Spent .380 cartridge case
10. Wad of money (\$240)
11. Black toboggan
12. Spent cartridge case
13. Body
14. Spent .380 cartridge case
15. LG flip cell phone
16. Seagram's Lime Twisted Gin glass bottle

At approximately 9:38 AM, SA Reed and SA Kennard measured in the evidence located on scene and the patrol vehicles using the Baseline Method. While measuring the evidence, SAC Craig and ASAC Savley located a second crime scene containing multiple spent and unspent .380 cartridges, a receipt, black rubber or latex gloves, several paper towels, and a plastic

Sports Academy bag laying on the ground in the woods to the east approximately 40 yards away from PHILLIPS' body. Another black cell phone was located in the same area by ATF agents that responded to the scene. It is still unknown if this cell phone was related to the incident. Additional information was relayed to agents that PHILLIPS had been shooting at officers from the second crime scene before being shot by officers at the first crime scene. The second crime scene was located to the north of the Impala approximately 45 yards into the woods. SA Reed took initial photographs of the evidence at the second crime scene, and then photographs of the crime scene with placement markers next to the evidence. After the photographs were completed, SA Reed and ASAC Savley measured the second scene using the Baseline Method as well. All evidence located at the second scene was measured collectively due to the evidence being close in proximity to one another. A list of the evidence found at the second scene is as follows:

1. Unspent .380 cartridge
2. Spent .380 cartridge case
3. Spent .380 cartridge case
4. Spent .380 cartridge case
5. Spent .380 cartridge case
6. Unspent .380 cartridge
7. Two black latex gloves
8. Paper towels and white plastic bag
9. Auto Zone receipt
10. Black smart cell phone

At approximately 10:26 AM, medical examiner (ME) investigator Melanie Byrd arrived on scene. While on scene, Byrd rolled PHILLIPS over so that SA Reed could take photographs of PHILLIPS'S face and wounds at approximately 10:56 AM. While moving the body, personnel from the ME's office observed multiple unfired .380 pistol rounds inside PHILLIPS pockets. All items found with the body by Byrd were transported with PHILLIPS'S to the ME's office. At approximately 11:46 AM, PHILLIPS's body was released to the Byrd.

Once all the evidence from scene one and scene two were measured, SA Reed collected the evidence with assistance from SA Kennard. The order of measurements and collection of evidence is as follows:

Item #:	Items:	Measurement down Baseline	Measurement off Baseline	Approx. Time Collected:
1.	Hi Point Pistol/ Mag with 5 unspent .380 rounds	424' 3"	88' 3"	10:49 AM
2.	\$20 bill	412' 5"	88' 11"	10:38 AM
3.	\$5 bill	409' 3"	90' 6"	10:39 AM
4.	Monarch Ammo box	413' 2"	87' 11"	10:44 AM

5.	Interior cartridge holder from ammo box	414' 5"	87' 8"	10:42 AM
6.	Monarch Ammo box	414' 5"	85' 10"	10:44 AM
7.	Newport Pack (5)	412' 8"	87' 2"	10:45 AM
8.	Black hoodie/Straw	412' 3"	85' 7"	10:46 AM
9.	Spent .380 cartridge casing	407' 6"	88' 9"	10:48 AM
10.	Wad of money (\$240)	408' 8"	86' 5"	10:53 AM
11.	Black toboggan	406' 8"	85' 9"	10:55 AM
12.	Spent .380 cartridge casing	405' 7"	85' 7"	10:57 AM
13.	Center Mass body	408' 7"	85'	11:46 AM
14.	Spent Shotgun Shell	365' 9"	22'	10:58 AM
15.	Metro unit 8860AH	353' 1"	27'	10:15 AM
16.	Metro unit 8678AH	372' 6"	25' 2"	10:18 AM
17.	Metro unit 8230AB	390'	25' 1"	10:20 AM
18.	Metro unit 9026BA	402'	24' 4"	10:25 AM
19.	Metro unit 8856AH	530' 7"	9' 6"	10:25 AM
20.	Chevrolet Impala	118' 6"	12' 11"	10:27 AM

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21.	Metro unit 8369AD	44'	16' 10"	10:30 AM
22.	Seagram's Lime Twisted Gin glass bottle	409' 3"	83' 6"	10:59 AM
23.	Black LG Flip cell phone	408' 4"	82' 8"	11:01 AM
24.	Five unspent .380 rounds near body	412' 8"	87' 7"	11:01 AM
25.	Unspent .380 round underneath Impala	118' 6"	12' 11"	11:09 AM
26.	Black Smart Cell Phone	none	none	11:14 AM
27.	GSR Kit: collected by SA Anderson	N/A	N/A	11:01 AM
28.	Unspent .380 round	278'	137'	12:25 PM
29.	Spent .380 cartridge casing	278'	137'	12:27 PM
30.	Spent .380 cartridge casing	278'	137'	12:28 PM
31.	Spent .380 cartridge casing	278'	137'	12:29 PM
32.	Spent .380 cartridge casing	278'	137'	12:31 PM
33.	Unspent .380 round	278'	137'	12:32 PM
34.	Two black latex gloves	278'	137'	12:35 PM
35.	Paper towels and a white plastic bag	278'	137'	12:36 PM
36.	Auto Zone Receipt	278'	137'	12:36 PM

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After collecting all pieces of evidence, SA Reed transferred the evidence over to the case agent, SA Anderson, at approximately 12:44 PM. A property receipt form was completed reflecting the time of transfer of the above listed evidence. At approximately 1:30 PM, the scene was released over to Metro and agents exited the scene.

ELR/mcw

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 9

Author: Reed, Eric

Activity Date: 12/20/2021

Case Agent: Anderson, Joshua

Report Date: 12/22/2021

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Interview - Audio - Officer Jeffrey Mullins

(LE-A) RICARDO CRUZ, W/M

(O-A) ANTHONY MARCELL PHILLIPS, B/M, [REDACTED]

On 12/20/2021 at approximately 8:47 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Eric Reed interviewed Field Training Officer (FTO) JEFFREY MULLINS with the Metropolitan Nashville Police Department at TBI Headquarters 901 R.S Gass Blvd Nashville, TN 37216. Also present during the interview was SA Steven Kennard and MULLINS' lawyer Kristen Berexa. The interview was audio recorded. After proper identification and the explanation of the purpose of the interview, MULLINS voluntarily provided the audio recording. The following is a synopsis of that interview:

On 12/16/2021 MULLINS heard a Code 5000 come out on the radio which means an officer in distress. He responded on scene and parked next to Sergeant Mullins. Once there, MULLINS was briefed of the situation and then went to put on his body armor and grab his rifle. At this point, they were still behind PHILLIPS' abandoned vehicle. A plan was devised to use patrol cars as cover, and to slow roll the vehicles to where they had a better visual of PHILLIPS. This process took approximately 10 minutes.

While approaching, MULLINS could kind of see PHILLIPS through the woods as officers approached, but the two K-9 officers at the top of the hill had a clear visual of PHILLIPS. Once the car stopped, MULLINS saw PHILLIPS on his hands and knees as if he was looking for something, but it was hard to tell because they were still a good distance away. MULLINS shouted for PHILLIPS to show his hands and PHILLIPS responded with a few choice words like, "no, you're going to have to kill me." and did not comply. After that, another officer got on the speaker and commanded for PHILLIPS to show his hands and to come out. PHILLIPS refused.

After a little time passed PHILLIPS shot two shots. MULLINS could see PHILLIPS' hands go up and two muzzle flashes when PHILLIPS fired the shots. After the two shots, MULLINS heard a shot to his right and PHILLIPS fell to the ground. After that, a plan was devised to get up to PHILLIPS to give him aid. A drone was deployed to see if PHILLIPS was still moving. He was not. At that point officers approached PHILLIPS carefully and placed him in cuffs followed by giving him medical aid. The medics then arrived on scene shortly after and pronounced PHILLIPS dead. MULLINS did not hear any gun shots upon his arrival.

(For verbatim recording please refer to audio recording)

ELR/mcw

20TH JUDICIAL DISTRICT

From information and observation, the following descriptive data was noted:

NAME: Jeffrey Mullins
RACE: White
SEX: Male
DOB:
DL:
SSN:
ADDRESS:
TELEPHONE: ;

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 10

Author: Reed, Eric

Activity Date: 12/20/2021

Case Agent: Anderson, Joshua

Report Date: 12/22/2021

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Interview - Audio - Sean McConnell

(LE-A) RICARDO CRUZ, W/M, DOE
(O-A) ANTHONY MARCELL PHILLIPS, B/M, DOB

On 12/20/2021 at approximately 9:21 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Eric Reed interviewed Officer SEAN MCCONNELL with the Metropolitan Nashville Police Department at TBI Headquarters 901 R.S Gass Blvd Nashville, TN 37216. Also present during the interview was SA Steven Kennard and MCCONNELL's lawyer Kristen Berexa. The interview was audio recorded. After proper identification and the explanation of the purpose of the interview, MCCONNELL voluntarily provided the audio recording. The following is a synopsis of that interview:

On 12/16/2021 at approximately 2:37 AM, MCCONNELL was dispatched to an 83 call, shots fired call. A citizen came across an abandoned vehicle with the doors open on Old Hickory Blvd and approximately a quarter mile away from Dickerson Pike. The citizen then heard shots in the woods and that was how the call turned into a shots fired call.

MCCONNELL and Officer Tony responded code three to the call. Upon arrival, they saw the Chevrolet Impala abandoned facing the west with the two front doors open and the rear driver side door open. They cleared the vehicle and approximately 20 seconds later, they heard a single male voice, PHILLIPS, screaming in the woods followed by shots. They then took cover behind the Impala. MCCONNELL then gave verbal commands telling PHILLIPS to drop the weapon and come out three times. After each command, PHILLIPS shot more. PHILLIPS also responded, "Fuck you.", after each command was given. Approximately 6-7 shots were fired while MCCONNELL and Tony were taking cover. MCCONNELL stated the shots happened slightly to the northwest of the Impala inside of the woods. MCCONNELL also heard the impact of a bullet hitting an object behind him and Tony. At that point, Tony relayed on the radio they were being shot at.

Once back-up arrived, Sergeant Mathes drove his patrol car up to the Impala so that MCCONNELL and Tony could get in and he drove them out of the line of fire. PHILLIPS was still in the woods at this point. They returned back to the other responding units to the east behind the Impala. While behind the Impala, a plan was put together. MCCONNELL's then got in his patrol car and they slow rolled MCCONNELL's vehicle, along with two more units following, back to where PHILLIPS was to gain visual. While rolling, several officers were walking behind the units for cover. The officers on the west side of Old Hickory Blvd had a visual of PHILLIPS. PHILLIPS had moved approximately 40 yards west from his initial spot and ended up in a small clearing near the wood line. While MCCONNELL and the other officers were approaching

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PHILLIPS, it was put out over the radio that PHILLIPS was ingesting possible narcotics. Once up to PHILLIPS, MCCONNELL began giving verbal commands on his in-car speaker every 30 seconds to 1-minute. At some point during his commands, another unit pulled in front of MCCONNELL's vehicle while MCCONNELL continued to give verbal commands. On MCCONNELL's last command, MCCONNELL was interrupted by PHILLIPS shooting two more rounds towards officers and an officer returned fire with his duty shotgun stopping the threat. A group of officers approached PHILLIPS and secured him. The fire department then responded and pronounced PHILLIPS code 4.

(For verbatim recording please refer to audio recording)

ELR/mcw

20TH JUDICIAL DISTRICT

From information and observation, the following descriptive data was noted:

NAME: Sean McConnell
RACE: White
SEX: Male
DOB:
DL:
SSN:
ADDRESS:
TELEPHONE:

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 11

Author: Reed, Eric

Activity Date: 12/20/2021

Case Agent: Anderson, Joshua

Report Date: 12/22/2021

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Interview - Audio - Officer Tom Smith

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIPS, B/M, DOB:

On 12/20/2021 at approximately 9:40 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Eric Reed interviewed Officer TOM SMITH with the Metropolitan Nashville Police Department at TBI Headquarters 901 R.S Gass Blvd Nashville, TN 37216. Also present during the interview was SA Steven Kennard and SMITH's lawyer Kristen Berexa. The interview was audio recorded. After proper identification and the explanation of the purpose of the interview, SMITH voluntarily provided the audio recording. The following is a synopsis of that interview:

On 12/16/2021, SMITH heard the call come in in reference to shots being fired into the woods and once officers were on scene, shots continued, prompting SMITH to respond with his new K-9. Upon arrival, he grabbed his rifle, and backed up K-9 officer Brian who was already on scene. Once Brian acknowledged SMITH's presence, Brian deployed his K-9 Max and SMITH was Brian's cover. SMITH and Brian were to the west of West Old Hickory Blvd, close to Dickerson Pike, which was on the opposite side from the other officers already on scene.

SMITH and Brian were approximately 100 yards away from PHILLIPS, and had the spotlight pointed at PHILLIPS. SMITH and Brian then moved up a little closer to PHILLIPS about 50 yards away. PHILLIPS was crawling on the ground, and at one point, SMITH saw something white thrown up in the air by PHILLIPS, but he could not tell what it was. Brian told SMITH it was money. There were a total of 4 officers behind the patrol car at this point. Officer Manning then requested another patrol car to get to Brian and SMITH so that they could get closer to deploy the K-9. The SUV patrol vehicle came, but it was still too far away from SMITH and Brian to deploy the K-9. At that time, PHILLIPS began to crawl east in the small clearing towards the adjacent wood line.

Shortly after, SMITH heard the two gun shots. SMITH then saw PHILLIPS roll to his back and then to his side. SMITH did not know if PHILLIPS shot himself or if someone else shot him. The drone then cleared the area. Once the drone cleared the area, SMITH deployed with Brian towards PHILLIPS until PHILLIPS was taken into custody. Once PHILLIPS was in custody, SMITH escorted Brian and his K-9 back to his patrol car. Before the shooting, SMITH did hear commands being given by officers to PHILLIPS. SMITH could not hear what PHILLIPS responded verbally because of the K-9, but it was clear he was not complying.

(For verbatim recording please refer to audio recording)

ELR/mcw

20TH JUDICIAL DISTRICT

From information and observation, the following descriptive data was noted:

NAME: Tom Smith

RACE: White

SEX: Male

DOB:

DL:

SSN:

ADDRESS:

TELEPHONE: , - - - - -

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 12**Author:** Reed, Eric**Activity Date:** 12/20/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/22/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Audio - Zacarias Brito

(LE-A) RICARDO CRUZ, W/M, DOB: 1

(O-A) ANTHONY MARCELL PHILLIPS

On 12/20/2021 at approximately 9:44 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Eric Reed interviewed Officer ZACARIAS BRITO with the Metropolitan Nashville Police Department at TBI Headquarters 901 R.S Gass Blvd Nashville, TN 37216. Also present during the interview was SA Steven Kennard and BRITO's lawyer Kristen Berexa. The interview was audio recorded. After proper identification and the explanation of the purpose of the interview, Brito voluntarily provided the audio recording. The following is a synopsis of that interview:

On 12/16/2021, BRITO and his FTO were in the area when he heard a code 5000 come out over the radio and the location was at W Old Hickory Blvd and Dickerson Pike. Once at the location, BRITO parked the car behind patrol cars that were behind PHILLIPS' vehicle. After that, a plan was made to approach PHILLIPS using the patrol cars as cover. BRITO was behind Officer Hernandez's vehicle upon approach. While approaching, BRITO could hear noise coming from the woods to their right. As they got closer to PHILLIPS, BRITO used the spotlight on the vehicle to see PHILLIPS. Upon BRITO's arrival, he heard no shots initially. When BRITO saw PHILLIPS, he was prone and was not complying to officer's commands. Shortly after PHILLIPS stood up and BRITO could see something in his hands. BRITO then saw PHILLIPS fire two shots in the direction of where they were on the road. At that point an officer to the right of BRITO fired back at PHILLIPS. Only one shot was returned at PHILLIPS. PHILLIPS then fell on his side and BRITO saw his hand move. After that, BRITO and several other officers secured PHILLIPS vehicle. After that BRITO secured the crime scene and heard PHILLIPS' phone ring five times.

