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Introduction

The purpose of this document is to provide a factual account of events from the murder of four Lakewood officers in a coffee shop on November 29th, 2009. This review was based on the investigation conducted by the Pierce County Sheriff's Office and the crime scene reconstruction done by the Washington State Patrol. The lessons learned portion is based on the professional experience of the reviewers (professional biographies of the reviewers can be found at the end of this document) as well as feedback from various professional police groups, such as Washington's Master Defensive Tactics instructor cadre. It should be noted that the official scene reconstruction report was not completed until recently and any written report prior to now was unsanctioned, irresponsible, and likely not factual. After reading this report, particularly the lessons learned portion, if there is comment or feedback or if you have a conclusion different than the reviewers', please feel free to call Lakewood Assistant Chief Mike Zaro at 253-830-5000.

City and Department Profile

The City of Lakewood first incorporated in 1996 and contracted with the Pierce County Sheriff's Department for police services. In August of 2004 the City stood up its own police department consisting of 100 commissioned or sworn personnel and 21 civilian staff. The department is broken into patrol, investigations, neighborhood policing, and traffic. We are members of a regional SWAT team made up of several participating agencies, of which Lakewood is the largest.

Since inception, training has been a point of emphasis for our department. The station has an indoor range and defensive tactics training area as well as a small gym. Approximately 20% of our officers are either firearms or defensive tactics instructors. Our training is based on current best practices and includes fusion training in which officers use non-lethal marking cartridges, in reality-based scenarios that involve multiple levels of force.

The City of Lakewood has a diverse population with multiple demographics and unique populations that require in service uses of force and application of our training. One significant example of these unique populations is the State mental health facility and other large mental health treatment facilities that place patients in the community and also attract patients from other areas seeking mental health treatment. The department has had four officer involved shootings since inception (all justified uses of force).

Minimum patrol staffing is one sergeant and five officers per shift. This was the staffing number the morning of November 29th, 2009. The day shift squads start at 0600hrs.

Victim Profiles

Sgt. Mark Renninger



- 39 y.o.a. 5'10" 185lbs
- Hired by Lakewood at inception
- 8 years as an officer with the Tukwila, WA, P.D. prior to Lakewood
- Promoted to Sergeant in 2008
- SWAT team leader
- Executive board member and instructor, Washington State Tactical Officers Association

Officer Tina Griswold



- 40 y.o.a. 5'1" 107lbs
- Hired by Lakewood at inception
- 4 years as an officer with Shelton, WA, P.D. and 5 years with Lacey, WA, P.D. prior to Lakewood.
- SWAT experience prior to Lakewood
- Former member of Lakewood Special Operations (narcotics and vice)

Officer Ronnie Owens



- 39 y.o.a. 6'3" 215lbs
- Very athletic
- Hired by Lakewood at inception
- 7 years with the Washington State Patrol prior to Lakewood

Officer Greg Richards



- 42 y.o.a. 5'10" 195lbs
- Hired by Lakewood at inception
- 3 years with Kent, WA, P.D. prior to Lakewood

Suspect Profile

Maurice Clemmons



- 37 y.o.a. 5'7" 208lbs
- History of incarceration for violent offenses
- Recent physical altercation with Pierce County Sheriff's Deputies and indications of mental instability
- Recent arrest for rape of a child and assault and is released on bail November 23rd.
- November 26th (Thanksgiving Day) makes threats to friends and family that he is going to kill police and innocent citizens
- November 26th Clemmons removes bail bonds company's GPS tracking device
- November 27th and 28th Clemmons is becoming increasingly irrational. Friends and family see him with 2 firearms and he repeats his threats to kill people
- No history of contact with the Lakewood Police Department prior to November 29th.
- No known formal firearms training or experience.
- Autopsy toxicology report showed no drugs or alcohol in his system

Incident Location Profile



Forza Coffee Company

- 11401 Steele St South, Tacoma, WA
- Chain of coffee shops founded by former police officer
- Each location franchised to different owner
- This location is in unincorporated Pierce County
- Very close to the city limits of Tacoma and Lakewood
- Frequented by officers from multiple jurisdictions
- The front door (pictured in the photo above) faces west.
- The walls on the west and south sides are almost exclusively windows.
- Internal video surveillance system was inoperable

November 29th, 2009

Interior Layout and Positions

Sgt. Renninger was the supervisor on duty with a squad of five patrol officers. At 0620 hrs several members of the squad, including Griswold and Owens, were involved in a physical fight with a subject either on drugs or experiencing mental illness or both. Officer Griswold was struck in the face during that altercation and the subject was eventually subdued and taken to the hospital. Officers dealt with follow-up on that call until approximately 0730 hrs. After the conclusion of that call, the victim officers drove to the Forza Coffee shop. Records show Sgt. Renninger's purchase was the first at 0755hrs, followed by Officer Griswold at 0759 hrs, and Officer Owens at 0801 hrs. There were no receipts for Officer Richards and he is believed to have been at the counter

preparing to order at the time of the shooting. The officers' cars were parked in various locations but were visible from all sides of the building.

