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May 12, 2020

Chief Johnny Teehee
Muskogee Police Department
112 South 3rd
Muskogee, OK 74401

RE: Officer Involved Shooting of Demontre Bruner
Date of Occurrence May 4, 2020

Dear Chief Teehee:

This letter is to advise you of our decision in the shooting death of Demontre Bruner by Muskogee Police Officer(s), Shane Leach and Lt. Chris Dean, which occurred on May 4, 2020, in Muskogee, Oklahoma. We have reviewed the entire investigative file, including body cam footage and submit the following Summary of Facts and Conclusion of Law. If you have any questions, please contact us at the Muskogee County District Attorney's Office.

SUMMARY OF FACTS

1. On May 3, 2020, at approximately 2:08 am in Tulsa, Oklahoma, officers with the Tulsa Police Department (TPD) responded to 10135 E Admiral Place, Apt A, in reference to a shooting. Upon arrival TPD officers observed James Hendricks lying lifeless from a gunshot in the breezeway in front of the apartment. A second victim, Stacey Henson was located in the apartment, she had also been shot. Witnesses at the scene identified Demontre Bruner as the murder suspect. Henson stated to detectives with TPD, that she saw Demontre Bruner outside the apartment through the window. That her brother, James Hendricks went outside to speak with Bruner. Hendricks asked Henson to go outside. Henson went out and stood in the doorway of the apartment. She witnessed Bruner shoot Hendricks three times. Bruner then shot Henson and then fled the scene.

2. On May 3, 2020 at approximately 9:15 pm, Lt. Kevin Hammons with the Muskogee Police Department was contacted by Officer Fierro, with the Muskogee Police Department, in reference to a crime tip that was posted on MDT's by dispatch in Muskogee. The information was that a homicide suspect from Tulsa was in the Muskogee area. The information was called in by an anonymous caller. The caller stated that they saw "Detray Brewer" in the area of Illinois street and was in possession of a gun.
3. On May 3, 2020, at approximately 9:30 pm, Fierro contacted TPD concerning the homicide. Officer Fierro was informed that a homicide had occurred in Tulsa earlier in the day at approximately 2:00 am. Fierro was informed that the suspect was Demontre Bruner and received his identifying information. Officers also received a mugshot of Bruner. This information was provided to dispatch.
4. On May 3, 2020, at approximately 11:57 pm, Officer Leach with the Muskogee Police Department, was dispatched to the Kum and Go located at 2301 S. York Street, in Muskogee. Leach made contact with a witness at that location, who stated that the homicide suspect, Bruner, had been at a residence on Center Lane. The witness stated that Bruner had left this residence and gone to a residence at 13th and Fremont.
5. On May 4, 2020, at approximately 12:33 am, Lt. Hammons contacted an investigator with the Tulsa Police Department. Lt. Hammons was provided with the suspect's information concerning the homicide that had occurred earlier in the day. Lt. Hammons was informed that TPD would be requesting a warrant for Bruner's arrest on May 4, when the courthouse opened. TPD was informed that Muskogee Police Department believed Bruner may be in the Muskogee area. Lt. Hammons was told that TPD believed that they had enough probable cause to arrest Bruner for Murder First Degree and Shooting with Intent to Kill.
6. At approximately 12:54 am, Officer Leach made contact with the anonymous caller from the Crime Tip. The witness stated that Bruner was at 524 S. 13th, in Muskogee. The witness stated that Bruner was wearing a light grey hoodie and jeans. The witness stated that Bruner had left the residence at 525 S. 13th, was still armed with a firearm and was walking back to Center Lane.
7. At approximately 12:56 am, Officer Foreman and Officer Hudgens went to 524 S. 13th, in an attempt to do a welfare check on the occupants at that residence and verify whether Bruner was at the residence. As they approached the residence they observed a black male wearing a grey hoodie and jeans run east from 13th on Fremont. Foreman notified dispatch. Officers with the Muskogee Police Department began setting up a perimeter in an effort to contain Bruner. Contact was made with the persons in the residence and officers were informed that the

person who ran from the residence was Demontre Bruner and he was armed with a firearm.

