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Attorney General

Louisiana Department of Justice

Final report and review of criminal responsibility regarding the use of force by Deputy Vance Matranga of the West Baton Rouge Sheriff's Office and death of Mr. Josef Delone Richardson occurring on July 25, 2019 in Port Allen, Louisiana.

In December of 2019, the Louisiana State Police concluded a comprehensive, independent investigation of the events surrounding Mr. Josef Delone Richardson's death. Due to the recusal of the District Attorney's Office for the Parish of West Baton Rouge, the Louisiana State Police Investigative Report (including all evidence gathered by Louisiana State Police during their investigation) was submitted to the Louisiana Department of Justice – Criminal Division, for an independent review of the facts as they pertain to any possible violations of state criminal law. This report details the Louisiana Department of Justice – Criminal Division's independent and impartial review of the evidence gathered by the Louisiana State Police to determine the potential criminal culpability of any officer involved in the death of Mr. Richardson.

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I. Introduction

A. Summary

On July 25, 2019, members of the West Baton Rouge Parish Sheriff's Office and the River West Drug Task Force conducted an investigation into the possession and sale of illegal controlled dangerous substances at the Budget 7 Motel located at 1534 U.S 190, Port Allen, Louisiana. The investigation revealed illegal narcotic transactions (e.g., distribution of methamphetamine) were occurring from an occupant(s) of room number 5. The investigating agents utilized a confidential informant to confirm the presence and sale of illegal narcotics. The confidential informant subsequently made a controlled purchase and upon completion, the confidential informant immediately reported the sale to investigating agents. Additionally, the informant revealed the presence of a handgun on the person of the individual selling him the illegal drugs. The agents were able to identify the individual selling the illegal drugs as Josef Delone Richardson, a person known to these agents as one who distributes or sells illegal drugs. Agents prepared a warrant for room number 5 of the Budget 7 Motel, and presented it to judicial authority for review. Eighteenth Judicial District Court Judge Tonya Lorry approved the warrant, and the Task Force subsequently executed the warrant on room number 5 of the Budget 7 Motel. The agents entered the room via an open door and encountered Mr. Richardson who was non-compliant to the orders and instructions given. During the encounter, Deputy Matranga discharged his service pistol, firing one round striking Mr. Richardson. Mr. Richardson suffered a fatal wound, and succumbed to his injuries on the scene, where medical professionals declared he was devoid of life. The Louisiana State Police secured the scene and conducted an investigation into the officer involved shooting.

B. Role of the Louisiana Attorney General

Under Article 5, Section 26 of the Louisiana Constitution, the District Attorney "shall have charge of every criminal prosecution by the state in his/her district." The District Attorney has the power to bring or dismiss any state criminal charge. However, Louisiana Code of Criminal Procedure Article 680, entitled "[g]rounds for recusation of district attorney" allows a District Attorney to recuse a criminal case resulting from a conflict of interest either perceived or real. When this occurs, the case ordinarily becomes the responsibility of the State Attorney General (i.e., the Louisiana Department of Justice – Criminal Division) who assumes all powers previously reserved for the respective District Attorney in the matter.

Here, on December 2, 2019, the District Attorney's Office for the Parish of West Baton Rouge filed a motion to recuse the district attorney from this case, based on "the interest of the community [and] ... due to [the DA's] office currently handling ongoing cases with the West Baton Rouge Sheriff's Office."¹ On the same day, Judge Tonya Lorry of the 18th Judicial District Court granted the District Attorney's motion and signed an ordered recusing the Office of the District Attorney

¹ *Motion and Order to Recuse District Attorney* filed by West Baton Rouge Parish District Attorney's Office.

for West Baton Rouge Parish from the case and assigning the case to the Louisiana Department of Justice – Criminal Division.

Accordingly, the role of the Louisiana Department of Justice – Criminal Division in this matter is to review the facts to determine if potential violations of Louisiana Criminal Laws occurred, whether any person bears criminal responsibility, and whether the State can prove criminal culpability beyond a reasonable doubt.

C. Death of Josef Delone Richardson

On July 25, 2019 at approximately 7:00 PM, the West Baton Rouge Parish Sheriff's Office (WBRPSO) requested Louisiana State Police, Criminal Investigations Division (LSP/CID) investigate an officer involved shooting involving their deputies. Louisiana State Police assigned Investigator Bill Cox as the lead investigator. Preliminary investigation showed WBRPSO deputies were executing a narcotics search warrant on room number 5 of the Budget 7 Motel, located at 1534 Highway 190, Port Allen, Louisiana. During the execution of the warrant, the deputies encountered resistance from the suspect, Mr. Josef Delone Richardson (B/M, DOB: 10/11/1980), and a struggle ensued between Mr. Richardson and Deputy Brett Cavaliere. During the struggle, Deputy Vance Matranga fired one round striking and mortally wounding Mr. Richardson.

In addition to WBRPSO Deputy Cavaliere and Deputy Matranga, WBRPSO Deputy Cpl. Thomas Carpenter, Deputy James Woody, and Deputy Glen Henagan were present to execute the search warrant on room number 5 of the Budget 7 Motel.

On July 25, 2019, WBRPSO Deputies Cavaliere, Matranga, Carpenter, and Woody proceeded to room number 5 of the Budget 7 Motel to execute a properly secured and duly authorized warrant to search said room for controlled dangerous substances. All of the deputies were dressed in attire identifying them as law enforcement officers. Upon arrival, the Deputies observed the door to room number 5 open and a subject known to them as Josef Richardson standing in the room with his right hand concealed in his right pants pocket. Deputy Carpenter parked his marked patrol vehicle directly in front of the room door. The Deputies made entry into the room and announced their presence by shouting "Sheriff's Office!" and giving loud verbal commands for Richardson to show his hands or to put his hands up. In addition, present in the room at the time was Jessica Clouatre, Mr. Richardson's girlfriend. Ms. Clouatre was in bed watching a video on her phone, when the Task Force entered the motel room, informed Investigator Cox she did not see anything, but heard the Task Force announce their presence by stating "Sheriff's Office" and then heard them yell, "put your hands up".

Rather than simply complying with the Deputies' commands, Mr. Richardson placed his left hand in the waistband of his pants and turned his back toward the Deputies. Deputy Cavaliere holstered his handgun while Deputy Matranga held cover on Mr. Richardson with his handgun. Deputy Cavaliere took hold of Mr. Richardson in an attempt to subdue him. As the two struggled, Mr. Richardson jerked his left hand from his waistband and rapidly turned to his right. The turning motion caused Mr. Richardson to turn in toward Deputy Cavaliere and away from Deputy Matranga. As Mr. Richardson turned, Deputy Matranga observed something in his left hand he believed to be a handgun. As Richardson continued to turn away from him, Deputy Matranga lost

sight of his hand. Believing that Mr. Richardson was holding a handgun and was going to shoot Deputy Cavaliere, Deputy Matranga intentionally fired one shot from his handgun toward Richardson to stop him from harming Deputy Cavaliere.² The fired bullet entered Mr. Richardson's neck and severed his cervical spine, resulting in his death.

D. Autopsy Findings

On July 26, 2019, Dr. Michael Cramer performed Mr. Richardson's autopsy at the West Baton Rouge Parish Coroner's Office. On August 21, 2019, Investigator Cox received the autopsy protocol, final diagnosis and toxicology report (autopsy report) for Mr. Richardson, from the WBRP Coroner.

The reported cause of death was a single "distant gunshot wound to the posterior neck" and the reported manner of death was "homicide". The report indicates there was no muzzle imprint, sooting or stippling associated with the gunshot wound, and accordingly, the Coroner concluded the gunshot wound was "distant".³

The reported bullet trajectory was "posterior to anterior, slightly right to left, and superior to inferior [downward]." These findings are consistent with the statements of Deputies Cavaliere and Matranga.

The Coroner requested that NMS Labs conduct a basic postmortem blood analysis. The analysis confirmed the presence of a number of controlled drug substances in Mr. Richardson's blood. Significant among the findings was the level of methamphetamine in Richardson's system, which was reported as 1000 ng/mL (nanograms per milliliter). The report states:

"Blood levels of 200-600 ng/mL have been reported in methamphetamine abusers who exhibited violent and irrational behavior. High doses of methamphetamine can elicit restlessness, confusion, hallucinations, circulatory collapse and convulsions."

On August 12, 2019, prior to the District Attorney's Office for the Parish of West Baton Rouge's recusal, the D.A.'s Office wrote Investigator Cox requesting the autopsy report completed by the West Baton Rouge Parish Coroner's Office "be evaluated and presented to the Coroner for East Baton Rouge Parish ... to provide the State with an independent evaluation." Consequently, on August 23, 2019, Investigator Cox provided the autopsy report to the East Baton Rouge Parish

² After the scene was secured it was learned that Mr. Richardson had a large bag containing various smaller bags of drugs in his hand (i.e., approximately 9 grams of methamphetamine, 4.4 grams of cocaine, and 9 grams of marijuana).

³ The categories of distances between a gunshot wound and the weapon that fired the projectile are as follows:

- Contact: the gun muzzle is pressed against the skin when fired.
- Near contact: the muzzle of the gun is held a short distance from the skin or less than 1 centimeter from skin with handguns (1 cm equals .39 of an inch).
- Intermediate: is defined by the presence of stippling ("powder tattooing") on the skin surrounding the entry wound. The actual distance from the skin varies according to the gun; generally from a few centimeters up to several feet.
- Distant: any distance beyond that which produces stippling.

Coroner's Office for review. On November 18, 2019, Investigator Cox met with East Baton Rouge Parish Investigator Shane Evans, who advised Investigator Cox that East Baton Rouge Parish Coroner's Office "officially concurred with the findings detailed in the" West Baton Rouge Parish Coroner's Office Report on the death of Mr. Richardson.

E. Josef Delone Richardson's Criminal History

Mr. Josef Delone Richardson's criminal history includes at least thirty-one arrests (between January 1, 1997 and present) for crimes ranging from misdemeanors like battery of a police officer, resisting an officer, and domestic abuse battery, to felonies, such as, armed robbery, theft, distribution of a CDS, and simple burglary. These arrests have resulted in Mr. Richardson being convicted for crimes such as, first-degree robbery (November 12, 2003), battery of a police officer (August 5, 2005), simple battery (August 5, 2005), resisting an officer (August 5, 2005), possession with intent to distribute a CDS I (April 17, 2017), possession with intent to distribute a CDS I (April 7, 2007), possession of a CDS II – cocaine and possession of a CDS I – ecstasy (September 19, 2012), unauthorized use of a motor vehicle (May 23, 2001), obstruction of justice (April 17, 2017), etc. In fact, at the time of Mr. Richardson's death he was on parole for two 2017 felony convictions (possession with intent to distribute a CDS I and obstruction of justice). In addition, the above arrests resulted in many law enforcement reports, describing the criminal conduct of Mr. Richardson in detail. A review of these law enforcement reports show Mr. Richardson resisting arrest, fleeing from officers and at times even using physical force or violence to evade arrest.

Finally, the Task Force executing the warrant on room number 5 of the Budget 7 Motel were informed, prior thereto, of intelligence (from an informant who had purchased drugs from Mr. Richardson only days prior to July 25, 2019) regarding Mr. Richardson's habit of keeping a firearm in his waistband when selling drugs. Specifically, the members of the Task Force were informed in an intelligence report stating: "the first time [a confidential informant used by the Task Force] purchased drugs directly from Josef [Richardson] ... [Mr. Richardson] forced them to use the drugs in front of ... [him] while holding and showing that a firearm was in his waistband."