(For verbatim recording please refer to audio recording)

ELR/mcw

From information and observation, the following descriptive data was noted:

NAME: Zacarias Brito
RACE: Hispanic
SEX: Male
DOB:
DL:
SSN:
ADDRESS:
TELEPHONE: (

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 13**Author:** Reed, Eric**Activity Date:** 12/20/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/24/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Audio - Sergeant Jeffrey Mathes

(LE-A) RICARDO CRUZ, W/M, DOB:
(O-A) ANTHONY MARCELL PHILLIPS

On 12/20/2021 at approximately 10:28 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Eric Reed interviewed Sergeant (SGT) JEFFEREY MATHES with the Metropolitan Nashville Police Department at TBI Headquarters 901 R.S Gass Blvd Nashville, TN 37216. Also present during the interview was SA Steven Kennard and MATHES's lawyer Kristen Berexa. The interview was audio recorded. After proper identification and the explanation of the purpose of the interview, MATHES voluntarily provided the audio recording. The following is a synopsis of that interview:

On 12/16/2021, SGT MATHES and several other sergeants were in the office reviewing call for service when they saw the call pertaining to shots being fired in the woods. Upon the officer's arrival, they reported over the radio that they still heard shots being fired. At this point SGT MATHES responded to the scene. Upon SGT MATHES' arrival, he observed officer McConnell and Tony taking cover behind a silver Impala. SGT MATHES did not hear any gunshots at that point, so he drove his patrol car to pick up the two officers taking cover. SGT MATHES returned the officers back to where other officers were staged back towards the east.

A plan was devised to use a rolling cover tactic. The rolling cover was traveling west towards Dickerson Road and the woods PHILLIPS was in were to their right. While rolling, SGT MATHES requested the Officer McConnell to give verbal commands over the car speaker multiple times telling PHILLIPS to come out with his hands up.

Eventually the vehicles stopped. SGT MATHES was then advised by the K-9 units on the Dickerson Road side that they had eyes on PHILLIPS and attempted to shine their lights on PHILLIPS. SGT MATHES could not see where PHILLIPS was initially, but as they continued to roll, they did see PHILLIPS.

Commands were given continually, but PHILLIPS told them that he was not going to do what they were asking him to do, and that they were going to have to kill him. PHILLIPS then was on his hands and knees and acting very erratic. PHILLIPS then began to dig around in his hoodie. An SUV was then driven around to the front of the cover cars facing PHILLIPS to provide more cover for officers, light up the area, and provide a way to give more commands.

PHILLIPS' behavior became more erratic in his movements and behavior. An announcement was made through the SUV, and PHILLIPS raised his arm and fired two shots in the direction of

the officers. Shortly after that a shot gun was fired by an officer to SGT MATHES' right. PHILLIPS went down and there was very little movement. SGT MATHES asked who fired and Officer Cruz raised his hand. It was unknown if Cruz hit PHILLIPS or if PHILLIPS shot himself. Afterwards, the K-9 officers along with several other officers approached PHILLIPS and took him into custody. Because there were residences directly behind officers, PHILLIPS was not only a threat to himself, but towards society as well.

(For verbatim recording please refer to audio recording)

ELR/mcw

20TH JUDICIAL DISTRICT

From information and observation, the following descriptive data was noted:

NAME: Jefferey Mathes
RACE: White
SEX: Male
DOB:
DL:
SSN:
ADDRESS:
TELEPHONE:

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 14

Author: Reed, Eric

Activity Date: 12/20/2021

Case Agent: Anderson, Joshua

Report Date: 12/24/2021

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Interview - Audio - Sergeant John Timm

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]

(O-A) ANTHONY MARCELL PHILLIPS

On 12/20/2021 at approximately 10:01 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Eric Reed interviewed Sergeant (SGT) JOHN TIMM with the Metropolitan Nashville Police Department at TBI Headquarters 901 R.S Gass Blvd Nashville, TN 37216. Also present during the interview was SA Steven Kennard and TIMM's lawyer Kristen Berexa. The interview was audio recorded. After proper identification and the explanation of the purpose of the interview, TIMM voluntarily provided the audio recording. The following is a synopsis of that interview:

On 12/16/2021, SGT TIMM was headed down I-65 N when he heard come over the radio from his officers say they heard shots coming from the woods. Shortly after that, the officers stated they were now being shot at. It took approximately 4 minutes for SGT TIMM to arrive on scene. SGT TIMM stated some of the officers came back to his car, one of them being officer Smith. SGT TIMM could hear shots being fired by PHILLIPS while he was still inside the woods upon his arrival.

SGT TIMM assessed the scene and put on his body armor and the rest of his equipment. They then began to push towards the area where PHILLIPS was using two patrol cars as cover. SGT TIMM saw that there were K-9 officers at the top of the hill and they could see PHILLIPS. The K-9 officers had their spotlight on him. Other officers then began to arrive and as they were beginning to approach. SGT TIMM then requested Lieutenant Godshaw to send another patrol car so the 12-15 officers could spread out somewhat evenly among the patrol units. Once the third unit came, they began to approach PHILLIPS. They eventually saw PHILLIPS through the woods but could not actually tell what he was doing.

Verbal commands were given to PHILLIPS by K-9 officers to drop the weapon and show his hands. PHILLIPS would then reply, "F that, you're going to have to kill me." Once in front of PHILLIPS, SGT TIMM and his unit began to take over the commands because they were closer. SGT Hughes then drove his SUV patrol car up next to the patrol vehicle SGT TIMM was behind making the line look like the letter L. SGT TIMM asked for binoculars so he could get a better view of things and began looking for adjustments to the line if need be. SGT TIMM then told officers to turn off some of their lights so they were not making themselves a target for PHILLIPS.

At this point in time PHILLIPS was in a clearing next to the wood line. PHILLIPS was in a crouch position and then SGT TIMM saw PHILLIPS' right arm go up and two shots rang out. SGT TIMM stated the shots were up and to the right in their direction. After the two shots, SGT TIMM heard a boom and realized another officer had shot. SGT TIMM was not looking through the binoculars when PHILLIPS was shot. The drone was deployed to see if there were any signs of life and PHILLIPS was not moving. PHILLIPS was taken into custody and SGT TIMM sent the paramedics in to attend to PHILLIPS. After that SGT TIMM remained on scene until TBI arrived.

(For verbatim recording please refer to audio recording)

ELR/mcw

20TH JUDICIAL DISTRICT

From information and observation, the following descriptive data was noted:

NAME: John Timm
RACE: White
SEX: Male
DOB:
DL:
SSN: /
ADDRESS:
TELEPHONE:

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 15**Author:** Kennard, Steven Edward**Activity Date:** 12/16/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/29/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Neese, Nathan L**Description:** Recovery of Evidence - Officer Cruz' Weapon - From - Ricardo Cruz

(LE-A) RICARDO CRUZ, W/M, DOB: 1

(O-A) ANTHONY MARCELL PHILLIPS

On December 16, 2021 at approximately 7:00 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Steven Kennard received the department-issued shotgun used by Metro Nashville Police Department (MNPd) Officer RICARDO CRUZ along with the remaining unfired shotgun rounds. The items received were as follows:

1. Black Remington 870 shotgun – serial number [REDACTED]
2. Nine (9) unfired Winchester 12-gauge Ranger 1-ounce slug shotgun rounds

Three (3) of the slug rounds were unloaded from the firearm, and the remaining six (6) were stored in a sleeve on the side of the firearm. All items mentioned above were photographed and packaged by SA Kennard. The firearm was packaged in a cardboard gun box, and the unfired rounds were packaged in a brown paper bag and then placed inside the same cardboard gun box. The evidence was then turned over to case agent, SA Josh Anderson at approximately 1:00 PM on the same date. A property receipt was completed reflecting this activity which was also taken by SA Anderson.

SEK/mcw

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 16**Author:** Kennard, Steven Edward**Activity Date:** 12/16/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/29/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Neese, Nathan L**Description:** Photographs - Officer Cruz and Weapon

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIPS

On December 16, 2021 at approximately 7:00 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Steven Kennard took photographs while on the scene of the officer-involved shooting that took place on the date mentioned above in the 900 block of Old Hickory Boulevard in Nashville, Tennessee. SA Kennard took thirteen (13) total photographs which consisted of two (2) photographs of Officer RICARDO CRUZ in uniform, eight (8) photographs of CRUZ's department-issued shotgun and remaining rounds, and two (2) photographs of an I.D. and set of car keys presumably belonging to ANTHONY PHILLIPS. A digital copy of the photographs taken will be provided to case agent, SA Anderson.

SEK/mcw

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 17**Author:** Kennard, Steven Edward**Activity Date:** 12/16/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/29/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Neese, Nathan L**Description:** Recovery of Evidence - Set of Keys and ID - From - MNPD Officer Derrick Tone

(LE-A) RICARDO CRUZ, W/M, DOB: 1

(O-A) ANTHONY MARCELL PHILLIPS

On December 16, 2021 at approximately 8:00 AM, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Steven Kennard received a set of vehicle keys and a Tennessee state I.D. card with the name ANTHONY MARCELL PHILLIPS on it. The items were provided to SA Kennard by Metro Nashville Police Department (MNPD) Officer Derrick Toney. SA Kennard was told that the vehicle keys were thought to belong to the vehicle that was found unoccupied at the scene. The two items were both photographed and packaged together in a TBI evidence bag. The package was turned over to the custody of case agent, SA Josh Anderson at approximately 1:00 PM on the same date. A property receipt was completed reflecting all of the above-mentioned activity which was also taken by SA Anderson.

SEK/mcw

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 18**Author:** Kennard, Steven Edward**Activity Date:** 12/20/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/29/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Neese, Nathan L**Description:** Investigative Activity - Returning Firearm to MNP

(LE-A) RICARDO CRUZ, W/M, DOB: 1/1/1980
(O-A) ANTHONY MARCELL PHILLIPS

On December 20, 2021, Tennessee Bureau of Investigation (TBI) Special Agent (SA) Steven Kennard facilitated the return of the department-issued shotgun that was used in the officer-involved shooting by RICARDO CRUZ on December 16, 2021. SA Kennard retrieved the firearm from TBI Evidence Tech, Erica Jennett at approximately 2:20 PM. The firearm and remaining shotgun rounds that were initially packaged with the firearm were taken by SA Kennard to the Metro Nashville Police Department (MNP) training facility where they were transferred to the custody of MNP Training Officer Tom Miller. This was completed at approximately 2:45 PM. A property release form was completed and will be serialized separately within the case file.

SEK/mcw

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 19**Author:** Kennard, Steven Edward**Activity Date:** 12/20/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/29/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Neese, Nathan L**Description:** Property Release - Officer Cruz MNPB Issued Shotgun - To - Tom Miller

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]

(O-A) ANTHONY MARCELL PHILLIPS, [REDACTED]

20TH JUDICIAL DISTRICT



TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 20

Author: Anderson, Joshua

Activity Date: 12/20/2021

Case Agent: Anderson, Joshua

Report Date: 01/05/2022

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Interview - Audio - MNPD Officer Ricardo Cruz

(LE-A) RICARDO CRUZ, W/M, DOB: ·
(O-A) ANTHONY MARCELL PHILLIPS

On Monday, December 20, 2021, at approximately 8:06 AM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) and SA Bobby Simmons interviewed RICARDO CRUZ at the TBI Headquarters located at 901 R.S. Gass Blvd., Nashville, TN. This interview was audio recorded. After proper identification and an explanation of the purpose of the interview, CRUZ voluntarily provided the following information:

CRUZ advised that he is currently assigned to Midtown "C" detail. CRUZ has 2 years experience with the Metro Nashville Police Department and no military background. CRUZ advised that prior to this call, he was at the Midtown Precinct. CRUZ advised he heard a 5000 call, officers being shot at, at approximately 0300 hours. CRUZ advised he responded along with Officer Cox "code 2" (non-emergency) and their response time was approximately 10-15 minutes to arrive on scene. CRUZ advised he stopped his marked patrol car approximately 50-100 yards from where the other patrol cars were. CRUZ advised that he retrieved his department issued shotgun from his vehicle and gathered behind a patrol car where other officers were standing. CRUZ advised that they used the patrol car for cover and slowly moved up closer to where they believed the individual was located in the wood line. CRUZ advised that he took a position with his shotgun on the roof of a patrol car. CRUZ advised that commands were given to the suspect to surrender peacefully. CRUZ advised this is when the suspect began firing at them. CRUZ advised he fired one shot and it was unknown if he hit him. CRUZ advised that the suspect stopped firing so CRUZ stopped. CRUZ advised a drone was flown in to clear the area and a team moved in to take the suspect into custody.

This interview concluded at approximately 8:39 AM.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

JBA/mcw

From information and observation, the following descriptive data was noted:

Name: Ricardo Cruz

Address:

Race: Wh

Sex: Male

DOB:

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT**

Case # : NA-5U-000047

IR # : 21

Author: Anderson, Joshua

Activity Date: 12/20/2021

Case Agent: Anderson, Joshua

Report Date: 01/05/2022

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Interview - Audio - MNPD Officer Joao Pinho

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]
(O-A) ANTHONY MARCELL PHILLIPS, [REDACTED]

On Monday, December 20, 2021, at approximately 10:24 AM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) and SA Bobby Simmons interviewed JOAO PINHO at the TBI Headquarters located at 901 R.S. Gass Blvd., Nashville, TN. This interview was audio recorded. After proper identification and an explanation of the purpose of the interview, PINHO voluntarily provided the following information:

PINHO advised that he is currently assigned to patrol at East Precinct powershift. PINHO advised prior to the call he was on an extra patrol, when he heard a code 5000 (officers being shot at). PINHO advised upon his arrival, he observed scattered patrol vehicles and multiple Officers taking cover. PINHO advised he got his shotgun from the trunk and heard 2 gunshots from the wood line. PINHO advised he could not see the subject, but moved to get a better view alongside other Officers. PINHO advised he heard other Officers advise they could see movement and he moved up to those Officers. PINHO advised once he had a good line of sight with the subject, he observed him to be in the prone position wearing a black hoodie, black pants, and something in his hand, possibly a cell phone. PINHO advised the subject was yelling expletives at the Officers not complying to at least 20 minutes of verbal commands. PINHO advised the subject pulled out a firearm and fired 2 shots at the Officers, then heard a single shot with a shotgun. PINHO advised the subject went down and stopped moving. PINHO advised other officers approached and took the subject into custody.

This interview concluded at approximately 10:50 AM.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

JBA/mcw

From information and observation, the following descriptive data was noted:

Name: Joao Pinho

Address:

Race: Wi

Sex: Male

DOB:

Phone

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 22**Author:** Anderson, Joshua**Activity Date:** 12/20/2021**Case Agent:** Anderson, Joshua**Report Date:** 01/05/2022**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Audio - MNPD Officer Derrick Toney

(LE-A) RICARDO CRUZ, W/M, DOB: ■
(O-A) ANTHONY MARCELL PHILLIPS

On Monday, December 20, 2021, at approximately 8:47 AM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) and SA Bobby Simmons interviewed DERRICK TONEY at the TBI Headquarters located at 901 R.S. Gass Blvd., Nashville, TN. This interview was audio recorded. After proper identification and an explanation of the purpose of the interview, TONEY voluntarily provided the following information:

TONEY advised that he is currently assigned to Madison "C" detail. TONEY has served with the Metro Nashville Police Department since January 2016 and in the military since 2008. TONEY advised that prior to this call, he was on duty at business alarm call when a call came out about an abandoned vehicle and shots in the wood line. TONEY advised he heard a 5000 call, officers being shot at, at approximately 0300 hours. TONEY advised he responded along with Officer McConnell "code 3". TONEY advised he stopped his marked patrol car behind the suspect vehicle which was a silver sedan and the complainant's vehicle that was blocking the roadway. TONEY advised he and McConnell approached the vehicle and found it to be unoccupied with the driver's and front passenger side doors open. TONEY advised he heard yelling coming from the wood line, but couldn't see the subject yelling. McConnell was checking the VIN on the vehicle when shots were fired. TONEY advised that they took cover behind the suspect vehicle and McConnell began giving commands for the subject to surrender. TONEY advised the shots came from the same area as the yelling from the wood line. TONEY advised he heard the bullets go past them and radioed in to dispatch about shots fired. TONEY advised that Sgt. Mathis pulled up and got them back to their patrol cars. They put on their heavy vests and regrouped. TONEY advised other officers called out they had visual with the subject in the wood line, so they used 2 patrol cars to provide rolling cover for them until they reached the area where the subject was located. TONEY advised other officers were giving verbal commands that were not being complied with. TONEY advised the subject was moving and crawling around wearing all black clothing with reflective shoes. TONEY advised that commands were still being given, when the subject fired 2 rounds and then TONEY heard a shotgun blast from his right. TONEY advised he saw the subject fall and everyone stayed put until other officers moved up to the subject.