In addition to the officers, inside the shop were two baristas working behind the counter and a male and female couple (customers) sitting in the southwest corner next to the door. There was another female witness who went through the drive through during the middle of the incident.

The officers were sitting at two tables along the north wall. Sgt. Renninger was seated facing east with a half wall behind him and the interior wall to his left. Officer Griswold was seated facing north with her back to the open shop, and Officer Owens was seated facing south with his back to the north wall. Officer Richards was at the counter and not yet seated. Sgt. Renninger and Officer Owens had their laptop computers out on the tables. Officer Griswold had only food and a drink on the table. See Appendix for diagram of shop with positions of officers prior to the shooting.

Suspect/Officer Interaction

Clemmons entered the shop and was verbally greeted by the barista helping Officer Richards. Clemmons did not reply and walked past the couple in the southwest corner and directly to the tables where the officers were sitting. He turned, produced a 9mm semiautomatic Glock and shot Officer Griswold in the back of the head killing her instantly. Clemmons then turned and shot Sgt. Renninger in the right side of the head killing him instantly. Evidence indicated the Glock malfunctioned after the second shot and was no longer capable of firing. After the second shot and with Clemmons' semiautomatic now inoperable, Officers Owens closed distance on Clemmons and became engaged in a physical altercation. During this altercation Clemmons produced a .38 caliber revolver and shot Officer Owens in the head, killing him near instantly. Officer Richards, who had also closed distance on Clemmons but started much further away than Officer Owens, continued in the physical confrontation with Clemmons. During the struggle with Officer Richards, Clemmons fired the .38 revolver multiple times, striking various surfaces in different directions in the shop, eventually expending all the rounds in the pistol. During the struggle, Officer Richards' taser and taser holster were removed from his belt. The removal of both the holster and the taser indicate it was torn from his belt as opposed to being drawn. Further into the altercation, Officer Richards' duty weapon, a .40 caliber Glock, was removed from his holster. Officer Richards shot Clemmons once in the torso, which the medical examiner would later determine to be a non-fatal wound. Clemmons eventually gained control of the pistol and shot Officer Richards in the head, killing him instantly; Officer Richards fell to the ground in the threshold of the front door. Clemmons then fled the scene on foot to his awaiting truck and getaway driver approximately .2 miles away, leaving the two guns he came with behind in the shop and taking Officer Richards' gun with him.

Witness Activity

Once the shooting started, the couple in the southwest corner fled out the front door and down the street where they called 911. The two baristas fled out of the back door and drove to a convenience store down the street where they called 911 and waited for police. Clemmons' getaway vehicle, a white truck, and driver happened to be parked across the street from the convenience store and the baristas saw Clemmons get into the truck and flee. It was this witness account that ultimately led to identification of Clemmons as a suspect.

The female customer in the drive-thru reported seeing a physical fight in the store through the large exterior windows. She discounted the fight as horseplay and continued through the drive-thru. When she approached the window, however, the baristas had already fled. She waited approximately 15 to 30 seconds before pulling away from the window and driving back around past the front of the store. As she did, she saw Clemmons walking from the front of the store and saw Officer Richards on the ground over the threshold of the door, having been shot in the head. She then fled the scene and called 911.

The first 911 call was recorded at 0814 hrs and information was put out to local officers that a shooting had occurred at Forza. When officers and deputies arrived on scene they found all four Lakewood officers deceased.

Investigation

With the shooting taking place in unincorporated Pierce County, the Sheriff's Office was primary investigating agency with forensic assistance from the Washington State Patrol Crime Response Team. Once the investigation identified Clemmons as the suspect, information was released to the media and all local jurisdictions were notified. Information was quickly developed that he may have gone to King County, the neighboring county to the north.