II. Examination of Facts

A. Investigative Findings of Louisiana State Police

After interviewing all individuals present/involved, processing all evidence, obtaining an autopsy report from the West Baton Rouge Parish Coroner, and reviewing/collecting additional evidence, the Louisiana State Police Investigation made the following findings:

[o]n July 25, 2019, West Baton Rouge Parish Deputies Brett Cavaliere, Vance Matranga, Thomas Carpenter and James Woody proceeded to room number 5 of the Budget 7 Motel located at 1534 US Highway 190, Port Allen, Louisiana, in order to execute a properly secured and duly authorized warrant to search said room for controlled dangerous substances. All of the Deputies were dressed in attire, which identified them as law enforcement officers.

Upon arrival, the Deputies observed the door to Room No. 5 open and a subject known to them as Josef Richardson standing in the room with his right hand concealed in his right pants pocket. Dy. Carpenter parked his marked patrol vehicle directly in front of the room door. The Deputies made entry into the room. The Deputies announced their presence by shouting "Sheriff's Office!" and giving loud verbal commands for Mr. Richardson to show his hands or to put his hands up. Also present in the room at the time was Jessica Clouatre.

Rather than comply with the Deputies' commands, Mr. Richardson placed his left hand in the waistband of his pants and turned his back toward the Deputies. Dy. Cavaliere holstered his handgun while Dy. Matranga held cover on Richardson with his handgun. Dy. Cavaliere took hold of Mr. Richardson in an attempt to subdue him. As the two struggled, Mr. Richardson jerked his left hand from his waistband and rapidly turned to his right. The turning motion caused Richardson to turn in toward Dy. Cavaliere and away from Dy. Matranga. As Richardson turned, Dy. Matranga observed something in his left hand he believed to be a handgun. As Richardson continued to turn away from him, Dy. Matranga lost sight of his hand. Believing that Mr. Richardson was holding a handgun and was going to shoot Dy. Cavaliere, Dy. Matranga intentionally fired one shot from his handgun toward Mr. Richardson to stop him from harming Dy. Cavaliere. The fired bullet entered Richardson's neck and severed his cervical spine, resulting in his death. At the time of his death, the level of methamphetamine in Mr. Richardson's system was 1000 ng/mL.

The LSP Investigative Report into Mr. Richardson's death concluded that the "investigation produced no evidence indicating violations of criminal law on the part of any of the officers present during the encounter with Josef Richardson."

III. Statement of Law and Analysis

A. Statutory Authority

La. R.S. 14:29. Homicide

Homicide is the killing of a human being by the act, procurement, or culpable omission of another. Criminal homicide is of five grades:

- (1) First degree murder.
- (2) Second degree murder.

- (3) Manslaughter.
- (4) Negligent homicide.
- (5) Vehicular homicide.

La. R.S. 14:18. Justification; general provisions

The fact that an offender's conduct is justifiable, although otherwise criminal, shall constitute a defense to prosecution for any crime based on that conduct. This defense of justification can be claimed under the following circumstances:

- (1) When the offender's conduct is an apparently authorized and reasonable fulfillment of any duties of public office; or
- (2) When the offender's conduct is a reasonable accomplishment of an arrest which is lawful under the Code of Criminal Procedure; or
- (3) When for any reason the offender's conduct is authorized by law; or
- (4) When the offender's conduct is reasonable discipline of minors by their parents, tutors or teachers; or
- (5) When the crime consists of a failure to perform an affirmative duty and the failure to perform is caused by physical impossibility; or
- (6) When any crime, except murder, is committed through the compulsion of threats by another of death or great bodily harm, and the offender reasonably believes the person making the threats is present and would immediately carry out the threats if the crime were not committed; or
- (7) When the offender's conduct is in defense of persons or of property under any of the circumstances described in Articles 19 through 22.

La. R.S. 14:20. Justifiable homicide

A. A homicide is justifiable:

- (1) When committed in self-defense by one who reasonably believes that he is in imminent danger of losing his life or receiving great bodily harm and that the killing is necessary to save himself from that danger.
- (2) When committed for the purpose of preventing a violent or forcible felony involving danger to life or of great bodily harm by one who reasonably believes that such an offense is about to be committed and that such action is necessary for its prevention. The circumstances must be sufficient to excite the fear of a reasonable person that there would

be serious danger to his own life or person if he attempted to prevent the felony without the killing.

(3) When committed against a person whom one reasonably believes to be likely to use any unlawful force against a person present in a dwelling or a place of business, or when committed against a person whom one reasonably believes is attempting to use any unlawful force against a person present in a motor vehicle as defined in R.S. 32:1(40), while committing or attempting to commit a burglary or robbery of such dwelling, business, or motor vehicle.

(4)

(a) When committed by a person lawfully inside a dwelling, a place of business, or a motor vehicle as defined in R.S. 32: 1 (40) when the conflict began, against a person who is attempting to make an unlawful entry into the dwelling, place of business, or motor vehicle, or who has made an unlawful entry into the dwelling, place of business, or motor vehicle, and the person committing the homicide reasonably believes that the use of deadly force is necessary to prevent the entry or to compel the intruder to leave the dwelling, place of business, or motor vehicle.

(b) The provisions of this Paragraph shall not apply when the person committing the homicide is engaged, at the time of the homicide, in the acquisition of, the distribution of, or possession of, with intent to distribute a controlled dangerous substance in violation of the provisions of the Uniform Controlled Dangerous Substances Law.

B. For the purposes of this Section, there shall be a presumption that a person lawfully inside a dwelling, place of business, or motor vehicle held a reasonable belief that the use of deadly force was necessary to prevent unlawful entry thereto, or to compel an unlawful intruder to leave the dwelling, place of business, or motor vehicle when the conflict began, if both of the following occur:

(1) The person against whom deadly force was used was in the process of unlawfully and forcibly entering or had unlawfully and forcibly entered the dwelling, place of business, or motor vehicle.

(2) The person who used deadly force knew or had reason to believe that an unlawful and forcible entry was occurring or had occurred.

C. A person who is not engaged in unlawful activity and who is in a place where he or she has a right to be shall have no duty to retreat before using deadly force as provided for in this Section, and may stand his or her ground and meet force with force.

D. No finder of fact shall be permitted to consider the possibility of retreat as a factor in determining whether or not the person who used deadly force had a reasonable belief that deadly force was reasonable and apparently necessary to prevent a violent or forcible felony involving life or great bodily harm or to prevent the unlawful entry.

B. Analysis

On July 25, 2019, members of the West Baton Rouge Parish Sheriff's Office and the River West Drug Task Force conducted an investigation into the possession and sale of illegal controlled dangerous substances at the Budget 7 Motel located at 1534 U.S 190, Port Allen, Louisiana. The investigation revealed illegal narcotic transactions were occurring from an occupant (s) of room number 5. The investigating agents utilized a confidential informant to confirm the presence and sale of illegal narcotics. The confidential informant confirmed the presence of illegal narcotics and subsequently made a controlled purchase and upon completion, the confidential informant immediately reported the sale to investigating agents. Additionally, the informant revealed the presence of a handgun on the person of the individual selling him the illegal drugs. The agents were also able to identify the individual selling the illegal drugs as Josef Delone Richardson, a person known to these agents as one who distributes or sells illegal drugs. The agents prepared a warrant for room number 5 of the Budget 7 Motel, and presented it to judicial authority for review. Eighteenth Judicial District Court Judge Tonya Lorry signed the warrant, and the Task Force subsequently executed the warrant on room number 5 of the Budget 7 Motel. The agents entered the room via an open door and encountered Mr. Richardson who was non-compliant to the orders and instructions given. During the encounter, Deputy Matranga discharged his service pistol, firing one round striking Mr. Richardson. Richardson suffered a fatal wound, succumbed to his injuries on the scene, and was determined to be void of life signs upon arrival of emergency medical personnel. The scene was secured and the Louisiana State Police conducted an investigation into the officer involved shooting.

After a review of the evidence obtained by Louisiana State Police into the July 25, 2019 death of Mr. Josef Richardson, it is the responsibility of the Louisiana Department of Justice – Criminal Division to assess the Louisiana State Police findings on whether the evidence shows, beyond a reasonable doubt, that criminal activity occurred.

Accordingly, the question presented is whether any officer bears criminal culpability for the death of Mr. Josef Richardson under applicable criminal law.

There is conclusive evidence proving Deputy Matranga fired the shot causing Mr. Richardson's death. Accordingly, there is no doubt that a homicide occurred, i.e. the killing of a human being by the act of another, based on the facts of this case.

However, not every homicide is a criminal act. Therefore, the Louisiana Department of Justice – Criminal Division is tasked with reviewing whether this homicide was the product of criminal behavior (i.e., whether a criminal homicide occurred).

In order to prove any criminal charge, the State must prove every element of the crime beyond a reasonable doubt.

Justification is a valid defense when a police officer's conduct was "a reasonable accomplishment of an arrest which is lawful under the Code of Criminal Procedure," was otherwise "authorized by law," or was in defense of a person as described in La. R.S. 14:19 through La. R.S. 14:22. *See* La. R.S. 14:18 (2), (3), and (7).

In order to prosecute a police officer for his or her use of force during an arrest, the State must prove beyond a reasonable doubt either (1) the force applied was unreasonable or (2) the police officer used force to obtain an arrest that was not based upon probable cause.

The State always has the burden of proof of every element of the crime. When a defendant in a homicide prosecution claims self-defense, the prosecution must prove beyond a reasonable doubt that the defendant's actions were not justified. See *State v. Taylor*, 2003-1834 (La. 05/25/04), 875 So.2d 58, 63.

The State can defeat a justification defense with proof that the force applied was unreasonable. Under Louisiana law, specifically under La. C.Cr.P. art. 220, "[a] person shall submit peaceably to a lawful arrest. The person making a lawful arrest may use reasonable force to effect the arrest and detention, and also to overcome any resistance or threatened resistance of the person being arrested or detained."

The State can also prove its case by showing that the police officer did not have probable cause. In order for an arrest to be lawful, it must be based upon probable cause. *State v. Leatherwood*, 411 So.2d 29, 32 (La. 1982). Probable cause is a "non-technical concept" that "does not require the fine resolution of conflicting evidence" and is based upon "an assessment of the collective knowledge possessed by all of the police involved in the investigation ... viewed from the standpoint of an objectively reasonable police officer." *McMasters v. Dep't of Police*, 13-0348 (La. App. 4th Cir. 05/15/15), 172 So.3d 105, 119 (citations and internal quotation marks omitted); see also *Ceaser*, 859 So.2d at 644 (the subjective belief that probable cause exists is not relevant, rather it is an objective determination based upon the facts within the officer's knowledge). Here, the facts are clear, the officers involved had a valid arrest warrant (signed by a district court judge earlier in the day) for Mr. Richardson.⁴ Accordingly, the evidence shows that the officers involved did have probable cause to affect the arrest of Mr. Richardson on the evening of July 25, 2019.

"A homicide is justifiable when committed in self-defense by one who reasonably believes that he [or another person] is in imminent danger of losing his life or receiving great bodily harm and that the killing is necessary to save himself from that danger." *State v. Hunter*, 2015-0306 (La. App. 4th Cir. 09/09/15), 176 So.3d 530, 533 (citing La. R.S. 14:20(A)(1)) (emphasis in original and brackets omitted); see also La. R.S. 14:22. It is clear from the statements of the officers involved in executing the arrest warrant that they believed Mr. Richardson was likely carrying a handgun, and Deputy Matranga believed Mr. Richardson was in the process of pulling a handgun and pointing it at his colleague immediately before he discharged his weapon.