This interview concluded at approximately 9:14 AM.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

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Its contents are not to be distributed outside of your agency.

IR # 22
Page 1

20TH JUDICIAL DISTRICT

From information and observation, the following descriptive data was noted:

Name: Derrick Toney

Address:

Race: Bl

Sex: Male

DOB: :

Phone



20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 23**Author:** Anderson, Joshua**Activity Date:** 12/20/2021**Case Agent:** Anderson, Joshua**Report Date:** 01/05/2022**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Audio - MNPD Officer Clayton Cox

(LE-A) RICARDO CRUZ, W/M, DOB: 4

(O-A) ANTHONY MARCELL PHILLIP

On Monday, December 20, 2021, at approximately 9:29 AM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) and SA Bobby Simmons interviewed CLAYTON COX at the TBI Headquarters located at 901 R.S. Gass Blvd., Nashville, TN. This interview was audio recorded. After proper identification and an explanation of the purpose of the interview, COX voluntarily provided the following information:

COX advised that he is currently assigned to patrol at Midtown "C" detail. COX advised prior to the call he was finishing a burglary call and heard a code 5000 come out (officers being shot at). The call was on Old Hickory Boulevard in Madison. COX advised that he parked near other Officers and was advised the subject was farther up. COX advised a patrol car was used as cover and they walked behind it until they reached where the subject was located. COX advised the subject was on his knees in the wood line and heard Officers giving him verbal commands over the PA system. COX advised the subject yelled back at Officers "fuck you, fuck that". COX advised then the subject began crawling around on all 4s and then turned and fired in the direction of the Officers. COX advised that Officer CRUZ fired and the subject went down. COX advised they flew a drone in for safety and then a group of Officers approached and took the subject into custody. COX advised then EMS moved in and subject was confirmed deceased.

This interview concluded at approximately 9:47 AM.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

JBA/mcw

From information and observation, the following descriptive data was noted:

Name: Clayton Cov

Address:

Race: White

Sex: Male

DOB:

Phor

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 24**Author:** Anderson, Joshua**Activity Date:** 12/20/2021**Case Agent:** Anderson, Joshua**Report Date:** 01/05/2022**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Audio - MNPD Officer Brandon Hughes

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIPS, B/M, DOE

On Monday, December 20, 2021, at approximately 9:29 AM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) and SA Bobby Simmons interviewed BRANDON HUGHES at the TBI Headquarters located at 901 R.S. Gass Blvd., Nashville, TN. This interview was audio recorded. After proper identification and an explanation of the purpose of the interview, HUGHES voluntarily provided the following information:

HUGHES advised that prior to the call, he was in the office at the Madison Precinct and heard a shots fired call come out. HUGHES advised that he responded to the scene, saw all the blue lights, but couldn't tell where the other officers were at. HUGHES advised that Lt. Gotschall told him to use his SUV and drive up to where the Officers had visual with the subject. HUGHES advised he did not have a visual with the subject, but heard 2 gunshots then 1 gunshot. The 2 shots were from the subject and the single gunshot was from the Officer. HUGHES advised just prior to this, the subject was yelling and Officers were giving him verbal commands over the loud speaker. HUGHES advised after the shots, a drone flew over the subject and then Officers went up to the subject. HUGHES advised that then medics approached and confirmed the subject was deceased. HUGHES advised he stayed on scene and checked the wood line with a thermal imager for anyone else that may be in the woods.

This interview concluded at approximately 10:16 AM.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

JBA/mcw

From information and observation, the following descriptive data was noted:

Name: Brandon Hughes

Address

Race: White

Sex: Male

DOB

Pho: [REDACTED]

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 25

Author: Belote, Charlie

Activity Date: 12/20/2021

Case Agent: Anderson, Joshua

Report Date: 01/04/2022

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Interview - Audio - Andrew Richey

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]

(O-A) ANTHONY MARCELL PHILLIPS, [REDACTED]

On December 20, 2021, Special Agent (SA) Charlie Belote with the Tennessee Bureau of Investigation (TBI) along with SA Steven Kennard interviewed Metro-Nashville Police Department (MNPd) Officer ANDREW RICHEY. It should be noted that Attorney Kristin Berexa was also present during this interview as legal representation for RICHEY. This interview was conducted at TBI headquarters, 901 R.S. Gass Boulevard, Nashville, TN. After proper identification and explanation for the purpose of the interview, RICHEY voluntarily provided the following information, below is a synopsis of the audio recorded interview:

SA Belote first inquired if RICHEY had observed any body-camera footage from the incident, prior to the interview, he stated yes. Furthermore, he stated he watched pieces of it on social media, from news outlets. RICHEY was questioned as to his employment history with MNPd, he advised that in April of 2022 he will be there for four (4) years. He currently works Hermitage Prescient, C detail patrol as a Field Training Officer, working Sunday through Thursday, 2230-0700 hours.

RICHEY stated he was working this night of the incident involving ANTHONY PHILLIPS. He and another MNPd Officer, Jeff Mullins, were going to get something to eat when a code five-thousand (5000) came over their radio. RICHEY stated a code five thousand (5000) is a code signifying the highest level of emergency for MNPd Officers. RICHEY then drove to the intersection of West Old Hickory Boulevard and Dickerson Pike, the incident location. Upon arrival, RICHEY stated there were already MNPd Officers present.

Another Officer, RICHEY could not remember exactly who, told him there was someone in the tree line, off to their right, that had shot at Officers. RICHEY stated they had several spotlights from patrol vehicles lighting up the area the shooter was supposed to have been. RICHEY stated they then used patrol vehicles for cover to get closer to the, at that time, unknown subject, later identified as ANTHONY PHILLIPS.

RICHEY stated during this process, there was a single MNPd Officer giving verbal commands to ANTHONY PHILLIPS whose only response was profanity at MNPd Officer's. SA Belote asked RICHEY if it was clearly visible that those present were MNPd Officer's, to which he stated yes.

RICHEY stated during the course of the incident, ANTHONY PHILLIPS fired two rounds at

MNPD Officers. RICHEY further stated he saw the muzzle flash from one of the shots, meaning it was fired directly at Officers. RICHEY stated that one Officer then returned a single shot, at which point ANTHONY PHILLIPS fell to the ground.

Due to the unknown health state of ANTHONY PHILLIPS, MNPD Officers used several resources to evaluate the status of ANTHONY PHILLIPS. After a brief period of time, RICHEY and other MNPD Officers approached ANTHONY PHILLIPS, placed him in handcuffs and another Officer secured a black Hi-Point pistol which was lying next to ANTHONY PHILLIPS. RICHEY stated he checked for a pulse on ANTHONY PHILLIPS, to which he could not find one.

SA Belote asked if RICHEY remembers how this incident started. He stated someone called MNPD stated there was an abandoned Chevrolet Impala sitting idle, empty, in a lane of traffic. Two Madison Prescient Officers responded and upon doing such, they began to get shot at.

For additional information, refer to the previously mentioned audio recorded interview. A copy of the recording will be given to the case agent, SA Joshua Anderson.

CNB\mcw

20TH JUDICIAL DISTRICT

From observation and information, the following descriptive data was obtained:

Name: Andrew Richey

Sex: Male

Race: White

DOB: [REDACTED]

SSN: [REDACTED]

OLN: [REDACTED]

Addre [REDACTED]

Phone Number: [REDACTED]

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 26**Author:** Anderson, Joshua**Activity Date:** 12/17/2021**Case Agent:** Anderson, Joshua**Report Date:** 01/07/2022**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Oral - Lisa Phillips

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]
(O-A) ANTHONY MARCELL PHILLIPS

On Friday, December 17, 2021, at approximately 4:39 PM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) and SA Jonathan McGowen interviewed LISA PHILLIPS at [REDACTED]. After proper identification and an explanation of the purpose of the interview, PHILLIPS voluntarily provided the following information:

LISA PHILLIPS advised that she is ANTHONY PHILLIPS mother. Ms. PHILLIPS advised that ANTHONY served 17 years in prison, but when he got out, did not expect he would have to wear an ankle monitor. Ms. PHILLIPS advised he was seeing a Psychiatrist, but wasn't on any medications. Ms. PHILLIPS advised ANTHONY owns an older model silver Chevy Impala and was possibly heading towards the Greenville Cemetery, which is where his father is buried. Ms. PHILLIPS advised that she has never known ANTHONY to have a gun and doesn't know why he was out at the time of the shooting, he was usually asleep at that time.

JBA/mcw

Agents note: SA Anderson attempted to record this interview, but the handheld digital recorder malfunctioned.

From information and observation, the following descriptive data was noted:

Name: Lisa Phillips

Address:

Race: Blk

Sex: Female

DOB: .

SSN: .

Phone:

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 27**Author:** Anderson, Joshua**Activity Date:** 12/29/2021**Case Agent:** Anderson, Joshua**Report Date:** 01/10/2022**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Telephone - Robert Brian Huffine

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]

(O-A) ANTHONY MARCELL PHILLIPS [REDACTED]

On Wednesday, December 29, 2021, at approximately 3:27 PM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) left a phone message for a potential witness, identified as, ROBERT BRIAN HUFFINE. At approximately 3:29, Mr. HUFFINE returned my call. After proper identification and an explanation of the purpose of the interview, HUFFINE voluntarily provided the following information:

Mr. HUFFINE advised that he was traveling on Old Hickory Boulevard and was driving with the windows down because it was feeling good outside. HUFFINE advised he heard gunshots and stopped due to there being a silver Chevy Impala parked in the roadway with both doors open. HUFFINE advised he heard an additional gunshot and called 911. HUFFINE advised he then turned around and provided police with a good address to respond to, because the shots were in the wood line. HUFFINE advised he then left the area.

JBA/mcw

20TH JUDICIAL DISTRICT

From information and observation, the following descriptive data was noted:

Name: Robert Brian Huffine

Address:

Race: W

Sex: Male

DOB: :

SSN: , ,

Phone: (

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 28

Author: Savley, Joshua Paul

Activity Date: 12/16/2021

Case Agent: Anderson, Joshua

Report Date: 12/29/2021

SAC/ASAC: Savley, Joshua Paul

Approved By: Craig, Joseph E

Description: Interview - Audio - Robert Rutherford

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]

(O-A) ANTHONY MARCELL PHILLIPS, [REDACTED]

My name is Robert Rutherford. I was driving home earlier this morning with my girlfriend when we came up on a car parked in the middle of the road with its doors open. We almost hit the car in the middle of the road. I had my girlfriend turn around and we parked about 50 yards behind the vehicle. I then heard a noise come from the woods that said, "Fuck you". I called 911 and told them that there was a suspicious vehicle in the road blocking traffic. This was at about 2:35am. A couple of minutes later a black car pulled up and had its emergency flashers on. About that time, I heard 2 gunshots. I then told my girlfriend to go. As we drive off, I called 911 again and told them that I had heard gunshots. That call was at 2:38am. I went home and dropped my girlfriend off, got a different vehicle, and drove back to where the car was. When I got back the black car was gone. I then heard a couple more gunshots. A few minutes later, three police cars pulled up. I told them where the shots came from. I never saw anyone in the woods, but I heard them. I then heard a bunch of shots go off. The cops asked about 30 times for whoever to come out with their hands up and they won't be harmed. I heard more shots ring out and then heard a shotgun. Those guys did their job. Whatever happened, the guy had every chance to show himself. This whole incident lasted about 45 minutes to an hour.

Agent's Note: Mr. Rutherford recorded a portion of this incident on his cell phone and he provided that to me in this interview. I have turned this over to the case agent to be retained in his working case file.

This narrative serves as a brief synopsis of the interview and is not intended to be an exact transcript. Please refer to the attached recording for the full interview.

JPS/mcw

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 29**Author:** Savley, Joshua Paul**Activity Date:** 12/16/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/29/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Craig, Joseph E**Description:** Investigative Lead - Neighborhood Canvas

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIF

As part of a neighborhood canvas, I checked the scene of this shooting. I spoke with Lawrence Lacy who lives at this address. He stated that he did not see or hear anything during the incident because he was asleep. He does have a ring camera. He pulled the footage up on his phone and allowed me to view the footage. It did contain approximately one second of video where a police car can be seen on the road but there was no video that appeared to be of investigative value.

JPS/mcw

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 30**Author:** Savley, Joshua Paul**Activity Date:** 12/16/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/29/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Craig, Joseph E**Description:** Investigative Lead - Academy Sports Purchase

(LE-A) RICARDO CRUZ, W/M, DOE

(O-A) ANTHONY MARCELL PHILL: [REDACTED]

After locating an Academy Sports shopping bag at the scene of the shooting, I contacted loss prevention at the closest Academy Sports. That store is located at 2350 Gallatin Pike N, Madison, TN 37115. The purpose was to see if the ammo related to this shooting had been purchased at this store and if so, find any related receipts and video. I spoke with the loss prevention staff member who referred me to the manager, Luke Cinguina. He was able to locate records for all purchases of the ammo in question, Monarch Polymer Coating 380 ACP Steel Case. A review of these records show that ANTHONY PHILLIPS purchased 4 boxes of this ammo on 12/10/21 at 11:26am. Mr. Cinguina then attempted to locate video footage related to this purchase but was unable to bring it up on the store's security cameras for this purchase. He advised that he would check with Corporate Security to see if they could retrieve the video.

Later that evening, Mr. Cinguina called me to let me know that he was able to see some of the video but that the video of the actual purchase was missing due to the fact that the camera above that register was not working at the time of the purchase. He explained that the video does show a man coming into the store with a woman and a child. They can be seen walking through the store, retrieving the ammo from the shelf and then proceeding to the register. He stated that the video then shows them leaving the store. Mr. Cinguina advised that he would burn this video to a disc and let me know when it was ready.

I spoke to Mr. Cinguina again on 12/20/21. On this call, he advised that the video would have to be retrieved from Academy Sports Corporate security team and that they would do so after receiving an official request from me. He provided an email address to do that. I then issued a Subpoena for the footage via the email address provided. Mr. Cinguina acknowledged receipt of this Subpoena and informed me that he had sent it along with the correct timestamps for the video needed to his Corporate Security Office.

JPS/mcw

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 31**Author:** Savley, Joshua Paul**Activity Date:** 12/16/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/29/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Craig, Joseph E**Description:** Document - Ammo Purchase - Academy Sports

(LE-A) RICARDO CRUZ, W/M, DOB: .

(O-A) ANTHONY MARCELL PHILLIP .