On December 1st at 0245 hrs, 42 hours after the shooting at Forza, a lone Seattle Police Officer was investigating an abandoned stolen vehicle in the middle of a residential street with the hood up and engine running. The officer noticed someone approaching his car from behind, and exited his patrol car. Almost immediately after exiting his vehicle the officer was confronted by Clemmons who was attempting to retrieve something from his sweatshirt pocket. The officer immediately recognized him as the suspect in the Forza shootings and drew his weapon while giving him commands to show his hands. Clemmons did not comply and was shot by the officer. Clemmons ran in front of the officer's car to a nearby yard where he fell to the ground. After additional officers arrived they took control of Clemmons and located Officer Richards' duty weapon in the pocket that Clemmons was reaching for. Clemmons died at the scene.

Lessons Learned

The panel looked at the actions of the officers to determine if anything could have been done differently, tactically, to prevent any or all of the murders. We took into consideration their positioning, the environment, Clemmons' actions, and the time frame of the incident.

To establish the time frame, we looked at the register receipts and the first call to 911 to determine the definitive window. Officer Owens was the last recorded purchase at 0801 hrs and the first 911 call was received at 0814 hrs. That gives a definitive window of 13 minutes. The entire incident obviously did not take that long so we had to narrow the time frame using deductive reasoning. The baristas reported that they fled out of the back door as soon as the shots were fired. The female witness in the drive-thru reportedly saw the fighting and waited approximately 15 to 30 seconds before driving around the front of the shop and seeing Officer Richards on the ground. Officer Richards was found over the threshold of the front door and medical examiner reports and blood evidence indicate he did not move from that location after being shot. Therefore, Officer Richards was likely killed moments before the witness from the drive-thru drove by and saw him on the ground with Clemmons walking away. Test drives around the business were conducted to determine the amount of time the female witness would have needed to drive around to the front. The results of those times were approximately 30 seconds.

A test was also done to time how long it would take to fire the amount of rounds discharged inside the shop, particularly the first two rounds fired at close range at two adjacent targets (Officer Griswold and Sgt. Renninger). There were a total of 9 rounds recovered or accounted for from three guns with the shell casings to match; two from Clemmons' semiautomatic, two from Officer Richards' semiautomatic, and 5 from Clemmons' revolver. The revolver had a 6th expended shell casing in it however a 6th round was not located. For testing purposes, however, we tested as though all 6 rounds were fired from the revolver in the shop.

To test this we had an officer stand holstered in front of two targets, draw, and fire one round into each target. We then had him holster, draw again, and fire six more rounds. Then holster, draw, and fire two more. The total time for that averaged 4.8 seconds. Of particular note is the time it took to draw and fire the first two rounds - an average of 1.5 seconds on three recordings. We also anecdotally looked at the typical physical altercation and found it was one to two minutes. Even the fight the officers got into just prior to the shootings was approximately 1 minute and 20 seconds.

With the above information we feel it is safe to say that the entire confrontation, from the first shot at Officer Griswold to the last shot at Officer Richards, was approximately one minute.

After determining an approximate time frame, we looked at the environment they were in. The officers were not in the middle of any enforcement action; they were in a

familiar public place with frequent traffic and multiple officers facing each direction to visually cover the entire shop.

Finally, we looked at the actions of each officer. Officer Griswold had no warning and no time to react to a threat prior to being shot. Sgt. Renninger would have heard and seen the shot that killed Officer Griswold but would have had less than 1.5 seconds to see the gun, recognize the shot, and react prior to being shot himself (based on the above described experiment).

Officer Owens would have seen and heard both shots and his reaction was to close the distance and physically engage Clemmons. The question arises here as to why Officer Owens did not draw and shoot Clemmons. It is difficult to answer this question when Officer Owens is the only one who really knows why. One likely explanation can be found in Officer Owens' background: He was athletic and very strong. During a violent encounter, most of us will revert to what we know best and what has worked best for us in the past, whether it is impact weapons, tasers, firearms, or physical ability. If you couple Officer Owens' history of using his physical abilities with the fact that, at the moment, Clemmons did not have a functioning firearm, it is reasonable to deduce that Officer Owens' simple and immediate reaction was to close the short distance and physically attempt to subdue Clemmons. It is likely not until after Officer Owens is engaged with Clemmons that Clemmons produces his second firearm, the revolver, and shoots Officer Owens in the head immediately incapacitating him. It is also important to note that we do not really know what Clemmons' actions were prior to fighting with Officer Owens; was he trying to flee, give up, draw the revolver, etc.