Under La. R.S. 14:20(A)(2) a homicide is also justifiable when it is

committed for the purpose of preventing a violent or forcible felony involving danger to life or of great bodily harm by one who reasonably believes that such an offense is about to be committed and that such action is necessary for its prevention. The circumstances

⁴ In addition, the officers were acting under reliable information that Mr. Richardson often carried a gun in his waistband.

must be sufficient to excite the fear of a reasonable person that there would be serious danger to his own life or person if he attempted to prevent the felony without the killing.

Aggravated assault upon a police officer is a violent felony. See La. R.S. 14:2(B)(32); La. R.S. 14:37.2; and La. R.S. 14:2(A)(4). The elements of an aggravated assault of a police officer can consist of placing a police officer, who is acting within the course and scope of his duties, in reasonable apprehension of receiving a battery. La. R.S. 14:36; La. R.S. 14:37.2.

Therefore, a police officer can use deadly force upon a person to prevent an aggravated assault of a police officer if the officer has a reasonable and well-founded belief that there is a danger to his own life or that of another. The federal Fifth Circuit has equated whether force was justified under La. R.S. 14:20 to whether force was excessive under the Fourth Amendment. *Connors v. Graves*, 538 F.3d 373, 377 (5th Cir. 2008). The Fifth Circuit held, a police officer can use deadly force if the officers could have reasonably concluded that the suspect was about to commit a violent felony. *Id.*

When analyzing whether police officers used excessive force under the Fourth Amendment, the United States Supreme Court has pointed out that a federal court of appeals have held that “the law does not require officers in a tense and dangerous situation to wait until the moment a suspect uses a deadly weapon to act to stop the suspect” if the officer had reason to believe that the suspect was dangerous. *Mullenix v. Luna*, 136 S.Ct. 305, 311 (2015) (discussing *Long v. Slaton*, 508 F.3d 576, 581-582 (11th Cir. 2007)). The *Long* Court “also rejected the notion that the deputy should have first tried less lethal methods” *Id.* The *Long* Court thought that the “police need not have taken that chance and hoped for the best.” *Id.* (discussing *Long*, 508 F.3d at 583).

Reasonableness must be analyzed “from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.” *Plumhoff v. Rickard*, 134 S.Ct. 2012, 2020 (2014) (citation and internal quotation marks omitted). The State could not reasonably refute, legally or factually, that “police officers are often forced to make split-second judgments in circumstances that are tense, uncertain, and rapidly evolving- about the amount of force that is necessary in a particular situation.” *Id.* (citation and internal quotation marks omitted).

The appropriate analysis is not whether the officer could have done something different after a hindsight review of the circumstances. Instead, the law compels consideration of the rapid evolution of a police encounter and the decision made by officers at the moment that deadly force is used.

In addition, “[d]rug deals, drug transactions, and drug dealers are inherently dangerous”. *State v. Jackson*, 2014-0954 (La. App. 4 Cir. 3/11/15), 163 So. 3d 98, 110, writ denied sub nom. *State ex rel. Jackson v. State*, 2015-0791 (La. 4/22/16), 191 So. 3d 1043. See also *Smith v. U.S.*, 508 U.S. 223, 240, 113 S.Ct. 2050, 124 L.Ed.2d 138 (1993) (acknowledging inherent connection between illegal drugs and violence). Accordingly, Mr. Richardson was considered inherently dangerous, and was actively engaged in an inherently dangerous activity.

Here, Deputy Matranga had reason to believe Mr. Richardson was armed. Furthermore, Mr. Richardson’s failure to comply with verbal commands, the deployment of nonlethal force, and Mr.

Richardson's furtive movement of his hand to his pockets while simultaneously turning towards another officer and pulling his hand (which had in it a large bag approximately 9 grams of methamphetamine, 4.4 grams of cocaine, and 9 grams of marijuana) from his pocket, and towards the other officer, was viewed as an immediate threat to the life of his colleague, Deputy Cavaliere.

Finally, this analysis does not depend upon whether the potential crime alleged against the officer in question requires specific intent, general intent, or criminal negligence. If a police officer can prove justification, then a jury must acquit, regardless of the intent required to commit the crime.

IV. Conclusion

After a thorough and exhaustive review of the evidence, the facts established beyond a reasonable doubt, the applicable law and jurisprudence of the State of Louisiana, and the obligations of prosecutors under the Code of Professional Conduct, the Louisiana Department of Justice – Criminal Division concludes all evidence gathered by Louisiana State Police and legal authority reviewed supports the determination of the Louisiana State Police that their “investigation produced no evidence indicating violations of criminal law on the part of any of the officers present during the encounter with Josef Richardson” on July 25, 2019.

The Louisiana Department of Justice – Criminal Division comes to this conclusion after reviewing all of the evidence gathered by the Louisiana State Police, including all physical evidence, hundreds of pages of documents and reports, and scores of photographs.

After a complete and thorough review of the Louisiana State Police investigation and the further review of the applicable law by the Louisiana Department of Justice – Criminal Division into the potential violations of State criminal charges, we also find that the officers involved in execution of the warrant, acted as reasonable officers under the circumstances.

During the encounter, Mr. Richardson refused to comply with officer's verbal commands and with their attempts at using non-lethal force. Considering the toxicology reports, Mr. Richardson was under the heavy influence of several scheduled and illegal narcotics. Mr. Richardson also had a history of non-compliance with officers, was known to carry a handgun in his pants, and was engaging in an inherently dangerous criminal act.

Throughout the encounter, the officers attempted to gain control of Mr. Richardson's hands. Considering the confidential informant's statement that in a previous drug transaction Mr. Richardson “forced ... [the confidential informant] to use the drugs in front of ... [him] while holding and showing that a firearm was in his waistband”, the officers would have been justified in operating under the belief that Mr. Richardson was armed and dangerous on July 25, 2019, and thus, their attempts to secure the Mr. Richardson's hands were well founded and reasonable under the circumstances and under the law (even if after Mr. Richardson's death, the confidential informant did subsequently explain that he did not actually observe a firearm in Mr. Richardson's waistband during the prior drug transaction, but rather Mr. Richardson gestured as if to show he did have a firearm in his waistband).

Moreover, officers first used non-lethal force in an attempt to gain compliance and control of Mr. Richardson. This use of nonlethal force evidences the intent of the officers to use alternative methods to subdue Mr. Richardson. It also indicates that the officers did not have premeditated intent to kill Mr. Richardson.

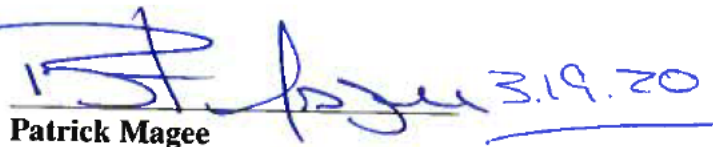
Self-Defense, Defense of Others and Justification are all viable legal defenses to any homicide. These defenses do not depend upon whether the crime charged requires specific intent, general intent, or criminal negligence. If a police officer can prove justification, then a jury must acquit, regardless of the intent required to commit the crime.

Where law enforcement officers have a legal defense to any criminal charges based on justification, including those only requiring proof of criminal neglect, it is a violation of our mandate to uphold the laws and Constitution of the State of Louisiana, as well as our prosecutorial obligations under the Rules of Professional Conduct, to take any further action.



Grant Lloyd Willis
Assistant Attorney General
Criminal Division Section Chief
Louisiana Department of Justice

Approved by:



Patrick Magee
Assistant Attorney General
Director of Criminal Division
Louisiana Department of Justice

STATE OF LOUISIANA

18th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF WEST BATON ROUGE

OFFICER INVOLVED SHOOTING:
7/25/19

DOCKET NO.

MOTION AND ORDER TO RECUSE DISTRICT ATTORNEY

NOW INTO COURT, comes Richard J. Ward, Jr. District Attorney for the 18th Judicial District, and respectfully moves that this Honorable Court recuse the District Attorney's Office for the Eighteenth Judicial District from the prosecution of the following case pursuant to Article 680, et seq., of the Code of Criminal Procedure for the following reason, to-wit:

1.

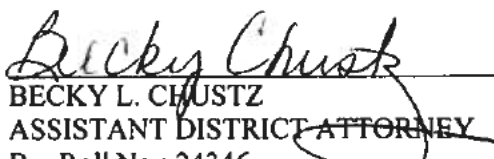
The District Attorney believes it is in the best interest of the community that the District Attorney's Office recuse itself from the above referenced matter due to our office currently handling ongoing cases with the West Baton Rouge Sheriff's Office. Because of these ongoing cases, this matter will be better served by being investigated and/or prosecuted by an outside agency.

2.

The Attorney General's Office has been notified and awaits copy of this motion and order.

WHEREFORE, MOVER PRAYS that an order be signed so recusing the District Attorney's Office from prosecution of the above mentioned case and that the Attorney General for the State of Louisiana be ordered to represent the State of Louisiana in the handling of this case.

RESPECTFULLY SUBMITTED:
RICHARD J. WARD, JR.
DISTRICT ATTORNEY


BECKY L. CHUSTZ
ASSISTANT DISTRICT ATTORNEY
Bar Roll No.: 24346
P.O. Box 765
Port Allen, LA 70767
(225) 336-2410

RECEIVED AND FILED
CLERK OF COURT
WEST BATON ROUGE
2019 DEC - 2 PM 2:29



STATE OF LOUISIANA

18th JUDICIAL DISTRICT COURT

VERSUS

PARISH OF WEST BATON ROUGE

OFFICER INVOLVED SHOOTING:
7/25/19

DOCKET NO.

ORDER

CONSIDERING THE FOREGOING:

IT IS ORDERED that the State Attorney General's Office be assigned to handle the above and foregoing case as set forth in the attached Motion to Recuse.

THUS DONE AND ORDERED at Port Allen, Parish of West Baton Rouge, State of Louisiana, this
2nd day of December, 2019.


HONORABLE TONYA LURRY
JUDGE - DIVISION "B"



**Louisiana Department of Public Safety & Corrections
Office of State Police
Initial Complaint**



**John Bel Edwards
Governor**

**Kevin W. Reeves, Colonel
Superintendent**

CASE HISTORY

Case Number: 19-8595
Case Date: July 26, 2019
Offense: Police Shooting - External
Offense Date: July 25, 2019
Offense Time: 6:40 PM
Investigation Officer: Investigator William K. Cox

INITIAL COMPLAINT

On July 25, 2019 at approximately 7:00 PM, the West Baton Rouge Parish Sheriff's Office (WBRSO) requested LSP investigate an officer involved shooting involving their deputies. Preliminary investigation showed that WBRSO deputies were executing a narcotics search warrant on a room at the Budget 7 Motel located at 1534, US 190, Port Allen after making a controlled narcotics buy at that location. During the execution of the warrant, the deputies encountered resistance from a suspect and a struggle ensued. During the struggle, a deputy fired one round striking and mortally wounding the suspect Josef Delone Richardson (B/M, DOB: 10/11/1980). I, Investigator Bill Cox, was assigned as the lead investigator.