20TH JUDICIAL DISTRICT

Document Seq: # Pre Document Title DOC - Ammo Purchase - Academy Sports.pdf

G:\ISIS_Submittals\MCID\Josh Savley\NA5U000047\DOC - Ammo Purchase - Academy

Sports.pdf

436443 SALE 8371 0091 201
 VERIFIED AGE 03
 19648534* MDS 1 21.99
 19648534* MDS 1 21.99
 10441905* MDS 1 1.99
 SUBTOTAL 45.97
 9.25% Sales Tax 4.07
 6.25% Sales Tax .12
 TOTAL USD\$ 50.16
 Cash 100.00
 CHANGE 49.84
 000040821000000225000040596000000000
 12/15/21 12:28

436391 SALE 8920 0091 202
 15203813* MDS 1 9.99
 VERIFIED AGE 03
 19648534* MDS 1 21.99
 121640320* MDS 1 54.99
 118749527* MDS 1 3.99
 SUBTOTAL 90.96
 9.25% Sales Tax 8.04
 6.25% Sales Tax .25
 TOTAL USD\$ 99.25

TAP:CC:T2:

APPROVAL

APPROVAL

MID: 328020091992

TID: 08143629

RRN: 021008

ACCOUNT NUMBER

AMERICAN EXPRESS 99.25

EXP 03/26

Contactless

VALUED CUSTOMER AUTH 821088

Mode: Issuer

AID: A000000025010801

American Express 99.25

12/15/21 11:41

362004 SALE 2286 0091 204
 VERIFIED AGE 03
 127545067* MDS 1 26.99
 19648534* MDS 1 21.99
 SUBTOTAL 48.98
 9.25% Sales Tax 4.53
 TOTAL USD\$ 53.51
 121570181* MDS 1 79.99
 122152125* MDS 1 19.99
 SUBTOTAL 148.96
 9.25% Sales Tax 13.78
 TOTAL USD\$ 162.74

PIN:CC:T2:

APPROVAL

APPROVAL

MID: 328020091992

TID: 08143631

RRN: 041093

ACCOUNT NUMBER

20TH JUDICIAL DISTRICT

20TH JUDICIAL DISTRICT

G:\ISIS_Submittals\MCID-Josh Savley\NA5U000047\DOC - Ammo Purchase - Academy Sports.pdf

12/15/21 13:42

EXP 10/23

20TH JUDICIAL DISTRICT

Chip Read

Document Seq: 4, Doc: 4, Doc Title: DOC - Ammo Purchase - Academy Sports.pdf

Mode: Issuer
G:\ISIS Submittals\MCID\Josh Savley\NA5U000047\DOC - Ammo Purchase - Academy

AID: A0000000041010

12/15/21 13:59

466876 SALE 8768 0091 202
VERIFIED AGE 02
1141928* MDS 1 4.99
VERIFIED AGE 03
127545067* MDS 1 26.99
127545067* MDS 1 26.99
19648534* MDS 1 21.99
19648534* MDS 1 21.99
122607783# MIS 1N 50.00
124892549* MDS 1 19.99
SUBTOTAL 172.94
9.25% Sales Tax 11.37
TOTAL USD\$ 184.31

EMV CHIP DECLINED OCCURRED
EMV CHIP READ ERROR OCCURRED

PIN:DB:T2:

APPROVAL

APPROVAL

Debit DECLINED

PIN:DB:T2:

APPROVAL

APPROVAL

MID: 328020091992

TID: 08143629

RRN: 024083

F DUNT NUMBER

Debit Card 184.31

Verified by PIN

US Debit 184.31

EXP 11/24

Chip Read

CHARITY D TRULL AUTH 002786

Mode: Issuer

AID: A0000000042203

Approved

Approved

GIFT CARD 6199844305373168 ACTIVE

AUTH CODE 456966

001156388000087791001068597000000000

12/13/21 16:31

480803 SALE 1865 0091 204
125085061* MDS 1 28.99
125085061* MDS 1 28.99
VERIFIED AGE 03
19648534* MDS 1 21.99
127545067* MDS 1 26.99
22254353* MDS 1 29.99
SUBTOTAL 136.95
9.25% Sales Tax 12.67
TOTAL USD\$ 149.62

PIN:CC:T2:

F ROVAL

A ROVAL

MID: 328020091992

TID: 08143631

RRN: 044203

20TH JUDICIAL DISTRICT

Document Seq: PreDraw, DocTitle: Ammo Purchase - Academy Sports.pdf

MAHESHWARI\MCID\Josh Savley\NA5U000047\DOC - Ammo Purchase - Academy

CMIP Read

Mode: Issuer

AID: A00000000041010

000700447000014450000685997000000000

12/13/21 12:02

PIN:DB:T2:

APPROVAL

APPROVAL

MID: 328020091992

TID: 08143650

RRN: 214104

ACCOUNT NUMBER

Verified by PIN

US DEBIT	174.71
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EXP 08/23

Chip Read

DEBORAH D ROLLINS AUTH 000743

Mode: Issuer

AID: A00000000980840

Debit Card	174.71
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12/13/21 15:34

EMV CHIP DECLINED OCCURRED

19648534* MDS 1 21.99-V

19648534* MDS 1 21.99-V

SUBTOTAL	43.98
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9.25% Sales Tax	4.07
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TOTAL USD\$	48.05
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PIN:DB:T2:

APPROVAL

ROVAL

MTD: 328020091992

TID: 08143630

RRN: 031410

ACCOUNT NUMBER

20TH JUDICIAL DISTRICT

Debit Card 48.05
Document Seq: # Pre Doc Title: DOC - Ammo Purchase - Academy Sports.pdf
C:\SIS-Submittals\MCID\Josh Savley\NA5U000047\DOC - Ammo Purchase - Academy Sports.pdf
EXP 04/25
KASSEY L FREY AUTH 001175
Mode: Issuer
AID: A00000000980840

12/12/21 15:35

479227 SALE 1689 0091 204
VERIFIED AGE 03
19648534* MDS 1 21.99
4884441* MDS 1 17.99
SUBTOTAL 39.98
9.25% Sales Tax 3.70
TOTAL USD\$ 43.68

PIN:DB:T2:

APPROVAL

APPROVAL

MID: 328020091992

TID: 08143631

RRN: 041114

ACCOUNT NUMBER

Verified by PIN

Debit 43.68

EXP 12/22

Chip Read

PHILLIP S UHLIR AUTH 000005

Mode: Issuer

AID: A0000000042203

Debit Card 43.68

12/12/21 15:07

479227 SALE 1476 0091 204
5893870* MDS 1N 10.00
VERIFIED AGE 03
133145191* MDS 1 22.99
133320340* MDS 1 19.99
19648534* MDS 1 21.99
SUBTOTAL 74.97
9.25% Sales Tax 6.01
TOTAL USD\$ 80.98

EMV CHIP DECLINED OCCURRED

EMV CARD REMOVED PREMATURELY

PIN:DB:T2:

APPROVAL

APPROVAL

MID: 328020091992

TID: 08143631

RRN: 047224

ACCOUNT NUMBER

Verified by PIN

US DEBIT 80.98

EXP 07/24

Chip Read

BRENT HULL AUTH 002222

Mode: Issuer

AID: A00000000980840

Debit Card 80.98

12/11/21 16:13

20TH JUDICIAL DISTRICT

Document Seq: 459623 SALE 1948 0091 221
G:\ISIS Submittals\MCID\Josh Savley\NA5U000047\DOC - Ammo Purchase - Academy Sports.pdf

VERIFIED AGE 03
19648534* MDS 1 21.99
19648534* MDS 1 21.99
SUBTOTAL 43.98
9.25% Sales Tax 4.07
TOTAL USD\$ 48.05

PIN:DB:T2:

APPROVAL

APPROVAL

MID: 328020091992

TID: 08143650

RRN: 217117

ACCOUNT NUMBER

Debit Card 48.05

Verified by PIN

US DEBIT 48.05

EXP 03/23

Chip Read

TAYLOR TULLIS SERVICE AUTH 002229

Mode: Issuer

AID: A0000000042203

12/11/21 14:57

459623 SALE 1948 0091 221
129523144* MDS 1 29.99
VERIFIED AGE 03
19648534* MDS 1 21.99
19648534* MDS 1 21.99
19648534* MDS 1 21.99
19648534* MDS 1 21.99
127571249* MDS 1 33.00
SUBTOTAL 150.95
9.25% Sales Tax 13.96
TOTAL USD\$ 164.91

PIN:DB:T2:

APPROVAL

APPROVAL

MID: 328020091992

TID: 08143650

RRN: 217133

ACCOUNT NUMBER

Verified by PIN

US DEBIT 164.91

EXP 02/24

Chip Read

KATHY T BARNES AUTH 000024

Mode: Issuer

AID: A00000000980840

Debit Card 164.91

* YOUR TOTAL SAVINGS \$22.00 *

12/11/21 15:32

479227 SALE 8247 0091 202
VERIFIED AGE 03
133320340* MDS 1 19.99
133320340* MDS 1 19.99
19648534* MDS 1 21.99

20TH JUDICIAL DISTRICT

19648534* MDS 1 21.99
Document Sales Tax 7.77
E-ISIS Submittals MCID\Josh Savley\NA5U000047\DOC - Ammo Purchase - Academy Sports.pdf
TOTAL USD\$ 91.73
Sports.pdf 100.00
CASH CHANGE 8.27
12/10/21 12:02

479227 SALE 8346 0091 202
VERIFIED AGE 03
19648534* MDS 1 21.99
SUBTOTAL 21.99
9.25% Sales Tax 2.03
TOTAL USD\$ 24.02
PIN:DB:T2:
APPROVAL
APPROVAL
MID: 328020091992
TID: 08143629
RRN: 024158
ACCOUNT NUMBER
Verified by PIN
US DEBIT 24.02
EXP 12/23
Chip Read
KEVIN D FUGATE AUTH 002703
Mode: Issuer
AID: A0000000980840
Debit Card 24.02
12/10/21 15:51

436443 SALE 5087 0091 203
VERIFIED AGE 03
19648534* MDS 1 21.99
19648534* MDS 1 21.99
24243198* MDS 1 17.99
24243198* MDS 1 17.99
SUBTOTAL 79.96
9.25% Sales Tax 7.40
TOTAL USD\$ 87.36
TAP:CC:T2:
APPROVAL
APPROVAL
MID: 328020091992
TID: 08143630
RRN: 034599
ACCOUNT NUMBER
VISA/Master Card 87.36
US Debit 87.36
EXP 12/24
Contactless
AUTH 004955
Mode: Issuer
AID: A0000000042203
12/10/21 19:07

480803 SALE 8046 0091 208
VERIFIED AGE 03
19648534* MDS 1 21.99
19648534* MDS 1 21.99

20TH JUDICIAL DISTRICT

24243198* MDS 1 17.99
24243198* MDS 1 17.99
Document Seq: # PreDownDocTitle: DOC - Ammo Purchase - Academy Sports.pdf
G:\SJS Submittals\MCID\Josh Savley\NA5U000047\DOC - Ammo Purchase - Academy Sports.pdf
SUBTOTAL 79.96
9.25% Sales Tax 7.40
TOTAL USD\$ 87.36
Cash 100.00
CHANGE 12.64
0002099540000089480002010060000000000
12/10/21 10:54

480803 SALE 8061 0091 208
VERIFIED AGE 03
19648534* MDS 1 21.99
19648534* MDS 1 21.99
19648534* MDS 1 21.99
19648534* MDS 1 21.99
SUBTOTAL 87.96
9.25% Sales Tax 8.14
TOTAL USD\$ 96.10

PIN:DB:T2:
INCORRECT PIN
INCORRECT PIN
Debit DECLINED
PIN:DB:T2:

APPROVAL
APPROVAL

MID: 328020091992
TID: 08143635
RRN: 084267

ACCOUNT NUMBER
Verified by PIN

US DEBIT 96.10

EXP 04/26

Chip Read

ANTHONY PHILLIPS AUTH 002018

Mode: Issuer

AID: A0000000980840

Debit Card 96.10

12/10/21 11:26

480803 SALE 8072 0091 208
14954192* MDS 1 1.99
VERIFIED AGE 03
19648534* MDS 1 21.99
20935938* MDS 1 29.99
20935938* MDS 1 29.99
20935938* MDS 1 29.99
SUBTOTAL 113.95
9.25% Sales Tax 10.36
6.25% Sales Tax .12
TOTAL USD\$ 124.43

EMV CHIP DECLINED OCCURRED
EMV CHIP READ ERROR OCCURRED

PIN:DB:T2:

APPROVAL

APPROVAL

MID: 328020091992
TID: 08143635
RRN: 084280

ACCOUNT NUMBER

Debit Card 124.43

Verified by PIN

US DEBIT 124.43

20TH JUDICIAL DISTRICT

9635981634798618

EXP 08/24

Document Seq: #, Docw, DocTitle, Doc: Ammo Purchase - Academy Sports.pdf

DAVID MARLIN AUTH 001847

Mode: Issuer

AID: A0000000980840

12/10/21 11:48

12/10/21 11:48

480803 SALE

8145 0091 208

VERIFIED AGE 03

129126851* MDS 1 21.99

129126851* MDS 1 21.99

127545067* MDS 1 26.99

19648534* MDS 1 21.99

SUBTOTAL 92.96

9.25% Sales Tax 8.60

TOTAL USD\$ 101.56

PIN:CC:T2:

APPROVAL

APPROVAL

MID: 328020091992

TID: 08143635

RRN: 084352

ACCOUNT NUMBER

VISA CREDIT 101.56

EXP 08/22

Chip Read

AMY MINER AUTH 09707C

Mode: Issuer

AID: A0000000031010

VISA/Master Card 101.56

12/10/21 13:47

20TH JUDICIAL DISTRICT

**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 32**Author:** Savley, Joshua Paul**Activity Date:** 12/21/2021**Case Agent:** Anderson, Joshua**Report Date:** 12/29/2021**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Craig, Joseph E**Description:** Subpoena - 24188 - 21DEC2021 - Academy Surveillance

(LE-A) RICARDO CRUZ, W/M, DOB:
(O-A) ANTHONY MARCELL PHILLIP:

20TH JUDICIAL DISTRICT

State of Tennessee

Document Seq: Pre Document Title SUB: 24188 - 21DEC2021 - Academy
Survilla Submittals\MCID\Josh Savley\NA5U000047A SUB - 24188 - 21DEC2021 -
Academy Surveillance.pdf

24188



Tennessee Bureau of Investigation

SUBPOENA

Davidson County

Contact:

josh.savley@tn.gov
Josh Savley

TO ANY SPECIAL AGENT-CRIMINAL INVESTIGATOR OR
ANY OTHER LAWFUL OFFICER OF SAID COUNTY

You are hereby commanded to summon Academy Sports & Outdoors

Custodian of Records or Loss Prevention

to personally appear before the undersigned Special Agent of the Tennessee Bureau of Investigation on December 22, 20 21, at 9:00 AM at TBI Headquarters,

901 R.S. Gass Blvd. Nashville, Tennessee and from day to day hereafter until discharged and bring all papers, books, records, agreements, documents and surveillance

footage pertaining to Ammo purchase by Anthony Phillips
at 11:26 on 12/10/21 at the Gallatin Pike location.

to be sworn and questioned by the undersigned Special Agent for the purpose of giving a written statement, delivering aforementioned items and obtaining evidence by said agent in an investigation conducted by the Tennessee Bureau of Investigation pertaining to _____

a criminal investigation.

Issued this 21st day of December, 20 21,
pursuant to Section 38-6-102 Tennessee Code Annotated.

Josh P. Savley
Special Agent-Criminal Investigator

EXECUTED this 21st day of December, 20 21

by serving the same upon Luke Cingina by email at

storeops91@academy.com

Officer or Special Agent: Josh P. Savley

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 33

Author: Savley, Joshua Paul

Activity Date: 01/14/2022

Case Agent: Anderson, Joshua

Report Date: 01/18/2022

SAC/ASAC: Savley, Joshua Paul

Approved By: Craig, Joseph E

Description: Recovery of Evidence - Academy Sports Video

(LE-A) RICARDO CRUZ, W/M, DOB: 1-

(O-A) ANTHONY MARCELL PHILLIPS.

On January 14, 2022 I received a package containing a disc with video related to an ammo purchase from Academy Sports on 12/10/2021. It is believed that this video shows the purchase of 4 boxes of ammunition by ANTHONY PHILLIPS. This video was requested after Academy Sports employee Luke Cinguina confirmed that a purchase was made using a credit card under the name of ANTHONY PHILLIPS.