8. At Approximately 1:03 pm, Lt. Hammons contacted Lt. Dean, who is the Supervisor of the K-9 unit with Muskogee Police Department. Lt. Dean was informed of the situation and was requested his K-9 units respond. Lt. Dean, Officer Lynch and Officer Hignite are SOT members and are trained to deal with high risk K-9 tracks. Lt. Dean, Officer Lynch, and Officer Hignite responded, as well as Officer Leach, Officer Gilbreth and K-9 Officer Griffith, all began tracking the suspect.
9. Officers started the track from his last known location. At approximately 1:50 am, Lt. Dean advised that the suspect was running south toward Fremont. Officers were clearing the yards down Fremont looking for Bruner. A perimeter had been set up by other officers attempting to seal the area. An officer on the track saw a person matching the description of suspect (black male with a grey hoodie and jeans) run down an alley. Officers announced their identity and ordered Bruner to stop. Bruner continued to run. The officers lost sight of the suspect and continued to track the suspect with the K-9. The track continued to 11th and Fremont.
10. At the southwest corner of 11th and Fremont, the K-9 picked up the track from Bruner. As officers were approaching the Northeast corner of the house located at 11th and Fremont, Lt. Dean and Officer Leach saw a muzzle flash and heard a gunshot, clearly seen and heard on the body cam footage. Both officers reasonably believed the shots were directed at them and they were in fear for their lives, and the lives of their fellow officers. Officers immediately took cover and returned fire. The suspect fired two more rounds at the officers. Only Lt. Dean and Officer Leach fired their weapons. Lt. Dean was armed with a department issued Bushmaster AR-15 and Officer Leach was armed with a department issued 9mm hand gun. Both were qualified to carry said weapons. Both officers fired multiple times until the threat was nullified. No officers were wounded or injured in the incident.
11. Officers made contact with the occupants at the residence and told them to go to the other side of the house for their safety. Officers could see Bruner and could tell he was still breathing. Officer Leach, who is a certified negotiator, attempted to talk to Bruner. He received no response. Officers requested a shield to assist in approaching Bruner. Once the shield was deployed, officers approached. EMS was on standby close to the scene. Officers observed Bruner lying on the ground with three wounds to his person. One to the head, one to the arm and one in the leg. A firearm was seen in or next to Bruner's right hand.
12. EMS treated Bruner and transported him to the hospital where he was pronounced dead at 4:42 am.

CONCLUSIONS OF LAW

1. On May 3, 2020, Demontre Bruner committed the crime of Murder in the First Degree of James Hendricks and Shooting with Intent to Kill of Stacey Henson in Tulsa County.
2. On May 4, 2020, Lt. Dean, Officer Lynch, Officer Hignite, Officer Leach, Officer Gilbreth and K-9 Officer Griffith were shot at by Demontre Bruner during their track of the suspect.
3. Bruner was a direct and immediate, and lethal threat to the officers.
4. Officer Chris Leach and Lt. Shane Dean were legally justified to fire their weapons at Demontre Bruner.
5. Officer rendered aid as quickly as possible once the threat was nullified.

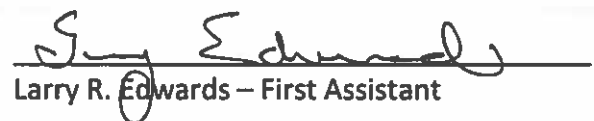
Lt. Chris Dean, with the Muskogee Police Department, actions in the shooting death of Demontre Bruner were legally justified.

Officer Shane Leach, with the Muskogee Police Department, actions in the shooting death of Demontre Bruner were legally justified.

Respectfully Submitted,



Orvil Loge – District Attorney 15th District



Larry R. Edwards – First Assistant

cc: Lt. Chris Dean
Officer Shane Leach
Scott Wood – Attorney for Lt. Chris Dean and Officer Shane Leach