INVESTIGATION OFFICER

William K. Cox 8202
Investigator William K. Cox

INVESTIGATION SUPERVISOR

Sgt. Brit Forbes 224
Sgt. Brit Forbes



LOUISIANA STATE POLICE

Case # IRS 19-8595

West Baton Rouge Parish

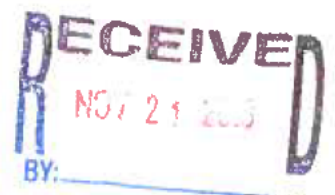
Subject:

Vance T. Matranga, Jr.

Officer Involved Shooting

Case Agent:

**Investigator Bill Cox
Louisiana State Police
Criminal Investigations Division
7919 Independence Blvd, Box A-15
Baton Rouge, La. 70806
Phone # 225-925-7282**





**Louisiana Department of Public Safety & Corrections
Office of State Police
Shooting Report**



John Bel Edwards
Governor

Kevin W. Reeves, Colonel
Superintendent

CASE HISTORY

Case Number: 19-8595
Case Date: July 26, 2019
Offense: Police Shooting - External
Offense Date: July 25, 2019
Offense Time: 6:40 PM
Investigation Officer: Investigator William K. Cox

SUBJECT

Name: Josef Delone Richardson
Additional Information: Deceased
Birth Date: October 11, 1980
Gender: Male
Race: Black
Address: [REDACTED]
ID List:
1. DL Number [REDACTED] Louisiana
2. SSN [REDACTED]
3. FBI [REDACTED]
4. SID [REDACTED] Louisiana

WITNESS

Name: Jessica Clouatre
Birth Date: March 13, 1980
Gender: Female
Race: White
Address: [REDACTED]
ID List:
1. DL Number [REDACTED] Louisiana
2. SSN [REDACTED]
3. FBI [REDACTED]
4. SID [REDACTED] Louisiana

LAW ENFORCEMENT WITNESS

Name: Inv. Bill Cox
Additional Information: Louisiana State Police
Address: 7919 Independence Blvd.
Baton Rouge, Louisiana 70806

Case Number:	19-8595	Offense:	Police Shooting - External
Case Date:	July 26, 2019	Offense Date:	July 25, 2019
Investigation Officer:	Investigator William K. Cox	Offense Time:	6:40 PM

Contact List: 1. 225-925-7282 Business Phone

Name: M/T Barry Ward

Additional Information: Louisiana State Police

Contact List: 1. 225-925-7282 Business Phone

Name: M/T Michael Daniel

Additional Information: Louisiana State Police

Contact List: 1. 225-925-7282 Business Phone

Name: Trp. Keith Bennett

Additional Information: Louisiana State Police

Contact List: 1. 225-925-7282 Business Phone

Name: T.S.O. Randy Hidalgo

Additional Information: Louisiana State Police

Contact List: 1. 225-922-2331 Business Phone

Name: Sgt. Philip Hanks

Additional Information: Louisiana State Police

Contact List: 1. 225-925-6121 Business Phone

Name: Mrs. Karly Ridgell

Additional Information: Louisiana State Police Crime Lab

Contact List: 1. 225-925-6216 Business Phone

Name: Miss Brittany Hanson

Additional Information: Louisiana State Police Crime Lab

Contact List: 1. 225-925-6216 Business Phone

Name: Miss Lydia McCoy

Additional Information: Louisiana State Police Crime Lab

Contact List: 1. 225-925-6216 Business Phone

Name: Lt. Christian Conaway

Additional Information: West Baton Rouge Sheriff's Office

Address: 850 8th Street
Port Allen, Louisiana 70767

Case Number:	19-8595	Offense:	Police Shooting – External
Case Date:	July 26, 2019	Offense Date:	July 25, 2019
Investigation Officer:	Investigator William K. Cox	Offense Time:	6:40 PM

Contact List: 1. 225-343-9234 Business Phone

Name: Cpl. Thomas Carpenter

Additional Information: West Baton Rouge Sheriff's Office

Contact List: 1. 225-343-9234 Business Phone

Name: Dep. Brett Cavaliere

Additional Information: West Baton Rouge Sheriff's Office

Contact List: 1. 225-343-9234 Business Phone

Name: Dep. James Woody

Additional Information: West Baton Rouge Sheriff's Office

Contact List: 1. 225-343-9234 Business Phone

Name: Dep. Glen Henagan

Additional Information: West Baton Rouge Sheriff's Office

Contact List: 1. 225-343-9234 Business Phone

Name: Ofc. James Lewis

Additional Information: Port Allen Police Department

Address: 375 Court Street
Port Allen, Louisiana 70767

Contact List: 1. 225-343-5525 Business Phone

Name: Dep. Vance T. Matranga - L.E.O. Under Investigation

Additional Information: West Baton Rouge Sheriff's Office

Contact List: 1. 225-343-9234 Business Phone

ATTACHMENT

- 1 Crime Scene Log
- 2 Acadian Ambulance Report
- 3 Photographs Taken By Lt. Conaway
- 4 Search Warrant
- 5 LSP TSO Report
- 6 Photographs of Officers
- 7 Jessica Clouatre Interview
- 8 Thomas Carpenter Interview
- 9 James Lewis Interview

Case Number:	19-8595	Offense:	Police Shooting - External
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10 Glen Henagan Interview
 11 James Woody Interview
 12 Bret Cavaliere Interview
 13 Photograph of Buy Money
 14 Screen Shots From WBR Coroner
 15 Vance Matranga Interview
 16 Evidence Tracking Form
 17 WBRSO Narcotics Unit Reports
 18 Lt. Conaway Report
 19 WBR 911 CAD Report
 20 CI 384 Interview
 21 DA Request Letter
 22 WBR Coroner Autopsy Report
 23 WBR 911 Dispatch Recordings
 24 Billy Morgan Interview
 25 LSP Crime Lab Reports
 26 Vance Matranga Training Records
 27 Jessica Cloutre Jail Call Recordings
 28 LSP Total Station Report
 29 Expanded Toxicology Report
 30 Firearm Examination Report

INITIAL COMPLAINT

On July 25, 2019 at approximately 7:00 PM, the West Baton Rouge Parish Sheriff's Office (WBRSO) requested LSP investigate an officer involved shooting involving their deputies. Preliminary investigation showed that WBRSO deputies were executing a narcotics search warrant on a room at the Budget 7 Motel located at 1534, US 190, Port Allen after making a controlled narcotics buy at that location. During the execution of the warrant, the deputies encountered resistance from a suspect and a struggle ensued. During the struggle, a deputy fired one round striking and mortally wounding the suspect Josef Delone Richardson (B/M, DOB: 10/11/1980). I, Investigator Bill Cox, was assigned as the lead investigator.

NARRATIVE

On July 25, 2019 at approximately 7:00 PM, the West Baton Rouge Parish Sheriff's Office (WBRSO) requested Louisiana State Police, Criminal Investigations Division (LSP/CID) investigate an officer involved shooting (OIS) involving their deputies. I, Investigator Bill Cox, was assigned as the lead investigator. The

Case Number:	19-8595	Offense:	Police Shooting - External
Case Date:	July 26, 2019	Offense Date:	July 25, 2019
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OIS was investigated under LSP file number 19-8595.

After being notified, I proceeded to the scene of the OIS which was located at the Budget 7 Motel, 1534 US Highway 190, Port Allen, Louisiana. While en route, I was notified that the Louisiana State Police Crime Lab (LSP/CL) had been contacted and would be processing the scene. LSP Troop A had been contacted and M/T Sam Latimer was en route to document the scene with the Total Station device. I was also informed that LSP/CID detectives M/T Barry Ward, M/T Michael Daniel and Trooper Keith Bennett were en route to the scene. I arrived on scene at approximately 8:05 PM. Upon my arrival, I noted that it was daylight, partly cloudy and the temperature was eighty-five degrees. I observed that an area around room number 5 of the Motel had been cordoned off with yellow crime scene tape. Dy. Alton Washington was maintaining a log of individuals entering the taped off area. A prepared copy of the log is attached and made a part of this report (refer to Attachment 1).

As I entered the crime scene area I was met by WBRSO Lt. Christian R. Conaway. Lt. Conaway informed me that WBRSO narcotics agents were executing a search warrant on room 5 of the Motel when they encountered Josef Delone Richardson (B/M, DOB: 10/11/1980). A brief struggle ensued between WBRSO Dy. Brett J. Cavaliere and Richardson. During the struggle, Dy. Vance T. Matranga, Jr. fired one round from his service pistol striking and mortally wounding Richardson. Lt. Conaway further advised that in addition to Deputies Cavaliere and Matranga, WBRSO Deputies Cpl. Thomas T. Carpenter, James L. Woody and Glenn C. Henagan had been present to assist in executing the search warrant. All of the involved Deputies had been removed from the scene, told not to discuss the events of the shooting among themselves and were available to be interviewed. Also present in the room at the time of the shooting was Richardson's girlfriend Jessica Cloutre (W/F, DOB 03/13/1980). Cloutre had been taken to the WBRSO Law Enforcement Center (LEC) and it was anticipated she would be arrested by WBRSO on drug charges.

I entered room 5 and observed Richardson's body lying on the floor with his head toward the rear of the room. I noted that there were disposable sheets of the kind used by medical personnel under the body. Lt. Conaway advised that responding Acadian Ambulance EMTs had examined Richardson, determined he was alive, placed him on a gurney and started to remove him from the room when they discovered that he had died. The EMTs removed the body from the gurney and placed it on the floor. A copy of the Acadian Ambulance run report is attached and made a part of this report (refer to Attachment 2).

I observed a dresser on the left side of the room and a bed on the right. Directly toward the rear was a mirror and lavatory in an alcove type area. To the right of the alcove, behind a wall, was a bathroom. I observed what appeared to be a fired cartridge case on the floor between the dresser and the alcove.

Lt. Conaway advised that he had taken photographs of the room and Richardson's body prior to it being moved by the EMTs. A copy of the photographs is attached and made a part of this report (refer to Attachment 3).

After being briefed by Lt. Conaway and reviewing the scene, I proceeded to the LEC to interview witnesses. M/T Ward and Trooper Bennett remained at the scene. Trooper Bennett requested and was granted a search warrant to enable LSP/CL technicians to process room 5. The warrant was authorized by 18th JDC Judge Tonya Lurry. A copy of the warrant is attached and made a part of this report (refer to Attachment 4).

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Louisiana State Police Technical Services Officer (TSO) Randy Hidalgo was called to the scene to secure any video that may have been recorded by the Motel 7 video surveillance system. TSO Hidalgo arrived at the scene at 9:00 PM. He examined the system and determined no video was available because the system was incapable of recording. A copy of TSO Hidalgo's report is attached and made a part of this report (refer to Attachment 5).

M/T Daniel proceeded to the WBRSO Narcotics Office where he photographed Deputies Matranga, Cavaliere and Woody. He also photographed their duty pistols and downloaded the magazines. Copies of the photographs are attached and made a part of this report (refer to Attachment 6). Dy. Matranga was armed with a Glock M17 Generation 4 pistol serial number PPM902. A standard Glock M17 holds seventeen cartridges in the magazine and one in the chamber for a total of eighteen cartridges when fully loaded. When downloaded, Dy. Matranga's handgun was found to contain sixteen cartridges in the magazine and one in the chamber for a total of seventeen. M/T Daniel later turned Dy. Matranga's pistol over to the LSP/CL.

The LSP/CL arrived to process the scene at 9:00 PM. LSP/CL personnel responding were forensic scientists Karly Ridgell, Brittany Hanson and Lydia McCoy. The Crime Lab investigation was assigned Crime Lab file number SP-009762-19. The Lab recorded the scene with video and still photographs. During their investigation, they took custody of a quantity of suspected Controlled Dangerous Substance(s) (CDS). They recovered one fired 9 mm cartridge case. LSP Troop A M/T Sam Latimer arrived at the scene at approximately the same time and documented it with the Total Station device.