Upon review of the aforementioned video the following can be seen on 12/10/2021:

11:10am – A black male, white female and child exit a vehicle and begin walking to the store.



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11:11am – The three individuals enter the store.



11:13am – The male and female are seen looking at ammunition. The female is seen retrieving boxes of ammunition from the shelf.



20TH JUDICIAL DISTRICT

11:25am – The three individuals proceed to the checkout lanes where the female purchases the ammunition.



11:26am - The three individuals exit the store. The female is carrying the purchased items.



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**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 34**Author:** Anderson, Joshua**Activity Date:** 01/19/2022**Case Agent:** Anderson, Joshua**Report Date:** 01/19/2022**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Telephone - Kayla Auberry

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]
(O-A) ANTHONY MARCELL PHILLIPS,

On Wednesday, January 19, 2022, at approximately 12:33 PM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) contacted KAYLA AUBERRY by phone. After proper identification and an explanation of the purpose of the interview, AUBERRY voluntarily provided the following information:

AUBERRY advised that she is PHILLIPS' girlfriend, but they were not living together. AUBERRY advised PHILLIPS was living with his grandmother. AUBERRY advised that she was on the phone with PHILLIPS off and on that Wednesday morning. AUBERRY advised she talks with PHILLIPS everyday throughout the day, but that Wednesday when they talked on the phone she could tell PHILLIPS wasn't himself. AUBERRY advised he was very quiet and wouldn't say what was going on. AUBERRY advised PHILLIPS had been depressed about his Parole Officer not answering his phone calls and PHILLIPS would talk about his father, who died. AUBERRY advised on the night this incident happened, they had been on the phone for hours. AUBERRY advised she assumed he was at home because it was quiet in the background until she heard gunfire in the background. AUBERRY advised that PHILLIPS would not answer her and it sounded like PHILLIPS put the phone in his pocket. AUBERRY advised she could hear PHILLIPS talking to someone, but couldn't make out what was being said. AUBERRY advised that she hung up the phone and called him back. AUBERRY advised this time she could hear someone on a loudspeaker from Metro Nashville Police, so she asked PHILLIPS where he was. PHILLIPS advised AUBERRY that he was in the woods, and stated, "they're here, they're shooting at me". AUBERRY advised she heard some more gunfire and what she believes was the sound of PHILLIPS hitting the ground. AUBERRY advised PHILLIPS did not have any mental illness that she knew about, was not on any prescription medications or recreational drugs. AUBERRY also advised she had never seen PHILLIPS with a gun or even talk about guns. SA Anderson asked AUBERRY about purchasing ammunition from Academy Sports and AUBERRY advised she purchased that ammunition for her ex-husband, it was not for PHILLIPS.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

JBA/mcw

From information and observation, the following descriptive data was noted:

Name: ~~Kendra Auburn~~

Address

Race: White

Sex: Female

DOB: (

Phone

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 35

Author: Anderson, Joshua

Activity Date: 01/26/2022

Case Agent: Anderson, Joshua

Report Date: 01/28/2022

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Interview - Audio - MNPD Officer Anna Clayton

(LE-A) RICARDO CRUZ, W/M, DOB:

(O-A) ANTHONY MARCELL PHILLIP - [REDACTED]

On Wednesday, December 26, 2022, at approximately 9:03 AM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) interviewed ANNA CLAYTON at the TBI Headquarters located at 901 R.S. Gass Blvd., Nashville, TN. This interview was audio recorded. After proper identification and an explanation of the purpose of the interview, CLAYTON voluntarily provided the following information:

CLAYTON advised she was about to leave to go home, but could hear the radio traffic about the suspicious car and someone firing shots in the woods. CLAYTON advised she started to respond to the area non-emergency, but then the 5000 call came out, so she drove emergency at that point. CLAYTON advised upon her arrival, there were other officers already on scene forming a plan. CLAYTON advised they used patrol vehicles as cover to get closer to where the subject was spotted. CLAYTON advised the subject was walking around, getting on his knees, and crawling. CLAYTON advised officers were giving commands when the subject fired two shots and then CRUZ fired one shot. CLAYTON advised after this, she stayed where she was and helped hold the scene. CLAYTON advised she was standing close to CRUZ and her ear drum was ruptured when he fired the shot.

This interview concluded at approximately 9:16 AM.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

JBA/mcw

From information and observation, the following descriptive data was noted:

Name: Anna Clayton

Address: .

Race: Wh:

Sex: Female

DOB: t

Phone

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**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 36**Author:** Anderson, Joshua**Activity Date:** 01/26/2022**Case Agent:** Anderson, Joshua**Report Date:** 01/28/2022**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Audio - MNPD Officer Brian Manning

(LE-A) RICARDO CRUZ, W/M, DOB: 1

(O-A) ANTHONY MARCELL PHILLIPS

On Wednesday, December 26, 2022, at approximately 8:47 AM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) interviewed BRIAN MANNING at the TBI Headquarters located at 901 R.S. Gass Blvd., Nashville, TN. This interview was audio recorded. After proper identification and an explanation of the purpose of the interview, MANNING voluntarily provided the following information:

MANNING advised that he has been with the Metro Nashville Police Department for 3 years and is currently serving as a K9 officer. MANNING advised he was on an alarm call, when he heard a call from other officers reporting shots fired. MANNING advised that he responded to back them up and came from the Dickerson Rd. side of Old Hickory Blvd. MANNING advised he spotted the subject in the woodline and began giving commands. MANNING advised he recalls the subject saying he wasn't going to come out, they would have to kill him. MANNING advised that the subject was on his knees messing around on the ground. MANNING advised he was positioned with his dog approximately 40-50 yards away and continued to give the subject verbal commands. MANNING advised he did not see a muzzle flash, but did hear the shots. Once the subject went down, MANNING advised he approached and saw the subject appeared to be deceased. MANNING advised he then assisted by checking the surrounding area for the possibility of other people being in the woods.

This interview concluded at approximately 8:59 AM.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

JBA/mcw

From information and observation, the following descriptive data was noted:

Name: Brian Manning

Address:

Race: W

Sex: Male

DOB: (

Phone: [REDACTED]

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**TENNESSEE BUREAU OF INVESTIGATION
INVESTIGATIVE REPORT****Case # :** NA-5U-000047**IR # :** 37**Author:** Anderson, Joshua**Activity Date:** 01/26/2022**Case Agent:** Anderson, Joshua**Report Date:** 01/28/2022**SAC/ASAC:** Savley, Joshua Paul**Approved By:** Savley, Joshua Paul**Description:** Interview - Audio - MNPD Officer Zachery Smith

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]
(O-A) ANTHONY MARCELL PHILLIPS,

On Wednesday, December 26, 2022, at approximately 8:04 AM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) interviewed ZACHERY SMITH at the TBI Headquarters located at 901 R.S. Gass Blvd., Nashville, TN. This interview was audio recorded. After proper identification and an explanation of the purpose of the interview, SMITH voluntarily provided the following information:

SMITH advised he was leaving booking and heard the call of a disabled motorist, then dispatch advised the caller stated there were gunshots. SMITH advised he responded and parked behind Officer Toney's car. SMITH advised he heard gunshots from the wood line, and it was close. SMITH advised he had the blue lights on his vehicle going, but cut them off to get a better view of the wood line. SMITH advised other units responded and shut down Old Hickory Blvd. SMITH advised another Officer advised he saw movement in the wood line, and they identified themselves on the PA system. SMITH advised he could hear the subjects voice, but couldn't make out what he was saying. SMITH advised he heard two shots from the wood line and then one shot from Metro. SMITH advised he later approached the subject and saw he had a firearm. SMITH advised he then went across the street to check the welfare of the residents close by. SMITH advised when the subject fired, it sounded like the shots were going over their head.

This interview concluded at approximately 8:24 AM.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

JBA/mcw

From information and observation, the following descriptive data was noted:

Name: Zachery Smith

Address: 1

Race: White

Sex: Male

DOB: (

Phone:)

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT

Case # : NA-5U-000047

IR # : 38

Author: Anderson, Joshua

Activity Date: 01/26/2022

Case Agent: Anderson, Joshua

Report Date: 01/28/2022

SAC/ASAC: Savley, Joshua Paul

Approved By: Savley, Joshua Paul

Description: Interview - Audio - MNPD Officer Reuben Hewit

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]

(O-A) ANTHONY MARCELL PHILLIP

On Wednesday, December 26, 2022, at approximately 8:28 AM, Special Agent (SA) Joshua Anderson of the Tennessee Bureau of Investigation (TBI) interviewed REUBEN HEWIT at the TBI Headquarters located at 901 R.S. Gass Blvd., Nashville, TN. This interview was audio recorded. After proper identification and an explanation of the purpose of the interview, HEWIT voluntarily provided the following information:

HEWIT advised he was in the process of signing a domestic warrant when he overheard Officer Smith on the radio advise he was being shot at. HEWIT advised he responded lights and siren and upon his arrival, he spotted the subject in the woodline. HEWIT advised he positioned his patrol car approximately 50 yards away from the subject and orders were being given to the subject over the loudspeaker. HEWIT advised the only response from the subject was, "NO". HEWIT advised it appeared that the subject was snorting something. HEWIT advised the subject was wearing dark clothing and had a phone in his hand. HEWIT advised he heard a shot, then one of the Metro Officers shot. HEWIT advised a drone was used to clear the area where the subject was. HEWIT advised he then moved in with other Officers and held cover while they rendered aid.

This interview concluded at approximately 8:43 AM.

The remaining details of this interview are contained in an audio recording, which is saved and in the custody of SA Joshua Anderson.

JBA/mcw

From information and observation, the following descriptive data was noted:

Name: Reuben Hewit

Address:

Race: White

Sex: Male

DOB:

Phone:

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION INVESTIGATIVE REPORT	
Case # : NA-5U-000047 IR # : 39	

Author: Anderson, Joshua Case Agent: Anderson, Joshua SAC/ASAC: Savley, Joshua Paul Approved By: Savley, Joshua Paul Description: Document - Use of Force Policy - Metro Nashville Police Department	Activity Date: 01/26/2022 Report Date: 01/28/2022
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(LE-A) RICARDO CRUZ, W/M, DOB: .
(O-A) ANTHONY MARCELL PHILLIPS,

Document Set: Brown Book Title One: USE OF FORCE POLICY - METRO
NASHVILLE POLICE DEPARTMENT
NASHVILLE POLICE DEPARTMENT, pdf



1ST JUDICIAL DISTRICT

Metropolitan Police Department
Nashville, Davidson County, TN
Published August 20, 2018
www.police.nashville.org

11.10 Use of Force

The Metropolitan Nashville Police Department recognizes and respects the value and special integrity of each human life. When investing police employees with the lawful authority to use force to protect the public welfare, a careful balancing of all human interests is required.

11.10.010 It is the policy of the Metropolitan Nashville Police Department that authorized employees shall use only that force that is reasonably necessary to effect lawful objectives. Therefore, intentional misuse of the authority granted under this policy is grounds for disciplinary action up to and including those outlined in category A of established policy for Discipline and Corrective Action.

This policy is for Metropolitan Nashville Police Department use only and does not apply in any criminal or civil legal proceedings. This department policy should not be construed as the creation of a higher legal standard of care. Violation of this directive will only form the basis for departmental administrative sanction.

11.10.020 Definitions Specific to Use of Force

A. Absolutely Necessary: All other options have been exhausted, unavailable, or are not feasible.

B. Active Aggression: Where the employee's attempt to gain lawful compliance has culminated in the perception of an attack, or the potential for such an attack, on the employee or others. The employee makes the reasonable assessment that such actions by the subject would not result in serious bodily injury or death to the employee or others.

C. Active Resistance: A subject whose non-compliance includes resistive movements or physical defiance.

D. Aggravated Active Aggression: Where the employee's attempt to gain lawful compliance has culminated in the perception of an attack or the potential for such an attack on the employee or others. The employee makes the reasonable assessment that such actions by the subject could result in serious bodily injury or death to the employee or others.

E. Authorized Weapons and Ammunition: Weapons and ammunition

approved by the Metropolitan Nashville Police Department Chief of Police and the Training Division for which authorized employees receive departmentally approved safety and proficiency training.

F. Conducted Energy Device (CED): A hand-held device that is designed to subdue persons and/or animals. The device uses a low dose electrical current to temporarily stun and immobilize. Currently, the departmentally approved CEDs are the Taser® Model M26, Taser® Model X26 or Taser® Model X26P.

G. Deadly Force: Any use of force reasonably calculated to produce death or serious bodily injury.

H. Defensive Force: Use of hands, feet, or any other defensive equipment to overcome violent resistance or to protect self or others from assault or injury.

I. Excited Delirium: A state of extreme mental and physiological excitement, characterized by extreme agitation (including shouting and disruptive behavior), hyperthermia, excessive watering of the eyes, hostility, paranoia or panic, inappropriate nudity, exceptional strength and endurance without fatigue.

J. Force-Continuum: Broad categories of force, in identifiable escalating/de-escalating stages of intensity, in response to a subject's action. They are commonly identified as official presence, verbal direction, soft empty-hand control, hand-held chemical spray/conducted energy device, hard empty-hand control, batons, and firearms. A subject's action may be defined in broad categories including full compliance to commands, verbal uncooperativeness, passive resistance, active resistance, active aggression, and aggravated active aggression (deadly force).

K. Injury: Includes any physical pain, illness, or any impairment of physical condition.

L. Less Lethal Devices: A device that is designed to reduce the potential of causing serious bodily injury or death.

M. Lethal Weapon: Any weapon reasonably calculated to produce death or serious bodily injury.

N. Non-Deadly Force: Any use of force other than that which is considered deadly force.

O. Passive Resistance: A non-compliant subject who offers no sign of physical defiance or resistive movement towards an employee's efforts.

P. Physical Force: The application of a technique, action, or device to compel a change in the actions of another person; usually compliance with a desired behavior, submission to authority, or to de-escalate a threatening behavior.

Q. Positional Asphyxia: Positional asphyxia is a position that can produce unconsciousness or death caused by a lack of oxygen or an increase of carbon dioxide in the blood.

R. Reasonable Belief: The facts or circumstances the employee knows, or should know, are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.

S. Restraining Force: Force which is limited to holding and restraining persons, which shall include arm-lock and takedown holds, but shall not include neck restraints.

T. Serious Bodily Injury: Bodily injury that creates a substantial risk of death, causes serious permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.

U. Verbal Uncooperativeness: A compliant subject who offers no sign of physical defiance or resistive movement towards an employee's efforts, yet verbalizes resistance to instructions.

11.10.030 Parameters for Non-Deadly Force

A. When the use of force is needed, if feasible, authorized employees will identify themselves and determine which options in the force continuum will best de-escalate the situation in the most safe, reasonable, and prudent manner possible.

When communicating with any individual(s) wherein the use of force is likely, officers should be aware of any type of issue that may interfere with the subject's ability for communication and/or comprehension of the officer's instructions and/or commands.

Issues interfering with communication/understanding may include hearing impairment, but also cognitive deficits (e.g. dementia), or other apparent behavioral/mental impairment.

non-deadly force techniques and equipment for resolution of incidents to:

1. Protect themselves or another from bodily injury;
2. Restrain or subdue a resistant person for whom there is probable cause to arrest or reasonable suspicion to stop;
3. Prevent damage to property; and/or
4. Bring an unlawful situation in which there is lawful authority for the employee to intervene, safely and effectively under control.

C. Authorized employees may use department issued or approved hobbie restraints and approved custodial restraint techniques on subjects who have been combative to reduce the likelihood of self-inflicted injury or to control further resistance while handcuffed. Employees are not permitted to use hobbie restraints, leg shackles, plastic ties, or any other device to place any subject in a manner which is likely to produce positional asphyxia.

D. Any use of force on subjects who are handcuffed or otherwise in custody is prohibited unless physical resistance must be overcome. Such uses of force must be specifically articulated-with an emphasis on why a particular level of force used was necessary to obtain compliance.