Officer Richards was the last officer shot and had the most prolonged physical fight with Clemmons. As with Officer Owens, the primary question about Officer Richards is why he did not draw and shoot Clemmons from his position at the counter. The most obvious explanation comes from reviewing Officer Owens' actions. If Officer Richards turns and sees Officer Owens physically fighting with Clemmons, the proper decision is to close the distance and assist in the fight as opposed to taking an ill-advised shot at a moving target with another officer in the site picture. Once Officer Richards has closed the distance, he too becomes involved in the fight and actually shoots Clemmons with his duty pistol before Clemmons is able to gain control of the weapon and shoot Officer Richards.

In reviewing this incident there was not any one thing that we found could have been done that would have prevented the murders. Had Officer Owens been able to recognize the level of threat he faced, the better decision would have been to draw and fire as opposed to closing the distance and engaging in a physical confrontation. However, as noted above, without knowing that Clemmons had a back-up weapon and what Clemmons appeared to be doing at the time it is difficult to say what Officer Owens saw or perceived.

The positioning of the officers inside the shop is a final consideration. Had they been seated at a table towards the center of the coffee shop, Sgt. Renninger may have had

some place to move and increased his chances for survival, but that is far from saying he would have survived.

We, as police, are in public places as a matter of routine. It is unrealistic to expect us to have guns drawn at every member of the public who walks by. This incident was akin to a suicide bomber walking into a coffee shop and, without notice, detonating an explosive. The difference here is there were specific victims targeted and the suspect did not die in the attack.

Reviewer Biographies

Detective Jeff Paynter:

Detective Jeff Paynter is a Detective with the Lakewood Police Department with over 16 years of law enforcement experience. He has been a defensive tactics instructor since 2001 and has been a state certified Master Instructor since 2004. Detective Paynter is a Lateral Vascular Neck Restraint instructor and has received an ACCT certification from the National Law Enforcement Training Center in Kansas City, as well as trainer certifications in the NLETC control and defensive tactics system. Detective Paynter has done extensive work in use of force scenario training and conducts a yearly scenario training seminar for firearms and defensive tactics instructors to facilitate scenario development. He has received commendations from the Washington State Criminal Justice Training Commission and from the Lakewood Police Department for his work as a trainer. Detective Paynter is a former SWAT officer and is currently assigned to a federal gang task force. He holds a Bachelor's degree from the University of Washington.

Officer Brian Markert:

Officer Brian Markert currently serves with the Lakewood Police Department as a patrol officer in the Patrol Response Unit. He has 13 years of service as a police officer and maintains instructor certifications in control and defensive tactics, impact weapons, chemical agents, Lateral Vascular Neck Restraint, active shooter and scenario-based training. For the past eight years, he has also been assigned as a tactical officer, and currently serves as an assistant team-leader and sniper for a multi-jurisdictional SWAT team. He holds a Bachelor's degree from the Virginia Military Institute.

Officer Michael L. O'Neill:

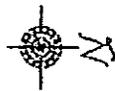
Officer O'Neill has over twenty five years of Law Enforcement experience with numerous agencies in the State of Washington. He worked as a Patrol Officer and Patrol Sergeant with the City Of Raymond from 1980 until 1984. He subsequently worked for the department of corrections at Shelton as a corrections officer and a member of the Emergency Response Team, and the SERT team. From 1991 to 1996 Officer O'Neill worked at the Lewis County Sheriff's Office as a Deputy and later as the Chief Deputy in charges of a Corrections Bureau. Officer O'Neill currently employed by the Olympia Police department. Officer O'Neill has held the title of Master Defensive Tactics

instructor since 1991. He is an instructor in Lateral Vascular Neck Restraint and has received an ACCT certification from the National Law Enforcement Training Center in Kansas City. Officer O'Neill instructed at the Washington State Basic Law Enforcement Academy from 2001 until 2005 and in 2009 was re-assigned to the academy as the Criminal Procedures instructor and Patrol Procedures instructor, where he currently serves.

Assistant Chief Michael Zaro:

A/C Zaro is the Assistant Chief for the Lakewood Police Department. He has over 16 years of law enforcement experience with extensive experience in training, patrol, criminal investigations, internal investigations, and forensic crime scene processing. He holds a Bachelor's degree from Washington State University and is a graduate of the F.B.I. National Academy (240th Session).

**DIAGRAM ESTIMATING THE PRE-INCIDENT
LOCATION OF TABLES AND CHAIRS**



- 1=Sergeant Mark Remninger
- 2=Officer Tina Griswold
- 3=Officer Ronnie Owens
- 4=Officer Greg Richards
- 5 & 6=Barista
- 7 & 8= Civilian Customers

APPLE TERIYAKI