At the LEC, I first interviewed Jessica Cloutre. Prior to the interview I was informed by WBRSO Major Dale Simoneaux that there was probable cause to believe that Cloutre was involved in Richardson's illegal drug distribution operation and it was anticipated that she would be arrested that night on drug related charges. For that reason I advised Cloutre of her Miranda Rights which she stated she understood. She agreed to give a statement and answer questions. During the interview, Cloutre appeared at times to be evasive and less than forthright. She stated that she and Robinson had been in a relationship for about four years, on and off. The on and off nature of their relationship was the result of Richardson having been in and out of jail during that time. Prior to that day she and Richardson had been living in room 5 of the Budget 7 for approximately five days. On that day she had been sleeping most of the day and had just awakened approximately fifteen minutes before the Deputies entered the room. She was awake because an individual she refers to as her cousin, who is in fact not her cousin, Billy Morgan (W/M, DOB: 11/10/1978) had come into the room. She asked Morgan to go get her some food; he agreed and left to run the errand. She remained in bed and Richardson took a shower. During this time, she and Richardson were arguing. After his shower, Richardson "cracked" open the front door to "let some light in". About five minutes after that, while she was still lying on the bed with her back toward the door and still arguing with him while watching a YouTube video on her phone, she saw four Deputies enter the room with guns and heard them yelling "sheriff's office", "put your hands up". She at first thought it was her "cousin" Billy Morgan "playing" around but then heard a gunshot. She thought that Richardson may have been shot because she saw him facing in one direction, saw him turn and then heard a gun go off. As soon as she heard the gunshot, she was rushed from the room by Deputies. She stated that it all happened so fast that she did not get to see anything. She told me that she was familiar with the task force (Rivers West Drug Task Force) uniforms. I asked her if she recognized the uniforms as the Deputies entered the room. She replied that she did not at first but later did. She explained that I needed to understand it had all happened so fast, that she had just awakened, was watching YouTube and had to roll over to see the men enter the room. When I tried to question her concerning Richardson's drug dealing she evaded the questions.

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She stated that Richardson was a marijuana user but did not use or deal methamphetamine. Finally, I asked her if she had anything to add to her statement. She replied that she did not. The interview was recorded and a copy is attached and made a part of this report (refer to Attachment 7).

Next I interviewed the officers present at the time of the OIS and/or involved in the narcotics case with the exception of Deputy Matranga. The officers' statements were consistent with one another and with the statement of Clouatre.

I interviewed WBRSO Corporal Thomas Carpenter who stated that he is assigned to uniformed patrol, has sixteen years experience as a police officer and is POST certified. On the day of the OIS, he was working a regularly assigned patrol shift in uniform. He was contacted by WBRSO narcotics agents and asked to assist in serving a search warrant on room 5 of the Budget 7 Motel. After a briefing session at Super Lucky Louie's truck stop, they proceeded to the Budget 7. Upon arrival at approximately 6:40 PM, Cpl. Carpenter issued a radio call requesting a 10-33 on the radio network. In police radio terminology, 10-33 means that all officers should hold their radio traffic except in the case of an emergency to allow officers responding to a call or as in this case executing a warrant to have radio priority. He placed his assigned marked police vehicle directly in front of the door to room 5 to let citizens in the area know a police action was in progress and to provide cover for the Deputies as they executed the search warrant. He observed that the door to room 5 was open when he arrived. He exited his vehicle and entered room 5 following Deputies Vance Matranga and Brett Cavaliere who were wearing clothing marked to identify them as police sheriff's deputies. He had his service pistol in his hand. The Deputies were announcing their presence by shouting "sheriff's department!" and "show me your hands!" He saw Dy. Cavaliere begin to wrestle with Richardson. He holstered his pistol in preparation to assist Dy. Cavaliere in subduing Richardson. At that point, he was just inside the door of the room when he heard a gunshot and saw Richardson fall to the ground. He redrew his pistol and cleared the room of other threats. He then directed his attention to the other occupant of the room, Jessica Clouatre. He took custody of Clouatre from one of the narcotics deputies, removed her from the room and placed her in a police vehicle. He called dispatch on the radio and requested medical assistance for Richardson. The interview was recorded and a copy is attached and made a part of this report (refer to Attachment 8).

I interviewed Officer James Lewis who stated he is employed by the Port Allen Police Department and assigned to the River West Drug Task Force. He stated he had twelve years of experience as a police officer and was POST certified. On the day of the OIS, he was contacted by a cooperating individual (CI) who advised him that an individual known to the CI as "Joe" was selling illegal drugs out of a room at the Budget 7 Motel and that he could make a "buy" from Joe. After a brief discussion with the CI, he was convinced that the subject selling the drugs was Josef Richardson, a known drug dealer. He stated that the CI told him upon the first occasion he had purchased drugs from Richardson, Richardson had made him ingest the drugs in his presence. According to the CI, Richardson placed the drugs on a table, placed his hand on a handgun concealed in his waistband and ordered the CI to ingest the drugs. He and Dy. Cavaliere then planned and executed an undercover buy operation. The CI was given fifty dollars in ten dollar bills to make the purchase. Dy. Glenn Henagan established a surveillance position across the street from the Motel. Officer Lewis and Dy. Cavaliere drove the CI to within a few blocks of the Motel. From there he walked to the Motel. Dy. Henagan observed him enter and exit room 5. Officer Lewis and Dy. Cavaliere picked up the CI a couple of blocks from the Motel, took possession of the purchased drugs and debriefed him. The CI informed them that an unknown white male was in the room along with Richardson and Jessica Clouatre. Dy. Cavaliere then prepared and obtained a search warrant for the room. As they were proceeding to the Motel, Billy Morgan, a

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subject known to the officers as a drug dealer, was seen leaving the room. Officer Lewis followed Morgan and stopped him a mile or so away from the Motel. While he had Morgan stopped he heard a shots fired call go out on the radio. He released Morgan and proceeded to the Motel. There he learned that Dy. Matranga had fired a shot that struck Richardson. He placed Dy. Matranga in his police vehicle to isolate him from the scene. The interview was recorded and a copy is attached and made a part of this report (refer to Attachment 9).

I interviewed WBRSO Dy. Glen Henagan who stated that he is assigned to the narcotics unit, has been a police officer for about nine years and is POST certified. On the day of the OIS, he was assisting other deputies with an undercover buy and search warrant operation. He was told that a CI with whom he was familiar would be attempting to purchase drugs at the Budget 7 Motel from Josef Richardson. Richardson was known to him as a drug dealer. He was informed that the CI knew which room Richardson was using to sell drugs but, did not know the room number. He established a surveillance position across US 190 from the Motel, observed the CI enter room 5, remain for a matter of minutes and then exit. He observed Officer Lewis and Deputy Cavaliere pick up the CI. He was advised via police radio that the CI had purchased drugs from Richardson and was instructed to maintain surveillance on the room while the other deputies secured a search warrant for it. During his surveillance, he observed several people come and go from the room. Among the people was Billy Morgan, a person known to him to be a drug dealer. He relayed this information to Officer Lewis and gave a description of Morgan's vehicle. Officer Lewis stopped Morgan a short way from the motel and conducted an investigatory stop. He observed Richardson walk out of and back into the room a number of times, confirming the CI's information that Richardson was in the room. When he heard the other deputies ask the dispatchers for a clear channel he broke surveillance and proceeded to the room. He did not arrive at the room until after the OIS. He heard Cpl. Carpenter call for medical assistance as he approached and observed him placing Jessica Clouatre in a police vehicle. The interview was recorded and a copy is attached and made a part of this report (refer to Attachment 10).

I interviewed WBRSO Dy. James Woody who stated that he was currently assigned as the WBRSO representative to the U.S. Marshall's fugitive taskforce. He had been a police officer for nine years and was POST certified. On the day of the OIS, he got word that the WBRSO narcotics deputies had a drug investigation in progress. He contacted Dy. Cavaliere, asked if they needed his assistance and was told yes. He met the other deputies at the briefing at Super Lucky Louie's truck stop where he was told that a CI had made an undercover buy at the Budget 7 Motel and that a search warrant had been issued for room 5 of that location. The room was under surveillance by a deputy and based upon information provided by that deputy it was known that the door to the target room was open. After the briefing, he and the other deputies proceeded to the Motel to execute the search warrant. He was the third man inside the door when they made entry into the room. He heard the other deputies shouting commands, but could not recall what the deputies were saying. He observed that the room door was away from the wall far enough that it was possible someone could be behind it. He looked through the gap between the door and the door frame on the hinge side and was satisfied that no one was behind the door. As he looked into the room he could see Deputies Matranga and Cavaliere standing with their backs toward the door (and him) with Richardson facing toward him. He heard a shot, but did not know who had fired. He saw Dy. Cavaliere moving backward and Dy. Matranga standing still. At that point, he turned his attention to Clouatre. He removed her from the room and turned her over to Cpl. Carpenter. The interview was recorded and a copy is attached and made a part of this report (refer to Attachment 11).

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I interviewed WBRSO Dy. Brett Cavaliere who stated that he was currently assigned to the narcotics unit, had been a police officer for eight years and was POST certified. Prior to the OIS, he and Officer Lewis had conducted a controlled buy operation at the Budget 7 Motel utilizing a CI. Through investigation and surveillance he was aware that the suspect selling drugs at the Motel was Richardson. He had occasion in the past to interact with Richardson and knew him to be a drug dealer. He had information that at one time Richardson had forced the CI to use drugs at gunpoint and that Richardson had a documented history of resisting arrest. The operation was conducted under surveillance by Dy. Henagan. He and Dy. Lewis dropped the CI off. The CI walked to room 5 of the Motel and purchased fifty dollars worth of methamphetamine. The fifty dollars was composed of five ten dollar bills. The money was photographed prior to being given to the CI in order to record the serial numbers of the bills. After the CI left the Motel, he and Dy. Lewis picked him up, debriefed him and secured the methamphetamine he had purchased. Based upon the controlled buy, he prepared a search warrant for room 5 of the Motel. He, Officer Lewis, Dy. Woods, Dy. Matranga and Cpl. Carpenter met at the Super Lucky Louie's truck stop and devised a plan to execute the search warrant. Upon their arrival at the Motel, he observed that the door of room 5 was open and he could see Richardson midway in the room facing away from him and the door. He and Dy. Matranga entered the room through the open doorway announcing their presence by shouting "Sheriff's office" and "search warrant". Both he and Dy. Matranga were wearing clothing that readily identified them as law enforcement officers. As he entered the room, he saw Richardson turn toward him with his right hand in his pocket. Richardson began to walk toward him. He and Dy. Matranga gave verbal commands to Richardson for him to show his hands with which he did not comply. He saw that Dy. Matranga had his handgun pointed at Richardson so he holstered his and prepared to "go hands on" with Richardson. As he reached for him, Richardson turned his back toward him and pushed his left hand into his waist band. He grabbed hold of Richardson, and in response, Richardson made a sudden turn to the right and violently jerked his left hand from his waist band. He could see that Richardson had something in his hand, but did not know what it was. This movement caused Richardson's elbow to strike him in the ribs. At that point, he heard one gunshot and saw Richardson fall to the ground. He did not know who had fired the shot, but later learned it was Dy. Matranga. Someone called for medical services to treat Richardson. After leaving the Motel, he was taken to the hospital for medical treatment for his injuries from the blow to the ribs inflicted by Richardson. The interview was recorded and a copy is attached and made a part of this report (refer to Attachment 12).