E. Authorized employees are permitted to use only that force which is reasonable and necessary under the particular circumstances to protect themselves or others from bodily injury, and only after other reasonable alternatives have been exhausted or it is determined that such alternative action(s) would be ineffective under the circumstances.

F. Flight alone shall not justify the use of any level of force beyond official presence or verbal direction on a suspect. An officer must have reasonable suspicion or probable cause to believe that the suspect has committed or is about to commit a criminal offense before utilizing force greater than verbal direction.

11.10.040 Use of Chemical Spray

A. When discharging chemical spray on an individual or animal that is within the parameters for the use of non-deadly force, the authorized employee shall:

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11.10.060 Taser® / CED Training & Certification

- C. Authorized employees who are qualified by the MNPD to carry a Taser® may individually purchase and carry a departmentally approved Taser®.

A. Taser® training shall be provided by the Metro Police Training Division to authorized employees. Such training shall be consistent with approved lesson plans.

- B. Only those authorized employees who successfully complete and maintain certification may carry and/or deploy the Taser®.

- C. To ensure proficiency, authorized employees will be required to successfully complete departmental Taser® training updates. This training shall, at a minimum, be provided annually.

11.10.070 Taser® Inspection & Storage

- A. If a Taser® is individually assigned, the employee will perform a spark test at the beginning of each shift to ensure that the device is charged and properly functioning and/or other such inspection as recommended by the manufacturer.

- B. If a Taser® is not individually assigned, the supervisor of the assigned unit will ensure that a spark test is performed at the beginning of each shift to ensure that the device is charged and properly functioning and/or other such inspection as recommended by the manufacturer.

C. Storage & Security

1. The Taser® shall be securely stored at all times when not in use.
2. An employee storing a Taser® shall be responsible for the safety and security of the Taser® unless another employee assumes responsibility for the device.
3. An employee shall keep the Taser® and cartridges out of reach of children at all times.

- D. The Taser® shall be inspected, and its information noted, consistent with established policy and procedure governing departmental inspections.

11.10.080 Taser® Deployment

- A. Deployment

- When deploying the Taser®, probes or stun, at or upon an individual or animal that is within the parameters for the use of non-lethal force, the authorized employee shall:

3. When possible, one authorized employee should deploy the Taser® while a cover employee is prepared with a standard weapon;

5. Follow all other techniques and/or instructions taught or disseminated by Metropolitan Nashville Police Department Training Division personnel; and

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Taser® has been deployed, officers shall:

- a. Where feasible, notify the Metropolitan Fire Department prior to deploying the Taser® on a subject exhibiting behavior characteristic of, or similar to, Excited Delirium; or
- b. When prior notification is not possible on a subject that is exhibiting behavior similar to Excited Delirium, notify the Metropolitan Fire Department immediately after the Taser® has been utilized.

7. None of the above provisions shall preclude an employee from notifying the Metropolitan Fire Department and request assistance in any other circumstance wherein the presence of medical personnel may be appropriate.

C. Further provisions regarding the Taser®:

1. Authorized employees are only allowed to carry the departmentally authorized Taser® units and **only** departmentally issued Taser® cartridges while on or off duty.
2. The Taser® is to be carried in a department approved holster (on the front side of the utility belt in a cross-draw position), secured in the vehicle, or other approved method.
3. Carrying of the Taser® while off-duty shall be at the discretion of the authorized employee.

4. Prior to using the Taser® on an individual driving or in physical control of a vehicle, the employee(s) shall immobilize the individual's vehicle to prohibit it from moving during the incident, or ensure the vehicle would not pose an unreasonable risk to persons or property should the Taser® be deployed. All incidents of use will be consistent with established departmentally approved training.
- The Taser® shall not be used on persons known to have been exposed to flammable liquids or sprayed with a chemical spray containing a flammable propellant, or in a location near flammable liquids or where flammable gasses are known to be present.

5. The Taser® should not be used on persons who are visibly pregnant or are at the extremes of age or physically disabled

6. The normal reaction of a person exposed to the discharge of a Taser® is the loss of some voluntary muscle control resulting in the subject falling to the ground or 'freezing' on the spot. For this reason, there is clearly a possibility of some secondary injury to the 'Tasered' subject, caused by falling and striking a hard surface. Particular attention should therefore be paid to the immediate environment and to assessing any additional risk factors (i.e. age, physical condition of the subject, objects being held by subject, etc.).
7. A Taser® shall not be used in cases of passive resistance, unless a lesser means of force:

- a. Has been attempted and failed;
 - b. Is not an option due to exigent circumstances; or
 - c. If attempted, could result in a significant possibility of injury to the employee or suspect.
- d. Where feasible, supervisory approval should be obtained before a Taser® is used to effect the arrest of a subject who is passively resisting.

8. Any use of the Taser® not consistent with established departmental policy or training is expressly prohibited, and may result in corrective or disciplinary action.
9. Violation of policies or training governing the use of the Taser® by an employee may result in remedial training, corrective or disciplinary action.

11.10.090 Taser® Maintenance

A. Replacement Cartridges:

Upon use of a cartridge, the deploying personnel shall submit a copy of the completed Taser® Use Report-MNPD Form 108T detailing the use of the Taser® to the Police Training Division. Upon review of the supporting documentation, the Training Division will provide authorized replacement cartridges. Only cartridges provided by the Training Division are authorized for use.

- B. All Tasers shall be downloaded on a quarterly basis by designated supervisory personnel at the precinct or unit where Tasers are assigned. The download will include both department issued and

C. Any Taser® which may require service, repair, or maintenance shall be delivered to the Police Training Division as soon as practical. The Academy shall, when available, issue a temporary replacement Taser® until such assigned Taser® can be returned.

- B. As with any application of force, multiple applications/bursts of the Taser®, in any mode, is a separate application of force within the overall force incident and justification for each must be clearly articulated.

D. Personnel shall immediately notify a supervisor anytime their Taser® is activated except for a spark test or formal training exercise. Upon the deactivation of the safety, the Taser® is activated and will begin recording dataport information. The laser sighting and led lighting will also occur. Should the incident not require a 108 or 108T, it will be documented on an MNPD supplement form 104. A supervisor shall download the dataport record of this event when appropriate and consistent with established training.

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2. Photographs

Expended Taser® Cartridge(s) and Probes may be placed into property as evidence or disposed of as bio-hazardous waste consistent with established procedure.

1. Taser® Cartridge(s) and Probes

F. Evidence Collection & Maintenance

established policy. When appropriate, the download report may be included with the submission packet.

G. The Police Training Division will maintain a database of Taser® equipment assigned by the MNPD, as well as personally owned Taser®, and their use consistent with established policy and procedure. Such database will include, at a minimum, the name of the personnel receiving the Taser®, the serial number(s) of assigned Taser®, serial number(s) of assigned expended cartridges, complaint numbers of incidents related to expended cartridges, and the relevant dates and times relating to issuance of such equipment.

H. Precinct/Division Commander Review

1. Whenever the Taser® is displayed or utilized and the MNPD Form 108T, Taser® Use Report is completed, the Precinct/Division Commander shall review that form and all associated documents.

2. After review, the Precinct/Division Commander shall make a determination whether or not to authorize the officer to continue to carry/utilize the Taser®. If the employee's Precinct/Division Commander is not available to review and approve the MNPD Form 108T (on vacation, sick leave, etc.), another Precinct/Division Commander in that Bureau will review and approve or disapprove the MNPD Form 108T. The MNPD Form 108T cannot be approved by an Acting Precinct/Division Commander. For the purpose of this directive, Precinct/Division Commanders are Police Captains or Police Commanders. If the Precinct/Division Commander disapproves the employee's continued use of the Taser®, he/she shall complete a detailed narrative supporting his/her decision and attach it to the MNPD Form 108T.

3. The Precinct/Division Commander shall immediately notify the following departmental elements should an employee's authorization to carry the Taser® be suspended:

11.10.110 Use of Less Lethal Devices

The department may issue or make available less lethal devices (i.e., bean bag, etc.) to **authorized** employees who have successfully completed specialized training and/or qualification in the operation and use of these devices.

11.10.120 Use of Deadly Force in Self Defense

Authorized employees may use deadly force when they have a reasonable belief that the action is immediately necessary to prevent imminent death or serious bodily injury of a human being, including the employee.

11.10.130 Use of Deadly Force to Effect an Arrest

Authorized employees may use deadly force to effect the arrest of a fleeing felon only when:

A. The employee has probable cause to believe the individual to be arrested has committed a felony involving the infliction or threatened infliction of serious bodily injury; **AND**

B. The employee has probable cause to believe that the individual to be arrested poses a threat of death or serious bodily injury, either to the employee or to others unless immediately apprehended; **AND**

C. Where feasible, the employee has identified himself/herself as a police employee and given warning such as, "**STOP--POLICE--ILL SHOOT**," that deadly force is about to be used unless flight ceases; **AND**

D. If all other means of apprehension available to the employee under the attendant circumstances have been exhausted.

11.10.140 Administration of First-Aid

A. Whenever an employee is involved in a use of force incident in which a person sustains injuries or requests evaluation and/or treatment, the appropriate first-aid shall be administered either by the employee or others at the scene, by transporting the injured person to the hospital, and/or by summoning emergency medical personnel.

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4. The Chemical Spray Aftercare Notice, MNP Form 109, shall be provided to all individuals who have been exposed to the chemical spray; and
5. When transferring custody of a subject who has been exposed to chemical spray to medical personnel, Davidson County Sheriff's Office Personnel, or others, the employee shall advise the receiving personnel of the transferred subject's exposure to the chemical spray and the time of the exposure.

G. When the Taser® is used, either by probes or drive stun, the employee will:

1. Monitor and verbally reassure the subject that the effects of the Taser® will normally subside in a matter of minutes, if not immediately.
2. If the individual experiences or complains of symptoms other than those normally associated with the use of the Taser® or does not show signs of recovery within the normally expected time period, they should be afforded immediate medical attention. Employees will advise medical personnel that the individual has been exposed to the Taser®, and when custody is transferred, the transferring personnel shall also notify the receiving personnel that the subject has been exposed to the Taser®.
3. After Taser® use, the following persons shall be medically evaluated by emergency medical personnel or by an appropriate medical facility:
 - a. Persons who are visibly pregnant or are at the extremes of age or physically disabled,
 - b. Persons who had more than three (3) bursts applied via probes,
 - c. Persons who had more than one CED effectively used in the same incident,
 - d. Persons who have been subjected to a continuous burst of fifteen (15) seconds or more, or
 - e. Persons described as requiring evaluation and/or treatment as described in Sections A or B above or the Guidelines for Probe Removal of the MNPD Taser® Student Manual.

5. **Probe Removal:** Probes that have not pierced the skin or are superficially in the skin may be removed by an employee who is trained to do so and, if practical, in the presence of another employee. Authorized employees shall remove such probes consistent with department-approved training and the Guidelines for Police Officer Removal of Taser® Probes. Employees shall NOT attempt removal if subject is combative or if the location of the probe is in the face, neck, ear, breast, groin, or deeply embedded.

11.10.150 General Provisions

- A. In addition to the use of force provisions stated in this order, an authorized employee may also discharge a firearm under the following circumstances:
1. During legal or routine firearms training; and
 2. To destroy seriously injured and suffering or dangerous animals when no other disposition is practical. A supervisor's approval will be sought when possible.
- B. Authorized employees shall adhere to the following restrictions:

- B. Authorized employees shall adhere to the following restrictions:
1. Except for maintenance, official inspections, or during training, employees **shall not** draw or exhibit their firearm unless circumstances create reason to believe that it may become necessary to use it as provided in this policy;
 2. Warning shots are prohibited;

2. Warning shots are prohibited;
3. When effecting an arrest, no form of deadly force shall be used which would pose a substantial risk to innocent bystanders; and
4. When the use of deadly force is necessary to defend the employee or another from death or serious bodily harm, every effort will be made to minimize the risk of harm to innocent persons.

- C. Employees shall adhere to department approved procedures, training, and tactics related to use of force.
- D. Employees **shall not** discharge their firearm at or from a moving vehicle unless absolutely necessary to protect the life of the employee or others.

- 713 of 1236

- a. a lawful arrest of the person based upon probable cause;

- c. a "clear indication" that a seizeable item will be found within the arrestee's mouth; and

- (1) imminent destruction of evidence or

3. Once all of the prerequisites listed above have been satisfied, then an officer may use objectively reasonable force to extract the contraband secreted in the arrestee's mouth in a manner consistent with departmentally approved training.

4. After such incidents, such persons shall be medically evaluated by emergency medical personnel or by an appropriate medical facility.

A. All employees will be provided with a copy of the current use of force

policy and thoroughly trained before being authorized to carry any weapon. Authorized employees will be instructed in the policies and procedures described in such policy and provided with the necessary training, at a minimum, on an annual basis. Employees shall adhere to principles and practices provided during departmentally approved training.

G. MNPD Form 108, Use of Force Reports, Taser® download reports, and the MNPD Form 104 Supplement Report containing the supervisor's findings, shall be processed through the appropriate chain of command up to the Office of the Chief of Police and copies forwarded to the Director of the Training Division.

1. The notified supervisor shall ensure that all appropriate notifications are made, consistent with established policy and procedure on call-outs of investigative elements.

1. Any employee whose use of force results in a death or serious bodily injury shall be removed from line or field duty assignments consistent with those outlined in Chapter 4, Section 4.60 (Relief From Duty/Decommission and Alternate Duty Assignment) by his/her supervisor without loss of pay or benefits, pending the investigative review.

3. When an employee discharges a firearm in a manner that constitutes deadly force, the employee will be required to submit

2. All firearm discharges as the result of negligence or an accident, unless occurring during an application of some type of force, shall be investigated and reviewed by the affected employee's chain of command.
3. The involved employee's component commanding employee will review the circumstances and make a conclusion as to whether the weapon discharge was within departmental policy. The component commander will then forward a written report to the Chief of Police, through his/her chain of command, detailing his/her conclusion. If the component commander reasonably believes that the employee's actions may have been outside the parameters of the department's policies, procedures, or directives, a recommendation regarding remedial training and/or corrective/disciplinary action shall be included.

4. Discharges under this section will only be presented to the Force Review Board when the employee's chain of command determines such review to be in the best interest of the department.
- D. Firearm discharges involving an application of force, including dangerous animals for employee safety, or any use of deadly force will be investigated by the Homicide Section or Precinct Investigative Units, consistent with their established operating procedures, and presented to the Force Review Board.

E. Force Review Board Membership

The Force Review Board shall consist of:

1. The Deputy Chiefs of Police, or a designee approved by the Chief of Police. The Deputy Chief of the involved employee shall be the chairperson;
2. The Director of the Training Division;
3. The Commander of the Homicide Section;
4. The component commander of the involved employee, as designated by the board chairperson;
5. An equivalent rank/classification of the involved personnel, selected by the Chairperson;
6. A representative of the Office of Professional Accountability, who is assigned to assist the board and is a non-voting member; and
7. An attorney from the Metropolitan Department of Law, who will be present as a non-voting member.

1. The chairperson of the Force Review Board should schedule a meeting of the Force Review Board to occur within thirty (30) calendar days, but no more than sixty (60) calendar days after each use of force required to be reviewed under this policy.

2. If facts indicate that criminal charges may be filed against an employee as a result of a use of force, the Force Review Board shall delay final recommendations until after such court actions are concluded.

3. At least five (5) working days prior to each Force Review Board meeting, the chairperson of the Force Review Board will ensure that all appropriate investigative reports are delivered to participating board members. Board members shall be advised that the investigative reports are not to be reviewed by anyone other than board members, and all reports must be returned at the conclusion of the board review.