Based upon information obtained during the interviews, I contacted LSP/CID personnel who were still at the OIS scene and requested that they take custody of any US currency found at the scene. A total of \$90 was seized. I obtained a photograph of the five ten dollar bills given to the CI to purchase drugs from Richardson. A copy of the photograph is attached and made a part of this report (refer to Attachment 13). The seized money was compared to the photograph and no match was found.

On July 26, 2019, Dr. Michael Cramer preformed the autopsy of Richardson's body at the West Baton Rouge Parish Coroner's Office. I had asked to be allowed to attend the autopsy but Dr. Cramer refused. During the autopsy Dr. Cramer sent me a series of text messages and photographs. Copies of the photographs and screen shots of the texts are attached and made a part of this report (refer to Attachment 14). The photographs show a gun shot wound to Richardson's upper right neck. Dr. Cramer confirmed the location of the wound in a text and further indicated the bullet transected Richardson's spine, did not exit the body and lodged in the spinal canal. Presumptive drug tests of Richardson's urine were positive for THC, cocaine and methamphetamine. Dr. Cramer recovered \$1,090 in US currency from Richardson's clothing. This money

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Investigation Officer:	Investigator William K. Cox	Offense Time:	6:40 PM

was compared to the previously mentioned photograph of the money given to the CI to purchase drugs from Richardson. All five of the ten dollar bills in the photograph were contained in the \$1,090.

On July 30th, assisted by M/T Barry Ward, I interviewed Deputy Vance Matranga. Dy. Matranga's attorney, John McLindon was also present during the interview. Dy. Matranga stated he understood that he was not being compelled to give a statement, he had the right to remain silent, the statement he was giving was free and voluntary and he acknowledged that his attorney was present. He stated that he has a B.S. degree from LSU, has been a law enforcement officer for approximately nine years, has served in the narcotics unit for approximately one year and is POST certified. On the day of the OIS, Dy. Matranga had worked a regular shift and had gone home. He was contacted and advised that other members of the narcotics unit had an operation going and were in the process of securing a search warrant. He was requested to come back out and assist with the execution of the warrant. He agreed, got dressed in clothing identifying him as a police officer and responded to Super Lucky Louie's truck stop to be briefed. He was unsure what time all of this took place. While en route to the truck stop, he was advised via police radio that the search warrant had been signed, that Dy. Henagan had surveillance on the target location and that the truck of a known drug dealer was at the target room and the plan was to conduct a traffic stop on the truck when it left the room. At the truck stop, he met Dy. Cavaliere, Dy. Woody and Cpl. Carpenter. Dy. Cavaliere briefed the deputies on the operation and together they formulated a plan to execute the search warrant. Dy. Cavaliere informed them that the target of the investigation was Richardson, who was known to the WBRSO narcotics unit as a drug dealer and violent offender. He was informed that a CI had purchased a quantity of drugs from Richardson earlier in the day which was the basis for the search warrant. He was further informed the CI had told his control officer that the first time he purchased drugs directly from Richardson; Richardson had forced him to use the drugs in front of him by threatening him with a handgun. The assembled deputies heard via the police radio that the truck had left the target room and that Dy. Lewis had stopped it. Dy. Matranga got into a vehicle with Dy. Cavaliere and rode with him to the Motel. He was equipped with a ram to force the door if necessary, but as they drove by the room they saw that the door was open. They parked to the left of the room door, exited the vehicle and took up a position behind a concrete wall extension to the left of the room door. He was still carrying the ram in case the door was slammed closed before they could make entry. Dy. Cavaliere was in a better position to see into the room and told him that Richardson was toward the back of the room, so he dropped the ram and the two made entry into the room giving loud verbal commands for Richardson to show his hands and announcing "sheriff's office". When he rounded the wall extension he could see Richardson walking toward them with his right hand completely concealed in the waist band of his pants. He thought it odd and unusual that Richardson continued advancing toward them and believed it represented aggressive behavior by him. Richardson did not obey the commands to show his hands and suddenly turned his back toward them. At that point, he thought that Richardson was going to try to run into the bathroom and flush evidence down the toilet. He saw Dy. Cavaliere holster his weapon and grab Richardson from behind. He continued to "hold cover" on Richardson with his handgun. At that time, both Richardson and Dy. Cavaliere were to his right. From that vantage point he observed Richardson rapidly reach into his waist band with his left hand, jerk his hand out and spin to his right. As Richardson's hand came out of his waist band, he saw there was something in his hand that he believed to be a gun. As Richardson spun to the right, Dy. Matranga lost sight of his left hand but could tell that he had moved it to the area of Dy. Cavaliere's stomach. At that moment, he believed that Dy. Cavaliere was in imminent danger of being shot by Richardson, so to stop him from shooting Dy. Cavaliere; he fired one shot at Richardson. At that point, Richardson "locked up" and fell to the floor. He did not fire again because he believed that Richardson was no longer a threat. He stepped

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back, scanned the room for potential threats and saw someone take Cloutre from the room. Upon further questioning, Dy. Matranga explained that when Richardson jerked his left hand from his waist band he saw a dark object in his hand he perceived to be a handgun. The combination of Richardson suddenly jerking his hand from his waist band, seeing the dark object in his hand, Richardson turning into Dy. Cavaliere rather than trying to run and the fact that he could no longer see Richardson's left hand, caused him to believe that Dy. Cavaliere was in imminent danger of being shot. He believed that his only option to protect Dy. Cavaliere from serious injury was to shoot Richardson. Prior to the shooting, he had his trigger finger on the frame of his handgun and intentionally transitioned it to the trigger to fire. He was adamant that he intentionally shot Richardson and that the shooting was not an accident. The interview was recorded and a copy is attached and made a part of this report (refer to Attachment 15).

On July 27th, LSP/CL Evidence Technician (E/T) Alison Cassanova retrieved evidence from the WBR Coroner's office taken by Dr. Cramer during the autopsy of Richardson's body. LSP/CID Evidence Tracking Information documents listing the evidence taken into custody by LSP/CID during this investigation are attached and made a part of this investigation (refer to Attachment 16). Among the evidence retrieved by E/T Cassanova was \$1,090.00 in U.S. currency, a copper bullet jacket and a lead bullet core. The copper jacket and lead core were removed from Richardson's body. These two items were submitted to the LSP/CL on July 31st, for scientific analysis.

On July 30th, I met with WBRSO Chief of Operations Dale Simoneaux. Chief Simoneaux provided me with a copy of the WBRSO intelligence file on Richardson. Included in the file was a memo written by Officer James Lewis in which he documented the information provided by the CI relative to Richardson having forced the CI to use drugs at what the CI believed to be gun point. Also included in the file was a copy of Richardson's criminal record which dates back to December, 1997, documenting his life as a career criminal and convicted felon. The record reflects that Richardson had a number of arrests for drug violations, theft, battery and resisting arrest. A copy of the file is attached and made a part of this report (refer to Attachment 17).

On August 7th, I received a copy of a report from Lt. Conaway documenting his response to the shooting. The information in the report is consistent with the information verbally provided to me by Lt. Conaway on the night of the OIS. A copy of the report is attached and made a part of this report (refer to Attachment 18).

On August 8th, I received the West Baton Rouge Parish 911 Computer Aided Dispatch (CAD) report. The report indicates that the WBRSO request for medical assistance was received on July 25th at 18:43:03 hours. The Port Allen Fire Department was dispatched at 18:43:20, arrived on scene at 18:51:15 and the response terminated at 19:32:06. A copy of the CAD is attached and made a part of this report (refer to Attachment 19).

M/T Michael Daniel and I interviewed WBRSO CI 384. CI 384 was the individual who provided the information used in the WBRSO search warrant for the Budget 7 Motel room 5. The interview was recorded and a copy of the recording is attached and made a part of this report (refer to Attachment 20). CI 384 confirmed that he had told deputies that the first time he purchased drugs from Richardson; Richardson had forced him to use the drugs in his (Richardson's) presence to prove he was not a police officer. He stated that Richardson handed him the drugs and then grabbed an object in his waist band that CI 384 believed to be

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a handgun and told him to use the drugs. CI 384 said he never actually saw a firearm, but believed whatever Richardson was holding in his waistband was a handgun. He further explained that based upon his experience it is a common practice in the drug culture for a drug seller to force a buyer to use the drugs in their presence the first time they sell to them. CI 384 also confirmed that on July 25th, prior to the shooting, he had been given money by WBRSO deputies to purchase drugs from an individual known to him as "Joe" at the Budget 7 Motel room 5 and that he had done so.

On August 16th, I received a letter from 18th JD ADA Tony Clayton requesting that any and all documents generated by the West Baton Rouge Coroner's Office relative to the Richardson autopsy be submitted to the East Baton Rouge Parish (EBR) Coroner's Office for an independent evaluation. A copy of the letter is attached and made a part of this report (refer to Attachment 21). I contacted EBR Deputy Coroner Shane Evans, informed him of the request and provided him with a copy of the letter. DC Evans indicated they would conduct the requested independent evaluation.

On August 21st, I received the Richardson autopsy protocol, final diagnosis and toxicology report (autopsy report) from the WBR Coroner. A copy of those documents is attached and made a part of this report (refer to Attachment 22). The cause of death is reported as a (single) gunshot wound (GSW) to the posterior neck. The manner of death is reported as homicide. The report indicates there was no muzzle imprint, sooting or stippling associated with the GSW. The Coroner concluded the GSW was "distant". The distances between a GSW and the weapon which fired the projectile are categorized as follows:

- Contact: the gun muzzle is pressed against the skin when fired.
- Near contact: the muzzle of the gun is held a short distance from the skin or less than 1 centimeter from skin with handguns (1 cm equals .39 of an inch).
- Intermediate: is defined by the presence of stippling ("powder tattooing") on the skin surrounding the entry wound. The actual distance from the skin varies according to the gun; generally from a few centimeters up to several feet.
- Distant: any distance beyond that which produces stippling.

The bullet trajectory was reported as posterior to anterior (back to front), slightly right to left and superior to inferior (downward). These findings are consistent with the statements of Deputies Cavaliere and Matranga.

The Coroner requested that NMS Labs conduct a basic postmortem blood analysis. The analysis confirmed the presence of a number of controlled drug substances in Richardson's blood. Significant among the findings was the level of methamphetamine in Richardson's system. That level was reported as 1000 ng/mL (nanograms per milliliter). The report states: "Blood levels of 200-600 ng/mL have been reported in methamphetamine abusers who exhibited violent and irrational behavior. High doses of methamphetamine can elicit restlessness, confusion, hallucinations, circulatory collapse and convulsions."

On August 23rd, per ADA Clayton's request, I provided a copy of the WBR Coroner's reports to the East Baton Rouge Parish (EBR) Coroner's office for their review. On that date, I met with EBR Deputy Coroner Shane Evans and discussed the Coroner's reports and findings. D/C Evans concurred with me that I should request that the WBR Coroner have NMS Labs conduct additional tests of Richardson's blood and urine

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because the original testing request was for a basic blood drug panel only. It was agreed that I should request that an expanded blood drug panel and a quantitative urine drug screen. D/C Evans said that he would have Dr. Karen Ross of his office review the WBR report and provide me with a written analysis. He asked that the results of the additional toxicology testing be forwarded to his office when they became available. D/C Evans indicated that with the exception of the bodily fluids testing protocols the autopsy results reported by Dr. Cramer appeared complete and thorough.

On August 28th, I obtained two CD copies of the WBR 911 Center radio and telephone recordings relative to the OIS. The recordings were downloaded to CD by 911 Center Dispatch Coordinator Brian Doiron. The CDs were produced using the authentication software HigherGround which ensures and certifies the copies are exact replicas of the original recordings. D/C Doiron provided a one page document that explains the certification process. The CDs are password protected. In order to listen to the recordings the User Name "CD" and Password "CD" must be entered when prompted. A copy of the recordings and the certification memo is attached and made a part of this report (refer to Attachment 23).

On August 28th, I received a call from WBRSO and was informed that Billy Morgan had been in their office on an unrelated matter and while there made statements that Richardson was delusional and hallucinating on the day of the OIS. I asked the WBRSO to locate Morgan and see if he was willing to meet with me to be interviewed. He was located and agreed to meet with me. On September 5th, I interviewed him at the WBRSO narcotics office. The interview was recorded and a copy is attached and made a part of this report (refer to Attachment 24). Morgan stated that he and Richardson were friends having served time in jail together and socialized. He had known Richardson since they lived together in a trailer park during their youth. To his knowledge, Richardson did not use any type of illegal drug other than marijuana. He was aware of three occasions prior to the day of the OIS when Richardson had been stopped by the police while in possession of drugs. On these occasions, Richardson had swallowed the drugs to keep from being charged with drug possession. Friends had taken Richardson to the hospital on these occasions because he was "wiggling out", delusional and hallucinating from ingesting the drugs, however, upon arrival at the hospital Richardson had refused medical treatment each time. On the day before the OIS (July 24th), Richardson had again been stopped by the police and had swallowed his drug stash. On the day of the OIS, Morgan received a call from Cloutre who asked him to come to the Budget 7 Motel, get some money from her and go purchase food for her. He described his relationship with Cloutre as very close, like a family member, although they are not related. When he arrived at the room he saw that Richardson appeared to be delusional and hallucinating, which he attributed to Richardson ingesting the drugs the day before. Cloutre asked him to hang out with her at the room after he brought back the food, because she was concerned about Richardson's drug induced state. Richardson had been awake since he swallowed the drugs the day before. Morgan stated that Richardson was not making sense in his statements and did not appear to understand what he (Morgan) was trying to communicate to him. Richardson accused Cloutre and him of having an affair and wanted to fight him. According to Morgan, this was completely out of character for Richardson. He took the money from Cloutre and left to go get her food. As he was leaving he saw Richardson rolling a marijuana cigarette. He attempted to return with the food, but the area was blocked off by the police. He had not spoken to Cloutre since that time. Morgan advised that to his knowledge, Cloutre was not a drug dealer, but had lied to me when she stated that she did not know if Richardson was a drug dealer. He explained that Cloutre had been a prostitute and a drug user. She had given up prostitution and had gotten off drugs, but she now had a

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gambling problem and got the money to gamble from Richardson. Sometime shortly after the day of the OIS he had been present at Richardson's mother's house when she received a call from Clouatre who was still in jail. After her phone conversation, Richardson's mother told Morgan that someone other than the police had come to the Motel room after he left and upon leaving had left the door open. He believed that person was Brandon Tullier.

On September 5th, I contacted the WBR Coroner's office and requested that they order additional toxicology tests of the samples taken from Richardson's body during the autopsy. The Coroner agreed to my request and ordered an expanded blood drug panel and a quantitative urine drug screen from NMS Labs.

On September 6th, the LSP/CL report of their investigation was completed. Copies of the LSP/CL reports are attached and made a part of this report (refer to Attachment 25). The suspected CDS seized during the crime scene investigation was determined to be methamphetamine, cocaine, marijuana and hydrocodone. For the specific amount of each drug refer to Attachment 25. Dy. Matranga's Glock M17 serial number PPM902 was test fired and the test cartridge case compared to the fired cartridge case recovered at the scene. The two cases were determined to match, indicating that the cartridge case found at the scene was fired from Dy. Matranga's handgun. The copper jacket recovered from Richardson's body was compared to the fired bullet produced during the test firing of Dy. Matranga's handgun. It bears similar class characteristics to the test fired bullet, but lacks sufficient reproducing individual characteristics for identification as having been fired from Dy. Matranga's handgun.

On September 19th, I received copies of Dy. Matranga's training certificates. Among the certificates was one awarded on October 4, 2012, from the Capitol Area Training Academy (CARTA) indicating that he had successfully completed the POST Basic Training Course. Copies of the certificates are attached and made a part of this report (refer to Attachment 26).

I obtained a copy of the recordings of Clouatre's jail calls from the time of her arrest on July 26th until she was released from jail on July 29th. The total number of calls was seventy-six. A copy of the call recordings is attached and made a part of this report (refer to Attachment 27).

I received the Total Station report from M/T Latimer. A copy of that report is attached and made a part of this report (refer to Attachment 28).

On September 24th, I listened to all seventy-six of the jail call recordings. During the calls, Clouatre recounts the events of the OIS a number of times. Her recountings are generally consistent with one another and with the statement she provided to me the night of the OIS with some notable exceptions:

- She admits knowing that Richardson was dealing drugs, and specifically methamphetamine, from the room but says she tried to overlook Richardson's drug dealing and to look at him on a different level.
- She indicates she believed at the time of her original statement that Richardson had been arrested and she "didn't want to say too much" and that she would have said something "totally different" had she known he was dead.
- She says she was arrested because of Richardson's drug dealing and mitigates her involvement by

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saying, "It doesn't matter what I knew; I didn't do".

- She makes mutually exclusive statements that she saw Richardson put his hands up and also that a deputy was standing in the way and she could not see what happened.

On September 26th, I received the results of the expanded toxicology tests requested by the WBR Coroner. I forwarded a copy of the results to D/C Evans at the EBR Coroner's Office. A copy of the results is attached and made a part of this report (refer to Attachment 29). Notable among the results is the presence of benzoylecgoine in Richardson's urine, at a level of 1200 ng/mL. Benzoylecgoine is an inactive metabolite and chemical breakdown product of cocaine. The reportable level of benzoylecgoine in urine is 50 ng/mL. The presence of this metabolite accounts for the positive presumptive test for cocaine conducted by Dr. Cramer at the time of the autopsy.

Upon review of the LSP/CL report, I discovered that it did not report information regarding the trigger pull force relative to Dy. Matranga's handgun, the Glock M17 serial number PPM902. Trigger pull force is the amount of force needed when applied to the trigger of a firearm to cause it to fire. I contacted Physical Evidence Supervisor Jeff Goudeau who explained that the LSP/CL was not currently accredited to certify trigger pull force. I made arrangements for Louisiana State Police Sergeant Philip Hanks who is a certified Glock Armor to examine the weapon at the Lab. On September 30th, Sgt. Hanks provided me with a memo outlining the results of his testing. A copy of the memo is attached and made a part of this report (refer to Attachment 30). Sgt. Hanks states in his memo that the pistol had been modified from factory specifications. An aftermarket part identified as a "Ghost connector" had been installed in the pistol. The part is a product of Ghost, Inc. (www.ghostinc.com). The purpose of the part is to lower the trigger pull force necessary to fire the weapon. The Ghost, Inc. website states that the part lowers the trigger pull force to 3.5 pounds. The standard trigger pull force of a Generation 4 Glock M17 according to Glock Technical Support is 5.5 pounds. However, the Glock website (www.glock.com) states: "Technical Data are rounded and do not reflect tolerances – they may be altered without notice! Subject to technical changes." Sgt. Hanks reports that the results of his testing show an average trigger pull force of 3.79 pounds for Dy. Matranga's pistol, indicating a trigger pull force reduction of 1.71 pounds from the standard reported by Glock.

As of October 1st, LSP had not received a report from the EBR Coroner's Office. Considering the information previously provided by D/C Evans, it is not anticipated that the EBR Coroner's review will alter the investigative findings or conclusion of this report. A supplemental report will be filed upon its receipt.

Investigative Findings

On July 25, 2019, West Baton Rouge Parish Deputies Brett Cavaliere, Vance Matranga, Thomas Carpenter and James Woody proceeded to Room 5 of the Budget 7 Motel located at 1534 US Highway 190, Port Allen, Louisiana, in order to execute a properly secured and duly authorized warrant to search said room for controlled dangerous substances. All of the Deputies were dressed in attire which identified them as law enforcement officers. Upon arrival, the Deputies observed the door to Room 5 open and a subject known to them as Josef Richardson standing in the room with his right hand concealed in his right pants pocket. Dy. Carpenter parked his marked patrol vehicle directly in front of the room door. The Deputies made entry into the room. The Deputies announced their presence by shouting "Sheriff's Office!" and giving loud verbal commands for Richardson to show his hands or to put his hands up. Also present in the room at the time was

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Jessica Clouatre.

Rather than comply with the Deputies' commands, Richardson placed his left hand in the waist band of his pants and turned his back toward the Deputies. Dy. Cavaliere holstered his handgun while Dy. Matranga held cover on Richardson with his handgun. Dy. Cavaliere took hold of Richardson in an attempt to subdue him. As the two struggled, Richardson jerked his left hand from his waistband and rapidly turned to his right. The turning motion caused Richardson to turn in toward Dy. Cavaliere and away from Dy. Matranga. As Richardson turned, Dy. Matranga observed something in his left hand he believed to be a handgun. As Richardson continued to turn away from him, Dy. Matranga lost sight of his hand. Believing that Richardson was holding a handgun and was going to shoot Dy. Cavaliere, Dy. Matranga intentionally fired one shot from his handgun toward Richardson to stop him from harming Dy. Cavaliere. The fired bullet entered Richardson's neck and severed his cervical spine, resulting in his death. At the time of his death, the level of methamphetamine in Richardson's system was 1000 ng/mL.

Conclusion

This investigation produced no evidence indicating violations of criminal law on the part of any of the officers present during the encounter with Josef Richardson. A copy of this report will be forwarded to the 18th Judicial District Attorney for his review.

INVESTIGATION OFFICER

William K. Cox 9202
Investigator William K. Cox

INVESTIGATION SUPERVISOR

Sgt. Brit Forbes 2242
Sgt. Brit Forbes



**Louisiana Department of Public Safety & Corrections
Office of State Police
Shooting Report**



John Bel Edwards
Governor

Kevin W. Reeves, Colonel
Superintendent

CASE HISTORY

Case Number: 19-8595.1
Case Date: December 04, 2019
Offense: Police Shooting - External
Offense Date: July 25, 2019
Offense Time: 6:40 PM
Investigation Officer: Investigator William K. Cox

LAW ENFORCEMENT WITNESS

Name: Inv. Bill Cox
Additional Information: Louisiana State Police
Address: 7919 Independence Blvd.
Baton Rouge, Louisiana 70806
Contact List: 1. 225-925-7282 Business Phone

Name: Dep. Vance T. Matranga - L.E.O. Under Investigation
Additional Information: West Baton Rouge Sheriff's Office
Contact List: 1. 225-343-9234 Business Phone

INITIAL COMPLAINT

On July 25, 2019 at approximately 7:00 PM, the West Baton Rouge Parish Sheriff's Office (WBRSO) requested LSP investigate an officer involved shooting involving their deputies. Preliminary investigation showed that WBRSO deputies were executing a narcotics search warrant on a room at the Budget 7 Motel located at 1534, US 190, Port Allen after making a controlled narcotics buy at that location. During the execution of the warrant, the deputies encountered resistance from a suspect and a struggle ensued. During the struggle, a deputy fired one round striking and mortally wounding the suspect Josef Delone Richardson (B/M, DOB: 10/11/1980). I, Investigator Bill Cox, was assigned as the lead investigator.