4. Findings of the Force Review Board:
The Force Review Board, as a result of its review process, shall report three findings at the conclusion of each hearing. The board shall make the following findings:

a. In Policy or Out of Policy
The board shall make a finding as to whether the use of force was consistent with established departmental policy or procedure. The finding shall be reported as follows:

(1) In Policy: The application of force was consistent with established departmental policy or procedure, or

(2) Out of Policy: The application of force violated established departmental policy or procedure. The board, in its findings, shall specify which policy or procedure was violated.

b. Intentional, Negligent, or Accidental
The board shall make a finding as to whether the use of force was intentional, negligent, or accidental.

c. Associated Recommendations
The board shall make such recommendations it deems necessary, to include but not limited to:

5. A report of findings shall be submitted to the Chief of Police. This report should also include:
- (1) the need for remedial training;
 - (2) the need to review or revise departmental policy, procedure, or training;
 - (3) the need for corrective or disciplinary action; or
 - (4) any other recommendation the board deems relevant.

- a. The relevant facts and circumstances surrounding the incident;
- b. A conclusion as to whether the use of force complies with departmental policies and procedures; and
- c. Any other documentation as needed.

6. When the board has reviewed the circumstances of the use of force and formulated their conclusions, the chairperson will cause the preparation of a report for the Chief of Police, detailing the board's conclusions and any recommendations. This report will be forwarded to the Chief of Police within fifteen (15) working days after the conclusion of the Force Review Board hearing. Should the voting members fail to unanimously agree regarding the board's conclusions and recommendations, each dissenting opinion shall be fully reported.

Within fifteen (15) working days after the Force Review Board issues its report to the Chief of Police, the representative from the Office of Professional Accountability may forward a separate opinion regarding the conclusions and recommendations of the Force Review Board to the Chief of Police.

7. The chairperson will retain all records, notes, and reports associated with the board hearing.

G. Responsibilities

1. The Chief of Police shall be the final authority within the department as to the disposition of each incident. The Chief of Police shall review all relevant reports and take one of the following actions:
- a. Adopt the findings of the Force Review Board as stated in its report; or
 - b. Modify the findings of the Force Review Board and, if appropriate, issue an addendum to the report indicating the manner in which the findings have been modified; or

7. If the Chief of Police makes a recommendation calling for action by a component of the department, that component's Deputy Chief shall be responsible to ensure that the proper follow-up action is taken.

8. The Chief of Police has the ultimate responsibility for reviewing use of force incidents.

H. In addition to reports from Force Review Boards occurring throughout the year, the Chief of Police may schedule a Departmental Force Review Board annually. The core members shall review each use of deadly force and all cases reviewed by the Force Review Board for the purpose of identifying any potential patterns and/or systemic problems and to report their findings and recommendations to the Chief of Police.

1. Core members of the annual Departmental Force Review Board shall include the Chief of Police, the Deputy Chiefs, the Director of the Training Division, the commanding employee of the Homicide Section, and a representative from the Office of Professional Accountability. Other persons may be present at the discretion of the Chief of Police.

2. The Executive Officer of the Community Services Bureau will annually provide the Chief of Police and members of the Departmental Force Review Board with a use of force analysis to assist in identifying any potential patterns and/or systemic problems in regard to the department's use of force incidents.

Author : Anderson, Joshua	Activity Date: 01/26/2022
Case Agent: Anderson, Joshua	Report Date: 01/28/2022
SAC/ASAC: Savley, Joshua Paul	Approved By: Savley, Joshua Paul
Description: Document - Investigative Supplement - Detective Andrew Davis	

(LE-A) RICARDO CRUZ, W/M, DOB: [REDACTED]
(O-A) ANTHONY MARCELL PHILLIPS, [REDACTED]

905 W Old Hickory Blvd:

Robert Lee Ruthenford:

Call-Out & Arrival:

[illegible]

report of a pole being hit at this location on 12-08-2021
 , gave me the name associated with the trespass waiver for this location, Brandon Young

Lt. Brian Gottschall 705
Blas Hernandez 625C
Anna Clayton 6P71
Ricardo Cruz 821C
Clayton Cox 823C
Zacarias Brito 523CX
Derrick Toney 727C
Joao Pinho 2P67
Sgt. Jeff Mathis 720C
Sean McConnell 723C
Zachery Smith 721C
Jeffrey Mullins 525C
Andrew Richey 523C
Sgt. John Timm 710C
Sgt. Brandon Hughes 710C1
Brian Manning 5275
Thomas Smith 5272
Heuben Hewitt 711C

The TBI spoke to all of the officers who were present when Officer Ricardo fired his shot. They had them line up in their positions when that occurred. I recorded the order they were in:

Officers' Positions:

Incident Number: 2021-0636963 Victim: Officer Derrick Toney Offense Classification: Aggravated Assault of a Police Officer Reporting Detective: Andrew J. Davis
--





Document No: 2021-0636963
 Metro Police Department
 Nashville, Tennessee
 DETECTIVE ANDREW DAVIS, CBI Case Homicide Unit Supplement Report

Incident Number: 2021-0636963
Victim: Officer Derrick Toney
Offense Classification: Aggravated Assault of a Police Officer
Reporting Detective: Andrew J. Davis

Follow-Up:

I was tasked with being MNPD's liaison for the TBI. Agent Josh Anderson was their lead detective. I told him that I would compile all of our paperwork and files and get them for him. I remained on scene until they were finished in case they needed any MNPD resources.

It was later learned that the deceased was confirmed to be Mr. Anthony Phillips. It was also learned that there was an incident (2021-0635535) that occurred on 12-15-2021 in which Mr. Anthony Phillips is believed to have shot up his uncle's. They worked together at this location. I told Agent Anderson that I would include any paperwork with that case in our case file.

On 12-22-2021, I submitted paperwork requesting files from our Emergency Communications Center.

Andrew J. Davis

Detective Andrew J. Davis

Employee #: [REDACTED]

January 12th, 2022 / 1300 Hours

[Signature]

Sergeant Charles B. Rutzky

Employee #: [REDACTED]

Approving Supervisor

TENNESSEE BUREAU OF INVESTIGATION	
INVESTIGATIVE REPORT	
Case # : NA-5U-000047	IR # : 41

Author: Anderson, Joshua	Activity Date: 01/26/2022
Case Agent: Anderson, Joshua	Report Date: 01/28/2022
SAC/ASAC: Savley, Joshua Paul	Approved By: Savley, Joshua Paul
Description: Document - Incident Report (Vandalism) - Metro Nashville Police Department	

(LE-A) RICARDO CRUZ, W/M, DOB:
(O-A) ANTHONY MARCELL PHILLIPS, W/M, DOB:

20TH

50. Cat CODE		58-FIREARM AMMUNITION		51. Property Description (Make) (Model) (Size) (Type) (Color)		SPENT AMMUNITION ROUNDS	
52. Serial No.		Owner Applied No.		53. QTY		3	
54. Type CODE		Seized		55. Cond CODE		UNDAMAGED (USED)	
56. Est \$ Value		1		57. Date Recovered		12/15/2021	
58. Stored By CODE		MPD Property Section		Stored By (Other)		1	

Part 6 Injury & Transport <input checked="" type="checkbox"/> N/A		85. Injured	
86. "Injury" Code (Enter Up to 5)		87. Describe Injury	
88. Medical Treatment		89. Transported By	
90. Examining Physician <input type="checkbox"/> N/A		91. Status	

Part 7 Search By Officer <input checked="" type="checkbox"/> N/A		Part 8 Other <input checked="" type="checkbox"/> N/A	
111. Search Type		Yes, for: <input type="checkbox"/> Photos <input type="checkbox"/> Prints <input type="checkbox"/> Other Other:	
112. Searched Location (Address, Area, Etc.)		<input type="checkbox"/> DNA <input type="checkbox"/> Firearms <input type="checkbox"/> Brass Casings	
113.I.D. Section Called To Scene:		114. Other Units Called:	

Part 10 Narrative

120.

ON 12/15/2021 AT APPROXIMATELY 0900 HOURS, OFFICERS WERE DISPATCHED
AGED
PROPERTY BY A FIREARM.
UPON ARRIVAL, OFFICERS MADE CONTACT WITH ALLEN CASON (VICTIM), WHO STATED AT APPROXIMATELY 0545 HOURS TODAY, SOMEONE
SHOT APPROXIMATELY 6 ROUNDS AT HIS
NEPHEW, ANTHONY PHILLIPS, WHO LIVES
LOCATION AND IS BAPD. MR. CASON STATED MR. PHILLIPS HAS A CRACK IN HIS HEAD WITH A CRACK DAMAGED TO IT. MR. CASON STATED HE
WANTED TO PROSECUTE.
OFFICERS THEN MADE CONTACT WITH CHARLES COLUMBIA (WITNESS), WHO STATED HE ARRIVED AT WORK AT APPROXIMATELY 0530
HOURS TODAY, AND SAW A 90'S GRAY VEHICLE COULD BE AN IMPALA OR A BUICK WITH FRONT DAMAGE SHOOT UP MR. CASON'S VEHICLE.
MR. COLUMBIA STATED WHEN THE SUSPECT ROLLED DOWN THE WINDOW HE COULD ONLY SEE THE SUSPECT WAS A MALE BLACK WEARING
A TOBOGGAN AND HAD CURLY BLACK HAIR STICKING OUT OF IT.
(VAPIT=N|BWC=Y)

BASED OFF THE WITNESS DESCRIPTION OF OFFICERS WERE UNABLE TO DETERMINE THE SUSPECT DUE TO DIFFERENT DESCRIPTIONS.
WHICH COULD NOT BE IDENTIFIED BY THE COMMUNITY AS EVIDENCE INTO THE MNPD PROPERTY ROOM. OFFICERS WERE ADVISED THAT
THERE WERE NO CAMERA FOOTAGE OF THE INCIDENT. OFFICERS GAVE MR. CASON A COMPLAINT CARD AND LEFT SCENE.

121. Body Worn Camera or In-Car Camera Evidence May Exist Related To This Incident:	
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> None Known At Time of Report
122. Report is Continued on: <input checked="" type="checkbox"/> N/A (Check all that apply) <input type="checkbox"/> Supplement Report <input type="checkbox"/> Addendum Report	
123. Signature of Recipient/Authorizer: <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Refuse to Sign CASON, ALLEN	
127. Advisory Notice Issued	Citizen Information Notice

Will Victim Prosecute:	
Victim 1	CASON, ALLEN
Can Victim/Other Person Identify Suspect(s):	Yes
Primary Investigative Unit:	MIDTOWN INVESTIGATIONS
Victim 1	CASON, ALLEN
Person 1	COLUMBIA, CHARLES
Reporting Agency:	Metropolitan Nashville Police Department
28. Case Status	Cleared by Exception
<input type="checkbox"/> Cargo Theft	

124. Reporting Officer (First, MI, Last)	
Employee No.	TN0190100
Agency	821A
125. Approving Supervisor	
Employee No.	TN0190100
Agency	
126. Reviewer	
Employee No.	TN0190100
Agency	
Date	12/16/2021

Comments	
/S/HELEN BURKS	

Crime Scene Photo(s) Taken: NO	
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20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION	
INVESTIGATIVE REPORT	
Case # : NA-5U-000047	IR # : 42

Author: Anderson, Joshua	Activity Date: 01/26/2022
Case Agent: Anderson, Joshua	Report Date: 01/28/2022
SAC/ASAC: Savley, Joshua Paul	Approved By: Savley, Joshua Paul
Description: Document - Incident Report (Justifiable Homicide) - Metro Nashville Police Department	

(LE-A) RICARDO CRUZ, W/M, DOB:
(O-A) ANTHONY MARCELL PHILLIP

3. Other Police Agency & Case Incident No. <input checked="" type="checkbox"/> N/A		4. Report Type SELF-INITIATED		5. Report Date/Time 12/20/2021 16:23		6. Incident Date/Time (From/To) 12/16/2021 03:20 - 12/16/2021 03:21		Precinct Madison Precinct	
7. Reporting/Dispatched Location UNK		Apt No		City		State		Zip Code	
8. Address of Incident <input type="checkbox"/> Same as Block No 7		Apt No		City		State		Zip Code	
9. Offense CODE # 1		10. Offense Description JUSTIFIABLE HOMICIDE		11. Status COMPLETED		12. Location Type CODE			
13. Weapon CODE (Enter up to 3) SHOTGUN		14. Crime CODE HOMICIDE		15. Crime Description HOMICIDE		16. Location Type CODE STREET			
17. Crime CODE HOMICIDE		18. Crime Description HOMICIDE		19. Crime Description HOMICIDE		20. Crime Description HOMICIDE			
21. Crime CODE HOMICIDE		22. Crime Description HOMICIDE		23. Crime Description HOMICIDE		24. Crime Description HOMICIDE			
25. Crime CODE HOMICIDE		26. Crime Description HOMICIDE		27. Crime Description HOMICIDE		28. Crime Description HOMICIDE			
29. Crime CODE HOMICIDE		30. Crime Description HOMICIDE		31. Crime Description HOMICIDE		32. Crime Description HOMICIDE			
33. Crime CODE HOMICIDE		34. Crime Description HOMICIDE		35. Crime Description HOMICIDE		36. Crime Description HOMICIDE			
37. Crime CODE HOMICIDE		38. Crime Description HOMICIDE		39. Crime Description HOMICIDE		40. Crime Description HOMICIDE			
41. Crime CODE HOMICIDE		42. Crime Description HOMICIDE		43. Crime Description HOMICIDE		44. Crime Description HOMICIDE			
45. Crime CODE HOMICIDE		46. Crime Description HOMICIDE		47. Crime Description HOMICIDE		48. Crime Description HOMICIDE			
49. Crime CODE HOMICIDE		50. Crime Description HOMICIDE		51. Crime Description HOMICIDE		52. Crime Description HOMICIDE			
53. Crime CODE HOMICIDE		54. Crime Description HOMICIDE		55. Crime Description HOMICIDE		56. Crime Description HOMICIDE			
57. Crime CODE HOMICIDE		58. Crime Description HOMICIDE		59. Crime Description HOMICIDE		60. Crime Description HOMICIDE			
61. Crime CODE HOMICIDE		62. Crime Description HOMICIDE		63. Crime Description HOMICIDE		64. Crime Description HOMICIDE			
65. Crime CODE HOMICIDE		66. Crime Description HOMICIDE		67. Crime Description HOMICIDE		68. Crime Description HOMICIDE			
69. Crime CODE HOMICIDE		70. Crime Description HOMICIDE		71. Crime Description HOMICIDE		72. Crime Description HOMICIDE			
73. Crime CODE HOMICIDE		74. Crime Description HOMICIDE		75. Crime Description HOMICIDE		76. Crime Description HOMICIDE			
77. Crime CODE HOMICIDE		78. Crime Description HOMICIDE		79. Crime Description HOMICIDE		80. Crime Description HOMICIDE			
81. Crime CODE HOMICIDE		82. Crime Description HOMICIDE		83. Crime Description HOMICIDE		84. Crime Description HOMICIDE			
85. Crime CODE HOMICIDE		86. Crime Description HOMICIDE		87. Crime Description HOMICIDE		88. Crime Description HOMICIDE			
89. Crime CODE HOMICIDE		90. Crime Description HOMICIDE		91. Crime Description HOMICIDE		92. Crime Description HOMICIDE			
93. Crime CODE HOMICIDE		94. Crime Description HOMICIDE		95. Crime Description HOMICIDE		96. Crime Description HOMICIDE			
97. Crime CODE HOMICIDE		98. Crime Description HOMICIDE		99. Crime Description HOMICIDE		100. Crime Description HOMICIDE			
101. Crime CODE HOMICIDE		102. Crime Description HOMICIDE		103. Crime Description HOMICIDE		104. Crime Description HOMICIDE			
105. Crime CODE HOMICIDE		106. Crime Description HOMICIDE		107. Crime Description HOMICIDE		108. Crime Description HOMICIDE			
109. Crime CODE HOMICIDE		110. Crime Description HOMICIDE		111. Crime Description HOMICIDE		112. Crime Description HOMICIDE			
113. Crime CODE HOMICIDE		114. Crime Description HOMICIDE		115. Crime Description HOMICIDE		116. Crime Description HOMICIDE			
117. Crime CODE HOMICIDE		118. Crime Description HOMICIDE		119. Crime Description HOMICIDE		120. Crime Description HOMICIDE			
121. Crime CODE HOMICIDE		122. Crime Description HOMICIDE		123. Crime Description HOMICIDE		124. Crime Description HOMICIDE			
125. Crime CODE HOMICIDE		126. Crime Description HOMICIDE		127. Crime Description HOMICIDE		128. Crime Description HOMICIDE			
129. Crime CODE HOMICIDE		130. Crime Description HOMICIDE		131. Crime Description HOMICIDE		132. Crime Description HOMICIDE			
133. Crime CODE HOMICIDE		134. Crime Description HOMICIDE		135. Crime Description HOMICIDE		136. Crime Description HOMICIDE			
137. Crime CODE HOMICIDE		138. Crime Description HOMICIDE		139. Crime Description HOMICIDE		140. Crime Description HOMICIDE			
141. Crime CODE HOMICIDE		142. Crime Description HOMICIDE		143. Crime Description HOMICIDE		144. Crime Description HOMICIDE			
145. Crime CODE HOMICIDE		146. Crime Description HOMICIDE		147. Crime Description HOMICIDE		148. Crime Description HOMICIDE			
149. Crime CODE HOMICIDE		150. Crime Description HOMICIDE		151. Crime Description HOMICIDE		152. Crime Description HOMICIDE			
153. Crime CODE HOMICIDE		154. Crime Description HOMICIDE		155. Crime Description HOMICIDE		156. Crime Description HOMICIDE			
157. Crime CODE HOMICIDE		158. Crime Description HOMICIDE		159. Crime Description HOMICIDE		160. Crime Description HOMICIDE			
161. Crime CODE HOMICIDE		162. Crime Description HOMICIDE		163. Crime Description HOMICIDE		164. Crime Description HOMICIDE			
165. Crime CODE HOMICIDE		166. Crime Description HOMICIDE		167. Crime Description HOMICIDE		168. Crime Description HOMICIDE			
169. Crime CODE HOMICIDE		170. Crime Description HOMICIDE		171. Crime Description HOMICIDE		172. Crime Description HOMICIDE			
173. Crime CODE HOMICIDE		174. Crime Description HOMICIDE		175. Crime Description HOMICIDE		176. Crime Description HOMICIDE			
177. Crime CODE HOMICIDE		178. Crime Description HOMICIDE		179. Crime Description HOMICIDE		180. Crime Description HOMICIDE			
181. Crime CODE HOMICIDE		182. Crime Description HOMICIDE		183. Crime Description HOMICIDE		184. Crime Description HOMICIDE			
185. Crime CODE HOMICIDE		186. Crime Description HOMICIDE		187. Crime Description HOMICIDE					