NARRATIVE

SUPPLEMENTAL TO FILE 19-9585:

Original file number 19-9585 states that a supplemental would be filed when additional information regarding a second coroner's opinion was received. On November 18, 2019, I met with EBR Coroner's Office Chief Investigator Shane Evans. Chief Evans advised that for professional reasons the EBR Coroner's Office did not wish to issue a written second opinion relative to the WBR Coroner's Office report of the autopsy of Josef Delone Richardson. However, Chief Evans advised that his office officially concurred with the findings

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Case Date:	December 04, 2019	Offense Date:	July 25, 2019
Investigation Officer:	Investigator William K. Cox	Offense Time:	6:40 PM

detailed in the WBR report.

INVESTIGATION OFFICER

William K. Cox 8202
Investigator William K. Cox

INVESTIGATION SUPERVISOR

Sgt. Barry Ward / 1783
Sgt. Barry Ward



Kevin W. Reeves, Colonel
Superintendent

CASE HISTORY

Case Number: 19-8595.2
Case Date: December 19, 2019
Offense: Police Shooting - External
Offense Date: July 25, 2019
Offense Time: 6:40 PM
Investigation Officer: Investigator William K. Cox

LAW ENFORCEMENT WITNESS

Name:	Inv. Bill Cox
Additional Information:	Louisiana State Police
Address:	375 Court Street Port Allen, Louisiana 70767
Address:	7919 Independence Blvd. Baton Rouge, Louisiana 70806
Address:	850 8th Street Port Allen, Louisiana 70767
Contact List:	1. 225-925-7282 Business Phone

Name: Dep. Vance T. Matranga - L.E.O. Under Investigation
Additional Information: West Baton Rouge Sheriff's Office
Contact List: 1. 225-343-9234 Business Phone

ATTACHMENT

1 Supplemental Crime Lab Report

Case Number:	19-8595.2	Offense:	Police Shooting - External
Case Date:	December 19, 2019	Offense Date:	July 25, 2019
Investigation Officer:	Investigator William K. Cox	Offense Time:	6:40 PM

INITIAL COMPLAINT

On July 25, 2019 at approximately 7:00 PM, the West Baton Rouge Parish Sheriff's Office (WBRSO) requested LSP investigate an officer involved shooting involving their deputies. Preliminary investigation showed that WBRSO deputies were executing a narcotics search warrant on a room at the Budget 7 Motel located at 1534, US 190, Port Allen after making a controlled narcotics buy at that location. During the execution of the warrant, the deputies encountered resistance from a suspect and a struggle ensued. During the struggle, a deputy fired one round striking and mortally wounding the suspect Josef Delone Richardson (B/M, DOB: 10/11/1980). I, Investigator Bill Cox, was assigned as the lead investigator.

NARRATIVE

SUPPLEMENTAL TO FILE 19-9585:

Original file number 19-9585 states that a supplemental would be filed when additional information regarding a second coroner's opinion was received. On November 18, 2019, I met with EBR Coroner's Office Chief Investigator Shane Evans. Chief Evans advised that for professional reasons the EBR Coroner's Office did not wish to issue a written second opinion relative to the WBR Coroner's Office report of the autopsy of Josef Delone Richardson. However, Chief Evans advised that his office officially concurred with the findings detailed in the WBR report.

SUPPLEMENTAL 2:

On December 19, 2019, I met with Office of Attorney General employees Grant Willis and Andrew Bergeron and LSP Inv. Alison Casanova to view evidence collected in case number 19-8595 that had not been submitted to the Crime Lab for scientific examination. The evidence included U.S. currency, the clothing Richardson was wearing at the time of the OIS, cell phones and digital scales. One of the subject evidence envelopes was marked as number 2. The description of the enclosed items handwritten on the envelope was two (2) digital scales.

Upon opening the envelope, it was discovered that it contained one digital scale and one black Hillman brand hide-a-key box (box). I opened the subject box and observed that it contained what I believed to be controlled dangerous substance (CDS) in the form of white powder, white solids and what appeared to be a white pill.

I packaged the box in a new evidence envelope, sealed it and transferred it to Inv. Casanova to be submitted to the Crime Lab for scientific analysis. The envelope was identified as number 12 and containing one black Hillman hide a key box containing assorted white powder and solid white pill and tablet shaped objects.

On December 23rd, I received the crime lab report relative to the suspected CDS, a copy of which is attached and made a part of this supplemental report (refer to supplemental Attachment 1). The pill shaped object was determined to weigh 0.237 grams and contain hydrocodone a CDS. The white powder and whit solids had a combined weight of 2.371 grams consisting of cocaine and alprazolam, both CDS.

Case Number:	19-8595.2	Offense:	Police Shooting - External
Case Date:	December 19, 2019	Offense Date:	July 25, 2019
Investigation Officer:	Investigator William K. Cox	Offense Time:	6:40 PM

INVESTIGATION OFFICER

William K. Cox 1202
Investigator William K. Cox

INVESTIGATION SUPERVISOR

Sgt. Barry Ward / 1793
Sgt. Barry Ward



**Louisiana State Police
Crime Laboratory
Scientific Analysis Report**

Lab Case #: SP-009762-19
Agency Case #: 19-8595
Case Officer: Bill Cox
Parish of Offense: West Baton Rouge

AGENCY

LSP CID - Baton Rouge
7919 Independence Blvd.
Baton Rouge, LA 70806

18th Judicial District, Parish of West Baton Rouge
Office of the District Attorney
P.O. Box 765
Port Allen, LA 70767

INDIVIDUALS

Thomas Talbot Carpenter - Officer
Jessica Ellen Cloutre - Witness
Vance Thomas Matranga - Officer
James Leonard Woody - Officer

Brett J Cavaliere - Officer
Glenn Carroll Henagan - Officer
Josef Delone Richardson - Suspect

ANALYSIS REQUESTED Controlled Dangerous Substances. This examination was completed on 12/20/2019 and the report was released on 12/23/2019.

EVIDENCE SUBMITTED (Unless noted in this report, or other reports issued in this case, all items listed will be returned to the submitting agency.)
On 12/20/2019 at 8:26 AM, Evidence Technician Hannah Bellone received the following evidence from the LSP CID - Baton Rouge via Alison Casanova:

Evidence Submission 0004:	One (1) sealed evidence envelope containing
Exhibit #0004-06:	One (1) black plastic box with magnets containing
Exhibit #0004-06A:	One (1) piece of a white tablet.
Exhibit #0004-06B:	Pieces of white tablet and a powder substance.

RESULTS AND CONCLUSIONS

Exhibit 6A was determined to contain hydrocodone with a recorded net weight of 0.237 grams. This conclusion is based upon the following analyses: mass spectrometry and gas chromatography.

In Exhibit 6B, the pieces of tablet and the powder substance were selected for analysis. A portion of the selected items was combined, analyzed, and determined to contain alprazolam and cocaine. The recorded net weight of all items in Exhibit 6B was 2.371 grams. This conclusion is based upon the following analyses: mass spectrometry and gas chromatography.

SIGNATURE

Analysis Performed By:

Brittany Morrill

Brittany Morrill
Forensic Scientist

In compliance with the Louisiana Code of Criminal Procedure Article 719 (A) and ANAB ISO/IEC 17025 accreditation standards, available at www.anab.org, (including the QAS for Forensic DNA Testing and Databasing Laboratories, available at www.fbi.gov), conclusions and opinions in this lab report are based on the use of validated test methods following established procedures of this Laboratory by analysts who are trained, competent, qualified, and authorized to perform said tests, using all equipment required for the correct performance of these tests.



FT-0209

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Report ID: SP-009762-19-0005

Analysts Initials: *BSM*
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December 10, 2019

Attorney General Jeff Landry
Office of the Attorney General
1885 N 3rd St.
Baton Rouge, LA 70702

To Attorney General Jeff Landry:

The Law Offices of Haley & Associates, Dedrick A. Moore, The Unglesby Law Firm, and Ben Crump Law PLLC represent the family of Mr. Josef Richardson. This Christmas will make five (5) months since the homicide of Mr. Richardson. His family remains left in the blind about the State Police's investigation and conclusions regarding his killing, even though it has been approximately three (3) weeks since the State Police concluded this investigation.

As Attorneys for the family, the longer the authorities keep the family and public completely in the dark, the harder it will be to accept any other than the prosecution of Deputy Matranga. As of now, we do not know what witnesses were interviewed, evidence collected, or anything else about the extent of the State police's investigation in reaching their results. We do know that we were not contacted by investigators to offer any information or evidence known by Mr. Richardson's family. In your independent evaluation of this case and the results of this investigation, we believe it is important for community trust and reliability that you hear from Mr. Richardson's family through their collective attorneys about the evidence known that shows that Deputy Matranga's actions were criminal. Otherwise, the family and public can have no faith that the decision from your office will be any different than the many officer involved shootings that involve persons of color in this State.

In the spirit of transparency, accountability, and justice we are asking for the immediate release of the full State Police investigation of Mr. Richardson's killing. Secondly, we would request the opportunity to present evidence to your office prior to making a charging decision about any law enforcement officer involved in Mr. Richardson's death.





Sincerely yours,

Haley & Associates
The Law Offices of Dedrick A. Moore
The Unglesby Law Firm
Ben Crump Law PLLC



Jeff Landry
Attorney General

State of Louisiana

DEPARTMENT OF JUSTICE
CRIMINAL DIVISION
P.O. BOX 94005
BATON ROUGE
70804-9005

16 December 2019

Mr. Ronald Haley
Haley & Associates
8211 Goodwood Boulevard, Suite E
Baton Rouge, Louisiana 70806

(via email: ronaldhaleyesq@yahoo.com)

RE: Josef Richardson

Dear Mr. Haley,

We are in receipt of your letter dated December 10, 2019, in which you inform the Attorney General's Office of your representation of Mr. Josef Richardson's family. Your correspondence requests an "opportunity to present evidence" to the Attorney General's Office and demands "the immediate release of the of the full State Police investigation" in to the death of Mr. Richardson. As you are aware, the Louisiana State Police, not the Attorney General's Office, is the lead agency investigating the facts and circumstances related to Mr. Richardson's death. Accordingly, if you or your clients possess any relevant evidence and/or information, I urge you to contact Louisiana State Police Investigator Bill Cox 225-925-7282, as soon as possible, so Investigator Cox may timely supplement his investigative report, if needed.

Additionally, the Attorney General's Office policy does not allow for the release of information regarding any ongoing investigation, prosecution, or case recused to the office while the matter is pending. I can assure you, the Criminal Division of the Attorney General's Office is thoroughly evaluating all evidence obtained by the Louisiana State Police. After this review, we will render an independent, impartial, and unbiased decision.

Finally, I am sympathetic to Mr. Richardson's family's loss, and I offer my sincerest condolences. Hopefully your clients will take solace in the fact the Attorney General's Office is taking Mr. Richardson's death, the review of the investigation thereof, and the consequential decisions seriously and with an impartial and independent mindset expected and required by the laws of this state.

Sincerely,

Patrick Magee
Assistant Attorney General
Director of the Criminal Division
Louisiana Attorney General's Office