Incident Report
Section: Brown
Date: 12/18/2021
Page 2 of 4
1. M.P.D. Incident No.: 2021-0643810
94: SSN or Driver Lic. No. 72454954
95. Phone No. ☐ UNK
93. Address Street ☐ UNK Apt # City State Zip Code
95. Phone No. ☐ UNK

Cross Street
97. Sex MALE 98. Race White 99. Ethnicity HISPANIC
100. DOB ☐ UNK 101. Age ☐ UNK Yrs
104. Height 105. Weight

106. Hair Brown 107. Eyes BROWN
108. Scars and Other Identifiers
109. Clothing POLICE UNIFORM
102. Suspected of Using ☒ NA Alcohol Drugs Computer
103. Status (Enter up to 2) AT LARGE
96. Weapon/Tool SHOTGUN (Enter up to 3)

110. Vehicle Used N/A ☐ Seized (if seized, complete Part 5, Motor Vehicle Section) ☐ MVI
(Year) (Make) (Model) (Style) (Color) (License No.) (State) (Yr)

Part 4 ☒ N/A ☐ Other Person # 1
39. Other Person Type (Non-Victim) ☐ MNI
40. (Last, First, Middle Name)

Address Street ☐ UNK Apt No. City State Zip Code
42. Place of Employment/School ☐ UNK
Cross Street
43. Status 44. Sex 45. Race 46. DOB ☐ UNK 46. Age ☐ UNK Yrs
48. Phone HM Numbers WK Cell/Pager

Part 6 Injury & Transport ☐ N/A ☒ 85. Injured Victim 1 PHILLIPS, ANTHONY
86. "Injury" Code (Enter Up to 5) GUNSHOT OTHER MAJOR INJURY

87. Describe Injury GUNSHOT WOUND TO CHEST AND BACK, DEATH
88. Medical Treatment NASHVILLE FIRE DEPARTMENT
89. Transported By N/A
90. Examining Physician ☒ N/A
91. Status

Part 7 Search By Officer ☒ N/A
111. Search Type 112. Searched Location (Address, Area, Etc.)
113. I.D. Section Called To Scene:

Part 8 Other ☐ N/A ☒ Yes
Yes, for: ☒ Photos ☐ Prints ☐ Other ☐ Other: ☐ DNA ☐ Firearms ☐ Brass Casings

114. Other Units Called: Other

Part 10 Narrative 120.

ON-DUTY MNPD OFFICERS WERE RESPONDING TO A CALL FOR SERVICE IN MARKED POLICE CARS, WITH EMERGENCY BLUE LIGHTS
HOMICIDE) THE TROOPMASSACHUSETTS POLICE DEPARTMENT AT
UNSHOTS FIRED IN THE AREA. OFFICERS APPROACHED THE ABANDONED CAR WHICH HAD ITS FRONT DRIVER AND PASSENGER DOORS
OPEN. AS THE OFFICERS WERE INVESTIGATING THE VEHICLE, NUMEROUS SHOTS WERE HEARD IN A WOODED AREA ADJACENT TO THEIR
POSITION. DURING THE BARRAGE OF GUNFIRE, OFFICERS REPORTED THAT THEY WERE IN FACT BEING SHOT AT. ADDITIONAL OFFICERS
ARRIVED TO ASSIST AND ENCOUNTERED ANTHONY PHILLIPS IN A NEARBY WOODLINE. WHILE OFFICERS ATTEMPTED TO NEGOTIATE HIS
SURRENDER, MR. PHILLIPS FIRED SHOTS FROM A HANDGUN AND WAS IN TURN SHOT BY AN MNPD OFFICER, RICARDO CRUZ. MR. PHILLIPS
WAS PRONOUNCED DECEASED AT THE SCENE, PRESUMABLY FROM A GUNSHOT INJURY SUSTAINED DURING THE EXCHANGE OF GUNFIRE.
PURSUANT TO AN ESTABLISHED MEMORANDUM OF UNDERSTANDING, THE TENNESSEE BUREAU OF INVESTIGATION ASSUMED THE
INVESTIGATION.
(VAPIT=N|BWC=Y)

THIS REPORT IS BASED ON PRELIMINARY INFORMATION, REFER TO THE TBI INVESTIGATION FOR ADDITIONAL DETAILS.

20TH JUDICIAL DISTRICT

21. Body Worn Camera or In-Car Camera Evidence May Exist Related To This Incident: ☒ Yes ☐ None Known At Time of Report

122. Report is Continued on: ☒ N/A (Check all that apply) ☐ Supplement Report ☐ Addendum Report

123. Signature of Recipient/Authorizer: ☒ N/A ☐ Refuse to Sign PHILLIPS, ANTHONY

127. Advisory Notice Issued ☐ N/A

Will Victim Prosecute: Victim 1 PHILLIPS, ANTHONY No

Primary Investigative Unit: HOMICIDE

Reporting Agency: METROPOLITAN NASHVILLE POLICE DEPARTMENT

Can Victim/Other Person Identify Suspect(s): Victim 1 PHILLIPS, ANTHONY No

128. Case Status Open

Cleared by Exception

☐ Cargo Theft

124. Reporting Officer (First, MI, Last) Employee No. Agency Radio Call Sign District

125. Approving Supervisor Employee No. Agency

126. Reviewer Employee No. Agency Date

127. Reviewer Employee No. Agency Date

Comments

20TH JUDICIAL DISTRICT

TENNESSEE BUREAU OF INVESTIGATION	
INVESTIGATIVE REPORT	
Case # : NA-5U-000047	IR # : 43

Author: Anderson, Joshua	Activity Date: 01/26/2022
Case Agent: Anderson, Joshua	Report Date: 01/28/2022
SAC/ASAC: Savley, Joshua Paul	Approved By: Savley, Joshua Paul
Description: Document - Incident Report (Aggravated Assault) - Metro Nashville Police Department	

(LE-A) RICARDO CRUZ, W/M, DOB:
(O-A) ANTHONY MARCELL PHILLIP

This confidential document is the property of TBI. Its contents are not to be distributed outside of your agency.	
IR # 43	Page 1

20TH JUDICIAL DISTRICT

35. Victim to Suspect 1		PHILLIPS, ANTHONY		Relationship VICTIM WAS STRANGER	
34. Domestic Disturbance?		If Yes, Answer the Following Questions		Was Order of Protection Violated?	
N/A		Was Victim Taken to Safe Place?		Were Children Taken to Safe Place?	
N/A		Were Children Present During Incident?			
33. Employment		(Name)		METROPOLITAN NASHVILLE POLICE DEPARTMENT	
32. Local College Student?		(If Yes, List Name of College/University)		N/A	
30. Victim of Offenses:		(Ref Block #9)		13A	
29. Phone Numbers		HM:		Cell/	
23. Sex		MALE		24. Race	
25. Ethnicity		NON HISPANIC		27. County Resident	
28. DOB		UNK		29. A	
20. SSN		UNK		21. Driver License	
22. Address of Victim Street		UNK		23. City	
24. Address of Incident (Block #8)		UNK		25. State	
26. Zip Code		UNK		27. Zip Code	
28. E-Mail Address		UNK		29. N/A	
31. Victim Type		Police Officer		19. (Last, First, Middle Name or Business Name)	
32. Victim Type		UNK		33. MNI	
34. Victim Type		UNK		35. MNI	
36. Victim Type		UNK		37. MNI	
38. Victim Type		UNK		39. MNI	
39. Victim Type		UNK		40. MNI	
40. Victim Type		UNK		41. MNI	
41. Victim Type		UNK		42. MNI	
42. Victim Type		UNK		43. MNI	
43. Victim Type		UNK		44. MNI	
44. Victim Type		UNK		45. MNI	
45. Victim Type		UNK		46. MNI	
46. Victim Type		UNK		47. MNI	
47. Victim Type		UNK		48. MNI	
48. Victim Type		UNK		49. MNI	
49. Victim Type		UNK		50. MNI	
50. Victim Type		UNK		51. MNI	
51. Victim Type		UNK		52. MNI	
52. Victim Type		UNK		53. MNI	
53. Victim Type		UNK		54. MNI	
54. Victim Type		UNK		55. MNI	
55. Victim Type		UNK		56. MNI	
56. Victim Type		UNK		57. MNI	
57. Victim Type		UNK		58. MNI	
58. Victim Type		UNK		59. MNI	
59. Victim Type		UNK		60. MNI	
60. Victim Type		UNK		61. MNI	
61. Victim Type		UNK		62. MNI	
62. Victim Type		UNK		63. MNI	
63. Victim Type		UNK		64. MNI	
64. Victim Type		UNK		65. MNI	
65. Victim Type		UNK		66. MNI	
66. Victim Type		UNK		67. MNI	
67. Victim Type		UNK		68. MNI	
68. Victim Type		UNK		69. MNI	
69. Victim Type		UNK		70. MNI	
70. Victim Type		UNK		71. MNI	
71. Victim Type		UNK		72. MNI	
72. Victim Type		UNK		73. MNI	
73. Victim Type		UNK		74. MNI	
74. Victim Type		UNK		75. MNI	
75. Victim Type		UNK		76. MNI	
76. Victim Type		UNK		77. MNI	
77. Victim Type		UNK		78. MNI	
78. Victim Type		UNK		79. MNI	
79. Victim Type		UNK		80. MNI	
80. Victim Type		UNK		81. MNI	
81. Victim Type		UNK		82. MNI	
82. Victim Type		UNK		83. MNI	
83. Victim Type		UNK		84. MNI	
84. Victim Type		UNK		85. MNI	
85. Victim Type		UNK		86. MNI	
86. Victim Type		UNK		87. MNI	
87. Victim Type		UNK		88. MNI	
88. Victim Type		UNK		89. MNI	
89. Victim Type		UNK		90. MNI	
90. Victim Type		UNK		91. MNI	
91. Victim Type		UNK		92. MNI	
92. Victim Type		UNK		93. MNI	
93. Victim Type		UNK		94. MNI	
94. Victim Type		UNK		95. MNI	
95. Victim Type		UNK		96. MNI	
96. Victim Type		UNK		97. MNI	
97. Victim Type		UNK		98. MNI	
98. Victim Type		UNK		99. MNI	
99. Victim Type		UNK		100. MNI	

20TH JUDICIAL DISTRICT

THE TENSSESSIE BUREAU OF INVESTIGATION ASSUMED THE GUNFIRE, PURSUANT TO AN ESTABLISHED MEMORANDUM OF UNDERSTANDING, THE TENNESSEE BUREAU OF INVESTIGATION ASSUMED THE INVESTIGATION.

$$I(VAPIT=N|BWC=Y)$$

THIS REPORT IS BASED ON PRELIMINARY INFORMATION, REFER TO THE FBI INVESTIGATION FOR ADDITIONAL DETAILS.

21. Body Worn Camera or In-Car Camera Evidence May Exist Related To This Incident: ☒ Yes ☐ None Known At Time of Report

122. Report is Continued on: ☒ N/A (Check all that apply)

123. Signature of Recipient/Authorizer: ☒ N/A ☐ Refuse to Sign TONEY, DERRICK

123. Signature of Recipient/Authorizer: ☒ N/A ☐ Refuse to Sign

MCCONNELL, SEAN

127. Advisory Notice Issued

123. Signature of Recipient/Authorizer: ☒ N/A ☐ Refuse to Sign

127. Advisory Notice Issued

Will Victim Prosecute:

Victim 3	State of TN (Society)
----------	-----------------------

Yes

Primary

Investigative Unit: **MADIS**

MADISON INVESTIGATIONS

Can Victim/Other Person Identify Suspect(s):

Victim 1	TONNEY, DERRICK
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Yes

Victim 2

MCCONNELL, SEAN

Yes

Victim 3	State of TN (Society)
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Yes

METROPOLITAN

METROPOLITAN NASHVILLE POLICE DEPARTMENT

128. Case Status

Cleared by Exception

☐ Cargo Theft

124. Reporting Officer (First, MI, Last)

Employee No.

Agency

3112A

00106100

ANDREW DAVIS

Employee No.

Agency

125. Approving Supervisor

/S/CHARLES RUTZKY

0010610N1

OFFICE OF THE DISTRICT ATTORNEY GENERAL



GLENN R. FUNK
District Attorney General

March 16, 2022

Joe Craig
Special Agent in Charge
Tennessee Bureau of Investigation
901 R. S. Gass Boulevard
Nashville, TN 37216

Re: Case No: NA-SU-000047
(LE-O) Ricardo Cruz
(O-A) Anthony M. Phillips
Closure Letter

Dear Agent Craig:

On behalf of the Office of the District Attorney General for the 20th Judicial District, I would like to thank you for the investigative report prepared by the Tennessee Bureau of Investigation. The investigative report is very thorough and contains all the relevant facts pertaining to this incident. We do not believe any further investigation is warranted as it is the opinion of this Office that the action taken by MNPD Officer Ricardo Cruz was reasonably necessary under all the facts and circumstances. The District Attorney's Office therefore requests the TBI close the above referenced case.

Please let me know if you have any questions about this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Roger D. Moore".

Roger D. Moore

Deputy District Attorney General

RDM/dh

Glenn Funk, D.A.G
Sgt. Charles Rutzky, MNPD
Joshua Anderson, S.A. TBI
Jill Fitchard, C.O.B.
Kathy Morante, OPA
John M. L. Brown, Attorney at Law